A COMPLETE COLLECTION

OF THE

TREATIES AND CONVENTIONS,

AND RECIPROCAL REGULATIONS AT PRESENT SUBSISTING BETWEEN

GREAT BRITAIN AND FOREIGN POWERS:

AND OF THE

LAWS, DECREES, ORDERS IN COUNCIL, &c.,

CONCERNING THE SAME; SO FAR AS THEY RELATE TO

COMMERCE AND NAVIGATION, THE SLAVE TRADE,
POST-OFFICE COMMUNICATIONS, COPYRIGHT, &c.: 

AND TO THE

PRIVILEGES AND INTERESTS OF THE SUBJECTS OF THE
HIGH CONTRACTING PARTIES.

COMPiled FROM AUTHENTIC DOCUMENTS,

BY SIR EDWARD HERTSLET, C.B.,
LIBRARIAN AND KEEPER OF THE PAPERS, FOREIGN OFFICE.

VOL. XIV.

LONDON:

BUTTERWORTHS, 7, FLEET STREET,
Inn-Publishers to the Queen's most excellent Majesty.

SOLD ALSO BY HARRISON, 69, PALL MALL,
Bookseller to the Queen and H.R.H. the Prince of Wales.

1880.

All rights reserved.
# LIST OF VOLUMES

## COMPILED BY THE LATE LEWIS HERTSLET, ESQ.

<table>
<thead>
<tr>
<th>Vol.</th>
<th>Published</th>
</tr>
</thead>
<tbody>
<tr>
<td>I</td>
<td>1820</td>
</tr>
<tr>
<td>II</td>
<td>1820</td>
</tr>
<tr>
<td>III</td>
<td>1827</td>
</tr>
<tr>
<td>IV</td>
<td>1835</td>
</tr>
<tr>
<td>V</td>
<td>1840</td>
</tr>
<tr>
<td>VI</td>
<td>1845</td>
</tr>
<tr>
<td>VII</td>
<td>1850</td>
</tr>
<tr>
<td>VIII</td>
<td>1851</td>
</tr>
<tr>
<td>IX</td>
<td>1856</td>
</tr>
<tr>
<td>X</td>
<td>1859</td>
</tr>
<tr>
<td>XI</td>
<td>1864</td>
</tr>
</tbody>
</table>

## COMPILED BY SIR EDWARD HERTSLET, C.B.

<table>
<thead>
<tr>
<th>Vol.</th>
<th>Published</th>
</tr>
</thead>
<tbody>
<tr>
<td>XII</td>
<td>1872</td>
</tr>
<tr>
<td>XIII</td>
<td>1877</td>
</tr>
<tr>
<td>XIV</td>
<td>1880</td>
</tr>
</tbody>
</table>
NOTICE.

GENERAL INDEX

to

"HERTSLET'S COMMERCIAL TREATIES."

The General Index to the entire Series of this Work, which is being arranged both Chronologically, and Alphabetically in order of Countries and Subjects, has become so extensive that it has been found absolutely necessary to reserve it for a separate Volume. It is, however, in a forward state, and will shortly be published.

May, 1880.
LIST OF TREATIES, &c.

VOL. XIV.

ADEN.

Treaties, &c., between Aden and Neighbouring Chiefs, viz.: Lower Bolakees. Treaty. Wrecks, &c. Aden, 30th May, 1871...... 1

Maculla. Engagement. Slave Trade. Maculla, 7th April, 1873...... 2

Shuhr. Engagement. Slave Trade. Shuhr, 17th November, 1873 ..... 2

AFRICA (East Coast).

Agreement with Socotra. Storing of Coals, &c. ..... 1834...... 1001
Act of Parliament. Jurisdiction. Slave Trade. 5th August, 1873...... 3
Agreement with Socotra. Non-cession of Island except to British Government. Wrecks. 23rd January, 1876...... 1002

AFRICA (South Coast).

Proclamation. Amendment of Treaty with Tambookies of 18th January, 1837. Stolen Property. Graham's Town, 1st February, 1841...... 7
Treaty with Tambookies. Commerce, &c. Town, April 11, 1845...... 12
Act of Parliament. Union of South African Colonies and States. ....... 13th August, 1877...... 914
Order in Council. Extradition. City of Good Hope. Osborne, 15th January, 1878. . ..... 816

a 2

108203
AFRICA (West Coast).

Treaties, &c., with Native Princes and Chiefs, viz.:

**Sierra Leone. Treaty. Cession, &c.** 22nd August, 1788. 927

**Sierra Leone. Treaty. Trade, &c.**
Robiss, 10th July, 1807. 929

**Trazars. Treaty. Trade, &c.** Senegal, 2nd April, 1814. 930

**Bago. Treaty. Cession, &c.**
Crawford's Island, 6th July, 1818. 932

**Timmanees. Convention. Cession, &c.**
Freetown, 25th May, 1819. 934

**Timmanees (Quia). Convention. Cession, &c.**
Freetown, 21st July, 1820. 936

**Bananas. Convention. Cession, &c.**
Plantains, 20th October, 1820. 938

**North Bulloms. Engagement. Cession of Island of Iombo.**
Iombo, 5th June, 1821. 940

**Caliba. Engagement. Cession of Lemain Island.**
Lemain, 14th April, 1823. 942

**North Bulloms. Convention. Cession of Islands, &c.**
2nd August, 1824. 943

**North Bulloms. Engagement. Cession of Bance Island, Papell, Bob's Island, and Tasso.**
Bance Island, 5th August, 1824. 946

**Sherbro (Bendo, Bullom, Bagroo, Chai, Sherbro Island, Jenkins, Ya Comba, Bompey, Tasso, Plantain Island). Convention. Cession.**
Plantain, 24th September, 1825. 947

**Sierra Leone. Proclamation. Cessions by Sherbro and Ya Comba.** Yoni, 3rd October, 1825. 950

Port Logo, 12th December, 1825. 951

**Mandingo. Agreement. Cession of Island of Mattaong.**
Fouricaria, 30th December, 1825. 953

**Kafu Bulloms. Treaty. Cession.**
Yangoro, 3rd March, Hastings, 10th March, 1827. 957

**Caleba. Engagement. Quarries on Mainland of Yani.**
7th May, 1827. 960

**Soombia Soosoos. Treaty. Annulment of Article IX of Treaty of 18th April, 1826.**
Wongupong, 25th May, 1827. 960

**Marampa, Mendi, Port Loco, Bumberley, Mallaly, Sanda, Tomeso, Tambacca, Rokelle, Mabelly, Rokon, Furadugo and Mahara, Sinnerah, Limba, Myappa and Kolifa. Conference. Trade. Open Roads and Rivers.**
Mabelly, 18th April, 1836. 961
LIST OF TREATIES, &c. (Africa West.)

Mabang, Ma Yosso, Simmerah, Tunee, Mallaly, Yellee, Fun-
doo, and Yannie. Accession. Treaty with
Timmances of 16th April, 1836. Peace.
Mabelly, 28th March, 1837...... 963

Bo Banny, Bullom, 23rd September, 1852...... 964

Lagos. Agreement. British Consul at Lagos.
Lagos, 31st December, 1859...... 965

Creek Town (Old Calabar). Agreement. British Consul
at Fernando Po.
16th January, 1860...... 966

Duke Town (Old Calabar). Agreement. British Consul at
Fernando Po.

Batanga. Agreement. Trade. Protection to British
Subjects and their Property. Wrecks.
Batanga, 18th July, 1860...... 967

Ma Buete (Magbatee), Kambia (Bo Wallah), Great
Scarbies River. Treaty. Slave Trade. Bounda-
Kambia, 11th June, 1861...... 968

Idda, 15th October, 1864...... 17

Navigation, &c... Matappen, 24th May, 1869...... 972

Freetown, 11th June, 1870...... 974

Sherbro. Engagement. Succession.
Freetown, 13th June, 1870...... 975

Sierra Leone. Decision. Succession in Plantain Island
and in Bompey.
Freetown, 13th June, 1870...... 976

Plantain Island and Bompey. Treaty. Succession. Re-
Freetown, 17th June, 1870...... 977

Territories. Open Roads.
Freetown, 30th November, 1871...... 982

Quizh. Treaty. Sovereignty. Retrocession. Bounda-
Benkia, 29th January, 1872...... 984

Tasso, 21st February, 1872...... 987

Imperay and Bagroo. Engagement. Outrages on British
Woodcutters.
22nd February, 1872...... 989

Opobo. Treaty. Trade ...... Opobo, 4th January, 1873...... 18

Proclamation. Prohibition to sell Arms, &c., to Ashantis.
Cape Coast, 8th February, 1873...... 51
<table>
<thead>
<tr>
<th>Treaty</th>
<th>Year</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lagos. Ordinance. Naturalization. Aliens.</td>
<td>7th July, 1873</td>
<td>990</td>
</tr>
<tr>
<td>Sierra Leone. Ordinance. Naturalization. Aliens.</td>
<td>26th November, 1873</td>
<td>992</td>
</tr>
<tr>
<td>Boom Country (Small Boom, Gambia, Bahmah, Tousoo, Hahoon, Tihoon), Bugroo, Dodoe, Mokassiv, Imperris, Mokelly, Matacong, Gbambaiah, Guindemah, Rontook, Kahkah, Jong, Mongray, Braamah, Sembshoo, Martro, Luawah, Woolah.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Treaty. Commerce.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bonthe, 10th February, 1874</td>
<td></td>
<td>19</td>
</tr>
<tr>
<td>Old Calabar (Creek Town). Treaty. Recognition of King. Old Calabar River, 27th February, 1874</td>
<td></td>
<td>24</td>
</tr>
<tr>
<td>Bendoo, 10th April, 1875</td>
<td></td>
<td>27</td>
</tr>
<tr>
<td>Sherbro and Mendis (Gbah). Agreement. Peace.</td>
<td>Sennehowo, 21st December, 1875</td>
<td>30</td>
</tr>
<tr>
<td>Sherbro and Mendis (Bompeh, Ribbee, Mahmoo, Dodo). Agreement. Peace.</td>
<td>Sennehowo, 21st December, 1875</td>
<td>32</td>
</tr>
<tr>
<td>Sherbro and Mendis (Tasso, Bendo-Thumba, Thumba Mannoh, Bompeltotuk, Cockboro). Agreement. Peace.</td>
<td>Shaingay, 30th December, 1875</td>
<td>34</td>
</tr>
<tr>
<td>River Congo, 27th March, 1876</td>
<td></td>
<td>36</td>
</tr>
<tr>
<td>Congo. Additional Articles to Treaty of 1st June, 1865. Wrecks, &amp;c. River Congo, 27th March, 1876</td>
<td></td>
<td>38</td>
</tr>
<tr>
<td>Congo. Additional Articles to Treaty of 6th June, 1865. Wrecks, &amp;c. River Congo, 27th March, 1876</td>
<td></td>
<td>39</td>
</tr>
<tr>
<td>River Congo, 19th April, 1876</td>
<td></td>
<td>40</td>
</tr>
<tr>
<td>Gold Coast. Ordinance. Extradition. 4th April, 1877</td>
<td></td>
<td>52</td>
</tr>
</tbody>
</table>
LIST OF TREATIES, &c. (Argentine Republic, &c.)

Order in Council. Supreme Court, Sierra Leone. Court of Appeal from Gambia. Balmoral, 23rd October, 1877 995

Order in Council. Appeals to Her Majesty in Council from Supreme Court, Gold Coast. Balmoral, 23rd October, 1877 998

Order in Council. Annulling Order of 26th February, 1867. West Africa Court of Appeal. Balmoral, 23rd October, 1877 1000


Order in Council. Extradition. Sierra Leone. Windsor, 27th November, 1878 853

Ambrizette. Treaty. Protection. British Traders. 27th June, 1879 1192


New Calabar. Treaty. Peace 19th November, 1879 1195

ARGENTINE REPUBLIC.

Law. Nationality and Naturalization. Buenos Ayres, 8th October, 1869 1003

Convention. Postal Union Paris, 1st June, 1878 1007

ASIA, &c.

Order in Council. Applying the Slave Trade Act of 1876 to certain Parts of Asia and Africa (Khelat, Muscat, Beloochistan, Persian Gulf, Arabia, Tribes near Aden, Zanzibar, &c.). Windsor, 30th April, 1877 1005

AUSTRIA.

Constitution. Declarations of War. Treaties. Vienna, 25th April, 1848 1006

Royal Order. Maritime Trade in time of War. Vienna, 13th May, 1866 55

Order. Customs Duties. Vienna, 20th December, 1866 55

Final Protocol. Treaty of Commerce of 16th December, 1865 Vienna, 8th September, 1867 57
viii LIST OF TREATIES, &c. (Belgium, &c.)

Order. Customs Duties .......... Vienna, 29th May, 1868 ...... 58
Regulation. Reduction of Duties.
Vienna, 19th June, 1868 ...... 59
Vienna, 3rd August, 1868 ...... 60
Balmain, 19th August, 1871 ...... 1006
Treaty. Extradition .......... Vienna, 3rd December, 1873 ...... 61
Order in Council. Extradition.
Windsor, 17th March, 1874 ...... 66
Treaty. Postal Union .......... Berne, 9th October, 1874 ...... 67
Regulations. Postal Union ...... Berne, 9th October, 1874 ...... 74
St. Petersburgh, 20th July, 1875 ...... 95
Treaty. Commerce .... Buda-Pesth, 5th December, 1876...... 163
Buda-Pesth, 5th December, 1876 ...... 165
Declaration. Prolongation of Treaty of 5th December, 1876, Buda-Pesth, 26th November, 1877 ...... 166
Convention. Postal Union .......... Paris, 1st June, 1878 ...... 1007

BELGIUM.

Declaration. Sugar Duties. France and Belgium.
Paris, 15th July, 1865 ...... 167
London, 20th June, 1866 ...... 167
Treaty. Postal Union .......... Berne, 9th October, 1874 ...... 67
Regulations. Postal Union ...... Berne, 9th October, 1874 ...... 74
St. Petersburgh, 20th July, 1875 ...... 95
Convention. Postal .... London, 17th February, 1876 ...... 168
Treaty. Extradition .......... Brussels, 20th May, 1876 ...... 172
Law. Sugar Duties .......... Brussels, 24th May, 1876 ...... 179
Detailed Regulations. Postal .... London, 20th July, 1876 ...... 181
Order in Council. Extradition. Osborne, 21st July, 1876 ...... 196
Protocol. Sugar Duties .......... Paris, 9th August, 1876 ...... 197
London, 23rd July, 1877 ...... 200
Order in Council. Extradition.
Osborne, 13th August, 1877 ...... 201
Convention. Postal Union .......... Paris, 1st June, 1878 ...... 1007
<table>
<thead>
<tr>
<th>Treaty Type</th>
<th>Treaty Description</th>
<th>Location/Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arrangement</td>
<td>Telegraphic Correspondence. Word Tariff.</td>
<td>London, 31st December, 1878</td>
<td>1197</td>
</tr>
<tr>
<td>Declaration</td>
<td>Canada. Admission of Belgian Vessels to Canadian. Coasting Trade.</td>
<td>Ottawa, 30th September, 1879</td>
<td>1225</td>
</tr>
<tr>
<td>Agreement</td>
<td>Jurisdiction. Trial of British Subjects. Disputes.</td>
<td>26th November, 1856</td>
<td>1018</td>
</tr>
<tr>
<td>Declaration</td>
<td>Wrecks.</td>
<td>17th August, 1878</td>
<td>1018</td>
</tr>
<tr>
<td></td>
<td><strong>BORNEO.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Agreement</td>
<td>Jurisdiction.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Declaration</td>
<td>Wrecks.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>BRAZIL.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Convention</td>
<td>Consular Rights. Surrender of Deserters.</td>
<td>Rio de Janeiro, 22nd April, 1873</td>
<td>204</td>
</tr>
<tr>
<td>Memorandum</td>
<td>Property of Deceased Persons. Duties of Consular Administrators in Brazil.</td>
<td>Rio de Janeiro, 22nd April, 1873</td>
<td>207</td>
</tr>
<tr>
<td>Order in Council</td>
<td>Surrender of Criminals.</td>
<td>Balmoral, 20th November, 1873</td>
<td>209</td>
</tr>
<tr>
<td>Memorandum</td>
<td>Property of Deceased Persons. Duties of Consular Administrators in Great Britain.</td>
<td>London, 28th December, 1873</td>
<td>210</td>
</tr>
<tr>
<td>Decree</td>
<td>Coasting Trade.</td>
<td>Rio de Janeiro, 11th April, 1874</td>
<td>211</td>
</tr>
<tr>
<td>Detailed Regulations</td>
<td>Postal. London, 7th October.</td>
<td>Rio de Janeiro, 30th November, 1875</td>
<td>220</td>
</tr>
<tr>
<td>Order in Council</td>
<td>Merchant Seamen Deserters.</td>
<td>Windsor, 17th May, 1876</td>
<td>226</td>
</tr>
<tr>
<td></td>
<td><strong>CHILE.</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Decree</td>
<td>Cemeteries. Santiago, 21st December, 1871.</td>
<td>Santiago, 21st December, 1871</td>
<td>1019</td>
</tr>
</tbody>
</table>
LIST OF TREATIES, &c. (China, &c.)

CHINA.

Ordinance. Passenger Ships. Emigration. Protection of Females Hong Kong, 8th May, 1873... 227
Ordinance. Trade Marks. Hong Kong, 9th December, 1873... 228
Order in Council. British Jurisdiction. Maritime. Osborne, 6th August, 1874... 230
Order in Council. Consular Fees. Osborne, 21st July, 1876... 241
Order in Council. Extradition. Hong Kong. Windsor, 20th March, 1877... 1021
Order in Council. British Jurisdiction. Additional Ports open to Trade. Windsor, 30th April, 1877... 243
Order in Council. Government of British Subjects in China and Japan. Supreme Court. Hong Kong. Balmoral, 23rd October, 1877... 244
Order in Council. Government of British Subjects. Osborne, 14th August, 1878... 246
Act of Parliament. Jurisdiction over British Subjects in Vessels in Chinese Waters, &c. 16th August, 1878... 1219

COLOMBIA.

Agreement. British Claims. Riot at Panama in 1856. Bogotá, 7th December, 1868... 1198
Agreement. Postal. Bogotá, 11th September, 1875... 252

COSTA RICA.

Constitution. Religion. Treaties. Nationality. Declarations of War. San José, 15th April, 1869... 254

DENMARK.

Law. Coasting Trade... 14th April, 1865... 1022
Fundamental Law. Religion. Conclusion of Treaties. Naturalization. Amalienborg, 28th July, 1866... 255
<table>
<thead>
<tr>
<th>Title</th>
<th>Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Order in Council. Tonnage Measurement.</td>
<td>Osborne, 29th February, 1868.</td>
<td>1023</td>
</tr>
<tr>
<td>Law. Coasting Trade.</td>
<td>Iceland and Faroe Islands.</td>
<td>1022</td>
</tr>
<tr>
<td>Ordinance. Fishing by Foreigners.</td>
<td>Iceland, &amp;c.</td>
<td>257</td>
</tr>
<tr>
<td>Treaty. Extradition.</td>
<td>Copenhagen, 31st March, 1873.</td>
<td>258</td>
</tr>
<tr>
<td>Order in Council. Extradition.</td>
<td>Windsor, 26th June, 1873.</td>
<td>265</td>
</tr>
<tr>
<td>Declaration. Sweden. Pilotage in the Sound.</td>
<td>Copenhagen, 14th August, 1873.</td>
<td>265</td>
</tr>
<tr>
<td>Notice. Offences. British Fishing Boats.</td>
<td>Coast of Jutland</td>
<td>267</td>
</tr>
<tr>
<td>Treaty. Postal Union</td>
<td>Berne, 9th October, 1874.</td>
<td>67</td>
</tr>
<tr>
<td>Regulations. Postal Union</td>
<td>Berne, 9th October, 1874.</td>
<td>74</td>
</tr>
<tr>
<td>Convention. International Telegraph.</td>
<td>St. Petersburgh, 16th July, 1875</td>
<td>95</td>
</tr>
<tr>
<td>Law. Fishing by Foreigners.</td>
<td>Iceland, &amp;c.</td>
<td>268</td>
</tr>
<tr>
<td>Declaration. Property. Deceased Seamen.</td>
<td>London, 11th April, 1877.</td>
<td>269</td>
</tr>
<tr>
<td>Convention. Postal Union</td>
<td>Paris, 1st June, 1878.</td>
<td>1007</td>
</tr>
<tr>
<td>Declaration. Trade Marks</td>
<td>28th November, 1879.</td>
<td>1199</td>
</tr>
</tbody>
</table>

**DOMINICA.**

<table>
<thead>
<tr>
<th>Title</th>
<th>Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constitution. Nationality. Religion.</td>
<td>Conclusion of Treaties.</td>
<td>271</td>
</tr>
<tr>
<td>Naturalization.</td>
<td>St. Domingo, 27th September, 1866</td>
<td></td>
</tr>
</tbody>
</table>

**EGYPT.**

<table>
<thead>
<tr>
<th>Title</th>
<th>Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Firman. Treaties</td>
<td>13th February, 1841.</td>
<td>1024</td>
</tr>
<tr>
<td>Firman. Tribute</td>
<td>May, 1841.</td>
<td>1024</td>
</tr>
<tr>
<td>Firman. Succession. Tribute</td>
<td>27th May, 1866.</td>
<td>1025</td>
</tr>
<tr>
<td>Firman. Commercial and other Treaties.</td>
<td>8th June, 1867.</td>
<td>1026</td>
</tr>
<tr>
<td>Firman. Foreign Loans</td>
<td>29th November, 1869.</td>
<td>1026</td>
</tr>
<tr>
<td>Firman. Cancelling ditto and Confirming Privileges.</td>
<td>16th September, 1872.</td>
<td>1027</td>
</tr>
<tr>
<td>Imperial Khatt. Foreign Loans.</td>
<td>25th September, 1872.</td>
<td>1028</td>
</tr>
</tbody>
</table>
LIST OF TREATIES, &C. (Equator, &c.)

Page

Convention. Postal. Alexandria, 9th December, 1873. 293
Order in Council. Consular Jurisdiction. Windsor, 7th July, 1874. 655
Additional Convention. Postal. Alexandria, 11th August, 1874. 302
Treaty. Postal Union Berne, 9th October, 1874. 67
Regulations. Postal Union Berne, 9th October, 1874. 74
Procès-Verbal. Egypt and France. Judicial Reforms in Egypt. Cairo, 10th November, 1874. 303
Protocol. Egypt and Germany. Judicial Reforms in Egypt Cairo, 5th May, 1875. 316
Declaration. Egypt and France. Judicial Reforms in Egypt Cairo, 10th November, 1875. 318
Agreement. Suez Canal Shares. 25th November, 1875. 1030
Order in Council. Courts of Justice. Osborne, 5th February, 1876. 320
Act of Parliament. Suez Canal Shares. 15th August, 1876. 1031
Convention. Postal London, 14th November, 1877. 1033
Convention. Postal Union Paris, 1st June, 1878. 1007
Order in Council. Slave Trade Convention of 4th August, 1877. Osborne, 30th December, 1878. 1035

EQUATOR.

Constitution. Nationality. Religion. Conclusion of Treaties Quito, 9th June, 1869. 328

FRANCE.

Decree. Herring and Mackerel Fishery. Saint-Cloud, 24th September, 1864. 330
Law. Sociétés Anonmnes. (Joint Stock Companies, &c.) Paris, 24th July, 1867. 1036
Notification. Delay in execution of Fishery Convention of 1867. 26th January, 1869. 1200
<table>
<thead>
<tr>
<th>Order in Council</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Postal Convention of 30th April, 1870. Standards of Weights.</td>
<td>1049</td>
</tr>
<tr>
<td>Balmoral, 4th June, 1870.</td>
<td></td>
</tr>
<tr>
<td>Protocols. Consular Jurisdiction. Tripoli.</td>
<td>540</td>
</tr>
<tr>
<td>Constantinople, 15th February, 1873.</td>
<td></td>
</tr>
<tr>
<td>Regulations. Postal, Paris, 4th March, 1873.</td>
<td>331</td>
</tr>
<tr>
<td>London, 11th</td>
<td></td>
</tr>
<tr>
<td>Law. Conventional Tariffs.</td>
<td>340</td>
</tr>
<tr>
<td>Versailles, 14th March, 1873.</td>
<td></td>
</tr>
<tr>
<td>Order in Council. Tonnage Measurement. French Vessels.</td>
<td>1050</td>
</tr>
<tr>
<td>Windsor, 5th May, 1873.</td>
<td></td>
</tr>
<tr>
<td>Versailles, 23rd July, 1873.</td>
<td>340</td>
</tr>
<tr>
<td>London, 7th November, 1873.</td>
<td>346</td>
</tr>
<tr>
<td>Paris, 22nd January, 1874.</td>
<td></td>
</tr>
<tr>
<td>Versailles, 24th January, 1874.</td>
<td></td>
</tr>
<tr>
<td>Law. Mineral Oils 3rd July, 1874.</td>
<td>1201</td>
</tr>
<tr>
<td>Treaty. Postal Union Berne, 9th October, 1874.</td>
<td>67</td>
</tr>
<tr>
<td>Regulations. Postal Union, Berne, 9th October, 1874.</td>
<td>74</td>
</tr>
<tr>
<td>Procès-Verbal. France and Egypt. Judicial Reforms in Egypt. Cairo, 10th November, 1874.</td>
<td>303</td>
</tr>
<tr>
<td>Constitutional Law. Conclusion of Treaties.</td>
<td></td>
</tr>
<tr>
<td>Versailles, 16th July, 1875.</td>
<td>356</td>
</tr>
<tr>
<td>Convention. International Telegraph.</td>
<td>95</td>
</tr>
<tr>
<td>St. Petersburgh, 24th July, 1875.</td>
<td></td>
</tr>
<tr>
<td>Award of President. Claims of Great Britain and Portugal. Territories on East Coast of Africa (Delagoo Bay, &amp;c.).</td>
<td></td>
</tr>
<tr>
<td>Versailles, 24th July, 1875.</td>
<td>1050</td>
</tr>
<tr>
<td>Order in Council. Copyright.</td>
<td></td>
</tr>
<tr>
<td>Osborne, 5th August, 1875.</td>
<td>357</td>
</tr>
<tr>
<td>Declaration. Copyright. London, 11th August, 1875.</td>
<td>358</td>
</tr>
<tr>
<td>Declaration. France and Egypt. Judicial Reforms.</td>
<td>318</td>
</tr>
<tr>
<td>Cairo, 15th November, 1875.</td>
<td></td>
</tr>
<tr>
<td>Protocol. Sugar Duties Paris, 9th August, 1876.</td>
<td>197</td>
</tr>
<tr>
<td>Treaty. Extradition Paris, 14th August, 1876.</td>
<td>359</td>
</tr>
<tr>
<td>10th August, 1877.</td>
<td>757</td>
</tr>
<tr>
<td>Balmoral, 23rd October, 1877.</td>
<td>1052</td>
</tr>
<tr>
<td>Order in Council. Extradition Treaty of 14th August, 1876. Windsor, 16th May, 1878.</td>
<td>1054</td>
</tr>
<tr>
<td>Convention. Postal Union Paris, 1st June, 1878.</td>
<td>1007</td>
</tr>
<tr>
<td>Notification. Termination of Commercial Treaties.</td>
<td></td>
</tr>
<tr>
<td>London, 13th January, 1879.</td>
<td>1202</td>
</tr>
<tr>
<td>Declaration</td>
<td>Proceeds of Wrecked Vessels.</td>
</tr>
<tr>
<td>-------------</td>
<td>----------------------------</td>
</tr>
<tr>
<td>Declaration</td>
<td>Postal. Remuneration to Captains or Owners of Merchant Vessels.</td>
</tr>
<tr>
<td>Declaration</td>
<td>Continuation of Commercial Treaties.</td>
</tr>
<tr>
<td>Declaration</td>
<td>Distressed Seamen.</td>
</tr>
</tbody>
</table>

**GERMANY.**

| Law. | Nationality and Naturalization. | Berlin, 1st June, 1870 | 1050 |
| Constitution. | Conclusion of Treaties. Declarations of War. | Berlin, 16th April, 1871 | 373 |
| Order in Council. | Tonnage Measurement. German Vessels. | Windsor, 26th June, 1873 | 1056 |
| Treaty. | Postal Union. Berne, 9th October, 1874 | 67 |
| Regulations. | Postal Union. Berne, 9th October, 1874 | 74 |
| Declaration. | Extension of Treaty of 30th May, 1865, to German Empire. Trade Marks. | London, 14th April, 1875 | 375 |
| Protocol. | Egypt and Germany. Judicial Reforms in Egypt. Cairo, 5th May, 1875 | 316 |
| Convention. | International Telegraph. St. Petersburg, 22nd July, 1875 | 95 |
| Law. | Accidents at Sea. Naval Courts. 27th July, 1877 | 1206 |
| Agreement. | Distressed Seamen. London, 27th May, 1879 | 1213 |
| Agreement. | Seamen Deserters. | London, 5th November, 1879 | 1214 |

**GREAT BRITAIN.**

LIST OF TREATIES, &C. (Great Britain.)

Page

St. Jago de la Vega, 23rd February, 1863...... 828

Declaration. Accession of Great Britain to the Geneva Convention for the amelioration of the condition of the Wounded in Armies in the Field. [List of Accessions.]
18th February, 1865...... 1163

15th May, 1867...... 855

1st July, 1867...... 1239

20th August, 1867...... 702

20th August, 1867...... 704

Convention. Postal. United States and Hong Kong.
10th August, 1867...... 1227

Act. Canada. Copyrights 22nd May, 1868...... 769

Act. Canada. Trade Marks and Designs. 22nd May, 1868...... 774

Act. Canada. Duty on Foreign Reprints of British Copy-right Works. 22nd May, 1868...... 781

22nd May, 1868...... 782

22nd May, 1868...... 788

12th May, 1869...... 789


14th April, 1870...... 792

Act. Canada. Coasting Trade. 12th May, 1870...... 794

22nd August, 1870...... 857

22nd August, 1870...... 859


14th April, 1871...... 798

14th April, 1871...... 799

Law. Jamaica. Aliens. Property. 2nd June, 1871...... 829


14th November, 1871...... 848

2nd February, 1872...... 767
LIST OF TREATIES, &c. (Great Britain)


23rd May, 1872...... 762

Trade Marks. ....27th June, 1872........ 703

of Ships. Registry of Ships.
Passenger Ships.

10th August, 1872...... 706

Proclamation. Queensland. Annexation of Islands within
60 miles of the Coast.
Brisbane, 22nd August, 1872...... 850

Property ....................7th October, 1872...... 822


18th October, 1872...... 839

Statutes. Newfoundland. Coast Fisheries ............1872........ 1229

Act of Parliament. Annexation of Turks and Caicos
Islands to Jamaica.

4th April, 1873...... 830

Regulations. Admission of Foreigners to Dockyards.
London, 3rd May, 1873...... 707

Act. Newfoundland. Treaty with United States of 8th
May, 1871. Fisheries .............5th May, 1873...... 844

Protection of Females .......8th May, 1873...... 227


Act. Canada. Aliens and Naturalization. British Co-
lumbia and Manitoba................23rd May, 1873...... 801

Act. Canada. Admission of Prince Edward Island into
the Dominion....................23rd May, 1873...... 802

Act. Canada. Wrecks and Salvage.......23rd May, 1873...... 804


26th May, 1873...... 760

Act of Parliament. Superannuations, &c. Civil Service
Certificates ............26th May, 1873...... 708

Order in Council. Annexation of Turks and Caicos Islands
to Jamaica.

Osborne, 4th August, 1873...... 832


5th August, 1873...... 709

Collisions at Sea. Foreign Ports of
Registry. Pilot and Distress Sig-
als. Yacht Clubs.

5th August, 1873...... 712


5th August, 1873...... 717

Balmoral, 30th August, 1873...... 820

Table. Fees. Measurement of Tonnage....August, 1873...... 716
Supplementary Instructions. Measurement of Tonnage.
October, 1873. ...... 717

Proclamation. Gibraltar. Aliens... 1st December, 1873. ...... 821

Ordinance (Hong Kong). Trade Marks.
9th December, 1873. ...... 228

Act. Manitoba. Aliens. Right to acquire Real and
Personal Property. ...... 28th February, 1874. ...... 838

Act. Newfoundland. Treaty with United States of 8th
May, 1871. Fisheries. ...... 28th March, 1874. ...... 1232

Act. Newfoundland. Repeal of Act of 5th May, 1873,
Fisheries. ...... 29th April, 1874. ...... 1232

............ 30th July, 1874. ...... 860

Act of Parliament. Registration of Births and Deaths at
Sea. .......... 7th August, 1874. ...... 729

5th October, 1874. ...... 860

19th March, 1875. ...... 731

Act. Canada. Coasting Trade. ........... 8th April, 1875. ...... 809

........... 9th April, 1875. ...... 731

Pieces. .......... 13th May, 1875. ...... 732

14th June, 1875. ...... 733

29th June, 1875. ...... 845

19th July, 1875. ...... 810

2nd August, 1875. ...... 811

13th August, 1875. ...... 735

13th August, 1875. ...... 735

13th August, 1875. ...... 740

30th October, 1875. ...... 818

11th November, 1875. ...... 865

26th April, 1876. ...... 1233

27th April, 1876. ...... 1079

Proclamation. Empress of India. .......... 29th April, 1876. ...... 742

24th July, 1876. ...... 743

and Tobago. ........ 11th August, 1876. ...... 826
LIST OF TREATIES, &C. (Great Britain.)


Instructions. Measurement of Space occupied by Deck Cargo. Foreign-going Ships. September, 1876 .......... 756

Declaration. Accession of Ceylon, Straits Settlements, Labuan, Trinidad, British Guiana, Bermuda, Jamaica, Mauritius, and Hong Kong to General Postal Union of 9th October, 1874.

Geneva, 23rd February, 1877 .......... 1165

Order in Council. Extradition. Malta. Windsor, 29th June, 1877 .......... 837


Regulations. Decorations and Medals. 28th August, 1877 .......... 759


Order in Council. Extradition. South Australia. Windsor, 12th December, 1877 .......... 855


Order in Council. Extradition. Western Australia. Osborne, 4th February, 1878 .......... 870


Order in Council. Extradition. Leeward Islands. Windsor, 26th March, 1878 .......... 836


Order in Council. Extradition. Tasmania. Osborne, 18th April, 1878 .......... 867

Proclamation. Prohibition against export of Torpedoes, &c. 18th April, 1878 .......... 760
LIST OF TREATIES, &c. (Greece, &c.) xix

Windsor, 16th May, 1878...... 869

Declaration. Accession of Canada to Postal Union of 9th October, 1874.
Berne, 28th May, 1878...... 1166

Convention with Foreign Powers. Postal Union. British Colonies (Canada, &c.)
Paris, 1st June, 1878...... 1007

Windsor, 29th June, 1878...... 837

16th August, 1878 ..... 1219

16th August, 1878...... 1222

Act of Parliament. Marriages. Fiji . 16th August, 1878 ..... 1226

Windsor, 27th November, 1878...... 765

Order in Council. Extradition. Sierra Leone.
Windsor, 27th November, 1878...... 853

24th June, 1879...... 1238

Windsor, 26th June, 1879...... 1241

3rd July, 1879...... 1224

21st July, 1879...... 1225

Fugitive Offenders, &c.
Osborne, 14th August, 1879...... 1245

See also Africa.

Greece.

Notification. Salvage Dues. Wrecks.
14th December, 1838...... 377

Treaty. Postal Union .......... Berne, 9th October, 1874...... 67
Regulations. Postal Union .... Berne, 9th October, 1874...... 74
St. Petersburgh, 22nd July, 1875...... 95

Agreement. Merchant Seamen Deserters.
Athens, 14th August, 1875...... 377

Windsor, 12th February, 1876...... 379

Convention. Postal Union .......... Paris, 1st June, 1878...... 1007
Osborne, 14th August, 1879...... 1215
GUATEMALA.

Order. Denunciation of Treaty of Commerce of 20th February, 1849.
Guatemala, 28th August, 1873...... 380

Protocol. Compensation for Outrage inflicted on British Vice-Consul at San José (Mr. Magee).
Guatemala, 1st May, 1874...... 1215

HAWAIIAN ISLANDS.

Honolulu, 16th May, 1854...... 380

Balmoral, 23rd October, 1876...... 381

Notice (Hawaiian). Termination of Articles IV, V, and VI of Treaty of 10th July, 1851.
London, 3rd July, 1877...... 1059

Notice (British). Do...... London, 16th February, 1878...... 1059

Notice (British). Withdrawal of above Notice, with regard to Articles V and VI of Treaty of 10th July, 1851.
London, 14th May, 1878...... 1059

HAYTI.

Treaty. Extradition.
Port-au-Prince, 7th December, 1874...... 382

Order in Council. Extradition.
Osborne, 5th February, 1876...... 386

HONDURAS.

Santa Rosa, 17th May, 1862...... 387

Comayagua, 28th September, 1865...... 388

Decree. Cozim Hall (Port of Medina). Roatan. Free Port ...... Comayagua, 24th February, 1868...... 389
<table>
<thead>
<tr>
<th>List of Treaties, &amp;c.</th>
<th>(India, &amp;c.)</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Treaty.</strong></td>
<td><strong>Extradition.</strong></td>
</tr>
<tr>
<td>Order in Council.</td>
<td><strong>Extradition.</strong></td>
</tr>
<tr>
<td><strong>Decree.</strong></td>
<td><strong>Denunciation of Treaties with Foreign States.</strong></td>
</tr>
<tr>
<td><strong>Agreement.</strong></td>
<td><strong>Execution of Agreement of 27th March, 1852.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Guatemala, 25th February, 1878.</strong></td>
</tr>
</tbody>
</table>

**INDIA.**

<table>
<thead>
<tr>
<th>Act.</th>
<th>Naturalization of Aliens</th>
<th><strong>16th July, 1852.</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Treaty with Cabul.</td>
<td>Friendship, &amp;c.</td>
<td><strong>30th March, 1855.</strong></td>
</tr>
<tr>
<td>Agreement with Cabul.</td>
<td>Friendship, &amp;c.</td>
<td><strong>26th January, 1857.</strong></td>
</tr>
<tr>
<td>Act.</td>
<td>Passengers by Sea</td>
<td><strong>15th January, 1860.</strong></td>
</tr>
<tr>
<td>Proclamation.</td>
<td>Kutch. Traffic in Slaves</td>
<td><strong>24th April, 1869.</strong></td>
</tr>
<tr>
<td>Act of Parliament.</td>
<td>Title Deeds.</td>
<td>Inam Lands</td>
</tr>
<tr>
<td>Act.</td>
<td>Native Passenger Ships</td>
<td><strong>28th March, 1876.</strong></td>
</tr>
<tr>
<td>Act of Parliament.</td>
<td>Empress of India</td>
<td><strong>27th April, 1876.</strong></td>
</tr>
<tr>
<td>Proclamation.</td>
<td>Empress of India</td>
<td><strong>28th April, 1876.</strong></td>
</tr>
<tr>
<td>Declaration.</td>
<td>Accession of India to Postal Union of 9th October, 1874.</td>
<td><strong>Berne, 1st July, 1876.</strong></td>
</tr>
<tr>
<td>Act of Parliament.</td>
<td>Offences against Slave Trade Laws</td>
<td><strong>11th August, 1876.</strong></td>
</tr>
<tr>
<td>Additional Articles to Treaty with Khelat of 14th May, 1854.</td>
<td>Trade. Telegraphs. Postal Arrangements, &amp;c.</td>
<td><strong>Jacobabad, 8th December, 1876.</strong></td>
</tr>
<tr>
<td>Convention.</td>
<td>Postal Union</td>
<td><strong>Paris, 1st June, 1878.</strong></td>
</tr>
<tr>
<td>Treaty with Portugal.</td>
<td>Commerce.</td>
<td><strong>Extradition.</strong></td>
</tr>
<tr>
<td></td>
<td><strong>26th December, 1878.</strong></td>
<td></td>
</tr>
</tbody>
</table>

**ITALY.**

<table>
<thead>
<tr>
<th>Fundamental Statute of Sardinia.</th>
<th>Declarations of War.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Conclusion of Treaties.</td>
<td><strong>Turin, 4th March, 1848.</strong></td>
</tr>
<tr>
<td>Treaty.</td>
<td>Extradition.</td>
</tr>
<tr>
<td>Protocols.</td>
<td>Consular Jurisdiction, Tripoli.</td>
</tr>
<tr>
<td>Order in Council.</td>
<td>Extradition Treaty of 5th February, 1873.</td>
</tr>
<tr>
<td>Declaration.</td>
<td>Error in Extradition Treaty of 5th February, 1873.</td>
</tr>
</tbody>
</table>
# LIST OF TREATIES, &c. (Japan, &c.)

<table>
<thead>
<tr>
<th>Treaty/Convention</th>
<th>Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Order in Council. Tonnage Measurement. Italian Vessels.</td>
<td>Balmoral, 30th September, 1873</td>
<td>1086</td>
</tr>
<tr>
<td>Treaty. Postal Union</td>
<td>Berne, 9th October, 1874</td>
<td>67</td>
</tr>
<tr>
<td>Regulations. Postal Union</td>
<td>Berne, 9th October, 1874</td>
<td>74</td>
</tr>
<tr>
<td>Notification. Termination of Commercial Treaty of 6th August, 1863</td>
<td>London, 26th June, 1875</td>
<td>1087</td>
</tr>
<tr>
<td>Convention. International Telegraph.</td>
<td>St. Petersburgh, 22nd July, 1875</td>
<td>95</td>
</tr>
<tr>
<td>Declaration. Continuation of Commercial Treaty of 6th August, 1863</td>
<td>Florence, 7th December, 1875</td>
<td>403</td>
</tr>
<tr>
<td>Declaration. Continuation of Commercial Treaty of 6th August, 1863</td>
<td>Rome, 22nd May, 1876</td>
<td>405</td>
</tr>
<tr>
<td>Declaration. Continuation of Commercial Treaty of 6th August, 1863</td>
<td>Rome, 10th April, 1877</td>
<td>405</td>
</tr>
<tr>
<td>Declaration. Continuation of Commercial Treaty of 6th August, 1863</td>
<td>Rome, 5th March, 1878</td>
<td>408</td>
</tr>
<tr>
<td>Convention. Postal Union</td>
<td>Paris, 1st June, 1878</td>
<td>1007</td>
</tr>
<tr>
<td>Declaration. Continuation of Commercial Treaty of 6th August, 1863</td>
<td>Rome, 5th December, 1878</td>
<td>408</td>
</tr>
<tr>
<td>Declaration, Continuation of Commercial Treaty of 6th August, 1863</td>
<td>Rome, 11th November, 1879</td>
<td>1217</td>
</tr>
</tbody>
</table>

*See also Sardinia.*

---

**JAPAN.**

<table>
<thead>
<tr>
<th>Act/Convention</th>
<th>Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Order in Council. Consular Fees.</td>
<td>Osborne, 21st July, 1876</td>
<td>241</td>
</tr>
<tr>
<td>Order in Council. British Jurisdiction. Additional Ports opened to Trade.</td>
<td>Windsor, 30th April, 1877</td>
<td>243</td>
</tr>
<tr>
<td>Order in Council. Government of British Subjects. Supreme Court. Hong Kong.</td>
<td>Balmoral, 23rd October, 1877</td>
<td>244</td>
</tr>
<tr>
<td>Convention. Postal Union</td>
<td>Paris, 1st June, 1878</td>
<td>1007</td>
</tr>
<tr>
<td>Order in Council. Government of British Subjects.</td>
<td>Osborne, 14th August, 1878</td>
<td>246</td>
</tr>
<tr>
<td>Act of Parliament. Jurisdiction over British Subjects in Japanese Waters.</td>
<td>16th August, 1878</td>
<td>1219</td>
</tr>
</tbody>
</table>
Johanna.

Engagement. Protection to Immigrants. 8th March, 1873

Kashgar and Yarkund.


Luxemburg.

Constitution. Naturalization, Religion, and conclusion of Treaties. Loo, 17th October, 1868
Treaty. Postal Union Berne, 9th October, 1874
Regulations. Postal Union Berne, 9th October, 1874
Convention. Postal Union Paris, 1st June, 1878

Madagascar.

Proclamation. Emancipation of Mozambique Slaves. Tananarivo, 2nd October, 1874
Edict. Emancipation of Mozambique Slaves. Tananarivo, 20th June, 1877

Mexico.

Constitution. Nationality Mexico, 15th May, 1856
Speech of President. Termination of Treaties with Foreign Powers. Protection of Foreigners. Mexico, 8th December, 1867
Convention. Postal Union Paris, 1st June, 1878

Montenegro.

Convention. Postal Union Paris, 1st June, 1878
LIST OF TREATIES, &c. (Morocco, &c.)

MOROCCO.

Order in Council. British Consular Jurisdiction. Page
Osborne, 4th February, 1875... 413

MUSCAT.

Treaty. Slave Trade........ Muscat, 14th April, 1873... 414

NETHERLANDS.

Law. Fisheries ............ The Hague, 13th June, 1857... 1102
Regulations. Telegraphic Correspondence.
The Hague, 19th December, 1870... 1104
Treaty. Extradition......... The Hague, 19th June, 1874... 416
Order in Council. Extradition.
Osborne, 6th August, 1874... 420
Treaty. Postal Union........ Berne, 9th October, 1874... 67
Regulations. Postal Union.... Berne, 9th October, 1874... 74
St. Petersburgh, 22nd July, 1875... 95
Balmoral, 26th October, 1875... 1106
British Notice. Fishermen off Dutch Coast.
London, May, 1876... 1107
Protocol. Sugar Duties........ Paris, 9th August, 1876... 197
Agreement. Admission of the Netherland Colonies to the
Postal Union. Berne, 19th January, 1877... 1107
Convention. Postal Union...... Paris, 1st June, 1878... 1007
Agreement. Telegraphic Correspondence. Word Tariff.
The Hague, 7th March, 1879... 1108

NEW GRANADA.

Law. Free Navigation of Rivers by Foreign Steam Vessels........ Bogotá, 7th April, 1852... 421
Bogotá, 24th May, 1856... 421
Religion........ Bogotá, 22nd May, 1858... 423
Decree. Free Navigation of Rivers by Foreign Steam Vessels........ Bogotá, 30th July, 1861... 424
NORWAY.

Treaty. Postal Union ..... Berne, 9th October, 1874. ..... 87
Regulations. Postal Union ..... Berne, 9th October, 1874. ..... 74
Order in Council. Tonnage Measurement. Norwegian
Vessels. Windsor, 17th May, 1876. ..... 1218

See also Sweden.

PACIFIC ISLANDS.

Act of Parliament. Criminal Outrages upon Natives of Islands in Pacific Ocean ..... 2nd August, 1875. ..... 425
Order in Council. British Jurisdiction. Western Pacific Islands.
Osborne, 13th August, 1877. ..... 871
Osborne, 14th August, 1879. ..... 1245

PERSIA.

St. Petersburgh, 22nd July, 1875. ..... 95
Act. Accession to Convention of 1st June, 1878. Postal Union ..... Berne, 15th August, 1878. ..... 1110

PERSIAN GULF.

Engagements with Arab Chiefs for the maintenance of the Maritime Truce, viz., with:
El-Kutr. (Guttur). ..... 12th September, 1868. ..... 1111
Aboo Dhebbie. (Aboothabie). ..... 16th September, 1868. ..... 1112

Engagements for the Suppression of the Slave Trade, 1872-73, viz., with:
Aboothabie ..... 5th March, 1873. ..... 1116
Ajman. (Ejman). ..... 1st October, 1872. ..... 1114
Annilgavine ..... , 1872. ..... 1114
Bahrein ..... 24th August, 1872. ..... 1115
Debye ..... , 1872. ..... 1114
Muscat ..... 20th September, 1872. ..... 1115
Shargah ..... 28th February, 1872. ..... 1116
<table>
<thead>
<tr>
<th>Treaty/Convention</th>
<th>Country</th>
<th>Date</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constitution. Religion. Nationality. Conclusion of Treaties</td>
<td>Peru</td>
<td>Lima, 29th August, 1867</td>
<td>430</td>
</tr>
<tr>
<td>Decree. Navigation of Rivers</td>
<td>Peru</td>
<td>Lima, 17th December, 1868</td>
<td>432</td>
</tr>
<tr>
<td>Decree. Payment of Callao Pillage Claims</td>
<td>Peru</td>
<td>Lima, 27th February, 1871</td>
<td>1116</td>
</tr>
<tr>
<td>Convention. Postal Union</td>
<td>Peru</td>
<td>Paris, 1st June, 1878</td>
<td>1007</td>
</tr>
<tr>
<td>Treaty. Postal Union</td>
<td>Portugal</td>
<td>Berne, 9th October, 1874</td>
<td>67</td>
</tr>
<tr>
<td>Regulations. Postal Union</td>
<td>Portugal</td>
<td>Berne, 9th October, 1874</td>
<td>74</td>
</tr>
<tr>
<td>Law. Freedom of Libertos in Colonies</td>
<td>Portugal</td>
<td>Ajuda, 29th April, 1875</td>
<td>432</td>
</tr>
<tr>
<td>Convention. International Telegraph</td>
<td>Portugal</td>
<td>St. Petersburgh, 22nd July, 1875</td>
<td>95</td>
</tr>
<tr>
<td>Decree. Abolition of Servile Condition of Libertos in Transmarine Provinces</td>
<td>Portugal</td>
<td>Lisbon, 20th December, 1875</td>
<td>438</td>
</tr>
<tr>
<td>Regulations. Abolition of Servile Condition of Libertos in Transmarine Provinces</td>
<td>Portugal</td>
<td>Lisbon, 20th December, 1875</td>
<td>439</td>
</tr>
<tr>
<td>Law. Application to Great Britain of Tariff annexed to Treaty between France and Portugal of 11th July, 1866</td>
<td>Portugal</td>
<td>Lisbon, 26th January, 1876</td>
<td>1118</td>
</tr>
<tr>
<td>Law. Application to Great Britain of Tariff annexed to Treaty between France and Portugal, of 11th July, 1866</td>
<td>Portugal</td>
<td>British Imports into Portugal</td>
<td>1118</td>
</tr>
<tr>
<td>Law. Application to Great Britain of Tariff annexed to Treaty between France and Portugal of 11th July, 1866</td>
<td>Portugal</td>
<td>Lisbon, 3rd February, 1876</td>
<td>1118</td>
</tr>
<tr>
<td>Law. Slavery in St. Thomas and Princes</td>
<td>Portugal</td>
<td>Lisbon, 3rd February, 1876</td>
<td>1119</td>
</tr>
<tr>
<td>Convention. Postal Union</td>
<td>Portugal</td>
<td>Paris, 1st June, 1878</td>
<td>1119</td>
</tr>
<tr>
<td>Treaty. Commerce and Extradition. Indian Possessions</td>
<td>Portugal</td>
<td>Lisbon, 26th December, 1878</td>
<td>1119</td>
</tr>
<tr>
<td>Memorandum. Application of Tariff</td>
<td>Portugal</td>
<td>Lisbon, 26th December, 1878</td>
<td>1144</td>
</tr>
<tr>
<td>Declaration. English Text of Tariff</td>
<td>Portugal</td>
<td>Lisbon, 26th December, 1878</td>
<td>1145</td>
</tr>
<tr>
<td>Additional Article. Do. Salt</td>
<td>Portugal</td>
<td>8th March, 1879</td>
<td>1145</td>
</tr>
<tr>
<td>Declaration. Do. Reforms in Portuguese Colonies in India. Payment of 1st British Instalment</td>
<td>Portugal</td>
<td>6th August, 1879</td>
<td>1146</td>
</tr>
</tbody>
</table>
LIST OF TREATIES, &C. (Prussia, &c.) xxvii

PRUSSIA.

Ordinance. Marriages of Foreigners. Berlin, 13th March, 1854. 455

Award. British and United States. Boundary Claims. North West Coast of America. (San Juan, Canal de Haro, Rosario Straits.) Berlin, 21st October, 1872. 1148

Law. Religious Worship. Berlin, 5th April, 1873. 456

Treaty. Postal Union. Berne, 9th October, 1874. 67

Regulations. Postal Union. Berne, 9th October, 1874. 74

ROUMANIA.


Declaration. Commercial Relations. London, 30th November, 1876. 458

Protocol. Commercial Relations. Bucharest, 20th April, 1877. 459

Convention. Postal Union. Paris, 1st June, 1878. 1007

Law. Commercial Arrangements. Sinaia, 18th July, 1878. 1149

RUSSIA.


Treaty. Postal Union. Berne, 9th October, 1874. 67

Regulations. Postal Union. Berne, 9th October, 1874. 74

Convention. International Telegraph. St. Petersburgh, 22nd July, 1875. 95

Declaration. British Accession to Telegraph Convention of 22nd July, 1875. 7th January, 1876. 162

British Proclamation. Neutrality. War. Russia and Turkey. Windsor, 30th April, 1877. 461


Convention. Postal Union. Paris, 1st June, 1878. 1007
xxviii LIST OF TREATIES, &c. (Salvador, &c.)

SALVADOR.

San Salvador, 16th October, 1871...... 469
Convention. Postal Union....... Paris, 1st June, 1878...... 1007

SARDINIA.

Constitution. Declarations of War. Conclusion of Treaties.
Turin, 4th March, 1848...... 1036
See also Italy.

SERVIA.

Constitution. Conclusion of Treaties. Nationality. Religion...... Kragouievatz, 29th June, 1869...... 470
Treaty. Postal Union...... Berne, 9th October, 1874...... 67
Regulations. Postal Union...... Berne, 9th October, 1874...... 74
Convention. Postal Union....... Paris, 1st June, 1878...... 1007
Arrangement. Commerce.............. 7th March, 1879...... 1150

SIAM.

6th November, 1860...... 1151
Bangkok, 8th February, 1868...... 1156
(Quedah.)...... Bangkok, 6th May, 1869...... 1157
Order in Council. British Jurisdiction.
Balmoral, 23rd October, 1876...... 472

SPAIN.

Decree. Freedom of Slaves of Rebels.
Puerto Principe, 14th May, 1870...... 474
Law. Foreigners in Spanish Colonies.
San Ildefonso, 4th July, 1870...... 474
LIST OF TREATIES, &c. (Sweden and Norway.)

Order. Foreign Shipwrecked Vessels. Page
Madrid, 23rd August, 1870...... 483


Madrid, 22nd March, 1873...... 497

Regulations. Abolition of Slavery in Porto Rico.
Madrid, 7th August, 1874...... 498

Arrangement. Claims arising out of Execution of British Subjects at Santiago de Cuba.
13th August, 1874...... 1160

Treaty. Postal Union Berne, 9th October, 1874...... 67

Regulations. Postal Union Berne, 9th October, 1874...... 74

Windsor, 17th March, 1875...... 503

Osborne, 5th August, 1875...... 503

Additional Convention. Postal.
Madrid, 25th November, 1875...... 504

Declaration. Trade Marks.
London, 14th December, 1875...... 511

Madrid, 25th December, 1875...... 511

Decree. Emancipados Havana, 15th February, 1876...... 1161
Decree. Emancipados Havana, 20th May, 1876...... 1162

Madrid, 30th June, 1876...... 512

11th March, 1877...... 513

Treaty. Extradition London, 4th June, 1878...... 518

Order in Council. Extradition.
Windsor, 27th November, 1878...... 525

Convention. Postal Union Paris, 1st June, 1878...... 1007

Notice. Denunciation of Copyright Convention of 7th July, 1857...... London, 17th February, 1879...... 1162


SWEDEN AND NORWAY.

Stockholm, 15th August, 1854...... 526

Treaty. Extradition. Stockholm, 26th June, 1873...... 527

Order in Council. Extradition.
Balmoral, 30th September, 1873...... 531

Treaty. Postal Union. Berne, 9th October, 1874...... 67

Regulations. Postal Union Berne, 9th October, 1874...... 74

Convention. International Telegraph. St. Petersburgh, 22nd July, 1875. 95


Convention. Postal Union. Paris, 1st June, 1878. 1007

---

SWITZERLAND.


Treaty. Postal Union. Berne, 9th October, 1874. 67

Regulations. Postal Union. Berne, 9th October, 1874. 74


Berne, 28th November, 1874. 537

Order in Council. Extradition. Osborne, 4th February, 1875. 538

Convention. International Telegraph. St. Petersburgh, 22nd July, 1875. 95

Declaration. Adhesion of Ceylon, &c., to Postal Union of 9th October, 1874.

Berne, 23rd February, 1877. 1165

Declaration. Adhesion of Canada to Postal Union of 9th October, 1874.

Berne, 28th May, 1878. 1166

Convention. Postal Union. Paris, 1st June, 1878. 1007


Berne, 19th June, 1878. 539


Berne, 13th December, 1878. 1166


Berne, 8th December, 1879. 1168

---

TRIPOLI.


Constantinople, 14th February, 1873. 540
LIST OF TREATIES, &c. (Tunis, &c.) xxxi

TUNIS.

19th July, 1875........ 541
Order in Council. Surrender of Seamen Deserters.
Windsor, 17th May, 1876..... 555

TURKEY.

Ordinance. Prohibition to Import Arms and Munitions
of War..................... 7th January, 1863..... 556
Notification. Refuge Houses for Shipwrecked Mariners.
Black Sea.
Constantinople, 7th October, 1868..... 557
Constantinople, 14th February, 1873..... 540
Order in Council. Consular Jurisdiction. Ottoman
Dominions.
Windsor, 12th December, 1873..... 557
Windsor, 7th July, 1874..... 655
Treaty. Postal Union .......... Berne, 9th October, 1874..... 67
Regulations. Postal Union ..... Berne, 9th October, 1874..... 74
Order in Council. Hospital Dues on British Shipping.
Windsor, 13th May, 1875..... 656
St. Petersburgh, 22nd July, 1875..... 95
Order in Council. Fees to be charged in British Consular
Courts.
Balmoral, 26th October, 1875..... 657
Osborne, 5th February, 1876..... 320
Constitution. Conclusion of Treaties. Declarations of
War. Religion............ 11th December, 1876..... 662
London, 17th August, 1877..... 1169
Convention. Postal Union .......... Paris, 1st June, 1878..... 1097
Convention. Conditional Occupation and Administration
of Cyprus by England.
Constantinople, 4th June, 1878..... 1170
Annex to ditto. Cyprus. Mussulman Religious Tribunals,
&c. Revenue, Sale, and Lease of Crown
Lands and Property. Right of English Govern-
ment to purchase Land. Conditional Evacua-
ton of Island.
Constantinople, 1st July, 1878..... 1171

Berlin, 13th July, 1878......1172


Order in Council. British Jurisdiction over Island of Cyprus.

Balmoral, 14th September, 1878......663


**UNITED STATES.**

Constitution. Conclusion of Treaties. Declarations of War.............17th September, 1787......668


Washington, 25th June, 1847......669

Protocol. Cession of Horse Shoe Reef, on Lake Erie, by Great Britain to the United States, for erection of Lighthouse thereon.

London, 9th December, 1850......1178

Convention. United States and Hong Kong.

10th August, 1867......1227


Osborne, 30th July, 1868......1218


27th February, 1872......1179

Additional Articles. Place of Meeting. Claims Commission.

Washington, 18th January, 1873......681


1st March, 1873......682


Washington, 10th March, 1873......678


Washington, 7th June, 1873......684


25th September, 1873......1180


15th January, 1874......1234

Protocol. Newfoundland Fisheries......28th May, 1874......1181


29th May, 1874......1183
LIST OF TREATIES, &C. (Uruguay, &c.)

Convention. United States and New South Wales. Postal. 1st June, 1875......1236


Act. Amendment of Statute. Extradition. 19th June, 1876......1184

Agreement. Postal. Transit Charges. Closed Mails. Washington, 6th October, 1876...... 688

Declaration. Trade Marks. London, 24th October, 1877...... 689


Convention. Postal Union........... Paris, 1st June, 1878......1007

URUGUAY.

Decree. Navigation of the River Uruguay. Monte Video, 2nd June, 1854...... 690

Protocol. Renewal of Diplomatic Relations. British Claims .... Monte Video, 29th April, 1879......1186

VENEZUELA.

Constitution. Nationality. Religion. Conclusion of Treaties Caracas, 28th March, 1864...... 691

Notifications. British Claims. Caracas, 9th October, 1868...... 692

Resolution. Coasting Trade. Caracas, 20th February, 1871......1190

ZANZIBAR.


Treaty. Slave Trade. Zanzibar, 5th June, 1873...... 693

Supplementary Treaty. Slave Trade. London, 14th July, 1875...... 695

Proclamations. Suppression of Inland Slave Trade. 18th April, 1876......1191
ERRATA.

Page 682. Note. Approved 1st March, 1873.

Page 863, last line, for see India read repealed.

Page 1088, 14th line from top, for 1879 read 1880.
TREATIES, &c., between the British Government of Aden and the neighbouring Chiefs, relative to Wrecks, Slave Trade, &c. 1871–1873.

TREATY with the Sultan of the Lower Bolakees for the protection of British Vessels wrecked on the Bolakee Coast. Aden, May 30, 1871.

(Translation.)

The reason of writing this is as follows:

Whereas on the 14th day of October, A.D. 1855, answering to the 2nd day of Safar, A.H. 1272, a Treaty was entered into between Sultan Munassar bin Abdoolah-bin-Mehdee the Bulakee, and Sultan Boo Beker bin Abdoolah-bin-Mehdee, on the one part, and Brigadier William Marcus Coghlan, Political Resident at Aden, on behalf of the British Government, on the other part, for the suppression of the traffic in slaves from Africa; and whereas it is expedient that the friendship which is now existing between these parties should be still further augmented, therefore we, whose signatures and seals are hereunto annexed, both ratify the covenant entered into as aforesaid, and further do agree to the conditions hereinafter specified, that is to say:

ART. I. That there shall be perpetual friendship and peace between us and the British Government and allies thereof.

II. It is incumbent upon us to keep the roads within our territories, and the sea-shore thereof, secure and peaceful.

III. If any ship belonging to the British Government, or to the subjects thereof, or to the Government of any other State, or to the subjects thereof, shall be wrecked upon our shores, it is incumbent upon us to protect the same, and to render all the assistance in our power to the crews and passengers, and to treat them well.

IV. It is incumbent upon us to conduct the crews and passengers as aforesaid to Aden in safety, as well as all the property which may belong to them, and it shall be at the discretion of the British Government to recompense us for our trouble as they may deem fit.

V. If any seaman belonging to a vessel anchored in the harbour of Aden, or in its vicinity, or if any soldier belonging...
to the garrison of Aden, shall desert and take refuge in our territories, it shall be incumbent upon us to convey him in safety to Aden, and to deliver him up to be dealt with as the authorities may deem fit.

VI. This engagement is binding on me, my successors, and descendants, and on all my tribe, and is fully made and entered into on their behalf with the British Government.

Written at Aden, this 30th day of May, A.D 1871, answering to the 11th day of Rabi-ul-Awal, A.H. 1288.

C. W. TREMENHEERE, Resident at Aden.

Seal of Sultan:
(L.S.) 'ABOO BEKER-BIN ABDULLAH BIN MEHDEE, the Bulakee.

---

ENGAGEMENT of the Nukeeb of Maculla, for the Abolition of the Slave Trade in his Dominions. Signed at Maculla, April 7, 1873.

WHEREAS under date 14th May, 1863, A.D. (25th Dhil-kaada, 1279 A.H.), a solemn Agreement was entered into by me, Silah bin Mahomed, Nukeeb of Maculla, with Brigadier William Marcus Coghlan, covenanting to abolish and prohibit the export or import of slaves from or to any part of my territory, from or to any other place, whether in Africa or in Asia, or elsewhere. And whereas his Excellency Sir Henry Bartle Edward Frere, G.C.S.I., K.C.B., Her Britannic Majesty's Special Envoy, has now impressed on me the advantages of adhering in perpetuity to the terms of the said Agreement: therefore and accordingly, I, Silah bin Mahomed, Nukeeb of Maculla aforesaid, on behalf of myself, my heirs and successors, do hereby solemnly confirm and engage to be bound by the terms of the aforesaid Agreement of 14th May, 1863.

Done at Maculla, this 7th day of the month of April, in the year of Our Lord 1873.

H. B. E. FRERE, Special Envoy.
SILAH MAHOMED.

Witnesses:
LEWIS PELLY, Colonel, Political Resident in the Persian Gulf.
C. B. EUAN SMITH, Major, Private Secretary to Sir B. Frere.

---

ENGAGEMENT of the Jemadar of Shuhr, for the Abolition of the Slave Trade in his Dominions. Signed at Shuhr, November 17, 1873.

THIS 17th day of November, A.D. 1873, answering to the 26th day of Ramadhan, A.H. 1290, I, Abdcoollah bin Omar Ali

Kaiatee, Ruler of Shuhr, engage with the great English Government to abolish and prohibit the import and export of slaves to or from the port of Shuhr and all the dependencies thereof, from or to any other place in Africa or Asia, or elsewhere; and whereas his Excellency Sir Henry Bartle Edward Frere, G.C.S.I., K.C.B., Her Britannic Majesty's Special Envoy, has impressed upon me the advantage of adhering in perpetuity to the terms of the Agreement entered into by Ali bin Najee, Nakeeb of Shuhr, with Brigadier William Marcus Coghlan, on the 14th day May, A.D. 1863,* answering to the 25th day of Dhil-kaada, A.H. 1279, therefore I and my brothers, Awadh and Salih, on behalf of ourselves, our heirs and successors, do hereby solemnly confirm and engage to be bound by the terms of that Agreement.

Abdoolla bin Omar Alkaiatee, Katubh |
Awuz bin Omar Alkaiatee, Sultan |
Noor Ahmed Bahadoor.

J. W. Schneider, Brigadier-General, Political Resident at Aden.

W. F. Prideaux, Assistant Resident at Aden.

(L.S.) Northbrook.

Ratified by his Excellency the Viceroy and Governor-General of India, at Calcutta, on the 11th day of February, 1874.

C. U. Aitchison, Secretary to the Government of India, Foreign Department.

AFRICA. (East Coast.)

ACT of the British Parliament, for regulating and extending the Jurisdiction in matters connected with the Slave Trade of the Vice-Admiralty Court at Aden, and of Her Majesty's Consuls, under Treaties with the Sovereigns of Zanzibar, Muscat, and Madagascar, and under future Treaties.

[36 & 37 Vict. cap. 59.] ——— [August 5, 1873.]

WHEREAS Treaties for the more effectual suppression of the Slave Trade have been made by or on behalf of Her Majesty with Chiefs or States in Arabia, and on the shores of the Persian Gulf, and on the East Coast of Africa, and in the islands of Madagascar and Zanzibar, and the Comoro islands:

And whereas by the Foreign Jurisdiction Act, 1843 [cap 94],† it was among other things enacted "that it is and shall be lawful for Her Majesty to hold, exercise, and enjoy any power or jurisdiction which Her Majesty now hath or may at any time hereafter

have within any country or place out of Her Majesty's dominions in the same and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory."

And whereas by various Treaties Her Majesty is empowered to exercise jurisdiction within the dominions of the Sultan of Zanzibar, the Imaum of Muscat, and the Sovereign of Madagascar, in regard to vessels captured on suspicion of being engaged in the Slave Trade:

And whereas by an Order in Council relating to the dominions of the Sultan of Zanzibar, and dated the 9th day of August, 1866, and another Order in Council relating to the dominions of the Imaum of Muscat, and dated the 4th day of November, 1867, and a third Order in Council relating to the dominions of the Sovereign of Madagascar, and dated the 4th day of February, 1869, it was in each case ordered that Her Majesty's Consul within the dominions to which the Order relates should, for and within the said dominions, and in regard to vessels captured on suspicion of being engaged in the Slave Trade within those dominions, have all such jurisdiction as for the time being ordinarily belongs to courts of Vice-Admiralty in Her Majesty's possessions abroad:

And whereas a Vice-Admiralty Court has been established at Aden, but has only a limited jurisdiction in matters relating to the Slave Trade:

And whereas by "The Slave Trade Jurisdiction (Zanzibar) Act, 1869" [cap. 75], provision was made for the exercise of the said jurisdiction by Her Majesty's Consul within the dominions of the Sultan of Zanzibar:

And whereas it is expedient to make further provision for the exercise of the said jurisdiction by Her Majesty's Consuls within the dominions of the Sovereigns of Zanzibar, Muscat, and Madagascar, and for the exercise of jurisdiction in matters relating to the Slave Trade by the Vice-Admiralty Court at Aden:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as "The Slave Trade (East African Courts) Act, 1873."
2. In this Act—

The term "vessel" means any vessel used in navigation:

The term "Treaty" includes any Convention, agreement, engagement, or arrangement:

The term "foreign State" includes any foreign nation, people, tribe, Sovereign, Prince, chief, or head man:
The term “existing East African Slave Trade Treaty” means a Treaty made by or on behalf of Her Majesty with any foreign State in Arabia or on the East Coast of Africa, or the shores of the Persian Gulf, or in any island lying off Arabia, or off such coast or shore, including the islands of Zanzibar and Madagascar and the Comoro islands, for the more effectual suppression of the Slave Trade, and in force at the passing of this Act:

The term “East African Courts” means the Vice-Admiralty Court at Aden, and any of Her Majesty’s Consuls within the dominions of the Sovereigns of Zanzibar, Muscat, and Madagascar, when exercising jurisdiction in pursuance of the recited Orders in Council.

3. All jurisdiction which is by any Act conferred on the Vice-Admiralty Courts in Her Majesty’s possessions abroad, in regard to British vessels seized by the commander or officer of any of Her Majesty’s ships on suspicion of being engaged in or fitted out for the Slave Trade, and in regard to the persons, slaves, goods, and effects on board thereof, is hereby conferred on the East African Courts, in regard to vessels seized by the commander or officer of any of Her Majesty’s ships on suspicion of being engaged in or fitted out for the Slave Trade, and to the persons, slaves, goods, and effects on board thereof, in the following cases; namely,

(1.) Where the vessel seized is a British vessel;

(2.) Where the vessel seized has been seized in pursuance of any existing East African Slave Trade Treaty; and

(3.) Where the vessel seized is not shown to the court to be entitled to claim the protection of the flag of any foreign State.

Each of the East African Courts shall have the same jurisdiction in regard to any person who has been seized either at sea or land, on the ground that he has or is suspected to have been detained as a slave, for the purpose of the Slave Trade, as the court would have under this section if he had been so detained on board a vessel that was seized and brought in for adjudication.

All jurisdiction exercised under this section shall for the purposes of any such Act as above mentioned be deemed to be exercised in pursuance of that Act.

4. The provisions of the Vice-Admiralty Courts Act, 1863 [cap. 24],* with respect to appeals to Her Majesty in Council from any decree or order of a Vice-Admiralty Court shall apply, mutatis mutandis, to appeals from any decree or order of the East African Courts made or purporting to be made in the exercise of their jurisdiction under this Act.

5. The provisions of the Vice-Admiralty Courts Act, 1863, with respect to rules touching the practice to be observed in

the Vice-Admiralty Courts, and tables of fees to be taken by the officers and practitioners thereof, shall apply in like manner as if they were herein enacted, with the substitution of the East African Courts for the Vice-Admiralty Courts, and of the place in which any such court is held for the British possession in which the Vice-Admiralty Court is established.

6. This Act shall apply to all cases of vessels, slaves, goods, and effects seized by the commander or officer of any of Her Majesty's ships, and adjudicated upon by any of the East African Courts, whether before or after the passing of this Act.

7. Where any Treaty in relation to the Slave Trade is made after the passing of this Act, by or on behalf of Her Majesty, with any foreign State in Arabia, or on the East Coast of Africa, or on the shores of the Persian Gulf, or in any island lying off Arabia or off such coast or shores, including the islands of Zanzibar and Madagascar and the Comoro islands, Her Majesty may by Order in Council direct that as from such date, not being earlier than the date of the Treaty, as may be specified in the Order, such Treaty shall be deemed, and thereupon (as from the said date, or if no date is specified, as from the date of such Order) such Treaty shall be deemed to be an existing East African Slave Trade Treaty within the meaning of this Act, and the provisions of this Act shall apply and be construed accordingly.

Her Majesty may by such Order, or any subsequent Order referring to the same Treaty, render the application of this Act subject to such conditions, exceptions, and qualifications as may be deemed expedient, and limit or exclude the jurisdiction of any of the East African Courts.

Her Majesty may by such Order, or any subsequent Order referring to the same Treaty, direct that any court, Consul, or person authorised by or in pursuance of an Order in Council to exercise within the dominions of the foreign State with whom the Treaty is made jurisdiction in matters relating to the Slave Trade, shall, subject to the conditions, exceptions, and limitations, if any, contained in the Order, exercise all the jurisdiction conferred by this Act on the East African Courts; and such court, Consul, or person, when exercising such jurisdiction, shall be deemed to be one of the East African Courts within the meaning of this Act.

Every such Order shall recite or embody the terms of the Treaty, so far as they relate to the Slave Trade, and shall be laid before both Houses of Parliament within 6 weeks after it is made, or, if Parliament be not then sitting, within 6 weeks after the then next meeting of Parliament, and shall also be published in the "London Gazette."

A Treaty, whether made before or after the passing of this Act, which ceases to be in force, shall cease to be an existing
East African Slave Trade Treaty within the meaning of this Act.

8. The Act specified in the schedule to this Act is hereby repealed.*

Provided that—

(1.) All bounties and other sums purporting to have been paid in pursuance of any enactment hereby repealed before the passing of this Act shall be deemed to have been duly paid:

(2.) This repeal shall not affect—

(a.) Anything duly done or suffered under any enactment hereby repealed; or

(b.) Any right, privilege, obligation, liability, or forfeiture acquired, accrued, or incurred under any enactment hereby repealed; or

(c.) Any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, or forfeiture as aforesaid, or any legal proceeding taken or commenced under any enactment hereby repealed; and any such investigation, legal proceeding, and remedy may be carried on and all acts consequential thereon done as if it had been commenced under this Act.

SCHEDULE.

<table>
<thead>
<tr>
<th>Year and Chapter.</th>
<th>Title.</th>
</tr>
</thead>
<tbody>
<tr>
<td>32 &amp; 33 Vict., c. 75</td>
<td>An Act to regulate and extend the Jurisdiction of Her Majesty's Consul at Zanzibar in regard to Vessels captured on suspicion of being engaged in the Slave Trade, and for other purposes relating thereto. [See Vol. 13. Page 1016].</td>
</tr>
</tbody>
</table>

AFRICA. (South Coast.)

PROCLAMATION of the Governor of the Cape of Good Hope, amending the Treaty with the Tambookie Chief, Mapassa, of January 18, 1837.* Graham's Town, February 1, 1841.

PROCLAMATION by his Excellency Major-General Sir George Thomas Napier, K.C.B., Governor and Commander-in-Chief of Her Majesty's Castle, Town, and Settlement of the Cape of Good Hope, in South Africa, and of the Territories and Dependencies thereof, and Ordinary and Vice-Admiral of the same, commanding the Forces, &c.

* See Vol. 9. Page 73.
Whereas a certain Treaty of Peace and Amity was entered into at Shiloh, on the 18th day of January, in the year of Our Lord 1847, between Andries Stockenstrom, Esquire, Lieutenant-Governor of the eastern division of this colony, duly qualified, on the part of His Britannic Majesty, on the one side, and the Tambookie chief, Mapassa, on the other side:

And, whereas, I have deemed it expedient, with the concurrence of the Tambookie Chief, Mapassa, to alter and amend certain provisions of the XIIth, XIXth, XXth, and XXIst Articles of the said Treaty, and having met the said Chief, Mapassa, at Graham's Town, on the 28th day of January last, for the purpose aforesaid, it has been finally agreed that the above-named 4 Articles of the aforesaid Treaty shall be altered and amended. And also that the clauses appended thereto shall have the same force and effect as if they had been embodied in the Treaty itself: provided nothing therein contained be construed to alter any part of the said Treaty, save and except the aforesaid 4 Articles.

And I hereby make known that the XIIth, XIXth, XXth, and XXIst Articles of the aforesaid Treaty have been altered and amended accordingly, and that the clauses appended thereto have been agreed upon, with the full and free consent of all the subscribing parties, and are herewith published for general information.

GOD SAVE THE QUEEN.

Given under my hand and seal at Graham's Town, this 1st day of February, 1841.

Geo. Napier, Governor.

By Command of His Excellency the Governor,

H. Hudson, Acting Secretary to Government, Eastern Districts.

XII. Any British subject entering the said territory under any other circumstances than those mentioned in the foregoing Article, or in the pursuit of stolen cattle, can do so only with the consent of the Tambookies themselves, and at their own risk. And the said Contracting Chief, and those acting under his authority, shall be fully authorised to send out of the said territory those who shall so enter the same without their consent; and it is hereby clearly understood, that all persons who shall enter the said territory shall be, and are considered to be subject to the laws of the Tambookies, as long as they remain in the said territory.

XIX. If any person being in the pursuit of criminals, or depredators, or property stolen by them, shall not overtake or recover the same, before he shall reach the said line (provided he can make oath that he traced the said criminals, depredators, or property, across the said boundary line, that the property,
when stolen, was properly guarded, and in case of cattle, horses, or the like, that they were tended by a herdsman; that the pursuit was commenced within a reasonable time after such property was stolen; that, if the robbery was committed during the night, the property had been, when stolen, properly secured in kraals, stables, or the like, and that the pursuit in that case was commenced next day), such person shall be at liberty to proceed direct to the pakati living nearest the spot where he can swear such traces to have crossed the said line, which pakati shall be bound at once to receive the statement, examine the traces, and use his utmost endeavour to recover the stolen property, as well as the perpetrators pursued; and it will be at the option of the party pursuing to continue the search at once, under the guidance of the said pakati, provided he do not go armed, or accompanied by armed British subjects, or assist in any violence of any kind within the said territory. If the party pursuing shall thus, with the assistance of the said pakati, recover the property pursued, he shall be at liberty to proceed with the same, either to the said agent, or to one of the field-cornets residing most convenient to himself, in order to make before such agent or field-cornet a statement of his proceedings, and the quantity and nature of the property recovered, which statement he shall be liable at all times to be called upon to make oath to; after making which statement he shall be at liberty to carry off the said property, leaving the said pakati to pursue the criminal, and to recover compensation for their exertions, by means of the Chiefs and their councils, according to the usage of the tribe. And the said Contracting Chief doth hereby bind himself in all such cases to exert himself to the utmost to cause the criminals to be apprehended and punished, as well as on all occasions to cause the said pakati to be equitably rewarded for his exertions.

XX. If, however, a party pursuing stolen property and depredators, in the manner specified in the foregoing Article, shall deem it more safe, convenient, or expeditious to proceed to the nearest field-cornet, he shall be at liberty to do so. The field-cornet shall either accompany such party, or provide him with a competent witness, or a policeman, who shall accompany such pursuing party to the spot where the said traces cross the said line, and examine the same, with the assistance of the said pakati, whose presence must be obtained. He, the said pursuer, shall then, if he do not think fit or safe to follow the spoor further, or having so followed the same, prove unsuccessful, proceed to the resident agent, and lodge his complaint upon oath, and in case of lost property, swear particularly to the circumstances stated in the said foregoing Article, and also the exact value of the property stolen, and not recovered. As soon as such affidavit shall be made, the said agent shall, if he have
AFRICA. (South Coast.)

no reason to discredit the same (he being at all times at liberty to demand further proof, and it being at all times the bounden duty of the party complaining to produce good and sufficient proof), lay the case before the Chief, who does hereby engage to call a council, and to enter into the strictest investigation, to cause the stolen property to be recovered, if possible, and the perpetrators punished. And in the event of the property and perpetrators being thus discovered, the said Chief shall demand or take from such depredators, restitution of or compensation for the said property, together with such amount of damages as the said agent shall assess as a reasonable allowance to the party plundered for the injury done to his property. And the said Chief doth further pledge himself and engage, that if, at the end of one month after the case shall have been laid before him, the said perpetrators or property shall not have been discovered, and if it shall nevertheless have been clearly proved, before him and his said council, by the evidence of the said pursuer, pakati, or other proof, that the property was traced into his territory, he, the said Chief, shall, within 14 days thereafter, indemnify the person robbed, to the full value of the property lost and no more, and compensate the said pakati for his exertions.

XXI. With the exception of indemnification, obtained through the said Chiefs and council in the manner specified in the foregoing or appended Articles, no person pursuing stolen property shall be allowed to take any but his own property, or the identical property he is in pursuit of, unless tendered to him, on pain of having to restore the property so taken, and losing all further claim to the property actually lost.

Further: The said Contracting Chief doth hereby agree, that if any person in the pursuit of stolen property shall be unable or unwilling to make the affidavit above mentioned, but if, notwithstanding, he has good and sufficient reason to believe that his property has been taken across the said line, he shall, after having sent information of his intention to the pakati stationed nearest the spot where he means to cross the boundary, be at liberty to proceed at once in pursuit of the same, provided he do not go armed, or accompanied by armed British subjects, or assist in any violence of any kind within said territory; and the pakati shall, in all such cases, be bound to afford every assistance to the party pursuing; and in the event of his tracing the said property or depredators to a responsible party or kraal, he shall then proceed to the diplomatic agent of the tribe to which the said kraal belongs, to whom he shall make a statement of his proceedings, and if the agent shall be satisfied that sufficient proof has been adduced, he shall immediately lay the case before the captain of the kraal, who shall cause restitution of the property to be made, if possible, or compensation to be
awarded for the same; and in the event of the captain of the kraal being unable or unwilling to make restitution or compensation, the said agent shall lay the case before the Contracting Chief in whose territory the kraal is situated, who shall cause restitution of, or compensation for, the said property to be made. And the said Chief does hereby engage, in all such cases, to punish the depredators, if discovered, or in the event of such discovery not being made, to punish the captain of the kraal to which such depredators were traced.

Further: If any person shall not be able to comply with the regulations above set forth, but nevertheless shall have ascertained that his property has been taken across the boundary, he shall be at liberty to proceed across the said line in search of the same, provided he sends notice to the pakati of his intention, and does not go armed, or accompanied by armed British subjects, or assist in any violence of any kind in such territory; and in the event of his being able to identify his property, upon sufficient proof of the correctness of his statement being adduced, the agent shall demand from the Chief in whose territory the property is thus discovered and identified, restitution of the same, and the said Chief shall likewise cause the party in whose possession the said property was found to pay such amount of damages as shall be considered equitable by the agent and Chief.

The said Chief doth further bind and oblige himself that in the event of information being given to him that a murder has been committed in the colony, and the murderer has escaped beyond the boundary, he will use every exertion to apprehend and deliver the said murderer to justice, and also to afford to the Government every information with respect to the Chiefs of other tribes who may harbour in their country the murderers of colonial subjects.

And lastly, the said Chief doth further agree that the above alterations made in the Treaty, as well as the clauses which have been now appended thereto, shall have as much force and effect as if they had been embodied in the said Treaty itself.

Thus done, and agreed, sealed and signed by his Excellency Major-General Sir George Thomas Napier, K.C.B., Governor of the Cape of Good Hope, on the part of Her Britannic Majesty, and by the subscribing Chief on the part of the said tribe of Tambookies, before the undermentioned witnesses at Graham's Town, the 28th day of January, 1841.

MAPASSA, his mark, Tamboo Chief. GEO. NAPIER, Governor.

Marks of Kafir witnesses: J. HARE, Lieut.-Governor.

KOOSSE, GWADA, H. HUDSON, Agent-General.

FUNGUONGNO, PEET. H. F. FYN, Dip. Agent.
TREATY of Peace, Commerce, Boundary, &c., with the Chief of the Tribe of Tambookie. Signed at Cape Town, March 31, 1845.

Treaty entered into between his Excellency Lieutenant-General Sir Peregrine Maitland, Knight Commander of the Most Honourable Military Order of the Bath, of the Royal Military Order of William of the Netherlands, and of the Imperial Order of St. Wladimir of Russia, Colonel of Her Majesty's 17th Regiment of Foot, Governor and Commander-in-Chief of Her Majesty's Castle, Town, and Settlement of the Cape of Good Hope, in South Africa, and of the territories and dependencies thereof, and Ordinary and Vice-Admiral of the same commanding the Forces, &c., on the part of Her Britannic Majesty;—and the Chiefs of the Tambookie tribe, viz.: Umterara, for himself and nation.

ART. I. It is agreed between the said Governor and the said Contracting Chiefs, that all former Treaties between the colony of the Cape of Good Hope and the said Chiefs shall be annulled, and the same are hereby annulled accordingly, and this present Treaty shall stand henceforth in room and stead thereof.

II. Peace and amity shall continue for ever between Her Britannic Majesty and her subjects, and the Tambookie tribe, and the Contracting Chiefs engage to use their utmost endeavours to prevent any rupture of the same, and to cause the strict observance of this Treaty.

III. The boundary between the said colony and the territory of the said Chiefs and tribe, is and shall be understood to be the Swarts Key or Winterberg Spruit, from its source in the Winterberg down to the Conical Hill called Kogel Kop, thence a line across a narrow neck of land called Rhenoster Hoek into the Klaas Smit's River, and thence the latter river to its source in that Kloof of the Bamboo Berg, called Buffels Hoek; provided, however, that the free communication between the Kat and Gonappe Rivers, and the said territory, or the Shiloh Missionary Institution, as also between the Tarka and Caffrarion through the now uninhabited country, east to the Winterberg, continue uninterrupted as hitherto.

IV. The said Governor engages, on the part of her said Majesty, to place one or more agent or agents to reside in convenient situations near the residence of some of the principal Chiefs, which agents shall act solely in a diplomatic capacity; and the said Contracting Chiefs bind themselves to respect such agents as the representatives of the British Government, and to protect their persons, families, and properties, to the utmost of their power, and to leave them full liberty of ingress and egress through their (the Chiefs') territory, or across the boundary into the colony, at all times, without the least molestation or hindrance.
V. No Kafir, or other native residing amongst the Kafirs, shall cross the boundary into the territory inhabited by the colonists, without having received from some agent, or other authority empowered by the Governor, a pass, written in both the English and Dutch languages, specifying the name of the Kafir or other native, the place of his destination, the object of his visit, the time he is to be in the colony, and the date at which the pass shall have been granted; and any Kafir or other native found upon the colonial side of the said boundary, at a time or place not authorised by the terms of his pass, or found without a pass, shall be liable to be dealt with as the laws of the colony in regard to such persons do or shall provide. Kafirs, or other natives, in the actual employment of any officer of Her Majesty, civil or military, on duty in any of the territories inhabited by the said Chiefs, or of any contractor for supplies to the troops or police, or of any resident agent, missionary, or trader, shall be at liberty to cross the said boundary, having first received a pass of the nature aforesaid, which may be granted to them by their employers. But the agents, in any case in which they shall find that the Kafir or other native applying for a pass, reasonably requires, and, from his good character, merits such a privilege, shall be at liberty to grant passes not restricted to one visit, and which may specify merely the name of the party, the date of the granting of the pass, and the length of time for which the same is to remain in force.

VI. All British subjects resorting temporarily to the territories of the Contracting Chiefs, or residing therein, with the permission of the Chiefs, for the purposes of trade or otherwise, shall be protected by them in their persons and properties.

VII. The said Contracting Chiefs bind themselves to afford free access at all times into their territories, to the members of any police force employed by the colony, and to the men of the Cape Corps while acting as police, when searching for offenders who have committed crimes in the said colony, or property stolen therefrom; and the said Chiefs will afford to such persons so engaged their countenance and assistance, and such persons shall have the right to apprehend, and bring before the agent for further investigation, all such persons found in Kafirland as they shall know, or have just reason to suspect, to have committed any theft or other crime in the colony, and they shall also have the right to seize and secure and bring before the agent, in order to the safe custody of the same, pending the final settlement of the case, all property which they shall know, or have just reason to suspect, to be property stolen from the colony. And the Colonial Government will, at all times, through the agent, make good to any Kafir or other native, unjustly injured by any act of any individual authorized to act as a
policeman, while acting as such, whatever damage in respect of either person or property he may thereby have sustained.

VIII. The Contracting Chiefs will use their best exertions to discover, and deliver up to the nearest British authority for trial in the colony, according to law, all persons, whether Kafirs or not, who shall have committed, or who shall be reasonably suspected of having committed, any murder, robbery, or other crime, within the limits of the colony, and who shall be found in any part of the territories of the Chiefs.

IX. The Governor, on the part of Her Britannic Majesty, engages to use his best exertions to seize and bring to trial in the colony, whenever so requested by any of the Contracting Chiefs, any subject of her said Majesty who shall have committed, or shall be reasonably suspected of having committed, within the territory of such Chief, any act of violence or wrong which would, by the laws of the colony, if committed within the limits of the colony, constitute any of the crimes enumerated in the last preceding Article; and in regard to criminals, or suspected criminals, not being subjects of Her Majesty, escaping into the colony from the territory of any of the said Chiefs, the Governor engages, upon being requested by the Chief so to do, to use his best exertions to discover and deliver up such criminals, or suspected criminals, to the Chief for trial.

X. The Contracting Chiefs undertake to use their authority and influence to cause all persons within their territories, whose evidence they shall find to be required by any court of justice in any British territory in South Africa, to appear at such time and place as shall be prescribed; and the Chiefs will, as much as possible, take care, when delivering up any prisoner under the XIIIth Article of this Treaty to any British authority, to produce, at the same time, to such authority, all witnesses acquainted with the matter in question, whose presence the Chiefs can command or procure, in order that the truth of the said matter may fully be made known. The Government of the colony, on the other hand, will be prepared to pay all witnesses from Kafirland, who having been required so to do, shall attend any such court as aforesaid, a reasonable compensation for their time and trouble.

XI. Whenever any person resident in the colony shall have lost from the colony any horses, cattle, or other property, and shall afterwards identify the same in the possession of any person residing within the territory of any of the Contracting Chiefs, such property shall be immediately restored upon the requisition of the agent, to the person proving the same to belong to him. And in all cases in which the claimant shall prove to the said agent that the property so identified was stolen from him, the Contracting Chief within whose territory it shall have been identified, engages to compensate the claimant for
the expenses of the pursuit. But the Chief will, notwithstanding, be relieved from the payment of the said compensation if he shall deliver up for trial in the colony the supposed thief or thieves, and the person or persons so delivered up shall be duly convicted of the theft. And the Governor, moreover, engages to reward the Chief in proportion to the magnitude of the theft committed, for his zeal and trouble in apprehending and delivering up the thieves.

XII. Whenever any person resident in the colony shall have lost from the colony, and can prove the same to have been stolen, any horses, cattle, or other property, and can, by the traces, or other sufficient evidence, satisfy the agent that such property was carried by the thief, or some person privy to the theft, from the colony into the territory of any of the Contracting Chiefs, and further, that he has made no delay which could have been avoided in reporting his loss to the said agent,—such Chief engages, in case the stolen property shall not be discoverable, to make good, upon being so required by the agent, the value of the property, and further, to compensate the owner for the expenses to which he shall have been put in his pursuit. But the Chief will be relieved from his liability for expenses in case he shall deliver up the thief or thieves for trial in the colony, and he or they shall there be convicted in due course of law. And the Governor engages also to reward the Chief in every such case, in like manner as is in the conclusion of the last preceding Article promised and undertaken.

XIII. The Governor aforesaid engages to nominate and appoint a competent tribunal (to which tribunal the agent will not belong), to be held from time to time, either within the colony or the territory of the Contracting Chiefs, to hear and determine, by way of appeal, and according to such convenient rules as shall hereafter be from time to time established for its guidance by the Governor of the colony, in concert with the said Chiefs (which rules for the time being shall be considered as if inserted in this Treaty), all manner of questions regarding compensation, and by whom and to what amount the same shall be made, and generally all matters requiring adjudication under the 2 preceding Articles; before which tribunal either the claimants or the Contracting Chiefs may appeal against any decisions of the agent under this Treaty; and it shall be competent for the said tribunal, should it see cause so to do, to award to either of the parties to any such appeal all reasonable expenses occasioned by the said appeal.

XIV. The Contracting Chiefs, having admitted into their territories Christian missionaries for the instruction of their subjects, hereby engage to protect the persons, families, and property of all Christian teachers who may reside amongst them.
XV. The Contracting Chiefs engage to permit any of their subjects who profess the Christian religion, or who desire to settle at or near the missionary villages or institutions within their territories respectively, to take their property with them to such institutions without being molested or injured in any way; and they further engage that such persons shall not be disturbed or injured in their persons, families, or property, for refusing to comply with the Kafir customs of witchcraft, rain-making, polygamy, circumcision, or forcible abduction or violation of females.

XVI. The Contracting Chiefs bind themselves to encourage their subjects to cause the regular attendance of their children at the schools of the Christian teachers within their territories.

XVII. The Contracting Chiefs engage to abstain from making war, as much as possible, on the tribes to whom they are adjacent, and that before doing so, they will request the mediation of the Colonial Government, with a view of settling amicably the differences between them.

XVIII. The Governor aforesaid engages to defend the Contracting Chiefs, in their respective territories, against any enemy who shall attack or make war upon any of them, provided such attack or war has not been occasioned by any aggression, or any other act of injustice, on the part of the Contracting Chief, or by his having neglected or declined the mediation of the Colonial Government.

XIX. The Contracting Chiefs, on their part, engage not to permit any tribe, or the property of any tribe, which tribe may be at war with the colony, or who may be known to the Contracting Chiefs, or any of them, to have hostile intentions towards the colony, to pass into or remain within their respective territories; and in the event of the Colonial Government having received intimation of the hostile intentions of any such tribe before the same has come to the knowledge of the Contracting Chiefs, they engage not to permit such tribe, or the property of such tribe, to pass into or remain within their territory, upon being so required by the Government of the colony.

XX. The Governor aforesaid, as a mark of friendship and approbation of the general conduct hitherto pursued by the Contracting Chiefs, engages to make to the Contracting Chiefs an annual present, in money or useful articles, to the amount of 100L., so long as the Contracting Chiefs observe the terms of this Treaty, and remain the faithful allies of Her Majesty the Queen of Great Britain.

This done at the Government House in Cape Town, this 11th day of April, in the year of Our Lord 1845.

P. MAITLAND.
AFRICA. (West Coast.)

Signed and sealed in our presence:
JOHN MONTAGU, Secretary to Government.
HARRY RIVERS, Treasurer-General.
WM. PORTER, Attorney-General.
WM. FIELD, Collector of H.M. Customs.

This done at Tmoani Mission Institution, this 25th day of March, in the year of Our Lord 1845.

Chieftains' His
MAPASSA, X
TZOPO, X
QUESHA, X
NQAQENE, X
FADANA, X
DEKO, X
MAPUZA, X

marks.

Signed and sealed in our presence:
W. H. FYNN, Diplomatic Agent.
J. C. WARNER, Wesleyan Missionary.
THOMAS CAMPBELL, Glasgow Missionary.

AFRICA. (West Coast.)

TREATIES of Friendship, Commerce, Slave Trade, &c., between Great Britain and Native Chiefs and States on the West Coast of Africa. 1864–1877.


The Attá, or King of Igara, stated that his copy of the Treaty, executed and signed in 1841,* had been destroyed by fire previous to his ascending the throne, but that he was ready and willing to agree to and adhere to whatever had been promised by his predecessor. In particular, he promised to give full preference in trading, and in all other matters, to the English among all white or European nations, and not to allow people of any other white race to settle in or to trade in his dominions without the consent of the English. He promised also full protection to all English subjects who may visit or may settle in his country whether they be white or coloured. He further promised to exert his authority to keep freely open to all English subjects the passage of the River Niger or Kuwara, and its tributaries, wherever his power or influence

* See Vol. 7. Page 27.
extended. He then expressed his earnest desire to preserve intact the friendly relations which had so long existed between the Attá and the subjects of Her Majesty the Queen of England. He engaged further to give a piece of ground in Idda to the Reverend Bishop Crowther for the erection of a school and mission premises, and he concluded by promising that for the future the various ceremonies required previous to seeing him should be greatly abridged to all English.

The above declarations and engagements were made in the royal residence at Idda, on the 15th day of October, 1864, before the following witnesses.

Saml. A. Crowther, Bishop.
Melville Maxwell, Assistant Paymaster, R.N.
Wm. Balfour Baikie.
H. Stair Sandys, Lieutenant, R.N.

(2.)—TREATY with Opobo. Trade. Opobo, January 4, 1873.

1. In the name of Her Britannic Majesty's Government, we hereby acknowledge Ja Ja King of the Opobo, and fully entitled to all consideration as such.

2. The British traders in the River Opobo shall pay the same amount of "comey" as British traders in Bonny. No other tax or impost shall be placed on them. Any disputes which may occur with Ja Ja's people are to be referred to Her Britannic Majesty's Consul for settlement.

3. After April 5, 1873, the King of Opobo shall allow no trading establishment or hulk in or off Opobo Torr, or any trading vessel to come higher up the river than the white man's beach opposite Hippopotamus Creek. If any trading ship or steamer proceeds further up the river than the creek above mentioned, after having been duly warned to the contrary, the said trading ship or steamer may be seized by King Ja Ja, and detained until a fine of 100 puncheons be paid by the owners to King Ja Ja.

Signed on board Her Britannic Majesty's ship Pioneer, off Opobo town, on the 4th day of January, 1873.

J. E. Commerell, Commodore, Commanding-in-Chief Her Britannic Majesty's Naval Forces on the Cape of Good Hope and West Coast of Africa Station.

Charles Livingstone, Her Britannic Majesty's Consul for the Bights of Biafra and Benin.

pp King Ja Ja.
D. C. Williams, Secretary.
King of Opobo.

We, the Undersigned, Agents in Opobo River, are perfectly
willing to move our establishments down to a healthy part near the mouth of the river, and agree to do so before the 1st day of March, 1873.

J. T. BELL.  
CRUTCHLEY JONES.  
CHARLES AUDE.

(3.)—TREATY with the Boom Country (Small Boom, Bagroo, &c.)


TREATY of Peace entered into at Bonthe, in British Sherbro, this 10th day of February, 1874, between his Excellency George Berkeley, Governor and Commander-in-Chief of Her Majesty's West Africa Settlements, for and on behalf of Her Majesty Victoria, by the Grace of God, Queen of the United Kingdom of Great Britain and Ireland, of the one part, and the undersigned Chiefs and Headmen of the Boom, Small Boom, Bagroo, Imperri, and other countries, of the other part.

WHEREAS war has unhappily been carried on for a considerable time between Tom Cabby Smith, of Gambia, and Lahai Gorey, of Mongray, and their respective allies, in consequence of a dispute as to the rightful ownership of certain land, whereby much damage has been caused to the trade and social welfare of those districts, and of British subjects trading therein; and whereas the said Chiefs have agreed to cease from war and submit their dispute to the decision of his Excellency the Governor-in-Chief;

It is hereby agreed accordingly, by all parties contracting in and by this Treaty, that the dispute between these Chiefs shall be left to the decision of his Excellency the Governor-in-Chief, whose judgment shall be final; and the parties contracting furthermore bind themselves to the following stipulations:

ART. I. There shall be peace from henceforth between the several parties to this Treaty, and between their subjects, and should any difference or dispute hereafter arise between any of the parties to this Treaty, it shall be referred to the Governor of Sierra Leone or Commandant of Sherbro, whose decision thereon shall be final and binding upon all parties concerned.

II. British subjects are strictly prohibited from breaking the country laws, from interfering in any way with the disputes and quarrels of the native Chiefs or their subjects, and from aiding, assisting, countenancing, or supporting them, directly or indirectly, in their wars against each other, either by supplying them with arms, ammunition, or any warlike stores whatever, or with the means of procuring them.

III. No person whatever, being a British subject, shall be
permitted to establish himself within the territories of the said Chiefs, parties hereto, for the purpose of carrying on or engaging in trade unless that person produces a licence signed by the Governor-in-Chief, bearing his name and address; and all persons holding such licence shall be entitled to the protection of the Chiefs parties hereto.

IV. British subjects holding the Governor's licence are hereby guaranteed the right of free and unrestricted legitimate traffic within the territories of the said Chiefs; they may buy or rent lands and houses which shall not be entered upon without their free will or consent.

V. All complaints against British subjects must be made to the Civil Commandant of British Sherbro, or to the Governor of Sierra Leone, in either case accompanied by sufficient proof in order that justice may be impartially done between all parties. No country law or custom shall be enforced against British subjects, or their property, unless by special permission of the Governor of Sierra Leone or Commandant of Sherbro.

VI. All persons resident within the Colony of Sierra Leone shall, for the purposes of this Treaty, be under the obligations and enjoy the privileges to which British subjects are hereby declared liable and entitled respectively.

VII. The roads throughout the territories of the said Chiefs shall be kept open; they are not to be shut on any pretext whatever, and all parties, British subjects, natives, strangers and others, are to be allowed to travel thereon to and from the Colony of Sierra Leone or elsewhere free and unmolested.

VIII. The Queen of England shall have the right to demand the surrender of all criminals who, being convicted of any crime or offence in any part of her dominions, may be found in the territories of the said Chiefs, and also the surrender of all British subjects or others resident in Sierra Leone accused or charged with any crime or offence cognizable by the laws of England, committed within the territories of the said Chiefs or elsewhere, and found within the territories of the said Chiefs, for the purpose of being punished or tried for such crime or offence in Sierra Leone or such other place as the Governor-in-Chief may appoint for that purpose; and the Chiefs parties hereto bind themselves and their successors to secure and surrender all such criminals, British subjects and others so convicted, accused, or charged as aforesaid, upon demand made for them by the Governor of Sierra Leone or any other competent authority. Persons who have not committed crimes, but taken refuge from slavery in British territory, shall not be given up.

IX. The Chiefs who are parties to this Treaty shall also have the right to demand the surrender of any of their subjects or domestics, who are accused of having committed any crime within their own territories aforesaid, who have fled to British territory.
X. The soldiers and war men of both of the two aforesaid Chiefs (Tom Cabby Smith and Lahai Gorey) and their respective allies shall be withdrawn from every place, fort, or stockade within the territory declared to belong to any of the other said Chiefs.

XI. In consideration of the foregoing stipulations of this Treaty being strictly adhered to on the part of these Chiefs and their successors, his Excellency George Berkeley, Governor and Commander-in-Chief of Her Majesty’s West Africa Settlements, for himself and his successors, agrees, on behalf of Her Majesty Queen Victoria, to pay, or cause to be paid, annually through the Commandant of Sherbro to the said Chiefs and their successors the sums hereinafter set forth.

XII. This Treaty shall be proclaimed immediately on its being concluded and signed, and be made law throughout the territories of the said Chiefs.

XIII. Lahai Gorey and Tom Cabby Smith, together with all the other neutral Chiefs concerned in settling this dispute, hereby bind themselves to render all the assistance in their power in concluding a peace between their respective allies, viz., Gberry, and Momodo Groa, Momodo Pomba, Canry Vonz, and others.

In this they will be assisted by Chief Allimamie Sannusie, who will, if necessary, accompany them to the Boom River.

XIV. In consideration of the assistance rendered and forbearance shown during this quarrel, his Excellency hereby promises for himself and on behalf of Her Majesty to pay to Lahsurru an annual present of 200 bars.

Lahai Serifoo (Signed in Arabic), Chief of Mongray.

Their marks.

Tom Cabby Smith, Chief of Gambia, Small Boom.
Lahai Gorey, Chief of Bramah (Jong).
Bah Kelly, Chief of Mokelly (Imperri).
Sinege, Head Chief for Jong Country.
Bah Dreshah, Chief of Bahmah (Small Boom).
Yanga Fana, Chief of Matacong (Imperri).
Lahsurru, Chief of Bahleh Mongray.
Beah Boom (Bagroo), Chief of Gbambatah (Imperri).
Foody Serena (Bagroo), a Chief of Mongray.
Sogbeni (Bagroo), Chief of Tousoo (Small Boom).
Thomas Cleaveland, (Bagroo), Chief of Sembeho (Jong).
Ka Tegbe (Bagroo) Chief of Gaindemah (Imperri.)
Bah Yegbe, Chief of Matro (Jong).
Fana Dickono, Chief of Rontook (Imperri).
Beh Coa, Chief of Hahoon (Small Boom).
Bocary Wota, Chief of Kakkah (Imperreh).
ART. I. There shall be hereafter perpetual peace between the Queen of England and her allies on the coast on the one part, and the King of Ashantee and all his people on the other part.

II. The King of Ashantee promises to pay the sum of 50,000 ounces of approved gold as indemnity for the expenses he has occasioned to Her Majesty the Queen of England by the late war, and undertakes to pay 1,000 ounces of gold forthwith, and the remainder by such instalments as Her Majesty's Government may from time to time demand.

III. The King of Ashantee on the part of himself and his successors renounces all right or title to any tribute or homage from the Kings of Denkera, Assin, Akim, Adansi, and the other allies of Her Majesty formerly subject to the Kingdom of Ashantee.

IV. The King on the part of himself and of his heirs and successors does hereby further renounce for ever all pretensions to supremacy over Elmina, or over any of the tribes formerly connected with the Dutch Government, and to any tribute or homage from such tribes, as well as to any payment or acknowledgment of any kind by the British Government in respect of Elmina or any other of the British forts and possessions on the coast.

V. The King will at once withdraw all his troops from Appolonia and its vicinity, and from the neighbourhood of Dixcove, Secondee, and the adjoining coast line.
VI. There shall be freedom of trade between Ashantee and Her Majesty’s forts on the coast, all persons being at liberty to carry their merchandise from the coast to Coomassie, or from that place to any of Her Majesty’s possessions on the coast.

VII. The King of Ashantee guarantees that the road from Coomassie to the river shall always be kept open and free from bush to a width of 15 feet.

VIII. As Her Majesty’s subjects and the people of Ashantee are henceforth to be friends for ever, the King, in order to prove the sincerity of his friendship for Queen Victoria, promises to use his best endeavours to check the practice of human sacrifice, with a view to hereafter putting an end to it altogether, as the practice is repugnant to the feelings of all Christian nations.

IX. One copy of this Treaty shall be signed by the King of Ashantee and sent to the Administrator of Her Majesty’s Government at Cape Coast Castle, within 14 days from this date.

X. This Treaty shall be known as “The Treaty of Fommanah.”

Dated at Fommanah, this 13th of February, 1874.

(Marked thus)  

This Treaty was presented at Government House, Cape Coast, on the 14th March, 1874, by Quamin Enkwe, Chief Captain, accompanied by Prince Coffee Jutin, son of the King, and signed and ratified by them and the Undersigned Representatives of the Ashante Kingdom.

Their    
Coomassie: COFFEE JUTIN, Prince.  
          QUAMIN ENKWE, Chief Captain.  
          KODJO BAH, Linguist.  
          QUACOE SAWOO, Fetishman.  
          EDDOO YOU, Swordbearer.  
          KODJO BUMPABO, Swordbearer.  
          COFFEE EGEY, Court Crier.  
          QUACOE NENQUI, Captain.  
          QUACOE WOOSOO, Swordbearer.  
Juabin: KOBINA AMPEA, Linguist.  
       QUACOE KURENKWE, Swordbearer.  
Beqwa: KODJO ABNEATAH, Linguist.  
Kokofoo: QUAMIN MAFFOL, Swordbearer.  
Inkutanassie: QUAMIN BALE, Swordbearer.  
Jusuta: YOU ESSAL, Swordbearer.  
Mampon: QUAMIN ESSIM, Swordbearer.  
Ardakanjah: QUAMIN KAYE, Linguist.  
Assarful: YOU AMPONSAH, Goldkeeper.  
Ackiramadie: COFFEE BREMPAH, Swordbearer.  
Sawoorah: QUACOE WUOSU, Captain.  
Acrofoom: KODJOE AMOATIN.  

marks.
(5.)—TREATY with the King and Chiefs of Creek Town, Old Calabar. Recognition of King, and Ratification of former Treaties. Old Calabar River, February 27, 1874.

The Chiefs of Creek Town and its dependencies having elected Henshaw Tom Forster their King, under the title of King Eyo Honesty VII, I, George Hartley, Esq., Her Britannic Majesty's Consul for the Bights of Benin and Biafra and the Island of Fernando Po, and its dependencies, hereby agree with the said King and Chiefs as follows:

ART. I. In the name of Her Britannic Majesty's Government, I hereby acknowledge Henshaw Tom Forster King of Creek Town and its dependencies, under the title of King Eyo Honesty VII.

II. That King Eyo Honesty VII and his Chiefs hereby ratify all Treaties, Conventions, or Agreements that have at any time been entered into by themselves or predecessors with Her Britannic Majesty's Government, and pledge themselves individually and collectively to the same being duly observed and carried into effect.

Signed on board the hulk William Prouse, in the Old Calabar River, this 27th day of February, 1874.

G. Hartley, H.B.M. Consul, Bights of Benin and Biafra, &c.

King Eyo Honesty VII.
Prince Eyo Honesty IV.
James Willey Honesty, Esq.
Prince Eyo Honesty II.
John Bolo Cobham.
Andrew Cobham.
Eshen Ambo.
Samuel Eshen Ambo.

Witnesses:
Chas. J. Strawbridge, Chairman, Court of Equity.
J. B. Walker.
T. H. White.
W. D. Sky.


Entered into at Odumare this 15th day of June, 1874,
between Valesius Skipton Gouldsbury on the part of Her Majesty the Queen of England, and the Undersigned Representatives of the Aquamoo nation.

The following Articles being fully discussed and understood, are agreed to:

Art. I. That there shall be peace and friendship henceforth and for ever between the British and Aquamoo nations.

II. That the River Volta shall be kept open for all lawful traders, and both parties to this Treaty shall use their best efforts to discourage any dishonest or unlawful interference with legitimate traders of whatever country or nation.

In proof of our truth and sincerity we subscribe our names to this Treaty, a copy of which to be retained by each party.

Their Valesius Skipton Gouldsbury.
Akoto, King of Aquamoo.
Debrah, Chief of Aquamoo.
Offei, Quassie Chief.
Nyampong, Chief.
Bekai, Chief.
Awooah, Chief.
Nyakoh, Chief.
Amooh, King's Linguist.
Adipah, Chief.

Witnesses: marks.
Sakitey, King of Eastern Croboe.
Christian T. Azza.
Peter Nyakoo, witness to King Sakitey's mark.

(7.)—TREATY with Ahwoonah, Accra, and Addah. Jellah-Coffee.

Entered into at Jellah-Coffee this 22nd day of June, 1874 (A.D.), between Kings Tackie and Solomon of Accra, King Dosoo of Addah, and Charles Cameron Lees, Esquire, Acting Administrator of Her Majesty's Government on the Gold Coast, and Commodore Sir William Nathan Wrighte Hewett, Victoria Cross, Knight Commander of the Bath, commanding the West African Squadron, on behalf of Her Majesty the Queen of England, on the one part; and the undermentioned representatives of the Ahwoonah nation on the other part, namely,

Adjaba, Chief of Ahwoonah; Folu, Chief of Jellah-Coffee; Cocumay, for Abolu, War Captain of Ahwoonah; Tameklo, Chief of Hootay; Joseph Akrobotu, Chief of Teroboy; Tingee, Captain
of Anyako; Tubolu, Interpreter; Afadee, Interpreter; Gelo, for Amegashy, Chief of Quittah; Posoo, Captain of Jellah-Coffee; Antiquo, Chief of Anyako; Agudogo, Chief of Feaho; Agblevo, Chief of Atiave; Nyabo, Chief of Salame; Litsha, Chief of Aveno; Saba, Chief of Afyarengba; Mogolu, Chief of Feta; Amedomey, for Antonio, Chief of Whey.

The following Articles being fully discussed and understood are agreed to.

ART. I. That there shall be peace and friendship between the represented nations henceforth and for ever.

II. That the River Volta shall be kept open for all lawful traders, and both parties to this Treaty shall use their best efforts to discourage any dishonest or unlawful interference with legitimate traders of whatever country or nation.

III. With the view to remove any doubts which the natives might entertain as to the right of Her Majesty the Queen of England, to occupy Jellah-Coffee, Quittah, and any other places deemed necessary to be held, in order to place the Ahwoonah country, or any portion of it, under the same jurisdiction as is exercised by Her Majesty over the other portions of the Gold Coast.

It is hereby further agreed that should it seem fit to Her Majesty’s Government they shall occupy any such place as may appear to them expedient for and on behalf of Her Majesty the Queen of England.

In proof of our truth and sincerity we subscribe our names to this Treaty, a copy of which is to be retained by each party.

On the part of Her Majesty the Queen of England:

C. C. Lees, Acting Administrator of Her Majesty’s Government on the Gold Coast.

W. N. W. Hewett, Commodore and Senior Officer of the West African Squadron.

Their marks.

King Tackie, King of Accra.

King Dosoo, King of Addah.

Edward Solomon, King of Accra.

Adjaba, Chief of Ahwoonah.

Folu, Chief of Jellah-Coffee.

Coomay, for Abolu, War Captain of Ahwoonah.

Tameklo, Chief of Hootay.

Joseph Akrobuto, Chief of Teroboy.

Tingee, Captain of Anyako.

Tubolu, Interpreter.

Afadee, Interpreter.

Posoo, Captain of Jellah-Coffee.

Antiquo, Chief of Anyako.

Agudogo, Chief of Feaho.
AFRICA. (West Coast.)

Their

**Agblevo, Chief of Atiave.**
**Nyako, Chief of Salame.**
**Saba, Chief of Agyarengba.**
**Mogolu, Chief of Feta.**
**Gelo, for Amegasby, Chief of Quittah.**
**Amedomey, for Antonio, Chief of Whey.**
**Letsha, Chief of Aveno.**

Witnesses:

H. C. N. Gibson, Secretary to Commodore Sir William Hewett.

Abr. Angerestt, Contractor, Jellah-Coffee.

CHR. Rottmann, Agent of British Factory.

THOS. D. Williams.


TREATY between his Excellency C. H. Kortright, Esq., Governor-in-Chief of the West Africa Settlements, on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and her successors, on the one part, and Sisi Hanmoh, Chief of Samoh and Representative for Queen Magawo, of Luboo Land, Gbaboh, of the Boom Land, Tissana, Siafa Tindo, Representative of Canry Vong, Chief of Higgmah, Prime Minister of the Magow of Luboo, Carbanta of Sainjehoo, Banna Cuttonah, Chief Messenger of Carbanta, Canray Bearmah and Sisi Conday, Representatives of Yeomoh, Chief of Bengha, Thomas Bongo, Chief Mobongo, Baunah Tam, son of the Prime Minister Canray Vong; Humpa Magbi, Speaker for Carbantar, and Murray Brimah, of Momando.

Whereas peace has not hitherto existed in the above countries in consequence of the frequent resort to arms by the native Chiefs and other inhabitants for the purpose of settling their disputes; and whereas it is exceedingly desirable that peace should be established upon a firm basis, in order to ensure the prosperity of trade, the advancement of civilization, and the extension of the Christian religion:

His Excellency C. H. Kortright, Esq., Governor-in-Chief of the West Africa Settlements, being moved thereto, has agreed to assist in completing and maintaining peace, provided the following conditions be strictly adhered to.

ART. I. It is agreed there shall be peace between the subjects of Her Majesty the Queen of England and her successors and the subjects of the several Chiefs and their successors parties to this Treaty, and there shall also be peace between the said several Chiefs and their subjects respectively.
II. Should any difference or dispute arise between any of the Chiefs parties to this Treaty or their subjects, and that they should, after mature consideration, be unable to terminate such a difference or dispute peacefully or satisfactorily among themselves, they shall refer the question to the Commandant of Sherbro, who shall report the same to his Excellency the Governor-in-Chief of the West Africa Settlements, whose decision therein shall be final and binding upon all the parties concerned.

III. Should any cause of dispute or quarrel arise between any of the Chiefs parties to this Treaty and their successors or their subjects, and any Kings or Chiefs to the eastward of their territories, or the subjects of such Kings or Chiefs, the same shall be made known immediately to the Commandant of Sherbro, who shall report the same to his Excellency the Governor-in-Chief, in order that, should his Excellency so approve, any recourse to arms may be avoided by the friendly and timely mediation of this Government.

IV. British subjects are strictly prohibited from breaking the country laws and interfering in any way with the quarrels of the native Chiefs or their subjects, and from aiding, assisting, and countenancing or supporting them, directly or indirectly, against each other.

V. Should any British subjects, whilst residing in any of the territories of any of the Chiefs parties to this Treaty, commit any crime against the laws of this Settlement, or shall own or possess a slave or slaves, or pawn or pledge or receive in pawn or pledge a man or woman, boy or girl, or deal in slaves, or be in any way, directly or indirectly, engaged in the Slave Trade, such British subject shall be conveyed to the nearest English magistrate, either in Sherbro or Sierra Leone, together with the witnesses for and against him, and such English magistrate shall deal with the case according to the laws then in force in this Settlement; and it is hereby agreed that the expense of conveying such British subject and the witnesses for and against him to and from British territory, and the expense incurred in the maintenance of the said British subject and the said witnesses respectively whilst in English territory, shall be defrayed by the Government of this Settlement, and for this purpose the Magistrate aforesaid shall determine who is to be considered and treated as a witness in the case.

VI. It shall not be lawful for any person whatsoever in any way to restrain the liberty of any of Her Majesty’s subjects, except for the purpose of ensuring his safe keeping, after the commission of an offence, until he is surrendered to the nearest English authority to be dealt with as before herein provided.

VII. All roads to the interior and to countries to the eastward of the territories of the Chiefs parties hereto, and all
roads generally throughout the territories of the said Chiefs, shall be kept at all times clean and open; they are not to be shut on any pretext whatever; and all parties, British subjects, native strangers, and others, shall be allowed to travel thereon free and unmolested.

VIII. Traders must establish themselves at such places as the respective Chiefs may think fit to allot them for their factories, and must not go inland to trade unless permission be given them by the several Chiefs in whose territories they may find themselves from time to time. The rivers shall be free to all persons to come and to go.

IX. The ministers of the Christian religion shall be permitted to reside and exercise their calling, and they are to receive all honour and protection within the territories of the said Chiefs, and they shall be encouraged to establish schools for the education and proper training up of the youth of both sexes.

X. If the Governor shall at any time or times appoint a Magistrate to visit and remain in any of the territories of the said Chiefs for the purpose of carrying into effect the Act of the 24 and 25 Vict., cap. 31, for the protection of Her Majesty's subjects and for securing due adherence to the stipulations of this Treaty; the person and property of such Magistrate shall be inviolate, and he shall receive all honour and protection, and the Chiefs parties to this Treaty will permit him to visit and dwell in and exercise within such territory over Her Majesty's subjects inhabiting or being within the same such powers and authorities as shall by his commission be specially granted to him; and the said Chiefs will to the utmost of their power aid and assist him in the execution of such powers and authorities.

XI. The penalty of death shall on no occasion be put in force against a British subject by order of any of the above Chiefs, but such offender shall be handed over to the Queen's Government to be dealt with according to English law; and no British subject shall be sold into slavery.

Their C. H. KORTRIGHT, Governor-in-Chief.

SISI HANMOH, Chief of Samoh and Representative for Queen Magawo, of Luboo Land.

GBABOH, of the Boom Land Tissana.

SIAFA TINDO, Representative of Canray Vong, Chief of Higgham, Prime Minister of the Magow of Luboo.

CARBANTA, of Sunjehon.

BANNA CUTTOMAH, Chief Messenger of Carbanta.

CANRAY BEERMAH, and SISI CONDAY, Representatives of Yeomah, Chief of Bengha.

THOMAS BONGO, Chief of Mo Bongo.

marks.

* See Vol. 11. Page 4 *
AFRICA. (West Coast.)

Their

♫ BANNA TAM, son of the Prime Minister, Canray Vong.
♫ HUMPHA MAGBI, Speaker for Carbanta.
marks.

MURRY BRIMAH, of Momando (signed in Arabic).

Witnesses:

N. DARNELD DAVIS, Civil Commandant.
K. ROWAN NIVEN, Captain, 1st West India Regiment.

We have witnessed the signatures of the several parties attached to this Treaty, and we subscribe our names as parties to the same.

Their

♫ W. E. TUCKER, Chief of Bullom.
♫ DAVID TUCKER, alias Babajuba.
♫ GEORGE TUCKER.
♫ JACK TUCKER.
♫ W. B. TUCKER.
marks.

Dated at Bendoo, British Sherbro, this 19th day of April, 1875.

(9.)—AGREEMENT with the Chiefs of Sherbro and Mendi People (Gbah). Peace. Sennehoo, December 21, 1875.

At a Conference held this 21st day of December, 1875, at Sennehoo, it is agreed for and on behalf of the Gbah section of the Mendi people:

1. That all disputes between themselves and the tribes lying between them and the possessions of Her Majesty the Queen of England in British Sherbro, shall be submitted to the arbitration of the Governor of Sierra Leone, and his decision shall be considered final and binding.

2. The Chiefs of the Gbah people hereby solemnly promise that they will not (as has hitherto been the custom) hire out war-boys to the neighbouring Chiefs in countries bordering the British possessions; that they will take no part in the wars of these countries where they are likely to come into contact with the British possessions, without the special permission of the Governor of Sierra Leone.

3. That they will immediately recall the war-boys from "Lah Saroo" and Tom Cabby Smith, Chief Gbersey, as well as any other parties which may be engaged in the war in the Jong River and in the lower part of the Big Boom over whom they have authority.

4. All war fences on the lower side of the Yambahtook River will be broken down and no fresh war fence constructed. The existence or the construction of a war fence will be
considered a declaration of war against the Government of Sierra Leone.

5. In consideration of the loss caused by the late raid on the Sherbro territory, they promise to pay as a fine to the Governor of Sierra Leone 10,000 bushels of rough rice; the half to be paid during the present season, and a part of that half immediately; or in default of their so doing they consent that one-tenth part of all the native produce shipped from the wharfs of Sennehoo, Paytifoo, Magbobo, or other Mendi trading places shall be taken by the Governor of Sierra Leone in payment of this fine, and the expenses consequent on the collection of these goods shall be an additional charge on the Mendi people; such tithes to commence from the date of this Agreement.

6. They further promise that they will use their best endeavours to hand over Chief Gbassay to the Governor of Sierra Leone, that Chief having made himself prominent in sending defiant and insulting messages to the Governor, and as they themselves disown all connection with the late raid, they will endeavour to obtain the release of those captives who have not already been handed over; and especially the immediate restoration of the girl Bome, the daughter of the man Gilbert, who was ill-treated by Chief Gbassay when he came to demand his child at Modina on the 6th December, 1875.

7. Provided always, that the terms of this Agreement shall be subject to the approval of Her Majesty's Government,* and also that nothing herein stated shall be held to prejudice the right of Her Most Gracious Majesty Queen Victoria to exact such further reparation for the outrages committed on Her Majesty's territory and on the lives and property of Her Majesty's subjects as may seem to her good.

Richard Canray Bah Caulker, Chief of Bompeh and Ribbee, &c.

Bannah Will Caulker, Chief of Mahmoo.
Sorie Kehsebibeh.
Momodoo Carimoo (signed in Arabic).
Humpha Rango, Chief of Dodo.
Kah Bekkeh.
Gumbo Pyen.
Gbanyah.
All.
Ndiyom.
Loroe Yahan.
Nyahan Moye.
Moori Foray.
Deglieh.
Momodoo Janjah.
Hagba.

* Approved February 22, 1870.
Signed in the presence of:
SAMUEL ROWE, Lieutenant-Governor.
A. C. ALLISON, J.P., Captain, 1st West India Regiment.
T. A. WALL, J.P., Acting Commandant and Deputy Collector of
Customs, British Sherbro.
A. S. ROBERTS, Sub-Lieutenant, 1st West India Regiment.
JACOB W. LEWIS, Governor's Clerk and Clerk of Council, Sierra
Leone.
J. BRIGHT DAVIES, Treasury Clerk.
DUNCAN, Sierra Leone Trader.
JOHN D. GEORGE, Sierra Leone.

We, the Undersigned, do swear that the whole of the terms
of this Agreement have been honestly and truly interpreted
to the Contracting Parties, in the Sherbro, Mendi, and Timmance
languages respectively, and on several occasions, both in private
as well as public.

His GEO. G. BARNETT.
☞ GEORGE EASMON.
mark: JAS. A. WILLIAMS.
SAML. G. McCaulay.

(10.)—AGREEMENT with the Chiefs of the Sherbro and Mendi
People (Bompey, Ribbee Mahmoo, Dodo). Peace. Sennehoo,
December 21, 1875.*

At a Conference held this 21st day of December, 1875, at
Sennehoo, it is agreed by the undermentioned Chiefs of the
Sherbro people that all disputes between themselves and the
Mendis shall, in all cases, be submitted to the arbitration of the
Governor of Sierra Leone, and that they will consider his
decision final and binding upon themselves.

2. The Sherbro Chiefs further bind themselves not to call in
the assistance of Mendi war-boys in their local and personal
quarrels.

3. The Chiefs of the Sherbro and Mendi people here present,
promise for and on behalf of themselves and their respective
tribes that the inhabitants respectively of the Sherbro and
Mendi countries shall have free liberty each to reside and trade
in the country of the other; and they engage that the roads
through either country shall be equally free to either the
Sherbro or the Mendi people.

4. The Sherbro Chiefs specially further promise for them-
selves that they will not put obstacles in the way of Mendi
people wishing to carry their produce to the seaboar at
Bonthe, Bendoo, or elsewhere; and the Mendi Chiefs on the
other hand promise that the road to the interior through their

* Approved February 22, 1876.
country shall be equally free for Sherbro people wishing to proceed thither.

5. Whatever advantages are insured by this Agreement to the people of either of the contracting tribes, are also guaranteed to all such subjects of Her Most Gracious Majesty the Queen of England as may desire to avail themselves of them.

6. In return for the assistance rendered by the Queen's Government in compelling the Mendi war men to leave the Bompeh territory, and with a view to the security and peace of the tribes living on the border of the British territory, and also with a view to reimbursing the Government of Sierra Leone for the expenses to which they have been put by the quarrel originating in the Caulker family, the Chiefs of Ribbee and Bompeh cede to Her Majesty's Government the right of collecting such Customs duties over the seaboard over which they have authority, as are imposed by the Government of Sierra Leone on the adjacent countries of Sierra Leone and British Sherbro. Her Majesty's Government will in consideration of this make such additional annual presents to those Chiefs, for their lifetime, as shall seem to them good. The right of collection of these duties shall exist from the date hereof, but nothing in this Agreement shall be binding on Her Majesty's Government until it has received Her Majesty's gracious approval and sanction.

Richard Canray Bah Caulker, Chief of Bompeh and Ribbee, &c.

Banna Will Caulker, Chief of Mahmoo.

Sorie Keisebbeh.

Momodo Carimo (signed in Arabic).

Humphia Rango, Chief of Dodo.

Kabbekkeh.

Gumbo Pyen.

Gbanyah.

Alli.

Ndiamoh.

Toroe Yahan.

Nyahan Moye.

Moori Foray.

Degbeh.

Momodo Jangah.

Hagba.

Signed in the presence of:

Samuel Rowe, Lieutenant-Governor.

A. C. Allinson, J.P., Captain, 1st West India Regiment.

T. A. Wall, J.P., Acting Commandant, and Deputy Collector of Customs, British Sherbro.

* Approved February 22, 1876.
We, the Undersigned, do swear that the whole of the terms of this Agreement have been honestly and truly interpreted to the Contracting Parties, in the Sherbro, Mendi, and Timmanee languages respectively, and on several occasions, both in private as well as public.

James A. Williams.
Saml. G. McCaulay.
Saml. P. Barnett.
George Easmon.

(11.)—AGREEMENT with the Chiefs of the Sherbro and Mendi People (Tasso, Bendo-Thumba, Thumba, Mannooh, Bompehtook, Cockbo-war). Peace. Shaingay, December 30, 1875.*

At a Conference held this 30th day of December, 1875, at Shaingay, it is agreed by the undermentioned Chiefs of the Sherbro people that all disputes between themselves and the Mendis shall, in all cases, be submitted to the arbitration of the Governor of Sierra Leone; and that they will consider his decision final and binding upon themselves.

2. The Sherbro Chiefs further bind themselves not to call in the assistance of Mendi war-boys in their local and personal quarrels.

3. The Chiefs of the Sherbro and Mendi people whose signatures are attached, promise for and on behalf of themselves, and their respective tribes, that the inhabitants respectively of the Sherbro and Mendi countries shall have free liberty each to reside and trade in the country of the other; and they engage that the roads through either country shall be equally free to either the Sherbro or the Mendi people.

4. The Sherbro Chiefs specially further promise for themselves that they will not put obstacles in the way of Mendi people wishing to carry their produce to the seaboard at Bonthe, Bendoor, or elsewhere; and the Mendi Chiefs, on the other hand, promise that the road to the interior through their country shall be equally free for Sherbro people wishing to proceed thither.

5. All war fences on the lower side of the Yambahtook River will be broken down, and no fresh war fence constructed; the

* Approved February 22, 1876.
existence or the construction of a war fence will be considered a declaration of war against the Government of Sierra Leone.

6. Whatever advantages are insured by this Agreement to the people of either of the contracting tribes, are also guaranteed to all such subjects of Her Most Gracious Majesty the Queen of England as may desire to avail themselves of them.

7. In return for the assistance rendered by the Queen's Government in compelling the Mendi war men to leave the Cockboro territory, and with a view to the security and peace of the tribes living on the border of the British territory, and also with a view to reimbursing the Government of Sierra Leone for the expenses to which they have been put by the quarrel originating in the Caulker family, the Chiefs of the Cockboro territory cede to Her Majesty's Government the right of collecting such Customs duties over the seaboard over which they have authority as are imposed by the Government of Sierra Leone on the adjacent countries of Sierra Leone and British Sherbro. Her Majesty's Government will, in consideration of this, make such additional annual presents to these Chiefs, for their lifetime, as shall seem to them good. The right of collection of these duties shall exist from the date hereof, but nothing in this Agreement shall be binding on Her Majesty's Government until it has received Her Majesty's gracious approval and sanction.*

George Stephen Caulker, Chief of Cockboro and Shaingay.
James S. G. Caulker.
David Caulker.
Allen Edward Caulker.
William G. Caulker.

Their
Harry B. Caulker.

Yacomba, Chief of Tasso.
Ba Yonghobo, Chief of Bendo-Thumba.
Ya Bome, Chief of Thumba.
Co Nimah, Chief of Mannoh.
Co Bess, Chief of Bompehtook.
So Sante, Chief of Cockboro.

Signed in the presence of:
Samuel Rowe, Lieutenant-Governor of the West African Settlements.
J. Craig Loggie, Inspector-General of Police, Sierra Leone.
W. F. Balles.
T. A. Wall, J.P., Acting Commandant and Deputy Collector of Her Majesty's Customs, British Sherbro.
Jacob Wm. Lewis, Governor's Clerk and Clerk of Council, Sierra Leone.

* Approved February 22, 1876.
I, the Undersigned, do swear that the whole of the terms of this Agreement have been honestly and truly interpreted to the persons whose signatures are attached in the Sherbro language.

His

\[\text{Mark}\]


Engagement between Her Majesty the Queen of Great Britain and Ireland, &c., and the principal Chiefs (whose names hereafter appear) holding authority on the South Bank of the River Congo, for the abolition of the traffic in slaves, for the prevention of human sacrifices, for the encouragement of lawful commerce, for the protection of all white traders, more particularly British, and for the punishment of all pirates and disturbers of the peace and good order of the river.

Commodore Sir William Nathan Wrighte Hewett, K.C.B., V.C., commanding Her Britannic Majesty's naval forces on the West Coast of Africa, on the part of Her Majesty the Queen of Great Britain and Ireland, &c., and the principal Chiefs holding authority on the South bank of the River Congo (whose names are hereunto subscribed), on the part of themselves, their heirs, and successors, have agreed upon the following Articles, viz.:

Art. I. The export of slaves to foreign countries is for ever abolished in the territories of the Chiefs who are parties hereto; and the Chiefs who are parties hereto do, for themselves, their heirs, and successors, engage to make and proclaim a law prohibiting any of their dependents, or any person within their jurisdiction, from selling or assisting in the sale of any slaves for transportation to a foreign country, and the Chiefs who are parties hereto promise to inflict a severe punishment on any person who shall break this law.

II. No European or other person whatever shall be permitted to reside within the territories of the Chiefs who are parties hereto, or of their heirs or successors, for the purpose of carrying on in any way the traffic in slaves; and no houses, stores, or buildings of any kind whatever shall be erected for the purpose of the Slave Trade within the territories of the Chiefs who are parties hereto, or of their heirs or successors; and if any such houses, stores, or buildings shall at any future time be erected, and the Chiefs who are parties thereto, or their heirs or successors, fail or find themselves unable to destroy them, they may be destroyed by any British officers employed for the suppression of the Slave Trade.
III. If at any time it shall appear that the Slave Trade has been carried on through or from the territories of the Chiefs who are parties hereto, the Slave Trade may be put down by force upon those territories; and British officers may seize the boats of the Chiefs who are parties hereto, or of their heirs and successors, found anywhere carrying on the Slave Trade; and the Chiefs who are parties hereto, their heirs and successors, will subject themselves to Her Britannic Majesty's severe displeasure.

IV. The subjects of Her Britannic Majesty, and all white foreigners, may always trade freely with the people of the Chiefs who are parties hereto, and of their heirs and successors, in every article they may wish to buy or sell, at any place whatever within their respective territories; and the Chiefs who are parties hereto, for themselves, their heirs, and successors, pledge themselves to show no favour and to give no privilege to the ships and traders of other countries which they do not show to those of Great Britain.

V. In the event of any British or other foreign vessel running aground in any part of the River Congo near to our respective territories, we, the Chiefs who are parties hereto, faithfully promise for ourselves, our heirs, and successors, that we will in no way allow them to be interfered with under any pretence whatever, unless an application be made to us for assistance; and we do further faithfully promise that, immediately we hear of any such vessel being on shore and in danger, we will communicate the intelligence to the nearest white settler.

VI. Should any British or other foreign vessels, being aground in the river, apply to us for assistance, we, the Chiefs who are parties hereto, for ourselves, our heirs, and successors, most faithfully promise to render her individually all the help in our power, provided we are fairly paid for our trouble.*

VII. Should the ships of British or other friendly traders be attacked by pirates or plunderers, we, the Chiefs who are parties hereto, for ourselves, our heirs, and successors, most faithfully promise assistance by sending our people with arms, and to do all in our power to punish the robbers.

VIII. If at any time a naval officer of Great Britain shall require guides or armed people from the Chiefs who are parties hereto, or their heirs and successors, to accompany the said officer on an expedition against pirates or other enemies of the Queen of Great Britain, &c., the Chiefs who are parties hereto faithfully promise for themselves, their heirs, and successors, to provide them.

* N.B. Mark put on copies given to Chiefs to enable them to point out more readily to the master of a vessel in distress the conditions under which they are bound to render assistance.
IX. The Chiefs who are parties hereto, for themselves, their heirs, and successors, declare that no human beings shall be sacrificed on account of religious or other ceremonies, and that they will prevent the barbarous practice of murdering prisoners in war.

X. Missionaries, or other ministers of the Gospel, are to be allowed to reside in the territories of the Chiefs who are parties hereto, their heirs and successors, for the purpose of instructing the people in all useful occupations.

XI. And in consideration of these engagements all past offences of the Chiefs whose names are hereunto subscribed against the Queen of Great Britain, &c., are hereby forgiven.

Concluded on board Her Majesty's ship *Active*, off Sharks' Point, in the River Congo, this 27th day of March, A.D. 1876.

Signed by the Contracting Parties.

W. N. W. HEWETT, Commodore, Commanding Her Britannic Majesty's Naval Forces on the West Coast of Africa.

Their marks.

Witnesses:
HENRY C. W. GIBSON, Secretary to the Commodore.
E. N. ROLFE, Lieutenant, H.M.S. Active.

(13.)—ADDITIONAL ARTICLES to the Treaty with the Chiefs of the River Congo of 1st June, 1865. * Wrecks, &c. River Congo, March 27, 1876.

ART. I. In the event of any British or other foreign vessel running aground in any part of the River Congo near to our respective territories, we, the Chiefs whose names are hereunto subscribed, faithfully promise for ourselves, our heirs and successors, that we will in no way allow them to be interfered with under any pretence whatever, unless an application be made to us for assistance; and we do further faithfully promise that immediately we hear of any such vessel being on shore, and in danger, we will communicate the intelligence to the nearest white settler.

II. Should any British or other foreign vessel, being aground

in the river, apply to us for assistance, we, the Chiefs whose names are hereunto subscribed, most faithfully promise to render her individually all the help in our power, provided we are fairly paid for our trouble.*

Agreed to on board Her Majesty's ship Active, lying off Sharks' Point, in the River Congo, on the 27th day of March, A.D. 1876, for ourselves and on behalf of Don Joa Franco Antonio, the present King.

Their

★ DOMINGO, Antonio's brother.
★ 'M. BAINGO, Antonio's son.

In consideration of these engagements all past offences of the above Chiefs against Her Majesty the Queen of Great Britain and Ireland, &c., are hereby forgiven.

W. N. W. HEWETT, Commodore, Commanding Her Britannic Majesty's Ships on the West Coast of Africa. March 27, 1876.

Witnesses:
HENRY C. W. GIBSON, Secretary to the Commodore.
E. N. ROLFE, Lieutenant, H.M.S. Active.

(14.)—ADDITIONAL ARTICLES to the Treaty with the Chiefs of the River Congo of 6th June, 1865.† Wrecks, &c. River Congo, March 27, 1876.

ART. I. In the event of any British or other foreign vessel running aground in any part of the River Congo near to our respective territories, we, the Chiefs whose names are hereunto subscribed, faithfully promise for ourselves, our heirs and successors, that we will in no way allow them to be interfered with under any pretence whatever, unless an application be made to us for assistance; and we do further faithfully promise that immediately we hear of any such vessel being on shore, and in danger, we will communicate the intelligence to the nearest white settler.

II. Should any British or other foreign vessel, being aground in the river, apply to us for assistance, we, the Chiefs whose names are hereunto subscribed, most faithfully promise to render her individually all the help in our power, provided we are fairly paid for our trouble.*

Agreed to on board Her Majesty's ship Active lying off

* N.B. †. Mark put on copies given to Chiefs to enable them to point out more readily to the master of a vessel in distress the conditions under which they are bound to render assistance.
Sharks' Point, in the River Congo, on the 27th day of March, A.D. 1876.

In consideration of these engagements all past offences of the above Chiefs against Her Majesty the Queen of Great Britain and Ireland, &c., are hereby forgiven.

W. N. W. Hewett, Commodore, Commanding Her Britannic Majesty's Ships on the West Coast of Africa. March 27, 1876.

Witnesses:
Henry C. W. Gibson, Secretary to the Commodore.
E. N. Rolfe, Lieutenant, H.M.S. Active.


Engagement between Her Majesty the Queen of Great Britain and Ireland, &c., and King Anizanza, for the abolition of the Traffic in Slaves; for the prevention of human sacrifices; for the encouragement of lawful commerce; for the protection of all white traders, more particularly British; and for the punishment of all pirates and disturbers of the peace and good order of the river.

Lieutenant Henry Chapman Walker, commanding Her Britannic Majesty's ship Foam and Senior Officer in the Congo, on the part of Her Majesty the Queen of Great Britain and Ireland, &c., and King Anizanza, whose names are hereunto subscribed on the part of himself, his heirs and successors, have agreed upon the following Articles:

ART. I. The export of slaves to foreign countries is for ever abolished in my territory, and I do pledge myself, my heirs and successors, to engage and make and proclaim a law prohibiting any of my dependants, or any person within my jurisdiction, from selling or assisting in the sale of any slaves for transportation to a foreign country, and I hereto promise to inflict a severe punishment on any person who shall break the law.

II. No European or other person whatever shall be permitted to reside within my territories, or those of my heirs or successors, for the purpose of carrying on in any way the traffic in slaves; and no houses, stores, or building of any kind whatever, shall be erected for the purpose of the Slave Trade within my territories, or of my heirs or successors; and if any such houses,
stores, or buildings, shall at any future time be erected, and I, my heirs or successors, fail or find ourselves unable to destroy them, they may be destroyed by any British officers employed for the suppression of the Slave Trade.

III. If at any time it shall appear that the Slave Trade has been carried on through or from my territories, the Slave Trade may be put down by force upon those territories, and any British officers may seize my boats, or those of my heirs or successors, found anywhere carrying on the Slave Trade, and I, my heirs or successors, will be subject to Her Britannic Majesty's severe displeasure.

IV. The subjects of Her Britannic Majesty and all white foreigners may always trade freely with my people, and those of my heirs or successors, in every article they may wish to buy or sell, at any place whatever within my territory, and I for myself, my heirs or successors, pledge myself to show no favour and to give no privilege to the ships and traders of other countries which I do not show to those of Great Britain.

V. In the event of any British or other foreign vessel running aground in any part of the River Congo near to my territory, I faithfully promise for myself, my heirs and successors, that I will in no way allow them to be interfered with under any pretence whatever, unless an application be made to me for assistance; and I do further faithfully promise that, immediately I hear of any vessel being on shore and in danger, I will communicate the intelligence to the nearest white settler.

VI. Should any British or other foreign vessel, being aground in the river, apply to me for assistance, I for myself, my heirs and successors, most faithfully promise to render her all the help in my power, provided I am fairly paid for my trouble.

VII. Should the ships of British or other friendly traders be attacked by pirates or plunderers, I for myself, my heirs and successors, most faithfully promise assistance by sending my people with arms, and to do all in my power to punish the robbers.

VIII. If at any time a naval officer of Great Britain shall require guides or armed people from myself, my heirs or successors, to accompany the said officer against pirates or other enemies of the Queen of Great Britain, &c., I faithfully promise for myself, my heirs and successors, to provide [them].

IX. I for myself, my heirs and successors, declare that no human being shall be sacrificed on account of religious or other ceremonies, and that I will prevent the barbarous practice of murdering prisoners in war.

X. Missionaries or other ministers of the Gospel are to be allowed to reside in my territory, and those of my heirs and successors, for the purpose of instructing the people in all useful occupations.
XI. And in consideration of these engagements all past offences of Anizanza against the Queen of Great Britain, &c., are hereby forgiven.

Concluded on board Her Majesty's ship *Foam*, laying off Point Henderson, in the River Congo, on the 19th April, 1876.

(L.S.) Henry C. Walter, Lieutenant, His Commanding H.M.S. Foam.

Anizanza.

Witnesses: mark.

H. Sanctuary, Navigating Sub-Lieutenant, H.M.S. Foam.

Robt. Sproule, Surgeon, H.M.S. Foam.

Their

Capeta.

Youka, Son of Anizanza.

marks.


ENGAGEMENT between Her Majesty the Queen of Great Britain and Ireland, Empress of India, &c., and King Mellella, for the abolition of the Traffic in Slaves; for the prevention of human sacrifices; for the encouragement of lawful commerce; for the protection of all white traders, more particularly British; and for the punishment of all pirates and disturbers of the peace and good order of the River.

Leicester Chantrey Keppel, Esquire, Commander of Her Britannic Majesty's ship *Avon*, and Senior Officer in the River Congo, on the part of Her Majesty the Queen of Great Britain and Ireland, Empress of India, &c., and King Mellella, whose name is hereunto subscribed, on the part of himself, his heirs and successors, have agreed upon the following Articles:

ART. I. The export of slaves to foreign countries is for ever abolished in my territory, and I do pledge for myself, my heirs and successors, to engage and make and proclaim a law prohibiting any of my dependants or any person within my jurisdiction from selling or assisting in the sale of any slaves for transportation to a foreign country, and I hereto promise to inflict a severe punishment on any person who shall break the law.

II. No European or other person whatever shall be permitted to reside within my territories or those of my heirs or successors, for the purpose of carrying on in any way the traffic in slaves; and no houses, stores, or buildings of any kind whatsoever shall be erected for the purpose of the Slave Trade
within my territories, or those of my heirs or successors; and if
any such houses, stores, or buildings shall at any future time be
erected, and I, my heirs or successors, fail or find ourselves
unable to destroy them, they may be destroyed by any British
officers employed for the suppression of the Slave Trade.

III. If at any time it shall appear that the Slave Trade is
being carried on through or from any part of my territories, the
Slave Trade may be put down by force upon those territories,
and any British officers may seize my boats, or those of my
heirs or successors, found anywhere carrying on the Slave
Trade, and I, my heirs or successors, will be subject to Her
Britannic Majesty's severe displeasure.

IV. The subjects of Her Britannic Majesty and all white
foreigners may always trade freely with my people, and those
of my heirs or successors, in every article they may wish to
buy or sell, at any place whatsoever within my territory; and
I, for myself, my heirs or successors, pledge myself to show no
favour and to give no privilege to the ships and traders of other
countries which I do not show to those of Great Britain.

V. In the event of any British or other foreign vessel running
aground in any part of the River Congo near to my territory, I
faithfully promise, for myself, my heirs, and successors, that I
will in no way allow them to be interfered with under any pre-
tence whatever, unless an application be made to me for
assistance; and I do further faithfully promise that, immediately
I hear of any vessel being on shore and in danger, I will com-
municate the intelligence to the nearest white settler.

VI. Should any British or other foreign vessel, being
aground in the river, apply to me for assistance, I, for myself,
my heirs and successors, most faithfully promise to render her
all the help in my power, provided I am fairly paid for my
trouble.

VII. Should the ships of British or other friendly traders be
attacked by pirates or plunderers, I, for myself, my heirs or
successors, most faithfully promise assistance by sending my
people with arms, and doing all in my power to punish the
robbers.

VIII. If at any time a naval officer of Great Britain shall
require guides or armed people from myself, my heirs or
successors, to accompany the said officer against pirates or other
enemies of the Queen of Great Britain, I faithfully promise, for
myself, my heirs and successors, to provide them.

IX. I, for myself, my heirs and successors, declare that no
human being shall be sacrificed on account of religious or other
ceremonies, and that I will prevent the barbarous practice of
murdering prisoners of war.

X. Missionaries or other ministers of the Gospel are to be
allowed to reside in my territory, and those of my heirs and
successors, for the purpose of instructing the people in all useful occupations.

XI. And, in consideration of these engagements, all past offences of King Mellella against the Queen of Great Britain, &c., are hereby forgiven.

Concluded on board Her Majesty's ship Avon, at Mellella, this 19th day of March, 1877.

His LEICESTER C. KEPPEL, Commander, H.M.S. Avon.

MELLELLA, King of Mellella, River Congo.

Witnesses to signatures of Contracting Parties:

ANDREW W. ROGERS, Senior Lieutenant, H.M.S. Avon.

Their HENRY J. OLLARD, Assistant Paymaster, H.M.S. Avon.

CAPETA of Mellella.

The Sister of QUEEN ANNazoza.


Engagement between Her Majesty the Queen of Great Britain and Ireland, Empress of India, &c., and King Lucalla, for the abolition of the Traffic in Slaves; for the prevention of human sacrifices; for the encouragement of lawful commerce; for the protection of all white traders, more particularly British; and for the punishment of all pirates and disturbers of the peace and good order of the River Congo.

LEICESTER CHANTREY KEPPEL, Esquire, Commander of Her Britannic Majesty's ship Avon, and Senior Officer in the River Congo, on the part of Her Majesty the Queen of Great Britain and Ireland, Empress of India, &c., and King Lucalla, whose name is hereunto subscribed, on the part of himself, his heirs or successors, have agreed upon the following Articles:

ART. I. The export of slaves to foreign countries is for ever abolished in my territory, and I do pledge for myself, my heirs and successors, to engage and make and proclaim a law prohibiting any of my dependants or any person within my jurisdiction from selling or assisting in the sale of any slaves for transportation to a foreign country, and I hereby promise to inflict a severe punishment on any person who shall break the law.

II. No European or other person whatever shall be permitted to reside within my territories, or those of my heirs or successors, for the purpose of carrying on in any way the traffic in slaves, and no houses, stores, or buildings of any kind whatso-
ever shall be erected for the purpose of the Slave Trade within my territories or those of my heirs or successors, and if any such houses, stores, or buildings shall at any future time be erected, and I, my heirs or successors, fail to find ourselves unable to destroy them, they may be destroyed by any British officers employed for the suppression of the Slave Trade.

III. If at any time it shall appear that the Slave Trade is being carried on through or from any part of my territories, the Slave Trade may be put down by force upon those territories, and any British officers may seize my boats, or those of my heirs or successors, found anywhere carrying on the Slave Trade, and I, my heirs or successors, will be subject to Her Britannic Majesty's severe displeasure.

IV. The subjects of Her Britannic Majesty and all white foreigners may always trade freely with my people and those of my heirs or successors in every article they may wish to buy or sell at any place whatsoever within my territories, and I, for myself, my heirs and successors, pledge myself to show no favour and to give no privilege to the ships and traders of other countries which I do not show to those of Great Britain.

V. In the event of any British or other foreign vessel running aground in any part of the River Congo near to my territory, I faithfully promise for myself, my heirs and successors, that I will in no way allow them to be interfered with under any pretence whatever, unless an application be made to me for assistance, and I do further faithfully promise that immediately I hear of any vessel being on shore and in danger I will communicate the intelligence to the nearest white settler.

VI. Should any British or other foreign vessel, being aground in the river, apply to me for assistance I, for myself, my heirs and successors, most faithfully promise to render her all the help in my power, provided I am fairly paid for my trouble.

VII. Should the ships of British or other friendly traders be attacked by pirates or plunderers, I, for myself, my heirs and successors, most faithfully promise assistance by sending my people with arms and doing all in my power to punish the robbers.

VIII. If at any time a naval officer of Great Britain shall require guides or armed people from myself, my heirs and successors, to accompany the said officer against pirates or other enemies of the Queen of Great Britain, I faithfully promise for myself, my heirs and successors, to provide them.

IX. I, for myself, my heirs and successors, declare that no human being shall be sacrificed on account of religious or other ceremonies, and that I will prevent the barbarous practice of murdering prisoners of war.

X. Missionaries or other ministers of the Gospel are to be allowed to reside in my territory, and those of my heirs and
successors, for the purpose of instructing the people in all useful occupations.

XI. And, in consideration of these engagements, all past offences of King Lucalla against the Queen of Great Britain, &c., are hereby forgiven.

Concluded on board Her Majesty's ship Avon, at Punta de Lenha, this 20th day of March, 1877.

His Leicester C. Keppel, Commander, H.M.S. Avon.

Lucalla, King of Lucalla, River Congo.

Witnesses to signatures of Contracting Parties:

Andrew W. Rogers, Senior Lieutenant, H.M.S. Avon.

Henry J. Ollard, Assistant Paymaster, H.M.S. Avon.

Mambouko of Lucalla.

Capeta of Lucalla.


TREATY between Captain George Lydiard Sullivan, of the Royal Navy, commanding Her Majesty's ship Sirius, on behalf of Her Most Gracious Majesty Victoria, Queen of Great Britain and Ireland and Empress of India, and the Avogah of Dahomey, Sahcloca, the second Avogah of Dahomey, Chodatong, on behalf of Gelele, King of Dahomey.

ART. I. It is agreed that there shall be henceforth peace and friendship between Her Most Gracious Majesty Queen Victoria and His Majesty Gelele, of Dahomey, in Africa, and their heirs and successors.

II. There shall be to the subjects of Her Most Gracious Majesty Victoria, Queen of Great Britain and Ireland and Empress of India, complete liberty of commerce, and they shall have entire right and liberty to come with their ships and cargoes to all places and ports in the dominions of His Majesty Gelele, to reside and trade in any part of the said dominions, to hire, occupy, and possess any houses or warehouses for the purpose of commerce, and enjoy the most complete protection and security from His Majesty the King of Dahomey, the Governors and people of his dominions.

III. The subjects of Her Britannic Majesty being or residing or trading in the country of Dahomey shall receive special protection from all annoyance and inconvenience in their various occupations or trades from any and all of the subjects of His Majesty Gelele, and from foreigners residing in that country, and they shall be permitted to hoist on their houses
and factories a flag of the Kingdom of Dahomey alone, or in concert with the flag of England; and the King Gelele engages herewith to issue a proclamation to His Majesty's subjects, and to all foreigners in his dominions, never again to molest, interfere with, or threaten the lives or persons of British subjects, on pain of severe punishment.

IV. The export of Slaves to foreign countries is for ever abolished in the territories of the King of Dahomey, and the Law made and proclaimed in accordance with a former Treaty between Her Majesty the Queen of England and King Gezo of Dahomey, dated January 13, 1852, shall continue in force for ever.

V. No British subject shall henceforth be compelled to attend any of the customs of the country of Dahomey where any human sacrifices are held.

VI. Whereas, in consequence of insult and violence towards one of Her Majesty's subjects in the country of Dahomey, a fine has been imposed of 500 puncheons of oil on that kingdom, and a blockade established to enforce payment of the same, it is herein agreed, on the part of Her Most Gracious Majesty, that the fine shall be reduced to 400 puncheons of oil and the blockade immediately raised, under the following conditions: that 200 puncheons of oil are paid at once, and the remainder within 12 months from this date; and His Majesty King Gelele agrees to these conditions, and promises herewith to complete the payment of the 400 puncheons of oil by the time given.

Signed at the Pacooteh Whydah, at Whydah, this 12th day of May, 1877.

GEORGE LYDIARD SULIVAN, Captain and Senior Officer, West Coast of Africa.

SACHLOCA, the Avogah of Dahomey.

His CHODATONG, the Second Avogah of Dahomey.

KING GELELE.

Witnesses to Treaty:

ARTHUR H. ALINGTON, Commander, H.M.S. Boxer.

FREDERICK MAXWELL HERON, Commander, H.M.S. Seagull.


We, the Kings and Chiefs of Osmari, in the districts of Ishearn, River Niger, being desirous of developing the resources of our country by means of legitimate trade with the subjects of Her Majesty the Queen of Great Britain, have this day met
on board Her Majesty's ship Pioneer, and in the presence of
Captain J. C. Purvis, R.N., Senior Officer of the West African
squadron, and officer commanding the Niger Expedition; David
Hopkins, Esq., Her Majesty's Consul for the province of Angola,
&c.; Henry Chester Tait, Esq., Her Britannic Majesty's Acting
Consul of the Bights, and the other officers who have hereunto
subscribed their names, have declared our intention of abiding
by the following Articles:

ART. I. We will use all means in our power to at once put a
stop to human sacrifices, as we know that this custom is dis-
pleasing to the Queen and people of Great Britain, and it is
now our wish to enter into, and maintain for ever, friendly
relations with the English.

II. We also promise to assist and protect all missionaries of
any Christian denomination that are now or may hereafter settle
among us, and to make use of the advantages offered to us by
sending our children to school.

III. We agree to cede to the owners of the present factories
all right and title to the land on which the factories stand, and
to the extent of their present inclosures, with this understand-
ing, that should any factory be removed and not reoccupied in
two years, the land will revert to us, and we have the right to
sell it to any English trader; but it is distinctly understood
and agreed that no native houses are to be erected there, nor
will any native be allowed to enter into or occupy the land.

IV. Should any trader wish at any time to remove his
factory and goods he will be permitted to do so without let or
hindrance.

V. The sizes of the measures, and the prices to be paid for
produce, must be arranged between the agents and the natives
themselves.

VI. Should any native steal any goods or any articles from
the English people or any other people in their employ, it will
be the duty of the King and Chief Odogu to find out the
offender and punish him, and also make restitution to the value
of goods or articles stolen.

VII. In consideration of the faithful observances of all the
foregoing Articles of this Agreement, each factory will make
unto the King a yearly dash, the amount of which will be here-
after arranged by Her Majesty's Consul and the principal
Agents, and should a favourable report be made to Her
Majesty's Consul in the beginning of the season of 1878, that
this Agreement has been faithfully carried out by the King and
Chiefs of Osmari, Her Majesty's Consul may suggest to Her
Most Gracious Majesty the desirability of making suitable
presents to the King and his principal Chief.

In witness that we have had the foregoing clearly inter-
preted to us, and that we fully understand its purport and
meaning, and that we will faithfully adhere to observe and abide by each and all its Articles, we have hereunto set our hands this 25th day of August, in the year of Our Lord, 1877.

King and Chiefs of Osamari,

Their

\[
\begin{align*}
\text{Ocarku Okuorisha, King.} \\
\text{Odogu Abi.} \\
\text{Anabri Ayinisere.} \\
\text{Sanza Nouri.} \\
\text{Isaba Aje.} \\
\text{Odagi Oodogo.} \\
\text{Isama G. Bemina.} \\
\text{Usai Aje.} \\
\text{Isama Aque.} \\
\end{align*}
\]

In the presence of:

J. Child Purvis, Captain, R.N.
David Hopkins, Her Majesty's Consul.
Henry Chaster Tait, Her Britannic Majesty's Acting Consul.
Leicester C. Keppel, Commander, R.N., H.M.S. Avon.
Arthur H. Alington, Commander, H.M.S. Boxer.
J. Sloan, Assistant Paymaster.
Rev. Joseph During.
E. P. Lowe, Sub-Agent, West African Company (Limited).
Henry W. George, Sub-Agent, Alex. Miller Bros. and Co.
Nathaniel E. Cole, Agent, Central Africa Company (Limited).
Thomas Samuel, Scripture Reader.
Daniel C. Peeler, Church Missionary Schoolmaster.

---


We, the Undersigned, King Ha na ezé onú, and Chiefs of the District of Onitsha, being desirous of developing the resources of our country by means of legitimate trade with the subjects of Her Majesty the Queen Victoria of Great Britain, have this day met at the town of Onitsha, in the King's residence, and in the presence of Henry Chaster Tait, Esq., Her Britannic Majesty's Acting Consul for the Bights of Benin, Biafra, the Island of Fernando Po, &c., and the other British subjects who have hereunto subscribed their names as witnesses, have declared our intention of abiding by the following Articles:

Art. I. We will use all the means in our power to put a stop to human sacrifices, as we know that this custom is displeasing to the Queen and people of Great Britain; and it is
now our wish to enter into and maintain for ever friendly relations with the English.

II. We also promise to protect and assist all missionaries of any Christian denomination that are now or may hereafter settle among us, and to make use of the advantages offered to us by sending our children to school.

III. We agree to cede to the owners of the present factories established in Onitsha, and to the Church Mission Society, all right and title to the land on which the church and mission station stand, and the British trading stations occupy, being to the extent of their present respective inclosures, with this understanding, that should any factory be removed and not occupied for two years, the land will revert to us, and we have then the right to sell it to any British trader; but it is distinctly understood and agreed that no native houses are to be erected there, nor will any native be allowed to enter into or occupy the land.

IV. Should any British subject wish at any time to remove his factory and goods, he will be permitted to do so without let or hindrance.

V. The sizes of the measures and the prices to be paid for produce must be arranged between the agents and the natives themselves.

VI. Should any native steal any goods or any articles from the English people or any other people in their employ, it will be the duty of the King and Chiefs to find out the offender and punish him, and also make restitution to the value of the goods or of the articles stolen.

VII. Should any question arise between a native and any British subject, the King will refer the matter to the Chairman of the Court of Equity, and take no steps until the matter has been thoroughly examined and a decision given by the Court of Equity, it being perfectly understood that no disputes on trade matters, or differences about or concerning prices of cloth, goods, or produce, are to be included in this clause of this Treaty—these matters being subject to the decision of the chief agents themselves, or whomsoever they may appoint to represent or act for their firms.

VIII. In consideration of the faithful observance of all the foregoing Articles of this Treaty, each factory will make unto the King a yearly dash, the amount of which will hereafter be settled by the principal agents, but it is understood and agreed that the church, mission, and schools are exempt from all taxes or dashes.

IX. Should a favourable report be made to Her Majesty's Consul in the commencement of the season of 1878, that this Agreement and Treaty has been faithfully carried out by the King and Chiefs of Onitsha, Her Majesty's Consul may suggest
to Her Most Gracious Majesty Queen Victoria the desirability of making suitable presents to the King and his principal Chiefs.

In witness that we have had the foregoing clearly interpreted to us, and that we fully understand its purport and meaning, and that we will faithfully adhere to observe, and abide by each and all its Articles and stipulations, we hereunto set our hands, this 15th day of October, 1877, at Onitsha.

Their
X HA NA EZE OUÑ, King of Onitsha.
X AGEL, Chief.
X AMODI AMRAFARO, Chief.
X MEJURU, King's Messenger.

Witnesses:

HY. CHASTER TAIT, Her Britannic Majesty's Acting Consul.
S. A. CROWTHER, Bishop, Niger Territory.
ISAAC THOS. GEORGE.
JACOB P. ROMAINE.
HENRY S. FLETCHER.
H. JOHNSON.
WM. ROMAINE.
SOL. PERRY.
EDWARD PHILLIPS.

PROCLAMATION of the Administrator of the West Africa Settlements, prohibiting the Sale of Arms to the Ashantis or their Allies. Cape Coast, February 8, 1873.

WHEREAS an Ashanti force has crossed the Prah and entered the protected territories on the Gold Coast in a hostile manner.

And whereas it is necessary that the supply of arms and munitions of war to the enemies of the protected tribes should be forthwith discontinued.

Now, therefore, be it known to all whom it may concern, that we have thought fit to prohibit, and do hereby prohibit, all persons within the settlements and protected territories on the Gold Coast and on the waters, rivers, and estuaries thereof, from selling, bartering, giving, or transferring in any manner of way, and either directly or indirectly any arms, ammunition, or warlike stores of every and whatsoever description to the Ashantis or their allies, or to other enemies of the protected tribes.

Moreover, we have prohibited and do hereby prohibit the importation into the said settlements and protected territories of all such arms, ammunition, and warlike stores, excepting at the ports of Cape Coast, Elmina, and Accra, or at such other
port or ports at which the importer may be specially authorised to land the same by licence first obtained from the Collector of Customs.

And all officers of Customs and other officers of the Colonial Government of the Gold Coast are to observe and enforce this Proclamation.

Cape Coast, February 8, 1873.

By command,

Foster Foster, Acting Colonial Secretary.

ORDINANCE of the Governor of the Gold Coast, to provide for more convenient administration of "The Extradition Acts, 1870* and 1873."†

[No. 6.] [4th April, 1877.]

WHEREAS by the Act of the Imperial Parliament, known as "The Extradition Act, 1870," it is amongst other things enacted, that the said Act when applied by Order in Council shall, unless it is otherwise provided by such Order, extend to every British possession, but with the following among other modifications, namely:

No warrant of a Secretary of State shall be required, and all powers vested in, or Acts authorised or required to be done under the said Act by the police magistrates and the Secretary of State, or either of them, in relation to the surrender of a fugitive criminal, may be done by the Governor of the British possession alone;

and any prison in the British possession may be substituted for a prison in Middlesex.

And whereas by the said Act it is also enacted that:

If by any Law or Ordinance, made before or after the passing of the said Act, by the Legislature of any British possession, provision is made for carrying into effect within such possession the surrender of fugitive criminals who are in, or suspected of being in, such British possession, Her Majesty may, by the Order in Council applying the said Act in the case of any foreign State or by any subsequent Order, either:

Suspend the operation within any such British possession of the said Act, or any part thereof, so far as it relates to such foreign State, and so long as such Law or Ordinance continues in force there, and no longer;

Or direct that such Law or Ordinance, or any part thereof, shall have effect in such British possession, with or without modifications and alterations, as if it were part of the said Act.

And whereas by another Act of the Imperial Parliament, known as "The Extradition Act, 1873," it is enacted that the

* See Vol. 13. Page 1194. † See Great Britain.
said Act shall be construed as one with "The Extradition Act, 1870," and that the said two Acts may be cited together as "The Extradition Acts, 1870 and 1873."

And whereas it is expedient to provide for the more convenient administration within the colony of "The Extradition Acts, 1870 and 1873," by conferring on the District Commissioners of the Colony the like powers and authorities in relation to the surrender of fugitive criminals as are by the said Acts vested in police magistrates and justices of the peace in the United Kingdom.

Be it enacted by the Governor of the Gold Coast Colony, by and with the advice and consent of the Legislative Council thereof, as follows:

I. This Ordinance may be cited as "The Extradition Ordinance (Gold Coast Colony), 1877."

II. All powers vested in, and acts authorised or required to be done by, a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom, under "The Extradition Acts, 1870 and 1873," are hereby vested in, and may in the colony be exercised and done by, any District Commissioner in relation to the surrender of fugitive criminals under the said Acts.

III. This Ordinance shall not come into operation until Her Majesty shall by Order in Council direct that this Ordinance shall have effect within the colony as if it were part of "The Extradition Act, 1870"* but this Ordinance shall hereafter come into operation as soon as such Order in Council shall have been publicly made known in the colony.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Council, and found to be a true and correct copy of the said Bill.

ALFRED MOLONEY, Clerk of Legislative Council.

BRITISH ORDER IN COUNCIL, relative to the Surrender of Fugitive Criminals from the Gold Coast. Balmoral, November 23, 1877.

At the Court at Balmoral, the 23rd day of November, 1877.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY.

His Royal Highness Prince Leopold; Lord President;
Mr. Chancellor of the Exchequer.

WHEREAS by section 18 of "The Extradition Act, 1870,"† it

is among other things enacted "that if by any law made after
the passing of the said Act by the Legislature of any British
possession provision is made for carrying into effect within such
possession the surrender of fugitive criminals who are in or
suspected of being in such British possession, Her Majesty may,
by the Order in Council applying the said Act in the case of any
foreign State, or by any subsequent Order, either:

Suspend the operation within any such British possession of
the said Act, or of any part thereof, so far as it relates to such
foreign State, and so long as such law continues in force there
and no longer;

Or direct that such Law or Ordinance or any part thereof
shall have effect in such British possession with or without
modifications and alterations, as if it were part of the Act.

And whereas by an Ordinance, numbered 6 of 1877, enacted
by the Legislature of the Gold Coast Colony, the short title of
which is "The Extradition Ordinance, Gold Coast Colony,
1877," it is provided that "all powers vested in and acts autho-
rised or required to be done by a police magistrate or any
justice of the peace in relation to the surrender of fugitive
criminals in the United Kingdom under 'The Extradition Acts,
1870 and 1873,' are thereby vested in and may in the colony be
exercised and done by any district commissioner in relation to
the surrender of fugitive criminals under the said Acts."

And whereas it is further provided by the said Ordinance
that the said Ordinance shall not come into operation until Her
Majesty shall by Order in Council direct that the said Ordinance
shall have effect within the colony as if it were part of "The
Extradition Act, 1870," but that the said Ordinance shall there-
after come into operation as soon as such Order in Council shall
have been publicly made known in the colony.

Now, therefore, Her Majesty, in pursuance of "The Extra-
dition Act, 1870," and in exercise of the power in that behalf in
the said Act contained, doth by this present Order, by and
with the advice of Her Majesty's Privy Council, direct that the
said Ordinance shall have effect in the colony of the Gold Coast
without modification or alteration, as if it were part of "The
Extradition Act, 1870."

And the Right Honourable the Earl of Carnarvon, one of
Her Majesty's Principal Secretaries of State, is to give the neces-
sary directions herein accordingly.

C. L. Peel
ROYAL ORDER of the Emperor of Austria for the further carrying out of the Declaration of the Congress of Paris of the 16th April, 1856,* respecting the Protection of Maritime Trade in time of War. Vienna, May 13, 1866.

(Translation.)

With reference to the Declaration made by the Powers assembled at the Peace Congress in Paris, on the 16th April, 1856, by which they laid down international principles respecting the abolition of privateering and respecting the rights of neutrals, in order to diminish as far as possible the evil effects of a war on maritime trade arising from the uncertainty of public law, and in order to contribute as far as depends on Austria, to the further attainment of this object, on the understanding of reciprocity, I have been pleased to decree, after consulting my Council of Ministers:

Art. I. Merchant ships and their cargoes cannot be seized at sea by Austrian cruisers, or be condemned in an Austrian Prize Court as valid prize, on the ground that they belong to a State with which Austria is at war, if the hostile Power observes reciprocity in regard to Austrian merchant ships.

The observance of reciprocity will be assumed until proof to the contrary, whenever an equally favourable treatment of Austrian merchant ships by the hostile Power is guaranteed by the known principles of its legislation, or by declarations made by it before the outbreak of hostilities.

II. The stipulation of Article I is not applicable to vessels carrying contraband of war or breaking a legally binding blockade.

III. My Ministers of War and of Justice are charged with the execution of this Decree.

Vienna, May 13, 1866.

FRANCIS JOSEPH.

BELCREDI. MENDSORFF.
WULLERSTORF. FRANCK.
KORNERS.

AUSTRIAN ORDER respecting the Customs Treatment of British Productions. Vienna, December 20, 1866.

(Translation.)

In pursuance of the Treaty of Commerce between Austria and Great Britain of 16th December, 1865;† of the Treaty of

Peace between Austria and Italy, of 3rd October, 1866;* and of the Treaty of Commerce between Austria and France of 11th December, 1866,† which assure to British, Italian, and French productions the treatment of the most favoured nation, it is ordered:

1. That from the 1st of January, 1867, the special Tariff A, contained in Annex A, to the Commercial and Customs Treaty concluded between Austria and the German Zollverein on the 11th of April, 1865,‡ is to be applied—in so far as a still more favourable treatment is not conceded by the General Austrian Tariff, or by special ordinances—not only to the productions of Zollverein countries, but also to those of Great Britain, Italy, and France, let their importation into Austria take place at whatever boundary it may, either by land or water.

The following items of the aforesaid special Tariff are exempted from this rule, viz.:

No. 1, lett. a and b (grain and pulse, meal and mill produce); No. 2, lett. b and c (garden produce and fruit, prepared); No. 4, lett. a to g (cattle for draught and slaughter); No. 6, lett. g (cheese); No. 9, lett. a (bread, common); No. 14, lett. a (turpentine and oil of turpentine); No. 30, lett. b (floor covering and mats of bast, rushes, &c.); and No. 36, lett. a (ordinary crockery ware): the stipulations in regard to these items are still restricted to the traffic from the Zollverein over the boundaries between Austria and the Zollverein countries.

2. That to establish the claim to the favourable treatment it is requisite that the British, Italian, or French origin of the goods be stated in both copies of the Goods Declaration, which is to be produced at the Custom-House.

In the event of any doubt arising as to the correctness of this statement, the origin of the goods is to be proved by a certificate which may be given by the local authority, or the proper Custom-House in the country whence the goods come, or by an Austrian Consular functionary there; or by the production of the bill of lading.

The aforesaid certificate of origin is only to be demanded when the question is as to the Customs treatment of cloth and woven goods, beverages, and spirituous liquors, or glass wares.

Vienna, December 20, 1866.

Baron von Beust.
Count Larisch-Moenich.
Baron von Wullerstorff.

† See State Papers. Vol. 56. Page 244.
AUSTRIA.

FINAL PROTOCOL, for the execution of the Treaty of Commerce between Great Britain and Austria of December 16, 1865. *
Signed at Vienna, September 8, 1867.

The Undersigned, British and Austrian Plenipotentiaries, having met on the 1st of May of the current year, for the purpose of providing for the execution of the Treaty of Commerce between Great Britain and Austria, of the 16th December, 1865, Commissioners from the respective Governments were appointed in accordance with the stipulations contained in Article IV of that Instrument.

These Commissioners having met with difficulty in agreeing upon the average prices which Article IV of the Treaty required to be found in order to regulate the duties to be levied in accordance with Article III, it has been decided by the Plenipotentiaries to record in the present Protocol their agreement to a schedule of duties, which may be equivalent to a literal fulfilment of the Treaty.

Such schedule is herewith annexed; but inasmuch as the Imperial Government is unable from Constitutional difficulties to engage that it can be brought into operation on the 1st of January, 1868, the date required by the Protocol of the 2nd July, 1866, and as the British Government is willing to allow time for meeting those difficulties, it is hereby agreed that the present negociation be adjourned until such time as it can be brought to a formal close, either by a Convention securing to Great Britain the tariff modifications contained in the annexed schedule, or by a Protocol recording that the modifications in question have, in fulfilment of the Treaty of 1865, been carried into effect by the Imperial Government in the way of legislation.

The Plenipotentiaries, however, shall meet not later than the 1st of January, 1868, in order that Her Majesty's Government may be placed in a position to communicate the state of the negociations to Parliament on its re-assembling.

It is understood, however, that under any circumstances the scale of duties as recorded in the schedule shall come into operation unconditionally on the 1st of January, 1869. As regards the manufactures specially indicated in the schedule as liable to ad valorem duties, the importer shall have the option either to pay the specific duties affixed to them, or at the Custom-Houses of Vienna, Pesth, and Prague, to pay the ad valorem duties specified in the schedule. The mode of assessing these duties shall be regulated according to the provisions of Articles XIV, XV, XVI, XVII, and XVIII. of the Prusso-French Treaty of the 2nd of August, 1862. †

The Austrian Plenipotentiaries moreover engage that, in the event of a modification of the existing Austrian legislation with

respect to salt, the import duty on chloride of lime shall be reconsidered, with a view to reduction; and also that the Imperial Government will be ready at an early date to conclude a Navigation Treaty with Great Britain, which shall secure to the latter the rights of the most favoured nation.

The present Protocol has been drawn up in duplicate, and the respective Plenipotentiaries have signed the same, and affixed thereto the seal of their arms.

Done at Vienna, the 8th September, 1867.

(L.S.) Bloomfield.
(L.S.) Louis Mallet.

ORDER issued by the Austro-Hungarian Finance Department respecting the Customs Treatment of Foreign Productions. Vienna, May 29, 1868.

(Translation.)

According to a communication received from the Imperial Ministry of Commerce, dated 17th May, 1868, a new Commercial and Customs Treaty was concluded at Berlin on 9th March, 1868,* between Austria and Prussia, as representative of the North-German Confederation and the South-German States belonging to the German Zollverein, which has been already presented to the Reichsrath for the necessary Constitutional action to be taken upon it, and has also been approved by the Chamber of Deputies.

As to the provisions of this Treaty, which replaces the Treaty of 11th April, 1865,† are to come already into force on June 1, 1868, special copies of the Treaty, as also of the tariff annexes A and B of the Final Protocol, and of the Custom-House Instructions (Zollkartel) are sent provisionally for immediate distribution, to those Custom-House offices particularly which may be placed in the position of having to apply the tariff regulations bearing upon the articles of traffic described in Annex A of the Treaty (duties to be levied on imports into Austria from the Zollverein) as soon as the above date shall be reached, and before the Treaty shall have been circulated and made generally known by its publication in the regular official papers, after undergoing the scrutiny prescribed by the Constitution.

Steps must be taken in order that the Custom-House offices in question shall be in possession of the Treaty at any rate before 1st June, 1868. It is of course understood that the new reductions of duty apply also to traffic with those States to which the footing of the most favoured nation is secured by existing Treaties.

The Custom-House offices will accordingly be supplied

with a new addition of the "Pillwein" tariff schedule, in which a summary of the rates to be in force on and after 1st June, 1868, will be exposed. Copies of the Executive Protocol are also furnished, as a supplement, for the same purpose to the Imperial Administrative Department.

REGULATION of the Austro-Hungarian Ministry of Finance, applying to Great Britain and other Powers, the Reduction of Duties conceded to the Zollverein by the Treaty of 9th March, 1868.* Vienna, June 19, 1868.

(Translation.)

Copies of the Berlin Treaty of Commerce and Customs of the 9th March have already been communicated to the Customs stations with the unpublished Regulation from hence of the 29th May, 1868.† It was also explained that its provisions would come into force on the 1st June, 1868, with the admitted modifications in Annex (A). It was at the same time added, it is of course to be understood, "that the new reductions of duty apply also to traffic with those States to which the footing of the most favoured nation is secured by existing Treaties."

In the meanwhile the Treaty was generally notified by Article XXI of the "Imperial Gazette" of the 5th June, 1868, and communicated to the Customs stations with the Final Protocol by the Order No. 19 of the 6th June, 1868. With reference to the Decree of the 29th May, 1868, the attention of the Customs stations is drawn to the fact that, besides the Treaty of the 9th March, 1868, there are at present the following Treaties between Austria and other nations also in force in which the assurance of mutual treatment on the footing of the most-favoured nation is guaranteed:

2. The Commercial Treaty with Great Britain of the 16th December, 1865.§
3. The Commercial Treaty with France of the 11th December, 1866.
4. The Treaty of Commerce and Navigation with Belgium of the 23rd February, 1867.¶
5. The Treaty of Commerce and Navigation with Holland of the 26th March, 1867.**

6. The Treaty of Commerce and Navigation with Italy of the 23rd April, 1867.†


The new reduction of duties, therefore, which are conceded to the German Zollverein in Annex (A) of the Treaty of the 9th March, 1868, are also to be applied to the products coming from the States named above 1 to 7.

REGULATION issued by the Austro-Hungarian Finance Department, respecting the Duty on Woollen Wares. Vienna, August 3, 1868.

(Translation.)

According to paragraph 5 of the Executive Protocol of the Commercial Treaty between His Majesty and the States of the German Customs and Commercial Union of the 9th March, 1868,† the calculation of the amount of duty raised in both territories on unprinted, close, woollen wares, depend upon whether these wares are fulled or not. To avoid differences of opinion in judging of the character of such wares the necessary arrangements were made in accordance with the orders issued on the 25th June, 1866,‡ and the 19th March, 1867,§ by the Prussian Finance Department, and extended to the other States of the Union, which orders form Annexes (A) and (B) to the Executive Protocol.

It appears from the first Regulation of the Order of the 25th June, 1866, that samples were furnished as guides for the limits within which cloth-like fabrics and buckskins are to be treated as "fulled," it being understood that fabrics of finer description than those samples are to be regarded as unfulled.

A similar course having in pursuance of Treaty to be observed within the line of Austro-Hungarian Customs, samples are here-with sent for distribution among the various Custom-Houses, one to be supplied to each.

Each sample consists of 6 patterns of stuffs. Fabrics which are thinner, less close, finer in the thread, and lighter in weight than these are to be treated as unfulled.

Speedy information must be sent as to the number of samples required for transmission to the larger Custom-Houses of the district for distribution, as also for the use of the Central and Local Financial Departments of the Province.

The indispensable necessary supply of samples is to be

openly stated, in order that steps may be taken accordingly for procuring them.

Peter.

TREATY between Great Britain and Austria, for the mutual Surrender of Fugitive Criminals.* Signed at Vienna, December 3, 1873.†

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, having judged it expedient, with a view to the better administration of justice and to the prevention of crime within the two countries and their jurisdictions that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up; their said Majesties have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Sir Andrew Buchanan, a member of Her Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Imperial and Royal Apostolic Majesty;

And His Imperial and Royal Apostolic Majesty, the Count Julius Andrassy of Csik-Szent-Király and Kraszna Horka, His Imperial and Royal Majesty's Privy Councillor, Minister of the Imperial House and of Foreign Affairs, Grand Cross of the Order of St. Stephen, &c.;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:

Art. I. The High Contracting Parties engage to deliver up to each other those persons who, being accused or convicted of a crime committed in the territory of the one party, shall be found within the territory of the other party under the circumstances and conditions stated in the present Treaty.

II. The crimes for which the extradition is to be granted are the following:

1. Murder, or attempt to murder.
2. Manslaughter.
3. Counterfeiting or altering money, uttering or bringing into circulation counterfeit or altered money.
4. Forgery or counterfeiting, or altering or uttering what is

* Ratifications exchanged at Vienna, March 10, 1874.
† Signed also in the German and Hungarian languages.
forged or counterfeited or altered; comprehending the crimes
designated in the Austrian Penal Laws or in the Hungarian
Penal Laws and Customs as counterfeiting or falsification of
paper money, bank notes, or other securities, forgery or falsifi-
cation of other public or private documents, likewise the utter-
ing or bringing into circulation, or wilfully using such counter-
feited, forged, or falsified papers.

The definition is to be determined accordingly with the
Austrian Penal Laws if the extradition shall take place from
Austria, and accordingly with the Hungarian Penal Laws and
customs, if the extradition shall take place from Hungary.

5. Embezzlement or larceny.

6. Obtaining money or goods by false pretences.

7. Crimes against bankruptcy law: comprehending the
crimes considered as frauds committed by the bankrupt in con-
nection with the bankruptcy, according with the Austrian Penal
Laws if the extradition shall take place from Austria, and with
the Hungarian Penal Laws if the extradition shall take place
from Hungary.

8. Fraud by a bailee, banker, agent, factor, trustee, or
director or member or public officer of any company, made
criminal by any law for the time being in force.

9. Rape.

10. Abduction.


12. Burglary or housebreaking.

13. Arson.

14. Robbery with violence or with menaces.

15. Threats by letter or otherwise with intent to extort.

16. Sinking or destroying a vessel at sea, or attempting to
do so.

17. Assaults on board a ship on the high seas, with intent
to destroy life, or to do grievous bodily harm.

18. Revolt, or conspiracy to revolt, by two or more persons
on board a ship on the high seas, against the authority of the
master.

19. Perjury, or subornation of perjury.

20. Malicious injury to property, if the offence be indictable.

The extradition is also to take place for participation in any
of the aforesaid crimes, as accessory either before or after the
fact, provided such participation be punishable by the laws of
both the Contracting Parties.

In all these cases the extradition will only take place from
the Austro-Hungarian States when the crimes, if committed in
Austria, would, according to Austrian law, constitute a “Ver-
brechen,” or, if committed in Hungary, would, according to the
laws and customs being in force in Hungary, constitute a crime
(“buntett”); the extradition from Great Britain only when
the crimes, if committed in England, or within English jurisdiction, would constitute an extradition crime, as described in the Extradition Acts of 1870 and 1873.

III. In no case and on no grounds whatever shall the High Contracting Parties be held to concede the extradition of their own subjects.

IV. The extradition shall not take place if the person claimed on the part of the Government of the United Kingdom, or the person claimed on the part of the Government of Austria-Hungary, has already been tried and discharged or punished, or is still under trial, in the Austro-Hungarian dominions, or in the United Kingdom respectively, for the crime for which his extradition is demanded.

If the person claimed on the part of the Government of the United Kingdom, or if the person claimed on the part of the Government of Austria-Hungary, should be under examination for any other crime in the Austro-Hungarian dominions, or in the United Kingdom respectively, his extradition shall be deferred until the conclusion of the trial, and the full execution of any punishment awarded to him.

Should an individual whose extradition is demanded be at litigation, or be detained in the country on account of private obligations, his surrender shall nevertheless be made, the injured party retaining the right to prosecute his claims before the competent authority.

V. The extradition shall not take place if, with respect to the crime for which it is demanded, and according to the laws of the country applied to, criminal prosecution and punishment has lapsed.

VI. A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove that the requisition for his surrender has, in fact, been made with a view to try or punish him for an offence of a political character.

VII. If an individual whose extradition is demanded by either of the High Contracting Parties, in accordance with the terms of this Treaty, be also claimed by one or several other Powers on account of other crimes committed on their territory, he shall be surrendered to the Government in whose territory his gravest crime was committed; and if his crimes are all of the same gravity, or a doubt exists as to which is the gravest, to the Government which first made application for his surrender.

VIII. A surrendered person shall in no case be kept in arrest or subjected to examination in the State to which he has been surrendered on account of another previous crime, or any other grounds than those of his surrender, unless such person has, after his surrender, had an opportunity of returning to the
country whence he was surrendered, and has not made use of this opportunity, or unless he, after having returned there, re-appears in the country to which he has already been surrendered.

This stipulation does not refer to crimes committed after surrender.

IX. Requisitions for surrender shall be made by the Diplomatic Agents of the High Contracting Parties.

To the requisition for the surrender of an accused person there must be attached a warrant issued by the competent authorities of the State which demands extradition, and such proofs as would, according to the laws of the place where the accused was found, justify his arrest if the crime had been committed there.

If the requisition refers to a person already convicted, the sentence passed by the competent Tribunal of State demanding his surrender must be produced.

No requisition for surrender can be based on a conviction in contumaciam.

X. If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the State applied to shall proceed to the arrest of the fugitive.

The prisoner is then to be brought before a competent magistrate, who is to examine him and to conduct the preliminary investigation of the case, just as if the apprehension had taken place for a crime committed in the same country.

XI. A fugitive criminal may, however, in urgent cases, be arrested under a warrant of a police magistrate, judge of the peace, or of any other competent authority in either country, on such information or complaint, or such evidence as would, in the opinion of the person issuing the warrant, justify the issue of a warrant if the crime had been committed or the prisoner convicted in the district in which the authority happens to be; provided, however, that he shall be discharged if, within the shortest time possible, and at the utmost within 14 days, a requisition for his surrender in accordance with the terms of Article IX of this Treaty is not made by the Diplomatic Agent of the State which demands his extradition.

XII. The extradition shall not take place before the expiration of 15 days from the apprehension, and then only if the evidence be found sufficient, according to the laws of the State applied to, either to justify the committal of the prisoner for trial, in case the crime had been committed in the territory of the said State, or to prove that the prisoner is the identical person convicted by the Courts of the State which makes the requisition.

XIII. In the examinations which they have to make in accordance with the foregoing stipulations, the authorities of
the State applied to shall admit as entirely valid evidence the sworn depositions or statements of witnesses taken in the other State, or copies thereof, and likewise the warrants and sentences issued therein, provided such documents are signed or certified by a judge, magistrate, or officer of such State, and are authenticated by the oath of some witness, or by being sealed with the official seal of the Minister of Justice, or some other Minister of State.

XIV. If sufficient evidence for the extradition be not produced within two months from the date of the apprehension of the fugitive, he shall be set at liberty.

XV. All articles seized, which were in the possession of the person to be surrendered at the time of his apprehension, shall, if the competent authority of the State applied to for extradition has ordered the delivery thereof, be given up when the extradition takes place; and this delivery shall extend not only to property of the accused and to the stolen articles, but also to everything which may serve as proof of the crime. If the extradition cannot be carried out in consequence of the flight or death of the individual who is claimed, the delivery of the above-mentioned objects shall take place nevertheless.

XVI. Each of the Contracting Parties shall defray the expenses occasioned by the arrest within its territories, the detention, and the conveyance to its frontier, of the persons to be surrendered, in pursuance of this Treaty.

XVII. The stipulations of the present Treaty shall be applicable to the colonies and foreign possessions of Her Britannic Majesty.

The requisition for the surrender of a fugitive criminal who has taken refuge in any of such colonies or foreign possessions shall be made to the Governor or chief authority of such colony or possession by the chief Consular officer of Austria-Hungary in such colony or possession.

Such requisitions may be disposed of, subject always, as nearly as may be, to the provisions of this Treaty, by the said Governor or chief authority, who, however, shall be at liberty either to grant the surrender, or to refer the matter to his Government.

Her Britannic Majesty shall, however, be at liberty to make special arrangements in the British colonies and foreign possessions for the surrender of Austro-Hungarian criminals, who may take refuge within such colonies and foreign possessions, on the basis as nearly as may be of the provisions of the present Treaty.

The requisition for the surrender of a fugitive criminal from any colony or foreign possession of Her Britannic Majesty shall be governed by the rules laid down in the preceding Articles of the present Treaty.
XVIII. The present Treaty shall come into force 10 days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties. It may be terminated by either of the High Contracting Parties, but shall remain in force for 6 months after notice has been given for its termination.

The Treaty shall be ratified, and the ratifications shall be exchanged at Vienna as soon as possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Vienna, the 3rd day of December, in the year of Our Lord, 1873.

(L.S.) Andrew Buchanan.
(L.S.) Andrassy.

BRITISH ORDER IN COUNCIL, relative to the Treaty between Great Britain and Austria of December 3, 1873, for the Surrender of Fugitive Criminals. Windsor, March 17, 1874.

At the Court at Windsor, the 17th day of March, 1874.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act of Parliament made and passed in the Session of Parliament holden in the 33rd and 34th years of the reign of Her present Majesty, intituled "An Act for amending the Law relating to the Extradition of Criminals," it was amongst other things enacted, that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Act shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty was concluded on the 3rd day of December last, between Her Majesty and the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, for the mutual extradition of fugitive criminals, which Treaty is in the terms following:

[Here follows the Treaty. See page 61.]

And whereas the ratifications of the said Treaty were exchanged at Vienna on the 10th instant:
Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Act, doth order, and it is hereby ordered, that from and after the 30th day of March, 1874, the said Act shall apply in the case of the said Treaty with the Emperor of Austria.

ARTHUR HELPS.

TREATY between Great Britain, Austria, Belgium, Denmark, Egypt, France, Germany, Greece, Italy, Luxemburg, Netherlands, Norway, Portugal, Roumania, Russia, Servia, Spain, Sweden, Switzerland, Turkey, and The United States, concerning the formation of a General Postal Union. Signed at Berne, October 9, 1874.

Les Soussignés, Plénipotentiaires des Gouvernements des pays ci-dessus énumérés, ont d'un commun accord, et sous réserve de ratification, arrêté la Convention suivante:

Art. I. Les pays entre lesquels est conclu le présent Traité formeront, sous la désignation de "Union Générale des Postes," un seul territoire postal pour l'échange réciproque des correspondances entre leurs bureaux de poste.

II. Les dispositions de ce Traité s'étendront aux lettres, aux cartes-correspondance, aux livres, aux journaux, et autres imprimés, aux échantillons de marchandises et aux papiers d'affaires originaires de l'un des pays de l'Union et à destination d'un autre de ces pays. Elles s'appliqueront également à l'échange postal des objets ci-dessus entre les pays de l'Union et les pays étrangers à l'Union toutes les fois que cet échange emprunte le territoire de deux des Parties Contractantes au moins.

III. La taxe générale de l'Union est fixée à 25 centimes pour la lettre simple affranchie.

Toutefois, comme mesure de transition, il est réservé à chaque pays, pour tenir compte de ses convenances monétaires ou autres, la faculté de percevoir une taxe supérieure ou inférieure à ce chiffre, moyennant qu'elle ne dépasse pas 32 centimes et ne descende pas au-dessous de 20 centimes.

Sera considérée comme lettre simple toute lettre dont le poids ne dépasse pas 15 grammes. La taxe des lettres dépassant ce poids sera d'un port simple par 15 grammes ou fraction de 15 grammes.

Le port des lettres non affranchies sera le double de la taxe du pays de destination pour les lettres affranchies.

L'affranchissement des cartes-correspondance est obligatoire. Leur taxe est fixée à la moitié de celle des lettres affranchies, avec faculté d'arrondir les fractions.
Pour tout transport maritime de plus de 300 milles marins dans le ressort de l'Union, il pourra être ajouté au port ordinaire une surtaxe qui ne pourra pas dépasser la moitié de la taxe générale de l'Union fixée pour la lettre affranchie.

IV. La taxe générale de l'Union pour les papiers d'affaires, les échantillons de marchandises, les journaux, les livres brochés ou reliés, les brochures, les papiers de musique, les cartes de visite, les catalogues, les prospectus, annonces et avis divers, imprimés, gravés, lithographiés, ou autographiés, ainsi que les photographies, est fixée à 7 centimes pour chaque envoi simple.

Toutefois, comme mesure de transition, il est réservé à chaque pays, pour tenir compte de ses convenances monétaires ou autres, la faculté de percevoir une taxe supérieure ou inférieure à ce chiffre, moyennant qu'elle ne dépasse pas 11 centimes et ne descend pas au-dessous de 5 centimes.

Sera considéré comme envoi simple tout envoi dont le poids ne dépasse pas 50 grammes. La taxe des envois dépassant ce poids sera d'un port simple par 50 grammes ou fraction de 50 grammes.

Pour tout transport maritime de plus de 300 milles marins dans le ressort de l'Union, il pourra être ajouté au port ordinaire une surtaxe qui ne pourra pas dépasser la moitié de la taxe générale de l'Union fixée pour les objets de cette catégorie.

Le poids maximum des objets mentionnés ci-dessus est fixé à 250 grammes pour les échantillons et à 1,000 grammes pour tous les autres.

Est réservé le droit du Gouvernement de chaque pays de l'Union de ne pas effectuer sur son territoire le transport et la distribution des objets désignés dans le présent Article, à l'égard desquels il n'aurait pas été satisfait aux lois, ordonnances, et décrets qui régissent les conditions de leur publication et de leur circulation.

V. Les objets désignés dans l'Article II pourront être expédiés sous recommandation.

Tout envoi recommandé doit être affranchi.

Le port d'affranchissement des envois recommandés est le même que celui des envois non recommandés.

La taxe à percevoir pour la recommandation et pour les avis de réception ne devra pas dépasser celle admise dans le service interne du pays d'origine.

En cas de perte d'un envoi recommandé et sauf le cas de force majeure, il sera payé une indemnité de 50 francs à l'expéditeur ou, sur la demande de celui-ci, au destinataire, par l'Administration dans le territoire ou dans le service maritime de laquelle la perte a eu lieu, c'est-à-dire où la trace de l'objet a disparu, à moins que, d'après la législation de son pays, cette Administration ne soit pas responsable pour la perte d'envois recommandés à l'intérieur.
Le paiement de cette indemnité aura lieu dans le plus bref délai possible et, au plus tard, dans le délai d’un an, à partir du jour de la réclamation.

Toute réclamation d’indemnité est prescrite, si elle n’a pas été formulée dans le délai d’un an, à partir de la remise à la poste de l’envoi recommandé.

VI. L’affranchissement de tout envoi quelconque ne peut être opéré qu’au moyen de timbres-poste ou d’enveloppes timbrées valables dans le pays d’origine.

Il ne sera pas donné cours aux journaux et autres imprimés non affranchis ou insuffisamment affranchis. Les autres envois non affranchis ou insuffisamment affranchis seront taxés comme lettres non-affranchies, sauf déduction, s’il y a lieu, de la valeur des enveloppes timbrées ou des timbres-poste employés.

VII. Aucun port supplémentaire ne sera perçu pour la réexpédition d’envois postaux dans l’intérieur de l’Union.

Seulement, dans le cas où un envoi du service interne de l’un des pays de l’Union entrait, par suite d’une réexpédition, dans le service d’un autre pays de l’Union, l’Administration du lieu de destination ajoutera sa taxe interne.

VIII. Les correspondances officielles relatives au service des postes sont exemptées du port. Sauf cette exception, il n’est admis ni franchise, ni modération de port.

IX. Chaque Administration gardera en entier les sommes qu’elle aura perçues en vertu des Articles III, IV, V, VI, et VII, ci-dessus. En conséquence, il n’y aura pas lieu de ce chef à un décompte entre les diverses Administrations de l’Union.

Les lettres et les autres envois postaux ne pourront, dans le pays d’origine comme dans celui de destination, être frappés à la charge des expéditeurs ou des destinataires, d’aucune taxe ni d’aucun droit postal autres que ceux prévus par les Articles sus-mentionnés.

X. La liberté du transit est garantie dans le territoire entier de l’Union.

En conséquence, il y aura pleine et entière liberté d’échange, les diverses Administrations Postales de l’Union pouvant s’expédier réciproquement, en transit par les pays intermédiaires, tant des dépêches closes que des correspondances à découvert, suivant les besoins du trafic et les convenances du service postal.

Les dépêches closes et les correspondances à découvert doivent toujours être dirigées par les voies les plus rapides dont les Administrations Postales disposent.

Lorsque plusieurs routes présentent les mêmes conditions de célérité, l’Administration expéditrice a le choix de la route à suivre.

Il est obligatoire d’expédier en dépêches closes toutes les fois que le nombre des lettres et autres envois postaux est de
nature à entraver les opérations du bureau réexpéditeur, d'après les déclarations de l'Administration intéressée.

L'Office expéditeur paiera à l'Administration du territoire de transit une bonification de 2 francs par kilogramme pour les lettres et de 25 centimes par kilogramme pour les envois spécifiés à l'Article IV, poids net, soit que le transit ait lieu en dépêches closes, soit qu'il se fasse à découvert.

Cette bonification peut être portée à 4 francs pour les lettres et à 50 centimes pour les envois spécifiés à l'Article IV, lorsqu'il s'agit d'un transit de plus de 750 kilomètres sur le territoire d'une même Administration.

Il est entendu toutefois que partout où le transit est déjà actuellement gratuit ou soumis à des taxes moins élevées, ces conditions seront maintenues.

Dans les cas où le transit aurait lieu par mer sur un parcours de plus de 300 milles marins dans le ressort de l'Union, l'Administration par les soins de laquelle ce service maritime est organisé aura droit à la bonification des frais de ce transport.

Les membres de l'Union s'engagent à réduire ces frais dans la mesure du possible. La bonification que l'Office qui pourvoit au transport maritime pourra réclamer de ce chef de l'Office expéditeur ne devra pas dépasser 6 francs 50 centimes par kilogramme pour les lettres, et 50 centimes par kilogramme pour les envois spécifiés à l'Art. (4 poids net).

Dans aucun cas ces frais ne pourront être supérieurs à ceux bonifiés maintenant. En conséquence, il ne sera payé aucune bonification sur les routes postales maritimes où il n'en est pas payé actuellement.

Pour établir le poids des correspondances transitant, soit en dépêches closes, soit à découvert, il sera fait à des époques, qui seront déterminées d'un commun accord, une statistique de ces envois pendant deux semaines. Jusqu'à révision, le résultat de ce travail servira de base aux comptes des Administrations entre elles.

Chaque Office pourra demander la révision :
1. En cas de modification importante dans le cours des correspondances ;
2. À l'expiration d'une année après la date de la dernière constatation.

Les dispositions du présent Article ne sont pas applicables à la Malle des Indes, ni aux transports à effectuer à travers le territoire des Etats-Unis d'Amérique par les chemins de fer entre New-York et San-Francisco. Ces services continueront à faire l'objet d'arrangements particuliers entre les Administrations intéressées.

XI. Les relations des pays de l'Union avec des pays étrangers à celle-ci seront régies par les conventions particulières qui existent actuellement ou qui seront conclues entre eux.
Les taxes à percevoir pour le transport au-delà des limites de l'Union seront déterminées par ces conventions ; elles seront ajoutées, le cas échéant, à la taxe de l'Union.

En conformité des dispositions de l'Article IX, la taxe de l'Union sera attribuée de la manière suivante :

1. L'Office expéditeur de l'Union gardera en entier la taxe de l'Union pour les correspondances affranchies à destination des pays étrangers.

2. L'Office destinataire de l'Union gardera en entier la taxe de l'Union pour les correspondances non affranchies originaires des pays étrangers.

3. L'Office de l'Union qui échange des dépêches closes avec des pays étrangers, gardera en entier la taxe de l'Union pour les correspondances affranchies originaires des pays étrangers et pour les correspondances non affranchies à destination des pays étrangers.

Dans les cas désignées sous les Nos. 1, 2, et 3, l'Office qui échange les dépêches n'a droit à aucune bonification pour le transit. Dans tous les autres cas, les frais de transit seront payés d'après les dispositions de l'Article X.

XII. Le service des lettres avec valeur déclarée, et celui des mandats de poste feront l'objet d'arrangements ultérieurs entre les divers pays ou groupes de pays de l'Union.

XIII. Les Administrations postales des divers pays qui composent l'Union sont compétentes pour arrêter d'un commun accord, dans un règlement toutes les mesures d'ordre et de détail nécessaires en vue de l'exécution du présent Traité. Il est entendu que les dispositions de ce règlement pourront toujours être modifiées d'un commun accord entre les Administrations de l'Union.

Les différentes Administrations peuvent prendre entre elles les arrangements nécessaires au sujet des questions qui ne concernent pas l'ensemble de l'Union, comme le règlement des rapports à la frontière, la fixation de rayons limitrophes avec taxe réduite, les conditions de l'échange des mandats de poste et des lettres avec valeur déclarée, etc., etc.

XIV. Les stipulations du présent Traité ne portent ni altération à la législation postale interne de chaque pays, ni restriction au droit des Parties Contractantes de maintenir et de conclure des Traités, ainsi que de maintenir et d'établir des unions plus restreintes en vue d'une amélioration progressive des relations postales.

XV. Il sera organisé, sous le nom de Bureau International de l'Union Générale des Postes, un office central qui fonctionnera sous la haute surveillance d'une Administration Postale désignée par le Congrès, et dont les frais seront supportés par toutes les Administrations des États Contractants.

Ce bureau sera chargé de coordonner, de publier et de distri-
buer les renseignements de toute nature qui intéressent le Service International des Postes, d'émettre, à la demande des parties en cause, un avis sur les questions litigieuses, d'instruire les demandes de modification au règlement d'exécution, de notifier les changements adoptés, de faciliter les opérations de la comptabilité internationale, notamment dans les relations prévues à l'Article X ci-dessus et, en général, de procéder aux études et aux travaux dont il serait saisi dans l'intérêt de l'Union Postale.

XVI. En cas de dissentiment entre deux ou plusieurs membres de l'Union relativement à l'interprétation du présent Traité, la question en litige devra être réglée par jugement arbitral; à cet effet, chacune des Administrations en cause choisira un autre membre de l'Union qui ne soit pas intéressé dans l'affaire.

La décision des arbitres sera donnée à la majorité absolue des voix.

En cas de partage des voix, les arbitres choisiront, pour trancher le différend, une autre Administration également désintéressée dans le litige.

XVII. L'entrée dans l'Union des pays d'outre-mer n'en faisant pas encore partie, sera admise aux conditions suivantes:

1. Ils déposeront leur déclaration entre les mains de l'Administration chargée de la gestion du Bureau Internationale de l'Union.

2. Ils se soumettront aux stipulations du Traité de l'Union, sauf entente ultérieure au sujet des frais de transport maritime.

3. Leur adhésion à l'Union doit être précédée d'une entente entre les Administrations ayant des conventions postales ou des relations directes avec eux.

4. Pour amener cette entente, l'Administration gérante convoquera, le cas échéant, une réunion des Administrations intéressées et de l'Administration qui demande l'accès.

5. L'entente établie, l'Administration gérante en avisera tous les membres de l'Union Générale des Postes.

6. Si dans un délai de 6 semaines, à partir de la date de cette communication, des objections ne sont pas présentées, l'adhésion sera considérée comme accomplie et en sera fait communication par l'Administration gérante à l'Administration adhérente. L'adhésion définitive sera constatée par un acte diplomatique entre le Gouvernement de l'Administration gérante et le Gouvernement de l'Administration admise dans l'Union.

XVIII. Tous les 3 ans au mois, un Congrès de Plénipotentiaires des pays participant au Traité sera réuni en vue de perfectionner le système de l'Union, d'y introduire les améliorations jugées nécessaires et de discuter les affaires communes.

Chaque pays a une voix.
Chaque pays peut se faire représenter, soit par un ou par plusieurs délégués, soit par la délégation d'un autre pays.
Toutefois, il est entendu que le délégué ou les délégués d'un pays ne pourront être chargés que de la représentation de deux pays, y compris celui qu'ils représentent.
La prochaine réunion aura lieu à Paris en 1877.
Toutefois, l'époque de cette réunion sera avancée, si la demande en est faite par le tiers au moins des membres de l'Union.
XIX. Le présent Traité entrera en vigueur le 1er Juillet, 1875.
Il est conclu pour 3 ans à partir de cette date. Passé ce terme, il sera considéré comme indéfiniment prolongé, mais chaque Partie Contractante aura le droit de se retirer de l'Union, moyennant un avertissement donné une année à l'avance.
XX. Sont abrogées, à partir du jour de la mise à exécution du présent Traité, toutes les dispositions des Traités spéciaux conclus entre les divers pays et Administrations, pour autant qu'elles ne seraient pas conciliables avec les termes du présent Traité et sans préjudice des dispositions de l'Article XIV.
Le présent Traité sera ratifié aussitôt que faire se pourra, et, au plus tard, 3 mois avant la date de sa mise à exécution. Les actes de ratification seront échangés à Berne.
En foi de quoi les Plénipotentiaires des Gouvernements des pays ci-dessus énumérés l'ont signé à Berne, le 9 Octobre, 1874.

   " l'Allemagne : Stephan.
   " l'Autriche : Gunther.
   " la Hongrie : M. Gervay.
   " la Belgique : Fassiaux.
   " le Danemark : Vinchent.
   " l'Egypte : J. Gife.
   " l'Espagne : Fenger.
   " les Etats-Unis d'Amérique : Muzzi Bey.
   " la France, 3 Mai, 1875 : Angel Mansi.
   " la Grèce : Emilio C. de Navascues.
   " l'Italie : Joseph H. Blackfan.
   " le Luxembourg : B. d'Harcourt.
   " la Norvège : A. Mansolas.
   " les Pays-Bas : Alb. Betant.
   "
Les soussignés Plénipotentiaires des Gouvernements des pays qui ont signé aujourd’hui le Traité concernant la création d’une Union Générale des Postes, sont convenus de ce qui suit:

Dans le cas où le Gouvernement Français, qui s’est réservé le Protocole ouvert et qui figure en conséquence au nombre des Parties Contractantes au Traité sans y avoir encore donné son adhésion, ne se déciderait pas à le signer, ce Traité n’en sera pas moins définitif et obligatoire pour toutes les autres Parties Contractantes dont les représentants l’ont signé aujourd’hui.

En foi de quoi les Plénipotentiaires ci-dessous ont dressé le présent Protocole Final qui aura la même force et la même valeur que si les dispositions qu’il contient étaient insérées dans le Traité lui-même, et ils l’ont signé en un exemplaire qui restera déposé aux archives du Gouvernement de la Confédération Suisse et dont une copie sera remise à chaque partie.

Berne, le 9 Octobre, 1874.


DETAILED REGULATIONS, for the execution of the Treaty of October 9, 1874, concerning the formation of a General Postal Union. Signed at Berne, October 9, 1874.

Les Soussignés, vu l’Article XII du Traité concernant la création d’une Union Générale des Postes, du 9 Octobre, 1874, ont, au nom de leurs Administrations respectives, arrêté d’un commun accord les mesures suivantes, pour assurer l’exécution du dit Traité:

ART. I.—Taxes des Correspondances dans l’Union.

Les Administrations faisant partie de l’union se communique-
ront réciproquement les taxes qu'elles auront adoptées en conformité des Articles III, IV, et V, du Traité pour les lettres affranchies et non affranchies, et pour les autres objets affranchis originaires et à destination de l'Union, ainsi que les prix de transport applicables aux services territoriaux et maritimes de l'intérieur de l'Union, en vertu des §§ 6, 7, 9, et 10, de l'Article X du Traité. Toute modification apportée ultérieurement dans la fixation de ces taxes ou prix devra être notifiée sans retard.

II.—Echange en Dépêches Closes.

L'échange des correspondances en dépêches closes entre les Administrations de l'Union sera réglé d'un commun accord et selon les nécessités du service entre les Administrations en cause. Si l'il s'agit d'un échange à faire par l'entremise d'un ou de plusieurs pays tiers, les Administration de ces pays devront en être prévenues en temps opportun.

III.—Application des Timbres.

1. Les correspondances à échanger réciproquement seront frappées, à la partie supérieure de la suscription, d'un timbre indiquant le lieu d'origine et la date du dépôt à la poste.

2. Les correspondances non affranchies ou insuffisamment affranchies seront en outre frappées du timbre "T" (taxe à payer), dont l'application incombera à l'office du pays d'origine.

3. Les objets recommandés porteront l'impreinte du timbre spécial adopté pour les envois de l'espèce par le pays d'origine.

4. Les diverses Administrations se communiqueront, par l'entremise du bureau international, une impreinte de ce dernier timbre.

5. Tout objet de correspondance ne portant pas le timbre "T" sera considéré comme affranchi jusqu'à destination et traité en conséquence, sauf erreur évidente.

IV.—Indication du Nombre de Ports.

1. Lorsqu'une lettre ou tout autre objet de correspondance sera passible, en raison de son poids, de plus d'un port simple, l'office expéditeur indiquera à l'angle gauche supérieur de la suscription, en chiffres ordinaires, le nombre de ports perçus ou à percevoir.

2. Cette mesure ne sera pas de rigueur pour les correspondances dûment affranchies à destination d'un pays de l'Union.

V.—Affranchissement Insuffisant.


2. Dans le cas où il aurait été fait usage de timbres-poste
non valables dans le pays d'origine, il n'en sera tenu aucun compte. Cette circonstance sera indiquée par le chiffre zéro "0," placé à côté des timbres-postes.

3. L'office du lieu de destination frappera les objets insuffisamment affranchis du complément de la taxe due, à concurrence du prix d'une lettre non affranchie du même poids. Au besoin on forcerà les fractions jusqu'à l'unité monétaire de perception employée dans le pays de destination.

VI.—Feuilles d'Avis.

1. Les feuilles d'avis pour les échanges directs entre deux Administrations seront conformes au modèle joint au présent Règlement, sub lit. A.

2. Il ne sera fait aucune mention dans la feuille d'avis des correspondances de toute nature, affranchies, non affranchies, ou insuffisamment affranchies, originaires d'un État de l'Union et à destination d'un autre de ces États, non plus que des correspondances affranchies de l'étranger à destination de l'Union, ou non affranchies de l'Union à destination de l'étranger.

3. Pour les autres correspondances on mentionnera:

1°. Au Tableau No. I, le montant total des taxes étrangères sur les correspondances non affranchies, et le montant des débours sur les correspondances réexpédiées dont il devra être tenu compte à l'office envoyer.

2°. Au Tableau No. II, le montant total des taxes, et, le cas échéant, des droits de recommandations étrangers, sur les correspondances affranchies, qui seront à bonifier à l'office destinataire, ou de sortie de l'Union.

4. Les taxes ou débours à inscrire au Tableau No. I seront indiqués sur chaque objet, au crayon bleu, à l'angle gauche inférieur de l'adresse.

5. Les taxes et droits à porter en compte au Tableau No. II seront inscrits, au crayon rouge, sur chaque objet à l'angle gauche inférieur de l'adresse.

6. Au Tableau No. III on inscrira, avec les détails que ce tableau comporte, les dépêches closes en transit qui accompagnent les envois directs.

7. Les objets recommandés seront inscrits au Tableau No. IV de la feuille d'avis avec les détails suivants : le nom du bureau d'origine, le nom du destinataire, et le lieu de destination, ou seulement le nom du bureau d'origine et le numéro d'inscription de l'objet à ce bureau; le montant du port et des droits de recommandation étrangers à bonifier, le cas échéant, à l'office destinataire ou de sortie de l'Union.

8. Lorsque le nombre d'objets recommandés à expédier habituellement d'un bureau d'échange à un autre le comportera, il pourra être introduit une liste spéciale et détachée pour remplacer le Tableau No. IV de la feuille d'avis.

10. Si, pour faciliter les opérations de compte, il était jugé nécessaire dans certaines relations de créer des rubriques nouvelles aux Tableaux Nos. I et II de la feuille d'avis, la mesure pourra être introduite après une entente entre les Administrations intéressées. Le cas échéant, les modèles de comptes seront mis en rapport avec la contexture des feuilles d'avis.

VII.—Expédition d' Objets recommandés.

1. Les objets recommandés seront réunis en un paquet distinct, qui devra être convenablement enveloppé et cacheté de manière à en préserver le contenu.

2. Ce paquet, entouré de la feuille d'avis, sera placé au centre de la dépêche.

VIII.—Confection des Dépêches.

1. Toute dépêche échangée entre des bureaux de l'Union, après avoir été ficelée intérieurement, devra être enveloppée de papier fort en quantité suffisante pour éviter toute détérioration du contenu, puis ficelée extérieurement et cachetée à la cire ou au moyen d'un cachet en papier gommé avec l'empreinte du cachet du bureau. Elle sera munie d'une suscription imprimée portant en petits caractères le nom du bureau expéditeur, et en caractères plus forts le nom du bureau destinataire : "De . . . . " "Pour . . . . . ."

2. Si le volume de la dépêche le comporte, elle devra être renfermée dans un sac convenablement fermé et cacheté.

3. Les sacs devront être renvoyés au bureau expéditeur par le prochain courrier.

IX.—Vérification des Dépêches.

1. Le bureau d'échange qui recevra une dépêche constatera en premier lieu si les inscriptions sur la feuille d'avis (débours, bonifications, dépêches closes en transit, objets recommandés) sont exactes.

2. S'il reconnaît des erreurs ou des omissions, il opère immédiatement les rectifications nécessaires sur les feuilles ou listes, en ayant soin de biffer les indications erronées d'un trait de plume, de manière à pouvoir reconnaître les inscriptions primitives.

3. Ces rectifications devront s'opérer par le concours de deux agents. A moins d'une erreur évidente, elles prévaudront sur la déclaration originale.

4. Un bulletin de vérification, conforme au modèle ci-annexé, sera dressé par le bureau destinataire, et envoyé sans délai, sous recommandation d'office, au bureau expéditeur.

5. Celui-ci, après examen, le renverra, avec ses observations, s'il y a lieu.
6. En cas de manque d'une dépêche, d'un objet recommandé, ou de la feuille d'avis, le fait sera constaté immédiatement dans la forme voulue par deux agents du bureau d'échange destinataire, et porté à la connaissance du bureau d'échange expéditeur, au moyen du bulletin de vérification; et, si le cas le comporte, celui-ci devra en outre être avisé par télégramme.

7. Dans le cas où le bureau destinataire n'aurait pas fait parvenir par le premier courrier au bureau expéditeur un bulletin de vérification constatant des erreurs ou des irrégularités quelconques, l'absence de ce document vaudra comme accusé de réception de la dépêche et de son contenu jusqu'à preuve du contraire.

X. — Objets Recommandés. — Condition de Forme et de Fermeture.

Aucune condition de forme ou de fermeture n'est exigée pour les objets recommandés. Chaque office aura la faculté d'appliquer à ces envois les règles établies dans son service intérieur.

XI. — Journaux et Imprimés. — Conditions de Forme.

1. Pour jouir de la modération de port qui leur est attribuée par l'Article IV du Traité, les journaux, les livres, les imprimés, et les autres objets assimilés devront être placés sous bande ou dans une enveloppe ouverte, ou bien simplement pliés de manière à pouvoir être facilement vérifiés; et, sauf les exceptions suivantes, ils ne pourront contenir aucune écriture, chiffre ou signe quelconque, fait à la main.

2. Les épreuves d'imprimerie ou de compositions musicales pourront porter des corrections à la plume se rapportant exclusivement au texte ou à la confection de l'ouvrage. Il sera permis d'y annexer les manuscrits.

3. Les circulaires, avis, &c., pourront être revêtus de la signature de l'envoyeur, avec sa qualité, et porter l'indication du lieu d'origine et de la date d'envoi.

4. Les livres seront admis avec une dédicace ou un hommage de l'auteur, inscrits à la main.

5. Il sera permis de marquer d'un simple trait les passages du texte sur lesquels on désire appeler l'attention.

6. Les cotes et prix courants de bourses ou de marchés imprimés, lithographiés ou autographiés, pourront être admis avec des prix ajoutés à la main ou au moyen d'une impression quelconque.

7. Il ne sera admis aucune autre addition faite à la main, pas plus que celles produites au moyen de caractères typographiques, lorsqu'elles-ci auraient pour effet d'enlever à l'imprimé son caractère de généralité.

8. Les objets susmentionnés qui ne réuniraient pas les conditions requises ci-dessus, seront considérés comme lettres non affranchies et taxés en conséquence, à l'exception seulement des
AUSTRIA, &c. 79

journaux et des imprimés, tels que les circulaires, les avis, &c., auxquels il ne sera pas donné cours, le cas échéant.

XII.—Echantillons.—Conditions de Forme.

1. Les échantillons de marchandises ne seront admis à bénéficier de la modération de port qui leur est attribuée par l'Article IV du Traité que sous les conditions suivantes:

2. Ils devront être placés dans des sacs, des boîtes ou des enveloppes mobiles, de manière à permettre une facile vérification.

3. Ils ne pourront avoir aucune valeur marchande, ni porter aucune écriture à la main que le nom ou la raison sociale de l'envoyeur, l'adresse du destinataire, une marque de fabrique ou de marchand, des numéros d'ordre et des prix.

4. Il est interdit de réunir ces objets à une lettre ou à un envoi d'une autre nature, sauf le cas où ils feraient partie intégrante d'un ouvrage spécial.

5. Les échantillons qui ne rempliraient pas les conditions requises seront taxés comme lettres, sauf ceux qui auraient une valeur. Ces derniers ne seront pas expédiées, non plus que ceux dont le transport offrirait des inconvénients ou du danger.

XIII.—Papiers d'Affaires.

1. Seront considérés comme papiers d'affaires et admis comme tels à la modération de port consacrée par l'Article IV du Traité, les actes de tout genre dressés par les officiers ministériels, les lettres de voiture, les différents documents de service des compagnies d'assurance, les copies ou extraits d'actes sous seing privé, écrits sur papier timbré ou non timbré, les partitions ou feuilles de musique manuscrites, et généralement toutes les pièces et tous les documents écrits à la main, qui n'ont pas le caractère d'une correspondance actuelle et personnelle.

2. Les papiers d'affaires devront être expédiés sous une bande mobile et conditionnés de manière à pouvoir être facilement vérifiées.

3. Les envois qui ne rempliraient pas les conditions énoncées ci-dessus seront considérés comme lettres non affranchies et taxés en conséquence.

XIV.—Correspondance avec les Pays Etrangers.

1. Les Offices de l'Union qui ont des relations régulières établies avec des pays situés en dehors de l'Union admettront tous les autres offices à profiter de ces relations pour l'échange de leurs correspondances, contre paiement des taxes dues pour le transport en dehors des limites de l'Union.

2. Ils auront, en conséquence, à fournir aux offices intéressés un tableau conforme au modèle joint au présent Règlement sub. lit. C, et qui indiquera les conditions de prix auxquelles pour-
ront être échangées les correspondances à expédier ou à recevoir par les dites voies.

3. Les changements introduits dans ces conditions devront être notifiés en temps opportun.

XV. — Correspondances mal dirigées.

Les objets de toute nature mal dirigés seront, sans aucun délai, ré-expédiés par la voie la plus directe vers leur destination, contre remboursement ou bonification, s'il y a lieu, des taxes pour lesquels ils auraient été portés en compte.

XVI.— Rebuts.

1. Les correspondances qui seront tombées en rebut pour quelque cause que ce soit devront être renvoyées aussitôt après leur mise en rebut par l'intermédiaire des bureaux d'échange respectifs.

2. Les rebuts renvoyés seront enliassés séparément et pourvus d'une étiquette portant le mot "Rebuts."

3. Ceux desdits objets qui auront été affranchis seront livrés sans aucun compte.

4. Les lettres non affranchies ou insuffisamment affranchies seront également livrées sans compte, pour autant qu'elles sont originaires d'un pays de l'Union.

5. Celles desdites correspondances qui se trouveraient grevées de débours seront portées au crédit de l'Office qui en fait le renvoi. (Tableau No. I de la feuille d'avis.)

XVII.— Comptabilité.

1. Chaque Administration fera établir mensuellement, pour chaque dépêche reçue, un état conforme au modèle annexé au présent Règlement sub. lit. D, comprenant les correspondances inscrites aux feuillets d'avis de ses correspondants.

2. Ces états seront ensuite récapitulés dans un compte conforme au modèle lit. E.

3. Le compte accompagné des états et des feuillets d'avis (dont on détachera le Tableau No. IV) sera soumis à la vérification de l'office correspondant, dans le courant du mois qui suit celui auquel il se rapporte.

4. Les comptes mensuels, après avoir été vérifiés et acceptés de part et d'autre, seront résumés en un compte général trimestriel par les soins de l'Administration de celui des deux pays qui sera placé le premier dans l'ordre alphabétique, sauf autre arrangement à prendre à cet égard par les Administrations intéressées.

5. Ces divers comptes seront établis en francs et centimes.

6. Le solde résultant du compte général sera payé à l'Etat créditeur en francs effectifs au moyen de traites tirées sur des places à désigner d'avance et d'un commun accord.
AUSTRIA, &c.

XVIII.—Périodes de Statistique.

1. La statistique générale à établir en vertu de l'Article X, §12, du Traité pour régler le paiement des droits de transit sera dressée en premier lieu, pendant 7 jours consécutifs chaque fois, à partir du 1er Août, 1875, et du 1er Décembre de la même année. Elle servira de base pour les paiements à faire jusqu'au 30 Juin, 1876.

2. Pour les statistiques à établir ultérieurement, elles se feront à partir du 1er Juin et du 1er Décembre.

3. Il sera procédé à ces opérations de statistique conformément aux dispositions des Articles XIX à XXIII suivants.

XIX.—Statistique du Transit à Découvert.

1. L'office servant d'intermédiaire pour la transmission des correspondances en transit à découvert, reçues directement d'un autre office, dressera d'avance, pour chaque relation, un tableau d'après le formulaire lit. F, dans lequel il indiquera, en distinguant au besoin les diverses voies d'acheminement, les prix de transit, au poids, à payer à tous les pays intermédiaires à partir de la frontière de sortie de l'office expéditeur jusqu'à la frontière d'entrée de l'office destinataire. Au besoin, il se renseignera en temps utile, auprès des offices des pays à traverser, sur les voies que devront suivre les correspondances et sur les prix à leur appliquer.

2. Après avoir dressé ce formulaire, le dit office en remettra un double à l'office expéditeur intéressé, pour servir de base à un décompte spécial à établir entre eux du chef de ce transit.

3. Le bureau d'échange expéditeur renseignera dans un tableau d'après le formulaire lit. G, qu'il joindra à son envoi, le poids global, en deux catégories, des correspondances qu'il livrera en transit au bureau d'échange correspondant; et celui-ci, après vérification, prendra livraison de ces correspondances pour les acheminer vers leurs destinations en les confondant avec les siennes propres pour le paiement des droits de transit ultérieurs.

4. Le décompte particulier dont il est question ci-dessus sera dressé par l'office qui reçoit les correspondances en transit, et soumis à la vérification de l'office expéditeur.

XX.—Statistique du Transit en Dépêches closes.

1. Les correspondances expédiées en dépêches closes à travers le territoire d'un ou de plusieurs autres offices devront faire l'objet d'un relevé, formulaire lit. H. Le bureau d'échange expéditeur inscrira à la feuille d'avis, pour le bureau d'échange destinataire de la dépêche, le poids net des lettres et celui des imprimés, &c., sans distinction de l'origine de ces correspondances. Ces indications seront vérifiées par le bureau destinataire, lequel aura à établir, à la fin de la période de statistique, le relevé mentionné ci-dessus, en autant d'expéditions qu'il y aura d'offices intéressés, y compris celui du lieu de départ.

2. Ces relevés seront soumis à la vérification du bureau ex-
péditeur et, après avoir été acceptés par lui, il en sera envoyé un exemplaire à chacun des offices intermédiaires.

XXI. — Comptes du Transit.
Le tableau lit. G et le relevé lit. H seront résumés dans un compte particulier, par lequel ou établira le prix annuel de transit revenant à chaque office, en multipliant par 26 les totaux réunis des deux périodes. Le soin d'établir ce compte incombera à l'office créditeur, sauf autre arrangement à intervenir d'un commun accord.

XXII. — Transit des Cartes-correspondance.
Les cartes-correspondance seront assimilées aux lettres en ce qui concerne le paiement des droits de transit. Ces objets devront en conséquence être dans la pesée des lettres.

XXIII. — Exemption des Droits de Transit.
Sont exempts de la bonification des frais de transit terri
toriaux et maritimes les correspondances réexpédiées et mal
dirigées, les rebuts, les mandats de poste, les pièces de comptabilité, et autres documents relatifs au service postal.

XXIV. — Poids des Journaux et des Imprimés.
Il est admis par mesure d'exception que les États qui, à cause de leur régime intérieur, ne pourraient adopter le type de poids décimal métrique, auront la faculté d'y substituer l'once avoirdupois (28,3465 grammes), en assimilant une demi-once à 15 grammes et deux onces à 50 grammes, et d'élever, au besoin, la limite du port simple des journaux à 4 onces, mais sous la condition expresse que dans ce dernier cas le port des journaux ne soit pas inférieur à 10 centimes et qu'il soit perçu un port entier par numéro de journal, alors même que plusieurs journaux se trouveraient groupés dans un même envoi.

XXV. — Monnaies ; Bijoux.
On n'admettra point au transport par la poste aucune lettre ou autre envoi qui contiendrait soit de l'or ou de l'argent monnayé, soit des bijoux ou des effets précieux, soit tout objet quelconque passible de droits de douane.

XXVI. — Cartes-correspondance et lettres non admises au transport.
Il ne sera pas donné cours aux cartes-correspondance qui ne seraient pas complètement affranchies. Chaque Administration aura, en outre, la faculté de ne pas expédier ou de ne pas admettre dans son service les cartes-correspondance portant des inscriptions qui seraient interdites par les dispositions légales ou réglementaires en vigueur dans le pays. Il en sera de même pour les lettres et les autres objets de correspondance qui porteraient extérieurement des inscriptions de l'espèce.

XXVII. — Bureau International.
1. L'Administration supérieure des Postes de la Confédéra-
tion Suisse est désignée pour organiser le Bureau International institué par l’Article XV du Traité. Ce bureau commencera à fonctionner aussitôt après l’échange des ratifications du Traité.

2. Les frais communs du Bureau International ne doivent pas dépasser, par année, la somme de 75,000 francs, non compris les frais spéciaux auxquels donneront lieu les réunions périodiques du Congrès Postal. Cette somme pourra être augmentée ultérieurement, du consentement de toutes les Administrations contractantes.

3. L’Administration désignée par § 1, ci-dessus surveillera les dépenses du Bureau International, fera les avances nécessaires, et établira le compte annuel, qui sera communiqué à toutes les autres Administrations.

4. Pour la répartition des frais, les pays contractants et ceux qui seraient admis ultérieurement à adhérer à l’Union Postale, seront divisés en 6 classes contribuant chacune dans la proportion d’un certain nombre d’unités, savoir:

- 1re classe : 25 unités.
- 2e classe : 20 unités.
- 3e classe : 15 unités.
- 4e classe : 10 unités.
- 5e classe : 5 unités.
- 6e classe : 3 unités.

5. Ces coefficients seront multipliés par le nombre des pays de chaque classe et la somme des produits ainsi obtenus fournira le nombre d’unités par lequel la dépense totale doit être divisée. Le quotient donnera le montant de l’unité de dépense.

6. Les pays contractants sont classés ainsi qu’il suit, en vue de la répartition des frais :

- 2e classe : Espagne.
- 3e classe : Belgique, Égypte, Pays-Bas, Roumanie, Suède.
- 4e classe : Danemark, Norvège, Portugal, Suisse.
- 5e classe : Grèce, Serbie.
- 6e classe : Luxembourg.

7. Le Bureau International servira d’intermédiaire aux notifications régulières et générales qui intéressent les relations internationales. Il recevra également de chaque Administration les documents publiés sur le service intérieur.

8. Chaque Administration fera parvenir dans le 1er semestre de chaque année au Bureau International une série complète des renseignements statistiques se rapportant à l’année précédente sous forme de tableaux dressés d’après les indications du Bureau International, qui distribuera à cet effet des formules toutes préparées. Il réunira ces renseignements en une statistique générale, qui sera distribuée à toutes les Administrations.

9. Le Bureau International rédigera, à l’aide des documents
qui sont mis à sa disposition, un journal spécial en langues Allemande, Anglaise, et Française.


11. Le Bureau International devra se tenir, en tout temps, à la disposition des membres de l’Union, pour leur fournir, sur les questions relatives au service international des postes, les renseignements spéciaux dont ils pourraient avoir besoin.

12. Lorsqu’il aura soumis aux administrations la solution d’une question qui réclame l’assentiment de tous les membres de l’Union, ceux qui n’auront point fait parvenir leur réponse dans le délai de 4 mois seront considérés comme consentants.


15. Il fera, sur sa gestion, un rapport annuel, qui sera communiqué à tous les membres de l’Union.

16. La langue officielle du Bureau International sera la langue Française.

XXVIII.—Langue.

1. Les feuilles d’avis, les comptes, et autres formulaires à l’usage des Administrations de l’Union seront, en règle générale, rédigés en langue Française, à moins que les Administrations intéressées n’en disposent autrement par une entente directe.

2. En ce qui concerne la correspondance de service, l’état de choses actuel sera maintenu, sauf autre arrangement à intervenir ultérieurement et d’un commun accord entre les administrations intéressées.

XXIX.—Ressort de l’Union.

Seront considérés comme appartenant à l’Union Générale des Postes :

1. L’Islande et les Îles Faroë, comme faisant partie du Danemark.


3. L’Algérie, comme faisant partie de la France.
4. L'Île de Malte, comme relevant de l'Administration des Postes de la Grande-Bretagne.

5. Madère et les Açores, comme faisant partie du Portugal.


XXX.—Durée du Règlement.

Le présent Règlement sera exécutoire à partir du jour de la mise en vigueur du Traité du 9 Octobre, 1874. Il aura la même durée que ce Traité, à moins qu'il ne soit modifié d'un commun accord entre les parties intéressées.

Berne, le 9 Octobre, 1874.

Pour la Grande-Bretagne: WM. JAS. PAGE.

" l'Allemagne: STEPHAN.

" l'Autriche: GUNTER.

" l'Espagne: PILHAL.

" la Hongrie: M. GERVAY.

" la Belgique: P. HEIM.

" le Danemark: FASSIAUX.

" l'Égypte: VINCENT.

" la France (3 Mai, 1875): J. GIFE.

" la Grèce: Fenger.

" l'Italie: Muzzi Bey.

" le Luxembourg: ANGEL MANSL.

" les États-Unis d'Amérique: EMILIO C. DE NAVASCUES.

" la Russie: JOSEPH H. BLACKFAN.

" la Suède: A. MANSOLAS.

" la Suisse: ALB. BETANT.

" le Portugal: TANTEISIO.

" la Roumanie: VON RÖBE.

" la Norvège: C. OPPEN.

" les Pays-Bas: HOFSTEDE.

" la Serbie: B. SWEERTS DE LANDAS WYBORGH

" la Roumanie: EDUARDO LESSA.

" la Russie: GEORGE F. LAHOVARL.

" la Serbie: B. Mladen Z. RADOJKOVITSCH.

" la Suède: W. ROOS.

" la Suisse: EUGENE BOREL.

" la Turquie: YANCO MACRIDI.
AUSTRIA, &c.

A.

Administration des Postes de

Correspondance avec l'Office de

FEUILLE D'AVIS.

(Timbre du bureau expéditeur.) Dépêche du bureau d'échange pour le bureau d'échange

Départ du , , , à h. m. du

Arrivée le , , , à h. m. du

I. Avoir de l'office d'échange expéditeur.

II. Avoir de l'office d'échange destinataire.

<table>
<thead>
<tr>
<th>Fr.</th>
<th>cts.</th>
<th>Fr.</th>
<th>cts.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

DEBOURS.

(Port étranger, taxe des correspondances réexpédiées).

Bonifications

a. Objets ordinaires

(Taxes, &c.)

b. Objets recommandés

Timbre du bureau expéditeur.

Timbre du bureau destinataire.

IV. ENVOIS RECOMMANDES.

<table>
<thead>
<tr>
<th>No. d'ordre</th>
<th>Timbre d'origine</th>
<th>Numéros de registre des bureaux d'origine, ou noms des destinataires et lieux de destination.</th>
<th>A bonifier à l'office d'échange destinataire.</th>
<th>Observations.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### III. Dépêches Closes.

<table>
<thead>
<tr>
<th>Bureau d'origine</th>
<th>Bureau de destination</th>
<th>Nombre des dépêches closes</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>No. d'ordre</th>
<th>Timbre d'origine</th>
<th>Numéros de register des bureaux d'origine, ou noms des destinataires et lieux de destination</th>
<th>A bonifier à l'office d'échange destinataire</th>
<th>Port étranger</th>
<th>Droit de recommandation</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1.</td>
<td>2.</td>
<td>3.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>11</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>12</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>13</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>14</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>16</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>17</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>18</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>19</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>20</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>21</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>&amp;c.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Totaux ..

Total général, à reporter au Tableau No. II, lit. &c. .. ..

L'employé du bureau expéditeur: ...........................................

L'employé du bureau destinataire: ...........................................
B.

Administration des Postes

Correspondance avec l'Office

BULLETIN DE VÉRIFICATION

pour la rectification et la constatation des erreurs et irrégularités de toute nature reconnues dans la dépêche du bureau d'échange d ________ pour le bureau d'échange d ________.

Expédition du ________, 187 ________, à ________ h. ________ m. du ________.

<table>
<thead>
<tr>
<th>Numéros des tableaux de la feuille d'avis</th>
<th>Désignation des correspondances</th>
<th>Déclaration du bureau d'échange expéditeur</th>
<th>Vérification du bureau d'échange destinataire</th>
<th>Causes de la rectification</th>
</tr>
</thead>
</table>

Autres Erreurs ou Irrégularités.

(Manque de la dépêche, manque d'objets recommandés ou de la feuille d'avis, dépêche spoliée, lacérée, en mauvais état, &c., &c.)

Vu et accepté

A ________, le ________, 187 ________.

Les employés du bureau d'échange destinataire:

Le chef du bureau d'échange expéditeur:
### C.

**TABLEAU** indiquant les conditions auxquelles pourront être échangées à découvert entre les Administrations de l'Union Postale et l'Administration d'AUSTRIA, &c. les lettres et les autres objets de correspondance originaires ou à destination des pays étrangers auxquels cette dernière Administration sert d'intermédiaire.

<table>
<thead>
<tr>
<th>No.</th>
<th>Pays de destination ou d'origine</th>
<th>Condition de l'affranchissement</th>
<th>Limite de l'affranchissement</th>
<th>Poids en grammes d'une lettre simple</th>
<th>Lettres affranchies pour l'étranger</th>
<th>Lettres non affranchies de l'étranger</th>
<th>Bonifications. (Port étranger.)</th>
<th>Poids en grammes d'un paquet simple</th>
<th>Bonifications. (Port étranger.)</th>
<th>Droit de recommandation.</th>
<th>Port.</th>
<th>Observations.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>2.</td>
<td>3.</td>
<td>4.</td>
<td>5.</td>
<td>6.</td>
<td>7.</td>
<td>8.</td>
<td>9.</td>
<td>10.</td>
<td>11.</td>
<td>12.</td>
<td>13.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**AUSTRIA, &c.**
D. Administration des Postes Correspondance avec l'Office
d du contenu des dépêches du bureau d

État Mensuel
Départ de _h._m. du _
Mois de _, 187_

<table>
<thead>
<tr>
<th>Dates</th>
<th>I. Avoir de l'Office d'échange expéditeur</th>
<th>II. Avoir de l'Office d'échange destinataire</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>3.</td>
<td>4.</td>
</tr>
<tr>
<td>1.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>10.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>11.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>12.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>15.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>17.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>18.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>20.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>22.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>23.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>25.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>27.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>29.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>30.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>31.</td>
<td></td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Totaux</td>
<td></td>
</tr>
</tbody>
</table>
### Administration des Postes

#### Correspondance avec l'Office d'... 

**COMPTE**

des États Mensuels de feuilles d'avis des bureaux pour bureaux... 

Mois de..., 187...

<table>
<thead>
<tr>
<th>Nos. d'ordre</th>
<th>Désignation des dépêches</th>
<th>Numéros des articles des comptes</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>I. Avoir de l'office d'échange expéditeur</td>
<td>a. Objets ordinaires</td>
</tr>
<tr>
<td></td>
<td></td>
<td>II. Avoir de l'office d'échange destinataire</td>
<td>b. Objets recommandés</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>7.</td>
</tr>
<tr>
<td>1.</td>
<td>Origine</td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>2.</td>
<td>Destination</td>
<td>Fr. cts.</td>
<td>Fr. cts.</td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Totaux</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

...
### TRANSIT A DÉCOUVERT.

Tableau indiquant les prix de transit pour les correspondances transmises à découvert par l'Office des Postes d [nom de l'office expéditeur] à l'Office des Postes d [nom de l'office destinataire réexpéditeur].

<table>
<thead>
<tr>
<th>No. d'ordre</th>
<th>Pays de destination ou de sortie</th>
<th>Prix de transit par kilogramme de lettres</th>
<th>Prix de transit par kilogramme de journaux &amp;c.</th>
<th>pour le parcours par</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td></td>
<td>Fr.</td>
<td>cts.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Transit a Decouvert

Dépêche du bureau d'échange de  

pour le bureau d'échange d  

expédiée le  

187 , à  

h.  

m. du  

<table>
<thead>
<tr>
<th>No. d'ordre</th>
<th>Pays de destination ou de sortie</th>
<th>Prix de transit par kilogramme</th>
<th>Déclaration du bureau d'échange expéditeur</th>
<th>Vérification du bureau d'échange destinataire</th>
</tr>
</thead>
<tbody>
<tr>
<td>Office expéditeur</td>
<td>H.</td>
<td>Office destinataire</td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------------</td>
<td>----</td>
<td>-------------------</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Dépêches du bureau d'échange</td>
<td>Transit Clos.</td>
<td>Dépêches du bureau d'échange expédiées en transit par pour le bureau d'échange</td>
<td></td>
<td></td>
</tr>
<tr>
<td>1.</td>
<td></td>
<td>1.</td>
<td></td>
<td>1.</td>
</tr>
<tr>
<td>Lettres. 2.</td>
<td>187</td>
<td>Lettres. 4.</td>
<td>187</td>
<td>Lettres. 6.</td>
</tr>
<tr>
<td>Totaux</td>
<td></td>
<td>Totaux</td>
<td></td>
<td>Totaux</td>
</tr>
</tbody>
</table>

Le Chef du Bureau d'Échange destinataire :

Vu et accepté :

Le Chef du Bureau d'Échange expéditeur :

AUSTRIA, &c.
INTERNATIONAL TELEGRAPHIC CONVENTION between Austria, Belgium, France, Germany, Greece, Italy, Netherlands, Persia, Portugal, Russia, Sweden and Norway, Switzerland, and Turkey. * Signed at St. Petersburg, July 10, 1875.

SA Majesté l'Empereur d'Allemagne, Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., Roi Apostolique de Hongrie, Sa Majesté le Roi des Belges, Sa Majesté le Roi de Danemark, Sa Majesté le Roi l'Espagne, son Excellence Monsieur le Président de la République Française, Sa Majesté le Roi des Hellènes, Sa Majesté le Roi d'Italie, Sa Majesté le Roi des Pays-Bas, Sa Majesté le Shah de Perse, Sa Majesté le Roi de Portugal et des Algarves, Sa Majesté l'Empereur de Toutes les Russies, Sa Majesté le Roi de Suède et de Norvège, son Excellence Monsieur le Président de la Confédération Suisse et Sa Majesté l'Empereur des Ottomans, animés du désir de garantir et de faciliter le service de la télégraphie internationale, ont résolu, conformément à l'Article LVI de la Convention Télégraphique Internationale signée à Paris, le 4 Mai, 1865, d'introduire dans cette Convention les modifications et améliorations suggérées par l'expérience.

A cet effet ils ont nommé pour leurs Plénipotentiaires, savoir:

Sa Majesté l'Empereur d'Allemagne, M. le Prince Henri VII Reuss, son Lieutenant-Général et Général Aide-de-Camp, son Ambassadeur Extraordinaire et Plénipotentiaire près Sa Majesté l'Empereur de Toutes les Russies;

Sa Majesté l'Empereur d'Autriche, Roi de Bohême, &c., Roi Apostolique de Hongrie, M. le Baron Ferdinand de Langenau, son Conseiller intime, son Ambassadeur Extraordinaire près Sa Majesté l'Empereur de Toutes les Russies;

Sa Majesté le Roi des Belges, M. le Comte Errembault de Dudzeede, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur de Toutes les Russies;

Sa Majesté le Roi de Danemark, M. Emil de Vind, son Chambellan et son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur de Toutes les Russies;

Sa Majesté le Roi d'Espagne, M. Manuel de Acuña et Dewitte, Marquis de Bedmar, Grand d'Espagne, son Ambassadeur Extraordinaire et Plénipotentiaire près Sa Majesté l'Empereur de Toutes les Russies;

Son Excellence Monsieur le Président de la République Française, M. le Général Le Flo, Ambassadeur de France près Sa Majesté l'Empereur de Toutes les Russies;

Sa Majesté le Roi des Hellènes, M. Marcoran, son Chargé d'Affaires à St. Pétersbourg;

Sa Majesté le Roi d'Italie, M. le Comte Raphaël Barbolani, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur de Toutes les Russies;

* Acceded to by Great Britain, December 20, 1878. See Page 162.
Sa Majesté le Roi des Pays-Bas, M. Frédéric van der Hoeven, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur de Toutes les Russies;

Sa Majesté le Shah de Perse, Mirza Abdulrahim Khan Saedul Mulk, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur de Toutes les Russies;

Sa Majesté le Roi de Portugal et des Algarves, M. le Vicomte Frédéric Stuart de Figanière et Morao, Gentilhomme de Sa Maison et son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur de Toutes les Russies;

Sa Majesté l'Empereur de Toutes les Russies, M. le Baron Alexandre Jomini, son Conseiller Privé Actuel, Dirigeant le Ministère des Affaires Étrangères;

Sa Majesté le Roi de Suède et de Norvège, M. Georges Due, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur de Toutes les Russies;

Son Excellence Monsieur le Président de la Confédération Suisse, M. le Colonel fédéral Bernard Hammer, Envoyé Extraordinaire et Ministre Plénipotentiaire de la Confédération Suisse près Sa Majesté l'Empereur d'Allemagne;

Sa Majesté l'Empereur des Ottomans, Kiamil-Pacha, son Ambassadeur Extraordinaire et Plénipotentiaire près Sa Majesté l'Empereur de Toutes les Russies;

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants :

**Art. I.** Les Hautes Parties Contractantes reconnaissent à toutes personnes le droit de correspondre au moyen des télégraphes internationaux.

II. Elles s'engagent à prendre toutes les dispositions nécessaires pour assurer le secret des correspondances et leur bonne expédition.

III. Toutefois, elles déclarent n'accepter, à raison du service de la télégraphie internationale, aucune responsabilité.

IV. Chaque Gouvernement s'engage à affecter au service télégraphique international des fils spéciaux, en nombre suffisant pour assurer une rapide transmission des télégrammes.

Ces fils seront établis et desservis dans les meilleures conditions que la pratique du service aura fait connaître.

V. Les télégrammes sont classés en 3 catégories :

1. Télégrammes d'Etat : ceux qui émanent du Chef de l'Etat, des Ministres, des Commandants en chef des forces de terre et de mer et des Agents Diplomatiques ou Consulaires des Gouvernements Contractants, ainsi que les réponses à ces mêmes télégrammes.

2. Télégrammes de service : ceux qui émanent des Administrations télégraphiques des États Contractants et qui sont relatifs, soit au service de la télégraphie internationale, soit à
des objets d'intérêt public déterminés de concert par les dites Administrations.

3. Télégrammes privés.
   Dans la transmission, les télégrammes d'Etat jouissent de la priorité sur les autres télégrammes.

VI. Les télégrammes d'Etat et de service peuvent être émis en langage secret, dans toutes les relations.
   Les télégrammes privés peuvent être échangés en langage secret entre deux Etats qui admettent ce mode de correspondance.

Les Etats qui n'admettent pas les télégrammes privés en langage secret, au départ et à l'arrivée, doivent les laisser circuler en transit, sauf le cas de suspension défini à l'Article VIII.

VII. Les Hautes Parties Contractantes se réservent la faculté d'arrêter la transmission de tout télégramme privé qui paraîtrait dangereux pour la sécurité de l'Etat ou qui serait contraire aux lois du pays, à l'ordre public ou aux bonnes moeurs.

VIII. Chaque Gouvernement se réserve aussi la faculté de suspendre le service de la télégraphie internationale pour un temps indéterminé, s'il le juge nécessaire, soit d'une manière générale, soit seulement sur certaines lignes et pour certaines natures de correspondances, à charge par lui d'en aviser immédiatement chacun des autres Gouvernements Contractants.

IX. Les Hautes Parties Contractantes s'engagent à faire jouir tout expéditeur des différentes combinaisons arrêtées de concert par les Administrations télégraphiques des Etats Contractants, en vue de donner plus de garanties et de facilités à la transmission et à la remise des correspondances.
   Elles s'engagent également à la mettre à même de profiter des dispositions prises et notifiées par l'un quelconque des autres Etats, pour l'emploi de moyens spéciaux de transmission ou de remise.

X. Les Hautes Parties Contractantes déclarent adopter, pour la formation des tarifs internationaux, les bases ci-après:
   La taxe applicable à toutes les correspondances échangées, par la même voie, entre les bureaux de deux quelconques des Etats Contractants, sera uniforme. Un même Etat pourra toutefois, en Europe, être subdivisé, pour l'application de la taxe uniforme, en deux grandes divisions territoriales au plus.
   Le taux de la taxe est établi d'Etat à Etat, de concert entre les Gouvernements extrêmes et les Gouvernements intermédiaires.
   Les taxes des tarifs applicables aux correspondances échangées entre les Etats Contractants pourront, à toute époque, être modifiées d'un commun accord.
   Le franc est l'unité monétaire qui sert à la composition des tarifs internationaux.

XI. Les télégrammes relatifs au service des télégraphes
internationaux des États Contractants sont transmis en franchise sur tout le réseau des dits États.

XII. Les Hautes Parties Contractantes se doivent réciproquement compte des taxes perçues par chacune d'elles.

XIII. Les dispositions de la présente Convention sont complétées par un règlement, dont les prescriptions peuvent être, à toute époque, modifiées d'un commun accord par les Administrations des États Contractants.

XIV. Un organe central, placé sous la haute autorité de l'Administration supérieure de l'un des Gouvernements Contractants désigné, à cet effet, par le règlement, est chargé de réunir, de coordonner et de publier les renseignements de toute nature relatifs à la télégraphie internationale, d'instruire les demandes de modification aux tarifs et au règlement de service, de faire promulguer les changements adoptés et, en général, de procéder à toutes les études et d'exécuter tous les travaux dont il serait saisi dans l'intérêt de la télégraphie internationale.

Les frais auxquels donne lieu cette institution sont supportés par toutes les Administrations des États Contractants.

XV. Le tarif et le règlement prévus par les Articles X et XIII sont annexés à la présente Convention. Ils ont la même valeur et entrent en vigueur en même temps qu'elle.

Ils seront soumis à des révisions où tous les États qui y ont pris part pourront se faire représenter.

A cet effet, des Conférences administratives auront lieu périodiquement, chaque Conférence fixant elle-même le lieu et l'époque de la réunion suivante.

XVI. Ces Conférences sont composées des délégués représentant les Administrations des États Contractants.

Dans les délibérations, chaque administration a droit à une voix, sous réserve, s'il s'agit d'Administrations différentes d'un même Gouvernement, que la demande en ai été faite par voie Diplomatique au Gouvernement du pays où doit se réunir la Conférence, avant la date fixée pour son ouverture, et que chacune d'entre elles ait une représentation spéciale et distincte.

Les révisions résultant des délibérations des Conférences ne sont exécutoires qu'après avoir reçu l'approbation de tous les Gouvernements des États Contractants.

XVII. Les Hautes Parties Contractantes se réservent respectivement le droit de prendre séparément, entre elles, des arrangements particuliers de toute nature sur les points du service qui n'intéressent pas la généralité des États.

XVIII. Les États qui n'ont point pris part à la présente Convention seront admis à y adhérer sur leur demande.

Cette adhésion sera notifiée par la voie Diplomatique à celui des États Contractants au sein duquel la dernière Conférence aura été tenue, et par cet État à tous les autres.

Elle emportera, de plein droit, accession à toutes les clauses...
et admission à tous les avantages stipulés par la présente Convention.

XIX. Les relations télégraphiques avec des États non adhérents ou avec les exploitations privées sont réglées dans l'intérêt général du développement progressif des communications, par le règlement prévu à l'Article XIII de la présente Convention.

XX. La présente Convention sera mise à exécution à partir du 1er Janvier, 1876, nouveau style, et demeurera en vigueur pendant un temps indéterminé et jusqu'à l'expiration d'une année à partir du jour où la dénonciation en sera faite.

La dénonciation ne produit son effet qu'à l'égard de l'État qui l'a faite. Pour les autres Parties Contractantes, la Convention reste en vigueur.

XXI et dernier. La présente Convention sera ratifiée et les ratifications en seront échangées à St. Pétersbourg dans le plus bref délai possible.

En foi de quoi les Plénipotentiaires respectifs l'ont signée et y ont apposé le cachet de leurs armes.

Fait à St. Pétersbourg, le 23 Juillet, 1875.

L.S. Langenau.
L.S. Frrembault de Dudzeele.
L.S. E. de Vind.
L.S. Le Marquis de Bedmar.
L.S. General Le Flo.
L.S. Spyridion Marcoran.
L.S. Barbolani.
L.S. F. P. Van der Hoeven.
L.S. Abdulrahim.
L.S. Figanière.
L.S. Baron Jomini.
L.S. Due.
L.S. Hammer, Col. fed.
L.S. Kiamil.

Règlement de Service International annexé à la Convention Télégraphique.

Article XIII de la Convention.

Les dispositions de la présente Convention sont complétées par un règlement, dont les prescriptions peuvent être, à toute époque, modifiées d'un commun accord par les Administrations des États Contractants.

1. Réseau International.

Article IV de la Convention.

Chaque Gouvernement s'engage à affecter au service télé-
graphique international des fils spéciaux, en nombre suffisant pour assurer une rapide transmission des télégrammes.

Ces fils seront établis et desservis dans les meilleures conditions que la pratique du service aura fait connaître.

I.

1. Les villes entre lesquelles l’échange des correspondances est continu ou très-actif sont, autant que possible, reliées par des fils directs, d’un diamètre d’au moins 5 millimètres et dont le service, dégagé du travail des bureaux intermédiaires, n’est affecté, dans la règle, qu’aux relations entre les deux villes désignées comme leurs points extrêmes.

2. Ces fils peuvent être détournés de cette affectation spéciale en cas de dérangement des lignes; mais ils doivent y être ramenés dès que le dérangement a cessé.

3. Les Administrations télégraphiques indiquent, sur chaque fil, un ou plusieurs bureaux intermédiaires obligés de prendre les correspondances en passage, si la transmission directe entre les deux bureaux extrêmes est impossible.

II.

1. Les Administrations concourent, dans les limites de leur action respective, à la sauvegarde des fils internationaux et des câbles sous-marins; elles combinent, pour chacun d’eux, les dispositions qui permettent d’en tirer le meilleur parti.

2. Les chefs de service des circonscriptions voisines des frontières s’entendent directement pour assurer, en ce qui les concerne, l’exécution de ces mesures.

III.

Les appareils Morse et Hughes restent concurremment adoptés pour le service des fils internationaux, jusqu’à une nouvelle entente sur l’introduction d’autres appareils.

IV.

1. Entre les villes importantes des Etats Contractants, le service est, autant que possible, permanent, le jour et la nuit, sans aucune interruption.

2. Les bureaux ordinaires, à service de jour complet, sont ouverts au public, au moins, de 8 heures du matin à 9 heures du soir.

3. Les heures d’ouverture des bureaux à service limité sont fixées par les Administrations respectives des Etats Contractants. Chaque Etat peut appliquer, le dimanche, aux bureaux à service complet les heures du service limité; il notifie cette mesure au Bureau International, qui en avertit les autres Etats.

4. Les bureaux dont le service n’est point permanent ne peuvent prendre clôture avant d’avoir transmis tous leurs télégrammes internationaux à au bureau permanent.
5. Entre deux bureaux d'Etats différents communiquant par un fil direct, la clôture est donnée par celui qui appartient à l'Etat dont la capitale a la position la plus occidentale.

6. Cette règle s'applique à la clôture des procès-verbaux et à la division des séances dans les bureaux à service permanent.

7. Le même temps est adopté par tous les bureaux d'un même Etat. C'est généralement le temps moyen de la capitale de cet Etat.

V.

Les notations suivantes sont adoptées dans les tarifs internationaux pour désigner les bureaux télégraphiques:

N bureau à service permanent (de jour et de nuit).

N bureau à service de jour prolongé jusqu'à minuit;

C bureau à service de jour complet;

L bureau à service limité (c'est-à-dire ouvert pendant un nombre d'heures moindre que les bureaux à service de jour complet);

B bureau ouvert seulement pendant la saison des bains;

H bureau ouvert seulement pendant la saison d'hiver;

L bureau ouvert avec service complet dans la saison des bains et limité pendant le reste de l'année;

L bureau ouvert avec service complet pendant l'hiver et limité pendant le reste de l'année;

E bureau ouvert seulement pendant le séjour de la Cour;

F station de chemin de fer ouverte à la correspondance des particuliers;

P bureau appartenant à une compagnie privée;

S bureau sémaphorique;

* bureau à ouvrir prochainement.

2. Dispositions Générales relatives à la Correspondance.

Article I de la Convention.

Les Hautes Parties Contractantes reconnaissent à toutes personnes le droit de correspondre au moyen des télégraphes internationaux.

Article II de la Convention.

Elles s'engagent à prendre toutes les dispositions nécessaires pour assurer le secret des correspondances et leur bonne expédition.

Article III de la Convention.

Toutefois, elles déclarent n'accepter, à raison du service de la télégraphie internationale, aucune responsabilité.
Article V de la Convention.

Les télégrammes sont classés en 3 catégories:
1. Télégrammes d'Etat : ceux qui émanent du Chef de l'Etat, des Ministres, des Commandants en Chef des forces de terre ou de mer et des Agents Diplomatiques ou Consulaires des Gouvernements Contractants, ainsi que les réponses à ces mêmes télégrammes.
2. Télégrammes de service, ceux qui émanent des Administrations Télégraphiques des Etats Contractants et qui sont relatifs, soit au service de la télégraphie internationale, soit à des objets d'intérêt public déterminés de concert par les dites Administrations.
3. Télégrammes privés.
Dans la transmission, les télégrammes d'Etat jouissent de la priorité sur les autres télégrammes.

Article VII de la Convention.

Les Hautes Parties Contractantes se réservent la faculté d'arrêter la transmission de tout télégramme privé qui paraîtrait dangereux pour la sécurité de l'Etat ou qui serait contraire aux lois du pays, à l'ordre public ou aux bonnes mœurs.

Article VIII de la Convention.

Chaque Gouvernement se réserve aussi la faculté de suspendre le service de la télégraphie internationale pour un temps indéterminé, s'il le juge nécessaire, soit d'une manière générale, soit seulement sur certaines lignes et pour certaines natures de correspondances, à charge par lui d'en aviser immédiatement chacun des autres Gouvernements Contractants.

3. Rédaction et Dépôt des Télégrammes.

Article VI de la Convention.
Les télégrammes d'Etat et de service peuvent être émis en langage secret, dans toutes les relations.
Les télégrammes privés peuvent être échangés en langage secret entre deux Etats qui admettent ce mode de correspondance.
Les Etats qui n'admettent pas les télégrammes privés en langage secret, au départ et à l'arrivée, doivent les laisser circuler en transit, sauf le cas de suspension défini à l'Article VIII.

VI.

1. Les télégrammes en langage clair doivent offrir un sens compréhensible en l'une quelconque des langues usitées sur les territoires des Etats Contractants, ou en langue Latine.
2. Chaque Administration désigne, parmi les langues usitées sur les territoires de l'Etat auquel elle appartient, celles qu'elle
considère comme propres à la correspondance télégraphique internationale.

3. Les télégrammes de service sont rédigés en Français lorsque les Administrations en cause ne se sont pas entendues pour l'usage d'une autre langue.

4. Cette disposition est applicable aux indications du pré-ambule, aux avis de service ou d'office qui accompagnent la transmission des correspondances.

VII.

1. Sont considérés comme télégrammes en langage secret:
   a. Ceux qui contiennent un texte chiffré ou en lettres secrètes;
   b. Ceux qui renferment des séries ou des groupes de chiffres ou de lettres, dont la signification ne serait pas connue du bureau d'origine;
   c. Les télégrammes contenant des passages en langage convenu, incompréhensibles pour les Offices en correspondance, ou des mots ne faisant point partie des langues mentionnées au premier paragraphe de l'article VI.

2. Le texte des télégrammes privés secrets peut être soit entièrement secret, soit en partie secret et en partie clair. Dans ce dernier cas, les passages secrets doivent être placés entre deux parenthèses, les séparant du texte ordinaire qui précède ou qui suit. Le texte chiffré doit être composé exclusivement de lettres de l'alphabet ou exclusivement de chiffres Arabes.

3. Les Offices extra-Européens sont autorisés à ne pas admettre sur leurs lignes les télégrammes privés contenant des lettres secrètes.

VIII.

1. La minute du télégramme doit être écrite lisiblement, en caractères qui aient leur équivalent dans le tableau réglementaire des signaux télégraphiques (Article IX) et qui soient en usage dans le pays où le télégramme est présenté.

2. Le texte doit être précédé de l'adresse, qui peut être écrite sous une forme convenue ou abrégée. Toutefois, la faculté pour un destinataire de se faire remettre à domicile un télégramme dont l'adresse est ainsi composée, est subordonnée à un arrangement entre ce destinataire et le bureau télégraphique.

3. La signature peut revêtir la même forme ou être omise ; quand elle figure dans les mots à transmettre, elle doit être placée après le texte. Si elle n'est pas transmise, le dernier mot du texte la remplace pour signaler les télégrammes dans les communications de service qui s'y rapportent.

4. L'expéditeur doit écrire sur la minute immédiatement
avant l’adresse, les indications éventuelles relatives à la remise à domicile, à la réponse payée, à l’accusé de réception, aux télégrammes urgents, collationnés, recommandés ou à faire suivre, &c. Ces indications peuvent être écrites sous la forme abrégée adoptée pour les indications de service entre les bureaux. Dans ce cas, elles ne sont comptées chacune que pour un mot.

5. Lorsqu’elles sont exprimées en langage ordinaire, elles doivent être écrites en Français ou dans la langue du pays de destination. Si cette langue n’est pas comprise du bureau d’origine, l’expéditeur est tenu de joindre la traduction pour la gouverne de ce bureau.

6. Toute interligne, renvoi, rature ou surcharge doit être approuvé de l’expéditeur du télégramme ou de son représentant.

IX.

Les caractères disponibles pour la rédaction des télégrammes sont les suivants :

\textit{Lettres} :


\textit{Chiffres} :

1, 2, 3, 4, 5, 6, 7, 8, 9, 0.

\textit{Signes de ponctuation et autres} :

Point (.), virgule (,), point et virgule (;), deux points (:), point d’interrogation (?), point d’exclamation (!), apostrophe (’), trait d’union (-), parenthèses (), guillemet (“”), barre de fraction (/), souligné.

\textit{Signes conventionnels} :

Télégramme privé urgent D, réponse payée RP, télégramme collationné TC, accusé de réception CR, télégramme recommandé TR, télégramme à faire suivre FS, poste payée PP, expédié payé XP.

\textit{Avec l’appareil Morse seulement} :

Les lettres: Ä, Ä ou Á, Ñ, Ù, Ê.

\textit{Avec l’appareil Hughes seulement} :

Les signes: croix (+), double trait (=).

X.

1. L’adresse doit porter toutes les indications nécessaires pour assurer la remise du télégramme à destination. Ces indications, à l’exclusion des noms de personnes, doivent être écrites en Français ou dans la langue du pays de destination.

2. L’adresse des télégrammes privés doit toujours être telle
que la remise au destinataire puisse avoir lieu sans recherches, ni demandes de renseignements.

3. Elle doit comprendre, pour les grandes villes, la mention de la rue et du numéro, ou, à défaut de ces indications, celle de la profession du destinataire ou autres analogues.

4. Pour les petites villes même, le nom du destinataire doit être, autant que possible, accompagné d'une indication complémentaire capable de guider le bureau d'arrivée en cas d'altération du nom propre.

5. La mention du pays, dans lequel est située la résidence du destinataire, est nécessaire, sauf les cas où cette résidence est une capitale ou une ville importante dont le nom n'est pas commun à une autre localité; elle est comprise dans le nombre des mots soumis à la taxe.

6. Les télégrammes dont l'adresse ne satisfait pas aux conditions prévues par les paragraphes précédents, doivent néanmoins être transmis.

7. Dans tous les cas, l'expéditeur supporte les conséquences de l'insuffisance de l'adresse.

XI.

1. Les télégrammes d'Etat doivent être revêtus du sceau ou du cachet de l'autorité qui les expédie. Cette formalité n'est pas exigible, lorsque l'authenticité du télégramme ne peut soulever aucun doute.

2. Le droit d'émettre une réponse comme télégramme d'Etat est établi par la production du télégramme d'Etat primitif.

3. Les télégrammes des Agents Consulaires qui exercent le commerce ne sont considérés comme télégrammes d'Etat que lorsqu'ils sont adressés à un personnage officiel et qu'ils traitent d'affaires de service. Toutefois, les télégrammes qui ne remplissent pas ces dernières conditions ne sont pas refusés par le bureau de départ; mais celui-ci les signale immédiatement à l'Administration centrale.

XII.

1. La signature n'est pas transmise dans les télégrammes de service; l'adresse de ces télégrammes affecte la forme suivante:
   Paris de St. Pétersbourg,
   Directeur-Général à Directeur-Général.

2. Quand il s'agit d'avis de service échangés entre bureaux au sujet des incidents de la transmission, on transmet simplement le numéro et le texte du télégramme, sans adresse ni signature.

XIII.

1. L'expéditeur d'un télégramme privé est tenu d'établir son identité, lorsqu'il y est invité par le bureau d'origine.
2. Il a, de son côté, la faculté de comprendre dans son télégramme la légalisation de sa signature.

3. Chaque Etat désigne, s'il le juge convenable, les fonctionnaires ou magistrats chargés, dans chaque ville, de légaliser les signatures des expéditeurs. Dans ce cas, chacun des bureaux de cet Etat s'assure de la sincérité des légalisations qui lui sont présentées, et transmet, après la signature, la formule suivante :

"Signature légalisée par (qualité du fonctionnaire ou magistrat)."

4. Cette mention entre dans le compte des mots taxés.

5. Dans tout autre cas, la légalisation est taxée et transmise telle qu'elle est libellée.

4. Taxation.

Article X de la Convention.


La taxe applicable à toutes les correspondances échangées, par la même voie, entre les bureaux de deux quelconques des États Contractants sera uniforme. Un même État pourra toutefois, en Europe, être subdivisé, pour l'application de la taxe uniforme, en deux grandes divisions territoriales au plus.

Le taux de la taxe est établi d'Etat à Etat, de concert entre les Gouvernements extrêmes et les Gouvernements intermédiaires.

Les taxes des tarifs applicables aux correspondances échangées entre les États Contractants pourront, à toute époque, être modifiées d'un commun accord.

Le franc est l'unité monétaire qui sert à la composition des tarifs internationaux.

Article XI de la Convention.

Les télégrammes relatifs au service des télégraphes internationaux des États Contractants sont transmis en franchise sur tout le réseau des dits États.

XIV.

1. Le tarif applicable aux correspondances internationales est fixé conformément aux tableaux qui font suite au présent Règlement. Toutefois, les Administrations dont les territoires sont limitrophes ou reliés par un câble, ne sont pas tenues d'en appliquer les principes et les dispositions à leurs relations mutuelles.

2. Les modifications prévues au paragraphe 4 de l'Article X de la Convention devront avoir pour but et pour effet, non point de créer une concurrence de taxe entre les voies existantes, mais bien d'ouvrir au public à taxes égales autant de
voies que possible et les combinaisons nécessaires seront réglées de telle manière que les taxes terminales des offices d'origine et de destination restent égales, quelle que soit la voie suivie.

3. Toute taxe ou disposition nouvelle, toute modification d'ensemble ou de détail ne seront exécutoires que deux mois, au moins, après leur notification par le Bureau International.

XV.

1. Le minimum de la taxe s'applique au télégramme dont la longueur ne dépasse pas 20 mots. La taxe applicable au télégramme de 20 mots s'accroît de moitié par chaque série indivisible de 10 mots au-dessus de 20.

2. Pour la correspondance extra-Européenne, la taxe s'établit par mot sur tout le parcours, sans condition de minimum pour le nombre de mots, ou avec un minimum de 10 mots. Le système de taxation qu'un Office extra-Européen déclarera avoir adopté, sera, d'ailleurs, appliqué indistinctement à toutes les correspondances échangées avec les Offices Européens.

XVI.

1. Les Administrations et les bureaux télégraphiques prennent les mesures nécessaires pour diminuer autant que possible le nombre et l'étendue des télégrammes de service jouissant du privilège de la gratuité qui leur est attribué par l'Article XI de la Convention.

2. Les renseignements qui ne présentent point un caractère d'urgence sont demandés ou donnés par la poste.

XVII.

Tout télégramme rectificatif, complétif, et généralement toute communication échangée avec un bureau télégraphique à l'occasion d'un télégramme transmis ou en cours de transmission, est taxé conformément aux dispositions du présent Règlement, à moins qu'il ne s'agisse d'une communication d'office rendue nécessaire par une erreur de service.

XVIII.

1. La taxe est calculée d'après la voie la moins coûteuse entre le point de départ du télégramme et son point de destination, à moins que l'expéditeur n'ait indiqué une autre voie conformément à l'Article XXXVI.

2. L'indication de la voie écrite par l'expéditeur est transmise dans le préambule, et n'est point taxée.

3. Les Administrations des États Contractants s'engagent à éviter, autant qu'il sera possible, les variations de taxes qui pourraient résulter des interruptions de service des conducteurs sous-marins.
XIX.

1. Le tarif des correspondances échangées entre deux points quelconques des États Contractants doit être composé de telle sorte que la taxe du télégramme de 20 mots soit toujours un multiple du demi-franc.

2. Il sera perçu, au maximum, pour un franc : en Allemagne, 0.85 mark ; en Autriche et Hongrie, 40 kreuzer (valeur Autrichienne) ; en Danemark, 0.75 krone ; en Égypte, 3 piastres 34 paras monnaie tarif ; en Espagne, 1 peseta ; en France, 1 piastre, 5 paras monnaie tarif ; en Grande-Bretagne, 10 pence ; en Grèce, 1.16 drachme ; dans l'Inde Britannique, 0.44 roupie ; en Italie, 1 lira ; en Norvège, 22 skil- 
ilings ou 0.75 krone ; dans les Pays-Bas et les Indes Néerlandaises 0.50 florin ; en Perse, 1 sahibkran ; en Portugal, 200 reis ; en Roumanie, 1 piastre nouvelle ; en Russie, 0.25 rouble ; en Serbie, 5 piastres ; en Suède, 0.75 krona ; en Turquie, 4 piastres, 13 paras, 1 aspre medjiddiés.

3. Le paiement pourra être exigé en valeur métallique.

4. Dans les Administrations qui formulent leurs tarifs en francs, les taxes composées peuvent être arrondies en multiples du quart de franc.

5. Dans les autres Administrations, les taxes sont composées au moyen du chiffre représentatif du franc tel qu'il est fixé par elles dans les limites déterminées par le paragraphe 2. Toute taxe ainsi composée pour le parcours entier peut être arrondie dans la monnaie du pays, sans que la somme ajoutée puisse excéder la valeur d'un quart de franc.

5. Compte des mots.

XX.

1. Tout ce que l'expéditeur écrit sur la minute de son télé- 
gramme, pour être transmis, entre dans le calcul de la taxe, sauf ce qui est dit au paragraphe 9 de l'Article suivant et au paragraphe 2 de l'Article XVIII.

2. La traduction prescrite par le paragraphe 5 de l'Article VIII n'est pas comprise dans les mots taxés.

3. Les mots, nombres ou signes ajoutés par le bureau dans l'intérêt du service ne sont pas taxés.

4. Le nom du bureau de départ, la date, l'heure et la minute du dépôt sont inscrits d'office sur la copie remise au destinataire.

5. L'expéditeur peut insérer ces indications, en tout ou en partie, dans le texte de son télégramme. Elles entrent alors dans le compte des mots.

XXI.

1. Le maximum de longueur d'un mot est fixé à 15 caractères selon l'alphabet Morse ; l'excédant, toujours jusqu'à concurrence de 15 caractères, est compté pour un mot.
2. Pour la correspondance extra-Européenne, ce maximum est fixé à 10 caractères.
3. Les expressions réunies par un trait d'union sont comptées pour le nombre de mots qui servent à les former.
4. Les mots séparés par une apostrophe sont comptés comme autant de mots isolés.
5. Les noms propres de villes et de personnes, les noms de lieux, places, boulevards, etc., les titres, prénoms, particules et qualifications sont comptés pour le nombre des mots employés par l'expéditeur à les exprimer.
6. Les réunions de mots contraires à l'usage de la langue ne sont point admises. En cas de doute sérieux, la manière d'écrire de l'expéditeur est décisive pour la taxation.
7. Les nombres écrits en chiffres sont comptés pour autant de mots qu'ils contiennent de fois 5 chiffres, plus un mot pour l'excédant. La même règle est applicable au calcul des groupes de lettres.
8. Tout caractère isolé, lettre ou chiffre, est compté pour un mot ; il en est de même du souligné.
9. Les signes de ponctuation, traits d'union, apostrophes, guillemets, parenthèses, alinéas, ne sont pas comptés. Sur les lignes extra-Européennes, la transmission de ces signes n'est pas obligatoire.
10. Sont toutefois comptés pour un chiffre : les points et les virgules qui entrent dans la formation des nombres ainsi que les barres de division.
11. Les lettres ajoutées aux chiffres pour désigner les nombres ordinaux sont comptées chacune pour un chiffre.

**XXII.**

Les exemples suivants déterminent l'interprétation des règle à suivre pour compter les mots des télégrammes en langage clair:

<table>
<thead>
<tr>
<th>Correspondance extra-Européenne</th>
<th>Correspondance Européenne</th>
</tr>
</thead>
<tbody>
<tr>
<td>Responsabilité (14 caractères)</td>
<td>1 mot</td>
</tr>
<tr>
<td>Kriegsgeschichten (15 caractères)</td>
<td>2 mots</td>
</tr>
<tr>
<td>Inconstitutionnalité (20 caractères)</td>
<td>3 mots</td>
</tr>
<tr>
<td>A-t-il</td>
<td>4 mots</td>
</tr>
<tr>
<td>Aujourd'hui (écrit sans apostrophe)</td>
<td>5 mots</td>
</tr>
<tr>
<td>C'est-à-dire</td>
<td>6 mots</td>
</tr>
<tr>
<td>J'ai</td>
<td>7 mots</td>
</tr>
<tr>
<td>Aix-la-Chapelle</td>
<td>8 mots</td>
</tr>
<tr>
<td>Aixlachapelle (12 caractères)</td>
<td>9 mots</td>
</tr>
<tr>
<td>Aachen</td>
<td>10 mots</td>
</tr>
<tr>
<td>New York</td>
<td>11 mots</td>
</tr>
<tr>
<td>New York</td>
<td>12 mots</td>
</tr>
<tr>
<td>New South Wales</td>
<td>13 mots</td>
</tr>
<tr>
<td>Newsouthwales (13 caractères)</td>
<td>14 mots</td>
</tr>
<tr>
<td>Correspondance Européenne</td>
<td>extra-Européenne</td>
</tr>
<tr>
<td>---------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>3 mots</td>
<td>3 mots</td>
</tr>
<tr>
<td>1 mot</td>
<td>2 &quot;</td>
</tr>
<tr>
<td>2 mots</td>
<td>2 &quot;</td>
</tr>
<tr>
<td>1 mot</td>
<td>1 mot</td>
</tr>
<tr>
<td>2 mots</td>
<td>2 mots</td>
</tr>
<tr>
<td>1 mot</td>
<td>1 mot</td>
</tr>
<tr>
<td>2 mots</td>
<td>2 mots</td>
</tr>
<tr>
<td>1 mot</td>
<td>1 mot</td>
</tr>
<tr>
<td>2 mots</td>
<td>2 mots</td>
</tr>
<tr>
<td>1 mot</td>
<td>1 mot</td>
</tr>
<tr>
<td>2 mots</td>
<td>2 mots</td>
</tr>
<tr>
<td>3 &quot;</td>
<td></td>
</tr>
<tr>
<td>3 &quot;</td>
<td></td>
</tr>
<tr>
<td>3 &quot;</td>
<td></td>
</tr>
<tr>
<td>3 &quot;</td>
<td></td>
</tr>
<tr>
<td>2 mots</td>
<td>2 mots</td>
</tr>
<tr>
<td>1 mot</td>
<td>1 mot</td>
</tr>
<tr>
<td>1 &quot;</td>
<td></td>
</tr>
<tr>
<td>1 &quot;</td>
<td></td>
</tr>
<tr>
<td>3 mots</td>
<td>3 mots</td>
</tr>
<tr>
<td>2 &quot;</td>
<td></td>
</tr>
<tr>
<td>2 &quot;</td>
<td></td>
</tr>
<tr>
<td>2 &quot;</td>
<td></td>
</tr>
<tr>
<td>2 &quot;</td>
<td></td>
</tr>
<tr>
<td>2 &quot;</td>
<td></td>
</tr>
<tr>
<td>2 &quot;</td>
<td></td>
</tr>
<tr>
<td>4 &quot;</td>
<td></td>
</tr>
<tr>
<td>4 &quot;</td>
<td></td>
</tr>
<tr>
<td>4 &quot;</td>
<td></td>
</tr>
<tr>
<td>1 mot</td>
<td>2 &quot;</td>
</tr>
<tr>
<td>2 &quot;</td>
<td></td>
</tr>
<tr>
<td>2 &quot;</td>
<td></td>
</tr>
<tr>
<td>2 &quot;</td>
<td></td>
</tr>
<tr>
<td>2 &quot;</td>
<td></td>
</tr>
<tr>
<td>2 &quot;</td>
<td></td>
</tr>
<tr>
<td>2 &quot;</td>
<td></td>
</tr>
<tr>
<td>9 mots</td>
<td>9 mots</td>
</tr>
</tbody>
</table>

**XXIII.**

Dans les télégrammes qui contiennent un langage secret (Article VII), les mots clairs sont comptés conformément aux articles précédents, les groupes de chiffres ou de lettres comme autant de nombres écrits en chiffres (Article XXI, § 7), et les mots en langue non admise aux termes de l'Article VI, comme des groupes de lettres.


**XXIV.**

1. La perception des taxes a lieu au départ, sauf les except-

* Le signal souligné est transmis avant et après chaque mot ou passage souligné.
tions prévues pour les télégrammes à faire suivre (Article LII, § 6), les frais d'expéris (Article LVI, § 1) et les télégrammes sémaphoriques (Article LVIII, § 5) qui donnent lieu à une perception par le bureau d'arrivée.

2. L'expéditeur d'un télégramme international a le droit d'en demander reçu avec mention de la taxe perçue.

3. L'office d'origine a la faculté de percevoir, de ce chef, une rétribution à son profit, dans les limites d'un quart de franc.

4. Dans tous les cas où il doit y avoir perception à l'arrivée, le télégramme n'est délivré au destinataire que contre paiement de la taxe due.

5. Si la taxe à percevoir à l'arrivée n'est pas recouvrée, la perte est supportée par l'office d'arrivée, à moins de conventions spéciales conclues conformément à l'Article XVII de la Convention, sauf ce qui est prévu aux Articles LII et LVIII ci-après, pour les réexpéditions des télégrammes à faire suivre et pour les télégrammes sémaphoriques.

6. Les Administrations télégraphiques prennent, toutefois, autant que possible, les mesures nécessaires pour que les taxes à percevoir à l'arrivée et qui n'auraient pas été acquittées par le destinataire, soient recouvrées sur l'expéditeur. Quand ce recouvrement a lieu, l'office qui le fait en tient compte à l'office intéressé.

XXV.

1. Les taxes perçues en moins par erreur et les taxes et frais non perçus sur le destinataire par suite de refus ou de l'impossibilité de le trouver, doivent être complétées par l'expéditeur.

2. Les taxes perçues en plus par erreur sont de même remboursées aux intéressés. Toutefois, le montant des timbres appliqués en trop par l'expéditeur n'est remboursé que sur sa demande.


a. Signaux de Transmission.

XXVI.

Les tableaux ci-dessous indiquent les signaux employés dans le service des appareils Morse et Hughes :

A. Signaux de l'appareil Morse.

<table>
<thead>
<tr>
<th>Lettres</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>a</td>
<td>Espacement et longueur des signes.</td>
</tr>
<tr>
<td>à</td>
<td>— — —</td>
</tr>
<tr>
<td>â ou à</td>
<td>— — —</td>
</tr>
<tr>
<td>b</td>
<td>— — —</td>
</tr>
<tr>
<td>c</td>
<td>— — —</td>
</tr>
<tr>
<td>ch</td>
<td>— — —</td>
</tr>
<tr>
<td>d</td>
<td>— —</td>
</tr>
</tbody>
</table>

1. Une barre est égale à 3 points.
2. L'espace entre les signaux d'une même lettre est égal à 1 point.
3. L'espace entre deux lettres est égal à 3 points.
4. L'espace entre deux mots est égal à 5 points.

Chiffres:

1
2
3
4
5
6
7
8
9
0

Barre de fraction

On peut aussi employer, pour exprimer les chiffres, les signaux suivants, mais seulement dans les répétitions d'office.
Signaux de ponctuation et autres:

Point ........................................ (.)
Point et virgule ................................ (;
Virgule ........................................ (,
Deux points .................................... (:)
Point d’interrogation ou demande de répétition d’une transmission non comprise ................................ (?
Point d’exclamation ................................ (!)
Apostrophe ....................................... (’)
Alinéa .............................................. («)
Trait d’union ..................................... (—)
Parenthèses (avant et après les mots) ............ ( )
Guillemets ....................................... (“”)
Souligné (avant et après les mots ou le membre de phrase) .................................... ( )
Signal séparant le préambule de l’adresse, l’adresse du texte et le texte de la signature ........................................

Indications de Service:

Télégramme d’État .................................. 
  de service ......................................
  privé urgent ...................................
  ordinaire ......................................
Avis télégraphique ..................................
Réponse payée ....................................
Télégramme collationné ..........................
Accusé de réception .............................
Télégramme recommandé ..........................
  à faire suivre ..................................
Poste payée ......................................
Expres payé .....................................
Appel (prélinaire de toute transmission) .......
Compris ..........................................  
Erreur ............................................
Fin de la transmission ..........................
Invitation à transmettre .........................
Attente ..........................................  
Réception terminée ..............................

B. Signaux de l’appareil Hughes.

Lettres :


Chiffres :

1, 2, 3, 4, 5, 6, 7, 8, 9, 0.

Signes de ponctuation et autres :

Point, virgule, point et virgule, deux points, point d’interro-
gation, point d'exclamation, apostrophe, croix +, trait d'union, È accentué, barre de fraction /, double trait =, parenthèse de gauche (, parenthèse de droit ), &c., guillemet (" ").

L'espace entre deux nombres est marqué par deux blancs. Dans la transmission et dans le collationnement d'un nombre fractionnaire non décimal, le nombre entier doit être séparé par un blanc du numérateur de la fraction ordinaire qui suit : Exemple : 1 3/4 et non 13/4.

Les mots et passages soulignés sont précédés et suivis de deux traits d'union (Exemple: — — sans retard — —), et soulignés à la main par l'employé d'arrivée.

Indications de Service et Signes Conventionnels.

| Télégramme d'Etat       | .. | .. | S. |
| " de service            | .. | .. | A. |
| " privé urgent          | .. | .. | D. |
| " non urgent            | .. | .. | P. |
| " Avis télégraphique    | .. | .. | AV. |
| " Réponse payée         | .. | .. | RP. |
| " Télégramme collationné| .. | .. | TC. |
| " Accusé de réception   | .. | .. | CR. |
| " Télégramme recommandé | .. | .. | TR. |
| " Télégramme à faire suivre | .. | .. | FS. |
| " Poste payée           | .. | .. | PP. |
| " Exprès payé           | .. | .. | XP. |

Pour appeler le poste avec lequel on est en communication ou pour lui répondre : le blanc et l'N répétés alternativement ;

Pour régler le synchronisme et demander dans ce but la répétition prolongée du même signe : une combinaison composée du blanc, de l'I et du T, reproduite autant de fois qu'il est nécessaire ;

Pour demander ou faciliter le réglage de l'électro-aimant : une combinaison formée des 4 signaux suivants : le blanc, l'I, l'N et le T, répétée autant de fois qu'il est nécessaire ;

Pour donner attente : la combinaison ATT, suivie de la durée probable de l'attente ;

Pour indiquer une erreur : deux ou 3 N consécutifs, sans aucun signe de ponctuation ;

Pour interrompre la transmission du bureau correspondant : deux ou 3 lettres quelconques convenablement espacées.

Les accents sur E sont tracés à la plume ou au crayon noir à la fin des mots (avec ou sans s) et lorsqu'ils sont essentiels au sens (Ex. : " Achète, acheté "). Dans ce dernier cas, le transmetteur répète le mot après la signature, en y faisant figurer l'E accentué entre deux blancs, pour appeler l'attention du poste qui reçoit. Pour ä, ô et ü, on transmet respectivement ae, oe, et ue.
b. Ordre de Transmission.

XXVII.

1. La transmission des télégrammes a lieu dans l'ordre suivant:
   a. Télégrammes d'État,
   b. " de service,
   c. " privés urgents,
   d. " non urgents et avis télégraphiques.

2. Tout bureau qui reçoit par un fil international un télégramme présenté comme télégramme d'État ou de service, le réexpédie comme tel.

3. Les avis de service émanant des divers bureaux et relatifs aux incidents de transmission, circulent sur le réseau international comme télégrammes de service.

XXVIII.

1. Un télégramme commencé ne peut être interrompu pour faire place à une communication d'un rang supérieur, qu'en cas d'urgence absolue.

2. Les télégrammes de même rang sont transmis par les bureaux de départ dans l'ordre de leur dépôt, et par les bureaux intermédiaires dans l'ordre de leur réception.

3. Dans les bureaux intermédiaires, les télégrammes de départ et les télégrammes de passage qui doivent emprunter les mêmes fils, sont confondus et transmis indistinctement, en suivant l'heure du dépôt ou de la réception.

4. Entre deux bureaux en relation directe, les télégrammes de même rang sont transmis dans l'ordre alternatif.

5. Il peut être toutefois dérogé à cette règle et à celle du paragraphe 1 de l'Article XXVII, dans l'intérêt de la célérité des transmissions, sur les lignes dont le travail est continu ou qui sont desservies par des appareils spéciaux.

XXIX.

1. A l'appareil Morse, les télégrammes d'État ou de service et les télégrammes privés urgents ne sont pas comptés dans l'ordre alternatif des transmissions.

2. La transmission des télégrammes échangés par l'appareil Hughes s'effectue par séries alternatives. Les chefs des deux bureaux en correspondance fixent, en tenant compte de la longueur des télégrammes et des exigences du service, le nombre des télégrammes, de quelque nature qu'ils soient, constituant chaque série. Cependant la série ne peut comprendre plus de 10 télégrammes. Les télégrammes d'une même série sont considérés comme formant une seule transmission qui ne doit être interrompue que dans le cas d'urgence exceptionnelle. En général, tout télégramme de deux cents mots ou au-dessus est
m considéré comme formant une seule série. Ce mode de transmission peut être appliqué à l'appareil Morse sur les lignes importantes dont le travail est continu, mais dans ce cas chaque série ne peut être composée de plus de 5 télégrammes.

3. Le bureau qui a transmis une série est en droit de continuer, lorsqu'il survient un télégramme d'État, de service ou privé urgent auquel la priorité de transmission est accordée, à moins que le bureau qui vient de recevoir n'ait déjà commencé de transmettre à son tour.

4. Dans les deux systèmes d'appareil, la transmission du télégramme ou de la série terminée, le bureau qui vient de recevoir transmet à son tour, s'il a un télégramme ; sinon, l'autre continue. Si de part et d'autre il n'y a rien à transmettre, les deux bureaux se donnent réciproquement le signal "zéro."

c. Mode de Procéder.

XXX.

1. Toute correspondance entre deux bureaux commence par le signal d'appel.

2. Le bureau appelé doit répondre immédiatement, en donnant son indicatif, et, s'il est empêché de recevoir, le signal d'attente, suivi d'un chiffre indiquant la durée probable de l'attente. Si la durée probable excède 10 minutes, l'attente doit être motivée.

3. Aucun bureau appelé ne peut refuser de recevoir les télégrammes qu'on lui présente, quelle qu'en soit la destination. Toutefois, en cas d'erreur évidente, le bureau qui transmet est tenu de la redresser, aussitôt que le bureau correspondant lui a signalée par avis de service.

4. On ne doit, ni refuser, ni retarder un télégramme, si les indications de service ne sont pas régulières. Il faut le recevoir et puis en demander, au besoin, la régularisation au bureau d'origine par un avis de service, conformément à l'Article LXIII ci-après.

XXXI.

1. Lorsque le bureau qui vient d'appeler a reçu, sans autre signal, l'indicatif du bureau qui répond, il transmet dans l'ordre suivant les indications de service, constituant le préambule du télégramme :
   a. Nature du télégramme, au moyen d'une des lettres S, A, D, quand c'est un télégramme d'État, de service ou privé urgent ;
   b. Bureau de destination ; *

* Lorsque le télégramme est à destination d'une localité non pourvue d'un bureau télégraphique, le préambule indique, non la résidence du destinataire, mais le bureau télégraphique par les soins duquel le télégramme doit être rémis à destination, ou envoyé à la poste.
c. Bureau d'origine précédé de la particule de (Exemple : Paris de Bruxelles) ;
d. Numéro du télégramme ;
e. Nombre de mots (dans les télégrammes chiffres on indique : 1, le nombre total des mots qui sert de base à la taxe ; 2, le nombre des mots écrits en langage ordinaire ; 3, s'il y a lieu, le nombre des groupes de chiffres ou lettres) ;
f. Dépôt du télégramme (par 3 nombres, date, heure, et minute, avec l'indication m ou s [matin ou soir]).
Dans la transmission par l'appareil Morse, les indications m ou s, ainsi que la date, peuvent être omises, quand il n'y a aucun doute.
Dans la transmission des télégrammes par l'appareil Hughes, la date est donnée sous la forme d'un fraction, dont le numérateur indique le jour et le dénominateur le mois ;
g. Voie à suivre (quand l'expéditeur l'a indiquée par écrit dans son télégramme) (Art. XVIII, § 2, et XXXVI, § 4) ;
h. Autres indications éventuelles (nombres des adresses, télégramme sémaphorique, etc.).
Les indications contenues sous les lettres b, d, et f, ne sont pas obligatoires pour les Offices extra-Européens.
3. Dans les télégrammes transmis par l'appareil Morse, le signe de séparation (— = — = —) est placé entre le préambule et l'adresse, entre l'adresse et le texte, entre le texte et la signature. On termine par le signal de "fin de transmission."
4. Dans les télégrammes transmis par l'appareil Hughes on emploie un double trait (=) pour séparer le préambule de l'adresse, l'adresse du texte, le texte de la signature, et on termine chaque télégramme par la croix (+). 
5. Si l'employé qui transmet s'aperçoit qu'il s'est trompé, il doit s'interrompre par le signal d'erreur, répéter le dernier mot bien transmis, et continuer, à partir de là, la transmission rectifiée.
6. De même, l'employé qui reçoit, s'il rencontre un mot qu'il ne parvient pas à saisir, doit interrompre son correspondant par le même signal, et répéter le dernier mot compris en le faisant suivre d'un point d'interrogation. Le correspondant reprend alors la transmission à partir de ce mot, en s'efforçant de rendre ses signaux aussi clairs que possible.
7. Hormis les cas déterminés de concert par les diverses Administrations, il est interdit d'employer une abréviation quelconque en transmettant le texte d'un télégramme, ou de

* Indiquer le pays ou la situation géographique du bureau d'origine, quand il y a un autre bureau de même nom.
modifier ce texte de quelque manière que ce soit. Tout télégramme doit être transmis tel que l'expéditeur l'a écrit et d'après sa minute.

d. Réception et Répétition d'Office.

XXXII.

Aussitôt après la transmission, l'employé qui a reçu compare pour chaque télégramme le nombre des mots transmis au nombre annoncé et il accuse réception du télégramme ou des télégrammes constituant la série.

XXXIII.

1. En cas de différence dans le nombre des mots, il la signale à son correspondant. Si ce dernier s'est simplement trompé dans l'annonce du nombre des mots, il répond : "admis;" sinon, il répète la première lettre de chaque mot, jusqu'au passage omis qu'il rétablit.

2. Lorsque cette différence ne provient pas d'une erreur de transmission, la rectification du premier de ces nombres ne peut se faire que d'un commun accord entre le bureau d'origine et le bureau correspondant. Les autres bureaux doivent s'abstenir de toute rectification et se borner à ajouter au nombre des mots annoncé le nombre réel, en les séparant par une barre de fraction.

XXXIV.

1. Les employés peuvent, pour mettre leur responsabilité à couvert, donner ou exiger la répétition partielle ou intégrale des télégrammes qu'ils ont transmis ou reçus. Cette répétition se fait, à l'appareil Morse, par l'employé qui a reçu et, à l'appareil Hughes, par l'employé qui a transmis, à la fin du télégramme ou de la série.

2. Quand on donne la répétition des nombres suivis de fractions, ou des fractions dont le numérateur est formé de deux chiffres ou plus, on doit répéter, en toutes lettres, le numérateur de la fraction, afin d'éviter toute confusion. Ainsi pour $\frac{1}{16}$ il faut répéter en Français 1 un 16, afin qu'on ne lise pas $\frac{1}{16}$; pour $\frac{13}{4}$, il faut répéter treize 4, afin qu'on ne lise pas $\frac{13}{4}$.

3. Cette répétition ne peut être retardée ni interrompue sous aucun prétexte. La vérification achevée, le bureau qui a reçu donne à celui qui a transmis le signal de "réception terminée," suivi, s'il s'agit d'une série, du nombre des télégrammes reçus.

XXXV.

1. Les rectifications relatives à des télégrammes d'une série précédemment transmise, sont faites par avis de service adressés aux bureaux de destination. Ces avis rappellent le nom et l'adresse des destinataires.

2. Les demandes de renseignements qui se produisent dans les mêmes conditions, font également l'objet d'un avis de service.
3. S'il arrive que, par suite d'interruption ou par une autre cause quelconque, on ne puisse recevoir la répétition, cette circonstance n'empêche pas la remise du télégramme au destinataire, sauf à lui communiquer ultérieurement la rectification, le cas échéant.

e. Direction à Donner aux Télégrammes.

XXXVI.

1. Lorsque l'expéditeur n'a prescrit aucune voie à suivre, chacun des Offices à partir desquels les voies se divisent, reste juge de la direction à donner au télégramme.

2. Si, au contraire, l'expéditeur a prescrit la voie à suivre, les Offices respectifs sont tenus de se conformer à ses indications, à moins d'interruption de la voie indiquée, auquel cas il ne peut élever aucune réclamation.

3. Les différentes voies que peuvent suivre les télégrammes sont indiquées par des formules concises, arrêtées de commun accord par les Offices intéressés.

4. L'expéditeur qui veut prescrire la voie à suivre doit écrire lui-même, en marge de sa minute, la formule correspondante. Cette indication est transmise dans le préambule (Art. XVIII, § 2, et XXXI, § 1, g), mais seulement jusqu'au point où elle peut être utile.

f. Interruption des Communications Télégraphiques. Transmissions par Ampliation.

XXXVII.

1. Lorsqu'il se produit au cours de la transmission d'un télégramme une interruption dans les communications télégraphiques régulières, le bureau à partir duquel l'interruption s'est produite, expédie immédiatement le télégramme par la poste (lettre recommandée d'office ou portée par exprès) ou par un moyen de transport plus rapide, s'il en dispose, par exemple, par une voie télégraphique détournée (Art. LXXII, § 4). Les frais de poste sont supportés par le bureau qui fait cette réexpédition. La lettre expédiée par la poste doit porter l'annotation "télégramme."

2. Le bureau qui recourt à un mode de réexpédition autre que le télégraphe adresse le télégramme, suivant les circonstances, soit au premier bureau télégraphique en mesure de la réexpédier, soit au bureau de destination, soit au destinataire même lorsque cette réexpédition se fait dans les limites de l'Etat de destination. Dès que la communication est rétablie, le télégramme est de nouveau transmis par la voie télégraphique, à moins qu'il n'en ait été précédemment accusé réception ou que, par suite d'encombrement exceptionnel, cette réexpédition ne doive être manifestement nuisible à l'ensemble de service.
3. Les télégrammes à destination des pays extra-Européens ne sont réexpédiés par une voie plus coûteuse que dans le cas où l'expéditeur a déposé la taxe de ce parcours.

XXXVIII.

1. Les télégrammes qui, par un motif quelconque, sont adressés par la poste à un bureau télégraphique, sont accompagnés d'un bordereau. En même temps, le bureau qui fait cette expédition en avertit le bureau auquel il l'adresse, pourvu que les communications télégraphiques le permettent, par un télégramme de service indiquant le nombre des télégrammes expédiés et l'heure du courrier.

2. À l'arrivée du courrier, le bureau correspondant vérifie si le nombre des télégrammes annoncé est bien arrivé. En ce cas, il en accuse réception sur le bordereau et le renvoie immédiatement au bureau expéditeur. Il renouvelle cet avis après le rétablissement des communications télégraphiques par un télégramme de service dans la forme suivante :

"Reçu 63 télégrammes conformément au bordereau du 30 Mars."

3. Les dispositions du paragraphe 2 s'appliquent également au cas où un bureau télégraphique reçoit par la poste un envoi de télégrammes sans en être averti.

4. Lorsqu'un envoi de télégrammes annoncé n'arrive pas, le bureau expéditeur en doit être averti immédiatement. Celui-ci peut, selon les circonstances, répéter l'envoi par la poste ou transmettre les télégrammes par la voie télégraphique, si les correspondances ultérieures ne doivent pas en souffrir.

5. Le bureau qui réexpédie par télégraphe des télégrammes déjà transmis par la poste, en informe le bureau sur lequel les télégrammes ont été dirigés, par un avis de service rédigé dans la forme suivante :

"Berlin de Görlitz, Télégrammes Nos. — du bordereau No. — réexpédiés par ampliation."

6. Quand un télégramme est envoyé directement au destinataire dans le cas prévu à l'Article XXXVII, il est accompagné d'un avis indiquant l'interruption des lignes.

7. Lorsque pour une cause quelconque un télégramme transmis déjà par une autre voie, soit par poste, soit par un autre fil, est réexpédié, par télégraphe, cette réexpédition par ampliation doit être signalée par une indication de service dans le préambule, p. ex. :

"Ampliation, déjà expédié à — (nom du bureau) le — (date) par le fil No. — (ou) par la voie de — (ou) par la poste."

g. Arrêt de Transmission.— Contrôle.

XXXIX.

1. Tout expéditeur peut, en justifiant de sa qualité, arrêter.
s’il en est encore temps, la transmission du télégramme qu’il a déposé.

2. Lorsqu’un expéditeur retire ou arrête son télégramme avant que la transmission en ait été commencée, la taxe lui est remboursée sous déduction d’un droit fixe d’un demi-franc au profit de l’office d’origine.

3. Si la transmission est commencée, la taxe encaissée reste acquise aux offices intéressés à raison du parcours effectué. Le surplus est remboursé à l’expéditeur.

4. Si le télégramme a été transmis, l’expéditeur ne peut en demander l’annulation que par un télégramme adressé au bureau d’arrivée et dont il acquitte la taxe. Il paie également la réponse, s’il désire être renseigné par voie télégraphique sur la suite donnée à sa demande ; dans le cas contraire, le bureau d’arrivée adresse par la poste ce renseignement au bureau d’origine.

5. Ces télégrammes sont transmis comme les télégrammes privés.

XL.

1. Il ne doit être fait usage de la faculté réservée à l’Article VII de la Convention, d’arrêter la transmission de tout télégramme privé qui paraîtrait dangereux pour la sécurité de l’État, ou qui serait contraire aux lois du pays, à l’ordre public ou aux bonnes mœurs, qu’à charge d’en avertir immédiatement l’Administration de laquelle dépend le bureau d’origine.

2. Ce contrôle est exercé par les bureaux télégraphiques extrêmes ou intermédiaires, sauf recours à l’Administration centrale, qui prononce sans appel.

3. La transmission des télégrammes d’État se fait de droit. Les bureaux télégraphiques n’ont aucun contrôle à exercer sur eux.

8. Remise à Destination.

XLI.

1. Les télégrammes peuvent être adressés, soit à domicile, soit poste restante, soit bureau télégraphique restant.

2. Ils sont remis ou expédiés à destination dans l’ordre de leur réception.

3. Les télégrammes adressés à domicile, dans la localité que le bureau télégraphique dessert, sont immédiatement portés à leur adresse.

4. Les télégrammes qui doivent être déposés poste restante sont immédiatement remis à la poste comme lettre recommandée par le bureau télégraphique d’arrivée, sans frais pour l’expéditeur ni pour le destinataire.

5. Les télégrammes adressés aux passagers d’un navire qui fait
escale dans un port, leur sont remis, autant que possible, avant le débarquement.

XLII.

1. Un télégramme porté à domicile peut être remis, soit au destinataire, soit aux membres adultes de sa famille, à ses employés, locataires ou hôtes, soit au concierge de l'hôtel ou de la maison, à moins que le destinataire n'ait désigné par écrit un délégué spécial, ou que l'expéditeur n'ait demandé que la remise n'eût lieu qu'entre les mains du destinataire seul.

2. Cette dernière demande doit être mentionnée dans l'adresse du télégramme et reproduite sur l'enveloppe par le bureau d'arrivée, qui donne au porteur les instructions nécessaires pour s'y conformer.

3. Lorsqu'un télégramme ne peut pas être remis au destinataire, le bureau d'arrivée, s'il peut supposer que l'adresse est insuffisante ou mal transmise, envoie au bureau d'origine un avis de service dans la forme suivante :

No. .... de. ....... (date), adressé à (adresse textuellement conforme à celle qui a été reçue) destinataire inconnu.

4. Le bureau de départ vérifie l'exactitude de l'adresse. Si elle a été mal transmise, il la rectifie sur-le-champ.

5. En tout état de choses, l'avis de non-remise n'est transmis que si l'adresse du télégramme est écrite sans abréviation.

6. Si, par suite d'adresse inexacte ou insuffisante, d'absence ou de refus du destinataire, des frais d'expédition n'ont pas été acquittés à l'arrivée, le montant de ces frais est indiqué dans l'avis, afin que l'expéditeur puisse être requis de les rembourser.

7. Si la porte n'est pas ouverte à l'adresse indiquée, ou si le porteur ne trouve personne qui consent à recevoir le télégramme pour le destinataire, avis est laissé au domicile indiqué, et le télégramme est rapporté au bureau, pour être livré au destinataire sur la réclamation.

8. Lorsque le télégramme est adressé bureau restant, il n'est livré qu'au destinataire ou à son délégué.

9. Dans les cas prévus par les paragraphes 7 et 8 du présent Article, tout télégramme qui n'a pas été réclamé au bout de 6 semaines, est anéanti.


Article IX de la Convention.

Les Hautes Parties Contractantes s'engagent à faire jouir tout expéditeur des différentes combinaisons arrêtées de concert par les Administrations télégraphiques des Etats Contractants en vue de donner plus de garanties et de facilités à la transmission et à la remise des correspondances.

Elles s'engagent également à le mettre à même de profiter des dispositions prises et notifiées par l'un quelconque des autres
AUSTRIA, &c. 123

Etats, pour l’emploi de moyens spéciaux de transmission ou de remise.

a. Avis Télégraphiques.

XLIII.

1. Tout expéditeur a la faculté de faire transmettre par télégraphe un simple avis qui n’est pas soumis aux formalités des télégrammes ordinaires.

2. L’avis télégraphique n’est admis que dans les relations Européennes. Il est limité au maximum de 10 mots et ne peut être rédigé ni en langage chiffre, ni en langage convenu ; les nombres ne sont admis qu’écrits en toutes lettres.

3. L’avis télégraphique ne comporte aucune des opérations accessoires qui font l’objet des télégrammes spéciaux, ni aucune indication gratuite ; il est annoncé par le signal réglementaire indiqué à l’Article XXVI et est transmis, d’ailleurs, sans préambule et sans répétition d’office. Il peut être remis ouvert au destinataire. Les formalités prescrites par l’Article XLII ne sont pas obligatoires pour la remise à domicile des avis télégraphiques, l’office d’arrivée pouvant déterminer à son gré les conditions de cette remise.

4. La taxe de l’avis télégraphique est égale aux trois-cinquièmes de la taxe du télégramme ordinaire de 20 mots.

5. Les Administrations ne sont pas tenues de délivrer des reçus et de conserver dans les archives les documents relatifs aux avis télégraphiques, ni de donner suite aux réclamations et aux demandes en remboursement qui les concernent.

6. Les dispositions du présent Article ne sont pas obligatoires pour les Administrations qui déclarent ne pas pouvoir les appliquer.

b. Télégrammes Privés Urgents.

XLIV.

1. L’expéditeur d’un télégramme privé peut obtenir la priorité de transmission en inscrivant le mot “ Urgent ” avant l’adresse et en payant le triple de la taxe d’un télégramme ordinaire de même longueur pour le même parcours.

2. Les télégrammes privés urgents ont la priorité sur les autres télégrammes privés et leur priorité entre eux est réglée dans les conditions prévues par le paragraphe 2 de l’Article XXVIII.

3. Les dispositions des paragraphes précédents ne sont pas obligatoires pour les Administrations qui déclarent ne pas pouvoir les appliquer, soit à une partie, soit à la totalité des télégrammes qui empruntent leurs lignes.

4. Les Administrations qui n’acceptent les télégrammes urgents qu’en transit doivent les admettre, soit sur les fils où la transmission est directe à travers leurs territoires, soit dans
leurs bureaux de réexpédition, entre les télégrammes de même provenance et de même destination. La taxe de transit qui leur revient est triplée comme pour les autres parties du trajet.

c. Réponses Payées.

XLV.

1. Tout expéditeur peut affranchir la réponse qu'il demande à son correspondant; toutefois, l'affranchissement ne peut dépasser le triple de la taxe du télégramme primitif.
2. Dans le cas de télégramme demandant une réponse payée l'expéditeur doit inscrire avant l'adresse l'indication: "réponse payée (ou RP)."
3. La taxe est perçue pour une réponse simple par la même voie.
4. L'expéditeur peut d'ailleurs compléter la mention en mettant: "réponse payée (ou RP) ... fr. ... c.," et acquitter la somme correspondante, dans les limites autorisées par le paragraphe 1 du présent Article.

XLVI.

1. Au lieu de destination, le bureau d'arrivée paie au destinataire le montant de la taxe perçue, au départ, pour la réponse, soit en monnaie, soit en timbres-télégraphe, soit au moyen d'un bon de caisse, en lui laissant le soin d'expédier la réponse dans un délai, à une adresse et par une voie quelconque.
2. Cette réponse est considérée et traitée comme tout autre télégramme.
3. Si le télégramme primitif ne peut être remis au bout de 6 semaines, ou si le destinataire refuse formellement la somme affectée à la réponse, le bureau d'arrivée en informe l'expéditeur par un avis qui tient lieu de la réponse. Cet avis contient l'indication des circonstances qui se sont opposées à la remise.
4. Lorsque le télégramme ne peut être remis, dès l'arrivée, dans les circonstances prévues par le paragraphe 3 de l'Article XLII, l'avis de service est transmis dans la forme prescrite par ce paragraphe.
5. En cas de refus du destinataire, la réponse d'office est émise sur-le-champ, dans la forme suivante:
   "Réponse à No. ... de ... 
   Le destinataire a refusé."
6. Si le télégramme avec réponse payée n'a pu être remis au bout de 6 semaines, la réponse d'office est émise dans la même forme, comme télégramme privé, sauf les mots suivants:
   "Le destinataire n'a pas retiré le télégramme."

XLVII.

1. Les dispositions des deux Articles précédents ne sont pas
obligatoires pour les offices extra-Européens qui déclarent ne point pouvoir les appliquer.

2. Dans les relations avec ces offices, la taxe déposée pour la réponse est portée en compte à l'office d'arrivée, qui adopte tel moyen qu'il juge convenable pour mettre le destinataire en mesure d'en profiter.

3. Dans la correspondance extra-Européenne, l'expéditeur doit toujours insérer dans le texte du télégramme le nombre de mots payés pour la réponse.

d. Télégrammes Collationnés.

XLVIII.

1. L'expéditeur de tout télégramme a la faculté d'en demander le collationnement. Dans ce cas, les divers bureaux qui concourent à la transmission, en donnent le collationnement intégral.

2. Ce collationnement est donné à tous les appareils par le bureau qui a reçu et immédiatement après la transmission du télégramme à collationner.

3. La taxe du collationnement est égale à la moitié de celle du télégramme, toute fraction de quart de franc étant comptée comme un quart de franc.

4. Le collationnement taxé est obligatoire pour les télégrammes privés contenant un langage secret en chiffres ou en lettres. Cette prescription n'est pas applicable aux télégrammes d'État ni au langage convenu composé de mots clairs.

e. Accusés de Réception.

XLIX.

1. L'expéditeur de tout télégramme peut demander que l'indication de l'heure à laquelle son télégramme sera remis à son correspondant lui soit notifiée par télégraphe aussitôt après la remise.

2. La taxe de l'accusé de réception est égale à celle d'un télégramme simple. Pour la correspondance extra-Européenne, cette taxe est celle de 10 mots.

L.

1. L'accusé de réception est donné, comme télégramme privé, dans la forme suivante :

"Paris de Berne.—No. .... Date .... Télégramme No. .... adressé à .... rue .... Remis le .... à .... h .... m .... m. ou s. (ou motif de non remise)."

2. Les accusés de réception reçoivent un numéro d'ordre au bureau qui les envoie. Ils jouissent de la priorité accordée aux avis de service sur les télégrammes privés.

3. Dans le cas prévu par le paragraphe 3 de l'Article XLII, l'accusé de réception est précédé de l'avis de service prescrit par
ce paragraphe. L'accusé de réception est transmis ensuite, soit après la remise du télégramme, si elle est devenue possible, soit après 24 heures, si elle n'a pu avoir lieu.

f. Télégrammes Recommandés.

LI.

1. Entre les Administrations qui acceptent ce mode de correspondance, tout expéditeur a la faculté de recommander son télégramme.

2. Lorsqu'un télégramme est recommandé, l'Administration qui l'a reçu s'engage à payer à l'expéditeur, dans tous les cas qui, pour les télégrammes collationnés, donnent droit au remboursement de la taxe, outre le montant de la taxe perçue, une somme fixe de 50 francs. Toutefois, quand l'irrégularité provient d'un cas de force majeure, il n'est attribué à l'expéditeur que la restitution de la taxe.

3. Le télégramme recommandé donne lieu au collationnement intégral et à l'accusé de réception prévus par les Articles XLVIII à L.

4. Le télégramme recommandé ne peut être rédigé que dans la langue du pays d'origine ou de destination ou en langue française. Les télégrammes en langage secret ou adressés à plusieurs destinataires ne sont pas admis à la recommandation.

5. La taxe du télégramme recommandé est le triple de celle du télégramme ordinaire. Cette taxe se répartit, dans les conditions habituelles, entre les Administrations qui ont concouru à la transmission.

6. En cas de réclamation, l'office d'origine décide si le remboursement de la taxe ainsi que le paiement de 50 francs doit avoir lieu et détermine les irrégularités qui le justifient. La restitution de la taxe et, s'il y a lieu, l'allocation attribuée à l'expéditeur, sont mises à la charge des offices à qui sont imputables ces irrégularités, dans les conditions fixées par les Articles LXVII à LXX ci-après. Pour la correspondance extra-Européenne, le paiement de l'allocation est supporté par les offices en faute, le remboursement de la taxe étant effectué dans les conditions du paragraphe 11 de l'Article LXIX.

g. Télégrammes à Faire Suivre.

LII.

1. Tout expéditeur peut demander, en inscrivant dans l'adresse les indications nécessaires, que le bureau d'arrivée fasse suivre son télégramme dans les limites de l'Europe.

2. Lorsqu'un télégramme porte la mention “faire suivre,” sans autre indication, le bureau de destination, après l'avoir présenté à l'adresse indiquée, le réexpédie immédiatement, s'il y a lieu, à la nouvelle adresse qui lui est désignée au domicile du destinataire.
3. Si aucune indication ne lui est fournie, il garde le télégramme en dépôt, en observant les dispositions des paragraphes 3 et 7 de l’Article XLII. Si le télégramme est réexpédié et que le second bureau ne trouve pas le destinataire à l’adresse nouvelle, le télégramme est conservé par ce bureau.

4. Si la mention “faire suivre” est accompagnée d’adresses successives, le télégramme est successivement transmis à chacune des destinations indiquées jusqu’à la dernière, s’il y a lieu, et le dernier bureau se conforme aux dispositions du paragraphe précédent.

5. Le texte primitif du télégramme à faire suivre doit être intégralement transmis aux bureaux de destination successifs et reproduit sur la copie adressée au destinataire ; mais, dans le préambule, chaque bureau ne reproduit, après les mots “faire suivre” que les adresses auxquelles le télégramme peut encore être expédié.

6. La taxe internationale à percevoir au départ pour les télégrammes à faire suivre est simplement la taxe afférente au premier parcours, l’adresse complète entrant dans le nombre des mots. La taxe complémentaire est perçue sur le destinataire.

7. A partir du premier bureau indiqué dans l’adresse, les taxes à percevoir sur le destinataire, pour les parcours ultérieurs, doivent, à chaque réexpédition, être indiquées d’office dans le préambule.

8. Cette indication est formulée comme il suit : “Taxes à percevoir... francs.... centimes.” Si les réexpéditions ont lieu dans les limites de l’État auquel appartient le bureau d’arrivée, la taxe complémentaire à percevoir sur le destinataire est calculée, pour chaque réexpédition, suivant le tarif intérieur de cet État. Si les réexpéditions ont lieu hors de ces limites, la taxe complémentaire est calculée en considérant comme autant de télégrammes séparés chaque réexpédition internationale. Le tarif pour chaque réexpédition est le tarif applicable aux correspondances échangées entre l’État qui réexpédie et celui auquel le télégramme est réexpédié.

9. Si la taxe de réexpédition n’est pas recouvrée par l’Office d’arrivée, l’Administration dont ce bureau relève est remboursée du montant des taxes dues aux Administrations, moyennant bulletin de remboursement.

LIII.

1. Toute personne peut demander, en fournissant les justifications nécessaires, que les télégrammes qui arriveraient à un bureau télégraphique, pour lui être remis dans le rayon de distribution de ce bureau, lui soient réexpédiés, dans les conditions de l’Article précédent, à l’adresse qu’elle aura indiquée.

2. Les demandes de réexpédition doivent être faites par écrit.

3. Chaque Administration se réserve la faculté de faire
1. Les télégrammes peuvent être adressés :
   Soit à plusieurs destinataires dans des localités différentes ;
   Soit à plusieurs destinataires dans une même localité ;
   Soit à un même destinataire dans des localités différentes ou
   à plusieurs domiciles dans la même localité.

2. Les télégrammes adressés à plusieurs destinataires, ou à
   un même destinataire dans des localités desservies par des
   bureaux différents, sont taxés comme autant de télégrammes
   séparés. Toutefois, si ces bureaux appartiennent à un seul et
   même office extra-Européen qui a déclaré accepter ce mode
   d'expédition, la taxe du télégramme jusqu'au bureau le plus
   éloigné n'est perçue qu'une fois et on y ajoute un demi-franc
   par mot pour chaque expédition en plus.

3. Les télégrammes adressés, dans une même localité, à
   plusieurs destinataires, ou à un même destinataire à plusieurs
   domiciles, avec ou sans réexpédition par la poste, sont taxés
   comme un seul télégramme ; mais il est perçu, à titre de droit
   de copie, autant de fois un demi-franc par télégramme simple
   qu'il y a de destinations, moins une.

4. En transmettant un télégramme adressé dans une même
   localité ou dans des localités différentes mais desservies par un
   même bureau télégraphique, à plusieurs destinataires ou à un
   même destinataire à plusieurs domiciles, avec ou sans réexpédi-
   tion par la poste ou par exprès, il faut indiquer dans le préam-
   bulle le nombre des adresses.

5. Dans les deux premiers cas prévus par le paragraphe 1
   du présent Article, chaque exemplaire du télégramme ne doit
   porter que l'adresse qui lui est propre, à moins que l'expéditeur
   n'ait demandé le contraire.

6. Cette indication doit entrer dans le corps de l'adresse et,
   par conséquent, dans le nombre des mots taxés. Elle est repro-
   duite dans les indications éventuelles. (Article XXXI, § 1, h.)

i. Télégrammes à Destination de Localités non desservies par le
   Réseau International.

LV

1. Les télégrammes adressés à des localités non desservies
   par les télégraphes internationaux peuvent être remis à destina-
   tion suivant la demande de l'expéditeur, soit par exprès, soit par
   la poste ; toutefois, l'envoi par exprès ne peut être demandé
   que pour les États qui, conformément à l'Article IX de la Con-
   vention, ont organisé pour la remise des télégrammes un mode
de transport plus rapide que la poste et ont notifié aux autres États les dispositions prises à cet égard.

2. L’adresse des télégrammes à transporter au delà des lignes télégraphiques est formulée ainsi qu’il suit “Expres (ou poste) M. Müller, Stéglitz Berlin;” le nom du bureau télégraphique d’arrivée étant exprimé le dernier.

LVI.

1. Les frais de transport au delà des bureaux télégraphiques, par un moyen plus rapide que la poste, dans les États où un service de cette nature est organisé, sont perçus sur le destinataire.

2. Toutefois, l’expéditeur d’un télégramme avec accusé de réception peut affranchir ce transport, moyennant le dépôt d’une somme qui est déterminée par le bureau d’origine, sauf liquidation ultérieure. L’accusé de réception fait connaître le montant des frais déboursés.

3. Il n’est fait exception à cette règle que dans les relations extra-Européennes pour des transports dont l’office d’arrivée a prévu et notifié les frais, qui sont alors perçus par le bureau d’origine, sans exiger ni accusé de réception ni règlement ultérieur.

4. Dans tous les cas prévus par les paragraphes 2 et 3 qui précèdent, les mots “expres payé (ou XP)” sont inscrits avant l’adresse et sont taxés.

LVII.

1. Le bureau télégraphique d’arrivée est en droit d’employer la poste : 
   a. A défaut d’indication, dans le télégramme, du moyen de transport à employer ;
   b. Lorsque le moyen indiqué diffère du mode adopté et notifié par l’État d’arrivée, conformément à l’Article IX de la Convention ;
   c. Lorsqu’il s’agit d’un transport à payer par un destinataire qui aurait refusé antérieurement d’acquitter des frais de même nature. Dans ce dernier cas, le télégramme peut être déposé à la boîte, comme lettre non affranchie.

2. Dans tous les cas, l’emploi de la poste est obligatoire pour le bureau d’arrivée, lorsqu’il n’use pas d’un moyen plus rapide.

3. Les télégrammes de toute nature qui doivent être transmis à destination, par voie postale, sont remis à la poste, comme lettres recommandées, par le bureau télégraphique d’arrivée, sans frais pour l’expéditeur, ni pour le destinataire, sauf dans les deux cas suivants.

4. Les correspondances qui doivent traverser la mer, soit par suite d’interruption des lignes télégraphiques sous-marines, soit pour atteindre des pays non reliés au réseau télégraphique VOL. XIV.
des États Contractants, sont soumises à une taxe variable à percevoir par le bureau d'origine. Le montant de cette taxe est fixé par l'Administration qui se charge de l'expédition et notifié à toutes les autres Administrations.

5. Les télégrammes transmis à un bureau télégraphique situé près d'une frontière, pour être expédiés par poste sur le territoire voisin, sont déposés à la boîte comme lettres non affranchies, et le port est à la charge du destinataire.

6. Toutefois, si la communication télégraphique franchissant la frontière est matériellement interrompue, il est procédé conformément à l'Article XXXVII.

7. Lorsqu'un télégramme à expédier par lettre recommandée ne peut être soumis immédiatement à la formalité de la recommandation tout en pouvant profiter d'un départ postal, il est mis d'abord à la poste par lettre ordinaire; une ampliation est adressée par lettre recommandée aussitôt qu'il est possible.

k. Télégrammes Sémaphoriques.

LVIII.

1. Les télégrammes sémaphoriques sont les télégrammes échangés avec les navires en mer par l'intermédiaire des sémaphores établis ou à établir sur le littoral de l'un quelconque des États Contractants.

2. Ils doivent être rédigés, soit dans la langue du pays où est situé le sémaphore chargé de les signaler, soit en signaux du code commercial universel. Dans ce dernier cas, ils sont considérés comme des télégrammes chiffrés.

3. Quand ils sont à destination des navires en mer, l'adresse doit comprendre, outre les indications ordinaires, le nom ou le numéro officiel du bâtiment destinataire et sa nationalité.

4. Pour les télégrammes d'État sémaphoriques expédiés d'un navire en mer, le sceau est remplacé par le signe distinctif du commandement. Le nom du bâtiment doit être désigné.

5. La taxe des télégrammes à échanger avec les navires en mer, par l'intermédiaire des sémaphores, est fixée à deux francs, par télégramme simple. Cette taxe s'ajoute au prix du parcours électrique calculé d'après les règles générales. La totalité est perçue sur l'expéditeur pour les télégrammes adressés aux navires en mer et sur le destinataire pour les télégrammes provenant des bâtiments (Article XXIV, § 1). Dans ce dernier cas, si le télégramme ne peut être remis, l'office d'arrivée est remboursé du montant des taxes dues, moyennant bulletin de remboursement.

LIX.

1. Les télégrammes provenant d'un navire en mer sont transmis à destination en signaux du code commercial, lorsque le navire expéditeur l'a demandé.
2. Dans le cas où cette demande n'a pas été faite, ils sont traduits en langage ordinaire par le préposé du poste sémaphorique et transmis à destination.

3. Les télégrammes qui dans les trente jours du dépôt n'ont pu être signalés par les postes sémaphoriques aux bâtiments destinataires, sont mis au rebut.

4. Dans le cas où le bâtiment auquel est destiné un télégramme sémaphorique, n'est pas arrivé dans le terme de 28 jours, le sémaphore en donne avis à l'expéditeur le 29e jour au matin. L'expéditeur a la faculté, en acquittant le prix d'un télégramme terrestre spécial, de demander que le sémaphore continue à présenter son télégramme pendant une nouvelle période de 30 jours, et ainsi de suite; à défaut de cette demande, le télégramme sera mis au rebut le 30e jour.

1. Dispositions Générales applicables aux Télégrammes Spéciaux.

Dans l'application des Articles précédents, on combinerá les facilités données au public pour les télégrammes urgents, les réponses payées, les télégrammes collationnés, les accusés de réception, les télégrammes recommandés, les télégrammes à faire suivre, les télégrammes multiples et les télégrammes à remettre au-delà des lignes, en se conformant aux prescriptions des paragraphes 4 et 5 de l'Article VIII, et du paragraphe 2 de l'Article XX.

10. Télégrammes de Service.

Article V de la Convention.

Les télégrammes sont classés en 3 catégories:

1. Télégrammes d'Etat : ceux qui, &c.

2. Télégrammes de service : ceux qui émanent des Administrations télégraphiques des Etats Contractants et qui sont relatifs soit au service de la Télégraphie Internationale, soit à des objets d'intérêt public déterminés de concert par les dites Administrations.

Article XI de la Convention.

Les télégrammes relatifs au service des Télégraphes Internationaux des Etats Contractants sont transmis en franchise sur tout le réseau des dits Etats.

LXI.

1. Les télégrammes de service se distinguent en télégrammes de service gratuits et en télégrammes de service taxés.

2. Les télégrammes de service de toute nature jouissent, dans la transmission, de la priorité sur les télégrammes privés (Article XXVII). Il en est de même des accusés de réception (Article L, § 2).
1. Les télégrammes de service gratuits se distinguent eux-mêmes en télégrammes de service proprement dits dont la forme est donnée par le paragraphe 1 de l’Article XII, et en avis de service dont il est traité au paragraphe 2 du même Article.

2. Les télégrammes de service gratuits doivent être limités aux cas qui présentent un caractère d’urgence (Article XVI, §§ 1 et 2).

3. Ils peuvent être émis en langage secret dans toutes les relations (Article VI de la Convention) et doivent, en règle générale, être rédigés en Français (Article VI, § 3).

LXIII.

1. Les avis de service sont échangés, de bureau à bureau, toutes les fois que les incidents de la transmission le nécessitent, notamment, lorsque les indications de service d’un télégramme déjà transmis ne sont pas régulières (Article XXX, § 4), lors de rectifications ou de renseignements relatifs à des télégrammes d’une série précédemment transmise (Article XXXV, §§ 1 et 2), en cas d’interruption dans les communications télégraphiques, lorsque les télégrammes ont été adressés par poste à un bureau télégraphique (Article XXXVIII), lorsqu’un télégramme ne peut pas être remis au destinataire (Article XLIII), lorsque le bâtiment auquel est destiné un télégramme sémaphorique n’est pas arrivé dans le terme de 28 jours (Article LIX, § 4).

2. Les avis de service relatifs à un télégramme précédemment transmis sont dirigés, autant que possible, sur les bureaux par où le télégramme primitif a transité. Ces avis doivent reproduire toutes les indications propres à faciliter les recherches des télégrammes primitifs, telles que la date de l’expédition, l’adresse et la signature de ces télégrammes.

3. Lorsque les bureaux de passage ont tous les éléments nécessaires pour donner suite aux avis de service, ils prennent les mesures propres à en éviter une réexpédition inutile.

LXIV.

1. Les télégrammes prévus à l’Article XVII du présent Règlement sont échangés entre deux bureaux télégraphiques. Ils ont la forme suivante :

“Paris de Berlin.—No. . . . . mots . . . . date. . . . . service taxé,” et ne portent ni adresse ni signature. Ils prennent rang parmi les télégrammes de la catégorie à laquelle appartiennent les télégrammes primitifs.

2. Le destinataire d’un télégramme peut demander, dans le délai de 24 heures qui suit la remise à destination du télégramme, la rectification des passages qui lui paraissent douteux. La même faculté est accordée à l’expéditeur dans le délai de 3
AUSTRIA, &c. 133

fois 24 heures qui suit le départ du télégramme. On percevra alors:

a. S'il s'agit du destinataire: 1, le prix du télégramme de la demande; 2, le prix d'un télégramme calculé suivant la longueur du passage à répéter;

b. S'il s'agit de l'expéditeur, le prix du télégramme et celui de la réponse, si elle est demandée.

3. Ces taxes sont remboursées, à la suite d'une réclamation instruite dans la forme ordinaire, s'il en résulte que le télégramme étant collationné, le service télégraphique en a dénaturé le sens. Aucun remboursement n'est dû pour le télégramme rectifié.

4. Le bureau télégraphique qui reçoit un télégramme par lequel on lui donne la répétition de quelques passages ou le complément de l'adresse ou par lequel on lui demande l'annulation ou l'heure de la remise d'un télégramme reçu ou d'autres communications semblables, se borne à donner suite à la communication, sauf à en informer l'expéditeur, si celui-ci a acquitté le prix d'une réponse télégraphique. Dans les cas douteux, l'expéditeur doit toujours faire connaître quels sont les renseignements qu'il désire recevoir par télégraphe.

5. Les sommes encaissées pour télégrammes de service taxés et les réponses y relatives figurent dans les comptes internationaux, conformément aux règles de l'Article LXXI ci-après.

11. Archives.

LXV.

1. Les originaux et les copies des télégrammes, les bandes de signaux ou pièces analogues, sont conservés au moins pendant 6 mois, à compter de leur date, avec toutes les précautions nécessaires au point de vue du secret.

2. Ce délai est porté à 18 mois pour les télégrammes extra-Européens.

LXVI.

1. Les originaux et les copies des télégrammes ne peuvent être communiqués qu'à l'expéditeur ou au destinataire, après constatation de son identité, ou bien au fondé de pouvoir de l'un d'eux.

2. L'expéditeur et le destinataire d'un télégramme ou leur fondé de pouvoir ont le droit de se faire délivrer des copies certifiées conformes de ce télégramme ou de la copie remise à l'arrivée, si cette copie a été conservée par l'office de destination. Ce droit expire après le délai fixé pour la conservation des archives.

3. Il est perçu, pour toute copie délivrée conformément au présent Article, un droit fixe d'un demi-franc par télégramme ne dépassant pas 100 mots. Au-delà de 100 mots, ce droit est
augmenté d'un demi-franc par série ou fraction de série de 100 mots.

4. Les Administrations télégraphiques ne sont tenues de donner communication ou copie des pièces désignées ci-dessus, que si les expéditeurs, les destinataires ou leurs ayants-droit fournissent la date exacte des télégrammes auxquels se rapportent leurs demandes.

12. Détaxes et Remboursements.

LXVII.

1. Est remboursée à l’expéditeur par l’Administration qui l’a perçue, sauf recours contre les autres Administrations, s’il y a lieu :
   a. La taxe intégrale de tout télégramme qui a éprouvé un retard notable, ou qui n’est pas parvenu à destination par le fait du service télégraphique ;
   b. La taxe intégrale de tout télégramme collationné qui, par suite d’erreurs de transmission, n’a pu manifestement remplir son objet.

2. En cas d’interruption d’une ligne sous-marine, l’expéditeur de tout télégramme a droit au remboursement de la partie de la taxe afférente au parcours non effectué, déduction faite des frais déboursés, le cas échéant, pour remplacer la voie télégraphique par un mode de transport quelconque.

3. Ces dispositions ne sont pas applicables aux télégrammes empruntant les lignes d’un office non-adhérent qui refuserait de se soumettre à l’obligation du remboursement.

4. Dans les cas prévus par les paragraphes précédents, le remboursement ne peut s’appliquer qu’aux taxes des télégrammes mêmes qui ont été omis, retardés, ou dénaturés, et non aux correspondances qui auraient été motivées ou rendues inutiles par l’omission, l’erreur ou le retard.

LXVIII.

1. Toute réclamation en remboursement de taxe doit être formée, sous peine de déchéance, dans les deux mois de la perception. Ce délai est porté à 6 mois pour les télégrammes extra-Européens.

2. Toute réclamation doit être présentée à l’office d’origine et être accompagnée des pièces probantes, savoir : une déclaration écrite du bureau de destination ou du destinataire, si le télégramme n’est point parvenu, et la copie qui lui a été remise, s’il s’agit d’erreur ou de retard. Toutefois, la réclamation peut être présentée par le destinataire à l’office de destination, qui juge s’il doit y donner suite ou la faire presenter à l’office d’origine.

3. Lorsqu’une réclamation a été reconnue fondée par les Administrations intéressées, le remboursement est effectué par l’office d’origine.
4. L'expéditeur qui ne réside pas dans le pays où il a déposé son télégramme, peut faire présentert sa réclamation à l'office d'origine, par l'intermédiaire d'un autre office. Dans ce cas, l'office qui l'a reçue est, s'il y a lieu, chargé d'effectuer le remboursement.

5. Les réclamations communiquées d'office à office sont transmises avec un dossier complet, c'est-à-dire qu'elles contiennent (en original, en extrait ou en copie) toutes les pièces ou lettres qui les concernent. Ces pièces doivent être analysées en français, lorsqu'elles ne sont pas rédigées dans cette langue ou dans une langue comprise de tous les offices intéressés.

6. Les réclamations ne sont point transmises d'office à office:
   a. Lorsque le fait signalé ne donne point droit au remboursement;
   b. Lorsqu'il s'agit d'un télégramme qui, n'étant pas conforme aux conditions réglementaires imposées au public, en ce qui concerne la rédaction, la langue, la clarté de l'écriture, l'adresse et les indications relatives au transport au-delà des lignes, &c., est accepté aux risques et périls des intéressés.

LXIX.

1. Pour tout télégramme non remis à destination, le remboursement est supporté par les offices sur les lignes desquels ont été commises les irrégularités qui ont empêché le télégramme de parvenir au destinataire.

2. En cas de retard le droit au remboursement est absolu, lorsque le télégramme n'est point arrivé à destination plus tôt qu'il n'y serait parvenu par la poste ou lorsque le retard dépasse deux fois 24 heures pour un télégramme Européen et 6 fois 24 heures pour un télégramme sortant des limites de l'Europe.

3. Le remboursement intégral de la taxe est effectué aux frais des offices par le fait desquels le retard s'est produit et dans la proportion des retards imputables à chaque office.

4. En cas d'altération d'un télégramme collationné, l'office d'origine détermine les erreurs qui ont empêché le télégramme de remplir son objet, et la part contributive des diverses Administrations est réglée d'après le nombre des fautes ainsi déterminées, un mot omis ou ajouté comptant pour une erreur.

5. La part contributive pour l'altération d'un mot dénaturé successivement sur les lignes de plusieurs Administrations, est supportée par la première de ces Administrations.

6. Les erreurs ou omissions sont imputables au bureau qui a transmis, sauf dans les cas suivants:
   a. Lorsque, des mots, nombres ou caractères ayant été omis ou ajoutés, le bureau qui a reçu n'a pas vérifié le compte des mots;
   b. Lorsque le bureau qui a reçu n'a pas tenu compte de la rectification faite à son collationnement par son correspondant;
c. Lorsque le bureau qui a reçu une répétition d'office n'a pas rectifié la première transmission d'après cette répétition ;

d. Lorsque, à l'appareil Hughes, il y a eu un défaut de synchronisme non rectifié ;

e. Lorsque le collationnement payé a été omis ou incomplet.

7. Dans les cas b et c, l'erreur est imputable au bureau qui a reçu. Dans les cas a, d et e les deux bureaux sont responsables.

8. Dans le cas de remboursement partiel d'un télégramme avec une ou plusieurs copies, le quotient obtenu en divisant la taxe totale perçue par le nombre de copies détermine l'indemnité à accorder pour chaque copie, le télégramme comptant à cet égard également pour une copie.

9. Lorsque, par suite de l'absence ou de l'insuffisance des documents, le bureau responsable d'une erreur ou omission ne peut être désigné, le remboursement est mis à la charge de l'Administration où la preuve fait défaut.

10. Lorsqu'une réclamation a été présentée et mise en circulation dans les délais fixés par le paragraphe 1er de l'Article LXVIII et que la solution n'a point été notifiée dans les délais fixés par l'Article XLV pour la conservation des archives, l'office qui a reçu la réclamation rembourse la taxe réclamée et le remboursement est mis à la charge de l'Administration qui a retardé l'instruction.

11. Pour les correspondances extra-Européennes le remboursement est supporté par les différentes Administrations d'Etat ou de Compagnies privées par les lignes desquelles le télégramme a été transmis, chaque Administration abandonnant sa part de taxe.

LXX.

1. La taxe d'un télégramme arrêté en vertu des Articles VII et VIII de la Convention est remboursée à l'expéditeur et le remboursement est à la charge de l'Administration qui a arrêté le télégramme.

2. Toutefois, lorsque cette Administration a notifié, conformément à l'Article VIII, la suspension de certaines correspondances déterminées, le remboursement des taxes des télégrammes de cette catégorie qui seraient arrêtés ultérieurement, doit être supporté par l'office d'origine, à partir de la date à laquelle la notification lui est parvenue.

13. Comptabilité.

Article XII de la Convention.

Les Hautes Parties Contractantes se doivent réciproquement compte des taxes perçues par chacune d'elles.

LXXI.

1. Le franc sert d'unité monétaire dans l'établissement des comptes internationaux.
2. Chaque Etat crédite l'Etat limitrophe du montant des taxes de tous les télégrammes qu'il lui a transmis, calculées depuis la frontière de ces deux Etats jusqu'à destination.

3. Par exception à la disposition précédente, l'Etat qui transmet un télégramme sémaphorique venant de la mer ou qui réexpédie un télégramme à faire suivre, débite l'Etat limitrophe de la part de taxe afférente au parcours entre le point de départ du télégramme sémaphorique ou le point de départ de la première réexpédition du télégramme à faire suivre et la frontière commune des deux Etats (Articles LII, § 9, et LVIII, § 5).

4. Les taxes terminales peuvent être liquidées directement entre Etats extrêmes, après une entente entre ces Etats et les Etats intermédiaires.

5. Les taxes peuvent être régélées de commun accord, d'après le nombre des télégrammes qui ont franchi la frontière, abstraction faite du nombre des mots et des frais accessoires. Dans ce cas, les parts de l'Etat limitrophe et de chacun des Etats suivants, s'il y a lieu, sont déterminées par des moyennes établies contradictoirement (Article LXXIII, § 3).

6. Dans le cas d'application de l'Article LXXXIV, l'Administration contractante en relation directe avec l'office non adhérent est chargée de régler les comptes entre cet office et les autres offices contractants auxquelles elle a servi d'intermédiaire pour la transmission.

LXXII.

1. Les taxes afférentes aux droits de copie et de transport au delà des lignes, sont dévolues à l'Etat qui a délivré les copies ou effectué le transport.

2. Les taxes perçues d'avance pour réponses payées et accusés de réception sont acquises à l'office destinataire, soit dans les comptes, soit dans l'établissement des moyennes mentionnés au paragraphe 5 de l'Article précédent.

3. Les réponses et les accusés de réception sont traités, dans la transmission et dans les comptes, comme des télégrammes ordinaires.

4. Lorsqu'un télégramme, quel qu'il soit, a été transmis par une voie différente de celle qui a servi de base à la taxe, la différence de taxe est supportée par l'office qui a détourné le télégramme, sauf recours contre l'office à qui ce détournement est imputable.

LXXIII.

1. La taxe qui sert de base à la répartition entre Etats et, le cas échéant, à la détermination des moyennes mentionnées au paragraphe 5 de l'Article LXXI, est celle qui résulte de l'application régulière des tarifs, sans qu'il soit tenu compte des erreurs de taxation qui ont pu se produire.
2. Toutefois, le nombre des mots annoncé par le bureau d'origine sert de base à l'application de la taxe, sauf le cas où il aurait été rectifié d'un commun accord avec le bureau correspondant.

3. Pour déterminer les taxes moyennes, on dresse un compte mensuel comprenant, par télégramme traité individuellement, toutes les taxes accessoires de quelque nature qu'elles soient (Article LXXII). La part totale, calculée pour chaque État pendant le mois entier, est divisée par le nombre des télégrammes; le quotient constitue la taxe moyenne applicable à chaque télégramme dans les comptes ultérieurs jusqu'à révision. Cette révision, sauf circonstances exceptionnelles, ne doit pas être faite avant une année.

LXXIV.

1. Le règlement réciproque des comptes a lieu à l'expiration de chaque mois.

2. Le décompte et la liquidation du solde se font à la fin de chaque trimestre.

3. Le solde résultant de la liquidation est payé à l'État créditeur en francs effectifs, à moins que les deux Administrations en cause ne se soient entendues pour l'emploi d'une autre monnaie.

LXXV.

1. L'échange des comptes mensuels a lieu avant l'expiration du trimestre qui suit le mois auquel ils se rapportent.

2. La révision de ces comptes a lieu dans un délai maximum de 6 mois à dater de leur envoi. L'office qui n'a reçu, dans cet intervalle, aucune observation rectificative considère le compte comme admis de plein droit. Cette disposition est aussi applicable aux observations faites par un office sur les comptes rédigés par un autre.

3. Les comptes mensuels sont admis sans révision, quand la différence des sommes finales établies par les deux Administrations intéressées ne dépasse pas un pour cent du débet de l'Administration qui l'a établi. Dans le cas d'une révision commencée, elle doit être arrêtée, lorsque, par suite d'un échange d'observations entre les offices intéressés, la différence qui a donné lieu à la révision se trouve renfermée dans les limites de un pour cent.

4. Il n'est pas admis de réclamation, dans les comptes, au sujet de télégrammes ordinaires ayant plus de 6 mois de date et de télégrammes extra-Européens ayant plus de 18 mois de date.


Article XVII de la Convention.

Les Hautes Parties Contractantes se réservent respective-
lement le droit de prendre séparément, entre elles, des arrangements particuliers de toute nature sur les points du service qui n'intéressent pas le généralité des États.

**LXXVI.**

Les points du service sur lesquels porte la réserve prévue à l’Article XVII de la Convention sont notamment :

- Le règlement des comptes ;
- L'adoption d'appareils ou de vocabulaires spéciaux, entre des points et dans des cas déterminés ;
- L'application du système des timbres-télégraphe ;
- La transmission des mandats d'argent par le télégraphe ;
- La perception des taxes à l'arrivée ;
- Le service de la remise des télégrammes à destination ;
- La faculté d'appliquer à l'usage de la presse un système d'abonnement à prix réduit, pour l'emploi pendant la nuit, à des heures déterminées, des fils inoccupés, sans préjudice pour le service général ;
- L'extension du droit de franchise aux télégrammes de service qui concernent la météorologie et tous autres objets d'intérêt public.

**15. Bureau International. Communications Réciproques.**

*Article XIV de la Convention.*

Un organe central, placé sous la haute autorité de l'Administration supérieure de l'un des Gouvernements Contractantes désigné à cet effet par le Règlement, est chargé de réunir, de coordonner et de publier les renseignements de toute nature relatifs à la télégraphie internationale, d'instruire les demandes de modification aux tarifs et au Règlement de service, de faire promulguer les changements adoptés et en général de procéder à toutes les études et d'exécuter tous les travaux dont il serait saisi dans l'intérêt de la télégraphie internationale.

Les frais auxquels donné lieu cette institution sont supportés par toutes les Administrations des États Contractants.

**LXXVII.**

1. L'organe central prévu par l’Article XIV de la Convention reçoit le titre de Bureau International des Administrations Télégraphiques.

2. L'administration supérieure de la Confédération Suisse est désignée pour organiser le Bureau international dans les conditions déterminées par les Articles LXXVIII à LXXX suivants.

**LXXVIII.**

1. Les frais communs du Bureau International des Administrations Télégraphiques ne doivent pas dépasser, par année, la
somme de 60,000 francs, non compris les frais spéciaux aux-quel donner lieu la réunion d'une Conférence internationale. Cette somme pourra être augmentée ultérieurement, du con-
sentement de toutes les Parties Contractantes.

2. L'Administration désignée, en vertu de l'article XIV de 
la Convention, pour la direction du Bureau international, en
surveille les dépenses, fait les avances nécessaires et établit le 
compte annuel, qui est communiqué à toutes les autres Admi-

3. Pour la répartition des frais, les États Contractants ou ad-
hérents sont divisés en 6 classes, contribuant chacune dans la 
proportion d'un certain nombre d'unités, savoir :

1re classe 25 unités,
2e " 20 "
3e " 15 "
4e " 10 "
5e " 5 "
6e " 3 "

4. Ces coefficients sont multipliés par le nombre d'États de 
chaque classe et la somme des produits ainsi obtenus fournit le 

nombre d'unités par lequel la dépense totale doit être divisée, Le quotient donne le montant de l'unité de dépense.

5. Les Administrations des États Contractants sont, pour la 
contribution aux frais, réparties ainsi qu'il suit, dans les 6 classes 

ont est fait mention au paragraphe précédent :
1re classe : Allemagne, Autriche-Hongrie, France, Grande-
Bretagne, Indes Britanniques, Italie, Russie, Turquie ;
2e classe : Espagne ;
3e classe : Belgique, Pays-Bas, Indes Néerlandaises, Rou-
manie, Suède ;
4e classe : Danemark, Egypte, Norvége, Suisse ;
5e classe : Grèce, Portugal, Serbie ;
6e classe : Luxembourg, Perse.

LXXIX.

1. Les Offices des États Contractants se transmettent réci-
proquement tous les documents relatifs à leur administration 
intérieure et se communiquent tout perfectionnement qu'ils 
viendraient à y introduire.

2. En règle générale, le Bureau International sert d'inter-
médiaire à ces notifications.

3. Les dits offices envoient par la poste, par lettre affranchie, 
a Bureau International, la notification de toutes les mesures 
relatives à la composition et aux changements de tarifs, tant in-
térieurs qu'internationaux ; à l'ouverture de lignes nouvelles et 
à la suppression de lignes existantes, en tant que ces lignes 
intéressent le service international ; enfin aux ouvertures, sup-
pressions et modifications de service des bureaux. Les docu-
ments imprimés ou autographiés à ce sujet par les Administrations sont expédiés au Bureau International, soit à la date de leur distribution, soit, au plus tard, le premier jour du mois qui suit cette date.

4. Les dites Administrations lui envoient, en outre, par télégraphe, avis de toutes les interruptions ou rétablissements des communications qui affectent la correspondance internationale.


6. Elles adressent également à ce Bureau deux exemplaires diverses qu'elles font paraître.

7. Le Bureau international reçoit, en outre, communication de tous les renseignements relatifs aux expériences auxquelles chaque Administration a pu procéder sur les différentes parties du service.

LXXX.

1. Le Bureau international dresse le tarif. Il communique aux Administrations, en temps utile, tous les renseignements y relatifs, en particulier, ceux qui sont spécifiés au paragraphe 3 de l’Article précédent. S'il y a urgence, ces communications sont transmises par la voie télégraphique, notamment, dans les cas prévus par le paragraphe 4 du même Article. Dans les notifications relatives aux changements de tarifs, il donne à ses communications la forme voulue pour que ces changements puissent être immédiatement introduits dans le texte des tableaux des taxes annexés à la Convention.

2. Le Bureau international dresse une statistique générale.

3. Il rédige, à l'aide des documents qui sont mis à sa disposition, un journal télégraphique en langue Française.

4. Il dresse, publie et révise périodiquement une carte officielle des relations télégraphiques.

5. Il doit, d'ailleurs, se tenir en tout temps à la disposition des Administrations des Etats Contractants, pour leur fournir, sur les questions qui intéressent la télégraphie internationale, les renseignements spéciaux de tous genres dont elles pourraient avoir besoin.

6. Les documents imprimés par le Bureau international sont distribués aux Administrations des Etats Contractants dans la proportion du nombre d'unités contributives, d'après l'Article LXXVIII. Les documents supplémentaires que réclameraient ces Administrations sont payés à part d'après leur prix de revient. Il en est de même des documents demandés par les exploitations privées.
7. Les demandes de cette nature doivent être formulées une fois pour toutes, jusqu'à nouvel avis, et de manière à donner au Bureau international le temps de régler le tirage en conséquence.

8. Le Bureau international instruit les demandes de modifications au Tarif et au Règlement prévus par les Articles X et XIII de la Convention. Après avoir obtenu, dans le premier cas, l'adhésion des offices en cause (Article X de la Convention) et, dans le second, l'assentiment unanime des Administrations Contractantes, il fait promulguer, en temps utile, les changements adoptés. Toute modification ne sera exécutoire que deux mois, au moins, après cette notification.

9. Dans les questions à résoudre par l'assentiment des Administrations Contractantes, celles qui n'ont point fait parvenir leur réponse dans le délai maximum de 4 mois, sont considérées comme consentantes.

10. Le Bureau international prépare les travaux des Conférences télégraphiques. Il pourvoit aux copies et impressions nécessaires, à la rédaction et à la distribution des amendements, procès-verbaux et autres renseignements.

11. Le Directeur de ce Bureau assiste aux séances de la Conférence et prend part aux discussions sans voix délibérative.

12. Le Bureau international fait sur sa gestion un rapport annuel qui est communiqué à toutes les Administrations des États Contractants.

13. Sa gestion est également soumise à l'examen et à l'appréciation des Conférences prévues par l'Article XV de la Convention.


*Article XV de la Convention.*

Le Tarif et le Règlement prévus par les Articles X et XIII sont annexés à la présente Convention. Ils ont la même valeur et entrent en vigueur en même temps qu'elle.

Ils seront soumis à des révisions où tous les États qui y ont pris part pourront se faire représenter.

À cet effet, des Conférences administratives auront lieu périodiquement, chaque Conférence fixant elle-même le lieu et l'époque de la réunion suivante.

*Article XVI de la Convention.*

Ces Conférences sont composées des délégués représentant les Administrations des États Contractants.

Dans les délibérations, chaque Administration a droit à une voix, sous réserve, s'il s'agit d'Administrations différentes d'un même Gouvernement, que la demande en ait été faite par voie diplomatique au Gouvernement du pays où doit se réunir la
Conférence, avant la date fixée pour son ouverture, et que chacune d’entre elles ait une représentation spéciale et distincte. Les révisions résultant des délibérations des Conférences ne sont exécutoires qu’après avoir reçu l’approbation de tous les Gouvernements des États Contractants.

LXXXI.
L’époque fixée pour la réunion des Conférences prévues par le paragraphe 3 de l’Article XV de la Convention est avancée, si la demande en est faite par 10 au moins des États Contractants.

17. Adhésions. Relations avec les Offices non-adhérents.

Article XVIII de la Convention.

Les États qui n’ont point pris part à la présente Convention seront admis à y adhérer sur leur demande. Cette adhésion sera notifiée par la voie diplomatique à celui des États Contractants au sein duquel la dernière Conférence aura été tenue et par cet État à tous les autres. Elle emportera, de plein droit, accession à toutes les clauses et admission à tous les avantages stipulés par la présente Convention.

Article XIX de la Convention.

Les relations télégraphiques avec des États non-adhérents ou avec les exploitations privées sont réglées, dans l’intérêt général du développement progressif des communications, par le Règlement prévu à l’Article XIII de la présente Convention.

LXXXII.
1. Dans le cas des adhésions prévues par l’Article XVIII de la Convention, les Administrations des États Contractants peuvent refuser le bénéfice de leurs tarifs conventionnels aux offices qui demanderaient à adhérer, sans conformer eux-mêmes leurs tarifs à ceux des États intéressés.


LXXXIII.
1. Les exploitations télégraphiques privées, qui fonctionnent dans les limites d’un ou de plusieurs États Contractants avec participation au service international, sont considérées, au point de vue de ce service, comme faisant partie intégrante du réseau télégraphique de ces États.

2. Les autres exploitations télégraphiques privées sont ad-
mises aux avantages stipulés par la Convention; moyennant accession à toutes ses clauses obligatoires et sur la notification de l'Etat qui a concédé ou autorisé l'exploitation. Cette notification a lieu conformément au second paragraphe de l'Article XVIII de la Convention.

3. Cette accession doit être imposée aux exploitations qui relient entre eux deux ou plusieurs des Etats Contractants, pour autant qu'elles soient engagées par leur contrat de concession à se soumettre, sous ce rapport, aux obligations prescrites par l'Etat qui a accordé la concession.

4. La réserve qui fait l'objet du paragraphe premier de l'Article précédent est applicable aussi aux exploitations susmentionnées.

LXXXIV.

1. Lorsque des relations télégraphiques sont ouvertes avec des Etats non-adhérents, ou avec des exploitations privées qui n'auraient point accédé aux dispositions obligatoires du présent Règlement, ces dispositions sont invariablement appliquées aux correspondances dans la partie de leur parcours qui emprunte le territoire des Etats Contractants ou adhérents.

2. Les Administrations intéressées fixent la taxe applicable à cette partie de parcours. Cette taxe déterminée dans les limites de l'Article XIV, est ajoutée à celle des offices non participants.

Fait à St. Pétersbourg, le 1er Juillet, 1875.
C. DE LUDERS, Conseiller Privé, Directeur-Général des Télégraphes Russes.
B. SCHEFFLER, Conseiller à la Direction Générale des Télégraphes de l'Empire d'Allemagne.
Brunner de Wattenwyl, Conseiller Auilice à Vienne.
L. KOLLER DE GRANZOW, Conseiller au Ministère du Commerce de Hongrie.
VINCHENT, Inspecteur-Général au Département des Travaux Publics de Belgique.
FABER, Conseiller d'État, Directeur des Télégraphes du Danemark.
BETTS-BEY, Inspecteur-Général des Chemins de Fer Egyptiens.
SULEIMAN-EFFENDI, Ingénieur du Télégraphe.
L. M. DE TORNOS, Directeur de Section du Corps des Télégraphes d'Espagne.
AILHAUD, Inspecteur-Général des Lignes Télégraphiques de France.
H. C. FISCHER, Alan E. CHAMBRE, Délégués de la Grande-Bretagne.
D. ROBINSON, Colonel R.E., Director-General Indian Telegraphs.
### TABLEAUX des Taxes fixées pour servir à la formation des Tarifs Internationaux en exécution des Articles XV de la Convention et XIV du Règlement.

#### 1. Régime Européen.

**A. Taxes terminales.**

(La taxe terminale est celle qui revient à chaque État pour les correspondances en provenance ou à destination de ses bureaux.)

<table>
<thead>
<tr>
<th>Désignation des États</th>
<th>Indication des Correspondances</th>
<th>Fra. cts.</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Allemagne.</strong></td>
<td>1. Pour les correspondances échangées avec l'Italie et pour toutes les correspondances échangées par l'intermédiaire de l'Autriche-Hongrie, avec les pays Européens et avec l'Algérie, la Tunisie, la Russie d'Asie, et la Turquie d'Asie . . . 2 00</td>
<td><strong>Taxe commune avec les Pays-Bas</strong> pour les correspondances transitant par cet État.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Pour toutes les autres correspondances . . . 3 00</td>
<td><strong>A ajouter à la taxe terminale de l'Autriche-Hongrie.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Autriche-Hongrie.</strong></td>
<td>For toutes les correspondances . . . 2 50</td>
<td>1 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. Pour les correspondances échangées avec la Belgique et les Pays-Bas . . . 2 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Pour les correspondences échangées avec la Suède, la Norvège, le Danemark, l'Allemagne, le Luxembourg, la Grande-Bretagne et l'Irlande, le Portugal, l'Espagne, la Suisse, l'Italie, la France, l'Algérie, et la Tunisie . . . . . . 2 50</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pour toutes les autres correspondances . . . 3 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>l'axe supplémentaire pour le Monténégro . . . 0 50</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Belgique . . . . . .</strong></td>
<td>Pour toutes les correspondances . . . 1 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Danemark.</strong></td>
<td>1. A partir de la frontière Allemande, de la côte Suédoise, ou du point d'atterrisse-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Désignation des États</td>
<td>Indication des Correspondances</td>
<td>Taxe</td>
<td>.Observations</td>
</tr>
<tr>
<td>-----------------------</td>
<td>--------------------------------</td>
<td>-------</td>
<td>--------------</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Frs. cts.</td>
<td></td>
</tr>
<tr>
<td>Danemark</td>
<td>Pour toutes les correspondances</td>
<td>1 00</td>
<td>Taxes communes avec la Grande Compagnie des Télégraphes du Nord.</td>
</tr>
<tr>
<td>Espagne</td>
<td>Pour toutes les correspondances</td>
<td>3 50</td>
<td></td>
</tr>
<tr>
<td>France</td>
<td>Pour toutes les correspondances</td>
<td>2 00</td>
<td></td>
</tr>
<tr>
<td>France (Algérie et Tunisie)</td>
<td>Pour toutes les correspondances</td>
<td>3 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>2 00</td>
<td></td>
</tr>
<tr>
<td>Grande-Bretagne et Irlande.</td>
<td>Pour toutes les correspondances échangées par les voies suivantes:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Frs. cts.</td>
<td>Frs. cts.</td>
</tr>
<tr>
<td>1. Allemagne</td>
<td></td>
<td>4 00</td>
<td></td>
</tr>
<tr>
<td>2. Belgique</td>
<td></td>
<td>3 00</td>
<td></td>
</tr>
<tr>
<td>3. Danemark</td>
<td></td>
<td>5 00</td>
<td></td>
</tr>
<tr>
<td>4. Espagne</td>
<td></td>
<td>7 50</td>
<td></td>
</tr>
<tr>
<td>5. France</td>
<td></td>
<td>3 00</td>
<td></td>
</tr>
<tr>
<td>6. Norvège</td>
<td></td>
<td>4 50</td>
<td></td>
</tr>
<tr>
<td>7. Pays-Bas</td>
<td></td>
<td>4 00</td>
<td></td>
</tr>
</tbody>
</table>

Ces deux taxes sont réduites uniformément à 2 f. 50 c. pour les correspondances de la Grande-Bretagne et de l'Irlande (y compris les îles de la Manche par la voie de la Grande-Bretagne).
Grèce

1. A partir de Volo:
   a. Pour la Grèce Continentale
   b. Pour les Îles de Ste.-Maure, Ithaque, Céphalonie, Zante, Hydra, et Spezzia
   c. Pour les Îles d'Andros, Tinos, et Kythnos
   d. Pour les Îles de Corfou et de Syra

2. A partir de Corfou:
   a. Pour la Grèce Continentale et pour les Îles de Ste.-Maure, Ithaque, Céphalonie, Zante, Hydra, et Spezzia
   b. Pour les Îles d'Andros, Tinos, et Kythnos
   c. Pour l'Île de Syra

3. A partir d'Otrante (Voie de Zante):
   a. Pour toutes les correspondances échangées avec l'Île de Corfou
   b. Pour les correspondances de l'Italie, de la France, de la Suisse, de l'Espagne, du Portugal, de l'Algérie, de la Tunisie, de Malte, et de Gibraltar:
      1. Avec la Grèce Continentale
      2. Avec les Îles de Ste.-Maure, Ithaque, Céphalonie, Zante, Hydra, et Spezzia
      3. Avec les Îles d'Andros, Tinos, et Kythnos
      4. Avec l'Île de Syra
   c. Pour les correspondances de la Grande-Bretagne, de la Belgique, et des Pays-Bas:
      1. Avec la Grèce Continentale
      2. Avec les Îles de Ste.-Maure, Ithaque, Céphalonie, Zante, Hydra, et Spezzia
      3. Avec les Îles d'Andros, Tinos, et Kythnos
      4. Avec l'Île de Syra
   d. Pour les correspondances de tous les autres pays que ceux désignés sous les lettres b et c:
      1. Avec la Grèce Continentale et avec les Îles de Ste.-Maure, Ithaque, Céphalonie, Zante, Hydra, et Spezzia
      2. Avec les Îles d'Andros, Tinos, Kythnos, et Syra
      4. A partir de l'Île de Chio ou de la côte de Tchesmé:
         a. Pour l'Île de Syra
         b. Pour la Grèce Continentale et pour les Îles d'Andros, Tinos, et Kythnos
         c. Pour les Îles de Corfou, Ste.-Maure, Ithaque, Céphalonie, Zante, Hydra, et Spezzia

Taxe de Gibraltar:
Pour toutes les correspondances échangées avec Gibraltar par la voie de l'Espagne
1. A partir de Volo:
   a. Pour la Grèce Continentale
   b. Pour les Îles de Ste.-Maure, Ithaque, Céphalonie, Zante, Hydra, et Spezzia
   c. Pour les Îles d'Andros, Tinos, et Kythnos
   d. Pour les Îles de Corfou et de Syra

Taxes communes entre le Gouvernement Hellénique et la Compagnie des Câbles.
<table>
<thead>
<tr>
<th>Désignation des États</th>
<th>Indication des Correspondances</th>
<th>Taxe.</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italie</td>
<td>1. Pour les correspondances échangées avec l'Allemagne, la Belgique, la Norvège, les Pays-Bas, et la Suède</td>
<td>2 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Pour les correspondances échangées avec le Danemark, l'Espagne, la Grèce, (y compris les îles Helléniques, sauf Corfou), le Luxembourg, le Portugal, la Roumanie, et la Serbie</td>
<td>2 50</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Pour toutes les autres Taxes de la Compagnie dite Mediterranean Extension Telegraph :</td>
<td>3 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pour les correspondances échangées avec les îles de Malte et de Corfou</td>
<td>0 50</td>
<td></td>
</tr>
<tr>
<td>Luxembourg</td>
<td>Pour toutes les correspondances</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Norvège</td>
<td>1. Pour les correspondances échangées avec l'Italie</td>
<td>1 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Pour toutes les autres</td>
<td>1 50</td>
<td></td>
</tr>
<tr>
<td>Pays-Bas</td>
<td>1. Pour les correspondances échangées avec le Danemark, la France, la Norvège, la Suède, et la Suisse, par la voie de l'Allemagne ; avec Corfou, la Grèce, la Turquie, et Malte, par la Belgique, la France, et l'Italie ; et avec la Suisse ou l'Italie par la Belgique et la France</td>
<td>0 50</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Pour toutes les autres</td>
<td>1 00</td>
<td></td>
</tr>
<tr>
<td>Perse</td>
<td>Pour toutes les correspondances</td>
<td>8 00</td>
<td></td>
</tr>
<tr>
<td>Portugal</td>
<td>Pour toutes les correspondances</td>
<td>1 00</td>
<td></td>
</tr>
<tr>
<td>Roumanie</td>
<td>Pour toutes les correspondances</td>
<td>1 00</td>
<td></td>
</tr>
<tr>
<td>Russie</td>
<td>1. A partir des frontières Européennes, pour toutes les correspondances échangées avec :</td>
<td>5 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. La Russie d'Europe</td>
<td>9 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. du Caucase</td>
<td>20 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c. d'Asie, à l'ouest du méridien de Werkne-Oudinsk</td>
<td>35 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d. d'Asie, à l'est du méridien de Werkne-Oudinsk</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. A partir de la frontière de Poti, pour toutes les correspondances échangées avec :</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. La Russie du Caucase</td>
<td>4 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. d'Europe</td>
<td>9 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c. d'Asie, à l'ouest du méridien de Werkne-Oudinsk</td>
<td>24 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d. d'Asie, à l'est du méridien de Werkne-Oudinsk</td>
<td>39 00</td>
<td></td>
</tr>
<tr>
<td>Serbie</td>
<td>Pour toutes les correspondances</td>
<td>1 00</td>
<td></td>
</tr>
<tr>
<td>Suède</td>
<td>1. Pour les correspondances échangées avec l'Italie</td>
<td>2 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Pour toutes les autres</td>
<td>2 50</td>
<td></td>
</tr>
<tr>
<td>Suisse</td>
<td>Pour toutes les correspondances</td>
<td>1 00</td>
<td></td>
</tr>
<tr>
<td>Turquie</td>
<td>1. A partir des frontières de la Grèce, de la Roumanie, de la Serbie, et de Constantinople (câble d'Odessa) :</td>
<td>3 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Pour la Turquie d'Europe</td>
<td>7 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. d'Asie (ports de mer)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Désignation des États</td>
<td>Indication des Correspondances</td>
<td>Taxe.</td>
<td>Observations</td>
</tr>
<tr>
<td>----------------------</td>
<td>--------------------------------</td>
<td>------</td>
<td>--------------</td>
</tr>
<tr>
<td><strong>Turquie</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Pour la Turquie d'Asie (intérieur)</td>
<td>11 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Pour les Îles de Metelin, Chio, Samos, et Rhodes</td>
<td>9 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Pour l'Île de Chypre</td>
<td>10 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. &quot; de Candie</td>
<td>11 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. A partir des frontières de l'Autriche-Hongrie ou de l'Italie (Vallona)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Pour la Turquie d'Europe</td>
<td>4 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. &quot; d'Asie (ports de mer)</td>
<td>8 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. &quot; d'Asie (intérieure)</td>
<td>12 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Pour les Îles de Metelin, Chio, Samos, et Rhodes</td>
<td>10 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Pour l'Île de Chypre</td>
<td>11 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. &quot; de Candie</td>
<td>12 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. A partir de l'Île de Chio ou de la frontière de Tchessmé :</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Pour les ports de mer de la Turquie d'Europe et de la Turquie d'Asie</td>
<td>3 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Pour les Bureaux de l'Intérieur de la Turquie d'Europe et de la Turquie d'Asie</td>
<td>7 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Pour les Îles de Metelin, Samos, et Rhodes</td>
<td>5 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Pour l'Île de Chypre</td>
<td>6 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. &quot; de Candie</td>
<td>9 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. A partir de la frontière de Rhodes :</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Pour l'Île de Rhodes</td>
<td>1 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. Pour les ports de mer de la Turquie d'Europe et de la Turquie d'Asie</td>
<td>4 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. Pour les Bureaux de l'Intérieur de la Turquie d'Europe et de la Turquie d'Asie</td>
<td>8 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Pour les Îles de Metelin, Chio, et Samos</td>
<td>6 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. Pour l'Île de Chypre</td>
<td>7 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. &quot; de Candie</td>
<td>5 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5. Pour les correspondances avec la Perse, d'une part, et d'autre part :</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. La Turquie d'Asie (1ère région)</td>
<td>9 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. &quot; (2e région)</td>
<td>13 50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. d'Europe</td>
<td>17 50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Les Îles de Metelin, Chio, Samos, et Rhodes</td>
<td>15 50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. L'Île de Chypre</td>
<td>16 50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. &quot; de Candie</td>
<td>18 50</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6. A partir de la frontière de Poti, pour toutes les correspondances échangées, hors le cas précédent, avec :</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. La Turquie d'Asie, dans un rayon de 375 kilom.</td>
<td>3 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>b. La Turquie d'Asie, hors du rayon de 375 kilom. et la Turquie d'Europe (ports de mer)</td>
<td>5 0</td>
<td></td>
<td></td>
</tr>
<tr>
<td>c. La Turquie d'Europe (intérieur)</td>
<td>8 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>d. Les Îles de Metelin, Chio, Samos, et Rhodes</td>
<td>7 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>e. L'Île de Chypre</td>
<td>8 00</td>
<td></td>
<td></td>
</tr>
<tr>
<td>f. &quot; de Candie</td>
<td>9 00</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### B. Taxes de Transit.

(La taxe de transit est celle qui revient à chaque État pour les correspondances qui traversent son territoire.)

<table>
<thead>
<tr>
<th>Désignation des États</th>
<th>Indication des Correspondances</th>
<th>Taxe.</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Turquie</td>
<td>7. Taxe terminale de l'Ile de Candie pour les correspondances arrivant par le câble Zante-Candie</td>
<td>2 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Autriche-Hongrie**

1. Pour les correspondances échangées entre l'Autriche-Hongrie, la Roumanie, la Serbie, la Turquie, et la Grèce, d'une part, et la France, l'Espagne (voie de France), et le Portugal (voie d'Espagne et de France), ainsi qu'entre la Suisse et le Luxembourg.


3. Pour les autres correspondances des pays Européens, de l'Algérie, de la Tunisie, de la Russie d'Asie, et de la Turquie d'Asie, qui franchissent la frontière Austro-Allemande, et pour les correspondances échangées entre la Belgique et la Suisse.

4. Pour les correspondances échangées entre les Pays-Bas, la Belgique, la France, l'Espagne, et le Portugal, d'une part, et le Danemark, la Norvège et la Suède, d'autre part, ainsi qu'entre les Pays-Bas et la Suisse.

5. Pour toutes les autres correspondances.

**Autriche - Hongrie**

1. Pour les correspondances entre l'Autriche et l'Italie.

2. Pour les correspondances des autres pays Européens, et pour celles de l'Algérie, de la Tunisie, de la Russie d'Asie, et de la Turquie d'Asie, qui franchissent la frontière Austro-Allemande, ainsi que pour les correspondances échangées, par la voie de la France et de la Suisse ou de l'Italie, entre la Belgique et la Grande-Bretagne, d'une part, et la Roumanie, la Serbie, la Turquie, et la Grèce, d'autre part.

3. Pour les correspondances échangées entre la France, l'Espagne (voie de France), et le Portugal (voie d'Espagne et de France), d'une part, et la Roumanie, la Serbie, la Turquie, la Grèce, et la Russie, d'autre part.

4. Pour toutes les autres correspondances.
<table>
<thead>
<tr>
<th>Désignation des États</th>
<th>Indication des Correspondances</th>
<th>Taxe</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Belgique</strong></td>
<td>1. Pour les correspondances échangées, par la voie de France et d'Italie, entre les Pays-Bas, d'une part, et Corfou, la Grèce, la Turquie, et Malte, d'autre part, et pour les correspondances échangées, par la voie de France, entre les Pays-Bas, d'une part, et la Suisse ou l'Italie, d'autre part</td>
<td>Frs. cts.</td>
<td>0 50</td>
</tr>
<tr>
<td></td>
<td>2. Pour toutes les autres correspondances</td>
<td></td>
<td>1 00</td>
</tr>
<tr>
<td><strong>Danemark</strong></td>
<td>Pour les correspondances échangées :  1. Entre la frontière Dano-Allemande, et a. La côte de Suède ou le point d'atterrissage du câble Dano-Anglais</td>
<td></td>
<td>1 00</td>
</tr>
<tr>
<td></td>
<td>b. La côte de Norvège</td>
<td></td>
<td>1 50</td>
</tr>
<tr>
<td></td>
<td>c. &quot; de Russie</td>
<td></td>
<td>3 00</td>
</tr>
<tr>
<td></td>
<td>d. &quot; de France</td>
<td></td>
<td>3 50</td>
</tr>
<tr>
<td></td>
<td>2. Entre la côte de France et a. La côte de Suède</td>
<td></td>
<td>2 50</td>
</tr>
<tr>
<td></td>
<td>b. &quot; de Russie</td>
<td></td>
<td>3 00</td>
</tr>
<tr>
<td></td>
<td>c. &quot; de Norvège</td>
<td></td>
<td>4 00</td>
</tr>
<tr>
<td></td>
<td>3. Entre la côte de Norvège et la côte de Russie</td>
<td></td>
<td>3 50</td>
</tr>
<tr>
<td><strong>Espagne</strong></td>
<td>1. Pour les correspondances échangées entre la France et le Portugal</td>
<td></td>
<td>2 00</td>
</tr>
<tr>
<td></td>
<td>2. Pour toutes les autres correspondances</td>
<td></td>
<td>2 50</td>
</tr>
<tr>
<td></td>
<td>Taxe de la Compagnie Direct Spanish pour le câble de Barcelone à Marseille</td>
<td></td>
<td>4 00</td>
</tr>
<tr>
<td><strong>France</strong></td>
<td>1. Pour les correspondances échangées : a. Entre la frontière de Belgique et les lignes sous-marines de la Manche</td>
<td></td>
<td>1 00</td>
</tr>
<tr>
<td></td>
<td>b. Entre les points d'atterrissage des câbles de Livourne et de Bonifacio, sans emprunter le territoire de la France Continentale</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Pour les correspondances échangées, par les voies de la Suisse ou de l'Italie et de l'Autriche-Hongrie, entre la Belgique et la Grande-Bretagne, d'une part, et l'Autriche-Hongrie, d'autre part ; pour les correspondances échangées entre la Grande-Bretagne, la Belgique, et les Pays-Bas, d'une part, et la Grèce, d'autre part, par la voie d'Otrante-Zante, et pour les correspondances échangées, par la voie de la Belgique et de l'Italie (Vallona), entre la Grande-Bretagne, d'une part, et la Turquie et la Grèce, d'autre part</td>
<td></td>
<td>1 50</td>
</tr>
<tr>
<td></td>
<td>3. Pour les correspondances échangées, savoir : a. Entre l'Italie, d'une part, l'Espagne et le Portugal, d'autre part</td>
<td></td>
<td>2 00</td>
</tr>
</tbody>
</table>
| | b. Par les voies de la Suisse ou de l'Italie et de l'Autriche-Hongrie, entre la Grande-Bretagne et la Belgique, d'une
<table>
<thead>
<tr>
<th>Désignation des États</th>
<th>Indication des Correspondances</th>
<th>Taxe.</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>France</td>
<td>part, et la Roumanie, la Serbie, la Turquie, et la Grèce, d’autre part.</td>
<td>2 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4. Pour les correspondances de l’Allemagne, à l’exception de celles qui passent par la frontière d’Espagne.</td>
<td>2 50</td>
<td>3 00 Y compris le transit éventuel de la Corse.</td>
</tr>
<tr>
<td></td>
<td>5. Pour toutes les autres correspondances.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grande-Bretagne et Irlande</td>
<td>La taxe de transit s’obtient en faisant l’addition des chiffres indiqués au tableau des taxes terminales pour le parcours jusqu'à Londres, d’une part, et le parcours à partir de Londres, d’autre part.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Transit de Gibraltar :</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pour les correspondances passant d’un des câbles qui aboutissent à Gibraltar sur le réseau Espagnol et réciproquement.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grèce</td>
<td>1. Entre la frontière de Volos et la frontière :</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. De Corfou.</td>
<td>4 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. D’Otrante (câble de Zante), de Chio, ou Tschesmé.</td>
<td>7 00</td>
<td>11 00 Taxes communes entre le Gouvernement Hellénique et la Compagnie des Câbles.</td>
</tr>
<tr>
<td></td>
<td>c. De Candie.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Entre la frontière de Corfou ou d’Otrante (câble de Zante) et la frontière :</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. De Chio ou Tschesmé.</td>
<td>7 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. De Candie.</td>
<td>11 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c. De Rhodes.</td>
<td>16 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Entre la frontière de Chio ou Tschesmé et celle de Candie</td>
<td>12 00</td>
<td></td>
</tr>
<tr>
<td>Italie</td>
<td>1. Pour les correspondances échangées par les frontières de France et d’Autriche-Hongrie, entre la Belgique, la Grande-Bretagne, la France, l’Espagne (voie de France), et le Portugal (voie d’Espagne et de France), d’une part, et la Roumanie, la Serbie, la Turquie, la Grèce, et la Russie, d’autre part.</td>
<td>0 50</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Pour les correspondances échangées :</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Entre les frontières d’Autriche, de France, et de Suisse.</td>
<td>1 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. Entre les mêmes frontières et Livourne (pour la Corse).</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>c. Entre Vallona, d’une part, et le point d’atterrissage des câbles d’Otrante-Zante, d’autre part, et entre les points d’atterrissage de ces deux derniers câbles.</td>
<td>1 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Pour les correspondances échangées entre la France, d’une part, et l’Algérie et la Tunisie, d’autre part (voie de de Malte), ainsi que pour les correspon-</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Désignation des États</td>
<td>Indication des Correspondances</td>
<td>Taxe</td>
<td>Observations</td>
</tr>
<tr>
<td>----------------------</td>
<td>--------------------------------</td>
<td>------</td>
<td>--------------</td>
</tr>
<tr>
<td>Italie</td>
<td>dances échangées, par la voie de Belgique, de France, et de Vallona, entre la Grande-Bretagne, d'une part, et la Turquie et la Grèce, d'autre part</td>
<td>2 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Entre les frontières de France et de Turquie (Vallona), pour les correspondances de la Grande-Bretagne (voie directe de France), de la Belgique, et des Pays-Bas, d'une part, avec la Turquie, d'autre part, et pour les correspondances de la Grande-Bretagne avec la Grèce</td>
<td>2 50</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pour toutes les autres correspondances</td>
<td>3 00</td>
<td></td>
</tr>
<tr>
<td>Luxembourgeois</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Norvège</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Pays-Bas</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Persie</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Portugal</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Roumanie</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Russie</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Serbie</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Suède</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Taxes de la Compagnie Méditerranéenne**

1. Entre Corfou et le point d'atterrissement du câble à Otrante
2. Entre Malte et le point d'atterrissement du câble en Sicile:
   a. Pour les correspondances échangées entre l'Italie, d'une part, et l'Algérie et la Tunisie, d'autre part
   b. Pour toutes les autres correspondances
3. Pour toutes les correspondances
4. Pour les correspondances entre leDanemark et la Suède
5. Pour toutes les autres correspondances
6. Pour toutes les correspondances entre la Grèce et la Russie
7. Pour toutes les autres correspondances
8. Pour toutes les correspondances entre les frontières de Turquie et de Russie
9. Pour toutes les autres correspondances
10. Pour toutes les correspondances avec les Iles Britanniques, et pour les correspondances passant d'un des câbles de la Compagnie Orientale au câble Brésilien
11. Pour toutes les autres correspondances
12. Pour toutes les correspondances
13. Pour les correspondances transitant par la Russie d'Europe
14. Pour les correspondances échangées entre les frontières Européennes et celles de la Perse ou de la Turquie d'Asie
15. Pour les correspondances échangées entre les frontières de la Turquie d'Asie et celle de la Perse
16. Pour toutes les correspondances
17. Pour toutes les correspondances
18. Pour les correspondances échangées, savoir:
<table>
<thead>
<tr>
<th>Désignation des États</th>
<th>Indication des Correspondances</th>
<th>Taxe</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Suède</td>
<td>ainsi qu'entre l'Allemagne et le Danemark 2. Entre la frontière Allemande et la frontière Norvégienne 3. Entre la frontière Russe et les autres frontières</td>
<td>1 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. Pour les correspondances échangées par la voie de la France, entre la Belgique et l'Autriche-Hongrie, ainsi qu'entre la Belgique, la Grande-Bretagne, la France, l'Espagne (voie de France), et le Portugal (voie d'Espagne et de France), d'une part, et la Roumanie, la Serbie, la Turquie, la Grèce, et la Russie, d'autre part</td>
<td>2 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Pour toutes les autres correspondances</td>
<td>1 00</td>
<td></td>
</tr>
<tr>
<td>Suisse</td>
<td></td>
<td>0 50</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. Pour les correspondances transitant : 2. Entre les frontières Européennes</td>
<td>3 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. Entre les frontières Européennes 2. Entre les frontières de Tschesmé ou Chio et de Rhodes, d'une part, et, d'autre part, toutes les frontières Européennes, sauf celle de Constantinople (câble d'Odessa) 3. Entre la frontière Tschesmé ou Chio et celle de Constantinople, et entre la frontière de Tschesmé ou Chio et celle de Rhodes</td>
<td>8 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4. Entre la frontière de Constantinople et celle de Rhodes</td>
<td>4 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>5. Entre la frontière de Poti, d'une part, et d'autre part : a. Les frontières de la Roumanie, de la Serbie, et de Constantinople b. Les autres frontières Européennes</td>
<td>11 00</td>
<td>12 00</td>
</tr>
<tr>
<td></td>
<td>6. Entre les frontières de la Turquie d'Asie</td>
<td>13 50</td>
<td></td>
</tr>
</tbody>
</table>
2. Régime extra-Européen.

Taxes terminales et de transit par mot.

N.B.—Lorsque l'on applique le minimum de 10 mots, la taxe de la dépêche de 10 mots ou moins est égale à 10 fois la taxe fixée par le présent tableau pour chaque mot.

<table>
<thead>
<tr>
<th>Désignation des États</th>
<th>Indication des Correspondances</th>
<th>Taxes terminales.</th>
<th>Taxes de transit.</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Allemagne ..</td>
<td>Pour toutes les correspondances</td>
<td>0 22₄</td>
<td>0 22₄</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Taxe de la Compagnie de Heligoland :</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pour toutes les correspondances</td>
<td>0 20</td>
<td>0 20</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>0 22₄</td>
<td>0 22₄</td>
<td></td>
</tr>
<tr>
<td>Autriche-Hongrie ..</td>
<td>Pour toutes les correspondances</td>
<td>0 05</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Taxe supplémentaire pour le Montenegro :</td>
<td>0 07₄</td>
<td>0 07₄</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pour toutes les correspondances</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Belgique ..</td>
<td>1. Pour les correspondances qui n'empruntent que les lignes de l'Etat</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Pour les correspondances transmises par les câbles de la Grande Compagnie des Télégraphes du Nord, sauf les câbles avec l'Angleterre (voir Grande-Bretagne ci-dessous), mais y compris des lignes de l'Etat</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pour toutes les correspondances</td>
<td>0 07₄</td>
<td>0 07₄</td>
<td></td>
</tr>
<tr>
<td>Danemark ..</td>
<td></td>
<td>0 07₄</td>
<td>0 07₄</td>
<td></td>
</tr>
<tr>
<td>Égypte ..</td>
<td>Pour toutes les correspondances</td>
<td>0 22₄</td>
<td>0 22₄</td>
<td></td>
</tr>
<tr>
<td>Espagne ..</td>
<td>Pour toutes les correspondances</td>
<td>0 25</td>
<td>0 25</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Taxe de la Compagnie Direct Spanish Telegraph :</td>
<td>0 18₄</td>
<td>0 18₄</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pour le câble de Barcelone à Marseille</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pour toutes les correspondances</td>
<td>0 00</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Taxe de la Compagnie du câble de Coutances à Jersey :</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pour toutes les correspondances</td>
<td>0 22₄</td>
<td>0 22₄</td>
<td></td>
</tr>
<tr>
<td>France ..</td>
<td></td>
<td>0 15</td>
<td>0 15</td>
<td></td>
</tr>
<tr>
<td>France (Algérie, Tunisie et Cochinchine).</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>------------------------</td>
<td>---------------------------------</td>
<td>------------------</td>
<td>---------------</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Londres.</td>
<td>Les autres bureaux (v. tabl. précédent).</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Frs. cts.</td>
<td>Frs. cts.</td>
<td></td>
</tr>
<tr>
<td>Grande-Bretagne et Irlande.</td>
<td>Pour toutes les correspondances échangées par les voies suivantes avec:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Allemagne.</td>
<td></td>
<td>0 30</td>
<td>0 37½</td>
<td></td>
</tr>
<tr>
<td>2. Belgique.</td>
<td></td>
<td>0 22½</td>
<td>0 30</td>
<td></td>
</tr>
<tr>
<td>3. Danemark.</td>
<td></td>
<td>0 30</td>
<td>0 37½</td>
<td></td>
</tr>
<tr>
<td>4. Espagne (câble de la Compagnie Direct Spanish)</td>
<td></td>
<td>0 56½</td>
<td>0 56½</td>
<td></td>
</tr>
<tr>
<td>5. France</td>
<td></td>
<td>0 22½</td>
<td>0 30</td>
<td></td>
</tr>
<tr>
<td>6. Norvège</td>
<td></td>
<td>0 28½</td>
<td>0 33½</td>
<td></td>
</tr>
<tr>
<td>7. Pays-Bas</td>
<td></td>
<td>0 30</td>
<td>0 37½</td>
<td></td>
</tr>
<tr>
<td>Taxe de Gibraltar:</td>
<td>Pour toutes les correspondances empruntant les lignes Espagnoles</td>
<td>0 07½</td>
<td>0 07½</td>
<td></td>
</tr>
</tbody>
</table>

La taxe de transit s'obtient en faisant l'addition des taxes terminales de la manière indiquée pour le régime Européen.

Ces taxes sont élevées de 5 centimes pour la correspondance avec les Indes par la voie d'Emden.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Grande-Bretagne</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Indes Britanniques)</td>
<td><strong>A. Taxes des câbles du Golfe Persique:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. De Fao à Bushire</td>
<td>0 50</td>
<td>0 45</td>
</tr>
<tr>
<td></td>
<td>2. De Fao aux autres bureaux du Golfe Persique</td>
<td>2 10</td>
<td>2 10</td>
</tr>
<tr>
<td></td>
<td>3. Entre Bushire et les autres bureaux du Golfe Persique</td>
<td>1 60</td>
<td>1 65</td>
</tr>
<tr>
<td></td>
<td><strong>B. Taxes des Indes proprement dites:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. Pour les correspondances échangées entre l'Europe et les Indes:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. A l'ouest de Chittagong</td>
<td>0 55</td>
<td>0 50</td>
</tr>
<tr>
<td></td>
<td>b. A l'est de Chittagong</td>
<td>0 80</td>
<td>0 00</td>
</tr>
<tr>
<td></td>
<td>2. Pour les correspondances échangées entre les pays extra-Européens et les Indes:</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. A l'ouest de Chittagong</td>
<td>0 65</td>
<td>0 50</td>
</tr>
<tr>
<td></td>
<td>b. A l'est de Chittagong</td>
<td>0 90</td>
<td>0 00</td>
</tr>
<tr>
<td><strong>Grèce</strong></td>
<td>1. Pour les correspondances qui n'empruntent que les lignes Continentales</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pour les correspondances qui empruntent les câbles Grèce et pour toutes les îles de l'Archipel, y compris la taxe de la Grèce</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>0 07½</td>
<td>0 07½</td>
</tr>
<tr>
<td></td>
<td></td>
<td>0 27½</td>
<td>0 27½</td>
</tr>
</tbody>
</table>

Les taxes terminales des Indes devraient être de 0 f. 65 et de 0 f. 90 ; mais comme ces chiffres élèveraient les totaux à 5 f. 10 et à 5 f. 60, chiffres qui ne se prêteraient pas aux perceptions dans les États qui ont le franc pour unité monétaire, la délégation des Indes a consenti à les réduire pour les correspondances de l'Europe, à 0 f. 55 et 0 f. 80 ; mais elle se réserve de percevoir 2 roupies 8 annas pour 5 f. et 2 roupies 4 annas pour 5 f.
<table>
<thead>
<tr>
<th>Désignation des États</th>
<th>Indication des Correspondances</th>
<th>Taxes terminales</th>
<th>Taxes de transit</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Italie</td>
<td>Pour toutes les correspondances</td>
<td>0 22½</td>
<td>0 22½</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Taxes de la Compagnie Méditerranéenne Extension:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Entre Corfou et Otrante</td>
<td>0 22½</td>
<td>0 22½</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Entre Modica et Malte</td>
<td>0 22½</td>
<td>0 22½</td>
<td></td>
</tr>
<tr>
<td>Luxembourg</td>
<td>Pour toutes les correspondances</td>
<td>0 05</td>
<td>0 05</td>
<td></td>
</tr>
<tr>
<td>Norvège</td>
<td>Pour toutes les correspondances</td>
<td>0 11½</td>
<td>0 11½</td>
<td></td>
</tr>
<tr>
<td>Pays-Bas</td>
<td>Pour toutes les correspondances</td>
<td>0 07½</td>
<td>0 07½</td>
<td></td>
</tr>
<tr>
<td>Pays-Bas (Indes Néerlandaises)</td>
<td>Pour toutes les correspondances</td>
<td>0 15</td>
<td>0 26</td>
<td></td>
</tr>
<tr>
<td>Perse</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Taxes terminales:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. Pour les correspondances échangées avec les Indes et les pays au-delà</td>
<td>1 55</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Pour toutes les autres</td>
<td>0 60</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Taxes de transit:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. Entre les frontières de Turquie et de Russie</td>
<td>0 00</td>
<td>1 07</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Entre les autres frontières pour les correspondances:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Des Indes</td>
<td>0 00</td>
<td>1 07</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. Des pays au-delà des Indes</td>
<td>0 00</td>
<td>0 70</td>
<td></td>
</tr>
<tr>
<td>Portugal</td>
<td>Pour toutes les correspondances</td>
<td>0 07½</td>
<td>0 11½</td>
<td></td>
</tr>
<tr>
<td>Roumanie</td>
<td>Pour toutes les correspondances</td>
<td>0 07½</td>
<td>0 70</td>
<td></td>
</tr>
<tr>
<td>Russie</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Taxes terminales:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. Pour les correspondances échangées à partir des frontières Européennes avec:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. La Russie d'Europe</td>
<td>0 00</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. La Russie de Caucase</td>
<td>0 07½</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c. La Russie d'Asie, à l'ouest du méridien de Werkne-Oudinsk</td>
<td>0 50</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d. La Russie d'Asie, à l'est du méridien de Werkne-Oudinsk</td>
<td>2 62</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. A partir des frontières de la Perse ou de la Turquie d'Asie, pour les correspondences échangées entre les Indes et les pays au-delà des Indes d'une part, et d'autre part:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. La Russie d'Europe, y inclus le Caucase</td>
<td>1 73</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td>Désignation des États</td>
<td>Indication des Correspondances</td>
<td>Taxes terminales</td>
<td>Taxes de transit</td>
<td>Observations</td>
</tr>
<tr>
<td>------------------------</td>
<td>--------------------------------</td>
<td>-----------------</td>
<td>-----------------</td>
<td>--------------</td>
</tr>
<tr>
<td>Russie</td>
<td>b. La Russie d'Asie (première et seconde région)</td>
<td>2 73</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. A partir des mêmes frontières pour toutes les autres correspondances échangées avec :</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. La Russie du Caucase</td>
<td>0 80</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. &quot; d'Europe</td>
<td>0 67½</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c. &quot; d'Asie (première région)</td>
<td>1 80</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>d. &quot; (seconde région)</td>
<td>3 00</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Taxes de transit :</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. Entre les frontières Européennes pour toutes les correspondances</td>
<td>0 00</td>
<td>0 37½</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2. Entre les frontières Européennes, d'une part, et les frontières de la Perse et de la Turquie d'Asie, d'autre part, pour les correspondances échangées avec :</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Les Indes</td>
<td>0 00</td>
<td>1 70½</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. Les pays au-dela des Indes</td>
<td>0 00</td>
<td>1 18</td>
<td></td>
</tr>
<tr>
<td></td>
<td>3. Entre les mêmes frontières pour toutes les autres correspondances</td>
<td>0 00</td>
<td>0 70</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4. Entre la frontière de la Turquie d'Asie et celle de la Perse, pour les correspondances échangées avec les Indes et les pays au-delà des Indes</td>
<td>0 00</td>
<td>1 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Taxes de la Compagnie Black Sea Telegraph :</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pour toutes les correspondances</td>
<td>0 00</td>
<td>0 45</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pour toutes les correspondances</td>
<td>0 07½</td>
<td>0 07½</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pour toutes les correspondances</td>
<td>0 18½</td>
<td>0 15</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pour toutes les correspondances</td>
<td>0 07½</td>
<td>0 07½</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Taxes terminales :</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>1. A partir des frontières Européennes, pour toutes les correspondances échangées :</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>a. Avec la Turquie d'Europe</td>
<td>0 25</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>b. Avec la Turquie d'Asie (ports de mer)</td>
<td>0 50</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td></td>
<td>c. &quot; (Intérieur et Archipel)</td>
<td>0 75</td>
<td>0 00</td>
<td></td>
</tr>
</tbody>
</table>
## Désignation des États

<table>
<thead>
<tr>
<th>Indication des Correspondances</th>
<th>Taxes terminales</th>
<th>Taxes de transit</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Turquie</td>
<td>Frs. ets.</td>
<td>Frs. ets.</td>
<td></td>
</tr>
<tr>
<td>2. A partir des frontières de la Turquie d'Asie:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Pour la Turquie d'Asie (premier région)</td>
<td>0 50</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td>b. &quot; (seconde région)</td>
<td>0 75</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td>c. &quot; d'Europe et l'Archipel de la Turquie d'Asie</td>
<td>1 00</td>
<td>0 00</td>
<td></td>
</tr>
<tr>
<td>Taxes de transit:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1. Entre les frontières Européennes</td>
<td>0 00</td>
<td>0 25</td>
<td></td>
</tr>
<tr>
<td>2. Entre les frontières de la Turquie d'Asie</td>
<td>0 00</td>
<td>0 75</td>
<td></td>
</tr>
<tr>
<td>3. Entre les frontières de la Turquie d'Europe et celles de la Turquie d'Asie:</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>a. Pour les correspondances des Indes</td>
<td>0 00</td>
<td>1 52½</td>
<td></td>
</tr>
<tr>
<td>b. &quot; des pays au-delà des Indes</td>
<td>0 00</td>
<td>1 03½</td>
<td></td>
</tr>
<tr>
<td>c. Pour toutes les autres</td>
<td>0 00</td>
<td>1 00</td>
<td></td>
</tr>
<tr>
<td>Taxes de l'Ile de Candie</td>
<td>0 15</td>
<td>0 07½</td>
<td></td>
</tr>
</tbody>
</table>

### Taxe uniforme pour la Correspondance entre l'Europe et les Indes.

Les taxes des correspondances entre l'Europe (la Turquie et la Russie exceptées) et les Indes sont fixées uniformément aux chiffres ci-après.

<table>
<thead>
<tr>
<th>Ouest de Chittagong</th>
<th>Est de Chittagong</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frs. ets.</td>
<td>Frs. ets.</td>
</tr>
<tr>
<td>a. Par la voie de Turquie</td>
<td>5 00</td>
</tr>
<tr>
<td>b. Par la voie de Russie</td>
<td>5 50</td>
</tr>
</tbody>
</table>
Ces taxes sont réparties comme suit:

<table>
<thead>
<tr>
<th>Voie de Turquie:</th>
<th>Voie de Russie:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pour les correspondances avec les Indes au-delà des Indes</td>
<td>Pour les correspondances avec les Indes au-delà des Indes</td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Europe</strong></td>
<td><strong>Europe</strong></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>0 82½</td>
<td>0 52½</td>
</tr>
<tr>
<td>0 82½</td>
<td>0 52½</td>
</tr>
<tr>
<td>0 55</td>
<td>1 65</td>
</tr>
<tr>
<td>0 55</td>
<td>1 65</td>
</tr>
<tr>
<td>2 10</td>
<td>0 55</td>
</tr>
<tr>
<td>2 10</td>
<td>0 55</td>
</tr>
<tr>
<td>1 39</td>
<td>1 07</td>
</tr>
<tr>
<td>1 39</td>
<td>1 07</td>
</tr>
<tr>
<td>5 00</td>
<td>5 50</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>Total</strong></td>
</tr>
<tr>
<td>5 00</td>
<td>4 00</td>
</tr>
</tbody>
</table>

Dans les décomptes avec les offices limitrophes, les États Européens prélèvent ou reçoivent exactement les taxes qui leur sont attribuées par le Tableau 2 Régime extra-Européen. La différence en plus ou en moins qui existerait entre la somme affectée à cette répartition et le chiffre indiqué ci-dessus comme formant la taxe générale de l'Europe, est mise au compte des offices extra-Européens.

Fait à St. Pétersbourg, le 7e Juillet, 1875.

C. DE LUDERS.
R. SCHEFFLER.
BRUNNER.
L. DE KOLLER.
VINCENT.
FABER.
BETTS-BEY.
SULEIMAN-EFFENDI.
DE TORNOS.
AILHAUD.
H. C. FISCHER. ALAN E. CHAMBRE.
D. ROBINSON.
J. U. BATEMAN-CHAMPAIN.
S. MARCORAN.
AMICO.
C. NIELSEN.
STARING.
C. DE LUDERS.
V. DO REGO.
D. NORDLANDER.
HAMMER.
A. FREY.
DIMITRAKY.
ACCESSION of Great Britain to the International Telegraph Convention signed at St. Petersburgh, July 14, 1875. Signed at St. Petersburgh, January 7, 1876.

DECLARATION.

Le Soussigné, Ambassadeur Extraordinaire et Plénipotentiaire de Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, près Sa Majesté l'Empereur de Toutes les Russies, déclare que Sa Majesté Britannique, après avoir eu communication de la Convention Télégraphique Internationale, conclue à St. Pétersbourg le 14 Juillet, 1875, usant du droit réservé par l'Article XVIII de cette Convention aux Etats non-signataires, accède, pour le Royaume Uni de la Grande Bretagne et d'Irlande, ainsi que pour ses Colonies de Gibraltar et des Indes, à la dite Convention Télégraphique Internationale, laquelle est censée insérée mot à mot dans la présente Déclaration, et s'engage formellement envers Sa Majesté l'Empereur de Toutes les Russies, et les autres Hautes Parties Contractantes, à concourir de son côté à l'exécution des stipulations contenues dans la dite Convention Télégraphique.

En foi de quoi, le Soussigné, dûment autorisé, a signé la présente Déclaration d'Accession, et a apposé le sceau de ses armes.

Fait à St. Pétersbourg, le 7 Janvier, 1876.

Augustus Loftus.

La Convention Internationale Télégraphique. Conclue à St. Pétersbourg, le 14 Juillet, 1875. [See Page 95.]

DECLARATION.

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande ayant accédé à la Convention Télégraphique Internationale conclue à St. Pétersbourg le 14 Juillet, 1875, par la Déclaration d'Accession, dont la teneur suit:

"Le Soussigné, AmbassadeurExtraordinaire et Plénipotentiaire de Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande près Sa Majesté l'Empereur de Toutes les Russies, déclare que Sa Majesté Britannique, après avoir eu communication de la Convention Télégraphique Internationale conclue à St. Pétersbourg le 14 Juillet, 1875, usant du droit réservé par l'Article XVIII de cette Convention aux Etats non-signataires, accède, pour le Royaume Uni de la Grande Bretagne et d'Irlande, ainsi que pour ses colonies de Gibraltar et des Indes, à la dite Convention Télégraphique Internationale, laquelle est censée insérée mot à mot dans la présente Déclaration et s'engage formellement, envers Sa Majesté l'Empereur de Toutes les
Russies et les Hautes Parties Contractantes, à concourir de son côté à l'exécution des stipulations contenues dans la dite Convention Télégraphique.

"En foi de quoi le Soussigné, dûment autorisé, a signé la présente Déclaration d'Accession et y a apposé le sceau de ses armes.
"Fait à St. Pétersbourg, le 26 Décembre, 1875.

"AUGUSTUS LOFTUS."

Le Chancelier de l'Empire de Russie, dûment autorisé, déclare que le Gouvernement Impérial accepte formellement la dite accession, tant en son nom qu'au nom des autres Hautes Puissances Contractantes, et s'engage à exécuter envers Sa Majesté Britannique toutes les stipulations contenues dans la dite Convention.

En foi de quoi le Soussigné a signé la présente Déclaration et l'a revêtu du cachet de ses armes.
Fait à St. Pétersbourg, le 7 Janvier, 1876.

GORTCHACOW.

---

TREATY of Commerce between Great Britain and Austria.*
Signed at Buda-Pesth, December 5, 1876.†

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, on the one part, and His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, on the other part, being equally desirous to regulate and extend the commercial relations between their respective States and possessions, having resolved, after notice had been given for the termination of the Treaty of Commerce of the 16th of December, 1865,‡ and of the Convention supplementary thereto of the 30th of December, 1869,§ to conclude a new Treaty for the above purpose, and have appointed as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Sir Andrew Buchanan, a Member of Her Majesty's Most Honourable Privy Council, Knight Grand Cross of the Most Honourable Order of the Bath, Her Majesty's Ambassador Extraordinary and Plenipotentiary to His Imperial and Royal Apostolic Majesty;

And His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, Julius, Count Andrassy de Csk-Szent-Kiraly et Kraszna-Horka, Grand Cross of the Order of St. Stephen, General in His Imperial Majesty's Army, Privy Councillor, Minister of the House and of Foreign Affairs;

* Signed also in the German and Hungarian languages.
† Ratifications exchanged at Vienna, December 29, 1876.
Who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon and concluded the following Articles:

Art. I. The subjects of His Imperial and Royal Apostolic Majesty who reside temporarily or permanently in the territories and possessions, including the colonies and foreign possessions of Her Britannic Majesty, and the subjects of Her Britannic Majesty who reside temporarily or permanently in the Austro-Hungarian Monarchy, shall enjoy therein during the continuance of this Treaty, with respect to residence and the exercise of commerce and trade, the same rights as, and shall not be subject to any higher or other imposts than, the subjects of any third country the most favoured in these respects.

II. The produce and manufactures of, as well as all goods coming from, Austria-Hungary, which are imported into the territories and possessions, including the colonies and foreign possessions of Her Britannic Majesty, and the produce and manufactures of, as well as all goods coming from, British possessions, which are imported into the Austro-Hungarian Monarchy, whether intended for consumption, warehousing, re-exportation, or transit, shall therein, during the continuance of this Treaty, be treated in the same manner as, and in particular shall be subjected to no higher or other duties than, the produce and goods of any third country, the most favoured in this respect.

No higher or other duties shall be levied in the Austro-Hungarian Monarchy on the exportation of any goods to the territories and possessions, including the colonies and foreign possessions, of Her Britannic Majesty, or in the territories and possessions, including the colonies and foreign possessions of Her Britannic Majesty, on the exportation of any goods to the Austro-Hungarian Monarchy, than on the exportation of the like goods to any third country, the most favoured in this respect.

The two High Contracting Parties likewise guarantee to each other treatment on the footing of the most favoured third country in regard to the transit of goods through the territory of the one from and to the territory of the other.

III. Every reduction in the tariff of import and export duties, as well as every favour or immunity that one of the Contracting Parties grants to the subjects and commerce of a third Power, shall be participated in simultaneously and unconditionally by the other.

IV. The stipulations of the foregoing Articles I to III, relative to the reciprocal treatment on the footing of the most favoured third country, shall not apply:

1. To those special and ancient privileges which are accorded to Turkish subjects for the Turkish trade in Austria-Hungary.
2. To those advantages which are or may be granted on the part of the Austro-Hungarian Monarchy to the neighbouring countries solely for the purpose of facilitating the frontier traffic, or to those reductions of, or exemptions from, Customs duties, which are only valid in the said Monarchy for certain frontiers, or for the inhabitants of certain districts.

3. To the obligations imposed upon either of the High Contracting Parties by a Customs Union already concluded, or which may hereafter be concluded.*

V. Neither of the High Contracting Parties shall establish a prohibition of importation, exportation, or transit, against the other, which shall not, under like circumstances, be applicable to the third country most favoured in this respect.

VI. The subjects of one of the two High Contracting Parties shall enjoy in the territories of the other the same protection as native subjects with regard to rights of ownership over trade or manufacture marks, and other distinctive marks of goods or their packages, as well as over patterns and designs for manufactures.

The subjects of Her Britannic Majesty will not, however, be able to claim in Austria-Hungary the exclusive right to a mark or other indication on a pattern or design unless they have deposited two specimens of it in the Chamber of Commerce at Vienna and Buda-Pesth.

VII. The present Treaty shall come into force on the 1st of January, 1877, and remain in operation until the 31st of December of the same year.

VIII. The present Treaty shall be ratified as soon as possible, and the ratifications shall be exchanged at Vienna by the 31st of December, 1876, at latest.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Buda-Pesth, on the 5th day of December, in the year of Our Lord, 1876.

(L.S.) ANDREW BUCHANAN.
(L.S.) ANDRASSY.

PROTOCOL between Great Britain and Austria respecting Article IV. Principality of Liechtenstein. December 5, 1876.†

On proceeding to the signature of the Treaty of Commerce, concluded this day between the United Kingdom of Great Britain and Ireland and the Austro-Hungarian Monarchy, and on the demand addressed to him by the Plenipotentiary of Her

* See Protocol of same date as the Treaty.
† Signed also in the German and Hungarian languages.
Britannic Majesty, the Plenipotentiary of His Majesty the Emperor and King hereby declares that the stipulation contained in paragraph 3 of Article IV only refers to the Customs Union between the said Monarchy and the Principality of Liechtenstein.

The Plenipotentiary of Her Britannic Majesty takes note of this declaration.

The present Protocol, drawn up in duplicate, was signed at Buda-Pesth, on the 5th December, 1876.

(L.S.) ANDREW BUCHANAN.
(L.S.) ANDRASSY.

DECLARATION between Great Britain and Austria, prolonging the duration of the Treaty of Commerce, of December 5, 1876.*
Signed at Buda-Pesth, November 26, 1877.

DECLARATION.

WHEREAS the Treaty of Commerce concluded between Great Britain and Austria-Hungary on the 5th of December, 1876, will terminate, according to Article VII, upon the 31st of December, 1877, the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the Emperor of Austria, King of Bohemia, &c., Apostolic King of Hungary, actuated by the desire to prolong the operation of this Treaty, have agreed upon the following stipulation:

The duration of the Treaty of Commerce concluded between Great Britain and Austria-Hungary on the 5th of December, 1876, shall be prolonged indefinitely, with the reservation that both the Contracting Parties are at all times entitled to denounce the same. In case one of the two Contracting Parties should notify its intention to put an end to the operation of this Treaty, it shall remain in force for the term of one year from the date upon which the notice shall have been given.

In witness whereof the Undersigned have signed the above Declaration in duplicate, and have affixed thereto the seal of their arms.

Done at Buda-Pesth, this 26th November, 1877.

(L.S.) ANDREW BUCHANAN.
(L.S.) ANDRASSY.

* Signed also in the German and Hungarian languages.  † See Page 163.
BELGIUM.


Le Gouvernement de Sa Majesté l'Empereur des Français et le Gouvernement de Sa Majesté le Roi des Belges, également animés du désir de développer les échanges entre les deux pays par des modérations réciproques de taxes, sont convenus des dispositions suivantes:

1. La surtaxe de 2 francs par 100 kilog., décimes compris, imposée à l'entrée en France des sucres bruts de betterave d'origine Belge, est supprimée;

2. La surtaxe de 1 franc 20 cents par 100 kilog., imposée à l'entrée en Belgique des sucres bruts d'origine Française, est supprimée;

3. Ces dispositions entreront en vigueur en même temps que la Convention Internationale du 8 Novembre, 1864, sur le régime des sucres;

4. La présente Déclaration aura même force et même durée que la dite Convention, à laquelle elle demeure annexée.

Fait à Paris, le 15 jour de Juillet, de l'an de grâce, 1865.

(L.S.) DROUYN DE LHUYS.
(L.S.) BARON EUG. BEYENS.

BRITISH NOTICE to Owners and Masters of British Fishing Vessels in Belgian Waters.* Custom House, London, June 20, 1866.

Complaint having been made to Her Majesty's Government by the Belgian Minister, that certain British fishing vessels have for some time past been found within 3 miles of the Belgian coast engaged in shrimp fishing, which is the exclusive right of Belgian subjects within that limit:

The Commissioners of Her Majesty's Customs hereby give notice to all owners and masters of British fishing vessels, that they will not be permitted to fish in any manner within the said limit of 3 miles from any part of the coast of Belgium, and that the Belgian Government has issued instructions to the Maritime

* A similar notice was issued on June 5, 1869.
Commissioners of the sea shore to prosecute offenders in this respect, and, if need be, to seize their vessels.

By order of the said Commissioners,

Geo. Dickins, Secretary.

CONVENTION between Great Britain and Belgium, regulating the Communications by Post between the British and Belgian Dominions.* Signed at London, February 17, 1876.†

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Belgians, being desirous of strengthening the friendly relations which unite the two countries, and wishing to regulate by special arrangements (forming a sequel to the General Postal Treaty concluded at Berne on the 9th of October, 1874‡) the postal relations between their respective offices, have named as their Plenipotentiaries for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Edward Henry Stanley, Earl of Derby, Baron Stanley of Bickerstaff, a Peer and a Baronet of England, a Member of Her Britannic Majesty's Most Honourable Privy Council, Her Majesty's Principal Secretary of State for Foreign Affairs, &c., and the Right Honourable John James Robert Manners (commonly called Lord John Manners), a Member of Her Majesty's Most Honourable Privy Council, a Member of Parliament, Her Majesty's Postmaster-General;

And His Majesty the King of the Belgians, Baron Henry Solvyns, Grand Officer of the Order of Leopold, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of the Belgians to Her Britannic Majesty, &c.;

Who, after having reciprocally communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:

ART. I. There shall be between the Post Offices of Great Britain and Belgium a periodical and regular exchange of correspondence of every kind in international service as well as in transit.

II. The exchange of correspondence between the two offices shall be carried out through the following Post Offices:

On the part of Great Britain:
1. Dover.
2. London.

On the part of Belgium:

 Signed also in the French language.
† Ratifications exchanged at London, March 24, 1876.
‡ See Page 74.
1. Ostend (local office).
2. The offices travelling between Brussels and Ostend.
3. The office travelling between Brussels and Tournai.
4. The office travelling between Ghent and Mouscron.

The two offices may, if they think proper, agree to name other offices for the exchange of correspondence.

III. The mails between Great Britain and Belgium shall be conveyed by means of special packets running between Ostend and Dover.

Each Office shall have the right to employ subsidiarily, and so far as it shall be of any advantage on the score of speed, the route via France and the French packets from Calais to Dover, for the conveyance of its correspondence in closed bags to the other office.

With regard to the mails conveyed on account of other offices, it will be the duty of the dispatching office to indicate the route to be followed.

IV. The Post Offices of Great Britain and of Belgium shall fix by a mutual agreement the time for the departure of the packets from Ostend and Dover, and they shall regulate this service in connection with the railway trains so as to insure with the greatest possible speed the transmission of mails for international as well as for transit service.

V. The Belgian Government shall continue to perform, at its own expense, the double daily service for the conveyance of the mails from Ostend to Dover, and vice versa (a service which must be performed at least 6 days in the week, the service on Sunday being optional).

VI. The packets employed for the conveyance of the correspondence between Ostend and Dover shall be steamboats of sufficient power and size for the service in which they are to be employed. They shall be vessels belonging to Government, or freighted by order of Government.

These vessels shall be considered, and treated in the port of Dover and in all other British ports at which they may accidentally touch, as vessels of war, and be there entitled to all the honours and privileges which the interests and importance of the service in which they are employed demand.

They shall be exempted in those ports, as well on their entrance as on their departure, from all tonnage, navigation, and port dues, except in however the vessels freighted by order of Government, which must pay such dues in those ports where they are levied on behalf of corporations, private companies, or private individuals.

They shall not be diverted from their especial duty—that is to say, the conveyance of the mails—by any authority whatever, or be liable to seizure, detention, embargo, or arrêt de prince.
VII. The captains of the Belgian packets shall receive from the agents appointed for the service of exchange the mails at Ostend and at Dover, the bags being closed and sealed.

The number of these bags and the time of their delivery shall be entered on a way bill, which the captains or the officers entrusted under their orders with the care of the mails, shall deliver on their arrival to the office for which they are destined.

They shall bring back to the dispatching office a certificate of the punctual delivery of the mails, delivered to them by the agent who shall have received them.

VIII. Unless prevented by causes over which they have no control, the captains of the packets engaged in carrying the mails between Ostend and Dover shall proceed directly to their destination.

If, in consequence of stress of weather or damage, they should be compelled to alter their course, and to put into any other port than Ostend or Dover, they must justify such deviation in the manner that their respective offices shall deem advisable.

Whenever a packet conveying mails shall be compelled to put into any other than its destined port, the captain shall immediately deliver the mails to the local post office, or forward them towards their destination, under the charge of an officer of the vessel.

IX. The boats which shall be necessary for taking on board or landing the mails, or for assisting the steam packets upon their arrival or departure, shall be provided, both at Dover and Ostend by the Belgian Government, and at its expense.

X. The mail packets shall be at liberty to take on board or land at Dover, as well as at other British ports where they may be obliged to put in, any passengers of whatever nation they may be, with their wearing apparel and luggage, and also with their horses and carriages, on condition that the captains of the said packets shall conform to the regulations of the United Kingdom concerning the arrival and departure of travellers. They shall be prohibited from conveying goods or merchandise on freight, with the exception, however, of postal packets and small parcels, the weight of which shall be limited by mutual agreement between the two offices.

XI. The expenses which may be incurred for signals of every kind, and for the burning of Bengal lights upon the pier for the use of the steam packets, shall be borne both at Dover and at Ostend by the Belgian Government.

XII. The captains of the packets specially engaged in the conveyance of the respective mails of the two offices are forbidden to take charge of any letter not included in their mail bags, with the exception, however, of Government despatches.

They must take care that no letters are conveyed illegally
by their crews or passengers, and must give information in the proper quarter of any breach of the laws which may be committed in that respect.

XIII. In case of war between the two nations, the mail packets shall continue their navigation without impediment or molestation, until a notification is made on the part of either of the two Governments that the service is to be discontinued, in which case they shall be permitted to return freely, and under special protection, to the port in Belgium where they were fitted out.

XIV. The British Government engages to pay annually to the Belgian Government, in consideration of the advantages which it derives from the double daily packet service between Ostend and Dover, viz.:

1. For the night service, the sum of 4,000l. sterling; and
2. For the day service the sum of 500l. sterling.

These sums shall be paid quarterly to the Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of the Belgians at the Court of Her Britannic Majesty.

It is understood that the British Government shall be at liberty to terminate such payment on giving to the Belgian Government a notice of at least 6 months; and that even without such notice, the payment of either or both of the above-mentioned sums shall be lawfully discontinued at any time that the Belgian Government should cease to perform either a portion or the whole of the service.

XV. The two Governments engage to cause to be conveyed, by the means which the respective Post Offices employ for their own business, the closed mails which one of the offices may wish to exchange, through the medium of the other office, with countries which are not parties to the General Postal Union.

The one of the two offices on whose account this conveyance shall take place, shall pay to the office performing this service, in consideration of the distance traversed beyond the limits of the Union, rates which shall be determined by mutual agreement between them, and which shall not exceed the rates to be determined for the dispatch of correspondence in open mails, in conformity with Article XI of the Treaty of Berne, of the 9th of October, 1874.

XVI. In order to secure the whole of the receipts upon the correspondence passing between the two countries, the British and Belgian Governments engage to prevent by every possible means the said correspondence being sent by any other way than by their respective posts.

XVII. The Post Offices of Great Britain and Belgium shall determine by mutual agreement, in accordance with the conditions laid down in the Treaty of Berne of the 9th of October, 1874, the matters of detail connected with the execution of the present Convention, as well as all other arrangements deemed
necessary for regulating the postal regulations between the two countries.

XVIII. The present Convention, which abrogates and takes the place of all previous postal arrangements concluded between Great Britain and Belgium, with the exception of those relating to Post Office money orders, shall come into force immediately after the exchange of the ratifications.

It is concluded for an indefinite period, each party reserving to itself the right to terminate it at any time upon given at least 12 months' notice to the other party of its intention in this respect.

XIX. The present Convention shall be ratified, and the ratifications shall be exchanged at London as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the present Convention, and have affixed thereto the seal of their arms.

Done in duplicate, at London, the 17th day of February, in the year of Our Lord, 1876.

(L.S.) Derby.
(L.S.) John Manners.
(L.S.) Solvyns.

TREATY between Great Britain and Belgium, for the Mutual Surrender of Fugitive Criminals. Signed at Brussels, May 20, 1876.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Belgians, having judged it expedient, with a view to the more complete prevention of crime within their respective territories, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from the justice of their country, should, under certain circumstances, be reciprocally delivered up; their said Majesties have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, John Savile Lumley, Esquire, Companion of the Most Honourable Order of the Bath, Her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians;

And His Majesty the King of the Belgians, the Count d'Aspremont-Lynden, Officer of His Order of Leopold, Commander of the Order of the Ernestine Branch of the House of Saxony, Grand Cross of the Orders of Leopold of Austria, of the Legion

* Signed also in the French language.
† Ratifications exchanged at Brussels, June 28, 1876.
of Honour, of the Lion of the Netherlands, and of the White Eagle of Russia, &c., Member of the Senate, His Minister of Foreign Affairs;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:

Art. I. It is agreed that Her Britannic Majesty and His Majesty the King of the Belgians, shall, on requisition made in their name by their respective Diplomatic Agents, deliver up to each other reciprocally, any persons, except as regards Great Britain, native born and naturalized subjects of Her Britannic Majesty, and, except as regards Belgium, those who are by birth or who may have become citizens of Belgium, who, being accused or convicted as principals or accessories, of any of the crimes hereinafter specified,* committed within the territories of the requiring party, shall be found within the territories of the other party.

1. Murder (including assassination, parricide, infanticide, and poisoning), or attempt to murder.
2. Manslaughter.
3. Counterfeiting or altering money, or uttering counterfeit or altered money.
4. Forgery, counterfeiting, or altering or uttering what is forged or counterfeited or altered.
5. Embezzlement or larceny.
6. Obtaining money or goods by false pretences.
7. Crimes by bankrupts against bankruptcy law.
8. Fraud by a bailee, banker, agent, factor, trustee, or director, or member or public officer of any company, made criminal by any law for the time being in force.
9. Rape: Carnal knowledge of a girl under the age of 10 years; carnal knowledge of a girl above the age of 10 years and under the age of 12 years; indecent assault upon any female or any attempt to have carnal knowledge of a girl under 12 years of age.
10. Abduction.
13. Burglary or housebreaking.
15. Robbery with violence (including intimidation).
16. Threats by letter or otherwise with intent to extort.
17. Piracy by law of nations.
18. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.
19. Assaults on board a ship on the high seas with intent to destroy life or to do grievous bodily harm.

20. Revolt or conspiracy to revolt by two or more persons on board a ship on the high seas against the authority of the master.


22. Malicious injury to property, if the offence be indictable.

23. Aggravated or indecent assault.

Provided that the surrender shall be made only, when in the case of a person accused, the commission of the crime shall be so established as that the laws of the country where the fugitive or person accused shall be found would justify his apprehension and commitment for trial if the crime had been there committed; and in the case of a person alleged to have been convicted, on such evidence as, according to the laws of the country where he is found, would prove that he had been convicted.

In no case can the surrender be made unless the crime shall be punishable according to the laws in force in both countries with regard to extradition.

II. In the dominions of Her Britannic Majesty, other than the Colonies or foreign possessions of Her Majesty, the manner of proceeding shall be as follows:

1. In the case of a person accused—

The requisition for the surrender shall be made to Her Britannic Majesty's Principal Secretary of State for Foreign Affairs by the Minister or other Diplomatic Agent of His Majesty the King of the Belgians, accompanied by a warrant of arrest or other equivalent judicial document, issued by a judge or magistrate duly authorised to take cognisance of the acts charged against the accused in Belgium, together with duly authenticated depositions or statements taken on oath or upon solemn affirmation before such judge or magistrate, clearly setting forth the said acts, and containing a description of the person claimed, and any particulars which may serve to identify him. The said Secretary of State shall transmit such documents to Her Britannic Majesty's Principal Secretary of State for the Home Department, who shall then, by order under his hand and seal, signify to some police magistrate in London that such requisition has been made, and require him, if there be due cause, to issue his warrant for the apprehension of the fugitive.

On the receipt of such order from the Secretary of State, and on the production of such evidence as would, in the opinion of the magistrate, justify the issue of the warrant if the crime had been committed in the United Kingdom, he shall issue his warrant accordingly.

When the fugitive shall have been apprehended he shall be brought before the police magistrate who issued the warrant, or
some other police magistrate in London. If the evidence to be then produced shall be such as to justify, according to the law of England, the committal for trial of the prisoner, if the crime of which he is accused had been committed in England, the police magistrate shall commit him to prison to await the warrant of the Secretary of State for his surrender, sending immediately to the Secretary of State a certificate of the committal and a report upon the case.

After the expiration of a period from the committal of the prisoner, which shall never be less than 15 days, the Secretary of State shall, by order under his hand and seal, order the fugitive criminal to be surrendered to such person as may be duly authorised to receive him on the part of the Government of His Majesty the King of the Belgians.

2. In the case of a person convicted—

The course of proceeding shall be the same as in the case of a person accused, except that the warrant to be transmitted by the Minister or other Diplomatic Agent in support of his requisition shall clearly set forth the crime of which the person claimed has been convicted, and state the fact, place, and date of his conviction. The evidence to be produced before the police magistrate shall be such as would, according to the law of England, prove that the prisoner was convicted of the crime charged.

After the police magistrate shall have committed the accused or convicted person to prison to await the order of a Secretary of State for his surrender, such person shall have the right to apply for a writ of habeas corpus; if he should so apply, his surrender must be deferred until after the decision of the Court upon the return to the writ, and even then can only take place if the decision is adverse to the applicant.

III. In the dominions of His Majesty the King of the Belgians, other than the colonies or foreign possessions of His said Majesty, the manner of proceeding shall be as follows:

1. In the case of a person accused—

The requisition for the surrender shall be made to the Minister for Foreign Affairs of His Majesty to the King of the Belgians by the Minister or other Diplomatic Agent of Her Britannic Majesty, accompanied by a warrant of arrest or other equivalent judicial document issued by a judge or magistrate duly authorised to take cognizance of the acts charged against the accused in Great Britain, together with duly authenticated depositions or statements on oath or upon solemn affirmation before such judge or magistrate, clearly setting forth the said acts and containing a description of the person claimed, and any other particulars which may serve to identify him.

The Minister for Foreign Affairs shall transmit the warrant of arrest, with the documents thereto annexed, to the Minister
of Justice, who shall forward the same to the proper judicial authority, in order that the warrant of arrest may be put in course of execution by the Chamber of the Council (Chambre du Conseil) of the Court of First Instance of the place of residence of the accused, or of the place where he may be found.

The foreigner may claim to be provisionally set at liberty in any case in which a Belgian enjoys that right, and under the same conditions. The application shall be submitted to the Chamber of the Council (Chambre du Conseil).

The Government will take the opinion of the Chamber of Indictments or Investigation (Chambre des Mises en Accusation) of the Court of Appeal, within whose jurisdiction the foreigner shall have been arrested.

The hearing of the case shall be public, unless the foreigner should demand that it should be with closed doors.

The public authorities and the foreigner shall be heard. The latter may obtain the assistance of counsel.

Within a fortnight from the receipt of the documents, they shall be returned, with a reasoned opinion, to the Minister of Justice, who shall decide and may order that the accused be delivered to the person duly authorised on the part of the Government of Her Britannic Majesty.

2. In case of a person convicted:

The course of proceeding shall be the same as in the case of a person accused, except that the conviction or sentence of condemnation issued in original or in an authenticated copy, to be transmitted by the Minister or other Diplomatic Agent in support of his requisition, shall clearly set forth the crime of which the person claimed has been convicted, and state the fact, place, and date of his conviction. The evidence to be produced shall be such as would, according to the Belgian laws, prove that the prisoner was convicted of the crime charged.

IV. A fugitive criminal may, however, be apprehended under warrant issued by any police magistrate, justice of the peace, or other competent authority in either country, on such information or complaint, and such evidence, or after such proceedings as would, in the opinion of the person issuing the warrant, justify the issue of a warrant if the crime had been committed or the prisoner convicted in that part of the dominions of the two Contracting Parties in which he exercises jurisdiction: Provided, however, that, in the United Kingdom, the accused shall, in such case, be sent as speedily as possible before a police magistrate in London. He shall be discharged, as well in the United Kingdom as in Belgium, if within 14 days a requisition shall not have been made for his surrender by the Diplomatic Agent of his country, in the manner directed by Articles II and III of this Treaty.

The same rule shall apply to the cases of persons accused or
BELGIUM.

convicted of any of the crimes specified in this Treaty, committed on the high seas on board any vessel of either country which may come into a port of the other.

V. If the fugitive criminal who has been committed to prison be not surrendered and conveyed away within two months after such committal (or within two months after the decision of the Court upon the return to a writ of habeas corpus in the United Kingdom), he shall be discharged from custody, unless sufficient cause be shown to the contrary.

VI. When any person shall have been surrendered by either of the High Contracting Parties to the other, such person shall not, until he has been restored or had an opportunity of returning to the country from whence he was surrendered, be triable or tried for any offence committed in the other country prior to the surrender, other than the particular offence on account of which he was surrendered.

VII. No accused or convicted person shall be surrendered, if the offence in respect of which his surrender is demanded shall be deemed by the party upon which it is made to be a political offence, or to be an act connected with (connexè d) such an offence, or if he prove, to the satisfaction of the police magistrate, or of the Court before which he is brought on habeas corpus, or to the Secretary of State, that the requisition for his surrender has in fact been made with a view to try or to punish him for an offence of a political character.

VIII. Warrants, depositions, or statements on oath, issued or taken in the dominions of either of the two High Contracting Parties, and copies thereof, and certificates of or judicial documents stating the fact of conviction, shall be received in evidence in proceedings in the dominions of the other, if purporting to be signed or certified by a judge, magistrate, or officer of the country where they were issued or taken.

Provided such warrants, depositions, statements, copies, certificates, and judicial documents are authenticated by the oath or solemn affirmation of some witness, or by being sealed with the official seal of the Minister of Justice, or some other Minister of State.

IX. The surrender shall not take place if, since the commission of the acts charged, the accusation, or the conviction, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the country where the accused shall have taken refuge.

X. If the individual claimed by one of the two High Contracting Parties in pursuance of the present Treaty should be also claimed by one or several other Powers, on account of other crimes committed upon their respective territories, his surrender shall be granted to that State whose demand is earliest in date; unless any other arrangement should be made.

N
between the Governments which have claimed him, either on account of the gravity of the crimes committed, or for any other reasons.

XI. If the individual claimed should be under prosecution, or condemned by the Courts of the country where he has taken refuge, his surrender may be deferred until he shall have been set at liberty in due course of law.

In case he should be proceeded against or detained in such country, on account of obligations contracted towards private individuals, his surrender shall nevertheless take place, the injured party retaining his right to prosecute his claims before the competent authority.

XII. Every article found in the possession of the individual claimed at the time of his arrest shall, if the competent authority so decide, be seized, in order to be delivered up with his person at the time when the surrender shall be made. Such delivery shall not be limited to the property or articles obtained by stealing or by fraudulent bankruptcy, but shall extend to every thing that may serve as proof of the crime. It shall take place even when the surrender, after having been ordered, shall be prevented from taking place by reason of the escape or death of the individual claimed.

The rights of third parties with regard to the said property or articles are nevertheless reserved.

XIII. Each of the High Contracting Parties shall defray the expenses occasioned by the arrest within its territories, the detention, and the conveyance to its frontier, of the persons whom it may consent to surrender in pursuance of the present Treaty.

XIV. The stipulations of the present Treaty shall be applicable to the colonies and foreign possessions of the two High Contracting Parties.

The requisition for the surrender of a fugitive criminal who has taken refuge in a colony or foreign possession of either party, shall be made to the Governor or Chief Authority of such colony or possession by the Chief Consular Officer of the other in such colony or possession; or, if the fugitive has escaped from a colony or foreign possession of the party on whose behalf the requisition is made, by the Governor or Chief Authority of such colony or possession.

Such requisition may be disposed of, subject always, as nearly as may be, to the provisions of this Treaty, by the respective Governors or Chief Authorities, who, however, shall be at liberty either to grant the surrender, or to refer the matter to their Government.

Her Britannic Majesty shall, however, be at liberty to make special arrangements in the British colonies and foreign possessions for the surrender of Belgian criminals who may there take
BELGIUM.

refuge, on the basis, as nearly as may be, of the provisions of the present Treaty.

XV. The present Treaty shall come into operation 10 days after its publication in conformity with the laws of the respective countries.

After the Treaty shall so have been brought into operation, the Treaty concluded between the High Contracting Parties on the 31st July, 1872,* shall be considered as cancelled, except as to any proceeding that may have already been taken or commenced in virtue thereof.

Either party may at any time terminate the Treaty on giving to the other 6 months' notice of its intention.

XVI. The present Treaty shall be ratified, and the ratifications shall be exchanged at Brussels as soon as may be within 6 weeks from the date of signature.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Brussels, the 20th day of May, in the year of Our Lord, 1876.

(L.S.) J. SAVILE LUMLEY.
(L.S.) COMTE D'ASPREMONTE-LYNDEN.

LOI du Roi des Belges, relative au Régime des Sucres. Laeken, le 24 Mai, 1876.

LEOPOLD II, Roi des Belges, a tous présents et à venir, salut.
Les Chambres ont adopté et nous sanctionnons ce qui suit:

Art. I. Le cautionnement fourni en vertu de l'Article XXX de la Loi du 26 Mai, 1856 peut, jusqu'au 15 de chaque mois, servir à garantir les prises en charge aux comptes de crédit à terme et aux comptes d'entrepôts fictifs, pour les sucres provenant de la fabrication du mois précédent.

II. Par extension du premier alinéa du littera A de l'Article III de la Loi du 18 Juin, 1849, les sucres mélis sciés en morceaux réguliers de forme rectangulaire sont admis à l'exportation, et jouissent de la même décharge que ces sucres, s'ils présentent d'ailleurs les conditions énumérées audit Article.

III. § 1. L'accise sur la fabrication des glucoses de fécules de pommes de terre et de grain est fixée comme il suit savoir:
Glucoses granulés 12 francs, autres glucoses, 4 francs; par hectolitre de capacité de la cuve de saccharification.

§ 2. La capacité de la cuve de saccharification est constatée par emportement à pleins bords, en ne laissant dans ce vaisseau d'autre appareil ou ustensile que le serpentin fixé à demeure.
Elle est réduite de 5 pour cent pour établir la capacité imposable.

§ 3. Les droits ci-dessus seront réduits, le cas échéant, dans la même proportion que les droits sur les sucres.

§ 4. Toute entame apportée au libre accès des employés dans les fabriques de glucoses, tant de nuit que de jour, sera considérée comme refus d’exercice, à moins que des scellés n’aient été apposés sur tous les ustensiles et foyers.

IV. § 1. Le Gouvernement est autorisé à rendre applicable aux marchandises d’accise le régime de déclaration, de vérification, de chargement et de déchargement qui est en vigueur pour les marchandises de douane, ainsi que les dispositions qui règlent la liquidation des droits et les pénalités à l’importation de ces dernières marchandises.

§ 2. La disposition suivante est ajoutée à l’Article CCXIII de la Loi générale du 26 Août, 1822 :

“En cas d’exportation de marchandises d’accise, celui qui aura fait la déclaration encourra, en outre, une amende égale au décuple de la somme dont il aura tenté d’obtenir frauduleusement la décharge.”

V. Sont abrogés :
Le littera D du § 2 de l’Article XLII, les §§ 2 à 5 de l’Article XLIII, l’Article XLIV et le No. 19 du § 1 de l’Article L de la Loi du 26 Mai, 1856, et le § 1 de l’Article VIII de la Loi du 27 Avril, 1865.

VI. Le Gouvernement déterminera la date de la mise en vigueur des dispositions de la présente Loi.

VII. Si l’intérêt du commerce ou de l’industrie l’exige, le Gouvernement pourra, jusqu’au 15 Novembre, 1876, établir des surtaxes sur les sucres étrangers, et prendre toutes les mesures nécessitées par les changements qui sont ou qui seraient adoptés dans d’autres pays à l’égard des sucres de provenance Belge.

Les arrêtés royaux pris en vertu du présent Article seront soumis aux Chambres au commencement de la session prochaine.

Promulguons la présente Loi, ordonnons qu’elle soit revêtue du sceau de l’Etat et publiée par la voix du “Moniteur.”

Donné à Laeken, le 24 Mai, 1876.

LEOPOLD.

Par le Roi :

J. MALOU, le Ministre des Finances.

Vu et scellé du sceau de l’Etat :

T. DE LANTSHEERE, le Ministre de la Justice.
DETAILED REGULATIONS, arranged between the Post Office of the United Kingdom of Great Britain and Ireland and the Post Office of Belgium, for the execution of the Convention of the 17th February, 1876. Signed at London, July 10, 1876.† Signed at Brussels, July 11, 1876.†

The Postmaster-General of the United Kingdom of Great Britain and Ireland on the one part, and the Director-General of the Posts and Telegraphs of Belgium on the other part,—

With reference to Article XVI of the Postal Convention concluded between Belgium and the United Kingdom of Great Britain and Ireland, have agreed upon the following conditions, which shall be considered as additional to the Detailed Regulations signed at Berne on the 9th October, 1874.†

Art. I. The relations between the Belgian offices of exchange and the British offices of exchange shall be established in conformity to the tables A and B which are annexed to the present arrangement, and which shall also serve as a guide for the transmission of the correspondence.

II. Post cards must have the communications written on the reverse side to that reserved for the address.

They must neither be enclosed in envelopes, nor be sealed up, nor have any articles attached to them other than postage stamps.

III. It is understood that prospectuses, notices of different kinds, &c., may be dispatched without band or envelope, and without being folded, when the consistency of the paper admits of it.

IV. It is agreed that the obligation of marking the number of rates levied or to be levied on articles chargeable with more than a single rate applies to the Belgian or British dispatching offices of exchange in regard to the correspondence from or for the foreign countries not comprised in the Postal Union.

V. When the postage stamps affixed to a letter from Belgium or from the United Kingdom, dispatched through the medium of one of the two offices, addressed to a country foreign to the Union, shall represent a sum less than that due for its prepayment, such letter shall be considered as unpaid and treated accordingly; but that one of the two Administrations which shall have sold the stamps uselessly employed by the sender shall be held liable, in case of application, to the reimbursement of the value of the stamps, either to the sender or to the addressee, as the case may be.

As regards the correspondence from countries beyond sea not comprised in the General Postal Union, which shall be delivered as unpaid by the British office to the Belgian office, and

* See Page 168. † Signed also in the French language. ‡ See Page 74.
which shall have been partially prepaid in British postage stamps, the value of such stamps shall be deducted from the amount to be credited to the British office in conformity to the tariff of foreign rates due to that office.

As to the correspondence from countries beyond sea before-mentioned, which shall have been prepaid uselessly by the postage stamps of the foreign country of origin, that one of the two offices which shall have delivered such correspondence to the other, shall lend its aid to the latter, if possible, for the purpose of obtaining the reimbursement to the addressees of the value of the stamps in whole or in part. Applications for the refunding of the value of the postage stamps uselessly employed must be made, accompanied by vouchers, within 6 months from the date of sending the insufficiently prepaid letters; otherwise they will be void.

VI. When the writers of letters for the colonies and countries beyond sea, which the two offices reciprocally exchange for subsequent despatch from their respective ports, wish them to be conveyed by private ships sailing from such ports, their intention shall be signified on the address by the words, "Bâtiments du commerce," or "By private ship."

Failing such indication the letters for the colonies and countries beyond sea without distinction, which the two offices mutually exchange, shall be forwarded by means of the regular mail packets.

VII. The offices of exchange shall divide into separate packets, each distinguished by a special label, the different classes of correspondence composing the mails.

VIII. The entry of the registered articles on the registered list shall comprise the name of the office of origin, the name of the addressee, and the place of destination. This list shall be prepared on a separate form, which shall be enclosed in the packet of registered articles. The packet shall be made up as follows:

The registered articles and the registered list shall be fastened together by a cross-string, and placed in a canvas bag, which shall be strongly fastened at the neck by a string, the two ends of which shall be sealed with a seal of wax or gummed paper.

The number of registered articles entered in the registered lists shall be written in full in the place provided for the purpose at the foot of the letter bill.

In the event of there being no registered article to dispatch, a blank registered list shall be sent, enclosed in the usual canvas bag.

IX. In case, at the hours fixed for the dispatch of mails, one of the exchanging offices of the Administrations of the two countries shall have no letter or other article to send to the
corresponding office, the former office shall, nevertheless, make up, in the ordinary manner, a mail which shall contain a blank letter bill.

X. In levying the additional charge applicable to correspondence in general insufficiently prepaid by means of postage stamps, the unit of money to be adopted as the limit of raising the fractions is fixed at 5 centimes in Belgium and at a halfpenny in the United Kingdom.

XI. The following regulations shall be observed for the application of Article VII of the Treaty of Berne of the 9th October, 1874,* concerning correspondence re-directed on account of the addressees having changed their residence.

1. Correspondence originating in Belgium or in the United Kingdom, and in the first instance addressed to a place within the country of origin, which shall have been properly prepaid for the inland service, shall be charged in the country to which it is re-directed (according to its class) with a tax equal to the prepaid rate of the inland service of the latter country.

In the case of non-prepayment or of insufficient prepayment for the inland service, such correspondence shall be treated as if it had been addressed direct from the country of origin to the country to which it is re-directed.

2. Correspondence originating in Belgium, and in the first instance addressed to the United Kingdom, and, reciprocally, correspondence originating in the United Kingdom, and in the first instance addressed to Belgium, which shall be re-directed to the country of origin, shall not be subjected to any fresh tax if it shall have been properly prepaid for the first service.

In case of non-repayment or of insufficient prepayment, such correspondence shall be subjected to the international charge leviable on unpaid letters, or the deficient amount of such charge.

3. Correspondence fully prepaid, unpaid, or insufficiently prepaid, originating in any other country of the Union, which shall be re-directed from Belgium to the United Kingdom, or from the United Kingdom to Belgium, shall be considered in the country of its last destination as having arrived direct from the country of origin, and treated accordingly.

The several classes of re-directed correspondence above-mentioned shall pass from office to office without forming any account.

4. Correspondence originating in countries situated beyond the Union, or having circulated in those countries, and charged with foreign postage, shall be exchanged subject to the payment of such charge.

The office of the new destination shall add to it the international charge for unpaid letters, or, in the case of newspapers,

* See Page 67.
printed papers, patterns of merchandise, or legal and commercial documents, the postage payable in that country on articles of the same class addressed to countries of the Union.

When necessary, the different taxes mentioned above may be raised in conformity to Article X of the present Regulations.

XII. The claims raised on undelivered letters returned from one office to the other shall be allowed to the credit of the office returning them only when the state of the seals shall not give rise to the supposition that the letters have been read by the addressees.

XIII. For the execution of the present arrangement, and in virtue of Section 10 of Article VI of the Detailed Regulations for the execution of the Treaty of Berne, the forms A, D, and E, established by the said Regulations shall be modified in conformity to the specimens C to J hereto annexed, namely:

The letter bill A in conformity to specimens C and D.
Table IV of the letter bill prepared on a separate sheet in conformity to specimens E and F.
The monthly statement D in conformity to specimens G and H.
The monthly account E in conformity to specimens I and J.

XIV. The present Regulations shall have the same duration as the Convention concluded on the 17th February, 1876.
Done in duplicate and signed in London on the 10th day and in Brussels on the 17th day of July, 1876.

JOHN MANNERS.
J. VINCENT.
### Table showing the manner in which shall be forwarded the Correspondence originating in Great Britain, addressed to Belgium.

<table>
<thead>
<tr>
<th>Number</th>
<th>Dispatching Offices</th>
<th>To what Offices addressed</th>
<th>Time of Despatch</th>
<th>Correspondence to be forwarded in each Mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Dover</td>
<td>Ostend (local)</td>
<td>10.45 p.m.</td>
<td>Offices of Eernehem, Ghislies, Jabbeke, Nieuport, Ostend, and Plaschendael.</td>
</tr>
<tr>
<td>2</td>
<td>&quot;</td>
<td>&quot;</td>
<td>9.35 a.m.</td>
<td>Offices of Eernehem, Furnes, Ghislies, Jabbeke, Nieuport, Ostend, and Plaschendael.</td>
</tr>
<tr>
<td>3</td>
<td>&quot;</td>
<td>Travelling office from Ostend to Brussels</td>
<td>10.45 p.m.</td>
<td>Belgium (with the exception of the correspondence to be comprised in Mail No. 1) and the foreign countries to which Belgium serves as the route.</td>
</tr>
<tr>
<td>4</td>
<td>&quot;</td>
<td>&quot;</td>
<td>9.35 a.m.</td>
<td>Belgium (with the exception of the correspondence to be comprised in Mail No. 2) and the foreign countries to which Belgium serves as the route.</td>
</tr>
<tr>
<td>5</td>
<td>London</td>
<td>Ostend (local)</td>
<td>8.45 p.m.</td>
<td>As Mail No. 1.</td>
</tr>
<tr>
<td>6</td>
<td>&quot;</td>
<td>&quot;</td>
<td>7.40 a.m.</td>
<td>As Mail No. 2.</td>
</tr>
<tr>
<td>7</td>
<td>&quot;</td>
<td>Travelling office from Ostend to Brussels</td>
<td>8.45 p.m.</td>
<td>Belgium (with the exception of the correspondence to be comprised in Mail No. 5) and the foreign countries to which Belgium serves as the route.</td>
</tr>
<tr>
<td>8</td>
<td>&quot;</td>
<td>&quot;</td>
<td>7.40 a.m.</td>
<td>Belgium (with the exception of the correspondence to be comprised in Mail No. 6) and the foreign countries to which Belgium serves as the route.</td>
</tr>
<tr>
<td>9</td>
<td>&quot;</td>
<td>Tourmay</td>
<td>7.40 a.m.</td>
<td>* This route is only employed when desired by the sender, or when it offers an acceleration.</td>
</tr>
</tbody>
</table>
| 10     | "                   | Travelling office from Tourmay to Jurbise | 8.45 p.m.        | }
B.—Table showing the manner in which shall be forwarded the Correspondence originating in Belgium addressed to Great Britain.

<table>
<thead>
<tr>
<th>Number</th>
<th>Dispatching Offices</th>
<th>To what offices addressed</th>
<th>Time of Despatch</th>
<th>Correspondence to be forwarded in each Mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Ostend (local)</td>
<td>Dover</td>
<td>10.5 a.m. from Ostend</td>
<td>For Dover, Folkestone.</td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td>8.0 p.m. from Ostend</td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td>London</td>
<td>10.5 a.m. from Ostend</td>
<td>For Great Britain and Ireland (with the exception of the places mentioned above), and for countries and colonies beyond sea.</td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td>8.0 p.m. from Ostend</td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Travelling office from Brussels to Ostend.</td>
<td>Dover</td>
<td>8.0 p.m. from Ostend</td>
<td>As Mails Nos. 1 and 2.</td>
</tr>
<tr>
<td>6</td>
<td></td>
<td>London</td>
<td>8.0 p.m. from Ostend</td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
<td>Dover</td>
<td>10.5 a.m. from Ostend</td>
<td>Nos. 3 and 4.</td>
</tr>
<tr>
<td>8</td>
<td></td>
<td>London</td>
<td>10.5 a.m. from Ostend</td>
<td>Nos. 1 and 2.</td>
</tr>
<tr>
<td>10</td>
<td>Travelling office from Brussels to Tournay.</td>
<td>London</td>
<td>10.5 p.m. from Tournay.</td>
<td>For the whole of Great Britain and Ireland, and for colonies and countries beyond sea.</td>
</tr>
</tbody>
</table>

* This note is only employed when desired by the sender, or when it offers an acceleration.
BELGIUM.

C.— FEUILLES D'AVIS.

Timbre du bureau expéditeur. | Dépêche du bureau d'échange Belge d | pour le bureau d'échange Britannique d
---|---|---

Expédié par la voie d

Départ du 187, à h. m. du
Arrivée le 187, à h. m. du

I.— AVOIR DE L'OFFICE D'ÉCHANGE BELGE.

<table>
<thead>
<tr>
<th>Débours de Taxes Étrangères.</th>
<th>Fr.</th>
<th>cts.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Lettres</td>
<td></td>
<td></td>
</tr>
<tr>
<td>2. Imprimés de toutes natures (y compris les journaux), papiers d'affaires, et échantillons de marchandises</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Lettres ou autres correspondances non-affranchies ré-expédiées. Taxe étrangère à réclamer</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Imprimés, échantillons, &c., des pays d'outre-mer reçus par l'intermédiaire de l'office Britannique, et renvoyés à cet office

à 1 fr. 80 c. par kilogramme
à 1 fr. par kilogramme

II.— AVOIR DE L'OFFICE D'ÉCHANGE BRITANNIQUE.

<table>
<thead>
<tr>
<th>Bonification de Taxes Étrangères.</th>
<th>Fr.</th>
<th>cts.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art. I. Lettres affranchies :</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a.) Ordinaires</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b.) Recommandées</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Art. II. Imprimés de toute nature (y compris les journaux), échantillons de marchandises, et papiers d'affaires affranchis pour</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a.) La Côte Occidentale de l'Amérique du Sud, voie de Panama (1 fr. 80 c. par kilogramme)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b.) La Nouvelle Zélande, la Nouvelle Galles du Sud, et les îles Sandwich, voie des États Unis (1 fr. 60 c. par kilogramme)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c.) Autres pays d'outre mer (1 fr. par kilogramme)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Grammes.

Nombre des objets recommandés.

L'employé du bureau expéditeur. | L'employé du bureau destinataire:
<table>
<thead>
<tr>
<th>Bureau d'origine</th>
<th>Bureau de destination</th>
<th>Nombre des dépêches closes</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bureau ambulant de Cologne à Verviers</td>
<td>Londres.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hamburg.</td>
<td>&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bâle.</td>
<td>&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Olten-Bale.</td>
<td>&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Zurich.</td>
<td>&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rotterdam-Anvers.</td>
<td>&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>L'Ecluse</td>
<td>&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Maastricht.</td>
<td>&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Copenhague.</td>
<td>&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fionie</td>
<td>&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Jutland.</td>
<td>&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Korsor-Kiel.</td>
<td>&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Verone-Ala.</td>
<td>&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Vienne</td>
<td>&quot;</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Dépêches originaires de l'Etranger.**

**Dépêches originaires de la Belgique.**

Ostend (ambulant)

- New York.
- Boston.
BELGIUM. 189

D.—FEUILLE D'AVIS.

(Timbre du bureau expéditeur.)

Dépêche du bureau d'échange ________ d ________ pour le bureau d'échange ________ d ________.

Départ du ________, 187 , à __ h. __ m. du ________.

Arrivée le ________, 187 , à __ h. __ m. du ________.

I.—AVOIR DE L'OFFICE D'ÉCHANGE BRITANNIQUE.

<table>
<thead>
<tr>
<th>Art. I.—Imprimés de toute nature (y compris les journaux), échantillons de marchandises, et papiers d'affaires non affranchis:</th>
<th>Grammes.</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a.) De la Côte Occidentale de l'Amérique du Sud (1 fr. 80 c. par kilogramme)</td>
<td>……</td>
</tr>
<tr>
<td>(b.) D'autres pays d'outre-mer (1 fr. par kilogramme)</td>
<td>……</td>
</tr>
</tbody>
</table>

Débours. (Port étranger, taxe des correspondances ré-expédiées.)

<table>
<thead>
<tr>
<th>Art. II.—Lettres non affranchies des pays étrangers.</th>
<th>Frs. cts.</th>
</tr>
</thead>
</table>

| Art. III.—Lettres, &c., mal-dirigées et ré-expédiées | |

II.—AVOIR DE L'OFFICE D'ÉCHANGE DESTINATAIRE.

<table>
<thead>
<tr>
<th>Bonifications.</th>
<th>Frs. cts.</th>
</tr>
</thead>
<tbody>
<tr>
<td>(a.) Objets ordinaires</td>
<td>……</td>
</tr>
<tr>
<td>(b.) Objets recommandés</td>
<td>……</td>
</tr>
</tbody>
</table>

Nombre des objets recommandés.

L'employé du bureau expéditeur : L'employé du bureau destinataire :

III.—DÉPÊCHES CLOSES.

E.—LISTE NOMINATIVE DES OBJETS RECOMMANDÉS.

<table>
<thead>
<tr>
<th>Nos. d'ordre</th>
<th>Lieu d'origine</th>
<th>Nom du destinataire</th>
<th>Lieu de destination</th>
<th>Port étranger</th>
<th>Droit de recommandation étranger</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>26</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>30</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>31</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>33</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>34</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>35</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>36</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>37</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>38</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>39</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>40</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Totaux ... ... ... ...

Total général à reporter au Tableau No. II, lit. b ... ...
**F.—Envois Recommandés.**

<table>
<thead>
<tr>
<th>N° d'ordre</th>
<th>Lieu d'origine</th>
<th>Nom du destinataire</th>
<th>Lieu de destination</th>
<th>A bonifier à l'office d'échange destinataire</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Port étranger</th>
<th>Droit de recommandation étranger</th>
</tr>
</thead>
<tbody>
<tr>
<td>Frs. cts.</td>
<td>Frs. cts.</td>
</tr>
</tbody>
</table>

Totaux ... ... ... ...

Total général, à reporter au Tableau No. III, lit. b ...

L'employé du bureau expéditeur: ___________________________

L'employé du bureau destinataire: ___________________________
## G. — ETAT MENSUEL du contenu des dépêches du bureau Britannique d ______ pour le bureau Belge d ____________.

Départ de ______ h. ______ m. du ________

Mois d __________, 187 __

---

### Numéros des Articles des Comptes.

<table>
<thead>
<tr>
<th>Dates</th>
<th>I. Avoir de l'Office Britannique</th>
<th>II. Avoir de la Belgique</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Art. 1. Imprimés, &amp;c. (a.)</td>
<td>Art. 2.</td>
</tr>
<tr>
<td>1.</td>
<td></td>
<td>4.</td>
</tr>
<tr>
<td>2.</td>
<td>Grammes</td>
<td>Frs. cts</td>
</tr>
<tr>
<td>3.</td>
<td>Grammes</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Totaux**
Belgium.

**État Mensuel, No.**, du contenu des dépêches du bureau Belge d _____
pour le bureau Britannique d ____________________ voie d ____________.

Départ d _____ h. ______ m. du ____________.
Mois d ____________, 187 ___.

**Numéros des Articles des Comptes.**

<table>
<thead>
<tr>
<th>I.</th>
<th>II.</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>Dates.</th>
<th>I.</th>
<th>2.</th>
<th>3.</th>
<th>4.</th>
<th>5.</th>
<th>6.</th>
<th>7.</th>
<th>8.</th>
<th>9.</th>
<th>10.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Art. 1.</td>
<td>Art. 2.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
<td>4</td>
<td>5</td>
<td>6</td>
<td>7</td>
</tr>
</tbody>
</table>

**Totaux**
**I.—COMPTÉ des États Mensuels des feuilles d'avis des bureaux Britanniques pour les bureaux Belges.**

Mois d________________, 187____.

<table>
<thead>
<tr>
<th>Numéros d'ordre</th>
<th>Désignation des dépêches</th>
<th>Numéros des Articles des Comptes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Origine</td>
<td>Destination</td>
<td>I. Avoir de l'Office Britannique.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th>Art. 1. Imprimés, &amp;c.</th>
<th>Art. 2.</th>
<th>Art. 3.</th>
<th>a.</th>
<th>b.</th>
</tr>
</thead>
<tbody>
<tr>
<td>4.</td>
<td>5.</td>
<td>(a.)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>7.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>


à 1 fr. 80 cts. par kilog. à 1 fr. par kilog.

Frs. cts. Frs. cts.

Totaux à reporter au compte général ...

194 BELGIUM.
**BELGIUM.**

J.—Comptes des Etats Mensuels des feuilles d'avis des bureaux pour bureaux Anglais.

Mois d 187.

<table>
<thead>
<tr>
<th>Désignation des dépêches</th>
<th>Numéros des Articles des Comptes.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>I.</td>
</tr>
<tr>
<td></td>
<td>Avoir de l'Office d'Echange expéditeur.</td>
</tr>
<tr>
<td></td>
<td>II.</td>
</tr>
<tr>
<td></td>
<td>Avoir de l'Office d'Exchange de la Grande Bretagne.</td>
</tr>
<tr>
<td></td>
<td>Art. 1.</td>
</tr>
<tr>
<td></td>
<td>Art. 2.</td>
</tr>
<tr>
<td>1.</td>
<td>b.</td>
</tr>
<tr>
<td>2.</td>
<td>a.</td>
</tr>
<tr>
<td>3.</td>
<td>a.</td>
</tr>
<tr>
<td>4.</td>
<td>7.</td>
</tr>
<tr>
<td>5.</td>
<td>8.</td>
</tr>
<tr>
<td>6.</td>
<td>11.</td>
</tr>
<tr>
<td>Lettres</td>
<td>Imprimés, &amp;c., ré-expédiées.</td>
</tr>
<tr>
<td>a.</td>
<td>Frs.</td>
</tr>
<tr>
<td>b.</td>
<td>Frs.</td>
</tr>
<tr>
<td>c.</td>
<td>Frs.</td>
</tr>
<tr>
<td>d.</td>
<td>Grms.</td>
</tr>
<tr>
<td>e.</td>
<td>Grms.</td>
</tr>
<tr>
<td>f.</td>
<td>Grms.</td>
</tr>
<tr>
<td>g.</td>
<td>Grms.</td>
</tr>
<tr>
<td>h.</td>
<td>Grms.</td>
</tr>
<tr>
<td>i.</td>
<td>Grms.</td>
</tr>
<tr>
<td>j.</td>
<td>Grms.</td>
</tr>
<tr>
<td>k.</td>
<td>Grms.</td>
</tr>
<tr>
<td>l.</td>
<td>Grms.</td>
</tr>
<tr>
<td>m.</td>
<td>Grms.</td>
</tr>
<tr>
<td>n.</td>
<td>Grms.</td>
</tr>
<tr>
<td>o.</td>
<td>Grms.</td>
</tr>
<tr>
<td>p.</td>
<td>Grms.</td>
</tr>
<tr>
<td>q.</td>
<td>Grms.</td>
</tr>
<tr>
<td>r.</td>
<td>Grms.</td>
</tr>
<tr>
<td>s.</td>
<td>Grms.</td>
</tr>
<tr>
<td>t.</td>
<td>Grms.</td>
</tr>
<tr>
<td>u.</td>
<td>Grms.</td>
</tr>
<tr>
<td>v.</td>
<td>Grms.</td>
</tr>
<tr>
<td>w.</td>
<td>Grms.</td>
</tr>
<tr>
<td>x.</td>
<td>Grms.</td>
</tr>
<tr>
<td>y.</td>
<td>Grms.</td>
</tr>
<tr>
<td>z.</td>
<td>Grms.</td>
</tr>
</tbody>
</table>

**Sommaire.**

<table>
<thead>
<tr>
<th>Avoir de la Grande Bretagne</th>
<th>Frs. cts.</th>
<th>Avoir de la Belgique</th>
<th>Frs. cts.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

0 2
BRITISH ORDER IN COUNCIL, for carrying into effect the Extradition Treaty between Her Majesty and the King of the Belgians of May 20, 1876, for the Etradition of Criminals. Osborne, July 21, 1876.

At the Court at Osborne House, Isle of Wight, the 21st day of July, 1876.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act of Parliament made and passed in the Session of Parliament holden in the 33rd and 34th years of the reign of Her present Majesty [Cap. 52.]* intituled "An Act for amending the Law relating to the Extradition of Criminals," and also by an Act of Parliament made and passed in the Session of Parliament holden in the 36th and 37th years of the reign of Her present Majesty [Cap. 60.† intituled "An Act to amend the Extradition Act, 1870," it was amongst other things enacted, that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty was concluded on the 20th day of May, 1876, between Her Majesty and the King of the Belgians, for the Mutual Extradition of Fugitive Criminals, which Treaty is in the terms following:

[Here follows the Treaty. See Page 172.]

And whereas the ratifications of the said Treaty were exchanged at Brussels on the 28th day of June last:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Acts, doth order, and it is hereby ordered, that from and after the 4th day of August, 1876, the said Acts shall apply in the case of the said Treaty with the King of the Belgians.

C. L. PEEL.

* See Vol. 18. Page 1194. † See Great Britain.
PROTOCOL between the Commissioners of Great Britain, Belgium, France, and the Netherlands, relative to the Sugar Duties.
Paris, August 9, 1876.

PROTOCOLE DE CLOTURE.

Les Commissaires soussignés, Délégués par les Gouvernements de la Grande-Bretagne, de la Belgique, de la France, et des Pays-Bas, se sont réunis à Paris, le 17 Juillet, 1876, sous la présidence de M. Teisserenc de Bort, Ministre de l'Agriculture et du Commerce, afin d'étudier les bases d'une nouvelle Convention sur le régime des sucres.

2. La première question examinée dans la Conférence a été celle de savoir si l'on pouvait, comme le demandaient les Délégués de l'Angleterre et de la Belgique, faire revivre la Convention du 11 Août, 1875, en réservant à chacun des États cosignataires la faculté de supprimer l'impôt des sucres.

3. A cet égard, les Délégués de la Hollande ont déclaré que l'exercice des raffineries, à moins d'être tempéré par des dispositions spéciales, souleverait probablement dans leur pays l'opposition qu'il avait déjà rencontrée en 1875. Ils ont exposé, en outre, que les compensations offertes par la Belgique n'avaient point paru suffisantes, que tel était l'un des motifs du vote de la Seconde Chambre des États-Généraux, et qu'il faudrait s'attendre à un nouvel échec si la Belgique n'accordait pas des garanties complémentaires contre les bénéfices de rendement que ses fabricants de sucre sont supposés obtenir par la législation actuelle. Les Délégués Français, de leur côté, tout en se montrant disposés à accepter l'obligation de l'exercice si l'on ne s'entendait pas sur des bases plus conformes à la liberté de l'industrie, n'ont pu admettre que cette obligation fût imposée, sans compensation daucune sorte, aux seules raffineries de leurs nationaux.

4. La suppression même de l'impôt ne leur a point paru un juste équivalent des charges de l'exercice. Ils ont, d'ailleurs, appuyé les observations de la Hollande relativement à la législation Belge, et ils ont demandé quelles étaient les mesures que l'Angleterre pourrait être disposée à prendre, au sujet des sucres bruts primés à l'exportation par les États qui resteraient en dehors de la Confédération sucrière, principalement par l'Autriche-Hongrie. Les Délégués de la Belgique ont alors expliqué que leur Gouvernement avait fait, dans l'Acte du 11 Août, 1875, de trop larges concessions pour pouvoir y rien ajouter. Dans leur pensée, ces concessions présentaient, pour la suppression des bénéfices de rendement, des sûretés au moins aussi complètes que l'exercice le plus rigoureux. Les Délégués Anglais, à leur tour, n'ont pas contesté qu'il ne pût sembler juste de tenir compte de tous les moyens qui ont pour but la

* Not ratified.
suppression des primes : mais, à leur avis, l'examen des dispositions restrictives qu'il pourrait y avoir lieu de prendre à l'importation des sucres primés provenant des pays avec lesquels on n'aurait pas traité n'aurait pas dû entrer dans le programme de la Conférence. Ils ont ajouté que des dispositions de cette nature n'auraient aucune chance d'être acceptées par le Gouvernement de la Reine.

5. Des divergences aussi tranchées ne permettant pas de faire revivre la Convention de 1875, on a recherché s'il serait possible de se rapprocher sur le terrain de la saccharimétrie. L'application de ce système en France a donné lieu à un travail très-complet adressé au Ministre de l'Agriculture et du Commerce par des chimistes dont la haute compétence ne saurait être mise en doute. Ce travail a été distribué à tous les membres de la Conférence, qui en ont apprécié le mérite et l'impartialité ; néanmoins, les Commissaires Anglais ont relevé contre le système de la saccharimétrie des objections fondées à la fois sur les difficultés inhérentes au prélèvement des échantillons et sur l'incertitude des coefficients applicables au glucose et aux sels.

6. Pour s'éclairer à ce sujet, la Conférence a fait appeler dans son sein les auteurs du travail qui lui avait été soumis ; MM. Aimé Girard et de Luynes, Professeurs au Conservatoire des Arts et Métiers ; M. Riche, Professeur à l'Ecole de Pharmacie et Directeur du Comité des Expertises au Ministère du Commerce ; M. Bardy, Directeur du Laboratoire Central des Contributions Indirectes. A leur avis, le prélèvement des échantillons, indispensable dans tous les systèmes d'impôt, ne présente aucune difficulté particulière à la saccharimétrie, parce que les sels qu'on parviendrait à ajouter au sucre en déjouant la surveillance du service, n'échapperaient pas aux investigations des laboratoires. Ils ont spontanément admis qu'on n'était pas encore bien fixé sur le chiffre des coefficients nécessaires pour le glucose et pour les cendres. Mais, dans leur pensée, les écarts à prévoir, sensibles peut-être pour la science, qui ne se contente pas d'à-peu-près, étaient sans importance réelle pour la perception d'un impôt. Malgré ces éclaircissements, les Délégués Anglais ont maintenu leurs objections. Les Délégués Hollandais ont également manifesté des appréhensions sur les résultats des pratiques saccharimétriques ; et les Délégués Belges se sont bornés à exprimer quelques doutes sur la quotité du coefficient afférent au glucose. La Conférence s'est ainsi trouvée conduite à juger que les esprits n'étaient pas préparés à un accord commun sur cette base.

7. En ce moment, les Commissaires des Pays-Bas ont proposé un projet transactionnel. D'après ce projet, chacune des Parties Contractantes se serait obligée à supprimer l'impôt des sucres ou à le percevoir à la consommation suivant un mode
combiné de manière à écarter les objections que l'exercice, proprement dit, avait suscitées dans les Pays-Bas. Une exception était faite pour la Belgique. Les Délegués Néerlandais, reconnaissant que l'impôt à la consommation pourrait y présenter des difficultés sérieuses, ont cru devoir se borner à demander à cet état l'engagement d'abolir toute protection à l'intérieur et tout bénéfice sur le drawback. Mais, pour les Délegués Français, la proposition de la Hollande n'offrait pas un terrain sur lequel l'accord pût s'établir. En effet, d'une part, la situation financière de la France ne permet pas de prévoir la possibilité de supprimer l'impôt sur les sucres ; d'autre part, si le système de l'impôt à la consommation, tel qu'il a été présenté en dernier lieu par les Délegués Hollandais, laissait une espérance d'accord, en se rapprochant de l'exercice, il n'en présentait pas toutes les garanties ; d'un autre côté, les Délegués Français entendaient réserver à leur Gouvernement toute sa liberté d'action, pour le cas où les Pays-Bas aboliraient l'impôt, et ils ne pouvaient se dissimuler que la situation présentait cette difficulté que la Grande Bretagne ne semblait pas disposée à prendre les mesures nécessaires pour repousser de ses marchés les sucres bruts qui arrivent de pays où il existe de primes ; mais les Délegués Anglais estimaient que le défaut d'entente ne saurait se produire sur le terrain des surtaxes, attendu que, dans leur pensée, cette question aurait dû, comme ils l'avaient déjà dit, rester en dehors des délibérations de la Conférence. Enfin, les Délegués Belges ne pouvaient, de leur côté, accepter que conditionnellement la combinaison de leurs collègues des Pays-Bas.

8. Écartant pour la Belgique l'exercice des raffineries et même celui des fabriques, ils auraient admis pour la Hollande, tout en ne dissimulant pas qu'il leur paraissait incomplet, le système qu'on proposait en son nom, si la France l'avait trouvé suffisamment efficace. Mais ils repoussaient péremptoirement pour leur pays l'engagement qu'on voulait lui imposer, s'il devait l'obliger à fortifier par des dispositions complémentaires les garanties auxquelles il avait souscrit dans la Convention de 1875.

9. Dans l'état, les Délegués Belges ont présenté, à leur tour, un projet d'arrangement basé sur le double élément de la saccharimétrie et des types. En consacrant pour chacun des pays co-signataires la faculté de supprimer l'impôt des sucres, ce projet stipulait qu'on devait, là où les droits seraient maintenus, classer les sucres au moyen de la saccharimétrie, si les droits étaient de plus de 22 fr. 50 c. par quintal métrique de sucre à 88 pour cent de rendement, ou d'après 5 types de nuances pris dans la série Hollandaise, aux rendements de 72, 82, 88, 94, et 98 pour cent, si la quotité des droits était fixée à 22 fr. 50 c. ou au-dessous. La proposition Belge, complétée par différentes dispositions empruntées en partie aux Conventions de 1864 et
1875, a donné lieu à diverses objections. Les Délégués Anglais n’ont pas cru pouvoir l’appuyer, parce que, dans leur pensée, elle reposait sur un système de saccharimétrie qu’ils avaient déjà écarté. Pour les Délégués Hollandais, la combinaison Belge avait l’inconvénient radical de laisser encore la porte ouverte à des bénéfices de rendement plus ou moins élevés. Enfin, les Délégués Français ne voyaient pas, dans les obligations acceptées par la Belgique, l’équivalent de ce qu’aurait concédé la France, et ils n’y trouvaient aucune précaution contre la concurrence inégale des sucres bruts primés dont il a déjà été parlé.

10. Parvenus à ce point de leurs travaux les Commissaires soussignés ont unanimement résolu de se séparer pour rendre compte de la situation à leurs Gouvernements respectifs, et pour les prier d’examiner s’il ne conviendrait pas, comme l’ont demandé dès le principe, les Délégués de la Hollande, d’appeler à des Conférences ultérieures divers Etats restés étrangers à la Convention de 1864, notamment l’Allemagne, l’Autriche-Hongrie, l’Italie, pour tâcher d’écarter ainsi certaines inégalités qui ont pesé sur les dernières délibérations, et de préparer des concessions réciproques que rendrait peut-être plus facile la perspective d’un marché international fort agrandi.

11. Il a été entendu qu’en tout cas, et sauf approbation ultérieure de leurs Gouvernements respectifs, les Délégués des 4 Puissances représentées dans la présente Conférence se réuniraient de nouveau à Paris, au plus tard le 5 Décembre prochain.

Fait à Paris, le 9 Août, 1876.

F. G. WALPOLE.
E. P. LE FEUVRÉ.
GUILLAUME.
DUJARDIN.
TEISSERENG DE BORT.
OZENNE.
AME.
RAHUSEN.
TOE WATER.

Pour copie conforme,
RÉNE LAVOLLE, Secrétaire.

DECLARATION between the British and Belgian Governments extending the Extradition Treaty of May 20, 1870,* to certain additional Crimes. Signed at London, July 23, 1877.†

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of

* See Page 172. † Signed also in the French language.
BELGIUM.

His Majesty the King of the Belgians, having judged it expedient, with the view to the more complete prevention of crime within their respective territories, that persons charged with or convicted of certain crimes in addition to those enumerated in Article I of the Treaty between Great Britain and Belgium for the mutual surrender of fugitive criminals, of the 20th of May, 1876, shall, under the provisions of that Treaty, be reciprocally delivered up, have agreed as follows:

Persons charged as principals or accessories with or convicted of the undermentioned crimes committed in the territories of the one party and who shall be found within the territories of the other party, shall be reciprocally delivered up to each other under the circumstances and conditions stated in the Treaty between Great Britain and Belgium for the mutual surrender of fugitive criminals, of the 20th of May, 1876:

1. Administering drugs or using instruments with intent to procure the miscarriage of women.
2. Bigamy.
3. Abandoning children, exposing or unlawfully detaining them.
4. Any malicious act done with intent to endanger persons in a railway train.
5. Receiving any chattel, money, valuable security, or other property knowing the same to have been embezzled, stolen, or feloniously obtained.

The provisions of the present Declaration shall come into force 10 days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties.

In witness whereof the Undersigned have signed the present Declaration, and have affixed thereto the seals of their arms.

Done at London, in duplicate, the 23rd day of July, 1877.

(L.S.) Derby.
(L.S.) Solvyns.

BRITISH ORDER IN COUNCIL, for carrying into effect the Declaration between Her Majesty and the King of the Belgians of July 23, 1877, for the Extradition of Criminals. Osborne, August 13, 1877.

At the Court at Osborne House, Isle of Wight, the 13th day of August, 1877.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act of Parliament made and passed in the Session of Parliament holden in the 33rd and 34th years of the
reign of Her present Majesty [Cap. 52],* intituled "An Act for
amending the Law relating to the Extradition of Criminals," and
also by an Act of Parliament made and passed in the Session of
Parliament holden in the 36th and 37th years of the reign of
Her present Majesty [Cap. 60],† intituled "An Act to amend the
Extradition Act, 1870," it was amongst other things enacted,
that where an arrangement has been made with any foreign
State with respect to the surrender to such State of any fugitive
criminals, Her Majesty may, by Order in Council, direct that the
said Acts shall apply in the case of such foreign State; and
that Her Majesty may, by the same or any subsequent Order,
limit the operation of the Order, and restrict the same to
fugitive criminals who are in or suspected of being in the part
of Her Majesty's dominions specified in the Order, and render
the operation thereof subject to such conditions, exceptions,
and qualifications as may be deemed expedient:

And whereas a Treaty was concluded on the 20th day of
May, 1876.‡ between Her Majesty and the King of the Belgians,
for the Mutual Extradition of Fugitive Criminals, to which
Treaty the above-mentioned Acts of Parliament were applied
by an Order in Council of the 21st day of July, 1876.§

And whereas a Declaration was concluded on the 23rd day
of July, 1877, between the Government of Her Majesty and the
Government of His Majesty the King of the Belgians, extend-
ing the provisions of the above-mentioned Treaty to certain
additional crimes, which Declaration is in the terms following:

[See Page 200.]

Now, therefore, Her Majesty, by and with the advice of Her
Privy Council, and in virtue of the authority committed to Her
by the said recited Acts, doth order, and is hereby ordered, that
from and after the 27th day of August, 1877, the said Acts shall
apply in the case of the said Declaration with the Government
of His Majesty the King of the Belgians as fully to all intents
and purposes as in the case of the said recited Treaty.

C. F. Peel.

BRAZIL.

DECREES of the Emperor of Brazil, respecting the Navigation and
Trade of the Madeira and Amazon Rivers by Foreign Vessels.
Rio de Janeiro, January 25, 1873.||
(Translation.)

PERMITS the merchant vessels of all nations to ascend the

River Madeira as far as the Port of Santo Antonio, establishes in that place a Revenue Department, and in the Port of Serpa a Custom-House.

Taking into consideration the expediency of facilitating the commerce with the Republic of Bolivia by means of the River Madeira, and keeping in view what is determined in Decree of 7th December, 1866,* as well as in Articles XVII, XX, and CCCXLIX of the Regulation of 19th September, 1860, I willingly decree the following:

Art. I. The navigation of the River Madeira, in the Province of Amazonas, is permitted to all nations as far as the Port of Santo Antonio on the right bank of the said river, the determinations in all that may be applicable thereto, in the regulation annexed to the Decree of 31st July, 1867,† being observed.

II. There shall be in the said port a revenue department of the first class, qualified for the importation of goods coming from the Republic of Bolivia, as well as for the exportation of national produce, and for clearing goods on their passage through, or merchandise accompanied with a permit, conveyed in vessels.

III. It is likewise permitted foreign vessels to carry from that to other ports in the rivers of the Province of Amazonas, or that of Para, and *vice versa*, merchandise the produce of any country, in cases provided for in Article XV of the regulation above cited.

IV. A Custom-House of the 5th class shall be established in the town of Serpa, Province of Amazonas, with the same functions as those pertaining to the other Customs of the Empire, the determinations of the regulation of which the antecedent Article treats being observed. Its staff and their salaries shall be the same as that of the Customs of Penedo, in the Province of Alagoas.

V. When the vessels with cargoes destined for the frontier of Peru or of Bolivia cannot advance beyond Serpa, by reason of their great draught of water, they may there, with the assistance of the fiscal authorities of the Customs, tranship the said goods to smaller craft.

VI. All dispositions to the contrary are revoked.

Palace of Rio de Janeiro, 25th January, 1873, 52nd year of the Independence and of the Empire.

With the sign manual of His Majesty the Emperor.

VISCONDE DO RIO BRANCO.

CONVENTION between Great Britain and Brazil, respecting Consular Rights, Trade Marks, and the Mutual Surrender of Deserters.* Signed at Rio de Janeiro, April 22, 1873.†

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the Emperor of Brazil, being desirous to extend and improve the relations between their respective subjects, have resolved to conclude the present Convention respecting Consular rights ("attribuições") and the mutual surrender of deserters, and for that purpose have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, George Buckley Mathew, Esquire, Companion of the Most Honourable Order of the Bath, Her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of Brazil;

And His Majesty the Emperor of Brazil, the Marquis de San Vicente, Councillor of State, Dignitary of the Order of the Rose, Senator, and Grandee of the Empire;

Who, having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:

ART. I. The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the High Contracting Parties residing in the territories and possessions of the other shall exercise the functions pertaining to their office, with which they may be charged by their Governments, without prejudice to the laws and regulations of the country of their residence; and in like manner they shall enjoy the privileges, exemptions, and immunities permitted by the said laws and regulations.

II. Any ship of war or merchant vessel of either of the High Contracting Parties, which may be compelled by stress of weather, or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to put to sea again, without paying any dues other than such as would be payable in a similar case by a national vessel.

In case the master of a merchant vessel should be under the necessity of disposing of a part of his merchandise in order to defray the expenses he may have incurred, no impediment shall be opposed by the local authorities, the master being, however, bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant vessel of one of the High Contracting Parties should be stranded or wrecked upon the coasts of the territories of the other, such ship or vessel, and

* Signed also in the Portuguese language.
† Ratifications exchanged at Rio de Janeiro, January 19, 1874.
all parts thereof, and all furniture and appurtenances belonging
thereunto, and all goods and merchandise saved therefrom, in-
cluding any which may have been cast into the sea, or the pro-
ceeds thereof; if sold, as well as all papers found on board such
stranded or wrecked ship or vessel, shall be given up to the
owners or their agents when claimed by them from the officers
or functionaries, British or Brazilian, who may be by the laws
and orders of the Governments of their respective countries
entrusted with the protection, preservation, and custody of
shipwrecked property. If there are no such owners or agents
on the spot, then the said ship, and the above-named things and
appurtenances, shall be delivered by the above-named officers
or functionaries to the British or Brazilian Consul-General, Con-
sul, Vice-Consul, or Consular Agent in whose district the strand-
ing or wreck may have taken place, upon being claimed by him
within the period fixed by the laws of the country; and such
Consular functionaries, owners, or agents, shall pay only the
expenses incurred in the preservation of the property, together
with the salvage or other expenses which would have been pay-
able in the like case of the stranding or wreck of a national vessel.

It is, however, agreed, that when the owner of the goods or
merchandise, or his agent, not being present on the spot, shall
be a native of the country in which the stranding or wreck
may take place, and resident therein, the goods or merchandise
which may belong to him, or the produce thereof, if sold, shall
not remain in the power of the Consular functionaries, but shall
be deposited according to the laws of the said country, in order
to be handed over to whomsoever they may belong by right.

The goods and merchandise saved from the wreck shall be
exempt from all duties of Customs, unless cleared for consump-
tion, in which case they shall pay the same duties that they
would have to pay if they had been imported in a national
vessel.

In the case of a vessel being driven in by stress of weather,
stranded, or wrecked, the respective Consuls-General, Consuls,
Vice-Consuls, and Consular Agents shall, if the owner or master
or other agent of the owner is not present, or is present and
requires it, be authorised to interpose in order to afford the
necessary assistance to their fellow-countrymen.

The intervention of the local authorities, when the owners,
their agents, the captain, or the Consular functionaries are pre-
sent, shall only take place for the purpose of maintaining order,
of furthering the action of those persons, and of ensuring the
execution of the rules to be observed for the entry and exit of
the goods and merchandise saved, and for the realisation of the
duties when payable.

In case, however, of the absence not only of the owner,
captain, or other agents, but also of the Consuls-General, Con-
suls, Vice-Consuls, and Consular Agents, and until their arrival, the local authorities shall make it their duty to take the necessary measures for the protection of the individuals, and the preservation of the effects wrecked.

III. The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the High Contracting Parties residing in the territories of the other shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

IV. Whenever a subject of one of the High Contracting Parties shall die within the dominions of the other, and there shall be no person present at the time of such death who shall be rightly entitled to administer to the estate of such deceased person, the following rules shall be observed:

1. When the deceased leaves, in the above-named circumstances, heirs of his own nationality only, or who may be qualified to enjoy the civil status of their fathers, the Consul-General, Consul, Vice-Consul, or Consular Agent, of the nation to which the deceased belonged, giving notice to the proper authorities, shall take possession and have custody of the property of the said deceased, shall pay the expenses of the funeral, and retain the surplus for the payment of the debts, and for the benefit of the heirs to whom it may rightfully belong.

   But the said Consul-General, Consul, Vice-Consul, or Consular Agent shall be bound immediately to apply to the proper Court for letters of administration of the effects left by the deceased, and these letters shall be delivered to him with such limitations and for such time as to such Court may seem right ("parecerem conformes ao direito").

2. If, however, the deceased leaves, in the country of his decease and in the above-named circumstances, any heir or universal legatee of other nationality than his own, or to whom the civil status of their fathers cannot be granted, then each of the two Governments may determine whether the proper Court shall proceed according to law, or shall confide the collection and administration to the respective Consular functionaries under the proper limitations.

   When there is no Consul-General, Consul, Vice-Consul, or Consular Agent in the locality where the decease has occurred (in the case contemplated by the first rule of this Article) upon whom devolves the custody and administration of the estate, the proper authority shall proceed in these acts until the arrival of the respective Consular functionary.

V. The subjects of each of the High Contracting Parties shall have, in the territories and possessions of the other, the same rights as native subjects in regard to trade marks and
designs of every description applicable to articles of manufacture.

VI. The present Convention, as soon as it shall have been authorised by the laws of the United Kingdom of Great Britain and Ireland, if such authorisation be necessary, shall be ratified, and the ratifications shall be exchanged at Rio de Janeiro within the space of 6 months from the date thereof, or sooner if possible.

It shall remain in force for 5 years, counting from the day of the exchange of the ratifications.

Nevertheless, if 12 months before the expiration of the 5 years neither of the High Contracting Parties shall have given notice to the other of his intention to terminate the same, the Convention shall continue in force for another year, and so on successively from year to year, until the expiration of a year from the date on which one of the High Contracting Parties shall have given such notice.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Rio de Janeiro, the 22nd day of April, in the year of Our Lord, 1873.

(L.S.) George Buckley Mathew.
(L.S.) Marquez de S. Vicente.

MEMORANDUM, defining the duties of a Consular Administrator, relative to Property of deceased Persons in Brazil. Rio de Janeiro, April 22, 1873.*

(Translation.)

As soon as the Consular functionary shall collect the property of the inheritance of his countrymen according to the conditions agreed upon, he should ask the proper authority to give him the necessary title, which shall qualify him for such administration, and that functionary will do so under the limitations and for the time which may seem to him to be in conformity with law.

The principal limitations which sundry Brazilian dispositions establish in such cases are collected in the Regulation No. 2433 of 15th June, 1859, and were reproduced in the Consular Conventions formerly celebrated.

In short, they are as follows:

The Consular functionary, when a case presents itself, proceeds to collect the property, giving notice of the same to the

* Delivered to the British Plenipotentiary on the day of the signature of the Consular Convention between Great Britain and Brazil of 22nd April, 1873.
proper authority, and in the hypothesis of the deceased having left a will, presents the same at once to the said authority, in order that it may be opened and registered. He provides for the burial of the deceased decently and according to his fortune.

According as he proceeds in collecting the property in the presence of two witnesses whom he shall name, he should go on describing and making an inventory of the property, which inventory being completed shall be delivered to the said authority.

He shall preserve under his vigilance and zealous administration the property of the inheritance, pay the expenses of the interment and the debts which admit of no doubt, in case there is money sufficient to pay all, and in like manner proceed in collecting the outstanding debts.

He should petition for the judicial valuation of the property should the authority not have yet determined on the same, and he moreover has the right of naming one of the appraisers.

The property, being judicially inventoried, with the appraisement made thereon, he should petition for the division to be made, and for that purpose he must state the names of the heirs, and their degree of relationship, or whether married persons. If it shall be necessary to sell by auction property for the payment of debts, or, in order that it may not deteriorate, or on account of its being difficult or expensive to keep or manage, he shall petition in such sense to the respective authority. Landed property shall always be put up to public auction before the Court; personal property, or cattle, &c., more especially property of less value, may be sold in auction under the superintendence of the Consular functionary, should the authority so permit.

The debts owing by the estate of any considerable amount, or which are subject to doubt or contestation, shall depend on the decision of the Court before which the functionary shall make good the right, or give the reasons for opposition on behalf of the heirs.

The Consular functionary shall not deliver up any heir's share to any heir or legatee before he shall have paid, previously, the respective tax which is equal to that paid by natives in identical circumstances.

When the inheritance is small the Consular functionary should give an account of his administration, and of the delivery of the property to the heirs, before the expiration of two years, and in a contrary case up to the end of that term.

Should he not have done so up to the end of the term, the property or the money produced by the same shall be delivered to the National Treasury, before which the heirs who may appear may petition for restitution.
It is needless to say that the decisions of questions on the validity or invalidity of the will, on the rights of the heirs, or on law-suits against the inheritance, belong to the competency of the Brazilian authority, as well, also, as the nomination of tutors or guardians, in which matter the Consular functionary should have a voice.

It is right to add, in explanation, also, of the stipulations of Article IV, in principio, that by Brazilian law the following are authorised to administer the property left by a deceased person:
1. The wife.
2. The descendants or parents.
3. Collaterals to the second degree inclusive.
4. The instituted heir.
5. The executor.
6. The attorney of the heir, or legatee of a positive bequest, inasmuch as relates thereto.
7. In case of bankruptcy or commercial partnership, the administrator whom the commercial law shall designate.

Rio de Janeiro, April 22, 1873.

**BRITISH ORDER IN COUNCIL, for carrying into effect a Treaty between Her Majesty and the Emperor of Brazil, for the Mutual Surrender of Criminals. Balmoral, November 20, 1873.**

At the Court at Balmoral, the 20th day of November, 1873.

WHEREAS by an Act of Parliament made and passed in the Session of Parliament holden in the 33rd and 34th years of the reign of Her present Majesty [cap. 52],* intituled "An Act for amending the Law relating to the Extradition of Criminals," it was amongst other things enacted, that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Act shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty was concluded on the 13th day of

November, 1872, between Her Majesty and the Emperor of Brazil for the Mutual Extradition of Fugitive Criminals, which Treaty is in the terms following:

[Here follows the Treaty. See Vol. XIII. Page 180.]

And whereas the ratifications of the said Treaty were exchanged at Rio de Janeiro on the 28th day of August last:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Act, doth order, and it is hereby ordered, that from and after the 1st day of December, 1873, the said Act shall apply in the case of the said Treaty with the Emperor of Brazil.

EDMUND HARRISON.

MEMORANDUM, defining the duties of a Consular Administrator in Great Britain,* relative to Property of deceased Persons.

London, December 28, 1873.

1. To bury the deceased in a manner suitable to the estate which he has left behind him.

2. To take out letters of administration of the estate and effects of the deceased; but before the letters of administration will be granted to him he will be required to swear to the probable amount of the personal estate and effects of the deceased in this country, and to enter into a bond with two sureties for the due administration of such estate.

3. To make, or cause to be made, a true and perfect inventory of all the goods and chattels, as well moveable as not moveable, whatsoever that belonged to the deceased at his death.

4. To collect all the goods and chattels so inventoried, including debts due to the deceased.

5. To sell such parts of the intestate's property as may be required to raise sufficient money to meet payments after mentioned.

6. To pay out of the estate of the deceased, and before any debt or duty whatsoever, the funeral expenses; and, after the funeral expenses, the costs of obtaining letters of administration.

7. To pay all the debts of the deceased so far as the assets in his hands will enable him to do so.

8. To return the surplus of the estate (if any) for the benefit of such person or persons as may be entitled thereto.

N.B.—By the law of Great Britain an administrator is only

* Delivered to the Brazilian Plenipotentiary on the exchange of the ratifications of the Consular Convention between Great Britain and Brazil of 22nd April, 1873.
concerned with the distribution of personal property, which, in that country, includes leaseholds.

---

**DECREE of the Emperor of Brazil, relative to the participation of Foreigners in the Coasting Trade of the Brazilian Empire.**

_Rio de Janeiro, April 11, 1874._

(Translation.)

It is my pleasure that the Law of the 25th of August, 1873, Article XI, § 5, be put in force, observing the Regulation given below respecting the national merchant shipping, the industry of ship-building, and the coasting trade.

Let the Viscount do Rio Branco, President of the Council of Ministers, Minister and Secretary of State for Financial Affairs, and President of the Tribunal of the Treasury, so have understood it and cause it to be put in force.

Palace of Rio de Janeiro, 11th of April, 1874, 53rd of the Independence and of the Empire.

With the sign manual of His Majesty the Emperor.

_VISCOUNT DO RIO BRANCO._

---

**REGULATION for putting in execution the Law of the 25th August 1873, Article XI, § 5. Rio de Janeiro, April 11, 1874.**

**CHAPTER III. — On Foreign Vessels.**

Art. X. Foreign vessels may continue freely to carry on the Coasting Trade of merchandize of national or foreign production between the ports of the Empire in which there may be a Custom-House, or a Customs’ Revenue Department.

Excepting, as far as concerns the ports in which are revenue officers, the transport of foreign merchandise which has not yet paid duties on consumption.

XI. The owners or consignees of foreign ships which may conduct the Coasting Trade, shall sign an instrument of responsibility, in conformity with Article DCXLV of the Regulation of the Customs, binding himself to pay the export duty of the national produce or manufacture which they may carry. For the calculation of the respective duty, the value given in the weekly tariff will serve as a basis.

The Fiscal Department in which the clearance paper is made may insist on the said instrument of guarantee being also signed by a responsible bondsman, who will be personally answerable for the obligation contracted.

XII. For the annulling the instrument of which the preceding Article treats, the owner or consignee of the ship shall
present a certificate of its having been actually discharged, passed by the Fiscal Department of the port of destination of the goods. That document shall be written by the Department which received it, on the margin of the said instrument.

Sole paragraph. The said certificate should be exhibited within the term of 4 months, which may be prolonged, should the motive be considered a sufficient one to be attended to, in the judgment of the Chief of the Department, to which Article XI refers, for two months longer: under penalty of the signers of the instrument of responsibility being subject to pay the export duty.

XIII. The foreign vessels employed in the Coasting Trade shall be freed from visit, prescribed in Article CCCCLVII of the Regulation of 19th September, 1860, on proving by certificate that they were visited in the port of the Empire where they had to complete the discharge of the merchandise arrived from foreign ports, and subject to the duties on consumption.

Sole paragraph. The said vessels shall also be exempt from the security required in Article DI of the cited Regulation of the Customs.

XIV. Foreign vessels may report their entries in maritime ports, or those in the interior where there may not happen to be a Custom-House, or a Customs' Revenue Department, first obtaining the permit, of which Article CCCXIII of the Regulation of the Customs treats.

This permit may be granted by the Inspector of the Customs, under whose jurisdiction is the port of destination of the vessel, under the following circumstances:

Firstly. For the discharge of foreign merchandize, which shall have already paid consumption duty.

Secondly. For loading, with destination to foreign ports, merchandize the produce or manufacture of the country.

XV. In the second case of the preceding Article foreign vessels should clear for export in the Custom-House which granted them the permit the merchandize which is the produce or manufacture of the country.

The respective Inspector will take such measures as will best suit the fiscal interests in the manner of verifying the clearance referred to; he can appoint one or more employés to assist in loading, and in taking the account of the quantity as well as the quality of the merchandise shipped.

XVI. Save the modifications made by the present regulation all other dispositions in force respecting this service shall be applicable to the foreign vessels employed in the Coasting Trade.

General Dispositions.

XVII. The captains or masters of sailing vessels employed
in the Coasting Trade shall be exempted from the obligation of making known the day of departure to the administrations of the post offices, when they may be destined to ports at which the mail transport service is effected regularly by steamers or couriers.

XVIII. The captains and masters of vessels in the Coasting Trade in general are likewise excused from soliciting the bill of health, of which Article XLII of the Decree, No. 2,409 of the 27th April, 1859, treats, save in the case of a special order to the contrary, which may be issued by the Health Department of the port in cases of epidemic disorder.

XIX. The clearance of merchandise in transit for re-exportation, reloading, or transportation coastwise shall continue to be made according to the instructions, No. 133 of 24th May, 1870, whether the vessels are foreign or national.

XX. The Inspectors of Customs and of Revenue Departments will take such measures as may be most fit in order that the captains and masters of ships that perform the coast service shall return to the said Department the duplicates of the clearance papers of the merchandise shipped, with the proper receipt, in time for them to be sent, without fail, by the same ships to the Chief of the Fiscal Department of the port of destination, under a penalty, to the said captain or master, of subjecting himself to the fine incurred according to Article CCCLXXXII of the 19th September, 1860.

XXI. All dispositions to the contrary are revoked.
Rio de Janeiro, 11th April, 1874.

Viscount do Rio Branco.

POSTAL CONVENTION between Great Britain and Brazil.
Signed at Rio de Janeiro, August 16, 1875.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of His Majesty the Emperor of Brazil being desirous to regulate, by means of a new Convention, the communications by post between the United Kingdom and Brazil upon a more liberal and advantageous basis for the inhabitants of the two countries,
The Undersigned, Victor Arthur Wellington Drummond, Esquire, Her Britannic Majesty's Chargé d'Affaires ad interim, and Viscount de Caravellar, a Counsellor of State, Senator of the Empire, &c., furnished with full powers from their respective Sovereigns, after having communicated to each other the said full powers, which were found to be in good and due form, have agreed upon the following Articles:
Art. I. The total rate of postage to be collected upon a letter posted in the United Kingdom and addressed to Brazil, whether conveyed direct by mail packet or in a closed mail via France and by means of a French mail packet, shall be 9d. per 
quarter ounce, or fraction of a quarter ounce, if such postage be prepaid, and 1s. per quarter ounce, or fraction of a quarter ounce, if the postage be not prepaid, and the total rate of postage to be collected upon a letter posted in Brazil and addressed to the United Kingdom, whether conveyed direct by mail packet or in a closed mail via France and by means of a French mail packet, shall be 370 reis per quarter ounce, or fraction of a quarter ounce, if such postage be prepaid, and 500 reis per quarter ounce, or fraction of a quarter ounce, if the postage be not prepaid.

Insufficiently prepaid letters shall be considered as unpaid, and charged accordingly, after deducting the value of the postage stamps affixed to them.

II. Packets containing legal and commercial documents, patterns of merchandise, newspapers, stitched or bound books, pamphlets, music, visiting cards, catalogues, prospectuses, announcements, and notices of various kinds whether printed, engraved, or lithographed, as well as photographs, shall be transmissible by either office at such charges and under such regulations, with respect to non or insufficient payment and other matters, as the dispatching office may from time to time lay down.

These regulations, however, shall include the following:

1. No packet may contain anything which is sealed or otherwise closed against inspection, nor must it contain any letter, nor any communication of the nature of a letter, whether separate or otherwise, unless the whole of such letter or communication be printed.

2. No packet must exceed two feet in length, or one foot in width or depth.

The postage of all such packets sent from Brazil in transit through the United Kingdom shall be prepaid.

III. Upon prepaid letters and upon the articles specified in Article II preceding, dispatched from Brazil by way of the United Kingdom, addressed to the countries and colonies enumerated in the table annexed to the present Convention, and upon unpaid letters dispatched from those countries and colonies by way of the United Kingdom, addressed to Brazil, the Brazilian Post Office shall account to the British Post Office for the rates of postage set forth in that table.

These rates of postage shall, however, be modified whenever any alteration takes place in the postage charged in the United Kingdom upon correspondence addressed to or received from the countries and colonies enumerated in the table.

Upon unpaid letters addressed to France, dispatched from
Brazil by way of the United Kingdom, the British Post Office shall account to the Brazilian Post Office for the sum of 1s. per ounce, net weight, and upon unpaid letters addressed to Spain, dispatched from Brazil by way of the United Kingdom, the British Post Office shall account to the Brazilian Post Office for the sum of 1s. 8d. per ounce, net weight, those being the sums which, by Treaty, the British Post Office will receive from the Post Offices of France and Spain respectively for the Atlantic Sea conveyance of such letters.

Upon every unpaid letter, dispatched from Brazil by way of the United Kingdom, addressed to any other of the countries and colonies enumerated in the annexed table the British Post Office shall account to the Brazilian Post Office for the sum of 1s. per ½ ounce, or fraction of ½ an ounce.

IV. The Brazilian Post Office may deliver to the British Post Office letters or other articles which have been registered addressed to the United Kingdom; reciprocally the British Post Office may deliver to the Brazilian Post Office letters or other articles which have been registered addressed to Brazil.

The postage of all registered articles shall always be paid in advance.

In addition to this postage there shall also be charged a registration fee, the amount of which shall be fixed and retained by the dispatching office.

V. The Brazilian Post Office may further deliver to the British Post Office registered letters and other articles addressed to those countries or colonies to which registered letters, &c., can be sent from the United Kingdom.

The Brazilian Post Office shall account to the British Post Office, in addition to the postage due to the British Post Office, for such sum as the British Post Office may fix for the registration from the United Kingdom of every registered letter or other article addressed to the countries or colonies above mentioned.

The Brazilian Post Office shall retain the amount of the fee charged for the registration as far as the United Kingdom.

VI. Subject to the payments referred to in Article III foregoing and in the following Article VII, each office shall retain the whole amount of postage which it collects as well on the prepaid letters, &c., which it dispatches to the other office as on the unpaid letters, &c., which it receives from that office.

VII. The British Office shall defray the whole cost of conveying direct by mail packet the mails from the United Kingdom to Brazil.

It shall also defray the transit and sea rates of postage payable to France on all closed mails forwarded from the United Kingdom to Brazil through France, and by means of French mail packets.
The Brazilian Post Office shall defray the whole cost of conveying direct by mail packet the mails from Brazil to the United Kingdom. Upon all mails forwarded from Brazil to the United Kingdom or to intermediate ports by a packet provided under the terms of a contract now subsisting between the British Government and the owners of such packet, the Brazilian Post Office shall repay to the British Post Office the entire amount payable according to the stipulations of that contract by the British Post Office for the conveyance of those mails.

The Brazilian Post Office shall also repay to the British Post Office the transit and sea rates of postage which that office will have to pay to the French Post Office for all closed mails forwarded from Brazil to the United Kingdom through France, and by means of French mail packets.

Notwithstanding the previous provisions, the Brazilian Post Office shall have the right to contract direct with and to pay to the company for the conveyance of all mails that shall be dispatched from Brazilian ports.

VIII. No postage whatever shall be charged by the British Post Office upon the delivery of prepaid letters or other articles originating in Brazil and addressed to the United Kingdom; and in like manner no postage whatever shall be charged by the Brazilian Post Office upon the delivery of prepaid letters or other articles originating in the United Kingdom, or passing in transit through the United Kingdom, and addressed to Brazil.

IX. All letters and other articles which, owing to imperfect addresses or other cause, cannot be delivered shall, without unnecessary delay, be returned to the dispatching office without any charge for such re-transmission.

X. The British Post Office shall prepare, at the expiration of every quarter, separate accounts exhibiting the results of the exchange of correspondence between the respective offices.

Such accounts shall be founded upon the acknowledgments of receipt of the respective offices during the quarter.

The separate accounts shall be incorporated in general accounts which shall be compared and settled by the two offices, and the balance shall forthwith be paid in London and in British money, if such balance is in favour of the United Kingdom, and in Rio de Janeiro and in Brazilian money, if such balance is in favour of Brazil.

XI. The Brazilian and British Post Offices shall mutually agree on the regulations for carrying the present Convention into effect, which regulations shall be signed by the respective Postmasters-General, who can modify the same by mutual consent should the regularity or convenience of the service require it.

XII. All the Conventions existing between the United Kingdom of Great Britain and Ireland and Brazil relative to the
exchange of correspondence shall cease to have effect from the date of the day when the present Convention shall be put into execution.

XIII. The Brazilian Government, together with the British Government, having resolved, from motives of mutual convenience, that the above stipulated dispositions should be put in execution independent of the usual ratifications, which will be thus dispensed with, the Undersigned Plenipotentiaries agree that the present Convention shall commence to be put in force on the 1st of December of the present year, continuing in force until one of the two Contracting Parties shall give notice to the other, one year beforehand, of their intention of bringing it to an end.

Done, in duplicate, in the city of Rio de Janeiro, on the 16th day of the month of August, 1875.

(L.S.) VICTOR A. W. DRUMMOND.
(L.S.) VISCONDE DE CARAVELLAR.
Table showing the Rates of Postage to be accounted for by the Brazilian Post Office to the British Post Office upon Letters, Newspapers, Book Packets, and Patterns or Samples of Merchandise conveyed via the United Kingdom in ordinary Mails between Brazil and the undermentioned Countries and Colonies.

This Table, amended in conformity with the provisions of the Postal Union Treaty, was forwarded by the Post Office to the Foreign Office on the 6th September, 1875, with a request that it might be substituted for the Table appended to the Convention.

<table>
<thead>
<tr>
<th>Countries and Colonies</th>
<th>Paid Correspondence delivered by the Brazilian Post Office to the British Post Office</th>
<th>Unpaid Correspondence delivered by the British Post Office to the Brazilian Post Office</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rate for a single Letter.</td>
<td>Rate per 4 oz. for each newspaper.</td>
</tr>
<tr>
<td></td>
<td>Rate for a single Letter.</td>
<td>Rate per 4 oz. for each newspaper.</td>
</tr>
<tr>
<td>(a) Australia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) Belgium</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c) Bermuda</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(d) Canada, New Brunswick, Newfoundland, Nova Scotia, Prince Edward Island</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(e) Canary Islands</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(f) Cape de Verd Islands</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(g) Cape of Good Hope, Natal, St. Helena...</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(h) Ceylon</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(i) Constantineople</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(j) Dardanelles, Rhodes, Samsoun, Trebizond</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(k) Denmark</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(l) East Indies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(m) Egypt...</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Falkland Islands, Gambia, Gold Coast, Lagos, Liberia, Sierra Leone</td>
<td></td>
<td></td>
</tr>
<tr>
<td>* France and * Algeria</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(a) Galatz</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(b) Germany</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(c) Gibraltar</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(d) Greece and the Ionian Islands</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Postage to be levied on mail sent to and from these countries and colonies.
<table>
<thead>
<tr>
<th>Country</th>
<th>Rate 1</th>
<th>Rate 2</th>
<th>Rate 3</th>
<th>Rate 4</th>
<th>Rate 5</th>
<th>Rate 6</th>
<th>Rate 7</th>
<th>Rate 8</th>
<th>Rate 9</th>
</tr>
</thead>
<tbody>
<tr>
<td>Royalty</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
</tr>
<tr>
<td>Hong Kong and § Lebanon</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
</tr>
<tr>
<td>Japan</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
</tr>
<tr>
<td>§ Australia (South and West)</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
<td>0.14</td>
</tr>
</tbody>
</table>

Letters may be sent unpaid to those Countries the names of which are not in italics; and Letters, Newspapers, Book Packets, and Patterns may be registered in those cases where a mark thus is prefixed to the rates of Postage. The charge for registration to the places marked thus * is a sum exactly equal to the postage, whatever that may be; and to all other places 4d. for each Letter, etc.

An additional postage of 3d. per rate for Letters, 2d. per rate for Newspapers, and 3d. per 4 ozs. for Book Packets and Patterns must be accounted for when addressed to be sent from England to Brazil to the places marked thus §.

The weight of a single book packet or packet of newspapers is limited to 2 lbs. in the cases marked thus (a), and no packet of patterns for these countries must exceed 8 ozs.

ART. I. The following shall be the regulations for the exchange of mails between the British and the Brazilian Post Offices:

1. The office of London shall exchange mails with the offices of Rio de Janeiro, Bahia, Pernambuco, and Rio Grande do Sul, as well by means of the direct mail packets sailing from Southampton or Liverpool as by way of France and by means of the French mail packets.

2. The office of Southampton shall exchange mails with the offices of Rio de Janeiro, Bahia, Pernambuco, and Rio Grande do Sul, by means of the mail packets sailing from Southampton.

3. The office of Liverpool shall exchange mails with the offices of Rio de Janeiro, Bahia, Pernambuco, and Rio Grande do Sul, by means of the mail packets sailing from Liverpool.

II. The exchange of registered letters and other postal packets between the Post Offices of the United Kingdom and the Post Offices of Brazil shall be regulated as follows:

The letters, &c., shall be entered with all the necessary details on special lists according to the Form B annexed to the present regulations.

The registered letters, &c., and the nominal lists shall be then tied together with a cross string and placed in a canvas bag of an orange colour, which shall be securely tied at the neck by a string, the ends of which shall be sealed with the seal of the dispatching office.

The registered letters thus made up shall be placed in the mail of which they form part.

The number of registered letters, &c., entered on the special lists must be specified at full length, in words, in the place reserved for the purpose at the foot of the letter bill.

If it should happen that there are no registered letters to be forwarded, a blank list shall be sent enclosed as usual, in the orange coloured canvas bag.

The special lists shall be retained by the office to which they are sent, which shall simply acknowledge the receipt numerically of the registered letters received by it on the next list which it shall have to send to the corresponding office.

In case of any difference or error being discovered on the opening of the mails the attention of the dispatching office shall be called to the circumstance by the first post.

* See Page 213.
III. The Brazilian Post Office may deliver to the British Post Office registered letters or other articles addressed to the undermentioned countries or colonies, viz.:

Austria, Belgium, Bermuda, Canada, Canary Islands, Cape of Good Hope, Ceylon, Constantinople, Denmark, East Indies, Egypt, Falkland Islands, Galatz, Gambia, Germany, Gibraltar, Gold Coast, Greece and Ionian Islands, Holland, Hong Kong, Italy, Lagos, Labuan, Larnaca, Liberia, Madeira, Malta, Mauritius, Moldavia, Natal, New Brunswick, Newfoundland, New South Wales, New Zealand, Norway, Nova Scotia, Penang, Prince Edward Island, Queensland, Russia and Poland, St. Helena, Salónica, Seres, Sierra Leone, Singapore, Smyrna, South Australia, Spain, Sweden, Switzerland, Tasmania, Tchesme, Tenedos, Trebizond, Tultscha, Tunis, Varna, United States of America, Victoria, Wallachia, Western Australia, West Indies (British).

And letters (but letters only) to the undermentioned countries, viz.:

Cape de Verd Islands, Curáçoa, Dardanelles, France and Algeria, Java, Réunion, Rhodes, Samsoun, Scutari, Surinam.

IV. Upon registered letters forwarded from Brazil in transit through the United Kingdom, the Brazilian Post Office shall account to the British Post Office, in addition to the amount of postage set down in the Table annexed to the Convention, for the following sums, viz.:

For every registered letter addressed to France or Algeria, the Dardanelles, Rhodes, Samsoun, Trebizond, or Réunion, a sum exactly equal to the postage, whatever that may be.

And for every registered letter addressed to any other of the countries or colonies enumerated in the foregoing Article III, the sum of 4d.

V. The respective offices shall mutually account to each other for the amount of postage due to each on the correspondence exchanged between them.

On every prepaid transit letter sent from the Brazilian Post Office to the British Post Office the amount of postage due to the latter shall be distinctly marked in red ink in the right hand upper corner, and on every unpaid transit letter the amount due to the Brazilian Post Office shall be distinctly marked in black ink in the left hand upper corner.

VI. Every mail passing between the offices of exchange of the respective Post Offices shall be accompanied by a letter bill specifying the amount of postage due to each office on each class of correspondence.

The office to which the mail is addressed shall acknowledge its receipt by the next post.

The letter bills from the offices of London, Southampton, and Liverpool for the offices of Rio de Janeiro, Bahia, Pernam-
buco, and Rio Grande do Sul shall be in conformity with the Form C annexed to the present regulations.

The forms of letter bill which the Brazilian offices of exchange shall use in their communications with London, Southampton, and Liverpool, shall agree with the patterns above described.

VII. The respective offices of exchange shall divide the correspondence which they shall mutually exchange into as many distinct packets as there are different classes of correspondence.

To each packet shall be attached a label showing the nature of the correspondence covered by the label.

The labels which the respective offices of exchange shall make use of shall be printed as follows:

1. On pink paper for paid correspondence.
2. On yellow paper for insufficiently paid correspondence.
3. On white paper for unpaid correspondence.
4. And on blue paper for mis-sent and re-directed correspondence.

VIII. If it should happen at the usual period for making up the mails that there be not any letter, or other correspondence from either of the offices of exchange, a mail, in which there shall be a blank letter bill, shall nevertheless be forwarded to the corresponding office.

IX. Dead letters, newspapers, &c., which cannot be delivered, from whatever cause, shall be mutually returned after the expiration of every month.

Such of those letters, &c., as shall have been charged in the account shall be returned for the same amount of postage which was originally charged by the sending office, and shall be allowed in the discharge of the account of the office to which they were transmitted.

X. Letters forwarded for the purpose of annoying or injuring the person to whom they are addressed, the postage of which both offices are authorised to return to the public, even after they have been opened, may be included and admitted with the dead letters mutually returned.

XI. Ordinary or registered letters or other articles misdirected or mis-sent shall be reciprocally returned without delay through the respective offices of exchange for the same weight and amount of postage at which they were charged by the dispatching office to the other office.

The articles of a like nature addressed to persons who have changed their residence shall be mutually forwarded or returned, charged with the rate that would have been paid by the receivers.

Done, in duplicate, and signed in London, on the 7th day of
BRAZIL.

October, 1875, and in Rio de Janeiro, on the 20th day of
November, 1875.

(L.S.) John Manners.
(L.S.) Luiz Plinio d'Oliveira.

B.—REGISTERED LETTER LIST FOR BRAZIL.

Particulars of registered letters, &c., forwarded from the Post Office
Date Stamp. to the Post Office _______ by the mail of
_______, 187 ______.

<table>
<thead>
<tr>
<th>Number</th>
<th>Origin</th>
<th>To whom addressed</th>
<th>Destination</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>11</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>16</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>17</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>22</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Signature of Receiving Officer. Signature of Dispatching Officer.

Acknowledgment of the receipt of Registered Letters contained in the Mail from
Brazil.

The registered letters dispatched from the Post Office
to the Post Office _______ by the mail
of the _______, 187 ______, have been duly received.

Signed
Post Office, ______, 187 ______.

* Here state in writing the number of letters.
C.—LETTER BILL.

For the Correspondence between the United Kingdom and Brazil.

Mail for ______ .
Post Office ______ .

187 .

The following articles are sent herewith, the receipt of which it is requested may be acknowledged, viz.:

<table>
<thead>
<tr>
<th>Table 1.—Unpaid Correspondence to the Credit of the British Office.</th>
<th>Statement by the British Office.</th>
<th>Statement by the Brazilian Office.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Unpaid letters from countries in transit through the United Kingdom.</td>
<td>£</td>
<td>s.</td>
</tr>
<tr>
<td>2. Unpaid newspapers from countries in transit through the United Kingdom</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3. Unpaid book packets and packets of patterns from countries in transit through the United Kingdom</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4. Mis-sent and redirected letters</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Table 2.—Closed Mails from Countries in Transit through the United Kingdom.

<table>
<thead>
<tr>
<th>Place of Origin.</th>
<th>Place of Destination.</th>
<th>Number of Mails.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Statement by the British Office.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Statement by the Brazilian Office.</td>
</tr>
</tbody>
</table>

Registered letters are sent in this mail the particulars of which are entered on a separate list.
ACKNOWLEDGMENT OF RECEIPT.

For the Correspondence between Brazil and the United Kingdom.

The mail from [Address] to [Address] by the packet [Packet Number], 187, has been received, containing the following articles, viz.:

### Table 1. Unpaid letters to the Credit of the Brazilian Office.

<table>
<thead>
<tr>
<th>Description</th>
<th>Statement by the Brazilian Office</th>
<th>Statement by the British Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Unpaid letters for France in transit through the United Kingdom at 1s. per ounce</td>
<td>lbs. oz.</td>
<td>lbs. oz.</td>
</tr>
<tr>
<td>2. Unpaid letters for other countries in transit through the United Kingdom at 1s. per half ounce each</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
</tr>
<tr>
<td>3. Mis-sent and re-directed letters</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Table 2. Paid Letters, &c., to the Credit of the British Office.

<table>
<thead>
<tr>
<th>Description</th>
<th>Statement by the British Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Paid letters for countries in transit through the United Kingdom</td>
<td></td>
</tr>
<tr>
<td>5. Paid newspapers for countries in transit through the United Kingdom</td>
<td></td>
</tr>
<tr>
<td>6. Paid book packets and packets of patterns for countries in transit through the United Kingdom</td>
<td></td>
</tr>
<tr>
<td>7. Fees on registered letters, &amp;c., for countries in transit through the United Kingdom</td>
<td></td>
</tr>
</tbody>
</table>

### Table 3. Closed Mails for Countries in Transit through the United Kingdom.

<table>
<thead>
<tr>
<th>Place of Origin</th>
<th>Place of Destination</th>
<th>Number of Mails</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Statement by the Brazilian Office</td>
</tr>
</tbody>
</table>

registered letters were received in this mail.

Receiving Officer.

VOL. XIV.
BRAZIL.

BRITISH ORDER IN COUNCIL, for Apprehending and Delivering up of Seamen Deserters from Brazilian Merchant Vessels in the British Dominions. Windsor, 17th May, 1876.

At the Court at Windsor, the 17th day of May, 1876.

Present: The Queen's Most Excellent Majesty in Council.

Whereas by "The Foreign Deserters Act, 1852," [cap. 26],* it is provided that whenever it is made to appear to Her Majesty that due facilities are or will be given for recovering or apprehending seamen who desert from British merchant ships in the territories of any foreign Power, Her Majesty may, by Order in Council stating that such facilities are or will be given, declare that seamen, not being slaves, who desert from merchant ships belonging to such Power when within Her Majesty's dominions shall be liable to be apprehended and carried on board their respective ships, and may limit the operation of such Order, and may render the operation thereof subject to such conditions and qualifications, if any, as may be deemed expedient:

And whereas it has been made to appear to Her Majesty that due facilities are given for recovering and apprehending seamen who desert from British merchant ships in the territories of His Majesty the Emperor of Brazil.

Now, therefore, Her Majesty, by virtue of the powers vested in Her by the said "Foreign Deserters Act, 1852," and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the London Gazette, seamen, not being slaves, and not being British subjects, who within Her Majesty's dominions desert from merchant ships belonging to the Empire of Brazil, shall be liable to be apprehended and carried on board their respective ships.

Provided always, that if any such deserter has committed any crime in Her Majesty's dominions, he may be detained until he has been tried by a competent court, and until his sentence (if any) has been fully carried into effect.

And the Secretaries of State for India in Council, the Home Department, and the Colonies, are to give the necessary directions herein accordingly.

C. L. PEEL.

ORDINANCE of the Governor of Hong Kong, with the advice of the Legislative Council thereof, for the better protection of Chinese Women and Female Children, and for the repression of certain Abuses in relation to Chinese Emigration.

[No. 6.] [May 8, 1873.]

WHEREAS it is expedient to make better provision for the punishment of persons guilty of selling, purchasing, or decoying into the colony, or unlawfully detaining therein Chinese women and female children for the purpose of prostitution, and of decoying Chinese into or away from this colony for the purpose of emigration, or for any other purpose whatsoever: be it enacted by the Governor of Hong Kong, with the advice of the Legislative Council thereof, as follows:

I. Whosoever shall bring, lead, take, decoy, or entice into the colony any woman or female child with intent to sell her for the purpose of prostitution, or who shall sell or purchase any woman or female child for the purpose aforesaid, or who shall knowingly derive any profit from the sale or purchase of any woman or female child so sold or purchased as aforesaid, shall be guilty of a misdemeanour, and on conviction thereof shall be liable to the punishments hereinafter provided.

II. Whosoever shall unlawfully detain any woman or female child in any place against her will with the intent that she may become a prostitute, or for any other purpose whatsoever, or who shall by any false pretences, false representations, or other fraudulent means, procure any woman or female child to have illicit carnal connection with any man, shall be guilty of a misdemeanour, and on conviction thereof shall be liable to the punishments hereinafter provided.

III. Whosoever shall unlawfully receive or harbour any woman or female child, with intent that such woman or female child should be sold or purchased for the purpose of prostitution, shall be guilty of a misdemeanour, and on conviction thereof shall be liable to the punishments hereinafter provided.

IV. Whosoever shall unlawfully by force or fraud imprison or detain any person within the colony for the purpose of emigration, or for any other purpose whatsoever, shall be guilty of a misdemeanour, and on conviction thereof shall be liable to the punishments hereinafter provided.

V. Whosoever shall unlawfully, by force, intimidation, or any fraudulent means, bring, lead, take, decoy, or entice any...
person into or away from the colony, for the purpose of emigration, or for any other purpose whatsoever, shall be guilty of a misdemeanor, and on conviction thereof shall be liable to the punishments hereinafter provided.

VI. Every person who shall be convicted of any offence against the provisions of this Ordinance shall be liable to be imprisoned for any term not exceeding two years, without hard labour.

VII. All the offences against this Ordinance may be heard and determined summarily by two magistrates sitting together, who shall constitute a court for this purpose; provided that, if at the close of the investigation the accused shall apply for a trial by jury, or the magistrates shall be of opinion that the case ought to be so tried, they may commit the accused for trial at the Supreme Court.

VIII. The provisions of Section LXVI of Ordinance No. 4 of 1865 shall apply to every summary conviction under this Ordinance.

IX. Whenever any person shall be convicted before the Supreme Court of any offence against the provisions of this Ordinance, if it shall be proved that the offender has been previously convicted, either before the Supreme Court or before two magistrates sitting together, of an offence under the same or any other section of this Ordinance, it shall be lawful for the court, in its discretion, to direct that, in addition to the punishment hereinbefore described, the offender, if a male, be once, twice, or thrice publicly or privately whipped, subject to the provisions contained in Section I of Ordinance No. 3 of 1868; and all the provisions of Section XCIV of Ordinance No. 7 of 1865 relating to the form of information for subsequent offence and proceedings thereon, shall apply to offences punishable under this Ordinance.

Passed the Legislative Council of Hong Kong, this 8th day of May, 1873.

L. D'ALMADA E. CASTRO, Clerk of Councils.

ORDINANCE of the Governor of Hong Kong, with the advice of the Legislative Council thereof, to provide for the Registration of Trade Marks.

[No. 16.] [December 9, 1873.]

WHEREAS by "The Merchandise Marks Ordinance, 1863," the provisions of the Imperial Act entitled "The Merchandise Marks Act, 1862" [cap. 88,]* have been extended to this colony; and whereas the parties entitled to the benefit and protection of the said Ordinance are, in most cases, resident in England or other places out of the colony, and by reason thereof the proof

* See Vol. 11. Page 801.
of trade marks and of the right to the exclusive use thereof in legal proceedings under the said Ordinance is attended with great difficulty, delay, and expense; and whereas it is expedient to provide for the registration of trade marks within the colony and to amend the law of evidence in relation to the matters aforesaid; be it enacted by the Governor of Hong Kong, with the advice of the Legislative Council thereof, as follows:

I. From and after the passing of this Ordinance, a public book shall be kept in the office of the Colonial Secretary in this colony, to be called the "Register of Trade Marks."

II. Any person claiming the right to the exclusive use of any trade mark, either solely or jointly with others, may apply to the Governor for leave to register the same in the "Register of Trade Marks."

III. Every such application must be transmitted through Her Majesty's Principal Secretary of State for the Colonies, and must be accompanied by a fac simile or specimen of the "trade mark" sought to be registered, verified by affidavit; and every such affidavit shall set forth the description and nature of the goods upon which such trade mark has hitherto been, or is intended to be used, and that the deponent is to the best of his belief entitled solely or jointly with other persons therein named to the exclusive use of such trade mark.

IV. Upon compliance with the formalities hereinbefore prescribed, it shall be lawful for the Governor, if he shall in his discretion think fit, to grant the application, and to order the registration of the said trade mark in the Colonial Secretary's office, and the filing therein of all affidavits transmitted therewith in manner aforesaid.

V. Notice of the registration of a trade mark under this Ordinance shall be published in the "Gazette," and the register of trade marks shall be open to public inspection at all reasonable times, on payment of such fee as may be fixed in manner hereinafter mentioned.

VI. It shall be lawful for the Governor in Council, from time to time, to make and vary rules or orders for the better carrying out of the provisions of this Ordinance, and to fix and vary a scale of fees payable for the registration of trade marks, the inspection of the register, the filing of affidavits, the issue of office copies, and other incidental matters.

VII. From and after the registration of a trade mark, all entries in the register of trade marks and all affidavits filed in the office of the Colonial Secretary under this Ordinance, or an office copy of any such affidavit, or of any such entry in the register certified under the hand of the Colonial Secretary, shall be admitted in all legal proceedings whatever, civil or criminal, as prima facie evidence of the truth and correctness
of the contents thereof respectively, and of the right therein appearing of the deponent solely or jointly with others, as the case may be, to the exclusive use of the trade mark therein referred to.

VIII. It shall be lawful for the Governor in Council at any time, and on such grounds as he shall think sufficient, to cancel the registration of any trade mark under this Ordinance.

IX. This Ordinance and the "Merchandise Marks Ordinance, 1863," shall be read together, and construed for all purposes as one Ordinance.

BRITISH MARITIME ORDER IN COUNCIL, relating to China and Japan. Osborne, 6th August, 1874.

At the Court at Osborne House, Isle of Wight, the 6th day of August, 1874.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by an Act of Parliament passed in the session of the 6th and 7th years of Her Majesty's reign (chapter 80),† and intituled "An Act for the better Government of Her Majesty's Subjects resorting to China," it was enacted (among other things) that it should be lawful for Her Majesty, by any Order or Orders made with the advice of Her Privy Council to ordain for the government of Her Majesty's subjects being within the dominions of the Emperor of China, or being within any ship or vessel at a distance of not more than 100 miles from the coast of China, any law or ordinance which to Her Majesty in Council might seem meet, as fully and effectually as any such law or ordinance could be made by Her Majesty in Council, for the government of Her Majesty's subjects being within Her Majesty's island of Hong Kong:

And whereas by another Act of Parliament passed in the same session (6th and 7th Victoria, chapter 94),‡ and intituled "An Act to remove doubts as to the exercise of power and jurisdiction by Her Majesty within divers countries and places out of Her Majesty's dominions, and to render the same more effectual," the short title of which is (in accordance with 29th and 30th Victoria, chapter 87) "The Foreign Jurisdiction Act, 1843" it was enacted (among other things) that it was and should be lawful for Her Majesty to hold, exercise, and enjoy any power or jurisdiction which Her Majesty then had or might at any time

* 'London Gazette' of August 11, 1874.
† See Vol. 6. Page 262.
‡ See Vol. 6. Page 500.
thereafter have within any country or place out of Her Majesty's dominions, in the same and as ample a manner as if Her Majesty had acquired such power or jurisdiction by the cession or conquest of territory:

And whereas Her Majesty has had and now has power and jurisdiction in the dominions of the Emperor of China and in the dominions of the Mikado of Japan:

And whereas, by "The Merchant Shipping Act, 1873," 36th and 37th Victoria, chapter 85 (which is to be construed as one with the Merchant Shipping Act, 1854, and the Acts amending the same, and which with the said Acts may be cited collectively as the Merchant Shipping Acts, 1854 to 1873), it was enacted, among other things, that where, in accordance with the Foreign Jurisdiction Acts, Her Majesty should exercise jurisdiction within any port out of Her Majesty's dominions, it should be lawful for Her Majesty by Order in Council to declare such port a port of registry (in the Act now in recital referred to as a foreign port of registry), and by the same or any subsequent Order in Council to declare the description of persons who should be the registrars of British ships at such foreign port of registry, and to make regulations with respect to the registry of British ships thereat; and that upon such Order coming into operation it should have effect as if it were enacted in the Merchant Shipping Acts, 1854 to 1873, and should, subject to any exceptions and regulations contained in the Order, apply in the same manner, as nearly as might be, as if the port mentioned in the Order were an ordinary port of registry:

And whereas it has been made to appear to Her Majesty that it is expedient to declare the port of Shanghai, in the empire of China, a foreign port of registry, and to declare the description of persons who shall be the registrars of British ships thereat, and to make regulations with respect to the registry of British ships thereat:

Now, therefore, Her Majesty, by virtue of the powers vested in her in this behalf by the hereinbefore recited Acts, or some or one of them, and by and with the advice of Her Privy Council, is pleased to declare and order as follows:

Short Title.

1. This Order may be cited as the China and Japan Maritime Order in Council, 1874.

Interpretation.

2. In this Order—

The term "China" shall mean the dominions of the Emperor of China:

The term "Japan" shall mean the dominions of the Mikado of Japan:
The term "Minister" shall mean the chief diplomatic representative or superintendent of trade of Her Majesty for the time being, whether Ambassador, Envoy, Minister Plenipotentiary, or Chargé d'Affaires:

The term "Consular Officer" shall include Consul-General, Consul, and Vice-Consul, and any person for the time being discharging the duties of Consul-General, Consul, or Vice-Consul:

The term "The Merchant Shipping Acts" shall mean the Merchant Shipping Acts, 1854 to 1873, and any Acts amending the same:

The term "Month" shall mean calendar month:

Words importing the plural or singular may be construed as referring to one person or thing, or more than one person or thing, and words importing the masculine as referring to females (as the case may require).

Application of Order.

3. The provisions of this Order relating to British subjects apply to all subjects of Her Majesty, whether by birth or naturalisation.

Shanghai a Port of Registry.

4. The port of Shanghai in the empire of China shall be a port of registry.

Registrar—Appointment.

5. The Registrar at the said port shall be a subject of Her Majesty (by birth or naturalisation), and shall be appointed by Her Majesty by warrant under Her Royal Sign Manual.

Deputy of Registrar.

6. Her Majesty's Minister in China may from time to time, in case of the absence or intended absence from Shanghai, or in case of the illness of the Registrar, appoint by writing under his hand a fit person to be the Deputy of the Registrar for the time therein mentioned; but every such appointment shall be revocable at pleasure by Her Majesty's said Minister by writing under his hand.

The person so appointed shall during the continuance of his appointment have all the power and authority of the Registrar.

Tenure of Office of Registrar.

7. The Registrar shall hold office during the pleasure of Her Majesty, but any warrant of appointment to the office of Registrar shall not be vacated by reason only of a demise of the Crown.

8. In case at any time Her Majesty thinks fit by warrant under
Her Royal Sign Manual to revoke the warrant appointing any person to be Registrar, or, while there is a Registrar in office, thinks fit by warrant under Her Royal Sign Manual to appoint another person to be Registrar, then and in every such case, until the warrant of revocation or of new appointment is notified by Her Majesty's Minister in China to the person holding office, all powers and authorities vested in that person shall continue and be deemed to have continued in as full force, and he shall continue and be deemed to have continued entitled to all the privileges and emoluments of the office as fully, and all things done by him shall be and be deemed to have been as valid in law, as if such warrant of revocation or new appointment had not been made.

**Seal of Registrar.**

9. The Registrar shall have and use a seal bearing such style and device as one of Her Majesty's Principal Secretaries of State shall from time to time direct.

**Presumption as to Signature and Seal.**

10. Every signature or seal affixed to any instrument purporting to be the signature or the seal, as the case may be, of the Registrar, shall for all purposes under this Order, without any proof thereof, be presumed to be genuine, and shall be taken as genuine until the contrary is proved.

**Powers of Registrar.**

11. The Registrar of Shipping at Shanghai shall have the same powers as any Registrar of Shipping appointed under the Merchant Shipping Acts; and for the purpose of enforcing the provisions of the said Acts and of this Order the said Registrar shall have the same powers as by the said Acts are conferred for the purposes of registration and measurement on any officer of Customs or on any officer of the Board of Trade.

**Certificates of Mortgage or Sale.**

12. A certificate of mortgage or sale, granted in pursuance of the Merchant Shipping Act, 1854, by the Registrar at Shanghai, may contain powers to be exercised at any place situate out of the port of Shanghai, within the limits of the empire of China.

**Mode of Transfer of Ship under Certificate of Sale from one British Subject to another at Consular Port.**

13. On the transfer of a ship from one British subject to another under a certificate of sale, at any port in Japan or at any port in
China other than Shanghai, the Consular Officer of such port shall endorse an entry of the transfer on the certificates of registry and sale of the said ship, and should the purchaser be desirous of registering the said ship at Shanghai, the said Consular Officer shall, if requested so to do by the purchaser or transferee or other duly authorised person, forward to the Registrar at Shanghai the bill of sale and the declaration of ownership, together with the aforesaid certificates and a certificate of any survey of the said ship that may be required for the purposes of registry anew under the Merchant Shipping Acts; and upon receiving the same the said Registrar shall register the said ship anew, and shall either retain the new certificate of registry, or forward the same to the Consular Officer or to the Registrar of Shipping at such port or place as such purchaser or transferee or authorised person shall require; and on such request the said certificate shall be forwarded by any Consular Officer or Registrar, into whose hands the same may come, to any other Consular Officer or Registrar, to be handed by him to the master of the said ship when the requirements of the Merchant Shipping Acts as to marking the said ship shall have been complied with.

**Mode of Transfer of Ship from Foreigner to British Subject at Consular Port.**

14. On the transfer of a foreign ship to a British subject at any port in Japan or at any port in China other than Shanghai, should the purchaser be desirous of registering the said ship at Shanghai, the said Consular Officer of such port shall, if requested so to do by the purchaser or transferee or other duly authorised person, forward to the Registrar at Shanghai the bill of sale, the declaration of ownership, and a certificate of any survey of the said ship that may be required for the purposes of registry under the Merchant Shipping Acts; and upon receiving the same the said Registrar shall grant a certificate of registry for the said ship, and shall either retain the said certificate, or forward the same to the Consular Officer or to the Registrar of Shipping at such port or place as such purchaser or transferee or other authorised person shall require; and on such request the said certificate shall be forwarded by any Consular Officer or Registrar, into whose hands the same may come, to any other Consular Officer or Registrar, to be handed by him to the master of the said ship when the requirements of the Merchant Shipping Acts as to marking the said ship shall have been complied with.

**Mode of Registry of Ship provided with Sailing Letter at Consular Port.**

15. Lorchas and other Chinese and Japanese rigged ships, or other
CHINA AND JAPAN. 235

ships provided with sailing letters or documents of the nature of sailing letters granted by Her Majesty's Ministers in China or Japan, shall, after the commencement of this Order, on their first arrival at any port in Japan or at any port in China other than Shanghai where there is a surveyor, be surveyed, and the Consular Officer of such port shall transmit to the Registrar at Shanghai the said sailing letter, and a certificate of any survey of the said ship, that may be required for the purposes of registry under the Merchant Shipping Acts; and upon receiving the same the said Registrar shall grant a certificate of registry for the said ship, and shall either retain the said certificate, or forward the same to the Consular Officer or to the Registrar of Shipping at such Port or place as the owner or other duly authorized person shall require; and on such request the said certificate shall be forwarded by any Consular Officer or Registrar, into whose hands the same may come, to any other Consular Officer or Registrar, to be handed by him to the master of the said ship when the requirements of the Merchant Shipping Acts as to marking the said ship shall have been complied with.

Passes how granted, and in what cases void.

16. On any such transfers, whether from one British subject to another, or from a Foreigner to a British subject, or on the first arrival of any ship provided with a sailing letter or other document as aforesaid, at any port in Japan, or at any port in China other than Shanghai, where there is a surveyor, the Consular Officer of such port shall grant to the master of such ship, upon his application, a pass containing the particulars required by Schedule A to this Order. The pass so granted shall within the China and Japan seas, including the waters of the island of Hong Kong, possess the same force as a certificate of registry until the expiration of four months, or until such earlier time as the new certificate of registry shall be delivered to the master of the said ship by a Consular or other duly authorized Officer, or until notice of the cancellation of such pass has been given to the master of the said ship by the Registrar at Shanghai, but upon the expiration of such period, or upon such delivery, or upon receipt of such notice of cancellation, shall be void to all intents and purposes; and the said pass, on becoming so void, shall be at once delivered by the master of the said ship to a Consular or other duly authorized officer, and in default of delivery the said master shall incur a penalty not exceeding 50 pounds.

Powers of Minister in China respecting Ship Registered at Shanghai.

17. Her Majesty's Minister in China shall, with regard to the performance of any act or thing relating to the registry of a ship registered at Shanghai, or of any interest therein, be considered in
all respects as occupying the place of the Board of Trade and the Commissioners of Customs.

Powers of Ministers in China and Japan respecting Surveyors.—

Powers of Surveyors.

18. Her Majesty's Minister in China shall at any port or place in China, and Her Majesty's Minister in Japan shall at any port or place in Japan, have the same power to appoint fit and proper persons to be Surveyors under the Merchant Shipping Acts as are possessed by the Board of Trade in the United Kingdom, and the persons so appointed shall have the same powers as are conferred on the Surveyors appointed as aforesaid by the Board of Trade.

Commissioners of Customs or Governor may grant Pass to a Ship unregistered to proceed to Shanghai.

19. In cases where it appears to the Commissioners of Customs, or to the Governor or other person administering the government of any British Possession, that by reason of special circumstances it would be desirable that permission should be granted to any British ship to pass without being previously registered from any port or place in Her Majesty's dominions to the port of Shanghai, in the empire of China, it shall be lawful for such Commissioners or Governor or other person to grant a pass accordingly, and such pass shall for the time and within the limits therein mentioned have the same effect as a certificate of registry.

Her Majesty's Minister in China may grant Pass to a Ship unregistered to proceed to any Port in Her Majesty's Dominions.

20. In cases where it appears to Her Majesty's Minister in China that by reason of special circumstances it would be desirable that permission should be granted to any British ship to pass without being previously registered from the port of Shanghai, in the empire of China, to any port or place within Her Majesty's dominions, it shall be lawful for such Minister to grant a pass accordingly, and such pass shall for the time and within the limits therein mentioned have the same effect as a certificate of registry.

What class of Ship exempted from shipment and discharge of Native Crew.

21. Lorchas and other Chinese and Japanese rigged ships registered at Shanghai shall be exempted from that portion of the Merchant Shipping Acts which relates to the shipment and discharge of Seamen, so far as applies to the employment of Natives of China and Japan on board these ships.
Minister in China may amend present Instructions or issue others.

22. Her Majesty's Minister in China may, with the approval of one of Her Majesty's Secretaries of State, amend the Instructions to Consuls which accompany this Order, and issue any further Instructions with reference to the performance of any act or thing relating to the registry of a ship registered at Shanghai, or of any interest therein, that may seem to him necessary or advisable.

Fees.

23. Fees not exceeding the amounts named in Schedule B to this Order may be taken in respect of the matters mentioned in the same Schedule.

Commencement of Order.

24. This Order shall commence and have effect as follows:—

1. As to the making of any warrant or appointment under this Order, immediately from and after the making of this Order:

2. As to all other matters and provisions comprised and contained in this Order, immediately from and after the expiration of one month after this Order is first exhibited in the public office of Her Majesty's Consul at Shanghai; for which purpose Her Majesty's Consul at Shanghai is hereby required forthwith, on receipt by him of a copy of this Order, to affix and exhibit the same conspicuously in his public office, and he is also hereby required to keep the same so affixed and exhibited during one month from the first exhibition thereof; and of the time of such first exhibition notice shall, as soon thereafter as practicable, be published in every Consular district in China and Japan, in such manner as Her Majesty's Ministers there respectively direct; and, notwithstanding anything in this Order, the time of the expiration of the said month shall be deemed to be the time of the commencement of this Order.

Publication of Order.

25. A copy of this Order shall be kept exhibited conspicuously in each Consulate in China and in Japan.

Printed copies shall be provided and sold at such reasonable price as Her Majesty's Minister in China directs.

And the Right Honourable the Earl of Derby, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

ARTHUR HELPS.
### Schedule A.  
**The China and Japan Maritime Order in Council, 1874.**

#### Sailing Ship.

**Pass Granted only for Ships to be Registered at Shanghai.**

<table>
<thead>
<tr>
<th>Name of Ship</th>
<th>British or Foreign built.</th>
<th>How propelled.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of decks</th>
<th>Build</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of masts</td>
<td>Galleries</td>
</tr>
<tr>
<td>Rigged</td>
<td>Head</td>
</tr>
<tr>
<td>Stern</td>
<td>Framework</td>
</tr>
</tbody>
</table>

#### Measurements.

Length from the fore part of stem under the bowsprit to the aft side of the head of the sternpost

Main breadth to outside plank

Depth in hold from tonnage deck to ceiling at midships

<table>
<thead>
<tr>
<th>Measurements</th>
<th>Feet</th>
<th>Tenths</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

#### Tonnage.

Tonnage under tonnage deck

Closed-in spaces above the tonnage deck, if any, viz:—

Space or spaces between decks

Poop

Round-house

Other inclosed spaces, if any, naming them

Total tonnage

<table>
<thead>
<tr>
<th>Tonnage</th>
<th>No. of Tons</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I, the undersigned, Her Britannic Majesty's Consul at the port of , hereby certify that,—

1. The ship, the description of which is prefixed to this my pass, has been duly surveyed, and that the above description is true.
2. That of , is the master of the said ship.
3. That the said ship was built at , on the day of , 18 , and her foreign name is .

Dated at , the day of , one thousand eight hundred and .

Her Britannic Majesty's Consul.

* These words to be added if the ship is foreign.

**Note.—This pass continues in force only until the day of , 18 , or until she completes her voyage from to Shanghai, or until such earlier time as the new certificate of registry shall be delivered to the master of the said ship by a Consular or other duly authorised officer, or until notice of the cancellation of such pass has been given to the master of the said ship by the Registrar at Shanghai; but upon the expiry of such period, or upon such delivery, or upon receipt of such notice of cancellation, shall be void to all intents.

**Note.—Registrars of shipping are informed that this ship is in process of registration at Shanghai, and that registry must not be granted elsewhere.
## CHINA AND JAPAN.

The China and Japan Maritime Order in Council, 1874.

### STEAMER.

**Pass granted only for ships to be registered at Shanghai.**

<table>
<thead>
<tr>
<th>Name of Ship</th>
<th>British or Foreign built, and when built</th>
<th>How propelled</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of decks</th>
<th>Build</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of masts</td>
<td>Galleries</td>
</tr>
<tr>
<td>Rigged</td>
<td>Head</td>
</tr>
<tr>
<td>Stern</td>
<td>Framework</td>
</tr>
</tbody>
</table>

### Measurements.

<table>
<thead>
<tr>
<th></th>
<th>Feet.</th>
<th>Tenths.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length from the fore part of stem under the bowsprit to the aft side of the head of the stern post</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Main breadth to outside plank</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Depth in hold from tonnage deck to ceiling at midships</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Tonnage.

<table>
<thead>
<tr>
<th></th>
<th>No. of Tons.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Tonnage under tonnage deck</td>
<td></td>
</tr>
<tr>
<td>Closed-in spaces above the tonnage deck, if any, viz.:—</td>
<td></td>
</tr>
<tr>
<td>Space or spaces between decks</td>
<td></td>
</tr>
<tr>
<td>Poop</td>
<td></td>
</tr>
<tr>
<td>Round-house</td>
<td></td>
</tr>
<tr>
<td>Other inclosed spaces, if any, naming them</td>
<td></td>
</tr>
<tr>
<td>Gross tonnage</td>
<td></td>
</tr>
<tr>
<td>Reduction for space required for propelling power</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th>Feet.</th>
<th>Tenths.</th>
<th>Tonnage.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Length of engine-room</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of engines</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Combined power (estimated horse-power)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of horses-power</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Name and address of engine maker</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

I, the undersigned, Her Britannic Majesty's Consul at the port of , hereby certify that,—

1. The ship, the description of which is prefixed to this my pass, has been duly surveyed, and that the above description is true.
2. That , of , is the master of the said ship.
3. That the said ship was built at , on the day of , 18 , and her foreign name is ,

Dated at the day of one thousand eight hundred and

Her Britannic Majesty's Consul.

* These words to be added if the ship is foreign.

**Note.—This pass continues in force only until the day of 18 ,**
or until she completes her voyage from to Shanghai, or until such earlier time as the new certificate of registry shall be delivered to the master of the said ship by a Consular or other duly authorised officer, or until notice of the cancellation of such pass has been given to the master of the said ship by the Registrar at Shanghai; but upon the expiration of such period, or upon such delivery, or upon receipt of such notice of cancellation, shall be void to all intents.

Note.—Registrars of shipping are informed that this ship is in process of registration at Shanghai, and that registry must not be granted elsewhere.

---

**SCHEDULE B.**

**TABLE OF FEES to be taken in pursuance of the China and Japan Maritime Order in Council, 1874.**

<table>
<thead>
<tr>
<th>Service</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certificate of registry</td>
<td>$15 00</td>
</tr>
<tr>
<td>Inspection of register book</td>
<td>$1 00</td>
</tr>
<tr>
<td>Copy of register book</td>
<td>$5 00</td>
</tr>
<tr>
<td>For every declaration taken or recorded under Merchant Shipping Acts</td>
<td>$2 00</td>
</tr>
<tr>
<td>Certificate of sale or mortgage</td>
<td>$2 00</td>
</tr>
<tr>
<td>Recording bill of sale</td>
<td>$5 00</td>
</tr>
<tr>
<td>Recording deed of mortgage</td>
<td>$5 00</td>
</tr>
<tr>
<td>Transfer or discharge of mortgage</td>
<td>$5 00</td>
</tr>
<tr>
<td>Indorsing ownership on certificate of registry</td>
<td>$2 00</td>
</tr>
<tr>
<td>Transfer of registry to another port</td>
<td>$2 00</td>
</tr>
<tr>
<td>Provisional certificate of registry</td>
<td>$5 00</td>
</tr>
<tr>
<td>Pass for ship</td>
<td>$5 00</td>
</tr>
<tr>
<td>Change of master</td>
<td>$1 00</td>
</tr>
<tr>
<td>Alteration in register of name, rig, or tonnage</td>
<td>$2 00</td>
</tr>
<tr>
<td>For annexing the seal of office and signature to any document not mentioned in or otherwise provided for by this table</td>
<td>$1 00</td>
</tr>
<tr>
<td>For measurement of tonnage as under:</td>
<td></td>
</tr>
<tr>
<td>For ships of 15 tons, and under 500 tons gross tonnage</td>
<td>$15 00</td>
</tr>
<tr>
<td>&quot; 500</td>
<td>$2 00</td>
</tr>
<tr>
<td>&quot; 1,000</td>
<td>$27 00</td>
</tr>
<tr>
<td>&quot; 2,000</td>
<td>$31 50</td>
</tr>
<tr>
<td>&quot; 3,000</td>
<td>$36 00</td>
</tr>
<tr>
<td>&quot; 4,000</td>
<td>$40 50</td>
</tr>
<tr>
<td>&quot; 5,000 and upwards</td>
<td>$45 00</td>
</tr>
<tr>
<td>For the inspection of the berthing or sleeping accommodation of the crew:</td>
<td></td>
</tr>
<tr>
<td>For each visit to the ship</td>
<td>$4 50</td>
</tr>
<tr>
<td>Provided as follows:</td>
<td></td>
</tr>
<tr>
<td>(a.) The aggregate amount of the fees for any such inspection shall not exceed $9 00 whatever be the number of separate visits.</td>
<td></td>
</tr>
<tr>
<td>(b.) When the accommodation is inspected at the same time with the measurement of the tonnage, no separate fee shall be charged for the inspection.</td>
<td></td>
</tr>
<tr>
<td>For the inspection of light and fog signals:</td>
<td></td>
</tr>
<tr>
<td>For each visit made to the ship on the application of the owner, and for each visit made where the lights or fittings are found defective</td>
<td>$4 50</td>
</tr>
<tr>
<td>Provided that the aggregate amount of fees for any such inspection shall not exceed $9 00 whatever be the number of separate visits.</td>
<td></td>
</tr>
<tr>
<td>For the inspection of the marking of a ship:</td>
<td></td>
</tr>
<tr>
<td>For each visit made to the ship on the application of the owner, and for each visit made where the provisions of the Merchant Shipping Acts with respect thereto have not been complied with</td>
<td>2 50</td>
</tr>
<tr>
<td>Provided as follows:</td>
<td></td>
</tr>
<tr>
<td>(a.) The aggregate amount of the fees for any such inspection shall not exceed $5 00 whatever be the number of separate visits.</td>
<td></td>
</tr>
<tr>
<td>(b.) When the marking of a ship is inspected at the same time with the inspection of light and fog signals, no separate fee shall be charged for the inspection.</td>
<td></td>
</tr>
</tbody>
</table>
CHINA AND JAPAN. 241

BRITISH ORDER IN COUNCIL, amending the Table of Fees to be levied by British Consuls in China and Japan. Windsor, July 21, 1876.*

At the Court at Osborne House, Isle of Wight, the 21st day of July, 1876.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the 4th section of the Act of the 6th year of the reign of King George IV, chapter 87,* intituled "An Act to regulate the payment of salaries and allowances to British Consuls at Foreign Ports, and the disbursements at such ports for certain public purposes," it is amongst other things enacted: "That it shall and may be lawful for all Consuls-General and Consuls appointed by His Majesty, and resident within the dominions of any Sovereign or any Foreign State or Power in amity with His Majesty, to accept, take, and receive the several fees particularly mentioned in the tables to the said Act annexed for and in respect or on account of the several matters and things, and official acts and deeds particularly mentioned in the said schedules: and that it shall and may be lawful for His Majesty, by any Order or Orders to be by him made, by and with the advice of His Privy Council from time to time as occasion may require, to increase or diminish, or wholly to abolish, all or any of the fees aforesaid, and to establish and authorise the payment of any greater or smaller, or new, or additional fees or fee for or in respect of the several matters and things mentioned in the said schedules, or in any of them, or for or in respect of any other matters or things, or matter or thing, to be by any such Consul-General done or performed in the execution of such his office."

And whereas by an Order in Council, made on the 1st day of May, 1855,† it was ordered that certain fees mentioned in the table thereunto annexed should be taken.

And whereas by an Order in Council, made on the 19th of June, 1868, it was ordered that the several fees mentioned in the table annexed to the said Order in Council of the 1st of May, 1855, should be abolished as regards fees to be levied by Her Majesty's Consular Officers in China and Japan, and that the several fees mentioned therein should be substituted for the fees so abolished and should and might be taken by Her Majesty's Consular Officers in China and Japan.

And whereas by an Order in Council, made on the 6th August, 1874,§ the short title of which is "The China and Japan Maritime Order in Council, 1874," it was, amongst other things, ordered that fees not exceeding the amounts named in Schedule B thereunto to

* "London Gazette" of July 28, 1876.
§ See Page 230.
annexed might be taken in respect of the matters mentioned in that schedule.

And whereas some of the fees mentioned in that schedule relate to matters and things mentioned in the first part of the table of fees annexed to the said Order in Council of the 19th June, 1868.

And whereas it is expedient to abolish such of the fees mentioned in the said first part of the table of fees annexed to the said Order in Council of the 19th of June, 1868, as are contained in the Schedule hereunto annexed, and to establish and authorise in lieu thereof the payment of the fees set forth in the said Schedule B to the said China and Japan Maritime Order in Council, 1874.

Now, therefore, Her Majesty, by virtue of the powers vested in her in this behalf by virtue of the hereinbefore recited Act, by and with the advice of Her Privy Council, is pleased to order that the several fees mentioned in the Schedule hereunto annexed for the several matters mentioned therein shall be abolished, and that the fees mentioned in the said Schedule B of the said China and Japan Maritime Order in Council, 1874, shall and may be taken in lieu thereof by Her Majesty's Consular Officers in China and Japan.

And the Right Honourable the Earl of Derby, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. PEEL.

Schedule to which the foregoing Order refers.

Matters in respect of which the Fee is to be taken.

<table>
<thead>
<tr>
<th>Matters</th>
<th>Fees</th>
</tr>
</thead>
<tbody>
<tr>
<td>For every declaration made before the Consul in Forms B, C, F, G, H, and L, in the Schedule to the Merchant Shipping Act, 1854, with a view to the registry, transfers, and transmission of ships, interests in ships, or mortgages on ships.</td>
<td>1 0</td>
</tr>
<tr>
<td>For indorsing a memorandum of change of master upon the certificate of registry.</td>
<td>0 50</td>
</tr>
<tr>
<td>For granting a provisional certificate of registry (this fee to be exclusive of fees on declarations).</td>
<td>2 50</td>
</tr>
<tr>
<td>For recording a mortgage of a ship or shares in a ship, made under a certificate of mortgage.</td>
<td>2 50</td>
</tr>
<tr>
<td>For recording the transfer of a mortgage of a ship or shares in a ship, made under a certificate of mortgage.</td>
<td>1 50</td>
</tr>
<tr>
<td>For recording the discharge of a mortgage of a ship or shares in a ship, made under a certificate of mortgage.</td>
<td>2 0</td>
</tr>
<tr>
<td>For every sale of a ship or shares in a ship, made before the Consul, under a certificate of sale.</td>
<td>2 50</td>
</tr>
<tr>
<td>For inspection of the register book of transactions in ships.</td>
<td>0 25</td>
</tr>
</tbody>
</table>
ORDER IN COUNCIL to provide for the exercise by Her Majesty of Power and Jurisdiction in any additional Ports of China and Japan, which may be opened to Foreign Trade before the establishment of Commissioned Consular Officers at such Ports.

Windsor, April 30, 1877.

At the Court at Windsor, the 30th day of April, 1877.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the China and Japan Order in Council, 1865, Her Majesty the Queen was pleased, by and with the advice of Her Privy Council, to make provision for the exercise of Her Majesty's power and jurisdiction over Her Majesty's subjects resident in or resorting to China or Japan:

And whereas in China and Japan additional ports may be from time to time opened to foreign trade, and it is expedient to provide for the exercise at those ports of Her Majesty's power and jurisdiction before the establishment there of Commissioned Consular Officers:

Now, therefore, Her Majesty, by virtue of the powers in this behalf by the Foreign Jurisdiction Acts, 1843\textsuperscript{†} to 1875,\textsuperscript{§} and by the Act of the Session of the 6th and 7th years of Her Majesty's reign, chapter 80, "for the better government of Her Majesty's subjects resorting to China," or otherwise in Her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. The provisions of Article XXV of the China and Japan Order in Council, 1865, and all provisions of that Order consequent thereon or relative thereto, shall extend and apply to every person (not holding a Consular Commission from Her Majesty) from time to time appointed by Her Majesty's Minister in China or Japan to be Acting-Consul, and to be resident at a port in China or Japan, which is for the time being open to foreign trade, and at which no Commissioned Consular Officer of Her Majesty is resident.

2. For the purposes and within the meaning of the said Order, every person so appointed as an Acting-Consul shall be deemed a Consular Officer, and the district for which he is appointed to act shall be deemed a Consular District, and the Court held by him shall be deemed a Provincial Court.

3. Words in this Order have the same meaning as in the said Order.

C. L. PEEL.

* "London Gazette" of May 1, 1877.
† See Vol. 12 Page 281.
‡ See Vol. 6 Page 500.
§ See Great Britain.

R 2
BRITISH ORDER IN COUNCIL, extending the Jurisdiction of the Supreme Court at Hong Kong, and providing for the better Government of Her Majesty's Subjects in China and Japan.

London, October 23, 1877.*

At the Court at Balmoral, the 23rd day of October, 1877.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act of Parliament passed in the 7th year of Her Majesty's reign [cap.80],† intituled, "An Act for the better Government of Her Majesty's Subjects resorting to China," it is (amongst other things) enacted, that it shall be lawful for Her Majesty, by any Order or Orders made with the advice of Her Majesty's Privy Council, to ordain, for the government of Her Majesty's subjects being within the dominions of the Emperor of more China, or being within any ship or vessel at a distance of not than 100 miles from the coast of China, any law or ordinance which to Her Majesty may seem meet, as fully and effectually as any such law or ordinance could be made by Her Majesty in Council for the government of Her Majesty's subjects being within the island of Hong Kong.

And whereas Her Majesty was pleased, by and with the advice of her Privy Council, by Order in Council of the 9th day of March, 1865,‡ to ordain (amongst other things) that all Her Majesty's jurisdiction exerciseable in China or in Japan for the judicial hearing and determination of such matters as are by the fourth section of the said Order specified, should be exercised according to the provisions of the said Order, and not otherwise; and that, save as expressly provided by the said Order, all jurisdiction, power, and authority of the Supreme Court of Hong Kong exerciseable in relation to British subjects resident in or resorting to China or Japan should absolutely cease.

And whereas by "The Foreign Jurisdiction Amendment Act, 1866" [cap. 87],§ it was enacted that it should be lawful for Her Majesty in Council by Order in Council under the Foreign Jurisdiction Acts to confer upon any court in Her Majesty's possessions out of the United Kingdom any jurisdiction which Her Majesty in Council might lawfully by any such Order confer on any court in any country or place out of Her Majesty's dominions within which Her Majesty has power or jurisdiction.

And whereas Her Majesty was pleased, by and with the advice of her Privy Council, by another Order in Council of the 28th day of March, 1868,|| to ordain (amongst other things)
that in addition to the powers then vested in the Supreme Court at Hong Kong, the said Supreme Court might have jurisdiction over and take cognizance of all crimes and offences committed by British subjects at any place on land being within 6 miles of any part of the colony of Hong Kong, and not being on the mainland of China, and of and over all disputes and differences between British subjects being in any such place within such limit as aforesaid.

And whereas it has seemed to Her Majesty, by and with the advice of her Privy Council, to be expedient to revoke the said last-mentioned Order in Council, and to extend the jurisdiction of the Supreme Court of Hong Kong in respect to matters arising in the neighbourhood of the colony of Hong Kong.

Now, therefore, Her Majesty, by virtue of the powers in this behalf by the said recited Act, or otherwise vested in her, is pleased, by and with the advice of her Privy Council, to order and it is hereby ordered as follows:

1. In addition to the powers now vested in the said Supreme Court of Hong Kong, the said Supreme Court may have jurisdiction over, and take cognizance of, all crimes and offences committed by British subjects at any place on land being within 10 miles of any part of the colony of Hong Kong, and of and over all disputes and differences between British subjects being in any such place within such limit as aforesaid, and the said court shall and may deal with, try, hear, and determine all such cases as fully and effectually as if such crimes or offences had been committed, or such disputes or differences had arisen by or between British subjects within the said colony of Hong Kong.

2. The said Order in Council of the 28th day of March, 1868, is hereby revoked, except for the purpose of completing any proceedings, criminal or civil, which may have been commenced thereunder before this Order is published in the said colony of Hong Kong, and any proceedings so commenced may be completed, and any sentences and judgments given therein may be executed as fully and effectually as if this Order had not been made.

3. The jurisdiction hereby conferred upon the Supreme Court of Hong Kong shall be in addition to, and concurrent with, any power or jurisdiction now possessed by the Supreme Court for China or Japan, or any provincial court, under the said Order in Council of the 9th of March, 1865, to deal with, try, hear, and determine such cases as are herein mentioned; and nothing in this Order contained shall affect the power of the said Supreme Court for China or Japan, or of any provincial court, under the said last-mentioned Order in Council, to deal with, hear, try, and determine the said cases.

And the Right Honourable the Earl of Carnarvon, one of
BRITISH ORDER IN COUNCIL, for the better Government of Her Majesty's Subjects in China and Japan. Osborne, August 14, 1878.

At the Court at Osborne House, Isle of Wight, the 14th day of August, 1878.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS Her Majesty the Queen has power and jurisdiction over Her Majesty's subjects resident in or resorting to China and Japan:

Now, therefore, Her Majesty, by virtue of the powers in this behalf by "The Foreign Jurisdiction Acts, 1843† to 1875," ‡ and by the Act of Parliament of the 6th and 7th years of Her Majesty's reign (chapter 80),§ for the better government of Her Majesty's subjects resorting to China," or otherwise, in her vested, is pleased, by and with the advice of her Privy Council, to order, and it is hereby ordered, as follows:

Preliminary.

1.—This Order may be cited as "The China and Japan Order in Council, 1878."

2.—This Order shall commence and have effect as follows:
   (a.) As to the making of any warrant or appointment under this Order, immediately from and after the making of this Order.
   (b.) As to all other matters and provisions comprised and contained in this Order, immediately from and after the expiration of one month after this Order is first exhibited in the public office of Her Majesty's Consul-General for the district of the Consulate of Shanghai; for which purpose Her Majesty's Consul-General or other principal Consular Officer for the time being for that district is hereby required forthwith, on receipt by him from Her Majesty's Minister in China of a copy of this Order, with instructions in this behalf, to affix and exhibit this Order conspicuously in that public office, and to keep the same so affixed and exhibited during one month thereafter; of the time of which first exhibition notice shall be published as soon thereafter as practicable in each Consular dis-

---

* "London Gazette" of August 23, 1878.
trict in China and in Japan, in such manner as Her Majesty's Ministers there respectively direct; and the time of the expiration of that month shall be deemed the time of the commencement of this Order.

3.—(1.) Articles IX to XXII, both inclusive, of the China and Japan Order in Council, 1865, are hereby revoked.
(2.) Articles XXXVI and XXXVII of that Order are hereby revoked as regards Japan only.
(3.) In this Order the "Secretary of State" means one of Her Majesty's Principal Secretaries of State.
(4.) Subject to the foregoing provisions, this Order shall be read as one with the China and Japan Order in Council, 1865.
(5.) A copy of this Order shall be exhibited conspicuously in each Court and Consulate in China and Japan.
(6.) Printed copies thereof shall be provided, and shall be sold at such reasonable price as Her Majesty's Ministers there respectively direct.

Supreme Court for China and Japan.

4.—(1.) There shall be a Chief Justice and an Assistant Judge of the Supreme Court for China and Japan.
(2.) The Assistant Judge shall be the Registrar of the Supreme Court; and the office of Law Secretary of the Supreme Court is hereby abolished.
(3.) The Assistant Judge shall hear and determine such causes and matters, civil and criminal, and transact such other part of the business of the Supreme Court, as the Chief Justice from time to time, by general order or otherwise, directs; and for that purpose the Assistant Judge shall have all the like jurisdiction, power, and authority as the Chief Justice.
(4.) Any party to a suit or proceeding wherein any matter or question is heard and determined by the Assistant Judge shall be entitled, as of course, to a rehearing before the Chief Justice, sitting with the Assistant Judge, or, in the unavoidable absence of the Assistant Judge, alone.
(5.) If, on any such rehearing, there is a difference of opinion between the Chief Justice and the Assistant Judge, the opinion of the Chief Justice shall prevail.
(6.) Throughout the China and Japan Order in Council, 1865, and the rules made thereunder, the Chief Justice of the Supreme Court shall, as regards China, be deemed to be therein substituted for the Judge of the Supreme Court.
(7.) There shall be attached to the Supreme Court a Chief Clerk, and so many officers and clerks as the Secretary of State from time to time thinks fit.

Court for Japan.

5.—(1.) There shall be in and for Japan a Court, styled Her Britannic Majesty's Court for Japan.
(2.) The Court for Japan shall have a seal, bearing its style and such device as the Secretary of State from time to time directs.

(3.) The Court for Japan shall hold its first sittings at Kanagawa, or, on emergency, at any other place within the district of the Consulate of Kanagawa, but may at any time transfer its ordinary sittings to any place in Japan approved by the Secretary of State or by Her Majesty's Minister in Japan.

(4.) There shall be a Judge and an Assistant Judge of the Court for Japan.

(5.) The Assistant Judge shall hear and determine such causes and matters, civil and criminal, and transact such other part of the business of the Court, as the Judge from time to time, by general order or otherwise, directs; and for that purpose the Assistant Judge shall have all the like jurisdiction, power, and authority as the Judge.

(6.) Any party to a suit or proceeding wherein any matter or question is heard and determined by the Assistant Judge shall be entitled, as of course, to a rehearing before the Judge, sitting with the Assistant Judge, or, in the unavoidable absence of the Assistant Judge, alone.

(7.) If, on any such rehearing, there is a difference of opinion between the Judge and the Assistant Judge, the opinion of the Judge shall prevail.

(8.) In Japan, persons accused of crimes which in England are capital, shall be tried by the Judge of the Court for Japan, with a jury, and not otherwise.

(9.) There shall be attached to the Court for Japan a Chief Clerk, and so many officers and clerks as the Secretary of State from time to time thinks fit.

**Jurisdiction in Japan.**

6.—(1.) Her Majesty's Consul for the district of the Consulate of Kanagawa shall cease to hold and form a Provincial Court.

(2.) Unless and until the Secretary of State otherwise directs, Her Majesty's Consul for the time being for the district of the Consulate at Kanagawa shall be the Assistant Judge of the Court for Japan.

(3.) All Her Majesty's jurisdiction, civil and criminal, exerciseable in Japan, shall, for and within the district of the Consulate of Kanagawa, be vested in the Court for Japan as its ordinary original jurisdiction.

(4.) All Her Majesty's jurisdiction, civil and criminal, exerciseable in Japan beyond the district of the Consulate of Kanagawa, and not under this Order vested in the Court for Japan, shall, to the extent and in the manner provided by the China and Japan Order in Council, 1865, as modified by this Order, be
vested in the Provincial Courts in Japan, each for and within its own district.

(5.) The Court for Japan shall have in all matters, civil and criminal, an extraordinary original jurisdiction throughout Japan, concurrent with the jurisdiction of the several Provincial Courts in Japan, the same to be exercised subject and according to the China and Japan Order in Council, 1865, as modified by this Order.

7.—(1.) Subject to the provisions of this Order, the provisions of the China and Japan Order in Council, 1865, and the rules in force in the Supreme Court and other Courts in China and Japan, made under that Order, shall extend and apply to the Court for Japan, as if the same were a Court (not a Provincial Court) established under that Order.

(2.) For the purpose of the application thereof to the Court of Japan, in Articles XXIII, XXIV, XXXVIII, XXXIX, XLI, XLII, XLIII, XLVII, LIV to LVII, LIX, LXI, LXII, LXVII, LXVIII, LXIX, LXXII, LXXIV, LXXVII to LXXX, LXXXIII, XCIII, XCIX, CII, CV, CVIII to CXI, CXVII, CXIX, CXX to CXXVI, CXLIV, CLIII, CLV, all inclusive, of that Order, and throughout those rules there shall, as regards Japan, be deemed to be substituted Japan for China, or for China and Japan, Kanagawa for Shanghai, the Court for Japan for the Supreme Court for China and Japan, and the Judge and Assistant Judge of the Court for Japan for the Judge and Assistant Judge of the Supreme Court; but not so as to affect those Articles or rules as regards operation thereof in and for China.

8.—(1.) Article CXIX of the China and Japan Order in Council, 1865, relative to appeals in civil cases to the Supreme Court for China and Japan, shall extend and apply to appeals from decisions of the Court for Japan, as if the same were a Provincial Court within that Article; and that Article, and the rules therein referred to, shall accordingly, notwithstanding any thing in this Order, apply to appeals from the Court for Japan to the Supreme Court for China and Japan; but the last-mentioned appeals shall not be heard except by the Chief Justice of the Supreme Court, sitting with the Assistant Judge of that Court, or in the unavoidable absence of the Assistant Judge, alone.

(2.) If, on any such appeal, there is a difference of opinion between the Chief Justice and the Assistant Judge, the opinion of the Chief Justice shall prevail.

(3.) Articles CXX to CXXVI, both inclusive, of the China and Japan Order in Council, 1865, relative to appeals to the Supreme Court for China and Japan in criminal cases, shall extend and apply to appeals to that Court in criminal cases from decisions of the Court for Japan, both in cases originally tried in the Court for Japan, and in cases brought by virtue of
this Order before that Court, under those Articles, by way of appeal from any Court or officer in Japan; and, for the purposes of this Article, the Court for Japan shall, in cases so brought before it by way of appeal, be deemed to be the Court trying the case.

**Judges in China and Japan.**

9.—(1.) The Chief Justice and Assistant Judge of the Supreme Court and the Judge and Assistant Judge of the Court for Japan, shall each be appointed by Her Majesty, by warrant under her Royal Sign Manual, subject and according to Article XXIII of the China and Japan Order in Council, 1865.

(2.) The Chief Justice and the Judge shall each be a subject of Her Majesty by birth or naturalization, who, at the time of his appointment, is a member of the bar of England, Scotland, or Ireland, of not less than 7 years' standing.

10.—(1.) In case of the death or illness, or the absence or intended absence from the district of the Consulate of Shanghai, of the Chief Justice or of the Assistant Judge of the Supreme Court, Her Majesty's Minister in China may appoint a fit person to be the Acting Chief Justice or to be the Acting Assistant Judge (as the case may require); but, unless in any case the Secretary of State otherwise directs, the Assistant Judge, if present and able to act, shall always be appointed to be Acting Chief Justice.

(2.) In case of the death or illness, or the absence or intended absence from the district of the Consulate of Kanagawa, of the Judge or of the Assistant Judge of the Court for Japan, Her Majesty's Minister in Japan may appoint a fit person to be the Acting Judge or to be the Acting Assistant Judge (as the case may require).

**Vice-Admiralty Jurisdiction.**

11.—Any proceeding taken in China or Japan against one of Her Majesty's vessels, or the officer commanding the same, as such, in respect of any claim cognizable in a Court of Vice-Admiralty, shall be taken only in the Supreme Court or in the Court for Japan, under the Vice-Admiralty jurisdiction thereof respectively.

**Pending Proceedings.**

12.—Nothing in this Order shall affect any suit or proceedings, civil or criminal, pending at the commencement of this Order, with reference either to the original proceedings therein, or to any appeal therein, or otherwise; save that all suits and proceedings, civil or criminal, instituted or taken in the district of the Consulate of Kanagawa, before and at the commence-
ment of this Order are hereby transferred to the jurisdiction for the Court for Japan; and the same may be carried on and shall be tried, heard, and determined, in and by the Court for Japan, as nearly as may be, as if the same had been instituted or taken in the district of the Consulate of Kanagawa after the commencement of this Order.

And the Most Honourable the Marquess of Salisbury, and the Right Honourable Sir Michael Edward Hicks-Beach, Baronet, two of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Treasury, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.

C. L. PEEL.

---

COLOMBIA.


(Translation.)

The Congress of the United States of Colombia decrees:

Art. I. Whereas by paragraph 3, Article VIII, of the National Constitution,† the States are forbidden to restrict by imposts, or otherwise the navigation of the rivers and other navigable waters that have not required canalization; and whereas, moreover, by paragraph 6, Article XVII, of the Constitution, the general Government is exclusively competent to regulate the navigation of the rivers which bathe the territory of more than one State, or which run into that of an adjoining nation; therefore the Governments, functionaries, and others in the service of the States, are forbidden:

1. To impose any kind of imposts or taxes on the vessels, passengers, or merchandise, unless it be in respect to such goods as are offered for consumption in the localities appointed for that purpose by their owners.

2. To impose formalities of any kind on the loading and unloading of the vessels, their voyages or stoppages, so that these operations may be performed with the greatest freedom, and without restrictions or detentions of any kind.

3. To impose formalities or obligations on the passengers and crews of the vessels.

II. The functionaries or others in the service of the States,

who contravene the enactments of this Law, will be personally responsible for the damages and injuries caused by their acts.

Given at Bogotá, May 19, 1864.
Let this be published and executed.
Bogotá, May 25, 1864.

M. Murillo.

ANTONIO DEL REAL, Secretary of Finance and Public Works.

POSTAL AGREEMENT between Great Britain and the United States of Colombia.* Signed at Bogotá, September 11, 1875.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of the United States of Colombia, being desirous to conclude a new Agreement regulating the mail packet service between the two countries, the Undersigned, viz., on the part of the Citizen President of the Colombian Union, Señor Dr. Don Francisco de Paula Rueda, Secretary of the Interior and Foreign Affairs of the United States of Colombia; and on the part of the Right Honourable Her Britannic Majesty’s Postmaster-General, Robert Bunch, Esq., Her Britannic Majesty’s Minister Resident to the United States of Colombia; who, being furnished with full powers which they have communicated to each other, and found to be in good and due form, have agreed upon the following Articles:

Art. I. There shall be a periodical and regular communication between the United Kingdom of Great Britain and Ireland and the United States of Colombia for transmitting letters, newspapers, book packets, and patterns of merchandise from one country to the other.

II. The conveyance by sea of the mails containing the letters, newspapers, book packets, and patterns of merchandise, mentioned in the preceding Article, shall, so long as the British Government deem it expedient to maintain the communication, take place by means of steam packets under contract with that Government at least once in every month.

III. If the Government of the United States of Colombia should hereafter desire to co-operate in the mail service, and to establish and maintain steam packets of its own, or subsidized by it, for the conveyance of mails by sea between the two countries, it shall be at liberty so to do.

IV. The packets shall be at liberty to embark or to disembark in the ports of the two countries any passengers, of whatever country they may be, with their baggage and effects.

* Signed also in the Spanish language.
for their own personal use, on condition that such passengers shall be provided with such passports in due form as may be required, and that the commanders of the packets shall submit to the sanitary and police regulations of the said ports.

V. The Consular Agents of Her Britannic Majesty at the ports of Santa Martha, Carthagena, Colon, Savanilla, or at any other ports of the United States of Colombia, at which the mail packet may touch, or the special agents appointed by the British Post Office, shall be the channels through which the respective Post Offices shall receive and deliver the mails.

Accordingly, as soon as the commanders of the said packets shall have delivered the mails in their charge to such Consular or other Agents, the latter having taken out the official despatches of the British Government, shall forward such mails to the Colombian Post Office, which shall give a receipt for the same in due form.

The said Agents shall be permitted to receive from the public, letters, newspapers, book packets, and patterns of merchandise, intended to be conveyed from the ports of the United States of Colombia by the British mail packets, either to the United Kingdom or to intermediate ports; and in cases where the prepayment of the British postage chargeable for the sea conveyance of such correspondence is desired or necessary, shall be at liberty to collect such postage on behalf of the Post Office of the United Kingdom.

The correspondence so received, together with any correspondence delivered to the Agents by the Colombian Post Office, shall be made up into mails, and shall be handed over by the Agents direct to the commanders of the packets.

VI. The present Agreement shall come into operation from the day of its promulgation in the official newspaper of Colombia in evidence of its approval and the exchange of ratifications, and shall continue in force until one of the parties shall have announced to the other, one year in advance, his intention to terminate it.

In witness whereof the respective parties have signed the present Agreement, and have affixed hereto their respective seals.

Done in duplicate in the city of Bogotá, on the 11th day of September, 1875.

(L.S.) Robert Bunch.
(L.S.) Francisco de P. Rueda.
COSTA RICA.

CONSTITUTION of the Republic of Costa Rica, so far as relates to Religion; the Conclusion of Treaties; Nationality; and the Declaration of War. San José, April 15, 1869.

(Translation.)

TITLE III.—Of Religion.

Art. V. The Catholic Apostolic Roman religion is that of the Republic. The Government protects it, and does not contribute from its revenue to the expenses of other forms of worship, whose exercise, nevertheless, it tolerates.

TITLE V.

SECTION 1.—Of the National Guarantees; Treaties, &c.

X. No authority can conclude Treaties, contracts, or agreements, opposed to the sovereignty and independence of the Republic; he who commits this offence is a traitor.

TITLE VI.

SECTION 1.—Of the Costa Ricans; Nationality, &c.

XLV. There are Costa Ricans by birth and by naturalization.

XLVI. The following are Costa Ricans by birth:
1. Those born in the territory of the Republic, except those who, being children of a foreign father or mother, must follow that condition according to the law.
2. The children of a Costa Rican father or mother born out of the territory of the Republic, and whose names are inscribed in the civic list by the wish of their parents, whilst under 21 years of age, or by their own wish when they have reached that age.

XLVII. The following are Costa Ricans by naturalization:
1. Those who have acquired this qualification by previous laws.
2. A foreign woman married to a Costa Rican.
3. The natives of other countries who, having resided two years in the Republic, may obtain the respective letters of naturalization.

XLVIII. The condition of Costa Ricans may be forfeited and again recovered for the reasons and by the means determined by law.

XLIX. The following are the duties of the Costa Ricans:
To serve and defend the country, and to contribute to the public expenses.

SECTION 2.—Of the Citizens.

L. The Costa Rican citizens are all the natives of the Republic, or those naturalized therein, who may have arrived at
the full age of 20 years, or 18 years if married or professors of any science, provided that in either case they are in possession besides of some property or honest employment, the returns or gains of which are sufficient to maintain them in accordance with their station.

LII. The rights of citizenship are lost:
1. By naturalization in a foreign country.
3. By accepting employment from another nation without special permission from the Legislative Power.
LIII. Those who may have forfeited their citizenship, unless it be for treason to the country, can be reinstated by legally procuring a pardon.

TITLE VIII.—Of the Legislative Power.

SECTION 1.—Of the Congress; Treaties, &c.

LXVII. Both Chambers shall meet in Congress presided over by the President of the Chamber of Senators for the exercise of the following attributions:
4. To approve or reject Conventions, Concordats, and public Treaties.

TITLE IX.

SECTION 2.—Of the Duties and Attributions of the Executive Power; Treaties, &c.

CVII. The following are the duties and attributions of the Executive Power:
8. To direct diplomatic affairs, conclude Treaties or public Conventions with other Governments or nations, and exchange the ratifications thereof, after they have been approved and ratified by the Congress.
13. To declare war against any other Power or nation, when authorised to do so by the Legislative Power, and to make peace when it may be deemed fit.

DENMARK.

FUNDAMENTAL LAW of the Kingdom of Denmark, so far as relates to Religion, the conclusion of Treaties, and Naturalization. Amalienborg Palace, July 28, 1866.

(Translation.)

ART I. § 3. The Evangelical Lutheran Church is the Danish National Church, and is supported as such by the State.
II. § 18. The King declares war and concludes peace; he also enters into and breaks off alliances and Commercial Treaties,
but he cannot, without the consent of the Rigsdag, give up any part of the country, or enter into any engagement which changes the existing international relations.

IV. § 51. No foreigner can be naturalized except by law.

VII. § 75. The constitution of the National Church is ordained by law.

§ 76. The citizens have a right to assemble in community for the worship of God in the manner agreeable with their convictions, but so that nothing be taught or done at variance with good morals and public order.

§ 77. No one is bound to render personal contributions to any other form of divine worship than his own; but every one who does not prove that he is a member of the community of faith recognised in the country, shall pay to the educational funds those personal taxes ordered by law for the National Church.

§ 78. The position of religious communities diverging from the National Church is ordained in particulars by law.

§ 79. No one can be deprived of full admission to the enjoyment of civil and political rights on account of his religious belief, or decline for that reason the fulfilment of any general civil obligation.

---


(Translation.)

WE, Christian IX, &c.

§ 1. Danish born subjects who are citizens of a foreign country, as they cannot exercise the rights attaching to their Danish citizenship, so they are free from the responsibilities which derive therefrom.

They enter into the enjoyment of all such rights, and must bear the said responsibility whenever they fix their abode in this country, and renounce their condition of foreign citizenship, or, when the laws of the countries concerned make that impossible, when they make a declaration to the Ministry of the Interior that they renounce all the rights deriving from the said position.

Should their residence here extend to two years or more, they are held, without further proof, to have receded from their position as subjects of the foreign lands concerned; nevertheless, the Government is authorised, on condition of reciprocity, to take into Treaty engagements different from the present rules.

§ 2. This law does not concern the persons for whom citi-
zenship is reserved with reference to the Treaty of Peace of 30th October, 1864.

Given at Amalienborg, March 25, 1871.

Christian R.

ORDINANCE of the King of Denmark, relative to Foreigners fishing near Iceland. Amalienborg, February 12, 1872.

(Translation.)

We, Christian IX, by the grace of God King of Denmark, the Vandals and Goths, Duke of Slesvic, Holstein, Stormarn, Dytmarshen, Lauenburg, and Oldenburg, hereby proclaim that, having received the respectful advice of our faithful Althing on the project laid before it for an Ordinance, containing certain modifications of the Ordinance of June 13, 1787, cap. 1, &c., we ordain and command as follows:

§ 1. If the fishermen of foreign nations ply any kind of fishing near the coasts of Iceland, within the limit of the territorial waters, as settled by general international law, or as may be established by special international Conventions for Iceland, they shall be punished by fines of from 10 to 200 rix dollars.

§ 2. The same penalty shall be incurred by foreign fishermen who take ashore what they have caught, whether it be on the strand itself or on the islands and islets near the coasts, for the purpose of preparing the fish there. If any damage be done thereby, it must be made good besides, according to the general provisions of the law.

§ 3.* When foreign fishermen take refuge in a port, notice thereof is to be given without delay to the local authority, who is to take care that the commercial and Customs laws be not thereby evaded or transgressed. If it be for the purpose of seeking medical aid for any disease that has broken out amongst the crew, the quarantine regulations are to be observed.

For the examination and certification of the respective ship's papers, 4 skilling are to be paid to the authority concerned, for each ton of the ship's burthen, with an addition of half this duty, according to manifesto of December 28, 1836, § 9, the certification being done by a duly authorised deputy on behalf of the Sysselmand.

Transgression of the provisions in the present section is to be punished by fines to the amount fixed in § 1.

§ 4. The Amtmand shall be authorised to grant to foreign fishermen, through the respective directors of police, permission to lay up at the following places, namely, Reykjavik, Vestmanno, Stykkisholm, Isafjord, Akureyri, and Eskefjord,

* Repeated by Law of December 17, 1875. See Page 268.
such articles belonging to their occupation as they have no occasion to take home with them in the interval between two successive voyages; they shall not have to pay tonnage duties for this, but shall make a contribution, not exceeding 50 rix dollars, to the local charities, and the persons concerned shall submit to the arrangements which the police-director may consider necessary as a security against trading with the articles in store, or other abuse of the permission. If the storekeeper transgress the orders given in this respect, he has to be punished by fine of from 10 to 200 rix dollars; while, if there has been any trading with the goods in store, the tonnage duty will afterwards have to be paid, according to the Law of April 15, 1854, for the ship or ships from which they were discharged. The goods in store are liable for the fine and duty, and the respective authorities have a right to dispose of such part of them as may be necessary to produce the amount.

§ 5. All persons who are engaged in the fishing trade from Iceland, whether on their own account or as native or foreign companies having establishments there, shall be answerable for the tonnage duty fixed by the Law of April 15, 1854, for the ships which export the produce of the fishing prepared in Iceland.

§ 6. Legal proceedings on account of the offences specified in this Ordinance are to be treated as public police cases. The prescribed fines are to be paid into the provincial exchequer of Iceland.

§ 7. This Ordinance comes into force on the 1st of July, 1872.

All who are concerned are to act in strict accordance here-with.

Given at Amalienborg, February 12, 1872, under our Royal hand and seal.

In the King's name:

(L.S.) FREDERICK, Crown Prince.

TREATY between Great Britain and Denmark, for the mutual Surrender of Criminals.* Signed at Copenhagen, March 31, 1873.†

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Denmark, having judged it expedient, with a view to the better administration of justice and to the prevention of crime within their respective territories and jurisdictions, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circum-

* Signed also in the Danish language.
† Ratifications exchanged at Copenhagen, April 26, 1873.
stances, be reciprocally delivered up; their said Majesties have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Charles Lennox Wyke, Knight Commander of the Most Honourable Order of the Bath, her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Denmark;

And His Majesty the King of Denmark, Baron Otto Ditley Rosenørn-Lehn, Knight Commander of the Order of the Danebrog and Danebrogmand, His Majesty's Minister for Foreign Affairs;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:

ART. I. It is agreed that Her Britannic Majesty and His Majesty the King of Denmark shall, on requisition made in their name by their respective Diplomatic Agents, deliver up to each other reciprocally any persons, except native born and naturalised subjects of the party upon whom the requisition may be made, who, being accused or convicted of any of the crimes hereinafter specified, committed within the territories of the requiring party, shall be found within the territories of the other party:

1. Murder, or attempt or conspiracy to murder.
2. Manslaughter.
3. Counterfeiting or altering money, or uttering counterfeit or altered money.
4. Forgery, or counterfeiting, or altering, or uttering what is forged, or counterfeited, or altered.
5. Embezzlement or larceny.
6. Obtaining money or goods by false pretences.
7. Crimes by bankrupts against bankruptcy-law.
8. Fraud by a bailee, banker, agent, factor, trustee, or director, or member, or public officer of any company, made criminal by any law for the time being in force.
9. Rape.
10. Abduction.
12. Burglary or housebreaking.
13. Arson.
15. Threats, by letter or otherwise, with intent to extort.
17. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.
18. Assaults on board a ship on the high seas with intent to destroy life or to do grievous bodily harm.
19. Revolt, or conspiracy to revolt, by two or more persons
on board a ship on the high seas against the authority of the master.

Provided that the surrender shall be made only when, in the case of a person accused, the commission of the crime shall be so established as that the laws of the country where the fugitive or person so accused shall be found would justify his apprehension and commitment for trial if the crime had been there committed; and, in the case of a person alleged to have been convicted, on such evidence as, according to the laws of the country where he is found, would prove that he had been convicted.

II. In the dominions of Her Britannic Majesty, other than the colonies or foreign possessions of Her Majesty, the manner of proceeding shall be as follows:

1. In the case of a person accused:

The requisition for the surrender shall be made to Her Britannic Majesty's Principal Secretary of State for Foreign Affairs by the Minister or other Diplomatic Agent of His Majesty the King of Denmark at London, accompanied by (1) a warrant or other equivalent judicial document for the arrest of the accused, issued by a judge or magistrate duly authorised to take cognizance of the acts charged against him in Denmark; (2) duly authenticated depositions or statements taken on oath before such judge or magistrate, clearly setting forth the acts on account of which the fugitive is demanded; and (3) a description of the person claimed, and any other particulars which may serve to identify him. The said Secretary of State shall transmit such documents to Her Britannic Majesty's Principal Secretary of State for the Home Department, who shall then, by order under his hand and seal, signify to some policeman magistrate in London that such requisition has been made, and require him, if there be due cause, to issue his warrant for the apprehension of the fugitive.

On the receipt of such order from the Secretary of State, and on the production of such evidence as would, in the opinion of the magistrate, justify the issue of the warrant if the crime had been committed in the United Kingdom, he shall issue his warrant accordingly.

When the fugitive shall have been apprehended in virtue of such warrant, he shall be brought before the police magistrate who issued it, or some other police magistrate in London. If the evidence to be then produced shall be such as to justify, according to the law of England, the committal for trial of the prisoner if the crime for which he is accused had been committed in England, the police magistrate shall commit him to prison to await the warrant of the Secretary of State for his surrender; sending immediately to the Secretary of State a certificate of the committal and a report upon the case.
After the expiration of a period from the committal of the prisoner, which shall never be less than 15 days, the Secretary of State shall, by order under his hand and seal, order the fugitive criminal to be surrendered to such person as may be duly authorised to receive him on the part of the Government of His Majesty the King of Denmark.

2. In the case of a person convicted:

The course of proceeding shall be the same as in the preceding case of a person accused, except that the document to be produced by the Minister or other Diplomatic Agent of His Danish Majesty in support of his requisition shall clearly set forth the crime of which the person claimed has been convicted, and state the fact, place, and date of his conviction. The evidence to be produced before the police magistrate shall be such as would, according to the law of England, prove that the prisoner was convicted of the crime charged.

After the police magistrate shall have committed the accused or convicted person to prison to await the order of a Secretary of State for his surrender, such person shall have the right to apply for a writ of habeas corpus. If he should so apply, his surrender must be deferred until after the decision of the court upon the return to the writ, and even then can only take place if the decision is adverse to the applicant. In the latter case, the court may at once order his delivery to the person authorised to receive him, without the order of a Secretary of State for his surrender, or commit him to prison to await such order.

III. In the dominions of His Majesty the King of Denmark other than the colonies or foreign possessions of his said Majesty, the manner of proceeding shall be as follows:

1. In the case of a person accused:

The requisition for the surrender shall be made to the Minister for Foreign Affairs of His Majesty the King of Denmark by the Minister or other Diplomatic Agent of Her Britannic Majesty at Copenhagen, accompanied by (1) a warrant for the arrest of the accused, issued by a judge or magistrate duly authorised to take cognizance of the acts charged against him in Great Britain; (2) duly authenticated depositions or statements taken on oath before such judge or magistrate, clearly setting forth the acts on account of which the fugitive is demanded; and (3) a description of the person claimed, and any other particulars which may serve to identify him.

The Minister for Foreign Affairs of His Majesty the King of Denmark shall transmit such requisition for surrender to the Minister of Justice of His Majesty the King of Denmark, who, after having ascertained that the crime therein specified is one of those enumerated in the present Treaty, and satisfied himself that the evidence produced is such as, according to Danish law,
would justify the committal for trial of the individual demanded if the crime had been committed in Denmark, shall take the necessary measures for causing the fugitive to be delivered to the person charged to receive him by the Government of Her Britannic Majesty.

2. In the case of a person convicted:

The course of proceeding shall be the same as in the preceding case of a person accused, except that the warrant to be transmitted by the Minister or other Diplomatic Agent of Her Britannic Majesty in support of his requisition, shall clearly set forth the crime of which the person claimed has been convicted, and state the fact, place, and date of his conviction. The evidence to be produced shall be such as would, according to the laws of Denmark, prove that the prisoner was convicted of the crime charged.

IV. A fugitive criminal may, however, be apprehended under a warrant issued by any police magistrate, justice of the peace, or other competent authority in either country, on such information or complaint, and such evidence, or after such proceedings as would, in the opinion of the person issuing the warrant, justify the issue of a warrant, if the crime had been committed, or the prisoner convicted, in that part of the dominions of the two Contracting Parties in which he exercises jurisdiction; provided, however, that in the United Kingdom the accused shall, in such case, be sent as speedily as possible before a police magistrate in London; and that in the dominions of His Majesty the King of Denmark the case shall be immediately submitted to the Minister of Justice of His Majesty the King of Denmark; and provided, also, that the individual arrested shall in either country be discharged if within 15 days a requisition shall not have been made for his surrender by the Diplomatic Agent of his country, in the manner directed by Articles II and III of this Treaty.

The same rule shall apply to the cases of persons accused or convicted of any of the crimes specified in this Treaty, committed on the high seas, on board a vessel of either country, which may come into a port of the other.

V. If the fugitive criminal who has been committed to prison be not surrendered and conveyed away within two months after such committal (or within two months after the decision of the court, upon the return to a writ of habeas corpus in the United Kingdom), he shall be discharged from custody, unless sufficient cause be shown to the contrary.

VI. When any person shall have been surrendered by either of the High Contracting Parties to the other, such person shall not, until he has been restored or had an opportunity of returning to the country from whence he was surrendered, be triable or tried for any offence committed in the other country prior to
the surrender, other than the particular offence on account of which he was surrendered.

VII. No accused or convicted person shall be surrendered if the offence in respect of which his surrender is demanded shall be deemed by the Government upon which it is made to be one of a political character, or if, in the United Kingdom, he prove to the satisfaction of the police magistrate, or of the court before which he is brought on habeas corpus, or to the Secretary of State, or, in Denmark, to the satisfaction of the Minister of Justice of His Majesty the King of Denmark, that the requisition for his surrender has, in fact, been made with a view to try or to punish him for an offence of a political character.

VIII. Warrants, depositions, or statements on oath, issued or taken in the dominions of either of the two High Contracting Parties, and copies thereof, and certificates of or judicial documents stating the fact of conviction, shall be received in evidence in proceedings in the dominions of the other, if purporting to be signed or certified by a judge, magistrate, or officer of the country where they were issued or taken, and provided they are authenticated by the oath of some witness, or by being sealed with the official seal of the Minister of Justice or some other Minister of State.

IX. The surrender shall not take place if, since the commission of the acts charged, the accusation, or the conviction, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the country where the accused or convicted person shall have taken refuge.

X. If the individual claimed should be under prosecution, or in custody, for a crime or offence committed in the country where he may have taken refuge, his surrender may be deferred until he shall have been set at liberty in due course of law.

In case he should be proceeded against or detained in such country on account of obligations contracted towards private individuals, his surrender shall nevertheless take place, the injured party retaining his right to prosecute his claims before the competent authority.

XI. Every article found in the possession of the individual claimed at the time of his arrest, shall be seized, in order to be delivered up with his person at the time when the surrender shall be made. Such delivery shall not be limited to the property or articles obtained by stealing or by fraudulent bankruptcy, but shall extend to every thing that may serve as proof of the crime. It shall take place even when the surrender, after having been ordered, shall be prevented from taking place by reason of the escape or death of the individual claimed.

XII. Each of the two Contracting Parties shall defray the expenses occasioned by the arrest within its territories, the de-
tention and the conveyance to the frontier of the persons whom it may consent to surrender in pursuance of the present Treaty.

XIII. The stipulations of the present Treaty shall be applicable to the colonies or foreign possessions of the two High Contracting Parties, in the following manner:

The requisition for the surrender of a fugitive criminal who has taken refuge in a colony or foreign possession of either of the two Contracting Parties, shall be made to the Governor or chief authority of such colony or possession by the chief Consular Officer of the other party in such colony or possession; or if the fugitive has escaped from a colony or foreign possession of the party on whose behalf the requisition is made, by the Governor or chief authority of such colony or possession.

Such requisition may be disposed of, subject always, as nearly as may be, to the provisions of this Treaty, by the respective Governors or chief authorities, who, however, shall be at liberty either to grant the surrender or to refer the matter to their Government.

Her Britannic Majesty and His Majesty the King of Denmark shall, however, be at liberty to make special arrangements in their colonies and foreign possessions for the surrender of criminals who may take refuge therein, on the basis, as nearly as may be, of the provisions of the present Treaty.

XIV. The present Treaty shall come into operation 10 days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties.

After the Treaty shall so have been brought into operation, the Convention concluded between the High Contracting Parties on the 15th of April, 1862,* shall be considered as cancelled, except as to any proceeding that may have already been taken or commenced in virtue thereof.

Either party may, at any time, terminate the Treaty on giving to the other 6 months' notice of its intention.

XV. The present Treaty shall be ratified, and the ratification shall be exchanged at Copenhagen as soon as may be within 4 weeks of the date of signature.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Copenhagen, the 31st day of March, in the year of Our Lord, 1873.

(L.S.) CHARLES LENNOX WYKE.
(L.S.) O. D. ROSENORN-LEHN.

* See Vol. 11. Page 119.
BRITISH ORDER IN COUNCIL, for carrying into effect a Treaty between Her Majesty and the King of Denmark for the Mutual Surrender of Deserters. Windsor, June 26, 1873.

At the Court at Windsor, the 26th day of June, 1873.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act of Parliament made and passed in the session of Parliament holden in the 33rd and 34th years of the reign of Her present Majesty [cap. 52,]* intituled "An Act for amending the Law relating to the Extradition of Criminals," it was, amongst other things, enacted that when an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Act shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty was concluded on the 31st day of March last between Her Majesty and the King of Denmark for the Mutual Extradition of Fugitive Criminals, which Treaty is in the terms following:

[For Treaty see page 258 ]

And whereas the ratifications of the said Treaty were exchanged at Copenhagen on the 26th day of April last:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to her by the said recited Act, doth order, and it is hereby ordered, that from and after the 7th day of July, 1873, the said Act shall apply in the case of the said Treaty with the King of Denmark.

DECLARATION between Denmark and Sweden, relative to Pilotage in the Sound. Signed at Copenhagen, August 14, 1873.

(Translation.)

In order to determine more precisely the rights of Danish and Swedish subjects with regard to pilotage in the Sound, His Majesty the King of Denmark and His Majesty the King of Sweden have authorised the undersigned to agree to the following Declaration:

ART. I. In those parts of the Sound which are bounded on

the one side by Danish, on the other side by Swedish land, the right of pilotage belongs to both nations, in accordance with the rules specified below, and each nation shall make the arrangements which may concern itself.

Where both coasts belong to the same country the right of pilotage belongs exclusively to such country, and is subject to the regulations laid down by its authorities.

Each State reserves to itself the right of pilotage into and out of its own harbours.

The regulations laid down by either of the two Governments respecting the system of pilotage in the Sound must not in any respect be at variance with the rules contained in the Treaty of March 14, 1857.*

The pilots of both countries shall in every case enjoy in the above-mentioned waters the same rights as those of the most favoured nation.

II. With respect to the foregoing regulations the Drogden is considered as an exclusively Danish water. It is bounded on the north by a line drawn from the middle of the Charlottenlund, through the Stubbe buoy and the northern buoy of the middle ground to the broom to the north of Saltholm's most northern point; and on the south by a line from the most southern broom off Armage, through the Drogden fireship, to the most southern point of Saltholm.

Swedish pilots shall, however, be permitted to pilot vessels north of Saltholm into the outer roadstead of Copenhagen, which is bounded on the north by the northern boundary of the Drogden, on the east by the middle ground, on the south by a line from St. John's Church, across the middle of the Island of Refshale, and on the west by a line from the east side of Frekroner to the south-east beacon off Stubbe, and from there to the Stubbe buoy. So also shall Swedish pilots who, in accordance with the above, have taken a ship into the Copenhagen outer roadstead, be permitted, if the captain of the vessel should wish it, and the ship should not enter the inner roadstead, to remain on board the ship, and pilot it out again north of Saltholm. On the other hand, Swedish pilots in the outer roadstead are not allowed to take the pilotage of any ship other than the one in which they arrived in the manner above-mentioned, nor may Swedish pilot-boats lie off in the outer roadstead under the pretence of taking off Swedish pilots who may have arrived.

III. The two Governments engage to assist each other with all the means at their disposal to maintain the foregoing regulations.

IV. As this agreement refers exclusively to the right of pilotage in the Sound, and therefore does not in any respect restrict

DENMARK.

the jurisdiction which, according to the principles of international law, appertains to each of the two States in their maritime territories as far as they may extend, the Danish Government especially reserves to itself the right of excluding Swedish pilots from the Copenhagen outer roadstead, if such should be considered necessary in consequence of warlike eventualities.

V. The above regulations shall come into force from and on the 21st instant.

In confirmation whereof the Undersigned have signed this Declaration in duplicate, and affixed to it their seals, which was done in Copenhagen, the 14th of August, 1873.

(L.S.) O. D. ROSENORN LEHN.
(L.S.) L. BECK FRUS.

NOTICE to British Fishermen fishing off the Coast of Jutland or other Possessions of the Danish Crown. London, April, 1874.

COMPLAINTS having again been made to Her Majesty's Government that the crews of certain British fishing-boats have landed on the Danish coast and misconducted themselves there by the commission of outrages which are a discredit to the British flag and name, notice is hereby given that every endeavour will be used by Her Majesty's Government to assist the Danish authorities in repressing all such outrages, and in bringing the offenders to justice.

British fishermen are hereby warned that, in the event of a repetition of any of the offences complained of, the offenders will not only be liable to be arrested in Danish territory and proceeded against by the competent local authorities in Denmark, but will further be liable to proceedings in this country under Section 267 of "The Merchant Shipping Act, 1854" [cap. 104], which is as follows:

"All offences against property or person committed in or at any place, either ashore or afloat, out of Her Majesty's dominions by any master, seaman, or apprentice who at the time when the offence is committed is, or within 3 months previously has been, employed in any British ship shall be deemed to be offences of the same nature respectively, and be liable to the same punishments respectively, and be inquired of, heard, tried, determined, and adjudged in the same manner and by the same courts and in the same places as if such offences had been committed within the jurisdiction of the Admiralty of England; and the costs and expenses of the prosecution of any such offence may be directed to be paid as in the case of costs and expenses of prosecutions for offences committed within the jurisdiction of the Admiralty of England."
DENMARK.

Instructions have been issued to Her Majesty's Consuls to co-operate with the local authorities with the view of identifying offenders and procuring such evidence as may lead to a conviction.

C. CECIL TREvor, Assistant Secretary.

Board of Trade, Harbour Department, April, 1874.

DANISH LAW, notifying the Icelandic Ordinance of the 12th of February, 1872, relative to Fishing Boats. Amalienborg, December 17, 1875.

(Translation.)

We, Christian IX, by the grace of God King of Denmark, the Vandals and the Goths, Duke of Slesvig, Holstein, Stormarn, Ditmarsken, Lauenburg, and Oldenburg, do make known:

The Althing has voted, and we have by our consent confirmed, the following Law:

ART. I. When a foreign fishing ship enters any harbour of Iceland for refuge, and the crew wishes or wants to communicate with the inhabitants, the master of the ship ought, within 24 hours of having dropped her anchor, to give notice thereof to the master of the police or the Repstyrer whom it concerns, who ought then to examine the ship's papers, and to see that the laws on the commerce and taxes of the country be not infringed nor eluded by the crews of such vessels, and, if found necessary, to make without delay researches in this respect.

For the examination of the ship's papers are to be paid to the master of the police or Repstyrer—in case the vessel has not already, during the same fishing expedition, visited an Icelandic harbour where she has had her papers examined—10 ore per ton of the burden of the vessel; in the opposite case, 5 ore per ton; whereupon the muster-roll of the vessel ought to be provided with a visa that such examination has taken place, and the duties prescribed have been paid.

The duties, in such cases where the examination has been made by the Repstyrer on behalf of the master of the police, are to be equally divided between him and the master of the police.

If a foreign vessel runs into a harbour in search of medical assistance against any disease broken out among the crew, the laws of quarantine should be applied.

If any foreign vessel, because of ice or tempestuous weather, is compelled to enter a harbour without any of the crew going on shore or having any communication with the inhabitants, it shall not be necessary to have the ship's papers examined, even if the said vessel remains at anchor until she can run out again without danger.

* Sec Page 257  † "London Gazette," May 30, 1876.
DENMARK.

II. Any infraction of the regulation of this Law is subject to penalties of from 10' to 200 kroner, according to circumstances.

III. The present Law is to replace Article III of the Ordinance concerning the fishing of foreigners under Iceland, &c., of the 12th of February, 1872, which Article is hereby repealed.

Whereunto all whom it may concern have to conform.

Done at Amalienborg, on the 17th of December, 1875.

Under our Royal hand and seal,

(L.S.) CHRISTIAN R.

J. NELLEMMANN.

DECLARATION between Great Britain and Denmark, relative to the disposal of the Estates of Deceased Seamen of the two Nations.* Signed at London, April 11, 1877.

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Denmark, being desirous to make arrangements as to the disposal of the estates of deceased seamen of the two nations in certain cases, the Undersigned, duly authorised to that effect, have agreed as follows:

Art. I. If any British seaman dies on board a Danish ship, or whilst serving on board a Danish ship within Danish territory, or if, on the other hand, any Danish seaman dies on board a British vessel, or whilst serving on board a British vessel within British territory, the Governments of Denmark and of Great Britain respectively shall provide as far as possible for the protection, without loss or injury, of any estate belonging to such deceased seaman.

In the case of a British seaman dying as aforesaid, the Danish Government shall cause the estate, if not exceeding 50l. in value, to be delivered as soon as possible after the decease to the British Consul at the Danish port where the decease occurs; or if the decease does not occur at a Danish port, but on Danish territory to the British Consul nearest to the place where such decease occurs, or where the estate may be; or if such decease occurs at sea on board a Danish vessel to the British Consul at the first Danish port at which the vessel arrives after such decease.

In the case of a Danish seaman dying as aforesaid, his estate, if not exceeding 50l. in value, shall, subject to the provisions contained in Article II, be delivered by the British Government, as soon as possible, to the Danish Consul of the district to which the vessel may belong.

When the estate exceeds 50l. in value, in the event of there being no person at hand who, within the period of 6 months,

* Signed also in the Danish language.
proves to be rightfully entitled to administer to the estate of
the deceased seaman, the Consuls-General or Consuls of either
State in whose jurisdiction such decease shall take place, shall,
subject to the provision contained in Article II., have the power
to take possession of and administer to the estate of such de-
ceased seaman.

If any British seaman, whilst serving on board a Danish
ship, dies within British territory, or if, on the other hand, any
Danish seaman, whilst serving on board a British ship, dies
within Danish territory, then the estate (if any) belonging to such
deceased seaman shall, after deducting the expenses incurred,
be paid over to the nearest Consul of the nation to which the
ship belongs, in order that he may cause it to be, under observa-
tion of the aforesaid regulations, delivered to the competent
authority in the country of the deceased seaman.

In the event of a seaman of one nation serving on board a
ship of the other nation, and dying in the territory of a third
nation, any estate of such deceased seaman (which may have
been received by the Consul at the port where such death may
have taken place of the nation to which the ship belongs) shall,
after deducting the expenses incurred, be paid over to the
Consul of the other nation at the same port.

In cases where a deceased seaman has signed articles either
as a Danish or as a British subject, as the case may be, but the
Government into whose possession his estate comes is not
satisfied of his nationality, that Government shall equally pro-
tect his estate, and shall send an account of it, and its value,
and of all information in the possession of that Government re-
lating to the deceased, to the other Government, as soon as
possible, and shall deliver the estate to the other Government
immediately on receiving its assurance that there is no doubt
that the deceased was a subject of it.

II. If the deceased shall have served in the Royal Navy of
Great Britain, any assets which may be payable by the British
Admiralty shall be dealt with according to the law of Great
Britain.

III. The term "seaman" in this Declaration includes every
person (except masters and pilots) employed or engaged in any
capacity on board any merchant ship, or who has been so em-
ployed or engaged within 6 months before his death, and every
person (not being a commissioned, warrant, or subordinate
officer, or assistant engineer) borne on the books of, or forming
part of the complement of any public ship of war.

The term "estate" includes all "property, wages due, money,
and other effects," left by a deceased seaman on board a ship.

The term "Consul" includes Consul-General, Consul, and
Vice-Consul, and every person for the time being discharging
the duties of Consul-General, Consul, or Vice-Consul.
DOMINICA.

In witness whereof the Undersigned have signed the present Declaration, which shall come immediately into operation, and have affixed thereto the seal of their arms.

Done at London, this 11th day of April, 1877.

(L.S.) Derby.


DOMINICA.

CONSTITUTION of the Dominican Republic, so far as relates to Nationality, Religion; the conclusion of Treaties, and Naturalization. St. Domingo, September 27. 1866.

(Translation.)

TITLE II.—Of Dominicans [Nationality, &c.].

Art. V. The following are Dominicans:

1. All those who at present enjoy that quality, whether by birth, by naturalization, or from having availed themselves of Dominican nationality during the war of independence.

2. All those who are born in the territory of the Republic, whatever may be the nationality of their parents.

3. Those born in foreign countries of Dominican parents, absent in the service or on account of the Republic, as soon as they or their agents claim that quality.

4. Those born out of the territory of the Republic of a Dominican father or mother, if they come to reside in the country, and express a desire to become Dominicans.

5. All foreigners belonging to friendly nations who fix their domicile in the Dominican territory, and after a year's residence therein, declare that they wish to possess that qualification.

VI. No other than the Dominican nationality will be recognised in any Dominican, so long as he remains in the territory of the Republic.

TITLE III.—Of Citizenship [Nationality, &c.].

X. The citizen-rights are lost:

1. If one become naturalized in a foreign country during the time of residence therein.

2. If one has served or engaged to serve against the Republic.

4. If one has accepted employment, decoration, or pension from a foreign Government without the consent of the Congress.

5. If one has been a fraudulent bankrupt, so declared by judicial sentence.

XI. Rehabilitation in these rights may be obtained by such Dominicans as have not lost it for the reason mentioned in the second section of the preceding Article.
TITLE IV.—Of Guarantees [Religion].

XXIX. The Catholic Apostolic Roman religion is the religion of the State. Other services can only be performed within the precincts of their respective churches.

TITLE VI.—Of the Legislative Power.

SECTION I.—Of the Congress [Treaties, &c.].

XXXIX. The attributions of the Congress are:
15. To give or refuse its consent to the Treaties of Peace, of Alliance, of Friendship, of Neutrality, of Commerce, and any others concluded by the Executive Power. None shall have effect except by virtue of its approval.

TITLE VII.—Of the Executive Power.

SECTION III.—Of the Functions, Duties, and Prerogatives of the President of the Republic [Treaties, &c.].

LVIII. The attributions of the President are:
6. To declare war, subsequent to the decree of the Congress.
11. To direct the diplomatic negotiations.
12. To conclude public Treaties and Conventions, and to submit them to the approval of Congress.
25. To grant letters of naturalization.
26. To exercise the patronage of the Republic.

EGYPT.

POSTAL CONVENTION between Her Britannic Majesty's Government and the Government of His Highness the Khedive of Egypt, regulating the communications by Post between the two Countries.* Signed at Alexandria, May 18, 1873.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of His Highness the Khedive of Egypt, being desirous of regulating and facilitating, by means of a Postal Convention, the communications by post between the two countries, have named as their representatives for that purpose:

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Colonel Edward Stanton, Companion of the Most Honourable Order of the Bath, Her Majesty's Agent and Consul-General in Egypt.

The Government of His Highness the Khedive of Egypt, His Excellency Cherif Pasha, Minister of Justice and Minister ad interim for Foreign Affairs; who, being duly authorised by

* Signed also in the French language.
their respective Governments, have agreed upon the following Articles:

I.—International Correspondence.

Art. I. The only places in Egypt in which the British Government shall henceforth maintain post offices are Alexandria and Suez.

II. There shall be a regular exchange of correspondence between the Egyptian Post Offices and the British Post Offices in Alexandria and Suez.

The term "correspondence" shall comprise letters, newspapers, and other printed papers and patterns of merchandise.

III. The British Post Office in Alexandria shall deliver to the Egyptian Post Office in Alexandria all the correspondence brought to Alexandria in the British mails originating in the United Kingdom of Great Britain and Ireland or in countries or colonies the correspondence of which is forwarded through the United Kingdom, or originating in Malta or Gibraltar, addressed to any place in Egypt (Alexandria and Suez excepted); and the Egyptian Post Office in Alexandria shall deliver to the British Post Office in Alexandria all the correspondence originating in Egypt addressed to the United Kingdom of Great Britain and Ireland, or to countries or colonies the correspondence of which is forwarded through the United Kingdom, or intended to be forwarded by means of the British mail packets to Malta or Gibraltar.

IV. The British Office in Suez shall deliver to the Egyptian Post Office in Suez all the correspondence brought to Suez in the British mails originating in the East Indies, Ceylon, the Straits Settlements, China, Japan, Australia, or New Zealand, addressed to any place in Egypt (Suez and Alexandria excepted); and the Egyptian Post Office in Suez shall deliver to the British Post Office in Suez all the correspondence originating in Egypt intended to be forwarded by means of the British mail packets to the East Indies, Ceylon, the Straits Settlements, China, Japan, Australia, or New Zealand.

V. Ordinary letters, that is, letters not registered, may be forwarded from the United Kingdom of Great Britain and Ireland to Egypt, or from Egypt to the United Kingdom of Great Britain and Ireland, either paid to destination or unpaid. But letters addressed to Upper Egypt beyond Assiout, must be prepaid to Assiout.

Unpaid ordinary letters can be forwarded from Egypt through the United Kingdom only when addressed to those countries to which unpaid letters can be forwarded from the United Kingdom.

For registered letters the postage must always be paid in advance by the senders.
VI. The total amount of postage to be collected in the United Kingdom of Great Britain and Ireland upon ordinary paid letters addressed to Egypt shall be—

For every single letter:

If forwarded via Brindisi . . . . 10d.

If forwarded via the Straits of Gibraltar . . . 8d.

Reciprocally, the total amount of postage to be collected in Egypt upon ordinary paid letters addressed to the United Kingdom of Great Britain and Ireland shall be—

For every single letter:

If forwarded via Brindisi . . . . 4 5

If forwarded via the Straits of Gibraltar . . . 3 10

The total amount of postage to be collected in Egypt upon every single paid letter addressed to any of the countries or places enumerated in Tables A and B annexed to this Convention, and upon every single unpaid letter received from the same countries and places, shall be the sum set down in Tables F and G annexed to this Convention.

The total amount of postage to be collected in Malta or Gibraltar upon every single paid letter addressed to Egypt shall be 6d.

The weight of a single letter is fixed at half an ounce avoirdupois in England and 15 grammes in Egypt.

For heavier letters, an additional single rate shall be charged for each half ounce or fraction of half an ounce, or for each 15 grammes or fraction of 15 grammes.

Every insufficiently paid or wholly unpaid letter posted in the United Kingdom addressed to Egypt shall, in addition to the deficient postage, be subject to a fine of 3 pstr. 10 paras, to be retained by the Egyptian Post Office; and every insufficiently paid or wholly unpaid letter posted in Egypt addressed to the United Kingdom shall, in addition to the deficient postage, be subject to a fine of 8d., to be retained by the British Post Office.

The postage stamps used in the prepayment of postage must be those of England or Egypt, according to the country in which the correspondence originates.

VII. The total amount of postage to be collected in the United Kingdom of Great Britain and Ireland upon newspapers and other printed papers and patterns of merchandise addressed to Egypt shall be fixed by the British Post Office; and the total amount of postage to be collected in Egypt upon newspapers and other printed papers and patterns of merchandise addressed to the United Kingdom shall be fixed by the Egyptian Post Office.

This postage shall in all cases be paid in advance.

For the mutual exchange of newspapers and other printed papers the following regulations shall be observed:
1. A packet of newspapers shall not exceed 5 pounds in weight, and a packet of other printed papers shall not exceed 3 pounds in weight; neither must exceed 2 feet in length and 1 foot in the other dimensions.

2. The packet must be sent either without a cover or with a cover open at the ends or sides. If a cover be used, it must be of such a nature as to admit of an examination being made without difficulty to ascertain whether the contents are confined to articles entitled to transmission at the rates for printed papers.

3. The packet may consist of books and other printed papers, as well as maps, whether they are printed, engraved, or lithographed, and whether on paper, parchment, or vellum; moreover, a packet may consist of photographs on paper, parchment, or vellum.

It is permitted to add to all such packets whatever is necessary for the safe transmission of literary or artistic matter, or usually appertains thereto. More especially, all legitimate binding, covering, or mounting of a book or other printed publication, or a part thereof, whether the binding, &c., be attached to the object or loose, may be sent. Rollers may be sent with prints or maps and markers of paper or other material with books.

4. The address may be written on the packet itself or on the cover. Except on packets of newspapers, which must not contain any other writing, either on the packets themselves or on their covers, there may further be given in manuscript the name, firm, and residence of the sender, as well as the date. In proof sheets, alterations and additions which concern the proof, the revision, and the printing; may be made in writing, and manuscript may also be enclosed therein. The additions hereby permitted in proof sheets may, for want of space, be made on separate pieces of paper annexed to the proof sheets.

In the cases of prices current, exchange lists, and trade circulars, the entry in manuscript of the prices, as well as the alterations in quotations, made either in manuscript or by mechanical means, is also permitted.

With the exceptions mentioned above, no written communications, additions, or alterations may be made on packets of printed papers.

The following regulations shall be observed in regard to patterns of merchandise:

1. The weight of a packet of patterns shall not exceed half a pound, or 240 grammes.

2. The patterns of merchandise must not be of intrinsic value. No article of a saleable nature, or which has a mercantile value, either by reason of its quality or quantity, and of which a use might be made otherwise than as a pattern, shall, with the exception of the articles mentioned in Regulation 3, be forwarded at the reduced rates applicable to patterns of merchandise.
3. Scissors, knives, and forks, or similar articles, shall be admitted as patterns within the limit of weight specified in Regulation 1.

4. The patterns of merchandise must be sent in a cover which is either open at one end, or made up in such a manner that the patterns of merchandise can, without difficulty, be seen to be entitled to transmission. If scissors, knives, and forks, or other similar articles, be sent as patterns of merchandise, the cover and fastening of the same must be so arranged as to prevent injury to the officers of the post office, or to the mails.

5. The address, besides the indication "patterns" (samples), may in addition give the following particulars:
   - The name or the firm of the sender:
   - The manufacturer's or trade mark, as well as other descriptive details relating to the goods:
   - The numbers and the prices.

   The manufacturer's or trade mark, numbers and prices, may also be placed on the patterns of merchandise themselves; further, they may be stated on small labels attached to the patterns themselves, or to the bags or boxes, &c., containing them. With the above exceptions, the patterns must not contain any written communications.

6. No liquids or articles which might endanger the officers of the post office, or injure the mails, shall be transmitted.

VIII. The British Post Office shall pay to the Egyptian Post Office:

1. For every single paid letter forwarded from the United Kingdom of Great Britain and Ireland, or from Malta or Gibraltar, addressed to any place in Egypt (Alexandria and Suez excepted), as well as for every single unpaid letter forwarded from Egypt, addressed to the United Kingdom of Great Britain and Ireland or to any country the correspondence of which is sent through the United Kingdom, or to Malta or Gibraltar, the sum of 2d.

2. For every pound weight of newspapers or other printed papers, or of patterns of merchandise, forwarded from the United Kingdom of Great Britain and Ireland addressed to any place in Egypt (Alexandria and Suez excepted), the sum of 4d.

   The Egyptian Post Office, on its side, shall pay to the British Post Office:

1. For every single paid letter forwarded from Egypt addressed to the United Kingdom of Great Britain and Ireland, the sum of 8d. if sent via Brindisi, and the sum of 6d. if sent via the Straits of Gibraltar.

2. For every single paid letter forwarded from Egypt addressed to any country the correspondence of which is forwarded through the United Kingdom, the rates of postage set down in Table A annexed to this Convention.
3. For every single unpaid letter originating in the United Kingdom of Great Britain and Ireland addressed to any place in Egypt (Alexandria and Suez excepted), the sum of 8d. if sent via Brindisi, and the sum of 6d. if sent via the Straits of Gibraltar.

4. For every single unpaid letter originating in any country the correspondence of which is forwarded through the United Kingdom, the rates of postage set down in Table A annexed to this Convention.

5. For every single paid letter forwarded from Egypt addressed to Malta, Gibraltar, the East Indies, Ceylon, the Straits Settlements, China, Japan, Australia, or New Zealand, as well as for every single unpaid letter originating in Malta, Gibraltar, the East Indies, Ceylon, the Straits Settlements, China, Japan, Australia, or New Zealand, addressed to Egypt, the rates of postage set down in Table B annexed to this Convention.

6. For every packet of newspapers or other printed papers or patterns of merchandise forwarded from Egypt addressed to the United Kingdom of Great Britain and Ireland or to any country the correspondence of which is sent through the United Kingdom, the rates of postage set down in Table C annexed to this Convention.

7. For every packet of unpaid newspapers or other printed papers or patterns of merchandise originating in any country the correspondence of which is forwarded through the United Kingdom, the rates of postage set down in Table E annexed to the present Convention.

8. For every packet of newspapers or other printed papers or patterns of merchandise forwarded from Egypt addressed to Malta, Gibraltar, the East Indies, Ceylon, the Straits Settlements, China, Japan, Australia, or New Zealand, the rates of postage set down in Table D annexed to this Convention.

IX. The British Post Office in Alexandria may deliver to the Egyptian Post Office registered letters originating in the United Kingdom of Great Britain and Ireland or in any country or colony the correspondence of which is forwarded through the United Kingdom, or in Malta or Gibraltar, and addressed to any place in Lower Egypt or any place in Upper Egypt below Assiout; and the Egyptian Post Office may deliver to the British Post Office in Alexandria registered letters originating in Egypt and addressed to the United Kingdom of Great Britain and Ireland or to any country or colony to which registered letters can be sent from the United Kingdom, or addressed to Malta or Gibraltar.

The British Post Office in Suez may deliver to the Egyptian Post Office registered letters originating in the East Indies, Ceylon, the Straits Settlements, China, Japan, Australia, or New Zealand, and addressed to any place in Lower Egypt or any place in Upper Egypt below Assiout; and the Egyptian Post Office...
Office may deliver to the British Post Office in Suez registered letters originating in Egypt and addressed to the East Indies, Ceylon, the Straits Settlements, China, Japan, Australia, or New Zealand.

Upon every registered letter addressed to Egypt the British Post Office shall pay to the Egyptian Post Office, in addition to the ordinary postage, the sum of 3d.; and upon every registered letter addressed to the United Kingdom of Great Britain and Ireland, or to Malta or Gibraltar, or to the East Indies, Ceylon, the Straits Settlements, China, Japan, Australia, or New Zealand, the Egyptian Post Office shall pay to the British Post Office, in addition to the ordinary postage, the sum of 4d.

Upon every registered letter addressed to any country or colony to which registered letters may be sent from the United Kingdom the Egyptian Post Office shall pay to the British Post Office, in addition to the ordinary postage, the sum of 8d.

X. When the postage stamps affixed to a letter shall represent a sum less than that required for its prepayment, such letter shall be charged as unpaid, after deducting the value of the stamps.

XI. All ordinary or registered letters shall be stamped with a stamp showing the date of posting and the place of origin. Such of those letters as shall have been fully paid shall be stamped P.D.

Registered letters shall be stamped with the word “Registered” or “Raccomandato.” Letters insufficiently paid shall be stamped with the words “Insufficiently prepaid” or “Insufficientemente affrancate.”

Coins, jewels, and articles liable to Customs duty, are not allowed to be sent through the Egyptian Post Office, and letters found to contain such articles will not be forwarded.

XII. No charge whatsoever shall be levied, either in the United Kingdom, Egypt, or elsewhere, upon the delivery of prepaid letters, newspapers, or other printed papers, or patterns of merchandise.

XIII. The correspondence between Her Britannic Majesty’s Diplomatic or Consular Agents in Egypt and the Egyptian Government, or between those Diplomatic or Consular Agents, shall enjoy the same exemption from postage in Egypt that is accorded to the correspondence of the Diplomatic or Consular Agents of any other State.

XIV. Ordinary or registered letters, newspapers, or other printed papers, and patterns of merchandise mis-directed or mis-sent, shall be reciprocally returned, without delay, through the respective offices of exchange for the same amount of postage at which they were charged by the dispatching office to the other office.

Correspondence which, from any cause, it has not been
EGYPT

possible to deliver to the person to whom it is addressed, shall be returned to the dispatching office; that prepaid without any further charge, and the unpaid for the same amount at which it was charged by the despatching office.

XV. Each of the mails exchanged between the British and the Egyptian Post Offices shall be accompanied by a letter bill, in which the dispatching office shall state the nature of the articles which the mail contains, and the amount of postage due to each office.

The office to which the mail shall be forwarded shall acknowledge its receipt.

The letter bills and acknowledgments of receipt shall be in conformity with Forms H and I annexed to this Convention.

XVI. The British Post Office shall every month prepare separate accounts exhibiting the results of the exchange of correspondence between the respective offices. Such accounts shall be founded upon the acknowledgments of receipt of the respective offices during the month.

For greater convenience in settling the accounts between the two offices, it is agreed to exchange the correspondence, as far as may be practicable, by weight, each ounce of letters being counted as equal to 3½ single rates.

These separate accounts shall be incorporated in general accounts, which shall be compared and settled, and the balance shall be paid, in cash, in Alexandria, at the end of every quarter, by that office which is found to be indebted to the other.

In the settlement 97½ Egyptian piastres tariff shall be considered equivalent to a pound sterling.

II.—British Mails between Alexandria and Constantinople.

XVII. The Egyptian Government engages to convey from Constantinople to Alexandria to Smyrna, or vice versa, by means of the steam vessels belonging to or subsidized by them, closed mails containing correspondence originating in Constantinople or Smyrna and addressed to Malta, Gibraltar, the British possessions in the East Indies or Australia, to China or to any other place to the eastward of Suez, or originating in Malta, Gibraltar, the British possessions in the East Indies or Australia, in China or in any other place to the eastward of Suez, and addressed to Constantinople or Smyrna.

It is understood that the engagement contracted in this Article shall remain in force only so long as the Egyptian Government continues to maintain a mail service between Alexandria, Smyrna, and Constantinople.

XVIII. The mails referred to in the preceding Article shall be made up and sealed in the British Post Office in Constantinople, Smyrna, or Alexandria, and shall be handed over to the
EGYPT.

Egyptian Post Office for embarkation on board the Egyptian packet.

On arrival at the port of destination, the mails shall be immediately delivered at the British Post Office.

XIX. For the sea conveyance of the letters and printed papers comprised in the closed mails mentioned in the two preceding Articles, Her Britannic Majesty's Government engages to pay to the Egyptian Government the sum of 3½d. per ounce for letters, and the sum of 2d. per pound for newspapers or other printed papers weighed in bulk.

XX. The letters and printed papers shall be weighed in the British Post Office in Alexandria, at the time of their receipt or dispatch; and a statement of the net weight of each class of correspondence shall be made out by the British postmaster, and shall be forwarded to the Egyptian Post Office. At the expiration of every quarter the amount found to be due shall be paid by the British postmaster.

III.—British Mails in Transit through Egypt.

XXI. The Egyptian Government engages to convey from Alexandria to Suez, and from Suez to Alexandria, the British mails to and from the East Indies, Australia, or other of Her Britannic Majesty's colonies and possessions, or to and from China, Japan, or any other foreign country, sent through Egypt.

It also undertakes the conveyance of mails between the British Post Office in Alexandria and the British Post Office in Suez, and of sealed bags between the British Post Office in Alexandria and Her Britannic Majesty's Consulate General in Cairo, containing the despatches and correspondence of Her Majesty's Agent and Consul-General.

The Egyptian Government guarantees the safety of Her Majesty's mails while passing through Egypt, provided that His Highness the Khedive remains entrusted with the full and uninterrupted power enjoyed by his predecessors, especially that of confirming or commuting sentences of tribunals in criminal matters.

XXII. The time occupied in conveying the British mails from Alexandria to Suez, counting from the time at which the last package is handed over to the Egyptian authorities at the Peninsular and Oriental Steam Navigation Company's wharf adjoining the Railway Station at Alexandria, to the time at which the last package is delivered alongside the packet at the Suez Docks, shall not exceed 16 hours; and the time occupied in conveying the British mails from Suez to Alexandria, counting from the time at which the last package is handed over to the Egyptian authorities by the Agent of Her Britannic Majesty's Postmaster-General, to the time at which the last package is delivered at the Peninsular and Oriental Steam
Navigation Company's wharf adjoining the Railway Station at Alexandria for embarkation on board the British mail packet, shall not exceed 13 hours.

The Egyptian Government shall provide the means of placing the mails on board the packet lying alongside the wharf in the Suez Docks, after they have been checked by the Agent of Her Majesty's Postmaster-General or his clerks.

The mails may be forwarded by a passenger, goods, or mixed train, provided always that the stipulations contained in Article XXV of this Convention are strictly observed.

Whenever that portion of a mail which is forwarded by way of the Straits of Gibraltar shall arrive at Alexandria before the portion of the same mail forwarded via Brindisi, it may either be sent on to Suez separately, or retained in the railway station until the arrival of the Brindisi portion. In the latter case, it must be placed in vans locked and duly guarded.

The Egyptian Government shall give timely notice to the British Post Office in Alexandria of the time fixed for the departure of the mails, in order that the mail from that office may be forwarded by the same train. If the departure of the train should be delayed, owing to the late arrival of such mail, the time allowed for the conveyance of the mails to Suez shall count from the time at which the mail from the British Post Office was delivered at the railway station.

At Suez the bank mails will be handed over at the docks, and the mail from the British Post Office at Suez at the town of Suez, the time of transit to count from the delivery of the last-named mail.

If the time stipulated for the conveyance of the mails between Alexandria and Suez, or vice versa, shall terminate during the night, say between 6 p.m. and 6 a.m., then the time for delivery of the mails, either at Alexandria or Suez, shall be extended to 6 o'clock on the following morning.

XXIII. The British Post Office shall have the right to send messengers (not exceeding 3 in number) with each mail dispatched, whether from Alexandria or from Suez; and second-class accommodation in the train shall be provided for these messengers from Alexandria to Suez, and vice versa, at the expense of the Egyptian Government.

XXIV. The Egyptian Government shall on mail days provide at Suez a suitable and separate place on the quay for the landing, loading, and embarkation of the British mails, and proper means for the conveyance of the mails from the packet to the train and vice versa.

As the operation of landing and embarking the British mails at Alexandria is now performed by the Peninsular and Oriental Steam Navigation Company at their wharf, the Egyptian Government will, only in the event of the British Post Office...
requiring it, provide another place at the railway jetty for this service, the performance of which is, however, not to be at the expense of the Egyptian Government.

In all cases in which the mails may be from any cause detained at Alexandria or Suez, the Egyptian Government shall either retain the mails in secure weather-proof vans, locked and duly guarded, or shall provide warehouse room in the railway station for the storage of such mails, and the agent of Her Britannic Majesty’s Postmaster-General shall at all times have access to such mails.

The Egyptian Government shall also provide at Alexandria suitable means for the conveyance between the point of embarkation or disembarkation and the British Post Office, and between the British Post Office and the railway station, of the mails addressed to or dispatched from that post office.

A suitable conveyance shall also be provided for the agent of Her Britannic Majesty’s Postmaster-General at Suez, or for any of his clerks, whenever they may require to proceed from the town of Suez to the docks, or from the docks to the town, on mail days and on mail service.

XXV. The British mails during their passage through Egypt shall be placed in separate and secure railway carriages, and under lock and key, and neither passengers, nor goods, or other things shall be placed in the same carriages.

XXVI. For the performance by the Egyptian Government of all the foregoing services, Her Britannic Majesty’s Government agrees to pay in Cairo or Alexandria, by equally quarterly payments, the sum of 8,000L. sterling per annum; the exchange to be calculated at 97½ piastres tariff to the pound sterling.

But it is agreed that, if at any time arrangements should be made for forwarding by way of the Suez Canal, instead of by railway across Egypt, that portion of the British mails which is conveyed via the Straits of Gibraltar, the sum to be paid to the Egyptian Government shall be reduced from 8,000L. to 6,000L. per annum.

XXVII. The present Convention shall come into operation on the 1st July, 1873, and shall continue in force until one of the two Contracting Parties shall announce to the other, one year in advance, its intention to terminate it.

The previous Postal Conventions and Agreements between the United Kingdom of Great Britain and Ireland and Egypt shall cease to have effect on the 30th June, 1873.

XXVIII. It is agreed that the stipulations contained in the present Convention may be modified from time to time by the mutual consent of the British and Egyptian Governments.

Signed, in duplicate, at Alexandria, this 18th day of May, 1873.

EDWD. STANTON.
CHERIF.
A.—Table showing the Rates of Postage to be accounted for by the Egyptian Post Office to the British Post Office for the conveyance, in transit through the United Kingdom, of ordinary paid letters dispatched from Egypt addressed to the undermentioned countries and colonies, and of unpaid letters originating in those countries and colonies addressed to Egypt.

The prepavment of the postage is compulsory to those places the names of which are marked thus *. Registered letters may be forwarded to those countries the names of which are printed in italics.

<table>
<thead>
<tr>
<th>Countries and Colonies</th>
<th>Rate per single paid letter dispatched from Egypt</th>
<th>Rate per single unpaid letter addressed to Egypt</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Via Brindisi.</td>
<td>Via the Straits of Gibraltar.</td>
</tr>
<tr>
<td>*Africa, West Coast</td>
<td>s. d.</td>
<td>s. d.</td>
</tr>
<tr>
<td>*Ascension</td>
<td>1 1 1 0 1 0 1 1</td>
<td></td>
</tr>
<tr>
<td>*Bermuda</td>
<td>1 1 1 5 1 1 1 5</td>
<td></td>
</tr>
<tr>
<td>*Bolivia</td>
<td>1 1 0 1 1 0 1 1</td>
<td></td>
</tr>
<tr>
<td>*Brazil</td>
<td>2 1 1 1 1 1 1 1</td>
<td></td>
</tr>
<tr>
<td>*Buenos Ayres</td>
<td>1 7 1 5 1 7 1 5</td>
<td></td>
</tr>
<tr>
<td>*Canada (including British Columbia and</td>
<td>1 0 1 0 8 0 1 0 8</td>
<td></td>
</tr>
<tr>
<td>Vancouver's Island)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cape of Good Hope</td>
<td>1 7 1 5 1 7 1 5</td>
<td></td>
</tr>
<tr>
<td>Chili</td>
<td>2 1 1 1 1 1 1 1</td>
<td></td>
</tr>
<tr>
<td>*Costa Rica</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Cuba</td>
<td>1 7 1 5 1 7 1 5</td>
<td></td>
</tr>
<tr>
<td>*Curacao</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Ecuador</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Falkland Islands</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Gambia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Gold Coast</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Grey Town (St. Juan de Nicaragua)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Guadaloupe</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Guatemala</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Haiti</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Hawaii (Sandwich Islands)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Lagos</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Liberia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Martinique</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Mexico</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Monte Video</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Natal</td>
<td></td>
<td></td>
</tr>
<tr>
<td>New Brunswick</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Newfoundland</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Nova Scotia</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Peru</td>
<td>2 1 1 1 1 1 1 1</td>
<td></td>
</tr>
<tr>
<td>*Porto Rico</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Prince Edward Island</td>
<td></td>
<td></td>
</tr>
<tr>
<td>St. Croix</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*St. Eustatius</td>
<td></td>
<td></td>
</tr>
<tr>
<td>St. Helena</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*St. Martin's</td>
<td></td>
<td></td>
</tr>
<tr>
<td>St. Thomas</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sierra Leone</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surinam</td>
<td></td>
<td></td>
</tr>
<tr>
<td>United States of America</td>
<td></td>
<td></td>
</tr>
<tr>
<td>United States of Columbia (New Granada)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>*Venezuela</td>
<td></td>
<td></td>
</tr>
<tr>
<td>West Indies (British)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
**B.—Table showing the Rates of Postage to be accounted for by the Egyptian Post Office to the British Post Office for the conveyance by British Mail Packet direct from Alexandria or from Suez of ordinary paid letters dispatched from Egypt addressed to the undermentioned countries and colonies, and of unpaid letters originating in those countries and colonies addressed to Egypt.**

<table>
<thead>
<tr>
<th>Countries and Colonies</th>
<th>Rate per single paid letter dispatched from Egypt.</th>
<th>Rate per single unpaid letter addressed to Egypt.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Malta</td>
<td>$0 4$</td>
<td>$0 4$</td>
</tr>
<tr>
<td>Gibraltar</td>
<td>$0 6$</td>
<td>$0 6$</td>
</tr>
<tr>
<td>The East Indies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ceylon</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Straits Settlements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>China</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Japan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Australia or New Zealand</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
C.—Table showing the rates of Postage to be accounted for by the Egyptian Post Office to the British Post Office upon Paid Newspapers or other Printed Papers or Patterns of Merchandise, originating in Egypt, addressed to the United Kingdom, or to any of the undermentioned Countries or Colonies, and forwarded in transit through the United Kingdom.

<table>
<thead>
<tr>
<th>Countries and Colonies</th>
<th>If forwarded to the United Kingdom via Brindisi</th>
<th>If forwarded to the United Kingdom via the Straits of Gibraltar</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>For every newspaper not exceeding 4 oz. in weight.</td>
<td>For a packet of printed papers or patterns of merchandise.</td>
</tr>
<tr>
<td></td>
<td>From 1 to 2 oz.</td>
<td>From 2 to 4 oz.</td>
</tr>
<tr>
<td>Africa, West Coast</td>
<td>2</td>
<td>1</td>
</tr>
<tr>
<td>Ascension</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Bermuda</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Bolivia</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Brazil</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Buenos Ayres</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Canada (including British Columbia and Vancouver's Island)</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Cape of Good Hope</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Chili</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Costa Rica</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Cuba</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Curacao</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Ecuador</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Falkland Islands</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Gambia</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Gold Coast</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Grey Town (St. Juan de Nicaragua)</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Guayaquil</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Guatemala</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Hayti</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Hawaii (Sandwich Islands)</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Lagos</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Liberia</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Martinique</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Mexico</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Montevideo</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Natal</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>New Brunswick</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Newfoundland</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Nova Scotia</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Peru</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Porto Rico</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Prince Edward Island</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>St. Croix</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>St. Eustatius</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>St. Helena</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>St. Martin's</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>St. Thomas</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Sierra Leone</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>Surinam</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>United States of America</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>United States of Columbia (New Granada)</td>
<td>4</td>
<td>8</td>
</tr>
<tr>
<td>Venezuela</td>
<td>3</td>
<td>7</td>
</tr>
<tr>
<td>West Indies (British)</td>
<td>4</td>
<td>8</td>
</tr>
</tbody>
</table>
D.—**Table** showing the Rates of Postage to be accounted for by the Egyptian Post Office to the British Post Office for the conveyance, by British Mail Packet from Alexandria or from Suez, of newspapers or other printed papers or patterns of merchandise, originating in Egypt, addressed to the undermentioned countries and colonies.

<table>
<thead>
<tr>
<th>Countries and Colonies</th>
<th>For every newspaper not exceeding 4 oz. in weight.</th>
<th>For every additional 4 oz. or fraction of 4 oz.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Malta</td>
<td>s. d.</td>
<td>s. d.</td>
</tr>
<tr>
<td>Gibraltar</td>
<td>s. d.</td>
<td>s. d.</td>
</tr>
<tr>
<td>The East Indies</td>
<td>s. d.</td>
<td>s. d.</td>
</tr>
<tr>
<td>Ceylon</td>
<td>s. d.</td>
<td>s. d.</td>
</tr>
<tr>
<td>The Straits Settlements</td>
<td>0 1</td>
<td>0 3</td>
</tr>
<tr>
<td>China</td>
<td>0 3</td>
<td>0 3</td>
</tr>
<tr>
<td>Japan</td>
<td>0 3</td>
<td></td>
</tr>
<tr>
<td>Australia or New Zealand</td>
<td>0 3</td>
<td></td>
</tr>
</tbody>
</table>

For a packet of printed papers or patterns of merchandise.
**EGYPT.**

E.—Table showing the Rates of Postage to be accounted for by the Egyptian Post Office to the British Post Office upon unpaid newspapers or other printed papers or patterns of merchandise addressed to Egypt and forwarded from any of the undermentioned countries or colonies in transit through the United Kingdom.

<table>
<thead>
<tr>
<th>Countries and Colonies</th>
<th>If forwarded to Egypt via Brindisi</th>
<th>If forwarded to Egypt via the Straits of Gibraltar</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>For every newspaper not exceeding 4 oz. in weight.</td>
<td>For every newspaper not exceeding 4 oz. in weight.</td>
</tr>
<tr>
<td></td>
<td>For a packet of printed papers or patterns of merchandise.</td>
<td>For a packet of printed papers or patterns of merchandise.</td>
</tr>
<tr>
<td></td>
<td>Not exceeding 4 oz. in weight.</td>
<td>Every additional 4 oz. in weight.</td>
</tr>
<tr>
<td><strong>Africa</strong></td>
<td><strong>Ascension</strong></td>
<td><strong>Bolivia</strong></td>
</tr>
<tr>
<td><strong>Costa Rica</strong></td>
<td><strong>Chili</strong></td>
<td><strong>Cuba</strong></td>
</tr>
<tr>
<td><strong>Ecuador</strong></td>
<td><strong>Grey Town (St. Juan de Nicarauga)</strong></td>
<td><strong>Guadaloupe</strong></td>
</tr>
<tr>
<td><strong>Hawaii (Sandwich Islands)</strong></td>
<td><strong>Martinique</strong></td>
<td><strong>Mexico</strong></td>
</tr>
<tr>
<td></td>
<td><strong>Porto Rico</strong></td>
<td><strong>St. Croix</strong></td>
</tr>
<tr>
<td></td>
<td><strong>St. Thomas</strong></td>
<td><strong>Surinam.</strong></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Africa, West Coast</td>
<td>3</td>
<td>7</td>
<td>7</td>
<td>2</td>
<td>5</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ascension</td>
<td>4</td>
<td>8</td>
<td>8</td>
<td>3</td>
<td>6</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bolivia</td>
<td>3</td>
<td>7</td>
<td>7</td>
<td>2</td>
<td>5</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brazil</td>
<td>4</td>
<td>8</td>
<td>8</td>
<td>3</td>
<td>6</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Buenos Ayres</td>
<td>3</td>
<td>7</td>
<td>7</td>
<td>2</td>
<td>5</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chili</td>
<td>4</td>
<td>8</td>
<td>8</td>
<td>3</td>
<td>6</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Costa Rica</td>
<td>3</td>
<td>7</td>
<td>7</td>
<td>2</td>
<td>5</td>
<td>5</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Cuba</td>
<td>4</td>
<td>8</td>
<td>8</td>
<td>3</td>
<td>6</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Curacao</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ecuador</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Grey Town</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(St. Juan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>de Nicaragua)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guadaloupe</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Guatemala</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hayti</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hawaii</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(Sandwich</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Islands)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Martinique</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mexico</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Monte Video</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Peru</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Porto Rico</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>St. Croix</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>St. Eustatius</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>St. Martin's</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>St. Thomas</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Surinam.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>United States</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>of Columbia</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>(New Granada)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Venezuela</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Note: The rates are given in pence.
F.—Table showing the Rates of Postage to be collected in Egypt upon a single paid letter dispatched from Egypt by British mail packet addressed to the undermentioned countries and colonies, and upon a single unpaid letter received from those countries and colonies via England.

<table>
<thead>
<tr>
<th>Countries and Colonies</th>
<th>Via Brindisi</th>
<th>Via the Straits of Gibraltar</th>
<th>Via Brindisi</th>
<th>Via the Straits of Gibraltar</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rate per single paid letter dispatched from Egypt</td>
<td>Rate per single unpaid letter addressed to Egypt</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>pias. par.</td>
<td>pias. par.</td>
<td>pias. par.</td>
<td>pias. par.</td>
</tr>
<tr>
<td>Africa, West Coast</td>
<td>6 5</td>
<td>5 15</td>
<td>7 5</td>
<td>6 15</td>
</tr>
<tr>
<td>Ascension</td>
<td>8 25</td>
<td>7 30</td>
<td>9 25</td>
<td>8 30</td>
</tr>
<tr>
<td>Bermuda</td>
<td>6 5</td>
<td>5 15</td>
<td>9 15</td>
<td>8 25</td>
</tr>
<tr>
<td>Bolivia</td>
<td>11 0</td>
<td>10 10</td>
<td>12 0</td>
<td>11 10</td>
</tr>
<tr>
<td>Brazil, Buenos Ayres</td>
<td>8 25</td>
<td>7 30</td>
<td>9 25</td>
<td>8 30</td>
</tr>
<tr>
<td>Canada (including British Columbia and Vancouver's Island)</td>
<td>4 35</td>
<td>4 5</td>
<td>8 5</td>
<td>7 15</td>
</tr>
<tr>
<td>Cape of Good Hope</td>
<td>8 25</td>
<td>7 30</td>
<td>11 35</td>
<td>11 0</td>
</tr>
<tr>
<td>Chili</td>
<td>11 0</td>
<td>10 10</td>
<td>12 0</td>
<td>11 10</td>
</tr>
<tr>
<td>Costa Rica, Cuba</td>
<td>8 25</td>
<td>7 30</td>
<td>9 25</td>
<td>8 30</td>
</tr>
<tr>
<td>Curaçao</td>
<td>8 25</td>
<td>7 30</td>
<td>11 35</td>
<td>11 0</td>
</tr>
<tr>
<td>Ecuador</td>
<td>11 0</td>
<td>10 10</td>
<td>12 0</td>
<td>11 10</td>
</tr>
<tr>
<td>Falkland Islands, Gambia, Gold Coast</td>
<td>6 5</td>
<td>5 15</td>
<td>9 15</td>
<td>8 25</td>
</tr>
<tr>
<td>Grey Town (St. Juan de Nicaragua), Guadaloupe, Guatemala, Hayti</td>
<td>8 25</td>
<td>7 30</td>
<td>9 25</td>
<td>8 30</td>
</tr>
<tr>
<td>Hawaii (Sandwich Islands)</td>
<td>6 5</td>
<td>5 15</td>
<td>7 5</td>
<td>6 15</td>
</tr>
<tr>
<td>Lagos, Liberia</td>
<td>6 5</td>
<td>5 15</td>
<td>9 15</td>
<td>8 25</td>
</tr>
<tr>
<td>Martinique, Mexico, Monte Video</td>
<td>8 25</td>
<td>7 30</td>
<td>9 25</td>
<td>8 30</td>
</tr>
<tr>
<td>Natal</td>
<td>8 25</td>
<td>7 30</td>
<td>11 35</td>
<td>11 0</td>
</tr>
<tr>
<td>New Brunswick, Newfoundland, Nova Scotia</td>
<td>4 35</td>
<td>4 5</td>
<td>8 5</td>
<td>7 15</td>
</tr>
<tr>
<td>Peru</td>
<td>11 0</td>
<td>10 10</td>
<td>12 0</td>
<td>11 10</td>
</tr>
<tr>
<td>Porto Rico</td>
<td>8 25</td>
<td>7 30</td>
<td>9 25</td>
<td>8 30</td>
</tr>
<tr>
<td>Prince Edward Island</td>
<td>4 35</td>
<td>4 5</td>
<td>8 5</td>
<td>7 15</td>
</tr>
<tr>
<td>St. Croix, St. Helena, St. Thomas</td>
<td>8 25</td>
<td>7 30</td>
<td>11 35</td>
<td>11 0</td>
</tr>
<tr>
<td>St. Eustatius, St. Martin's</td>
<td>8 25</td>
<td>7 30</td>
<td>9 25</td>
<td>8 30</td>
</tr>
<tr>
<td>Sierra Leone</td>
<td>6 5</td>
<td>5 15</td>
<td>9 15</td>
<td>8 25</td>
</tr>
<tr>
<td>Surinam</td>
<td>8 25</td>
<td>7 30</td>
<td>11 35</td>
<td>11 0</td>
</tr>
<tr>
<td>United States of America</td>
<td>4 35</td>
<td>4 5</td>
<td>8 5</td>
<td>7 15</td>
</tr>
<tr>
<td>United States of Columbia (New Granada), Venezuela</td>
<td>8 25</td>
<td>7 30</td>
<td>9 25</td>
<td>8 30</td>
</tr>
<tr>
<td>West Indies (British)</td>
<td>8 25</td>
<td>7 30</td>
<td>11 35</td>
<td>11 0</td>
</tr>
</tbody>
</table>
G.—Table showing the Rates of Postage to be collected in Egypt on ordinary paid letters conveyed by British Mail Packet direct from Alexandria or Suez addressed to the undermentioned Countries and Colonies, and of unpaid letters originating in those Countries and Colonies addressed to Egypt.

<table>
<thead>
<tr>
<th>Countries and Colonies</th>
<th>Rate per single paid letter dispatched from Egypt</th>
<th>Rate per single unpaid letter addressed to Egypt</th>
</tr>
</thead>
<tbody>
<tr>
<td>Malta</td>
<td>2 20</td>
<td>3 20</td>
</tr>
<tr>
<td>Gibraltar</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The East Indies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Ceylon</td>
<td></td>
<td></td>
</tr>
<tr>
<td>The Straits Settlements</td>
<td></td>
<td></td>
</tr>
<tr>
<td>China</td>
<td>3 10</td>
<td>4 10</td>
</tr>
<tr>
<td>Japan</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Australia or New Zealand</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
H.—Letter Bill for correspondence from the United Kingdom, &c., for Egypt (Alexandria and Suez excepted), delivered by the British Post Office at Alexandria to the Egyptian Post Office at Alexandria.

British Post Office, Alexandria,

[Date]

<table>
<thead>
<tr>
<th>Number</th>
<th>Origin</th>
<th>To whom addressed</th>
<th>Destination</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Registered letters are forwarded in this mail, the addresses of which are entered on the reverse of this letter bill.

British Postmaster, Alexandria.

List of Registered Letters.
EGYPT.

L—ACKNOWLEDGMENT OF RECEIPT for the correspondence from Egypt (Alexandria and Suez excepted) for the United Kingdom, &c., delivered by the Egyptian Post Office at Alexandria to the British Post Office at Alexandria.

Mail of the day of 187____.

<table>
<thead>
<tr>
<th>No. of Article</th>
<th>Paid Letters, &amp;c. To the credit of the United Kingdom</th>
<th>Statement of the Egyptian Post Office</th>
<th>Statement of the British Post Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Paid ordinary and registered letters for the United Kingdom, via Brindisi</td>
<td>Weight. Ounces.</td>
<td>Weight. Ounces.</td>
</tr>
<tr>
<td>2</td>
<td>Do. do. via Gibraltar</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Paid ordinary and registered letters for Malta or Gibraltar</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Paid ordinary and registered letters for countries in transit through the United Kingdom</td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td>Fees on registered letters for the United Kingdom, Malta, or Gibraltar (postage included in Articles I, II, and III)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td>Fees on registered letters for countries in transit (postage included in Article IV)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td>Newspapers or other printed papers, or patterns of merchandise for the United Kingdom</td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td>Sum represented by the postage stamps affixed to insufficiently paid letters for the United Kingdom, included in Article IX, Table II</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Unpaid letters, &c. To the credit of Egypt.

Unpaid and insufficiently paid letters for the United Kingdom and countries in transit through the United Kingdom, and for Malta and Gibraltar

Mis-sent and re-directed letters

registered letters were received in this mail.

Mail received British Postmaster, Alexandria U 2
J.—Letter Bill for the correspondence from the East Indies, Ceylon, the Straits Settlements, China, Japan, and Australia, for Egypt (Alexandria and Suez excepted), delivered by the British Post Office at Suez to the Egyptian Post Office at Suez.

British Post Office, Suez, day of , 187 .

<table>
<thead>
<tr>
<th>No. of Article</th>
<th>Credit of Egypt</th>
<th>Statement of the British Post Office</th>
<th>Statement of the Egyptian Post Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Paid registered letters from the East Indies, &amp;c.</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
</tr>
<tr>
<td>2</td>
<td>Fees on registered letters from the East Indies, &amp;c., postage included in Article I (at 3d. each letter)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Credit of the United Kingdom.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td>Unpaid letters from the East Indies, &amp;c.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td>Mis-sent and re-directed letters, &amp;c.</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

registered letters are forwarded in this mail, the addresses of which are entered on the reverse of this letter bill.

British Postmaster, Suez.

List of Registered Letters.

<table>
<thead>
<tr>
<th>Number</th>
<th>Origin</th>
<th>To whom addressed</th>
<th>Destination</th>
</tr>
</thead>
</table>
EGYPT.

K.—Acknowledgment of Receipt for the correspondence from Egypt (Alexandria and Suez excepted), for the East Indies, Ceylon, the Straits Settlements, China, Japan, and Australia, delivered by the Egyptian Post Office at Suez to the British Post Office at Suez.

Despatch of the ______ day of ______, 187__.

<table>
<thead>
<tr>
<th>No. of Article</th>
<th>Credit of the United Kingdom</th>
<th>Statement of the Egyptian Post Office</th>
<th>Statement of the British Post Office</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Paid ordinary and registered letters</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
</tr>
<tr>
<td>2</td>
<td>Fees on registered letters (at 4d. each letter)</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
</tr>
<tr>
<td>3</td>
<td>Paid newspapers and other printed papers, or patterns of merchandise</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
</tr>
<tr>
<td>4</td>
<td>Mis-sent and re-directed letters</td>
<td>£ s. d.</td>
<td>£ s. d.</td>
</tr>
</tbody>
</table>

_______ registered letters were received in this mail.

Mail received ______________________, 187__.

_______, British Postmaster, Suez.


ART. I. Between the United Kingdom of Great Britain and Ireland and Egypt there shall be a regular exchange of money orders.

In the cases of Alexandria and Suez, however, the exchange shall, as heretofore, be under the sole management of the British Office, and consequently to these places the present Convention shall not extend.

II. The maximum amount for which a money order may be drawn in the United Kingdom on Egypt shall be 10l. sterling, and the maximum amount for which a money order may be drawn in Egypt upon the United Kingdom shall be 975 piastres tariff.

III. The British and Egyptian Post Offices shall each have
power to fix, from time to time, the rate of commission to be charged on all money orders they may respectively issue; increasing the amount of such commission when it may be necessary, in order to protect themselves from loss in the remittance of the balances to the office to which they may be due. The commission, together with any profit that may arise from the rate of exchange, to belong to the issuing office; but the British Post Office shall pay to the Post Office of Egypt one per cent. on the amount of money orders issued in the United Kingdom and paid in Egypt, and the Egyptian Office shall make a like payment to the British Office for money orders issued in Egypt, and paid in the United Kingdom.

IV. The conversion of the money of the two countries, as between the British Office and the Egyptian Office, shall be in accordance with the average rate of exchange; which it is agreed shall be taken at 97 piastres 20 paras tariff to the £.

V. In the payment of money orders to the public, no account shall be taken of any fraction of a penny in England or of 5 paras in Egypt.

VI. No money order shall be issued unless the applicant furnish, in full, the surname and at least the initial of one second name, both of the remitter and payee; or in cases of firms, the name of the firm or company who are the remitters or payees, together with the exact address of the person or firm to whom the money is to be paid, and the address of the remitter.

VII. In the event of a money order miscarrying or being lost, a duplicate shall be granted on a written application from the payee (containing the necessary particulars), to the chief money order office of the country where the original order is payable; and such chief office shall be authorised to demand, in every such case, a new commission. On the receipt of an application containing the same particulars from the remitter, instructions shall be given to stop payment of a money order.

VIII. When it is desired that any error in the name of a payee shall be corrected, or that the amount of a money order shall be repaid to the remitter, application must be made by the remitter to the chief office of the country in which the order was issued.

The carrying to account of the sums to be repaid shall take place in the lists named in Article XII, by deducting the amount of the sums repaid from the total of the next list dispatched after the repayment has been made. The commission received shall not in any case be returned.

IX. Repayment of an order shall not, in any case, be made until it has been ascertained, through the chief office of the country where such order is payable, that the order has not been paid.
X. If an order be not paid before the end of the twelfth calendar month after that in which it was drawn; for instance, if drawn in January and not paid before the end of the following January, all claim to the money will be forfeited, unless under peculiar circumstances the post office of the country in which the order was issued think proper to allow the claim.

XI. The money received for all orders not ultimately paid shall belong to the country in which such orders were issued. Each country shall furnish the other country with a list of orders (Form D) as they become forfeited or void, immediately after the twelfth calendar month from that in which such orders were issued, so that the amount may be taken credit for by the issuing country, in the same manner as is provided in Article VIII for claiming the amount of orders repaid to remitters.

XII. The two offices of exchange shall communicate to each other weekly, by the Brindisi mail, the sums received in each of the two countries for payment to the other. They shall use for this purpose the form of List A annexed. A blank list shall be transmitted by the mail above named in case there shall be no receipts to announce.

XIII. Every money order or receipt of money entered upon the lists shall bear a number commencing each month with No. 1.

XIV. The receipt of each list shall be acknowledged, on either side, by means of the first subsequent list forwarded in the opposite direction; and the lists which shall fail to be received shall be immediately applied for by the office of exchange to which they should have been sent. The dispatching office of exchange shall in such case transmit, without delay, to the receiving office of exchange a duplicate list, certified as such.

XV. The lists shall be carefully verified by the office of exchange to which they are sent, and when they contain simple errors shall be corrected. The corrections shall be communicated to the dispatching office of exchange, in the acknowledgment of the receipt of the list on which the corrections were made.

When these lists shall show other irregularities, the office of exchange receiving them shall require an explanation from the dispatching office of exchange, which shall give such explanation with as little delay as possible.

In the meantime, the issue of inland money orders relating to the entries on the lists found to be irregular shall be suspended.

XVI. As soon as the list shall have reached the receiving office of exchange, this office shall make out inland money orders in favour of the payees and for the amounts specified in the lists. The office shall then forward them to the payees or to the paying office, in conformity with the arrangements existing in each country for regulating the payment of money orders.
XVII. Each of the two offices shall prepare at the end of every month a detailed account, showing the total of each list received from the other office dated in that month.

The detailed accounts shall be sent to the other office, which shall verify them and acknowledge its acceptance of them, communicating any alterations that may be made in them.

These detailed accounts shall be in conformity with Form B annexed.

XVIII. The detailed accounts mentioned in Article XVII shall be incorporated every month by the Egyptian Post Office in a general account intended to show the result of the exchange of money orders between the post offices of Egypt and of the United Kingdom.

This general account, which shall be in accordance with Form C annexed, shall be transmitted in duplicate by the Egyptian Office to the British Office, which shall return one copy of the account duly accepted.

XIX. When the Egyptian Office has to pay to the British Office the balance of the general account, it shall pay such balance at the same time that it sends the general account; and a similar course shall be followed by the British Office.

The payment of the balance shall be made at Alexandria when it is to the credit of Egypt, and at London when it is to the credit of the United Kingdom, and always in the money of the country to which the payment is made.

XX. The Postmaster-General in each country shall be authorised to adopt any additional rules (if not repugnant to the foregoing) for the greater security against fraud or for the better working of the system generally.

All such additional rules, however, must be communicated to the Postmaster-General of the other country.

XXI. Should it appear, at any time, that money orders are used by mercantile men or other persons in the United Kingdom or in Egypt for the transmission of large sums of money, the British or Egyptian Office, as the case may be, shall consider the propriety of increasing the commission, and shall have power even wholly to suspend the issue of money orders.

XXII. This Convention shall come into operation on the 1st January, 1874, and shall be terminable on a notice by either party of 6 calendar months.

Done in duplicate, and signed at Alexandria on the 6th December, 1873, and in London on the 15th day of the same month.

(L.S.) **LYON PLAYFAIR**, Postmaster-General of the United Kingdom.

(L.S.) **MUZZI BEY**, the Postmaster-General of Egypt.
Alexandria, the ________, 187____.

To the Money Order Office, London.

I have received your list of the ____________, 187____, relative to the Orders drawn in the United Kingdom of Great Britain and Ireland, Nos. __________ to __________, and payable to persons residing in Egypt.

The examination which has taken place has proved the correctness of the totals, viz.:

Amounts paid in £ s. d. Piastres Paras.

In return, I transmit to you, on the other side, a detailed account of the amounts received for ______ Orders in Egypt, the particulars of which have reached this Office since the dispatch of the list for the week ended ____________, 187____, and payable to persons residing in the United Kingdom of Great Britain and Ireland.

Awaiting the receipt of an acknowledgment of the present list, and of the result of its verification,

I have the honour to be, your obedient servant,

Statement A.
No. of List .

LIST OF MONEY ORDERS issued in Egypt and payable in the United Kingdom of Great Britain and Ireland.

<table>
<thead>
<tr>
<th>Particulars to be furnished by the Egyptian Office of Exchange at Alexandria.</th>
<th>For use of British Office.</th>
</tr>
</thead>
<tbody>
<tr>
<td>International Number of the Money Order.</td>
<td>Original Number of the Money Order.</td>
</tr>
<tr>
<td>Office in which the Money was paid in.</td>
<td>Names of Remitter.</td>
</tr>
<tr>
<td></td>
<td>Names of Payee.</td>
</tr>
<tr>
<td></td>
<td>Full Address of Payee.</td>
</tr>
<tr>
<td></td>
<td>Amount of Order in Egyptian Currency.</td>
</tr>
<tr>
<td></td>
<td>Amount to be paid in United Kingdom.</td>
</tr>
<tr>
<td></td>
<td>Piastres. Paras. £ s. d.</td>
</tr>
<tr>
<td></td>
<td>Date of Payment.</td>
</tr>
<tr>
<td></td>
<td>Amount of Orders that have become void. £ s. d.</td>
</tr>
</tbody>
</table>
Statement B.  

**Detailed Account** of Post Office Money Orders issued in the United Kingdom of Great Britain and Ireland, and payable in Egypt, for the month above mentioned.

<table>
<thead>
<tr>
<th>No. of List</th>
<th>Date of List Weeks ending</th>
<th>International Numbers of the Orders according to Lists</th>
<th>Totals of the Lists</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>From</td>
<td>To</td>
<td>British Currency</td>
</tr>
<tr>
<td></td>
<td></td>
<td>£</td>
<td>s</td>
<td>d.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Totals..**

<table>
<thead>
<tr>
<th>Amount of Orders</th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Amount of commission at 1 per cent.</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

London, the ____________, 187__
Statement B (bis).

**Detailed Account** of Post Office Money Orders issued in Egypt, and payable in the United Kingdom of Great Britain and Ireland, for the month above mentioned.

<table>
<thead>
<tr>
<th>No. of List</th>
<th>Date of List: Weeks ending</th>
<th>International Numbers of the Orders according to Lists</th>
<th>Totals of the Lists: Egyptian Currency</th>
<th>British Currency</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>From</td>
<td>To</td>
<td>Piastres.</td>
<td>Paras.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Totals**

Amount of Orders...

Amount of commission at 1 per cent.

Total

Alexandria, the ____________, 187__.
**Statement C.**

Month of __________________________, 187____

**GENERAL STATEMENT of the Result of the Exchange of Money Orders between the United Kingdom and Egypt.**

<table>
<thead>
<tr>
<th>To Credit of Egypt.</th>
<th>Egyptian Currency.</th>
<th>To Credit of United Kingdom.</th>
<th>Egyptian Currency.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Orders issued in the United Kingdom, as per detailed account</td>
<td>..</td>
<td>..</td>
<td>Orders issued in Egypt, as per detailed account</td>
</tr>
<tr>
<td>Commission at 1 per cent. on above</td>
<td>..</td>
<td></td>
<td>Commission at 1 per cent. on above</td>
</tr>
<tr>
<td>Remittances to United Kingdom on account</td>
<td></td>
<td>Remittances to Egypt on account</td>
<td>..</td>
</tr>
<tr>
<td>Total credit to Egypt</td>
<td>..</td>
<td></td>
<td>Total credit to United Kingdom</td>
</tr>
<tr>
<td>Balance due to United Kingdom</td>
<td>..</td>
<td></td>
<td>Balance due to Egypt</td>
</tr>
</tbody>
</table>
**LIST OF FORFEITED ORDERS.**

List of the Orders issued in the United Kingdom upon Egypt during the month of _________, 187____, which have not been paid within 12 clear months after that in which they were issued, and which, not having been repaid in the country of issue within that period, have become forfeited. The amount of these forfeited Orders should be deducted from the total of the next list dispatched by the country of issue after the receipt of the List.

<table>
<thead>
<tr>
<th>International Number</th>
<th>Original Number</th>
<th>London Number</th>
<th>Date</th>
<th>Where issued</th>
<th>Where payable</th>
<th>Amount in British Currency</th>
<th>Amount in Egyptian Currency</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>£  s  d</td>
<td>Piastres  Paras</td>
<td></td>
</tr>
<tr>
<td>Totals</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

EGYPT.
ADDITIONAL POSTAL CONVENTION between Her Britannic Majesty's Government and the Government of His Highness the Khedive of Egypt. Signed at Alexandria, August 11, 1874.

The British Government having made arrangements for forwarding by way of the Suez Canal, instead of by railway across Egypt, that portion of the British mails to and from the East Indies and Australia which is conveyed via the Straits of Gibraltar, as contemplated by Article XXVI of the Postal Convention between Her Britannic Majesty's Government and the Government of His Highness the Khedive of Egypt, signed at Alexandria, the 18th of May, 1873;* An Additional Convention has been made between the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, represented by Major-General Stanton, Companion of the Bath, Her Majesty's Agent and Consul-General in Egypt; And the Government of His Highness the Khedive of Egypt, represented by his Excellency Riaz Pasha, his Minister for Foreign Affairs, who in virtue of their respective powers, and of Article XXVIII of the Convention afore-mentioned of the 18th of May, 1873, have agreed as follows:

Art. I. As it is intended that the British packets performing the mail service via the Straits of Gibraltar shall no longer touch at Alexandria, the exchange of correspondence between the Egyptian Post Office and the British Post Office in Alexandria shall in future be restricted to letters, newspapers, and other printed papers and patterns of merchandise, addressed to or originating in any place in Egypt, forwarded to or from the United Kingdom via Brindisi, or to or from Malta or Gibraltar. II. The Egyptian Government engages to convey from Port Said or Ismailia to Alexandria, and from Alexandria to Ismailia or Port Said in sealed registered packets, any correspondence originating in Malta or Gibraltar addressed to any place in Egypt, or originating in any place in Egypt addressed to Malta or Gibraltar.

The Egyptian inland postage chargeable on these registered packets, together with the registration fee, shall be paid to the Egyptian Post Office by the British Post Office in Alexandria.

III. All the stipulations contained in the Convention of the 18th of May, 1873, which have reference to an exchange between the Egyptian Post Office and the British Post Office in Alexandria of correspondence received from, or intended to be forwarded to, the United Kingdom, via the Straits of Gibraltar, shall cease to have effect from the day on which this Additional Convention shall come into operation.

IV. The present Convention shall be considered as addi-
tional to the Convention which was signed at Alexandria on the 18th of May, 1873, between Her Britannic Majesty's Government and the Government of His Highness the Khedive of Egypt, and it shall come into operation as soon as the British mail packets shall cease to call at Alexandria.

Made at Alexandria, in two originals, the 11th of August, 1874.

Approved,

EDWARD STANTON.

PROCES-VERBAL between Egypt and France, relative to Judicial Reforms in Egypt. Cairo, November 10, 1874.

PROCES-VERBAL.

Le 10 Novembre, 1874, Son Excellence Chérif Pacha, Ministre de la Justice de Son Altesse le Khédive, et M. le Marquis de Cazaux, Agent et Consul-Général de France, agissant par ordre et d'après les instructions de leurs Gouvernements respectifs, ayant eu une dernière conférence pour arriver à une entente définitive sur les conditions auxquelles le Gouvernement Français adhérerait à la réforme judiciaire en Egypte, sont convenus de ce qui suit:

1. Les accusations de banqueroute frauduleuse dont il s'agit à l'Article VIII, alinéa G, titre II, du Règlement Organique, continueront, comme par le passé, à être de la compétence de la juridiction de l'inculpé.

2. Pour le choix des juges de première instance, le Gouvernement Egyptien s'adressera au Ministre de la Justice en France, dans la forme prévue pour la nomination des Conseillers de la Cour d'Appel, et le magistrat ainsi désigné sera placé de préférence auprès du Tribunal du Caire.

3. Un des membres du ministère public sera choisi dans la magistrature Française, et il est expressément entendu que, si une seconde chambre était créée dans l'un des Tribunaux du Caire ou de Zagazig, et si, par conséquent, le personnel du parquet venait à être augmenté, un autre membre du ministère public serait également choisi parmi les magistrats Français.

4. En ce qui touche la révision des codes Egyptiens, l'Agent et Consul-Général de France adressera à Son Excellence Chérif Pacha, dans un délai de 15 jours, à partir du moment où le Cabinet Français aura notifié son approbation au Gouvernement Egyptien, une note qui signalera les points de détail à éclaircir dans la rédaction et l'économie de la nouvelle législation et qui proposera les modifications utiles pour en faire disparaître les contradictions.

* Annoxcd(o Agreement between the British and Egyptian Governments of July 31, 1875. Promulgated by Law of the French Republic, December 17, 1875.
5. La réserve relative au statut personnel, omise dans l'Article IX du Règlement Organique, sera rétablie dans le texte de ce Règlement.

6. En ce qui touche la composition des chambres, le Gouvernement Français ayant demandé que l'un des magistrats chargés de juger une affaire Européenne fût, autant que possible, de la nationalité de la partie en cause, le Gouvernement Égyptien s'est engagé à appeler sur ce point l'attention de la nouvelle magistrature, chargée de régler seule l'organisation de son service. La même réponse a été faite au Gouvernement Austro-Hongrois, qui avait exprimé le même désir.

7. Les immunités, les privilèges, les prérogatives et les exemptions dont les Consulats étrangers, ainsi que les fonctionnaires qui dépendent d'eux, jouissent actuellement en vertu des usages diplomatiques et des Traités en vigueur, restent maintenus dans leur intégrité ; en conséquence, les Agents et Consuls-Généraux, les Consuls et Vice-Consuls, leurs familles et toutes les personnes attachées à leur service, ne seront pas justiciables des nouveaux tribunaux, et la nouvelle législation ne sera applicable ni à leurs personnes, ni à leurs maisons d'habitation. La même réserve est expressément stipulée en faveur des établissements Catholiques, soit religieux, soit d'enseignement, placés sous le protectorat de la France.

8. Il est entendu que les nouvelles lois et la nouvelle organisation judiciaire n'auront pas d'effet rétroactif, conformément au principe inscrit dans le Code Civil Égyptien.

9. Les réclamations déjà pendantes contre le Gouvernement Égyptien seront soumises à une commission composée de 3 magistrats de la Cour d'Appel, choisis d'accord par les deux Gouvernements. Cette commission décidera souverainement et sans appel ; elle établira elle-même les formes de la procédure à suivre.

10. Ces mêmes réclamations pourront toutefois, si les intéressés le préfèrent, être portées devant une chambre spéciale en première instance et une autre chambre spéciale en appel, composées de magistrats appartenant, les uns aux tribunaux, les autres à la Cour, et constituées conformément aux dispositions déjà convenues entre le Gouvernement Égyptien, celui d'Autriche-Hongrie et quelques autres Puissances. Ces deux chambres, bien que jugeant d'après les règles de la procédure des nouveaux tribunaux, statueront au fond conformément aux lois et coutumes en vigueur au moment des faits qui auront motivé les réclamations.

11. Les affaires qui concernent à la fois des réclamants appartenant à plusieurs nationalités seront jugées d'après celui de ces deux modes qui sera convenu entre leurs Consuls-Généraux respectifs.

12. Le règlement de ces affaires commencera avec l'instal-
lotion des nouveaux tribunaux et continuera pendant leur fonctionnement.

Les stipulations consignées dans le présent Procès-Verbal seront présentées dans le plus bref délai à la ratification des deux Gouvernements.

Cherif.

Cazaux.

(ANNEXE).

REGLEMENT d’Organisation Judiciaire pour les Procès Mixtes en Egypte.

TITRE I.— Juridiction en Matière Civile et Commerciale.

CHAPITRE I.— Tribunaux de Première Instance et Cour d’Appel.

§ 1er. Institution et Composition.

Art. I. Il sera institué 3 tribunaux de première instance : à Alexandrie, au Caire et à Zagazig.

II. Chacun de ces tribunaux sera composé de 7 juges : 4 étrangers et 3 indigènes.

Les sentences seront rendues par 5 juges, dont 3 étrangers et 2 indigènes.

L’un des juges étrangers présidera avec le titre de Vice-Président et sera désigné par la majorité absolue des membres étrangers et indigènes du tribunal.

Dans les affaires commerciales, le tribunal s’adjoindra deux négociants, un indigène et un étranger, ayant voix délibérative et choisis par voie d’élection.

III. Il y aura à Alexandrie une Cour d’Appel composée de 11 magistrats : 4 indigènes et 7 étrangers.

L’un des magistrats étrangers présidera sous le titre de Vice-Président et sera désigné de la même manière que les Vice-Présidents des tribunaux.

Les arrêts de la Cour d’Appel seront rendus par 8 magistrats, dont 5 étrangers et 3 indigènes.

IV. Le nombre des magistrats de la Cour d’Appel et des tribunaux pourra être augmenté si la Cour en signale la nécessité pour le besoin du service, sans altérer la proportion fixée entre les juges indigènes et étrangers.

En attendant, dans le cas d’absence ou d’empêchement de plusieurs juges à la fois de la Cour d’Appel, ou du même tribunal, le Président de la Cour pourra les faire suppléer, s’il s’agit de juges étrangers, par leurs collègues des autres tribunaux ou par les magistrats étrangers de la Cour d’Appel ; lorsque l’un des magistrats de la Cour sera ainsi délégué à intervenir aux audiences d’un des tribunaux, il en aura la présidence.

V. La nomination et le choix des juges appartiendront au Gouvernement Égyptien ; mais, pour être rassuré lui-même sur les garanties que présenteront les personnes dont il fera choix,
il s'adressera officieusement aux Ministres de la Justice à l'étranger et n'engagera que les personnes munies de l'acquiescement et de l'autorisation de leur Gouvernement.

VI. Il y aura dans la Cour d'Appel et dans chaque tribunal un greffier et plusieurs commis greffiers assermentés, par lesquels il pourra se faire remplacer.

VII. Il y aura aussi près la Cour d'Appel et de chaque tribunal des interprètes assermentés en nombre suffisant et le personnel d'huissiers nécessaire, qui seront chargés du service de l'audience, de la signification des actes et de l'exécution des sentences.

VIII. Les greffiers, huissiers et interprètes seront d'abord nommés par le Gouvernement, et, quant aux greffiers, ils seront choisis pour la première fois, à l'étranger, parmi les officiers ministériels qui exercent ou qui ont déjà exercé, ou parmi les personnes aptes à remplir les mêmes fonctions à l'étranger, et pourront être révoqués par le tribunal auquel ils seront attachés.

§ 2. Compétence.

IX. Ces tribunaux connaîtront seuls de toutes les contestations en matière civile et commerciale, entre indigènes et étrangers et entre étrangers de nationalités différentes en dehors du statut personnel.

Ils connaîtront aussi de toutes les actions réelles immobilières entre toutes personnes, même appartenant à la même nationalité.

X. Le gouvernement, les administrations, les daïras de Son Altesse le Khédive et des membres de sa famille seront justiciables de ces tribunaux dans les procès avec les étrangers.

XI. Ces tribunaux, sans pouvoir statuer sur la propriété du domaine public ni interpréter ou arrêter l'exécution d'une mesure administrative, pourront juger, dans les cas prévus par le Code Civil, les atteintes portées à un droit acquis d'un étranger par un acte d'administration.

XII. Ne sont pas soumises à ces tribunaux les demandes des étrangers contre un établissement pieux, en revendication de la propriété d'immeubles possédés par cet établissement ; mais ils seront compétents pour statuer sur la demande intentée sur la question de possession légaire, quel que soit le demandeur ou le défendeur.

XIII. Le seul fait de la constitution d'une hypothèque en faveur d'un étranger sur les biens immeubles, quels que soient le possesseur et le propriétaire, rendra ces tribunaux compétents pour statuer sur la validité de l'hypothèque et sur toutes ses conséquences, jusques et y compris la vente forcée de l'immeuble, ainsi que la distribution du prix.

XIV. Les tribunaux délégueront un des magistrats qui, agissant en qualité de juge de paix, sera chargé de concilier les parties et de juger les affaires dont l'importance sera fixée par le Code de Procédure.
§ 3. Audiences.

XV. Les audiences seront publiques, sauf les cas où le tribunal, par une décision motivée, ordonnera le huis clos dans l'intérêt des bonnes moeurs ou de l'ordre public; la défense sera libre.

XVI. Les langues judiciaires employées devant le tribunal pour les plaidoiries et la rédaction des actes et sentences seront les langues du pays, l'Italien et le Français.

XVII. Les personnes ayant le diplôme d'avocat seront seules admises à représenter et défendre les parties devant la Cour d'Appel.

§ 4. Exécution des Sentences.

XVIII. L'exécution des jugements aura lieu en dehors de toute action administrative Consulaire ou autre, et sur l'ordre du tribunal. Elle sera effectuée par les huissiers du tribunal, avec l'assistance des autorités locales, si cette assistance devient nécessaire, mais toujours en dehors de toute ingérence administrative.

Seulement, l'officier de justice chargé de l'exécution par le tribunal est obligé d'avertir les Consulats du jour et de l'heure de l'exécution, et ce à peine de nullité et de dommages-intérêts contre lui. Le Consul, ainsi averti, a la faculté de se trouver présent à l'exécution; mais, en cas d'absence, il sera passé outre à l'exécution.


XIX. Les magistrats qui composent la Cour d'Appel et les tribunaux seront inamovibles.

L'inamovibilité ne subsistera que pendant la période quinquennale. Elle ne sera définitivement admise qu'après ce délai d'épreuve.

XX. L'avancement des magistrats et leur passage d'un tribunal à un autre n'auront lieu que de leur consentement et sur le vote de la Cour d'Appel, qui prendra l'avis des tribunaux intéressés.

XXI. Les fonctions de magistrat, de greffier, commis greffier, interprète et huissier seront incompatibles avec toutes autres fonctions salariées et avec la profession de négociant.

XXII. Les magistrats ne seront point l'objet, de la part de l'administration Égyptienne, de distinctions honorifiques ou matérielles.

XXIII. Tous les juges de la même catégorie recevront les mêmes appointements. L'acceptation d'une rémunération en dehors de ces appointements, d'une augmentation des appointements, de cadeaux de valeur ou d'autres avantages matériels, entraîne, pour le juge, la déchéance de l'emploi et du traitement, sans aucun droit à une indemnité.
XXIV. La discipline des magistrats, des officiers de justice et des avocats est réservée à la Cour d'Appel. La peine disciplinaire applicable aux magistrats, pour les faits qui compromettent leur honorabilité comme magistrats ou l'indépendance de leurs votes, sera la révocation et la perte du traitement, sans aucun droit à une indemnité. La peine applicable aux avocats pour les faits qui compromettent leur honorabilité sera la radiation de la liste des avocats admis à plaider devant la Cour, et le jugement devra être rendu par la Cour en réunion générale, à la majorité des trois quarts des Conseillers présents.

XXV. Toute plainte présentée au Gouvernement par un membre du Corps Consulaire contre les juges, pour cause disciplinaire, devra être déférée à la Cour, qui sera tenue d'instruire l'affaire.

CHAPITRE II.—Parquet.

XXVI. Il sera institué un parquet à la tête duquel sera un Procureur Général.

XXVII. Le Procureur Général aura sous sa direction, auprès de la Cour d'Appel et des tribunaux, des substituts en nombre suffisant pour le service des audiences et de la police judiciaire.

XXVIII. Le Procureur Général pourra siéger à toutes les chambres de la Cour et des tribunaux, à toutes les Cours criminelles et à toutes les assemblées générales de la Cour et des tribunaux.

XXIX. Le Procureur Général et ses substituts seront amovibles et ils seront nommés par Son Altesse le Khédive.

§ 6. Dispositions Spéciales et Transitoires.

XXX. Le droit de récusation péremptoire des magistrats, des interprètes et des traductions écrites sera réservé pour toutes les parties.

XXXI. Il y aura, dans chaque greffe des tribunaux de première instance, un employé du Mehkémé qui assistera le greffier dans les actes translatifs de propriété immobilière et de constitution de droit de privilège immobilier, et en dressera acte qu'il transmettra au Mehkémé.

XXXII. Il y aura également auprès du Mehkémé des commis délégués par le greffier du tribunal de première instance, qui devront lui transmettre, pour être transcrits d'office au registre des hypothèques, les actes translatifs de propriété immobilière et de constitution de gage immobilier.

Ces transmissions seront faites sous peine de dommages-intérêts et de poursuite disciplinaire, et sans que l'omission entraîne nullité.

XXXIII. Les Conventions, donations et les actes de constitution d'hypothèque ou translatifs de propriété immobilière, reçus par le greffier du tribunal de première instance, auront la valeur
d'actes authentiques, et leur original sera déposé dans les archives du greffe.

XXXIV. Les nouveaux tribunaux, dans l'exercice de leur juridiction en matière civile et commerciale et dans la limite de celle qui leur est consentie en matière pénale, appliqueront les codes présentés par l'Égypte aux Puissances, et, en cas de silence, d'insuffisance et d'obscurité de la loi, le juge se conformera aux principes du droit naturel et aux règles de l'équité.

XXXV. Le Gouvernement fera publier, un mois avant le fonctionnement des nouveaux tribunaux, les codes, dont un exemplaire en chacune des langues judiciaires sera déposé jusqu'à ce fonctionnement dans chaque mudirieh, auprès de chaque Consulat et aux greffes de la Cour d'Appel et des tribunaux, qui en conserveront toujours un exemplaire.

XXXVI. Il publiera également les lois relatives au statut personnel des indigènes, un tarif des frais de justice, les ordonnances sur le régime des terres, des digues et canaux.

XXXVII. La Cour préparera le règlement général judiciaire en ce qui concerne la police de l'audience, la discipline des tribunaux, des officiers de justice, des avocats, et les devoirs des mandataires représentant les parties à l'audience, l'admission des personnes indigènes au bureau d'assistance judiciaire, l'exercice du droit de récusation péremptoire et la manière de procéder, en cas de partage des votes, pour les jugements de la Cour d'Appel.

Le projet de règlement ainsi préparé sera transmis aux tribunaux de première instance pour leurs observations, et, après une nouvelle délibération de la Cour, qui sera définitive, rendu exécutoire par décret du Ministre de la Justice.

XXXVIII. Les tribunaux en matière civile et commerciale ne commenceront à connaître des causes mixtes qu'un mois après leur installation.

XXXIX. Les causes déjà commencées devant les Consulats étrangers au moment de l'installation des tribunaux seront jugées devant leur ancien forum jusqu'à leur solution définitive. Elles pourront cependant, à la demande des parties et avec le consentement de tous les intéressés, être référées aux nouveaux tribunaux.

XL. Les nouvelles lois et la nouvelle organisation judiciaire n'auront pas d'effet rétroactif.

TITRE II.—Juridiction en Matière Pénale en ce qui concerne les Inculpés Étrangers.

CHAPITRE 1.—Tribunaux des Contraventions, de Police Correctionnelle et Cour d'Assises.

§ 1. Composition.

Art. I. Le juge des contraventions à la charge des étrangers sera un des membres étrangers du tribunal.
II. La Chambre du Conseil, aussi bien en matière de délits qu'en matière de crimes sera composée de 3 juges, dont un indigène et deux étrangers, et de 4 assesseurs étrangers.

III. Le tribunal correctionnel aura la même composition.

IV. La Cour d'Assises sera composée de 3 conseillers, dont un indigène et deux étrangers.

Les 12 jurés seront étrangers.

Dans ces divers cas, la moitié des assesseurs et des jurés sera de la nationalité de l'inculpé, s'il le demande. Dans le cas où la liste des jurés ou des assesseurs de la nationalité de l'accusé serait insuffisante, il désignera la nationalité à laquelle ils devront appartenir pour compléter le nombre voulu.

V. Lorsqu'il y aura plusieurs inculpés, chacun d'eux aura droit de demander un nombre égal d'assesseurs ou de jurés, sans que le nombre des assesseurs ou jurés puisse être augmenté, et sauf à déterminer par la voie du sort ceux des inculpés qui à raison de ce nombre, ne pourront exercer leur droit.

§ 2. Compétence.

VI. Seront soumises à la juridiction des Tribunaux Egyptiens les poursuites pour contraventions de simple police, et, en outre, les accusations portées contre les auteurs et complices des crimes et délits suivants:

VII. Crimes et délits commis directement contre les magistrats, les jurés et les officiers de justice dans l'exercice ou à l'occasion de l'exercice de leurs fonctions, savoir:

a. Outrages par gestes, paroles ou menaces;

b. Calomnies, injures, pourvu qu'elles aient été proférées, soit en présence du magistrat, du juré ou de l'officier de justice, soit dans l'enceinte du tribunal, ou publiées par voie d'affiches, d'écrits, d'imprimés, de gravures ou d'emblèmes;

c. Voies de fait contre leur personne, comprenant les coups, blessures et homicide volontaire avec ou sans préméditation;

d. Voies de fait exercées contre eux ou menaces à eux faites pour obtenir un acte injuste ou illégal, ou l'abstention d'un acte juste ou légal;

e. Abus par un fonctionnaire public de son autorité contre eux dans le même but;

f. Tentative de corruption exercée directement contre eux;

g. Recommandation donnée à un juge par un fonctionnaire public en faveur d'une des parties;

VIII. Crimes et délits commis directement contre l'exécution des sentences et des mandats de justice, savoir:

a. Attaque ou résistance avec violence ou voies de fait contre les magistrats en fonctions, ou des officiers de justice instrumentant ou agissant légalement pour l'exécution des sentences ou mandats de justice, ou contre les dépositaires ou
agents de la force publique chargés de prêter main-forte à cette exécution;
  b. Abus d’autorité de la part d’un fonctionnaire public pour empêcher l’exécution;
  c. Vol de pièces judiciaires dans le même but;
  d. Bris de scellés apposés par l’autorité judiciaire, détournement d’objets saisis en vertu d’une ordonnance ou d’un jugement;
  e. Évasion de prisonniers détenus en vertu d’un mandat ou d’une sentence et actes qui ont directement procuré cette évaison;
  f. Recel des prisonniers évadés dans le même cas;
IX. Les crimes et délits imputés aux juges, jurés et officiers de justice, quand ils seront accusés de les avoir commis dans l’exercice de leurs fonctions ou par suite d’un abus de ces fonctions, savoir:
  Outre les crimes et délits communs qui pourront leur être imputés dans ces circonstances, les crimes et délits spéciaux sont:
  a. Sentence injuste rendue par faveur ou inimitié;
  b. Corruption;
  c. Non-révéléation de la tentative de corruption;
  d. Déni de justice;
  e. Violences exercées contre les particuliers;
  f. Violation du domicile sans les formalités légales;
  g. Exactions;
  h. Détournement de deniers publics;
  i. Arrestation illégale;
  j. Faux dans les sentences et actes.
X. Dans les dispositions qui précèdent, sont compris sous la désignation d’officiers de justice, les greffiers, les commis greffiers assermentés, les interprètes attachés au tribunal et les huissiers titulaires, mais non les personnes chargées accidentellement, par délégation du tribunal, d’une signification ou d’un acte d’huissier.
La dénomination de magistrat comprend les assesseurs.

CHAPITRE II.—Dérogation au Code d’Instruction Criminelle dans le Jugement des Contraventions, des Crimes et délits à la charge des Étrangers.

§ 1. Poursuite.

XI. Lorsqu’un membre du Corps Consulaire dénoncera un fait délictueux à la charge d’un magistrat ou d’un officier de justice, le Gouvernement devra donner les ordres nécessaires au ministère public, qui sera tenu de suivre sur la dénonciation.

XII. Toutes les poursuites pour crimes et délits seront l’objet d’une instruction qui sera soumise à une Chambre du Conseil.

XIII. Le Consul de l’inculpé sera sans délai avisé de toute poursuite pour crime ou délit intentée contre son administré.
§ 2. Instruction.

XIV. L'instruction ainsi que les débats auront lieu dans celle des langues judiciaires que connaîtrait l'inculpé.

XV. Toute instruction contre un étranger, ainsi que la direction des débats lors du jugement, appartiendront à un magistrat étranger, tant en matière de simple police qu'en matière criminelle ou correctionnelle.

XVI. Si l'inculpé d'un crime ou d'un délit n'a pas de défenseur, il lui en sera désigné un d'office au moment de l'interrogatoire, à peine de nullité.

XVII. Jusqu'à ce qu'il soit constaté qu'il existe en Egypte une installation suffisante des lieux de détention, les inculpés arrêtés préventivement seront livrés au Consul immédiatement après l'interrogatoire et dans les 24 heures de l'arrestation au plus tard, à moins que le Consul n'ait autorisé la détention dans la prison du Gouvernement.

XVIII. Le témoin qui refusera de répondre, soit au juge d'instruction, soit devant un tribunal du jugement, pourra être condamné à la peine de l'emprisonnement, qui variera d'une semaine à un mois en matière de délit, et qui pourra être portée à 3 mois en matière de crime, ou, en tout cas, à une amende de 100 à 4,000 piastres Egyptiennes.

Ces peines seront prononcées, suivant les cas, par le tribunal ou la Cour.

XIX. Les seuls témoins qui pourront être récusés sont les ascendants, les descendants, et les frères et sœurs de l'inculpé ou ses alliés au même degré et son conjoint, même divorcé, sans que l'audition des personnes ci-dessus entraîne nullité lorsque ni le ministère public, ni la partie civile, ni l'inculpé ne les aura récusés.

XX. Lorsque, dans le cours d'une instruction, il y aura lieu de procéder à une visite domiciliaire, le Consul de l'inculpé sera avisé.

Il sera dressé procès-verbal de l'avis donné au Consul.

Copie de ce procès-verbal sera laissée au Consulat au moment de l'interpellation.

XXI. Hors le cas de flagrant délit ou d'appel de secours de l'intérieur, l'entrée du domicile pendant la nuit ne pourra avoir lieu qu'en présence du Consul ou de son délégué, s'il ne l'a pas autorisée hors sa présence.

§ 3. Règlement de la Compétence dans les Conflits de Juridiction.

XXII. Trois jours avant la réunion de la Chambre du Conseil, la communication des pièces de l'instruction sera faite au greffe, au Consul ou à son délégué.

Il devra, sous peine de nullité, être délivré au Consul expédition des pièces dont il demandera copie.

XXIII. Si, sur la communication des pièces, le Consul de
l'inculpé prétend que l'affaire appartient à sa juridiction et qu'elle doit être détournée à son tribunal, la question de compétence, si elle est contestée par le Tribunal Égyptien, sera soumise à l'arbitrage d'un Conseil composé de deux Conseillers ou Juges désignés par le Président de la Cour, et de deux Consuls choisis par le Consul de l'inculpé.

XXIV. Lorsque le juge d'instruction et le Consul instruiront en même temps sur le même fait, si l'un ou l'autre ne croit pas devoir se reconnaître incompétent, le conseil des conflits devra être réuni pour régler le différend à la demande de l'un des deux.

Il est bien entendu que le conflit ne pourra jamais être soulevé par le juge d'instruction à l'occasion d'un crime ou d'un délit ordinaire; de plus, le crime ou le délit qu'il prétendra avoir été commis devra être qualifié, par le requérant dont il aura été saisi, conformément aux catégories ci-dessus des faits attribués aux nouveaux tribunaux. Enfin, si le magistrat ou l'officier de justice offensé a porté sa plainte devant le Tribunal Consulaire, ce tribunal statuera sur la plainte sans qu'il y ait possibilité de conflit.

XXV. Le tribunal qui, après que les formalités ci-dessus auront été remplies, restera saisi de l'affaire, statuera sur cette affaire sans qu'il puisse y avoir lieu ultérieurement à déclaration d'incompétence.

§ 4. Débats devant la Cour d'Assises.

XXVI. Devant la cour d'assises, quand les débats seront clos et les questions à poser aux juges arrêtées, le président résumera l'affaire et les principales preuves pour ou contre l'accusé.

§ 5. De l'Appel et du pourvoi contre les Jugements de Condamnation.

XXVII. Les appels, quand ils sont permis en matière de contraventions, contre les jugements du tribunal de simple police, seront portés devant le tribunal correctionnel.

XXVIII. Les pourvois, dans le cas où ils sont autorisés par le Code d'Instruction Criminelle, contre les jugements de condamnation en matière pénale, seront portés devant la cour, composée comme en matière civile.

Les conseillers ayant siégé dans la cour d'assises ne pourront connaître du pourvoi élevé contre l'arrêt de la cour.


XXIX. La liste des jurés de nationalité étrangère sera dressée annuellement par le Corps Consulaire.

A cet effet, chaque Consul adressera au doyen du Corps Consulaire la liste de ses nationaux qui remplissent, d'après lui, les conditions voulues pour être jurés. Les jurés devront avoir l'âge de 30 ans et une résidence en Egypte d'un an au moins.
XXX. La liste définitive sera dressée par le Corps Consulaire sur les listes partielles, en procédant par voie d'élimination, jusqu'à ce que le total des jurés atteigne et n'excède pas le nombre de 250.

XXXI. Chaque nationalité pourra avoir un maximum de 30 jurés et un minimum de 18 jurés, pourvu que, dans ce dernier cas, la composition de la nationalité le permette.

XXXII. Les assesseurs correctionnels seront choisis par le Corps Consulaire sur la liste des jurés.

XXXIII. Le minimum des assesseurs sera de 6, et le maximum de 12 par nationalité.

XXXIV. Lorsqu'un délit correctionnel devra être jugé dans une ville où il ne se trouvera pas un nombre suffisant d'assesseurs étrangers, la cour désignera les assesseurs du tribunal voisin qui devront venir siéger.

XXXV. Les assesseurs et jurés qui ne comparaîtront pas pour remplir leurs fonctions seront condamnés par le tribunal ou la cour, suivant les cas, à une amende de 200 à 4,000 piastres Egyptiennes, à moins d'excuse légitime.

§ 7. Exécution.

XXXVI. Jusqu'à ce qu'il soit constaté qu'une installation suffisante des lieux de détention existe réellement en Égypte, les condamnés à l'emprisonnement seront, si le Consul le demande, détenus dans les prisons Consulaires.

XXXVII. Le Consul dont l'administré subira sa peine dans les établissements du Gouvernement Égyptien, aura le droit de visiter les lieux de détention et d'en vérifier l'état.

XXXVIII. En cas de condamnation à la peine capitale, MM. les Représentants des Puissances auront la faculté de réclamer leur administré.

A cet effet, un délai suffisant interviendra entre le prononcé et l'exécution de la sentence pour donner aux Représentants des Puissances le temps de ce prononcer.

TITRE III.

§ 1. Disposition Spéciale.

XXXIX. Il sera établi près des nouveaux tribunaux un nombre suffisant d'agents choisis par les tribunaux eux-mêmes, pour pouvoir, quand il n'y aura pas péril en la demeure, assister au besoin les magistrats et les officiers de justice dans leurs fonctions.

§ 2. Disposition Finale.

XL. Pendant la période quinquennale, aucun changement ne devra avoir lieu dans le système adopté.

Après cette période, si l'expérience n'a pas confirmé l'utilité pratique de la réforme judiciaire, il sera loisible aux Puissances
soit de revenir à l'ancien ordre de choses, soit d'aviser, d'accord avec le Gouvernment Egyptien, à d'autres combinaisons.

AGREEMENT between the British and Egyptian Governments respecting Judicial Reforms in Egypt. Signed at Alexandria, July 31, 1875.

The Undersigned, Charles Alfred Cookson, Esquire, Her Britannic Majesty's Consul at Alexandria, acting as Her Britannic Majesty's Agent and Consul-General for Egypt, and his Excellency Cherif Pasha, Minister of Justice to His Highness the Khedive, acting by order of, and under instructions from, their respective Governments, having held a Conference this day on the subject of the judicial reforms in Egypt, have agreed as follows:

All or any of the stipulations and reservations contained in the Convention relating to judicial reforms, which was concluded between the French and Egyptian Governments on the 10th day of November, 1874* (copy of which Convention is annexed to this Agreement), as well as those contained in the Convention concluded between the German and Egyptian Governments on the 5th of May, 1875† (copy of which Convention is likewise annexed to this Agreement), shall be immediately and unconditionally extended by the Egyptian Government to Great Britain and to British subjects, should the British Government at any time express a wish to that effect.

The Egyptian Government

LES Soussignés, Mr. Charles A. Cookson, Gérant de l'Agence et Consulat-Général de Sa Majesté Britannique, et son Excellence Chérif Pacha, Ministre de la Justice de Son Altesse le Khédive, agissant par ordre et d'après les instructions de leurs Gouvernements respectives, ayant tenu une Conférence ce jour au sujet de la réforme judiciaire en Egypte, sont convenus de ce qui suit:

Toutes et chacune des stipulations et réserves contenues dans la Convention relative à la réforme judiciaire qui a été conclue entre les Gouvernements Français et Egyptien, le 10 Novembre, 1874* (dont copie est ci-annexée), aussi bien que celles contenues dans la Convention conclue entre les Gouvernements Allemand et Egyptien le 5 Mai, 1875† (dont copie est pareillement ci-annexée), seront immédiatement et inconditionnellement étendues par le Gouvernement Egyptien à la Grande Bretagne et aux sujets Britanniques, si à un moment quelconque le Gouvernement Britannique exprimait un désir à cet effet.

En outre, le Gouvernement

* See Page 303.
† See Page 316.
moreover agrees that any other arrangements which it may have already made, or may hereafter make, with any foreign Power, in respect either to judicial reforms in Egypt or to the existing Consular or other tribunals in that country, shall be immediately and unconditionally extended to Great Britain and to British subjects, should the British Government at any time express a wish to that effect.

In witness whereof the Undersigned have signed the present Agreement, and have affixed thereto the seal of their arms.

Done at Alexandria, the 31st day of July, 1875.

Chas. A. Cookson.
Cherif.

ANNEX A.—Protocole avec la France du 10 Novembre, 1874.
[See Page 303.]

ANNEX (B).—Protocole avec l'Allemagne du 5 Mai, 1875.

M. DE Thielau, Secrétaire de Légation, Chargé du Consulat-Général d'Allemagne et Son Excellence Chérif Pacha, Ministre de la Justice de Son Altesse le Khédive, agissant par ordre et d'après les instructions de leurs Gouvernements respectifs, désirant constater leur entente définitive sur les modifications que le projet de la Réforme Judiciaire en Egypte a subies par le Protocole Franco-Egyptien du 10 Novembre, 1874,* sont convenus de ce qui suit:

1. Les accusations de banqueroute frauduleuse, dont il s'agit à l'Article VIII, alinéa IX, titre second, du Règlement Organique, continueront, comme par le passé, à être de la compétence de la juridiction de l'inculpé.

2. Le Gouvernement Egyptien s'étant adressé dans la forme prévue pour la nomination des Consulaires de la Cour d'Appel au Chancelier de l'Empire Allemand pour le choix d'un Juge de Première Instance, ce Magistrat déjà désigné sera placé de préférence au Tribunal du Caire.

* See Page 303.
3. Un des membres du Ministère Public sera choisi dans la Magistrature Allemande, et il est expressément entendu que, si une Seconde Chambre était créée dans l'un des Tribunaux du Caire ou de Zagazig et si, par conséquent, le personnel du parquet venait à être augmenté, un autre membre du Ministère Public serait également choisi parmi les Magistrats Allemands.

4. Les Codes Egyptiens révisés dernièrement seront présentés le plus tôt possible au Gouvernement Allemand.

5. La réserve relative au statut personnel, omise dans l'Article IX du Règlement Organique, sera rétablie dans le texte de ce Règlement.

6. En ce qui touche la composition des Chambres, quelques Puissances ayant demandé que l'un des Magistrats chargés de juger une affaire Européenne fût, autant que possible, de la nationalité de la partie en cause, le Gouvernement Egyptien s'engage à appeler sur ce point l'attention de la nouvelle magistrature chargée de régler seule l'organisation du service.

7. Les immunités, les privilèges, les prérogatives, et les exemptions dont les Consulats étrangers et les fonctionnaires qui dépendent d'eux jouissent actuellement en vertu des usages diplomatiques et des Traités en vigueur, restent maintenus dans leur intégrité; en conséquence, les Consuls-Généraux, les Consuls, les Vice-Consuls, leurs familles et toutes les personnes attachées à leur service ne seront pas justiciables des nouveaux tribunaux et la nouvelle législation ne sera pas applicable ni à leurs personnes ni à leurs maisons d'habitation.

En outre, les établissements Allemands suivants :
A. L'Eglise Protestante Allemande à Alexandrie,
B. L'Eglise Protestante Allemande au Caire,
C. L'Ecole Allemande à Alexandrie,
D. L'Ecole Allemande au Caire, et
E. L'Hôpital Protestant Allemand à Alexandrie,
ne seront pas soumis à la compétence des nouveaux tribunaux et resteront justiciables, comme dans le passé, des Tribunaux Consulaires Allemands. Il est bien entendu que les dits établissements ne seront exemptés qu'en qualité de corporations et que, par conséquent, les pasteurs, les professeurs, et toutes les personnes attachées à ces établissements relèveront de la juridiction établie en Égypte pour la nationalité à laquelle elles appartiennent.

En ce qui concerne la réserve stipulée à la fin de l'Article VII du Protocole Franco-Egyptien du 10 Novembre, 1874, en faveur des établissements Catholiques, soit religieux soit d'enseignement, placés sous le protectorat de la France, M. de Thielau déclare :

Le Gouvernement Allemand ne reconnaissant à aucune Puissance un protectorat exclusif sur les établissements Catholiques en Orient, se réserve tous ses droits sur les sujets ou ad-
DECLARATION between Egypt and France, for the Interpretation of Article XI of the Procès-Verbal of the 10th November, 1874, relative to the Trial of Claimants belonging to separate Nationalities. Cairo, November 15, 1875.

DECLARATION.

Le Consul Gérant l’Agence et Consulat-Général de France en Egypte, dans le but de constater le sens exact attribué par
EGYPT.

son Gouvernement à l'Article XI du projet d'organisation judiciaire, afin d'affirmer en même temps et de nouveau certains principes essentiels dont celui-ci n'entend pas se dessaisir, à l'honneur de remettre la présente note à Son Excellence Nubar Pacha, Ministre des Affaires Etrangères et du Commerce de Son Altesse le Khédive:

1. L'Article XI du Règlement relatif à la compétence des tribunaux nouveaux en matière administrative ayant donné lieu à des interprétations divergentes et pouvant, s'il n'était exactement défini, devenir une source de difficultés entre Son Altesse le Khédive et les étrangers, le Gouvernement Français croit de son devoir de s'expliquer sur les limites dans lesquelles les effets de cette disposition doivent, suivant lui, demeurer circonscrits. Dans sa pensée, la juridiction des nouveaux tribunaux ne saurait s'étendre jusqu'à leur conférer la faculté de consacrer la légalité des taxes, contributions ou impôts qu'il pourrait convenir à l'Administration Egyptienne d'établir. La nouvelle magistrature serait donc sans droit pour sanctionner par des arrêts toute mesure fiscale qui serait contestée par la voie diplomatique, et l'action des Gouvernements étrangers ou de leurs agences et Consulats pourra toujours s'interposer pour obtenir la cessation ou la réparation d'actes contraires soit aux stipulations des Traités, soit aux prescriptions du droit des gens dont leurs nationaux auraient à souffrir de la part du Gouvernement Egyptien ou de ses agents. Le Gouvernement Français fait, à cet égard, les réserves les plus formelles et se refusera à accepter pour ses nationaux la juridiction et la compétence des nouveaux tribunaux dans les cas ci-dessus spécifiés.

2. Les Consuls-Généraux et Consuls de France, et tous agents investis par la loi Française du pouvoir de rendre la justice en Egypte, continueront d'exercer la même juridiction que par le passé, hors les cas expressément déterminés par la nouvelle organisation judiciaire à instituer.

3. Les capitulations, telles qu'elles ont été appliquées jusqu'ici en Egypte, demeurent la loi absolue des rapports entre le Gouvernement Égyptien et les étrangers, à l'exception des dérogations partielles et explicites formellement consenties à titre d'essai par le Gouvernement Français, et qui portent principalement sur les usages particuliers à l'Egypte. Au cas où, conformément aux prévisions du deuxième paragraphe de l'Article XL du Règlement Organique, les Puissances jugeraient qu'il y a lieu de retirer leur approbation au nouvel ordre de choses, il demeure entendu, en ce qui nous touche, que le régime actuel, n'étant que temporairement suspendu, reprendrait son caractère obligatoire, et que la juridiction des Consuls, telle qu'elle s'exerce aujourd'hui, reviendrait dans sa plénitude, sauf Conventions contraires à débattre ultérieurement.

4. Soit que le Gouvernement Égyptien ne remplisse pas les
conditions stipulées, soit que le résultat de l'expérience ne soit pas satisfaisant, ou que la protection que les Consuls ont le droit et le devoir d'exercer dans l'intérêt de la sécurité de leurs nationaux devienne inefficace et impuissante, le Gouvernement Français se réserve, ainsi que l'a fait la Cour de Russie, d'avisser immédiatement ou même de revenir au régime actuel sans attendre l'expiration de la période quinquennale d'essai.

M. Pellisier de Reynaud saisit cette occasion de renouveler à Son Excellence Nubar Pacha l'assurance de ses sentiments de haute considération avec lesquels, &c.

HADJOUTE PELLISSIER.

Le Caire, le 15 Novembre, 1875.

BRITISH ORDER IN COUNCIL, suspending the operation of the Order for the Regulation of Consular Jurisdiction in the Dominions of the Sublime Ottoman Porte of the 12th of December, 1873, as regards matters coming within the Jurisdiction of the Egyptian Courts, established with the concurrence of Her Majesty. Osborne, February 5, 1876.

At the Court at Osborne House, Isle of Wight, the 5th day of February, 1876.

PRESENT : THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS Her Majesty the Queen has power and jurisdiction within that part of the dominions of the Sublime Ottoman Porte called Egypt:

And whereas, with the concurrence of Her Majesty, Egyptian Courts have been or are about to be established as follows; (namely), 3 Courts of First Instance at Alexandria, Cairo, and Zagazig, and a Court of Appeal at Alexandria:

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Acts, 1843† to 1875, † or otherwise in her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

As regards all such matters and cases as arise after the time when the Egyptian Courts aforesaid begin to sit and act judicially, and as come within the jurisdiction of those Courts, the operation of the Order of Her Majesty the Queen in Council for the regulation of Consular jurisdiction in the dominions of the Sublime Ottoman Porte made at Windsor the 12th day of December, 1873, and of every Order amending the same, shall be and the same is hereby suspended until it shall seem fit to Her Majesty the Queen, by and with the advice of Her Privy Council, to otherwise order.

* See Turkey. † See Vol. 6. Page 500. ‡ See Great Britain.
EGYPT.

And the Right Honourable the Earl of Derby and the Right Honourable the Earl of Carnarvon and the Most Honourable the Marquis of Salisbury, 3 of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.

C. L. PEEL.

CONVENTION between the British and Egyptian Governments, for the Suppression of the Slave Trade. Signed at Alexandria, August 4, 1877.

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Highness the Khedive of Egypt, being mutually animated by a sincere desire to co-operate for the extinction of the traffic in slaves, and having resolved to conclude a Convention for the purpose of attaining this object, the Undersigned, duly authorised for this purpose, have agreed upon the following Articles:

ART. I. The Government of His Highness the Khedive having already promulgated a law forbidding the trade in slaves (negroes or Abyssinians) within the countries under His Highness' authority, engages to prohibit absolutely from henceforward the importation of any slaves (negroes or Abyssinians) into any part of the territory of Egypt or her dependencies, or their transit through her territories, whether by land or sea; and to punish severely, in the manner provided by existing Egyptian law, or in such manner as may hereafter be determined, any person who may be found en-

VOL. XIV.
gaged, directly or indirectly, in
the traffic in slaves (negroes
or Abyssinians). The Govern-
ment of His Highness the Khe-
dive further engages to pro-
hibit absolutely any negroes
or Abyssinians from leaving
the territory of Egypt or her
dependencies, unless it be
proved indubitably that such
 negroes or Abyssinians are free
or manumitted.

It shall be stated in the cer-
tificates of manumission or pass-
ports which shall be delivered
to them by the Egyptian au-
thorities before their departure
that they may dispose of them-
selves without restriction or
reserve.

II. Any person who, either
in Egypt or on the confines of
Egypt and her dependencies
towards the centre of Africa,
may be found engaged in the
traffic in slaves (negroes or
Abyssinians), either directly or
indirectly, shall, together with
his accomplices, be considered
by the Government of the
Khedive as guilty of "stealing
with murder" ("vol avec
meurtre"); if subject to Egyp-
tian jurisdiction he shall be
handed over for trial to a court-
martial; if not he shall imme-
diately be handed over for trial
according to the laws of his
country to the competent tri-
ubinals, with the depositions
(proces-verbaux) drawn up by
the Egyptian superior autho-
rity of the place where the
traffic has been proved, and all
other documents or evidence
("éléments de conviction")
nanded over by the said autho-
rity, and destined to serve as

esclaves nègres ou Abyssins. Le Gouvernement de Son Al-
tesse le Khédive s'engage, en
outre, à prohiber, d'une ma-
nière absolue, la sortie hors du
territoire Égyptien ou de ses
dépendances de tous nègres
ou Abyssins quelconques, à
moins qu'il ne soit établi d'une
mani ère certaine que ces nègres
ou Abyssins sont libres ou
affranchis.

Il sera constaté, dans les let-
tres d'affranchissement ou les
passeports qui leur seront dé-
livrés par l'autorité Égyptienne,
avant leur départ, qu'ils pour-
ront disposer d'eux-mêmes
sans restriction ou réserve.

II. Tout individu qui, sur le
sol Égyptien ou sur les confins
de l'Égypte et de ses dépen-
dances, vers le centre d'Afrique,
sera trouvé se livrant directe-
ment ou indirectement au trafic
des esclaves nègres ou Abyssins
sera, ainsi que ses complices,
considéré par le Gouvernement
du Khédive comme coupable
de vol avec meurtre ; s'il re-
lève de la juridiction Égyp-
tienne il sera traduit devant
un conseil-de-guerre : dans le
cas contraire il sera immédiate-
ment déféré, pour être jugé,
d'après les lois de son pays aux
tribunaux compétents, avec les
procès-verbaux dressés par
l'autorité supérieure Égyp-
tienne du lieu où le trafic aura
été constaté et tous autres do-
cuments ou éléments de con-
version remis par la dite auto-
rité, et devant servir comme
preuves au jugement des tra-
füants, en tant que ces lois
le permettent.
proofs at the trial of the traders, so far as those laws may admit of such proof.

All slaves (negroes or Abyssins) found in the possession of a dealer in slaves shall be liberated and dealt with in conformity with the provisions of Article III and of Annex (A) to the present Convention.

III. Taking into consideration the impossibility of sending back to their homes slaves (negroes or Abyssins) who may be captured from slave-dealers and liberated, without exposing them to the risk of perishing from fatigue or want, or of falling again into slavery, the Egyptian Government will continue to take and apply in their favour such measures as they have already adopted, and which are hereinafter enumerated in Annex (A) to the present Convention.

IV. The Egyptian Government will exert all the influence it may possess among the tribes of Central Africa, with the view of preventing the wars which are carried on for the purpose of procuring and selling slaves.

It engages to pursue as murderers all persons who may be found engaged in the mutilation of or traffic in children; if such persons are amenable to Egyptian jurisdiction they will be brought before a court-martial; if not, they will be handed over to the competent tribunals to be dealt with according as the law of their country directs, together with the depositions (procès-verbaux) and other do-

Tous les esclaves nègres ou Abyssins trouvés en possession d'un trafiquant seront mis en liberté et traités conformément aux provisions de l'Article III ci-après, et de l'Annexe (A), qui fait partie de la présente Convention.

III. Eu égard à l'imposibilité de renvoyer chez eux les esclaves nègres ou Abyssins délivrés des mains des trafiquants et affranchis, sans les exposer à succomber de fatigue ou de misère, ou bien à retomber en esclavage, le Gouvernement Egyptien continuera à prendre envers eux et à leur appliquer les mêmes mesures qu'il a déjà prises, et qui sont énumérées dans l'Annexe (A) susmentionnée.

IV. Le Gouvernement Egyptien usera de toute l'influence qu'il pourrait avoir parmi les tribus de l'Afrique Centrale, dont le but d'empêcher les guerres qu'elles se font, pour se procurer et pour vendre des esclaves.

Il s'engage à poursuivre comme assassins tous les individus qui seront trouvés se livrant soit à la mutilation, soit au trafic des enfants; si ces individus relèvent de la juridiction Egyptienne, ils seront traduits devant un conseil-de-guerre; dans le cas contraire, ils seront déférés aux tribunaux compétents, pour être jugés suivant les lois de leur pays, avec les procès-verbaux et
documents or evidence ("éléments de conviction") as laid down in Article II.

V. The Egyptian Government engages to publish a special Ordinance, the text of which shall be annexed to the present Convention, prohibiting altogether all traffic in slaves within Egyptian territories after a date to be specified in the Ordinance, and providing also for the punishment of persons guilty of violating the provisions of the Ordinance.

VI. With the view to the more effectual suppression of the traffic in slaves (negroes or Abyssinians) in the Red Sea, the Egyptian Government agrees that British cruisers may visit, search, and, if necessary, detain, in order to hand over to the nearest or most convenient Egyptian authority for trial, any Egyptian vessel which may be found engaged in the traffic in slaves (negroes or Abyssinians), as well as any Egyptian vessel which may fairly be suspected of being intended for that traffic, or which may have been engaged in it on the voyage during which she has been met with.

This right of visit and detention may be exercised in the Red Sea, in the Gulf of Aden, on the coast of Arabia, and on the East Coast of Africa, and in the maritime waters of Egypt and her dependencies.

All slaves (negroes or Abyssinians) captured by a British cruiser on board an Egyptian

autres documents ou éléments de conviction, comme il est dit à l’Article II.

V. Le Gouvernement Égyptien s’engage à publier une Ordonnance spéciale, dont le texte sera annexé à la présente Convention, interdisant entièrement tout trafic d’esclaves dans le territoire Égyptien, à partir d’une date spécifiée dans l’Ordonnance, et réglant la punition des personnes coupables de contravention aux dispositions de l’Ordonnance.

VI. Dans le but de rendre plus efficace la répression de la traite des esclaves nègres ou Abyssins dans la Mer Rouge, le Gouvernement Égyptien consent à ce que les croiseurs Britanniques visitent, recherchent et, au besoin, détiennent, pour le remettre ensuite à l’autorité Égyptienne la plus rapprochée ou la plus convenable, afin qu’il soit jugé, tout bâtiment Égyptien qui sera trouvé se livrant à la traite des esclaves nègres ou Abyssins, de même que tout bâtiment Égyptien qui sera justement soupçonné d’être destiné à ce trafic, ou qui s’y sera livré pendant le voyage dans lequel il aura été rencontré.

Ce droit de visite ou de détention pourra être exercé dans la Mer Rouge, le Golfe d’Aden, le long de la côte d’Arabie et de la Côte Orientale d’Afrique et dans les eaux maritimes de l’Égypte et de ses dépendances.

Tous les esclaves nègres ou Abyssins capturés par un croiseur Britannique à bord d’un
vessel shall be at the disposal of the British Government, who undertakes to adopt efficient measures for securing to them their freedom.

The vessel and her cargo, as well as the crew, shall be handed over for trial to the nearest or most convenient Egyptian authority. Nevertheless, in all cases where it may not be possible for the commander of the cruiser making the capture to forward the captured slaves to a British depot, or where from any other circumstances it may appear desirable and in the interest of the captured slaves (negroes or Abyssinians) that they should be handed over to the Egyptian authorities, the Egyptian Government engages, on an application being made to them by the commander of the British cruiser, or by an officer deputed by him for that purpose, to take over charge of the captured negroes or Abyssinians, and to secure to them their freedom with all the other privileges stipulated for on behalf of negroes or Abyssinians captured by the Egyptian authorities.

The British Government, on its part, agrees that all vessels navigating under the British flag, in the Red Sea, in the Gulf of Aden, along the coast of Arabia, and the East Coast of Africa, or in the inland waters of Egypt and her dependencies, which may be found engaged in the traffic in slaves (negroes or Abyssinians),

bâtiment Egyptien, resteront à la disposition du Gouvernement Britannique, qui s'engage à prendre des mesures efficaces dans le but d'assurer leur liberté.

Le bâtiment et la cargaison, ainsi que l'équipage, seront livrés, pour être jugés, à l'autorité Égyptienne la plus rapprochée ou la plus convenable. Néanmoins, dans tous les cas où le commandant du croiseur qui aura effectué la capture se trouverait dans l'im-possibilité de consigner à un dépôt Britannique les esclaves capturés, ou quand, sous d'autres circonstances, il paraîtrait être opportun et dans l'intérêt des esclaves nègres ou Abyssins capturés, qu'ils soient remis aux autorités Égyptiennes, le Gouvernement Égyptien s'engage, sur la demande qui lui en sera faite par le commandant du croiseur Britannique, ou par un officier député par lui à cet effet, à se charger des nègres ou Abyssins capturés, et à assurer leur liberté, avec tous les autres privilèges réservés aux nègres ou Abyssins capturés par les autorités Égyptiennes.

Le Gouvernement Britannique, de son côté, consent à ce que tout bâtiment naviguant sous pavillon Britannique dans la Mer Rouge, dans le Golfe d'Aden, et le long de la côte d'Arabie, et de la Côte Orientale d'Afrique, ou dans les eaux intérieures de l'Égypte et de ses dépendances, qui sera trouvé se livrant à la traite
may be visited, seized, and detained by the Egyptian authorities; but it is agreed that the vessel and its cargo shall, together with its crew, be handed over to the nearest British authority for trial.

The captured slaves (negroes or Abyssinians) shall be released by the Egyptian Government, and shall remain at their disposal.

If the competent tribunal should decide that the seizure, detention, or prosecution was unfounded, the Government of the cruiser will be liable to pay to the Government of the prize a compensation appropriate to the circumstances of the case.

VII. The present Convention shall come into operation from the date of the signature hereof for Egypt proper as far as Assouan, and within 3 months from the date of signature for the Egyptian possessions in Upper Africa and on the shores of the Red Sea.

In witness whereof the Undersigned have signed the present Convention, and have affixed thereto their seals.

Done at Alexandria, this 4th day of August, 1877.

(L.S.) C. Vivian.  
(L.S.) Cherif.

ANNEXE A faisant partie de la Convention conclue entre le Gouvernement de la Grande Bretagne et le Gouvernement de l'Egypte, le 4 Août, 1877, pour la Suppression du Trafic des Esclaves.

La police était jusqu'à présent chargée de tout ce qui concernait les esclaves, leur affranchissement, l'éducation des enfants, &c.
Désormais ce service sera confié à Alexandrie et au Caire à un bureau spécial établi au Gouvernorat respectif, qui pourvoira à tout ce qui regardera les esclaves et leur affranchissement.

Dans les provinces le bureau sera placé sous la direction des Inspecteurs-Généraux.

Il y aura dans ce bureau un registre destiné à la consignation de tous les détails intéressant l'esclave affranchi.

En cas de plaintes présentées par des autorités Consulaires ou par des particuliers, le bureau procédera à l'information nécessaire.

Si l'information établit la légitimité des plaintes présentées, l'affaire sera dérivée à l'autorité compétente, afin qu'il soit pourvu à l'application des dispositions relatives à l'affranchissement.

Si les plaintes sont présentées par l'esclave lui-même, le bureau, après constatation, lui délivrera des lettres d'affranchissement détachées d'un livre à souche, spécialement affecté à cet usage.

Quiconque aura pris à un affranchi ses lettres d'affranchissement, ou bien l'aura privé ou aura contribué à le priver de sa liberté par des moyens subreptices ou violents, sera traité comme trafiquant d'esclaves.

Le Gouvernement pourvoira aux besoins des esclaves et des affranchis.

Les esclaves du sexe masculin seront employés, suivant les circonstances et à leur choix, au service domestique, agricole ou militaire.

Les femmes auront une occupation domestique, soit dans des établissements, dépendant du Gouvernement, soit dans des maisons honnêtes.

Les enfants mâles continueront à être reçus dans les écoles ou ateliers du Gouvernement, et les filles dans les écoles destinées à leur sexe.

Au surplus tout ce qui concernera l'éducation de ces enfants sera spécialement confié à la direction des Gouverneurs d'Alexandrie et du Caire, qui se concerteraient avec le Ministère de l'Instruction Publique, en vue des meilleures dispositions à adopter.

Pour les enfants du sexe masculin qui se trouveront dans les provinces, les Inspecteurs-Généraux les placeront dans les écoles des provinces. Quant aux filles, elles seront envoyées au Caire.

Au Soudan les esclaves libérés seront également employés, suivant les circonstances et à leur choix, au service agricole, domestique, ou militaire.

Ainsi fait à Alexandrie le 4 Août, 1877, pour être appliqué à partir de la même date que la susdite Convention.

CHERIF, le Ministre des Affaires Étrangères.
Egyptian Ordinance, relative to the Slave Trade. August 4, 1877.

Nous, Ismail, Khedive d'Egypte, vu l’Article V de la Convention passée entre les Gouvernements de la Grande Bretagne et d'Egypte, le 4 Août, 1877, pour la suppression de la Traite des Esclaves, avons ordonné et ordonnons ce qui suit:

Art. I. La vente des esclaves nègres ou Abyssins, de famille à famille, sera et demeurera prohibée en Egypte d'une manière absolue, sur tout le territoire compris entre Alexandrie et Assouan. Cette prohibition aura effet dans 7 ans à partir de la signature de la dite Convention, dont la présente Ordonnance fera partie intégrante. La même prohibition s'étendra au Soudan et aux autres provinces Égyptiennes, mais seulement dans 12 ans, à dater de la signature précitée.

II. Toute infraction à cette prohibition de la part d'un individu quelconque, dépendant de la juridiction Égyptienne, sera punie de la peine des travaux forcés à temps, dont la durée pourra varier d'un minimum de 5 mois à un maximum de 5 ans, suivant la décision du Tribunal compétent.

III. Le trafic des esclaves blancs ou blanches sera et demeurera prohibé sur toute l'étendue du territoire Égyptien et dépendances. Cette prohibition prendra effet dans 7 ans, à dater de la signature de la Convention sus-rappelée. Toute infraction à la dite prohibition sera punie conformément aux dispositions de l’Article II qui précède.

IV. Notre Ministre de la Justice reste chargé de pourvoir en temps utile à l'exécution des présentes.

Pour ampliation:

Chérif, le Ministre des Affaires Étrangères.
Alexandrie, le 4 Août, 1877.

---

EQUATOR.

CONSTITUTION of the Republic of the Equator, so far as relates to Nationality, Religion, and the conclusion of Treaties. Quito, June 9, 1869.

Translation.

TITLE I.—Of the Republic of Equator and the Equarians.

SECTION 2.—Of Equarians [Nationality, &c.].

Art. IV. Equarians are such by birth or by naturalisation.

V. Equarians by birth are:
1. Those born within the territory of Equator
2. Those born in another country whose father or mother are Equarians by birth, provided they come to reside in the Republic.
VI. Equatorians by naturalisation are:
1. Those born in other States who are at present in the enjoyment of this right.
2. Foreigners who profess any useful science, art or industry, or who are the owners of landed property or business capital, and after one year's residence declare, before the authority appointed by law, their wish to become naturalised in Equator, and obtain letters of naturalisation.
3. Such as may obtain them from Congress for services which they have rendered or may render to the country.

VII. The duties of Equatorians are: to respect the religion of the State and the authorities, to support the Constitution, to obey the laws, to serve and defend the country, to contribute towards the national expenditure, and to be vigilant for the preservation of the public liberties.

VIII. The rights of Equatorians are: equality before the law, and option of election, and of being elected to discharge public appointments, provided they are legally qualified.

Title II.—Of the Religion of the Republic.

Art. IX. The religion of the Republic is the Catholic Apostolic Roman, to the exclusion of any other, and to be always preserved with the rights and prerogatives which it ought to enjoy in accordance with the law of God and the canonical provisions. The political authorities are bound to protect it and to make it respected.

Title III.—Of Citizens [Naturalization, &c.].

Art. XI. The rights of citizenship are lost:
1. By entering the service of a hostile nation.
2. By becoming naturalised in a foreign country.

Title VI.—Of the Legislative Power [Treaties, &c.].

Section 5.—Of the Functions of the Congress acting separately as Legislative Chambers.

Art. XXXV. § 10. To decree war, on the reports of the Executive Power; to require him to negotiate peace; to give or refuse its assent to public Treaties and agreements concluded by the Executive Power, without which requisite they can neither be ratified nor exchanged.

Title VII.—Of the Executive Power [Treaties, &c.]

Art. LX. § 6. To direct diplomatic negotiations, conclude and ratify Treaties with the approval of the Congress.
7. To declare war on a previous decree of the Congress, and make peace with the approval of the Senate.
FRANCE.

DECREE of the Emperor of the French, relative to Herring and Mackerel Fishery. Saint-Cloud, September 24, 1864.

NAPOLEON, par la grâce de Dieu et la volonté nationale, Empereur des Français.

A tous présents et à venir, salut.

Vu les Décrets des 28 Mars et 7 June, 1852, sur la pêche du hareng;

Vu celui du 7 Février, 1854, sur la pêche du maquereau;

Sur le rapport de notre Ministre de la Marine et des Colonies, et sur l'avis de notre Ministre des Finances,

Avons décrété et décrétons ce qui suit:

ART. I. La pêche du hareng et la pêche du maquereau, avec ou sans salaison à bord, peuvent être effectuées en tout temps et en tous lieux.

II. Toutes dispositions concernant le nombre des hommes de l'équipage, les filets, les avitaillements ou objets d'armement à embarquer sur les bateaux à pêche, sont supprimées.

III. Les armements pour les pêches du hareng et du maquereau, avec salaison à bord, pourront être préparés dans tous les ports sans distinction.

L'expédition de ces bateaux et l'importation des produits de pêche, soit par les bateaux eux-mêmes, soit par les navires dits chasseurs, pourront avoir lieu dans tous les ports où existent un agent de la marine et un receveur des douanes, chargés, chacun en ce qui le concerne, de rechercher si l'armement des bateaux a été fait en vue de la pêche, et de statuer, de concert, sur l'origine du poisson pour son admission en franchise.

IV. Les commissions permanentes mentionnées en l'Article II du Décret du 7 Juin, 1852, sont supprimées.

V. La constatation des engagements entre les armateurs, patrons et marins, ainsi que le règlement des comptes après le voyage, auront lieu au bureau de la marine.

VI. Toutes les dispositions contraires à celles qui précèdent sont et demeurent rapportées.

VII. Nos Ministres de la Marine et des Colonies et des Finances sont chargés de l'exécution du présent Décret, qui sera inséré au "Bulletin des Lois" et au "Bulletin Officiel de la Marine."

Fait au Palais de Saint-Cloud, le 24 Septembre, 1864.

Par l'Empereur : NAPOLEON.

P. DE CHASSELOUP-LAUBAT, le Ministre Secrétaire d'Etat de la Marine et des Colonies.
DETAILED REGULATIONS for executing the Convention of the 30th day of April, 1870, relating to Postal Money Orders, between the United Kingdom of Great Britain and Ireland and France.† Signed at London, March 11, 1873.

The Postmaster-General of the United Kingdom of Great Britain and Ireland on the one part,
And the Director-General of the French Post Office on the other part,
With reference to Article VI of the Convention relating to money orders concluded between Great Britain and France on the 30th day of April, 1870,
Have agreed as follows:

Art. I. The issue or the payment of the money orders which the British and French Post Offices are authorised to draw on each other by virtue of the Convention of the 30th April, 1870, shall be effected in France and Algeria by means of the post offices enumerated in Table A, No. 1, annexed to these Detailed Regulations.

Each office shall be empowered to alter the list of offices it may have authorised to issue and pay money orders, but these alterations can only take place once in every 3 months, and must be communicated to the other office two months before the change.

II. The conversion of the money of the two countries shall be made on the basis shown in Tables B, No. 1, and B, No. 2, annexed to the present Regulations.

Nevertheless, in the payment of money orders to the public no account shall be taken of fractions of a penny or of a decime which may arise in converting into the money of the paying country the sums received in the money of the issuing country.

III. The money orders issued by the French offices shall be in the Form C, No. 1, annexed.

The money orders issued by the British Post Offices shall be in the Form C, No. 1, also annexed.

Each office, however, shall be at liberty to alter the form of the money orders it may employ, but these alterations must be communicated to the other office.

IV. The money orders must be free from erasure or addition, even though countersigned.

V. The post office which issues a money order shall send (through the London office) to the office which will pay the money order an advice, showing very legibly the following particulars:

1st. The name of the issuing office.
2nd. The name of the office and of the country on which it is drawn.
3rd. The Christian and surname of the payee.
4th. The Christian and surname of the remitter.

* See Vol. 13. Page 456. † Signed also in the French language.
5th. The sum (expressed in the money of the issuing country) to be paid.

The above-mentioned advice shall, in addition, bear the dated stamp of the issuing office, as well as the signature of the issuing postmaster.

It shall be dispatched to London on the same day that the money order shall have been issued.

VI. The London office shall impress on the advices of money orders drawn by the British offices on the French offices a stamp bearing the following words:

```
Mandat valable en France,
pour ______________ francs,
_______________ centimes
```

and shall fill in the sum which the French office will have to pay.

VII. The advices and applications for duplicate advices dispatched from France or Algeria shall be sent under cover by the dispatching office to the London office.

The advices and applications for duplicate advices of orders issued in the United Kingdom of Great Britain and Ireland, shall be sent to the London office, and placed by that department under cover and forwarded to the French paying offices.

The covers shall be in accordance with Patterns D, No. 1, and D, No. 2, annexed to the present Regulations.

VIII. Payment of the money orders issued under the authority of the Convention of the 30th April, 1870, cannot be claimed except at the office named in the money order as the paying office, and after the receipt of the advice mentioned in Article VII preceding.

IX. Money orders which shall not have been paid from either of the following causes:

First, a difference or an omission in the names or the sums entered in either the advice or in the money order;

Secondly, the omission of the stamps;

shall await the directions of the chief office of the issuing country sent through the chief office of the country in which payment shall have been claimed.

X. Orders issued in France shall be payable for 3 months from the day of issue, and orders issued in the United Kingdom shall be payable for two months after the month of issue.

After these periods the money sent by the remitter shall no longer be payable to the payee, excepting under a special authority granted by the chief office of the issuing country at the request of the chief office of the paying country.

XI. Money orders may be repaid to the remitters within the periods fixed by the preceding Article, on the production of the money order at the issuing office after the return to that office of the advice.
The advice shall be returned to the chief office of the issuing by the chief office of the paying country.

XII. Money orders which may have been mislaid, lost, or destroyed may be replaced on the authority of the chief office of the issuing country.

This authority cannot be granted except on the application of the chief office of the paying country; and that after it shall have been shown that the money orders have not already been paid or the money returned.

To obtain payment for a money order which may have been mislaid, lost, or destroyed, the payee must make a declaration to the effect that the order has not been transferred to any other person, or that it never reached him, or that it has been mislaid or destroyed since he received it.

XIII. Each of the two chief offices shall prepare at the end of every month a detailed account showing as regards the payments made by the officers under its direction during the preceding month the details prescribed by Article IV of the Convention, and this account shall be sent without delay to the other chief office, accompanied by the money orders which shall have been paid and receipted, and by the corresponding advices.

The detailed accounts shall be prepared according to the Patterns E, No. 1 and E, No. 2, annexed to the present Regulations.

XIV. The detailed accounts mentioned in Article XIII preceding shall be summarised every 3 months by the French chief office in a general account drawn up so as to show the results of the exchange of money orders between the French Postal Administration and the British.

This general account (made according to pattern F) shall be checked by the two offices, and the balance paid in French money by the office which shall be indebted to the other, within the month following that on which the account shall have been checked.

XV. To diminish the cost of transmitting money, and to facilitate the payment of the accounts between the two chief offices, it is agreed that the balance of the general accounts mentioned in the preceding Article and the balance of the general accounts of postage shall be set one against the other whenever they are opposite; but the excess, if it be in the money order account, shall, nevertheless, be paid within the time mentioned in Article XIV preceding.

XVI. It is agreed that the Convention of the 30th April, 1870, and these Detailed Regulations shall be brought into operation on the 1st day of May, 1873.

Done in duplicate, and signed in London on 11th March, 1873, and in Paris on the 6th day of the same month.

(L.S.) W. MONSELL.
(L.S.) G. RAMPONT.
La livre sterling évaluée conventionnellement à 25f. 20c. se subdivise en 20 shelling et le shilling en 12 deniers ou pence.

<table>
<thead>
<tr>
<th>Cents</th>
<th>Deniers</th>
<th>Somme équivalente en monnaie Britannique</th>
<th>Somme équivalente en monnaie Française</th>
<th>Somme équivalente en monnaie Britannique</th>
<th>Somme équivalente en monnaie Française</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>0</td>
<td>51</td>
<td>4</td>
<td>1</td>
<td>51</td>
</tr>
<tr>
<td>2</td>
<td>0</td>
<td>52</td>
<td>5</td>
<td>2</td>
<td>52</td>
</tr>
<tr>
<td>3</td>
<td>0</td>
<td>53</td>
<td>5</td>
<td>3</td>
<td>53</td>
</tr>
<tr>
<td>4</td>
<td>0</td>
<td>54</td>
<td>5</td>
<td>4</td>
<td>54</td>
</tr>
<tr>
<td>5</td>
<td>0</td>
<td>55</td>
<td>5</td>
<td>5</td>
<td>55</td>
</tr>
<tr>
<td>6</td>
<td>0</td>
<td>56</td>
<td>5</td>
<td>6</td>
<td>56</td>
</tr>
<tr>
<td>7</td>
<td>0</td>
<td>57</td>
<td>5</td>
<td>7</td>
<td>57</td>
</tr>
<tr>
<td>8</td>
<td>0</td>
<td>58</td>
<td>5</td>
<td>8</td>
<td>58</td>
</tr>
<tr>
<td>9</td>
<td>0</td>
<td>59</td>
<td>5</td>
<td>9</td>
<td>59</td>
</tr>
<tr>
<td>10</td>
<td>0</td>
<td>60</td>
<td>5</td>
<td>10</td>
<td>60</td>
</tr>
<tr>
<td>11</td>
<td>0</td>
<td>61</td>
<td>5</td>
<td>11</td>
<td>61</td>
</tr>
<tr>
<td>12</td>
<td>0</td>
<td>62</td>
<td>5</td>
<td>12</td>
<td>62</td>
</tr>
<tr>
<td>13</td>
<td>0</td>
<td>63</td>
<td>5</td>
<td>13</td>
<td>63</td>
</tr>
<tr>
<td>14</td>
<td>0</td>
<td>64</td>
<td>5</td>
<td>14</td>
<td>64</td>
</tr>
<tr>
<td>15</td>
<td>0</td>
<td>65</td>
<td>5</td>
<td>15</td>
<td>65</td>
</tr>
<tr>
<td>16</td>
<td>0</td>
<td>66</td>
<td>5</td>
<td>16</td>
<td>66</td>
</tr>
<tr>
<td>17</td>
<td>0</td>
<td>67</td>
<td>5</td>
<td>17</td>
<td>67</td>
</tr>
<tr>
<td>18</td>
<td>0</td>
<td>68</td>
<td>5</td>
<td>18</td>
<td>68</td>
</tr>
<tr>
<td>19</td>
<td>0</td>
<td>69</td>
<td>5</td>
<td>19</td>
<td>69</td>
</tr>
<tr>
<td>20</td>
<td>0</td>
<td>70</td>
<td>5</td>
<td>20</td>
<td>70</td>
</tr>
<tr>
<td>21</td>
<td>0</td>
<td>71</td>
<td>5</td>
<td>21</td>
<td>71</td>
</tr>
<tr>
<td>22</td>
<td>0</td>
<td>72</td>
<td>5</td>
<td>22</td>
<td>72</td>
</tr>
<tr>
<td>23</td>
<td>0</td>
<td>73</td>
<td>5</td>
<td>23</td>
<td>73</td>
</tr>
<tr>
<td>24</td>
<td>0</td>
<td>74</td>
<td>5</td>
<td>24</td>
<td>74</td>
</tr>
<tr>
<td>25</td>
<td>0</td>
<td>75</td>
<td>5</td>
<td>25</td>
<td>75</td>
</tr>
<tr>
<td>26</td>
<td>0</td>
<td>76</td>
<td>5</td>
<td>26</td>
<td>76</td>
</tr>
<tr>
<td>27</td>
<td>0</td>
<td>77</td>
<td>5</td>
<td>27</td>
<td>77</td>
</tr>
<tr>
<td>28</td>
<td>0</td>
<td>78</td>
<td>5</td>
<td>28</td>
<td>78</td>
</tr>
<tr>
<td>29</td>
<td>0</td>
<td>79</td>
<td>5</td>
<td>29</td>
<td>79</td>
</tr>
<tr>
<td>30</td>
<td>0</td>
<td>80</td>
<td>5</td>
<td>30</td>
<td>80</td>
</tr>
<tr>
<td>31</td>
<td>0</td>
<td>81</td>
<td>5</td>
<td>31</td>
<td>81</td>
</tr>
<tr>
<td>32</td>
<td>0</td>
<td>82</td>
<td>5</td>
<td>32</td>
<td>82</td>
</tr>
<tr>
<td>33</td>
<td>0</td>
<td>83</td>
<td>5</td>
<td>33</td>
<td>83</td>
</tr>
<tr>
<td>34</td>
<td>0</td>
<td>84</td>
<td>5</td>
<td>34</td>
<td>84</td>
</tr>
<tr>
<td>35</td>
<td>0</td>
<td>85</td>
<td>5</td>
<td>35</td>
<td>85</td>
</tr>
<tr>
<td>36</td>
<td>0</td>
<td>86</td>
<td>5</td>
<td>36</td>
<td>86</td>
</tr>
<tr>
<td>37</td>
<td>0</td>
<td>87</td>
<td>5</td>
<td>37</td>
<td>87</td>
</tr>
<tr>
<td>38</td>
<td>0</td>
<td>88</td>
<td>5</td>
<td>38</td>
<td>88</td>
</tr>
<tr>
<td>39</td>
<td>0</td>
<td>89</td>
<td>5</td>
<td>39</td>
<td>89</td>
</tr>
<tr>
<td>40</td>
<td>0</td>
<td>90</td>
<td>5</td>
<td>40</td>
<td>90</td>
</tr>
<tr>
<td>41</td>
<td>0</td>
<td>91</td>
<td>5</td>
<td>41</td>
<td>91</td>
</tr>
<tr>
<td>42</td>
<td>0</td>
<td>92</td>
<td>5</td>
<td>42</td>
<td>92</td>
</tr>
<tr>
<td>43</td>
<td>0</td>
<td>93</td>
<td>5</td>
<td>43</td>
<td>93</td>
</tr>
<tr>
<td>44</td>
<td>0</td>
<td>94</td>
<td>5</td>
<td>44</td>
<td>94</td>
</tr>
<tr>
<td>45</td>
<td>0</td>
<td>95</td>
<td>5</td>
<td>45</td>
<td>95</td>
</tr>
<tr>
<td>46</td>
<td>0</td>
<td>96</td>
<td>5</td>
<td>46</td>
<td>96</td>
</tr>
<tr>
<td>47</td>
<td>0</td>
<td>97</td>
<td>5</td>
<td>47</td>
<td>97</td>
</tr>
<tr>
<td>48</td>
<td>0</td>
<td>98</td>
<td>5</td>
<td>48</td>
<td>98</td>
</tr>
<tr>
<td>49</td>
<td>0</td>
<td>99</td>
<td>5</td>
<td>49</td>
<td>99</td>
</tr>
<tr>
<td>50</td>
<td>0</td>
<td>100</td>
<td>5</td>
<td>50</td>
<td>100</td>
</tr>
</tbody>
</table>
'g -Otf -g avaiavj,— aa noisaaANOQ ap
aimiuoui anbiuns^ug na qtouuouj
asieouiuj jnod JiAjas ^ aSuoaa^i sap S)tpuoj^ ap aqaoj ajiue eaj xnap •eiBj
u wai] Smjjeie eanpiAa 'luamanauaoiiuaAuoo ^ JS3 -003 as asiAipqng no 03 sSmneqs
?a aj SuiflanB ue 31 saainap no •aauad
amnios
-BAiiiba apmuonj
9p3UU0]f aiud[
U9
•anbm areuuom *9nbiu
'arrea
nq« nap M£ "BD -nqs uop
0 I 0 01 f 8
0 3 0 13 1 f
0 8 0 18 f S
0 f 0 Zf f 9
0 9 0 39 f 4
0 9 0 89 f 8
0 4 0 84
6
0 8 0 fS 1 01
0 6 0 fd f II
0 01 I SO s 0
0 IT I SI s I
I 0 T 93 S 8
I I I 98 9 8
I 8 I 4* S f
I 8 T 4S S 9
I f T 89 c; 9
\ 9 T 84 S 4
I 9 I 68 0 8
I 4 T 66 9 6
I 8 3 OT 9 01
I 6 Z 03 S II
I 01 3 18 9 0
I II 3 If 9 I
Z 0 3 38 9 8
7, I 3 39 9 8
Z 8 3 84 9 f
Z 8 3 88 9 9
Z * Z f6 9 9
Z 9 8 fO 9 4
7. 9 8 SI 9 8
Z 4 8 S3 it 6
Z 8 8 98 9 01
7. 6 8 9f y II
Z 01 8 4S 4 0
Z II 8 49 4 I
8 0 8 84 4 O
8 I 8 88 4 8
8 8 8 66 4 f
8 8 * 60 4 9
8 f * 03 4 9
8 S f 08 4 4
8 9 f If 4 8
8 4 f IS 4 6
8 8 * 39 4 01
8 6 * 34 4 II
8 01 f 88 s 0
8 IT f- 86 8 I
* 0 s to 8 8
V I s n 8 8
f 3 9 S3 8

auiuios
-vAmba
ajU9[ U3
awauora
•aspri
•jj •va
9 98
9 OT
9 99
9 49
9 44
9 88
9 86
9 60
9 61
9 08
9 OT
9 19
9 lit
9 84
9 3S
9 80
4 80
4 fl
4 1?
4 98
4 OT
4 99
4 99
4 44
4 48
4 86
8 so
8 61
8 68
8 01
8 09
8 19
8 14
8 88
8 86
6 80
6 81
6 fZ
6 18
6 OT
6 99
6 99
6 94
6 48
6 46
01 80
01 81
01 68
01 68
01 OS

-BAinba
ajuo[ ua
-mniig apsuuoui
'anbiu -arujj
•asrei
naue •uap '■ ■JJ •83
8 g 01 09
8 9 01 14
8 4 01 18
8 8 01 86
8 6 II 80
8 01 IT 81
8 IT II 88
6 0 IT fS
6 1 II n
6 7- II SS
6 8 II S9
6 f It 94
6 9 IT 98
6 9 IT 46"
9 4 81 40
6 8 ZI 81
6 6 Z\ 88
6 01 ZI 68
6 II 81 OT
01 0 81 09
01 I 81 04
OT 8 Zl 18
01 8 ZI 10
01 f 81 80
01 9 81 81
01 9 81 83
OT 4 81 ?x
OT 8 81 ff
OT 6 81 M
01 01 81 99
01 II 81 94
II 0 81 98
11 I 81 96
II Z fl 40
IT 8 fl 41
IT f fl 88
IT 9 II S8
II 9 fl OT
11 4 fl OS
II 8 fl 04
II 6 fl OS
II 01 fl 16
II II 91 TO
ZT 0 91 7.1
31 I SI 33
ZT 8 91 88
81 8 91 81
81 f 91 M
81 9 91 T-9
81 9 91 94

aminos
9JHUU0UX d}UO[ U3
-uviiia 9IUUU0U1
■anbra
*3Sin5
■uap "J •so
7.\ 4 SI CS
7.1 8 91 96
81 6 id 90
PI 01 91 £1
81 II 91 48
81 0 91 si:
81 I 91 8*
81
91 69
81 8 91 69
81 1 91 OS
8T 9 91 06
81 9 41 10
81 L a It
81 8 :i 7-7.
81 6 41 <'8
81 01 41 81
?.\ II 41 89
fl 0 41 1!)
fl I 41 W
fl 8 41 98
fl 8 LI 96
fl f 81 90
I 1 9 SI !»I
fl 9 SI 4Z
fl 4 81 48
fl 8 SI OT
1 1 6 81 83
1 1 01 81 0!)
I 1 IT 81 64
'■I 0 SI 06
91 I 61 0
91 8 61 TI
91 8 61 TZ
91 f 61 38
'Jl 9 61 ri
91 9 Gl ss
I (J 4 61 89
91 8 61 ft
i <j 6 01 fS
si 01 61 96
'.'I II 08 So
I it 0 08 91
!II I 08 '.)-■
91 « 08 48
91 8 or. If
91 f 07. 83
91 9 08 89
91 9 08 64
91 4 08 68
91 8 18 0

9T
91
!tl
41
41
41
41
41
4T
li
41
41
L\
n
41
81
SI
81
81
81
81
8T
81
8T
81
81
SI
6T
61
61
6T
6T
61
lit
61
61
01
61
61
(i?
T
8
8
\
9
9
4
8
6
01

aminos
-UAmba
&IU3{ Ud
areuuoui
•asrei
"IMP j 'ftl ■BO
0 T3 OT
OT TZ T3
IT T3 T8
0 IZ Zf
I T3 ZS
7, T3 89
8 T3 84
* T3 fS
9 T3 f6
9 33 SO
4 33 ST
8 33 93
6 33 98
01 33 If
TI 33 43
0 33 89
I 33 84
8 33 68
8 33 66
* 83 OT
9 83 03
9 83 T8
4 83 It
8 83 38
6 83 39
01 83 84
IT 83 88
0 83 *6
T fZ to
8 t3 ST
8 f3 S3
f fZ 98
9 fZ 9f
9 fZ 48
4 fZ 49
8 \Z 84
6 f7. 88
01 3 f 66
IT S3 60
0 S3 03
*BJ.4 •83
0 S3 OZ
0 OS OT
0 S4 09
0 001 08
0 931 00
0 1ST OZ
0 941 Ot0 103 09
0 933 OS
0 3S3 00


### Detailed Account of Money Orders issued by French Post Offices, and paid by British Post Offices in the month of

<table>
<thead>
<tr>
<th>French Issuing Offices</th>
<th>Dates of the Orders</th>
<th>Numbers of the Orders</th>
<th>Amounts of the Orders</th>
<th>Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>English money</td>
<td>French money</td>
</tr>
<tr>
<td>1.</td>
<td>2.</td>
<td>3.</td>
<td>4.</td>
<td>5.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>£ s. d.</td>
<td>Fr. c.</td>
</tr>
</tbody>
</table>

Carried forward

---

**336 FRANCE.**

E, No. 2, 187 — Detailed Account of Money Orders issued by French Post Offices, and paid by British Post Offices in the month of .
### FRANCE

<table>
<thead>
<tr>
<th>French Issuing Offices</th>
<th>Dates of the Orders</th>
<th>Numbers of the Orders</th>
<th>Amounts of the Orders</th>
<th>Commission</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Brought forward</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>7.</th>
<th>8.</th>
<th>9.</th>
<th>10.</th>
<th>11.</th>
<th>12.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>E s. d.</td>
<td>Fr. c.</td>
<td>Fr. c.</td>
</tr>
</tbody>
</table>

**Totals** ...

Half of the commission levied by the French Post Office to be placed to the credit of the United Kingdom ...

---

**Summary**

<table>
<thead>
<tr>
<th>Paid by British Post Offices in account of France</th>
<th>Fr. c.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Share of French commission to be placed to credit of the United Kingdom</td>
<td>...</td>
</tr>
<tr>
<td>Total due to the British Office</td>
<td>...</td>
</tr>
</tbody>
</table>

Money Order Office,
London, 187...

Controller.

Z
Direction Générale des Postes de France.

Comptes étrangers.

Grande Bretagne.


**Compte général des Mails d'Articles d'Argent tirés réciproquement par les Bureaux de Poste Français sur les Bureaux de Poste Britanniques et par les Bureaux de Poste Britanniques sur les Bureaux de Poste Français, pendant le trimestre désigné ci-dessus.**

**Avoir de l'Office de France.**

<table>
<thead>
<tr>
<th>Désignation des Mois</th>
<th>Sommes payées par l'Office de France pour le Compte de l'Office Britannique</th>
<th>Taxes perçues par l'Office Britannique pour le Compte de l'Office de France</th>
<th>Total</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Fr. c.</td>
<td>Fr. c.</td>
<td>Fr. c.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

*Résultat des Débats contradictoires établis sur le Compte particulier du mois de* ...

Totaux .. ..
FRANCE.

Avoir de l'Office Britannique.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Fr. c.</td>
<td>Fr. c.</td>
<td>Fr. c.</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Résultat des Débats contradictoires établis sur le Compte particulier du mois de

<table>
<thead>
<tr>
<th>Totaux</th>
<th>..</th>
<th>..</th>
</tr>
</thead>
</table>

Balance.

<table>
<thead>
<tr>
<th>Totaux.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fr.</td>
</tr>
</tbody>
</table>

L'Office d doit à l'Office de L'Office d doit à l'Office d Partant, l'Office de doit définitivement

<table>
<thead>
<tr>
<th>Fr.</th>
<th>c.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>

| Z 2 |
Certifié le présent Compte par le Chef du Bureau de la Vérification des Produits de l'Administration des Postes de France.

Arrêté par nous Membres du Conseil d'Administration des Postes de France, le présent compte du trimestre d______, 1877, présentant un solde en faveur de l'Office d______, payable par l'Office d______, de la somme de _________ sauf erreur ou omission.

Fait à l'Hôtel des Postes à Paris, le ________, 1877.

Vu:
Le Conseiller d'État, Directeur-Général des Postes.

LAW of the French Republic, continuing the existing Treaty Tariffs. Versailles, March 14, 1873.

L'Assemblée Nationale a adopté, le Président de la République promulgue la Loi dont la teneur suit:

"Les Tarifs Conventionnels resteront en vigueur jusqu'à l'application des Tarifs nouveaux votés ou à voter par l'Assemblée Nationale."

Délébré en séance publique à Versailles, le 14 Mars, 1873.
Le Président,
Jules Grevy.

Les Secrétaires:
Francisque Rive. L. Grivent.
Félix Voisin. Albert Desjardins.
E. de Cazeneve de Pradive.

Le Président de la République,
A. Thiers.


Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the President of the French Republic, being equally animated with the desire to draw closer the ties of friendship which unite the two countries, and of placing on a satisfactory footing the commercial and maritime relations between the two States, have, with this object, determined to conclude a Treaty of Commerce and Navigation, and have nominated

* Ratifications exchanged at Paris, August 14, 1873.
Navigation, and they have accordingly appointed their respective Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Richard Bickerton Pemell, Lord Lyons, a Peer of the United Kingdom of Great Britain and Ireland, Knight Grand Cross of the Most Honourable Order of the Bath, one of Her Britannic Majesty's Most Honourable Privy Council and Her said Majesty's Ambassador Extraordinary and Plenipotentiary to the French Republic, &c.;

And the President of the French Republic, M. le Duc de Broglie, Minister for Foreign Affairs, Vice-President of the Council, Chevalier of the National Order of the Legion of Honour, &c.;

Who, after having communicated to each other their respective full powers, found in good and due form have agreed upon the following Articles:

ART. I. The Treaty of Commerce concluded on the 23rd of January, 1860,* between the United Kingdom of Great Britain and Ireland and France, as also the Supplementary Conventions of the 12th of October† and 16th of November‡ of the same year, are again put in force in all their stipulations and in their full tenour, and shall continue to have effect as before the Act of Denunciation of the 15th of March, 1872.§

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, le Très Honorable Richard Bickerton Pemell, Lord Lyons, Pair du Royaume Uni, Grand-Croix du Très Honorable Ordre du Bain, Membre du Conseil Privé de Sa Majesté Britannique, Son Ambassadeur Extraordinaire et Plénipotentiaire près le Gouvernement de la République Française, &c. ;

Et le Président de la République Française, M. le Duc de Broglie, Ministre des Affaires Etrangères, Vice-Président du Conseil, Chevalier de l'Ordre National de la Légion d'Honneur, &c.;

Lesquels, après s'ètre communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants:

ART. I. Le Traité de Commerce conclu le 23 Janvier, 1860,* entre le Royaume Uni de la Grande Bretagne et d'Irlande et la France, ainsi que les Conventions Supplémentaires des 12 Octobre† et 16 Novembre‡ de la même année, sont, dans toutes leurs dispositions et tenour, remis en vigueur et continueront d'avoir leurs effets comme avant l'Acte de Dénonciation du 15 Mars, 1872.§

The High Contracting Parties guarantee to each other reciprocally, as well in the United Kingdom as in France and Algeria, the treatment, in all respects, of the most favoured nation.

It is, therefore, understood that, in conformity with the stipulations of Article XIX of the Treaty of Commerce, concluded on the 23rd of January, 1860, and of Article V of the Supplementary Convention of the 16th November of the same year, each of the High Contracting Parties engages to give the other, immediately and unconditionally, the benefit of every favour or immunity, every privilege or reduction of tariff in regard to the importation of merchandise, whether mentioned or not in the Treaty and Conventions of 1860, which have been or may be conceded by one of the High Contracting Parties to any foreign nation whatsoever, whether within or beyond Europe.

It is likewise understood that, in all that relates to transit, warehousing, exportation, re-exportation, local dues, brokerage, Customs formalities, samples, designs for manufactures, and likewise in all matters relating to the exercise of commerce and industry, British subjects in France or in Algeria, and French in the United Kingdom, shall enjoy the treatment of the most favoured nation.

II. British ships and their cargoes shall, in France and in Algeria, and French ships and

Les Hautes Parties Contractantes se garantissent réciproquement, tant dans le Royaume Uni qu'en France et en Algérie, le traitement, sous tous les rapports, de la nation la plus favorisée.

Il est donc entendu, conformément aux dispositions de l’Article XIX du Traité de Commerce conclu le 23 Janvier, 1860, ainsi que l’Article V de la Convention Supplémentaire du 16 Novembre de la même année, que chacune des Hautes Parties Contractantes s'engage à faire profiter l'autre immédiatement et sans conditions de toute faveur ou immunité, de tout privilège ou abaissement de tarif pour l'importation des marchandises mentionnées ou non dans les Traités et Conventions de 1860, qui ont été ou pourront être accordés par l’une des Hautes Parties Contractantes à une nation étrangère quelconque, soit en Europe soit en dehors.

Il est également entendu que pour tout ce qui concerne le transit, l’entrepôt, l’exportation, la ré-exportation, les droits locaux, le courtage, les formalités de Douane, les échantillons, les dessins de fabrique, de même que pour tout ce qui a rapport à l'exercice du commerce et de l'industrie, les sujets Britanniques en France ou en Algérie, et les Français dans le Royaume Uni, jouiront du traitement de la nation la plus favorisée.

II. Les navires Anglais et leur cargaison en France et en Algérie, et les navires Français
their cargoes shall, in the United Kingdom of Great Britain and Ireland, from whatever place arriving, and whatever may be the place of origin or destination of their cargoes, be treated in every respect as national ships, and their cargoes.

The coasting trade, however, is excepted from the preceding stipulation, and remains subject to the respective laws of the two countries.

III. The High Contracting Parties agree to settle by means of a Supplementary Convention, the ratifications of which shall be exchanged before the 31st of January, 1874, such arrangements as may appear to them to be necessary in regard to Consular attributions, to transit and Customs regulations affecting entry of goods, expertise, samples, and any other matters of the like nature, and they agree, moreover, to substitute this Supplementary Convention for the stipulations about similar matters comprised in the Treaties and Conventions of 1860.

IV. Mineral oils of British origin shall be admitted into France and Algeria from the 1st of January, 1874, or sooner, if possible, at a Customs duty of 3 per cent., that is to say, at the rate of duty levied previously to the passing of the Law of the 8th July, 1871. It is, nevertheless, agreed that the said oils shall, in conformity with the stipulations of Article IX of the Treaty of the
23rd of January, 1860, again put into force by Article I of the present Treaty, be likewise subject to the duty of 5 fr. or 8 fr. per 100 kilog., established on crude or refined oils by the Law of the 16th of September, 1871, or that which may be hereafter levied on the like oils manufactured in France.

A Commission, consisting of one member on the part of each Government, shall meet at Paris immediately after the ratification of the present Treaty, in order to settle, as hereinafter directed, questions concerning duties levied in France on British mineral oils, as well as to consider and report on any other questions which the High Contracting Parties agree, or shall agree, to refer to it.

The benefit of the above provisions shall be extended to British mineral oils, to be supplied to persons in France under contracts entered into before the promulgation of the Law of the 8th of July, 1871.

The Commission shall examine how far it would be possible to effect reimbursement of duties levied in excess of the duty of 5 per cent., and the tax of 5 fr. or 8 fr. per 100 kilog., above referred to, in the case of British mineral oils introduced into France since the promulgation of the Law of the 8th of July, 1871, otherwise than in pursuance of contracts previously entered into.

In regard to the contracts
above referred to, the settlement shall include indemnification for actions for breaches of contracts entered into before the enforcement of the Law of the 8th of July, 1871.

The High Contracting Parties, before the exchange of the ratifications of the present Treaty shall name some third person to act as arbitrator in regard to any points in connection with the questions above referred to which relate to mineral oils and on which the Commissioners may themselves differ in opinion. The Commission shall refer any such points to the arbitrator, whose decision shall be binding on the Commissioners, and shall be reported by them accordingly.

The High Contracting Parties shall forthwith carry out the decision come to by the Commission or by the arbitrator.

V. The present Treaty shall remain in force until the 30th of June, 1877. In case neither of the two High Contracting Parties should have notified 12 months before the said date the intention of putting an end to it, it shall remain binding until the expiration of one year from the day on which either of the two High Contracting Parties shall have denounced it.

VI. The President of the French Republic engages to apply to the National Assembly for the necessary authorisation to ratify and give effect to the
present Treaty immediately after its signature.

The ratifications shall be exchanged at Paris as soon as possible, and the Treaty shall immediately come into force.

In witness whereof the respective Plenipotentiaries have signed the present Treaty, and have thereto affixed the seals of their arms.

Done in duplicate at Versailles, the 23rd day of July, in the year of Our Lord, 1873.

(L.S.) Lyons.
(L.S.) Broglie.


Notice is hereby given that the Mixed Commission appointed under Article IV of the Treaty of Commerce and Navigation concluded on the 23rd of July, 1873, between Great Britain and France, has resumed its sittings, and is about to settle finally, in the terms of that Article, claims preferred in regard to duties levied in France on British mineral oils. All parties who have already preferred such claims, and who may desire or intend to make further representations, are hereby required to address the same to the Secretaries to the Mixed Commission, at the Ministry of Agriculture and Commerce, Paris, within 14 days from the first publication of this notice; and all parties who have not yet preferred claims, and who intend to do so, are hereby required to prefer the same within the said period of 14 days, by letter to the Secretaries at the Ministry of Agriculture and Commerce, Paris. Claims or further representations not preferred within the period specified in this notice will not be entertained by the Commission, and the parties interested will lose the benefit of the stipulations of the Treaty in regard to them.

Copy of Article IV of the Treaty above referred to:

Mineral oils of British origin shall be admitted into France

* See Page 340.
and Algeria from the 1st of January, 1874, or sooner, if possible, at a Customs duty of 5 per cent., that is to say, at the rate of duty levied previously to the passing of the Law of the 8th of July, 1871. It is, nevertheless, agreed that the said oils shall, in conformity with the stipulations of Article IX of the Treaty of the 23rd of January, 1860, again put into force by Article I of the present Treaty, be likewise subject to the duty of 5 fr. or 8 fr. per 100 kilog., established on crude or refined oils by the Law of the 16th of September, 1871, or that which may be hereafter levied on the like oils manufactured in France.

A commission, consisting of one member on the part of each Government, shall meet at Paris immediately after the ratification of the present Treaty, in order to settle, as hereinafter directed, questions concerning duties levied in France on British mineral oils, as well as to consider and report on any other questions which the High Contracting Parties agree, or shall agree to refer to it.

The benefit of the above provisions shall be extended to British mineral oils, to be supplied to persons in France, under contracts entered into before the promulgation of the Law of the 8th of July, 1871.

The Commission shall examine how far it would be possible to effect reimbursement of duties levied in excess of the duty of 5 per cent., and the tax of 5 fr. or 8 fr. per 100 kilog. above referred to, in the case of British mineral oils introduced into France since the promulgation of the Law of the 8th of July, 1871, otherwise than in pursuance of contracts previously entered into.

In regard to the contracts above referred to, the settlement shall include indemnification for actions of breaches of contracts entered into before the enforcement of the Law of the 8th of July, 1871.

The High Contracting Parties, before the exchange of the ratifications of the present Treaty, shall name some third person to act as arbitrator in regard to any points in connection with the questions above referred to which relate to mineral oils and on which the Commissioners may themselves differ in opinion. The Commission shall refer any such points to the arbitrator, whose decision shall be binding on the Commissioners, and shall be reported by them accordingly.

The High Contracting Parties shall forthwith carry out the decision come to by the commission or by the arbitrator.
HER MAJESTY the Queen of the United Kingdom of Great Britain and Ireland, and the President of the French Republic, having agreed, by the third Article of the Treaty of Commerce and Navigation signed at Versailles on the 23rd of July, 1873, to settle by means of a supplementary Convention, the ratifications of which were to be exchanged before the 31st of January, 1874, such arrangements as may appear to them to be necessary in regard to Consular attributions, to transit and Customs regulations affecting entry of goods, expertise, samples, and any other matters of the like nature; and, moreover, to substitute this supplementary Convention for the stipulations about similar matters comprised in the Treaty and Conventions of 1860; they have accordingly appointed as their respective Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Richard Bickerton Penell, Lord Lyons, a Peer of the United Kingdom of Great Britain and Ireland, Knight Grand Cross of the Most Honourable Order of the Bath, one of Her Britannic Majesty's Most Honourable Privy Council, and her said Majesty's Ambassador Extraordinary and Plenipotentiary for the Royaume Uni de la Grande Bretagne et d'Irlande, le Très Honorable Richard Bickerton Penell, Lord Lyons, Pair du Royaume Uni, Grand-Croix du Très Honorable Ordre du Bain, Membre du Conseil Privé de Sa Majesté Britannique, Son Ambassadeur Extraordinaire et Plénipotentiaire près le Gouvernement de la République Française, &c.;

nipotentiary to the Government of the French Republic, &c.;

And the President of the French Republic, M. le Duc Decazes, member of the National Assembly, Minister for Foreign Affairs, Commander of the National Order of the Legion of Honour, &c.;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:

Art. I. If one of the High Contracting Parties shall impose an excise tax, that is to say, an inland duty, upon any article of home production or manufacture, an equivalent compensatory duty may be imposed on articles of the same description on their importation from the territories of the other Power, provided that the said equivalent duty is levied on the like articles on their importation from all other foreign countries.

In the event of the reduction or suppression of excise taxes, that is to say, inland duties, a corresponding reduction or suppression shall at the same time be made in the equivalent compensatory import duty on manufactures of British or French origin, as the case may be.

II. The transit of goods to and from the United Kingdom shall be free from all transit duties in France and Algeria, and the transit of goods to and from France and Algeria shall be free from all transit duties in France and Algeria.

Et le Président de la République Française, M. le Duc Decazes, Député à l'Assemblée Nationale, Ministre des Affaires Étrangères, Commandeur de l'Ordre National de la Légion d'Honneur, &c.;

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants:

Art. I. Si l'une des Hautes Parties Contractantes établit un droit d'accise, c'est-à-dire, un droit intérieur, sur un produit quelconque du sol ou de l'industrie nationale, un droit compensateur équivalent pourra être perçu sur les produits similaires importés du territoire de l'autre Puissance, pourvu que le dit droit compensateur soit perçu sur les produits similaires à leur importation de tout autre pays étranger.

Dans les cas de réduction ou de suppression de droits d'accise, c'est-à-dire, droits intérieurs, une réduction équivalente ou suppression sera en même temps opérée sur le droit compensateur correspondant prélevé sur les produits d'origine Britannique ou Française selon le cas.

II. Le transit des marchandises à destination ou arrivant du Royaume Uni sera exempt de tout droit de transit en France et en Algérie, et le transit des marchandises à destination ou arrivant de France...
france.

duties in the United Kingdom.

III. The stipulations of Article IX of the Convention of the 12th of October, 1860,* in regard to duties of marking and guarantee established for goldsmith's work and jewellery, shall be applicable to firearms, anchors, chain-cables, and all other articles over which similar control is or may be exercised.

IV. In case of dispute between the importer and the French Customs as to the denomination, origin, or class under which any goods may be chargeable with duty, this dispute shall be referred to the Board of Legal Expertise established at the Ministry of Agriculture and Commerce by Article XIX of the Law of July 27, 1822. The declarant, on the one hand, and the Customs, on the other, shall each have the right to choose an expert from the merchants or manufacturers inscribed on a list prepared annually by the President of the Chamber of Commerce of Paris, and transmitted to the Ministry of Agriculture and Commerce. After having heard the explanations and conclusions of the two experts, the above-mentioned Board of Legal Expertise, in the event of agreement between the respective experts, shall record the decision arrived at and shall render it final. In default of agreement, the Board shall act as arbiter and shall decide in the last resort.

et d'Algérie sera exempt de tout droit de transit dans le Royaume Uni.

III. Les stipulations de l'Article IX de la Convention du 12 Octobre, 1860,* en ce qui concerne les droits de marque et de garantie établis pour les articles d'orfèvrerie et de bijouterie, seront applicables aux armes à feu, aux ancras, aux chaînes-cables, et aux autres articles sur lesquels un contrôle analogue est ou pourra être exercé.

IV. En cas de dissentiment entre l'importateur et la Douane Française sur la dénomination, l'origine, ou la classe d'après laquelle les marchandises doivent acquitter les droits, ce dissentiment sera porté devant le Comité d'Expertise Légale institué auprès du Ministère de l'Agriculture et du Commerce par l'Article XIX de la Loi du 27 Juillet, 1822. Le déclarant, d'une part, et la Douane, d'autre part, auront la faculté de choisir chacun un expert parmi les négociants ou fabricants inscrits sur une liste formée annuellement par le Président de la Chambre de Commerce de Paris et transmise au Ministère de l'Agriculture et du Commerce. Après avoir entendu les deux experts dans leurs explications et conclusions, le Comité d'Expertise Légale sus-mentionné devra, si l'accord existe entre les experts respectifs, enregistrer la décision prise et la rendre définitive. En cas de désaccord, le dit Comité remplira le rôle d'arbitre et décidera en dernier ressort.

* See Vol. 11. Page 188.
V. The subjects of each of the two High Contracting Parties shall, in the dominions of the other, enjoy the same protection and be subject to the same conditions as native subjects in regard to the rights of property in trade marks and other distinctive marks, showing the origin or quality of goods, as well as in patterns and designs for manufactures.

VI. Articles liable to duty serving as patterns or samples, which shall be introduced into the United Kingdom by French commercial travellers, or into France and Algeria by commercial travellers of the United Kingdom, shall be admitted free of duty, subject to the following formalities requisite to insure their being re-exported or placed in bond:

1. The officers of Customs at any port or place at which the patterns and samples may be imported shall ascertain the amount of duty chargeable thereon. That amount must either be deposited by the commercial traveller at the Custom-House in money, or ample security must be given for it.

2. For the purpose of identification, each separate pattern or sample shall, as far as possible, be marked by the affixing of a stamp or by means of a seal being attached to it.

3. A permit or certificate shall be given to the importer, which shall contain:

(a.) A list of the patterns or
samples imported, specifying the nature of the goods and also such particular marks as may be proper for the purpose of identification;

(b.) A statement of the duty chargeable on the patterns or samples, as also whether the amount was deposited in money, or whether security was given for it;

(c.) A statement showing the manner in which the patterns or samples are marked;

(d.) The appointment of a period, which at the utmost must not exceed 12 months, at the expiration of which, unless it is proved that the patterns or samples have been previously re-exported or placed in bond, the amount of duty deposited will be carried to the public account, or the amount recovered under the security given. No charge shall be made to the importer for the above permit or certificate, or for marking for identification.

4. Patterns or samples may be re-exported through the Custom-House through which they were imported, or through any other.

5. If, before the expiration of the appointed time (paragraph 3, d) the patterns or samples should be presented at the Custom-House of any port or place for the purpose of re-exportation or being placed in bond, the officers at such port or place must satisfy themselves by examination whether the articles which are brought to them are the
same as those for which the permit of entry was granted. If so satisfied, the officers will certify the re-exportation or deposit in bond, and will refund the duty which had been deposited, or will take the necessary steps for discharging the security.

VII. It is agreed between the High Contracting Parties that as regards the matters mentioned in Article III of the Treaty of July 23, 1873,* the provisions contained in the Treaty and Conventions of 1860, and in the Treaty of July 23, 1873, shall remain in force, except as far as these provisions are expressly changed by the present Supplementary Convention.

VIII. The present Convention shall have the same duration as the Treaty concluded between the High Contracting Parties, on the 23rd of July last of which it is the complement.

IX. The President of the French Republic engages to apply to the National Assembly for the necessary authorisation to ratify and give effect to the present Convention immediately after its signature.

The ratifications shall be exchanged at Paris before January 31, 1874, and the Convention shall immediately come into force.

In witness whereof, the respective Plenipotentiaries have signed the present Convention, and have affixed thereto the seal of their arms.

Done at Versailles, the 24th

* See Page 340.

FRANCE.

VOL. XIV.

2 A
day of January, in the year of 1874.

Our Lord, 1874.

(L.S.) LYONS. (L.S.) LYONS.

(L.S.) LE DUO DECAZES. (L.S.) LE DUO DECAZES.

(ANNEXE.)—PROTOCOLE. Paris, le 22 Janvier, 1874.

Vu les dispositions inscrites: 1. Dans l’Article IV du Traité du 23 Janvier, 1860,* pour la détermination de la valeur des marchandises dont le droit d’entrée est réglé ad valorem; 2. Dans les Articles IV et V de la Convention annexe du 12 Octobre, 1860,† pour régler la procédure à suivre en cas de désaccord entre le déclarant et la douane;

Considérant que ces dispositions répondent aux besoins légitimes du commerce;

Considérant, d’un autre côté, que la pratique des mesures dont il s’agit n’est pas toujours conforme à l’esprit qui les a dictées et qu’il importe de remédier à cette situation, les Commissaires soussignés estiment qu’il y a lieu de prendre les mesures suivantes:

1. Dans chacun des bureaux de douane ouverts à l’importation des marchandises taxées à la valeur, une liste des fabricants ou négociants pouvant servir d’experts sera dressée, chaque année, par la Chambre de Commerce dans la circonscription de laquelle se trouve ledit bureau de douane; copie de cette liste sera transmise au Ministère de l’Agriculture et du Commerce et au Ministère des Finances.

2. Les experts désignés par le déclarant ou par la douane seront choisis exclusivement parmi les négociants ou les fabricants portés sur la liste ci-dessus prévue.

3. En cas de désaccord, le tribunal de commerce désignera un tiers arbitre, lequel ne pourra être choisi que parmi les négociants ou fabricants qui s’occupent pratiquement du produit qui fait l’objet du litige.

4. Dans le cas où la douane renoncerait à exercer son droit de préemption, elle autorisera la remise immédiate à l’importateur de ces marchandises, à la condition expresse que ledit importateur prendra l’engagement, sous caution suffisante, de payer les droits et amendes qui pourraient résulter de l’expertise en vue de laquelle la douane prélèvera les échantillons nécessaires.

5. Le déclarant et la douane pourront demander qu’au lieu d’être fait au point d’arrivée, l’expertise, pour la constatation de la valeur, soit effectuée à Paris, dans les conditions déterminées par le présent Protocole.

6. Lorsque le recours à l’expertise a lieu, il doit être notifié dans les 28 heures qui suivent la déclaration, et le droit de préemption se trouve éteint.

7. La décision des experts devra être rendue dans les 10 jours qui suivront leur constitution. 
Paris, le 22 Janvier, 1874.

OZENNE.
C. M. KENNEDY.

ACT of Accession of France to the General Postal Union Treaty of October 9, 1874. Signed at Berne, May 3, 1875.

Le délai pour l'échange des ratifications ayant été prorogé d'un commun accord, les Soussignés, Plénipotentiaires des Gouver- 
nerments des pays qui ont conclu à Berne, le 9 Octobre, 1874, le Traité concernant la création d'une Union Générale des Postes, 
se sont réunis aujourd'hui à Berne pour procéder à l'échange des 
ratifications de ce Traité.

Le Plénipotentiaire du Gouvernement Français, M. le Comte d'Harcourt, a déclaré que la France donne son adhésion au 
Traité, sauf approbation de l'Assemblée Nationale et moyennant 
les conditions et réserves suivantes :

1. Cette Convention pourra n'entrer en vigueur, en ce qui 
concerne la France, qu'à partir du 1er Janvier, 1876;
2. La bonification à payer pour le transit territorial sera 
réglée d'après le parcours réel;
3. Il ne pourra être apporté aucune modification en ce qui 
touche les tarifs inscrits dans le Traité du 9 Octobre, 1874, si ce 
n'est à l'unanimité des voix des pays de l'Union représentés au 
Congrès.

En vertu des pouvoirs spéciaux qui leur ont été donnés à cet 
effet et qu'ils se sont communiqués, les Plénipotentiaires sous- 
signés ont déclaré, au nom de leurs Gouvernements respectifs, 
consentir les conditions et réserves Nos. 1 et 3 ci-dessus.

La réserve No. 2 a également été consentie, avec la rédac-
tion suivante, proposée par le Gouvernement Russe, et à la-
quelle M. le Comte d'Harcourt, au nom du Gouvernement Fran-
çaise, a déclaré se rallier:

"2. La bonification à payer pour le transit territorial sera 
réglée d'après la parcours réel, mais aux mêmes taxes que celles 
etablies par le Traité constitutif de l'Union Générale des Postes."

Après ces préliminaires, le Traité signé à Berne le 9 Octobre, 
1874, a été complété par l'apposition de la signature du délégu- 
de la France, et un exemplaire original, revêtue des signatures 
de toutes les Parties, en a été remis, séance tenante, au Pléni-
potentiaire de chacun des 22 pays qui composent l'Union.

Puis il a été procédé à l'examen des actes de ratification. 
Les instruments des actes de ratification de tous les pays dont 
les délégués ont signé le Traité à Berne le 9 Octobre, 1874,

En ce qui concerne l'acte de ratification de la France, qui ne pourra être déposé qu'après que le Traité aura reçu l'approbation de l'Assemblée Nationale, il a été convenu, d'un commun accord, que cet acte sera reçu par le Conseil Fédéral Suisse, qui donnera avis de cette remise aux autres Parties Contractantes.

En foi de quoi, les Soussignés ont dressé le présent procès-verbal, qu'ils ont revêtu de leurs signatures.

Fait à Berne, le 3 Mai, 1875, en 21 expéditions, dont une restera déposée dans les archives de la Confédération Suisse, pour accompagner les instruments des actes de ratification.

Pour la Grande-Bretagne : Alan Maclean.
   la France : B. d'Harcourt.
   l'Allemagne : General de Rœder.
   l'Autriche-Hongrie : Ottenfels.
   la Belgique : Hubert Dolez.
   le Danemark : Galiffe.
   l'Égypte : Muzzi Bey.
   l'Espagne : Le Vicomte de Manzanera.
   les États-Unis d'Amérique : Horace Rublee.
   la Grèce : A. H. Betant.
   l'Italie : Melegari.
   le Luxembourg : V. de Roebe.
   les Pays-Bas : J. G. Suter-Vermeulen.
   le Portugal : Le Comte das Alacos D. Luiz.
   la Roumanie ;
   la Russie : M. Gortchacow.
   la Serbie : R. Zukitch.
   la Suède et la Norvège : A. M. de Schleck.
   la Suisse ;
   la Turquie : Scherer.

---

LAW of the French Republic, so far as relates to conclusion of Treaties. Versailles, July 16, 1875.

ART. VIII. Le Président de la République négocie et ratifie
les Traites, il en donne connaissance aux Chambres aussitôt que l'intérêt et la sûreté de l'État le permettent.

Les Traites de Paix, de Commerce, les Traites qui engagent les finances de l'État, ceux qui sont relatifs à l'état des personnes et au droit de propriété des Français à l'étranger, ne sont définitifs qu'après avoir été votés par les deux Chambres. Nulle cession, nul échange, nulle adjonction de territoire ne peut avoir lieu qu'en vertu d'une Loi.

BRITISH ORDER IN COUNCIL, relative to Copyright in Dramatic Pieces. Osborne, August 5, 1875.

At the Court at Osborne House, Isle of Wight, the 5th day of August, 1875.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS a Convention between Great Britain and France for the establishment of International Copyright was concluded at Paris on the 3rd of November, 1851: * and whereas an Order in Council was passed on the 10th day of January, 1852,† to give effect to that Convention: and whereas an Act was passed in the 15th year of the reign of Her present Majesty, chap. 12,‡ intituled "An Act to enable Her Majesty to carry into effect a Convention with France on the subject of Copyright; to extend and explain the International Copyright Acts; and to explain the Acts relating to Copyright in Engravings:" and whereas it has been considered expedient to alter and amend the 6th section of the above-recited Act, which section is as follows: "Nothing in the said Act contained shall be so construed as to prevent fair imitations or adaptations to the English stage of any dramatic piece or musical composition published in any foreign country:" and whereas such section has been altered and amended by an Act passed during the present year of the reign of Her Majesty, chap. 12,§ intituled "An Act to amend the Law relating to International Copyright:" Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and by virtue of the authority committed to her by the last-recited Act, doth order, and it is hereby ordered, that from and after the day next after the day of the publication hereof in the "London Gazette," the 6th section of the first above-recited Act shall not apply to the dramatic pieces to which protection is extended by the Order in Council of the 10th of January, 1852; and the said recited Act shall take effect with respect to such dramatic pieces and to the translations thereof as if the

§ See Great Britain.
said 6th section of the said Act were repealed. And the Right Honourable the Lords Commissioners of Her Majesty's Treasury are to give the necessary directions herein accordingly.

C. L. Peel.

DECLARATION between Great Britain and France, cancelling Section 3 of Article IV of the Copyright Convention of November 3, 1851.* Signed at London, August 11, 1875.†

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of the French Republic, being desirous to secure more completely in each of the two countries the legal protection of the property in dramatic works, and to prevent the difficulties of interpretation to which proceedings against piracy of works passing for fair imitations or adaptations may give rise, have agreed upon the following provisions:

Paragraph 3 of Article IV of the Convention of November 3, 1851, for the reciprocal guarantee of the property of literary or artistic works, which is in the following terms, is cancelled:

"It is understood that the protection stipulated by the present Article is not intended to prohibit fair imitations or adaptations of dramatic works to the stage in England and France respectively, but is only meant to prevent piratical translations."

Consequently, in deciding questions of piracy of dramatic works, the Courts of Justice of the respective countries will apply Article IV of the said Convention of November 3, 1851, as if the above-recited paragraph 3 had not been inserted therein.

The present Declaration shall have the same force and duration as the Convention of November 3, 1851, to which it is annexed.

In witness whereof, the Undersigned, duly authorised for this purpose, have signed the present Declaration, and have affixed thereto the seals of their arms.

Done in duplicate, at London, the 11th day of August, 1875.
(L.S.) Derby.
(L.S.) d'Harcourt.

† Signed also in the French language.
TREATY between Great Britain and France, for the mutual Surrender of Fugitive Criminals. Signed at Paris, August 14, 1876.*

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the President of the French Republic, having recognised the insufficiency of the provisions of the Treaty concluded on the 13th of February, 1843,* between Great Britain and France for the reciprocal extradition of criminals, have resolved, by common accord, to replace it by another and more complete Treaty, and have named as their respective Plenipotentiaries for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Richard Bickerton Pemell, Lord Lyons, a Peer of the United Kingdom of Great Britain and Ireland, Knight Grand Cross of the Most Honourable Order of the Bath, one of Her Britannic Majesty's Most Honourable Privy Council, and Her said Majesty's Ambassador Extraordinary and Plenipotentiary to the Government of the French Republic, &c.;

And the President of the French Republic, M. le Duc Decazes, Member of the Chamber of Deputies, Minister for Foreign Affairs, Grand Officer of the National Order of the Legion of Honour, &c.;

Who, after having communicated to each other their respective full powers (found in

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande et le Président de la République Française, ayant reconnu l'insuffisance des dispositions de la Convention conclue, le 13 Février, 1843,* entre la Grande Bretagne et la France, pour l'extradition réciproque des malfaiteurs, ont résolu, d'un commun accord, de la remplacer par une autre Convention plus complète et ont nommé, à cet effet, pour leurs Plénipotentiaires respectifs:

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, le Très-Honorable Richard Bickerton Pemell, Lord Lyons, Pair du Royaume Uni, Chevalier Grand Croix du Très-Honorable Ordre du Bain, Membre du Très-Honorable Conseil Privé de Sa Majesté Britannique, Son Ambassadeur Extraordinaire et Plénipotentiaire près le Gouvernement de la République Française, &c.;

Et le Président de la République Française, M. le Duc Decazes, Membre de la Chambre des Députés, Ministre des Affaires Étrangères, Grand Officier de l'Ordre National de la Légion d'Honneur, &c.;

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et

good and due form), have agreed upon the following Articles:

Art. I. The High Contracting Parties engage to deliver up to each other those persons who are being proceeded against or who have been convicted of a crime committed in the territory of the one Party, and who shall be found within the territory of the other Party, under the circumstances and conditions stated in the present Treaty.

II. Native-born or naturalised subjects of either country are excepted from extradition. In the case, however, of a person who, since the commission of the crime or offence of which he is accused, or for which he has been convicted, has become naturalised in the country whence the surrender is sought, such naturalisation shall not prevent the pursuit, arrest, and extradition of such person, in conformity with the stipulations of the present Treaty.

III. The crimes for which the extradition is to be granted are the following:

1. Counterfeiting or altering money, and uttering counterfeit or altered money.
2. Forgery, counterfeiting or altering and uttering what is forged, counterfeited, or altered.
3. Murder (including assassination, infanticide, and poisoning), or attempting to murder.
4. Manslaughter.

Art. I. Les Hautes Parties Contractantes s'engagent à se livrer réciproquement les individus poursuivis ou condamnés pour un crime commis sur le territoire de l'autre dans les circonstances et sous les conditions prévues par le présent Traité.

II. Les nationaux respectifs, soit d'origine, soit par l'effet de la naturalisation, sont exceptés de l'extradition; toutefois, s'il s'agit d'une personne qui, depuis le crime ou le délit dont elle est accusée ou pour lequel elle a été condamnée, aurait obtenu la naturalisation dans le pays requis, cette circonstance n'empêchera pas la recherche, l'arrestation et l'extradition de cette personne, conformément aux stipulations du présent Traité.

III. Les crimes et délits pour lesquels il y aura lieu à extradition sont les suivants:

1. Contrefaçon ou altération de monnaies contrefaites ou altérées.
2. Faux ou usage de pièces fausses; contrefaçon des sceaux de l'Etat, poinçons, timbres et marques publiques, ou usage des dits sceaux, poinçons, timbres, et marques publics contrefaits.
3. Meurtre (assassinat, parricide, infanticide, empoisonnement), ou tentative de meurtre.
4. Coups et blessures volon-
5. Abortion.
6. Rape.
7. Indecent assault, acts of indecency, even without violence, upon the person of a girl under 12 years of age.
8. Child-stealing, including abandoning, exposing, or unlawfully detaining.
10. Kidnapping and false imprisonment.
12. Wounding or inflicting grievous bodily harm.
13. Assaulting a magistrate, or peace or public officer.
14. Threats, by letter or otherwise, with intent to extort.
15. Perjury or subornation of perjury.
16. Arson.
17. Burglary or house-breaking, robbery with violence.
18. Fraud by bailee, banker, agent, factor, trustee, or director, or member, or public officer of any company made criminal by any Act for the time being in force.
19. Obtaining money, valuable security, or goods, by
false pretences, including receiving any chattel, money, valuable security, or other property knowing the same to have been unlawfully obtained.

20. Embezzlement or larceny, including receiving any chattel, money, valuable security, or other property, knowing the same to have been embezzled or stolen.


22. Any malicious act done with intent to endanger persons in a railway train.

23. Malicious injury to property, if the offence is indictable.

24. Crimes committed at sea:

(a.) Any act of depredation or violence by the crew of a British or French vessel, against another British or French vessel, or by the crew of a foreign vessel not provided with a regular commission, against British or French vessels, their crews or their cargoes.

(b.) The fact by any person being or not one of the crew of a vessel of giving her over to pirates.

(c.) The fact by any person being or not one of the crew of a vessel of taking posses-
The extradition is also to take place for participation, either as principals or accessories, in any of the aforesaid crimes, provided such participation be punishable by the laws of both the Contracting Parties.

IV. The present Treaty shall apply to crimes and offences committed prior to the signature of the Treaty; but a person surrendered shall not be tried for any crime or offence committed in the other country before the extradition, other than the crime for which his surrender has been granted.

V. No accused or convicted person shall be surrendered, if the offence in respect of which his surrender is demanded shall be deemed by the party upon which it is made to be a political offence, or to be an act connected with (connexe à) such an offence, or if he prove to the satisfaction of the police magistrate or of the court before which he is brought on habeas corpus, or of the Secretary of State, that the requisition of such vessel by fraud or violence.

(d.) Sinking or destroying a vessel at sea, or attempting or conspiring to do so.

(e.) Revolt or conspiracy to revolt by two or more persons on board a ship on the high seas against the authority of the master.

25. Dealing in slaves in such manner as to constitute an offence against the laws of both countries.

The extradition is also to take place for participation, either as principals or accessories, in any of the aforesaid crimes, provided such participation be punishable by the laws of both the Contracting Parties.

IV. The present Treaty shall apply to crimes and offences committed prior to the signature of the Treaty; but a person surrendered shall not be tried for any crime or offence committed in the other country before the extradition, other than the crime for which his surrender has been granted.

V. No accused or convicted person shall be surrendered, if the offence in respect of which his surrender is demanded shall be deemed by the party upon which it is made to be a political offence, or to be an act connected with (connexe à) such an offence, or if he prove to the satisfaction of the police magistrate or of the court before which he is brought on habeas corpus, or of the Secretary of State, that the requisition of such vessel by fraud or violence.

(d.) Destruction, submergence, échouement ou perte d'un navire, dans une intention coupable.

(e.) Révolte par deux ou plusieurs personnes, à bord d'un navire en mer, contre l'autorité du capitaine ou du patron.

25. Traité des esclaves, telle qu'elle est définie et punie par les lois des deux pays.

Sont comprises dans les qualifications des actes donnant lieu à extradition, la complicité des faits ci-dessus mentionnés, lorsqu'elles sont punies par la législation des deux pays.
tion for his surrender has, in fact, been made with a view to try or to punish him for an offence of a political character.

VI. On the part of the French Government, the extradition shall take place in the following manner in France:

The Ambassador or other Diplomatic Agent of Her Britannic Majesty in France shall send to the Minister for Foreign Affairs, in support of each demand for extradition, an authenticated and duly legalised copy either of a certificate of conviction, or of a warrant of arrest against a person accused, clearly setting forth the nature of the crime or offence on account of which the fugitive is being proceeded against. The judicial document thus produced shall be accompanied by a description of the person claimed, and by any other information which may serve to identify him.

These documents shall be communicated by the Minister for Foreign Affairs to the Keeper of the Seals, Minister of Justice, who, after examining the claim for surrender, and the documents in support thereof, shall report thereon immediately to the President of the Republic; and, if there is reason for it, a Decree of the President will grant the extradition of the person claimed, and will order him to be arrested and delivered to the British authorities.

In consequence of this Decree the Minister of the Interior shall give orders that search
be made for the fugitive criminal, and in case of his arrest, that he be conducted to the French frontier, to be delivered to the person authorised by Her Britannic Majesty's Government to receive him.

Should it so happen that the documents furnished by the British Government, with the view of establishing the identity of the fugitive criminal, and that the particulars collected by the agents of the French police with the same view, be considered insufficient, notice shall be immediately given to the Ambassador or other Diplomatic Agent of Her Britannic Majesty in France, and the fugitive person, if he has been arrested, shall remain in custody until the British Government has been able to furnish further evidence in order to establish his identity or to throw light on other difficulties in the examination.

VII. In the dominions of Her Britannic Majesty, other than the colonies or foreign possessions of Her Majesty, the manner of proceeding shall be as follows:

(A.) In the case of a person accused—The requisition for the surrender shall be made to Her Britannic Majesty's Principal Secretary of State for Foreign Affairs by the Ambassador or other Diplomatic Agent of the President of the French Republic, accompanied by a warrant of arrest or other equivalent judicial document, issued by a judge or magistrate duly authorised to take cognizance of the acts charged l'individu poursuivi soit recherché et, en cas d'arrestation, conduit jusqu'à la frontière de France pour être livré à la personne chargée de le recevoir de la part du Gouvernement de Sa Majesté Britannique.

S'il arrivait que les documents produits par le Gouvernement Britannique pour constater l'identité, et les renseignements recueillis par les agents de la police Française pour le même objet, fussent reconnus insuffisants, avis en serait donné immédiatement à l'Ambassadeur ou autre Agent Diplomatique de Sa Majesté Britannique en France, et l'individu poursuivi, s'il a été arrêté, continuerait à être détenu en attendant que le Gouvernement Britannique ait pu produire de nouveaux éléments de preuve pour constater l'identité ou éclaircir d'autres difficultés d'examen.

VII. Dans les Etats de Sa Majesté Britannique, autres que les colonies ou possessions étrangères, il sera procédé ainsi qu'il suit :

(A.) S'il s'agit d'une personne accusée.—La demande sera adressée au Premier Secrétaire d'État de Sa Majesté Britannique pour les Affaires Etrangères, par l'Ambassadeur ou autre Agent Diplomatique du Président de la République Française. A cette demande seront joint un mandat d'arrêt ou autre document judiciaire équivalent, délivré par un juge ou magistrat dûment autorisé à prendre connaissance dès
against the accused in France, together with duly authenticated depositions or statements taken on oath before such judge or magistrate, clearly setting forth the said acts, and containing a description of the person claimed, and any particulars which may serve to identify him. The said Secretary of State shall transmit such documents to Her Britannic Majesty's Principal Secretary of State for the Home Department, who shall then, by order under his hand and seal, signify to some police magistrate in London that such requisition has been made, and require him, if there be due cause, to issue his warrant for the apprehension of the fugitive.

On the receipt of such order from the Secretary of State, and on the production of such evidence as would, in the opinion of the magistrate, justify the issue of the warrant if the crime had been committed in the United Kingdom, he shall issue his warrant accordingly.

When the fugitive shall have been apprehended, he shall be brought before the police magistrate who issued the warrant, or some other police magistrate in London. If the evidence to be then produced shall be such as to justify, according to the law of England, the committal for trial of the prisoner, if the crime of which he is accused had been committed in England, the police magistrate shall commit actes imputés à l'inculpé en France, ainsi que les dépositions authentiques ou les déclarations faites sous serment devant ce juge ou magistrat, énonçant clairement les dits actes et contenant, outre le signalement de la personne réclamée, toutes les particularités qui pourraient servir à établir son identité. Le dit Secrétaire d'Etat transmettra ces documents au Premier Secrétaire d'Etat de Sa Majesté Britannique pour le Département des Affaires Intérieures, qui, par un ordre de sa main et muni de son sceau, signifiera à un magistrat de police de Londres que la demande d'extradition a été faite, et le requerra, s'il y a lieu, de délivrer un mandat pour l'arrestation du fugitif.

A la réception de cet ordre et sur la production de telle preuve qui, dans son opinion, justifierait l'émission du mandat, si le fait avait été commis dans le Royaume Uni, le magistrat délivrera le mandat requis.

Lorsque le fugitif aura été arrêté, on l'amènera devant le magistrat de police de qui sera émané le mandat, ou devant un autre magistrat de police de Londres. Si la preuve produite est de nature à justifier, selon la loi Anglaise, la mise en jugement du prisonnier dans le cas où le fait dont il est accusé aurait été commis en Angleterre, le magistrat de police l'enverra en prison pour attendre le mandat du Secré-
him to prison to await the warrant of the Secretary of State for his surrender; sending immediately to the Secretary of State a certificate of the committal and a report upon the case.

After the expiration of a period from the committal of the prisoner, which shall never be less than 15 days, the Secretary of State shall, by order under his hand and seal, order the fugitive criminal to be surrendered to such person as may be duly authorised to receive him on the part of the President of the French Republic.

(B.) In the case of a person convicted—The course of proceeding shall be the same as in the case of a person accused, except that the warrant to be transmitted by the Ambassador or other Diplomatic Agent in support of his requisition shall clearly set forth the crime of which the person claimed has been convicted, and state the fact, place, and date of his conviction. The evidence to be produced before the police magistrate shall be such as would, according to the law of England, prove that the prisoner was convicted of the crime charged.

(C.) Persons convicted by judgment in default or arrêt de contumace, shall be in the matter of extradition considered as persons accused, and, as such, be surrendered.

(D.) After the police magistrate shall have committed the accused or convicted person to prison to await the order of a taire d'Etat nécessaire à l'extradition, et il adressera immédiatement à ce dernier une attestation de l'emprisonnement avec un rapport sur l'affaire.

Après l'expiration d'un certain temps qui ne pourra jamais être moindre de 15 jours depuis l'emprisonnement de l'accusé, le Secrétaire d'Etat, par un ordre de sa main et muni de son sceau, ordonnera que le fugitif soit livré à telle personne qui sera dûment autorisée à le recevoir au nom du Président de la République Française.

(B.) S'il s'agit d'une personne condamnée: — La marche de la procédure sera la même que dans le cas d'une personne accusée, sauf que le mandat à transmettre par l'Ambassadeur ou autre Agent Diplomatique Français, à l'appui de la demande d'extradition, énoncera clairement le fait pour lequel la personne réclamée aura été condamnée et mentionnera le lieu et la date du jugement. La preuve à produire devant le magistrat de police sera telle que, d'après la loi Anglaise, elle établirait que le prisonnier a été condamné pour l'infraction dont on l'accuse.

(C.) Les condamnés par jugement par défaut ou arrêt de contumace sont, au point de vue de la demande d'extradition, réputés accusés, et livrés comme tels.

(D.) Après que le magistrat de police aura envoyé en prison la personne accusée ou condamnée pour attendre
Secretary of State for his surrender, such person shall have the right to apply for a writ of habeas corpus; if he should so apply, his surrender must be deferred until after the decision of the court upon the return to the writ, and even then can only take place if the decision is adverse to the applicant. In the latter case the court may at once order his delivery to the person authorised to receive him, without the order of a Secretary of State for his surrender, or commit him to prison to await such order.

VIII. Warrants, depositions, or statements on oath, issued or taken in the dominions of either of the two High Contracting Parties, and copies thereof, and certificates of or judicial documents stating the facts of conviction, shall be received in evidence in proceedings in the dominions of the other, if purporting to be signed or certified by a judge, magistrate, or officer of the country where they were issued or taken, provided such warrants, depositions, statements, copies, certificates, and judicial documents are authenticated by the oath of some witness, or by being sealed with the official seal of the Minister of Justice, or some other Minister of State.

IX. A fugitive criminal may be apprehended under a warrant issued by any police magistrate, justice of the l'ordre d'extradition du Secrétaire d'Etat, cette personne aura le droit de réclamer une ordonnance d'habeas corpus; l'extradition devra alors être différée jusqu'après la decision de la cour sur le renvoi de l'ordonnance, et elle ne pourra avoir lieu que si la décision est contraire au demandeur. Dans ce dernier cas, la cour pourra immédiatement ordonner la remise de celui-ci à la personne autorisée à le recevoir, sans qu'il soit besoin d'attendre l'ordre d'extradition du Secrétaire d'Etat, ou bien l'envoyer en prison pour attendre cet ordre.

VIII. Les mandats, les dépositions, les déclarations sous serment, délivrés ou recueillis dans les Etats de l'une des Hautes Parties Contractantes, les copies de ces pièces, ainsi que les certificats ou les documents judiciaires établissant le fait de la condamnation, seront reçus comme preuves dans la procédure des Etats de l'autre partie, s'ils sont revêtus de la signature ou accompagnés de l’attestation d’un juge, d’un magistrat ou d’un fonctionnaire du pays où ils ont été délivrés ou recueillis, pourvu que ces mandats, dépositions, déclarations, copies, certificats, et documents judiciaires soient rendus authentiques par le serment d’un témoin ou par le sceau officiel du Ministre de la Justice ou d’un autre Ministre d’Etat.

IX. Le fugitif pourra être arrêté sur mandat délivré par tout magistrat de police, juge de paix ou autre autorité com-
peace, or other competent authority in either country, on such information or complaint, and such evidence, or after such proceedings as would, in the opinion of the person issuing the warrant justify the issue of a warrant, if the crime had been committed or the prisoner convicted in that part of the dominions of the two Contracting Parties in which the magistrate exercises jurisdiction: provided, however, that, in the United Kingdom, the accused shall, in such case, be sent as speedily as possible before a police magistrate in London. He shall be discharged, as well in the United Kingdom as in France, if within 14 days a requisition shall not have been made for his surrender by the Diplomatic Agent of his country in the manner directed by Articles II and IV of this Treaty.

The same rule shall apply to the cases of persons accused or convicted of any of the crimes specified in this Treaty committed on the high seas on board any vessel of either country which may come into a port of the other.

X. If the fugitive criminal who has been committed to prison be not surrendered and conveyed away within two months after such committal, or within two months after the decision of the Court upon the return to a writ of habeas corpus in the United Kingdom, he shall be discharged from custody, unless sufficient cause be shown to the contrary.

XI. The claim for extradition.

La même règle s'appliquera aux cas de personnes accusées ou condamnées du chef de l'un des faits spécifiés dans ce Traité et commis en pleine mer, à bord d'un navire de l'un des deux pays et qui viendrait dans un port de l'autre.

X. Si le fugitif qui a été arrêté n'a pas été livré et emmené dans les deux mois après son arrêtation, ou dans les deux mois après la décision de la Cour sur le renvoi d'une ordonnance d'habeas corpus dans le Royaume Uni, il sera mis en liberté, à moins qu'il n'y ait d'autre motif de le retenir en prison.

XI. Il ne sera pas donné
tion shall not be complied with if the individual claimed has been already tried for the same offence in the country whence the extradition is demanded, or if, since the commission of the acts charged, the accusation or the conviction, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of that country.

XII. If the individual claimed by one of the two High Contracting Parties in pursuance of the present Treaty should be also claimed by one or several other Powers, on account of other crimes committed upon their respective territories, his surrender shall be granted to that State whose demand is earliest in date; unless any other arrangement should be made between the Governments which have claimed him, either on account of the gravity of the crimes committed, or for any other reasons.

XIII. If the individual claimed should be under prosecution, or condemned for a crime or offence committed in the country where he may have taken refuge, his surrender may be deferred until he shall have been set at liberty in due course of law.

In case he should be proceeded against or detained in such country, on account of obligations contracted towards private individuals, his surrender shall nevertheless take place.

XIV. Every article found in the possession of the individu-

suite à la demande d'extradi-

tion, si l'individu réclamé a été jugé pour le même fait dans le pays requis, ou si, depuis les faits imputés, les poursuites ou la condamnation, la prescrip-
tion de l'action ou de la peine est acquise d'après les lois de ce même pays.

XII. Si l'individu réclamé par l'une des Hautes Parties Contractantes, en exécution du présent Traité, est aussi ré-
clamé par une ou plusieurs autres Puissances, du chef d'autres infractions commises sur leurs territoires respectifs, son extradition sera accordée à l'Etat dont la demande est la plus ancienne en date; à moins qu'il n'existe entre les Gou-
vernements qui l'ont réclamé, un arrangement qui déciderait de la préférence, soit à raison de la gravité des crimes com-
mis, soit pour tout autre motif.

XIII. Si l'individu réclamé est poursuivi ou condamné pour un crime ou un délit commis dans le pays où il s'est réfugié, son extradition pourra être différée jusqu'à ce qu'il ait été mis en liberté conformément à la loi.

Dans le cas où il serait pour suivi ou détenu dans le même pays, à raison d'obligations par lui contractées envers des par-
ticuliers, son extradition n'en aura pas moins lieu.

XIV. Tout objet trouvé en la possession de l'individu ré-
dual claimed at the time of his arrest, shall, if the competent authority so decide, be seized, in order to be delivered up with his person at the time when the surrender shall be made. Such delivery shall not be limited to the property or articles obtained by stealing or by fraudulent bankruptcy, but shall extend to every thing that may serve as proof of the crime, and shall take place even when the surrender, after having been ordered, shall be prevented from taking place by reason of the escape or death of the individual claimed.

The rights of third parties with regard to the said property or articles are nevertheless reserved.

XV. Each of the High Contracting Parties shall defray the expenses occasioned by the arrest within its territories, the detention, and the conveyance to its frontier, of the persons whom it may have consented to surrender in pursuance of the present Treaty.

XVI. In the colonies and foreign possessions of the two High Contracting Parties the manner of proceeding shall be as follows:

The requisition for the surrender of a fugitive criminal who has taken refuge in a colony or foreign possession of either party shall be made to the Governor or chief authority of such colony or possession by the chief Consular officer of the other in such colony or possession; or, if the fugitive has escaped from a colony or foreign possession of

Sont toutefois réservés les droits des tiers sur les objets sus-mentionnés.

XV. Chacune des Hautes Parties Contractantes supportera les frais occasionnés par l'arrestation sur son territoire, la détention et le transport à la frontière des personnes qu'elle aura consenti à éxéder, en exécution du présent Traité.

XVI. Dans les colonies et autres possessions étrangères des deux Hautes Parties Contractantes, il sera procédé de la manière suivante:

La demande d'extradition du malfaiteur qui s'est réfugié dans une colonie ou possession étrangère de l'une des parties, sera faite au Gouverneur ou fonctionnaire principal de cette colonie ou possession par le principal Agent Consulaire de l'autre dans cette colonie ou possession ; ou si le fugitif s'est échappé d'une colonie ou possession étrangère de la partie
the party on whose behalf the requisition is made, by the Governor or chief authority of such colony or possession.

Such requisitions may be disposed of, subject always, as nearly as may be, to the provisions of this Treaty, by the respective Governors or chief authorities, who, however, shall be at liberty either to grant the surrender or to refer the matter to their Government.

The foregoing stipulations shall not in any way affect the arrangements established in the East Indian Possessions of the two countries by Article IX of the Treaty of the 7th March, 1815.*

XVII. The present Treaty shall be ratified, and the ratifications shall be exchanged at Paris as soon as possible.

It shall come into operation 10 days after its publication, in conformity with the laws of the respective countries.

Either Party may at any time terminate the Treaty on giving to the other 6 months' notice of its intention.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at Paris, this 14th day of August, 1876.

Fait à Paris, le 14 Août, 1876.

(L.S.) Lyons.
(L.S.) Decazes.

CONSTITUTION of the German Empire; so far as relates to the declaration of War, and the conclusion of Treaties. Berlin, April 16, 1871.

(Translation.)

IV.—The Presidency.

ART. XI. The Presidency of the Confederation belongs to the King of Prussia, who bears the name of German Emperor. The Emperor has to represent the Empire internationally, to declare war, and to conclude peace in the name of the Empire, to enter into alliances and other Treaties with foreign Powers, to accredit and to receive Ambassadors.

The consent of the Council of the Confederation is necessary for the declaration of war in the name of the Empire, unless an attack on the territory or the coast of the Confederation has taken place.

In so far as Treaties with foreign States have reference to affairs which, according to Article IV, belong to the jurisdiction of the Imperial Legislation, the consent of the Council of the Confederation is requisite for their conclusion, and the sanction of the Imperial Diet for their coming into force.

* ART. IV. The following affairs are subject to the superintendence and legislation of the Empire:

1. The regulations as to freedom of translocation, domicile and settlement affairs, right of citizenship, passport and police regulations for strangers, and as to transacting business, including insurance affairs in so far as these objects are not already provided for by Article III of this Constitution. In Bavaria, however, the domicile and settlement affairs, and likewise the affairs of colonization and emigration to foreign countries are herefrom excluded;

2. The Customs and commercial legislation and the taxes which are to be applied to the requirements of the Empire;

3. The regulation of the system of the coinage, weights and measures, likewise the establishment of the principles for the issue of funded and unfunded paper money;

4. The general regulations as to banking;

5. The granting of patents for inventions;

6. The protection of intellectual property;

7. The organization of the common protection of German commerce in foreign countries, of German vessels and their flags at sea, and the arrangement of a common Consular representation, which is to be salaried by the Empire;

8. Railway affairs,—excepting in Bavaria the arrangements in Article XLVI,—and the construction of land and water communications for the defence of the country and for the general intercourse;

9. The rafting and navigation affairs on water ways belonging in common to several of the States, and the condition of the water ways, and likewise the river or other water dues;

10. Postal and telegraph affairs, &c.
DECLARATION between the British and German Governments, relative to Joint Stock Companies.* Signed at London, March 27, 1874.

The Government of Her Majesty the Queen of Great Britain and Ireland, and the Government of His Majesty the Emperor of Germany, King of Prussia, with a view to the reciprocal regulation in the two countries of the position of Joint Stock Companies, and other commercial, industrial, and financial associations, have respectively authorised the Right Honourable the Earl of Derby, Baron Stanley of Bickerstaffe, a Peer and a Baronet of England, a Member of Her Majesty's Privy Council, Her Majesty's Principal Secretary of State for Foreign Affairs; and His Excellency George Count Minister, Marshal Hereditary of Hanover, &c., Ambassador Extraordinary and Plenipotentiary of His Majesty the Emperor of Germany, King of Prussia, to Her Britannic Majesty, to agree:

That joint stock companies and other associations, commercial, industrial, and financial, constituted and authorised in conformity with the laws in force in either of the two countries, may freely exercise in the dominions of the other all their rights, including that of appearing before tribunals, whether for the purpose of bringing an action or for defending themselves, in conformity, however, with the laws and customs in force in the said countries.

That these dispositions shall be applicable as well to companies and associations constituted and authorised previously to the signature of this Convention, as to those which may subsequently be so constituted and authorised.

It is agreed that such companies or associations constituted in either of the two countries, shall only be admitted to the exercise of their business or trade in the dominions of the other country, if found to be in compliance with the conditions prescribed by the laws of that country.

That the said Convention, made without limits as to duration, may be revoked by either party giving a year's previous notice, and that such modifications may, by common consent, be introduced into it which experience may show to be desirable.

Done in London, in duplicate, the 27th of March, 1874.

(L.S.) Derby.
(L.S.) Munster.

* Signed also in the German language.
DECLARATION between Great Britain and Germany, for extending to the whole German Empire the stipulations contained in Article VI of the Commercial Treaty between Great Britain and the Zollverein of May 30, 1865,* for the protection of Trade Marks.† Signed at London, April 14, 1875.

The Government of Her Britannic Majesty and the Government of His Majesty the German Emperor having thought it expedient that the stipulations existing between Great Britain and the Zollverein for the mutual protection of the marks of goods and the marks of manufacture and trade should be extended so as to comprise the whole territory of the German Empire, the Undersigned, being duly authorised to that effect, have accordingly agreed that the stipulations of the VIth Article of the Treaty of Commerce of May 30th, 1865, between Great Britain and the Zollverein, which Article is conceived in the following terms: “With regard to the marks or labels of goods, or of their packages, and also with regard to patterns and marks of manufacture and trade, the subjects of the States of the Zollverein shall enjoy in the United Kingdom of Great Britain and Ireland, and the subjects of Her Britannic Majesty shall enjoy in the States of the Zollverein, the same protection as native subjects;” shall henceforth be applicable to the whole territory of the German Empire.

In witness whereof the Undersigned have signed the present Declaration, and have affixed thereto the seals of their arms.

Done at London, in duplicate, the 14th of April, 1875.

(L.S.) DERBY.
(L.S.) MUNSTER.

DECLARATION of the Accession of the German Empire to the Cape Spartel International Lighthouse Convention of May 31, 1865.† Signed at Tangier, March 4, 1878.

CÉJOURD'HUI 4 Mars, 1878, les Représentants des Puissances Étrangères accrédités à la Cour de Sa Majesté le Sultan du Maroc, savoir:

M. Th. Weber, Ministre Résident de l'Empire Allemand;
M. E. Daluin, Ministre Résident de Belgique, chargé des intérêts de Suède et de Norvège;
M. E. Romea, Envoyé Extraordinaire et Ministre Plénipotentiaire d'Espagne;
Mr. Mathews, Consul-Général des États-Unis d'Amérique;
M. de Vernouillet, Envoyé Extraordinaire et Ministre Plénipotentiaire de France;

Sir John Hay Drummond-Hay, Ministre Plénipotentiaire de la Grande Bretagne, chargé des intérêts d'Autriche-Hongrie et des Pays-Bas ;
M. Scovasso, Ministre Résident d'Italie ;
M. J. Colaço, Chargé d'Affaires de Portugal ;
S'étant réunis chez Sid Mohammed Bargache, Ministre des Affaires Étrangères de Sa Majesté Chérifienne à Tanger, le Ministre Résident de Sa Majesté l'Empereur Allemand, par ordre de son Gouvernement, fait connaître à Sid Mohammed Bargache, ainsi qu'à ses collègues, que l'Empire d'Allemagne, considérant que la marine Impériale et la flotte marchande Allemandes profitent du Phare International, désire accéder à la Convention conclue le 31 Mai, 1865, entre Sa Majesté le Sultan du Maroc et Fez, d'une part, et Sa Majesté l'Empereur d'Autriche, Roi de Hongrie et de Bohême, Sa Majesté le Roi des Belges, Sa Majesté la Reine d'Espagne, Son Excellence le Président de la République des États-Unis d'Amérique, Sa Majesté l'Empereur des Français, Sa Majesté la Reine du Royaume-Uni de la Grande Bretagne et d'Irlande, Sa Majesté le Roi d'Italie, Sa Majesté le Roi des Pays-Bas, Sa Majesté le Roi de Portugal et des Algarves, et Sa Majesté le Roi de Suède et de Norvège, d'autre part, et participer aux droits et aux charges qui en résultent.

Il ajoute que la Diète de l'Empire Allemand, ayant voté les fonds nécessaires à ce sujet pour l'année budgétaire 1877-78, la participation de l'Allemagne aux obligations de la Convention daterait du 1 Avril de l'année 1877.

Sid Mohammed Bargache, ainsi que les Représentants des autres Puissances Signataires de la Convention, tous autorisés d'avance par leurs Gouvernements respectifs, déclarent accepter, au nom de ceux-ci, l'accession de l'Allemagne à la Convention du 31 Mai, 1865, et invient le Représentant de l'Empire Allemand à siéger à l'avenir avec eux dans le Conseil International de surveillance et d'entretien du Phare du Cap Spartel, avec les mêmes droits et devoirs qu'eux-mêmes.

En foi de quoi le Ministre des Affaires Étrangères de Sa Majesté Chérifienne et les Représentants des Puissances précitées ont signé le présent procès-verbal, dressé en 12 exemplaires identiques.

TH. WEBER.
ERNEST DALUIN.
EDUARDO ROMEA.
T. A. MATHEWS.
M. DE VERNOUILLET.
J. H. DRUMMOND-HAY.
ÉTNE. SCOVASSO.
JOSE D. COLACO.
GREECE.

NOTIFICATION Grecque, concernant les dispositions du Traité avec l'Autriche du 4 Mars, 1835,* relativement aux droits percevables sur les objets sauvés en cas de Naufrage. Athènes, le 18 Décembre, 1838.

Le Ministère de la Maison du Roi et des Relations Extérieures notifie en vertu d'une Ordonnance Royale :

Qu'à la suite d'une entente entre les Gouvernements de Sa Majesté le Roi et de Sa Majesté l'Empereur d'Autriche, les dispositions de l'Article XI du Traité de Commerce et de Navigation, conclu entre la Grèce et l'Autriche, concernant les droits percevables dans chacun des États Contractants sur les objets sauvés en cas de naufrage, ne sont point sensés comprendre dans cette dernière expression le corps et les agrès du bâtiment, et qu'en conséquence ces objets sont affranchis de tout droit de douane.

Athènes, le 18 Décembre, 1838.

Le Secrétaire d'État au Département de la Maison Royale et des Relations Extérieures,

C. ZOGRAPHO.

AGREEMENT between Great Britain and Greece, relative to Merchant Seamen Deserters. Signed at Athens, August 7th, 1875.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of the Hellènes, being desirous, for the benefit of the two countries, to facilitate the discovery, apprehension, and surrender of seamen who may desert from merchant vessels of either country, on the basis of a full and entire reciprocity, have agreed as follows:

It is mutually agreed that if [See State Papers. Vol. 23. Page 335.]

Le Gouvernement de Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, et le Gouvernement de Sa Majesté le Roi des Hellènes, désirant, dans l'intérêt du commerce des deux pays, faciliter la recherche, l'arrestation, et la remise des marins déserteurs de la marine marchande des deux pays, sur la base d'une pleine et entière réciprocité, sont convenus de ce qui suit:
any seamen or apprentices, not being slaves, should desert from any ship belonging to a subject of either of the Contracting Parties, within any port in the territories or in the possessions or colonies of the other Contracting Party, the authorities of such port and territory, possession or colony, shall be bound to give every assistance in their power for the apprehension and sending on board of such deserters, on application to that effect being made to them by the Consul of the country to which the ship of the deserter may belong, or by the deputy or representative of the Consul.

It is understood that the preceding stipulations shall not apply to subjects of the country where the desertion shall take place.

Each of the two High Contracting Parties reserves to itself the right of terminating this Agreement at any time, on giving to the other a year’s notice of its wish to that effect.

The present Agreement shall come into operation as soon as it has received the sanction of the Hellenic Chamber of Deputies.

In witness whereof Her Britannic Majesty’s Chargé d’Affaires, and His Hellenic Majesty’s Minister for Foreign Affairs, being duly authorised by their respective Governments, have signed the present Agreement, and have affixed thereto the seal of their arms.
BRITISH ORDER IN COUNCIL, for the apprehending and delivering up of Seamen Deserters from the Merchant Vessels of Greece in the British Possessions. Windsor, February 12, 1876.

At the Court at Windsor, the 12th day of February, 1876.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by the "Foreign Deserters Act, 1852" [cap. 26],* it is provided that whenever it is made to appear to Her Majesty that due facilities are or will be given for recovering or apprehending seamen who desert from British merchant ships in the territories of any foreign Power, Her Majesty may, by Order in Council, stating that such facilities are or will be given, declare that seamen not being slaves who desert from merchant ships belonging to such Power when within Her Majesty's Dominions shall be liable to be apprehended and carried on board their respective ships, and may limit the operation of such Order, and may render the operation thereof subject to such conditions and qualifications, if any, as may be deemed expedient:

And whereas it has been made to appear to Her Majesty that due facilities are given for recovering and apprehending seamen who desert from British merchant ships in the territories of His Majesty the King of the Hellenes: now therefore, Her Majesty, by virtue of the powers vested in Her by the said "Foreign Deserters Act, 1852," and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the "London Gazette," seamen, not being slaves, and not being British subjects who, within Her Majesty's dominions, desert from merchant ships belonging to the Kingdom of Greece, shall be liable to be apprehended and carried on board their respective ships: Provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained until he has been tried by a competent court and until his sentence (if any) has been fully carried into effect.

And the Secretaries of State for India in Council, the Home

* See Vol. 2. Page 347.
GUATEMALA.

ORDER of the President of Guatemala, respecting the denunciation of Treaties with Foreign Powers.* Guatemala, August 28, 1873.

(Translation.)

Taking into consideration the convenience of concluding new Treaties with several nations, not only because this is demanded by the spirit of the age, and the tenour of ideas and institutions originating in the revolutionary movement which took place in 1871, but also because the political changes which have taken place in other countries demand it; and considering that some of the Articles of the existing Treaties are in disaccord with the aforesaid necessities, the President of the Republic directs that the Treaties be denounced, in conformity with the arrangements respecting this in the respective clauses of the same, in order that new Treaties may be concluded upon bases more in conformity with the mutual convenience of the Contracting Parties.

Let this be communicated to whoever it may concern.

Soto.

HAWAIIAN ISLANDS.

PROCLAMATION of the King of the Hawaiian Islands, declaring the Neutrality of the Hawaiian Islands in the War between Great Britain, France, Turkey, and Russia. Maritime Jurisdiction. Honolulu, May 16, 1854.

Be it known, to all whom it may concern, that we, Kamehameha III, King of the Hawaiian Islands, hereby proclaim our entire neutrality in the war now pending between the great maritime Powers of Europe; that our neutrality is to be respected by all belligerents, to the full extent of our jurisdiction, which by our fundamental laws is to the distance of one marine league surrounding each of our islands of Hawaii, Maui, Ka-

* In accordance with this Order, the Guatemalan Government gave notice to the British Government on the 25th October, 1873, that the Treaty of Commerce between the two countries of the 20th February, 1849, would terminate on the 25th October, 1874.
HAWAIIAN ISLANDS.

Hoolawe, Lanai, Molokai, Oahu, Kauai, and Niihau, commencing at low water mark on each of the respective coasts of said islands, and includes all the channels passing between and dividing said islands from island to island; that all captures and seizures made within our said jurisdiction are unlawful; and that the protection and hospitality of our ports, harbours, and roads shall be equally extended to all the belligerents, so long as they respect our neutrality.

And be it further known, to all whom it may concern, that we hereby strictly prohibit all our subjects, and all who reside within our jurisdiction, from engaging either directly or indirectly in privateering against the shipping or commerce of any of the belligerents, under the penalty of being treated and punished as pirates.

Done at our Palace of Honolulu, this 16th day of May, 1854.

Keoni Ana. Kamehameha.

By the King and Kuhina Nui. R. C. Wyllie.

BRITISH ORDER IN COUNCIL, for the Apprehending and Delivering up of Seamen Deserters from the Merchant Vessels of the Hawaiian Islands in the British Dominions. Balmoral, October 23, 1876.

At the Court at Balmoral, the 23rd day of October, 1876.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by "The Foreign Deserters Act, 1852" [cap 26],* it is provided that whenever it is made to appear to Her Majesty that due facilities are or will be given for recovering or apprehending seamen who desert from British merchant ships in the territories of any foreign Power, Her Majesty may, by Order in Council, stating that such facilities are or will be given, declare that seamen, not being slaves, who desert from merchant ships belonging to such Power when within Her Majesty's dominions shall be liable to be apprehended and carried on board their respective ships, and may limit the operation of such Order, and may render the operation thereof subject to such conditions and qualifications, if any, as may be deemed expedient:

And whereas it has been made to appear to Her Majesty that due facilities are given for recovering and apprehending seamen who desert from British merchant ships in the territories of His Majesty the King of Hawaii:

Now, therefore, Her Majesty, by virtue of the powers vested in her by the said "Foreign Deserters Act, 1852," and by and with the advice of Her Privy Council, is pleased to order and

declare, and it is hereby ordered and declared, that from and after the publication hereof in the “London Gazette,” seamen, not being slaves, and not being British subjects, who, within Her Majesty’s dominions, desert from merchant ships belonging to the kingdom of Hawaii, shall be liable to be apprehended and carried on board their respective ships.

Provided always, that if any such deserter has committed any crime in Her Majesty’s dominions he may be detained until he has been tried by a competent Court, and until his sentence, if any, has been fully carried into effect.

And the Secretaries of State for India in Council, the Home Department, and the Colonies are to give the necessary directions herein accordingly.

C. L. Peel.

HAYTI.

TREATY between Great Britain and Hayti for the mutual Surrender of Fugitive Criminals. * Signed at Port-au-Prince, December 7, 1874.†

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Excellency the President of the Republic of Hayti, having judged it expedient, with a view to a better administration of justice, and to the prevention of crime within the two countries and their jurisdictions, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up;

Her Britannic Majesty and the President of Hayti have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Spenser St. John, Esq., Minister Resident and Consul-General of Her Britannic Majesty in the Republic of Hayti and Her Chargé d’Affaires in the Dominican Republic

And His Excellency the President of the Republic of Hayti, M. Surville Toussaint, ex-Senator;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:

Art. I. The High Contracting Parties engage to deliver up

* Signed also in the French language.
† Ratifications exchanged at Port-au-Prince, September 2, 1876.
to each other those persons who, being accused or convicted of a crime committed in the territory of the one party, shall be found within the territory of the other party, under the circumstances and conditions stated in the present Treaty.

II. The crimes for which the extradition is to be granted, are the following:

1. Murder, or attempt to murder.
2. Manslaughter.
3. Counterfeiting or altering money, uttering or bringing into circulation counterfeit or altered money.
4. Forgery, or counterfeiting, or altering, or uttering what is forged or counterfeited or altered.
5. Embezzlement or larceny.
6. Obtaining money or goods by false pretences.
7. Malicious injury to property, if the offence be indictable.
8. Crimes against bankruptcy law.
9. Fraud by a bailee, banker, agent, factor, trustee, or director, or member or public officer of any company, made criminal by any law for the time being in force.
10. Perjury or subornation of perjury.
11. Rape.
14. False imprisonment.
15. Burglary or housebreaking.
16. Arson.
17. Robbery with violence.
18. Threats, by letter or otherwise, with intent to extort.
19. Piracy by law of nations.
20. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.
21. Assaults on board a ship on the high seas with intent to destroy life, or to do grievous bodily harm.
22. Revolt or conspiracy to revolt by two or more persons on board a ship on the high seas, against the authority of the master.

The extradition is also to take place for participation in any of the aforesaid crimes, provided such participation be punishable by the laws of both the Contracting Parties.

III. No Haytian shall be delivered up by the Government of Hayti to the Government of the United Kingdom, and no subject of the United Kingdom shall be delivered up by the Government thereof to the Government of Hayti.

IV. The extradition shall not take place if the person claimed on the part of the Government of the United Kingdom, or the person claimed on the part of the Government of the Republic of Hayti, has already been tried and discharged, or punished, or is still under trial in Hayti or in the United King-
dom respectively, for the crime for which his extradition is demanded.

If the person claimed on the part of the Government of the United Kingdom, or if the person claimed on the part of the Government of the Republic of Hayti, should be under examination for any other crime in Hayti or in the United Kingdom respectively, his extradition shall be deferred until the conclusion of the trial, and the full execution of any punishment awarded to him.

V. The extradition shall not take place if, subsequently to the commission of the crime, or the institution of the penal prosecution, or the conviction thereon, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the State applied to.

VI. A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove that the requisition for his surrender has, in fact, been made with a view to try or punish him for an offence of a political character.

VII. A person surrendered can in no case be kept in prison, or be brought to trial in the State to which the surrender has been made, for any other crime or on account of any other matters than those for which the extradition shall have taken place.

This stipulation does not apply to crimes committed after the extradition.

VIII. The requisition for extradition shall be made through the Diplomatic Agents of the High Contracting Parties respectively.

The requisition for the extradition of an accused person must be accompanied by a warrant of arrest issued by the competent authority of the State requiring the extradition, and by such evidence as, according to the laws of the place where the accused is found, would justify his arrest if the crime had been committed there.

If the requisition relates to a person already convicted, it must be accompanied by the sentence of condemnation passed against the convicted person by the competent Court of the State that makes the requisition for extradition.

A requisition for extradition cannot be found on sentences passed in contumaciam.

IX. If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the State applied to shall proceed to the arrest of the fugitive.

The prisoner is then to be brought before a competent magistrate, who is to examine him, and to conduct the preliminary investigation of the case, just as if the apprehension had taken place for a crime committed in the same country.
X. The extradition shall not take place before the expiration of 15 days from the apprehension, and then only if the evidence be found sufficient, according to the laws of the State applied to, either to justify the committal of the prisoner for trial, in case the crime had been committed in the territory of the said State, or to prove that the prisoner is the identical person convicted by the Courts of the State which makes the requisition.

XI. In the examinations which they have to make in accordance with the foregoing stipulations, the authorities of the State applied to shall admit as entirely valid evidence the sworn depositions or statements of witnesses taken in the other State, or copies thereof, and likewise the warrants and sentences issued therein, provided such documents are signed or certified by a judge, magistrate, or officer of such State, and are authenticated by the oath of some witnesses, or by being sealed with the official seal of the Minister of Justice or some other Minister of State.

XII. If sufficient evidence for the extradition be not produced within two months from the date of the apprehension of the fugitive, he shall be set at liberty.

XIII. All articles seized, which were in the possession of the person to be surrendered at the time of his apprehension, shall, if the competent authority of the State applied to for the extradition has ordered the delivery thereof, be given up when the extradition takes place, and the said delivery shall extend not merely to the stolen articles, but to everything which may serve as a proof of the crime.

XIV. The High Contracting Parties renounce any claim for the reimbursement of the expenses incurred by them in the arrest and maintenance of the person to be surrendered, and his conveyance till placed on board ship: they reciprocally agree to bear such expenses themselves.

XV. The stipulations of the present Treaty shall be applicable to the colonies and foreign possessions of Her Britannic Majesty.

The requisition for the surrender of a fugitive criminal who has taken refuge in any of such colonies or foreign possessions shall be made to the Governor or chief authority of such colony or possession by the chief Consular Officer of Hayti in such colony or possession.

Such requisitions may be disposed of, subject always, as nearly as may be, to the provisions of this Treaty, by the said Governor or chief authority, who, however, shall be at liberty either to grant the surrender, or to refer the matter to his Government.

Her Britannic Majesty shall, however, be at liberty to make special arrangements in the British colonies and foreign possess-
sions for the surrender of Haytian criminals, who may take
refuge within such colonies and foreign possessions, on the
basis, as nearly as may be, of the provisions of the present
Treaty.

The requisition for the surrender of a fugitive criminal from
any colony or foreign possession of Her Britannic Majesty shall
be governed by the rules laid down in the preceding Articles of
the present Treaty.

XVI. The present Treaty shall come into force 10 days after
its publication, in conformity with the forms prescribed by the
laws of the High Contracting Parties.* It may be terminated
by either of the High Contracting Parties, but shall remain in
force for 6 months after notice has been given for its termina-
tion.

The President of the Republic of Hayti engages to apply
to the Senate for the necessary authorisation to give effect to
the present Treaty, immediately after its meeting.

The present Treaty shall be ratified, and the ratifications
shall be exchanged as soon as possible.

In witness whereof the respective Plenipotentiaries have
signed the same, and have affixed thereto the seals of their
arms.

Done at Port-au-Prince, the 7th day of December, in the year
of Our Lord, 1874.

(L.S.) Spenser St. John.
(L.S.) Survile Toussaint.

BRITISH ORDER IN COUNCIL, for carrying into effect the
Treaty between Her Majesty and the President of Hayti of
December 7, 1874, for the mutual Surrender of Fugitive
Criminals. Osborne, February 5, 1876.

At the Court at Osborne House, the 5th day of February, 1876.

PRESENT : THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by an Act of Parliament made and passed in the
session of Parliament holden in the 33rd and 34th years of the
reign of Her present Majesty [cap. 52],† intitled “An Act for
amending the Law relating to the Extradition of Criminals,”
and also by an Act of Parliament made and passed in the
session of Parliament holden in the 36th and 37th years of the
reign of Her present Majesty [cap. 60],‡ intitled “An Act to
amend the Extradition Act, 1870,” it was, amongst other
things, enacted that where an arrangement has been made

* See Order in Council of February 5, 1876. Page 386.
‡ See Great Britain.
with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Act shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty was concluded on the 7th day of December, 1874, between Her Majesty and the President of the Republic of Hayti, for the mutual extradition of fugitive criminals, which Treaty is in the terms following:

[See Page 382.]

And whereas the ratifications of the said Treaty were exchanged at Port-au-Prince on the 2nd day of September last:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to her by the said recited Act, doth order, and it is hereby ordered, that from and after the 21st day of February, 1876, the said Act shall apply in the case of the said Treaty with the President of the Republic of Hayti.

C. L. Peel.

HONDURAS.


(Translation.)

THE President of the Republic of Honduras.—Whereas, the Chamber of Deputies has decreed and the Senate has approved the following:

ART. I. Persons guilty of ordinary crimes, refugees from the settlement of Belize, shall be handed over to the proper authorities when they shall be demanded by reclamations in conformity with the laws in force in that settlement; it being requisite that these documents should first have the order of the Supreme Court of Justice.

II. This Decree shall be in force so long as reciprocity exists on the part of the authorities of the said settlement in con-
formity with the Decree of its Legislature of 1859, and until a special Treaty is concluded with Great Britain. Wherefore let it be executed.
Santa Rosa, May 17, 1862.

Carlos Madrid. Victoriano Castellanos.

CONSTITUTION of the Republic of Honduras; so far as relates to Religion, Nationality, and the conclusion of Treaties. Comayagua, September 28, 1865.

(Translation.)

Chapter III.—Of the Government and Religion.

Art. VII. The Government of the Republic is a popular representative one, and will be exercised by 3 distinct powers—the Legislative, the Executive, and the Judicial.

VIII. The Religion of the Republic is the Christian, Catholic, Apostolic Roman religion, excluding the public exercise of any other. The Government protects it; but neither the Government nor any of the authorities shall interfere with the private exercise of other religions that may be established in the country, unless they tend to depress the dominant religion and to disturb public order.

Chapter IV.—Of the Hondureans, their Rights and Obligations.

IX. The Hondureans are:
1. All persons born in the territory of the Republic.
2. The children born in a foreign country of Hondurean fathers and mothers, with a commission of the Government, or temporarily absent.
3. The Central Americans, who may have acquired residential rights in any town of the Republic; and

X. Foreigners are naturalised:
1. By obtaining letters of naturalisation from the Legislative Body.
2. By the acquisition of landed property in the country to the value of 2,000 dollars.
3. By marriage with a Hondurean woman, and domiciliation for a year; and
4. By simple domiciliation for two years.

Chapter V.—Of Citizenship.

Art. XIII. Foreigners are not obliged to accept citizenship.

XV. The following lose the qualification of citizens:
3. Those who are naturalised in a foreign country.
HONDURAS.

CHAPTER VIII.—Of the Attributions of the Legislative Power.

Art. XXIV. To the Legislative Power it belongs:
13. To declare war and make peace, on consideration of the facts communicated by the Executive; and to ratify the Treaties and negotiations adjusted by the Executive, if they deserve its approval.

CHAPTER X.—Attributions of the Executive Power.

Art. XXXV. It belongs to the Executive Power:
17. To make war, and to conclude Treaties of Peace, Concordats, and any other negotiation, which are to be submitted to the Legislative Body for ratification.

---

DECREE of Honduras, declaring the Port of Coxim Hall in Roatan, to be a Free Port, to be known as the Port of Medina. Comayagua, February 24, 1868. (Translation.)

The President of the Republic of Honduras to the Inhabitants.

Know all, that the Supreme Congress of the Republic, desirous of encouraging immigration to Roatan, and promoting the progress of the same island, which is the most important one in the Bay:

Decrees:

Art. I. The port of Coxim Hall in Roatan is declared free; and this port shall for the future be called the Port of Medina.

II. Vessels, both native and foreign, that anchor in the said port, shall pay no other duty than the following:—Ships that do not measure more than 100 tons, one dollar; those which are more than 100, but do not exceed 200, 2 dollars; and those which have more than 200, 3 dollars.

III. In the same port, the entrance and exit of merchandise of every kind shall not occasion any impost, but merchandise consumed in the place shall pay a very moderate one for the support of the local Government, in conformity with the order that will be issued by the Supreme Executive Power, after having first consulted the local authorities of the island.

Given in Comayagua, in the Sessions Hall of Congress, &c.

Wherefore be it carried into effect.

Comayagua, 24th February, 1868.

Jose Maria Medina.
TREATY between Great Britain and Honduras, for the mutual Surrender of Fugitive Criminals.* Signed at Guatemala, January 6, 1874.†

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Excellency the President of the Republic of Honduras, having judged it expedient, with a view to the better administration of justice and to the prevention of crime within the two countries and their jurisdictions, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, have named as their Plenipotentiaries, to conclude a Treaty for this purpose (that is to say):

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Edwin Corbett, Esq., Her Majesty's Chargé d'Affaires and Consul-General to the said Republic of Honduras, &c.;

And his Excellency the President of the Republic of Honduras, the Señor Don Augustín Gomez Carrillo, Deputy to the present Legislature of Guatemala, &c.;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:

Art. I. The High Contracting Parties engage to deliver up to each other those persons who, being accused or convicted of a crime committed in the territory of the one Party, shall be found within the territory of the other Party, under the circumstances and conditions stated in the present Treaty.

II. It is agreed that Her Britannic Majesty and his Excellency the President of Honduras shall, on requisition made in their name by their respective Diplomatic Agents, deliver up to each other reciprocally any persons, except native subjects or citizens of the Party upon whom the requisition may be made, who, being accused or convicted, whether as a principal or an accessory, either before or after the fact, of any of the crimes hereinafter specified, committed within the jurisdiction of the requiring Party, shall be found within the territories of the other Party:

1. Murder, or attempt or conspiracy to murder.
2. Manslaughter.
3. Counterfeiting or altering money, or uttering counterfeit or altered money.
4. Forgery, counterfeiting or altering, or uttering what is forged or counterfeited or altered.
5. Embezzlement or larceny.

* Signed also in the Spanish language.
† Ratifications exchanged at Guatemala, October 12, 1875.
6. Obtaining money or goods by false pretences.

7. Malicious injury to property, if the offence be indictable.

8. Crimes against bankruptcy law.

9. Fraud by a bailee, banker, agent, factor, trustee, or director, or member, or public officer of any company made criminal by any law for the time being in force.

10. Perjury or subornation of perjury.

11. Rape.


14. False imprisonment.

15. Burglary or housebreaking.

16. Arson.

17. Robbery with violence.

18. Threats by letter or otherwise, with intent to extort.

19. Piracy by law of nations.

20. Sinking or destroying a vessel at sea, or attempting or conspiring to do so.

21. Assaults on board a ship on the high seas with intent to destroy life or to do grievous bodily harm.

22. Revolt, or conspiracy to revolt, by two or more persons on board a ship on the high seas against the authority of the master.

Provided that the surrender shall be made only when, in the case of a person accused, the commission of the crime shall be so established as that the laws of the country where the fugitive or person so accused shall be found would justify his apprehension and commitment for trial if the crime had been there committed; and, in the case of a person alleged to have been convicted on such evidence as, according to the laws of the country where he is found, would prove that he had been convicted.

III. No Hondurean as above stated shall be delivered up by the Government of Honduras to the Government of the United Kingdom, and no subject of the United Kingdom shall be delivered up by the Government thereof to the Government of Honduras.

IV. The extradition shall not take place if the person claimed on the part of the Government of the United Kingdom, or the person claimed on the part of the Government of Honduras, has already been tried and discharged or punished, or is still under trial in the territory of the United Kingdom or of Honduras respectively for the crime for which his extradition is demanded.

If the person claimed on the part of the Government of the United Kingdom, or if the person claimed on the part of the Government of Honduras, should be under examination for any other crime in the territory of the United Kingdom or in the
Republic of Honduras respectively, his extradition shall be deferred until the conclusion of the trial and the full execution of any punishment awarded to him.

V. The extradition shall not take place if, subsequently to the commission of the crime, or the institution of the penal prosecution or the conviction thereon, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the State applied to.

VI. A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove that the requisition for his surrender has, in fact, been made with a view to try or punish him for an offence of a political character.

VII. A person surrendered can in no case be kept in prison or be brought to trial in the State to which the surrender has been made, for any other crime, or on account of any other matters, than those for which the extradition shall have taken place. This stipulation does not apply to crimes committed after the extradition.

VIII. The requisition for extradition shall be made through the Diplomatic Agents of the High Contracting Parties respectively.

The requisition for the extradition of an accused person must be accompanied by a warrant of arrest issued by the competent authority of the State requiring the extradition, and by such evidence as, according to the laws of the place where the accused is found, would justify his arrest if the crime had been committed there.

If the requisition relates to a person already convicted, it must be accompanied by the sentence of condemnation passed against the convicted person by the competent Court of the State that makes the requisition for extradition.

A requisition for extradition cannot be founded on sentences passed in contumaciam.

IX. If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the State applied to shall proceed to the arrest of the fugitive.

The prisoner is then to be brought before a competent magistrate, who is to examine him and to conduct the preliminary investigation of the case, just as if the apprehension had taken place for a crime committed in the same country.

X. The extradition shall not take place before the expiration of 15 days from the apprehension, and then only if the evidence be found sufficient, according to the laws of the State applied to, either to justify the committal of the prisoner for trial, in case the crime had been committed in the territory of the said State, or to prove that the prisoner is the identical person convicted by the Courts of the State which makes the requisition.
XI. In the examination which they have to make in accordance with the foregoing stipulations, the authorities of the State applied to shall admit as entirely valid evidence the sworn depositions or statements of witnesses taken in the other State, or copies thereof, and likewise the warrants and sentences issued therein, provided such documents are signed or certified by a judge, magistrate, or officer of such State, and are authenticated by the oath of some witness, or by being sealed with the official seal of the Minister of Justice or some other Minister of State.

XII. If sufficient evidence for extradition be not produced within two months from the date of the apprehension of the fugitive, he shall be set at liberty.

XIII. All articles seized which were in the possession of the person to be surrendered at the time of his apprehension shall, if the competent authority of the State applied to for the extradition has ordered the delivery thereof, be given up when the extradition takes place; and the said delivery shall extend, not merely to the stolen articles, but to everything that may serve as a proof of the crime.

XIV. The High Contracting Parties renounce any claim for the reimbursement of the expenses incurred by them in the arrest and maintenance of the person to be surrendered and his conveyance till placed on board ship; they reciprocally agree to bear such expenses themselves.

XV. The stipulations of the present Treaty shall be applicable to the colonies and foreign possessions of Her Britannic Majesty.

The requisition for the surrender of a fugitive criminal who has taken refuge in any of such colonies or foreign possessions shall be made to the Governor or chief authority of such colony or possession by the chief Consular Officer of the Republic of Honduras in such colony or possession.

Such requisition may be disposed of (subject always, as nearly as may be, to the provisions of this Treaty) by the said Governor or chief authority, who, however, shall be at liberty either to grant the surrender or to refer the matter to his Government.

Her Britannic Majesty shall, however, be at liberty to make special arrangements in the British colonies or foreign possessions for the surrender of Hondurean criminals who may take refuge within such colonies and foreign possessions, on the basis, as nearly as may be, of the provisions of the present Treaty.

The requisition for the surrender of a fugitive criminal from any colony or foreign possession of Her Britannic Majesty shall be governed by the rules laid down in the preceding Articles of the present Treaty.
XVI. The present Treaty shall come into force 10 days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties. It may be terminated by either of the High Contracting Parties, but shall remain in force for 6 months after notice has been given for its termination.

The Treaty shall be ratified, and the ratifications shall be exchanged at Guatemala, in 12 months counted from this day.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Guatemala, the 6th day of the month of January, in the year of Our Lord, 1874.

(L.S.) Edwin Corbett.

BRITISH ORDER IN COUNCIL, for carrying into effect the Treaty between Her Majesty and the Republic of Honduras, of January 6, 1874, for the mutual Surrender of Criminals.

Osborne, February 5, 1876.

At the Court at Osborne, Isle of Wight, the 5th day of February, 1876.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act of Parliament made and passed in the Session of Parliament holden in the 33rd and 34th years of the reign of Her present Majesty [cap. 52], intituled "An Act for amending the Law relating to the Extradition of Criminals," and also by an Act of Parliament made and passed in the Session of Parliament holden in the 36th and 37th years of the reign of Her present Majesty [cap. 60], intituled "An Act to amend the Extradition Act, 1870," it was amongst other things enacted, that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty was concluded on the 6th day of
January, 1874, between Her Majesty and the President of the Republic of Honduras, for the mutual extradition of fugitive criminals, which Treaty is in the terms following:

[See Page 390.]

And whereas the ratifications of the said Treaty were exchanged at Guatemala on the 12th day of October last:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to her by the said recited Acts, doth order, and it is hereby ordered, that from and after the 21st day of February, 1876, the said Acts shall apply in the case of the said Treaty with the President of the Republic of Honduras.

C. L. Peel.

DECREE of the Provisional President of Honduras, denouncing certain specified Treaties concluded with Foreign Powers. La Paz, April 25, 1877.

(Translation.)

Ministry of Foreign Affairs, La Paz, April 25, 1877.

Considering: That the Treaties concluded by Honduras with the other Republics of Central America, and several foreign nations, must be considered, some as already at an end, their term having expired, and others as invalid, because they have not been ratified by the Contracting Parties.

Considering: that it does not suit the interests of the Republic to extend the terms, thus giving new effect to the Treaties which have already expired, or which depend on the will of both; considering that such Treaties have been concluded, almost all, taking as a basis a principle of reciprocity which has not been and cannot be effective in practice; and

Considering: that it is of the highest importance to the country to replace the said Treaties by Treaties and Conventions which have, as a basis, the peculiar circumstances of the Republic, and at the same time are in perfect accordance with the interests of the Contracting Parties, especially in an economical point of view; therefore, the Provisional President decrees:

I. That through the Ministry of State there be denounced as having ceased to exist, as having a voluntary duration, or as being without the proper ratifications, the following Treaties: the Treaty concluded with the Republic of Nicaragua on the 16th of December, 1865: the Treaties made with the Republic of Salvador on the 11th of September, 1869, on the 2nd of September, 1871, and the additional one concluded on the 2nd of August, 1872: the Treaty concluded with the Republic of
Guatemala on the 13th of February, 1856: the Treaty concluded with the Republic of Costa Rica on the 27th of March, 1872: the Convention of Central American Union, signed at La Union on the 17th of February, 1872: the Treaties with the United Kingdom of England and Ireland, concluded on the 27th of August, 1856,* on the 28th of November, 1859,* and on the 6th of January, 1874:* the Treaty with France concluded on the 22nd of February, 1856, and the additional one of the 18th of June, 1857: the Treaty with Spain, signed on the 15th of March, 1866: the Treaty with Belgium, concluded on the 27th of March, 1858: the general Convention with the United States of North America, signed on the 28th of May, 1849, and the one concluded with the same Republic on the 10th of May, 1863; and the Consular Convention made with the Republic of Chile on the 16th of May, 1870.

II. That the Ministry of State at the same time that it communicates to the Governments of Central America and the foreign Governments the denunciation of the Treaties, is to declare that the Government of the Republic is animated by the best desire to conclude new International Treaties that may, in the widest manner, guarantee the interests of the Contracting Parties, and which may more and more confirm the good relations now existing. Let it be published and registered.

Initialled by the President.

Rosa.

ITALY.

TREATY between Great Britain and Italy for the Mutual Surrender of Fugitive Criminals.† Signed at Rome, February 5, 1873.‡

H.M. the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Italy, having judged it expedient, with a view to the better administration of justice, and to the prevention of crime within their respective

* The British Government, in an official note to the Honduras Government, dated 26th November, 1877, whilst accepting the denunciation of the Treaties of 27th August, 1856, and 6th January, 1874, protested against the denunciation of the Treaty of 28th November, 1859; whereupon the Honduras Government declared (16th February, 1878) that it would maintain that Treaty in its integrity, and fulfil its obligations to the best of its power.
† Signed also in the Italian language.
‡ Ratifications exchanged at Rome, March 18, 1873.
territories, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up; their said Majesties have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Sir Augustus Berkeley Paget, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Italy;

And His Majesty the King of Italy, the Noble Emilio Visconti Venosta, Deputy in the Parliament, and Minister Secretary of State for Foreign Affairs;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:

Art. I. The High Contracting Parties engage to deliver up to each other reciprocally any persons who, being accused or convicted of any of the crimes specified in the Article following, committed within the territory of either of the said Parties, shall be found within the territory of the other, in the manner and under the conditions determined in the present Treaty.

II. The crimes for which the extradition is agreed to are the following:

1. Murder, or attempt or conspiracy to murder, comprising the crimes designated by the Italian Penal Code as the association of criminals for the commission of such offences.

2. Manslaughter, comprising the crimes designated by the Italian Penal Code as wounds and blows wilfully inflicted which cause death.

3. Counterfeiting or altering money, and uttering or bringing into circulation counterfeit or altered money.

4. Forgery, counterfeiting or altering, or uttering of the thing or document that is forged or counterfeited or altered.

5. Larceny, or unlawful abstraction or appropriation.

6. Obtaining money or goods by false pretences (cheating or fraud).

7. Fraudulent bankruptcy.

8. Fraud, abstraction, or unlawful appropriation, by a bailee, banker, agent, factor, trustee, director, or member, or officer of any public or private company or house of commerce.

9. Rape.

10. Abduction.


12. Burglary and housebreaking, comprising the crimes designated by the Italian Penal Code as entry by night, or even by day, with fracture or escalade, or by means of false key or other instrument, into the dwelling of another person with intent to commit a crime.
13. Arson.
15. Threats by letter or otherwise, with intent to extort money or anything else.
16. Piracy, according to international law, when the pirate, a subject of neither of the High Contracting Parties, has committed depredations on the coasts, or on the high seas, to the injury of citizens of the requiring Party, or when, being a citizen of the requiring Party, and having committed acts of piracy, to the injury of a third State, he may be within the territory of the other Party, without being subjected to trial.
17. Sinking or destroying, or attempting to sink or destroy, a vessel at sea.
18. Assaults on board a ship on the high seas with intent to kill or to do grievous bodily harm.
19. Revolt or conspiracy by two or more persons on board a ship on the high seas, against the authority of the master.
Accomplices before the fact in any of these crimes shall, moreover, also be delivered up, provided their complicity be punishable by the laws of both the Contracting Parties.
III. The Italian Government shall not deliver up any Italian to the United Kingdom; and no subject of the United Kingdom shall be delivered up by it to the Italian Government.
IV. In any case where an individual convicted or accused shall have obtained naturalization in either of the two Contracting States after the commission of the crime, such naturalization shall not prevent the search for, arrest, and delivery of the individual. The extradition may, however, be refused if 5 years have elapsed from the concession of naturalization, and the individual has been domiciled, from the concession thereof, in the State to which the application is made.
V. No accused or convicted person shall be given up if the offence for which he is claimed is political; or if he proves that the demand for his surrender has been made with the intention of trying and punishing him for a political offence.
VI. The extradition shall not be granted if, since the commission of the crime, the commencement of proceedings, or the conviction, such a length of time has elapsed as to bar the penal prosecution or the punishment, according to the laws of the State to which application is made.
VII. The accused or convicted person who has been given up shall not, until he has been liberated, or had an opportunity of returning to the country in which he was living, be imprisoned or subjected to trial in the State to which he has been given up, for any crime or on any charge other than that on account of which the extradition took place.
This does not apply to offences committed after the extradition.
VIII. If the individual claimed is under prosecution or in custody for a crime committed in the country where he has taken refuge, his surrender may be deferred until the law has taken its course.

In case he should be proceeded against or detained in such country on account of obligations contracted with private individuals, or any other civil claim, his surrender shall nevertheless take place, the injured party retaining his right to prosecute his claims against him before the competent authority.

IX. The requisitions for extradition shall be made, respectively, by means of the Diplomatic Agents of the High Contracting Parties.

The demand for the extradition of an accused person must be accompanied by a warrant of arrest issued by the competent authority of the State applying for the extradition, and by such proof as, according to the law of the place where the fugitive is found, would justify his arrest if the crime had been committed there.

If the requisition relates to a person convicted, it must be accompanied by the sentence of condemnation of the competent Court of the State applying for the extradition.

The demand for extradition must not be founded upon a sentence in contumaciun.

X. If the demand for extradition be made according to the foregoing stipulations, the competent authorities of the State, to which the requisition is made, shall proceed to arrest the fugitive.

The prisoner shall be taken before the competent magistrate, who shall examine him, and make the preliminary investigations of the affair, in the same manner as if the arrest had taken place for a crime committed in the same country.

XI. In the examination to be made in conformity with the preceding stipulations, the authorities of the State to which the demand is addressed shall admit, as entirely valid evidence, the documents and depositions taken on oath in the other State, or copies of them, and likewise the warrants and sentences issued there; provided that such documents are signed or certified by a judge, magistrate, or officer of such State, and are authenticated by the oath of some witness, or stamped with the official seal of the department of justice or some other department of State.

XII. If, within two months from the arrest of the accused, sufficient evidence be not produced for his extradition, he shall be liberated.

XIII. The extradition shall not take place until the expiration of 15 days after the arrest, and then only if the evidence has been found sufficient, according to the laws of the State to which the demand is addressed, to justify the committal of the
ITALY.

prisoner for trial in case the crime had been committed in the territory of that State; or to show that the prisoner is the identical person condemned by the tribunals of the State which demands him.

XIV. If the prisoner be not given up and taken away within two months from his apprehension or from the decision of the Court upon the demand for a writ of habeas corpus in the United Kingdom, he shall be set at liberty, unless sufficient cause be shown for the delay.

XV. If the individual claimed by one of the two Contracting Parties, in conformity with the present Treaty, should be also claimed by another or by other States on account of crimes committed in their territories, his surrender shall, in preference, be granted according to priority of demand, unless an agreement be made between the Governments which make the requisition, either on account of the gravity of the crimes committed, or for any other reason.

XVI. Every article found in the possession of the prisoner at the time of his arrest shall be seized, in order to be delivered up with him. Such delivery shall not be limited to the property or articles obtained by the robbery or fraudulent bankruptcy, but shall include everything that may serve as evidence of the crime; and it shall take place even when the extradition, after having been ordered, cannot take effect, either on account of the escape or death of the delinquent.

XVII. The High Contracting Parties renounce all claim for repayment of the expenses incurred for the arrest and maintenance of the person to be given up, and for his conveyance on board a ship; such expenses shall be borne by themselves respectively.

XVIII. The stipulations of the present Treaty shall be applicable to the colonies and foreign possessions of the two High Contracting Parties.

The requisition for the surrender of a person accused or condemned, who has taken refuge in any such colony or possession of either Party, shall be made to the Governor or chief authority of such colony or possession by the Chief Consular Officer of the other residing in such colony or possession; or if the accused or condemned person has escaped from a colony or foreign possession of the Party on whose behalf the requisition is made, the requisition shall be made by the Governor or chief authority of such colony or possession.

Such requisition may be disposed of, in accordance, as far as possible, with the stipulations of this Treaty, by the respective Governors or chief authorities, who, however, shall be at liberty either to grant the extradition or to refer the matter to their own Government.

Her Britannic Majesty shall, nevertheless, be at liberty to
make special arrangements in the British colonies and foreign possessions for the surrender to His Italian Majesty of criminals who may have taken refuge in such colonies or possessions, always in conformity, so far as possible, with the provisions of the present Treaty.

Finally, it is agreed that this stipulation does not apply to the Island of Malta, the Ordinance of the Maltese Government of May 3, 1863 (No. 1230),* remaining in full force.

XIX. The High Contracting Parties declare that the present stipulations apply as well to persons accused or convicted, whose crimes, on account of which the extradition is demanded, may have been committed previously, as to those whose crimes may be committed subsequently to the date of this Treaty.

XX. The present Treaty shall come into operation 10 days after its publication according to the forms prescribed by the laws of the High Contracting Parties.

Either Party may, at any time, put an end to this Treaty, which, however, shall remain in force for 6 months after the notice for its termination.

This Treaty shall be ratified, and the ratifications shall be exchanged at Rome within 6 weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed in duplicate, in English and Italian, the present Treaty, and have affixed thereto their respective seals.

Done at Rome, the 5th day of February, in the year of Our Lord, 1873.

(L.S.) A. B. Paget.
(L.S.) Visconti Venosta.

BRITISH ORDER IN COUNCIL, for carrying into effect the Treaty between Her Majesty and the King of Italy for the mutual Surrender of Fugitive Criminals, signed at Rome, February 5, 1873. Windsor, March 24, 1873.

At the Court at Windsor, the 24th day of March, 1873.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act of Parliament made and passed in the Session of Parliament holden in the 33rd and 34th years of the reign of Her present Majesty [cap. 52],† intituled “An Act for amending the Law relating to the Extradition of Criminals,” it was amongst other things enacted, that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Act shall apply in the case...

---

* Should be February 21, 1863. See Declaration of May 7, 1873. Page 402.
of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty was concluded on the 5th day of February last between Her Majesty and the King of Italy for the mutual Extradition of Fugitive Criminals, which Treaty is in the terms following:

[Here follows the Treaty. See page 396.]

And whereas the ratifications of the said Treaty were exchanged at Rome on the 18th of March last:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Act, doth order, and it is hereby ordered, that from and after the 11th day of April, 1873, the said Act shall apply in the case of the said Treaty with the King of Italy.

EDMUND HARRISON.

DECLARATION rectifying an Error in Article XVIII of the Treaty between Great Britain and Italy of the 5th February, 1873,* for the mutual Surrender of Fugitive Criminals. Signed at Rome, May 7, 1873.†

The Envoy Extraordinary and Minister Plenipotentiary of Her Majesty the Queen of Great Britain and Ireland to His Majesty the King of Italy, and His Italian Majesty's Minister for Foreign Affairs, having concurrently recognized a material error in the date of the Ordinance of the Maltese Government of the 21st of February, 1863, as it is mentioned at the end of Article XVIII of the Extradition Treaty of the 5th of February, 1873, between Great Britain and Italy, have, by common consent, declared that the words:

"Finally, it is agreed that this stipulation does not apply to the Island of Malta, the Ordinance of the Maltese Government of May 3, 1863 (No. 1230), remaining in force," shall be read:

"Finally, it is agreed that this stipulation does not apply to the Island of Malta, the Ordinance of the Maltese Government of the 21st of February, 1863, remaining in force."

* See Page 396. † Signed also in the Italian language. ‡ See Vol. 11. Page 872.
ITALY.

The present Declaration is signed in duplicate at Rome, this 7th day of May, 1873.

(L.S.) A. B. Paget.
(L.S.) Visconti Venosta.

ADDITIONAL ARTICLES to the Detailed Regulations of the 4th March, 1872,* for the carrying out of the Convention of the 4th March, 1872,† relative to the Exchange of Money Orders between the United Kingdom of Great Britain and Ireland and Italy,‡ Signed at Florence, December 7, 1875.

The Postmaster-General of the United Kingdom of Great Britain and Ireland on the one part; And the Director-General of Posts of Italy on the other part;

Considering it advisable to introduce certain modifications into the Detailed Regulations of the 4th March, 1872, for the execution of the Convention of the 4th March of the same year, relative to the exchange of money orders between the two countries, and being empowered by Article II of the Convention of the 4th March, 1872, to modify, when required, the measures necessary for the execution of that Convention, have agreed upon that which follows:

Art. I. Articles XI, XII, XIII, XIV, XV, XVI, XVIII, and XIX of the above-mentioned Detailed Regulations are abrogated, and are replaced by the following Articles:

Art. XI. Corrections of errors in the designations of payees shall be effected by the office of exchange of the country to which the issuing office belongs, on the request of the remitter.

That office shall be authorised to charge an additional commission.

XII. Money orders not presented for payment during the month of issue, or during the 3 following months, shall be paid only on the special authorisation of the office of exchange of the paying country, and with the consent of the office of exchange of the issuing country.

XIII. The remitter of an unpaid order who shall have re-obtained possession of the original order can obtain repayment, but only after the office of exchange of the country of issue shall have asked for the relative advice from the office of exchange of the country of payment, and after this latter shall have certified that it has not paid the order by duplicate, and that it has taken the necessary precautions to prevent payment of the order by duplicate at any future time.

‡ Signed also in the Italian language.
Orders lost may, in the same manner, be repaid to the remitters, but only after the lapse of the time mentioned in the preceding Article.

XIV. The commission charged on the issue of an order shall not under any circumstances be returned.

XV. The amounts of money orders not paid before the termination of 12 months after that time of issue, shall belong to the administration of the country of issue.

Each administration, however, reserves to itself the power of paying or repaying the amounts of such orders to the rightful claimants even after the said period of 12 months has elapsed.

Each of the two administrations shall prepare and dispatch to the other administration, at the commencement of each month, a list of the orders issued by the offices of the one country and not paid by the offices of the other country during the period before mentioned.

XVI. The advices of orders issued upon the United Kingdom by the post offices of Italy, shall be sent to the central office in Turin, which shall transmit them every day as they are received to the central office at London, accompanied by a list in duplicate drawn up on the model of Form A.

These advices shall be impressed on their arrival at London with a dated stamp, indicating the sum to be paid in English money, and afterwards they shall be sent to the paying offices.

The same system, reversed, shall be followed with regard to the orders issued in the United Kingdom on Italy.

The advices of orders issued in one month which may arrive at the office of exchange of the issuing country in the earlier days of the following month, shall be entered on lists supplementary to that of the last day of the month of issue.

It is agreed, however, that if any advices reach the office of exchange after the 10th of the month following that of issue, they shall be included in one of the lists of the current month.

XVIII. At the beginning of every month each administration shall prepare an account, showing the total of each of the lists described in Article XVI, having reference to the money orders issued by the other administration during the preceding month, including in it the supplementary lists.

The paid orders shall remain in the possession of the administration of the country of payment.

XIX. The accounts referred to in the preceding Article shall be incorporated at the end of each quarter by the Italian office in a general account in which shall be credited to each administration:

a. The amounts of money orders issued by the other during the quarter:

b. The commission:
ITALY. 405

c. The amounts of orders repaid to the remitters in accordance with Article XIII:

d. The amounts of orders not paid, as per Article XV.

II. The new arrangements to which the preceding Articles refer shall come into full operation on the 1st January, 1876.

Drawn up in duplicate and signed,

At London, December 15, 1875.

(L.S.) JOHN MANNERS, Postmaster-General of the United Kingdom of Great Britain and Ireland.

(L.S.) G. BARBAVARA, Il Direttore-Generale delle Poste del Regno d'Italia.

DECLARATION between Great Britain and Italy, prolonging the duration of the Treaty of Commerce and Navigation of August 6, 1863.* Signed at Rome, May 22, 1876.†

WHEREAS the Treaty of Commerce and Navigation between Great Britain and Italy of 6th August, 1863, would cease to be in force on the 26th June, 1876, in consequence of a denunciation made by the Italian Government, and the two Governments having recognised the utility of prolonging its duration, the Undersigned, duly authorised to this effect, have agreed to declare as follows:

The Treaty of Commerce and Navigation between Great Britain and Italy of the 6th August, 1863, will continue to remain in force until the 30th April, 1877.

In faith of which they have signed the present Declaration, made in duplicate, and have affixed their seals.

Done at Rome, on the 22nd of May, 1876.

(L.S.) A. B. PAGET.

(L.S.) MELEGARI.

DECLARATION between Great Britain and Italy, prolonging the duration of the Treaty of Commerce and Navigation of August 6, 1863.* Signed at Rome, April 10, 1877.†

WHEREAS the Treaty of Commerce and Navigation between Great Britain and Italy, of 6th August, 1863, would cease to be in force on the 30th April, 1877, in consequence of a denunciation made by the Italian Government, and the two Governments having recognised the utility of prolonging its duration, the Undersigned, being duly authorised to this effect, have agreed to declare as follows:

* See Vol. 11. Page 1112. † Signed also in the Italian language.
The Treaty of Commerce and Navigation between Great Britain and Italy of 6th August, 1863, will continue to remain in force until December 31, 1877.

In faith of which they have signed the present Declaration, made in duplicate, and have affixed their seals.

Done at Rome, on the 10th April, 1877.

(L.S.) A. B. Paget.
(L.S.) Melegari.

DECLARATION between Great Britain and Italy, relative to the disposal of the Estates of Deceased Seamen of the Two Nations.*
Signed at London, April 17, 1877.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the Government of His Majesty the King of Italy, being desirous to make arrangements as to the disposal of the property of deceased seamen of the two nations in certain cases, the Undersigned, duly authorised to that effect, have agreed as follows:

Art. I. If any British seaman dies on board an Italian ship, or whilst serving on board an Italian ship within Italian territory; or if, on the other hand, any Italian seaman dies on board a British vessel, or whilst serving on board a British vessel within British territory, the Governments of Italy and of Great Britain respectively shall provide as far as possible for the protection, without loss or injury, of any money or effects belonging to such deceased seaman.

In the case of a British seaman dying as aforesaid, the Italian Government shall cause the property, if not exceeding 50l. in value, to be delivered, as soon as possible after the decease, to the British Consul at the Italian port where the decease occurs; or if the decease does not occur at an Italian port, but on Italian territory, to the British Consul nearest to the place where such decease occurs, or where the property may be; or if such decease occurs at sea on board an Italian vessel, to the British Consul at the first Italian port at which the vessel arrives after such decease.

In the case of an Italian seaman dying, as aforesaid, his property, if not exceeding 50l. in value, shall, subject to the provision contained in Article II, be delivered, as soon as possible after the decease, to the Italian Consul at the British port where the decease occurs; or if the decease does not occur at a British port but on British territory, to the Italian Consul nearest to the place where such decease occurs, or where the property may be; or if such decease occurs at sea on board

* Signed also in the Italian language.
a British vessel, to the Italian Consul at the first British port at which the vessel arrives after such decease.

When the property exceeds 50l. in value, it shall, subject to the provision contained in Article II, be paid to the legal representative of the deceased according to the law of the nation of the ship or territory where the property is at the time of the decease.

In cases where a deceased seaman has signed articles either as an Italian or as a British subject, as the case may be, but the Government into whose possession his effects come is not satisfied of his nationality, that Government shall equally protect his property, and shall send an account of it, and its value, and of all information in the possession of the Government relating to the deceased, to the other Government as soon as possible, and shall deliver the property to the other Government immediately on receiving its assurance that there is no doubt that the deceased was a subject of it.

II. If the deceased shall have served in the Royal Navy of Great Britain, any assets which may be payable by the British Admiralty shall be dealt with according to the law of Great Britain.

III. The term "seaman" in this Declaration includes every person (except masters and pilots) employed or engaged in any capacity on board any merchant ship, or who has been so employed or engaged within 6 months before his death, and every person (not being a commissioned, warrant, or subordinate officer, or assistant engineer) borne on the books of, or forming part of the complement of, any public ship of war.

The term "Consul" includes Consul-General, Consul, Vice-Consul, and Consular Agent, and every person for the time being discharging the duties of Consul-General, Consul, Vice-Consul, or Consular Agent.

In witness whereof the Undersigned have signed the present Declaration, which shall come immediately into operation, and have affixed thereto the seal of their arms.

Done at London, the 17th day of April, 1877.

(L.S.) DERBY.

(L.S.) R. de MARTINO.


WHEREAS the Treaty of Commerce and Navigation between

* See Vol. 11. Page 1112. † Signed also in the Italian language.
Great Britain and Italy of the 6th August, 1863, would cease to be in force on the 31st December, 1877, in consequence of a denunciation made by the Italian Government, and the two Governments having recognised the utility of prolonging its duration, the Undersigned, duly authorised to this effect, have agreed to declare as follows:

The Treaty of Commerce and Navigation between Great Britain and Italy of the 6th August, 1863, will continue to remain in force until the 31st March, 1878.

In faith of which they have signed the present Declaration, made in duplicate, and have affixed their seals.

Done at Rome, on the 17th December, 1877.

(L.S.) A. B. Paget.
(L.S.) Melegari.

DECLARATION between Great Britain and Italy, for prolonging the duration of the Treaty of Commerce and Navigation of 6th August, 1863, until the 31st December, 1878. Signed at Rome, March 5, 1878.

WHEREAS the Treaty of Commerce and Navigation between Great Britain and Italy of the 6th August, 1863, would cease to be in force on the 31st March, 1878, and the two Governments having recognised the utility of prolonging its duration, the Undersigned, duly authorised to this effect, have agreed to declare as follows:

The Treaty of Commerce and Navigation between Great Britain and Italy of the 6th August, 1863, will continue to remain in force until the 31st December, 1878.

In faith of which they have signed the present Declaration, made in duplicate, and have affixed their seals.

Done at Rome, on the 5th March, 1878.

(L.S.) A. Paget.
(L.S.) Depretis.

DECLARATION between Great Britain and Italy, for prolonging the duration of the Treaty of Commerce and Navigation of 6th August, 1863, till 31st December, 1879. Signed at Rome, December 5, 1878.

WHEREAS the Treaty of Commerce and Navigation between Great Britain and Italy of 6th August, 1863, would cease to be in force on the 31st December, 1878, and the two Governments

* See Vol. 11. Page 1112.
† Signed also in the Italian language.
having recognised the utility of prolonging its duration, the
Undersigned, duly authorised to this effect, have agreed to
declare as follows:

The Treaty of Commerce and Navigation between Great
Britain and Italy, of 6th August, 1863, will continue to remain
in force until the 31st December, 1879.

In faith of which they have signed the present Declaration,
made in duplicate, and have affixed their seals.

Done at Rome, on the 5th December, 1878.

(L.S.) A. B. Paget.
(L.S.) B. Cairoli.

JOHANNA.

ENGAGEMENT of the Sultan of Johanna, as to protection to be
afforded to Immigrants in the Island of Johanna. March 8,
1873.

Sir,

Johanna, March 8, 1873.

I have the honour to inform your Excellency that, from this
day, I engage to insure to all immigrants into this Island of
Johanna the rights and privileges of free natives of Johanna,
and I especially engage to protect any persons who may be
rescued from slavery by the vessels of Her Britannic Majesty’s
Navy, and who may be permitted by the orders of Her
Majesty’s Government to reside in this island.

I have, &c,

Sultan Abdallah.

Sir Bartle Frere, G.C.S.I., K.C.B., &c.,
On Special Mission to Zanzibar and Muscat.

LUXEMBURG.

CONSTITUTION of the Grand-Duchy of Luxemburg, so far as
relates to Naturalization, Religion, and the conclusion of Treaties.
Loo, October 17, 1868.

Chapitre II.—Des Luxembourgeois et de leurs droits.

Naturalization.

Art. X. La naturalization est accordée par le pouvoir légis-
latif. Elle assimile l’étranger au Luxembourgeois, pour l'ex-
ercice des droits politiques. La naturalization accordée au père profite à son enfant mineur, si celui-ci déclare, dans les deux années de sa majorité, vouloir revendiquer ce bénéfice.

Religion.

ART. XIX. La liberté des cultes, celle de leur exercice public, ainsi que la liberté de manifester ses opinions religieuses, sont garanties, sauf la répression des délits commis à l'occasion de l'usage de ces libertés.

XX. Nul ne peut être contraint de concourir d'une manière quelconque aux actes et aux cérémonies d'un culte ni d'en observer les jours de repos.

XXI. Le mariage civil devra toujours précéder la bénéédiction nuptiale.

XXII. L'intervention de l'État dans la nomination et l'installation des chefs des cultes, le mode de nomination et de révocation des autres ministres des cultes, la faculté pour les uns et les autres de correspondre avec leurs supérieurs et de publier leurs actes, ainsi que les rapports de l'Église avec l'État, font l'objet de Conventions à soumettre à la Chambre des Députés pour les dispositions qui nécessitent son intervention.

CHAPITRE III.—§ 1. De la Prerogative du Roi Grand-Duc.

Traités.

ART. XXXVII. Le Roi Grand-Duc commande la force armée, déclare la guerre, et fait les Traités. Il en donne connaissance à la Chambre, aussitôt que l'intérêt et la sûreté de l'État le permettent, en y joignant les communications convenables. Les Traités de Commerce et ceux qui pourraient grever l'État ou lir individuellement des Luxembourgeois, et en général tous ceux portant sur une matière qui ne peut être réglée que par une loi, n'ont d'effet qu'après avoir reçu l'assentiment de la Chambre. Nulle cession, nul échange, nulle adjonction de territoire ne peut avoir lieu qu'en vertu d'une loi. Dans aucun cas, les Articles secrets d'un Traité ne peuvent être destructifs des Articles patents.

MADAGASCAR.

PROCLAMATION of the Queen of Madagascar, emancipating Mozambique Slaves. Tananarivo, October 2, 1874.

I, QUEEN RANAVALONA, by the Grace of God and the will of the people, Queen of Madagascar and defender of the law of my land.
I have made a Treaty with my friends across the sea, that no new people shall be introduced into my kingdom from beyond the sea, in order to be reduced to slavery.

Wherefore, I command, that whatever new Mozambique have been introduced into my kingdom since the 7th of June, in the year of Our Lord, 1865, when I finished the Treaty with my friends across the sea, shall be no longer slaves, but be reckoned amongst the number of my free subjects.

Wherefore, if they elect to remain here in Madagascar, they shall be permitted to remain and be reckoned amongst the number of my free subjects, and, if they desire to return across the sea whence they came, they may do so.

And if any are clearly seen to be concealing newly introduced Mozambique as slaves, and refuse to free them and to allow them to be reckoned amongst our free subjects, according to my command, I shall put them in chains for 10 years.

Saith: QUEEN RANAVALONA, Queen of Madagascar.
Saith: RAINILAIARIVONY, Prime Minister and Commander-in-Chief of Madagascar.
Tanansarivo, October 2, 1874.

MEXICO.

CONSTITUTION of the Mexican Republic, so far as relates to Nationality. Mexico, May 15, 1856.

(Translation.)

SECTION II.—Of the Inhabitants of the Republic.

Nationality.

ART. VI. Foreigners who have resided in the territory during one year, shall, for all legal purposes, be considered as domiciled.

VII. Domiciled foreigners shall be subject to military service in any foreign war, provided it be not with their respective Governments, as well to the payment of every kind of tax, whether extraordinary or personal, from which those who have no fixed residence are free. From this provision are excepted those who, in consequence of Treaties with their respective Governments, are not to be subjected to any of such obligations.

VIII. Foreigners cannot enjoy the political rights proper to natives, nor can they obtain ecclesiastical benefices.

SECTION III.—Of the Mexicans.

Nationality.

ART. X. Mexicans are those who are born within the terri-
tory of the nation; those born out of it, having a Mexican father or mother; those born out of the Republic but who being established in it in 1821, have sworn to observe the Act of Independence and have not repudiated the Mexican nationality; lastly, foreigners who have been naturalized conformably to the laws.

XI. Such as are born in the territory of the Republic of a foreign father and out of it of a Mexican mother, must, in order to enjoy the rights of Mexicans, declare their wish to that effect. This declaration must be made before the chief political authority of the town, should the party interested reside in Mexico, or before the respective Minister or Consul, should the said party be living out of the country.

XII. Any Mexican female who shall marry a foreigner shall follow the condition of her husband; but, should she become a widow, she may recover her nationality, in the manner prescribed in the preceding Article.

XIII. Letters of naturalization shall, upon their mere request, and without any other condition, be granted to foreigners who are either already married to, or who shall hereafter marry a Mexican female, or who are employed in any scientific pursuit, or in the commercial establishments of the Republic, or who acquire landed property in the same, conformably to the law.

XIV. The foreigner who is desirous of becoming naturalized, must previously prove, in due legal form, that he exercises some useful profession or trade for the purpose of obtaining an honest livelihood.

XV. The foreigner shall be considered as naturalized should he accept any public national employment, or belong to the army or navy, excepting always the case provided for in Article VII.

XVI. No letters of naturalization shall be granted to the subjects of another nation at war with the Republic.

XVIII. A Mexican, whether he be such by birth or by naturalization, who, without the previous and express consent of the Supreme Government, becomes naturalized in a foreign country, shall not be held exempted from the obligations of a Mexican, nor can he in any case allege the plea of being a foreigner.

XIX. The qualification of Mexican is lost:
1. By becoming legally naturalized in a foreign country;
2. By serving under the flag of another nation without the permission of the Government;
3. By accepting office, or decorations, from another Government without the permission of the Mexican one: the acceptance of literary employments and decorations is excepted;
4. By hoisting in their houses any foreign flag, in case of
occupation by a foreign enemy. Should the crime be proved, the guilty party shall be expelled from the territory of the Republic.

XX. Any Mexican who loses or forfeits the qualification of such, may be rehabilitated by the Government.

---

MOROCCO.

BRITISH ORDER IN COUNCIL, for the regulation of British Consular Jurisdiction in Morocco. Osborne, February 4, 1875.

At the Court at Osborne House, Isle of Wight, the 4th day of February, 1875.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the General Treaty made between Her Majesty the Queen and the Sultan of Morocco, on the 9th day of December, 1856,* it is agreed (among other things) to the effect following (Article XIV), that in all criminal cases, differences, disputes, or other causes of litigation arising between British subjects and the subjects or citizens of other foreign nations, no Moorish authority shall have a right to interfere unless a Moorish subject has received thereby injury to his person or property, in which case the Moorish authority, or one of his officers, shall have a right to be present at the tribunal of the Consul; such cases shall be decided solely in the tribunals of the foreign Consuls, without the interference of the Moorish Government, according to the established usages which had theretofore been acted upon, or might thereafter be arranged between such Consuls:

And whereas it seems to Her Majesty the Queen in Council expedient to make provision for the effectual exercise of the jurisdiction in the said Article mentioned:

Now, therefore, Her Majesty the Queen, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Acts, or otherwise, in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

I. In either of the following cases (that is to say) where,

(1.) A subject or citizen of or person enjoying the protection of a State in amity with Her Majesty the Queen other than Morocco (in this Order referred to as a foreigner) desires to institute or take before Her Majesty's Consul a suit or proceed-

ing of a civil nature against a British subject, or he has, before
the passing of this Order, instituted or taken such a suit or pro-
ceeding, and the same is then pending; or,
(2.) A British subject desires to institute or take before Her
Majesty's Consul a suit or proceeding of a civil nature against
a foreigner, or he has, before the passing of this Order, in-
stituted or taken such a suit or proceeding, and the same is then
pending:
The Consul shall entertain the suit or proceeding, and shall
hear and determine it.
Provided, that the Consul shall not proceed therein unless
and until the foreigner obtains and files in the Court of the
Consul, the consent, in writing, of the competent authority of
the foreigner's own nation to his submitting, and does submit,
to the jurisdiction of the Consul, and, if required by the Consul,
gives security, to the satisfaction of the Consul, by deposit or
otherwise, to pay fees, damages, costs, and expenses, and abide
by and perform the decision of the Consul subject to the right
of appeal.
II. Article X (relating to appeals) of the Order in Council
regulating Consular Jurisdiction in Morocco, dated the 27th
day of August, 1857,* and all other provisions of that Order
relating to civil suits and proceedings, shall extend and apply
to suits and proceedings within this Order, and this Order shall
(as far as may be) be read as one with the Order of the 27th
day of August, 1857.
III. Nothing in this Order shall prejudicially affect the law-
fulness or validity of any Order or thing made or done by any
of Her Majesty's Consuls before the passing of this Order; and
every such Order and thing shall be as lawful and valid, and
may be enforced and acted on, in like manner in all respects, as
if this Order had not been made.
And the Right Honourable the Earl of Derby, one of Her
Majesty's Principal Secretaries of State, is to give the necessary
directions herein given.

ARTHUR HELPS.

MUSCAT.

TREATY between Great Britain and Muscat, for the Abolition of
the Slave Trade. Signed at Muscat, April 14, 1873.

HER Majesty the Queen of the United Kingdom of Great
Britain and Ireland, and His Highness the Seyyid Toorkee-bin-

Said, Sultan of Muscat, being desirous to give more complete effect to the engagements entered into by the Sultan and his predecessors for the perpetual abolition of the Slave Trade, they have agreed to conclude a Treaty for this purpose which shall be binding upon themselves, their heirs and successors; and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, having appointed as Her Plenipotentiary Sir Henry Bartle Edward Frere, Knight Commander of the Most Honourable Order of the Bath, and Knight Grand Commander of the Most Exalted Order of the Star of India, he, having communicated to the Sultan of Muscat his full powers found in good and due form, and the aforesaid Sultan of Muscat, Seyyid, Torkee-bin-Said, acting on his own behalf, they have agreed upon and concluded the following Articles:

**Art. I.** The import of slaves from the coasts or islands of Africa or elsewhere into the dominions of Muscat, whether destined for transport from one part of the Sultan of Muscat's dominions to another, or for conveyance to foreign parts, shall entirely cease, and any vessels engaged in the transport or conveyance of slaves after this date shall be liable to seizure and condemnation by all such Naval and other Officers or Agents, and such Courts as may be authorised for that purpose on the part of Her Britannic Majesty; and all persons hereafter entering the Sultan's dominions and dependencies shall be free.

**II.** The Sultan engages that all public markets in his dominions for slaves shall be entirely closed.

**III.** The Sultan engages to protect, to the utmost of his power, all liberated slaves, and to punish severely any attempt to molest them or reduce them again to slavery.

**IV.** Her Britannic Majesty engages that natives of Indian States under British protection shall, from and after a date to be hereafter fixed, be prohibited from possessing slaves, and in the meanwhile from acquiring any fresh slaves.

**V.** The present Treaty shall be ratified by Her Majesty, and the ratification shall be forwarded to Muscat as soon as possible.*

In witness whereof, Sir Henry Bartle Edward Frere, on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and Seyyid Toorkee-bin-Said, Sultan of Muscat, on his own behalf, have signed the same and have affixed thereto their respective seals.

Done at Muscat, this 14th day of April, 1873.

(L.S.) H. B. E. F RERE.
(L.S.) SEYYID TOORKEE-BIN-SAID.

* Delivered to the Sultan in September, 1873.
TREATY between Great Britain and the Netherlands, for the mutual Surrender of Criminals.* Signed at the Hague, June 19, 1874.†

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Netherlands, having judged it expedient, with a view to the better administration of justice and to the prevention of crime within the two countries, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up; their said Majesties have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable Sir Edward Alfred John Harris, a Vice-Admiral in Her Majesty's Royal Navy, Knight Commander of the Most Honourable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Netherlands;

And His Majesty the King of the Netherlands, M. Joseph Lodewyk Hendrik Alfred Baron Gericke van Herwynen, Commander of the Order of the Netherlands Lion, Knight Grand Cross of the Oaken Crown of Luxemburg, &c., His Majesty's Minister for Foreign Affairs; and M. Gerrit de Vries, Commander of the Order of the Netherlands Lion, His Majesty's Minister of Justice;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles:

ART. I. It is agreed that Her Britannic Majesty and His Majesty the King of the Netherlands shall, on requisition made in their name by their respective Diplomatic Agents, deliver up to each other reciprocally, any persons who, being accused or convicted of any of the crimes hereinafter specified, committed within the jurisdiction of the requiring Party, shall be found within the territories of the other Party.

II. The crimes for which the extradition is to be granted are the following:

1. Murder (including assassination, parricide, infanticide, and poisoning), or attempt to murder.
2. Manslaughter.

* Ratifications exchanged at the Hague, July 21, 1874.
† Signed also in the Dutch language.
3. Counterfeiting or altering money, or uttering counterfeit or altered money.

4. Forgery, counterfeiting or altering of public or private documents, including forgery, counterfeiting or altering of paper money, bank notes, or other public securities.

5. Embezzlement or larceny, comprehending any larceny that by the Netherland Penal Law is not considered as "vol simple."

6. Obtaining money or goods by false pretences, including the crimes designated in the Netherland Penal Law as peculation, abstraction, or misapplication by bailies or public accountants.

7. Crimes against bankruptcy law which by the Netherland Penal Law are considered as fraudulent bankruptcy.

8. Perjury.

9. Rape.

10. Arson.

The extradition is also to take place for participation in any of the aforesaid crimes, provided such participation be punishable by the laws of both the Contracting Parties.

III. No subject of the Netherlands shall be delivered up by the Government of the Netherlands to the Government of the United Kingdom; and no subject of the United Kingdom shall be delivered up by the Government thereof to the Government of the Netherlands.

With reference to the application of the present Treaty, are comprised in the denomination of "subjects," not only naturalized citizens of the country, but also such foreigners as, according to the laws of either of the Contracting Parties, are assimilated to subjects, as well as such foreigners, who being domiciled in the country, and having married a citizen thereof, have one or more children by that marriage born there.

IV. The extradition shall not take place if the person claimed on the part of the Government of the United Kingdom, or the person claimed on the part of the Government of the Netherlands, has already been tried and discharged or punished, or is still under trial, in the Netherlands or in the United Kingdom respectively, for the crime for which his extradition is demanded.

If the person claimed on the part of the Government of the United Kingdom, or if the person claimed on the part of the Government of the Netherlands, should be under examination for any other crime in the Netherlands or in the United Kingdom respectively, his extradition shall be deferred until the conclusion of the trial, and the full execution of any punishment awarded to him.

The extradition shall also be deferred if the person claimed should be detained for debt by a sentence passed before the...
requisition for the surrender under the laws of the country where he shall be found.

V. The extradition shall not take place if, subsequently to the commission of the crime, or the institution of the penal prosecution, or the conviction thereon, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the State applied to.

VI. A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove that the requisition for his surrender has, in fact, been made with a view to try or to punish him for an offence of a political character.

VII. A person surrendered can in no case be kept in prison, or be brought to trial in the State to which the surrender has been made, for any other crime or on account of any other matters than those for which the extradition shall have taken place, until he has been restored or has had the opportunity of returning to the country from whence he was surrendered.

The period of one month shall be considered as the limit of the period during which the prisoner may, with the view of securing the benefits of this Article, return to the country from whence he was surrendered.

This stipulation does not apply to crimes committed after the extradition.

VIII. The requisition for extradition shall be made through the Diplomatic Agents of the High Contracting Parties, respectively.

The requisition for the extradition of an accused person must be accompanied by a warrant of arrest issued by the competent authority of the State requiring the extradition, and by such evidence as, according to the laws of the place where the accused is found, would justify his arrest if the crime had been committed there.

If the requisition relates to a person already convicted, it must be accompanied by the sentence of condemnation passed against the convicted person by the competent Court of the State that makes the requisition for extradition.

A requisition for extradition cannot be founded on sentences passed in contumaciam.

IX. If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the State applied to shall proceed to the arrest of the fugitive.

The prisoner is then to be brought before a competent magistrate, who is to examine him and to conduct the preliminary investigation of the case, according to the laws of the country in which he is found.

X. The extradition shall not take place before the expiration of 15 days from the committal, and then only if the
XI. A fugitive criminal may, however, be apprehended under a warrant issued by any police magistrate, justice of the peace, or other competent authority in either country, on such information or complaint, and such evidence, or after such proceedings as would, in the opinion of the person issuing the warrant, justify the issue of a warrant, if the crime had been committed or the prisoner convicted, in that part of the dominions of the two Contracting Parties in which he exercises jurisdiction: provided, however, that, in the United Kingdom, the accused shall, in such case, be sent as speedily as possible before a police magistrate in London. He shall be discharged as well in the United Kingdom as in the Netherlands, if within 14 days a requisition shall not have been made for his surrender by the Diplomatic Agent of his country.

XII. If, in any criminal matter pending in any Court or tribunal of one of the two countries, it is thought desirable to take the evidence of any witness in the other, such evidence may be taken by the judicial authorities in accordance with the laws in force on this subject in the country where the witness may be.

XIII. All articles seized, which were in the possession of the person to be surrendered at the time of his apprehension, shall, if the competent authority of the State applied to for the extradition has ordered the delivery thereof, be given up when the extradition takes place; and the said delivery shall extend not merely to the stolen articles, but to everything that may serve as a proof of the crime.

XIV. The High Contracting Parties renounce any claim for the reimbursement of the expenses incurred by them in the arrest and maintenance of the person to be surrendered, and his conveyance till placed on board ship, as well as for the reimbursement of the expenses incurred in taking the evidence of any witness in consequence of Article XII, and in giving up and returning seized articles. They reciprocally agree to bear such expenses themselves.

XV. The present Treaty shall come into force 10 days after its publication in conformity with the forms prescribed by the laws of the High Contracting Parties. It may be terminated by either of the High Contracting Parties, but shall remain in force for 6 months after notice has been given for its termination.

The Treaty shall be ratified, and the ratifications shall be exchanged at the Hague as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

* See Order in Council of August 6, 1874. Page 420.
Done at the Hague, the 19th day of June, in the year of Our Lord, 1874.

(L.S.) E. A. J. Harris.
(L.S.) L. Gericke.
(L.S.) De Vries.

BRITISH ORDER IN COUNCIL, relative to the Treaty between Great Britain and the Netherlands, of 19th June, 1874, for the Surrender of Fugitive Criminals. Osborne, August 6, 1874.

At the Court at Osborne House, Isle of Wight, the 6th day of August, 1874.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by an Act of Parliament made and passed in the Session of Parliament holden in the 33rd and 34th years of the reign of Her present Majesty [cap. 52],* intituled "An Act for amending the Law relating to the Extradition of Criminals," it was amongst other things enacted, that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Act shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty was concluded on the 19th day of June last between Her Majesty and the King of the Netherlands for the mutual Extradition of Fugitive Criminals, which Treaty is in the terms following:

[Here follows the Treaty. See Page 416.]

And whereas the ratifications of the said Treaty were exchanged at the Hague on the 21st day of July last.

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Act, doth order, and it is hereby ordered, that from and after the 17th day of August, 1874, the said Act shall apply in the case of the said Treaty with the King of the Netherlands.

ARTHUR HELPS.

NEW GRANADA.

LAW of New Granada, relative to the Free Navigation of the Rivers of the Republic by Foreign Steam Merchant Vessels. Bogotá, April 7, 1852.

(Translation.)

The Senate and Chamber of Representatives of New Granada, assembled in Congress, decree:

Art. I. From the publication of this Law the navigation of the rivers of the Republic in foreign steam merchant vessels under their own flag is free.

Sole §. The provision in this Article is not in opposition to the privileges granted by laws or agreements approved by the Congress.

II. The foreign vessels shall be liable to all the charges and obligations that are imposed on the native ones, and the crews to that subordination to the national authorities to which all the foreigners are subjected.

III. The Law of 11th April, 1846, on internal navigation, is modified in these terms.

IV. Any disputes that may arise in consequence of the provisions of this Law, or upon the understanding or interpretation thereof, shall be decided by the magistrates and in accordance with the laws of the Republic. In no case can any foreigner plead a right, immunity, or exemption not expressly recognised or granted by the laws or public Treaties; nor shall any other authority or functionaries be admitted than those legally established with jurisdiction in the said Republic.

Given at Bogotá, April 5, 1852.

Let this be executed and published.

Bogotá, April 7, 1852.

(L.S.) Jose Hilario Lopez, President of the Republic.

Jose M. Plata, Secretary for Foreign Affairs.


(Translation.)

The Senate and the Chamber of Representatives of New Granada, assembled in Congress, decree:

Art. I. The navigable rivers which extend to more than one province and those which serve for external commerce, may be freely navigated by every kind of merchant vessels of
any burthen, whether national or foreign; and their banks are
of free access for all that navigate them. The municipal
Governments and the owners of the adjacent lands cannot
impose any dues on the navigation of such rivers, on the
vessels which navigate them, or on the merchandise and other
articles which are conveyed therein.

II. The foreign vessels shall be liable to all the charges and
obligations that are imposed on the national ones, and the crews
shall be subordinate to the national authorities to which all the
foreigners are subjected.

III. At the places where these rivers divide the public roads,
their passage is free for all kinds of boats. But if, for the
facility and safety of the traffic, the provincial legislatures
should think it expedient to construct bridges, to maintain
boats, or to establish any apparatus for the passage of the river
at these places, they may do so, provided that the bridge or
apparatus does not obstruct the navigation along the river, and
they may also collect dues, such as bridge or passage tolls, or
allow them to be collected by the private persons whom they
have authorised to execute those works.

IV. The dues which are collected in virtue of the provision
in the foregoing Article can only be applied in payment of the
costs of the bridges, vessels and apparatus intended for the
passage of the river, in the maintenance of these works, in the
service of the passage, and in the improvement of the road of
which the said passage forms part.

V. If at the place of the passage the river should be the
dividing line of two provinces, the respective municipal Govern-
ments must come to an understanding for the regulation of the
passage and the construction or establishment of the necessary
works, and the funds which are applicable for the road shall be
divided between the two provinces for the purpose of expending
them legally.

VI. If one of the two municipal Governments interested in
the regulation of a passage should think it ought to be left
free, the other cannot subject it to restrictions; but if it be a
question of constructing a bridge and one of the two Govern-
ments does not wish to take part in the work, the other may
proceed to the construction by itself, and in this case the
Government that causes the execution of the work shall be
competent to expend the produce thereof legally.

VII. Any disputes that may arise in consequence of the
provisions of this Law, or upon the understanding or interpre-
tation thereof, shall be decided by the magistrates, and in
accordance with the laws of the Republic. In no case can any
foreigner plead a right, immunity, or exemption not expressly
recognised or granted by the laws or public Treaties, nor shall
the intervention of any authority or functionary be allowed
CONSTITUTION of New Granada; so far as relates to Nationality, the conclusion of Treaties, and Religion. Bogotá, May 22, 1858.

(Translation.)

CHAPTER I.—Of the Nation, and the Individuals of which it is composed.

Nationality.

Art. III. The following are Granadians:
1. All persons born, or who may hereafter be born, in the territory of the Confederation;
2. Those born abroad of Granadian parents;
3. Those who obtain letters of naturalization; and
4. Those who, not being comprised in the previous paragraphs, possess the qualities of Granadians, according to the Constitution of 1853.

IV. The following are considered as Granadians by birth:
1. All persons born, or that may hereafter be born, in the territory of the Confederation, and the children of Granadians born, or that may hereafter be born abroad.

SECTION 3.—The Legislative Power.

Treaties.

Art. XXIX. The following are the exclusive attributes of the Congress:
3. To determine on the Treaties and Agreements that the President of the Confederation may enter into with other nations, and upon the contracts made with the States, or with private individuals, native or foreign, which are to be submitted for his consideration.

SECTION 5.—Of the Executive Power of the Confederation.

Treaties.

Art. XLIII. The attributes of the President of the Republic are:

* See Page 421.
3. To negotiate and conclude public Treaties and Conventions with foreign nations, to ratify and exchange them after their approval by Congress, and to take care that they are punctually and faithfully observed.

CHAPTER V.—Of Individual Rights.

Religion.

ART. LVI. The Confederation acknowledges in favour of all inhabitants and passengers (transseuntes):

10. The free profession, both in public and private, of any religion; but acts that may disturb the public peace, or that may be declared punishable according to pre-existing laws, shall not be permitted.


(Translation.)

T. C. de Mosquera, Provisional President of the United States of New Granada, &c.

Referring to the Law of the 7th April, 1852, declaring the navigation of the rivers of the Republic to be free in steam merchant vessels, and especially to the provisions in Articles II and IV of that Law;

I decree:

ART I. Without prejudice to the continual protection and favour to be extended to every enterprise of steam navigation on the River Magdalena, as fully as the authority of the national Executive Power allows, it is declared, as a general rule, that the vessels employed in that navigation, and their captains, are bound to render any services that may be required of them by and for the Government of the Union, on previous payment of the indemnification agreed upon.

II. Vessels which do not prove another nationality shall be considered Granadian; for such proof, it shall suffice to present the commission issued in accordance with the laws of the nation to which the vessel belongs. This commission shall be presented to the national Executive Power through the office of the Secretary for Foreign Affairs.

Given at Bogotá, July 30, 1861.

T. C. de Mosquera.

JULIAN TRUJILLO, Secretary of Finance.

* See Page 421.
PACIFIC ISLANDS.

ACT of the British Parliament, to amend the Act of the Session of the 35th and 36th years of the reign of Her present Majesty, chapter 19, intituled "An Act for the prevention and punishment of Criminal Outrages upon Natives of the Islands in the Pacific Ocean."

[38 & 39 Vict., c. 51.] [2nd August, 1875.]

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act shall be construed as one with the Act of the Session of the 35th and 36th years of the reign of her present Majesty, chapter 19 (in this Act referred to as the principal Act); and the expression "this Act," when used in the principal Act, shall be deemed to include this Act.

The principal Act and this Act may be cited together as the Pacific Islanders Protection Acts, 1872 and 1875, and each of them may be cited separately as the Pacific Islanders Protection Act of the year in which it was passed.

2. Whereas by Section 3 of the principal Act it is enacted that it shall not be lawful for any British vessel to carry native labourers of the islands in the Pacific Ocean referred to in the said Act, not being part of the crew of such vessel, unless the master has given such bond as is therein mentioned, and has obtained from a Governor of one of the Australasian colonies or a British Consular officer a licence in the form contained in Schedule B to the said Act:

And whereas such licence does not authorise the carrying in a British vessel of the said native labourers for the purpose of carrying on any fishery, industry, or occupation in connection with the said vessel, and it is expedient to authorise the same:

Be it therefore enacted as follows:

The licence mentioned in Sections 3 and 5 of the principal Act may authorise a British vessel to carry native labourers in such vessel for the purpose of carrying on any fishery, industry, or occupation in connection with the said vessel, and may for that purpose be in the form contained in the Schedule B to this Act, in lieu of the form contained in Schedule B to the principal Act, and the bond mentioned in Section 3 of the principal Act shall in such case be in the form contained in Schedule A to this Act, in lieu of the form contained in Schedule A to the principal Act.

If a native labourer, carried in pursuance of a licence issued under this section, is not engaged in like manner as a seaman forming part of the crew of the vessel, by an agreement made in accordance with the Merchant Shipping Act, 1854, and the Acts amending the same, the engagement of such labourer shall be recorded in such manner and with such particulars as may be from time to time prescribed by Her Majesty by Order in Council; but in all cases the name of the labourer engaged shall be entered in the official log, with particulars sufficient to identify such labourer.

3. Whereas by Sections 6 and 16 of the principal Act provision is made with respect to the detention, seizure, and bringing in for adjudication of a British vessel suspected of being employed or found employed in the commission of the offences therein mentioned, or otherwise as in the said sections mentioned, and it is expedient to amend such provision: Be it therefore enacted as follows:

Where a British vessel may, under the principal Act, be detained, seized, and brought in for adjudication by any officer, all goods and effects found on board such vessel may also be detained, seized, and brought in for adjudication by such officer, either with or without such vessel; and all the provisions of the principal Act referring to the seizure or detention of a vessel shall, so far as is consistent with the tenor thereof, be construed also to refer to the seizure and detention of such goods and effects.

4. Whereas it is expedient to amend the provisions made by the principal Act with respect to the jurisdiction of the Admiralty Courts: Be it therefore enacted as follows:

The High Court of Admiralty of England and every Vice-Admiralty Court in Her Majesty's dominions out of the United Kingdom shall have jurisdiction to try and condemn as forfeited to Her Majesty, or restore any vessel, goods, and effects alleged to be detained or seized in pursuance of the principal Act or of this Act, and on restoring the same to award such damages in respect of the detention and seizure of such vessel, goods, and effects, or any of them, and of any person on board such vessel, and in respect of any act or thing done in relation to such detention or seizure, or in respect of any such matters, and in any case to make such order as to costs, as, subject to the provisions of the principal Act and this Act, the Court may think just.

For the purposes of the principal Act and this Act, any court mentioned in this section shall have the same powers as are by Sections 12 and 13 of the principal Act (which sections relate to the issue of commissions for the examination of witnesses and other matters relative to obtaining evidence) vested in the supreme court of any of the Australasian colonies, and further all powers which such court has in the case of any
vessel, goods, and effects, or matter brought before it in the exercise of its jurisdiction under any other Act or otherwise.

5. Sections 19 and 20 of the principal Act, which relate to proceedings instituted in, and an award of damages by, a Vice-Admiralty Court in respect of the seizure or detention of a vessel, shall extend to any such proceedings and award by the High Court of Admiralty of England, and to any such proceedings and award, either in that court or any Vice-Admiralty Court, in respect of the seizure or detention of any goods or effects authorised by this Act to be seized or detained.

6. It shall be lawful for Her Majesty to exercise power and jurisdiction over her subjects within any islands and places in the Pacific Ocean not being within Her Majesty's dominions, nor within the jurisdiction of any civilised Power, in the same and as ample a manner as if such power or jurisdiction had been acquired by the cession or conquest of territory, and by Order in Council to create and constitute the office of High Commissioner in, over, and for such islands and places, or some of them, and by the same or any other Order in Council to confer upon such High Commissioner power and authority, in her name and in her behalf, to make regulations for the government of her subjects in such islands and places, and to impose penalties, forfeitures, or imprisonments for the breach of such regulations.

It shall be lawful for Her Majesty, by Order in Council, to create a court of justice with civil, criminal, and Admiralty jurisdiction over Her Majesty's subjects within the islands and places to which the authority of the said High Commissioner shall extend, and with power to take cognizance of all crimes and offences committed by Her Majesty's subjects within any of the said islands and places, or upon the sea, or in any haven, river, creek, or place within the jurisdiction of the Admiralty; and Her Majesty may, by Order in Council, from time to time direct that all the powers and jurisdiction aforesaid, or any part thereof, shall be vested in, and may be exercised by, the court of any British colony designated in such Order, concurrently with the High Commissioner's Court or otherwise, and may provide for the transmission of offenders to any such colony for trial and punishment, and for the admission in evidence on such trial of the depositions of witnesses taken in such islands and places as aforesaid, and for all other matters necessary for carrying out the provisions of such Order in Council.

It shall also be lawful for Her Majesty, by any Order or Orders in Council, from time to time to ordain for the government of Her Majesty's subjects, being within such islands and places, any law or ordinance which to Her Majesty in Council may seem meet, as fully and effectually as any such law or ordinance could be made by Her Majesty in Council for the
government of Her Majesty's subjects within any territory acquired by cession or conquest.

The person for the time being lawfully acting in the capacity of High Commissioner, and any Deputy Commissioner duly appointed and empowered under the provisions of any such Order in Council as aforesaid, and acting under the directions of the High Commissioner, shall have and may exercise and perform any power, authority, jurisdiction, and duty vested in or imposed upon any British Consular officer by the principal Act or by any other Act, having reference to such Consular officers, passed either before or after the passing of this Act; and every such Act shall be construed as if the said High Commissioner and Deputy Commissioner were named therein in addition to a British Consular officer.

7. Nothing herein or in any such Order in Council contained shall extend or be construed to extend to invest Her Majesty, her heirs or successors, with any claim or title whatsoever to dominion or sovereignty over any such islands or places as aforesaid, or to derogate from the rights of the tribes or people inhabiting such islands or places, or of chiefs or rulers thereof, to such sovereignty or dominion; and a copy of every such Order in Council shall be laid before each House of Parliament within 30 days after the issue thereof, unless Parliament shall not then be in session, in which case a copy shall be laid before each House of Parliament within 30 days after the commencement of the next ensuing session.

8. Whereas by reason of the cession to Her Majesty of the colony of Fiji, it is expedient to amend the definition of Australasian colonies in the principal Act: Be it therefore enacted as follows:

The term “Australasian colonies” in the principal Act and this Act shall mean and include the colony of Fiji.

Subject to the provisions of any Act or Ordinance passed by the Legislature of the Colony of Fiji, the provisions of the principal Act and this Act shall continue to apply and be deemed always to have continued to apply to natives of Fiji in like manner as if they were natives of islands in the Pacific Ocean not being in Her Majesty’s dominions nor within the jurisdiction of any civilised Power.

9. The forms in the schedules to the principal Act shall be altered by the substitution of a reference to the Pacific Islanders Protection Acts, 1872 and 1875, for the reference therein to the principal Act.

10. This Act shall be proclaimed in each Australasian colony by the Governor thereof within 6 weeks after a copy of it has been received by such Governor, and shall take effect in the said colony from the day of such proclamation.

11. Sections 1, 18, and 21, of the principal Act are hereby
repealed, without prejudice to anything duly done or suffered in pursuance of those sections, or any right or liability acquired, accrued, or incurred under those sections, or any investigation, legal proceeding, or remedy in respect of any such right or liability, or otherwise commenced in pursuance of those sections, and any such investigation, legal proceeding, and remedy may be carried on as if this Act had not passed.

**SCHEDULE A.**

*Form of Bond to be entered into by Masters of Vessels under the “Pacific Islanders Protection Acts, 1872 and 1875.”*

Know all men by these presents, that we, A.B., of , and C.D., of , are held and firmly bound unto our Sovereign Lady Queen Victoria, by the Grace of God the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, in the sum of £500 of good and lawful money of Great Britain, to be paid to our said Sovereign Lady the Queen, her heirs and successors, to which payment well and truly to be made we bind ourselves and every of us, jointly and severally, for and in the whole, our heirs, executors, and administrators, and every of them, firmly by these presents.

Sealed with our seals. Dated this day of , 187 .

Whereas it is enacted by “The Pacific Islanders Protection Act, 1875,” that a licence may be given by the Governor of one of the Australian colonies, as therein defined, or a British Consular officer, authorising a British vessel to carry native labourers in such vessel for the purpose of carrying on any fishery, industry, or occupation in connexion with the said vessel.

Now the condition of their obligation is this, that if in respect of the vessel , whereof the above bounden A.B. is master, all and every the requirements of the said Acts, so far as they are applicable thereto, and of the licence issued under “The Pacific Islanders Protection Act, 1875,” to the said master shall be well and truly performed, and if the above bounden A.B. shall satisfy the Governor of any of Her Majesty’s Australian colonies, or the British Consular officer aforesaid, that no kidnapping was allowed or connived at by any person on board or connected with the said vessel during the currency of the said licence, then this obligation is to be void, otherwise to remain in full force.

Signed, sealed, and delivered by the above bounden A.B. and C.D., in the presence of , of .

(L.S.)

SCHEDULE B.

(Royal Arms.)

*Licence for the Employment of Natives at Sea.*

A.B., master of the , the vessel more particularly described below, having shown to my satisfaction that he is engaged in the fishery [or industry or occupation, as the case may be] of , in connexion with such vessel, and having given the bond to Her Majesty required by the Pacific Islanders Protection Acts, 1872 and 1875, I [the Governor of the Colony of , or Her Majesty’s Consul of , as the case may be] do hereby, in exercise of the authority for that purpose conferred on me by the said Acts, license the said vessel to employ in the said fishery [or as the case may be] not more than native labourers from the day of , 18 , to the day of , 18 .

Should this vessel be found to answer the subjoined description, and appear to be strictly engaged in the lawful pursuit of the above-mentioned object, it is the direction of Her Majesty’s Government that she shall not be obstructed in the prosecution of her present voyage, nor in the shipment, employment, or landing of her native hands.
This licence shall not be transferable, and shall be available only for the period aforesaid.

Description of the Vessel above referred to.

Tons (registered tonnage)  
Rig (i.e., ship, barque, brig, &c.)  
How painted  
Name painted on stern  
Whether any poop  
Whether any quarter galleries  
Whether a top-gallant forecastle  
Name of chief officer  
Numbers of officers and crew, including surgeon, if any  
Bound from  to  
Given under my hand and seal at , this day of , 18 .

To the respective flag officers, captains, and commanding officers of Her Majesty's ships, and to all others whom it may concern.

PERU.

CONSTITUTION of the Republic of Peru; so far as relates to Religion, Nationality, and the conclusion of Treaties. Lima, August 29, 1867.

(Translation.)

SECTION II.—Religion.

ART. III. The nation professes the Roman Catholic Apostolic Religion. The State protects it, and does not allow the public worship of any other.

SECTION V.—Nationality.

ART. XXXII. There are Peruvians by birth and Peruvians by naturalization.

XXXIII. Peruvians by birth are:

1st. Those who are born within the territory of the Republic;

2nd. The sons of a Peruvian father or mother born in a foreign country, and whose names have been inscribed in the civic register by will of their parents during their minority, or by their own on their coming of age, or having been emancipated.

XXXIV. The rights of Peruvians by birth shall be enjoyed by:

1st. All foreigners who were in the country when the Independence was proclaimed and sworn, and who have since continued to reside therein.
2nd. All foreigners who were engaged in the war of the Independence, and also the conquerors in Abtao and in Callao, residing in the country.

XXXV. In order that the foreigners comprised in the foregoing Article may enjoy the rights of Peruvians by birth, they will have to inscribe their names in the civic register of the province wherein they reside.

Those who already enjoy these rights by virtue of pre-existing laws, or because they are in the service of the Republic, are excepted from this provision.

XXXVI. Peruvians by naturalization are:

Foreigners of the age of 21, residing in Peru, following some trade, calling, or profession, and who have inscribed their names in the civic register in the manner directed by law.

Every Peruvian is required to serve the Republic with his person and his property in the manner and degree appointed by the laws.

SECTION VI.—Citizenship.

Art. XLII. The right of citizenship is forfeited:
1st. By judicial sentence to that effect;
2nd. For fraudulent bankruptcy judicially declared;
3rd. For having obtained and exercised the right of citizenship in a monarchical State;
4th. For accepting from a foreign Government employment, title, or decoration, without leave of the Congress;
5th. For traffic in slaves, wherever carried on.

SECTION VIII.—Legislative Power.

Treaties.

Art. LIX. The following are attributions of the Congress:
17th. To resolve on the declaration of war, on previous report from the Executive Power, and to require him in due time to negotiate for peace.
18th. To approve or disapprove Treaties of Peace, Concordats, and other Conventions connected with foreign affairs.

SECTION X.—The Executive Power.

Art. LXXXV. The following are attributions of the President of the Republic:
11. To direct diplomatic negotiations and to conclude Treaties, which have to be submitted to Congress for approval, without which they will possess no validity whatsoever.
DECREES of the President of Peru, opening the Navigation of the Rivers of the Republic to Merchant Vessels of all Countries. Lima, December 17, 1868.

(Translation.)

JOSE BALTA, Constitutional President of the Republic,

Considering:

That the development and greatness of the country cannot be secured but by means of freedom, foreign immigration, and the granting all possible facilities to the commerce of the world.

That one of the means to attain this end is to open navigation on the rivers to foreign vessels of whatsoever nation.

That the only obstacle which once existed to carry out said freedom of navigation with respect to the Amazon river has disappeared, inasmuch as the Government of Brazil, in so far as they are concerned, have decreed freedom of navigation, which law came in force on the 7th September, 1867.*

That although by the Law of 31st December, 1862, equal rights were conceded to foreign commercial steamers to those under the national flag, this law did not refer to rivers.

I decree:

ART. I. The navigation of all rivers within the Republic is opened to merchant vessels of whatsoever nation.

II. The necessary orders and regulations will be issued by the respective departments.

The Minister for Foreign Affairs is charged with the fulfilment of this Decree.

Given at Government House in Lima, 17th December, 1868.

JOSE BALTA.

J. A. BARRENECHEA.

---

PORTUGAL.

---

LAW of Portugal, respecting the Freedom of Libertos. Palace of Ajuda, April 29, 1875.

(Translation.)

DOM LUIZ, by the grace of God King of Portugal and of the Algarves, &c. We give notice to all our subjects that the General Cortes have decreed and we will the following Law:

CHAPTER I.—Of the Condition of Freedom conferred on the Freedmen, and of the guardianship to which they are subject.

ART. I. One year after the publication of this Law in the

provinces beyond sea, the servile condition described in the Decree with force of law of 25th February, 1869, is considered extinct, and those to whom it refers are declared free.

II. The persons who will thus obtain the condition of freedom are subject to public guardianship, on the terms of the present Law.

§ 1. Those are excepted who shall be engaged in the practice of any art or calling, those who know how to read and write, or are engaged in public or private instruction.

§ 2. The public guardianship ceases by right on the 29th of April, 1878, by effect of the Decree with force of law of 29th April, 1850.

III. In each of the Provinces of Angola, Mozambique, and St. Thomé and Principe, there shall be a magistrate, Curator-General, appointed by the Government, whose office it shall be to exercise the public guardianship mentioned in the preceding Article in each of the said provinces, as well as the other functions assigned to him by this Law, or that may be so assigned by the Government regulations.

§ 1. The Governor of the Province in Council shall have superior authority over the Curator-General.

§ 2. Their salary shall be 1,200 dollars, and for all legal effects they are placed in the same position as the Crown and Exchequer Advocates in the provinces beyond sea.

IV. The labour of the persons referred to in Article II is declared free, so that they may arrange its conditions and receive the pay agreed upon.

CHAPTER II.—Of the Contracts for Labour to be done by Persons subject to public Guardianship.

V. The persons who by this Law are subject to public guardianship shall be bound to engage their services for two years, and this engagement must be shown to the authority.

§ 1. These engagements shall be made by preference with the former masters, if they desire it, all the rest being subject to the provisions of this Law.

§ 2. The Curator-General shall take special cognizance of these engagements, and he may oppose them if he find reasons why he should not consent to them.

§ 3. If engagements be not made with the former masters they must be made with others.

§ 4. The regulations must determine the special conditions which, besides those declared by this Law, are to be observed in the engagements, with regard to sex, and the various states of minority and full age.

VI. The engagements may be:

1. For labour only.
2. For labour and settlement on grant of lands.
3. For settlement only on grant of lands.
4. To serve in the same province.
5. To serve in different provinces.

VII. The engagements treated of in the foregoing Article must be made before the public authority that has been authorised to attend to them by the Curator-General, and they must be properly registered.

Sole §. When the engagements are for places out of the province, they must also be submitted to the authorities in such places, and be duly registered there.

VIII. No engagement can be entered into without a stipulation of wages, or of wages, maintenance, and clothing.

IX. The tables of the regulations for each province are to fix the minimum of wages, rations, and clothing that must be given to the servants or settlers by the masters or landlords who engage their services, and the working days and working hours in each day, with relation to the callings and the conditions of sex and age.

X. Engagements with conditions of remuneration and warranty inferior to those fixed by the respective regulations shall not be approved.

XI. Engagements for grant of lands shall be made according to the provisions of the Civil Code.

XII. If engagements for grant of lands should also contain the obligation to render services, the latter must not extend to more than a moiety of the available time according to the regulations; they must not be for more than two years, nor must they stipulate a certain price for the sale of goods, or that the said goods be only sold to the landlord.

Sole §. The regulations for each province shall fix the minimum of a grant of lands that can be stipulated for each settler, single or with family.

XIII. Settlers cannot enter into engagements that would separate them from their wives or their children up to the age of 15 years.

XIV. Engagements with obligation to render personal service cannot be sub-let by the master or landlord without the consent of the servant or tenant, except in the cases specially authorised by this Law; and when a sub-letting does take place, it must be done with all the formalities required for the original engagement, and be subject to the same conditions.

XV. The engagements shall only be made by the persons concerned themselves, or by agents duly authorised by the Governor of the Province in Council, on the conditions to be established in the regulations.

XVI. Engagements for rendering services shall not be allowed unless the master shows, before the authority that has to authorise the engagement, that he is a farmer or is engaged
in business with a regular establishment. Engagements for
domestic service are excepted.

XVII. Advances of wages to be afterwards deducted must
not exceed two months in each year.

These advances shall be considered as paid at the end of
12 months from their date, if they have not been so previously,
and the deduction for them cannot be more than a twelfth in
each month.

XVIII. Engagements for rendering services cannot be pro-
longed before the expiration of their term.

§ 1. At the expiration of the term of the obligatory engage-
ments referred to in Article V, as well as at the free renewal of
engagements by settlers and servants, and in engagements
newly made, the prescriptions of the present Law shall always
be observed, in so far as they can be applied, in the form that
will be determined by the Government regulations.

§ 2. The provision in § 1 of Article V is not applicable to
these engagements.

XIX. The organization of companies of labourers or work-
men to render services to the agriculturalists or tradesmen who
cannot or do not wish to make engagements for years is
authorised.

§ 1. The workmen who engage themselves in this manner
cannot do so for longer terms than those fixed in Article V.

§ 2. The regulations shall establish a table of the lowest
rate of wages at which engagements can be made, and the
other indispensable conditions for such engagements.

§ 3. The table must be revised every year.

§ 4. The conditions of the labour to be thus performed shall
be the same as those indicated for the other engagements.

§ 5. The regulations made in each province for the execu-
tion of this Article shall be submitted for the approval of the
Government of the mother country.

CHAPTER III.— Of Engagements for rendering Service and for
Settlement out of the respective Provinces.

XX. Engagements for rendering service and for settle-
ment out of the province shall be subject to the established
conditions.

XXI. These engagements may be made by the masters or
landlords themselves, on proof of the conditions mentioned in
Article XVI, or by agents specially authorised according to the
terms of Article XV, and who have given security.

Sole §. The engagements treated of in this Article must be
concluded with the established formalities, and the agents must
give account to the Curator-General of the engagements which
they thus have made.
XXII. The conveyance of settlers or servants can only take place in vessels specially registered for this purpose, on the security or deposit fixed by the regulations, and joint responsibility of ship, owner, and commander.

XXIII. The engagements must always contain an obligation to pay for the conveyance of the settlers and their families, who, on the expiration of the term of engagement, shall wish to return to their country.

XXIV. The Government, if it shall think fit, may authorise the Governor of the Province of St. Thomé and Principe to engage, on account of the province, settlers in any other place, and such engagements may be sub-let to private persons on the same conditions.

XXV. These engagements shall not be allowed if it appear in any way that they serve to encourage the slave trade.

XXVI. The embarkation of negro labourers engaged shall not be allowed until the regulations treated of in this Law are made.

CHAPTER IV.—Of Vagabondage and of the Punishments.

XXVII. The persons referred to in Article I, who, in accordance with Article CCLVI of the Penal Code, shall be declared vagabonds, shall be liable to forced labour up to two years in the State establishments specially instituted for the purpose, or in the forts and public works of the province, and they shall receive such wages as shall be determined by the respective Governor in Council.

§ 1. They may, however, at any time engage their services to private persons, and then the forced public service will cease.

§ 2. The public authority cannot cede the services of these men to private persons except on the terms authorised by this Law, in the case of Articles XIX and XXIV, or on engagements freely made by the men themselves, according to the established conditions.

XXVIII. Those who disturb or endeavour to disturb the labour of servants or settlers, or entice them to abandon it, will be liable to the punishment fixed in the Penal Code.

XXIX. Persons who have engaged their services cannot be prevented by their masters or landlords from applying to the local protective authorities.

XXX. Those who prevent or endeavour to prevent them shall be punished according to the terms of the Penal Code, and moreover the engagement shall be considered as dissolved if the servant or settler wishes it to be so. In this case the master or landlord shall not be entitled to any indemnification for the part of the term of engagement still unexpired.

XXXI. The Curator-General shall watch over the performance
of the engagements, and shall promote, by the proper means, the nullification of those wherein the clauses are not fulfilled.

CHAPTER V.—Of the Indemnifications for the Grant of Freedom.

XXXII. The Government shall order a strict inquiry to ascertain,

1. The manner in which the registration of the freedmen has been made in the different provinces, in virtue of the Decree of 14th December, 1854,* and the subsequent legislation.

2. What registers are found in accordance with the conditions of No. 2 of Article II of the Decree of 24th July, 1856.†

3. What is the average value of the servile labour in each province.

XXXIII. In order to have a claim for indemnification it will be necessary for everyone interested to prove before the Government Council the number of freedmen that he had in his service, whence they came, the date of their registration, their present age, and the works in which they were employed at the date of this Law, and that he has paid the settled taxes for each slave or freedman of whose service he had the benefit.

XXXIV. The proceedings for the valuation of the indemnification, treated of in Article XXXIII, shall be administrative, and shall be finally decided in the Government Council of the province.

Sole §. The conditions and formalities of these proceedings shall be settled in the Government regulations.

XXXV. The indemnification and the form of its payment can only be determined by law after the fulfilment of the conditions treated of in the preceding Articles.

XXXVI. From the date of the publication of the present Law in each of the provinces beyond sea, all the slaves or freedmen who shall be brought into those provinces shall be considered free by effect of the Law, independently of declaration.

Sole §. The Curator-General shall watch, ex officio, over the perfect fulfilment of this provision.

XXXVII. The Curators-General shall report every 6 months to the Governors of the provinces on the manner in which this Law is executed, and the Governors shall report thereon to the Government.

XXXVIII. The Government shall make general regulations for the execution of this Law.

XXXIX. The laws to the contrary are revoked.

We therefore command all the authorities to whom the knowledge and execution of the said Law appertain, to fulfil it, and to see that it be fulfilled and observed to the full extent of its provisions.

The Minister and Secretary of State for Foreign Affairs and,

pro tem, for Marine and Colonies, is to have it printed, published, and circulated.

Given at the Palace of Ajuda, the 29th of April, 1875.
The King (with rubric and flourish).

JOAO DE ANDRADE CORVO.

(Great Seal of the Royal Arms.)

DECREE of the King of Portugal, promulgating the Regulations relative to the Abolition of the Servile Condition of all Libertos in the Transmarine Provinces of Portugal. Lisbon, December 20, 1875.

(Translation.)

WHEREAS a draft of the Regulations drawn up by the Committee appointed by the Decree of the 29th of April last, for the purpose of carrying into effect the Law of the same date, which abolished the servile condition of the "libertos" in the Transmarine Provinces, has been laid before me;

And whereas it is an urgent matter that the said Regulations, which complete and develop the object of that Law, establishing the recognition of the freedom of labour in the Portuguese African Colonies upon a solid basis;

Availing myself of the authority conferred upon my Government by Article XV, § 1, of the Additional Act to the Constitutional Charter of the Kingdom;

After having consulted the Colonial Board and the Council of Ministers;

I am pleased to decree as follows:

ART. I. The Regulations for the execution of the Law of the 29th of April of this year, which abolished the servile condition of the "libertos" in the Transmarine Provinces, which forms part of this Decree, and is subjoined hereto under the signature of the Minister and Secretary of State for Foreign Affairs, and ad interim, for the Navy and Colonies, is hereby approved.

II. All legislation to the contrary is hereby revoked.

The said Minister and Secretary of State shall accordingly carry out the said Decree.

At the Palace, December 20, 1875.

THE KING.

JOAO DE ANDRADE CORVO.

* See Page 432.
REGULATIONS for the due execution of the Law of 29th of April, 1875.* Lisbon, December 20, 1875.

CHAPTER I.— Of the Condition of Liberty accorded to the "Libertos," and of the Tutelage to which they are to remain subject.

Art. I. At the expiration of one year after the publication in the Transmarine Provinces of the Law of 29th April, 1875, which abolished the servile condition of the "libertos" ("freed men"), the latter shall be considered free for all intents and purposes.

II. The provision laid down in Article I applies, pleno jure, not only to all the "libertos" at present existing in each of the Transmarine Provinces, but also to any "libertos" or slaves that may be introduced therein, and no further declaration shall be requisite for that purpose.

III. All individuals that shall thus acquire the condition of freedom shall, in accordance with Article II of the Law, remain subject to public tutelage, and they are as follows:

1. All those who may still be under the condition of "libertos" in virtue of the Decree of 14th December, 1854.†

2. The children of a slave woman, as referred to in Article II of the Law of 24th July, 1856.‡

3. Those who passed to the state of "libertos" in virtue of the Decree of 29th February, 1869.§

4. All those who may have been in any manner introduced into any of the Transmarine Provinces as "libertos," and are still in that state.

§. Those professing any art or trade which they may exercise, and knowing how to read and write, or those engaged in public or private tuition, shall not remain subject to the public tutelage referred to in this Article.

IV. The public tutelage mentioned in Article III will cease de jure on the 29th of April, 1878.

V. The labour of those who remain subject to public tutelage is declared free in order to enable them to stipulate the conditions thereof, and to receive the wages agreed upon; nevertheless, they are bound to contract their services in accordance with the provisions contained in these Regulations.

VI. The public tutelage is to be exclusively exercised by a Curator-General and by the Governor of the Province, whenever in the discharge of his functions, as conferred upon him in section 1 of Article III of the Law, he shall give a decision as the chief authority therein.

VII. The duties appertaining to the public tutelage referred to in these Regulations are those decreed in the Law, and which are herein noted.

VIII. The General Curator is the protector *ex officio* of those who remain subject to public tutelage, and it shall be his duty,

1. To exercise an intervention in the contracts of labour which they are bound to perform in virtue of Article V of the Law.

2. To cause, under his responsibility, all the provisions contained in the Law, and in these Regulations, to be observed in the contracts in question.

3. To oppose the conclusion of any contracts, whenever he shall think it his duty not to give his consent thereto for some special motives.

4. To watch over the faithful compliance with the contracts on the part of the masters, either in person or by means of his subordinate authority, and he may proceed, or cause his delegates to proceed, to any inspections that may be requisite.

5. To receive directly, or by means of the authority charged with this duty by these Regulations, any representations or complaints that may be addressed to him with reference to the carrying out of those contracts.

6. To withdraw the sanction already given to any contracts whenever there may be sufficient grounds to do so, in consequence of any violation of the Law or of these Regulations.

7. To take the necessary steps for the due execution of, and compliance with, all the clauses which protect those who have engaged their services to others, and also to compel them to carry out the duties imposed upon them by the Law and by these Regulations.

8 and finally. To discharge all the other duties intrusted to him by the Law and by these Regulations.

IX. The General Curator shall correspond directly with the Marine and Colonial Department, with all the authorities of the province, and with the Governors and Curators of other provinces.

X. The administrative authorities of the different ("concelhos") districts, as well as the public prosecutors, are bound to give him their assistance, and to carry out whatever duties may be entrusted to them in their respective "concelhos" and districts by the Curator-General.

XI. Whenever the Curator-General shall, in virtue of the powers conferred upon him, consider it his duty to withdraw the sanction that may already have been given to any contract, he shall, before doing so, institute all the necessary inquiries, hearing what the masters or the complainant, or else his representative, may have to say upon the matter, and he may question witnesses or cause them to be questioned, and embody their depositions in authentic form.

§. From the decision given by the Curator-General, the only appeal that can be made is to the Governor of the Province in Council.
XII. All contracts, from which the sanction shall thus have been withdrawn, are null and void, saving the right of the colonists or labourers to be paid their return passage, in case the latter should be due to them.

XIII. When those subject to public tutelage in accordance with these Regulations shall happen to be minors according to the Civil Code, it will be the special duty of the Curator-General to exercise, either in person or through the public delegates in the different judicial districts, the several functions entrusted by law to the public delegates.

XIV. With the exception of the cases mentioned in the foregoing Article, the decision of the Curator-General can only be overruled by the Governor-General of the Province in Council.

XV. The Governor of the Province may issue an order for laying before him any matters that may have already been decided by the Curator-General, but his decision thereon must always be given in Council.

XVI. The Curator-General may, whenever he may think it expedient, inspect in person, or cause his delegates to inspect, how the several duties and services subject to his supervision and authority are carried out.

§ 1. While he is carrying on such inspection, he shall receive from the Provincial Treasury the same allowance which is given to judges while inspecting their respective districts.

§ 2. If the said inspection is made by delegate, the latter shall receive the allowance which the Governor in Council shall determine, but in no case is it to exceed the sum referred to in section 1.

XVII. The Curator-General shall not be hindered in any way from discharging his proper functions by any authorities in the Province, and the latter shall afford him aid and assistance in the discharge thereof, as far as in them lies, saving, however, the duties committed to the Governor of the Province in section 1 of Article III of the Law, and in Article XV of these Regulations.

XVIII. The Curator-General's office shall be held in the office of the Government of the Province, and he shall have under him as many clerks as he may require.

§. The number of these clerks and their pay shall be fixed by the Governor in Council, according to the requirements of the public service.

XIX. The Curator-General is a member of the Council of Government, as organised in Article XXVI of the Decree of December 1, 1869, but he is not to take part in any appeals made thereto from any decisions given by him.

XX. The Curator-General's salary is 1,200 reis;* for all

* About £266.
CHAPTER II.—Of the Contracts for the Labour of any Individuals subject to Public Tutelage.

XXI. All individuals subject to public tutelage in virtue of these Regulations, if more than 7 years old, are bound to contract their services for two years, from the date of the publication of the Law in each of the Transmarine Provinces, either personally or through their representatives.

§ 1. Such contracts shall be made in preference with their former masters, should the latter wish it, the said contracts being in all things subject to the conditions laid down in these Regulations.

§ 2. Should the contracts not be made with their present masters, they shall be made with others.

XXII. The contracts are as follows:
1. Solely for the performance of labour.
2. For the performance of labour and for the purpose of colonization by means of the concession of land.
3. Solely for the purpose of colonization by means of the concession of land.
4. For service in their own province.
5. For service in another province.

XXIII. The contracts may be made with the sole stipulation for wages, or else for wages, food, and clothing.

XXIV. Those are to be considered colonists who contract their services solely for the purpose of colonization by means of the concession of land, or else by means of the concession of land and performance of labour.

Those are to be considered servants who make contracts solely for the performance of labour.

Those contracted for apprenticeship are to be considered servants.

XXV. All contracts made solely for the concession of land shall be drawn up in accordance with the provisions of the Civil Code, and they may be made, according to the agreement between the parties, either for a limited period or in perpetuam, as laid down in the said Code.

XXVI. Should the concession of land be coupled with the performance of personal service, the latter cannot be made obligatory for more than one-half of the working time, or for a longer period than two years.

XXVII. In the contracts for colonization no certain price shall be stipulated for the sale of any produce grown by the colonist, or that it is only to be sold to the landlord.
XXVIII. The following specifications shall be inserted in the regulations of each province, namely:

1. The minimum amount of concession of lands which may be stipulated for with each colonist, with or without a family, and with or without any engagement for the performance of labour.

2. The minimum of wages and rations, as well as the clothing and lodging of the persons contracted for, with the necessary references as to age and sex.

3. The necessary conditions and nature of the labour to be performed, specifying the hours of labour per diem with reference to the ages from 7 to 11, from 11 to 15, and from that age upwards.

4. The respective blank forms to be filled up with the records of the different proceedings, &c.

For each of the periods above-mentioned the amount of labour to be sanctioned, as well as the hours for labour, shall be in proportion to the respective sexes and ages of the labourers, having in view Article XXXVII of these Regulations.

XXIX. No contracts can be made with any colonists so as to entail a separation from their wives or from their children up to the age of 15 years.

XXX. All minors who may happen to be foundlings, or abandoned by their parents, shall, when making their contracts, be subject to the provisions laid down in these Regulations in addition to those contained in the respective "Titles" of the Civil Code.

XXXI. The contracts shall specify as much as possible the nature of the services to be performed, and in what district and place; the wages, rations, and clothing to be paid to the parties contracted for, as well as the hours of labour per diem, excepting holidays to which they bind themselves.

XXXII. Every servant or colonist who may also be liable to personal service shall be furnished by their masters with a bed raised from the ground, with clothing every year, and with all articles that may be absolutely requisite for preparing, &c., their food.

Merely furnishing them with a "tanga" (drawers worn by negroes) shall not be considered a sufficient supply of clothing.

The respective schedules shall specify the special conditions as to the clothing which the masters are bound to furnish.

XXXIII. Labour after sunset, if there be any, shall be paid at double the rate, but no engagement to perform any such labour can be stipulated for in the respective contracts.

XXXIV. No advances of wages (to be discounted afterwards) shall be made by the masters in any one year for more than the amount thereof corresponding to two months.

§. Such advances shall be considered as paid at the expira-
tion of 12 months from the date thereof, if they should not have been paid before, and the discount thereof shall not be made at a higher rate than one-twelfth part per month.

XXXV. No contracts for the performance of labour, and for the concession of lands coupled with the performance of labour, shall be allowed unless the masters are able to prove to the satisfaction of the public authority sanctioning the said contracts that they are land farmers or else owners of a duly organised industrial establishment. Contracts for domestic service are excepted.

XXXVI. Should the masters die, their heirs succeed in the right to have the existing contracts carried out, unless they should give up such right.

XXXVII. Any colonists or servants shall not be compelled to work on holidays, or during more than 9½ hours per diem.

§ 1. Works by the job, if there be any, shall be freely agreed upon with the colonists or servants, without any violation, however, of the advantages which may have been stipulated in the primitive contracts, which advantages the masters shall not be allowed to diminish by this means.

§ 2. The exemption from labour on holidays does not exempt them from the work which may be requisite for the treatment, &c., of the cattle, and from the common domestic service.

XXXVIII. All contracts involving the performance of personal service shall not be transferred to other parties by the masters without the consent of the servants themselves, except in the cases authorised in these Regulations. When the transfer in question is, however, admissible, it shall be done with all the formalities required for the primitive contract, and under the same conditions.

XXXIX. No contracts for the performance of personal service shall be prolonged before the expiration of the period for which they may have been made.

XL. All the contracts mentioned in these Regulations must be approved by the General Curator, who shall be a party thereto either in person or through the administrative authority or public delegate whom he may have authorised for the purpose in the several "Concelhos" or judicial districts.

XLI. The contracts thus approved shall be registered in the offices of the Syndics ("Administradores") of the districts, with all the due and proper legal formalities, in a special register appointed for the purpose. With this object those offices are to be provided with the necessary books for the purpose, the beginning and end of which are to be duly certified, and every leaf thereof is also to be signed.

XLII. No contract shall be registered unless it shall have been signed by the Curator-General, or of the person duly
authorised by him for the purpose, in accordance with Article XL of these Regulations.

XLIII. The "Administradores" of the several districts shall forward to the General Curator every quarter a detailed list of all the contracts registered during the quarter.

The list must contain,
1. The name, place of residence, and possession of the masters with reference to Article XXXV of these Regulations.
2. The name, sex, age, condition, place of birth, and residence of the persons contracted for.
3. The special conditions of each contract, and for what a period they may have been made.
4. The districts and places where such contracts are to be carried out.
5. In what book they are registered.

XLIV. The "Administradores" of the districts who shall fail to comply with the rules laid down in the preceding Article, or shall falsify their lists, shall be dismissed, irrespective of any criminal proceedings to which they may have become liable by the very nature of the act which they may have committed.

XLV. Any contracts proved to have been made in contravention of the provisions laid down in this Law and in these Regulations are pleno jure null and void.

All contracts that are not signed by the public authority, and all those that have not been properly registered are likewise null and void.

§. From any decision that may be given to this effect by the Curator-General an appeal may be made to the Governor of the Province in Council.

XLVI. The fee laid down in the schedules for each Province shall be paid for the registration of contracts.

XLVII. Contracts shall only be made by the masters themselves or their agents, duly authorised for the purpose by the Governor of the Province in Council.

§ 1. The agents thus authorised in accordance with this Article must prove that they have never been condemned for any crime, and they must give a bond, as laid down in the Regulations of the Province, and which cannot be of less than 200 milreis (44L).

§ 2. Both the Governor of the Province and the Curator-General may, in the event of any abuse, quash such authority, in which case the bond is to cease if it be not subject to any other liability.

§ 3. The decision quashing the licence in question is a purely administrative matter, and therefore no appeal can be made therefrom.

XLVIII. Any individual subject to public tutelage in accordance with these Regulations who may refuse to contract
their services, or shall abandon work afterwards, are to be considered as vagrants, and they will be liable to the provisions laid down in Article XXVII of this Law, and to those laid down in these Regulations for the purpose therein mentioned.

XLIX. Any colonists who are bound to work, and any servants who shall fail to comply with their work, without any good reason for doing so, shall forfeit for such working day the day’s ration, and double the amount of their respective wages.

L. Absence from work during 15 consecutive days without any motive shall be considered as vagrancy, and, as such, liable to the penalties hereinafter laid down.

LI. Any masters who shall fail to pay their servants or colonists the wages stipulated for, to furnish them with food, and to comply with the conditions of the contracts made with them, shall be summoned by the administrative authority of the place to do so, and the latter shall immediately act ex officio in the matter as soon as any such non-compliance shall come to his knowledge.

§ 1. If after being summoned they still refuse to comply therewith, they shall be compelled to pay double the amount.

§ 2. Should the wages not have been paid for one whole month or more, the Curator-General may have the contract rescinded, should the colonist or servant prefer this course, and should he think it expedient. In this case the master shall also be compelled to pay the return passage stipulated in the contract, should the colonist or servant not contract his services again in the same Province.

CHAPTER III.—Of Contracts in Feudatory Lands and in Foreign Countries.

LII. All natives who may be rescued in any feudatory territory or outside thereof in a foreign country for the purpose of serving in the Portuguese African Possessions, and who may be introduced therein, shall be immediately free in virtue of this Law.

LIII. All contracts made with them must be registered in the district into which they may have been introduced, without which they shall not be valid.

§ 1. In order that the same may be registered, it is necessary to prove that they have been ratified by the Curator-General or by his representative.

1. None will be ratified except those made in accordance with the rules laid down in these Regulations.

2. The ratification must be annexed to the contracts made, and mention is to be made thereof in the Register.

§ 2. None shall be introduced into any Province without a pass issued by the chief local administrative authority, to be exhibited by the parties contracted for at the Administrative
Office of the district to which they are bound in order that the registration may be made.

§ 3. The term for the exhibition of this pass shall be fixed therein according to the distance.

§ 4. The said pass shall be duly registered.

LIV. On making the registration the parties contracted for shall be questioned as to whether they engaged their services of their own free will, and note shall be taken of their answers.

LV. A list of the entries made in the Register with respect to these contracts shall be sent to the Curator-General as mentioned in Article XLIII.

CHAPTER IV.—Of Contracts for the Performance of Service and for Colonization out of the respective Province.

LVI. Contracts for the performance of labour or for colonization out of the respective Province shall be subject to the several conditions which have been laid down, and they shall be registered in the districts where they may have been concluded. The rules laid down in Article LIII are to be followed with respect to any contracts made in accordance with Article LII.

LVII. Such contracts may be made by the masters or landlords themselves, on their proving the conditions specified in Article XXXV of these Regulations either in person or else through duly authorised agents in accordance with Article XLVII.

§. These agents must render an account to the Curator-General with respect to any contracts thus made by them.

LVIII. These contracts, whether they be made in the Portuguese Provinces or in feudatory territory, or in a foreign country, shall in all things be subject to the conditions already herein established, as well as to those under-mentioned herein.

LIX. These contracts shall specify:

1. The names of the masters whom they are going to serve.
2. Their condition or profession, as mentioned in Article XXXV.
3. That the masters assume the responsibility of the full execution of the contract, and for all the expenses of their stay and conveyance.

§. The agents must exhibit a proper power of attorney authorising them to make these contracts, and they shall likewise be responsible for all the expenses incurred until the arrival of the parties contracted for at their places of destination.

LX. No colonists or servants shall embark for any of the Provinces until their contracts shall have been revised by the Curator-General.

LXI. None shall be allowed to embark without a pass
signed by the Governor of the Province, who shall be in communication with the Governor of the Province to which the said colonists or servants are proceeding—of whose names he shall forward a duly signed list which shall be considered authentic for all intents and purposes.

LXII. No minor up to 15 years of age shall be allowed to be contracted, unless he should be going with his father or mother, or any relative as far as the second degree.

LXIII. These contracts shall be duly registered in the province to which they are bound within 5 days after their arrival.

§. The registration shall be made in the office of the Government of the Province, and the respective masters are to be furnished with a copy thereof.

LXIV. These contracts shall always contain an engagement to pay for the return passage of the parties contracted for and of their families who may wish to go back to their own country at the expiration of the term of the contract.

§ 1. Within 6 months before the expiration of the term of the contract, the parties contracted for will have the option of choosing between the return passage and a premium equal to the expense of personal conveyance, which shall in this case be paid unto them by their former master.

§ 2. They shall not be entitled to the said premium unless they can prove that they have already contracted their services or settled in the province.

LXV. Masters are bound to provide for the treatment of the sick, and in case the latter are received in the hospitals of the province, they are bound to pay the expense, according to the usual scale.

LXVI. The owners of any industrial establishments, having more than 20 servants or contract persons employed and resident therein, are bound to provide a proper place to serve as an infirmary, and attend to the proper treatment of the sick.

LXVII. In case any of the individuals under contract should be invalided, masters are bound to lodge and feed them until they are forwarded to their native places, or until the expiration of the contract.

LXVIII. Any servant or colonist who for any reason shall remain unemployed during the period of two years referred to in Article XXI of these Regulations, shall be bound to contract his services for the time which may be wanting to make up the two years; and should he refuse to do so, he shall be considered as a vagrant for all intents and purposes, and liable to the penalties hereinafter mentioned.

LXIX. Agents duly approved shall be allowed to organise parties of labourers for the performance of labour for any farmers or manufacturers who may prefer not to make contracts for some years.
§ 1. All such labourers thus contracted by these agents shall not be so for a longer period than two years, and by no means in worse conditions than those laid down in these Regulations; they may, however, be contracted for a shorter period.

§ 2. A clause shall be expressly inserted in these contracts binding the labourers to this kind of labour, and they must go to any part of the province to which they may be sent.

§ 3. The agents contracting these people shall always be responsible towards them as far as regards the carrying out of the conditions specified in the contracts which they may make for the transfer of their services.

§ 4. The schedule of the minimum price of the wages at which such transfers shall be allowed to be made is to be inserted in the Regulations of each province.

§ 5. Work by the job is also allowed.

§ 6. The other conditions laid down in Article XIX of the Law shall be duly complied with.

CHAPTER V.—Of the Conditions of Conveyance.

LXX. The conveyance of colonists or servants shall only be carried on in Portuguese vessels, registered for the purpose, after either giving a bond or making a deposit in cash.

LXXI. Any ship receiving on board more than 10 colonists or servants shall be considered as specially engaged in such conveyance, and shall have either to give a bond for, or to deposit in cash, the sum of 2,000,000 reis (444l.).

LXXII. The regulations of each province shall specify the number of contract individuals whom each ship may carry without special reference to its tonnage, they being considered as third-class passengers, with a view to the accommodation to be furnished to them.

§ 1. These Regulations shall also specify the amount of space and of luggage, as well as the quantity of food to be allowed to each contract individual, and also the amount of clothing requisite for them to be received on board.

§ 2. Each sex shall be lodged separately.

LXXIII. The bond or deposit, as laid down in Article LXXI, shall be responsible for any non-compliance with the conditions imposed for the conveyance by sea of the servants or colonists.

§. The decisions upon this matter shall be given by the Council of Government, at the suggestion of the Curator-General, who shall not vote in this case, and after hearing what the interested parties may have to say.

LXXIV. The colonists or servants shall not be conveyed under arrest, unless they shall have committed some crime for which they may have deserved it.
In this case they shall on arrival be immediately delivered over to the proper authorities, with a view to the instituting of criminal proceedings against them.

LXXV. At the end of each voyage the Governor shall furnish the master of the vessel with a document stating that the voyage has been completed in a regular manner should this have been the case.

LXXVI. In order to enable the vessels engaged in the conveyance of colonists or servants to proceed on other voyages of the same nature, the masters must exhibit the document mentioned in the foregoing Article.

CHAPTER VI.—Of Contracts made on account of the Province.

LXXVII. In case the Government should sanction the use of the authority accorded in virtue of Article XXIV of the Law, the rules laid down in the following Articles are to be adhered to, in addition to any others that the Government may prescribe.

LXXVIII. In the event of the authority mentioned in the foregoing Article being made use of, the cost of conveyance shall be defrayed by the Provincial Treasury, and all other expenses are to be charged in the account for transfers of contracts for payment thereof.

LXXIX. Transfers of contracts shall only be made to individuals duly qualified in accordance with Article XXXV of these Regulations.

LXXX. Applications on the part of any persons possessing the qualifications mentioned in the foregoing Article for the purpose of getting any servants or colonists shall be addressed directly to the Governor of the Province, who will lay them before the Council.

§ 1. The applicants shall assume all responsibility for the respective contracts under all the conditions laid down in the Regulations, as well as for all the expenses which may be incurred by the Government of the Province up to the delivery of the parties contracted for, as per account current.

§ 2. For all the effects of the foregoing section the applicants shall either give a bond for, or deposit in cash, the sum to be fixed by the Governor in Council.

LXXXI. After these applications shall have been thus set in order a list is to be made of them all, for the purpose of being submitted to the Council of Government, who will decide as to what applications may be granted and in what manner.

LXXXII. After the approval of the several lists the Governor of the Province shall cause the contracts to be made out for the places where it may be most expedient to have
them, and in accordance with the agreements made with the future under-tenants ("sublocatarios").

LXXXIII. No individuals are to be contracted in any territory that is not feudatory without the permission of the respective Governments or Chiefs. This rule is also applicable to such contracts as are not made on account of the Province.

LXXXIV. The distribution of the individuals contracted for in accordance with this Chapter by the Province shall be made with reference to the applications which may have been sent in and granted, and also to the importance of the agricultural or industrial establishments for which they may be destined.

LXXXV. The farmers or manufacturers inscribed on the list shall bind themselves to receive the colonists or servants up to the number for which they may have applied for, under penalty of their names being struck off the list, and of having to pay to the Province the amount of all the expenses that may have been incurred, and of the return passage of the parties contracted for, in case they should have returned.

LXXXVI. The following are to be excluded from the list of persons who are to receive colonists or servants from the Province:
1. Those who may have refused to pay the return passage of the parties contracted for;
2. Those who may have failed to carry out the conditions of their contracts, and suffered condemnation on that account;
3. Those who may have been condemned for ill-treatment of the parties under contract.

LXXXVII. Nothing in the rules laid down in this Chapter shall prevent any duly qualified individuals from entering directly into any contracts for servants or colonists, or causing them to be made.

Chapter VII.—Of Vagrancy, and of the Penalties to be inflicted for it.

LXXXVIII. The individuals referred to in Articles I and III of these Regulations who may be adjudged to be vagrants under the conditions laid down in Article CCLVI of the Penal Code shall be liable to forced labour for two years in any establishments of the State especially appointed for the purpose, or else in the fortresses or public works of the Province, and they shall receive the wages as may be fixed by the Governor-General in Council.

§ 1. They may, however, at any time contract their services with any private individuals, in which case the obligation of public service is to cease.

§ 2. The public authorities shall not cede to any private persons the services of the individuals in question, except in
the cases of Articles XIX and XXIV of the Law, or in virtue of contracts freely entered into by them, in accordance with the conditions herein set forth.

LXXXIX. In the case of a repetition of vagrancy, they shall be subject to forced labour for the maximum period laid down in Article XXVII of the Law, and in accordance with what is therein set forth, and also in conformity with the rule laid down in Article LXXXVI of the Penal Code, or else they shall be ordered to serve in the army, in accordance with Article LI of the Law of 27th July, 1855.

XC. Should those who have contracted their services to any private persons refuse to perform the service for which they were contracted, their masters may deliver them over to the Curator-General, or to the authority representing him in the place, with a view to their being sent to the proper destination, as mentioned in the preceding Article.

XCI. The rules laid down in the 258th, 260th, and 262nd sections of the Penal Code are especially applicable to the individuals in question.

XCI. Whereas the ancient "libertos" to whom these Regulations refer are placed on the footing of minors, in virtue of the Decree of 14th December, 1854,* of Article II of the Law of the 29th April last,† and of Article III of these Regulations. The provisions of Article CCLXVI, and its sections 342 and 343, of the Penal Code, shall be applied, as the case may be, to those disturbing or attempting to disturb their labour in their masters' establishments, or enticing them to leave off work.

§. Should the enticement be accompanied by any acts of violence, in order to make them abandon their work and their masters' houses, the provisions of Article CCCXXIX of the same Code shall be applicable to the case.

XCIII. The act of publicly inducing or exhorting any workmen or colonists, at a meeting of the same, to commit any of the acts above referred to, or any other criminal act, shall be considered as a public provocation to crime, and subject to Article CDLXXXVI of the Penal Code.

XCIV. In fine, any enticement or provocation in regard to any servants or colonists, which is expressly forbidden by Article XXX of the Law, shall be liable to the penalties laid down in Article CDLXXXIX of the Penal Code, provided no greater penalty should be applicable to the case.

XCV. Any individuals who may have contracted their services shall not be hindered by their masters from having recourse to the local protecting authorities. Those hindering them or attempting to hinder them shall be liable to the provisions laid down in Articles CCCXXIX and CCCXXX of the Penal Code, as the case may be.

Chapter VIII.—Of the Mode of Proceeding for estimating the Amount of Compensation due to the Ancient Masters on account of the Status of Liberty as decreed in the Law.

XCVI. The Government shall order a strict inquiry to be made in order to ascertain:

1. The manner in which the registration of "libertos" has been carried out in the different provinces, in accordance with the Decree of the 14th of December, 1854, and subsequent legislation.

2. How many of those registered are placed in the conditions mentioned in No. 2 of Article I of the Decree of 24th July, 1856.

3. What is the average value of servile labour in each province.

§ 1. All these data shall be laid before the Council of the Provincial Government, who, in view thereof and of any others they may deem requisite, shall fix the average value per annum of servile labour with reference to sexes, ages, and professions.

§ 2. Their deliberation shall be forwarded, with a report, to the Government of the Metropolis, for their decision in the matter.

§ 3. When once the schedule of the presumable value of servile labour shall have been approved in accordance with the foregoing section, the same is to be adhered to in the several proceedings upon this matter.

XCVII. The process for obtaining compensation shall be instituted before the Council of the Provincial Government, and the parties interested are to prove:

1. The number of "libertos" they had in their service;

2. The legal title upon which they held them;

3. The certificate of registration;

4. Their work or profession at the date of the Law;

5. That they have paid the taxes imposed in the province for each slave or "liberto;"

6. For how long they still considered themselves entitled to their service;

7. The capacity for labour of each "liberto," and their ages and sexes.

§ 1. The only legal title on behalf of their right to the service of "libertos" shall be the authentic registration made of them by name.

§ 2. The Council of Government shall cause the necessary inquiries and investigations to be made upon all the points mentioned in this Article, as well as upon any others that they may deem expedient.

XCVIII. After the process shall have been prepared in the

manner set forth in the preceding Article, the Council of Government shall, after each of the members thereof shall have examined the case, draw up their report, which shall be forwarded to the Government of the Metropolis, for the purposes mentioned in Article XXXV of the Law.

CHAPTER IX.—Of Fees to be recovered, of the Application thereof, as well as of the Fines laid down in these Regulations.

XCIX. The Regulations of each Province shall specify what acts are liable to the payment of fees, as well as the amount of the fees to be paid for any single act or series of acts.

C. The total amount of fees recovered shall be deposited in the Treasury of the district, and distributed among the several employés engaged in the performance of the different duties assigned to them by these Regulations.

§ 1. The Provincial Regulations shall specify what employés are entitled to receive fees, and what is the proportional rate for each.

§ 2. The expenses incurred in registers, &c., in such like requisites, shall be defrayed out of the sums in said chests.

§ 3. An account shall be rendered half-yearly to the Provincial Government with respect to the fees received, and the distribution thereof.

CI. The total amount of the fines laid down in these Regulations shall be deposited in the central Treasury of the Province, and one-half shall be delivered to the employés who may have discovered the acts for which fines shall have been imposed, and the other half is to be applied to subsidise the schools for primary instruction in the Province.

CHAPTER X.—Of the Education and Instruction which must be given to Servants and Colonists under Contract.

CII. In the schools which are already established, or which may hereafter be established in the several towns, in accordance with the respective Regulations upon public instruction, the professor shall be bound to give lessons on Sundays and holidays, for which service a salary shall be assigned to him.

CIII. All minors under contract, from the age of 7 to 15, shall be sent to those schools by their masters. This duty shall be considered as an express condition in all contracts.

CIV. Any individual having at his service, and under contract, 200 or more persons of those referred to in these Regulations, shall be bound to keep up an elementary school for primary education, which the individuals placed in the conditions of the preceding Article shall be bound to attend.

CV. The masters are bound to facilitate the free practice of religious and moral doctrine on the part of their servants or colonists, as well as their being instructed by the respective
parish priests and missionaries who may be sent by the Government, and also by the professors who may be willing to devote themselves to this noble and useful purpose.

CHAPTER XI.—General Rules.

CVI. It is unlawful to prolong any contracts for the performance of service before the expiration of the term thereof.

CVII. At the expiration of the period of two years fixed in these Regulations, any written contracts for the performance of service or for colonisation, which any of the individuals in question, or those who may have been brought from feudatory or other territories, may wish to renew of their own accord, shall not contain any conditions inferior or contrary to those laid down in these Regulations, or in the contracts which may be made for this purpose.

§ 1. Until otherwise decreed, such contracts shall be made with all the formalities laid down in these Regulations, and they shall be subject to the same supervision and obligations.

§ 2. No such contracts can be legally proved unless they shall have been drawn up in writing, and duly registered in the respective district, within 30 days from the date thereof.

§ 3. The Curator-General shall, for this purpose, continue to discharge all the duties for the due protection and supervision prescribed in these Regulations, with the exception of the power of rescinding any contracts, which shall be subject to the decision of the ordinary courts of justice.

CVIII. In addition to all the rules laid down in these Regulations, all those mentioned in the Law of the 29th of April last, which are not contained herein, are also to be duly complied with.

JOÃO DE ANDRADE CORVO.

Department of Marine and Colonies,
Lisbon, December 20, 1875,

PRUSSIA.

ORDINANCE of the King of Prussia, respecting Marriages of Foreigners. Berlin, March 13, 1854.

(Translation.)

WE, Frederick William, by the will of God King of Prussia, &c., with the concurrence of the Chambers, ordain as follows:

§ 1. Foreigners desirous of marrying a native or foreign woman in our States, besides fulfilling the other requirements of law, have to prove, by means of a duly verified certificate of the local authorities of the place they come from, that accord-
ing to the laws of their country they can, without prejudice to their allegiance, contract a marriage abroad, or that they have obtained the permission which may according to those laws be necessary for the intended marriage.

§ 2. Our Ministers of Justice, of Ecclesiastical Affairs, &c., and of the Interior, are empowered, both in particular cases and with regard to the legislation of some States, to dispense altogether with the production of such a certificate (§ 1), by the subjects of those States.

§ 3. Ecclesiastical or civil functionaries, who officially assist at the marriage of a foreigner, without having had the necessary certificate (§ 1) submitted to them, shall, if its production has not been dispensed with (§ 2), be punished by a fine to the amount of 100 thalers.

§ 4. The Ordinance of April 28, 1841, is abrogated.

Berlin, March 13, 1854.

(L.S.) Frederick William.

Von Manteuffel.
Von der Heydt.

Simons.
Von Raumer.

Von Westphalen.
Von Bodelschwingh.
Von Bokin.

---

LAW of Prussia, regulating the exercise of Religious Worship.

Berlin, April 5, 1873.

(Translation.)

We, William, by the Grace of God King of Prussia, &c., decree, with the consent of both Houses of the Landtag of our Monarchy, as follows:

Only Article. Articles XV and XVIII of the Constitution of January 31st, 1850, are repealed.

The following enactments take their place:

ART. XV. The Evangelical and Roman Catholic Churches, as well as every other religious community, may regulate and administer their affairs independently, but remain subject to the laws of the kingdom, and to the superintendence of the State, as decreed by law.

On the same conditions, every religious community retains the possession and enjoyment of the institutions, foundations, and moneys destined for its devotional, educational, and charitable purposes.

ART. XVIII. The right of nominating, proposing, and electing for, and confirming in any ecclesiastical benefice is cancelled, in so far as it appertains to the State, and does not depend on private patronage, or especial legal title.

This enactment does not apply to clerical appointments in the army, or in public institutions.
Moreover, the law regulates the competence of the State with regard to the education, appointment, and dismissal of the clergy and ministers of religion, and determines the limits of ecclesiastical disciplinary authority.

As witness our own Royal hand and seal.
Given at Berlin, April 5, 1873.

(L.S.) William.

Countersigned by the Ministry.

ROUMANIA.

TITRE II.—Des Droits des Roumains.

Religion.

Art. V. Les Roumains jouissent de la liberté de conscience, de la liberté d'enseignement, de la liberté de la presse, de la liberté de réunion.

Naturalization.

Art. VII. Les étrangers de rites Chrétien, peuvent seuls obtenir la naturalisation.

VIII. La naturalisation est accordée par le pouvoir législatif.

La naturalisation seule assimile l'étranger au Roumain pour l'exercice des droits politiques.

Religion.

Art. XXI. La liberté de conscience est absolue.
La liberté de tous les cultes est garantie en tant que leur célébration ne porterait pas atteinte à l'ordre public ou aux bonnes mœurs.

La religion orthodoxe d'Orient est la religion dominante de l'État Roumain. L'Eglise Orthodoxe Roumaine est et demeure indépendante de toute suprématie étrangère tout en conservant son unité avec l'Eglise Ecuménique d'Orient, en ce qui concerne les dogmes.

Les affaires spirituelles canoniques et disciplinaires de l'Eglise Orthodoxe Roumaine, seront réglées par une autorité synodale centrale unique, conformément à une loi spéciale.
ROUMANIA.

Les métropolitains et les évêques diocésains de l'Église Orthodoxe Roumaine, sont élus d'après le mode déterminé par une loi spéciale.

CHAPITRE II.—Du Prince et des Ministres.

SECTION 2.—Du Prince.

Treaties.

Art. XCVIII. Il conclut avec les États étrangers, les Conventions de Commerce, de Navigation, et autres de même nature mais pour que ces actes aient autorité obligatoire, il faut qu'ils soient d'abord soumis au pouvoir législatif et approuvés par celui-ci.

DECLARATION for regulating provisionally the Commercial Relations between Great Britain and Roumania.* Signed at London, November 30, 1876.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Highness the Prince Charles of Roumania, being desirous of provisionally regulating the relations between the two countries during the period of time necessary for the negotiation and conclusion of a Convention of Commerce, the Undersigned, duly authorised for this purpose, have agreed upon the following provisions:

Produce of British origin, or coming from Great Britain, imported into Roumania, and produce of Roumanian origin, or coming from Roumania, imported into the United Kingdom, shall be respectively subject, with regard to import, export, or transit dues, with regard to re-exportation, brokerage, and warehousing, to local dues, and with regard to Customs formalities, to the same treatment as the produce of the most favoured nation.

The Government of His Highness the Prince Charles of Roumania, and the Government of His Majesty the Emperor of Austria, King of Hungary, having agreed to secure to each other certain special advantages for the exchange and circulation of the produce of bordering districts, these advantages shall not be claimed by the United Kingdom.

If it be not expressly renewed the present provisional arrangement shall terminate on the 12th of May (30th of April), 1877.

In witness whereof the Undersigned have drawn up the present Declaration, and have affixed thereto the seals of their arms.

* Signed also in the French language.
RUSSIA.

Done in duplicate at London, the 30th day of November, 1876.

(L.S.) **DERBY.**
(L.S.) **JON GHICA.**

---

PROTOCOL prolonging for 9 months the duration of the Declaration between the British and Roumanian Governments of November 30, 1876. Signed at Bucharest, April 30, 1877.*

M. le Colonel Mansfield, Agent Diplomatique et Consul-Général d'Angleterre; et
M. Kogalniceano, Ministre des Affaires Etrangères de Roumanie;

Dûment autorisés par leurs Gouvernements respectifs, s'étant réunis aujourd'hui au Ministère des Affaires Etrangères, il a été donné lecture de la Déclaration échangée à Londres le 30 Novembre,† entre son Excellence Lord Derby et M. Jon Ghica.

M. l'Agent et Consul-Général d'Angleterre et M. le Ministre des Affaires Etrangères ayant constaté que les circonstances n'ont pas permis aux deux Gouvernements de pousser plus avant les négociations directes pour une Convention de Commerce, M. le Ministre des Affaires Etrangères a été autorisé, en vertu d'une Loi promulguée le 25 Mars, 1877, à prolonger de 9 mois la durée du régime inauguré par la Déclaration du 30 Novembre, et M. l'Agent d'Angleterre, étant autorisé de son côté à déclarer que son Gouvernement accepte cette prorogation, il a été pris réciproquement acte de ces engagements, et ont, l'Agent d'Angleterre et le Ministre des Affaires Etrangères, apposé leur signature au bas du présent Protocole.

Bucarest, ce 30 April, 1877.

C. E. MANSFIELD.
KOGALNICEANO.

---

RUSSIA.

NOTICE issued by the Russian Government respecting the Expulsion from St. Petersburgh of Individuals not having Passports, or who may be provided with Passports of which the term has expired. St. Petersburgh, February 17, 1874.‡

La “Gazette de Police de St. Pétersbourg” publie le règlement provisoire suivant sur l'expulsion de St. Pétersbourg des

* Expired, February 12, 1878; but British Subjects entitled to Privileges of the most favoured nation in matters of Commerce, by the Roumanian Law of 30 July, 1878.
† See Page 458.
‡ “London Gazette,” March 10, 1874.
individus n'ayant pas de passeport ou ayant un passeport périmé, qui a été sanctionné par S. M. l'Empereur le 4 Janvier :

1. Lorsqu'il est constaté qu'un individu habitant St. Pétersbourg n'a pas de papiers ou a un passeport périmé, la police s'assure de son identité, prend des informations sur son genre de vie, sa profession et sa conduite, et recherche s'il n'a pas d'antécédents judiciaires.

2. Si de ces informations il ressort que l'individu sans passeport, reconnu non dangereux par son genre de vie, a pris les mesures en son pouvoir pour obtenir ou renouveler son passeport, mais n'a pas reçu ce passeport, et que ce document ne lui a pas été refusé par l'administration compétente, la police lui délivre un permis temporaire, dont le terme est fixé par le préfet de la ville, sans toutefois pouvoir excéder 6 mois.

3. Lorsqu'à l'expiration du permis mentionné à l'Article précédent le passeport n'a pas été reçu ou qu'avant ce terme on reçoive avis d'un refus de délivrance du passeport, la police a le droit d'agir conformément aux dispositions de l'Article MCCXX du Code de Procédure Criminelle.

4. Quand les renseignements recueillis par la police constatent que l'individu sans passeport n'a pas pris les mesures nécessaires pour obtenir ou renouveler ses papiers, mais ne présente pas par sa conduite de motif suffisant pour que la prolongation de son séjour dans la capitale soit considérée comme nuisible, la police agit conformément à l'Article MCCXX du Code de Procédure Criminelle et oblige ensuite le contrevenant à demander un passeport, en se régulant à son égard sur les dispositions des Articles II et III du présent Règlement.

5. Si des informations recueillies par la police il résulte que l'individu sans passeport n'a pas de moyens d'existence, qu'il ne travaille pas, et en général a une mauvaise conduite, et qu'il a été condamné pour crimes ou délits contre le Gouvernement, l'ordre ou la propriété, la police, sans recourir à une action judiciaire, présente au Préfet de St. Pétersbourg un rapport motivé demandant que cet individu soit expulsé de la capitale avec défense d'y résider. En l'absence de l'ensemble des conditions sus-énoncées, la police agit conformément au Code de Procédure Criminelle.

6. Les rapports mentionnés à l'Article V sont examinés par un Conseil établi à la préfecture, dont les décisions sont soumises à la sanction du préfet de la capitale dans le mode indiqué par l'Article X du Règlement de la préfecture pour les affaires relatives à la mise en jugement de fonctionnaires.

7. En prononçant l'expulsion et l'interdiction de séjour dans la capitale, le Conseil détermine la durée de cette interdiction ainsi que le mode d'expulsion, en spécifiant s'il doit être abandonné à l'individu expulsé de quitter lui-même la ville dans un délai donné ou s'il faut recourir à des mesures coercitives; dans
ce dernier cas il indique les motifs de l'emploi de ces mesures. Le terme de l'expulsion de la capitale ne doit pas dépasser 4 ans ; les mesures coercitives d'expulsion doivent être conformes aux dispositions en vigueur à cet égard.

8. La décision du Conseil, sanctionnée par le Préfet de St. Pétersbourg, est notifiée contre reçu à l'individu expulsé et communiquée pour mesures conformes à l'autorité dans le ressort de laquelle est placée l'institution de laquelle dépend la délivrance d'un passeport à cet individu.


BRITISH PROCLAMATION for the Observance of Neutrality in the War between Russia and Turkey. Windsor, April 30, 1877.

BY THE QUEEN.—A PROCLAMATION.

VICTORIA R.

WHEREAS we are happily at peace with all Sovereigns, Powers, and States:

And whereas, notwithstanding our utmost exertions to preserve peace between all Sovereign Powers and States, a state of war unhappily exists between His Majesty the Emperor of all the Russias and His Majesty the Emperor of the Ottomans, and between their respective subjects and others inhabiting within their countries, territories, or dominions:

And whereas we are on terms of friendship and amicable intercourse with each of these Sovereigns, and with their several subjects, and others inhabiting within their countries, territories, or dominions:

And whereas great numbers of our loyal subjects reside and carry on commerce, and possess property and establishments, and enjoy various rights and privileges, within the dominions of each of the aforesaid Sovereigns, protected by the faith of Treaties between us and each of the aforesaid Sovereigns:

And whereas we, being desirous of preserving to our subjects the blessings of peace, which they now happily enjoy, are firmly purposed and determined to maintain a strict and impartial neutrality in the said state of war unhappily existing between the aforesaid Sovereigns:

We, therefore, have thought fit, by and with the advice of our Privy Council, to issue this our Royal Proclamation:

And we do hereby strictly charge and command all our loving subjects to govern themselves accordingly, and to observe a strict neutrality in and during the aforesaid war, and
to abstain from violating or contravening either the laws and statutes of the realm in this behalf, or the law of nations in relation thereto, as they will answer to the contrary at their peril:

And whereas in and by a certain Statute made and passed in a Session of Parliament holden in the 33rd and 34th year of our reign [cap. 90], intitled "An Act to regulate the conduct of Her Majesty's subjects during the existence of hostilities between foreign States with which Her Majesty is at peace," it is, amongst other things, declared and enacted as follows:

"Illegal Enlistment.

"If any person, without the licence of Her Majesty, being a British subject, within or without Her Majesty's dominions, accepts or agrees to accept any Commission or engagement in the military or naval service of any foreign State at war with any foreign State at peace with Her Majesty, and in this Act referred to as a friendly State, or whether a British subject or not within Her Majesty's dominions, induces any other person to accept or agree to accept any Commission or engagement in the military or naval service of any such foreign State as aforesaid,

"He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

"If any person, without the licence of Her Majesty, being a British subject, quits or goes on board any ship with a view of quitting Her Majesty's dominions, with intent to accept any Commission or engagement in the military or naval service of any foreign State at war with a friendly State, or, whether a British subject or not, within Her Majesty's dominions, induces any other person to quit or to go on board any ship with a view of quitting Her Majesty's dominions with the like intent,

"He shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

"If any person induces any other person to quit Her Majesty's dominions or to embark on any ship within Her Majesty's dominions under a misrepresentation or false representation of the service in which such person is to be engaged, with the intent or in order that such person may accept or agree to accept any Commission or engagement in the military or naval service of any foreign State at war with a friendly State,

"He shall be guilty of an offence against this Act, and shall
be punishable by fine and imprisonment, or either of such
punishments, at the discretion of the Court before which the
offender is convicted; and imprisonment, if awarded, may be
either with or without hard labour.

"If the master or owner of any ship, without the licence of
Her Majesty, knowingly either takes on board, or engages to
take on board, or has on board such ship within Her Majesty's
dominions any of the following persons, in this Act referred to
as illegally enlisted persons; that is to say,

"(1.) Any person who, being a British subject within or
without the dominions of Her Majesty, has, without the licence
of Her Majesty, accepted or agreed to accept any Commission
or engagement in the military or naval service of any foreign
State at war with any friendly State:

"(2.) Any person, being a British subject, who, without the
licence of Her Majesty, is about to quit Her Majesty's
dominions with intent to accept any Commission or engage-
ment in the military or naval service of any foreign State at
war with a friendly State:

"(3.) Any person who has been induced to embark under a
misrepresentation or false representation of the service in
which such person is to be engaged, with the intent or in order
that such person may accept or agree to accept any Commission
or engagement in the military or naval service of any foreign
State at war with a friendly State:

"Such master or owner shall be guilty of an offence against
this Act, and the following consequences shall ensue; that is to
say,

"(1.) The offender shall be punishable by fine and imprison-
ment, or either of such punishments, at the discretion of the
Court before which the offender is convicted; and imprison-
ment, if awarded, may be either with or without hard labour;
and

"(2.) Such ship shall be detained until the trial and con-
viction or acquittal of the master or owner, and until all
penalties inflicted on the master or owner have been paid, or
the master or owner has given security for the payment of such
penalties to the satisfaction of two justices of the peace, or
other magistrate or magistrates having the authority of two
justices of the peace: and

"(3.) All illegally enlisted persons shall, immediately on
the discovery of the offence, be taken on shore, and shall not
be allowed to return to the ship.

"Illegal Shipbuilding and Illegal Expeditions.

"If any person within Her Majesty's dominions, without
the licence of Her Majesty, does any of the following acts;
that is to say,
(1.) Builds or agrees to build, or causes to be built any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign State at war with any friendly State: or

(2.) Issues or delivers any Commission for any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign State at war with any friendly State: or

(3.) Equips any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign State at war with any friendly State: or

(4.) Dispatches, or causes or allows to be dispatched, any ship with intent or knowledge, or having reasonable cause to believe that the same shall or will be employed in the military or naval service of any foreign State at war with any friendly State:

Such person shall be deemed to have committed an offence against this Act, and the following consequences shall ensue:

(1.) The offender shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

(2.) The ship in respect of which any such offence is committed, and her equipment, shall be forfeited to Her Majesty:

Provided that a person building, causing to be built, or equipping a ship in any of the cases aforesaid, in pursuance of a contract made before the commencement of such war as aforesaid, shall not be liable to any of the penalties imposed by this section in respect of such building or equipping if he satisfies the conditions following; (that is to say),

(1.) If forthwith upon a Proclamation of Neutrality being issued by Her Majesty he gives notice to the Secretary of State that he is so building, causing to be built, or equipping such ship, and furnishes such particulars of the contract and of any matters relating to, or done, or to be done, under the contract, as may be required by the Secretary of State;

(2.) If he gives such security, and takes and permits to be taken such other measures, if any, as the Secretary of State may prescribe, for ensuring that such ship shall not be dispatched, delivered or removed without the licence of Her Majesty until the termination of such war as aforesaid.

Where any ship is built by order of or on behalf of any foreign State when at war with a friendly State, or is delivered to or to the order of such foreign State, or any person who
to the knowledge of the person building is an agent of such foreign State, or is paid for by such foreign State or such agent, and is employed in the military or naval service of such foreign State, such ship shall, until the contrary is proved, be deemed to have been built with a view to being so employed, and the burden shall lie on the builder of such ship, of proving that he did not know that the ship was intended to be so employed in the military or naval service of such foreign State.

"If any person within the dominions of Her Majesty, and without the licence of Her Majesty:

"By adding to the number of the guns, or by changing those on board for other guns, or by the addition of any equipment for war, increases or augments, or procures to be increased or augmented, or is knowingly concerned in increasing or augmenting, the warlike force of any ship, which at the time of her being within the dominions of Her Majesty was a ship in the military or naval service of any foreign State at war with any friendly State:

"Such person shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

"If any person within the limits of Her Majesty's dominions, and without the licence of Her Majesty,

"Prepares or fits out any naval or military expedition to proceed against the dominions of any friendly State, the following consequences shall ensue:

"(1.) Every person engaged in such preparation or fitting out, or assisting therein, or employed in any capacity in such expedition, shall be guilty of an offence against this Act, and shall be punishable by fine and imprisonment, or either of such punishments, at the discretion of the Court before which the offender is convicted; and imprisonment, if awarded, may be either with or without hard labour.

"(2.) All ships and their equipments, and all arms and munitions of war used in or forming part of such expedition, shall be forfeited to Her Majesty.

"Any person who aids, abets, counsels, or procures the commission of any offence against this Act shall be liable to be tried and punished as a principal offender."

And whereas by the said Act it is further provided that ships built, commissioned, equipped, or dispatched in contravention of the said Act, may be condemned and forfeited by judgment of the Court of Admiralty; and that if the Secretary of State or chief executive authority is satisfied that there is a reasonable and probable cause for believing that a ship within VOL. XIV.
our dominions has been, or is being built, commissioned, or equipped, contrary to the said Act, and is about to be taken beyond the limits of such dominions, or that a ship is about to be dispatched contrary to the Act, such Secretary of State, or chief executive authority, shall have power to issue a warrant authorising the seizure and search of such ship and her detention until she has been either condemned or released by process of law. And whereas certain powers of seizure and detention are conferred by the said Act on certain local authorities:

Now, in order that none of our subjects may unwarily render themselves liable to the penalties imposed by the said statute, we do hereby strictly command, that no person or persons whatsoever do commit any act, matter, or thing whatsoever contrary to the provisions of the said statute, upon pain of the several penalties by the said statute imposed, and of our high displeasure.

And we do hereby further warn and admonish all our loving subjects, and all persons whatsoever entitled to our protection, to observe towards each of the aforesaid Sovereigns, their subjects and territories, and towards all belligerents whatsoever, with whom we are at peace, the duties of neutrality; and to respect, in all and each of them, the exercise of those belligerent rights which we and our royal predecessors have always claimed to exercise.

And we hereby further warn all our loving subjects, and all persons whatsoever entitled to our protection, that if any of them shall presume, in contempt of this our Royal Proclamation and of our high displeasure, to do any acts in derogation of their duty as subjects of a neutral Sovereign in a war between other Sovereigns, or in violation or contravention of the law of nations in that behalf, as more especially by breaking, or endeavouring to break, any blockade lawfully and actually established by or on behalf of either of the said Sovereigns, or by carrying officers, soldiers, despatches, arms, ammunition, military stores or materials, or any article or articles considered and deemed to be contraband of war according to the law or modern usages of nations, for the use or service of either of the said Sovereigns, and all persons so offending, together with their ships and goods, will rightfully incur and be justly liable to hostile capture, and to the penalties denounced by the law of nations in that behalf.

And we do hereby give notice that all our subjects and persons entitled to our protection who may misconduct themselves in the premises will do so at their peril, and of their own wrong; and that they will in nowise obtain any protection from us against such capture, or such penalties as aforesaid, but will, on the contrary, incur our high displeasure by such misconduct.
Given at our Court at Windsor, this 30th day of April, in the year of Our Lord 1877, in the 40th year of our reign.
God save the Queen.

BRITISH CIRCULAR to Public Offices,* for the Observance of Neutrality in the War between Russia and Turkey. London, April 30, 1877.

The Earl of Derby to the Lords Commissioners of the Admiralty.

My Lords,

Her Majesty being fully determined to observe the duties of neutrality during the existing state of war between the Emperor of all the Russias and the Emperor of the Ottomans, and being moreover resolved to prevent, as far as possible, the use of Her Majesty's harbours, ports, and coasts, and the waters within Her Majesty's territorial jurisdiction, in aid of the warlike purposes of either belligerent, has commanded me to communicate to your Lordships, for your guidance, the following rules, which are to be treated and enforced as Her Majesty's orders and directions:

Her Majesty is pleased further to command that these rules shall be put in force in the United Kingdom, the Isle of Man, and the Channel Islands, on and after the 5th of May instant, and in Her Majesty's territories and possessions beyond the seas, 6 days after the day when the Governor, or other chief authority of each of such territories or possessions respectively, shall have notified and published the same; stating in such Notification that the said rules are to be obeyed by all persons within the same territories and possessions.

1. During the continuance of the present state of war, all ships of war of either belligerent are prohibited from making use of any port or roadstead in the United Kingdom, the Isle of Man, or the Channel Islands, or in any of Her Majesty's Colonies or foreign possessions or dependencies, or of any waters subject to the territorial jurisdiction of the British Crown, as a station, or place of resort, for any warlike purpose, or for the purpose of obtaining any facilities of warlike equipment; and no ship of war of either belligerent shall hereafter be permitted to sail out of or leave any port, roadstead, or waters subject to British jurisdiction, from which any vessel of the other belligerent (whether the same shall be a ship of war or a merchant ship) shall have previously departed, until after the expiration of at least 24 hours from the departure of such ships.

* Similar letters have been addressed to the Treasury, Home Office, Colonial Office, War Office, and India Office.
last-mentioned vessel beyond the territorial jurisdiction of Her Majesty.

2. If any ship of war of either belligerent shall, after the time when this order shall be first notified and put in force in the United Kingdom, the Isle of Man, and the Channel Islands, and in the several Colonies and foreign possessions and dependencies of Her Majesty respectively, enter any port, roadstead, or waters belonging to Her Majesty, either in the United Kingdom, the Isle of Man, or the Channel Islands, or in any of Her Majesty's Colonies or foreign possessions or dependencies, such vessel shall be required to depart and to put to sea within 24 hours after her entrance into such port, roadstead, or waters, except in case of stress of weather, or of her requiring provisions or things necessary for the subsistence of her crew, or repairs; in either of which cases the authorities of the port, or of the nearest port (as the case may be), shall require her to put to sea as soon as possible after the expiration of such period of 24 hours, without permitting her to take in supplies beyond what may be necessary for her immediate use; and no such vessel which may have been allowed to remain within British waters for the purpose of repair shall continue in any such port, roadstead, or waters, for a longer period than 24 hours after her necessary repairs shall have been completed. Provided, nevertheless, that in all cases in which there shall be any vessel (whether ships of war or merchant ships) of the said belligerent parties in the same port, roadstead, or waters within the territorial jurisdiction of Her Majesty, there shall be an interval of not less than 24 hours between the departure therefrom of any such vessel (whether a ship of war or merchant ship) of the one belligerent, and the subsequent departure therefrom of any ship of war of the other belligerent; and the time hereby limited for the departure of such ships of war respectively shall always, in case of necessity, be extended so far as may be requisite for giving effect to this proviso, but no further or otherwise.

3. No ship of war of either belligerent shall hereafter be permitted, while in any port, roadstead, or waters subject to the territorial jurisdiction of Her Majesty, to take in any supplies, except provisions and such other things as may be requisite for the subsistence of her crew, and except so much coal only as may be sufficient to carry such vessel to the nearest port of her own country, or to some nearer destination, and no coal shall again be supplied to any such ship of war in the same or any other port, roadstead, or waters subject to the territorial jurisdiction of Her Majesty, without special permission, until after the expiration of 3 months from the time when such coal may have been last supplied to her within British waters as aforesaid.
4. Armed ships of either party are interdicted from carrying prizes made by them into the ports, harbours, roadsteads, or waters of the United Kingdom, the Isle of Man, the Channel Islands, or any of Her Majesty's Colonies or possessions abroad.

I have, &c.,

DERBY.

---

SALVADOR.

CONSTITUTION of the Republic of Salvador; so far as relates to Religion, Nationality, and the conclusion of Treaties. San Salvador, October 16, 1871.

(Translation.)

TITLE I.—Of the Nation.

Religion.

ART. VI. The Catholic Apostolic religion is the religion of the State, and the Government shall protect it. The public worship of the Christian sects is tolerated in so far as they are not offensive to morality or to public order.

TITLE II.—Of the Salvadoreans and Citizens.

Nationality.

ART. VII. The native Salvadoreans are:

1. All who are born in the territory of Salvador, except the children of foreigners not naturalised;
2. The children of a foreigner by a Salvadorean woman, or vice versa, born in the territory of Salvador;
3. The children born in a foreign country of Salvadoreans not naturalised therein.

VIII. Naturalised Salvadoreans are foreigners who have acquired that character in conformity with the previous laws, and those who obtain it in future according to the following rules:

1. Spanish Americans who obtain letters of naturalisation from the governing authority, who will grant them to any one who proves domiciliation for a year in the Republic, and his good conduct;
2. Other foreigners who solicit and obtain letters of naturalisation from any governing authority, on previous proof of two years' domiciliation and good conduct;
3. Those who obtain letters of naturalisation from the Legislative Body.

XI. The following lose the character of citizens:
2. Those who while residing in the Republic accept employment from another nation without licence from the Legislative Power;

3. Those who get naturalised in a foreign country.

TITLE III.—Of Foreigners.

Nationality.

Art. XVI. The children of foreigners born in the Republic, and emancipated according to law, must declare before the proper authority, within a year after the emancipation, whether they accept the Salvadorean nationality or not, but if they do not make such declaration they shall be considered as naturalised.

TITLE VIII.—Of the Attributes of the Legislative Power.

Treaties.

Art. XXXVI. It belongs to the Legislative Power:

14. To declare war and make peace on examination of the grounds communicated by the Executive Power.

25. To ratify, modify, or disapprove the various Treaties and negotiations transacted by the Executive with foreign Powers, and the Concordats adjusted with the Supreme Pontiff.

TITLE X.—Of the Attributes of the Executive Power.

Art. XLVII. It belongs to the Executive Power:

9. To conduct warfare, with power to dispose of the public revenue for the purpose, and conclude Treaties of Peace and any other negotiations, submitting them to the ratification of the Legislature.

---

SERVIA.

CONSTITUTION of the Principality of Servia; so far as relates to the conclusion of Treaties, Nationality, and Religion. Kragouievatze, 1869.

(Traduction.)

TITRE I.—Du territoire de la Principauté du Prince, de l’Hérité du Trône, de la Régence.

Treaties.

Art. VIII. Le Prince représente le pays dans toutes ses relations extérieures et conclut les Traités avec les États étrangers. Mais si l’exécution de ces Traités entraîne une dépense pour le trésor, ou implique une modification de lois existantes, ou si, en général, le Traité porte atteinte à des droits publics ou privés, le consentement de l’Assemblée Nationale doit nécessairement être obtenu.
SERVIA.

TITRE II.—Des Droits et des Devoirs des Citoyens en Général.

Nationality.

Art. XXII. La loi détermine les conditions d'admission à la nationalité Serbe, les droits qui y sont attachés et comment on la perd.

Religion.

Art. XXXI. La religion dominante du pays est la religion orthodoxe Orientale. L'exercice de tout autre culte reconnu est libre et placé sous la protection de la loi. Personne toutefois ne peut se prévaloir de prescriptions religieuses pour se dispenser de remplir ses devoirs de citoyen. Le prosélytisme ainsi que tout acte tendant à porter atteinte à la religion orthodoxe est interdit.

Nationality.

Art. XL. Il est loisible à tout Serbe de renoncer à sa nationalité après avoir satisfait toutefois à l'obligation du service militaire dans l'armée régulière et aux autres obligations qu'il peut avoir soit envers l'État soit envers des particuliers.

TITRE VIII.—Des Cultes, des Ecoles, et des Institutions de Bienfaisance.

Religion.

Art. CXIX. Le libre exercice public de leur culte est garanti aux confessions reconnues en Serbie, ainsi qu'à celles qui le seront par une loi spéciale.

CXX. Le Prince est le protecteur de toutes les religions reconnues dans l'État.

Les administrations ecclésiastiques de toutes les religions reconnues sont soumises à la surveillance du Ministre des Cultes. L'administration des affaires ecclésiastiques intérieures continue à appartenir d'après les canons respectifs pour l'église orthodoxe au synode et pour les autres confessions aux autorités spirituelles compétentes.

CXXI. La correspondance de l'autorité spirituelle de l'église orthodoxe avec les autorités ou synodes étrangers est soumise à l'approbation du Ministre des Cultes. Il en est de même de la correspondance du clergé des autres confessions avec les autorités et les synodes étrangers. Nul document émanant d'une autorité spirituelle ou des synodes ecclésiastiques étrangers ne peut être publié dans le pays sans l'autorisation du Ministre des Cultes.
SIAM.

ACT of the British Parliament, to vest Jurisdiction in matters arising within the Dominions of the Kings of Siam in the Supreme Courts of the Straits Settlements.

[33 & 34 Vict., cap. 55.] [August 9, 1870.]

WHEREAS doubts have been entertained whether the Supreme Court of the Straits Settlements has the jurisdiction over matters arising in Siam which was vested in the then existing Supreme Court of Her Majesty’s Possession of Singapore, by an Order in Council, dated the 28th day of July, 1856, & by an Act of the 20th and 21st years of Her Majesty’s reign, chapter 75, intituled “An Act to confirm an Order in Council concerning the exercise of jurisdiction in matters arising within the kingdom of Siam.”

And whereas it is expedient that such doubts should be removed, and that such jurisdiction should be vested in the said Supreme Court of the Straits Settlements:

Be it enacted by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as the “Siam and Straits Settlements Jurisdiction Act, 1870.”

2. All the powers and jurisdiction in respect of matters civil and criminal arising within the dominions of the Kings of Siam which were vested in the said Supreme Court of Singapore by the hereinbefore recited Order in Council and Act of Parliament shall be, and the same are, hereby vested in the said Supreme Court of the Straits Settlements.

3. Her Majesty may, by Order of Council, exercise in respect to the said Supreme Court of the Straits Settlements all the powers which under the said Act Her Majesty might have exercised in respect to the Supreme Court of Singapore.

BRITISH ORDER IN COUNCIL, providing for the exercise of British Jurisdiction in Siam. Balmoral, October 23, 1876.

At the Court at Balmoral, the 23rd day of October, 1876.

PRESENT: THE QUEEN’S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS Her Majesty the Queen has power and jurisdiction within the Dominions of the Kings of Siam:

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Acts, 1843 to 1875, and by the Act of the Session of the 20th and 21st years of Her Majesty's reign (chapter 75),* "to confirm an Order in Council concerning the exercise of jurisdiction in matters arising within the Kingdom of Siam," or otherwise, in Her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order may be cited as the Siam (Foreign Jurisdiction) Order in Council of 1876.

2. Words in this Order have the same meaning as in the Order in Council of the 28th day of July, 1856,† relative to Her Majesty's power and jurisdiction within the Kingdom of Siam (which Order may be cited as the Siam (Foreign Jurisdiction) Order in Council of 1856).

3. Her Majesty's Consul-General at Bangkok shall, on receipt of this Order, cause a printed copy thereof to be affixed and publicly exhibited in his Court, and shall cause a printed copy thereof to remain publicly exhibited there for one calendar month; and on the expiration of that month the following provisions of this Order shall commence and have effect.

4. The Siam (Foreign Jurisdiction) Order in Council of 1856 shall, as regards the exercise of jurisdiction by Her Majesty's Consul-General at Bangkok, but not further, be read and have effect as if, in Article XIV thereof, for the words "12 months" there were substituted the words "3 years."

5. Where a British subject, being a native of Her Majesty's Possession of British Burmah, is charged with the commission of a crime or offence, the cognizance whereof appertains to Her Majesty's Consul, and it is in the opinion of Her Majesty's Consul expedient that the crime or offence be inquired of, tried, determined, and punished, within Her Majesty's Dominions, then, notwithstanding, anything in the Siam (Foreign Jurisdiction) Order in Council of 1856, the accused may, under section 4 of the Foreign Jurisdiction Act of 1843 [cap. 94],‡ be sent for trial, if the Consul thinks fit, to Her Majesty's Possession of British Burmah.

(2.) The Consul may, by warrant under his hand and official seal, cause the accused to be taken for trial to British Burmah, accordingly.

(3.) The warrant shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named, and to carry him to and deliver him up at any place in British Burmah, according to the warrant.

SPAIN.

And the Right Honourable the Earl of Derby, and the Most Honourable the Marquis of Salisbury, two of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty are to give the necessary directions herein as to them may respectively appertain.

C. L. Peel.

__________________________

SPAIN.

DECREE of the Captain-General of Cuba, declaring Free all Slaves of Rebels who may have served the Spanish Government. Puerto Principe, May 14, 1870.

(Translation.)

DECREES.

Only Article.—All slaves belonging to persons who are in the insurrection, or are abroad working in its favour; and which slaves may have taken up arms to accompany our columns, as well as those who may have served as guides, or have rendered any other important warlike service, which may be included or may be perfectly analogous with what is defined in Law III, section 22, paragraph 4, case 4, shall be declared free.

In order to carry out the preceding Decree, the Commanders of columns, or the Lieutenant-Governors, will institute the proceedings requisite to prove the services rendered by each slave, and to whom the slave belongs, and will transmit these proceedings to this superior Government for final decision.

Caballero de Rodas.
Puerto Principe, May 14, 1870.

__________________________

LAW of the Regent of Spain, relative to Foreigners in Spanish Colonies. San Ildefonso, July 4, 1870.

(Translation.)

Don Francisco Serrano y Dominguez, Regent of the Kingdom by the will of the Sovereign Cortes, to all who shall see and hear these presents, greeting: the Constituent Cortes of the Spanish nation, in the exercise of their sovereignty, decree and sanction as follows:

Art. I. The following persons are foreigners:
1. All persons born of foreign parents outside the Spanish territory.
2. Persons born outside the Spanish territory, of a foreign father and a Spanish mother, so long as they do not claim Spanish nationality.
3. Persons born in the Spanish territory of foreign parents, or of a foreign father and a Spanish mother, so long as they do not claim Spanish nationality.
4. Spaniards who have lost their nationality.
5. Persons born outside the Spanish territory of parents who have lost the Spanish nationality.
6. A Spanish woman married to a foreigner.

For the effects of this Article Spanish ships are considered as part of the Spanish dominions.

II. Foreigners who may obtain, according to law, letters of naturalization, or may acquire a right of settlement (vecindad) in any town in the Spanish colonies, shall be considered as Spaniards.

III. Foreigners may come to, and freely reside and establish themselves in the territory of the Spanish colonies. They shall be divided into domiciled (domiciliados), migratory (trans-euntes), and emigrants (emigrados). They shall enjoy the rights and fulfill the duties established by this Law, and shall also be subject to all the laws and regulations in force in those colonies.

The domiciled shall be those who have a house of business, or have resided 3 years in the province, or are inscribed in the register as domiciled.

The migratory shall be those who are in none of the above circumstances.

Emigrants shall be those who, not being in the said circumstances, are not entered in the register as migratory and have remained more than 3 months in the province.

IV. Foreigners arriving in a Spanish colony, and desiring to be entered in the register as domiciled or migratory, must present to the civil authorities of the town a passport, or a proper document, for their identification.

If they do not possess such a document, they shall produce, before the said authorities, the necessary proof by witnesses.

Both these acts may be performed before the respective Consul, who, in that case, shall forward to the civil authorities the proper testimony thereof, entire and certified.

V. The foreigner, who shall not prove his identity in either
of the two manners ordered in the previous Article, shall be considered as an emigrant, after 3 months from his arrival.

VI. When the prescriptions of Article IV have been fulfilled, a certificate shall be issued to the foreigner, to prove his identity in any part of the territory to which he may wish to go, until he has been entered in the Register of Foreigners, and provided with the corresponding ticket (cédula).

VII. All foreigners residing in the colonies must, in order to be considered as such according to this Law, be entered in the Register of Foreigners to be kept for the purpose in the offices of the Superior Civil Governors, and in the register of the Consulate of their nation.

If, in the territory, there be more than one Consulate of the same nation, the register shall be kept by the Consul in the capital, and if there be no Consul in the capital, it shall be kept by the Consul whom the Superior Civil Governor shall designate.

VIII. Those registers shall contain:

The name, age, birth-place, condition, and profession of the person interested.

His denomination as a domiciled, migratory, or emigrant foreigner.

The place where he fixes his domicile.

The kind of establishment that he opens.

The family that accompanies him. And any other circumstances that may serve to determine his civil condition.

IX. The register at the Consulates shall not have legal force and value, if it be not in conformity with the one kept at the office of the Superior Civil Governor.

X. The entry in the register shall be made in view of the documents presented for his identification by the person wishing to be registered.

In default of documents, the party interested may give evidence by witnesses.

XI. The entry having been made in the register, the person interested shall be provided with a ticket, in which shall appear his name, age, birth-place, condition, and profession, his designation as domiciled, emigrant, or migratory, and, if requisite, the place of his domicile.

That ticket shall serve the person interested as a proof of his identity, and for the purpose of residing in and freely travelling through the whole of the Spanish territory.

XII. Any foreigner, whom it may not suit to go to the capital of the territory, shall demand, through the civil authorities of the place where he may wish to reside or establish himself, to be entered in the Register of Foreigners, to which end he shall hand to the said authorities the documents for his identification, or shall give the evidence mentioned in Article X.
XIII. The documents or the record of the steps taken for information shall be sent, in original and within 8 days, to the Superior Civil Governor, who shall order the entry to be made in the register, the corresponding ticket to be issued, and the whole to be sent through the same channel to the person interested.

These steps shall be taken within 15 days, counting from the date of the reception of the documents at the Government Office.

XIV. The evidence of the witnesses, the steps taken for sending the documents, and all other measures necessary for making the entry in the register, as well as the certificate mentioned in Article VI, and the ticket spoken of in Article XI, shall be considered as official measures, and shall be performed and issued gratis.

XV. For legal effects, the domicile of a foreigner shall be understood to be the town where he has a house of business, or where he may be living at the expiration of the 3 years of his residence in the province.

When he has a house of business in two or more towns, he shall choose one as his domicile.

XVI. When a foreigner passes from the class of emigrant to that of migratory or domiciled, or from that of migratory to that of domiciled, or when, being domiciled, he shall change his domicile, he shall, either in person or through the local authority, inform the Superior Civil Governor of the fact, sending in his ticket, so that the corresponding notes may be made on the ticket and in the register.

The periods for taking these steps shall be the same respectively as those fixed in Article XIII.

XVII. The right of domicile shall be demanded of the municipality or local authorities of the town in which it is intended to be fixed, stating the motive and object, and its conditions and circumstances.

From the decision of the local authorities or municipality, the applicant may appeal to the Superior Civil Governor, whose decision shall be final.

XVIII. Every demand of domicile shall be decided upon by the local authorities or municipality within 15 days; if that term expires without a decision, the domicile shall be considered as granted.

The appeal to the Superior Civil Governor against the refusal of domicile shall be decided within a month, counting from the day of the reception of the demand of appeal in the office of the Governor. If the month expires without a decision, the domicile shall be considered as granted, and the decision appealed against as annulled.

XIX. No foreigner can be entered in the register of the
478 SPAIN.

Civil Governor as domiciled, nor can the place where he wishes to be domiciled be stated, unless he gives due proof of the domicile having been granted to him.

XX. Migratory foreigners may reside in the place of their choice.

Nevertheless, when those residing in any one place may, on account of their number, the place from whence they come, or other circumstances, jeopardise the friendly relations of Spain with another nation, the Governor, or the superior authorities of the province, may appoint them another place of residence.

XXI. Emigrants shall, while under that denomination, reside at the place where the Superior Civil Governors, and afterwards the Spanish Government may appoint.

In the meantime they shall be under the vigilance of the political authorities of the town where they may first present themselves, which authorities shall appoint their place of residence, giving immediate notice to the Superior Civil Governor.

XXII. Emigrants coming armed into the Spanish territory, shall be at once disarmed.

XXIII. The Superior Civil Governors, giving immediate notice to the Government, shall decide not only the place of residence of emigrants, but also whether they are to remain in custody (en deposito), or to receive help.

XXIV. Emigrants not proving their identity shall not be entered in the register of foreigners until the fulfilment of the prescriptions of the following Article.

In the meantime they shall be placed in a special list, under the name and description that they may choose. To this end, the authorities to whom they may first present themselves shall take care to send, with all haste, the corresponding information to the Superior Civil Governors.

XXV. In the case mentioned in the previous Article, the Spanish Government, or in its name, the Superior Civil Governors, shall ask of the nations, from which the emigrants have said that they come, the information necessary to prove the truth of their assertions.

XXVI. Every emigrant shall pass to the condition of migratory or domiciled 6 months after entering Spanish territory, or before the expiration of that time, should he demand it, and have proved his identity.

XXVII. Emigrants who, 6 months after entering Spanish territory, shall not have proved their identity, or concerning whom nothing certain may be known, in spite of the investigations mentioned in Article XXV, shall be entered according to the account they may have given of themselves.

XXVIII. An emigrant who, not having been able to prove his identity, shall have made false statements concerning his
name and circumstances, may be expelled from Spanish territory by order of the Government or Superior Civil Governor of the province.

A person who, in order to prove his identity, may present false documents, or give false evidence, may be expelled in like manner. In this case criminal proceedings shall be taken, according to the law, against Spaniards who may in any way have taken part in the offence.


XXIX. Foreigners who, in conformity with this Law, reside in the Spanish colonies, shall have a right:

To the safety of their persons, goods, domicile, and correspondence, in the manner established by law for Spaniards.

To unite and associate themselves in the cases in and the conditions under which Spaniards may do so, and provided that their object be not hostile to States in friendly relations with Spain.

To make known and publish their ideas, subject to the same laws as the Spaniards, and with the limitation made in the previous paragraph.

And to address petitions to the public powers and to the authorities in the manner provided by law for Spaniards.

XXX. Every foreigner in the Spanish colonies shall have a right to practise, in public or in private, any religious worship, with no limitations, except those fixed by the universal rules of morality and law.

XXXI. No foreigner can be either an elector or eligible for public posts conferred by popular election.

XXXII. Neither can any foreigner,

Fill any post entailing authority or jurisdiction, even though not conferred by popular election;

Obtain any ecclesiastical preferment;

Obtain any public employment not entailing authority or jurisdiction, unless he shall have entered the Spanish service by permission of his Government, or shall, in the absence of such permission, have been especially habilitated for the purpose by the Spanish Government.

In the latter case, the foreigner shall, before taking possession of his post, renounce the protection of his country in all things concerning the performance of his official duties.

XXXIII. All persons considered as foreigners according to this Law shall be obliged to pay the taxes of all kinds, which, according to the laws, regulations, and tariffs, may be payable on the industry or commerce which they exercise.
The domiciled shall also be subject to municipal and provincial taxes, and to the free contributions, loans, and taxes, whether ordinary or extraordinary.

XXXIV. Real property belonging to foreigners, no matter what may be their denomination, and even if they do not reside in Spanish territory, shall be subject to all taxes to which similar property belonging to Spaniards may be liable.

XXXV. Foreigners shall be exempt from the performance of personal municipal duties.

Except those who are domiciled and keep a house of business on their own account, who shall be subject to the performance of the duties of billet and baggage.

XXXVI. The domiciled shall have a right to the enjoyment of all the common advantages of the town of their domicile.

XXXVII. No one considered as a foreigner, according to this Law, shall be liable to military service.

TITLE III.—Of the Civil Condition of Foreigners. [Right to possess Landed Property, and to Trade. Actions at Law. Intestate Property. Privilege law right (Fuíro) not recognised.]

XXXVIII. Foreigners may acquire and possess, in the Spanish colonies, all kinds of personal and real property.

XXXIX. All foreigners may freely exercise, in the Spanish colonies, any kind of industry, in conformity with the laws there in force, and devote themselves to any profession, for the exercise of which the laws may not require certificates of fitness issued by the Spanish authorities.

XL. Foreigners may trade by wholesale and retail, subject to the Commercial Code, and to the other laws, regulations, and orders in force on the subject.

The existing prohibitions, as to the performance of public mercantile functions by foreigners, shall subsist for the present.

XLI. Foreigners shall be subject to the Spanish laws and tribunals for offences committed in Spanish territory.

XLII. They shall also be subjected to the same in all actions instituted by or against them, for the fulfilment of obligations contracted, in or out of Spain, with Spaniards, and in all suits concerning property or the possession of goods in the Spanish territory.

XLIII. The Spanish tribunals shall also be competent for, and shall take cognisance of the suits between foreigners which may be brought before them, and which may concern the fulfilment of obligations contracted or to be fulfilled in Spain.

XLIV. In cases of intestacy of foreigners, the judicial authorities of the town in which the death may take place, together with the nearest Consul of the nation of the deceased,
or with the person whom the Consul may appoint for the purpose, shall make an inventory of the property and effects, and shall take the necessary steps for keeping them in safe custody, and for holding them at the disposal of the heirs.

Should the foreigner be domiciled and die out of the town of his domicile, the judge of the latter place, to whom notice shall be given by the judge of the place where the death may happen, shall fulfil the prescriptions of the previous paragraph, as to the property and effects of the deceased which may exist there.

If there be no Consul residing in the town where the death takes place, or in the town of the domicile, the judicial authorities shall confine themselves to taking the necessary measures for the safe custody of the property and effects, until the Consul, to whom they shall give immediate notice, or the person appointed by him, shall present himself.

XLV. Both in intestacies and testamentary successions of foreigners, the Spanish tribunals only can take cognisance of the reclamations and suits referred to in the foregoing Articles.

XLVI. In other matters concerning or against foreigners, the Spanish tribunals only shall be competent to take urgent provisional measures of precaution and safety.

XLVII. Foreigners, as such, shall enjoy no especial or privileged law right (fuero), and shall be subjected to the same tribunals as those which, according to circumstances, take cognisance of the affairs of Spaniards.

TITLE IV.—Of Foreign Ships. [Surrender of Seamen Deserters and Criminals. Shipwreck and Salvage.]

XLVIII. Criminals or persons guilty of common offences shall not be permitted to take refuge on board foreign merchant vessels anchored in a Spanish port; and should they do so, the Spanish authorities shall proceed to their removal, after giving notice to the respective Consul, should there be one, or in conformity with that which is established in the respective international Treaties, should any exist.

XLIX. All foreign ships may enter the ports of the Spanish colonies.

A ship entering under stress shall be assisted by the Spanish authorities.

L. The Spanish authorities shall interfere in case of any excess, disorder, or tumult taking place on board a foreign vessel at anchor in a Spanish port, when they think that it may affect internal or external security, or the tranquillity of the territory.

In any other case, they shall only interfere if the captain of the vessel asks for their help.

VOL. XIV.
LI. Deserters from the crews of foreign ships, anchored in the port of a Spanish colony, shall be returned to their vessels by the Spanish authorities on apprehension.

LII. In case of shipwreck of a foreign vessel, the marine authorities, assisted by the other authorities, and in agreement with the captain of the ship or with her commander, and with the respective Consul, should there be one, shall do everything necessary for the salvage.

LIII. In the case referred to in the previous Article, they shall only exact the payment of the expenses of salvage, and for law costs, according to the provision of the tariffs for Spanish vessels.

LIV. Any fault, negligence, or omission on the part of the Spanish authorities, regarding the assistance ordered in the above Articles, shall make them responsible to the Spanish Government; but no right to any indemnification whatever shall be thereby accorded to those who may think themselves injured in consequence thereof, except it be otherwise established in Treaties.

TITLE V.—General Dispositions. [Non-application to Foreign Representatives.]

LV. The dispositions of this Law do not refer to foreign representatives, nor to the persons depending on them as such.

LVI. The laws and dispositions in force on the subject up to this date are hereby abrogated, in so far as they are opposed to the prescriptions of this Law.

LVII. The Minister of the Colonies will draw up the regulations and issue the orders necessary for the fulfilment and execution of this Law.

By order of the Constituent Cortes, this is communicated to the Regent of the Kingdom for its promulgation as Law.

Palace of the Cortes, May 19, 1870.

[Here follow the signatures of the President and Secretaries of the Cortes.]

Therefore, I order all the Tribunals, Justices, Chiefs, Governors, and other authorities, Civil, Military, and Ecclesiastical, of whatever class or dignity, to observe it and cause it to be observed, to fulfil and execute it in all its parts.

San Ildefonso, July 4, 1870.

FRANCISCO SERRANO.

SEGISMUNDO MORET Y PRENDERGAST,

Minister of the Colonies.
ORDER of the Regent of Spain, relative to Foreign Shipwrecked Vessels. Madrid, August 23, 1870.

(Translation.)

SIR,

In view of the investigations made concerning the advisability of modifying the Royal Orders of the 5th July, 1864, and 12th August, 1866, so far as they relate to the dues to be collected by the Exchequer for the nationalisation (abandermiento) of foreign shipwrecked vessels which are again made fit for sea:

Considering that the principal object of those Orders was to impede the nationalisation of wooden vessels under 400 tons, which, on account of inevitable accidents at sea, might suffer shipwreck on the coasts and in the ports of Spain; and at the same time to throw obstacles in the way of the purchase and rehabilitation of vessels above that tonnage, or of iron shipwrecked vessels:

Considering that the motives on which the said Orders were based have been caused to disappear by the new Customs and Navigation Laws, which, in removing the prohibition to import vessels, under 400 tons, and in granting freedom from duties and facilities for ship-building and repairing, clearly point out the principle by which the Administration must be guided in that which concerns the nationalisation of foreign shipwrecked vessels, if, in this as in all things, the new laws are to preserve harmony and be beneficial to trade:

Considering that the importation of ships is now subjected to the same formalities as the importation of any other merchandise, for which reason it is right and proper that, in case of damage or deterioration on account of accidents at sea, both should be similarly treated with regard to reduction of tariff dues, saving the exceptions consequent upon the different condition and class of each:

And considering that the owners or outfitters of vessels receive back the amount of the duty they may have paid for the importation of materials for building or repairing ships, which exceptional benefit can in no case be refused, on account of the general terms of the wording of the Decree of 22nd November, 1868 (now a law), by which that benefit is granted:

His Highness the Regent of the Kingdom has seen fit to order the abrogation of the aforesaid Royal Orders, and the establishment in place thereof of the following rules for the dispatch and nationalisation of shipwrecked vessels:

1. The owners of shipwrecked vessels, wishing to export the remains thereof, may do so by going through the due formalities. By "remains" shall be understood not only the hull and masts and spars, but also the appurtenances and fittings, such as sails, rigging, chains, &c.
2. If, instead of exporting them, they wish to sell them, then they shall come to an understanding with the Consul of their nation, in order to take the necessary steps; but the Consul must give information to the Administrator of the Custom-House.

(1.) When the valuation of the ship is going to be made, in order that the said administrator may name an employé to be present at the said valuation, who shall sign with the valuers, if he finds the valuation just, or, if not, shall state his opinion, and give information to his chief.

(2.) When the formalities have been fulfilled, and the sale is to be proceeded with, in order that the Administrator himself, or a person representing him, may be present, the Consul shall also send to the Administrator a certified copy of the document, setting forth the price of the sale of the vessel or remains, which is to serve as a basis for the exaction of the tariff dues to be paid by the purchaser.

3. If it be desired to rehabilitate the ship for sea, the owner or purchaser shall give information officially to the Administrator of the Custom House.

4. That official shall name a master ship-carpenter, who, with another named by the marine authorities of the port, shall proceed to value the ship at what she may be really worth in a dock or yard for the purpose of repairing her, and they shall measure her accordingly to the legal formula. If the party interested be satisfied with the valuation, he shall sign the record thereof with the Administrator, accountant, and valuers. If he be not satisfied, he shall say so, and a new valuation shall be made by the same valuers, in company with a third, who shall be named by the Junta of Agriculture, Industry, and Commerce, if there be one in the town, and, if not, by the Alcalde. The valuation thus made shall be binding on the Administrator and on the party interested.

5. The repairs or rehabilitation of the ship shall then be done without any intervention of the Administrator.

6. When the vessel is fit for sea, the party interested shall inform the Administrator, stating whether he wishes to re-export the ship, or to nationalise her. In the former case, the Administrator shall take steps for the restitution of the duty paid. In the second case, he shall order a second valuation and a new measurement to be made, in the manner established by Rule 4.

7. The value of the rehabilitated ship being thus known, the dues to be paid for her nationalisation shall be fixed by means of the following proportion: the value of the rehabilitated ship is to the tariff dues corresponding to her according to her tonnage, as her value before rehabilitation is to the fourth term which will express the duty to be charged.
However, if the difference between the result and the full tariff dues does not amount to 10 per cent., the full dues shall be levied, and if it be more than 75 per cent., 25 per cent. of the full dues shall be levied.

8. The duty on foreign materials, imported for the repair of shipwrecked vessels, shall be returned after the nationalisation, according to the Decree of 22nd November concerning navigation, now a law; but under the condition that the following requisites be expressed in the declarations: name, class, and nationality of the wrecked vessel; and a statement to the effect that the materials are imported for her repair, giving the name of the port where this may take place. It is understood that, without the fulfilment of these formalities, the benefit granted cannot be enjoyed.

9. These rules are applicable to ships now being rehabilitated, after such evidence as may in each case be considered necessary.

By order of His Highness I inform you of this, for your instruction and the due effects.

May God preserve you many years.

Madrid, August 23, 1870.

FIGUEROLA.

To the Director-General of Revenue.

SPANISH REGULATION, respecting the execution of the Law of the 3rd June, 1870, for the Abolition of Slavery in the Islands of Cuba and Puerto Rico. St. Sebastian, August 5, 1872.

(Translation.)

Art. I. In accordance with Article XIII of the Law, and the others which refer to patronage, there shall be established in each jurisdiction of the Island of Cuba, as well as in each civil district of that of Puerto Rico, a Junta for the protection of the freed slaves, under whose protection all those declared free by the dispositions of the said Law shall be. Moreover, there shall be a central Junta in the capital of each island.

II. The “Juntas protectoras jurisdiccionales” shall consist of the Governor or Lieutenant-Governor of the jurisdiction in Cuba, of the “Corregidor” of the district in Puerto Rico, who shall be the Presidents, and of the first syndic of the municipality of the capital of the district (cabecera), or of the sole syndic, should there only be one; of four members, two of them non-slave-owners; of four supernumeraries, in the event of illness, absence, or other impediment, two of whom shall likewise not possess slaves, and a Secretary without a vote.

The substitution of the members shall be so effected that in no case shall there be less than two members, non-slave-owners.

III. The post of a member of these Juntas shall be gratuitous and obligatory, except in the case of those above the age of 60, or in cases of physical infirmity.

Cannot be members:
First. Foreigners, who have not obtained naturalization papers.
Secondly. Minors.
Thirdly. Those who can neither read or write.
Fourthly. The military and public employés on active service.
Fifthly. Those who have suffered criminal penalties.
Sixthly. Those who, by virtue of a judicial sentence, are subject to the surveillance of the authorities.
Seventhly. Those who at any period have been condemned for infringement of the regulations which govern slavery, or for those actions which the decree of the Slave Trade punishes.

The post shall last two years, being renewed by halves each year, the two members and two supernumeraries who shall go out at the expiration of the first two years being determined by lot.

IV. To constitute the “Juntas jurisdiccionales,” the Governors or Lieutenant-Governors in Cuba, and the “Corregidors” in Puerto Rico, shall draw up a list of the respective chief towns and districts (cabeceras) which shall comprise 16 of the largest taxpayers of the jurisdiction, whether or no they shall be residents thereof, half being non-slave-owners, in order that the superior Civil Governor choose from among them the 4 members of the Juntas in question. In subsequent years the lists shall solely comprise 8 individuals, who combine the necessary qualifications, in order that the superior authority shall name the two members who shall replace the outgoing ones.

V. The “Juntas jurisdiccionales” having been constituted with the two natural members (vocales natos), which Article II prescribes, and the 4 members elected in accordance with Article IV, they shall proceed to form a proposition for the nomination of 8 taxpayers, residents in the jurisdiction, half of them non-slave-owners, and shall submit it to the superior Civil Governor in order that he may appoint the 4 supernumerary members, who have to replace the (ordinary) members. To fill up the annual and successive vacancies caused by the renewal of half of the supernumeraries, the Juntas shall alone propose 4 taxpayers, who combine the necessary qualifications, in order that the superior authority shall choose two of them.

The Juntas cannot come to any determination without the assistance of the half plus one of the members.
VI. The following are the attributions of the "Juntas protectoras jurisdiccionales."

1. To take care that the obligations imposed on the patrons by Article VII of the Law respecting the freedmen comprised in Articles I and II of the same be observed, in accordance with the state of culture and local circumstances, as well as the nature of the work which may hereafter have to be done in the town or urban properties, shall permit in each case.

2. To beware that the payment of the wages which Article VIII of the Law prescribes be made to the freedmen who have reached their 18th year; to determine the amount thereof; and receive the half destined to form the purse of the same. In order to estimate the wages of the freedmen, the average wages assigned to them shall be in proportion to what the freedmen earn, according to their class and duties.

3. To take care that the patronage ("patronato") over individuals who have reached the age of 22 cease, according to Article IX of the Law. Whenever the patronage ceases, owing to either of the 3 causes expressed in Article X of the Law, the married couple shall remain under the protection of the Juntas until the boy shall have reached his majority, and the Juntas shall endeavour, without doing violence to their wishes, to cause them to remain in the capacity of farmers ("colonos") with the patron of the mother. In the other two cases, the minors shall be placed by the Juntas under the patronage of such persons as may be deemed competent, the wages being lessened according to that which is stipulated in the second attribution ("attribucion").

4. To assist the freedmen comprised in Articles III and V of the Law, as well as those who were not in the patronage, while endeavouring that the contracts or stipulations which they may enter into shall be as favourable to them as possible, as well as to the development of agriculture and the interest of public order.

5. To exercise all the functions of guardianship, according to right, over minors under the age of 22, not being under patronage, as well as over those who, being under the age of 22, enjoy rights contrary to those of their patrons, representing them judicially and otherwise, by means of persons whom they may appoint to that end.

6. To intercede, with their consent, in the stipulations and acts of transmission of the patronage, as well as in those which tend to restore the freed parents the ownership of their children, and approve the indemnifications which they consider just, as shall hereafter be laid down.

7. To keep registers of the individuals whose protection has been confided to them, as well as of the changes which they undergo in their situations and residences, mentioning sepa-
8. To take care, according to the tenor of that which is laid down in Article XIV of the Law, that the patrons act up to their obligations respecting the freedmen above the age of 60, who may remain in the houses or estates of their former masters, and intervene in the disputes which may occur between them.

9. To impose, in the name of each party interested, the amount which is to be collected towards the formation of his purse in the public Savings' Bank, established in the Havana, and in San Juan, in Puerto Rico, or in their branch establishments.

10. To hear cases of renouncement on the part of the patrons, allowing those which the Juntas may consider just and proved; but in no case shall the renouncement have the effect of separating the son under the age of 14 from his mother. Moreover, this separation cannot be permitted in cases of transmission of the patronage.

11. To order the change of patronage, hearing the patron, when the minor, who may show any special aptitude, expresses a wish, either himself or through another person acting on his behalf, to change his calling, provided such translation be desired to another spot, where the patron could not exercise his rights, or where the latter may not have consented to a change of occupation.

12. To appoint the patrons, and form the lists and registers which may be necessary for the carrying out of the Law, or which may be provided for in this regulation, while carrying out whatever may be laid down therein respecting the documents in question.

13. To propose the nominations of a Secretary and other officials, which are to be made by the Governors or Lieutenant-Governors in Cuba and the "Corregidores" in Puerto Rico, and which must be approved by the superior Civil Governor.

14. To form the list of the officials of the jurisdiction, determining the amount of their salaries as well as that of the Secretary, and submitting it to the approval of the superior Civil Governor, who shall take cognizance of it previous to its being given to the Central Junta.

15. To decide the reclamations which may be made respecting the exclusion or inclusion in the lists of the freedmen.

16. To adjust and decide all questions which may arise between masters and men, as well as all others which may occur with respect to the application of this Regulation, while keeping in view the course of procedure of which Article XVIII treats.

VII. In case the opposite or contending parties should not
be satisfied with the decision of the judicial Juntas, they may have recourse to the Central Junta within the period of 30 days, which shall decide the case without appeal.

VIII. Whenever a party shall feel himself aggrieved by the definitive decision of the Central Junta, he may take administrative or judicial proceedings against it, as he may think fit.

IX. The line of procedure in cases of appeal, to which the former Article refers, shall be in conformity in the administrative suits with the existing dispositions for others of a like nature; and in judicial suits with cap. 24, part 1, of the Law of civil judicial procedure in force in the Islands of Cuba and Porto Rico.

X. The slaves who may be declared free, in conformity with Article XVII of the Law, shall be confided to the care of the protective Juntas, who shall proceed with respect to them in the same manner as with respect to the others, and which is determined in the regulation, especially in No. 4 of Article VI.

XI. The protective “Juntas jurisdiccionales” may delegate their attributes for each one of the parts of their jurisdiction to one of the persons comprised in the proposition to which Article V refers, while designating another one for the post of substitute, both residents in the district (“pastido”); and their nominations, at the suggestion of the Juntas, shall be made by the Governor or Lieutenant-Governor in Cuba, and the “Corregidor” in Puerto Rico, being submitted to the Superior Civil Governor for his approval. The delegates and substitutes shall always act under the authority of the Juntas, so that solely the latter shall decide and settle all questions which may arise, the delegates limiting themselves to carrying out their orders.

XII. Persons charged with such duties shall be considered public functionaries with administrative attributes, and will be subject to Government and judicial responsibility, corresponding to that status. Such duties shall be gratuitous, and cannot be renounced, except in cases where the resignation of the members has taken place.

XIII. The Central Protective Junta shall reside in the capital, and shall consist of—the Superior Civil Governor, who shall be its President; of a Vice-President, named by said authority; of the first Syndics of the municipality of the same; of 16 members, being landed proprietors, half of them being non-possessors of slaves, chosen by the Superior Civil Governor from among 150 of the largest taxpayers of the whole island, whether or no residents in the capital; of 16 substitutes, 8 of whom shall be non-slave-owners, for cases of absence or illness; and of a Secretary, proposed by the Junta and appointed by the Superior Civil Governor. The latter authority may delegate the functions of President in exceptional cases to any person whom he may deem fit.
The substitution of the landed proprietors shall be so con-
trived that in no case shall the number of members, being non-
slave-owners, be less than 8.

XIV. As soon as the Junta shall have been constituted, a
list of 32 of the taxpayers shall be made, being residents in
the capital, in order that the Superior Civil Governor may
choose the 16 substitutes who have to replace the landed pro-
prietors.

XV. This Junta shall be renewed by halves every year, it
being determined who shall go out at the conclusion of the
first.

The renewal of the members, being landed proprietors,
shall be made by the Superior Civil Governor in accordance
with Article XIII, and that of the substitutes shall also be
made by that Superior Authority, in conformity with Article
XIV.

The office of a member cannot be renounced except in the
cases mentioned in Article III.

Those cannot be members who are comprised in any of the
classes 1 to 7 of the said Article.

XVI. The following are the attributes of the Central Junta:
1. The creation of a Patron-General of the slaves.
2. That of the lists and registers of the freedmen of the
whole island which it may be deemed necessary to form now
or hereafter, contingent on the approval of the Superior Civil
Governor, a general résumé of said lists and registers must be
published in the "Madrid Gazette."
3. To hear and settle the reclamations which may be pre-
sented to them against the finding of the "Juntas jurisdic-
cionales," and to take cognizance of the reports ("consultas")
which the Juntas may send to them.
4. To give the necessary instructions to the "Juntas juris-
diccionales," taking care that the obligations imposed on them
by this Regulation be duly observed.
5. To submit to the Minister of the Colonies, through the
Superior Civil Governor of the island, whatever they may con-
sider opportune for the more efficient carrying out of the Law,
and to remove the difficulties which might give rise to disputes
or annoyance, either to the slaves or freedmen, or to the
masters and patrons.
6. To keep in legal form an account of the amounts which
each of the "Juntas jurisdiccionales" collects for half the
wages, destined to form the purse of the freedmen.
7. To propose to the Superior Civil Governor for his
appointment the nominations of the Secretary and other
officials, who may be indispensable, as well as the salaries
which they are to enjoy, and the estimate of expenses of the
said Junta.
8. To collect the estimates of expenses of all the "Juntas jurisdiccionales," and to intervene in the giving in of the accounts of the same; to draw up the general account, forwarding it in the established form, according to existing regulations, to the competent tribunal for its approval.

XVII. In order to get the money necessary for the indemnities set forth in the Law, and to pay the estimates of expenses of all the Protective Juntas, the Central Junta shall, after calculating and ascertaining the total amounts of the indemnities and expenses, submit to the Superior Civil Governor of the island the tax which is to be imposed on the slaves from the age of 11 to 60 inclusively.

The Superior Civil Governor shall forward the above project, together with his Report, to the Minister of the Colonies, in order that he should determine what he may consider most opportune.

XVIII. The Superior Civil Governor, after hearing the Central Junta as well as the Administrative Council in Cuba, or the Provincial Deputation in Puerto Rico, shall draw up the Regulations to which the Junta, the "jurisdiccionales Juntas," and the delegates of the districts in their various protective functions, and their relations with the Superior Civil Governor shall have to conform, strictly conforming to the Law of the 4th of July, 1870, as well as to this Regulation.

XIX. Those slaves who may have served under the Spanish flag during the insurrection in the Island of Cuba, and may remain hereafter on active service, shall not be confided to the care of the Protective Juntas as long as they are so employed as freedmen, and the fact of that employment shall be notified by the Superior Civil Governor to the "Junta jurisdiccional" under which they would have come as slaves. The Junta shall also be informed of the discharge of these men.

The former rules shall not comprise minors, who, in everything which does not refer to military affairs, must be protected by the respective Juntas.

XX. Those freedmen who, by reason of their bad disposition, evince an indisposition or disinclination to work, or who should be incorrigible, shall be abandoned by the Juntas to those to whom they belong; and the Juntas with the approval of the Central Junta, shall withdraw their protection from them, the authorities being apprised thereof for their guidance, and any steps which they may deem proper.

XXI. The freedmen who, by virtue of the dispositions of Article III of the Law, may have to indemnify their former masters, shall not receive their papers as such until their position shall have been examined, in order to fix the amount of the indemnity before the Protective Junta of the jurisdiction to whom the slaves belonged. The Juntas shall take care that
the valuations be made immediately, as well as the above-mentioned examination, in order not to delay a moment the declaration of freedom as well as the remittal of the corresponding paper.

XXII. The valuation of those individuals subject to indemnity shall always be made before the corresponding "Junta jurisdiccional," previous to the judgment of two experienced persons, named, the one by the Public Treasury for every case which may occur, and the other by the person to whom the indemnity may be owed, or his representative. In case of disagreement between the two experienced persons, the Junta, having previously heard a third person named by it, shall decide as in the former case as to the amount of the indemnity. All proceedings relative to one and the same individual shall be made in one document, the valuation, as given by the Juntas, being submitted to the approval of the respective financial Administrator.

XXIII. Those who may still be in the service of the army, and who should remain incorporated as soldiers in another jurisdiction, shall present themselves, subject to the authority of their superiors, before the Junta of that district, in order that it should fix the amount of the indemnity, while duly informing the former master of the freedman, or his representative, in order that he should name an experienced person to act in his name, who shall be present in the act of valuation, which, however, must not be omitted, owing to the absence of the party interested.

XXIV. In cases where the representative of the master should fail to appear, the Junta shall irrevocably fix, with the approval of the financial administrator or chief, the amount of the indemnity, while hearing the experienced person and the individual named by that same Junta. The decision thus arrived at shall be brought to the knowledge of the master or his representative, and communicated to the Protective Junta of the jurisdiction to which the freedman belonged when a slave.

XXV. Those masters whose slaves may have served under the Spanish flag, and died in the field, or from the result of wounds subsequent to the publication of the Law in the "Madrid Gazette," and prior to the carrying out of this Regulation, have a right to the indemnity to which Article III of the same refers, and shall, to that end, receive the amount of 1,500 pesetas for each slave.

XXVI. The indemnities which the parents, legitimate or natural, shall pay, in order to recover the ownership of their sons comprised in Articles I and II of the Law, shall be regulated in such a way that they shall represent the difference between the amount of the expenses of maintenance and education which the patron has incurred for the freedman,
that of the services which the latter has gratuitously given to the patron.

CHAPTER II.—Respecting the Patrons, Lists, and Registers intrusted to the Protective, Central, and the “Jurisdiccional” Juntas, and the issuing of Certificates to the Freedmen.

XXVII. Those solely shall be considered as slaves who are registered as such in the last general census respectively in the Islands of Cuba and Puerto Rico by the Central Protective Junta. Said census shall be considered as conclusive whenever it shall have been made according to the dispositions contained in the Law of the 4th of July, 1870, as well as the instructions issued by the Minister of the Colonies for its execution and fulfilment.

XXVIII. The “Juntas jurisdiccionales” shall keep a special register of those born after the 4th of July, 1870, the date of the publication of said Law. In this register, besides the circumstances which were borne in mind in the general one of slavery, and which is applicable to them, the name, profession, and domicile of the patron shall be entered, who has to exercise the duties of guardian.

XXIX. Those born of a mother under patronage, according to the Law, shall be duly included in the register to which the former Article refers.

XXX. Reclamations respecting the application of the benefits of the Law to individuals whose names have been omitted from the censuses or respective registers, may be produced at any time. Those of exclusion shall solely be admitted when they have been presented before the expiration of 30 days, to count from the publication of the lists which are formed in the respective jurisdictions, and may be produced at any time. Those of exclusion shall alone be admitted when they shall have been presented within the period of 30 days, to count from the publication of the lists which may be made in the respective jurisdictions; these appeals being understood to be without prejudice to the responsibilities arising from former dispositions. Slaves not comprised in the census made in the Island of Puerto Rico on the 31st of December, 1869, a date anterior to the publication of the Law, although registered in that of the 31st of December, 1867, will be considered as free; but the masters will have a right to the indemnities which shall be due to them when the Cortes shall grant them that right.

XXXI. The Superior Civil Governor shall order the Protective “Juntas jurisdiccionales” to deliver with all haste, by means of one of their members, the respective certificates, both to the freemen above the age of 60 and to the patrons of minors. The member delegated for this purpose shall draw up.

* Sic in orig.
the certificate, which he shall authorise with his signature, that of the patron or his representative, and two witnesses.

XXXII. The delivery of the certificates of those born subsequent to the 4th of July, 1870, shall be carried out with the same formalities mentioned in the preceding Article.

XXXIII. The census mentioned in Chapter 19 of the Law shall not interfere in any way with the responsibilities and rights laid down in the Decree ("con fuerza de Ley") of the 29th of September, 1866,* and the Ordinance of June 18, 1867.†

XXXIV. The Protective Juntas, comparing the above-mentioned Law of 1866 with the general question of slavery, shall take care to exclude from the latter all those who may not be included as slaves in the old census, only excepting those born subsequent to the date on which they ought to be free according to the Law.

XXXV. The above-mentioned Juntas shall also draw up a register of all the persons declared free by the effect of the Law of the 4th of July, 1870.

XXXVI. The proof of the services referred to by Article III of the above-mentioned Law may be submitted to the Protective Juntas, in order that they may arrange in concert with the authorities for the liberties of the slave. The Superior Civil Governor shall decide definitely, according to his judgment, reserving to the parties interested the appeals to which they think they may have a right against the decisions of the above-mentioned Authority.

CHAPTER III.—Of the Patronage.

XXXVII. All persons who, being declared free agreeably to Articles I and II of the Law, were born since the 17th of September, 1868, or may be born hereafter, shall remain subject to the patronage of the masters of the mothers. Those who have reached the age of 60, in the case of Article XIV of the Law, and do not claim their freedom, shall likewise belong to the patronage.

XXXVIII. The rights which our laws concede to guardians with respect to minors, the patrons shall exercise with respect to freed persons, being their lawful representatives.

XXXIX. Freed persons owe obedience and respect to their patrons as to their parents, and can neither buy, sell, cede nor alienate (property), under pain of such act being declared void, without their consent.

XL. Patronage is transmissible by all the means lawfully recognised, and may be renounced owing to some just cause, in conformity with Article XI of the Law. Neither the transmission nor the renunciation can be made so as to separate the freed child, under the age of 14, from its mother.

XLI. The patrons are bound to maintain, dress, and assist, in cases of illness, such persons as are confided to their protection, and to instruct them in the principles of religion and morality, while inculcating into them a love of work, submission and obedience to the laws and love for their neighbour; and must defray the expenses arising from their baptism and burial. These duties of the patron merely refer to those persons declared free, and comprised in Articles I and II of the Law.

XLII. They must also impart to such persons the necessary instruction to follow their trade or calling, dedicating them to whatever business they may show most aptitude and inclination, until they shall have reached the age of puberty. The zeal which the patrons may show on this head shall be considered as of an exceptional and meritorious nature.

XLIII. The patron, by way of an equitable remuneration of the duties imposed on him by the former Articles, and of the expenses which he may incur in favour of the freed person, has a right to avail himself of his labour, without any remuneration whatsoever, until such person shall reach the age of 18.

XLIV. The patron shall give to the freedman, from his 18th to his 22nd year, half the wages of a free labourer, according to his station and calling, while keeping in view, in thus valuing the amount of such wages, that which is laid down in Part 2 of Article VI. These wages shall be divided into two parts, of which the one shall be handed over to the freedman, and the other to the Protective Junta of the jurisdiction, to form a purse for the same.

XLV. The patron of any minor who may not have given him the necessary instruction for the exercise of a regular trade or calling as the state of culture of the country and local circumstances shall admit of, and as a return for the labour which the freedman may have furnished on the property, either in town or country, shall be bound to give to such minor, from the age of 18 to 22, the whole wages which would belong to a free labourer, provided such omission be owing to the fault or negligence of the patron.

XLVI. When the freedmen, being of the age of 60, shall have elected to remain in the house or property of their former masters, they shall acquire the character of patrons.

XLVII. In cases where the freedman of the former master should refuse to perform the respective obligations laid down in Article XIV of the Law, the Protective Juntas shall, after having heard both parties, adopt the measures which may be necessary for their observance, and shall endeavour to provide work, according to circumstances, for the freedmen.

XLVIII. The Protective Juntas shall take especial care not to provide for the freedmen work of a different nature to which
they had been performing up to that time, keeping those who were in the fields, those who had formerly been there, without, however, restricting their liberty.

XLIX. The patrons have a right to correct the errors which the freedmen may make. The Superior Civil Governor, on hearing the Protective Central Junta, shall assign in a regulation the punishments which the patrons may inflict.

CHAPTER IV.—Of the manner of effecting the Embarkation of the Freedmen, comprised in Articles III and V of the Law.

L. Those comprised in Article III of the Law shall, on receiving their certificates of freedmen, as well as those especial certificates of which Article V of the same treats, be consulted by the Junta from whom they receive them, as to whether they wish to return to Africa. Their wish shall at the same time be entered in the corresponding lists, as well as in the certificate with which they shall be provided.

The right of election conceded to these freedmen shall be made once for all, and within 70 days, to count from the date of the certificate of freedom being handed over to them.

LI. Those who may elect to return to Africa, shall immediately be placed at the disposal of the Protective Junta of the jurisdiction, until all those belonging to the same shall have been united, when the Superior Civil Governor, having been previously informed of their number and circumstances, shall order their transfer to a place of embarkation, which he shall choose.

LII. The emigrants hailing from the jurisdictions having been assembled in the port of embarkation designated for that purpose, shall be conducted on board the vessel which has to transport them, the commander of which shall receive them from the Government authorities of said port, being delegated to that end by the Superior Civil Governor; a record of the embarkation, containing the names of the emigrants, shall be drawn up in triplicate. Each copy of this record shall contain the names of the authority, already mentioned, of the naval commander or captain of the port, and of the commander of the ship which receives them. The latter shall keep one copy until the duties thus confided to him shall have been discharged, and the two others shall be forwarded to the Superior Civil Governor, the one being destined for his Government Secretary, and the other for the Ministry of the Colonies, certified copies of said record being furnished to the “Negente” and “Fiscal de la Audiencia” of the district.

LIII. Emigrants shall be allowed to take their personal effects and purse with them, as well as their tools, at the order of the commander of the vessel.

LIV. The emigrants shall be transported to such place in
Africa as the Superior Authority may designate, in accordance
with the instructions which His Majesty's Government may
have given it, and all requisite measures being taken for their
delivery in the port of disembarkation.

LV. As soon as the emigrants shall have been disembarked
in the port to which they have been destined, they shall remain
in complete liberty.

LVI. The Superior Civil Governor of the Islands of Cuba
and Puerto Rico shall submit to the Ministry of the Colonies
any doubts respecting the application of this Regulation, pro-
vided a measure on the part of the Government or Legislature
be necessary for their solution; while forwarding in the same
manner, for the approval of the Supreme Government, the dis-
positions which it may conceive it necessary to order for the
exact carrying out of the one and the other.

Given at St. Sebastian, August 5, 1872.

AMADEO.

EDUARDO GASET Y ARTIME, Minister of the Colonies.

---

LAW of the President of the National Assembly of Spain, for the
(Translation.)

The National Assembly, in the exercise of its sovereignty,
decrees and sanctions the following law:

ART. I. Slavery is forever abolished in the Island of Puerto
Rico.

II. The freedmen are obliged to make contracts with their
present owners, or with other persons, or with the State, for a
space of time which shall not be less than 3 years.

Three special functionaries, named by the Superior Govern-
ment, and called protectors of the freedmen, shall interfere in
those contracts as trustees of the freedmen.

III. The slave owners shall be indemnified within 6 months
after the publication of this Law in the Madrid "Gazette."

Owners, whose former slaves will not make contracts with
them, shall receive a bonus of 25 per cent. over and above the
indemnification to which they would otherwise have been en-
titled.

IV. The indemnification is fixed at 35,000,000 pesetas, which
shall be realised by a loan to be raised by the Government,
with the exclusive guarantee of the revenue of the Island of
Puerto Rico. The sum of 3,500,000 pesetas shall be yearly in-
cluded in the Puerto Rico Estimates, for interest on and
amortization of the said loan.

V. The distribution shall be made by a Junta composed of
the Superior Civil Governor of the Island, as President, the

VOL. XIV.
“Jefe Economico,” the Fiscal of the “Audiencia,” 3 Provincial Deputies chosen by the Deputation, the Syndic of the Municipality of the capital, two proprietors chosen by the 50 largest slave owners, and two others chosen by the 50 smallest.

The decision of this Commission shall be arrived at by a majority of votes.

VI. Should the Government not place the loan, it will hand over the bonds to the present slave owners.

VII. The freedmen shall enter upon the full enjoyment of political rights 5 years after the publication of the Law in the Madrid “Gazette.”

VIII. The Government will issue the necessary orders for the execution of this Law, and for attending to the necessities as to charity and labour which the said Law may bring about.

The Executive Power will take note of this for its printing, publication, and fulfilment.

Palace of the National Assembly, March 22, 1873.

F. SALMERON Y ALONSO, President.
CAYO LOPEZ, E. BEUST, F. BALART, Secretaries.

SPANISH REGULATIONS for carrying into effect the Decree of March 22, 1873,* for the Abolition of Slavery in Puerto Rico.

Madrid, August 7, 1874.

(Translation.)

The President of the Executive Power of the Republic, in accordance with the Council of State, approves the following Regulations for the carrying out of the law for the abolition of slavery in your island:

Art. I. In virtue of Article I of the Law of March 22, 1873, the Governor-General of the Province of Puerto Rico will at once make a Register of Freedmen, in which, making a distinction between the sexes, there shall be included in alphabetical order the name, age, and trade of each freed person, as well as the place from which he or she may come, and all other details worthy of being taken into account. The Register shall consist of two volumes, one for each sex.

II. Freed children, if they have a legitimate, or natural father and mother, shall remain under the charge of the same, according to the Law, and the parents are under the obligation of caring for and educating their children.

III. Freed orphans and those freed persons who on account of age, or of a physical or mental defect, are incapable of earning their living, will, like free persons in similar circum-

* See Page 497.
stances, remain under the charge of the respective munici-
palities, until the Government of the Nation shall take the
measures of charity announced in Article VIII of the Law. If,
however, by mutual agreement with the former patrons or
owners the freed person should wish to remain with the same,
authorisation may be granted to that effect; but with the
understanding that such a course does not prejudice the rights
of liberty.

IV. Every freed person will receive gratis a document, to
be called "Cédula de Seguridad y Contratación," setting forth
the name, sex, and age of the freed person, the name of the
person with whom the freedman may have entered into a con-
tract, and the other details mentioned in the annexed model.

These "Cédulas" will be purely local, and must necessarily
be renewed when the freed person makes a change of proprietor
or of residence.

V. Whenever a freed person may have to make a change
of residence, whether permanently or temporarily, he must
obtain a special pass, which will be provided to him by the
municipal authorities of his place of residence, reckoning with
the consent of the proprietor with whom the freedman may
have made a contract, and with that of the protector or syndic
of the respective municipality.

VI. Every freedman of sufficient age and fitness is obli-
go to enter into a contract for his labour, according to Article II
of the Law. The only persons exempted from this obligation are
those physically or mentally incapable, temporarily or perma-
nently, and those who, during the 3 years following the date of
the Law, may not have completed 12 years of age.

The freed persons completing that age within the said
space of time will make contracts only for the time wanting to
complete the 3 years.

VII. The former owners of the persons now freed will give
the municipal authorities information, in a written and signed
document, of the physical or mental defect or incapacity of the
freedman, and should the existence of that incapacity be
proved, after investigation, it shall be set down with the name
of the freedman in the register to be kept for that purpose.

VIII. Every freedman without a contract, or unduly con-
tracted, will without delay enter into a contract with his former
master or with another person, or will be employed, as con-
tracted by the State, on the public works that may be in pro-
gress.

IX. The local authorities will take care, and for this they
will be most strictly responsible, that in their district all freed-
men residing therein, who may be fit to work, be contracted.

X. The freedmen cannot exact higher wages than those
which in ordinary times it is the custom in each place to give
2 K 2
to the free labourer; the maintenance and dress of the freedman will be deducted from his wages, if the proprietor provides him therewith.

The proprietors on their side cannot exact from the freedmen heavier service than that performed in each place by the free labourer, but the freedmen are obliged to fulfil and observe the regulations that may be made by the proprietors for the better order of the service contracted for, if those regulations are not opposed to the spirit of the law of abolition and to the special clauses of each contract.

XI. The contracts for labour shall be personal, and not collective: and three special functionaries named by the Governor-General of the island, and called protectors of freedmen, shall have intervention therein as trustees of the freedmen.

XII. For the better discharge of the duties of those posts the territory of the province shall be divided into three departments, the respective centres of which shall be the Capital, Mayagüez, and Ponce, one of the said functionaries being at the head of each Department.

XIII. The following towns are included in each of those departments respectively:


In the second department:—Aguada, Aguadilla, Anasco, Cabo-rojo, Lares, Las Marias, Mayagüez, Moca, Rincon, Sabana-grande, San German, San Sebastian, Isabelia.

In the third department:—Ajustas, Aibonito, Arroyo, Barranquitas, Barros, Cayey, Coamo, Guayana, Guaynilla, Juana Diaz, Peñuelas, Ponce, Salinas, Santa Isabel, Yanco.

XIV. (This Article refers to the salary of the protectors.)

XV. The attributions of the protector shall be confined to the contracting of the freedmen, and to their defence and protection in everything concerning the fulfilment, interpretation, and rescinding of those contracts.

XVI. By virtue of those attributions the protectors will be present when the contracts of the freedmen are made, and will take the greatest care as to the settling of the clauses thereof; they will see that those claims be set forth with the full knowledge and consent of the freedmen themselves, and that the will of the latter be in no way thwarted.

XVII. The protectors will themselves perform their duties in their place of residence, and in the towns of their respective
departments; their delegates shall be the syndics of the municipalities.

XVIII. The syndics, as delegates, will exercise in their locality the same functions as the protectors, to whom they will give information of all acts performed by them by virtue of the delegation. The office of delegate shall be considered as civic.

XIX. The protectors shall make periodical visits to the towns of their districts for the performance of everything concerning the fulfilment of the duties assigned to them by these Regulations; and they will inform the Governor-General of the province of the result of their visits; at the same time they will hear and settle the complaints that may be made to them by the freedmen of their districts.

XX. The labour-contracts of the freedmen shall be made in the capital before the Governor-General, or a functionary delegated by him for that purpose, and in the other towns of the province before municipal authorities.

Those contracts shall set forth the name, sex, trade, and age of the freed person, the name of the person with whom the contract is made, the clauses thereof, and the penalty agreed to by the contracting parties.

The authorities before whom these contracts are made will write them out by order of date in a book, with the leaves numbered and signed by the said authorities, and stamped with the seal of the alcalde's office; the contract shall be signed by the secretary of the municipality, the contractor, the protector, and the freedman, if he knows how to sign his name.

The municipal authorities will send two certified copies of the record of the contract to the protector residing at the centre of the department; and when his approval has been obtained, or he has corrected the defects that are capable of emendation, one of these copies shall be placed in the archives of the protector's office, and the other shall be sent to the Governor-General for the formation of the register to be kept by the secretary's department of the same.

XXI. The contracts shall be entirely free on both sides, but they cannot by any means be rescinded at will of the contracting parties, except for a just cause which, with the intervention of the proprietor and of the corresponding protector or syndic, shall be judged by the municipal authorities, with appeal to the Governor-General.

XXII. During the twenty days following the publication of these Regulations, the superior authorities of the island, or the functionary who may be delegated for that purpose, shall proceed to revise all the contracts hitherto made before the said authorities, or before the proper municipal authorities, the protectors and syndics of the municipalities.
XXIII. All contracts shown not to have been made according to the Law, and not possessing the formalities prescribed by these Regulations, shall be declared null and void.

The same shall be the case with contracts shown to have been made by persons not proprietors, traders, or manufacturers in sufficiently easy circumstances to allow of the exact fulfilment of the obligations entered into. The local authorities and the protectors and syndics will take especial care as to this, and they will be most strictly responsible as to the prevention of deceptive contracts and of immoral speculations in this connection.

XXIV. All contracts made by freedmen, in consequence of Article II of the Law, and at present in force, as well as those which may be made hereafter, shall be considered binding until 20th April, 1876, at the least.

XXV. Vicious or immoral freedmen, who may be notoriously idle, and those who may be found without the special documents mentioned in Article III, shall suffer, as a correction, a fine of not less than 12.50 pesetas nor exceeding 187.50 pesetas, and if they cannot pay they shall be imprisoned, and the Governor-General may make use of them on one of the public works.

XXVI. Proprietors transgressing the letter and spirit of the contracts shall be liable to a like correction.

This correction shall be administratively applied by the respective alcalde, with appeal to the Governor-General of the island.

Transitory Article I. Doubts as to the interpretation and application of these Regulations shall be decided by the Governor-General of the province with appeal to the Ministry of the Colonies, to be presented to the said Governor.

Transitory Article II. The orders issued concerning the matter forming the subject of these Regulations, and not opposed thereto, remain in force.

Certificate of Engagement.

Magisterial District of ,

Department of , freedman of D ,

Age, Stature, Colour, Condition, Employment,

inhabitant of , emancipated by the Law of 22nd March 1873.

Is engaged to D , inhabitant of , in the Ward of , for the term of , by .

He is bound to live and sleep at the [plantation or house] of the person to whom he is engaged.
By order of the President, &c.
God preserve your Excellency, &c.
Madrid, August 7, 1874.

ROMERO ORTIZ.

To the Governor-General of Puerto Rico.

BRITISH ORDER IN COUNCIL, extending the system of British Tonnage Measurement to Spanish Vessels. Windsor, March 17, 1875.

At the Court at Windsor, the 17th day of March, 1875.
PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by "The Merchant Shipping Act Amendment Act, 1862," it is enacted,* &c.

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force, under "The Merchant Shipping Act, 1854,"† have been adopted by the Government of His Majesty the King of Spain, with the exception of a difference in the mode in certain steamers of estimating the allowance for engine room, and such rules are now in force in that country, having come into operation on the 2nd day of December, 1874.

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct as follows:

[Here follow the same directions as regards sailing ships and steam ships of Spain, as are given in the Order in Council of 26th June, 1873, with regard to German sailing and steam ships. See Germany.]

EDMUND HARRISON.

BRITISH ORDER IN COUNCIL, delaying until January 1, 1876, the extension of the system of British Tonnage Measurement to Spanish Vessels. Osborne, August 5, 1875.

At the Court at Osborne House, Isle of Wight, the 5th day of August, 1875.
PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Order in Council dated the 17th day of

† 17 & 18 Vict., c. 104, §§ 21 to 29. See Great Britain.
March, 1875,* Her Majesty, acting in exercise of the powers conferred upon her by "The Merchant Shipping Act Amendment Act, 1862,"† was pleased to make certain regulations as to the measurement of merchant ships of the Kingdom of Spain, the ascertainment of the tonnage thereof, and otherwise incident thereto:

And whereas it has been made to appear to Her Majesty that it is expedient that the operation of the said recited Order in Council should be suspended until the 1st day of January, 1876:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, is hereby pleased to direct that the operation of the said recited Order of the 17th day of March, 1875, shall be, and the same is hereby, suspended until the 1st day of January, 1876, when the same shall come into operation.

C. L. Peel.

ADDITIONAL CONVENTION between the General Post Office of Great Britain and Ireland and the Post Office of Spain.¶ Signed at Madrid, November 25, 1875.

The Director-General of Posts and Telegraphs of Spain on the one part, and the special delegate of the Postmaster-General of the United Kingdom of Great Britain and Ireland, named for that purpose, on the other part;

With reference to Article XXII of the Postal Convention concluded between Spain and the United Kingdom of Great Britain and Ireland on the 21st May, 1858,§ by which the Spanish Post Office and the British Post Office have power by mutual consent to modify the whole of the arrangements agreed upon in the said Convention, and to add or stipulate any measure which may extend it, to the advantage of both countries;

Seeing that Gibraltar is about to be considered as belonging to the General Postal Union, and that the conditions of the Union would affect prejudicially the special relations at present existing between Spain and Gibraltar, and desiring, on the contrary, to facilitate those relations in accordance with the rights of each country, have determined to exercise the before-named power, and have agreed upon the following Articles:

Art. I. There shall be a periodical and regular exchange between Spain and Gibraltar of:

1. Ordinary letters;

2. Registered letters and other articles;
3. Post cards;
4. Newspapers, books, periodicals, and printed papers;
5. Patterns of merchandise;
6. Commercial and legal documents, and proofs of printing with manuscript corrections.

II. The exchange of correspondence mentioned in the preceding Article shall take place daily, and shall be made between the post offices of Algeciras and Gibraltar.

III. The cost of conveying the mails between Gibraltar and the Spanish office of exchange, whether at Algeciras or any other town which circumstances may hereafter make a more convenient point of exchange, shall be defrayed wholly by the British Post Office.

IV. Prepayment of postage on every description of article exchanged between Spain and Gibraltar shall be obligatory, and effected by Spanish postage stamps on correspondence posted in Spain, and by British postage stamps on that posted in Gibraltar.

But notwithstanding the stipulation of the preceding paragraph, letters insufficiently paid shall be forwarded to destination, taxed on delivery with a postage of 25 centimos of a peseta for each single rate in Spain, and 2½d. in Gibraltar, the insufficient stamps counting for nothing.

V. The postage of ordinary letters exchanged between Spain and Gibraltar shall be as follows:
1. In Spain, for every 15 grammes or fraction of 15 grammes, 10 centimos of a peseta;
2. In Gibraltar, for every ½ ounce, or fraction of ½ an ounce, 1d.

VI. Post cards shall be chargeable with half the rate of a single letter.

VII. The Spanish Post Office and the British Post Office shall have the right to fix, in Spain and Gibraltar respectively, the postage on patterns of merchandise, newspapers, stitched or bound books, pamphlets, catalogues, prospectuses, music, visiting cards, announcements and notices of various kinds, whether printed, engraved, or lithographed; as well as on maps, drawings, lithographs, photographs, commercial and legal documents, and proofs of printing with manuscript corrections.

The maximum weight of packets containing articles mentioned in the preceding paragraph is fixed at 250 grammes, or ½ a pound, for patterns of merchandise; and at 1,000 grammes, or two pounds, for all the other articles.

There is reserved to the British and Spanish Post Offices the right to refuse to convey or to deliver articles specified in the present Article, with regard to which the laws, orders, and
decrees which regulate the conditions of their publication and
circulation have not been observed.

VIII. Letters and the articles specified in Article VII may
be registered.

Registered articles shall be charged, in addition to the
ordinary postage, with a fixed and uniform registration fee to
be established by the British and Spanish Post Offices respec-
tively.

This fee, as well as that for the acknowledgment of receipt
of registered articles, shall not exceed those charged in the in-
land service of the country from which the registered articles
proceed.

IX. The articles specified in Article VII, in order to be
titled to the reduced rate of postage therein stipulated, must
be enclosed in envelopes easily removable and admitting of an
examination of their contents, and must contain no figures,
marks, or writing other than the name and address of the
person for whom they are intended. Patterns of merchandise,
besides observing the above-named conditions, must not possess
any intrinsic value, but they may contain, in addition to the
name and address of the person for whom they are intended, a
manufacturer's or trade mark, numbers, and prices.

The articles specified in Article VII shall not be forwarded
unless they have complied with the before-named conditions
and been fully prepared to destination.

X. There shall not be admitted for exchange by post be-
tween Spain and Gibraltar any letter or other packet which
may contain either gold or silver money, jewellery, or precious
articles, or any other article whatever liable to Customs duties.

XI. Official correspondence relative to the Postal Service is
exempt from postage. With this exception no franking or re-
duction of postage is allowed.

XII. Each office shall keep the whole of the sums it collect-
s by virtue of the foregoing Articles, IV, V, VI, VII, and VIII.
Consequently, on this head there will be no necessity for any
accounts between Spain and Gibraltar.

Neither the senders nor the addressees of letters and other
postal packets shall be called upon to pay any tax or duty other
than those prescribed by the before-mentioned Articles.

XIII. The Balearic Islands, the Canary Islands, the Spanish
Possessions on the Northern Coast of Africa, and the Postal
Establishments of Spain upon the Western Coast of Morocco
shall be considered, for the purposes of this Convention, as
forming part of Spain.

XIV. The Post Office of Gibraltar shall deliver to and
receive from the Spanish Office of Exchange, without any
charge, the correspondence or closed mails conveyed to or from
Gibraltar by vessels belonging to mercantile companies with
which Spain may have made special agreements for the conveyance of correspondence to or from Transatlantic ports.

XV. Every mail exchanged between the Offices of Algeciras and Gibraltar shall be accompanied by a letter bill, in conformity with the specimen annexed to the present Convention.

No mention shall be made in the letter bill of ordinary correspondence, paid or unpaid, exchanged between Spain or any of the countries of the General Postal Union, sent by way of Spain and Gibraltar.

As regards other correspondence there shall be entered:

1. Under Table I, the total amount of the foreign postage due on the unpaid correspondence and the amount of the claim on the correspondence retransmitted, for which credit will have to be given to the dispatching office.

2. Under Table II, the total amount of postage to be credited to the British Office for correspondence sent à découvert by British mail packets between Spain and the ports of British India, China, Japan, or Australia.

The postage or claim to be entered in Table I, shall be indicated upon each article in blue ink or pencil, at the lower left-hand corner of the address.

The postage to be brought to account in Table II shall be entered on each article in red ink or pencil, at the lower left-hand corner of the address.

In Table III shall be entered, with such details as the Table requires, the closed mails in transit between Spain and the Philippines.

The registered correspondence shall be entered in Table No. IV of the letter bill, with the following details:—The name of the office or origin; the name of the addressee, and the place of destination; the amount of the foreign registration fees to be credited to the office of destination.

XVI. The Spanish Post Office shall pay to the British Post Office for the sea conveyance by British mail packets between Gibraltar and Singapore of closed mails between Spain and the Philippines, the following sums:

One franc 26 centimes per 30 grammes for letters.
One franc per kilogramme for printed papers.

XVII. The transit rates to which Spain is entitled for the correspondence exchanged by way of Spain between Gibraltar and other countries, whether in closed mails or à découvert, shall be those stipulated in the General Postal Union Treaty of Berne of the 9th October, 1874.*

XVIII. The transmission of registered articles as well as the conditions of their admission into the Post Offices, the making up of mails and the verification of their contents, and, in short, all the details and operations relating to the exchange

* See Page 67.
of mails between Spain and Gibraltar, shall be in entire conformity with the Detailed Regulation for the execution of the General Postal Union Treaty of Berne of 9th October, 1874.*

XIX. The present Convention shall be considered additional to that concluded between Spain and the United Kingdom of Great Britain and Ireland on the 21st May, 1858, and shall come into full and complete operation on the 1st January, 1876.

Done in duplicate and signed in Madrid on the 25th day of November, 1875.

G. CRUZADA, the Director-General of Posts and Telegraphs of Spain.

EDMUND CRESWELL, the Special Delegate of the Postmaster-General of Great Britain and Ireland.

* See Page 74.
A. 

Feuille d'Avis.

<table>
<thead>
<tr>
<th>Dépêche du Bureau d'Echange</th>
<th>d</th>
</tr>
</thead>
<tbody>
<tr>
<td>par le Bureau d'Echange</td>
<td></td>
</tr>
<tr>
<td>Départ du</td>
<td>187</td>
</tr>
<tr>
<td>Arrivé le</td>
<td>187</td>
</tr>
</tbody>
</table>

I. Avoir de l'Office d'Espagne.  

<table>
<thead>
<tr>
<th>Fr.</th>
<th>cts.</th>
<th>Fr.</th>
<th>cts.</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Debours:

(Port Etranger, taxe des Correspondances réexpédiées)

IV. Envois Recommandes.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Port Etranger.</td>
<td>Droit de Recommandation.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Fr.</td>
<td>cts.</td>
</tr>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>7</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>8</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>9</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### III. Dépêches Closes.

<table>
<thead>
<tr>
<th>Bureau d'Origine</th>
<th>Bureau de Destination</th>
<th>Nombre des Dépêches</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Nos. d'Ordre</th>
<th>Timbre d'Origine</th>
<th>Nom des Destinataires et Lieu de Destination</th>
<th>A bonifier à l'Office de la Grande Bretagne</th>
<th>Port Etranger</th>
<th>Droit de Recommandation</th>
<th>Observations</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>2</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>5</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>6</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Fr.</th>
<th>cts.</th>
<th>Fr.</th>
<th>cts.</th>
</tr>
</thead>
<tbody>
<tr>
<td>11</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>12</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>13</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>14</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>15</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>&amp;c.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Totaux

Total Général, à reporter Tableau No. 11, lit 6

L'Employé du Bureau d'Echange expéditeur: 

L'Employé du Bureau d'Echange destinataire: 

---

**Note:** The text appears to be a table format used for recording the dispatches sent from one bureau to another, listing various details such as the numbers of dispatches, their origin and destination, postage, and additional notes.
DECLARATION between Great Britain and Spain for the Protection of Trade Marks. Signed at London, December 14, 1875.*

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Spain, with a view to the reciprocal protection of the marks of manufacture and trade in the two countries, have agreed as follows:

The subjects of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as belong to native subjects in everything relating to property in manufacturing or trade marks, industrial designs or patterns, or manufactures of any kind.

It is understood that any person who desires to obtain the aforesaid protection must fulfil the formalities required by the laws of the respective countries.

In witness whereof the Undersigned have signed the present Declaration, and have affixed thereto the seal of their arms.

Done at London, the 14th day of December, 1875.

(L.S.) Derby.

(L.S.) Marques de Casa Laiglesia.

DECLARATION between Great Britain and Spain respecting Telegraphic Messages between Gibraltar and Spain.* Signed at Madrid, December 25, 1875.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Spain, have come to an agreement for the regulation of the exchange of telegraphic messages between Gibraltar and Spain by the line of telegraph established between Gibraltar and San Roque, and have authorised the Undersigned to make the following Declaration:

Art. I. There shall be a mutual exchange by telegraph of messages originating in Gibraltar on the one side, and in Spain on the other, between the British Telegraph Office at Gibraltar and the Spanish Telegraph Offices which may be designated by the Spanish Administration.

II. The charge to be levied, whether upon messages originating in Gibraltar addressed to Spain, or upon messages originating in Spain and addressed to Gibraltar, shall be for a single message not exceeding 10 words, 1 peseta and 50 céntimos of a peseta, and an additional 15 céntimos of a peseta.

* Signed also in the Spanish language.
shall be paid for every word above 10, no words being allowed free for address and signature. Of this sum two-thirds shall belong to Spain, and the other third to Gibraltar.

III. The accounts to which this telegraphic correspondence will give rise shall be made out in accordance with the provisions of Article XVII of the International Telegraphic Convention of St. Petersburgh, of 22nd July, 1875, and of Articles LXXV and LXXVI of the Detailed Regulations attached to that Convention, and with the modifications which may be introduced into the said Articles by the periodical revisions which successive Conferences may make of the said Regulations.

IV. This Agreement shall take effect on the 1st January, 1876, and its provisions come into operation on that date.

Done in duplicate in Madrid, the 25th December, 1875.

(L.S.) A. H. Layard, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary.

(L.S.) Fernando Calderon y Collantes, El Ministro de Estado de Su Magestad el Rey de España.

CONSTITUTION of the Kingdom of Spain; so far as relates to Nationality, Religion, Aliens, Declarations of War, Territories, and Treaties. Madrid, June 30, 1876.

(Translation.)

**Nationality.**

Art. I. The following are Spaniards:
1. Persons born in Spanish territory.
2. Children of a Spanish father or mother, although born out of Spain.
3. Foreigners who may have obtained letters of naturalization.
4. Those who, without such letters, may have gained denization (ganado vecindad) in any town of the Kingdom.

The quality of a Spaniard is lost by acquiring naturalization in a foreign country and by accepting employment from another Government without permission of the King.

**Religion.**

Art. XI. The Roman Catholic Apostolic religion is the religion of the State. The nation undertakes to maintain the worship and its ministers.

No one shall be molested in the Spanish territory for his religious opinions, nor for the performance of his respective worship, saving the respect due to Christian morality.

No other public ceremonies or manifestations than those of the State religion will, however, be allowed.

* See Page 95.  † See Page 99.
Aliens.

Art. IV. No Spaniard nor foreigner can be detained except in the cases and in the manner prescribed by the laws. Every person detained shall be set at liberty or handed over to the judicial authorities within the 24 hours following the act of detention. Every detention shall be annulled or converted into imprisonment within 72 hours of the delivery of the detained person to the competent Judge. The order which may be given shall be notified to the interested person within the same space of time.

Declarations of War.

Art. LIV. There appertain to the King the right:

§ 4. To declare war and to make and ratify peace, furnishing afterwards a written report to the Cortes.

 Territories. Treaties.

LV. The King must be authorised by a special law: 1. To alienate, cede, or exchange any part of Spanish territory. 2. To incorporate any other territory to Spanish territory. 3. To admit foreign troops into the Kingdom. 4. To ratify Treaties of alliance, offensive and defensive, those which specially relate to commerce, those which stipulate for the granting of subsidies to any foreign Power, and all those which may be binding individually on Spaniards. In no case can secret Articles of a Treaty annul public ones.

PROTOCOL between Great Britain, Spain, and Germany, respecting the freedom of Commerce and Navigation of the Sulu Archipelago. Signed at Madrid, March 11, 1877.

Les Soussignés, son Excellence Don Manuel Silvela, Ministre d'Etat de Sa Majesté le Roi d'Espagne;

Le Très Honorable A. H. Layard, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté Britannique;

Et M. le Comte de Hatzfeldt, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté l'Empereur d'Allemagne;

Étant chargés par leurs Gouvernements respectifs de mettre un terme aux difficultés survenues dans les mers de Sulu (Joló), et de régler à cet effet d'une manière définitive la liberté du commerce dans ces mers, reconnue par les notes de M. le Ministre d'Espagne du 15 April, 1876, aux Représentants de la Grande Bretagne et de l'Allemagne;

* See Page 517.
Après avoir examiné avec attention les antécédents de la question et notamment les négociations antérieures à ce sujet entre les Gouvernements de l'Angleterre et de l'Allemagne d'une part, et le Gouvernement Espagnol de l'autre, se sont mis d'accord sur le Protocole suivant :

M. le Ministre d'État d'Espagne expose au nom de son Gouvernement :

Considérant les précédents qui résultent de la restitution des navires Allemands Marie Louise et Gazelle, et de l'indemnité accordée pour leurs cargaisons en 1873 et 1874, ainsi que de la double restitution du navire Allemand Minna en 1875 et 1876 ; tenant dûment compte des nécessités toujours croissantes de la navigation et du commerce, et surtout de l'état légal établi par les notes de M. le Ministre d'État d'Espagne du 15 Avril dernier, et par la publication officielle de ces notes par les Gouvernements de la Grande Bretagne et de l'Allemagne, ainsi que par les instructions conformes données par ces derniers à leurs Consuls, Agents, et Commandants de forces navales ; le Gouvernement de Sa Majesté le Roi d'Espagne reconnaît que le système qui obligeait les navires de commerce allant à l'Archipel de Sulu de toucher auparavant à Zamboanga, de payer des droits et d'obtenir dans ce port un permis de navigation, ne saurait être maintenu. Il croit au contraire devoir reconnaître, d'accord avec le contenu des notes du 15 Avril dernier, la liberté complète du trafic et du commerce direct des navires et des sujets de la Grande Bretagne, de l'Empire de l'Allemagne, et des autres Puissances avec l'Archipel de Sulu :

Considérant que les Gouvernements de la Grande Bretagne et de l'Allemagne ont insisté dans toutes leurs réclamations sur la liberté de la navigation, du commerce, et du trafic direct avec et dans l'Archipel de Sulu, que le Gouvernement de Sa Majesté le Roi d'Espagne reconnaît ne pouvoir offrir des facilités au commerce dans les points non occupés du dit Archipel en compensation des droits et payments qu'il en exigerait, mais que par contre il assurera aux navires et aux sujets de l'Angleterre, de l'Allemagne, et des autres Puissances dans les points de l'Archipel de Sulu occupés par lui une complète sécurité et des établissements assurant l'exercice de leur commerce, M. le Ministre d'État d'Espagne fait observer qu'il n'y a pas de motifs pour excepter, dans les points occupés par l'Espagne, les navires et les sujets précités des formalités et des règlements généraux et des impôts ordinaires, dont la nature sera indiquée par le présent Protocole.

Les Représentants soussignés de la Grande Bretagne et de l'Allemagne s'en réfèrent de leur côté aux notes et aux communications officielles adressées par eux relativement à cette question au Gouvernement Espagnol et réclamant de celui-ci la reconnaissance de la liberté absolue du commerce et du trafic.
avec toutes les parties de l'Archipel de Sulu, reconnaissance qui a été établie, en ce qui concerne le Gouvernement Espagnol, par les notes du 15 Avril, 1876.

En conséquence de l'exposé précédent et comme résumé de leurs Conférences, les Soussignés ont adopté les déclarations suivantes :

1. Le commerce et le trafic direct des navires et des sujets de la Grande Bretagne, de l'Allemagne, et des autres Puissances sont déclarés et seront absolument libres avec l'Archipel de Sulu (Joló) et dans toutes ses parties, ainsi que le droit de pêche sans préjudice des droits reconnus à l'Espagne par le présent Protocole, conformément aux déclarations suivantes :

2. Les autorités Espagnoles ne pourront pas exiger à l'avenir que les navires et les sujets de la Grande Bretagne, de l'Allemagne, et des autres Puissances, se rendant en toute liberté à l'Archipel de Sulu, d'un point à un autre de celui-ci sans distinction, ou delà dans toute autre partie du monde, touchent avant ou après à un point désigné dans l'Archipel ou ailleurs, qu'ils payent des droits quelconques ou se procurent une permission de ces autorités, qui de leur côté s'abstiendront de tout empêchement et de toute intervention dans le trafic susdit.

Il est bien entendu que les autorités Espagnoles n'empêcheront d'aucune manière et sous aucun prétexte, l'importation et l'exportation libre de tous les genres de marchandises sans exception, sauf dans les points occupés et conformément à la déclaration 3, et que dans tous les points non occupés effectivement par l'Espagne ni les navires, ni les sujets précités, ni leurs marchandises, ne seront soumises à aucun impôt ou droit, ou payement quelconque, ni à aucun règlement sanitaire ou autre.

3. Dans les points occupés par l'Espagne dans l'Archipel de Sulu, le Gouvernement Espagnol pourra introduire des impôts et des règlements sanitaires et autres pendant l'occupation effective des points indiqués. Mais de son côté l'Espagne s'engage à y entretenir les établissements et les employés nécessaires pour les besoins du commerce et pour l'application des dits règlements.

Il est néanmoins expressément entendu, et le Gouvernement Espagnol, étant résolu de son côté à ne pas appliquer aux points occupés des règlements restrictifs, prend volontiers l'engagement qu'il n'introduira pas dans ces points des impôts ni des droits supérieurs à ceux fixés par les tarifs de l'Espagne ou par les Traités ou Conventions entre l'Espagne et toute autre Puissance. Il n'y mettra pas non plus en vigueur des règlements exceptionnels applicables au commerce et aux sujets de la Grande Bretagne, de l'Allemagne, et des autres Puissances.

Dans le cas où l'Espagne occuperait effectivement d'autres points dans l'Archipel de Sulu, en y entretenant les établissements et les employés nécessaires aux besoins du commerce, les
Gouvernements de la Grande Bretagne et de l'Allemagne ne feraient pas d'objection à l'application des mêmes règles stipulées pour les points actuellement occupés.

Mais afin de prévenir de nouveaux cas de réclamation qui pourraient résulter de l'incertitude du commerce à l'égard des points occupés et régis par des règlements et tarifs, le Gouvernement Espagnol communiquera dans chaque cas l'occupation effective d'un point dans l'Archipel de Sulu aux Gouvernements de la Grande Bretagne et de l'Allemagne, et en informera en même temps le commerce par une notification conforme publiée dans les journaux officiels de Madrid et de Manila. Quant aux tarifs et aux règlements de commerce stipulés pour les points actuellement occupés, ils ne seront applicables aux points occupés ultérieurement par l'Espagne qu'après un délai de 6 mois à partir de cette publication dans le Journal Officiel de Madrid.

Il est toujours convenu qu'aucun navire ou sujet de la Grande Bretagne, de l'Allemagne, ou des autres Puissances ne sera obligé de toucher à un des points occupés, ni en allant ni en revenant d'un point non occupé par l'Espagne, et qu'aucun préjudice ne pourra lui être causé pour ce motif ni pour aucun genre de marchandises à destination pour un point non occupé de l'Archipel.

4. Les 3 Gouvernements représentés par les Soussignés s'engagent réciproquement à publier les présentes déclarations, et à les faire respecter strictement par leurs Représentants, Agents Consulaires, et Commandants de forces navales dans les mers Orientales.

5. Si les Gouvernements de la Grande Bretagne et de l'Allemagne n'ont pas refusé leur adhésion au présent Protocole dans un délai de 15 jours à partir d'aujourd'hui, ou s'ils notifient leur adhésion avant ce terme, par l'entremise de leurs Représentants soussignés, les présentes déclarations entreront immédiatement en vigueur.

Fait à Madrid, ce 11 Mars, 1877.

Manuel Silvela. A. H. Layard. V. Hatzfeldt.

Mr. Layard to Senor Calderon Collantes.

M. le Ministre, Madrid, April 10, 1876.

In pursuance of instructions from Her Majesty's Govern-ment, I have had the honour of calling the attention of the Spanish Government on various occasions to the impediments which for some time past have been thrown in the way of British trade and shipping in the Sulu Archipelago by the Spanish authorities in the Philippine Islands, whose proceed-ings have caused great injury to British interests, and have
led, as your Excellency is aware, to grave remonstrances on the part of Her Majesty's Government.

Her Majesty's Government have again directed me to bring this subject to the serious attention of the Government of the King. They have, after mature reflection, come to the conclusion that the interference with foreign trade in the Sulu Archipelago by the Spanish authorities and naval forces cannot be justified.

Whatever may be the nature of the relations existing between Spain and Sulu, Her Majesty's Government believe it to be their duty to maintain in the strongest manner that those relations do not, and cannot, confer upon Spain the right to prohibit, or to interfere with, direct traffic by British and other foreign vessels with Sulu ports.

Her Majesty's Government trust that the orders which, according to your Excellency, have been recently sent to the Captain-General of the Philippines, to raise, and not to renew the blockade of the Sulu waters, will have the effect of preventing any further interference with foreign trade in the Archipelago; but, at the same time, they think it desirable that the Government of the King should be made clearly acquainted with the views which they entertain upon this subject. I venture to press those views very earnestly upon your Excellency's attention. They refer to a matter to which Her Majesty's Government attach great importance. I, consequently, feel sure that your Excellency, in your well-known desire to deal with all international questions in the most equitable and friendly spirit, will not fail to give them all the consideration that they deserve, and that no time will be lost by the Government of the King in taking such measures as may be necessary to meet the well-founded demand of Her Majesty's Government that no impediment shall be placed by the Spanish Government or by the Spanish authorities in the Philippines or elsewhere in the way of perfect freedom of access and trade with the Sulu Archipelago.

As Her Majesty's Government attach much importance to this matter, and it is necessary that no uncertainty should prevail as to the intentions of that of the King with respect to it, I venture to request your Excellency to return, with as little delay as possible, an answer to this note, which I may transmit to my Government.

I have, &c,

A. H. LAYARD.

EXCELLENCY,

(Translation.) Palace, April 15, 1876.

The late feast-days have been the cause of my not having replied sooner—as I wished to do, and the answer was very easy—to the note which, on 10th instant, your Excellency
addressed to me concerning British commerce in the Sulu Archipelago.

The sole object of the military expedition sent by the Governor-General of the Philippine Islands against the Sultan of Sulu was to oblige the latter to fulfil the Treaties between him and Spain, and, if possible, to put an end to, or at least to diminish, the piracy of which that Archipelago is the hiding-place; which object is, as regards this latter part, favourable to the commercial interests of the world alike, and very, if not precisely, similar to the object of the combined action of 3 great Powers in China.

The blockade, which, in consequence of that state of war, it was necessary to establish, has now happily ceased, and the difficulties and obstacles have, therefore, also disappeared as regards all commerce in general.

Consequently, I have not only the satisfaction of being able to give your Excellency this complete assurance, but also of assuring you that our authorities and navy will not again raise those obstacles, but that the commerce of England, like that of all other friendly nations, will find in them the most decided support, when it may require it or it can be given.

It is equally satisfactory to me to agree, as I do agree with your Excellency, in considering that the relations which may exist between Spain and Sulu do not give a right to either State to prohibit or interfere with the direct traffic of British subjects and other foreigners with the ports of the said Archipelago, which traffic ought to be and shall be respected in accordance with the principles of international maritime law.

I think that this answer will fully satisfy the desires of Her Britannic Majesty's Government, which your Excellency made known to me in your above-mentioned note.

I avail, &c.,

Ferndo. Calderon y Collantes.

---

TREATY between Great Britain and Spain, for the mutual Surrender of Fugitive Criminals.* Signed at London, June 4, 1878.†

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Spain, having judged it expedient, with a view to the better administration of justice and the prevention of crime, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, have resolved to conclude the

* Signed also in the Spanish language.
† Ratifications exchanged at London, November 21, 1878.
present Treaty, and have appointed as their Plenipotentiaries, namely:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Robert Arthur Talbot Gascoyne Cecil, Marquis and Earl of Salisbury, Viscount Cranborne, Dorset, and Baron Cecil of Essendine, a Peer of the United Kingdom, a Member of Her Majesty's Most Honourable Privy Council, Her Principal Secretary of State for Foreign Affairs;

And His Majesty the King of Spain, Don Manuel Rancés y Villanueva, Marquis of Casa-Laiglesia, a Senator of the Kingdom, Knight Grand Cross of the Royal and Distinguished Order of Charles III, and Knight of the First Class of the Civil Order of Beneficence of Spain; Knight Grand Cross of the Papal Order of Gregory the Great; Knight of the First Class of the Royal Order of the Red Eagle of Prussia; Knight Grand Cross of the Royal Orders of the Crown of Italy, of Frederick of Wurtemberg, and of Albert the Valorous of Saxony; of the Grand Ducal Orders of Philip the Magnanimous of Hesse-Darmstadt, of the White Hawk of Saxe-Weimar, of the Crown of Vandalia of Mecklenburg-Schwerin, and of the Ducal Order of Adolphus of Nassau; Knight Grand Cross of the Lion and Sun of Persia, &c., His Envoy Extraordinary and Minister Plenipotentiary to Her Majesty the Queen of the United Kingdom of Great Britain and Ireland:

Who, after having communicated to each other their respective full powers, and found them in good and due form, have agreed upon the following Articles:

Art. I. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland engages to deliver up, under the circumstances and on the conditions stipulated in the present Treaty, all persons, and His Majesty the King of Spain engages to deliver up, under the like circumstances and conditions, all persons, excepting his own subjects, who, having been charged with, or convicted by the Tribunals of one of the two High Contracting Parties of the crimes or offences enumerated in Article II, committed in the territory of the one party, and who shall be found within the territory of the other.

II. The extradition shall be reciprocally granted for the following crimes or offences:

1. Murder (including assassination, parricide, infanticide, poisoning, or attempt to murder).

2. Manslaughter.

3. Administering drugs or using instruments to procure the miscarriage of women.

4. Rape.

5. Aggravated or indecent assault. Carnal knowledge of a girl under the age of 10 years; carnal knowledge of a girl
above the age of 10 years and under the age of 12 years; indecent assault upon any female, or any attempt to have carnal knowledge of a girl under 12 years of age.

6. Kidnapping and false imprisonment, child-stealing, abandoning, exposing, or unlawfully detaining children.

7. Abduction of minors.

8. Bigamy.

9. Wounding, or inflicting grievous bodily harm.

10. Assaulting a magistrate or peace or public officer.

11. Threats by letter or otherwise with intent to extort money or other things of value.

12. Perjury, or subornation of perjury.

13. Arson.

14. Burglary or housebreaking, robbery with violence, larceny or embezzlement.

15. Fraud by a bailee, banker, agent, factor, trustee, director, member, or public officer of any company, made criminal by any law for the time being in force.

16. Obtaining money, valuable securities, or goods by false pretences; receiving any money, valuable security, or other property, knowing the same to have been unlawfully obtained.

17. (a.) Counterfeiting or altering money, or bringing into circulation counterfeited or altered money;

(b.) Forgery, or counterfeiting or altering or uttering what is forged, counterfeited, or altered;

(c.) Knowingly making, without lawful authority, any instrument, tool, or engine adapted and intended for the counterfeiting of coin of the realm.

18. Crimes against bankruptcy law.

19. Any malicious act done with intent to endanger persons in a railway train.

20. Malicious injury to property, if such offence is indictable.


(a.) Piracy by the law of nations;

(b.) Sinking or destroying a vessel at sea, or attempting or conspiring to do so;

(c.) Revolt or conspiracy to revolt by two or more persons on board a ship on the high seas against the authority of the master;

(d.) Assault on board a ship on the high seas with intent to destroy life, or to do grievous bodily harm.

22. Dealing in slaves in such manner as to constitute an offence against the laws of both countries.

The extradition is also to take place for participation in any of the aforesaid crimes as an accessory before or after the fact, provided such participation be punishable by the laws of both Contracting Parties.

III. The present Treaty shall apply to crimes and offences
committed prior to the signature of the Treaty; but a person surrendered shall not be tried for any crime or offence committed in the other country before the extradition, other than the crime for which his surrender has been granted.

IV. No person shall be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if it be proved to the satisfaction of the competent authority of the State in which he is that the requisition for his surrender has in fact been made with a view to try or punish him for an offence of a political character.

V. In the State of His Majesty the King of Spain, excepting the provinces or possessions beyond sea, the proceedings for demanding and obtaining the extradition shall be as follows:

The Diplomatic Representative of Great Britain shall send to the Minister for Foreign Affairs (Ministro de Estado) with the demand for extradition, an authenticated and legalised copy of the sentence or of the warrant of arrest against the person accused, clearly showing the crime or offence for which proceedings are taken against the fugitive. This judicial document shall be accompanied, if possible, by a description of the person claimed, and any other information or particulars that may serve to identify him.

These documents shall be communicated by the Minister for Foreign Affairs to the Minister of Grace and Justice, by whose department, after examining the documents and finding that there is reason for the extradition, a Royal Order will be issued granting it, and directing the arrest of the person claimed and his delivery to the British authorities.

In virtue of the said Royal Order the Minister of the Interior (Ministro de la Gobernacion) will adopt the fitting measures for the arrest of the fugitive, and when this has taken place, the person claimed shall be placed at the disposal of the Diplomatic Representative who has demanded his extradition, and he shall be taken to the part of the frontier or to the seaport where the Agent appointed for the purpose by Her Britannic Majesty is ready to take charge of him.

In case the documents furnished by the said Government for the identification of the person claimed, or the information obtained by the Spanish authorities for the same purpose, should be considered insufficient, immediate notice thereof shall be given to the Diplomatic Representative of Great Britain, and the person under arrest shall be detained until the British Government shall have furnished fresh evidence to prove his identity or to clear up any other difficulty relative to the examination and decision of the affair.

VI. In the dominions of Her Britannic Majesty, other than the Colonies or foreign possessions of Her Majesty, the manner of proceeding, in order to demand extradition, shall be as follows:
(A.) In the case of a person accused—The requisition for the surrender shall be made to Her Britannic Majesty's Principal Secretary of State for Foreign Affairs by the Diplomatic Representative of His Majesty the King of Spain. The said demand shall be accompanied by a warrant of arrest or other equivalent judicial document, issued by a judge or magistrate duly authorised to take cognizance of the acts charged against the accused in Spain, and duly authenticated depositions or statements taken on oath before such judge or magistrate, clearly setting forth the said acts, and containing a description of the person claimed, and any particulars which may serve to identify him.

The said Principal Secretary of State shall transmit such documents to Her Britannic Majesty's Principal Secretary of State for the Home Department, who shall then, by order under his hand and seal, signify to some police magistrate in London that such requisition has been made, and require him, if there be due cause, to issue his warrant for the apprehension of the fugitive. On the receipt of such order from the Secretary of State, and on the production of such evidence as would, in the opinion of the magistrate justify the issue of the warrant if the crime had been committed in the United Kingdom, he shall issue his warrant accordingly.

When the person claimed shall have been apprehended, he shall be brought before the magistrate who issued the warrant, or some other police magistrate in London. If the evidence to be then produced shall be such as to justify, according to the law of England, the committal for trial of the prisoner, if the crime of which he is accused had been committed in the United Kingdom, the police magistrate shall commit him to prison to await the warrant of the Secretary of State for his surrender, sending immediately to the Secretary of State a certificate of the committal and a report upon the case.

After the expiration of a period from the committal of the prisoner, which shall never be less than 15 days, the Secretary of State shall, by order under his hand and seal, order the fugitive criminal to be surrendered to such person as may be duly authorised to receive him on the part of the Spanish Government.

(B.) In the case of a person convicted—The course of proceeding shall be the same as above indicated, except that the warrant to be transmitted by the Diplomatic Representative of Spain in support of his requisition shall clearly set forth the crime or offence of which the person claimed has been convicted, and state the place and date of his conviction.

The evidence to be produced before the police magistrate shall be such as would, according to the law of England, prove that the prisoner was convicted of the crime charged.
(C.) Persons convicted by judgment in default or arrêt de contumace, shall be, in the matter of extradition, considered as persons accused, and, as such, be surrendered.

(D.) After the police magistrate shall have committed the accused or convicted person to prison to await the order of a Secretary of State for his surrender, such person shall have the right to apply for a writ of habeas corpus; if he should so apply, his surrender must be deferred until after the decision of the Court upon the return of the writ, and even then can only take place if the decision is adverse to the applicant. In the latter case the Court may at once order his delivery to the person authorised to receive him, without the order of a Secretary of State for his surrender, or commit him to prison to await such order.

VII. Warrants, depositions, or statements on oath, issued or taken in the dominions of either of the two High Contracting Parties, and copies thereof, and certificates of or judicial documents stating the facts of conviction, shall be received in evidence in proceedings in the dominions of the other, if purporting to be signed or certified by a judge, magistrate, or officer of the country where they were issued or taken, provided such warrants, depositions, statements, copies, certificates, and judicial documents are authenticated by the oath of some witness, or by being sealed with the official seal of the Minister of Justice, or some other Minister of State.

VIII. A fugitive criminal may be apprehended under a warrant issued by any police magistrate, justice of the peace, or other competent authority in either country, on such information or complaint, and such evidence, or after such proceedings as would, in the opinion of the authority issuing the warrant, justify the issue of a warrant if the crime had been committed or the person convicted in that part of the dominions of the two Contracting Parties in which the magistrate, justice of the peace, or other competent authority exercises jurisdiction: provided, however, that, in the United Kingdom, the accused shall, in such case, be sent as speedily as possible before a police magistrate in London. He shall in accordance with this Article be discharged, as well in Spain as in the United Kingdom, if within the term of 30 days a requisition for extradition shall not have been made by the Diplomatic Agent of his country in accordance with the stipulations of this Treaty.

The same rule shall apply to the cases of persons accused or convicted of any of the crimes or offences specified in this Treaty, and committed on the high seas on board any vessel of either country which may come into a port of the other.

IX. If the fugitive criminal who has been committed to prison be not surrendered and conveyed away within two months after such committal, or within two months after the
adverse decision of the Court upon the return to a writ of habeas corpus in the United Kingdom, he shall be discharged from custody, unless sufficient cause be shown to the contrary.

X. In the provinces beyond sea, colonies and other possessions beyond sea of the two High Contracting Parties, the manner of proceeding shall be as follows:

The requisition for extradition of the fugitive criminal who has taken refuge in an over-sea province, colony, or possession of either of the two Contracting Parties, shall be made to the Governor or chief authority of such province, colony, or possession by the chief Consular Officer of the other State in such province, colony, or possession; or, if the fugitive has escaped from an over-sea province, colony, or possession of the State on whose behalf the extradition is demanded, by the Governor or chief authority of such province, colony, or possession.

In these cases the provisions of this Treaty shall be observed as far as possible by the respective Governors or chief authorities, who, however, shall be at liberty either to grant the extradition or to refer the decision of the matter to the Governments of their respective countries.

XI. In cases where it may be necessary, the Spanish Government shall be represented at the English Courts by the law officers of the Crown, and the English Government in the Spanish Courts by the public prosecutor (Ministerio Fiscal).

The respective Governments will give assistance to the Diplomatic Representatives who claim their intervention for the custody and security of the persons subject to extradition.

XII. The claim for extradition shall not be complied with if the individual claimed has been already tried for the same offence in the country whence the extradition is demanded, or if, since the commission of the acts charged, the accusation or the conviction, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of that country.

XIII. If the individual claimed by one of the two High Contracting Parties in pursuance of the present Treaty should be also claimed by one or several other Powers, on account of other crimes or offences committed upon their respective territories, his extradition shall be granted to that State whose demand is earliest in date; unless any other arrangement should exist between the different Governments to determine the preference, either on account of the gravity of the crime or offence, or for any other reason.

XIV. If the individual claimed should be under prosecution, or have been condemned for a crime or offence committed in the country where he may have taken refuge, his surrender
may be deferred until he shall have been set at liberty in due course of law.

In case he should be proceeded against or detained in such country, on account of obligations contracted towards private individuals, the extradition shall nevertheless take place.

XV. Every article found in the possession of the individual claimed at the time of his arrest, shall, if the competent authority so decide, be seized, in order to be delivered up with his person at the time when the extradition takes place. Such delivery shall not be limited to the property or articles obtained by stealing or by fraudulent bankruptcy, but shall extend to every thing that may serve as proof of the crime or offence, and shall take place even when the extradition, after having been granted, cannot be carried out by reason of the escape or death of the individual claimed.

The rights of third parties with regard to the said property or articles are nevertheless reserved.

XVI. The High Contracting Parties renounce any claim for the reimbursement of the expenses incurred by them in the arrest and maintenance of the person to be surrendered, and his conveyance as far as the frontier; they reciprocally agree to bear such expenses themselves.

XVII. The present Treaty shall be ratified and the ratifications shall be exchanged at London as soon as possible.

It shall come into operation 10 days after its publication, in conformity with the laws of the respective countries,* and each of the Contracting Parties may at any time terminate the Treaty on giving to the other 6 months' notice of its intention to do so.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the 4th day of June, in the year of Our Lord, 1878.

(L.S.) Salisbury.
(L.S.) Marques de Casa Laiglesia.

———

BRITISH ORDER IN COUNCIL, relative to the Treaty between Great Britain and Spain of June 4, 1878, for the Surrender of Fugitive Criminals. Windsor, November 27, 1878.

At the Court at Windsor, the 27th day of November, 1878.
PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act of Parliament made and passed in the

session of Parliament holden in the thirty-third and thirty-fourth years of the reign of Her present Majesty [cap. 52],* intituled "An Act for amending the Law relative to the Extradition of Criminals," and also by an Act of Parliament made and passed in the session of Parliament holden in the thirty-sixth and thirty-seventh years of the reign of Her present Majesty [cap. 60],† intituled "An Act to amend the Extradition Act, 1870," it was amongst other things enacted, that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty was concluded on the 4th day of June, 1878, between Her Majesty and the King of Spain, for the Mutual Extradition of Fugitive Criminals, which Treaty is in the terms following:

[Here follows the Treaty. Page 518.]

And whereas the ratifications of the said Treaty were exchanged at London on the 21st instant:

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Acts, doth order, and it is hereby ordered, that from and after the 9th day of December, 1878, the said Acts shall apply in the case of the said Treaty with the King of Spain.

C. L. PEEL.

---

SWEDEN AND NORWAY.

PROCLAMATION of the King of Sweden, opening the Swedish Coasting Trade to British Vessels. Stockholm, August 15, 1854.

(Translation.)

We, Oscar, by the will of God, King of Sweden and Norway, of the Goths and Vandals, make known that since the Government of Great Britain has proposed to us that, inasmuch as the coasting trade between the ports in the United Kingdom of Great Britain and Ireland, has now been opened to vessels of

† See Vol. 13. Page 1194.  ‡ See Great Britain.
all nations, British vessels may, as an equivalent for the advantages which have thus been afforded to the Swedish flag, be allowed to carry on the coasting trade in Swedish ports; we are pleased hereby to ordain that, so long as the British coasting trade continues to be free and unimpeded for Swedish vessels, British vessels may also carry on the like trade in Swedish ports.

Palace of Stockholm, August 15, 1854.

(L.S.) Oscar.

---

TREATY between Great Britain and Sweden and Norway, for the mutual Surrender of Fugitive Criminals. Signed at Stockholm, June 26, 1873.*

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Sweden and Norway, having judged it expedient, with a view to the better administration of justice and to the more complete prevention of crime within the respective countries, that persons charged with or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up; their said Majesties have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable Edward Morris Erskine, a Companion of the Most Honourable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of Sweden and Norway;

And His Majesty the King of Sweden and Norway, Henrick Wilhelm Bredberg, Grand Cross of the Order of the Polar Star, His Majesty's Councillor of State and Acting Minister for Foreign Affairs;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:

Art. I. The High Contracting Parties engage to deliver up to each other those persons who, being accused or convicted of a crime committed in the territory of the one party, shall be found within the territory of the other party, under the circumstances and conditions stated in the present Treaty.

II. The crimes for which the extradition is to be granted are the following:

1. Murder (child murder and poisoning included) or attempt to murder.

* Ratifications exchanged at Stockholm, August 28, 1873.
2. Manslaughter.
3. Counterfeiting or altering money, uttering or bringing into circulation knowingly counterfeit or altered money.
4. Forgery or counterfeiting or altering or uttering what is forged, or counterfeited, or altered, comprehending the crimes designated in the Swedish and Norwegian penal codes as counterfeiting or falsification of paper money, bank notes or other securities, forgery or falsification of other public or private documents, likewise the uttering or bringing into circulation or wilfully using such counterfeited, forged, or falsified papers.
5. Embezzlement or larceny.
6. Obtaining money or goods by false pretences, except as regards Norway, cases in which the crime is not accompanied by aggravating circumstances according to the law of that country.
7. Crimes by bankrupts against bankruptcy law.
8. Fraud by a bailee, banker, agent, factor, trustee, or director, or member or public officer of any company, made criminal by any law for the time being in force.
9. Rape.
10. Abduction.
12. Burglary or housebreaking.
13. Arson.
15. Threats by letters or otherwise with intent to extort, except as regards Norway, cases in which this crime is not punishable by the laws of that country.
16. Sinking or destroying a vessel at sea, or attempting to do so.
17. Assaults on board a ship on the high seas with intent to destroy life or to do grievous bodily harm.
18. Revolt, or conspiracy to revolt, by two or more persons on board a ship on the high seas against the authority of the master; except, as regards Norway, conspiracy to revolt.

The extradition is also to take place for participation in any of the aforesaid crimes, provided such participation be punishable by the laws of both the Contracting Parties.

III. No Swedish or Norwegian subject shall be delivered up to the Government of the United Kingdom; and no subject of the United Kingdom shall be delivered up to the Swedish or Norwegian Government.

IV. The extradition shall not take place if the person claimed has already been tried and discharged or punished, or is still under trial in the country where he has taken refuge, for the crime for which his extradition is demanded.

If the person claimed should be under examination for any other crime in the country where he has taken refuge, his extra-
dition shall be deferred until the conclusion of the trial, and the full execution of any punishment awarded to him.

V. The extradition shall not take place if, subsequently to the commission of the crime, or the institution of the penal prosecution, or the conviction thereon, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the country where the criminal has taken refuge.

VI. A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or if he prove that the requisition for his surrender has in fact been made with a view to try or punish him for an offence of a political character.

VII. A person surrendered by either of the High Contracting Parties to the other, cannot, until he has been restored or had an opportunity of returning to the country from whence he was surrendered, be triable or tried for any crime committed in the other country other than that on account of which the extradition shall have taken place.

This stipulation does not apply to crimes committed after the extradition.

VIII. The requisition for extradition shall be made through the Diplomatic Agents of the High Contracting Parties respectively.

The requisition for the extradition of an accused person must be accompanied by a warrant of arrest issued by the competent authority of the State requiring the extradition, and by such evidence as, according to the laws of the place where the accused is found, would justify his arrest if the crime had been committed there.

If the requisition relates to a person already convicted, it must be accompanied by the sentence of condemnation passed against the convicted person by the competent Court of the State that makes the requisition for extradition.

The requisition ought, as far as possible, to be accompanied by a description of the person accused or convicted, in order to identify him.

A requisition for extradition cannot be founded on sentences passed in contumaciam.

IX. If the requisition for extradition be in accordance with the foregoing stipulations, the competent authorities of the State applied to shall proceed to the arrest of the fugitive.

The prisoner is then to be brought before a competent magistrate, who is to examine him and to conduct the preliminary investigation of the case, just as if the apprehension had taken place for a crime committed in the same country.

The extradition shall not take place before the expiration of 15 days from the apprehension, and then only if the evidence be found sufficient, according to the laws of the State applied.

VOL. XIV. 2 M
to, either to justify the committal of the prisoner for trial, or to prove that the prisoner is the identical person convicted by the Courts of the State which makes the requisition.

X. In the examinations which they have to make, in accordance with the foregoing stipulations, the authorities of the State applied to shall admit as entirely valid evidence the sworn depositions or statements of witnesses taken in the other State, or copies thereof, and likewise the warrants and sentences issued therein, provided such documents are signed or certified by a judge, magistrate, or officer of such State, and are authenticated by the oath of some witness, or by being sealed with the official seal of the Minister of Justice, or some other Minister of State.

XI. If sufficient evidence for the extradition be not produced within two months from the date of the apprehension of the fugitive, he shall be set at liberty.

XII. All articles seized, which were in the possession of the person to be surrendered at the time of his apprehension shall, if the competent authority of the State applied to for the extradition has ordered the delivery thereof, be given up when the extradition takes place; and the said delivery shall extend not merely to the stolen articles, but to everything that may serve as a proof of the crime.

XIII. Each of the High Contracting Parties shall defray and bear the expenses incurred by it in the arrest, maintenance, and conveyance of the individual to be surrendered till placed on board ship, as well as in keeping and conveying the articles which are to be delivered up in conformity with the stipulations of the preceding Article.

The individual to be surrendered shall be conveyed to the port specified by the applying Government, at whose expense he shall be taken on board the ship to convey him away.

If it be necessary to convey the individual claimed through the territories of another State, the expenses incurred thereby shall be defrayed by the applying State.

XIV. The stipulations of the present Treaty shall be applicable to the colonies and foreign possessions of the two High Contracting Parties.

The requisition for the surrender of a fugitive criminal who has taken refuge in a colony or foreign possession of either party, shall be made to the Governor or Chief Authority of such colony or possession by the Chief Consular Officer of the other in such colony or possession; or, if the fugitive has escaped from a colony or foreign possession of the party on whose behalf the requisition is made, by the Governor or Chief Authority of such colony or possession.

Such requisitions may be disposed of, subject always, as nearly as may be, to the provisions of this Treaty, by the re-
spective Governors or Chief Authorities, who, however, shall be at liberty either to grant the surrender, or to refer the matter to their Government.

Her Britannic Majesty shall, however, be at liberty to make special arrangements in the British colonies and foreign possessions for the surrender of Swedish and Norwegian criminals who may there take refuge, on the basis, as nearly as may be, of the provisions of the present Treaty.

XV. The present Treaty shall come into force 10 days after its publication, in conformity with the forms prescribed by the laws of the High Contracting Parties. It may be terminated by either of the High Contracting Parties, but shall remain in force for 6 months after notice has been given for its termination.

XVI. The present Treaty shall be ratified, and the ratifications shall be exchanged at Stockholm, as soon as may be possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto their seals.

Done at Stockholm, the 26th day of June, in the year of Our Lord, 1873.

(L.S.) E. M. Erskine.
(L.S.) H. W. Bredberg.

BRITISH ORDER IN COUNCIL, for carrying into effect the Treaty between Great Britain and Sweden and Norway of June 26, 1873, for the Surrender of Fugitive Criminals. Balmoral, September 30, 1873.*

At the Court at Balmoral, the 30th day of September, 1873.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by an Act of Parliament made and passed in the Session of Parliament holden in the 33rd and 34th years of the reign of Her present Majesty [cap. 52],† intituled "An Act for amending the Law relating to the Extradition of Criminals," it was, amongst other things, enacted, that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Act shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject

* "London Gazette" of October 3, 1873.  † See Vol. 18.  Page 1194.  2 M 2
to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty was concluded on the 26th day of June last between Her Majesty and the King of Sweden and Norway for the mutual extradition of fugitive criminals, which Treaty is in the terms following:

[Here follows the Treaty. See Page 527.]

And whereas the ratifications of the said Treaty were exchanged at Stockholm on the 28th ultimo.

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Act, doth order, and it is hereby ordered, that from and after the 17th day of October, 1873, the said Act shall apply in the case of the said Treaty with the King of Sweden and Norway.

EDMUND HARRISON.

---

BRITISH ORDER IN COUNCIL, extending the system of British Tonnage Measurement to Swedish Vessels. Windsor, March 17, 1875.

At the Court at Windsor, the 17th day of March, 1875.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by “The Merchant Shipping Act Amendment Act, 1862,” it is enacted:

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under “The Merchant Shipping Act, 1854,” have been adopted in Sweden, by the Government of His Majesty the King of Sweden and Norway, and are to come into force in Sweden on the 1st day of April, 1875.

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct that the ships of Sweden, the certificates of Swedish nationality and registry, or the certificates of measurement of which are dated on or after the 1st day of April, 1875, shall be deemed to be of the tonnage denoted in the said certificates of Swedish nationality and registry, or certificates of measurement.

EDMUND HARRISON.

† 17 & 18 Vict., cap. 104, §§ 21 to 29. See Great Britain.
TREATY between Great Britain and Switzerland, for the mutual Surrender of Fugitive Criminals.* Signed at Berne, March 31, 1874.†

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Swiss Confederation, having judged it expedient, with a view to the better administration of justice and to the prevention of crime within their respective territories and jurisdictions, that persons charged with, or convicted of the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up, have named as their Plenipotentiaries to conclude a Treaty for this purpose, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Alfred Guthrie Graham Bonar, Esquire, Her Envoy Extraordinary and Minister Plenipotentiary to the Swiss Confederation;

And the Federal Council of the Swiss Confederation, Joseph Martin Knüsel, Member of the Swiss Federal Council;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:

Art. I. The High Contracting Parties engage to deliver up to each other those persons who, being accused or convicted of a crime committed in the territory of the one party, shall be found within the territory of the other party under the circumstances and conditions stated in the present Treaty.

II. The crimes for which the extradition is to be granted are the following:

1. Murder (including infanticide) and attempt to murder.
2. Manslaughter.
3. Counterfeiting or altering money, uttering or bringing into circulation counterfeit or altered money.
4. Forgery, or counterfeiting or altering, or uttering what is forged, or counterfeited, or altered; comprehending the crimes designated in the Penal Codes of either State as counterfeiting or falsification of paper money, bank-notes, or other securities, forgery, or other falsifications of other public or private documents, likewise the uttering or bringing into circulation, or wilfully using such counterfeited, forged, or falsified papers.
5. Embezzlement or larceny.

* Signed also in the German language.
† Ratifications exchanged at Berne, December 31, 1874.
(6.) Obtaining money or goods by false pretences.
(7.) Crimes against bankruptcy law.
(8.) Fraud committed by a bailee, banker, agent, factor, trustee, or director, or member or public officer of any company made criminal by any law for the time being in force.
(9.) Rape.
(10.) Abduction of minors.
(11.) Child-stealing or kidnapping.
(12.) False imprisonment.
(13.) Burglary, or housebreaking, with criminal intent.
(14.) Arson.
(15.) Robbery with violence.
(16.) Threats by letter or otherwise with intent to extort.
(17.) Perjury or subornation of perjury.
(18.) Malicious injury to property, if the offence be indictable.

The extradition is also to take place for participation in any of the aforesaid crimes, as an accessory before or after the fact.

III. No Swiss shall be delivered up by Switzerland to the Government of the United Kingdom; and no subject of the United Kingdom shall be delivered up by the Government thereof to Switzerland.

IV. The extradition shall not take place if the person claimed on the part of the Government of the United Kingdom, or the person claimed on the part of the Swiss Government, has already been tried and discharged or punished, or is still under trial, in one of the Swiss Cantons or in the United Kingdom respectively, for the crime for which his extradition is demanded.

If the person claimed on the part of the Government of the United Kingdom, or if the person claimed on the part of the Swiss Government, should be under examination, or have been condemned for any other crime, in one of the Swiss Cantons or in the United Kingdom respectively, his extradition may be deferred until he shall have been set at liberty in due course of law.

In case such individual should be proceeded against or detained in the country in which he has taken refuge, on account of obligations contracted towards private individuals, his extradition shall, nevertheless, take place; the injured party retaining his right to prosecute his claims before the competent authority.

V. The extradition shall not take place, if subsequently to the commission of the crime, or the institution of the penal prosecution, or the conviction thereon, exemption from prosecution or punishment has been acquired by lapse of time, according to the laws of the State applied to.
VI. If the individual claimed by one of the two Contracting Parties in pursuance of the present Treaty should be also claimed by one or several other Powers, on account of other crimes committed upon their respective territories, his surrender shall be granted to that State whose demand is earliest in date; unless any other arrangement should be made between the Governments which have claimed him, either on account of the gravity of the crimes committed, or for any other reasons.

VII. A fugitive criminal shall not be surrendered if the offence in respect of which his surrender is demanded is one of a political character, or is connected with a crime of that nature, or if he prove that the requisition for his surrender has, in fact, been made with a view to try and punish him for an offence of a political character.

VIII. A person surrendered can in no case be kept in prison or be brought to trial in the State to which the surrender has been made, for any other crime, or on account of any other matters than those for which the extradition shall have taken place.

This stipulation does not apply to crimes committed after the extradition.

IX. The requisition for extradition must always be made by the way of diplomacy, and to wit, in Switzerland by the British Minister to the President of the Confederation, and in the United Kingdom to the Secretary of State for Foreign Affairs by the Consul-General of Switzerland, who, for the purposes of this Treaty, is hereby recognized by Her Majesty as a Diplomatic Representative of Switzerland.

The requisition for the extradition of an accused person must be accompanied by a warrant of arrest issued by the competent authority of the State requiring the extradition, and by such evidence as, according to the laws of the place where the accused is found, would justify his arrest if the crime had been committed there.

If the requisition relates to a person already convicted, it must be accompanied by the sentence of condemnation passed against the convicted person by the competent Court of the State that makes the requisition for extradition.

A requisition for extradition cannot be founded on sentences passed in contumaciam.

X. A fugitive criminal may, however, be apprehended under a warrant issued by any police magistrate, justice of the peace, or other competent authority, in either country, on such information or complaint, together with such evidence or after such judicial proceedings as would in the opinion of the officer issuing the warrant justify its issue, if the crime had been committed in that part of the dominions of the two Contracting
Parties in which he exercises jurisdiction. Provided, however, that in the United Kingdom the accused shall in such case be sent as speedily as possible before a police magistrate in London. Such requisition may be made by means of the post or by telegraph.

The accused shall, however, be discharged if, within such reasonable time as, with reference to the circumstances of the case, the police magistrate may fix, the requisition shall not have been made according to the stipulations contained in Article IX.

XI. The extradition shall not take place before the expiration of 15 days from the apprehension, and then only if the evidence be found sufficient, according to the laws of the State applied to, either to justify the committal of the prisoner for trial, in case the crime had been committed in the territory of the said State, or to prove that the prisoner is the identical person convicted by the Courts of the State which makes the requisition.

XII. In the examinations which they have to make in accordance with the foregoing stipulations, the authorities of the State applied to shall admit as entirely valid evidence the sworn depositions or statement of witnesses taken in the other State, or copies thereof, and likewise the warrants and sentences issued therein, provided such documents are signed or certified by a judge, magistrate, or officer of such State, and are authenticated by the oath of some witness, or by being sealed with the official seal of a British Secretary of State, or of the Chancellor of the Swiss Confederation.

XIII. If sufficient evidence for the extradition be not produced within two months from the date of the apprehension of the fugitive, he shall be set at liberty.

XIV. All articles seized, which were in the possession of the person to be surrendered at the time of his apprehension, shall, if the competent authority of the State applied to for the extradition has ordered the delivery thereof, be given up when the extradition takes place, and the said delivery shall extend not merely to the stolen articles, but to everything that may serve as a proof of the crime.

XV. The Contracting Parties renounce any claim for the reimbursement of the expenses incurred by them in the arrest and maintenance of the person to be surrendered, and his conveyance to the frontiers of the State from which he is required; they reciprocally agree to bear such expenses themselves.

XVI. The stipulations of the present Treaty shall be applicable to the colonies and foreign possessions of Her Britannic Majesty.

The requisition for the arrest and surrender of a fugitive

* See Protocol of November 28, 1874. Page 537.
criminal who has taken refuge in any of such colonies or foreign possessions shall be made through the Swiss Consul-General in London to the Secretary of State for Foreign Affairs, who shall proceed in conformity with the provisions of the present Treaty and the laws of the land.

Her Britannic Majesty shall, however, be at liberty to make special arrangements in the British colonies and foreign possessions for the surrender of such individuals as shall have committed in Switzerland any of the crimes hereinbefore mentioned, who may take refuge within such colonies and foreign possessions, on the basis, as nearly as may be, of the provisions of the present Treaty.

The requisition for the surrender of a fugitive criminal from any colony or foreign possession of Her Britannic Majesty shall be governed by the rules laid down in the preceding Articles of the present Treaty.

XVII. The present Treaty shall come into force 10 days after its publication in conformity with the forms prescribed by the laws of the High Contracting Parties. It may be terminated by either of the High Contracting Parties, but shall remain in force for 6 months after notice has been given for its termination.

The Treaty shall be ratified, and the ratifications shall be exchanged at Berne in 4 weeks, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Berne, the 31st day of March, in the year of Our Lord, 1874.

(L.S.) A. G. G. BONAR.
(L.S.) J. M. KNUSEL.

Protocol, 28th November, 1874.

The Undersigned Plenipotentiaries of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Federal Council of the Swiss Confederation, having met in Conference, have taken into their consideration the following subject:

They have directed their attention to the fact that the second paragraph of Article XVI of the Treaty, which stipulates that the requisition for the arrest of a fugitive criminal who has taken refuge in any of the colonies or foreign possessions of Her Britannic Majesty shall be made through the Swiss Consul-General in London to the Secretary of State for Foreign Affairs, was not in accordance with the law of England, and they have consequently resolved to declare that the second paragraph of that Article beginning:

"The requisition for the arrest," and concluding with, "and
the laws of the land," shall be null and void, and in lieu thereof
the following words shall be substituted:

"The requisition for the surrender of a fugitive criminal
who has taken refuge in any of such colonies or foreign
possessions shall be made to the Governor or to the Supreme
Authority of such colony or possession through the Swiss
Consul, or, in case there should be no Swiss Consul, through
the Consular Agent of another State charged for the occasion
with the Swiss interests in the colony or possession in question.

"The Governor or Supreme Authority above-mentioned
shall decide with regard to such requisitions as nearly as
possible in accordance with the provisions of the present
Treaty. He will, however, be at liberty either to consent to
the extradition or report the case to his Government."

The other provisions of Article XVI remain in force as they
have been agreed upon in the Treaty.

This Protocol shall be regarded and acted upon as forming
part of the Treaty in question.

In witness whereof the Undersigned have signed this Pro-
tocol, and have hereunto affixed their seals.

Done in duplicate at Berne, the 28th day of November, in
the year of Grace 1874.

(L.S.) EDWIN CORBETT, the Plenipotentiary
of Great Britain.

(L.S.) J. M. KNUSEL, the Plenipotentiary of
the Swiss Confederation.

BRITISH ORDER IN COUNCIL, for carrying into effect the
Extradition Treaty with Switzerland of 31st March, 1874.
Osborne, February 4, 1875.*

At the Court at Osborne House, Isle of Wight, the 4th day of
February, 1875.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS, by an Act of Parliament made and passed in the
Session of Parliament holden in the 33rd and 34th years of the
reign of Her present Majesty, [cap. 52],† intituled "An Act for
amending the Law relating to the Extradition of Criminals," it
was, among other things, enacted that, where an arrangement has
been made with any foreign State with respect to the surrender
to such State of any fugitive criminals, Her Majesty may, by
Order in Council, direct that the said Act shall apply in the case
of such foreign State; and that Her Majesty may, by the same

or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:

And whereas a Treaty was concluded on the 31st day of March last between Her Majesty and the Swiss Confederation, for the mutual extradition of fugitive criminals, which Treaty is in the terms following:

[Here follows the Treaty of 31st March, 1874. See Page 533.]

And whereas a Protocol amending Article XVI of the aforesaid Treaty was signed by the Plenipotentiaries of Her Majesty and of the Swiss Confederation on the 28th day of November, 1874, which Protocol is in the following terms:

[See Page 537.]

And whereas the ratifications of the said Treaty and Protocol were exchanged at Berne on the 31st day of December last:

Now, therefore, Her Majesty, with the advice of Her Privy Council, and in virtue of the authority committed to Her by the said recited Act, doth order, and it is hereby ordered, that from and after the 1st day of March, 1875, the said Act shall apply in the case of said Treaty and Protocol with the Swiss Confederation.

ARTHUR HELPS.

CONVENTION between Great Britain and Switzerland, prolonging the duration of the Extradition Treaty of March 31, 1874, for 6 months, from June 22, 1878. Signed at Berne, June 19, 1878.

Le Conseil Fédéral Suisse ayant dénoncé, par note du 22 Décembre, 1877, le Traité d'Extradition du 31 Mars, 1874, existant entre le Royaume Uni de la Grande Bretagne et d'Irlande et la Confédération Suisse, et un nouveau Traité d'Extradition n'ayant pas encore été conclu, les Hautes Parties Contractantes, désirant prolonger la durée du Traité actuellement encore en vigueur, ont nommé à cet effet pour leurs Plénipotentiaires :

Sa Majesté la Reine de Royaume Uni de Grande Bretagne et l'Irlande, Sir Horace Rumbold, Baronet, son Ministre Résident près la Confédération Suisse ; et

Le Conseil Fédéral de la Confédération Suisse, M. le Conseiller Fédéral Fudolin Anderwert, Chef du Département Fédéral de Justice et Police ;
Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, ont conclu la Convention suivante :

La durée du Traité d'Extradition du 31 Mars, 1874, entre le Royaume Uni de Grande Bretagne et d'Irlande et la Confédération Suisse est prolongée de 6 mois à partir du 22 Juin, 1878.

Ainsi fait à Berne, le 19 Juin, 1878.

(L.S.) HORACE RUMBOLD, le Plénipotentiaire du Royaume Uni de la Grande Bretagne et d'Irlande.

(L.S.) ANDERWERT, le Plénipotentiaire de Suisse.

TRIPOLI.

PROTOCOLS signed by the Plenipotentiaries of Great Britain, France, Italy, and Turkey, respecting Consular Jurisdiction in Tripoli. Constantinople, February 44, 1873.

Protocole.

La Sublime Porte s'étant adressée aux Gouvernements de la France, de la Grande Bretagne, et de l'Italie pour leur exprimer le désir que, dans la province de Tripoli d'Afrique, la compétence de la juridiction locale dans les causes entre les indigènes et les étrangers de nationalité Française, Anglaise, ou Italienne, fût établie sur les mêmes bases que dans les provinces de l'Empire Ottoman en Europe et en Asie, les dits Gouvernements, après avoir adhéré individuellement à ce vœu, ont résolu de consacrer leur assentiment par un acte collectif.

Les Soussignés, à ce dûment autorisés, sont convenus, en conséquence, des dispositions suivantes :

Art. I. Les Agents de la France, de l'Angleterre, et de l'Italie à Tripoli d'Afrique recevront de leurs Gouvernements des ordres précis et formels pour que désormais tous les procès et toutes les contestations entre les indigènes et sujets Français, Anglais, ou Italiens dans cette province, quelle que soit la nationalité du défendeur, soient jugés conformément aux dispositions des capitulations en vigueur, et de la même manière que ces capitulations sont appliquées dans les provinces de l'Empire Ottoman en Europe et en Asie.

II. La Sublime Porte s'engage à traiter les Consuls et les sujets Anglais, Français, et Italiens à Tripoli d'Afrique, en ce qui concerne la juridiction Consulaire, sur le pied de la nation la plus favorisée, et à les faire participer à la jouissance de toute faveur ou avantage accordé sous ce rapport aux Consuls et aux sujets de tout autre État.
Fait à la Sublime Porte, le 14 Février, 1873.

H. E.
Kh.
M. V.
U. B.

Protocole.

L'AMBASSADEUR de la Grande Bretagne, le Ministre des Affaires Étrangères de l'Empire Ottoman, l'Ambassadeur de France, et l'Envoyé Extraordinaire et Ministre Plénipotentiaire d'Italie, réunis ce jourd'hui, le 14 Février, 1873, à la Sublime Porte, ont procédé, en virtu de l'autorisation de leurs Gouvernements, à la signature du Protocole collectif, arrêté d'une commun accord, concernant la juridiction Consulaire à Tripoli d'Afrique.

En foi de quoi, le présent Protocole a été signé et scellé en 4 expéditions par les Plénipotentiaires des dites Puissances.

Sublime Porte, le 14 Février, 1873.

HENRY ELLIOT.
KHALIL.
VOGUE.
BARBOLANI.

TUNIS.

GENERAL CONVENTION between Great Britain and Tunis,
Signed, in the English and Arabic Languages, July 19, 1875.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Most Serene Highness Mohammed Essaddock Bey, Lord of the Regency of Tunis, being desirous to maintain and improve the relations of friendship and commerce which have long subsisted between them and between British and Tunisian subjects, have resolved to proceed to a revision and improvement of the Treaties subsisting between the respective countries, in consequence of which the following stipulations have been entered into and concluded between His Most Serene Highness the Bey, and Richard Wood, Esquire, Companion of the Most Honourable Order of the Bath, Her Majesty's Agent and Consul-General duly authorised to that effect.

Art. I. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland may appoint, besides her Political Agent, such Consuls, Vice-Consuls, and Consular Agents in the Regency of Tunis as she may deem necessary; and such Consuls, Vice-Consuls, and Consular Agents shall be at liberty to reside in any of the seaports or cities of His Highness the Bey,
which they or the British Government may choose and find most convenient for the affairs and service of Her Majesty, and for the assistance of her subjects.

II. Every mark of honour and respect shall at all times be paid, and every privilege and immunity allowed, to Her Majesty's Agent and Consul-General accredited to His Highness the Bey which is paid or allowed to the representative of any other nation whatsoever; and respect and honour shall be shown to the British Consuls, Vice-Consuls, and Consular Agents who shall reside in the Regency of Tunis. Their houses and families shall be safe and protected. No one shall interfere with them, or commit any act of oppression or disrespect towards them, either by word or deed; and if any one should do so, the Tunisian authorities shall take immediate measures for the punishment of the offender. The British Consuls, Vice-Consuls, and Consular Agents shall, moreover, continue to enjoy, in the most ample sense, all the privileges and immunities which are now or may be hereafter accorded to the Consuls, Vice-Consuls, and Consular Agents of the most favoured nation.

III. The British Agent and Consul-General shall be at liberty to choose his own interpreters, brokers, guards, and servants, either from among the natives, or others. His interpreters, brokers, guards, and servants shall be exempt from the conscription, and from payment of any poll-tax, forced contribution, or other similar or corresponding charge. In like manner, the Consuls, Vice-Consuls, and Consular Agents residing at the Tunisian ports, under the orders of the said Agent and Consul-General, shall be at liberty to choose, that is to say, the Consuls, each one interpreter, one broker, two guards, and 3 servants; the Vice-Consuls and Consular Agents, each one interpreter, one broker, one guard, and two servants, not being in the military service, who shall likewise be exempt from the conscription, from the payment of any poll-tax, forced contribution, or other similar or corresponding charge. No prohibition nor tax shall be put upon the provisions, furniture, or any other articles which may come to the said Agent and Consul-General, Consuls, or Vice-Consuls, for their own use and for the use of their families, upon their delivering to the Officer of the Customs a note under their hand, specifying the number of articles which they shall require to be passed on that ground, but this privilege shall only be accorded to Consular Officers who are not engaged in trade. If the service of their Sovereign should require their attendance in their own country, no impediment shall be offered to their departure, and no hindrance shall be offered either to themselves or their servants, or in regard to their property, but they shall be at liberty to go and come, respected and honoured. If they should depute another person
to act for them in their absence, they shall not be prevented in any way from so doing, nor shall the deputy be prevented from acting in that capacity.

IV. There shall be reciprocal freedom of commerce between the dominions of Her Majesty the Queen and the Regency of Tunis. British merchants or their agents and brokers shall be permitted to purchase at all places within the Regency, whether for the purposes of internal trade or of exportation, all articles, without any exception whatsoever, being the produce or manufacture of the said Regency; and the purchaser shall be free to remove his goods, when purchased, from one place to another, without any attempt being made on the part of the Local Governors to interfere with them.

V. In accordance with the friendship which has at all times existed between the two Governments, His Highness the Bey engages to protect British subjects who may come to his country either for the purposes of trade or for travelling. They shall be free to travel or to reside in any part of the Regency without hindrance or molestation; and they shall be treated with respect, love, and honour. They shall be exempt from forced military service, whether by land or by sea; from forced loans, and from every extraordinary contribution. Their dwellings and warehouses destined for the purposes of residence and commerce, as well as their property, both real and personal, of every kind, shall be respected, and, in particular, all the stipulations of the Convention concluded between Her Majesty's Government and His Highness the Bey on the 10th of October, 1863, relative to the permission granted to British subjects to hold real property in the Regency of Tunis, are hereby confirmed. And British subjects, vessels, commerce, and navigation shall enjoy, without any restriction and diminution, all the privileges, favours, and immunities which are now or may hereafter be granted to the subjects, vessels, commerce, and navigation of any other nation whatever.

Her Britannic Majesty, on her part, engages to insure to Tunisian subjects, vessels, commerce, and navigation within her dominions, the enjoyment of the same protection and privileges which are or may be enjoyed by the subjects, vessels, commerce, and navigation of the most favoured nation.

VI. The perfect security which His Highness the Bey accords to the British merchants and subjects who may reside in the Regency extends likewise to the free exercise of the rites of their religion. They shall be free to erect churches, upon the application of the British Agent and Consul-General to His Highness the Bey, who will grant the necessary permission. The British Cemetery of Saint George, and other burial places, now or hereafter to be established, shall be protected and respected as heretofore.
VII. His Highness the Bey engages that he will not pro-
hibit the importation into the Regency of any article the pro-
duce and manufacture of the dominions and possessions of Her
Britannic Majesty, from whatever place arriving, and that the
duties to be levied upon such articles of produce or manufac-
ture so imported shall in no case exceed one fixed rate of 8 per
cent. *ad valorem*, to be calculated upon the value of such mer-
chandise at the place of landing, or a specific duty, fixed by
common consent, equivalent thereto.

Such articles, after paying 8 per cent. import duty, shall not
be subject to any other internal charge or impost whatsoever,
whether the buyer be a Tunisian or a foreigner. And if such
articles should not be sold for consumption in the Regency, but
should be re-exported within the space of one year, the Admi-
nistration of the Customs shall be bound, provided the bales and
packages have not been opened, to restore, at the time of their
re-exportation, the duty levied to the merchant, who shall be
required first to furnish proofs that the goods so exported have
paid the said import duty.

After the expiration of one year the merchant shall be free
to re-export his foreign goods without claiming the drawback,
and the Custom-House shall not levy upon them any duty
whatsoever on re-exportation.

Should a British agent or his agent desire to convey, by sea
or by land, from one port or place to another port or place in
the Regency of Tunis, goods upon which the *ad valorem* duty
above-mentioned has been already paid, such goods shall be
subject to no further duty, either on their embarkation or dis-
embarkation, provided they be accompanied by a certificate
from the Tunisian Administrator of Customs that the duty has
been paid.

And it is moreover agreed that no other or higher duties
shall be imposed on the importation of any article the produce
or manufacture of one of the Contracting Parties into the
country of the other, which shall not equally extend to the like
articles being the produce or manufacture of any other country.

VIII. Vessels navigating under the British flag and vessels
navigating under the Tunisian flag shall be free to carry on the
coasting trade in the States and Dominions of the Contracting
Parties. They shall enjoy the same rights and immunities as
are enjoyed by national vessels, and they shall be free either to
land a portion of their cargoes, or to embark goods, foreign or
native, to complete their cargoes, in each other's ports, without
being obliged in each case to procure any special licence from
the local authorities, or to pay any charges or dues that are
not paid by national vessels.

The stipulations of this Article shall however, as regards
the colonial coasting trade, be deemed to extend only to the
coasting trade of such of the colonial possessions of Her Britannic Majesty as, under the provisions of the Act relating thereto, may have opened their coasting trade to foreign vessels.

IX. His Highness the Bey formally engages to abolish all monopolies of agricultural produce or of any other article whatsoever, save and except tobacco and salt, and save and except the fisheries, and the tannery of hides of oxen, camels, and horses.

British subjects, however, or their agents, buying or selling salt and tobacco in virtue of licences or permits for consumption in the Regency of Tunis, shall be subject to the same regulations of the most favoured Tunisian subjects trading in the two articles aforesaid; and, furthermore, they shall be free to compete for, obtain, and exercise the right of fishery, subject to the local laws and regulations.

X. If British merchants or their agents in the Regency of Tunis should purchase any article of Tunisian produce or manufacture for internal consumption, the said merchants or their agents shall not pay, on the purchase and sale of such articles, any higher duties or charges than are paid, under similar circumstances, by the most favoured class of Tunisians, or foreigners engaged in the internal trade of the Regency of Tunis. In like manner Tunisian merchants or their agents in the British dominions shall not pay on the purchase and sale of British produce or manufactures, for internal consumption in the said dominions, higher duties or charges than are paid by British subjects or the most favoured foreigners engaged in the internal trade of the said dominions, upon similar articles of produce or manufacture.

XI. If a British merchant or his agent shall purchase for exportation any article of Tunisian produce or manufacture, either at the place where such article is produced or in its transit from that place to another, upon which article of produce or manufacture the internal taxes known by the name of "Ushr," "Kanoon," and "Mahsoulat," and others, have been already levied, such article of produce or manufacture shall be subject at the port of shipment to the payment of the export duty only, and the notarial fees and charges for measurement established by law.

XII. In case of any dispute arising between the Custom-House and a merchant regarding the value to be put upon any merchandise or goods imported by him into the Regency of Tunis, the merchant shall be free to pay the duty in kind, in the most equitable manner.

Should, however, the merchant be unable or unwilling to make use of the above faculty, the Custom-House shall have the right to purchase such merchandise or goods at the price payable in money.
at which the merchant has valued them, with an augmentation of 5 per cent.

But should the foregoing two modes fail to solve the difficulty, His Highness the Bey and Her Majesty's Agent and Consul-General shall each name an arbitrator, being a merchant, and, in case of a divergence of opinion, the two arbitrators shall name an umpire, also a merchant, whose decision shall be final.

XIII. With a view to the encouragement of agriculture, His Highness the Bey furthermore engages to permit the importation, free of import duty and of every other internal charge, of agricultural implements and machinery, as well as of cattle and animals for the improvement of the native breeds, whenever such agricultural implements, machinery, cattle, and animals are proved to be for private use and not for purposes of trade, in which latter case they shall be subject to the payment of an import duty not exceeding 8 per cent.

XIV. In case the importation of foreign wheat, barley, and Indian corn should be rendered necessary in consequence of the failure of the crops, in consequence of famine or other causes, which God forbid, such foreign wheat, barley, and Indian corn shall be as heretofore exempt from the payment of any import duty, and shall be subject only to the payment of 20 karoobs (7½d.) per kaffis.

With the exception of the above three articles, all other foreign provisions, such as rice, lentils, beans, and other pulse known by the appellation of "Hashahesh" (dried vegetables) shall pay an import duty not exceeding 8 per cent., but the importer or his agent shall be free to sell such provisions in retail or in any other manner without the payment of any other charge whatsoever.

XV. It is understood between the Contracting Parties that the Tunisian Government reserves to itself the faculty and right of issuing a general prohibition against the importation into the Regency of gunpowder, unless Her Majesty's Agent and Consul-General shall think fit to apply for a special licence, which licence shall, in that case, be granted, provided no valid objection thereto can be alleged.

Gunpowder, when allowed to be imported, shall be subject to a duty not exceeding 8 per cent., and shall be liable to the following regulations:

1. It shall not be sold by subjects of Her Britannic Majesty in quantities exceeding the quantities prescribed by the local regulations.

2. When a cargo or a large quantity of gunpowder arrives in a Tunisian port on board a British vessel, such vessel shall be anchored at a particular spot, to be designated by the local authorities, and the gunpowder shall then be conveyed, under the inspection of such authorities, to depôts or fitting places.
designated by the Government, to which the parties interested shall have access under due regulations.

Gunpowder imported in contravention of the prohibition or in the absence of the licence aforesaid, shall be liable to confiscation, save and except small quantities of gunpowder for sporting reserved for private use, which shall not be subject to the regulations of the present Article.

Cannon, arms of war, or military stores, as well as anchors, masts, and chain cables, shall be imported free of duty, provided they are landed at the opened and recognized ports; provided, also, that previous to the landing of cannon the permission of the Government is obtained.

XVI. The people of the Contracting Parties shall have the right to establish in each other's country commercial, industrial, and banking companies, co-operative, or mutual or shareholding associations, or any other association, whether between and amongst themselves, or between them and Tunisian subjects or subjects of any other Power; provided the object of such companies and associations be lawful, and subject always to the laws of the country in which they shall be established.

It is, however, understood that no joint stock companies limited, whose capital is made up of nominal shares to bearer, and no anonymous association shall be established in their respective territories without the authorization of the local Government.

XVII. British subjects and Tunisian subjects shall be free to exercise in each other's country any art, profession, or industry; to establish manufactories, and factories, and to introduce steam machinery or machinery moved by any other power, without being subjected to any other formality or to the payment of higher or other taxes and imposts than those prescribed by the laws or municipal regulations, or which are paid by natives.

It is understood that the manufactories and their appurtenances, being immovable property, shall be subject to the provisions of the Convention of the 10th October, 1863,* relative to the permission granted to British subjects to hold real property in the Regency of Tunis.

XVIII. No harbour, pilotage, lighthouse, or quarantine dues, or other local dues, shall be levied upon British vessels, which are not imposed upon Tunisian vessels or upon the vessels of the most favoured nation.

If a British vessel shall enter a Tunisian port from stress of weather and depart, it shall not be subject to the payment of the aforesaid dues, but shall pay only the fees to the pilot, should a pilot be required. Should such vessel, however, visit a Tunisian port for the purpose of procuring water and of

* See Vol. 11. Page 1118.
purchasing provisions, it shall pay only a portion, not exceeding half, of the harbour, pilotage, lighthouse, and quarantine or other local dues payable at the said port.

In like manner Tunisian vessels which shall visit any of the ports of Her Majesty's dominions shall pay only the harbour, quarantine, and other dues which are levied upon British vessels.

XIX. The captains of merchant vessels having goods on board destined for the Regency of Tunis shall, on their arrival at the port where such goods are to be landed, deposit in the Custom-House of such port a true copy of their manifest.

XX. If a British subject be detected in smuggling into the Regency any description of goods, or should be detected in embarking any goods, the produce of Tunis, for which he can exhibit no Custom-House permit, such goods shall be confiscated by the Tunisian Treasury, but a report or procès-verbal of the alleged contraband must, as soon as the said goods are seized by the authorities, be drawn up and communicated to the British Consular authorities, and no goods can be confiscated as contraband unless the fraud with regard to them shall be duly and legally proved.

It is stipulated that vessels navigating under the British flag shall submit to the regulations of the port; that such vessels, speronaras, boats, and the like craft shall not serve as depôts for merchandise; and that whenever their detention in the Tunisian ports shall exceed 8 calendar months, they shall, when required to do so, give satisfactory explanations to the British Consular authority and to the local authorities in regard to the motive of their detention in such ports. Should such explanations be deemed unsatisfactory, the Custom-House may, with the consent of Her Majesty's Agent and Consul-General, place a guard on board for the prevention of fraud, the expenses for such guard being at the charge of the vessel.

XXI. Should British subjects desire to embark in, or discharge goods from any vessel, they can employ the Tunisian Custom-House boats, paying the usual charges for the use of such boats. They are free, however, to discharge their merchandise without using the Custom-House boats, in which case they will apprise the Administration of the Customs of it in writing, taking care to mention, on the arrival of each steamer or vessel having goods on board to their consignment, that they will be present themselves, or be represented by their agents, to assist at the discharge of said goods. In case of their absence, however, the Custom-House will proceed to discharge their goods, rendering itself responsible, as heretofore, unless in a case of "force majeure." No sort of claim can be preferred by the consignee against the Custom-House on the plea that it had not the right to discharge his goods, seeing that the dis-
TUNIS. 549

charge is made with the sanction of the master of the vessel, and not with that of the Custom-House.

Every consignee who discharges his goods after making the demand in writing, will provide himself with a Custom-House officer, who will accompany him to the vessel and return with him to the Custom-House. The fee to the Custom-House officer shall be paid by the merchant.

XXII. Whenever the Tunisian Government shall temporarily prohibit the exportation of wheat, barley, cattle, or any other article of native produce, such prohibition shall not come into operation until 3 months after official notification shall have been given, and shall apply only to the specific article or articles mentioned in the Decree enacting the prohibition.

XXIII. No British subject, nor any person under British protection, shall, in the Regency of Tunis, be made liable to pay a debt due from another person of his nation unless he shall have made himself responsible or guarantee for the debtor by a valid document. Neither shall any British subject be compelled to sell anything to, or to buy anything from, a Tunisian without his own free will. The seller shall be obliged to deliver up to the purchaser only that portion of the goods which he voluntarily sold to him, and the purchaser shall have no claim or right upon the remaining portion of such goods or merchandise.

In like manner, no Tunisian subject in the dominions of the Queen of Great Britain shall be made liable to pay a debt due from another person of his nation, to a British subject, unless he shall have made himself responsible or guarantee for the debtor by a valid document.

XXIV. In all criminal cases and complaints where the prosecutor and prisoner are British subjects, and in all civil differences, disputes, or litigation which may occur between British subjects exclusively, the Agent and Consul-General, Consul, or other British authority shall be sole judge or arbiter. No one shall interfere, but they shall be amenable to the British Consular Courts only.

All civil differences, disputes, or litigations between British subjects and the subjects of any foreign country other than Great Britain, shall be decided solely in the tribunals of the foreign Consuls, according to the usages heretofore established, or which may hereafter be arranged between such Consuls, without the interference of the Tunisian Courts or Government.

XXV. Disputes and differences arising between a British and a Tunisian subject, whether the British subject is plaintiff or defendant, of a commercial and civil nature (criminal and correctional excepted), shall be settled by His Highness the Bey, or his delegate, in the presence and with the concurrence of the British Consul-General or Consul.
It is likewise agreed that, should any new procedure differing from the above, be adopted and applied at present, or in future, in the treatment of any other nation, the British subjects, without exception, shall be entitled to the enjoyment thereof, whenever Her Majesty's Government shall request it.

It is, however, understood that, if Mixed Courts should be at any time established in Tunis with the assent and approval of Her Majesty's Government, in that case all civil and commercial suits and disputes arising between British and Tunisian subjects shall be heard and determined by such Mixed Courts and Tribunals, according to the rules and procedure that may be agreed upon between the Contracting Parties.

XXVI. The cognizance of crimes committed by British subjects in the Tunisian territory, as well as all contraventions of the police and other regulations, shall devolve upon the Consul-General or Consul; and the punishment thereof shall be applied by the said Consul-General or Consul, in concurrence with His Highness the Bey. In case the criminal or offender should escape from the Consular or other prison, the Consul-General or Consul shall not be held responsible in any manner whatsoever.

XXVII. No quittance or receipt presented by a British subject to a Court, purporting to be a discharge of a debt which he has contracted towards a Tunisian subject, shall be held as a legal and valid discharge, unless he can show that such quittance or receipt is under the handwriting, seal, or signature of the Tunisian subject, or duly executed by native notaries, and attested by the Cadi or the Governor of the place. And in like manner no quittance or receipt presented by a Tunisian subject, purporting to be a discharge of a debt which he has contracted towards a British subject, shall be held as a legal and valid discharge of his debt, unless he can show that such quittance or discharge is under the handwriting, signature, or mark of the British subject, duly attested by the Consul, or unless the discharge is drawn up by two notaries and attested by the British Consul.

XXVIII. Should any Tunisian subject be found guilty before the Tunisian Courts of procuring false evidence to the injury or prejudice of a British subject, he shall be severely punished by the Tunisian Government. In like manner, the competent British Consular authorities shall severely punish, according to English law, any British subject who may be convicted of the same offence against a Tunisian subject.

XXIX. If, at any time, Her Majesty's Agent and Consul-General, Consul, Vice-Consul, or Consular Agent, should require the assistance of soldiers, guards, armed boats, or other aid for the purpose of arresting or transporting any British subject, the Tunisian authorities shall immediately comply with the
demand, on payment of the usual fees given on such occasions by Tunisian subjects.

XXX. If a ship belonging to the Queen of Great Britain, or to any of her subjects, should be wrecked or stranded on any part of the coast of the Regency of Tunis, the Tunisian authorities within whose jurisdiction the accident may occur shall, in accordance with the rules of friendship, respect her and assist her in all her wants. They shall allow and enable the master to take such steps as he may think necessary or desirable, and shall take immediate steps for the protection of her crew and of her cargo, and of any goods, papers, or other articles which may be saved from her at the time of the wreck or afterwards; and, moreover, they shall lose no time in informing the nearest British authority of the accident. They shall deliver over to him, without exception or loss, all the cargo, goods, papers, and articles which have been saved and preserved from the wreck, and they shall likewise furnish the master and the crew of the wrecked ship with such victuals and provisions as they may require, for which they shall receive payment. For their friendly aid and services in protecting, saving, preserving, and restoring to the British Consular authorities the goods and contents saved through their exertions from the wrecked vessel, or any portion thereof, they shall be entitled to such an amount of salvage as Her Majesty's Agent and Consul-General and the Chief Tunisian authority on the spot shall judge a fair compensation for their services. The master and crew shall be at liberty to proceed to any place they please, and at any time they may think proper, without any hindrance.

In like manner, the ships of His Highness the Bey, or of Tunisian subjects, shall be assisted and protected in the dominions of the Queen of Great Britain as though they were British ships, and shall be subject only to the same lawful charges of salvage to which British ships, under similar circumstances, are liable.

XXXI. Should, however (which God forbid), the crew or any portion of the crew of a wrecked or stranded British vessel be murdered by the natives, or its cargo, or any part of its cargo or contents, be stolen by them, the Tunisian Government binds itself to take the most prompt and energetic measures for seizing the marauders or robbers, in order to proceed to their severe punishment. It, moreover, engages to make the most diligent search for the recovery and restitution of the stolen property; and whatever compensation for the damage done to individuals or to their effects, under similar circumstances, is granted, or may hereafter be granted to the subjects of the most favoured nation, or the equivalent of it, shall be also accorded to the subjects of the Queen of Great Britain.
XXXII. It is agreed and covenanted that if any of the crew of Her Majesty’s ships of war or of British merchant vessels, of whatever nationality they may be, borne on the papers of said ships, shall desert within any port in the Regency of Tunis, the authorities of such port or territory shall be bound to give every assistance in their power for the apprehension of such deserters, on the application of the British authority. In like manner, if any of the crew of the ships of His Highness the Bey, or of Tunisian merchant vessels, not being slaves, shall desert in any of the ports or harbours, within the dominions of Her Majesty the Queen of Great Britain, the authorities of such ports or harbours shall give every assistance in their power for the apprehension of such deserters on the application of the commanding officer, captain, or any other Tunisian authority, and no person whatsoever shall protect or harbour such deserters.

XXXIII. The ships of Avar belonging to Her Majesty the Queen, and the ships belonging to His Highness the Bey, shall have free liberty to use the ports of each country for washing, cleansing, and repairing any of their defects, and to buy for their use any sort of provisions, alive or dead, or any other necessaries, at the market price, without paying custom to any officer.

And it is moreover agreed that, whenever any of Her Majesty’s ships of war shall arrive in the Bay of Tunis, and shall fire a salute of 21 guns, the Castle of the Goletta, or the Tunisian ships of Avar, shall return the same number of guns as the Royal salute to Her Majesty’s colours, according to ancient usage.

XXXIV. The Government of the Queen of the United Kingdom of Great Britain and Ireland, in consideration of the sincere friendship that has at all times existed between Her Majesty and His Highness the Bey, agrees that Tunisian ships and cargoes shall be received at the ports and harbours of the British dominions upon the same footing as British vessels and cargoes.

XXXV. British vessels arriving in any of the Tunisian ports for the purpose of trade or by reason of stress of weather, or to repair damages, shall not be compelled to discharge their cargoes or any portion of their cargoes, and they shall not be made to change their destination or to receive any passengers on board unless it be with their own free will, but they shall be respected, and they shall be allowed to depart without any hindrance. Should they be compelled to land their cargoes, or a portion thereof, in order to effect repairs, they shall also be permitted to re-embark such goods free of any duty or charge whatsoever.

Tunisian vessels shall receive the like friendly treatment in ports and harbours of the British dominions.
XXXVI. If any British subject should die in any place or territory appertaining to His Highness the Bey, no Governor or other Tunisian officer shall, on any pretence whatsoever, take possession or dispose of, or interfere with the goods and property of the deceased, but such goods and property, of whatever description, may be taken possession of by his heirs, or by the British Consular authority, without any hindrance or impediment whatsoever on the part of such Governor or Tunisian officer.

If, however, a British subject should die at a place where there is no British Consul, or whilst travelling, in such a case the Tunisian authorities of the place where he died shall be bound to preserve and protect his goods and effects: they shall make, with the assistance of notaries, a faithful inventory of them, which inventory they shall lose no time in sending to the nearest Governor of a place where an English Consul resides.

Should the deceased British subject leave behind him debts due from him to a native, the Consul-General or his deputy shall assist the creditor in the recovery of his claim upon the estate of the deceased; and, likewise, if the deceased should leave behind debts to him from Tunisians, the Governor, or those who have such power, shall compel the debtors to pay what is due by them to the Consul-General or his deputy, for the benefit of the estate of the deceased.

XXXVII. The British Government and His Highness the Bey, moved by sentiments of humanity and having regard to the free institutions which, under Providence, their respective countries happily enjoy, mutually engage to do all in their power for the suppression of slavery. Whilst, on the one part, the British Government engage not to relax their efforts with friendly Powers for the prevention of the barbarous traffic in human beings, and for the emancipation of slaves, His Highness the Bey especially engages, on the other, to cause the Declaration of Moharem, 1262 (23rd January, 1846),* abolishing for ever slavery in the Regency, to be obeyed and respected, and to use his utmost efforts to discover and punish all persons within his Regency who contravene or act contrary thereto.

XXXVIII. The British Government and His Highness the Bey engage to do all in their power for the suppression of piracy; and His Highness especially engages to use his utmost efforts to discover and punish all persons on his coasts or within his territory who may be guilty of that crime, and to aid the British Government in so doing.

XXXIX. Privateering is now and for ever abolished: His Highness the Bey being desirous to maintain inviolable the neutrality of the Regency of Tunis, it has been established and

agreed that, in case of war or hostilities, he shall not permit the enemies of Her Majesty the Queen of Great Britain to fit out privateers in the ports of the Regency, or to sail from them to prey upon the ships and commerce of her subjects: and it is moreover established that His Highness shall not permit or tolerate in the Regency of Tunis the sale of any prize whatsoever which shall have belonged or may belong to the belligerents.

The Queen of Great Britain will cause to be observed the same rules of neutrality towards Tunisian ships and subjects in all the seaports of Her Majesty's dominions.

XL. In order that the two Contracting Parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective people, it is agreed that at any time after the expiration of 7 years from the date of the present Convention of Commerce and Navigation, either of the High Contracting Parties shall have the right to call upon the other to enter upon a revision of the same; but until such revision shall have been accomplished by common consent, and a new Convention shall have been concluded and put into operation, the present Convention shall continue and remain in full force and effect.

XLII. The stipulations of the present Convention shall come into immediate operation and shall be substituted for the stipulations of all preceding Treaties between Great Britain and Tunis, with the exception of the Convention of the 10th of October, 1863,* already referred to in Article XVII preceding, which is renewed and confirmed.

This Convention has been written in triplicate, consisting in 42 Articles, besides the introduction, and contained in the preceding 43 pages, to be signed by both parties, and to be executed in the manner explained and clearly set forth in its several provisions, having for object the duration, confirmation, and maintenance of amity between them.

* See Vol. 11. Page 1118.
BRITISH ORDER IN COUNCIL, for the Apprehension and Delivering up of Seamen Deserters from Tunisian Vessels in British Ports. Windsor, May 17, 1876.

At the Court at Windsor, the 17th day of May, 1876.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the “Foreign Deserters Act, 1852” [cap. 26], it is provided that whenever it is made to appear to Her Majesty that due facilities are or will be given for recovering or apprehending seamen who desert from British merchant ships in the territories of any foreign Power, Her Majesty may, by Order in Council, stating that such facilities are or will be given, declare that seamen not being slaves who desert from merchant ships belonging to such Power when within Her Majesty's dominions shall be liable to be apprehended and carried on board their respective ships, and may limit the operation of such Order, and may render the operation thereof subject to such conditions and qualifications, if any, as may be deemed expedient:

And whereas it has been made to appear to Her Majesty† that due facilities are given for recovering and apprehending seamen who desert from British merchant ships in the territories of His Most Serene Highness Mohammed Essadock Bey, Lord of the Regency of Tunis.

Now, therefore, Her Majesty, by virtue of the powers vested in her by the said “Foreign Deserters Act, 1852,” and by and with the advice of Her Privy Council, is pleased to order and declare, and it is hereby ordered and declared, that from and after the publication hereof in the “London Gazette,” seamen, not being slaves, and not being British subjects, who within Her Majesty's dominions, desert from merchant ships belonging to the Regency of Tunis, shall be liable to be apprehended and carried on board their respective ships:

Provided always, that if any such deserter has committed any crime in Her Majesty's dominions he may be detained until he has been tried by a competent Court, and until his sentence (if any) has been fully carried into effect.

And the Secretaries of State for India in Council, the Home

† See Article XXXII of Treaty of 19th July, 1876. Page 552.
556 TURKEY.

Department, and the Colonies, are to give the necessary directions herein accordingly.

C. L. PEEL.

----

TURKEY.

TURKISH ORDINANCE prohibiting the Importation of Arms and Munitions of War into the States of the Ottoman Empire. January 7, 1863.

(Translation.)

The repose and security of the Empire, and of all the people residing therein, demanding the prohibition of the trade in arms and munitions of war, the following provisions are made with regard to powder, cannon, arms, and all sorts of munitions of war which may henceforward arrive from abroad, and of which the importation is formally forbidden, in conformity with the Treaties of Commerce recently concluded with friendly Powers.

It is absolutely forbidden to import into the Empire powder in grain whatever may be the species and the quantity, and whatever be the motive of the importation.

2. The introduction of powder-cartridges, with or without balls, is equally interdicted.

3. Neither may there be imported into the Empire any kinds of cannons, mortars, and howitzers, nor their charges, such as bombs, balls, chain-shot, cartridges, and all sorts of projectiles, whether or not containing fulminating matter, bullets for muskets and for pistols, carbines, rifled muskets with or without bayonets, smooth-bored muskets, carbines and pistols, lances, and saltpetre used by troops and in war. Are excepted from this prohibition, arms for shooting and ornament, side arms (armes blanches) such as sabres, swords, knives, and powder for sporting purposes in small quantities destined for private use.

4. The prohibited articles, enumerated above which, from the date of the present publication, shall be introduced by sea or by land into the Empire in greater or less quantity, will be immediately confiscated by the State, and delivered over to the military magazines.

The regulations contained in the preceding Articles, will, in conformity with the decision of the Imperial Government, be put into operation in the Custom-Houses of Constantinople and the whole Empire, from the date of the present ordinance.
NOTIFICATION of the International Commission of the Bosphorus, relative to the establishment of Refuge Houses for Shipwrecked Mariners at the entrance of the Black Sea. Constantinople, October 7th, 1868.*

NOTICE TO MARINERS.

With the view of rendering assistance to vessels that may be wrecked on the desert shores of the Black Sea, in the vicinity of the entrance to the Bosphorus, the International Commission have had 8 refuge-houses constructed at the following places:

On the Asiatic coast, at Ahal-hulta, Galarabournou, Adajicklar, and Kara-bouroun. On the European coast, at Marmarjick, Agatchli-Chiflick, Coondooz, and Chesmedjick. The houses on the Asiatic coast are painted white, and those of the European in red and white horizontal bands. As a means also of further distinction between those coasts, the Commission have painted, in addition to the rocks on the coast of Asia mentioned in the notice of the 19th May last, those of Adajickla, and Islet off Shilly. One of the aqueducts at Kilios has been painted in red and white horizontal bands.

The President: Salih.

Constantinople, October 7th, 1868.

BRITISH ORDER IN COUNCIL for the regulation of British Consular Jurisdiction within the Dominions of the Sublime Ottoman Porte. Windsor, December 12, 1873.†

At the Court at Windsor, the 12th day of December, 1873.

WHEREAS Her Majesty the Queen has power and jurisdiction within the dominions of the Sublime Ottoman Porte:

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Acts or otherwise in Her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered as follows:

I.—PRELIMINARY.

1. This Order shall commence and have effect from and immediately after the 31st of December, 1873.

The Orders and Rules described in the first Schedule to this Order are hereby repealed.

But this repeal shall not affect the past operations of those Orders or Rules, or any of them; nor shall this repeal affect

any appointment or deputation made under any of those Orders; and every such appointment and deputation shall continue and be as if this Order had not been made, being nevertheless liable to be revoked, altered, or otherwise dealt with under this Order, as if it had been made under this Order; nor shall this repeal affect any right, title, obligation, or liability accrued, or the validity or invalidity of anything done, under those Orders or Rules, or any of them; nor shall this repeal interfere with the institution or prosecution of any proceeding in respect of any offence committed against, or any penalty or forfeiture incurred under, any of those Orders or Rules.

3. Pending proceedings shall be regulated by this Order, as far as the nature and circumstances of each case admit.

4. In this Order—

"The Secretary of State" means one of Her Majesty's Principal Secretaries of State;

"The Ottoman dominions" means the dominions of the Sublime Ottoman Porte;

"Consular officer" means a Consul-General, Consul, Vice-Consul, or Consular Agent of Her Majesty resident in the Ottoman Dominions including a person acting temporarily, with the approval of the Secretary of State, as or for a Consul-General, Consul, Vice-Consul, or Consular Agent of Her Majesty so resident;

"Commissioned Consular officers" means a Consular officer not being merely a Consular Agent, and holding a commission of Consul-General, Consul, or Vice-Consul from Her Majesty, including a person acting temporarily, with the approval of the Secretary of State, as or for such a commissioned Consular officer;

"Uncommissioned Consular officer" means a Consular officer not holding such a commission, including a person acting temporarily, with the approval of the Secretary of State, as or for such an uncommissioned Consular officer;

"Subject" means a subject of Her Majesty by birth or by naturalization;

"Resident" means having a fixed place of abode in the Ottoman dominions;

"Native Indian subject" means a native of India as defined in the Act of Parliament of 1858, "for the better government of India," not of European descent;

"A protected person" means a person enjoying Her Majesty's protection;

"Ottoman subject" means a subject of the Sublime Ottoman Porte;

"Foreigner" means a subject or citizen of a State in amity with Her Majesty, other than the Sublime Ottoman Porte;

"Month" means calendar month;
"Pounds" means pounds sterling;
"Will" means will, codicil, or other testamentary instrument;
"Office copy" means a copy, either made under direction of the Court, or produced to the proper officer of the Court for examination with the original, and examined by him therewith, and in either case sealed with the seal of the Court, as evidence of correctness;
"Oath and affidavit," and words referring thereto, or to swearing, may be construed to include affirmation and declaration, and to refer thereto, or to the making of an affirmation or declaration, where an affirmation or declaration is admissible in lieu of an oath or affidavit;
"Proved" means shown by evidence on oath, in the form of affidavit, or other form, to the satisfaction of the Court or Consular officer acting or having jurisdiction in the matter;
"Proof" means the evidence adduced in that behalf;
Words importing the plural or the singular may be construed as referring to one person or thing or to more than one person or thing, and words importing the masculine as referring to females (as the case may require).
For the purposes of this Order the district of the Consulate-General of Constantinople shall be deemed to consist of and comprise the districts of the following Consulates and Vice-Consulates, namely:
Adrianople, Brussa, Burgas, Dardanelles, Enos, Gallipoli, Ghio, Ineboli, Lemnos, Panorma, Rhodes, Rodosto; but the Secretary of State may, if he thinks fit, from time to time, by order under his hand, enlarge or diminish the district.

II.—GENERAL PROVISIONS RESPECTING HER MAJESTY'S JURISDICTION.

5. All Her Majesty's civil jurisdiction exercisable in the Ottoman dominions for the judicial hearing and determination of matters in difference, or for the administration or control of property or persons,—and all Her Majesty's criminal jurisdiction there exercisable for the repression or punishment of crimes or offences, or for the maintenance of order, shall be exercised under and according to the provisions of this Order, and not otherwise.

6. Subject to the other provisions of this Order, the civil and criminal jurisdiction aforesaid shall, as far as circumstances admit, be exercised on the principles of, and in conformity with the Common Law, the doctrines of Equity, the Statute Law and other law for the time being in force in and for England, and with the powers vested in and according to the course of procedure and practice observed by and before
courts of justice and justices of the peace in England, according to their respective jurisdictions and authorities.

7. Nothing in this Order shall deprive Her Majesty's Consular officers of the right to observe and enforce the observance of, or shall deprive any person of the benefit of, any reasonable custom existing in the Ottoman dominions, except where this Order contains some express and specific provision incompatible with the observance thereof.

8. In any case in the decision of which under the Capitulations, Articles of Peace, and Treaties with the Sublime Ottoman Porte, any of Her Majesty's Consuls may or ought to concur, a Consular officer exercising jurisdiction under this Order shall alone act on the part and on behalf of Her Majesty.

III.—CONSTITUTION OF HER MAJESTY'S CONSULAR COURTS.

1. The Supreme Consular Court at Constantinople.

9. There shall be a Court styled Her Britannic Majesty's Supreme Consular Court for the dominions of the Sublime Ottoman Porte (in this Order referred to as the Supreme Court, and comprised in the term "the Court").

10. There shall be one judge and one assistant judge of the Supreme Court.

There shall be attached to the Supreme Court so many officers and clerks as the Secretary of State from time to time thinks fit.

11. Her Majesty's Consul-General at Constantinople for the time being shall be the judge of the Supreme Court; but he shall be appointed to the office of judge by Her Majesty by a separate warrant under Her Royal sign manual.

He shall be, at the time of his appointment, a member of the bar of England, Scotland, or Ireland, of not less than 7 years' standing, or a subject who has filled the office of assistant judge or law secretary of the Supreme Court or the office of legal Vice-Consul in the Ottoman dominions.

He may, in case of his absence or intended absence from the district of the Consulate-General of Constantinople, either in the discharge of his duty or on leave, or in case of his illness, appoint, by writing under his hand, a fit person to be his deputy. The deputy judge so appointed shall have all the jurisdiction, power, and authority of judge.

During a vacancy in the office of judge, or on emergency, a fit person, approved by the Secretary of State, may temporarily be acting judge. The acting judge shall have all the jurisdiction, power, and authority of judge.

12. The assistant judge shall be appointed by Her Majesty.

He shall hold by commission from Her Majesty the appointment of Vice-Consul.
He shall act as registrar of the Court.

In case of the absence or illness of the assistant judge, or during a vacancy in the office of assistant judge, or during the temporary employment of the assistant judge in any other capacity, the judge may, by writing under his hand and the seal of the Supreme Court, appoint a fit person, approved by the Secretary of State, to act temporarily as assistant judge. The person so appointed shall have all the jurisdiction, power, and authority of assistant judge.

13. The Secretary of State may, from time to time, temporarily attach to the Supreme Court such persons, being Consular officers, as he thinks fit.

A person thus attached shall discharge such duties in connection with the Court as the judge from time to time, with the approval of the Secretary of State, directs; and for that purpose shall have all the like jurisdiction, power, and authority as the assistant judge.

II.—The Chief Consular Court for Egypt.

14. There shall be a Court styled “Her Britannic Majesty's Chief Consular Court for Egypt.” (in the Order referred to as the Court for Egypt, and comprised in the term “the Court”).

Her Majesty’s Legal Vice-Consul, resident in Egypt for the time being, shall be the judge of the Court, but he shall be appointed to the office of judge by Her Majesty by a separate warrant under Her Royal sign manual.*

He shall be, at the time of his appointment, a member of the bar of England, Scotland, or Ireland, of not less than 7 years standing, or a subject who has filled the office of assistant judge or law secretary of the Supreme Court, or the office of Legal Vice-Consul in the Ottoman dominions.

During a vacancy in the office of judge, or on emergency, a fit person, approved by the Secretary of State, may temporarily be acting judge. The acting judge shall have all the jurisdiction, power, and authority of judge.

There shall be attached to the Court a law secretary and so many officers and clerks as the Secretary of State from time to time thinks fit.

The law secretary shall be appointed by Her Majesty.

He shall hold, by Commission from Her Majesty, the appointment of Vice-Consul.

He shall act as registrar of the Court.

In case of the absence or illness of the law secretary, or during a vacancy in the office of law secretary, or during the temporary employment of the law secretary, in any other capacity, the judge of the Court for Egypt may, by writing

* Altered by Order in Council, July 7, 1874.]
under his hand and the seal of the Court, appoint a fit person, approved by the Secretary of State, to act temporarily as law secretary. The person so appointed shall have all the jurisdiction, power, and authority of law secretary.

III.—The Provincial Consular Courts.

15. Every commissioned Consular officer, with such exceptions (if any) as the Secretary of State from time to time thinks fit to make, shall, for and in his own Consular district, subject to the provisions of this Order, hold and form a Court.

Every uncommissioned Consular officer, with such exceptions (if any) as the Supreme Court, by writing under the hand of the judge and the seal of the Court, from time to time thinks fit to make, shall, for and in his own Consular district, subject to the provisions of this Order, hold and form a Court.

Every such Court shall be styled "Her Britannic Majesty's Consular Court at Smyrna" [or as the case may be] (in this Order referred to as a Provincial Court, and comprised in the term "the Court").

IV.—Registration of Subjects and Protected Persons.

16. Every resident subject (except a native Indian subject) and protected person, being of the age of 21 years or upwards—or being married, or a widower or widow, though under that age—shall, in January in every year, register himself or herself in a register to be kept at the Consulate of the Consular district within which he or she resides, subject to this qualification, that the registration of a man shall be deemed to comprise the registration of his wife (unless she is living apart from him), and that the registration of the head of a family, whether male or female, shall be deemed to comprise the registration of all females being relatives of the head of the family (in whatever degree of relationship) living under the same roof with the head of the family at the time of his or her registration.

Every non-resident subject (except a native Indian subject) and protected person, arriving in the Ottoman dominions at a place where a Consular office is maintained, unless borne on the muster roll of a British vessel there arriving, shall within one month after his or her arrival, register himself or herself in a register to be kept at the Consular office there, but so that no person shall be required to register himself or herself more than once in any year, reckoned from the 1st of January.

Any person failing so to register himself or herself, and not excusing his or her failure to the satisfaction of the Consular officer, shall not be entitled to be deemed a subject or protected person, and shall be deemed guilty of a contempt of Court, and shall be liable to a fine of not more than 40s.

17. A native Indian subject resident in or resorting to the
Ottoman dominions, may, if he or she thinks fit, register himself or herself at the times and in manner aforesaid.

A native Indian subject not so registering himself or herself shall not be entitled to sue in the Court, or to receive the support or protection of a Consular officer with respect to any suit or proceeding to which he or she is a party in a Court or before a judicial officer of the Sublime Ottoman Porte, or in a Court or before a judicial officer in the Ottoman dominions of a State in amity with Her Majesty; nor shall a Consular officer exercise jurisdiction for the punishment of a crime or offence committed by a native Indian subject unless at the date of the commission of the crime or offence he or she was so registered.

18. The Consular officer shall give to every person registered under this Order a certificate of registration under his hand and Consular seal; and the name of a wife, unless she is living apart from her husband, shall be indorsed on her husband's certificate; and the names and descriptions of females whose registration is comprised in that of the head of the family shall be indorsed on the certificate of the head of the family.

19. Every person shall, on every registration of himself or herself, be liable to pay a fee of 5s.

V.—Juries. Assessors.

20. Every male resident subject, being of the age of 21 years or upwards, having a competent knowledge of the English language—having or earning a gross income at the rate of not less than 50l. a year—not having been attainted of treason or felony or convicted of any crime that is infamous (unless he has obtained a free pardon), and not being under outlawry, shall be qualified to serve on a jury.

21. All persons so qualified shall be liable so to serve, except the following:

Persons in Her Majesty's Diplomatic, Consular, or other Civil Services, in actual employment;

Officers, clerks, keepers of prisons, messengers, and other persons attached to or in the service of the Court;

Officers and others on full pay in Her Majesty's Navy or Army, or in actual employment in the service of any department connected therewith;

Persons holding appointments in the Civil Service, and Commissioned Officers in the Navy or Military Service, of the Sublime Ottoman Porte;

Clergymen and ministers in the actual discharge of professional duties;

Advocates and attorneys in actual practice;

Physicians, surgeons, and apothecaries in actual practice; and except persons disabled by mental or bodily infirmity.
22. The jury list for each district shall be revised and settled not later than the 1st of March in every year, and when settled shall be affixed in some conspicuous place in the Court, and be there exhibited during not less than two months.

The list, as settled, shall be brought into use in every year on the 1st of March, and shall be used as the jury list of the district for the 12 months then next ensuing.

23. Where there is to be a hearing with a jury, the Court shall summon so many of the persons comprised in the jury list, not fewer than 12, as seem requisite.

Any person failing to attend according to the summons shall be deemed guilty of a contempt of Court, and shall be liable to such fine, of not more than 10l., as the Court thinks fit to impose.

The fine shall not be levied until after the expiration of 14 days. The proper officer of the Court shall forthwith give to the person fined notice in writing of the imposition of the fine, and require him within 6 days after receipt of the notice, to file an affidavit excusing his non-attendance (if he desires to do so). The Court shall consider the affidavit, and may, if it thinks fit, remit the fine.

24. A jury shall consist of 5 jurors.

25. In civil and in criminal cases the like challenges shall be allowed as in England, with this addition, that in civil cases each party may challenge 3 jurors peremptorily.

26. A jury shall be required to give an unanimous verdict.

27. An assessor shall be a competent and impartial subject, of good repute, resident in the district of the particular Court, and nominated and summoned by the Court for the purpose of acting as assessor.

28. In the Supreme Court, or in the Court for Egypt, there may be one assessor or two assessors, as the Court thinks fit.

In a provincial Court there shall ordinarily be not fewer than two, and not more than four, assessors. Where, however, by reason of local circumstances, the Court is able to obtain the presence of one assessor only, the Court may, if it thinks fit, sit with one assessor only; and where, for like reasons, the Court is not able to obtain the presence of any assessor, the Court may, if it thinks fit, sit without an assessor,—the Court, in every case; recording in the minutes its reasons for sitting with one assessor only or without an assessor.

29. An assessor shall not have any voice in the decision of the Court in any case, civil or criminal; but an assessor dissenting in a civil case from any decision of the Court, or, in a criminal case, from any decision of the Court or the conviction or the amount of punishment awarded, may record in the minutes his dissent, and the grounds thereof, and shall be entitled to receive, without payment, a certified copy of the minutes.
VI.—GENERAL AUTHORITIES AND PROCEDURE.

30. All Her Majesty's jurisdiction, civil and criminal, shall, for and within the district of the Consulate-General of Constantinople, be vested exclusively in the Supreme Court as its ordinary original jurisdiction.

31. All Her Majesty's jurisdiction, civil and criminal, not under this Order vested exclusively in the Supreme Court, shall, to the extent and in the manner provided by this Order, be vested in the Court for Egypt, and in the provincial Courts each for and within the Consular district of the Consular officer by whom the provincial Court is held.

32. The Supreme Court shall have in all matters, civil and criminal, an original jurisdiction concurrent with the jurisdiction of the Court for Egypt and of the several provincial Courts, to be exercised subject and according to the provisions of this Order.

33. The Supreme Court shall ordinarily sit at Constantinople, but may, on emergency, sit at any other place within the district of the Consulate-General of Constantinople, and may at any time transfer its ordinary sittings to any such place as the Secretary of State approves.

34. The judge of the Supreme Court may, if and when he thinks fit, visit in a magisterial or judicial capacity any place in the Ottoman dominions, and there inquire of, or hear and determine, any case, civil or criminal,—or may direct the assistant judge of the Supreme Court to visit in the like capacity, and for the like purpose, any place in the Ottoman dominions. The assistant judge shall in every such case, subject to the provisions of this Order, have the like jurisdiction, power, and authority as the judge of the Supreme Court.

35. The Court for Egypt shall have in all matters, civil and criminal, an original jurisdiction, concurrent with the jurisdiction of the several provincial Courts in Egypt, to be exercised subject and according to the provisions of this Order.

36. The Court for Egypt shall ordinarily sit at Alexandria or Cairo, but may at any time transfer its ordinary sittings to any such place in Egypt as the Secretary of State approves.

37. The judge of the Court for Egypt may, if and when he thinks fit, visit in a magisterial or judicial capacity any place in Egypt, and there inquire of, or hear and determine, any case, civil or criminal.

38. A provincial Court held before a commissioned Consular officer shall have in all matters, civil and criminal, an original jurisdiction of the several provincial Courts (if any) held within the district of the first-mentioned Court before uncommissioned Consular officers, to be exercised subject and according to the provisions of this Order.

39. The Court for Egypt or a provincial Court may, of its
own motion, or on the application of any person concerned, report to the Supreme Court the pendency of any case, civil or criminal, which appears to the Court for Egypt or the provincial Court fit to be heard and determined by the Supreme Court.

The Supreme Court shall thereupon direct in what mode and where the case shall be heard and determined, and the same shall be so heard and determined accordingly.

40. The Supreme Court, the Court for Egypt, and each provincial Court held before a commissioned Consular officer shall, in the exercise of every part of its jurisdiction, be a Court of Record.

41. The Court for Egypt and each provincial Court shall execute a writ or order issuing from the Supreme Court, and shall take security from any person named in a writ or order for his appearance personally or by attorney, and shall, in default of security being given, or when the Supreme Court so orders, send the person to Constantinople on board one of Her Majesty's vessels of war, or, if none is available, then on board some British or other fit vessel.

The order of the Court shall be sufficient authority to the commander or master of the vessel to receive and detain the person, and to carry him to and deliver him up at Constantinople, according to the order.

42. The Supreme Court, the Court for Egypt, and each provincial Court shall be auxiliary to one another in all particulars relative to the administration of justice, civil or criminal.

43. Each provincial Court shall every 12 months furnish to the Supreme Court a report of every case, civil or criminal, brought before it in such form as the Supreme Court from time to time directs.

44. A suit or proceeding shall not be commenced in the Court against any person for anything done or omitted under this Order, unless notice in writing is given by the intending plaintiff or prosecutor to the intended defendant one month at least before the commencement of the suit or proceeding, nor unless it is commenced within 3 months next after the act or omission complained of, or in case of a continuation of damage, within 3 months next after the ceasing of the damage.

The plaintiff in such a suit shall not succeed if tender of sufficient amends is made by the defendant before the commencement thereof; and if no tender is made, the defendant may, by leave of the Court, at any time pay into Court such sum of money as he thinks fit; and thereupon such proceeding and order shall be had and made in and by the Court, as the Court thinks just.

Sale of Copies.

45. A copy of this Order shall be exhibited in each Court.
Printed copies shall be provided and shall be sold at such reasonable price as the Supreme Court directs.

Forms.

46. The forms set forth in the second schedule to this Order, or forms to the like effect, may be used, with such variations as circumstances require.

Fees.

47. The fees specified in the third schedule to this Order shall be paid.

Reconciliation.

48. In civil cases, the Court and its officers shall, as far as there is proper opportunity, promote reconciliation among persons over whom the Court has jurisdiction, and encourage and facilitate the settlement in an amicable way, and without recourse to litigation, of matters in difference among them.

Where a civil suit or proceeding is pending, the Court may promote reconciliation among the parties thereto, and encourage and facilitate the amicable settlement thereof.

In criminal cases, the Court may promote reconciliation and encourage and facilitate the settlement in an amicable way of proceedings for assault or for any other offence not amounting to felony and being of a private or personal character, on terms of payment of compensation or other terms approved by the Court, and may thereupon order the proceedings to be stayed.

Language.

49. Every summons order and other document issuing from the Court shall be in English or Italian or in English and Italian.

Every petition answer and other document filed in the Court in a civil or criminal proceeding by a party thereto shall be in English, or French, or Italian.

Every affidavit used in the Court shall be in English, or in the ordinary language of the person swearing it.

An affidavit in any language other than English, or French, or Italian, shall be accompanied by a sworn translation into English, or French, or Italian, procured by and at the expense of the person using the affidavit.

Where there is a jury, all the proceedings before the jury shall be conducted in English,—evidence, if given in any other language, being interpreted.

Seals.

50. Summons, orders, and other documents issuing from the Supreme Court, or from the Court for Egypt, shall be sealed with the seal of that Court.
Those issuing from a provincial Court shall be sealed with the official seal of the Consular officer by whom they are issued.

Minutes of Proceedings.

51. In every case, civil or criminal, minutes of the proceedings shall be drawn up, and shall be signed by the judge or Consular officer before whom the proceedings are taken, and shall, where the suit is heard with assessors, be open for their inspection and for their signature if concurred in by them.

These minutes, with the depositions of witnesses, and the notes of evidence taken at the hearing or trial by the judge or Consular officer, shall be preserved in the public office of the Court.

Counsel, Attorneys, and Agents.

52. Every person doing an act or taking a proceeding in the Court as plaintiff in a civil case, or as making a criminal charge against another person, or otherwise, shall do so in his own name and not otherwise, and either
   (a) by himself; or
   (b) by his counsel or attorney-at-law; or
   (c) by his procurator or agent thereunto lawfully authorised in writing.

Where the act is done or proceeding taken by an attorney, procurator, or agent, the power of attorney or instrument constituting the procurator or agent, or an authenticated copy thereof, shall be first filed in the Court.

Where the authority has reference only to the particular proceeding the original document shall be filed.

Where the authority is general, or has reference to other matters in which the attorney, procurator, or agent is empowered to act, an authenticated copy of the document may be filed.

If any person does an act or takes a proceeding in the Court in the name or on behalf of another person, not being lawfully authorised thereunto, and knowing himself not to be so authorised, he shall be deemed guilty of a contempt of Court.

Where in this Order appearance is referred to, appearance in person, or by counsel, attorney, procurator, or agent as aforesaid, is meant, unless it is otherwise expressed.

Service.

53. Service of a petition, notice, summons, order, or other document of which service is required by this Order, or according to the course of the Court, shall be made by an officer of the Court, unless in any case the Court thinks fit otherwise to direct.

Service shall not be made except under an order of the
Court, indorsed on or subscribed or annexed to the document to be served, which order is for the purposes of this Order deemed part of the document to be served.

Unless in any case the Court thinks it just and expedient otherwise to direct, service shall be personal, that is, the document to be served shall be delivered to the person to be served, himself.

Where it appears to the Court (either after or without an attempt at personal service) that for any reason personal service cannot be conveniently effected, the Court may order that service be effected either:

1. By delivery of the document to some adult inmate at the usual or last known place of abode or business within the particular jurisdiction of the person to be served; or

2. By delivery thereof to some person being an agent of the person to be served, or to some other person within the particular jurisdiction, on it being proved that there is reasonable probability that the document will, through that agent or other person, come to the knowledge of the person to be served; or

3. By advertisement in some newspaper circulating within the particular jurisdiction; or

4. By notice put up at the Court, or at some other place of public resort within the particular jurisdiction.

An order for service may be varied from time to time with respect to the mode of service directed by the order.

Service not required to be personal shall be made before 5 o'clock in the evening.

If made after that hour on any day but Saturday, it shall be considered as made on the following day.

If made after that hour on Saturday, it shall be considered as made on the following Monday.

Service shall not be made on Sunday, Christmas Day, or Good Friday.

Ordinarily, service shall not be made out of the particular jurisdiction except under an order for that purpose made by the Court within whose jurisdiction service is to be made, which order may be made on the request of any other Court, and shall in each case direct in what mode service is to be made.

Where, however, the urgency or other peculiar circumstances of the case appear to any Court so to require (for reasons recorded in the minutes), the Court may order that service be made out of its particular jurisdiction.

**Computation of Time.**

54. Where by this Order, or any order of the Court, or the course of the Court, any limited time from or after any date or event is appointed or allowed for the doing of any act, or the
taking of any proceeding, and the time is not limited by hours, the following rules shall apply:

1. The limited time does not include the day of the date of or the happening of the event, but commences at the beginning of the day next following that day;

2. The act or proceeding must be done or taken at latest on the last day of the limited time;

3. Where the limited time is less than 6 days, the following days shall not be reckoned as part of the time, namely, Sunday, Good Friday, Monday and Tuesday in Easter week, Christmas Day, and the day next before and the day next after Christmas Day;

4. Where the time expires on one of those days, the act or proceeding shall be considered as done or taken in due time if it is done or taken on the next day afterwards not being one of those days.

**Discretion of Court as to Practice.**

55. Notwithstanding anything in this Order, the Court (for reasons recorded in the minutes) may at any time, and from time to time, do any of the following things as the Court thinks just:

1. Defer or adjourn the hearing or determination of any suit, matter, proceeding, or application;

2. Order or allow any amendment of any petition, answer, notice, or other document;

3. Appoint or allow a time for, or enlarge or abridge the time appointed or allowed for, or allow further time for, the doing of any act or the taking of any proceeding.

56. The Court, on making any order which it is in its discretion to make, may make the order on such terms respecting time, costs, and other matters as the Court thinks fit.

**Obstruction or Disturbance of Court.**

57. If any person wilfully obstructs by act or threat an officer of the Court in the performance of his duty;

Or within or close to the room or place where the Court is sitting, wilfully misbehaves in a violent, threatening, or disrespectful manner, to the disturbance of the Court, or to the terror of the suitors or others resorting thereto;

Or wilfully insults the judge or any Consular officer, or any assessor or juror, or any clerk or officer of the Court, during his sitting or attendance in Court, or in his going to or returning from Court:

He shall be liable to be immediately apprehended by order of the Court, and to be detained until the rising of the Court, and on inquiry and consideration then and there, and without further trial, to be punished with a fine of not more than 5l., or
imprisonment for not more than 7 days, in the discretion of the Court.

A minute shall be made and kept of every such case of punishment, recording the facts of the offence, and the extent of the punishment; and in the case of a provincial Court, a copy of the minute shall be forthwith sent to the Supreme Court.

Misconduct of Officers of the Court.

58. If an officer of the Court employed to execute an order, by neglect or omission loses the opportunity of executing it, then on complaint of the person aggrieved, and proof of the fact alleged, the Court may, if it thinks fit, order the officer to pay the damages sustained by the person complaining, or part thereof, and the order shall be enforced as an order directing payment of money.

59. If a clerk or officer of the Court, acting under pretence of the process or authority of the Court is charged with extortion or with not duly paying over money levied, or with other misconduct, the Court, if it thinks fit, may (without prejudice to any other liability or punishment to which the clerk or officer would, in the absence of the present provision, be liable) inquire into the charge in a summary way, and may for that purpose summon and enforce the attendance of all necessary persons as in a suit, and may make such order for the repayment of any money extorted, or for the payment over of any money levied, and for the payment of such damages and costs as the Court thinks just; and the Court may also, if it thinks fit, impose on the clerk or officer such fine, not exceeding 10£. for each offence, as the Court thinks just.

Fees and other Money.

60. All costs and all charges and expenses of witnesses, prosecutions, punishments, and deportations, and other charges and expenses, and all fees, fines, forfeitures, and pecuniary penalties payable under this Order, may be levied by distress and seizure of and sale of ships, goods, and lands; and any bill of sale, or mortgage, or transfer of property made with the view of avoiding such distress, seizure, or sale, shall not be permitted to defeat the provisions of this Order.

61. All fees, fines, forfeitures, and pecuniary penalties levied under this Order shall be carried to the public account, and be applied in diminution of the public expenditure on account of Her Majesty's Consular service in the Ottoman dominions.

Witnesses.

62. In any case, civil or criminal, and at any stage thereof, the Court, either of its own motion, or on the application of any party, may summon a subject or protected person, being within:
the particular jurisdiction, to attend to give evidence, or to produce documents, or to be examined.

If the person summoned, having reasonable notice of the time and place at which he is required to attend, fails to attend accordingly, and does not excuse his failure to the satisfaction of the Court, he shall (independently of any other liability) be deemed guilty of an offence against this Order, and be liable to a fine of not more than 100l., or to imprisonment for not more than one month, in the discretion of the Court.

63. In a criminal case, where it is proved that a subject or protected person within the particular jurisdiction is likely to give material evidence, either for the prosecution or for the defence, and that he will not voluntarily attend to give evidence, the Court shall issue a summons for his attendance.

If he does not obey the summons, and does not excuse his failure to the satisfaction of the Court, then (after proof of the service of the summons) the Court may issue a warrant to compel his attendance.

Where it is proved to be probable that a person who might be so summoned will not attend to give evidence unless compelled to do so, then the Court, instead of issuing a summons, may issue a warrant in the first instance.

If any such person on his appearance, either in obedience to a summons, or on being brought up under a warrant, refuses to take an oath, or having taken an oath to answer any question put to him, and does not excuse his refusal to the satisfaction of the Court, then the Court may, by warrant, commit him to prison, there to remain for not more than 7 days, unless he in the meantime consents to answer duly on oath.

64. If in any case, civil or criminal, a subject or protected person willfully gives false evidence on oath in the Court, or on a reference, he shall be deemed guilty of wilful and corrupt perjury.

65. In a civil case, the Court may, if it thinks fit, order that the expenses of a witness, on his appearance to give evidence, be defrayed by the parties, or any of them.

66. In any case, civil or criminal, and at every stage thereof, the Court, on the application of either party, or of its own motion, may order witnesses on both sides to be kept out of Court until they have respectively given their evidence; but this provision does not extend to the parties themselves, or to their respective legal advisers, although intended to be called as witnesses.

67. In every case, civil or criminal, and at every stage thereof, the Court shall take a note of the substance of all oral evidence taken before it in a narrative form, but shall put down the terms of any particular question or answer, if there appears reason for doing so.
No person shall be entitled as of right, at any time or for any purpose, to inspection or a copy of the Court's notes of evidence.

68. In every case, civil or criminal, and at every stage thereof, each witness, after examination in chief, is subject to be cross-examined by the other party, and to be re-examined by the party calling him, and after re-examination may be questioned by the Court, and shall not be recalled or further questioned save through and by leave of the Court.

69. In a civil case, where evidence taken by affidavit, or by commission, or on deposition, is offered, the party offering it may read it before or after the oral evidence on his part is concluded.

70. In every case, civil or criminal, and at every stage thereof, any objection to the reception of evidence shall be made at the time the evidence is offered, and shall be argued and decided at the time.

Where a question proposed to be put to a witness is objected to, the Court, unless the objection appears frivolous, shall, if required by either party, take a note of the question and objection, and mention on the notes whether the question was allowed to be put or not, and the answer to it, if put.

71. In a civil case, where a person whose evidence would have been admissible is dead or insane, or for any reason appearing sufficient to the Court, is not present to give evidence, the Court may, if it thinks fit, receive proof of any evidence given by him in any former judicial proceeding: provided that the subject-matter of the former proceeding was substantially the same as that of the pending proceeding, and that the parties to the pending proceeding were parties to the former proceeding or bound by it, and had an opportunity in it of cross-examining the person of whose evidence proof is so to be given.

72. In a criminal case, if it is proved that a person whose deposition has been taken is dead, or is so ill as not to be able to travel, and that his deposition was taken in the presence of the accused, and that the accused had full opportunity of cross-examining the witness, the deposition may be given in evidence.

73. In a criminal case, any statement made by the accused at the preliminary examination, in answer to the questions put to him by the Court, as prescribed by this Order, may be given in evidence against him on the trial.

74. In a criminal case, nothing in this Order shall prevent the prosecutor from giving in evidence at the trial any omission or confession, or other statement of the accused made at any time, which would by law, independently of this Order, be admissible as evidence against him.

75. In a civil case, where the circumstances of the case appear to the Court so to require for reasons recorded in the
minutes, the Court may, when a suit or application is pending, take the evidence of any witness at any time as preparatory to the hearing, and the evidence so taken may be used at the hearing, subject to just exceptions.

Any Court or Consular officer shall, on the request in writing of any Court before which a suit or application is pending, so take evidence for purposes of the suit or application.

The evidence shall be taken in like manner, as nearly as may be, as evidence at the hearing of a suit is to be taken, and then the note of the evidence shall be read over to the witness and tendered to him for signature, and if he refuses to sign it the Court shall add a note of his refusal, and the evidence may be used as if he had signed it.

Evidence may be taken in like manner on the application of any person, although no suit or application is pending where it is proved that the person applying has good reason to apprehend that a proceeding will be taken against him in the Court, and that some person within the particular jurisdiction at the time of application can give material evidence respecting the subject of the apprehended proceeding, but that he is about to leave the particular jurisdiction, or that from some other cause the person applying will lose the benefit of his evidence if it is not at once taken.

Affidavits.

76. Before an affidavit is signed in the Court for any purpose, the original shall be filed in the Court, and the original or an office copy shall alone be recognised for any purpose in the Court.

An affidavit sworn before a Consular officer of Her Majesty, authorized to take affidavits in any country or before a judge or other person in the United Kingdom or in a British colony or possession authorized to take affidavits, or before a mayor or other magistrate in a foreign country authorized to administer an oath, or in the case of a foreigner being in the Ottoman dominion before his own Consular authority, may be used in the Court, subject to the rules of evidence.

An affidavit shall not be admitted if it is proved that it has been sworn before a person on whose behalf it is offered, or before his attorney, or before a partner or clerk of his attorney.

An affidavit may be used, notwithstanding any defect in form, if it is proved that it has been sworn before a person duly authorized, and that the form thereof and that of the attestation thereto are in accordance with the law and custom of the place where it has been sworn.

A defective or erroneous affidavit may be amended and re-sworn, by leave of the Court in which it has to be used.

The Court may, if it thinks fit, for reasons recorded in the minutes, admit an affidavit in evidence, although it is shown
that the party against whom the affidavit is offered in evidence had no opportunity of cross-examining the person making the affidavit.

77. Every affidavit used in the Court shall contain only a statement of facts and circumstances to which the witness deposes, either from his own personal knowledge or from information which he believes to be true.

It shall not contain extraneous matter, by way of objection, or prayer, or legal argument or conclusion.

Where a witness deposes to his belief in any matter of fact, and his belief is derived from any source other than his own personal knowledge, he shall set forth explicitly the facts and circumstances forming the ground of his belief.

Where his belief is derived from information received from another person, the name of his informant shall be stated, and reasonable particulars shall be given respecting the informant, and the time, place, and circumstances of the information.

78. The following regulations shall be observed by Consular officers before whom affidavits are taken:

Every affidavit taken in the matter of a suit or proceeding shall be headed in the Court, and in the suit or proceeding.

Every affidavit shall state the full name, trade or profession, address, and nationality of the witness.

It may be in the first or in the third person, and may be divided into convenient paragraphs numbered consecutively.

Any erasure, interlineation, or alteration, made before the affidavit is sworn, shall be attested by the Consular officer, who shall affix his signature or initials in the margin immediately opposite to the interlineation, alteration, or erasure.

Where an affidavit proposed to be sworn is illegible, or difficult to read, or is in the judgment of the Consular officer so written as to facilitate fraudulent alteration, he may refuse to swear the witness, and may require the affidavit to be re-written.

The affidavit when sworn shall be signed by the witness (or if he cannot write marked by him with his mark) in the presence of the Consular officer.

The jurat shall be written without interlineation, alteration, or erasure, immediately at the foot of the affidavit, and towards the left side of the paper, and shall be signed by the Consular officer, and be sealed by him with his Consular seal.

It shall state the deed of the swearing, and the place where it is sworn.

It shall state that the affidavit was sworn before the Consular officer.

Where the witness is blind or illiterate, it shall state that fact, and that the affidavit was read over to him in the presence of the Consular officer, and that the witness appeared to understand it.
Where the witness makes a mark instead of signing, the jurat shall state that fact, and that the mark was made in the presence of the Consular officer.

Where two or more persons join in making an affidavit, their several names shall be written in the jurat, and it shall appear by the jurat that each of them has been sworn to the truth of the several matters stated by him in the affidavit.

The Consular officer shall not allow an affidavit when sworn to be altered in any manner without being re-sworn.

If the jurat has been added and signed, he shall add a new jurat on the affidavit being re-sworn, and in the new jurat he shall mention the alteration.

He may refuse to allow the affidavit to be re-sworn, and may require a fresh affidavit.

**Documentary Evidence.**

79. In a civil case any party may call on any other party by notice filed and served to admit any document, subject to just exceptions.

In case of refusal or neglect to admit, the costs of proof of the document shall be paid by the party neglecting or refusing, unless the Court is of opinion that the refusal to admit was reasonable.

No costs of proof of any document shall be allowed unless notice to admit has been given, except in cases where the omission to give notice has, in the opinion of the Court, produced a saving of expense.

Every document offered as evidence, and not objected to, shall be put in and read, or taken as read by consent.

Every document put in evidence shall be marked by the Court at the time, and shall be retained by the Court during the hearing and returned to the party who put it in, or from whose custody it came, immediately after the judgment, unless it is impounded by order of the Court.

**Commissions to Examine out of Ottoman Dominions.**

80. The Supreme Court may, if it thinks fit, order that a commission do issue for examination of witnesses at any place out of the Ottoman dominions, on oath, by interrogatories or otherwise, and may, from time to time, by order, give such directions touching the time, place, and manner of the examination, or anything connected therewith, as to the Court appear reasonable and just.

**Ottoman Subjects and Foreigners.**

81. Where an Ottoman subject or foreigner desires to institute or take in the Court a suit or proceeding of a civil nature against a subject or protected person—or a subject or
protected person desires to institute or take in the Court a suit or proceeding of a civil nature against an Ottoman subject or foreigner—the Court shall entertain the same, and shall hear and determine it, either by the judge or proper Consular officer sitting alone, or, if all parties desire, or the Court thinks fit to direct, a trial with a jury or assessors, then at place where such a trial may be had if all parties were subjects, by the judge or proper Consular officer with a jury or assessors, but in all other respects according to the ordinary course of the Court:

Provided that the Ottoman subject or foreigner first obtains and files in the Court the consent in writing of the competent authority on behalf of the Sublime Ottoman Porte or of his own nation (as the case may be) to his submitting, and does submit to the jurisdiction of the Court, and, if required by the Court, gives security to the satisfaction of the Court, by deposit or otherwise, to pay fees, damages, costs, and expenses, and abide by and perform such decision as shall be given by the Court originally or on appeal (as the case may require).

82. A cross-suit shall not be instituted in the Court against a plaintiff, being an Ottoman subject or foreigner who has submitted to the jurisdiction by a defendant, without leave of the Court first obtained.

The Court before giving leave shall require proof from the defendant that his claim arises out of the subject-matter in dispute, and that there is reasonable ground for it, and that it is not made for vexation or delay.

Nothing in this provision shall prevent the defendant instituting or taking in the Court any suit or proceeding against the Ottoman subject or foreigner after the termination of the suit or proceeding in which the Ottoman subject or foreigner is plaintiff.

83. Where an Ottoman subject or foreigner obtains in the Court an order against a defendant, being a subject or protected person, and in another suit that defendant is plaintiff and the Ottoman subject or foreigner is defendant, the Court may, if it thinks fit, on the application of the subject or protected person, stay the enforcement of the order pending that other suit, and may set off any amount ordered to be paid by one party in one suit against any amount ordered to be paid by the other party in the other suit.

Where a plaintiff, being an Ottoman subject or foreigner, obtains an order in the Court against two or more defendants, being subjects or protected persons jointly, and in another suit one of them is plaintiff and the Ottoman subject or foreigner is defendant, the Court may, if it thinks fit, on the application of the subject or protected person, stay the enforcement of the order pending that other suit, and may set off any amount ordered to be paid by one party in one suit against any amount
ordered to be paid by the other party in the other suit, without prejudice to the right of the subject or protected person to acquire contribution from his co-defendants under the joint liability.

84. When an Ottoman subject or foreigner is co-plaintiff in a suit with a subject or protected person who is within the particular jurisdiction, it shall not be necessary for the Ottoman subject or foreigner to make deposit or give security for costs, unless the Court so directs, but the co-plaintiff subject or protected person shall be responsible for all fees and costs.

Ottoman or Foreign Tribunal.

85. Where it is proved that the attendance within the particular jurisdiction of a subject or protected person to give evidence, or for any other purpose connected with the administration of justice, is required in a Court or before a judicial officer of the Sublime Ottoman Porte, or of a State in amity with Her Majesty, the Court may, if it thinks fit, in a case and in circumstances in which the Court would require his attendance before the Court, order that he do attend in such Court or before such judicial officer, and for such purposes as aforesaid.

If the person ordered to attend, having reasonable notice of the time and place at which he is required to attend, fails to attend accordingly, and does not excuse his failure to the satisfaction of the Court, he shall (independently of any other liability) be deemed guilty of an offence against this Order, and he shall for every such an offence, on conviction thereof, by summary trial, be liable to a fine of not more than 50l., or to imprisonment for not more than one month, in the discretion of the Court.

VII.—Civil Authority and Procedure.

86. Each Court shall be a Court of Law and of Equity; and (subject to the provisions of this Order) shall have and may exercise all jurisdiction, power, and authority, legal, equitable, or other, which any Consul of Her Majesty by custom has or may exercise in the Ottoman dominions.

I.—Bankruptcy.

87. Each Court shall be a Court of Bankruptcy, and as such shall, as far as circumstances admit, have, for and within its own district, with respect to resident subjects and protected persons, and to their debtors and creditors, being either resident subjects or protected persons, or Ottoman subjects or foreigners submitting to the jurisdiction of the Court, all such jurisdiction as for the time being belongs to the Court of Bankruptcy and the County Courts in England, or to any other judicial authority having for the time being jurisdiction in bankruptcy in England.
II.—Admiralty.

88. The Supreme Court shall be a Court of Vice-Admiralty, and as such shall, for and within the Ottoman dominions, and for vessels and persons coming within those dominions, have all such jurisdiction as for the time being ordinarily belongs to Courts of Vice-Admiralty in Her Majesty's possessions abroad.

The Court for Egypt shall be a Court of Vice-Admiralty, and as such shall, for its own district, and for vessels and persons coming within that district, have the like jurisdiction.

III.—Lunacy.

89. The Supreme Court shall, as far as circumstances admit, have in itself exclusively, for and within the Ottoman dominions, with respect to resident subjects and protected persons, all such jurisdiction relative to the custody and management of the persons and estates of persons of unsound mind, as for the time being belongs to the Lord Chancellor or other person or persons in England intrusted by virtue of Her Majesty's sign-manual with the care and commitment of the custody of the persons and estates of persons found by inquisition in England idiot, lunatic, or of unsound mind.

IV.—Matrimonial Causes.

90. The Supreme Court shall be a Court for Matrimonial Causes, and, as such, shall, as far as circumstances admit, have in itself exclusively, for and within the Ottoman dominions, with respect to resident subjects and protected persons, all such jurisdiction, except the jurisdiction relative to dissolution or nullity or jactitation of marriage, as for the time being belongs to the Court for Divorce and Matrimonial Causes in England.

V.—Probate.

91. The Supreme Court shall be a Court of Probate, and as such shall, as far as circumstances admit, have, for and within the Ottoman dominions, with respect to the property of deceased resident subjects or protected persons, all such jurisdiction as for the time being belongs to Her Majesty's Court of Probate in England.

The Court for Egypt or a provincial Court shall, however, also have power to grant probate or letters of administration where there is no contention respecting the right to the grant, and it is proved that the deceased was resident at his death within the particular jurisdiction. That probate or administration shall have effect over all the property of the deceased within the Ottoman dominions, and shall effectually discharge persons dealing with an executor or administrator thereunder, notwithstanding that any defect afterwards appears in the grant. The grant shall not be impeachable by reason only that the
deceased was not at the time of his death resident within the particular jurisdiction.

92. A subject or protected person may in his lifetime deposit for safe custody, in the Court, his own will, sealed up under his own seal and the seal of the Court.

VI.—Special Jurisdictions.

93. Where a civil suit or proceeding originally instituted in the Supreme Court

(i) relates to money, goods, or other property, or any civil right or other matter, at issue, of a less amount or value than 100L; or

(ii) is instituted for recovery of damages of a less amount than 100L;

the judge may refer the same to the assistant judge to be heard and determined by him, and the same shall be so heard and determined accordingly; but an appeal shall lie as of course to the judge.

94. Where a civil suit or proceeding originally instituted in the Court for Egypt

(i) relates to money, goods, or other property, or any civil right or other matter, at issue, of a less amount or value than 100L; or

(ii) is instituted for recovery of damages of a less amount than 100L;

the judge may refer the same to the Law Secretary to be heard and determined by him, and the same shall be so heard and determined accordingly; but an appeal shall lie as of course to the judge.

95. The Supreme Court may, from time to time, by deputation in writing under the hand of the judge and the seal of the Court, authorise the Consul-General at Tunis to refer from time to time to the Vice-Consul at Tunis such civil cases as are described in the deputation; and all cases referred in pursuance thereof shall be so heard and determined accordingly; but an appeal shall lie as of course to the Consul-General at Tunis.

The deputation shall not have effect until it has been approved in writing by the Secretary of State, and may at any time be revoked by the Secretary of State by writing under his hand, or by the Supreme Court by writing under the hand of the judge and the seal of the Court.

96. A provincial Court held before an uncommissioned Consular officer shall not have jurisdiction except where the claim

(i) relates to money, goods, or other property, or any civil right or other matter, at issue, of a less amount or value than 10L; or

(ii) is instituted for recovery of damages of a less amount than 10L.
VII.—Arbitration.

97. The Court may, with consent of the parties, refer to arbitration the final determination of any suit or proceeding pending, or of all matters in difference between the parties, on such terms and with such directions as to appointment of an arbitrator and other things as the Court thinks fit, with or without security from the parties, or any of them, that they will abide by the result of the reference.

In any such case the award shall be final and conclusive.

On the application of any party a decree of the Court may be entered in conformity with the award, and the decree shall not be open to appeal or re-hearing.

98. Every agreement for reference to arbitration or submission to arbitration by consent between or by subjects or protected persons, or subjects and protected persons, may, on the application of any party, be made a rule of the Court having jurisdiction in the matter of the reference or submission; and that Court shall thereupon have authority to enforce the agreement or submission and the award made thereunder, and to control and regulate the proceedings before and after the award, in such manner and on such terms as the Court thinks just.

The following provisions respecting arbitration apply exclusively to cases where the agreement for reference to arbitration or submission to arbitration by consent is so made a rule of Court.

99. The arbitrators shall make their award within one month after they have entered on the reference or have been called on to act by a notice in writing from any party, unless the document authorising or making the reference contains a different limit of time.

100. The Court may, if it thinks fit, on reasonable notice to all parties, from time to time enlarge the time for making the award for such time as the Court thinks just, the reasons for enlargement being recorded in the minutes.

101. An umpire may enter on the reference in lieu of the arbitrators, if the arbitrators have allowed their time, or their extended time, to expire without making an award, or have filed in the Court a notice in writing that they cannot agree.

102. The authority of arbitrators or an umpire is not revocable except by the Court.

103. Where it appears to the arbitrators or umpire that any difficult question of law is involved in or raised by the facts as finally ascertained by them or him, they or he may, if it seems to them or him fit, state the award (as to the whole or any part thereof) in the form of a case for the opinion of the Court having jurisdiction in the matter, or of the Supreme Court.
TURKEY.

The Court shall consider and deliver judgment on the case, and shall be at liberty to draw inferences of fact from the facts stated, and to amend the case by reason of any irregularity, mistake, or imperfection.

104. The arbitrators or umpire shall have power to award how the costs of the reference shall be borne, in the whole or in part.

But an award respecting costs shall not preclude a party against whom costs are awarded from applying to the Court to tax the costs; and on that application the costs, including the remuneration (if any) of the arbitrators and umpire, or any of them, shall be taxed at a reasonable rate by the Court; and the Court shall make such order respecting the costs of taxation as the Court thinks just.

105. The award shall be in writing signed by the arbitrators or umpire making it.

It shall contain a conclusive finding, and may not find on the contingency of any matter of fact being afterwards substantiated or deposed to. It shall comprehend a finding on each of the several matters referred.

106. The arbitrators or umpire making an award shall, within the time limited, deposit the award in the Court, inclosed in a sealed cover, and indorsed with the names of the parties to the reference, and with a note of the amount claimed by the arbitrators and umpire for remuneration.

Notice of the award having been deposited shall be served by the Court on the parties, who shall be at liberty to read the award, and to have copies of it.

107. Any person interested may, within 7 days after notice of the award, apply to the Court to prevent the execution of the award, or of any specified part of it.

In default of any such application, the Court shall proceed, on reasonable notice to all parties, to make such order for carrying into effect the award, or any part thereof, and as to costs and other things, as the Court thinks just.

108. The Court may at any time, and from time to time, remit the matters referred, or any of them, to the reconsideration and redetermination of the arbitrators or umpire, on such terms as to costs and other things as the Court thinks just.

109. The Court shall not refuse to execute an award merely on the ground of irregularity in the submission, or during the reference, where the irregularity has not been substantially prejudicial to the party applying to prevent the execution of the award.

VIII.—Decision on Fact or Law without Suit.

(a.) Question of Fact.

110. Where persons between whom a suit might be insti-
tuted agree that there is a question of fact to be determined between them, they may, by consent and by order of the Court, which order the Court may make on being satisfied that the parties have a real interest in the determination of the question, and that it is fit to be tried, state the question for trial in an issue, and the issue may be tried as if the question were to be determined at the hearing of a suit.

The issue and proceedings and decree shall be recorded, and the decree shall have the same effect as a decree in a suit.

The parties may, if they think fit, enter into an agreement in writing, embodied in an order of the Court, that, on the finding of the Court, any sum of money, fixed in the agreement, or to be ascertained by the Court on a question inserted in the issue for that purpose, shall be paid by one of the parties to the other, with or without any costs. On the finding, a decree may be entered for the sum so agreed or ascertained, with or without costs, as the case may be.

Where there is no agreement respecting costs, the costs of the whole proceedings shall be in the discretion of the Court.

(b.) Question of Law.

111. Where persons between whom a suit might be instituted agree that there is a question of law to be determined between them, they may by consent and by order of the Court, which order the Court may make on being satisfied that the parties have a real interest in the determination of the question, and that it is fit to be determined, state any question of law in a case for the opinion of the Supreme Court, without petition presented or other pleading.

Where the case is stated under order of a Court other than the Supreme Court, the Court shall send the case to the Supreme Court.

The Supreme Court may direct the case to be re-stated or to be amended, or may refuse to determine it if the facts are not sufficiently stated, or if the question is not properly raised, or if the parties cannot agree on an amended case.

The Supreme Court may draw inferences of fact from facts stated in the case.

The case and proceedings and decree shall be recorded, and the decree shall have the same effect as a decree in a suit.

The parties may, if they think fit, enter into an agreement in writing, embodied in an order of the Court, that on the judgment of the Supreme Court being given, a sum of money fixed in the agreement, or to be ascertained by the Supreme Court, or in such manner as that Court may direct, shall be paid by one of the parties to the other with or without any costs. On the judgment of the Supreme Court, a decree of the Court under
whose order the case was stated may be entered for the sum so agreed or ascertained, with or without costs, as the case may be. Where there is no agreement respecting costs, the costs of the whole proceedings shall be in the discretion of the Supreme Court.

IX.—BILLS OF EXCHANGE AND PROMISSORY NOTES.

112. A suit on a bill of exchange or promissory note, instituted within 6 months after it becomes due and payable, may be commenced by summons, and may be heard and determined in a summary way.

An appeal shall not lie to the Supreme Court from any order in the suit.

113. The Court shall, on application within 7 days from the service of the summons, give the defendant leave to defend the suit on his paying into Court the sum indorsed on the summons, or on proof of a good legal or equitable defence, or such facts as would make it incumbent on the holder to prove consideration, or such other facts as appear to the Court sufficient to support the application, and on such terms as to security and other things as the Court thinks fit; and in that case the Court may direct proceedings to be taken and carried on by petition.

If the defendant does not so obtain leave to defend, the plaintiff, on proof of service of the summons, shall be entitled as of course at any time after the expiration of those 7 days to an immediate absolute order for any sum not exceeding that indorsed on the summons, with interest at the rate specified (if any) to the date of the order, and a sum for costs to be fixed by the Court in the order.

114. The holder of a bill or note may, if he thinks fit, obtain one summons against all or any of the parties to the bill or note, and subsequent proceedings shall be carried on, as far as the Court thinks fit, as if separate summonses had been issued.

But the summons or its indorsement shall set forth the claims against the several parties, according to their respective alleged liabilities, with sufficient precision and certainty to enable each to set up any defence on which he individually may desire to rely.

115. The Court may, if it thinks fit, order that the bill or note be forthwith deposited in the Court, and that all proceedings be stayed until the plaintiff gives security for costs.

116. The holder of a dishonoured bill or note shall have the like remedies for the recovery of the expenses incurred in the noting of the same for non-acceptance or non-payment, or incurred otherwise by reason of the dishonour, as for recovery of the amount of the bill or note.

117. After order made, the Court may, if it thinks fit, for
reasons recorded in the minutes, set aside the order or execution, and give leave to defend.

X.—CLAIMS UNDER 20L.

118. Where the claim which any person desires to enforce by proceedings in the Court, either
(1) Relates to money, goods, or other property, or any civil right or other matter at issue of a less amount or value than 20L; or
(2) Is instituted for the recovery of damages of a less amount than 20L;
proceedings shall be commenced by summons, and the suit shall (subject to the provisions of this Order) be heard and determined in a summary way.

119. The summons shall issue without application in writing.
It shall be addressed to the person, as respondent, against whom the claim is made.
It shall state briefly and clearly the nature and particulars of the claim and the amount sought to be recovered.
It shall be served on the respondent within the time and in the manner directed by the Court.
A respondent shall not be bound to attend personally to answer the summons unless required expressly by the summons so to do, but he shall attend personally if summoned as a witness.
The proceedings on the summons shall (except as far as the Court, in any case for the avoiding of delay and the furtherance of substantial justice, thinks fit otherwise to direct) be governed by the provisions of this Order regulating claims for 20L or upwards.

120. Where, either on the application for a summons, or before or at the hearing thereof, it appears to the Court (for reasons recorded in the minutes) that the nature and circumstances of the case make it unjust or inexpedient to hear and determine the claim in a summary way, the Court may direct that proceedings be taken and carried on by petition.

XI.—CLAIMS BEFORE UN-COMMISSIONED CONSULAR OFFICERS.

121. Every suit instituted in a provincial Court held before an uncommissioned Consular officer shall be heard and determined under and according to the provision of this Order relating to claims under 20L.
Within 14 days after the determination of each suit, the provincial Court shall report it to the Supreme Court, or in Egypt to the Court for Egypt, and transmit to that Court a copy of the proceedings.
The provincial Court shall have power to enforce any order by execution on the goods of the party ordered to pay, and not otherwise.
An appeal to the Supreme Court, or in Egypt to the Court for Egypt, from any order of the provincial Court shall lie as of course on the appellant making a deposit of 1l. for costs, to abide the decision on appeal, and execution shall be suspended.

The proceedings on, and hearing of, the appeal shall be conducted, as nearly as may be, according to the provisions of this Order relating to appeals to the Supreme Court by motion.

In any case the Supreme Court or the Court for Egypt may, if it thinks fit, on the application of any party, direct that the suit be heard and determined by the Court for Egypt, or by the Superintending Consul of the district of the un-commissioned Consular officer, or by the Supreme Court.

XII.—Claims for 20l. or upwards.

A.—Ordinary Provisions.

Petition.

122. Subject to the foregoing provisions of this Order, where the claim which any person desires to enforce by proceedings in the Court

(i) relates to money, goods, or other property, or any civil right or other matter at issue of the amount or value of 20l. or upwards; or

(ii) is instituted for recovery of damages of the amount of 20l. or upwards;

proceedings shall be commenced by the filing of a petition.

123. The petition shall contain a narrative of the material facts on which the plaintiff relies.

The narrative shall be divided into paragraphs numbered consecutively, each paragraph containing, as nearly as may be, a separate statement or allegation.

The petition shall pray for the specific relief to which the plaintiff conceives himself entitled, and also for general relief.

The petition shall be as brief as is consistent with a clear statement of the facts on which the prayer is sought to be supported, and with information to the defendant of the nature of the claim set up.

Documents shall not be unnecessarily set out in full in the petition, but so much only of them as is pertinent and material shall be set out.

Dates and sums shall be expressed in the petition in figures, and not in words.

124. When there is only one defendant, one copy of the petition, and of any schedule thereto, for service, shall be left with the Court, together with the original.

Where there are two or more defendants, as many copies as there are parties to be served shall be left, together with the original.
125. The plaintiff shall obtain an order for service of the petition on the defendant.

Answer.

126. The order for service of the petition shall specify a reasonable time after service, ordinarily not more than 8 days, within which the defendant shall put in his answer.

127. The Court may, if it thinks fit, on the application of the defendant, allow him further time for putting in his answer.

128. A defendant failing to answer within the time, or further time allowed, shall not be at liberty to put in an answer without leave of the Court.

129. The answer shall show the nature of the defendant's defence to the claim set up by the petition, but shall not set forth evidence by which the defence is intended to be supported.

It shall not introduce matter irrelevant to the suit, and the provisions of this Order relating to the setting out of documents and the contents of a petition generally shall be observed in an answer, as far as they are applicable.

It shall deny all such material allegations in the petition as the defendant intends to deny at the hearing.

Where the answer denies an allegation of fact, it shall deny it directly and fully (as, for example, if a petition alleges that the defendant has received a sum of money, and the defendant denies this, his answer shall deny that he has received that sum, or any part thereof, or else set forth what part he has received. And so, where a matter of fact is alleged in the petition, with certain circumstances, the answer shall not deny it literally as it is alleged, but shall answer the point of substance positively and certainly).

The answer shall specifically admit such material allegations in the petition as the defendant knows to be true or desires to be taken as admitted.

The answer shall allege any fact not stated in the petition the defendant intends to rely in his defence (as establishing, for instance, fraud on the part of the plaintiff, or showing that the plaintiff's right to relief has not yet accrued, or is released, or barred, or otherwise gone).

130. The Court may, if it thinks fit, order the defendant to put in an answer on oath.

131. The Court may, if it thinks fit, on the application of the plaintiff, examine the defendant, on oath or otherwise, on written interrogatories, allowed by the Court, and take down the answers of the defendant in writing.

Those answers shall be treated as forming part of the answer to the petition.

132. A defendant not putting in any answer shall not, on
that ground, be taken as admitting the allegations of the petition or the plaintiff's right to the relief sought.

Proceedings after Answer.

133. No replication or other pleading after answer shall be allowed.

134. The plaintiff may, on considering the answer, amend his petition.
Notice of the amendment shall be served on the defendant.

Setting down for Hearing.

135. A suit shall not be set down for hearing without an order of the Court for that purpose, which the plaintiff may obtain at any time after the expiration of the time allowed to the defendant for answering.

Sittings for Hearing.

136. The sittings of the Court for the hearing of suits shall, where the amount of business so requires, be held on stated days.
They shall ordinarily be public, but the Court may, for reasons recorded in the minutes, hear any particular suit or matter in the presence only of the parties and their legal advisers and the officers of the Court.

Hearing with Jury or Assessors.

137. The following regulations respecting juries apply only to the Supreme Court and the Court for Egypt.

Where a suit either
(i) relates to money, goods, or other property, or any civil right or other matter, at issue of the amount or value of 50l. or upwards; or
(ii) is instituted for recovery of damages of the amount of 50l. or upwards;
the suit shall, on the demand of either party in writing, filed in the Court 7 days before the day appointed for the hearing, be heard with a jury.

Any other suit may, on the suggestion of any party, at any stage, be heard with a jury, if the Court thinks fit.

Any suit may be heard with a jury if the Court, of its own motion, at any stage thinks fit.

A party demanding a jury shall, on filing the demand, deposit in Court, for the first day's attendance of jurors, 2l. 10s., and in default thereof his demand shall have no effect.

If the Court of its own motion orders that a suit be heard with a jury, the plaintiff shall make the deposit.

Where a trial with a jury is begun and adjourned, the party who has made the deposit shall, on each successive day of the
trial, and before the trial is proceeded with, make a further deposit of 21. 10s.

In default of any successive deposit being so made, the other party may make the deposit; but if neither party makes it, the trial may, if the Court thinks fit, be adjourned generally.

The costs of remuneration of jurors shall be costs in the cause.

138. The Supreme Court, or the Court for Egypt, may, if the Court thinks fit, hear with an assessor, or with two assessors, any suit.

139. A provincial Court, other than one held before an uncommissioned Consular officer, shall (subject to the provisions of this Order) hear with an assessor, or with assessors, every suit which either

(i) relates to money, goods, or other property, or any civil right, or other matter, at issue, of the amount or value of 300l. or upwards; or

(ii) is instituted for recovery of damages of the amount of 300l. or upwards.

In all other cases a provincial Court, other than one held before an uncommissioned Consular officer, may, as it thinks fit, hear the suit either with or without an assessor or assessors.

**Proceeding at Hearing.**

140. The order of proceeding at the hearing shall be as follows:

The party on whom the burden of proof is thrown by the nature of the material questions between the parties has the right to begin; he shall address the Court and open his case.

He shall then call his evidence and examine his witnesses in chief.

When he has concluded his evidence, he shall ask the other party if he intends to call evidence (in which term is included evidence taken by affidavit or deposition, or under commission, and documentary evidence not already read or taken as read); and, if answered in the negative, the party beginning shall be entitled to sum up the evidence already given, and comment thereon; but if answered in the affirmative, he shall wait for his general reply.

When the party beginning has concluded his case, the second party shall be at liberty to address the Court and to call evidence, and to sum up and comment thereon.

If no evidence is called or read by the second party, the party beginning (saving the right of the Crown) shall have no right to reply, unless he has been prevented from summing up his case by the statement of the second party of his intention to call evidence.

The case on both sides shall then be considered closed.
If the second party calls or reads evidence, the party beginning shall be at liberty to reply generally on the whole case, or he may call fresh evidence in reply to the evidence given on the other side, on points material to the determination of the issues, or any of them, but not on collateral matters.

Where evidence in reply is tendered and allowed to be given, the second party shall be at liberty to address the Court, and the party beginning shall be entitled to the general reply.

141. The answer of a defendant shall not debar him at the hearing from disproving any allegation of the petition not admitted by his answer, or from giving evidence in support of a defence not expressly set up by the answer, except where in the opinion of the Court the defence is such as ought to have been expressly set up by the answer, or is inconsistent therewith.

Judgment.

142. The decision or judgment given at the hearing shall be delivered in open Court.

Where the Court reserves judgment at the hearing, parties to the suit shall be served with notice to attend and hear judgment, unless the Court at the hearing states the day on which judgment will be delivered, in which case there shall be no further notice.

All parties shall be deemed to have notice of the decision or judgment if pronounced at the hearing.

All parties served with notice to attend and hear judgment, shall be deemed to have notice of the judgment when pronounced.

Costs.

143. In every suit, the cost of the whole suit, and of each particular proceeding therein, and the costs of every proceeding in the Court, are in the discretion of the Court as regards the person to whom they are to be paid.

But the Court shall not order the successful party in a suit to pay to the unsuccessful party the costs of the whole suit; although the Court may order the successful party, notwithstanding his success in the suit, to pay the costs of any particular proceeding therein.

The Court may order any costs to be paid out of any fund or property to which a suit or proceeding relates.

Where the Court orders costs to be paid by any party, the Court may, if it thinks fit, order all proceedings by or on behalf of that party in the same suit or proceeding, or connected therewith, to be stayed until the costs are paid accordingly.

B.—Exceptional Provisions.

Injunctions and Orders before Suit.

144. On proof of extreme urgency or other peculiar circum-
stances, the Court may, if it thinks fit, without petition filed, and without notice, make an order of injunction, or an order to sequester money or goods, or to stop a passport, or the clearances of a ship, or to hold to bail.

Before making the order, the Court shall require the person applying for it to enter into a recognizance, with or without a surety or sureties, as the Court thinks fit, as security for his being answerable in damages to the person against whom the order is sought.

The order shall not remain in force more than 24 hours, and shall at the end of that time wholly cease to be in force, unless within that time a suit is regularly instituted by petition by the person obtaining the order.

The order shall be dealt with in the suit as the Court thinks just.

An order to hold to bail shall state the amount (including costs) for which bail is required.

It shall be executed forthwith.

The person arrested under it shall be entitled to be discharged from custody under it on bringing into Court the amount stated in the order, to abide the event of such suit as may be instituted, or on entering into a recognizance, with or without a surety or sureties, as the Court thinks fit, as a security that he will abide by the orders of the Court in any suit instituted.

He shall be liable to be detained in custody under the order for not more than 7 days, if not sooner discharged; but the Court may, from time to time, if it thinks fit, renew the order.

No person, however, shall be kept in custody under any such order and renewed order for a longer term, in the whole, than 30 days.

Plaintiff out of Jurisdiction.

145. Where a person filing a petition, either alone or jointly with any other person, is out of the particular jurisdiction, or is only temporarily therein, he shall file in the Court, at or before the filing of the petition, a written statement of a fit place, within the particular jurisdiction where notices and other papers issuing from the Court may be served on him.

He shall also give security for costs by deposit of the sum of 50l., or by bond in the penal sum of 100l.

The Court may at any time, either of its own motion, or on the application of any defendant, order the plaintiff to give further or better security to the amount aforesaid for costs, and may direct proceedings to be stayed in the meanwhile.

Parties.

146. Persons entitled to sue and suing on behalf of others as
guardians, executors, or administrators, or on behalf of themselves and others (as creditors in a suit for administration), shall state the character in which they sue.

147. Where a person has jointly with other persons a ground for instituting a suit, all those other persons shall, unless the Court otherwise allows, be made parties to the suit, either as plaintiffs or as defendants.

But where a person has a joint and several demand against more persons than one, either as principals or as sureties, it is not necessary for him to bring before the Court as parties to a suit concerning that demand all the persons liable thereto, and he may proceed against any one or more of the persons severally liable.

If a person not joined as plaintiff or as defendant ought to be so joined, or a person joined as plaintiff or as defendant ought not to be so joined, the Court may order the petition to be amended. But no person shall be so joined as plaintiff without proof to the Court of his consent thereto. Nor shall the name of the plaintiff be so struck out unless he was originally joined as plaintiff without his consent, or he consents to his name being struck out.

148. Where a person sues another as agent for a third person, not seeking to fix the agent with personal liability, the Court, on the fact coming to its knowledge, shall, if the third person is within the particular jurisdiction, forthwith order his name to be substituted, and stay proceedings until the order is complied with.

But if he is not within the particular jurisdiction, the Court shall refuse to proceed further in the matter, unless and until the person so sued as agent undertakes, by writing filed in the Court, to defend the suit, and personally to satisfy any order for debt or damages and costs therein. In that case the person sued as agent shall further, within such time as the Court orders, and before the hearing of the suit, procure and file with the proceedings a sufficient authority in writing to him from his principal to substitute the name of the principal as defendant for that of the agent, and to defend the suit, or otherwise act in it on behalf of the principal.

The agent shall not, however, be deemed to be thereby discharged from his personal undertaking and liability to satisfy any order in the suit.

149. Proceedings by or on behalf of or against a partnership solely or jointly shall be taken in the several names of the partners or individuals, and not in the name of the firm or otherwise.

**Particulars of Demand.**

150. When the plaintiff's claim is for money payable in
respect of a contract expressed or implied, or to recover the possession or value of goods wrongfully taken and detained, or wrongfully detained, by the defendant from the plaintiff, it shall be sufficient for the plaintiff to state his claim in the petition in a general form, and to annex to the petition a schedule stating the particulars of his demand, in any form which shall give the defendant reasonably sufficient information of the details of the claim.

An application for further or better particulars may be made by the defendant before answer.

The plaintiff shall not, at the hearing, obtain an order for any sum exceeding that stated in the particulars, except for subsequent interest and costs of suit, notwithstanding that the sum claimed in the petition for debt or damages exceeds the sum stated in the particulars.

Particulars of demand shall not be amended except by leave of the Court, and the Court may, if it thinks fit, on an application for leave to amend, grant the same, on it appearing that the defendant will not be prejudiced by amendment.

Where the Court orders particulars to be amended, or further or better particulars to be given, the order shall state the time within which the thing ordered is to be done.

The order for service of the amended or further or better particulars shall state the time which the defendant is to have to put in his answer.

Any variance between the items contained in the particulars and the items proved at the hearing may be amended at the hearing, if the Court thinks fit.

Papers annexed to Petition.

151. Where the plaintiff seeks (with or without an order for payment of money):

(i) To obtain a general or special declaration of his rights under a contract or instrument; or
(ii) To set aside a contract; or
(iii) To have a bond, bill, note, or instrument in writing delivered up to be cancelled; or
(iv) To restrain a defendant by injunction; or
(v) To have an account taken between himself and any other or others;

he may in his petition refer to and briefly describe any documents on the contents whereof he intends to rely, and may annex copies thereof to the petition.

Amendment of Petition.

152. A plaintiff, not giving sufficient information to enable the defendant to understand the plaintiff's claim, may be ordered on the application of the defendant, to amend his petition.
153. A petition may be amended at any time before answer by leave of the Court, on an application of the plaintiff without notice.

Notice of amendment shall be given to the defendant.

154. If a petition contains libellous or needlessly offensive expressions, the Court may, if it thinks fit, either of its own motion, or on application of the defendant, order it to be amended.

155. Where a petition is defective on the face of it by reason of non-compliance with the provision of this Order, the Court may, if it thinks fit, either of its own motion, or on application by a defendant, make an order to stay proceedings until the petition is amended.

Inspection of Documents.

156. A plaintiff may be ordered to produce for inspection and other purposes of the suit such documents in his possession or power as are referred to in the petition, or such other documents, if any, as the defendant is entitled to inspect in the suit.

Equity.

157. A petition implies an offer to do equity in the suit, and admits of an equitable defence.

The plaintiff may obtain at the hearing any such equitable relief as the facts stated and proved entitle him to, though not specifically asked.

Where a defendant in his answer raises a defence of an equitable nature, and it appears to the Court that, on this defence being established, the defendant may be entitled to some equitable relief against the plaintiff in respect of the subject-matter of the suit, the Court may, if it thinks fit, on the application of the defendant, either before or at the hearing, give liberty to him to file a cross-petition asking for that relief, and may make such order for the hearing of the suit and cross-suit together or otherwise, as the Court thinks just.

Defence on Ground of Law or Equity.

158. Where a defendant conceives that he has a good defence in law or equity to the petition, so that even if the allegations of fact in the petition were admitted or clearly established, yet the plaintiff would not be entitled to any order against him (the defendant), he may raise this defence by an application that the petition be dismissed without an answer being required from him.

The application shall be made within the time allowed for answering.

The summons or motion-paper on which the application is
made, shall state briefly the grounds of law or equity on which the defendant relies.

The application shall be heard and disposed of at as early a time as may be.

For the purposes of the application the defendant shall be taken as admitting the truth of the allegations of facts in the petition; and no evidence respecting matters of fact, and no discussion of questions of fact, shall be allowed.

The Court, on hearing the application, shall either dismiss the petition or order the defendant to put in an answer within a short time to be named in the order, and may, if the Court thinks fit, give leave to the plaintiff to amend his petition.

Where, on the hearing of the application, any grounds of law or equity are urged in support of it other than those stated in the summons or motion-paper, and the grounds stated therein are disallowed, the defendant shall be liable to pay the same costs as if the application were wholly refused, although the grounds newly urged are allowed, unless the Court thinks fit in any case to order otherwise.

**Interrogatories for Examination of Plaintiff.**

159. A defendant may at any time (but where he is required to answer not until after he has put in a sufficient answer) file in the Court interrogatories for the examination of a plaintiff.

There shall be prefixed to those interrogatories a concise statement of the subjects on which a discovery is sought.

A plaintiff shall answer the interrogatories subject to just exceptions.

The plaintiff's answer to the interrogatories may be read and used by the defendant in the manner and under the same restrictions in and under which an answer to a bill praying relief may be read and used.

**Set-Off.**

160. A defence of set-off to claim for money shall be accompanied by a statement of particulars of set-off.

A defence of partial set-off shall be also accompanied by payment into Court of the amount to which, on the defendant's showing, the plaintiff is entitled, unless the plaintiff's claim to that amount is resisted on some other ground of defence.

In default of that payment the defendant shall be liable to bear the costs of the suit, even if he succeeds in his defence to the extent of the set-off on which he relies.

Where a defendant in his answer raises a defence of set-off which, in the opinion of the Court, is not admissible in that form, the Court may, if it thinks fit, either before or at the hearing, on his application, give him liberty to withdraw the defence and to file a cross-petition, and may make such order for the
hearing of the suit and cross-suit together or otherwise, as the Court thinks just.

A counter-claim shall not be admitted otherwise than as a defence of set-off.

A defendant, raising by his answer a counter-claim by way of defence, shall not be entitled to any order against the plaintiff for any sum of money other than his costs of the suit.

**Tender.**

161. A defence alleging tender by the defendant shall be accompanied by payment into Court of the amount alleged to have been tendered.

**Payment into Court.**

162. Payment into Court by the defendant shall be accompanied by an answer or affidavit. The answer or affidavit shall state distinctly that the money paid in is paid in in satisfaction of the plaintiff's claim generally, or (as the case may be) in satisfaction of some specific part of the plaintiff's claim, where the claim is stated in the petition for distinct sums or in respect of distinct matters.

Payment into Court, whether made in satisfaction of the plaintiff's claim generally or in satisfaction of some specific part thereof, operates as an admission of liability to the extent of the amount paid in and no more, and for no other purpose.

Where the defendant pays money into Court the plaintiff shall be at liberty to accept the same in full satisfaction and discharge of the cause of suit in respect of which it is paid in: and in that case the plaintiff may forthwith apply for payment of the money out of Court to him, and on the hearing of the application the Court shall make such order respecting stay of further proceedings in the suit in whole or in part, and respecting costs and other matters, as the Court thinks just.

If the plaintiff does not so apply he shall be considered as insisting that he has a claim against the defendant to a greater amount than the sum paid in; and in that case the Court, in determining the suit and disposing of costs, shall have regard to the fact of the payment into Court having been made and not accepted.

**Absconding Defendant.**

163. The Court, on proof that there is good reason to believe that a defendant means to abscond in order to avoid the orders of the Court, after suit or other proceeding instituted, may, if it thinks fit, make an order to hold him to bail, and may require of him such security as it thinks fit for his remaining within the particular jurisdiction and abiding by any order to be made in the suit or proceeding.
Guardian of Defendant for purposes of Suit.

164. Where, on default made by a defendant in answering or otherwise defending the suit after service of the petition, it appears to the Court that he is an infant or a person of weak or unsound mind, so that he is unable of himself to defend the suit, the Court may, if it thinks fit, on the application of the plaintiff, or of its own motion, appoint by order some fit person to be guardian of the defendant for the purposes of the suit, by whom he may defend it.

Before such an order is made, the Court shall cause such notice as it thinks reasonable to be served on or left at the dwelling-house of the person with whom or under whose care the defendant is, and also, unless the Court sees good reason to the contrary, in the case of an infant not residing with or under the care of his father or guardian, to be served on or left at the dwelling-house of his father or guardian.

Facts occurring after Suit.

165. The Court may by order allow facts occurring after the institution of a suit to be introduced by way of amendment into the petition or answer at any stage of the proceedings.

Death of Party or other Change.

166. Where, after the institution of a suit any change or transmission of interest or liability occurs in relation to any party to the suit, or any party to the suit dies, or (being a woman) marries, or the suit in any other way becomes defective or incapable of being carried on, any person interested may obtain from the Court any order requisite for curing the defect, or enabling or compelling proper parties to carry on the proceedings.

But any person served with such an order may, within such time, not exceeding fourteen days, as the Court in the order directs, apply to the Court to discharge the order.

Settlement of Issues.

167. At any time after answer, the Court may, if it thinks fit, on the application of any party, or of its own motion, proceed to ascertain the material questions in controversy between the parties, and may reduce those questions into writing, and settle them in the form of issues, which issues, when settled, shall, for the purposes of the subsequent proceedings, supersede the petition and answer, except that the petition and answer may be used, as containing admissions or otherwise, for purposes of evidence on the trial of the issues.

Dismissal for want of Prosecution.

168. Where the plaintiff does not obtain an order for setting
down the suit for hearing within 3 months from the time at which
he might first apply for it, the defendant may apply to the Court
for an order to dismiss the petition for want of prosecution.

The Court thereupon, if it thinks fit, may make an order
dismissing the petition, or may make such order or impose such
terms as it thinks fit.

Absence of Parties at Hearing.

169. If, at the hearing, the plaintiff does not appear, the
Court shall, unless the Court sees good reason to the contrary,
strike out the suit, and make such order respecting costs in
favour of any defendant appearing as the Court thinks just.

If the plaintiff a second time in like manner fails to appear,
the Court shall, unless it sees good reason to the contrary,
dismiss the petition, which dismissal shall have the like effect
as a dismissal on the merits at the hearing.

170. If, at the hearing, the plaintiff appears, but the defen-
dant or any of the defendants does not appear, the Court shall,
before hearing the suit, inquire into the service of the petition
and of notice of hearing on the absent party or parties.

The Court, if not satisfied respecting service on every party,
shall order that further service be made as the Court directs,
and shall adjourn the hearing for that purpose.

The Court, on being satisfied respecting service on every
party, may, if it thinks fit, proceed to hear the suit, notwith-
standing the absence of the defendant or any of the defendants.

171. If the Court hears the suit and makes an order against
a defendant in his absence, the Court may afterwards, on such
terms as the Court think fit, re-hear the suit on proof that his
absence was excusable, and that he has a defence on the merits.

Amendments at Hearing.

172. The Court shall, at the hearing, order all such amend-
ments as the Court thinks necessary or proper for bringing to a
determination in the suit the real questions in controversy
between the parties.

Reference of Account.

173. Where it appears to the Court that the matter in
dispute in a suit consists either wholly or in part of matters of
mere account, the Court may, according to the amount of
public business pending, either decide at once the matter of
account, or order that they be referred, either wholly or in part,
to some person agreed on by the parties, or, in case of their
non-agreement, appointed by the Court.

The referee shall enter into the account and hear evidence
and report on it to the Court, according to the order, and the
Court, after hearing the parties, may adopt the conclusions of
the report, either wholly or in part, or may direct a further
report to be made by the referee, and may grant any necessary adjournment for that purpose.

**Case for Supreme Court.**

174. In any Court other than the Supreme Court any decision or judgment may be given, or verdict taken, subject to a case to be stated for the opinion for the Supreme Court.

**Application by Motion.**

175. An application made by motion shall not be entertained until the party moving has filed in the Court a written motion-paper stating the terms of the order sought.

There shall be filed with the motion-paper all affidavits on which the person moving intends to rely. No other evidence shall be used in support of the motion except by leave of the Court.

No paper accompanying the motion-paper other than an affidavit shall be received.

A motion may be made without notice in the first instance or on notice of motion.

**Summons.**

176. An application for a summons may be made in writing, or in person.

If the Court thinks fit it may issue a summons ordering the person to whom it is directed, as respondent, to appear at the time and place specified therein, and stating the nature of the application to be made.

On the return-day of the summons, if the respondent attends, or in his absence on proof of service, the Court may, on the application of the person obtaining the summons, consider and deal with the application in a summary way.

**Orders.**

177. Where an order is made without service of notice of the application, an office copy of the affidavit or deposition on which the order is made shall be served on the person affected by the order, with the order.

Any person affected by the order may, within 7 days after service of it, but not later except by leave of the Court, apply to the Court to vary or discharge it; and the Court, on notice to the person obtaining the order, may make such order as the Court thinks just.

178. An order to show cause shall specify a day when cause is to be shown, called the return-day to the order, which shall ordinarily be not less than 4 days after service.

A person served with an order to show cause may, before the return-day, file affidavits in order to contradict the evidence used in obtaining the order, or setting forth other facts.
On the return-day, if the persons served do not appear, and service is not proved, the Court may enlarge the time and direct further service, or make such other order as it thinks just. If the persons served appear, or service is proved, the Court may proceed with the matter, and make such order as it thinks just.

179. Where a person not a party to a suit obtains an order, or has an order made in his favour, he is entitled to enforce obedience thereto by the same process as if he were a party to the suit.

A person not a party to a suit against whom obedience to an order may be enforced is liable to the same process for enforcing obedience thereto as if he was a party to the suit.

180. All money ordered by the Court to be paid by any person shall be paid into Court, unless the Court otherwise directs.

181. An order shall be drawn up in form only on the application of some party to the suit, and shall then be passed and be certified by the seal of the Court, and be entered, and shall then form part of the record.

An order shall not be enforced or appealed from, nor shall an office copy of it be granted, until it is part of the record.

An order shall be dated on the day of the delivery of the decision or judgment on which the order is founded.

Any party to an application or suit is entitled to obtain an office copy of any order made therein.

182. Ordinarily, an order, other than an order of the Supreme Court, shall not be enforced out of the particular jurisdiction.

Where, however, the Court making the order thinks that the urgency or other peculiar circumstances of the case so require, the Court (for reasons recorded in the minutes) may order it to be enforced out of the particular jurisdiction.

183. Where an order orders a person to pay money, or do any other act, the same or some subsequent order shall state the precise time within which the payment, or other act, is to be made or done, reckoned from the date or service of the order in which the time is stated, or from some other point of time, as the Court thinks fit.

The time stated may be immediately after service of the order, if the Court thinks fit.

A person ordered to pay money, or do any other act, is bound to obey the order on being served with it, and without any demand for payment or performance.

Order for Payment of Money.

184. The Court may, if it thinks fit, order that money ordered to be paid be paid by instalments specified.

185. Where an order orders payment of money, there shall
be indorsed on the copy of it served on the person required to obey it, a memorandum in the words, or to the effect, following:

If you, the within-named A.B., neglect to obey this order by the time therein appointed, you will be liable to have a writ of execution issued against your goods, under which they may be seized and sold; and you will also be liable to be summoned by the Court, and to be examined respecting your ability to make the payment directed by this order, and to be imprisoned in case of your not answering satisfactorily on that examination.

186. Where an order orders payment of money, and the person ordered to pay refuses or neglects to do so according to the order, a person entitled to the benefit of the order may apply to the Court for execution against the goods of the disobedient person.

Thereupon the Court shall, unless it sees good reason to the contrary, issue an order of execution (in this Order called an execution order), ordering and empowering an officer of the Court, therein named, to levy the money ordered to be paid, by distress and sale of the goods of the disobedient person (in this Order called the execution debtor), wheresoever they may be found within the particular jurisdiction.

On the order there shall be indorsed the sum of money and costs adjudged and the further sum to be levied for costs of the execution.

187. Where an order orders payment of money by instalments, execution shall not issue until after default in payment of some instalment according to the order; and execution, or successive executions, may then issue for the whole money then remaining unpaid, or for such portion thereof as the Court orders, either when making the original order or at any subsequent time.

188. The officer executing the order may, by virtue thereof, seize any of the goods of the execution debtor, except the wearing apparel and bedding of himself and his family, and the tools and implements of his trade, to the value of 5l., all which shall to that extent be exempted from seizure.

189. The sale of the goods seized shall be made by order of the Court, and shall be conducted under the direction of the Court, and by a person nominated by the Court.

But no steps shall be taken therein without the demand of the person obtaining the execution order (in this Order called the execution creditor), and the execution creditor shall be liable for any damage ensuing from any proceeding taken at his instance.

The sale shall not be made until after the end of 5 days at least next following the day of seizure, unless the goods are of
a perishable nature, or on the request in writing of the execution debtor.

Until sale the goods shall be deposited by the officer in some fit place, or they may remain in the custody of a fit person approved by the Court and put in possession by the officer.

190. The Court shall not order the sale of the goods seized, unless it is proved that they belong to the execution debtor, and are in a place where the Court has jurisdiction.

Where a claim is made by a third party to the goods or part thereof, the same, if made by a subject or protected person, shall be decided by the Court in a summary way, as between the claimant and the execution creditor.

If the claim is made by an Ottoman subject or foreigner, the Court may, if it thinks fit, either oblige the execution creditor to establish his claim before selling the goods, or sell the goods and require the execution creditor to defend any claim.

191. The officer executing an execution order may, by virtue thereof, seize any money, bank-notes, cheques, bills of exchange, promissory notes, bonds, or securities for money, belonging to the execution debtor.

The Court shall hold the same (other than money and securities immediately convertible into money) as security for the amount directed to be levied, or so much thereof as is not otherwise levied, for the benefit of the execution creditor.

The execution creditor may sue in the name of the execution debtor, or in the name of any person in whose name the execution debtor might have sued, for recovery of the money secured or made payable thereby, when the time for suing arrives.

192. If before or after seizure the execution debtor, by payment into Court or to the officer executing the order, satisfies the execution, the order shall be superseded, and the goods and property seized shall be released and delivered up.

Commitment of Debtor.

193. Where an order ordering payment of money wholly or in part unsatisfied (whether an execution order has been made or not), the person prosecuting the order (in this Order called the judgment creditor), may apply to the Court for an order, ordering the person by whom payment is to be made (in this Order called the judgment debtor), to appear and be examined respecting his ability to make the payment; and the Court shall, unless it sees good reason to the contrary, make an order accordingly.

194. On the appearance of the judgment debtor, he may be examined on oath by or on behalf of the judgment creditor, and by the Court, respecting his ability to pay the money directed
to be paid, and for discovery of property applicable thereto, and respecting the disposal of any property.

He shall produce, on oath or otherwise, all books, papers, and documents in his possession or power relating to any property applicable to payment.

He may be examined respecting the circumstances under which he contracted or incurred the debt or liability, in respect of which the payment of money is ordered to be made, and respecting the means or expectation he then had of paying or discharging the debt or liability.

He shall sign his examination as taken down in writing.

Whether the judgment debtor appears or not, the judgment creditor, and any witness whom the Court thinks requisite, may be examined, on oath or otherwise, respecting the same matters.

The Court may, if it thinks fit, adjourn the examination from time to time, and require from the judgment debtor such security for his appearance as the Court thinks fit, and in default of his finding security, may, by order, commit him to the custody of an officer of the Court, there to remain until the adjourned hearing, unless sooner discharged.

195. If it appears to the Court by the examination of the judgment debtor, or other evidence:

(i) That the judgment debtor has then, or has had since the making of the Order, sufficient means to pay the money directed to be paid by him, and he refuses or neglects to pay the same according to the order; or

(ii) That, with intent to defraud his creditors, or any of them, he has made or suffered any gift, delivery, or transfer of any property, or charged, removed, or concealed any property; or

(iii) That the debt or liability in question has been contracted or incurred by him by or by reason of fraud, or false pretence, or breach of trust committed by him; or

(iv) That forbearance thereof was obtained by him by fraud or false pretence; or

(v) That the debt or liability was wilfully contracted or incurred by him without his having had at the same time a reasonable expectation of being able to pay or discharge it; then and in any such case the Court may, if it thinks fit, by order, commit him to prison for any time not exceeding 40 days.

196. On the examination, the Court, if it thinks fit, whether it makes an order for commitment or not, may rescind or alter any order for the payment of money by instalments or otherwise, and may make any further or other order, either for payment of the whole amount forthwith, or by instalments, or in any other manner, as the Court thinks just.

197. In places where there is no other place for the detention of a debtor in custody than the prison of the Ottoman
authorities, the Court shall not commit the debtor to prison if it appears that that prison is unfit, regard being had to the require-
ments of health and decency, for the confinement of a subject or protected person under civil process.

198. The expenses of the judgment debtor's maintenance in prison shall be defrayed, in the first instance, by the judgment creditor, and may be recovered by him as the Court directs.

The expenses shall be estimated by the Court, and shall be paid by the judgment creditor at such times and in such manner as the Court directs. In default of payment, the judgment debtor may be discharged if the Court thinks fit.

199. Imprisonment of a judgment debtor under the fore-going provisions shall not operate as a satisfaction or extinguishment of the debt or liability to which the order relates, or protect the debtor from being anew imprisoned for any new fraud or other default making him liable to be imprisoned, or deprive the judgment creditor of any right to have execution against his goods, as if there had not been such imprisonment.

200. The judgment debtor, on paying at any time the amount ordered to be paid, and all costs and expenses, shall be discharged.

Order other than for Payment of Money.

201. Where the order is one ordering some act to be done other than payment of money, there shall be indorsed on the copy of its served on the person required to obey it, a memo-

randum in the words, or to the effect following:

If you, the within-named A.B., neglect to obey this order within the time therein appointed, you will be liable to be arrested, and to have your property sequestered.

202. Where the person directed to do the act refuses or neglects to do it according to the order, the person prosecuting the order may apply to the Court for another order for the arrest of the disobedient person.

Thereupon the Court shall, unless it sees good reason to the contrary, make an order ordering and empowering an officer of the Court therein named to take the body of the disobedient person, and detain him in custody until further order.

He shall be liable to be detained in custody until he has obeyed the order in all things that are to be immediately performed, and given such security as the Court thinks fit to obey the order in other respects (if any) at the future times thereby appointed, or in case of his no longer having the power to obey the order, then until he has been imprisoned for such time, or until he has paid such fine, as the Court thinks just.

Sequestration.

203. In case the person against whom an order of arrest issues
is not and cannot be found, or is taken and detained in custody without obeying the order, then the person prosecuting the order may apply to the Court for an order of sequestration against his property.

**Pauper.**

204. The Court may admit a person to sue as a pauper, on his poverty, and his having a case proper for some relief in the Court, being proved; and may admit a person to defend as a pauper on his poverty being proved.

The Court may if it thinks fit, by order, assign a counsel or attorney to assist a person admitted to sue or defend as a pauper, and the counsel or attorney so assigned shall not be at liberty to refuse his assistance, unless he satisfies the Court of some good reason for refusing.

If a person admitted to sue or defend as a pauper gives or agrees to give any fee, profit, or reward for the conduct of his business in the Court, he shall be deemed guilty of a contempt of Court, and he shall also be forthwith dispaupered, and shall not be afterwards admitted again in that suit to sue or defend as a pauper.

A person admitted to sue or defend as a pauper may be dispaupered by order of the Court, on it being proved that he was not when admitted, or no longer is, of sufficient poverty, or that he is abusing his privilege by vexatious proceedings.

**Re-hearing.**

205. The Court may, if it thinks fit, at any time, on the application of any party, order a re-hearing of a suit.

The provisions of this Order respecting a hearing with a jury or with assessors shall extend to a re-hearing.

VIII.—PROCEEDINGS ON DEATH OF SUBJECT OR PROTECTED PERSON.

1.—Preliminary.

206. The Court shall endeavour to obtain, as early as may be, notice of the death of every subject or protected person dying within the particular jurisdiction, whether resident or not, and all such information respecting his affairs as may serve to guide the Court with respect to the securing and administration of his property.

On receiving notice of the death the Court shall put up a notice thereof at the place where its sittings are ordinarily held, and shall keep the same there until probate or administration is granted, or where it appears to the Court that probate or administration will not be applied for, or cannot be granted, for such time as the Court thinks fit.
207. Where a subject or protected person resident dies in the Ottoman dominions intestate, then until administration is granted, his personal property shall be vested in the judge of the Supreme Court.

208. Where a subject or protected person not resident dies in the Ottoman dominions, the Court within whose particular jurisdiction he dies shall, where the circumstances of the case appear to the Court so to require, forthwith on his death, or as soon after as may be, take possession of his personal property within the particular jurisdiction, or put it under the seal of the Court (in either case if the nature of the property or other circumstances so require, making an inventory), and so keep it until it can be dealt with according to law.

209. If any person, other than the person named executor or administrator or an officer of the Court, takes possession of and administers or otherwise deals with any part of the personal property of a subject or protected person dying in the Ottoman dominions, whether resident or not, he shall be deemed guilty of a contempt of Court, and shall be liable to such fine, not exceeding 50l., as the Court having jurisdiction over the property of the deceased thinks fit to impose.

210. Where a subject or protected person dies in the Ottoman dominions, whether resident or not, then any person having in his possession or under his control any paper or writing of the deceased, being or purporting to be testamentary, shall forthwith bring the original to the Court within whose particular jurisdiction the death happens, and deposit it there.

If any person fails to do so for 14 days after having knowledge of the death of the deceased, he shall be deemed guilty of a contempt of Court, and shall be liable to such fine not exceeding 50l., as the Court thinks fit to impose.

211. Where it is shown to the Court that any paper of the deceased, being or purporting to be testamentary, is in the possession or under the control of a subject or protected person, the Court may, in a summary way, whether a suit or proceeding respecting probate or administration is pending or not, order him to produce the paper and bring it into Court.

Where it appears to the Court that there are reasonable grounds for believing that any person has knowledge of any paper being or purporting to be testamentary (although it is not shown that the paper is in his possession or under his control) the Court may, in a summary way, whether a suit or proceeding for probate or administration is pending or not, order that he be examined respecting it in open Court or on interrogatories, and that he do attend for that purpose, and after examination that he do produce the paper and bring it into Court.
2. — Probate or Administration in General.

212. Probate or letters of administration with will annexed shall not issue for 7 days from the death of the deceased, except under the direction of the Supreme Court, or in case of great urgency.

Letters of administration (not with will annexed) shall not issue for 14 days from the death of the deceased, except under the direction of the Supreme Court, or in case of great urgency.

213. If any person, named executor in the will of the deceased, takes possession of and administers or otherwise deals with any part of the personal property of the deceased, and does not obtain probate within one month after the death, or after the termination of any suit or dispute respecting probate or administration, he shall be deemed guilty of a contempt of Court, and shall be liable to such fine, not exceeding 50£, as the Court thinks fit to impose.

214. The Court may, of its own motion, or on the application of any person claiming an interest under a will, give notice to the executors (if any) therein named, to come in and prove the will or to renounce probate, and they, or some or one of them shall, within 14 days after notice, come in and prove or renounce accordingly.

215. Where probate or administration is, for the first time, applied for after 3 years from the death of the deceased, a grant shall not be made except under the direction of the Supreme Court.

216. Where the deceased was resident in the particular jurisdiction of a Court other than the Supreme Court, an application for a grant of probate or administration shall not be entertained by the Supreme Court, except on request of that other Court.

217. Where, in a Court other than the Supreme Court, a dispute or question arises in relation to the grant or the application for it, or it appears to the Court doubtful whether or not the grant should be made, the Court shall communicate with the Supreme Court.

The Supreme Court shall direct the other Court to proceed in the matter according to such instructions as the Supreme Court thinks fit, or shall by order remove the matter to the Supreme Court.

218. A Court, other than the Supreme Court, before proceeding on an application, shall ascertain that the deceased was at his death resident in the particular jurisdiction, and shall not for this purpose consider itself bound to rest satisfied with evidence offered by the applicant.

219. The Court shall require evidence, in addition to that offered by the applicant, of the identity of the deceased, or of
the applicant, where additional evidence in that behalf seems to the Court necessary or desirable.

220. The Court shall ascertain the value of the property of the deceased as correctly as circumstances allow.

221. In no case shall the Court issue probate or letters of administration until all inquiries which the Court sees fit to institute have been answered to its satisfaction.

The Court shall, however, afford as great facility for the obtaining of probate or administration as is consistent with due regard to the prevention of error and fraud.

222. In the following cases a grant shall not issue except from the Supreme Court, under the immediate direction of the judge, namely:

Probate or administration with will annexed, where the will was executed before the 1st of January, 1838, and there is no testamentary paper of a date later than the 31st of December, 1837;

Probate and administration with will annexed, the will being merely an execution of a special power, or being the will of a married woman made by virtue of a power;

Administration for the use or benefit of a minor or infant, or of a lunatic or person of unsound mind;

Administration (with or without will annexed) of the property of a bastard dying either a bachelor or a spinster, or a widower or widow without issue, or of a person dying without known relative;

Limited administration;

Administration to be granted to a person not resident.

223. Revocation or alteration of a grant of probate or administration shall not be made except by the Supreme Court under the immediate direction of the judge.

224. A notice to prohibit a grant of probate of administration may be filed in the Supreme or other Court.

Immediately on such a notice being filed in the Supreme Court, a copy thereof shall be sent to the Court of the district (if any) in which it is alleged the deceased was resident at his death, and to any other Court to which it appears to the Supreme Court expedient to send a copy.

Immediately on such a notice being filed in a Court other than the Supreme Court, the Court shall send a copy thereof to the Supreme Court, and also to the Court of any other district in which it is known or alleged the deceased had at his death a place of abode.

The notice shall remain in force 3 months only from the day of filing, but it may be renewed from time to time.

The notice shall not affect a grant made on the day on which the notice is filed, or on which a copy thereof is received, as the case may be.
The person filing the notice shall be warned by a warning in writing, under the seal of the Court, delivered at the place mentioned in the order as his address.

After the notice has been filed in, or a copy thereof has been received by a Court other than the Supreme Court, a grant of probate or administration shall be made only by the Supreme Court, under the immediate direction of the judge.

225. Notices in the nature of citations shall be given by publication in such newspapers, or in such other manner, as the Court in each case thinks fit.

226. Suits respecting probate or administration shall be instituted by petition; and the provisions of this Order respecting proceedings in other suits instituted by petition shall extend and apply thereto.

227. Every original will, of which probate or administration with will annexed is granted, shall be filed and kept in the public office of the Supreme or other Court from which the grant issues, in such manner as to secure at once the due preservation and the convenient inspection of the same.

No original will shall be delivered out for any purpose without the direction in writing of the judge of the Supreme Court.

An office copy of the whole or of any part of a will, or an official certificate of a grant of administration, may be obtained from the Supreme or other Court where the will is proved or the administration granted, on payment of the proper fees.

228. On the 1st of February and the 1st of August in every year, every Court other than the Supreme Court shall send to the Supreme Court
A list of the grants of probate and administration made by the Court up to the last preceding 1st of January and 1st of July respectively, not included in any previous list;
And a copy, certified by the Court to be a correct copy of every will to which each probate or administration relates.

3.—Probate or Administration with Will Annexed.

229. On receiving an application for probate or for administration with will annexed, the Court shall inspect the will and see whether it appears to be signed by the testator, or by some other person in his presence and by his direction, and to be subscribed by two witnesses, according to the enactments relative thereto, and shall not proceed further if the will does not appear to be so signed and subscribed.

If the will appears to be so signed and subscribed, the Court shall then refer to the attestation clause (if any), and consider whether the wording thereof states the will to have been, in fact, executed in accordance with those enactments.

If there is no attestation clause, or if the attestation clause
is insufficient, the Court shall require an affidavit from at least one of the subscribing witnesses, if either of them is living, to prove that the will was, in fact, executed in accordance with those enactments.

The affidavit shall be engrossed and form part of the probate, so that the probate may be a complete document on the face of it.

If, on the perusal of the affidavit, it appears that the will was not, in fact, executed in accordance with those enactments, the Court shall refuse probate.

If, on the perusal of the affidavit, it appears to the Court doubtful whether or not the will was, in fact, executed in accordance with those enactments, the Court, if other than the Supreme Court, shall communicate with the Supreme Court for directions.

If both the subscribing witnesses are dead, or if, from other circumstances, such an affidavit cannot be obtained from either of them, resort for such an affidavit shall be had to other persons (if any) present at the execution of the will; but if no such affidavit can be obtained, proof shall be required of that fact and of the handwritings of the deceased and of the subscribing witnesses, and also of any circumstances raising a presumption in favour of the due execution of the will.

230. Where the testator was blind or illiterate, the Court shall not grant probate of the will, or administration with the will annexed, unless the Court is first satisfied, by proof or by what appears on the face of the will that the will was read over to the deceased before its execution, or that he had at that time knowledge of its contents.

Where this information is not forthcoming, the Court, if other than the Supreme Court, shall communicate with the Supreme Court for directions.

231. The Court, on being satisfied that the will was duly executed, shall carefully inspect it to see whether there are any interlineations or alterations or erasures or obliterations appearing in it, and requiring to be accounted for.

Interlineations, alterations, erasures, and obliterations are invalid unless they existed in the will at the time of its execution, or unless, if made afterwards, they have been executed and attested in the mode required by the said enactments, or unless they have been made valid by the re-execution of the will, or by the subsequent execution of some codicil thereto.

Where interlineations, alterations, erasures, or obliterations appear in the will (unless duly executed or recited in or otherwise identified by the attestation clause), an affidavit, in proof of their having existed in the will before its execution, shall be filed.

If no satisfactory evidence is adduced respecting the time when an erasure or obliteration was made, and the words erased
or obliterated are not entirely effaced, and can, on inspection of the will, be ascertained, they shall form part of the probate.

Where words have been erased which might have been of importance, an affidavit shall be required.

If reasonable doubt exists in regard to any interlineation, alteration, erasure, or obliteration, the Court, if other than the Supreme Court, shall communicate with the Supreme Court for directions.

232. Where a will contains a reference to any document, of such a nature as to raise a question whether it ought or ought not to form a constituent part of the will, the Court shall require the production of the document, with a view to ascertain whether or not it is entitled to probate; and if it is not produced, a satisfactory account of its non-production shall be proved.

A document cannot form part of a will unless it was in existence at the time when the will was executed.

If there are vestiges of sealing-wax or wafers or other marks on the will, leading to the inference that some document has been at some time annexed or attached thereto, a satisfactory account of them shall be proved, or the production of the document shall be required; and if it is not produced, a satisfactory account of its non-production shall be proved.

If doubt exists whether or not a document is entitled to probate as a constituent part of a will, the Court, if other than the Supreme Court, shall communicate with the Supreme Court for directions.

233. Where a person appointed executor in a will survives the testator, but either dies without having taken probate, or having been called on by the Court to take probate, does not appear, his right in respect of the executorship wholly ceases; and, without further renunciation, the representation to the testator and the administration of his property go and may be committed as if that person had not been appointed executor.

234. Every will or copy of a will to which an executor or an administrator with will annexed is sworn shall be marked by the executor or administrator, and by the person before whom he is sworn.

235. The Court shall take care that the copies of wills to be annexed to probates or letters of administration are fairly and properly written, and shall reject any not so written.

4.—Intestacy.

236. The Court, in granting letters of administration, shall proceed, as far as may be, as in cases of probate.

The Court shall ascertain the time and place of the deceased's death, and the value of the property to be covered by the administration.
The person to whom administration is granted shall give bond with two or more responsible subjects, or protected persons, as sureties, to the judge of the Supreme Court, to ensure to the judge for the time being, conditioned for duly collecting, getting in, and administering the personal property of the deceased.

Where, however, the property is under the value of 50l., the Court may, if it thinks fit, take one surety only.

The bond shall be in a penalty of double the amount under which the personal estate of the deceased is sworn, unless the Court in any case thinks it expedient to reduce the amount, for reasons to be forthwith certified to the Supreme Court, if the Court is other than that Court.

The Court may also in any case direct that more bonds than one shall be given, so as to limit the liability of any surety to such amount as the Court thinks reasonable.

The judge of the Supreme Court may, on being satisfied that the condition of the bond has been broken, assign the same to some person, and that person may thereupon sue on the bond in his own name, as if it had been originally given to him instead of to the judge, and may recover thereon, as trustee for all persons interested, the full amount recoverable in respect of any breach of the condition of the bond.

237. Where administration is applied for by one or some of the next of kin only, there being another or other next of kin equally entitled thereto, the Court shall require proof that notice of the application has been given to the other next of kin.

5.—Administration of Property.

238. A person claiming to be a creditor or legatee, or the next of kin, or one of the next of kin, of a deceased person, may apply for and obtain, without petition filed or other preliminary proceeding, a summons from the Court requiring the executor or administrator (as the case may be) of the deceased to attend before the Court and show cause why an order for the administration of the property of the deceased should not be made.

On proof of service of the summons, or on appearance of the executor or administrator, and on proof of all such other things (if any) as the Court thinks fit, the Court may, if it thinks fit, make an immediate order for the administration of the property of the deceased, and the order so made shall have the force of an order to the like effect made on the hearing of a suit between the same parties.

The Court shall have full discretionary power to make or refuse any such order, or to give any special directions respecting the carriage or execution of it, and in the case of applications for such an order by two or more different persons or classes of
persons, to grant the same to such one or more of the claimants, or classes of claimants, as the Court thinks fit.

If the Court thinks fit, the carriage of the order may subsequently be given to such person, and on such terms, as the Court thinks fit.

On making such an order, or at any time afterwards, the Court may, if it thinks fit, make any further or other order for compelling the executor or administrator to bring into Court for safe custody, all or any part of the money, or securities, or other property of the deceased, from time to time coming to his hands, or otherwise for securing the safe keeping of the property of the deceased, or any part thereof.

If the extreme urgency or other peculiar circumstances of the case appear to the Court so to require (for reasons recorded in the minutes), the Court may of its own motion issue such a summons, and make such an order or such orders, and cause proper proceedings to be taken thereon.

239. In a case of intestacy, where the peculiar circumstances of the case appear to the Court so to require (for reasons recorded in the minutes), the Court may, if it thinks fit, of its own motion, grant letters of administration to an officer of the Court.

The officer so appointed shall act under the direction of the Court, and shall be indemnified thereby.

He shall publish such notices, if any, as the Court thinks fit, in the Ottoman dominions, the United Kingdom, India, and elsewhere.

The Court shall require and compel him to file in the Court his accounts of his administration at intervals not exceeding 3 months.

The accounts shall be in all cases audited by the Supreme Court, or in Egypt by the Court for Egypt; for which purpose every Court other than those shall, on the 1st day of February and the 1st day of August, in every year, send to the Supreme Court, or to the Court for Egypt, as the case requires, all accounts so filed in the then last preceding half-year.

IX.—Appeal to Supreme Court.

1.—General Provisions.

240. Where in a civil suit or proceeding a decision of a Court other than the Supreme Court, sitting with or without assessors

(i) is given in respect of a sum of 50L or upwards; or

(ii) determines, directly or indirectly, a claim or question respecting money, goods, or other property or any civil right or other matter of the amount or value of 50L or upwards;

any party aggrieved by the decision may apply to the Court
TURKEY.

(in this Order referred to as the Court below) for leave to appeal to the Supreme Court.

The applicant shall give security to the satisfaction of the Court below, to an amount not exceeding 100l., for prosecution of the appeal, and for payment of all such costs as may be awarded to any respondent by the Supreme Court.

He shall also pay into the Court below a sum estimated by that Court to be the amount of the expense of the making-up and transmission to the Supreme Court of the record.

If security and payment are so given and made within 14 days after application made, then and not otherwise the Court below shall (subject to the provisions of this Order) give leave to appeal.

In any other case the Court below may, if that Court thinks fit, give leave to appeal on like terms.

In any case the Supreme Court may give leave to appeal on such terms as that Court thinks just.

241. After 6 months from the date of an order, application for leave to appeal against it shall not be entertained by the Court below.

After 12 months from the date of an order, application for leave to appeal against it shall not be entertained by the Supreme Court.

242. Where leave to appeal is applied for by a person ordered to pay money, or do any other act, the Court below shall direct either that the decision to be appealed from be carried into execution, or that the execution thereof be suspended pending the appeal, as that Court thinks just.

If the Court directs the decision to be carried into execution, the person in whose favour it is given shall, before the execution of it, give security to the satisfaction of the Court for performance of such order as shall be made on appeal.

If the Court directs the execution of the decision to be suspended, the person against whom it is given shall, before an order for suspension is made, give security to the satisfaction of the Court for performance of such order as shall be made on appeal.

243. An appeal shall not lie from an order made without notice.

If any person thinks himself aggrieved by an order so made, he may apply to the Court below to vary or discharge it, and an appeal lies from the decision on that application.

244. An appeal from an order made at the hearing of a suit shall be made by petition.

Other appeals shall be made by motion.

2.—Appeals by Petition.

245. In case of an appeal by petition, the appellant shall file
his petition of appeal in the Court below within 14 days after leave to appeal is given.

246. The petition shall contain an exposition of the appellant's case as supported by evidence already before the Court and by the record as it stands.

It shall set forth the grounds of appeal and the particulars in which the order appealed from is considered by the appellant to be erroneous or defective, and shall pray that the order may be reversed or varied, and that the Supreme Court may make the particular order to which, on the record and evidence as it stands, the appellant conceives himself entitled, or such other order as the Court shall think just.

It may contain any matter by way of argument in support of the appeal.

The petition of appeal shall be served on such persons as respondents as the Court directs.

247. A respondent may, within 14 days after service, file in the Court below an answer to the petition.

The answer shall contain an exposition of his case as supported by the evidence already before the Court, and by the record as it stands.

It may contain any matter by way of argument against the appeal.

Copies of the answer shall be furnished by the Court below to such persons as the Court thinks fit.

248. An objection to an appeal as being out of time, or on any ground other than on the merits, shall be substantially raised by the party desiring to rely thereon in and by his answer.

Where an answer is not filed, or such an objection is not raised in the answer, no such objection shall be admitted at the hearing of the appeal.

But the absence of an answer shall not preclude any person interested in supporting the order from supporting it on the merits at the hearing of the appeal.

249. On the expiration of the time for answering, the Court below shall, without receiving any further pleading in appeal, and without the application of any party, make up the record of appeal, which shall consist of the petition, answer, orders, and proceedings, a certified copy of all written and documentary evidence admitted or tendered, and the notes of the oral evidence, the petition of appeal, and the answer.

The several pieces shall be fastened together, consecutively numbered, and the whole shall be secured by the seal of the Court below, and be forthwith forwarded by that Court to the Supreme Court.

The Court below shall not, except for some special cause, take on itself the responsibility of the charge or of the trans-
mission to the Supreme Court of original letters or documents produced in evidence. They shall be returned to the parties producing them, and they shall produce the originals if required by the Supreme Court, at or before the hearing of the appeal.

250. After the record of appeal is transmitted, until the appeal is disposed of, the Supreme Court shall be in possession of the whole suit as between the parties to the appeal.

Every application in the suit shall be made to the Supreme Court, and not to the Court below, but any application may be made through the Court below.

251. The Supreme Court shall, after receiving the record of appeal, fix a day for the hearing thereof, and shall give notice thereof through the Court below to the parties to the appeal, such a day being fixed as will allow of the parties attending in person or by counsel or attorney, if they so desire.

But if all the several parties to an appeal appear in person at Constantinople or appoint persons there to represent them as their counsel or attorneys in the appeal, and cause the appearance or appointment to be notified to the Supreme Court, the Court shall dispose of the appeal, without giving notice through the Court below of the day fixed for the hearing thereof.

252. The Supreme Court may, if it thinks fit, require a party to an appeal to appear personally before it on hearing of the appeal, or on any occasion pending the appeal.

253. It is not open, as of right, to a party to an appeal to adduce new evidence in support of his original case, but a party may allege any facts essential to the issue that have come to his knowledge after the decision of the Court below, and may adduce evidence in support of his allegations.

The Supreme Court may, if it thinks fit, allow or require new evidence to be adduced.

254. The Supreme Court may, from time to time, make any order necessary for determining the real question in controversy in the appeal, and for that purpose may, as among the parties to the appeal, amend any defect or error in the record of appeal.

The Supreme Court may direct the Court below to inquire into and certify its finding on any question as among those parties, or any of them, which the Supreme Court thinks fit to determine before final judgment in the appeal.

Generally, the Supreme Court shall, as among the parties to the appeal, have as full jurisdiction over the whole suit as if it had been originally instituted and prosecuted in the Supreme Court by parties subject to the ordinary original jurisdiction of the Supreme Court, and may re-hear the whole case, or may remit it to the Court below to be re-heard, or to be otherwise dealt with as the Supreme Court directs.
255. On appeal from a Court where trial with a jury can be had, if the Supreme Court thinks fit to direct a re-hearing, it may direct that the re-hearing shall be with a jury.

3.—Appeals by Motion.

256. In case of an appeal by motion the appellant shall file his appeal motion-paper in the Court below within 7 days after leave to appeal is given.

He may at the same time file any argument which he desires to submit to the Supreme Court in support of the appeal.

The motion-paper and the argument (if any) shall be served on such persons as respondents as the Court below directs.

A respondent may, within 7 days after service, file in the Court below such argument as he desires to submit to the Supreme Court against the appeal.

Copies thereof shall be furnished by the Court below to such persons as the Court thinks fit.

On the expiration of the time for the respondent filing his argument, the Court below shall make up the record of appeal as nearly as may be as on an appeal by petition.

Where a party to the appeal notifies to the Supreme Court his desire to attend in person, or by counsel or attorney, when the motion is being disposed of, he shall be at liberty to do so, and the Court shall hear him, or his counsel or attorney, before disposing of the motion.

X.—Appeal from Supreme Court to Her Majesty in Council.

257.—Where in a civil suit or proceeding a final order of the Supreme Court, or a rule or order of that Court having the effect of a final or definitive judgment decree or sentence

(i) Is made or given in respect of a sum of 500£ or upwards;

or

(ii) Determine, directly or indirectly, a claim or question respecting money, goods, or other property, or any civil right or other matter at issue, of the amount or value of 500£, or upwards;

any party aggrieved thereby may, within 15 days after the same is made or given, apply by motion to the Supreme Court for leave to appeal to Her Majesty the Queen in Council.

The applicant shall give security to the satisfaction of the Court to an amount not exceeding 500£ for prosecution of the appeal, and for payment of all such costs as may be awarded to any respondent by Her Majesty in Council, or by the Lords of the Judicial Committee of Her Majesty's Privy Council.

He shall also pay into the Supreme Court a sum estimated by that Court to be the amount of the expense of the making-up and transmission to England of the transcript of the record.
If security and payment are so given and made within one month from the filing of the motion-paper for leave to appeal, then, and not otherwise, the Supreme Court shall give leave to appeal, and the appellant shall be at liberty to prefer and prosecute his appeal to Her Majesty in Council according to the rules for the time being in force respecting appeals to Her Majesty in Council from her colonies, or such other rules as Her Majesty in Council from time to time thinks fit to make concerning appeals from the Supreme Court.

In any case the Supreme Court, if it considers it just or expedient to do so, may give leave to appeal on the terms and in the manner aforesaid.

258. Where leave to appeal is applied for by a person ordered to pay money or do any other act, the Supreme Court shall direct either that the order appealed from be carried into execution, or that the execution thereof be suspended pending the appeal, as the Court thinks just.

If the Court directs the order to be carried into execution, the person in whose favour it is made shall, before the execution of it, give security to the satisfaction of the Court for performance of such order as Her Majesty in Council may think fit to make.

If the Court directs the execution of the order to be suspended, the party against whom it is given shall, before an order for suspension is made, give security to the satisfaction of the Court for performance of such order as Her Majesty in Council may think fit to make.

259. This Order shall not affect the right of Her Majesty at any time, on the humble petition of a person aggrieved by a decision of the Supreme Court, to admit his appeal thereon on such terms and in such manner as Her Majesty in Council may think fit, and to deal with the decision appealed from in such manner as may be just.

XI.—Criminal Authority and Procedure.

1.—General Provisions.

260. Except as regards offences against the Capitulations, Articles of Peace, and Treaties between Her Majesty the Queen and the Sublime Ottoman Porte, or against any rules and regulations for the observance thereof, or for the maintenance of order among Her Majesty's subjects and protected persons in the Ottoman dominions made by or under the authority of Her Majesty, or against any of the provisions of this Order:

Any act done by a subject or protected person in the Ottoman dominions or on board a British vessel within those dominions, that would not by a Court or justice having criminal jurisdiction in England be deemed a crime or offence making
the person doing the act amenable to punishment in England, shall not, in the exercise of criminal jurisdiction under this Order, be deemed a crime or offence making the person doing the act amenable to punishment.

261. If a subject or protected person is guilty

(i) of publicly deriding, mocking, or insulting any religion established or observed within the Ottoman dominions; or

(ii) of publicly offering insult to any religious service, feast, or ceremony established or kept in any part of those dominions, or to any place of worship, tomb, or sanctuary belonging to any religion established or observed within those dominions, or belonging to the ministers or professors thereof; or

(iii) of publicly and wilfully committing any act tending to bring any religion established or observed within those dominions, or its ceremonies, mode of worship, or observances, into hatred, ridicule, or contempt, and thereby to provoke a breach of the public peace:

he shall be deemed guilty of an offence against this Order, and shall for every such offence be liable, in the discretion of the Court, to imprisonment for not more than two years, with or without hard labour, and with or without a fine of not more than 100L., or to a fine of not more than 100L. alone.

Notwithstanding anything in this Order, every charge against a subject or protected person of having committed an offence under this provision shall be heard and determined by summary trial; and any provincial Court held before a commissioned Consular officer shall have power to impose the punishment aforesaid.

Consular officers shall take such precautionary measures as seem to them proper and expedient for the prevention of such offences.

262. Every Court shall have authority to cause to be apprehended and brought before it any subject or protected person being within the district of the Court and charged with having committed a crime or offence within the Ottoman dominions, or on board a British vessel being at the time of the commission thereof within those dominions, and to deal with the accused according to the jurisdiction of the Court, and in conformity with the provisions of this Order; or where the crime or offence is triable and is to be tried in England, to take the preliminary examination, and to commit the accused for trial, and cause or allow him to be taken to England.

263. Where a person charged with a crime or offence escapes or removes from the Consular district within which the crime or offence was committed and is found within another Consular district, the Court within whose district he is found may proceed in the case to examination, trial on indictment, and punishment, or to summary trial (as the case may require), in like manner as
if the crime or offence had been committed in its own district; or may, on the requisition or with the consent of the Court within whose district the crime or offence was committed, send him in custody to that Court, or require him to give security for his surrender to that Court, there to answer the charge and to be dealt with according to law.

Where any person is to be so sent in custody, a warrant shall be issued by the Court within whose district he is found, and that warrant shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named, and to carry him to and deliver him up to the Court within whose district the crime or offence was committed, according to the warrant.

264. Where a warrant or order of arrest is issued by a competent authority in Malta for the apprehension of a subject, a native of Malta, or of any of its dependencies, who is accused of having committed a crime or offence within the jurisdiction of the authority issuing the warrant or order, and who is, or is supposed to be, in the Ottoman dominions, and the warrant or order is produced to the Court, the Court may back the warrant or order, and the same, when so backed, shall be sufficient authority to any person to whom it was originally directed, and also to any constable or any other officer of the Court by which it is backed, to apprehend the accused at any place in the Ottoman dominions where the Court backing the warrant or order has jurisdiction, and to carry him to and deliver him up at Malta, according to the warrant.

265. Where a subject is charged with the commission of a crime or offence the cognizance whereof appertains to the Court, and it is expedient that the crime or offence be inquired of, tried, determined, and punished within Her Majesty's dominions elsewhere than in England, the accused may (under the Foreign Jurisdiction Act, section 4) be sent for trial, as follows, namely,—with respect to native Indian subjects, to Bombay, and with respect to other subjects, to Malta.

The judge of the Supreme Court or the Court for Egypt may, where it appears so expedient, by warrant under his hand and the seal of that Court, cause the accused to be sent for trial to Bombay or to Malta (as the case may require) accordingly.

The warrant shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named, and to carry him to and deliver him up to Bombay or to Malta (as the case may be) according to the warrant.

When any person is to be sent to Bombay or to Malta, the Court before which he is charged shall take the preliminary examination, and shall bind over such of the proper witnesses as are subjects or protected persons in their own recognizances to appear and give evidence on the trial.
2.— Supreme Court and Court for Egypt.

266. All crimes which in England are capital, tried elsewhere than in Egypt, shall, subject to the provisions of this Order, be tried by the judge of the Supreme Court, with a jury, or where, in the opinion of the judge, a jury cannot be obtained, with an assessor or assessors.

Other crimes and offences above the degree of misdemeanour, tried before the Supreme Court, and not heard and determined by summary trial, shall, subject to the provisions of this Order, be tried with a jury, or where, in the opinion of the judge, a jury cannot be obtained, with an assessor or assessors.

A crime or offence tried before the Supreme Court may be tried with a jury, or where, in the opinion of the judge, a jury cannot be obtained, with an assessor or assessors, if the judge or assistant-judge so directs.

Subject to the foregoing provisions, such classes of criminal cases being within the original jurisdiction (ordinary or concurrent) of the Supreme Court and tried before that Court as the judge, having regard to the law and practice existing in England, from time to time directs, shall be heard and determined by summary trial.

The assistant-judge of the Supreme Court shall hear and determine by summary trial such criminal charges as may under this Order be properly so heard and determined, and as are from time to time referred to him by the judge.

267. All crimes which in England are capital, tried in Egypt, shall, subject to the provisions of this Order, be tried by the judge of the Court for Egypt with a jury, or where, in the opinion of the judge, a jury cannot be obtained, with an assessor or assessors.

A crime or offence tried before that Court may be tried with a jury, or where, in the opinion of the judge, a jury cannot be obtained, with an assessor or assessors, if the judge so directs.

Other crimes and offences above the degree of misdemeanour, tried before the Court for Egypt, and not heard and determined by summary trial, shall, subject to the provisions of this Order, be tried with a jury, or where, in the opinion of the judge, a jury cannot be obtained, with an assessor or assessors.

A crime or offence tried before that Court may be tried with a jury, or where, in the opinion of the judge, a jury cannot be obtained, with an assessor or assessors, if the judge so directs.

Subject to the foregoing provisions, such classes of criminal cases being within the original jurisdiction (ordinary or concurrent) of the Court for Egypt, and tried before that Court, as the Supreme Court, with the advice and assistance of the Court for Egypt, having regard to the law and practice existing in England, from time to time directs, shall be heard and determined by summary trial.

The Law Secretary of the Court for Egypt shall hear and determine by summary trial such criminal charges as may under
this Order be properly so heard and determined, and as are from
time to time referred to him by the judge of the Court for
Egypt.

268. The Supreme Court, and the Court for Egypt, may
impose the punishment of imprisonment for not more than 20
years, with or without hard labour, and with or without a fine
of not more than 500l., or the punishment of a fine alone of not
more than 500l.

269. When an accused person is convicted of murder, the
proper officer of the Court, under the direction of the judge,
shall, in open Court, require the offender to state if he has any-
thing to say why judgment of death should not be recorded
against him.

If the offender does not allege anything that would be suffi-
cient in law to prevent judgment of death if the offence and
trial had been committed and had in England, the judge may
order that judgment of death be entered on record.

Thereupon the proper officer shall enter judgment of death
on record against the offender, as if judgment of death had been
actually pronounced on him in open Court by the judge.

Where the case is tried in Egypt, the judge shall forthwith
send a report of the judgment, with a copy of the minutes and
of the notes of evidence, and any observations which he thinks
fit to make, to the Supreme Court. The Supreme Court shall
send the same to the Secretary of State, for his direction
respecting the punishment to be actually imposed.

Where the case is tried elsewhere than in Egypt, the judge
of the Supreme Court shall, in like manner, report the case to
the Secretary of State for his direction.

The punishment actually imposed shall not in any case
exceed the measure of imprisonment and fine which the Supreme
Court and the Court for Egypt are empowered by this Order to
impose.

3.—Provincial Court at Tunis,

270. The Supreme Court may, from time to time, by deputa-
tion in writing under the hand of the judge and the seal of the
Court, authorise the Consul-General at Tunis

(i) to exercise there such criminal jurisdiction vested in the
Supreme Court as is described in the deputation; and

(ii) to refer, from time to time, to the Vice-Consul at Tunis
such criminal charges as are described in the deputation;
and all such jurisdiction as aforesaid may be exercised, and all
criminal charges referred in pursuance of the deputation shall be
so heard and determined accordingly.

A deputation shall not have effect until it has been approved
in writing by the Secretary of State, and may at any time be
revoked by the Secretary of State, by writing under his hand, or
by the Supreme Court, by writing under the hand of the judge
and the seal of the Court.

In the absence of any such deputation, and as far as the
same does not extend, the Consul-General at Tunis shall have
the same jurisdiction in criminal matters as he would have had
if this provision had not been inserted in this Order.

4.—Provincial Courts, generally.

271. Where the crime or offence with which a person is
charged before a Provincial Court, held before a commissioned
Consular officer, is any crime or offence other than assault
endangering life, cutting, maiming, arson, or housebreaking,
and appears to the Court to be such that, if proved, it would be
adequately punished by imprisonment, with or without hard
labour, for not more than 3 months, or by a fine of not more
than 20l., the Court shall hear and determine the case by sum-
mary trial and without assessors.

In other cases the Court shall hear and determine the case
on indictment, and with assessors.

The Court may impose the punishment of imprisonment for
not more than 12 months, with or without hard labour, and
with or without a fine of not more than 50l., or the punishment
of a fine alone of not more than 50l.

272. A Provincial Court, held before an uncommissioned
Consular officer, shall have authority to impose the punishment
only of a fine of not more than 5l.

The Court shall hear and determine each case by summary
trial.

The conviction may be enforced by execution on the goods
of the party ordered to pay the fine, and not otherwise.

In any case pending, the Superintending Consul may, on
application of either party, order that the case be sent to him,
to be heard and determined by him, or that it be transmitted to
the Supreme Court, or in Egypt to the Court for Egypt, to be
there heard and determined; and the case shall be so heard and
determined accordingly.

Within 7 days after deciding any case, the Consular officer
shall report the same to his Superintending Consul, and trans-
mit, therewith a copy of all the proceedings.

273. Where the crime or offence with which an accused
person is charged before the Provincial Court appears to the
Court such that, if proved, it would not be adequately punished
by such punishment as the Court has power to impose, and
the accused is not to be sent for trial to England, Bombay, or
Malta, the Court shall reserve the case—in Egypt, to be heard
and determined by or under the direction of the Court for
Egypt—and elsewhere to be heard and determined by or under
the direction of the Supreme Court.
The Court shall take the depositions, and forthwith send them, with a minute of other evidence, if any, and a report on the case, to the Court for Egypt, or the Supreme Court, as the case may be.

The Court for Egypt or the Supreme Court, as the case may be, shall direct in what mode and where, consistently with the provisions of this Order, the case shall be heard and determined, and the same shall be so heard and determined accordingly.

5.—Preliminary Procedure.

Summons or Warrant.

274. In every case, whether the charge is or is not such as must or may be heard and determined by summary trial, the Court shall proceed, if the accused is not already in custody, either by way of summons to him, or by way of warrant for his apprehension in the first instance, according to the nature and circumstances of the case.

For the issuing of a summons the charge need not be put in writing or be sworn to unless the Court so directs.

The person effecting service shall attend at the time and place mentioned in the summons to prove service.

Notwithstanding the issuing of a summons, a warrant may be issued at any time before or after the time appointed in the summons for the appearance of the accused.

A warrant shall not be issued, in the first instance, unless the charge is in writing on the oath of the person laying the charge, or of some witness.

If a person summoned does not obey the summons the Court may (after proof of the service of the summons) issue a warrant for his apprehension.

A warrant need not be made returnable at any particular time, but may remain in force until executed.

It may be executed by the apprehension of the accused at any place within the particular jurisdiction, and in case of fresh pursuit it may be executed at any place in another Consular district, without application to the Court for that district.

Search Warrant.

275. Where it is proved that in fact, or according to reasonable suspicion, any thing, on, by, or in respect of which a crime or offence cognizable by the Court has been committed is in a house or place of a subject or protected person, the Court may, by warrant (called a search warrant), authorise an officer of the Court therein named to search the house or place (which shall be named or described in the order), and if any thing searched
for be found, to seize it, and apprehend the occupier of the house or place.

A general search warrant shall not be granted.

The officer named in the warrant shall alone execute it, but he may be accompanied by any persons necessary to assist him.

If the house or place is closed, and the officer is denied admission, after demanding admission and disclosing his authority and the object of his visit, it may be forced open.

Where there is suspicion only, the warrant shall so state, and then it shall be executed in the daytime, otherwise it may be executed in the night-time.

Sundays and Holydays.

276. A search warrant, or a warrant for apprehension or commitment, or other purpose, may be issued and executed on Sunday, Good Friday, or Christmas Day, where the urgency of the case so requires.

Expenses.

277. The Court may order a person convicted before it, by summary trial or on indictment, to pay all or any specified part of the expenses of his prosecution, or of his imprisonment or other punishment, or of both.

Where it appears to the Court that a charge is malicious, or frivolous and vexatious, the Court may order the prosecutor to pay all or any specified part of the expenses of the prosecution.

In these respective cases the Court may order that the whole or such portion as the Court thinks fit of the expenses so paid, be paid over to the prosecutor or to the accused (as the case may be).

In all cases the reasons of the Court for making or refusing any such order shall be recorded in the minutes.

Damages for Assault.

278. The Court may, if it thinks fit, order a person convicted before it, by summary trial or on indictment, of an assault, to pay to the person assaulted, by way of damages, a sum not exceeding 10l.

Damages so ordered to be paid may be either in addition to or in lieu of a penalty, and shall be recoverable in like manner as a penalty.

6.—Summary Trial.

279. The following provisions, under the head of Summary Trial, apply exclusively to cases where the charge is heard and determined by summary trial.

280. Where the accused comes before the Court on summons, or warrant, or otherwise, either originally or on adjournment, then, if the prosecutor, having had notice of the time and place appointed for the hearing or adjourned hearing of the charge,
does not appear, the Court shall dismiss the charge unless for some reason, recorded in the minutes, it thinks fit to adjourn or further adjourn the hearing.

If both parties appear the Court shall proceed to hear and finally determine the charge.

281. The room or place in which the Court sits to hear and determine the charge is an open and public Court, and the public generally may have access thereto as far as it can conveniently contain them.

282. The substance of the charge shall be stated to the accused, and he shall be asked if he admits or denies the truth of the charge.

If he admits the truth of the charge, the Court may convict him thereof.

If he denies the truth of the charge, the Court shall proceed to hear the prosecutor and his witnesses and other evidence.

At the close of the prosecutor’s evidence, if it appears to the Court that the case is made out against the accused sufficiently to require him to make a defence, the Court shall ask him if he wishes to say anything in answer to the charge, or has any witnesses to examine or other evidence to adduce in his defence; and the Court shall then hear the accused and his witnesses, and other evidence, if any.

283. The prosecutor shall be at liberty to conduct the charge, and to have witnesses examined and cross-examined by counsel or attorney on his behalf.

284. The accused shall be at liberty to make his full answer and defence to the charge, and to have witnesses examined and cross-examined by counsel or attorney on his behalf, and if he does not employ counsel or attorney, the Court shall, at the close of the examination of each witness for the prosecution, ask the accused whether he wishes to put any questions to that witness.

If he puts any question to a witness, that witness may be re-examined by or on behalf of the prosecutor.

285. If the accused adduces in his defence any evidence other than evidence to character, the prosecutor may, if the Court thinks fit, adduce evidence in reply.

But the prosecutor shall not in any case be allowed to make any observations by way of reply to the evidence adduced by the accused, nor shall the accused in any case be allowed to make any observations on evidence adduced by the prosecutor in reply.

286. A variance between the charge and the evidence adduced in support of it with respect to the time at which the alleged crime or offence was committed shall not be deemed material, if it is proved that the charge was in fact made within the time (if any) limited by law for the making thereof.
But if any variance between the charge and the evidence appears to the Court to be such that the accused has been thereby deceived or misled, the Court may adjourn the hearing.

287. At any time before or during the hearing of the charge the Court may, if it thinks fit, for reasons recorded in the minutes, adjourn the hearing.

An adjournment ordered for any cause shall be made to a certain time and place, appointed and stated at the time of adjournment in the presence and hearing of the parties or their respective counsel or attorneys.

During an adjournment the Court may in its discretion, according to the nature and circumstances of each case, either suffer the accused to go at large or commit him by warrant to such prison or other place of security, or to such other safe custody as the Court thinks fit, or may discharge him on his entering into a recognisance, with or without a surety or sureties, at the discretion of the Court, for his appearance at the time and place of adjournment.

If at any time and place of adjournment of a trial which has once begun, the accused does not appear, the Court may, if it thinks fit, proceed with the further hearing as if he was present.

288. The Court having heard what each party has to say as aforesaid, and the witnesses, and the evidence adduced, shall consider the whole matter and finally determine the same, and shall either convict the accused or dismiss the charge.

In case of conviction, an order of conviction shall be drawn up in form and shall be preserved among the records of the Court.

In case of dismissal, the Court shall, on the application of the accused, make an order of dismissal, an office copy whereof shall, on being produced, without further proof, be a bar to any subsequent charge against him for the same matter.

289. Where the Court orders money to be paid by a person convicted, or by a prosecutor, for penalty, compensation, expenses, or otherwise, the money may be levied on the goods of the person ordered to pay the same, by distress and sale under warrant.

That person may pay or tender to the officer having the execution of the warrant the sum therein mentioned, with the amount of the expenses of the distress up to the time of payment or tender, and thereupon the officer shall cease to execute the same.

290. If the officer having the execution of the warrant returns that he could find no goods, or no sufficient goods, whereon to levy the money mentioned in the warrant, with expenses, the Court may by warrant commit the person ordered to pay to prison for a time specified in the warrant, unless the money, and all expenses of the distress, commitment, and
conveyance to prison, to be specified in the warrant, are sooner paid.

Where it is proved that distress and sale of goods would be ruinous to the person ordered to pay the money and his family, or (by his profession or otherwise) that he has no goods whereon a distress may be levied, then the Court, if it thinks fit, may, instead of issuing a warrant of distress, commit him to prison, with or without hard labour, for a time specified in the warrant, unless the money, and all expenses of the commitment and conveyance to prison, to be specified in the warrant, are sooner paid.

The person committed may pay the sum mentioned in the warrant, with the amount of expenses therein mentioned (if any), to the person in whose custody he is, and that person shall thereupon discharge him, if he is in custody for no other matter.

The commitment, in case of a provincial Court held before an uncommissioned Consular officer, shall not be for more than 14 days, and in any other case shall not be for more than two months.

291. Where a conviction does not order the payment of money, but orders that the offender be imprisoned, the Court shall issue a warrant of commitment accordingly.

7.—Trial on Indictment.

292. The following provisions, under the head of Trial on Indictment, apply exclusively to cases where the charge is not heard and determined by summary trial.

293. Where the accused comes before the Court on summons or warrant, or otherwise, the Court shall, in his presence, take the statements on oath of those who know the facts and circumstances of the case, and put them in writing (called the depositions).

The accused may put questions to each witness produced against him, and the witness's answer thereto shall be part of his deposition.

The deposition of each witness shall be read over to the witness, and shall be signed by him.

294. No objection to a charge, summons, or warrant, for defect, in substance or in form, or for variance between it and the evidence for the prosecution, shall be allowed; but if a variance appears to the Court to be such that the accused has been thereby deceived or misled, the Court may on his application adjourn the examination.

295. The Court may, by warrant, from time to time, if it thinks fit, on account of the absence of witnesses or for any other reason (recorded in the minutes), remand the accused for
a reasonable time, not exceeding 8 days, to some prison or other place of security.

Or if the remand is for not more than 3 days, the Court may, by word of mouth, order the officer or person in whose custody the accused is, or any other fit officer or person, to continue or keep the accused in his custody, and bring him up at the time appointed for commencement or continuance of the examination.

During remand the Court may, nevertheless, order the accused to be brought before it.

Or the Court may admit the accused to bail on the remand.

296. At the close of the evidence for the prosecution, if the Court considers it not sufficient to put the accused on his trial, the Court shall forthwith order him, if in custody to be discharged.

297. Otherwise the Court shall (without requiring the attendance of the witnesses) read over to the accused the depositions, and shall then say to him these words:

Having heard the evidence, do you wish to say anything in answer to the charge? You need not say anything unless you wish. You have nothing to hope from any promise of favour, and nothing to fear from any threat, held out to induce you to make any admission or confession. Whatever you say will be written down, and may be given in evidence against you.

Whatever the accused then says shall be written down, and shall be read over to him, and shall be kept with the depositions.

298. If the Court considers the evidence sufficient to put the accused on his trial, the Court shall order that he be tried on indictment, and shall until the trial either admit him to bail or send him to prison for safe keeping.

299. Where the charge is not of a crime which in England is capital, but is of a crime or offence above the degree of misdemeanor, and is to be tried before the Supreme Court, or the Court for Egypt, and the trial is to be had where a jury can be obtained, then the Court, on ordering that the accused be tried on indictment, shall ask him whether or not he wishes to be tried with a jury.

If he answers in the negative, then the trial shall be had without a jury unless not less than 48 hours before the time appointed for the trial he files in the Court a notice in writing, stating his wish to be tried with a jury.

300. Where the accused is charged with:

Felony;
Assault with intent to commit felony;
Attempt to commit felony;
Obtaining or attempting to obtain property by false pretences;
Receiving stolen property, or property obtained by false pretences;

Perjury, or subornation of perjury;

Concealing the birth of a child by secret burying or otherwise;

Indecent exposure of the person;

Riot;

Assault on a constable or officer of the Court in the execution of his duty, or on any person acting in his aid;

Neglect or breach of duty as a constable or officer of the Court;

the Court may, if it thinks fit, admit him to bail.

Where he is charged with an indictable misdemeanour, not before in this provision specified, the Court shall admit him to bail, unless the Court sees good reason to the contrary (recorded in the minutes).

If he is charged with murder or treason he shall not be admitted to bail, except by the judge of the Supreme Court.

The judge of the Supreme Court may, if he thinks fit, admit any person to bail, although the Court before which the charge is made has not thought fit to do so.

A person may be admitted to bail at any time after he has been ordered to be tried on indictment.

301. The accused who is to be admitted to bail, either on remand or on or after trial ordered, shall produce such surety or sureties as, in the opinion of the Court, will be sufficient to ensure his appearance as and when required, and shall with him or them enter into a recognizance accordingly.

302. The Court shall bind by recognizance the prosecutor and every witness to appear at the trial to prosecute, or to prosecute and give evidence, or to give evidence (as the case may be).

If a person refuses to enter into a recognizance, the Court may send him to prison, there to remain until after the trial, unless in the meantime he enters into a recognizance.

But if afterwards, from want of sufficient evidence or other cause, the accused is discharged, the Court shall order that the person imprisoned for so refusing be also discharged.

303. The room or place in which the preliminary examination is held is not an open or public Court for that purpose, and the Court may, if it thinks that the ends of justice will be best answered by so doing, order that no person have access to, or be or remain in, that room or place without the express permission of the Court.

304. A person who has been ordered to be tried on indictment shall be entitled to have a copy of the depositions, on payment of a reasonable sum not exceeding 6d. for every 100 words, or, if the Court thinks fit, without payment.
The Court shall, at the time of ordering the trial, inform him of the effect of this provision.

305. The written charge (if any), the depositions, the statement of the accused, the recognizances of prosecutor and witnesses, and the recognizances of bail (if any), shall be carefully transmitted in proper time to the Court before which the trial is to be held.

306. The Supreme Court shall, when required by the Secretary of State, send to him a report of the sentence of the Court in any case tried on indictment, with a copy of the minutes and notes of evidence and with any observations which the Court thinks fit to make.

The Court for Egypt and every provincial Court shall forthwith send to the Supreme Court a report of the sentence of the Court in every case tried on indictment, with a copy of the minutes and notes of evidence and with any observations which the Court thinks fit to make. The Supreme Court shall, when required by the Secretary of State, transmit the same to him, with any observation which the Court thinks fit to make.

8.—Appeal on Law to Supreme Court.

307. Where a person is convicted, either by summary trial or on indictment, before a Court other than the Supreme Court (in this provision referred to as the Court below):

(i) If he considers the conviction erroneous in law, then, on his application (unless it appears merely frivolous, when it may be refused): or,

(ii) If the Court below thinks fit to reserve for consideration of the Supreme Court any question of law arising on the trial;

the Court below shall state a case, setting out the facts and the grounds of the conviction, and the question of law, and send it to the Supreme Court.

Thereupon the Court below shall, as it thinks fit, either postpone judgment on the conviction, or respite execution of the judgment, and either commit the person convicted to prison, or take security for him to appear and receive judgment or to deliver himself for execution of the judgment (as the case may require) at an appointed time and place.

The Supreme Court shall hear and finally determine the matter, and thereupon shall reverse, affirm, or amend the judgment given,—or set it aside, and order an entry to be made in the minutes that in the judgment of the Supreme Court the person ought not to have been convicted,—or order judgment to be given at a subsequent sitting of the Court below,—or make such other order as the Supreme Court thinks just,—and shall also give all necessary and proper consequential directions.
The judgment of the Supreme Court shall be delivered in open Court, after the public hearing of any argument offered on behalf of the prosecution or of the person convicted.

Before delivering judgment, the Supreme Court may, if necessary, cause the case to be amended by the Court below.

9.—Punishment.

308. The Supreme Court may, if it thinks fit, by warrant under the hand of the judge and the seal of the Court, cause an offender convicted before any Court and sentenced to imprisonment, to be sent to and imprisoned at any place in the Ottoman dominions, approved for that purpose by the Secretary of State.

The warrant shall be sufficient authority to any person to whom it is directed, to receive and detain the person therein named and to carry him to and deliver him up at the place named, according to the warrant.

309. When an offender convicted before any Court is sentenced to imprisonment and it appears to the Supreme Court, or, as regards Egypt, the Court for Egypt, expedient that the sentence be carried into effect within Her Majesty's dominions, the offender may (under "The Foreign Jurisdiction Act," section 5) be sent for imprisonment as follows, namely,—with respect to native Indian subjects, to Bombay, and with respect to other persons, to Malta or Gibraltar.

The Supreme Court, or the Court for Egypt, may, by warrant under the hand of the judge and the seal of the Court, cause the offender to be sent to Bombay or to Malta or Gibraltar (as the case may require), in order that the sentence may be there carried into effect accordingly.

The warrant shall be sufficient authority to any person to whom it is directed to receive and detain the person therein named and to carry him to and deliver him up at the place named according to the warrant.

310. The Supreme Court may, if it thinks fit, report to the Secretary of State recommending a mitigation or remission of any punishment awarded by any Court; and thereupon the punishment may be mitigated or remitted.

But such a recommendation shall not be made with respect to a punishment awarded by a Court other than the Supreme Court, except on the recommendation of that other Court, or on the dissent of the assessors or assessor, if any, from the conviction or from the amount of punishment awarded.

10.—Deportation of Offenders.

311. (i) Where it is proved that there is reasonable ground to apprehend that a subject or protected person is about to commit a breach of the public peace,—or that the acts or con-
duct of a subject or protected person are, or is likely to produce or excite to a breach of the public peace,— the Court may, if it thinks fit (for reasons recorded in the minutes) cause him to be brought before it and require him to give security to the satisfaction of the Court, to keep the peace, or for his future good behaviour, as the case may require:

(ii) Where a subject or protected person is convicted of a crime or offence before the Court, or before a Court in the sentence of which one of Her Majesty's Consular officers concurs, the Court for the district in which he is, may, if it thinks fit, require him to give security to the satisfaction of the Court for his future good behaviour, and for that purpose may (if need be) cause him to be brought before the Court:

In either of these cases, if the person required to give security fails to do so, the Court may order that he be deported from the Ottoman dominions to such place as the Court directs.

The Court shall not, however, without the consent of the person to be deported, direct the deportation of a native Indian subject to any place other than Bombay,— or of a native of Malta or of any of its dependencies to any place other than Malta,— or of a native of Gibraltar to any place other than Gibraltar,— or of a person not being a native Indian subject and being a native of any part of Her Majesty's dominions, other than Malta, its dependencies, or Gibraltar, to any place other than England.

A Court other than the Supreme Court or the Court for Egypt shall report to the Supreme Court any order of deportation made by it, and the grounds thereof, before the order is executed. The Supreme Court may reverse the order, or may confirm it with or without variation, and in case of confirmation, shall direct it to be carried into effect.

The person to be deported shall be detained in custody until a fit opportunity for his deportation occurs.

He shall, as soon as is practicable,— and in the case of a person convicted, either after execution of the sentence or while it is in course of execution,— be embarked in custody under the warrant of the Supreme Court, or, as regards Egypt, of the Court for Egypt, on board one of Her Majesty's vessels of war, or, if there is no such vessel available, then on board any British or other fit vessel bound to the place of deportation.

The warrant shall be sufficient authority to the commander or master of the vessel, to receive and detain the person therein named, and to carry him to and deliver him up at the place named, according to the warrant.

The Court may order the person to be deported to pay all or any part of the expenses of his deportation. Subject thereto the expenses of deportation shall be defrayed as the expenses relating to distressed British subjects are defrayed, or in such
other manner as the Secretary of State from time to time directs.

The Supreme Court and the Court for Egypt (as the case may be) shall forthwith report to the Secretary of State any order of deportation made or confirmed by it and the grounds thereof, and shall also inform thereof Her Majesty's Ambassador, Minister, or Chargé d'Affaires at the Sublime Ottoman Porte.

If any person deported under this or any former Order returns to the Ottoman dominions without permission in writing of the Secretary of State (which permission the Secretary of State may give) he shall be deemed guilty of an offence against this Order, and shall for every such offence be liable to imprisonment for not more than one month, with or without hard labour, and with or without a fine of not more than 10l., or to a fine of not more than 20l. alone; and he shall also be liable to be forthwith again deported, and shall not be again entitled to registration under this Order.

And the Right Honourable the Earl Granville, and the Right Honourable the Earl of Kimberley, and the Most Noble the Duke of Argyll, three of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein, as to them may respectively appertain.

ARTHUR HELPS.

THE FIRST SCHEDULE.

Orders in Council and Rules Repealed.

Order in Council; Windsor, 30th November, 1864—General Regulation of Jurisdiction.
Order in Council; Windsor, 10th November, 1866—Deputation; Egypt.
Order in Council; Windsor, 29th June, 1861—Deputation and References; Tunis.
Rules; 23rd January, 1863—General Regulation of Procedure.
Rules; 2nd December, 1870—Remuneration of Jurors.

THE SECOND SCHEDULE.

FORMS.

I.—CIVIL.

1. Issue for Decision on Questions of Fact without Suit,

In Her Britannic Majesty's Consular Court at [Smyrna], [Saturday] the [ ] day of [ ], 18 .

Between A.B. and C.D.

This Court has ordered that the above-named A.B. of [gentleman],
and the above-named C.D. of [merchant], may proceed to the trial of the questions of fact to be determined between them without any petition presented or other pleading.

This Court, therefore, now further orders that the following questions be tried:
1. Whether, &c.
2. Whether, &c.

The said A.B. maintaining the affirmative, and the said C.D. the negative, thereof respectively.

(Seal.)

2. Summons on Bill of Exchange or Promissory Note.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday] the [ ] day of [ ], 18 .

Between A.B. . . . . . . Plaintiff,
and
C.D. . . . . . . . . . . . . Defendant.

To C.D., of , the above-named defendant.

You are hereby commanded, in Her Majesty's name, to attend this Court within seven days after service of this summons on you, inclusive of the day of service, and obtain leave from this Court to defend this suit; otherwise A.B., of , the above-named plaintiff, will be entitled, as of course, to an immediate absolute order against you.

(Seal.)

Indorsement on Summons.

The plaintiff claims [ ] pounds sterling, principal and interest [or balance of principal and interest] due to him as the payee [or indorsee] of a bill of exchange or promissory note, of which the following is a copy:

Here copy bill or note and all indorsements on it.

And if the amount thereof be paid to the plaintiff within [ ] days from the service hereof, further proceedings will be stayed.

Notice.

If the defendant does not, within seven days after having been served with this summons, inclusive of the day of service, obtain leave from the Court to defend this suit, the plaintiff will be entitled, as of course, at any time after the expiration of those seven days, to an immediate absolute order for any amount not exceeding the sum above claimed, and such sum as may be fixed by the Court for costs.

Leave to defend the suit may be obtained on application to the Court, supported by evidence on oath, showing that there is a defence to the suit on the merits, or that it is reasonable that the defendant should be allowed to defend the suit; or on payment into Court of the sum hereon indorsed.


In Her Britannic Majesty's Consular Court at [Smyrna].

[Saturday] the [ ] day of [ ], 18 .

Between A.B. . . . . . . Plaintiff,
and
C.D. . . . . . . . . . . . . Defendant.

[or]

In the matter of E.F., an infant.

To C.D. of [gentleman], the above-named defendant.

You are hereby commanded, in Her Majesty's name, to attend this Court at [ ] on [ ] the [ ] day of [ ]
at o'clock in the [ ] noon on the hearing of a claim [or an application] on the part of A.B., of [merchant], the above-named plaintiff.
The following note is to be added to the original summons and when the time is altered by indorsement, the indorsement is to be referred to as below:

Note.—If you do not attend either in person or by counsel or attorney at the time and place above-mentioned [or at the place above-mentioned at the time mentioned in the indorsement hereon], such order will be made and such proceedings taken as the Court may think just and expedient.

4. Petition.

In Her Britannic Majesty's Consular Court at [Smyrna].
Between A.B. Plaintiff,

and

C.D. and E.F. Defendants.

To X.Y., Esquire, Her Britannic Majesty's Consul at [Smyrna].

The petition of A.B., of [merchant], the above-named plaintiff,

Shows as follows:
1. [On the 1st day of June, 1859, the defendant, &c.]
2. [On the next day the plaintiff wrote and sent a letter to the defendant the material parts of which were as follows, &c.]
3. 
4. 

The plaintiff therefore prays—
1. [That an account may be taken of what is due for principal and interest, &c.]
2. [That the defendant may be decreed to pay to the plaintiff, the amount which shall be so found due within one calendar month, &c.]
3. That the plaintiff may have such further or other relief as the nature of the case may require.

The defendants to this petition are—

C.D. of [merchant],
E.F., of [widow].
A.B.
[or A.B., the plaintiff, by L.M., his attorney].

5. Answer.

In Her Britannic Majesty's Consular Court at [Smyrna].
Between A.B. Plaintiff,

and

C.D. and E.F. Defendants.

The answer of C.D., one of the above-named defendants, to the petition of the above-named plaintiff.

In answer to the said petition I, C.D., say as follows:
1. 
2. 
3. [or C.D. C.D., the defendant, by N.O., his attorney.]

In Her Britannic Majesty's Consular Court at [Smyrna].

[Saturday] the [ ] day of [ ], 18 .

Between A.B. [Plaintiff;]

and

C.D. [Defendants;]

To A.B. the above-named plaintiff

[or]

To C.D., one of the above-named defendants.

This cause will be set down for hearing on the day of 18 , and will come on to be heard in its turn on that day, if the business of the Court permits.

(Seal.)

7. Motion Paper.

In Her Britannic Majesty's Consular Court at [Smyrna].

Between A.B. [Plaintiff;]

and

C.D. [Defendant;]

The plaintiff [or as the case may be] moves that [here state the terms of the motion].

II.—Probate and Administration.

8. Affidavit of Attesting Witness in proof of the due Execution of a Will or Codicil dated after 31st December, 1837.

In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of A.B., deceased.

I, C.D., of , make oath and say that I am one of the subscribing witnesses to the last will [or codicil, as the case may be] of A.B., late of , deceased, the said will [or codicil] being now hereto annexed, bearing date , and that the testator executed the said will [or codicil] on the day of the date thereof, by signing his name at the foot or end thereof [or in the testimonium clause thereof, or in the attestation clause thereto, as the case may be], as the same now appears thereon* in the presence of me and of , the other subscribed witness thereto, both of us being present at the same time, and we thereupon attested and subscribed the said will [or codicil] in the presence of the testator.

C.D. Sworn at , this day of 18 , before me, X.Y.


In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of A.B., deceased.

I, C.D., of , make oath and say that I believe the paper writing [or the paper writings] hereto annexed and marked by me† to contain the true and

* If the signature is in the testimonium clause or attestation clause, insert "intending the same for his final signature to his will."

† Each testamentary paper is to be marked by the persons sworn and the person administering the oath.

Where more executors than one are appointed, and all are not sworn, a memorandum should be made in the margin of the oath that power is to be reserved to the other executors or executor, or that they have or he has renounced.
in the original last will [or last will with codicils] of A.B., late of deceased, and that I am the sole executor [or one of the executors] therein named [or executor according to the tenor thereof, executor during life, executrix during widowhood, or as the case may be], and that I will faithfully administer the personal property of the testator by paying his just debts and the legacies given by his will [or will and codicils], so far as his personal property shall extend and the law bind me; that I will exhibit an inventory, and render an account of my executorship, whenever lawfully required; that the testator died at on the day of , 18 ; that at the time of his death he had his fixed place of abode at within the jurisdiction of this Court; and that the whole of his personal property does not amount in value to the sum of £ , to the best of my knowledge, information, and belief.

C.D.

Sworn at this
day of 18 , before me,
E.F.

10. Oath for Administrator with Will annexed.

In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of A.B., deceased.

I, C.D., of make oath and say that I believe the paper writing [or the paper writings] hereto annexed, and marked by me* to contain the true and original last will [or last will with codicils] of A.B., late of deceased; that the executor therein named is dead without having taken probate thereof [or as the case may be]; that I am the residuary legatee in trust named therein [or as the fact may be]; that I will faithfully administer the personal property of the testator, by paying his just debts and the legacies given by his will [or will and codicils], so far as his personal property shall extend and the law bind me, and distributing the residue of his personal property according to law; that I will exhibit an inventory and render an account of my administration whenever lawfully required; that the testator died at on the day of , 18 ; that at the time of his death he had his fixed place of abode at within the jurisdiction of this Court, and that the whole of his personal property does not amount in value to the sum of £ , to the best of my knowledge, information, and belief.

C.D.

Sworn at this
day of 18 , before me,
E.F.

11. Oath for Administrator (not with Will annexed).

In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of A.B., deceased.

I, C.D., of make oath and say that A.B., late of deceased, died intestate, a bachelor, without parent, brother, or sister, uncle or aunt, nephew or niece, and that I am his lawful cousin german and one of his next of kin [this must be altered in accordance with the circumstances of the case]; that I will faithfully administer the personal property of the deceased, by paying his just debts, and distributing the residue of his property according to law; that I will exhibit an inventory and render an account of my administration whenever lawfully required; that the deceased died at on the day of , 18 ; that at the time of his death he had his fixed place of abode at within the jurisdiction of this Court; and that the whole of his personal property does not amount in value to the sum of £ , to the best of my knowledge, information, and belief.

C.D.

Sworn at this
day of 18 , before me,
E.F.

* Each testamentary paper is to be marked by the persons sworn and the person administering the oath.
In Her Britannic Majesty's Consular Court at [Smyrna].

Be it known, that A.B., late of , deceased, who died on the day of , 18 , and who had at the time of his death his fixed place of abode at , within the jurisdiction of this Court, made and duly executed his last will [or his last will with codicils thereto], and did therein name [according to the facts].

And be it further known, that on the day of 18 , letters of administration with the said will [and codicils annexed] of the personal property of the deceased were granted by this Court to C.D. [insert the character in which the grant is taken], he having been first duly sworn.

X.Y.,
H.B.M. Consul at [Smyrna].
(Seal.)
15. **Double Probate.**

In Her Britannic Majesty's Consular Court at [Smyrna].

Be it known, that on the day of , 18 , the last will [with codicils] of A.B., late of , deceased, who died on , 18 , at , and who at the time of his death had his fixed place of abode at , within the jurisdiction of this Court, was proved and registered in this Court, and that administration of his personal property, and any way concerning his will, was granted by this Court to C.D., one of the executors named in the said will [or codicil], he having been first duly sworn, power being reserved of making the like grant to E.F., the other executor named in the said will. And be it further known, that on the day of , 18 , the said will of the said deceased was also proved in this Court, and that the like administration was granted by this Court to the said E.F., he having been first duly sworn.

X.Y.,
H.B.M. Consul at [Smyrna].
(Seal.)

16. **Letters of Administration de bonis non.**

In Her Britannic Majesty's Consular Court at [Smyrna].

Be it known, that A.B., late of , deceased, died on , 18 , at , intestate, and had at the time of his death his fixed place of abode at , within the jurisdiction of this Court, and that since his death, namely, on , 18 , letters of administration of his personal property were granted by this Court to C.D. [insert the relationship or character of administrator] (which letters of administration now remain on record in this Court) who, after taking such administration upon him, partly administered the personal property of the deceased, and afterwards, namely, on , died, leaving part thereof unadministered, and that on the day of , 18 , letters of administration of the personal property so left unadministered were granted by this Court to he having been first duly sworn.

X.Y.,
H.B.M. Consul at [Smyrna].
(Seal.)

17. **Administration Bond.**

Know all men by these presents, that we, A.B., of , C.D., of , and E.F., of , are jointly and severally bound unto G.H., the judge of Her Britannic Majesty's Supreme Consular Court, for the dominions of the Sublime Ottoman Porte, in the sum of pounds sterling, to be paid to the said G.H., or the judge of the said Court for the time being, for which payment we bind ourselves and each of us, for the whole, our and each of our heirs, executors, and administrators, firmly by these presents. Sealed with our seals.

Dated the day of , 18 .

A.B. (L.S.)
C.D. (L.S.)
E.F. (L.S.)

The condition of the above-written obligation is such, that if the above-named A.B., the intended administrator of the personal property of I.J., late of , deceased, who died on the day of [left unadministered by ], do make a true and perfect inventory of the personal property of the deceased [so left unadministered], which has or shall come into [his] possession, or into the possession of any person for [him], and the same so made do exhibit into Her Britannic Majesty's

* Former grant, January, 18 , under the same sum.
Supreme Consular Court or Her Britannic Majesty's Consular Court at [Smyrna], whenever required by law so to do; and the same personal property and all other the personal property of the deceased, which shall at any time after the making and exhibition of such inventory, come into the possession of the said A.B., or of any person for [him], do well and truly administer according to law; (that is to say) do pay the debts which the deceased owed at [his] death, and all the residue of the said personal property do deliver and pay to such person or persons as shall be entitled thereto under the Act of Parliament intitled "An Act for the better settling of Intestates' Estates," and further, do make a true and just account of [his] administration whenever lawfully required; and in case it shall hereafter appear that any will was made by the deceased, and the executor or executors therein named do exhibit the same for probate, then if the said A.B., being thereunto required, do duly render and deliver up the letters of administration granted to him, then this obligation shall be void, and otherwise shall remain in full force.

Signed, sealed, and delivered before this Court.

18. Administration Bond for Administrator with Will annexed.

Know all men by these presents, that we, A.B., of , C.D., of , and E.F., of , are jointly and severally bound unto G.H., the judge of Her Britannic Majesty's Supreme Consular Court for the dominions of the Sublime Ottoman Porte, in the sum of pounds sterling, to be paid to the said G.H., or the judge of the said Court for the time being, for which payment we bind ourselves and each of us, for the whole, our and each of our heirs, executors, and administrators, firmly by these presents. Sealed with our seals.

Dated the day of , 18

A.B. (L.S.)
C.D. (L.S.)
E.F. (L.S.)

The condition of the above-written obligation is such, that if the above-named A.B., the intended administrator with will annexed of the personal property of I.J., late of , deceased, who died on the day of , do make a true and perfect inventory of the personal property of the deceased [left unadministered by ], which has or shall come into [his] possession, or into the possession of any person for [him], and the same so made do exhibit into Her Britannic Majesty's Supreme Consular Court or Her Britannic Majesty's Consular Court at [Smyrna], whenever required by law so to do, and the same personal property [so left unadministered] and all other the personal property of the deceased which shall at any time after the making and exhibition of such inventory come into the possession of the said A.B., or of any person for [him], do well and truly administer (that is to say) do pay the debts which the deceased owed at [his] death, and then the legacies given by the said will annexed to the said letters of administration, as far as such personal property will extend, and the law bind [him], and all the residue of the said personal property shall deliver and pay unto such person or persons as shall be by law entitled thereto, and further, do make a true and just account of [his] said administration whenever lawfully required, then this obligation shall be void, and otherwise shall remain in full force.

Signed, sealed, and delivered before this Court.

19. Declaration of the Personal Property of a Testator or an Intestate.

In Her Britannic Majesty's Consular Court at [Smyrna].

A true declaration of all the personal property of A.B., late of , deceased, who died on the day of , 18 , at , and had at the time of his death his fixed place of abode at , within the jurisdiction of this Court, which have at any time since his death come to the possession or knowledge of C.D., the administrator with the will annexed of the said A.B. [or administrator, as the case may be], made and exhibited upon and by virtue of the oath [or solemn affirmation] of the said C.D., as follows:

VOL. XIV.
First, I declare that the deceased was at the time of his death possessed of or entitled to £...d.

[The details of the deceased's property must be here inserted, and the value inserted opposite to each particular.]

Lastly, I say that no personal property of the deceased has at any time since his death come to my possession or knowledge, save as is hereinbefore set forth.

C.D.

On the day of 18, the said C.D. was duly sworn to [or solemnly affirmed] the truth of the above-written inventory,

Before me,

[person authorised to administer oaths].

20. Justification of Sureties.

In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of A.B., deceased.

We, C.D., of ..., and E.F., of ..., severally make oath and say, that we are the proposed sureties in the penal sum of ..., on behalf of G.H., the intended administrator of the personal property of A.B., late of ..., deceased, for his faithful administration thereof; and I, the said C.D. for myself, make oath and say, that I am, after payment of all my just debts, well and truly worth in money and effects the sum of ...; and I the said E.F., for myself, make oath and say, that I am, after payment of all my just debts, well and truly worth in money and effects the sum of ... Sworn by the deponents, C.D., and E.F., at this day of 18,

C.D.

E.F.

Before me, X.Y.

21. Renunciation of Probate and Administration with Will annexed.

In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of A.B., deceased.

Whereas A.B., late of ..., deceased, died on the day of 18, at ..., having had at the time of his death his fixed place of abode at ..., within the jurisdiction of this Court; and whereas he made and duly executed his last will dated the day of 18, * and thereof appointed C.D., executor and residuary legatee in trust [or as the case may be]:

Now I, the said C.D., do hereby declare, that I have not intermeddled in the personal property of the deceased, and will not hereafter intermeddle therein, with intent to defraud creditors or any person interested in the administration or distribution of the property of the deceased, and further do hereby expressly renounce all right to probate of the said will [and codicils, if any], and to administration with the said will [and codicils, if any] annexed, of the personal property of the deceased.

In witness whereof I have hereto set my hand and seal, this day of 18.

C.D. (L.S.)

Signed, sealed, and delivered by the above-named C.D., in the presence of G.H.

22. Renunciation of Administration.

In Her Britannic Majesty's Consular Court at [Smyrna].

Whereas A.B., late of ..., deceased, died on the day of 18, at ..., intestate, a widower, having had at the time of his death his fixed place of abode at ..., within the jurisdiction of this Court; and whereas I, C.D., of ..., am his lawful child, and his only next of kin [or as the case may be]:

Now I, the said C.D., do hereby declare that I have not intermeddled in the personal property of the deceased, and further do hereby expressly renounce all right to administration thereof.

* If there are codicils, their dates should be also inserted.
In witness whereof I have hereto set my hand and seal, this day of 18 .

Signed, sealed, and delivered by the said C.D., in the presence of G.H.

23. Order to a Person to bring in a Paper purporting to be Testamentary.

In Her Britannic Majesty's Consular Court at [Smyrna].

To C.D.,

Whereas it appears by a certain affidavit filed in this Court on the day of , 18 , and made by , of , that a certain original paper, being, or purporting to be testamentary, namely [here describe the paper], bearing date the day of , 18 , is now in your possession or under your control:

Now this is to command you, in Her Majesty's name, that within eight days after service hereon on you, inclusive of the day of such service, you do bring into and leave in this Court the said original paper, or in case the said original paper be not in your possession or under your control, that you, within eight days after the service hereon on you, inclusive of the day of such service, do file in this Court an affidavit to that effect, and therein set forth what knowledge you have of and respecting the said paper.

(Seal.)


In Her Britannic Majesty's Consular Court at [Smyrna].

I, A.B., of , make oath and say, I knew and was well acquainted with C.D., late of , deceased, who died on the day of , 18 , at , for many years before and down to his death, and that during that time that I have frequently seen him write and sign his name, whereby I have become well acquainted with his handwriting and signature, and having now with care and attention inspected the paper writing hereto annexed, purporting to be the last will of the said C.D., beginning thus , ending thus , dated the day of , and signed thus, C.D., I say that I believe [the whole body and contents of the said will, together with] the signature C.D. thereto, to be of the handwriting of the said C.D., deceased.

A.B. Sworn at this day of , 18 , before me, E.F.}

25. Affidavit of Finding and Condition of Will.

In Her Britannic Majesty's Consular Court at [Smyrna].

I, A.B., of , make oath and say that I am the sole executor named in the paper writing hereto annexed, purporting to be the last will of E.F., late of , deceased (who died on the day of , 18 , at , and had at his death his fixed place of abode at , within the jurisdiction of this Court), the said will bearing date the day of , beginning thus , ending thus , and being signed thus, E.F., and that [here describe the finding of the will, and the various obliterations, interlineations, erasures, and alterations (if any), and the general condition of the will, and state any other matters requiring to be accounted for, and clearly trace the will from the possession of the deceased in his lifetime up to the time of the making of this affidavit]; and I lastly say that the same paper writing is now in all respects in the same condition as when found [or as the case may be].

A.B. Sworn at this day of , 18 , before me, I.J.}
26. Affidavit of Search.

In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of C.D., deceased.

I, A.B., of , make oath and say that I am the sole executor named in the paper writing hereto annexed, purporting to be the last will of C.D., late of , deceased (who died on the day of , 18 , at , and had at the time of his death his fixed place of abode at , within the jurisdiction of this Court), the said will beginning thus, ending thus, and being signed thus, “C.D.” And referring particularly to the fact that the blank spaces originally left in the said will for the insertion of the day and the month of the date thereof have never been supplied [or that the said will is without date, or as the case may be], I further say that I have made inquiry of [E.F., the solicitor of the said deceased], and that I have also made diligent and careful search in all places where the said deceased usually kept his papers of moment, in order to ascertain whether he had or had not left any other will, but that I have been unable to discover any other will. And I lastly say that I believe the deceased died without having left any will, codicil, or testamentary paper whatever other than the said will by me hereinbefore deposed to.

A.B.

Sworn at , this day of , 18 , before me, G.H.

This form of affidavit is to be used when it is shown by affidavit that neither the subscribing witnesses nor any other person can depose to the precise time of the execution of the will.

27. Notice to Prohibit Grant of Probate or Administration.

In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of A.B., deceased.

Let nothing be done in the matter of A.B., of , deceased, who died on the day of , 18 , and had at the time of his death his fixed place of abode at , within the jurisdiction of this Court, without warning being given to C.D., of [or to E.F., of ] the attorney of G.H., of Dated this day of , 18 .

(Signed) C.D., of [or E.F., of , the attorney of G.H., of ].

28. Warning to Person filing Notice to Prohibit Grant.

In Her Britannic Majesty's Consular Court at [Smyrna].

In the matter of A.B., late of , deceased.

To C.D., of [or to E.F., of , attorney of G.H., of ].

You are hereby warned, within 6 days after the service of this warning upon you, inclusive of the day of such service, to come to this Court, and file therein an affidavit setting forth your [or your client's] interest in this matter; and in default of your so doing this Court will proceed to all such acts and things as shall be needful to be done in this matter.

Note.—This warning is issued at the instance of R.S., of [here state what interest R.S. has, and if under a will or codicil, state its date].
29. List of Probates and Administrations.

In Her Britannic Majesty's Consular Court at [Smyrna].

The [1st] day of [August], 1863.

List of probates and administrations granted by this Court up to the 1st day of July, 1863, and not included in any previous list.

<table>
<thead>
<tr>
<th>Date of grant</th>
<th>Name in full of deceased</th>
<th>His or her business, profession, or other description</th>
<th>Place of his or her death</th>
<th>Time of his or her death</th>
<th>Notice and description of each executor or administrator taking probate or administration</th>
<th>Value of the personal property</th>
</tr>
</thead>
</table>

(Signed) X.Y.,
H.B.M. Consul at [Smyrna].

(Seal.)

30. Summons to Administrator or Executor for Summary Administration.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Saturday] the [ ] day of [ ], 18 .

In the matter of the property of A.B., late of , deceased.

Between C.D., . . . . . . Plaintiff,

and

E.F., . . . . . . Defendant.

To E.F., of the above-named defendant, executor of the above-named A.B.,

On the application of C.D., Esq., the above-named plaintiff, who claims to be a creditor of the said A.B.,

You are hereby commanded, in Her Majesty's name, to attend this Court at , on [ ] the [ ] day of [ ] at [ ] o'clock in the [ ] noon, and show cause, if you can, why an order for the administration of the property of the said A.B., under the direction of this Court, should not be granted.

(Seal.)

The following note is to be added to the original summons, and when the time is altered by indorsement, the indorsement is to be referred to as below:

NOTE.—If you do not attend either in person or by counsel or attorney at the time and place above-mentioned [or at the place above-mentioned at the time mentioned in the indorsement hereon], such order will be made and such proceedings taken as the Court may think just and expedient.

III.—Criminal.

31. Information to ground Search Warrant.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the [ ] day of , 18 .

C.D., of , labourer, being first duly sworn, complains that on the day of , the following goods and chattels of the value of namely:

[Here describe the goods and chattels.]
were stolen and unlawfully carried away from and out of , by some person or persons unknown, and that he has reasonable cause to suspect, and does suspect, that those goods and chattels or some of them are concealed in ; for he, the said C.D., on his oath, deposes and says that taken and sworn before me this day of , 18 , at .

32. Search Warrant for Stolen Goods.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18 .
To X.Y., police officer, and other officers of this Court.
C.D., of , [labourer], [being first duly sworn] charges that [&c., state the offence].

33. Charge.

In Her Britannic Majesty’s Consular Court at [Smyrna].

[Thursday], the day of , 18 .
To A.B., of , [labourer], [being first duly sworn] charges that [&c., stating shortly the offence charged].

34. Summons to Accused.

In Her Britannic Majesty’s Consular Court at [Smyrna].

[Thursday], the day of , 18 .
To A.B., of , [labourer].
You have this day been charged [on oath] before this Court for that you [&c., stating shortly the offence charged].
Therefore you are hereby commanded, in Her Majesty’s name, to appear before this Court on [Saturday next], the day of , at [10 o’clock in the forenoon] at [ ], to answer to the said charge, and to be further dealt with according to law.

35. Warrant in first instance for Apprehension of Accused.

In Her Britannic Majesty’s Consular Court at [Smyrna].

[Thursday], the day of , 18 .
To X.Y., police officer, and other officers of this Court.
A.B., of , [labourer], has this day been charged [on oath] before this Court for that he [&c., stating shortly the offence charged].
Therefore you are hereby commanded, in Her Majesty’s name, forthwith to apprehend the said A.B., and to bring him before this Court to answer to the said charge, and to be further dealt with according to law.

36. Warrant for Apprehension of Accused where Summons is disobeyed.

In Her Britannic Majesty’s Consular Court at [Smyrna].

[Thursday], the day of , 18 .
To X.Y., police officer, and other officers of this Court.
A.B., of , [labourer], was on the day of , 18 , charged [on oath] before this Court for that [&c., as in summons].
And the said A.B., was, by summons of this Court, commanded to appear before
TURKEY. 647

this Court on [ ] at [ ] at [ ], to answer to the said charge, and to be further dealt with according to law.

And (as it has now been proved to this Court) he was duly served with the said summons. But he has not appeared according to the said summons.

Therefore you are hereby commanded, in Her Majesty's name, forthwith to apprehend the said A.B., and to bring him before this Court to answer to the said charge, and to be further dealt with according to law.

(Seal.)

37. Summons of a Witness.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18 .

To E.F., of , [labourer], has been charged before this Court for that [&c., as in summons or warrant against the accused].

And it appears to this Court that you are likely to give material evidence concerning the said charge.

Therefore you are hereby commanded, in Her Majesty's name, to appear before this Court on [Saturday next] the [ ] day of [ ], 18[ ], at [10 o'clock in the forenoon], at [ ], to testify what you shall know concerning the said charge.

(Seal.)

38. Warrant where Witness has not obeyed Summons.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18 .

To X.Y., police officer, and other officers of this Court.

A.B., of , [labourer], has been charged before this Court for that [&c., as in summons].

And it appearing to the said Court that E.F., of , [labourer], is likely to give material evidence concerning the said charge, the said E.F. was by summons of this Court, commanded to appear before this Court on [ ] at [ ] at [ ], to testify what he should know concerning the said charge.

And (as it has now been proved to this Court) he was duly served with the said summons.

But he has not appeared according to the said summons, and has not excused his failure to do so to the satisfaction of this Court.

Therefore you are hereby commanded, in Her Majesty's name, to bring and have the said E.F. before this Court on [ ], at [10 o'clock in the forenoon] at [ ], to testify what he shall know concerning the said charge.

(Seal.)


In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18 .

To X.Y., police officer, and other officers of this Court.

A.B., of , [labourer], has been charged before this Court for that [&c., as in summons].

And it appears to this Court that E.F., of , [labourer], is likely to give material evidence concerning the said charge, and that it is probable he will not attend to give evidence unless compelled to do so.

Therefore you are hereby commanded, in Her Majesty's name, to bring and have the said E.F. before this Court on [Saturday next], the day of , 18[ ], at [10 o'clock in the forenoon] at [ ], to testify what he shall know concerning the said charge.

(Seal.)
40. Warrant of Commitment of Witness for refusing to be sworn or to give Evidence.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18 .

To X.Y., police officer of this Court, and to the keeper of [Her Britannic Majesty's Consular] prison at [ ].

A.B., of [labourer], has been charged before this Court for that [&c., as in summons].

And E.F., of [labourer], now being before this Court to testify what he knows concerning the said charge in pursuance of a summons [or warrant] issued by this Court, and being required refuses to take an oath [or having taken an oath, refuses to answer a certain question now put to him concerning the said charge], and does not excuse his refusal to the satisfaction of this Court.

Therefore you are hereby commanded, in Her Majesty's name, you, the above-named X.Y., to take the said E.F., and convey him safely to the above-named prison, and there deliver him to the keeper thereof, together with this warrant.

And you, the keeper of the said prison, to receive the said E.F. into your custody in the said prison, and to keep him there safely for [seven] days, unless he in the meantime consents to answer duly on oath.

(Seal.)

41. Warrant committing the Accused for safe custody during an adjournment of the hearing, or where the hearing is not at once proceeded with, or remanding him.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18 .

To X.Y., police officer of this Court, and to the keeper of [Her Britannic Majesty's Consular] prison at [ ].

A.B., of [labourer], has been charged before this Court for that [&c., as in summons].

And the hearing of the said charge is adjourned [or cannot be at once proceeded with], and it is necessary that the said A.B. should in the meantime be kept in safe custody.

Therefore you are hereby commanded, in Her Majesty's name, you, the above-named X.Y., forthwith to convey the said A.B. to the above-mentioned prison, and there deliver him to the keeper thereof, together with this warrant. And you, the keeper of the said prison, to receive the said A.B. into your custody in the said prison, and there safely keep him until the day of instant, and then to have him before this Court at [10 o'clock in the forenoon] of the same day at [ ] to answer further to the said charge, and to be further dealt with according to law.

[In cases for indictment substitute for the words between asterisks * * the following:—And it appears to this Court necessary to remand the said A.B.]

(Seal.)

42. Recognizance of Bail on adjournment of hearing, or where hearing is not at once proceeded with, or instead of remand on an adjournment of preliminary examination, or for surrender for trial.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18 .

Wc, A.B., of [labourer], L.M., of [grocer], and N.O., of [butcher], come personally before this Court, and severally acknowledge ourselves to owe to our Sovereign Lady the Queen the several sums following, namely, the said A.B., the sum of £ , and the said L.M. and N.O. the sum of £ each, to be levied on our several goods, if the said A.B. fails in the condition hereon indorsed.

A.B.
L.M.
N.O.  

(Seal.)
TURKEY.

Condition indorsed.

The condition of the within-written recognizance is as follows:

The within-bounden A.B. has been charged before this Court for that [\&c., as in summons].

If, therefore, the said A.B. appears * before this Court on [ ], at [ o'clock], at [ ], to answer [further] to the said charge, and to be [further] dealt with according to law;* then the said recognizance shall be void, and otherwise shall remain in full force.

[Where the recognizance is for surrender for trial, substitute for the words between asterisks * *, the following: ] before [ ], on [ ], at [ o'clock], at [ ], and then and there surrender himself into the custody of the keeper of the [ ] prison there, and plead to such indictment as may be preferred against him for the offence aforesaid, and take his trial thereon, and not depart from the Court without leave.

43. Notice of Recognizance to be given to Accused and each of his Sureties.

In Her Britannic Majesty's Consular Court at [Smyrna], [Thursday], the day of , 18 . To A.B., of , [labourer], L.M., of , [grocer], and N.O., of , [butcher].

You, A.B., are bound in the sum of , and your sureties, L.M. and N.O., in the sum of each, that you, A.B., appear before* this Court on the day of , at [ o'clock], at [ ], to answer [further] to the charge made against you by C.D., and to be [further] dealt with according to law;* and unless you, A.B., do so, the recognizance entered into by you, A.B., L.M., and N.O., will be forthwith levied on your respective goods.

[Where the recognizance is for surrender for trial, substitute for the words between asterisks * *, words corresponding to the terms of the condition.]

44. Summary Conviction for a penalty to be levied by Distress, and in default of sufficient Distress, Imprisonment; or for a Penalty, and in default of Payment, Imprisonment.

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18 . A.B., of , [labourer], is this day convicted before this Court for that [\&c., state the offence and time and place when and where committed].

And this Court adjudges the said A.B. for his said offence to forfeit and pay the sum of £ [state the penalty and also the compensation, if any], to be paid and applied according to , and also to pay to the said C.D. the sum of £ for his costs in this behalf.

And if the said sums be not paid forthwith [or on or before next], then * this Court orders that the same be levied by distress and sale of the goods of the said A.B.

And in default of sufficient distress,* this Court adjudges the said A.B. to be imprisoned in [Her Britannic Majesty's Consular] prison at [ ] [there to be kept to hard labour] for the space of [ ], unless the said sums and all costs and charges † of the said distress [and † of the commitment and conveyance of the said A.B. to the said prison] be sooner paid.

[Where the issuing of a distress warrant would be ruinous to the person convicted and his family, or it appears that he has no goods whereon a distress could be levied, then substitute for the words between the asterisks * the following: — ]

Inasmuch as it has now been made to appear to this Court that the issuing of a warrant of distress would be ruinous to the said A.B. and his family [or that the said A.B. has no goods whereon the said sums can be levied by distress].

[Where the conviction is for a penalty, and in default of payment, imprisonment, omit the words between the asterisks * *, and also the words between the marks † †.]
45. **Warrant of Distress upon Conviction, as that last-mentioned, or where the Person convicted is to pay Costs but no Penalty.**

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18 .

To X.Y., police officer of this Court.

A.B., of [labourer], stands convicted before this Court by a conviction dated the day of , for that [â€‹, as in conviction].

And it is in and by the said conviction adjudged that the said A.B. should,* for his said offence, forfeit and pay [â€‹, as in conviction], and should also* pay to the said C.D. the sum of for his costs in that behalf.

And that if the same should not be paid forthwith [or on or before the day of ], the same should be levied by distress and sale of the goods of the said A.B.

And the said A.B., although required to pay the same according to the said conviction, has not paid the same.

Therefore you are hereby commanded, in Her Majesty's name, that you forthwith make distress of the goods of the said A.B., and if within the space of days next after the making of such distress, the said sums, together with the reasonable charges of the making and keeping of the said distress be not paid, then that you sell the said goods by you distrained, and pay the money arising thereby into this Court, in order that it may be applied according to law, and that the overplus, if any, may be rendered on demand to the said A.B., and that if no such distress can be found, then you certify the same to this Court in order that further proceedings may be had according to law.

(Seal.)

[Where the person convicted is to pay costs, but no penalty, omit the words between asterisks * * , and for the word "sums" marked †, read "sum." ]

46. **Warrant (on a Conviction for a Penalty) for Commitment of the Person convicted in the first instance without previous Warrant of Distress.**

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18 .

To X.Y., police officer of this Court, and to the keeper of [ ] prison

A.B., of [labourer], stands convicted before this Court by a conviction dated the day of , for that [â€‹, as in conviction].

And it is in and by the said conviction adjudged that the said A.B. should, for his said offence, forfeit and pay [â€‹, as in conviction], and should also pay to the said C.D. the sum of for his costs in that behalf.

And that if the said sums should not be paid forthwith [or on or before the day of ], the said A.B. should be imprisoned in the above-mentioned prison [and be there kept to hard labour], unless the same [and the costs and charges of the conveying of the said A.B. to the said prison] should be sooner paid.

And the said A.B., being required to pay the said sums according to the said conviction has not done so.

Therefore you are hereby commanded, in Her Majesty's name, you, the above-named X.Y., to take the said A.B. and convey him to the said prison and there deliver him to the keeper thereof, together with this warrant; and you, the said keeper of the said prison to receive the said A.B. into your custody in the said prison, and there to imprison him [and keep him to hard labour] for the space of [ ], unless the said several sums [and the costs and charges of the conveying of him to the said prison, amounting to the further sum of £ ] be sooner paid.

(Seal.)

47. **Officer's Return, if no sufficient Distress, to be indorsed on Warrant.**

In Her Britannic Majesty's Consular Court at [Smyrna].

[Thursday], the day of , 18 .

I, X.Y., of , police officer of this Court, do hereby certify to this Court
that, by virtue of the within-written warrant, I have made diligent search for the goods of the within-named A.B., and that I can find no sufficient goods of the said A.B. whereon the sums within-mentioned can be levied.

X.Y.

48. Warrant of Commitment for Want of Distress.

In Her Britannic Majesty's Consular Court at Smyrna.

[Thursday], the day of , 18 .

To X.Y., police officer of this Court, and to the keeper of [ ] prison at [ ].

[Proceed as in warrant of distress (Form 52) down to the commencement of the commanding part, and then thus:—]

And on the day of , 18 , this Court issued a warrant to the above-named X.Y., commanding you to levy the said sum of £ , and £ , [or the said sum of £ for costs] by distress and sale of the goods of the said A.B.

And it now appears to this Court, as well by the return of you, the said X.Y., to the said warrant as otherwise, that you have made diligent search for the goods of the said A.B., but that no sufficient distress whereon the said sums could be levied could be found.

Therefore you are hereby commanded, in Her Majesty's name, you the said X.Y., to take the said A.B., and convey him safely to the above-mentioned prison, and there deliver him to the keeper thereof, together with this warrant, and you the said keeper of the said prison, to receive the said A.B. into your custody in the said prison, and there to imprison him [and keep him to hard labour] for the space of [ ], unless the said sums [or sum] and all the costs and charges of the said distress [and of the commitment and conveying to the said prison of the said A.B.] amounting to the further sum of be sooner paid.

(Seal.)

49. Summary Conviction where the Punishment is Imprisonment and no Penalty.

In Her Britannic Majesty's Consular Court at Smyrna.

[Thursday], the day of , 18 .

A.B., of [labourer], is this day convicted before this Court for that [ &c., state the offence and the time and place when and where committed].

And this Court adjudges the said A.B., for his said offence to be imprisoned in [Her Majesty's Consular] prison at [ ], there to be kept to hard labour for the space of [ ].

And this Court also adjudges the said A.B. to pay to the said C.D. the sum of for his costs in this behalf.

And if the same be not paid forthwith [or on or before next] then * this Court orders that the same be levied by distress and sale of the goods of the said A.B.

And in default of sufficient distress * this Court adjudges the said A.B. to be imprisoned in the said prison [to be there kept to hard labour] for the space of [ ] to commence at and from the termination of his imprisonment aforesaid, unless the said sum for costs be sooner paid.

(Seal.)

[Where the issuing of a distress warrant would be ruinous to the person convicted and his family, or it appears that he has no goods whereon a distress could be levied, then substitute for the words between the asterisks * * the following:—]

Inasmuch as it has now been made to appear to this Court that the issuing of a warrant of distress in this behalf would be ruinous to the said A.B. and his family [or that the said A.B. has no goods whereon the said sum could be levied by distress.]

50. Warrant of Commitment on a Conviction as that last-mentioned.

In Her Britannic Majesty's Consular Court at Smyrna.

[Thursday], the day of , 18 .

To X.Y., police officer of this Court, and to the keeper of [ ] prison at [ ].

(Seal.)
A.B., [labourer], stands convicted before this Court by a conviction dated the day of [ ], for that [&, as in conviction].

And it is in and by the said conviction adjudged that the said A.B. for his said offence should be imprisoned in the [ ] prison at [ ], and there be kept to hard labour for the space of [ ].

Therefore you are hereby commanded, in Her Majesty's name, you, the above-named X.Y., to receive the said A.B., and convey him to the said prison, and there deliver him to the keeper thereof, together with this warrant; and you, the said keeper of the said prison, to receive the said A.B. into your custody in the said prison, and there to imprison him [and keep him to hard labour] for the space of [ ].

(Seal.)

51. Order of Dismissal of Charge.

In Her Britannic Majesty's Consular Court at Smyrna.

[Thursday], the day of , 18 .

A.B., [labourer], was on day of , 18 , charged before this Court for that [&, as in summons or warrant].

And now both the said parties appear before this Court in order that it may hear and determine the said charge [or the said A.B. appears before this Court, but the said C.D., although duly called, does not appear].

Whereupon, the matter of the said charge being by this Court duly considered, it manifestly appears to this Court that the said charge is not proved, and this Court dismisses the same.

And adjudges that the said C.D. do pay to the said A.B. the sum of £ for his costs in this behalf, and if the same be not paid forthwith [or on or before ] this Court orders that the same be levied by distress and sale of the goods of the said C.D., and in default of sufficient distress, this Court adjudges the said C.D. to be imprisoned in [ ] prison at [ ], [and there be kept to hard labour], unless the same sum and all costs and charges of the said distress [and of the commitment and conveying to the said prison of the said C.D.] be sooner paid.

(Seal.)

[Where the person making the charge does not appear at the hearing the words between asterisks * * may be omitted.]

52. Certificate of Dismissal of Charge to be given to Accused.

In Her Britannic Majesty's Consular Court at Smyrna.

[Thursday], the day of , 18 .

This is to certify that a charge made on the day of [ ], by C.D., [labourer], against A.B., [labourer], for that [&, as in summons or warrant] is now considered by this Court, and is by this Court dismissed [with costs].

(Seal.)

53. Warrant of Distress for Costs to be paid by the Person making the Charge on an Order for the Dismissal of the Charge.

In Her Britannic Majesty's Consular Court at Smyrna.

[Thursday], the day of , 18 .

To X.Y., police officer of this Court.

A.B., [labourer], was on the day of , 18 , charged before this Court for that [&, as in summons or warrant].

And afterwards, namely, on the day of , 18 , both parties appeared before this Court in order that it should hear and determine the said charge [or the said A.B. appeared before this Court, but the said C.D., although duly called, did not appear], and thereupon the matter of the said charge being duly considered by this Court,* and it manifestly appearing to this Court that the said charge was not proved, this Court did dismiss the same, and adjudged that the said C.D. should pay to the said A.B. the sum of £ sterling for his costs in that behalf, and that if the said sum should not be paid forthwith [or on or before ], then the same should be levied by distress and sale of the goods of the said C.D.
TURKEY.

And the said C.D., although required to pay the same according to the said order, has not paid the same.

Therefore you are hereby commanded—

[Proceed as in the commanding part of the Form of warrant of distress upon conviction, where the person convicted is to pay costs, but no penalty, only substituting the name of C.D., the prosecutor, for the name of A.B., the accused, and for the word “sums” at the mark read “sum.”]

(Seal.)

54. Warrant of Commitment for Want of Distress in the last Case.

In Her Britannic Majesty’s Consular Court at [Smyrna].

[Thursday], the day of , 18 .

To X.Y., police officer of this Court, and to the keeper of [ ] prison at [ ]

[Proceed as in last form down to the commencement of the commanding part, and then thus:—]

And on the day of , 18 , this Court issued a warrant to you, the above-named X.Y. [proceed as in Form 53, only substituting the name of C.D., the prosecutor, for the name of A.B., the accused].

(Seal.)

55. Depositions of Witnesses on Preliminary Examination before Indictment.

In Her Britannic Majesty’s Consular Court at [Smyrna].

[Thursday], the day of , 18 .

A.B., of , [labourer], stands charged before this Court for that he [&c., as in summons].

And in the presence and hearing of the said A.B., C.D., of , [labourer], and E.F., of , [labourer], deposite on oath as follows:

First, the said C.D. says as follows:—[state the deposition of the witness as nearly as possible in the very words he uses. When his deposition is complete let him sign it.]

Secondly, the said E.F. says as follows:—[state his deposition in same manner.]

(Seal.)

56. Statement of the Accused on Preliminary Examination.

In Her Britannic Majesty’s Consular Court at [Smyrna].

[Thursday], the day of , 18 .

A.B., of , [labourer], stands charged before this Court for that [&c., as in summons].

And the said charge having been read to the said A.B., and C.D. and E.F., witnesses for the prosecution, having been severally examined in his presence and hearing, and their respective depositions having been read over to the said A.B., these words are now said to the said A.B. by this Court, namely—

“Having heard the evidence, do you wish to say anything in answer to the charge? You need not say anything unless you wish. You have nothing to hope from any promise of favour, and nothing to fear from any threat, held out to you to induce you to make any admission or confession; whatever you say will be written down and may be given in evidence against you.

Whereupon the said A.B. says as follows: [state whatever the accused says, and as nearly as possible in the very words he uses. Get him to sign the statement if he will.]

A.B.

(Seal.)

57. Recognizance to Prosecute or give Evidence.

In Her Britannic Majesty’s Consular Court at [Smyrna].

[Thursday], the day of , 18 .

C.D., of , [labourer], comes personally before this Court, and ackno-
ledges himself to owe to Our Sovereign Lady the Queen the sum of £
sterling to be levied on his goods if he fails in the condition herein indorsed.
(Signed) C.D.
(Seal.)

Condition indorsed.
The condition of the within-written recognizance is as follows:—
A.B., of , [labourer], has been charged before this Court for that
 [&c., as in summons].
If, therefore, the within-named C.D. appears before this Court on [ ]
at [ ],* and then and there prefers an indictment against the said A.B.
for the said offence, and duly prosecutes the same [and gives evidence thereon],
then the said recognizance shall be void, and otherwise shall remain in full force.

[Where the recognizance is only to give evidence, substitute for the words be-
tween the asterisks * * the following: — ] and then and there gives evidence on an
indictment, to be then and there preferred against the said A.B. for the said offence.

58. Notice of Recognizance to be given to Prosecutor and each of his Witnesses.
In Her Britannic Majesty's Consular Court at [Smyrna].
[Thursday], the day of , 18 .
To C.D., of , [labourer].
You are bound in the sum of £ sterling to appear before this Court on [ ]
at [ ],* and then and there to prosecute and give evidence against [or to
prosecute or to give evidence against] A.B., of , [labourer], and unless
you do so the recognizance entered into by you will be forthwith levied on your
goods. (Seal.)

59. Commitment of Witness for refusing to enter into Recognizance.
In Her Britannic Majesty's Consular Court at [Smyrna].
[Thursday], the day of , 18 .
To X.Y., police officer of this Court, and to the keeper of [Her Britannic Majesty's
Consular] prison at [ ].
A.B., of , [labourer], has been charged before this Court for that
 [&c., as in summons].
And E.F., of , [labourer], having been now examined before this
Court concerning the said charge, and being required, refuses to enter into a recogn-
izance to give evidence against the said A.B.
Therefore you are hereby commanded in Her Majesty's name, you the above-
named X.Y., to take the said E.F., and convey him safely to the above-named prison,
and there deliver him to the keeper thereof, together with this warrant,—
And you, the keeper of the said prison, to receive the said E.F. into your custody
in the said prison, and to keep him there safely until after the trial of the said A.B.
for the said offence, unless the said E.F. in the meantime consents to enter into such
recognizance as aforesaid.
(Seal.)

60. Warrant of Commitment of Accused for Trial.
In Her Britannic Majesty's Consular Court at [Smyrna].
[Thursday], the day of , 18 .
To X.Y., police officer of this Court, and to the keeper of [Her Britannic Majesty's
Consular] prison at [ ].
A.B. stands charged before this Court on the oath of C.D., of
[labourer], and others for that [&c., as in summons].
Therefore you are hereby commanded in Her Majesty's name, you, the above-
mentioned X.Y., to convey the said A.B. to the above-mentioned prison, and there
to deliver him to the keeper thereof, together with this warrant, and you the said
keeper of the said prison to receive the said A.B. into your custody in the said
prison, and there safely keep him till he shall be thence delivered by due course of
law.
(Seal.)
THE THIRD SCHEDULE.

Fees.

[Repealed by Schedule annexed to Order in Council of October 26, 1875.]

BRITISH ORDER IN COUNCIL, amending Article XIV of the Order of 12th December, 1873, for the regulation of Consular Jurisdiction in the Ottoman Dominions. Windsor, July 7, 1874.

At the Court at Windsor, the 7th day of July, 1874.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS Her Majesty the Queen has power and jurisdiction within the dominions of the Sublime Ottoman Porte:

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Acts or otherwise in Her vested, is pleased, and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. So much of Article XIV of the Order of Her Majesty in Council, dated the 12th day of December, 1873, regulating the exercise of Her Majesty's power and jurisdiction within the dominions of the Sublime Ottoman Porte, is hereby revoked as provides to the effect that Her Majesty's Legal Vice-Consul resident in Egypt for the time being shall be the judge of the Court for Egypt, and he shall be appointed to the office of judge by Her Majesty, by a separate warrant under Her Royal sign-manual.

2. Her Majesty's Consul at Alexandria for the time being shall be judge of Her Britannic Majesty's Chief Consular Court for Egypt, and that he shall be appointed to the office of judge by Her Majesty, by a separate warrant under Her Royal sign-manual.

3. The said Order in Council of the 12th day of December, 1873, shall be read and have effect as if therein, for so much of Article XIV of that Order as is revoked by this Order, there were substituted Article II of this Order; and this Order shall be read as part of that Order.

And the Right Honourable the Earl of Derby, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein.

ARTHUR HELPS.
BRITISH ORDER IN COUNCIL, for the regulation of Hospital Dues levied on British Shipping in the Ottoman Dominions. Windsor, May 13, 1875.

At the Court at Windsor, the 13th day of May, 1875.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS Her Majesty the Queen has power and jurisdiction within the dominions of the Sublime Ottoman Porte:

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by the Foreign Jurisdiction Acts or otherwise in Her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. This Order shall commence and have effect from and immediately after the expiration of 30 days from the date of its publication in the “London Gazette.”

2. Every Order in Council relating to the matters comprised in this Order is hereby repealed; but this repeal shall not affect any liability accrued under any such Order, or interfere with the institution or prosecution of any proceeding in respect of any such liability.

3. In this Order
   “The Ottoman Dominions” means the dominions of the Sublime Ottoman Porte.
   “Consul” includes Consul-General and Vice-Consul.
   “British merchant ship” means a merchant ship being a British ship within “The Merchant Shipping Act, 1854,” and the Acts amending the same.

4. Her Majesty’s Consuls in the Ottoman dominions may levy on British merchant ships entering ports in their respective Consulates, dues not exceeding the rate of two-pence a ton.

5. The produce of the dues levied under this Order shall be applied towards the establishment, maintenance, and support, in the Ottoman dominions, of British hospitals; and the dues shall be called hospital dues.

One of Her Majesty’s Principal Secretaries of State may, from time to time, by writing under his hand, issue such instructions as to him seem fit, for the following purposes, or any of them; and may from time to time revoke or alter the same (that is to say)—

For fixing (within the limit of two-pence a ton) the rate per ton at which dues are to be levied under this Order at any port:

For exempting any ship in respect whereof, within any
defined period, dues have once been paid, from any further payment thereof:

For regulating the application of the produce of the dues:

For limiting the extent to which any Consul shall exercise jurisdiction over British subjects in the Ottoman dominions in any matter relating to the dues.

And the Right Honourable the Earl of Derby, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

---

BRITISH ORDER IN COUNCIL, amending the Table of Fees leviable under the Order of December 12, 1873, for the regulation of Consular Jurisdiction in the Ottoman Dominions. Balmoral, October 26, 1875.

At the Court at Balmoral, the 26th day of October, 1875.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS Her Majesty the Queen, having power and jurisdiction within the dominions of the Sublime Ottoman Porte, by an Order of Her Majesty in Council, made at Windsor, the 12th day of December, 1873* was pleased to make provision for regulation of the power and jurisdiction aforesaid, the Third Schedule to which Order contained a table of fees to be paid in Her Majesty's Consular Courts, and it has seemed good to Her Majesty that those fees should in some particulars be altered:

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf, by the Foreign Jurisdiction Acts, or otherwise, in her vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

1. The Order in Council made at Windsor the 12th day of December, 1873, for the regulation of Consular jurisdiction in the dominions of the Sublime Ottoman Porte, shall, from and after the commencement of this Order, be read and have effect as if for the Third Schedule to that Order there were substituted the Schedule to this Order.

2. Notwithstanding anything in the said Order, where any money received before the commencement of this Order, in respect of fees under the said Third Schedule is in excess of the amount that would be payable in the like case under this Order, the same may be remitted or repaid, in whole or in part, or be otherwise dealt with, as the Commissioners of Her Majesty's Treasury think fit.

* See Page 557.
3. This Order shall commence and have effect from and immediately after the 31st day of December, 1875.

And the Lords Commissioners of Her Majesty's Treasury, and the Right Honourable the Earl of Derby, and the Right Honourable the Earl of Carnarvon, and the Most Honourable the Marquis of Salisbury, three of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.

EDMUND HARRISON.

THE SCHEDULE.

FEES.

<table>
<thead>
<tr>
<th>Service</th>
<th>£ s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>For service of summons, petition, motion-paper, notice, warrant, decree, order, or other document (except an answer) on a party, witness, juror, assessor, or other person under any branch whatever of the civil jurisdiction—</td>
<td></td>
</tr>
<tr>
<td>Within one mile (English) of Court.</td>
<td>0 2 6</td>
</tr>
<tr>
<td>Beyond, for every further complete mile</td>
<td>0 1 0</td>
</tr>
</tbody>
</table>

Decision of Questions without formal Suit.

| On summons for issue or special case                               | 1 0 0   |
| On issue or special case                                            | 0 10 0  |
| On hearing                                                          | 1 0 0   |

Summary Procedure for Administration of Property of Deceased Persons.

| On summons                                                          | 1 0 0   |
| On order                                                            |         |

Summary Orders before Suit.

| On application for order                                           | 0 10 0  |
| On recognizance                                                    | 0 10 0  |
| On order                                                           | 0 5 0   |

Bankruptcy and Liquidation by Arrangement or Composition.

| On declaration by a debtor of inability to pay his debts           | 0 5 0   |
| On debtor's summons                                               | 0 5 0   |
| On bankruptcy petition                                            | 5 0 0   |
| On petition for arrangement or composition                         | 1 0 0   |
| On order for adjudication                                         | 1 0 0   |
| On meeting or adjournment of meeting                               | 1 0 0   |

On special resolution presented to the registrar for registration

On extraordinary resolution presented to the registrar for registration

\[
\text{per cent. on the gross amount of the assets, not exceeding a total fee of 200l.}
\]

\[
\text{per cent. on the gross amount of composition, not exceeding a total fee of 200l.}
\]
On order of discharge
On notice to creditors, each
On preparing advertisement
On execution of warrant
On keeping possession, per diem
On inventory, per diem

Maritime Cases and Vice-Admiralty Causes.

On application for commission of survey
On appointment of commission
To each surveyor—
(a.) At Constantinople—
For a vessel in the port, extending from the second bridge (immediately below the arsenal) to Tophane on the one side, and Seraglio Point on the other
For a vessel in the upper harbour, extending from the second bridge upwards towards Haskioi; or between Tophane and Bujukdere on the one side, and Kadakioi and Beicos on the other
For a vessel between Bujukdere on the one side, and Beicos on the other, and the Black Sea entrance of the Bosphorus; or between the Seven Towers and St. Stefano (inclusive), or Kadakioi and Prince's Island (inclusive)
For a vessel beyond these limits, when the time occupied exceeds one day
(b.) At a Provincial Consulate—
For a vessel within two miles (English) of the Court
For a vessel beyond that distance
For extension of report of survey and copies
On petition for appointment of adjusters
To each adjuster
On extending average bond
To agent of owners of cargo
On every notice, motion, application, or demand
On a reference to the Registrar
If the attendance of one or two merchants is required, to each merchant, per diem
In cases of great intricacy and large amount—
To the Registrar and to each merchant, per diem
On drawing the Report and Schedule
If at the hearing the attendance of one or two naval assessors is required, to each assessor, per diem, such sum as the Court directs, not exceeding

Probate and Administration.

On application for probate or administration
On oath of every executor, administrator, and surety
On every security
On probate or letters of administration with will annexed

On letters of administration without will annexed

Where the Court appoints as administrator an officer of the Court

On filing account

On passing account

Ordinary Suits.

In every suit of any kind whatever, other than such as are before specified—

<table>
<thead>
<tr>
<th>Where amount involved is—</th>
<th>£ s. d.</th>
<th>£ s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under 10l.</td>
<td>0 2 6</td>
<td>0 2 6</td>
</tr>
<tr>
<td>10l. and under 20l.</td>
<td>0 2 6</td>
<td>0 2 6</td>
</tr>
<tr>
<td>20l. and under 50l.</td>
<td>0 7 6</td>
<td>0 7 6</td>
</tr>
<tr>
<td>50l. or upwards.</td>
<td>½ per cent. on amount involved, not exceeding a total fee of 25l.</td>
<td>½ per cent. on amount involved, not exceeding a total fee of 25l.</td>
</tr>
</tbody>
</table>

Where judicial relief or assistance is sought, but not the recovery of money

On every summons, motion, application, or demand, taken out, made, or filed (not particularly charged)

On every rule

On every decree or order (not particularly charged)

On motion for new trial after trial with a jury

On order for adjournment of hearing rendered necessary by default of either party (to be paid by that party)

On every warrant of execution against goods (Rule 120)—

For less than 50l.

For 50l. or upwards

For keeping possession, per diem

Appeal to Supreme Consular Court.

On motion for leave to appeal

On every security

On order for leave to appeal

The like sum as is for the time being payable in England for stamp duty in like cases, not exceeding a total fee of 100l.

The like sum as is for the time being payable in England for stamp duty in like cases, not exceeding a total fee of 150l.

In addition to the foregoing, one per cent. on the value of the estate and effects, not exceeding (with the foregoing) a total fee of 200l.

£ s. d.

0 10 0

1 0 0
On appeal against adjudication of bankruptcy 5 0 0 2 0 0
On appeal against allowance, suspension, or refusal of order of discharge in bankruptcy 5 0 0 2 0 0
On appeal where judicial relief or assistance is sought, but not the recovery of money 2 0 0 2 0 0
On any appeal other than such as are before specified ¼ per cent. on amount involved, not exceeding a total fee of 25l.

**Appeal to Her Majesty in Council.**

<table>
<thead>
<tr>
<th>Description</th>
<th>£ s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>On motion for leave to appeal</td>
<td>2 0 0</td>
</tr>
<tr>
<td>On every security</td>
<td>2 0 0</td>
</tr>
<tr>
<td>On order for leave to appeal</td>
<td>5 0 0</td>
</tr>
<tr>
<td>On record of appeal (including expense of transmission)</td>
<td>Such sum as the Court directs.</td>
</tr>
</tbody>
</table>

**Miscellaneous.**

<table>
<thead>
<tr>
<th>Description</th>
<th>£ s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>On taxation of any bill of costs, for every ten folios, from each party to the taxation</td>
<td>0 5 0</td>
</tr>
<tr>
<td>On every deposition taken before trial</td>
<td>0 10 0</td>
</tr>
<tr>
<td>On deposit of money other than money paid into Court in a suit</td>
<td>2½ p. ct. on amount.</td>
</tr>
<tr>
<td>On deposit or registration of bill of sale, will, deed of partnership, or other document</td>
<td>1 0 0</td>
</tr>
<tr>
<td>On notice of bill of sale filed</td>
<td>1 0 0</td>
</tr>
<tr>
<td>For taking inventory, per diem</td>
<td>1 0 0</td>
</tr>
<tr>
<td>For protest of a bill of exchange, and copy</td>
<td>0 5 0</td>
</tr>
<tr>
<td>For noting same</td>
<td>0 5 0</td>
</tr>
<tr>
<td>For taking an affidavit</td>
<td>0 2 0</td>
</tr>
<tr>
<td>For every exhibit</td>
<td>Such sum as the Court directs.</td>
</tr>
<tr>
<td>For drawing a will</td>
<td></td>
</tr>
<tr>
<td>For filing any document whatever</td>
<td>0 5 0</td>
</tr>
<tr>
<td>For certifying signature or seal</td>
<td>0 2 0</td>
</tr>
<tr>
<td>For attendance at a sale—</td>
<td></td>
</tr>
<tr>
<td>Where the purchase-money is under 100l.</td>
<td>1 10 0</td>
</tr>
<tr>
<td>Where 100l. or upwards</td>
<td>2 per ct. on amount.</td>
</tr>
<tr>
<td>On reference to the archives</td>
<td>0 2 6</td>
</tr>
<tr>
<td>For certified copy of document in the archives—</td>
<td>0 2 6</td>
</tr>
<tr>
<td>For first 100 words</td>
<td>0 1 0</td>
</tr>
<tr>
<td>For every further 100 words</td>
<td></td>
</tr>
<tr>
<td>For preparing contracts between travellers and Dragomans or other persons</td>
<td>0 10 0</td>
</tr>
<tr>
<td>For certified copy of such documents—</td>
<td></td>
</tr>
<tr>
<td>For first 100 words</td>
<td>0 2 6</td>
</tr>
<tr>
<td>For every further 100 words</td>
<td>0 1 0</td>
</tr>
<tr>
<td>For an official certified translation of any document—</td>
<td></td>
</tr>
<tr>
<td>For first 200 words</td>
<td>0 10 0</td>
</tr>
<tr>
<td>For every further 200 words</td>
<td>0 5 0</td>
</tr>
<tr>
<td>For communication between two Consular Courts</td>
<td>0 10 0</td>
</tr>
<tr>
<td>For communication in writing to a foreign Consulate, or through Dragoman, to local Ottoman authority</td>
<td>0 10 0</td>
</tr>
<tr>
<td>For application for Vizirial letter</td>
<td>0 10 0</td>
</tr>
<tr>
<td>For despatch to accompany same</td>
<td>0 10 0</td>
</tr>
</tbody>
</table>
CONSTITUTION of the Ottoman Empire; so far as relates to the conclusion of Treaties; the declaration of War; and Religion. The 7th Zilhijde, 1293 (December 11, 1876).

Among the Sovereign rights of His Majesty the Sultan, are the following prerogatives:

Treaties. Declaration of War.

ART. VII. He concludes Treaties with the Powers; he declares war and makes peace.

Religion.

ART. XI. Islamism is the State Religion.

But, while maintaining this principle, the State will protect the free exercise of all faiths professed in the Empire, and uphold the religious principles granted to various bodies, on condition of public order and morality not being interfered with.

ART. XVII. All Ottomans are equal in the eye of the law. They have the same rights and owe the same duties towards their country, without prejudice to religion.
BRITISH ORDER IN COUNCIL, making provision for the exercise of Power and Jurisdiction by Her Majesty in and over the Island of Cyprus. Balmoral, September 14, 1878.

At the Court at Balmoral, the 14th day of September, 1878.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY.

His Royal Highness Prince Leopold, Marquis of Lorne, Mr. Secretary Cross, Sir Thomas Myddelton-Biddulph.

WHEREAS it is expedient to make provision for the exercise of the power and jurisdiction vested by Treaty in Her Majesty the Queen in and over the Island of Cyprus:

Now, therefore, Her Majesty, by virtue of the powers in this behalf by the "Foreign Jurisdiction Acts, 1843 to 1878," or otherwise in her vested, is pleased by and with the advice of Her Privy Council to order, and it is ordered, as follows:

1. There shall be a High Commissioner and Commander-in-Chief (hereinafter called "the High Commissioner") in and over the said island of Cyprus (hereinafter called the "said Island"), and the person who shall fill the said office of High Commissioner shall be from time to time appointed by Commission under Her Majesty's sign-manual and signet.

2. The High Commissioner shall administer the government of the said island in the name and on behalf of Her Majesty, and shall do and execute in due manner all things that shall belong to his said command and to the trust thereby reposed in him, according to the several powers and authorities granted or appointed to him by virtue of this Order, and of such Commission as may be issued to him under Her Majesty's sign-manual and signet, and according to such instructions as may from time to time be given to him, under Her Majesty's sign-manual and signet, or by Order of Her Majesty in Council, or by Her Majesty through one of Her Principal Secretaries of State, and according to such Laws and Ordinances as are or shall hereafter be in force in the said island.

3. The High Commissioner shall have an official seal bearing the style of his office, and such device as one of Her Majesty's Principal Secretaries of State from time to time approves, and such seal shall be deemed the public seal of the said island, and may be kept and used by the High Commissioner for the sealing of all things whatsoever that shall pass the seal of the said island. And until a public seal shall be provided for the said island, the seal of the High Commissioner may be used as the public seal of the said island for sealing all things that shall pass the said seal.

4. There shall be in the said island a Legislative Council, constituted as hereinafter mentioned.
5. It shall be lawful for the High Commissioner, with the advice of the said Legislative Council, to make all such Laws and Ordinances, as may from time to time be necessary for the peace, order, and good government of the said island, subject, nevertheless to all such instructions as Her Majesty may from time to time issue under her sign-manual and signet for the guidance of the High Commissioner and of the said Legislative Council therein: Provided, nevertheless, that full authority is hereby reserved to Her Majesty, through one of Her Principal Secretaries of State, to confirm or disallow any such laws and ordinances as aforesaid in the whole or in part, and to make and establish from time to time, with the advice of Her Privy Council, all such laws or ordinances as may to her appear necessary for the peace, order, and good government of the said island as fully as if this Order has not been made.

6. The Legislative Council for the said island shall consist of the High Commissioner for the time being, and of such other public officers and persons within the same, not being less than 4 or more than 8 in number, as shall be named or designated for that purpose by Her Majesty, by any instruction or instructions, or warrant or warrants, to be by her for that purpose issued under her sign-manual and signet; or shall be provisionally appointed, subject to Her Majesty's will and pleasure, by the High Commissioner, in pursuance of any instruction or instructions, warrant or warrants, under such sign-manual as aforesaid: Provided always that one-half of the members of the said Council, other than the said High Commissioner, shall be persons holding public offices in the said island, who shall be styled "official members," and the other half shall be inhabitants of the said island, who shall be styled "unofficial members," and shall hold their seats at the said Council for a period of two years only, subject to re-appointment for a like period as from time to time may seem fit.

7. In case any member of the said Council shall be temporarily absent from the said island, or incapable of acting in the exercise of his office, or in case he shall die, or from any cause shall cease to be a member of the said Council, it shall be lawful for the High Commissioner by any instrument under the seal of the island to appoint provisionally any fit person to be an official or unofficial councillor (as the case may be) in the place of such member; and in all cases where such provisional appointment shall be made by reason of the temporary absence or incapacity of such member, so soon as he shall return to the said island, or shall be declared by the High Commissioner capable of exercising his office of legislative councillor, the person so provisionally appointed shall cease to be a member of the said Council. Every such provisional appointment may
be disallowed by Her Majesty, through one of her Principal Secretaries of State, or may be revoked by the High Commissioner, by such instrument as aforesaid.

8. Every legislative councillor shall, notwithstanding anything hereinbefore contained, hold office during Her Majesty's pleasure, and whenever a councillor shall from any cause cease to hold office, the said Council may continue to transact business, and its proceedings shall be valid, notwithstanding that the proportion between the official and unofficial members may be temporarily altered, pending the appointment, provisionally or otherwise, of a new member in the place of the councillor ceasing to hold office as aforesaid.

9. The official members of the Council shall take precedence of the unofficial members, and shall take rank among themselves in the order of precedence of their respective public offices, or, in case of any doubt, as the High Commissioner shall direct. The unofficial members shall take rank according to the date of their appointment, or if appointed by the same instrument, according to the order in which they are named therein, unless the High Commissioner shall, in any case, otherwise direct.

10. The High Commissioner, or in his absence any member of the Council appointed by him in writing, or in default of such appointment the member present who shall stand first in order of precedence, shall preside at every meeting of the said Council. All questions brought before the Council shall be decided by the majority of the votes given, and the High Commissioner or Presiding Member shall have an original vote on all such questions, and also a casting vote if the votes shall be equally divided.

11. Until otherwise provided by the Council no business (except that of adjournment) shall be transacted, unless there shall be present 3 members of Council besides the High Commissioner or presiding member.

12. The Council shall in the transaction of business and passing of laws conform as nearly as may be to such instructions under Her Majesty's sign-manual and signet, as may hereafter be addressed to the High Commissioner in that behalf.

13. Subject to such instructions the Council may make standing rules and orders for the regulation of their own proceedings.

14. If any councillor shall become bankrupt or insolvent, or shall be convicted of any criminal offence, or shall absent himself from the said island for more than 3 months without leave from the High Commissioner, the High Commissioner may declare in writing that his seat at the Council is vacant, and immediately on the publication of such declaration, he shall cease to be a member of the Council.
15. The High Commissioner may by writing under his hand and seal suspend any councillor from the exercise of his office, proceeding therein in such manner as may from time to time be enjoined by such instructions under Her Majesty's sign-manual and signet as may be addressed to the High Commissioner in that behalf.

16. Any unofficial councillor may resign his office by writing under his hand, but no such resignation shall take effect until it be accepted in writing by the High Commissioner, or by Her Majesty through one of her Principal Secretaries of State.

17. No law or ordinance made by the High Commissioner with the advice of the said Legislative Council shall take effect until the High Commissioner shall have assented thereto in the name of Her Majesty and on her behalf, and shall have signed the same in token of such assent.

18. Notwithstanding anything in this Order contained, it shall be lawful for the High Commissioner, in cases of emergency, to make and proclaim, from time to time, ordinances for the peace, order, and good government of the said island, subject, however, to the disallowance of the whole or any part thereof by Her Majesty through one of her Principal Secretaries of State; and every such ordinance shall have like force of law with an ordinance made by the High Commissioner with the advice of the said Legislative Council as by this Order provided, for the space of not more than 6 months from its promulgation, unless the disallowance of such ordinance by Her Majesty shall be earlier signified to the High Commissioner by one of Her Majesty's Principal Secretaries of State, or unless such ordinance shall be controlled or superseded by a law or ordinance made by the High Commissioner with the advice of the said Legislative Council.

19. Any law or ordinance, or any part thereof, made by the High Commissioner, with the advice of the said Legislative Council, or of his own authority by Proclamation as aforesaid, which shall be disallowed by Her Majesty under the provisions hereinbefore contained, shall cease to be of any force or effect as soon as the disallowance thereof shall be published in the said island by the High Commissioner.

20. The High Commissioner may make and execute in Her Majesty's name and on her behalf, under the public seal of the said island, grants and dispositions of any lands which may be lawfully granted or disposed of by Her Majesty within the said island.

21. The High Commissioner may constitute and appoint all judges, justices of the peace, and other necessary officers in the said island as may lawfully be appointed by Her Majesty, all of whom shall hold their offices during Her Majesty's pleasure.
22. The High Commissioner may, as he shall see occasion, in Her Majesty's name and on her behalf, grant to any offender convicted of any crime in any court, or before any judge, justice, or magistrate within the said island, a free and unconditional pardon, or a pardon subject to such conditions as may at any time be lawfully thereto annexed, or any respite of the execution of the sentence of any such offender for such period as to him may seem fit.

23. The High Commissioner may, as he shall see occasion, in Her Majesty's name and on her behalf, remit any fines, penalties, or forfeitures which may accrue or become payable to her, provided the same do not exceed the sum of 50l. sterling in any one case, and may suspend the payment of any such fine, penalty, or forfeiture exceeding the said sum of 50l., until Her Majesty's pleasure thereon shall be made known and signified to him.

24. The High Commissioner may, upon sufficient cause to him appearing, suspend from the exercise of his office within the said island any person exercising the same, which suspension shall continue and have effect only until Her Majesty's pleasure therein shall be made known and signified to the High Commissioner. And in proceeding to any such suspension, he is to observe the directions in that behalf given to him by any such instructions under Her Majesty's sign-manual and signet as may be hereafter addressed to him.

25. There shall be in the said island, for the purpose of advising the High Commissioner, an Executive Council, which shall be composed of such persons and constituted in such manner as may be directed by any instructions which may from time to time be addressed to the High Commissioner by Her Majesty, under her sign-manual and signet, and all such persons shall hold their places in the said Council during Her Majesty's pleasure; and the said Executive Council shall observe such rules in the conduct of business as may from time to time be contained in any such instructions as aforesaid.

26. In the event of the death, incapacity, removal, or absence from the said island of the High Commissioner for the time being, all and every the powers and authorities herein granted to him shall, until Her Majesty's further pleasure is signified therein, be vested in such person as may be appointed to administer the same by any instrument under Her Majesty's sign-manual and signet; or if there be not in the island any person so appointed, then in the senior military officer for the time being in command of Her Majesty's regular troops in the said island.

27. The following Orders of Her Majesty the Queen in Council, that is to say: the Order of the 12th day of December,
1873,* for the Regulation of Consular Jurisdiction in the dominions of the Sublime Porte; the Order of the 13th day of May, 1875,† for the Regulation of Hospital Dues levied on British Shipping within the said Dominions; and the Order of the 26th day of October, 1875,‡ amending the said Order of the 12th day of December, 1873, shall cease to have any force and effect in the Island of Cyprus from and after a day to be named in a Proclamation to be issued in the said island by authority of the High Commissioner, with such saving and exceptions (if any) as may be contained in such Proclamation.

28. This Order shall commence and have effect as follows:

(a.) As to the appointment of the High Commissioner, and the issue of any instructions immediately from and after the making of this Order.

(b.) As to all other matters and provisions comprised and contained in this Order immediately from and after a day to be named in any Proclamation to be issued in the said island by authority of the High Commissioner.

And this Order shall remain in force until the same shall be revoked or altered by Her Majesty with the advice of Her Privy Council.

And the Most Honourable the Marquis of Salisbury and the Right Honourable Viscount Cranbrook, two of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Treasury, are to give the necessary directions herein as to them may respectively appertain.

C. L. Peel.

UNITED STATES.

CONSTITUTION of the United States of America; so far as relates to the declaration of War; and the conclusion of Treaties. September 17, 1787.

Declaration of War.

ART. I. § 8. The Congress shall have power:

To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water.

Treaties.

ART. II. § 2. He (the President) shall have power, by and with the advice and consent of the Senate, to make Treaties, provided two-thirds of the Senators present concur.

ART. VI. This Constitution, and the laws of The United States which shall be made in pursuance thereof, and all

* See Page 557. † See Page 656. ‡ See Page 657.
Treaties made or which shall be made under the authority of The United States, shall be the supreme law of the land; and the judges in every State shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

REPORT of the British and United States' Commissioners, appointed under the Treaty of August 9, 1842,* to trace and mark the Boundary between the British Possessions in North America and The United States (New Brunswick and State of Maine). Washington, June 28, 1847.

The Undersigned, Commissioners appointed under the Treaty of Washington, to trace and mark the boundary, as directed by that Treaty, between the British possessions in North America and The United States, that is to say:—James Bucknall Bucknall Estcourt, Lieutenant-Colonel in the British Army, appointed Commissioner by Her Britannic Majesty, and Albert Smith, appointed Commissioner by the President of The United States, having accomplished the duty assigned to them, do now, in accordance with the directions of the said Treaty, submit the following report and the accompanying maps, jointly signed, to their respective Governments.

In obedience to the terms of the Treaty, they met at Bangor in the State of Maine, on the 1st day of May, 1843, where they produced and verified the authority under which they each were respectively to act. They then adjourned, because the weather was not sufficiently open to take the field, to the 1st of the following month, June, and agreed to meet again at that time at Houlton.

Accordingly, they did meet at that place, and began their operations.

It may be desirable to state, at the outset that, for the sake of convenience, the whole line of boundary marked by the Undersigned has been divided, in the mention made of the different portions, into the following grand divisions, viz.:

North line, from the source of the St. Croix to the intersection of the St. John.

River St. John, from the intersection of the north line to the mouth of the St. Francis.

River St. Francis, from its mouth to the outlet of Lake Pohenagamook.

South-west line, from the outlet of Lake Pohenagamook to the north-west branch of the St. John.

* See Vol. 6.  Page 583.
South line, from the north-west branch to the parallel of latitude 46° 25' on the south-west branch.
South-west branch, from the parallel 46° 25' to its source.
Highlands, from the source of the south-west branch of the St. John to the source of Hall's stream.
Hall's stream, from its source to the intersection of the line of Valentine and Collins.
West line, from Hall's stream to the St. Lawrence, near St. Regis, along the line of Valentine and Collins.

To return to the narrative of operations.

The exploring line of Colonel Bouchette and Mr. Johnson, as directed by the Treaty, was traced from the monument at the source of the St. Croix to the intersection of the St. John.

The monument found at the source of the St. Croix, as described in the report of Colonel Bouchette and Mr. Johnson, and the course of their exploring line, was traced by blazes or marks upon the trees.

An old line, cut out by the assistant surveyors of Colonel Bouchette and Mr. Johnson, was also found, which terminated about half a mile north of the south branch of the Meduxnekeag, where, by records to which the Undersigned referred, they ascertained that it had been abandoned, because of its deviation from the exploring line of Colonel Bouchette and Mr. Johnson.

After the exploration and re-marking of the north line, it was cut out 30 feet wide. The same was afterwards done in all parts where the boundary passed through woodland. After thus opening the north line, it was surveyed; and iron posts were erected at intervals to mark it.

The general bearing of the line was rather to the west of the meridian of the monument at the source of the St. Croix. The precise line laid down by the Undersigned was determined by successive courses, of which each was made to be as long as was convenient, provided it did not pass out of the opening of 30 feet.

At each angle of deflection an iron monument was erected, and placed anglewise with the line. Other monuments were erected at the crossing of roads, rivers, and at every mile, commencing from the source of the St. Croix. Those which were not intended to mark angles of deflection were placed square with the line.

At the intersection of the St. John by the north line, the river is deep and broad. The boundary runs up the middle channel of the river, as indicated by the maps, dividing the islands as follows:

No. | Island          | Country          |
---|-----------------|------------------|
1. | Ryan's Island   | United States    |
2. | King's Island   | United States    |
No.
3. Des Trois Isles  ...  United States.
4. La Septième Isle,  ...  United States.
5. Quissibis  ...  Great Britain.
6. La Grande Isle  ...  United States.
7. Thibideau's Islands  ...  United States.
8. Madawaska Islands  ...  Great Britain.
9. Joseph Michaud's three Islands  ...  United States.
10. Pine Island  ...  Great Britain.
11. Baker's Island  ...  Great Britain.
   Turtle Island  ...  Great Britain.
   Dagle's Island  ...  Great Britain.
   Fourth Island  ...  Great Britain.
   Fifth Island  ...  Great Britain.
12. Kennedy's Island  ...  Great Britain.
13. Crock's Island  ...  Great Britain.
   Cranberry Island  ...  Great Britain.
   Gooseberry Island  ...  Great Britain.
14. Savage's Island  ...  United States.
15. Wheelock's Island  ...  United States.
16. Caton's Island  ...  United States.
17. Honeywell's Island  ...  United States.
18. Savage and Johnson's Island  ...  United States.
19. Grew's Island  ...  United States.
20. Kendall's Island  ...  Great Britain.

The islands were distributed to Great Britain or to The United States, as they were found to be on right or left of the deep channel. There was but one doubtful case, La Septième Isle, and that was apportioned to The United States, because the majority of the owners were ascertained to reside on The United States' side of the river.

Monuments were erected upon the islands, marking them for Great Britain or The United States, as the case may have been.

After leaving the St. John, the boundary enters the St. Francis, dividing the islands at the mouth of that river in the manner shown in the maps. It then runs up the St. Francis, through the middle of the lakes upon it, to the outlet of Lake Pohenagamook, the third large lake from the mouth of the river. At the outlet, a large monument has been erected.

In order to determine the point on the north-west branch to which the Treaty directed that a straight line should be run from the outlet of Lake Pohenagamook, a survey of that stream was made, and also of the main St. John, in the neighbourhood of the mouth of the north-west branch; and a line was cut between the St. John and the point on the north-west branch, ascertained by the survey to be 10 miles in the nearest direction from it, and the distance was afterwards verified by chaining.
It was ascertained also, in accordance with the provisions of the Treaty, by a triangulation of the country towards the Highlands dividing the waters of the St. Lawrence and of the St. John, that more than 7 miles intervened between the point selected on the north-west branch and the crest of the dividing ridge. A large iron monument was afterwards erected on the point thus selected, and the space around was cleared and sown with grass-seed. It is a short distance below the outlet of Lake Ishaganalshegeck.

The outlet of Lake Pohenagamook and the point on the north-west branch, designated by the Treaty, having been thus ascertained and marked, in the spring of 1844, a straight line was run between them. Along that line, which passes entirely through forest, monuments were erected at every mile, at the crossings of the principal streams and rivers, and at the tops of those hills where a transit instrument had been set up to test the straightness of the line.

As soon as the parallel of latitude 46° 25' had been determined on the south-west branch, in the early part of the summer of 1844, a straight line was drawn from the boundary point on the north-west branch to a large monument erected on the left bank of the south-west branch where it is intersected by the parallel of latitude 46° 25'. The line so drawn crosses the south-west branch once before it reaches the parallel of latitude 46° 25', and at about half a mile distance from that parallel. There also, a large monument had been set up on the left bank.

From the intersection of the parallel 46° 25', the boundary ascends the south-west branch, passes through a lake near its head, and so up a small stream which falls into the lake from the west, to the source of that stream, which has been selected as the source of the south-west branch.

On the south-west branch there are two principal forks, at each of which two monuments have been erected, one on each bank of the river, immediately above the forks, and upon the branch established as the boundary. The maps point out their positions. At the mouth of the small stream selected as the source of the south-west branch, a monument has been erected upon a delta formed by two small outlets. Above those outlets 3 other monuments have been placed, at intervals upon the same stream.

Upon the crest of the dividing ridge, very close to the source of the south-west branch, a monument has been erected. It is the first point in the Highlands, and from it the boundary runs along the crest, in a southerly direction, passing near the south-eastern shore of the Portage Lake, and so on to a large monument erected on a small eminence on the east side of the Kennebec road. Thence it passes through a dwelling-house,
called Tachereau's, which was standing there at the time the line was run; so, by a tortuous course, it runs to the top of the Sandy Stream Mountain; thence, inclining to the south-west, it runs over Hog's Back the first, as shown in the map; thence towards Hog's Back the second, which it leaves on the north side. Further on, at the head of Leach Lake, there is a stream which divides its waters and flows both into Canada and into The United States. The boundary has been made to run up that stream a short distance from the fork, where the waters divide to a second fork; thence between the streams which unite to form that fork, and then to ascend again the dividing ridge. A monument has been erected at the fork just mentioned, where the waters divide.

As the boundary approaches the valley of Spider River, it bends to the south-east, and, by a wide circuit over high and steep hills, it turns the head of Spider River; thence it bends to the north-west, until it approaches within about 4 miles of Lake Megantic; thence it turns again south, having the valley of Arnold's River on the right, and of Dead River on the left. It leaves Gasford Mountain in Canada, threads its way over very high ground between the head of Arnold's River and the tributaries of the Magalloway; inclines then to the north, to the west, over very rocky, mountainous, and difficult country, leaving Gipp's Peak in The United States, and turns, by a sharp angle at Saddle Back, to the south. After that it again inclines to the west, and then to the south, and again to the west, and passes the head of the Connecticut. About 3 miles and a half east of the head of the Connecticut, there is a division of waters similar to that described near Leach Lake. The boundary runs down a stream from near its source to the fork, where it divides, and then again follows the dividing ridge. The spot is noted on the map.

After the boundary has passed the head of the Connecticut, it runs to the north-west, descending into very low, swampy ground, between the heads of Indian stream and the tributaries of the St. Francis. Thus it passes on, bending again to the south of west, over a high hill, to the source of Hall's stream.

Iron monuments have been erected at intervals along the Highlands, from the source of the south-west branch of the St. John to the source of Hall's stream; the position of each of which is shown upon the maps.

From the source of Hall's stream the boundary descends that river, dividing the islands, which are, however, merely unimportant alluvial deposits, in the manner indicated by the maps, until it reaches the intersection of that stream by the line formerly run by Valentine and Collins as the 45° of north latitude.

At that point a large monument has been erected on the vol. xiv.
right, and a small one on the left bank of this stream. Monu-
ments have also been erected along the bank of this stream, as
indicated on the maps.

The line of Valentine and Collins was explored and found
by the blazes still remaining in the original forest.

Upon cutting into those blazes, it was seen that, deep-seated
in the tree, there was a scar, the surface of the original blaze
slightly decayed, and, upon counting the rings (which indicate
each year's growth of the tree) it was found that the blazes
dated back to 1772, 1773, and 1774. The line of Valentine and
Collins was run in 1771, 1772, 1773, and 1774. The coincidence
of the dates of the blazes with those of the above line, con-
firmed by the testimony of the people of the country, satisfied
the Undersigned that the line they had found was that mentioned
in the Treaty. Along this portion of the boundary, which is
known as the 45° of Valentine and Collins, and which extends
from Hall's stream to St. Regis, there are several interruptions
to the blazes, in those parts where clearings have been made;
and there the authentic marks of the precise situation of the
old line have been lost. In those cases, the Undersigned have
drawn the boundary line straight from the original blazes on
the one side of a clearing to the original blazes on the other
side of the same clearing.

It cannot be positively stated that the line, as it has been
traced through those clearings, precisely coincides with the old
line; but the Undersigned believe that it does not differ ma-
terially from it; nor have they had the means of determining a
nearer or a surer approximation.

Along this line, at every point of deflection, an iron monu-
ment has been erected; also at the crossing of rivers, lakes, and
roads. Those which mark deflections are placed, as on the
"north line," anglewise with the line; all the others are placed
square with it. The maps show the position of each.

On the eastern shore of Lake Memphremagog, an astrono-
mical station was established; and, on a large flat rock of
granite, which happened to lie between the astronomical station
and the boundary, was cut the following inscription:

*British Boundary Commission.*

Capt. Robinson.
Astronomical station.
422 feet north.

*Meridian Line.*

Boundary line.
595 feet south.

August, 1845.
A mark was cut upon the stone, as indicated by the dot upon the meridian line above, from which these measurements were made.

At Rouse's Point, a monument of wrought stone was set up, at the intersection of the boundary by the meridian of the transit instrument used there by Major Graham; and an inscription was cut upon it, stating the latitude and longitude, the name of the observer and his assistant, the names of the Commissioners, and the territories divided.

To mark the position of the instruments used at the following astronomical stations along the west line, two monuments, within a few feet of each other, have been erected at each station, and they have been placed on the boundary line due north or south of the instrument, as the case may have been.

The stations are:—Lake Memphremagog, Richford, John McCoy's, Trout River.

The boundary along the west line, though very far from being a straight line, is generally about half a mile north of the true parallel of latitude 45°, from Hall's Stream to Rouse's Point. At about 28 miles west of Rouse's Point it, however, crosses that parallel to the south, until it reaches Chateaugay River, where it bends northwards and, crossing the parallel again, about 4 miles east of St. Regis, it strikes the St. Lawrence 151 feet north of 45°. At that point, a large monument has been erected, on the bank of the St. Lawrence. Two large monuments have also been erected—one on either side of the River Richelieu, near Rouse's Point.

No marks of the old line were to be found about St. Regis. It was, therefore, agreed to run a line due west from the last blaze which should be found in the woods, on the east side of St. Regis. That blaze occurred about one mile east of the St. Regis River.

The maps, which exhibit the boundary line on a scale of 4 inches to one statute mile, consist of 62 consecutive sheets of antiquarian paper, as constructed by the British, and of 61, as constructed by the American Commission. A general map has also been constructed on a scale of 8 miles to one inch, and of 10 miles to one inch, by the American Commission, upon which the before-mentioned sheets are represented.

The following portions of the boundary have been laid down by the British Commission, on detached maps, on a scale of 12 inches to one mile, which have been signed by both Commissioners:

Grand falls of the St. John, including the intersection of that river by the north line; Islands of the St. John, the outlet of Lake Pohenagamook, the turning point of the boundary on the north-west branch of the St. John, the intersection of the south-west branch by the parallel of latitude 46° 25', the source of the south-west branch, the source of Hall's stream, the inter-
section of Hall's stream by the west line, Rouse's Point, St. Regis, Derby.

But similar maps have not been prepared by the American Commission, because, during the interval between the finishing of the maps of the British Commission and those of the American, it was thought that the maps already constructed, upon a scale of 4 inches to one mile, represented the boundary with sufficient clearness and accuracy.

The astronomical observations were begun at the Grand Falls, early in June, 1843, and were carried up the St. John River to the north-west branch by a chain of stations, which, together with the results obtained, are tabulated in the appendix accompanying this report.

From the valley of the St. John, an astronomical connection was made with Quebec, and thence to Montreal, and so to Rouse's Point. From Rouse's Point, a connection was obtained with Cambridge University, near Boston.

The astronomical stations on the west line were:
Intersection of Hall's stream by the west line, Lake Memphremagog, Richford, Rouse's Point, John McCoy's, Trout River, St. Regis.

Latitude was also obtained at an astronomical station, established for the purpose, at the head of the Connecticut.

Volumes containing the astronomical observations of both Commissioners are herewith submitted. From them, it will be observed, that the results for absolute longitude, obtained by the British and American astronomers, do not agree. It being a difference in no way affecting the survey of the boundary line, the Undersigned do not feel called upon to attempt to reconcile it. The data upon which those results are based may be seen in the volumes of observations accompanying this report.

In the appendix will be found, in a tabulated form, the following:
An abstract of the survey of the boundary along the north line.
An abstract of the survey of the boundary along the south-west line.
An abstract of the survey of the boundary along the south line.
An abstract of the survey of the boundary along the Highlands.
An abstract of the survey of the boundary along the west line.
The position of the monuments erected on the south-west branch of the St. John, and on Hall's stream.
The distribution of the islands of the St. John, and the monuments on them.
The guide lines and offsets run by each Commission for the survey of the Highlands.
UNITED STATES.

The azimuths of verification for the survey of the Highlands. The latitudes and longitudes obtained from the astronomical observations.

The comparative longitudes obtained, and the methods used for the purpose.

Upon comparing the maps of the Commissioners, it will be seen that the American Commission numbers two monuments more than the British. Those are to be found, one on the "Fourth Island," in the River St. John, and the other on the Highlands, between the source of the south-west branch of the River St. John and the Kennebec road.

On the maps of the British Commission, representing the "west line," the name of the town of "Derby" has been improperly placed north of the line, instead of south of it. Also, on the same maps, the direction of Salmon River, near the western extremity of the "west line," has been incorrectly laid down from the boundary line northwards. A direction has been given to it north-easterly instead of north-westerly.

The above two corrections the British Commissioner is authorised to make on his maps, after his return to England.

To avoid unnecessary delay in making their joint report, the Undersigned have attached their signatures to the maps, although the lettering of some of the astronomical stations upon the maps of the American Commission, as well as the alterations before-mentioned in the maps of the British Commission, are yet to be made. But in the maps of both, the boundary has been laid down accurately and definitively, and the Undersigned engage that it shall not be altered in any respect.

In conclusion, the Undersigned have the honour to report, that the line of boundary described in the foregoing statement has been run, marked, and surveyed, and the accompanying maps faithfully constructed from that survey.

The Undersigned take leave to add, that the most perfect harmony has subsisted between the two Commissioners from first to last, and that no differences have arisen between the Undersigned in the execution of the duties entrusted to them.

Signed and sealed in duplicate, at the city of Washington, this 29th day of June, in the year of Our Lord, 1847.

(L.S.) J. B. BUCKNALL ESTCOURT, Lieutenant-Colonel, Her Britannic Majesty's Commissioner.

(L.S.) ALBERT SMITH, United States' Commissioner.

NOTE.—The astronomical computations of the American Commission not being completed, and it being unnecessary to defer the signing of the report on that account, the American Commissioner engages to transmit them, with any other papers or tables not yet finished, as soon as they shall be so, to the British Commissioner, through the American Minister, resident
in London, to whom, upon delivery of the documents, the British Commissioner will give a receipt, to be transmitted to the American Commissioner.

(L.S.) J. B. Bucknall Estcourt, Lieutenant-Colonel, Her Britannic Majesty's Commissioner of Boundaries.

(L.S.) Albert Smith, United States' Commissioner.

PROTOCOL between Great Britain and The United States, defining the Boundary Line through the Canal de Haro, in accordance with the Award of the Emperor of Germany, of October 21, 1872. Washington, March 10, 1873.

WHEREAS it was provided by Article I of the Treaty between Great Britain and the United States of America, signed at Washington, on the 15th of June, 1846, as follows:

ART. I. From the point on the 49th parallel of north latitude where the boundary laid down in existing Treaties and Conventions between Great Britain and The United States terminates, the line of boundary, between the territories of Her Britannic Majesty and those of The United States, shall be continued westward along the said 49th parallel of north latitude to the middle of the channel which separates the Continent from Vancouver's Island; and thence southerly through the middle of the said channel, and of Fuca's Straits, to the Pacific Ocean; provided, however, that the navigation of the whole of the said channel and straits, south of the 49th parallel of north latitude, remain free and open to both parties.

And whereas it was provided by Article XXXIV of the Treaty between Great Britain and the United States of America, signed at Washington on the 8th of May, 1871, as follows:

ART. XXXIV. Whereas it was stipulated by Article I of the Treaty concluded at Washington on the 15th June, 1846, between Her Britannic Majesty and The United States, that the line of boundary between the territories of Her Britannic Majesty and those of The United States, from the point on the 49th parallel of north latitude, up to which it had already been ascertained, should be continued westward along the said parallel of north latitude to the middle of the Channel which separates the Continent from Vancouver's Island, and thence southerly through the middle of the said channel, and of Fuca Straits to the Pacific Ocean, and whereas the Commissioners appointed by the two High Contracting Parties to determine that portion of the boundary which runs southerly

* See Vol. 18, Page 580. † See Vol. 8, Page 980. ‡ See Vol. 13, Page 970.
through the middle of the channel aforesaid were unable to agree upon the same; and whereas the Government of Her Britannic Majesty claim that such boundary line should, under the terms of the Treaty above recited, be run through the Rosario Straits, and the Government of The United States claims that it should be run through the Canal de Haro, it is agreed that the respective claims of the Government of Her Britannic Majesty, and of the Government of The United States shall be submitted to the arbitration and award of His Majesty the Emperor of Germany, who, having regard to the above-mentioned Article of the said Treaty, shall decide thereupon finally and without appeal, which of those claims is most in accordance with the true interpretation of the Treaty of June 15, 1846.

And whereas His Majesty the Emperor of Germany has, by his award dated the 21st of October, 1872, decided that "Mit der richtigen Auslegung der zwischen den Regierungen Ihrer Britischen Majestät und der vereinigten Staaten von Amerika geschlossenen Vertrages de dato Washington den 15. Juni, 1846, steht der Anspruch der Regierung der vereinigten Staaten am meissten im Einklange, dass die Grenzlinie zwischen den Gebieten Ihrer Britischen Majestät und den vereinigten Staaten durch den Haro Kanal gezogen werde."

The undersigned, the Right Honourable Sir Edward Thornton, one of Her Majesty’s Most Honourable Privy Council, Knight Commander of the Most Honourable Order of the Bath, Her Britannic Majesty’s Envoy Extraordinary and Minister Plenipotentiary to the United States of America, and Rear-Admiral James Charles Prevost, Commissioner of Her Britannic Majesty in respect of the boundary aforesaid, and Hamilton Fish, Secretary of State of The United States, duly authorised by their respective Governments to trace out and mark on charts prepared for that purpose the line of boundary in conformity with the award of His Majesty the Emperor of Germany, and to complete the determination of so much of the boundary line between the possessions of Great Britain and the territory of The United States, as was left uncompleted by the Commissioners heretofore appointed to carry into effect Article I of the Treaty of 15th June, 1846, have met together at Washington, and have traced out and marked the said boundary line on four charts, severally entitled "North America, West Coast, Strait of Juan de Fuca, and the channels between the Continent and Vancouver Island, showing the boundary line between British and American possessions, from the Admiralty Surveys by Captains H. Kellett, R.N., 1847, and G. H. Richards, R.N., 1858-1862;" and having on examination agreed that the lines so traced and marked on the respective charts are identical, they have severally signed the said charts.
on behalf of their respective Governments, two copies thereof to be retained by the Government of Her Britannic Majesty and two thereof to be retained by the Government of The United States, to serve with the "definition of the boundary line" attached hereto, showing the general bearings of the line of boundary as laid down on the charts, as a perpetual record of agreement between the two Governments in the matter of the line of boundary between their respective dominions, under Article I of the Treaty concluded at Washington on the 15th of June, 1846.

In witness whereof the Undersigned have signed this Protocol, and have hereunto affixed their seals.

Done in duplicate, at Washington, this 10th day of March, in the year 1873.

(L.S.) Edwd. Thornton.
(L.S.) James C. Prevost.
(L.S.) Hamilton Fish.

Definition of the Boundary Line.

The chart upon which the boundary line between the British and United States' possessions is laid down is entitled "North America, West Coast, Strait of Juan de Fuca, and the channels between the Continent and Vancouver Island, showing the boundary line between British and American Possessions, from the Admiralty Surveys by Captains H. Kellett, R.N., 1847, and G. H. Richards, R.N., 1858-1862."

The boundary line thus laid down on the chart is a black line, shaded red on the side of the British possessions, and blue on the side of the possessions of The United States.

The boundary line thus defined commences at the point on the 49th parallel of north latitude on the west side of Point Robarts, which is marked by a stone monument, and the line is continued along the same parallel to the middle of the channel which separates the Continent from Vancouver Island, that is to say, to a point in longitude 123° 19' 15" west, as shown in the said chart.

It then proceeds in a direction about 50° east (true) for about 15 geographical miles, when it curves to the southward passing equidistant between the west point of Patos Island and the east point of Saturna Island, until the point midway on a line drawn between Turn Point on Stewart Island and Fairfax Point on Moresby Island bears south 68° west (true), distant 10 miles, then on a course south 68° west (true) 10 miles to the said point midway between Turn Point or Stewart Island and Fairfax Point on Moresby Island, thence on a course about south 12° 30' east (true) for about 8½ miles to a point due east 1 mile from the northernmost kelp reef,
which reef on the said chart, is laid down as in latitude 48° 33' north and in longitude 123° 15' west; then its direction continues about south 20° 15' east (true) 6½ miles to a point midway between Sea Bird Point on Discovery Island and Pile Point on San Juan Island, thence in a straight line south 45° east (true) until it touches the north end of the middle bank in between 13 and 18 fathoms of water; from this point the line takes a general south 28° 30' west direction (true) for about 10 miles, when it reaches the centre of the fairway of the Strait of Juan de Fuca, which by the chart is in the latitude of 48° 17' north and longitude 123° 14' 40" west.

Thence the line runs in a direction south 73° west (true) for 12 miles to a point on a straight line drawn from the lighthouse on Race Island to Angelos Point midway between the same.

Thence the line runs through the centre of the Strait of Juan de Fuca, first in a direction north 80° 30' west about 5½ miles to a point equidistant on a straight line between Beechey Head on Vancouver Island and Tongue Point on the shore of Washington Territory; second, in a direction north 76° west about 13½ miles to a point equidistant in a straight line between Sherringham Point on Vancouver Island and Pillar Point on the shore of Washington Territory; third, in a direction north 68° west about 30½ miles to the Pacific Ocean at a point equidistant between Bonilla Point on Vancouver Island and Tatooch Island lighthouse on the American shore, the line between the points being nearly due north and south (true).

The courses and distances as given in the foregoing description are not assumed to be perfectly accurate, but are as nearly so as is supposed to be necessary to a practical definition of the line laid down on the chart and intended to be the boundary line.

EDWD. THORNTON.
JAMES C. PREVOST.
HAMILTON FISH.

ADDITIONAL ARTICLE to the Treaty between Great Britain and The United States of May 8, 1871, relative to the place of Meeting of the Commissioners (Claims). Signed at Washington, January 18, 1873.

WHEREAS, pursuant to Article XII of the Treaty between Her Britannic Majesty and The United States of the 8th of May, 1871, it was stipulated that the Commissioners therein provided for should meet at Washington; but whereas it has

† Ratifications exchanged at Washington, April 10, 1873.
been found inconvenient in the summer season to hold those meetings in the city of Washington, in order to avoid such inconvenience Her Britannic Majesty has invested the Right Honourable Sir Edward Thornton, one of Her Majesty's Most Honourable Privy Council, Knight Commander of the Most Honourable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to The United States, with full power, and the President of The United States has invested Hamilton Fish, Secretary of State, with like power; who, having met and examined their respective powers, which were found to be in proper form, have agreed upon the following

**ADDITIONAL ARTICLE.**

It is agreed that the sessions of the Commissioners provided for by Article XII of the Treaty between Her Britannic Majesty and The United States of the 8th of May, 1871, need not be restricted to the city of Washington, but may be held at such other place within The United States as the Commission may prefer.

The present Additional Article shall be ratified, and the ratifications shall be exchanged at Washington as soon as possible thereafter.

In witness whereof we, the respective Plenipotentiaries, have signed the same, and have hereunto affixed our respective seals.

Done in duplicate at the city of Washington, the 18th day of January, in the year of Our Lord, 1873.

(L.S.) Edwd. Thornton.
(L.S.) Hamilton Fish.

**ACT of Congress of The United States, to carry into effect the provisions of the Treaty between The United States and Great Britain, signed at Washington, May 8, 1871,* relating to the Fisheries. February 25, 1873.**

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that whenever the President of The United States shall receive satisfactory evidence that the Imperial Parliament of Great Britain, the Parliament of Canada, and the Legislature of Prince Edward Island have passed laws on their part to give full effect to the provisions of the Treaty between The United States and Great Britain, signed at the city of Washington on the 8th day of May, 1871, as contained in Articles XVIII to XXV inclusive, and Article XXX of said Treaty, he is hereby authorised to

issue his proclamation declaring that he has such evidence, and
thereupon, from the date of such proclamation, and so long as
the said Articles XVIII to XXV inclusive, and Article XXX of
said Treaty, shall remain in force according to the terms and
conditions of Article XXXIII of said Treaty, all fish-oil and fish
of all kinds (except fish of the inland lakes and of the rivers
falling into them, and except fish preserved in oil), being the
produce of the fisheries of the Dominion of Canada or of Prince
Edward Island, shall be admitted into The United States free
of duty.

Sec. 2. That whenever the colony of Newfoundland shall
give its consent to the application of the stipulations and provi-
sions of the said Articles XVIII to XXV of said Treaty in-
clusive, to that colony, and the Legislature thereof, and the
Imperial Parliament shall pass the necessary laws for that pur-
pose, the above enumerated articles, being the produce of the
fisheries of the colony of Newfoundland, shall be admitted into
The United States free of duty, from and after the date of a
proclamation by the President of The United States, declaring
that he has satisfactory evidence that the said colony of New-
foundland has consented, in a due and proper manner, to have
the provisions of the said Articles XVIII to XXV inclusive of
the said Treaty extended to it, and to allow The United States
the full benefits of all the stipulations therein contained, and
shall be so admitted free of duty, so long as the said Articles
XVIII to XXV inclusive, and Article XXX of said Treaty,
shall remain in force, according to the terms and conditions of
Article XXXIII of said Treaty.

Sec. 3. That from the date of the President's proclamation
authorised by the first section of this Act, and so long as the
Articles XVIII to XXV inclusive, and Article XXX of said
Treaty shall remain in force, according to the terms and condi-
tions of Article XXXIII of said Treaty, all goods, wares, or
merchandise arriving at the ports of New York, Boston, and
Portland, and any other ports in The United States which have
been, or may from time to time, specially designated by the
President of The United States, and destined for Her Britannic
Majesty's possessions in North America, may be entered at the
proper Custom-House and conveyed in transit, without the
payment of duties, through the territory of The United States,
under such rules, regulations, and conditions for the protection
of the revenue as the Secretary of the Treasury may, from time
to time, prescribe; and, under like rules, regulations, and con-
ditions, goods, wares, or merchandise may be conveyed in
transit, without the payment of duties, from such possessions,
through the territory of The United States, for export from
the said ports of The United States.

Sec. 4. That from the date of the President's proclamation,
authorised by the first section of this Act, and so long as Articles XVIII to XXV inclusive, and Article XXX of said Treaty, shall remain in force, according to the terms and conditions of Article XXXIII of said Treaty, all subjects of Her Britannic Majesty may carry in British vessels, without payment of duty, goods, wares, or merchandise from one port or place within the territory of The United States, upon the Saint Lawrence, the great lakes, and the rivers connecting the same, to another port or place within the territory of The United States as aforesaid: Provided, that a portion of such transportation is made through the Dominion of Canada by land-carriage and in bond, under such rules and regulations as may be agreed upon between the Government of Her Britannic Majesty and the Government of The United States: And provided further, that the President of The United States may, by proclamation, suspend the right of carrying provided for by this section, in case the Dominion of Canada should at any time deprive the citizens of The United States of the use of the canals in the said Dominion, on terms of equality with the inhabitants of the Dominion, as provided in Article XXVII of said Treaty: And provided further, that in case any export or other duty continues to be levied after the 16th day of June, 1872, on lumber or timber of any kind cut on that portion of the American territory, in the State of Maine, watered by the River Saint John and its tributaries, and floated down that river to the sea, when the same is shipped to The United States from the province of New Brunswick, that then, and in that case, the President of The United States may, by proclamation, suspend all rights of carrying provided for by this section, for such period as such export or other duty may be levied.

Sec. 5. That this Act shall not take effect until the 1st day of July, 1873, and shall not apply to any article of merchandise therein mentioned, which shall be held in bond on that day by the Customs officers of The United States.

Passed the House of Representatives, February 24, 1873.

Attest:  
EDWARD McPHERSON, Clerk.

PROTOCOL of Conference between Great Britain and The United States, relative to Articles XVIII to XXV, and Article XXX of the Treaty of May 8, 1871* (Fisheries). Signed at Washington, June 7, 1873.

WHEREAS it is provided by Article XXXIII of the Treaty between Her Majesty the Queen of the United Kingdom of

Great Britain and Ireland, and the United States of America, signed at Washington on the 8th of May, 1871, as follows:

"Art. XXXIII. The foregoing Articles XVIII to XXV inclusive, and Article XXX of this Treaty, shall take effect as soon as the laws required to carry them into operation shall have been passed by the Imperial Parliament of Great Britain, by the Parliament of Canada, and by the Legislature of Prince Edward Island on the one hand, and by the Congress of The United States on the other. Such assent having been given, the said Articles shall remain in force for the period of 10 years from the date at which they may come into operation, and further until the expiration of two years after either of the High Contracting Parties shall have given notice to the other of its wish to terminate the same; each of the High Contracting Parties being at liberty to give such notice to the other at the end of the said period of 10 years, or at any time afterwards.

And whereas in accordance with the stipulations of the above-recited Article, an Act was passed by the Imperial Parliament of Great Britain in the 35th and 36th years of the reign of Queen Victoria, [cap. 45]* intituled "An Act to carry into effect a Treaty between Her Majesty and the United States of America:"

And whereas an Act was passed by the Senate and House of Commons of Canada in the 5th Session of the 1st Parliament, held in the 35th year of Her Majesty's reign, and assented to in Her Majesty's name by the Governor-General on the 14th day of June, 1872,† intituled "An Act relating to the Treaty of Washington, 1871:"

And whereas an Act was passed by the Legislature of Prince Edward Island, and assented to by the Lieutenant-Governor of that Colony on the 29th day of June, 1872, intituled "An Act relating to the Treaty of Washington, 1871:"

And whereas an Act was passed by the Senate and House of Representatives of the United States of America in Congress assembled, and approved on the 1st day of March, 1873,‡ by the President of The United States, intituled "An Act to carry into effect the provisions of the Treaty between The United States and Great Britain, signed in the city of Washington, the 8th day of May, 1871, relating to Fisheries:"

The Undersigned, the Right Honourable Sir Edward Thornton, one of Her Majesty's Most Honourable Privy Council, Knight Commander of the Most Honourable Order of the Bath, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States of America, and Hamilton Fish, Secretary of State of The United States, duly authorised

for this purpose by their respective Governments, having met together at Washington, and having found that the laws required to carry the Articles XVIII to XXV inclusive, and Article XXX of the Treaty aforesaid into operation, have been passed by the Imperial Parliament of Great Britain, by the Parliament of Canada, and by the Legislature of Prince Edward Island on the one part, and by the Congress of The United States on the other, hereby declare that Articles XVIII to XXV inclusive, and Article XXX of the Treaty between Her Britannic Majesty and the United States of America of the 8th of May, 1871, will take effect on the 1st day of July next.

In witness whereof the Undersigned have signed the Protocol, and have hereunto affixed their seals.

Done in duplicate, at Washington, this 7th day of June, 1873.

(L.S.) EDWARD THORNTON.
(L.S.) HAMILTON FISH.

ACT of the British Parliament, to provide for the completion of the distribution of the Sums of Money paid to Her Majesty by the United States of America on account of Awards made by the Commissioners acting under a certain Treaty [May 8, 1871], between Her Majesty and the United States of America. (British Claims.)

[38 & 39 Vict., cap. 52.] [August 2, 1875.]

WHEREAS a Treaty between Her Majesty and the United States of America was signed at Washington on the 8th day of May, 1871, and was duly ratified on the 17th day of June of that year:

And whereas it was provided by that Treaty (in this Act referred to as the Washington Treaty of 1871), among other things, that certain claims therein mentioned on the part of British subjects upon the Government of The United States should be referred to 3 Commissioners to be appointed as therein mentioned, and that all sums which might be awarded by those Commissioners on account of any such claim should be paid by the Government of The United States to Her Majesty's Government as therein mentioned:

And whereas the Commissioners were appointed and met and proceeded in manner provided by the Treaty, and awarded certain sums of money on account of divers claims made by British subjects in pursuance of the Treaty, and those sums have been paid by the Government of The United States to Her Majesty's Government:

* See Vol. 13, Page 970.
And whereas the larger portion of the sums so paid has been distributed among the persons entitled thereto:

And whereas the sums awarded in respect of certain claims and more particularly specified in the schedule to this Act, have not been distributed by reason of disputes having arisen respecting the persons to whom such sums should be distributed and such sums are now in the hands of the Commissioners of Her Majesty's Treasury (in this Act referred to as the Treasury).

And whereas it is expedient to make the provision herein-after appearing for the distribution of the said sums and for the release of the Treasury from all responsibility in respect thereof:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows;

that is to say:

1. The Treasury may cause the sums mentioned in the last column of the schedule to this Act, and all other sums which after the passing of this Act may be in or come to their hands on account of any award made by the Commissioners acting under the Washington Treaty of 1871, to be paid into the High Court of Chancery of England, in like manner as if they were trustees of such sums for persons entitled thereto, and the Court of Chancery may make such orders for the distribution of those sums to or among those persons as may to the Court seem just, and the provisions of the Act of the session of the 10th and 11th years of the reign of her present Majesty, chapter 96, intituled "An Act for better securing trust funds, and the relief of trustees," shall, so far as applicable, apply to all sums paid into the Court of Chancery in pursuance of this section as if they were moneys belonging to a trust within the meaning of that Act.

The affidavit to be filed on the payment of the said sums into Court may be made on behalf of the Treasury by a secretary of or the solicitor to the Treasury, or such other person as the Treasury may appoint.

2. The Treasury upon payment of the said sums into the Court of Chancery in pursuance of this Act, shall be freed from all liability whatsoever in respect of such sums, or of any award made by the Commissioners acting under the Washington Treaty of 1871, on account of which any of such sums was paid.

3. This Act may be cited as the "Washington Treaty (Claims) Act, 1875."

WHEREAS Article X of the Treaty concerning the formation of a General Postal Union, signed at Berne, October 9, 1874,† provides that the territorial transit charges on the mails conveyed across the United States of America by the railways between New York and San Francisco shall continue to form the object of special arrangements between the post offices concerned; And whereas the territorial transit rates for the conveyance of correspondence in closed mails through The United States, fixed by Article XI of the Postal Convention of November 7, 1868,‡ between the General Post Office of the United Kingdom of Great Britain and Ireland and the General Post Office of the United States of America, were by a notice of one year terminated on the 24th August, 1876: The Undersigned, being thereunto duly authorised by their respective Governments, and acting for and in behalf of the General Post Offices of the United Kingdom and of The United States respectively, do hereby agree that the territorial transit charges to be paid by the British Post Office to The United States' Post Office on the British closed mails conveyed on and after the 24th August, 1876, across the territory of The United States between Boston or New York and San Francisco shall be 6 francs per kilogramme of letters, and two francs per kilogramme

* This amount is the fee retained for J. C. Bonnet, attorney. The rest of the award has been paid.
DECLARATION between Great Britain and The United States, for the protection of Trade Marks. Signed at London, October 24, 1877.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of the United States of America, with a view to the reciprocal protection of the marks of manufacture and trade in the two countries, have agreed as follows:

The subjects or citizens of each of the two Contracting Parties shall have, in the dominions and possessions of the other, the same rights as belong to native subjects or citizens, or as are now granted, or may hereafter be granted, to the subjects and citizens of the most favoured nation, in everything relating to property in trade marks and trade labels.

It is understood that any person who desires to obtain the aforesaid protection must fulfil the formalities required by the laws of the respective countries.

In witness whereof the Undersigned have signed the present Declaration, and have affixed thereto the seal of their arms.

Done at London, the 24th day of October, 1877.

(L.S.) Derby.
(L.S.) Edwards Pierrepont.
URUGUAY.

DECREES of the President of Uruguay, throwing open the Ports of the Republic, upon the River Uruguay, to the Flags of all Nations. Monte Video, June 2, 1854.

(Translation.)

The President of the Republic resolves and decrees:

ART. I. In the River Uruguay, near the Port of Higueritas, a Custom-House hulk shall be established, aided by an armed barge, and with the necessary conditions for the guard service on that coast.

II. Every vessel navigating the Uruguay, destined to ports of this State, must anchor near the hulk, in order to undergo the examination hereafter expressed.

III. The officer of the hulk shall scrupulously examine if the cargo on board the vessel be the same as that specified in the manifest, to which he shall place his visé; he shall then seal the hatchways and all other communications with the hold, which operation he shall perform with the greatest care.

IV. The officer of the hulk shall make a minute inventory of all cargo on board the vessel, not existing in the hold, which he shall sign with the master, in duplicate, and shall remit one with the manifest under seal to the collector at the place of the vessel's destination.

V. In case of well-founded suspicion of contraband, the discharge and examination of the contents of the vessel shall be proceeded with, or the vessel shall be accompanied by two guards to its destination, according to the circumstances and size of the vessel.

VI. All the proceedings shall be executed with the greatest despatch, not causing a delay, upon any pretext whatever, longer than may be indispensable; great care also shall be taken with the cargo, in order not to occasion more trouble than that necessary for the purpose.

VII. The vessels in which articles may be found not upon the manifest shall be sent to Monte Video with a guard, in order that the case may be tried according to law.

VIII. Every vessel that may be found to be unjustifiably anchored on the oriental coast, arriving from foreign ports, and destined also to foreign ports, shall be sent to Monte Video with a summary proving the act.

IX. Every vessel that may arrive at ports in the Uruguay, where there may exist an office of the Custom-House of the State, without the necessary visé to its papers, shall be fined 500 current dollars, and the vessel which may take its papers
with the visé, but with the seals broken, shall pay 1,000 current dollars fine.

X. This Decree shall come in force 30 days after its publication, with respect to vessels proceeding from foreign ports within the capes, at 6 months from those of Brazil, and at one year from those of the northern hemisphere, Pacific, &c.

Let it be communicated, published, &c.
Monte Video, 2nd June, 1854.

MANUEL ACOsta y LARA.

VENEZUELA.

CONSTITUTION of the United States of Venezuela, so far as relates to Nationality, Religion, and the conclusion of Treaties.
Caracas, March 28, 1864.
(Translation.)

TITLE I.

SECTION II.—Of Venezuelans.

Nationality.

ART. VI. The Venezuelans are:
1. All those persons who have been or may be born in the territory of Venezuela, whatever may be the nationality of their parents.
2. The children of a Venezuelan mother or father who may have been born in another territory, if they should come to domicile themselves in the country and express a wish to be Venezuelans.
3. Foreigners who have obtained letters of nationality.
4. Those born or to be born in any of the Spanish American Republics or in the Spanish Antilles, provided they have fixed their residence in the territory of the Union and desire to become Venezuelans.

ART. VII. Those who fix their domicile and acquire nationality in a foreign country do not lose the character of Venezuelans.

TITLE III.—Guarantees of the Venezuelans.

Religion.

The nation guarantees to the Venezuelans:

ART. XIV, § 13. Religious freedom; but only those belonging to the Roman Catholic Apostolic religion can perform public worship out of the churches.
TITLE IV.

SECTION V.—Attributions of the Legislature.

Treaties, &c.

Art. XLIII. The National Legislature has the following attributions:

15. To declare war, and to call upon the National Executive to negotiate peace.

16. To approve or reject the diplomatic Treaties or Conventions. Without this requisite they cannot be ratified or exchanged.

TITLE V.

SECTION II.—Attributions of the President of the United States of Venezuela.

Art. LXXII. The President of the Union has the following attributions:

7. To conduct the negotiations and to conclude all kinds of Treaties with other nations, and to submit them to the National Legislature.

BRITISH NOTIFICATION to British Subjects having Claims pending against the Government of Venezuela. Caracas, October 9, 1868.*

All persons having claims against the Government of Venezuela are requested to present or forward the same, together with the necessary proofs or vouchers, to the Undersigned within 3 calendar months from the date hereof, after which date they cannot be submitted to the Mixed Commission now in session in this city for the adjudication of pending British claims.

GEORGE FAGAN, Her Britannic Majesty's Chargé d'Affaires to Venezuela.

British Legation, Caracas, October 9, 1868.

ZANZIBAR.


Whereas His Highness Seyd Majid has issued a proclamation that from the 25th Rejib, 1285 (November 11, 1868), until the 25th Rejib, 1286, the various coins now in use shall maintain their former values, but that from the 25th day of Rejib, 1286,

* "London Gazette," October 30, 1868.
or 12 lunar months from the present date, the German crown known as "Shami" shall be the dollar of Zanzibar and standard of account.

Notice is hereby given, that in the settlement of claims before the British Consular Court within the next 12 months, as expressed in His Highness's proclamation, each coin will be reckoned as formerly, but that after the 25th day of Rejib, 1286, all money will be estimated at its intrinsic value as determined at the Bombay Mint, the German crown being the unit.

TREATY between Great Britain and Zanzibar, for the Suppression of the Slave Trade. Signed at Zanzibar, June 5, 1873.

In the name of the Most High God.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Highness the Seyyid Barghash-bin-Said, Sultan of Zanzibar, being desirous to give more complete effect to the engagements entered into by the Sultan and his predecessors for the perpetual abolition of the Slave Trade, they have appointed as their representatives to conclude a new Treaty for this purpose, which shall be binding upon themselves, their heirs and successors, that is to say, Her Majesty the Queen of Great Britain and Ireland has appointed to that end John Kirk, the Agent of the English Government at Zanzibar; and His Highness the Seyyid Barghash, the Sultan of Zanzibar, has appointed to that end Nasir-bin-Said, and the two aforenamed, after having communicated to each other their respective full powers, have agreed upon and concluded the following Articles:

Art. I. The provisions of the existing Treaties having proved ineffectual for preventing the export of slaves from the territories of the Sultan of Zanzibar in Africa, Her Majesty the Queen and His Highness the Sultan above-named agree that from this date the export of slaves from the coast of the mainland of Africa, whether destined for transport from one part of the Sultan's dominions to another or for conveyance to foreign parts, shall entirely cease. And His Highness the Sultan binds himself, to the best of his ability, to make an effectual arrangement throughout his dominions to prevent and abolish the same. And any vessel engaged in the transport or conveyance of slaves after this date shall be liable to seizure and condemnation by all such naval or other officers or agents and such courts as may be authorised for that purpose on the part of Her Majesty.

II. His Highness the Sultan engages that all public markets in his dominions for the buying and selling of imported slaves shall be entirely closed.
III. His Highness the Sultan above-named engages to protect, to the utmost of his ability, all liberated slaves, and to punish severely any attempt to molest them or to reduce them again to slavery.

IV. Her Britannic Majesty engages that natives of Indian States under British protection shall be prohibited from possessing slaves, and from acquiring any fresh slaves in the meantime, from this date.

V. The present Treaty shall be ratified, and the ratifications shall be exchanged, at Zanzibar, as soon as possible, but in any case in the course of the 9th of Rabia-el-Akhir [5th of June, 1873] of the months of the date hereof.

In witness whereof the respective Plenipotentiaries have affixed their seals to this Treaty, made the 5th of June, 1873, corresponding to the 9th of the month Rabia-el-Akhir, 1290.

JOHN KIRK, Political Agent, Zanzibar.

The mean in God's sight,
NAISR-BIN-SAID-BIN-ABDALLAH.
With his own hand.

The humble, the poor,
BARGHASH-BIN-SAID.
With his own hand.

Sultan's Ratification.

We have looked into and considered this Treaty, and we agree to it and accept it, and we confirm everything which it sets forth in all its provisions and Articles. And we confirm the same on behalf of our heirs and those who may succeed us, giving our firm bond and covenant, and our faithful word, to carry out all that is set forth in the body of this written document, and to avoid as much as possible everything that contravenes it, and, to the best of our ability, not to transgress its provisions and conditions. In confirmation of which we hereto affix our seal and our signature with our own hand this 9th day of Rabia-el-Akhir, 1290 [5th June, 1873].

Approved by
The poor, the unworthy,
BARGHASH-BIN-SAID-BIN-SULTAN.
Written by his own hand.
(L.S.)

* The Sultan of Zanzibar's Ratification was attached to the original Treaty. That of Her Majesty was delivered to the Sultan in September, 1873.
TREATY between Great Britain and Zanzibar, supplementary to the Treaty for the Suppression of the Slave Trade of June 5, 1873.*
Signed at London, July 14, 1875.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Highness the Seyyid Barghash-bin-Said, Sultan of Zanzibar, having concluded a Treaty at Zanzibar on the 5th June, 1873, corresponding to the 9th of the month of Rabia-el-Akhir, A.H. 1290, for the abolition of the Slave Trade, and whereas doubts have arisen or may arise in regard to the interpretation of that Treaty, Her Britannic Majesty and His Highness the Sultan of Zanzibar have resolved to conclude a further Treaty on this subject, and have for this purpose named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Edward Henry, Earl of Derby, Baron Stanley of Bickerstaffe, a Peer and a Baronet of England, Her Majesty's Principal Secretary of State for Foreign Affairs, &c.;

And His Highness the Seyyid Barghash-bin-Said, Sultan of Zanzibar, Násir-bin-Saïd-bin-Abdalla;

Who, after having communicated to each other their respective full powers, have agreed upon and concluded the following Articles:

ART. I. The presence on board of a vessel of domestic slaves in attendance on or in discharge of the legitimate business of their masters, or of slaves bonâ fide employed in the navigation of the vessel, shall in no case of itself justify the seizure and condemnation of the vessel, provided that such slaves are not detained on board against their will. If any such slaves are detained on board against their will, they shall be freed, but the vessel shall, nevertheless, not on that account alone be condemned.

II. All vessels found conveying slaves (other than domestic slaves in attendance on or in the discharge of the legitimate business of their masters, or slaves bonâ fide employed in the navigation of the vessel) to or from any part of His Highness's dominions, or of any foreign country, whether such slaves be destined for sale or not, shall be deemed guilty of carrying on the Slave Trade, and may be seized by any of Her Majesty's ships of war and condemned by any British Court exercising Admiralty jurisdiction.

III. The present Treaty shall be ratified, and the ratifications shall be exchanged at Zanzibar as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto their seals.

* See Page 693.
† The Sultan of Zanzibar's Ratification is attached to the original Treaty. That of Her Majesty was delivered to the Sultan in Zanzibar on September 20, 1875.
ACT of the British Parliament, to amend and consolidate the Acts relating to Merchant Shipping. [Measurement of Tonnage.]

[17 & 18 Vict., cap. 104.] — [August 10, 1854.]

Measurement of Tonnage.

ART. XX. Throughout the following rules the tonnage deck shall be taken to be the upper deck in ships which have less than 3 decks, and to be the second deck from below in all other ships; and in carrying such rules into effect all measurements shall be taken in feet and fraction of feet, and all fractions of feet shall be expressed in decimals.

XXI. The tonnage of every ship to be registered, with the exceptions mentioned in the next section, shall previously to her being registered be ascertained by the following rule, hereinafter called Rule 1; and the tonnage of every ship to which such rule can be applied, whether she is about to be registered or not, shall be ascertained by the same rule:

(1.) Measure the length of the ship in a straight line along the upper side of the tonnage deck from the inside of the inner plank (average thickness) at the side of the stem to the inside of the midship stern timber or plank there, as the case may be (average thickness), deducting from this length what is due to the rake of the bow in the thickness of the deck, and what is due to the rake of the stern timber in the thickness of the deck, and also what is due to the rake of the stern timber in one-third of the round of the beam; divide the length so taken into the number of equal parts required by the following table, according to the class in such table to which the ship belongs:

Table.

Class 1. Ships of which the tonnage deck is according to the above measurement 50 feet long or under, into 4 equal parts:

Class 2. Ships of which the tonnage deck is according to the above measurement above 50 feet long and not exceeding 120, into 6 equal parts:
Class 3. Ships of which the tonnage deck is according to the above measurement above 120 feet long and not exceeding 180, into 8 equal parts:

Class 4. Ships of which the tonnage deck is according to the above measurement above 180 feet long and not exceeding 225, into 10 equal parts:

Class 5. Ships of which the tonnage deck is according to the above measurement above 225 feet long, into 12 equal parts.

(2.) Then, the hold being first sufficiently cleared to admit of the required depths and breadths being properly taken, find the transverse area of such a ship at each point of division of the length as follows: Measure the depth at each point of division, from a point at a distance of one-third of the round of the beam below such deck, or, in case of a break, below a line stretched in continuation thereof, to the upper side of the floor timber at the inside of the limber strake, after deducting the average thickness of the ceiling which is between the bilge planks and limber strake; then, if the depth at the midship division of the length do not exceed 16 feet, divide each depth into 4 equal parts; then measure the inside horizontal breadth at each of the 3 points of division, and also at the upper and lower points of the depth, extending each measurement to the average thickness of that part of the ceiling which is between the points of measurement; number these breadths from above (i.e., numbering the upper breadth 1, and so on down to the lowest breadth); multiply the second and fourth by 4, and the third by 2; add these products together, and to the sum add the first breadth and the fifth; multiply the quantity thus obtained by one-third of the common interval between the breadths, and the product shall be deemed the transverse area; but if the midship depth exceed 16 feet, divide each depth into 6 equal parts instead of 4, and measure as before directed the horizontal breadths at the 5 points of division, and also at the upper and lower points of the depth; number them from above as before; multiply the second, fourth, and sixth by 4, and the third and fifth by 2; add these products together, and to the sum add the first breadth and the seventh; multiply the quantity thus obtained by one-third of the common interval between the breadths, and the product shall be deemed the transverse area.

(3.) Having thus ascertained the transverse area at each point of division of the length of the ship as required by the above table, proceed to ascertain the register tonnage of the ship in the following manner: Number the areas successively 1, 2, 3, &c., No. 1 being at the extreme limit of the length at the bow, and the last number at the extreme limit of the length at the stern; then, whether the length be divided according to the table into 4 or 12 parts as in classes 1 and 5, or any intermediate number
as in classes 2, 3, and 4, multiply the second and every even numbered area by 4, and the third and every odd numbered area (except the first and last) by 2; add these products together, and to the sum add the first and last if they yield anything; multiply the quantity thus obtained by one-third of the common interval between the areas, and the product will be the cubical contents of the space under the tonnage deck; divide this product by 100, and the quotient being the tonnage under the tonnage deck shall be deemed to be the register tonnage of the ship, subject to the additions and deductions herinafter mentioned.

(4.) If there be a break, a poop, or any other permanent closed-in space on the upper deck, available for cargo or stores, or for the berthing or accommodation of passengers or crew, the tonnage of such space shall be ascertained as follows: Measure the internal mean length of such space in feet, and divide it into two equal parts; measure at the middle of its height 3 inside breadths, namely, one at each end and the other at the middle of the length; then to the sum of the end breadths add 4 times the middle breadth, and multiply the whole sum by one-third of the common interval between the breadths; the product will give the mean horizontal area of such space; then measure the mean height, and multiply by it the mean horizontal area; divide the product by 100, and the quotient shall be deemed to be the tonnage of such space, and shall be added to the tonnage under the tonnage deck, ascertained as aforesaid, subject to the following provisions: first, that nothing shall be added for a closed-in space solely appropriated to the berthing of the crew, unless such space exceeds one-twentieth of the remaining tonnage of the ship, and in case of such excess the excess only shall be added; and, secondly, that nothing shall be added in respect of any building erected for the shelter of deck passengers, and approved by the Board of Trade.

(5.) If the ship has a third deck, commonly called a spar deck, the tonnage of the space between it and the tonnage deck shall be ascertained as follows: Measure in feet the inside length of the space at the middle of its height from the plank at the side of the stem to the lining on the timbers at the stern, and divide the length into the same number of equal parts into which the length of the tonnage deck is divided as above directed; measure (also at the middle of its height) the inside breadth of the space at each of the points of division, also the breadth of the stem and the breadth of the stern; number them successively 1, 2, 3, &c., commencing at the stem; multiply the second and all the other even numbered breadths by 4, and the third and all the other odd numbered breadths (except the first and last) by 2; to the sum of these products add the first and last breadths; multiply the whole sum by one-third of the
common interval between the breadths, and the result will give
in superficial feet the mean horizontal area of such space; 
measure the mean height of such space, and multiply by it the 
mean horizontal area, and the product will be the cubical con-
tents of the space; divide this product by 100, and the quotient 
shall be deemed to be the tonnage of such space, and shall be 
added to the other tonnage of the ship ascertained as afore-
said; and if the ship has more than 3 decks, the tonnage of 
each space between decks above the tonnage deck shall be 
severally ascertained in manner above described, and shall be 
added to the tonnage of the ship ascertained as aforesaid.

XXII. Ships which, requiring to be measured for any pur-
pose other than registry, have cargo on board, and ships which,
requiring to be measured for the purpose of registry, cannot be 
measured by the rule above given, shall be measured by the 
following rule, hereinafter called Rule 2:

(1.) Measure the length of the upper deck from the outside 
of the outer plank at the stem to the aftside of the stern post, 
deducting therefrom the distance between the aftside of the 
stern post and the rabbet of the stern post at the point where 
the counter plank crosses it; measure also the greatest breadth 
of the ship to the outside of the outer planking or wales, and 
then, having first marked on the outside of the ship on both 
sides thereof the height of the upper deck at the ship's sides, 
girt the ship at the greatest breadth in a direction perpendicular 
to the keel from the height so marked on the outside of the 
ship on the one side to the height so marked on the other side 
by passing a chain under the keel; to half the girth thus taken 
add half the main breadth; square the sum; multiply the result 
by the length of the ship taken aforesaid; then multiply this 
product by the factor 0.0018 (eighteen ten-thousandths) in the 
case of ships built of wood, and by 0.0021 (twenty-one ten-
 thousandths) in the case of ships built of iron, and the product 
shall be deemed the registertonnage of the ship, subject to the 
additions and deductions hereinafter mentioned.

(2.) If there be a break, a poop, or other closed-in space on 
the upper deck, the tonnage of such space shall be ascertained 
by multiplying together the mean length, breadth, and depth of 
such space, and dividing the product by 100, and the quotient 
so obtained shall be deemed to be the tonnage of such space, 
and shall, subject to the deduction for a closed-in space appro-
priated to the crew, as mentioned in Rule 1, be added to the 
tonnage of the ship, ascertained as aforesaid.

XXIII. In every ship propelled by steam or other power 
requiring engine room, an allowance shall be made for the space 
occupied by the propelling power, and the amount so allowed 
shall be deducted from the gross tonnage of the ship, ascer-
tained as aforesaid, and the remainder shall be deemed to be
the registered tonnage of such ship; and such deduction shall be estimated as follows (that is to say): (a.) As regards ships propelled by paddle wheels in which the tonnage of the space solely occupied by and necessary for the proper working of the boilers and machinery is above 20 per cent. and under 30 per cent. of the gross tonnage of the ship, such deduction shall be 37 one-hundredths of such gross tonnage; and in ships propelled by screws in which the tonnage of such space is above 13 per cent. and under 20 per cent. of such gross tonnage, such deduction shall be 32 one-hundredths of such gross tonnage; (b.) As regards all other ships, the deduction shall, if the Commissioners of the Customs and the owner both agree thereto, be estimated in the same manner; but either they or he may, in their or his discretion, require the space to be measured and the deduction estimated accordingly; and whenever such measurement is so required, the deduction shall consist of the tonnage of the space actually occupied by or required to be inclosed for the proper working of the boilers and machinery, with the addition, in the case of ships propelled by paddle wheels, of one-half, and in the case of ships propelled by screws, of three-fourths of the tonnage of such space; and the measurement and use of such space shall be governed by the following rules (that is to say): (1.) Measure the mean depth of the space from its crown to the ceiling at the limber strake, measure also 3, or, if necessary, more than 3 breadths of the space at the middle of its depth, taking one of such measurements at each end, and another at the middle of the length; take the mean of such breadths; measure also the mean length of the space between the foremost and aftermost bulkheads or limits of its length, excluding such parts, if any, as are not actually occupied by or required for the proper working of the machinery; multiply together these 3 dimensions of length, breadth, and depth, and the product will be the cubical contents of the space below the crown; then find the cubical contents of the space or spaces, if any, above the crown aforesaid, which are framed in for the machinery or for the admission of light and air, by multiplying together the length, depth, and breadth thereof; add such contents to the cubical contents of the space below the crown: divide the sum by 100; and the result shall be deemed to be the tonnage of the said space; (2.) If in any ship in which the space aforesaid is to be measured the engines and boilers are fitted in separate compartments, the contents of each shall be measured severally in like manner, according to the above rules, and the sum of their several results shall be deemed to be the tonnage of the said space;
(3.) In the case of screw steamers in which the space aforesaid is to be measured, the contents of the shaft trunk shall be added to and deemed to form part of such space, and shall be ascertained by multiplying together the mean length, breadth, and depth of the trunk, and dividing the product by 100;

(4.) If in any ship in which the space aforesaid is to be measured any alteration be made in the length or capacity of such space, or if any cabins be fitted in such space, such ship shall be deemed to be a ship not registered until remeasurement;

(5.) If in any ship in which the space aforesaid is to be measured any goods or stores are stowed or carried in such space, the master and owner shall each be liable to a penalty not exceeding 100l.

XXIV. In ascertaining the tonnage of open ships the upper edge of the upper strake is to form the boundary line of measurement, and the depths shall be taken from an athwartship line, extending from upper edge to upper edge of the said strake at each division of the length.

XXV. In every registered British ship the number denoting the registered tonnage, ascertained as hereinbefore directed, and the number of her certificate of registry, shall be deeply carved or otherwise permanently marked on her main beam, and shall be so continued; and if it at any time cease to be so continued such ship shall no longer be recognised as a British ship.

XXVI. Whenever the tonnage of any ship has been ascertained and registered in accordance with the provisions of this Act, the same shall thenceforth be deemed to be the tonnage of such ship, and shall be repeated in every subsequent registry thereof, unless the alteration is made in the form or capacity of such ship, or unless it is discovered that the tonnage of such ship has been erroneously computed; and in either of such cases such ship shall be remeasured, and her tonnage determined and registered according to the rules hereinbefore contained in that behalf.

XXVII. The rules for the measurement of tonnage herein contained shall not make it necessary to alter the present registered tonnage of any British ship registered before this Act comes into operation; but if the owner of any such ship desires to have the same remeasured according to such rules, he may apply to the Commissioners of Customs for the purpose, and such Commissioners shall thereupon, and on payment of such reasonable charge for the expenses of remeasurement, not exceeding the sum of 7s. 6d. for each transverse section, as they may authorise, direct such remeasurement to be made, and such ship shall thereupon be remeasured according to such rules as aforesaid, or according to such of them as may be applicable;
and the number denoting the register tonnage shall be altered accordingly.

XXVIII. If it appears to the Commissioners of Customs that in any steam ship measured before this Act comes into operation store rooms or coal bunkers have been introduced into or thrown across the engine room, so that the deduction from the tonnage on account of the engine room is larger than it ought to be, the said Commissioners may, if they think fit, direct such engine room to be remeasured according to the rules in force before this Act comes into operation, excluding the space occupied by such store rooms or coal bunkers, or may, if the owners so desire, cause the ship to be remeasured according to the rules hereinbefore contained, and subject to the conditions contained in the last preceding section; and after remeasurement the said Commissioners shall cause the ship to be registered anew, or the registry thereof to be altered, as the case may require.

XXIX. The Commissioners of Customs may, with the sanction of the Treasury, appoint such persons to superintend the survey and admeasurement of ships as they think fit; and may, with the approval of the Board of Trade, make such regulations for that purpose as may be necessary; and also, with the like approval, make such modifications and alterations as from time to time become necessary in the tonnage rules hereby prescribed, in order to the more accurate and uniform application thereof, and the effectual carrying out of the principle of admeasurement therein adopted.

---

ACT of the British Parliament to amend the Merchant Shipping Act, 1854;* so far as relates to the Measurement of British Ships [Crew Space].†

Places appropriated to Seamen to have a certain Space for each Man, and to be properly constructed and kept clear.

IX. The following rules shall be observed with respect to accommodation on board British ships; (that is to say):

(1.) Every place in any ship occupied by seamen or apprentices, and appropriated to their use, shall have for every such seaman or apprentice a space of not less than 72 cubic feet,

* See Page 696.
† The Board of Trade gave notice, in May, 1874, that "on the measurement or inspection of Foreign ships, no deduction on account of crew space was in future to be made from tonnage except on the terms allowed to British ships, namely, when the regulations prescribed by § 9 of the ‘Merchant Shipping Act, 1867,’ were complied with."
and of not less than 12 superficial feet, measured on the deck or floor of such place:

(2.) Every such place shall be such as to make the space aforesaid available for the proper accommodation of the men who are to occupy it, shall be securely constructed, properly lighted and ventilated, properly protected from weather and sea, and as far as practicable properly shut off and protected from effluvium which may be caused by cargo or bilge water:

(3.) No such place as aforesaid shall be deemed to be such as to authorise a deduction from registered tonnage, under the provisions hereinafter contained, unless there is or are in the ship one or more properly constructed privy or privies for the use of the crew; such privy or privies to be of such number and of such construction as may be approved by the surveyor hereinafter mentioned:

(4.) Every such place shall, whenever the ship is registered or re-registered, be inspected by one of the Surveyors appointed by the Board of Trade under Part IV of the principal Act, who shall, if satisfied that the same is in all respects such as is required by this Act, give to the Collector of Customs a certificate to that effect, and thereupon such space shall be deducted from the register tonnage:

(5.) No such deduction from tonnage as aforesaid shall be authorised unless there is permanently cut in a beam, and cut in or painted on or over the doorway or hatchway of every such place, the number of men which it is constructed to accommodate, with the words “Certified to accommodate Seamen”:

(6.) Every such place shall be kept free from stores or goods of any kind, not being the personal property of the crew in use during the voyage:

(7.) Upon any complaint concerning any such place as aforesaid, one of the surveyors appointed by the Board of Trade may inspect such place, and if he finds that any of the provisions of this Act with respect to the same are not complied with he shall report the same to the Collector of Customs at the port where the ship is registered, and thereupon the registered tonnage shall be altered, and the deduction aforesaid in respect of space disallowed, unless and until it shall be certified by such surveyor, or by some other surveyor appointed by the Board of Trade, that the provisions of the Act in respect of such place are fully complied with:

(8.) If any such place in any ship is not kept free from goods and stores as aforesaid, the master shall be deemed to be in fault, and shall for every such failure to comply with the provisions of this section forfeit and pay to each seaman lodged in such place the sum of one shilling a day for each day after
complaint made to him by any two or more of such seamen during which any goods or stores, not being the personal property of the crew, are stored or kept therein:

(9.) If in any other respect the provisions of this section are not observed with respect to any such place in any ship the owner shall be deemed to be in fault, and shall for every failure to comply with the provisions of this section incur a penalty not exceeding 20l.

ACT of the British Parliament, to amend the Merchant Shipping Act, 1854; so far as relates to Offences committed by British Subjects on board British and Foreign Ships.


XI. If any British subject commits any crime or offence on board any British ship, or on board any Foreign ship to which he does not belong, any Court of justice in Her Majesty's dominions which would have had cognizance of such crime or offence if committed on board a British ship within the limits of the ordinary jurisdiction of such Court, shall have jurisdiction to hear and determine the case as if the said crime or offence had been committed as last aforesaid.


The Queen has been pleased to direct that the following Regulations respecting foreign medals shall be substituted for those now in force:

Regulations respecting Foreign Medals.

1. Applications for permission to accept and wear medals which, not being the decoration of any foreign order, are conferred by a Foreign Sovereign on British subjects in the army or in the navy for military or for naval services, should be addressed, as the case may be, to the Commander-in-Chief, or the Lords of the Admiralty, who, if they see fit, may submit the same to Her Majesty's Principal Secretary of State for Foreign Affairs for Her Majesty's sanction; upon obtaining which they may grant such permission without any other formality.

2. Any British subject is at liberty to accept and wear a foreign medal, not being the decoration of a foreign order, bestowed by competent authority for acts of bravery in saving human life. An Officer, soldier, marine, or sailor must, how-
ever, first obtain permission from the Commander-in-Chief, or the Lords of the Admiralty, as the case may be.

3. No permission is necessary for accepting a foreign medal, if such medal is not to be worn.

CLARENDON.

Foreign Office, January, 1870.

ACT of the British Parliament, relating to Customs and Inland Revenue; so far as relates to the prohibition against the Importation of Foreign Goods bearing any Name, Brand, or Mark, implying that they have been manufactured in the United Kingdom. [35 & 36 Vict., cap. 20.] [June 27, 1872.]

Most Gracious Sovereign,

We, your Majesty's most dutiful and loyal subjects, the Commons of the United Kingdom of Great Britain and Ireland, in Parliament assembled, towards raising the necessary supplies to defray your Majesty's public expenses, and making an addition to the public revenue, have freely and voluntarily resolved to give and grant unto your Majesty the several duties hereinafter mentioned, and do therefore most humbly beseech your Majesty that it may be enacted, and be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as "The Customs and Inland Revenue Act, 1872."

PART I.—As to Customs.

4. There shall be included among goods absolutely prohibited to be imported inwards or in transit,* any articles of foreign manufacture, and any packages of such articles, bearing any name, brand, or mark, which states or implies that such articles were manufactured at any place in the United Kingdom.

Any name, brand, or mark, which states or implies that any such articles were manufactured at a town or place having the same name as a place in the United Kingdom, shall, unless accompanied by the name of the country in which such place is situate, be deemed for the purposes of this section to state or imply that such articles were manufactured at a place in the United Kingdom.
ACT of the British Parliament, to amend the Merchant Shipping Acts and the Passenger Acts; so far as relates to the Measurement of Ships; the Registry of Ships; and to Passenger Ships.

[35 & 36 Vict., cap. 73.] [August 10, 1872.]

Measurement of Ships. [Transfer to Board of Trade of Duties of Commissioners of Customs, with respect to Measurement of Ships.]

3. The 23rd, 27th, 28th, and 29th sections of "The Merchant Shipping Act, 1854," the 14th section of "The Merchant Shipping Act Amendment Act, 1855," and the 4th section of "The Merchant Shipping Act, 1871," shall be read and construed as if the Board of Trade were therein named instead of the Commissioners of Customs.

Registry. [Transfer to Registrar-General of Seamen of Duties of Commissioners of Customs with respect to Registry of Ships.]

4. The 46th, 54th, 92nd, and 94th sections of "The Merchant Shipping Act, 1854," shall be read and construed as if the Registrar-General of Seamen were therein named instead of the Commissioners of Customs, and the returns required to be transmitted by the said 94th section of "The Merchant Shipping Act, 1854," shall be transmitted to the Registrar-General of Seamen, and not to the Custom-House in London, and the Registrar-General of Seamen shall be called the Registrar-General of Shipping and Seamen.

Passenger Ships.

5. The 6th and 7th sections of "The Passengers Act, 1855," except so much of the latter section as provides for the immunity of emigration officers, shall be repealed, and all powers and duties vested in or imposed on the Emigration Commissioners by "The Passengers Act, 1855," and "The Passengers Act Amendment Act, 1863," shall be transferred to and imposed on the Board of Trade.

In the construction and for the purposes of the said Acts, the name of the Board of Trade shall be deemed to be substituted for the name of the Emigration Commissioners, and anything which might, if this Act had not passed, have been done by the Emigration Commissioners, whether acting independently or under the sanction or authority of one of Her Majesty's Principal Secretaries of State, may be done by the Board of Trade independently of such sanction or authority.

6. The provisions contained in the 83rd section of "The Passengers Act, 1855," shall extend to any forms of application or other papers issued by or under the authority of one of Her Majesty's Principal Secretaries of State, for the use of persons desirous of emigrating by his assistance, and to any certificate,
document, or statement adduced in support of any application
to such Secretary for such assistance.

7. The powers conferred by the 13th section of "The Pass-
sengers Act Amendment Act, 1863," on one of Her Majesty’s
Principal Secretaries of State, shall be transferred to the Board
of Trade.

Annual Survey of Passenger Steamers.

8. The 304th section of "The Merchant Shipping Act, 1854,"
shall be repealed, and every passenger steamer shall be sur-
veyed once at the least in every year, in the manner mentioned
in the fourth part of that Act. The fees to be charged for
certificates issued in respect of such survey shall not exceed for
a yearly certificate twice the sum named in the table marked T,
in the schedule to the said Act, as chargeable for a 6 months’
certificate.*

BRITISH REGULATIONS for the admission of Foreigners to Her

1. APPLICATIONS for permission for foreigners to visit any of
Her Majesty’s dockyards are to be addressed to the Secretary
of State for Foreign Affairs.

2. No foreigner shall be permitted to enter any of Her
Majesty’s dockyards without authority being given by us, or by
the Commander-in-Chief at the port, who is to report to us by
telegraph whenever he shall have taken the responsibility of
giving such permission.

3. Visitsof foreignersto any of Her Majesty’s dockyards
are only to be allowed on working days and within the hours
of 9 A.M. and 4 P.M. of those days. All foreign visitors must
leave the yard before the close of the working hours, unless
special permission shall be given by the Superintendent for the
visit to be extended, such permission to be notified by him in
writing to the police.

4. Foreigners who may obtain the necessary permission to
view any of Her Majesty’s dockyards are to be allowed to view
such portions only of those establishments, and such works,
whether completed or in progress, as British subjects are
allowed to have access to, and which there can be no objection
to their fully seeing (with the exceptions named in para-
graph 6).

* TABLE T.—Fees to be charged for the Survey of Passenger Steamers.

<table>
<thead>
<tr>
<th>Description</th>
<th>£</th>
<th>s.</th>
<th>d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>For steamers not exceeding 100 tons</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>100 and not exceeding 300 tons</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>300 and not exceeding 600 tons</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>For every additional 300 tons, an additional</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

2 2 0
5. It is to be understood that permission to visit a dockyard is not intended as an authority to make any drawings, or to take written notes of works which may be in progress; and this is never to be allowed without permission from the Superintendent (who will use his discretion as to granting it) being asked and obtained. Persons desirous of making drawings or notes are therefore to be civilly informed that such permission is necessary by the general regulations of Her Majesty's dockyards.

6. Mould lofts and drawing offices are only to be shown to foreigners at the discretion of the Superintendent, and if shown he is to be present.

7. Foreigners are not to be allowed to witness any experiments under trial, without permission from the Superintendent.

8. Foreigners, whether singly or in parties, are always to be accompanied throughout the whole period of their visit by an officer or officers of the dockyard, or of one of Her Majesty's ships at the port, or by a constable of police to act as a guide.

9. These rules are to be applied to all foreigners and foreign officers generally, with the exception of Naval Attachés of the foreign Embassies in London.

10. When any Naval Attaché of a foreign Embassy, or other foreign personage of rank, is permitted to visit any of the dockyards, an officer is always to accompany him during his visit; and no police constable in uniform is to be present whilst such Attaché or other person of rank is going round the yard.

11. No fees are on any account to be permitted to be given.

By command of their Lordships, 

ROBERT HALL.

Admiralty, 3rd May, 1873.

---

ACT of the British Parliament, to amend the Law relating to the grant of Superannuation Allowances and Gratuities to certain persons who entered the permanent Civil Service of the State between the passing of "The Superannuation Act, 1859," and the 4th day of June, 1870.

[36 Vict., cap. 23.] [May 26, 1873.]

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Commissioners of Her Majesty's Treasury may, if they think fit, at any time before the 1st day of January, 1874, with the concurrence of the Civil Service Commissioners, and on application being made to them for that purpose by the head
or heads of any public department of the State, declare by order or warrant that any person who has been appointed to a permanent situation in such department without a certificate from the Civil Service Commissioners after the passing of the said "Superannuation Act, 1859," and before the 4th day of June, 1870, was so appointed through inadvertence on the part of the head or heads of such department, and without any default on the part of the person so appointed, and every person with respect to whom such order or warrant may be issued shall be in the same position as regards his claim to a superannuation allowance or gratuity, under the said "Superannuation Act, 1859," as he would have been in if he had been admitted into the Civil Service with a certificate from the Civil Service Commissioners.

Any order or warrant made in pursuance of this Act shall be laid before Parliament in manner provided by the 13th section of "The Superannuation Act, 1859."

The Commissioners of Her Majesty's Treasury shall cause to be laid before Parliament, not later than the expiration of one month after the commencement of the session of Parliament in the year 1874, a return showing the names of all persons with respect to whom any order or warrant has been issued in pursuance of this section, together with the situations to which and the departments in which they have been appointed.


Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act shall be construed as one with "The Extradition Act, 1870" (in this Act referred to as the principal Act), and the principal Act and this Act may be cited together as the Extradition Acts, 1870 and 1873, and this Act may be cited alone as "The Extradition Act, 1873."*

2. Whereas by section 6 of the principal Act it is enacted as follows:

"Where this Act applies in the case of any foreign State, every fugitive criminal of that State who is in or suspected of being in any part of Her Majesty's dominions, or that which is specified in the order applying this Act (as the case may be), shall be liable to be apprehended and surrendered in manner provided by this Act, whether the crime in respect of which the
Great Britain.

surrender is sought was committed before or after the date of
the order, and whether there is or is not any concurrent juris-
diction in any Court of Her Majesty's dominions over that
crime."

And whereas doubts have arisen as to the application of the
said section to crimes committed before the passing of the
principal Act, and it is expedient to remove such doubts, it is
therefore hereby declared that

A crime committed before the date of the order includes in
the said section a crime committed before the passing of the
principal Act, and the principal Act and this Act shall be con-
strued accordingly.

3. Whereas a person who is accessory before or after the
fact, or counsels, procures, commands, aids, or abets the com-
misson of any indictable offence, is by English law liable to
be tried and punished as if he were the principal offender, but
doubts have arisen whether such person as well as the principal
can be surrendered under the principal Act, and it is expedient
to remove such doubts; it is therefore hereby declared that

Every person who is accused or convicted of having coun-
selled, procured, commanded, aided, or abetted the commission
of any extradition crime, or of being accessory before or after
the fact to any extradition crime shall be deemed for the pur-
oposes of the principal Act and this Act to be accused or con-
victed of having committed such crime, and shall be liable to
be apprehended and surrendered accordingly.

4. Be it declared, that the provisions of the principal Act
relating to depositions and statements, on oath, taken in a
foreign State, and copies of such original depositions and state-
ments do and shall extend to affirmations taken in a foreign
State, and copies of such affirmations.

5. A Secretary of State may, by order under his hand and
seal, require a police magistrate or a justice of the peace to take
evidence for the purpose of any criminal matter pending in any
court or tribunal in any foreign State; and the police magis-
trate or justice of the peace, upon the receipt of such order,
shall take the evidence of every witness appearing before him
for the purpose in like manner as if such witness appeared on
a charge against some defendant for an indictable offence, and
shall certify at the foot of the depositions so taken that such
evidence was taken before him, and shall transmit the same to
the Secretary of State; such evidence may be taken in the
presence or absence of the person charged, if any, and the fact
of such presence or absence shall be stated in such deposition.

Any person may, after payment or tender to him of a
reasonable sum for his costs and expenses in this behalf, be
compelled, for the purposes of this section, to attend and give
evidence and answer questions and produce documents, in like
manner and subject to the like conditions as he may in the case of a charge preferred for an indictable offence.

Every person who wilfully gives false evidence before a police magistrate or justice of the peace under this section shall be guilty of perjury.

Provided that nothing in this section shall apply in the case of any criminal matter of a political character.

6. The jurisdiction conferred by Section 16 of the principal Act on a stipendiary magistrate, and a sheriff or sheriff substitute, shall be deemed to be in addition to, and not in derogation or exclusion of, the jurisdiction of the police magistrate.

7. For the purposes of the principal Act and this Act a diplomatic representative of a foreign State shall be deemed to include any person recognised by the Secretary of State as a Consul-General of that State, and a Consul or Vice-Consul shall be deemed to include any person recognised by the Governor of a British possession as a Consular officer of a foreign State.

8. The principal Act shall be construed as if there were included in the first schedule to that Act the list of crimes contained in the schedule to this Act.

---

**Schedule.**

**List of Crimes.**

The following list of crimes is to be construed according to the law existing in England or in a British possession (as the case may be) at the date of the alleged crime, whether by common law or by statute made before or after the passing of this Act:

- Kidnapping and false imprisonment.
- Perjury, and subornation of perjury, whether under common or statute law.
- Any indictable offence under "The Larceny Act, 1861."* or any Act amending or substituted for the same, which is not included in the first schedule to the principal Act.
- Any indictable offence under the Act of the session of the 24th and 25th years of the reign of Her present Majesty, chapter 97, "To consolidate and amend the statute law of England and Ireland relating to malicious injuries to property," or any Act amending or substituted for the same, which is not included in the first schedule to the principal Act.
- Any indictable offence under the Act of the session of the 24th and 25th years of the reign of Her present Majesty, chapter 99, "To consolidate and amend the statute law of the United Kingdom against offences relating to the coin," or any Act amending or substituted for the same which is not included in the first schedule to the principal Act.
- Any indictable offence under the Act of the session of the 24th and 25th years of the reign of Her present Majesty, chapter 100. "To consolidate and amend the statute law of England and Ireland relating to offences against the person," or any Act amending or substituted for the same, which is not included in the first schedule to the principal Act.
- Any indictable offence under the laws for the time being in force in relation to bankruptcy which is not included in the first schedule to the principal Act.

---

ACT of the British Parliament, to amend the Merchant Shipping Acts; so far as relates to Foreign Ships on British Register; Collisions at Sea; Foreign Ports of Registry; Pilot and Distress Signals; and Yacht Clubs.*

[36 & 37 Vict., cap. 85.] [August 5, 1873.]

Be it enacted by the Queen's Most Excellency Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Registry (Part II of “Merchant Shipping Act, 1854”).

3. Every British ship registered after the passing of this Act shall before registry, and every British ship registered before the passing of this Act shall, on or before the 1st day of January, 1874, be permanently and conspicuously marked to the satisfaction of the Board of Trade, as follows:

Her name shall be marked on each of her bows, and her name and the name of her port of registry shall be marked on her stern, on a dark ground in white or yellow letters, or on a light ground in black letters, such letters to be of a length not less than 4 inches, and of proportionate breadth:

Her official number and the number denoting her registered tonnage shall be cut in on her main beam:

A scale of feet denoting her draught of water shall be marked on each side of her stem and of her stern post in Roman capital letters or in figures, not less than 6 inches in length, the lower line of such letters or figures to coincide with the draught line denoted thereby. Such letters or figures shall be marked by being cut in and painted white or yellow on a dark ground, or in such other way as the Board of Trade may from time to time approve.

The Board of Trade may, however, exempt any class of ships from the requirements of this section or any of them.

If the scale of feet showing the ship's draught of water is in any respect inaccurate, so as to be likely to mislead, the owner of the ship shall incur a penalty not exceeding 100l.

The marks required by this section shall be permanently continued, and no alteration shall be made therein, except in the event of any of the particulars thereby denoted being

* The following yacht clubs are exempt from the provisions of Section 3 of this Act, by Orders of the Board of Trade: Royal Eastern Yacht Club, February 6, 1874; Royal Cork Yacht Club, June 10, 1874; Royal Yacht Squadron; Royal Cinque Ports Yacht Club; New Thames Yacht Club; Royal Albert; Royal Thames; Royal Alfred; Royal Welsh; Royal Victoria; Junior Thames; Royal Northern; Royal Western; Royal London; Prince of Wales; Royal Dart; Royal Mersey; Royal Western of Ireland, and Royal Cornwall, June 20, 1874; Royal Southern Yacht Club, April 21, 1875; Royal Harwich Yacht Club, and Royal Yorkshire Yacht Club, May 25, 1875; Royal Channel Islands Yacht Club, June 10, 1875; and Royal Irish Yacht Club, June 10, 1875.
altered in the manner provided by the Merchant Shipping Acts, 1854 to 1873.

Any owner or master of a British ship who neglects to cause his ship to be marked as aforesaid, or to keep her so marked, and any person who conceals, removes, alters, defaces, or obliterate, or suffers any person under his control to conceal, remove, alter, deface, or obliterate any of the said marks, except in the event aforesaid, or except for the purpose of escaping capture by an enemy, shall for each offence incur a penalty not exceeding 100L, and any officer of Customs on receipt of a certificate from a surveyor or inspector of the Board of Trade that a ship is insufficiently or inaccurately marked may detain the same until the insufficiency or inaccuracy has been remedied.

Provided that no fishing vessel duly registered, lettered and numbered in pursuance of the "Sea Fisheries Act, 1868," shall be required to have her name and port of registry marked under this section.

Provided also, that if any registered British ship is not within a port of the United Kingdom at any time before the 1st day of January, 1874, she shall be marked as by this section required within one month after her next return to a British port of registry subsequent to that date.

4. The record of the draught of water of any sea-going ship required under Section 5 of "The Merchant Shipping Act, 1871," shall, in addition to the particulars thereby required, specify the extent of her clear side in feet and inches.

The term "clear side" means the height from the water to the upper side of the plank of the deck from which the depth of hold as stated in the register is measured, and the measurement of the clear side is to be taken at the lowest part of the side.

Every master of a sea-going ship shall, upon the request of any person appointed to record the ship's draught of water, permit such person to enter the ship and to make such inspections and take such measurements as may be requisite for the purpose of such record, and any master who fails so to do, or impedes or suffers anyone under his control to impede any person so appointed in the execution of his duty, shall for each offence incur a penalty not exceeding 5L.

5. Where a Foreign ship, not having at any previous time been registered as a British ship, becomes a British ship, no person shall apply to register, and no registrar shall knowingly register such ship, except by the name which she bore as a foreign ship immediately before becoming a British ship, unless with the permission of the Board of Trade granted in manner directed by Section 6 of "The Merchant Shipping Act, 1871."

Any person who acts or suffers any person under his control
to act in contravention of this section shall for each offence incur a penalty not exceeding 100L.

6. Where a ship has ceased to be registered as a British ship by reason of having been wrecked or abandoned, or for any reason other than capture by the enemy or transfer to a person not qualified to own a British ship, such ship shall not be re-registered until she has, at the expense of the applicant for registration, been surveyed by one of the surveyors appointed by the Board of Trade and certified by him to be seaworthy.

16. In every case of collision between two vessels it shall be the duty of the master or person in charge of each vessel, if and so far as he can do so without danger to his own vessel, crew, and passengers (if any), to stay by the other vessel until he has ascertained that she has no need of further assistance, and to render to the other vessel, her master, crew, and passengers (if any), such assistance as may be practicable and as may be necessary in order to save them from any danger caused by the collision; and also to give to the master or person in charge of the other vessel the name of his own vessel, and of her port of registry, or of the port or place to which she belongs, and also the names of the ports and places from which and to which she is bound.

If he fails so to do, and no reasonable cause for such failure is shown, the collision shall, in the absence of proof to the contrary, be deemed to have been caused by his wrongful act, neglect, or default.

Every master or person in charge of a British vessel who fails, without reasonable cause, to render such assistance or give such information as aforesaid shall be deemed guilty of a misdemeanour, and if he is a certificated officer an inquiry into his conduct may be held and his certificate may be cancelled or suspended.

17. If in any case of collision it is proved to the Court before which the case is tried that any of the regulations for preventing collision contained in or made under the Merchant Shipping Acts, 1854 to 1873, has been infringed, the ship by which such regulation has been infringed shall be deemed to be in fault, unless it is shown to the satisfaction of the Court that the circumstances of the case made departure from the regulation necessary.

Miscellaneous and Repeal.

29. Where, in accordance with the Foreign Jurisdiction Acts, Her Majesty exercises jurisdiction within any port out of Her Majesty's dominions, it shall be lawful for Her Majesty, by Order in Council, to declare such port a port of registry (in this Act referred to as a foreign port of registry), and by the same or any subsequent Order in Council to declare the description
of persons who are to be the registrars of British ships at such foreign port of registry, and to make regulations with respect to the registry of British ships thereof.

Upon such Order coming into operation it shall have effect as if it were enacted in the Merchant Shipping Acts, 1854 to 1873, and shall, subject to any exceptions and regulations contained in the Order, apply in the same manner, as near as may be, as if the port mentioned in the Order were an ordinary port of registry.

Schedules.

Schedule I.

Signs of Distress.*

In the daytime.—The following signals, numbered 1, 2, and 3, when used or displayed together or separately, shall be deemed to be signals of distress in the daytime:

1. A gun fired at intervals of about a minute;
2. The International Code signal of distress indicated by N C;
3. The distant signal, consisting of a square flag having either above or below it a ball, or anything resembling a ball.

At night.—The following signals, numbered 1, 2, and 3, when used or displayed together or separately, shall be deemed to be signals of distress at night:

1. A gun fired at intervals of about a minute;
2. Flames on the ship (as from a burning tar barrel, oil barrel, &c.);
3. Rockets or shells, of any colour or description, fired one at a time, at short intervals.

Schedule II.

Signals to be made by Ships wanting a Pilot.

In the daytime.—The following signals, numbered 1 and 2, when used or displayed together or separately, shall be deemed to be signals for a pilot in the daytime, viz.:

1. To be hoisted at the fore, the Jack or other national colour usually worn by merchant ships, having round it a white border, one-fifth of the breadth of the flag; or
2. The International Code pilotage signal indicated by P T.

At night.—The following signals, numbered 1 and 2, when used or displayed together or separately, shall be deemed to be signals for a pilot at night, viz.:

1. The pyrotechnic light commonly known as a blue light every 15 minutes; or
2. A bright white light, flashed or shown at short or frequent intervals just above the bulwarks, for about a minute at a time.

* The following countries have adopted the British system of Distress and Pilot Signals:—Austria-Hungary, Belgium, Brazil, Columbia, Denmark (Royal Navy only), Egypt, France (Distress Signals only), Germany, Italy, Netherlands, Nicaragua, Norway, Peru, Portugal, Spain, Sweden. (July, 1879.)
GREAT BRITAIN.

SCHEDULE III. *

Table of Maximum Fee to be paid for the Measurement, Survey, and Inspection of Merchant Ships.

1. For measurement of tonnage.

<table>
<thead>
<tr>
<th>Tonnage Range</th>
<th>£ s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>50 tons</td>
<td>1 0 0</td>
</tr>
<tr>
<td>50 to 100 tons</td>
<td>1 10 0</td>
</tr>
<tr>
<td>100 to 200</td>
<td>2 0 0</td>
</tr>
<tr>
<td>200 to 500</td>
<td>3 0 0</td>
</tr>
<tr>
<td>500 to 800</td>
<td>4 0 0</td>
</tr>
<tr>
<td>800 to 1,200</td>
<td>5 0 0</td>
</tr>
<tr>
<td>1,200 to 2,000</td>
<td>6 0 0</td>
</tr>
<tr>
<td>2,000 to 3,000</td>
<td>7 0 0</td>
</tr>
<tr>
<td>3,000 to 4,000</td>
<td>8 0 0</td>
</tr>
<tr>
<td>4,000 to 5,000</td>
<td>9 0 0</td>
</tr>
<tr>
<td>5,000 and upwards</td>
<td>10 0 0</td>
</tr>
</tbody>
</table>

2. For the inspection of the berthing of sleeping accommodation of the crew.

<table>
<thead>
<tr>
<th>£ s. d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>0 10 0</td>
</tr>
</tbody>
</table>

Provided as follows:

1. The aggregate amount of the fees for any such inspection shall not exceed one pound (£1) whatever be the number of separate visits.

2. When the accommodation is inspected at the same time with the measurement of the tonnage, no separate fee shall be charged for such inspection.

3. For the survey of emigrant ships.

a. For an ordinary survey of the ship, and of her equipments, accommodation, stores, light, ventilation, sanitary arrangements, and medical stores 10 0 0

b. For a special survey 15 0 0

c. In respect of the medical examination of passengers and crew, for every hundred persons or fraction of a hundred persons examined 1 0 0

4. For the inspection of lights and for signals.

For each visit made to a ship on the application of the owner, and for each visit made where the lights or fittings are found defective 0 10 0

Provided that the aggregate amount of fees for any such inspection shall not exceed one pound (£1) whatever be the number of separate visits.

* Table of Fees and Expenses fixed by the Board of Trade for the Admeasurement of Tonnage. August, 1873.

The Board of Trade have determined that fees in accordance with the scale given in Section 30 (Schedule 8) of the “Merchant Shipping Act, 1873,” printed at foot hereof, for measurement of tonnage, are to be paid to the Superintendent of a Mercantile Marine Office, and no ship is to be visited for admeasurement until the fees have been paid, and the surveyor receives intimation thereof through the Superintendent.

This applies to Foreign ships as well as to British ships, and whether measured under Rule 1 or Rule 2.

Where, however, the gross tonnage of a Foreign ship has been ascertained by the British system, and is stated on the certificate of registry, the fees are only to be charged for the tonnage of the space actually measured. The countries to whose
ACT of the British Parliament, for consolidating with Amendments the Acts for carrying into effect Treaties for the more effectual suppression of the Slave Trade, and for other purposes connected with the Slave Trade.

[36 & 37 Vict., cap. 88.] [August 5, 1873.]

WHEREAS divers Treaties for the more effectual suppression of the Slave Trade have been made by or on behalf of Her Majesty and her Royal predecessors with foreign States, and the Acts mentioned in the second schedule to this Act have been passed for carrying into effect the said Treaties, or some of them:

* Italy added, September 30, 1873; Spain, March 17, 1875; Sweden, March 17, 1875; Netherlands, October 26, 1875; Norway, November 5, 1877; Greece, July 1, 1878.

In addition to the fee, the travelling expenses and personal allowance incurred by the surveyors are to be charged to the owners. For this purpose the crew space forms, Stm. 26 and 33, may be altered and used pending the issue of a special form for tonnage reports.

The charging of local fees in lieu of the actual expenses incurred, in practice at some ports, should be at once discontinued.

Thomas Gray.

Fees for Measurement of Tonnage.

[See preceding page.]

Supplementary Instructions in connection with Surveys. October, 1873.

With reference to Circular 652, and to the new form of application for surveys (Surveys 6), the following supplementary instructions are issued:

Tonnage.

(1.) The fees are to be charged on the gross register tonnage of the vessels measured.

(2.) In the case of vessels measured under Rule 2, the fee to be charged will be one-fourth of the maximum fee, according to the tonnage of the vessel, provided that the minimum fee is not less than 10s. When a vessel previously measured under Rule 2 is re-measured under Rule 1, the fee to be charged is to be such as will make up, with the sum previously paid for measurement under Rule 2, the maximum fee.

(3.) In the case of alterations in a space or spaces on the upper deck or engine room, the fee to be charged will be one-fifth of the maximum fee, according to the tonnage of the vessel, provided that the minimum fee is not less than 10s.

(4.) In the case of foreign vessels holding "Certificates of British Tonnage" no fee is to be charged if this certificate has been issued within 3 years. If issued previous to that period the principal dimensions are to be re-tried, and, if found correct, a fee of 10s. only is to be charged. If these dimensions do not, practically, agree with the certificate of tonnage, the vessel must be re-measured throughout under Rule 1 or 2, as the case may be, and the usual fees must be charged.

(5.) In the case of vessels afloat, to get to which the Surveyor requires a boat, the master must either provide a boat and hands to take the surveyor to and from the vessel, or boat hire must be charged, in addition to any other expenses incurred on account of the vessel.

Thomas Gray.
And whereas it is expedient to consolidate the said Acts into one Act, and to make provision for carrying into effect the said Treaties, and any Treaty which may hereafter be made by or on behalf of Her Majesty with any foreign State for the more effectual suppression of the Slave Trade:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

_Preliminary._

1. This Act may be cited as "The Slave Trade Act, 1873."
2. In this Act:
   The term "the Treasury" means the Commissioners of Her Majesty's Treasury;
   The term "the Admiralty" means the Lord High Admiral of the United Kingdom, or the Commissioners for executing the office of Lord High Admiral;
   The term "vessel" means any vessel used in navigation,
   The term "British possession" means any plantation, territory, settlement, or place, situate within Her Majesty's dominions, and not forming part of the United Kingdom;
   The term "Governor" includes the officer for the time being administering the government of any colony; and where there is a local Governor or Lieutenant-Governor, under a Governor-General, means the local Governor or Lieutenant-Governor;
   The term "The Slave Trade Act, 1824," means the Act of the session of the 5th year of the reign of King George IV, chapter 113, intituled "An Act to amend and consolidate the Laws relating to the abolition of the Slave Trade;"
   The term "foreign State" includes any foreign nation, people, tribe, sovereign, prince, chief, or headman;
   The term "vessel of a foreign State" means a vessel which is justly entitled to claim the protection of the flag of a foreign State, or which would be so entitled if she did not lose such protection by being engaged in the Slave Trade;
   The term "Treaty" includes any Convention, agreement, engagement, or arrangement;
   The term "Slave Trade," when used in relation to any particular Treaty, does not include anything declared by such Treaty not to be comprised in the term or in such Treaty;
   The term "Vice-Admiralty Court" does not include any Vice-Admiralty Court which for the time being has under its

* See Vol. 3. Page 152.
commission a limited jurisdiction only in matters relating to the Slave Trade;

The term "British slave court" means the High Court of Admiralty of England, every Vice-Admiralty Court in Her Majesty's dominions out of the United Kingdom, and every East African Court for the time being within the meaning of "The Slave Trade (East African Courts) Act, 1873;"

The term "slave court" means every British slave court, every Mixed Commission or Court established under any existing Slave Trade Treaty, and the Court of any foreign State having jurisdiction to try and condemn a vessel engaged in the Slave Trade;

The term "existing Slave Trade Treaty" means a Treaty made by or on behalf of Her Majesty or her Royal predecessors with any foreign State for the more effectual suppression of the Slave Trade, and in force at the passing of this Act.

Seizure of Slave Ships.

3. Where a vessel is, on reasonable grounds, suspected of being engaged in or fitted out for the Slave Trade, it shall, (subject, in the case either of the vessel of a foreign State, or of the commander or officer of a cruiser of a foreign State, to the limitations, restrictions, and regulations, if any, applicable thereto, contained in any Slave Trade Treaty made with such State) be lawful:

(a.) If the vessel is a British vessel, or is engaged in the Slave Trade within British jurisdiction, or is not a vessel of a foreign State, for any commander or officer of any of Her Majesty's ships, for any officer bearing Her Majesty's commission in the Army or Navy, for any officer of Her Majesty's Customs in the United Kingdom, Channel Islands, or Isle of Man, for the Governor of a British possession, or any person authorised by any such Governor, and for any commander or officer of any cruiser of a foreign State authorised in pursuance of any existing Slave Trade Treaty; and

(b.) If the vessel is a vessel of a foreign State, for any commander or officer of any of Her Majesty's ships, when duly authorised in that behalf, in pursuance of any Treaty with that State, and for any commander or officer of any cruiser of that foreign State;

to visit and seize and detain such vessel, and to seize and detain any person found detained or reasonably suspected of having been detained as a slave, for the purpose of the Slave Trade, on board any such vessel, and to carry away such vessel and person, together with the master and all persons, goods, and effects on board any such vessel, for the purpose of bringing in such vessel, person, goods, and effects for adjudication.
All vessels, slaves, persons, goods, and effects which may be forfeited under the enactments with which this Act is to be construed as one, as hereinafter mentioned, may be visited, seized, and detained by any commander, officer, Governor, or person authorised by this section, to seize a British vessel.

4. Where any of the particulars mentioned in the first schedule to this Act found in the equipment or on board of any vessel visited, seized, or detained in pursuance of this Act, such vessel shall, unless the contrary be proved, be deemed to be fitted out for the purposes of and engaged in the Slave Trade; and in such case, even though the vessel is restored, no damages shall be awarded against the seizer under this Act in respect of such visitation, seizure, or detention, or otherwise, upon such restoration.

Provided that this section shall not extend to the vessel of any foreign State, except so far as may be consistent with the Treaty made with such State.

Courts.

5. The High Court of Admiralty of England and every Vice-Admiralty Court in Her Majesty's dominions out of the United Kingdom shall have jurisdiction to try and condemn or restore any vessel, slave, goods, and effects, alleged to be seized, detained, or forfeited, in pursuance of this Act, and on restoring the same to award such damages in respect of the visitation, seizure, and detention of such vessel, goods, and effects, and of any person on board such vessel, and in respect of any act or thing done in relation to such visitation, seizure, or detention, or in respect of any such matters, and in any case to make such order as to costs as, subject to the provisions of this Act and of any existing Slave Trade Treaty, the Court may think just.

Provided that nothing in this section shall give to any Court any jurisdiction inconsistent with any existing Slave Trade Treaty over a vessel which is shown to such Court to be the vessel of any foreign State, and which has not been engaged within British jurisdiction in the Slave Trade, but where any vessel of a foreign State is liable to be condemned by a British Slave Court, such Court shall have the same jurisdiction as if she were a British vessel.

Each of the said Courts shall have the same jurisdiction in regard to any person who has been seized, either at sea or on land, on the ground that he has or is suspected to have been detained as a slave, for the purpose of the Slave Trade, as the Court would have under this section if he had been so detained on board a vessel that was seized and brought in for adjudication.

6. Where any vessel or slave seized by the commander or
officer of the cruiser of any foreign State is brought in for adjudication in a British Slave Court, all proceedings for the condemnation of such vessel and slave, and the goods and effects on board such vessel, shall be taken in the name of Her Majesty by some person duly authorised in that behalf.

Mixed Courts.

7. Where any existing Slave Trade Treaty contains provisions for the time being in force for the appointment of any Mixed Court or Commission for deciding cases under such Treaty, it shall be lawful for Her Majesty from time to time to appoint such commissioners, judges, arbitrators, secretary, registrar, and other officers as are mentioned in such provisions.

There shall be paid to every commissioner, judge, arbitrator, secretary, registrar, and other officer so appointed, such salary as the Treasury may from time to time direct.

In case of the death, or sickness, or absence, either on leave or from any other lawful impediment, of any such commissioner, judge, arbitrator, secretary, registrar, or other officer, whether British or not, the vacancy shall be temporarily filled in manner provided by the Treaty.

8. The regulations contained in any existing Slave Trade Treaty for the time being in force, with respect to any Mixed Court or Commission, shall have effect as if they were enacted in this Act, and such Court or Commission shall have all necessary jurisdiction for the purpose of carrying into effect any Treaty referring to them, and in particular shall have jurisdiction to try, condemn, and restore British vessels seized in pursuance of such Treaty on suspicion of being engaged in the Slave Trade, and shall for the purpose of their jurisdiction, have the same power as any Vice-Admiralty Court in Her Majesty’s dominions has, and may accordingly take evidence, administer oaths, summon and enforce the attendance of witnesses, and require and enforce the production of documents in like manner as any such Court.

Disposal of Vessels and Slaves.

9. A vessel seized in pursuance of this Act, when condemned by a Slave Court, may be taken into Her Majesty’s service upon payment of such sum as the Admiralty deem to be a proper price for the same (which sum is in this Act called the appraised value of such vessel), or, if not so taken, shall be broken up, and the materials thereof shall be publicly sold in separate parts.

Provided that nothing herein shall prejudice the right of the Government of any foreign State, under any Treaty, to require such vessel to be broken up, or to take such vessel into its service upon payment of a sum fixed in accordance with such
Treaty, and any sum paid by the Government of a foreign State for a vessel taken into its service after condemnation by a Slave Court shall be deemed for the purposes of this Act to be the appraised value of the vessel.

10. Where any slaves are seized in pursuance of this Act, they shall, for the purpose only of seizure, prosecution, and condemnation, be deemed to be property, and shall be condemned as forfeited to the sole use of Her Majesty for the purpose only of divesting all other right or interest therein, and shall not be treated as slaves, but shall be provided for, pending the proceedings for their condemnation, in such manner, and shall on condemnation be disposed of in such manner, or delivered over to such persons, as the Court having cognizance of the case may adjudge, subject to the regulations (if any) which are from time to time made by the Treasury; and the Treasury may from time to time make, alter, and revoke regulations for this purpose, so that they may be consistent with any provisions in this behalf contained in any existing Slave Trade Treaty.

**Bounties.**

11. Where a vessel (whether British or not) or slave, goods or effects, seized in pursuance of this Act by any commander or officer of any of Her Majesty’s ships have been condemned by a Slave Court, there shall be paid to the commander, officers, and crew of such ship the following sums:

(1.) A slave bounty of 5l. for every slave so condemned who is delivered over, or, if the commander of the ship so elect, a tonnage bounty of 1l. for every ton of the tonnage of the vessel condemned.

(2.) That part to which Her Majesty is entitled of the appraised value of the vessel condemned, or, if such vessel was broken up and the materials thereof publicly sold in separate parts, of the net proceeds of such sale after deducting the charges of prosecution.

(3.) Where the condemned vessel

(a) was brought into port and was broken up in pursuance of the order of the Slave Court, and the materials thereof publicly sold in separate parts; or

(b) was abandoned or destroyed prior to condemnation, and the Slave Court by the decree of condemnation declared that, after full consideration by the Court of the circumstances of the case, the seizors had satisfied the Court that such abandonment or destruction was inevitable; or otherwise under the circumstances proper and justifiable;

a further tonnage bounty at the rate of 30s. for every ton of the tonnage of the vessel; and

(4.) The net proceeds to which Her Majesty is entitled
(after deducting the charges of prosecution) of any such goods which the Slave Court ordered to be sold.

Where any slave so condemned is not delivered over in consequence of death, sickness, or other inevitable circumstances, the Treasury may, if they think fit, pay to the seizor of such slave one moiety of the slave bounty which would have been due in respect of such slave if he had been delivered over.

12. Where any vessel, slave, goods, or effects seized in pursuance of this Act otherwise than by the commander or officer of one of Her Majesty's ships, or of the cruiser of a foreign State, have been condemned by a Slave Court, there shall be paid the following sums:

(1.) Two-thirds of the appraised value of the vessel or (if the vessel was broken up and the materials thereof publicly sold in separate parts) of the net proceeds of such sale, and two-thirds of the net proceeds of such goods and effects (after deducting from such appraised value or net proceeds the charges of prosecution) for the use of Her Majesty to such persons as the Treasury may from time to time appoint, to be carried to the consolidated fund:

(2.) The remaining third part of the said appraised value or net proceeds of the vessel and of the net proceeds of such goods and effects to the person who lawfully seized and prosecuted the ship, goods, and effects respectively to condemnation.

(3.) For every slave so condemned who is delivered over, a slave bounty of 5l. to the person who prosecuted the same to condemnation.

Where any slave so condemned is not delivered over in consequence of death, sickness, or other inevitable circumstances, the Treasury may, if they think fit, pay in respect of such slave one moiety of the slave bounty which would have been due in respect of such slave if he had been delivered over.

13. Where any vessel, goods, or effects have been seized in pursuance of this Act by the commander or officer of a cruiser of any foreign State, and been condemned by a British Slave Court, such portion of the appraised value of the vessel, or (if the vessel was broken up and the materials thereof publicly sold in separate parts) of the net proceed of such sale, and of the net proceeds of the goods and effects, as is under any Treaty with such State payable to the seizors, shall be paid to such person as the Treasury may direct, to be disposed of in accordance with such Treaty.

14. In order to obtain payment of the bounty, there shall be produced to the Treasury the following evidence, or such other evidence as the Treasury may deem sufficient; namely,
(a.) A copy, duly certified, of the decree of condemnation of
the vessel or slave:

(b.) If any tonnage bounty is claimed, a certificate from
some person authorised for the time being to act as a registrar
of British ships of the dimensions and tonnage of the vessel:

(c.) If a slave bounty is claimed, a certificate from the
person appointed to receive the slaves of the number of slaves
condemned and delivered over.

For the purpose of bounty the tonnage of a vessel shall be
calculated and ascertained in the like manner in which, for
the time being, the tonnage of a vessel is calculated and ascer-
tained for the purpose of registering the same as a British
vessel, or, if the same cannot be satisfactorily ascertained in
that manner, shall be ascertained in such manner as the
Treasury may consider satisfactory.

15. Where any visitation, seizure, detention, or prosecution
purports to have been made or instituted in pursuance of this
Act, the Treasury when required under any Treaty shall and
in other case may, if they think fit, pay the whole or any part
of any costs, expenses, compensation, and damages which may
have been awarded against the person making or instituting
such visitation, seizure, detention, or prosecution, or any costs
and expenses which may have been incurred in respect of the
same or on account of any person on board any vessel so
visited, seized, or detained; but nothing in this section shall
exempt the commander or officer of the ship or other person
by whom the visitation, seizure, detention, or prosecution was
made or instituted from his liability to make good any sum so
paid when required by the Treasury so to do, and when any
such commander or officer, or other person serving under the
Admiralty, or any person serving under any other department
of the Government, is so required to make good any sum, that
sum shall, if the Treasury so direct, be deducted by the
Admiralty or other department of the Government, under whom
such person is serving, from any payment to which such com-
mander, officer, or person is entitled on account of salary, pay,
prize, or bounty.

16. The bounties and all other sums payable by the Treasury
in pursuance of this Act shall be paid out of monies provided
by Parliament for the purpose.

The provisions of “The Naval Agency and Distribution Act,
1864,” shall apply to all money payable to the commanders,
officers, and crews of Her Majesty’s ships in pursuance of this
Act.

Miscellaneous.

17. All persons authorised to make seizures under this
Act shall, in making and prosecuting any such seizure, have
the benefit of all the protection granted to persons authorised to make seizures under any Act for the time being in force relating to Her Majesty's Customs in the United Kingdom, in like manner as if the enactments granting such protection were herein enacted, and in terms made applicable thereto.

18. In either of the following cases, namely,
   (a.) Where any proceeding has been instituted in any Slave Court for the condemnation or restitution of any vessel, slave, goods, or effects purporting to have been seized in pursuance of this Act, and is still pending; or
   (b.) Where any vessel, slave, goods, or effects purporting to have been seized in pursuance of this Act, have been condemned or restored, or any other final judgment has been pronounced thereon by any Slave Court, the pendency of such proceeding, or the condemnation or restitution, or other final judgment thereon, as the case may be, shall be a complete bar to every legal proceeding whatever for the recovery of such vessel, slave, goods, or effects, or of damages for any costs, expenses, loss, or injury sustained by any person by or in consequence of the visitation, seizure, or detention of such vessel, slave, goods, or effects, or of any person on board such vessel, or by or in consequence of any act or thing done in relation to such visitation, seizure, or detention, or in pursuance of this Act or any existing Slave Trade Treaty, and may be pleaded in bar or given in evidence under the general issue.

19. The High Court of Admiralty of England shall have jurisdiction to hear and determine any question arising with respect to the right of any person to any payment in pursuance of this Act in respect of any condemned vessel, slave, goods, or effects, and any question of joint capture or seizure which may arise in respect of any vessel, slave, goods, or effects, seized in pursuance of this Act, and also as well to review as to enforce any decree, declaration, or order of any British Slave Court made in pursuance of this Act.

20. The registrar of the High Court of Admiralty of England may, on the application of any person aggrieved, or of the Treasury, tax or review the taxation of any costs, charges, or expenses incurred or alleged to be incurred in any proceeding taken in any British Slave Court, or in any Mixed Commission or Court in Her Majesty's dominions, and shall for this purpose have the same jurisdiction and powers as he has in the taxation of any costs, charges, or expenses incurred in any proceeding in the High Court of Admiralty.

21. The Treasury may appeal from any decree, order, or declaration which is made by any British Slave Court in pursuance of this Act and involves the payment by the Treasury of any bounty, costs, expenses, compensation, damages or other moneys in like manner as if they were parties to the
proceeding, in which such decree, order, or declaration was made.

22. Any person who wilfully gives false evidence in any proceeding taken in pursuance of this Act in any Slave Court shall be guilty of an offence against this Act, and shall be liable to the like penalty as if he had been guilty of perjury, or in a British possession, of the offence, by whatever name called, which if committed in England would be perjury.

23. The registrar of every British Slave Court, and if appointed by Her Majesty of every other Slave Court, shall from time to time make returns of the cases adjudged in such Court in pursuance of this Act, at such times and in such form and containing such particulars as may be from time to time directed by any rule established with respect to such Court under "The Vice-Admiralty Courts Act, 1863," or if there is no such rule by Order in Council.

"Slave Trade Act, 1824."

24. This Act shall be construed as one with the enactments "The Slave Trade Act, 1824," and any enactments amending the same, so far as they are in force at the time of the passing of this Act, and are not repealed by this Act; and the expression "this Act," when used in this Act, shall include those enactments.

25. All pecuniary forfeitures and penalties imposed by the said enactments, with which this Act is to be construed as one, may be sued for, prosecuted, and recovered in any Court of Record or of Vice-Admiralty in any part of Her Majesty's dominions wherein the offence was committed, or where the offender may be, in like manner as any penalty or forfeiture incurred in the United Kingdom under any Act for the time being in force relating to Her Majesty's Customs, or (in the case of the High Court of Admiralty or of a Court of Vice-Admiralty) in like manner as any vessel seized in pursuance of this Act.

Such pecuniary penalties and forfeitures shall, subject to the express provisions of the said enactments, be paid and applied in like manner as the net proceeds of a vessel seized otherwise than by the commander or officer of one of Her Majesty's ships, or of the cruiser of a foreign State.

26. Any offence against this Act or the said enactments with which this Act is to be construed as one, or otherwise in connexion with the Slave Trade, shall for all purposes of and incidental to the trial and punishment of a person guilty of such offence, and all proceedings and matters preliminary and incidental to and consequential on such trial and punishment, and for all purposes of and incidental to the jurisdiction of any Court, constable, and officer with reference to such offence, be

* See Vol. 3. Page 152.
deemed to have been committed either in the place in which the offence was committed, or in the county of Middlesex, or in any place in which the person guilty of the offence may for the time being be, either in Her Majesty's dominions, or in any foreign port or place in which Her Majesty has jurisdiction; and the offence may be described in any indictment or other document relating thereto as having been committed at the place where it was wholly or partly committed, or as having been committed on the high seas or out of Her Majesty's dominions, and the venue or local description in the margin may be that of the place in which the trial is held.

Where any such offence is commenced at one place and completed at another, the place at which such offence is to be deemed to have been committed shall be either the place where the offence was commenced or the place where the offence was completed.

Where a person being in one place is accessory to or aids or abets in any such offence committed in another place, the place at which offence is to be deemed to have been committed shall be either the place in which the offence was actually committed or the place where the offender was at the time of his being so accessory, aiding, or abetting.

Where it appears to any Court or the judge of any Court having jurisdiction to try any such offence that the removal of an offender charged with such offence to some other place in Her Majesty's dominions for trial would be conducive to the interests of justice, such Court or judge may by warrant, or instrument in the nature of a warrant, direct such removal, and such offender may be removed and tried accordingly: and section 268 of "The Merchant Shipping Act, 1854," shall apply to the removal of an offender under this section in the same manner as if the term "Consular officer" in that section included the Court or judge making such warrant or instrument.

27. Offences committed against this Act or the enactments with which this Act is to be construed as one, or otherwise in connection with the Slave Trade, whether committed on the high seas or on land, or partly on the high seas or partly on land, shall be deemed to be inserted in the first schedule to "The Extradition Act, 1870," and that Act, and any Act amending the same, shall be construed accordingly.

Application of Act.

28. This Act shall apply to all cases of vessels, slaves, goods, and effects seized and adjudicated upon by any Slave Court, whether before or after the passing of this Act.

29. Where any Treaty in relation to the Slave Trade is made after the passing of this Act, by or on behalf of Her Majesty with any Foreign State, Her Majesty may by Order in
Council direct that as from such date, not being earlier than the date of the Treaty, as may be specified in the Order, such Treaty shall be deemed, and thereupon (as from the said date, or if no date is specified as from the date of such Order) such Treaty shall be deemed to be an existing Slave Trade Treaty within the meaning of this Act, and all the provisions of this Act shall apply and be construed accordingly.

Her Majesty may, by the same or any subsequent Order referring to the same Treaty, render the application of this Act subject to such conditions, exceptions, and qualifications as may be deemed expedient.

Every such Order shall recite or embody the terms of the Treaty so far as they relate to the Slave Trade, and shall be laid before both Houses of Parliament within 6 weeks after it is made, or, if Parliament be not then sitting, within 6 weeks after the then next meeting of Parliament, and shall also be published in the "London Gazette."

A Treaty, whether made before or after the passing of this Act, which ceases to be in force, shall cease to be an existing Slave Trade Treaty within the meaning of this Act.

**Repeal.**

30. The Acts specified in the second schedule to this Act are hereby repealed.

Provided that

(1.) All bounties and other sums purporting to have been paid in pursuance of any enactment hereby repealed before the passing of this Act shall be deemed to have been duly paid:

(2.) This repeal shall not affect

(a.) Anything duly done or suffered under any enactment hereby repealed; or

(b.) Any right, privilege, obligation, liability, or forfeiture acquired, accrued, or incurred under any enactment hereby repealed; or

(c.) Any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, liability, or forfeiture as aforesaid, or any legal proceeding taken or commenced under any enactment hereby repealed; and any such investigation, legal proceeding, and remedy may be carried on and all acts consequential thereon done as if it had been commenced under this Act.

**FIRST SCHEDULE.**

*Equipments which are prima facie evidence of a Vessel being engaged in the Slave Trade.*

1st.—Hatches with open gratings, instead of the close hatches which are usual in merchant vessels.

2ndly.—Divisions or bulkheads in the hold or on deck more numerous than are necessary for vessels engaged in lawful trade.
3rdly.—Spare plank fitted for being laid down as a second or slave deck.

4thly.—Shackles, bolts, or handcuffs.

5thly.—A larger quantity of water in casks or in tanks than is requisite for the consumption of the crew of the vessel as a merchant vessel.

6thly.—An extraordinary number of water casks or of other vessels for holding liquid, unless the master shall produce a certificate from the Custom-House at the place from which he cleared outwards, stating that a sufficient security had been given by the owners of such vessel that such extra quantity of casks or of other vessels should only be used for the reception of palm oil, or for other purposes of lawful commerce.

7thly.—A greater quantity of mess tubs or kids than are requisite for the use of the crew of the vessel as a merchant vessel.

8thly.—A boiler or other cooking apparatus of an unusual size, and larger or fitted for being or capable of being made larger than requisite for the use of the crew of the vessel, or more than one boiler or other cooking apparatus of the ordinary size.

9thly.—An extraordinary quantity either of rice or of the flour of Brazil, manioc, or cassapa, commonly called farinha, of maize or of Indian corn, or of any other article of food whatever, beyond what might probably be requisite for the use of the crew, such rice, flour, maize, Indian corn, or other article of food not being entered on the manifest as part of the cargo for trade.

10thly.—A quantity of mats or matting larger than is necessary for the use of the crew of the vessel as a merchant vessel.

11thly.—Any other equipment, article, or thing, which is declared by any existing Slave Trade Treaty to be prima facie evidence of a vessel being engaged in the Slave Trade.

SECOND SCHEDULE.

Ac’ts repealed.

ACT of the British Parliament, to amend the Law relating to the Registration of Births and Deaths in England; so far as relates to the Registration of Births and Deaths at Sea, on board British or Foreign Ships.

[37 & 38 Vict., cap.88.] [August 7, 1874.]

37. The provisions of this Act, save as is herein expressly provided, shall not apply to the registration of births and deaths on board a vessel at sea, with respect to which the following provisions shall have effect:

(1.) The captain or master of or other person having the command or charge of a British ship shall, as soon as may be after the occurrence of the birth of a child or the death of a person on board such ship, record in his log book or otherwise the fact of such birth or death, and the particulars required by the 4th schedule to this Act to be registered concerning such birth or death, or such of them as may be known to him, and shall (unless the ship is one of Her Majesty’s ships), upon the arrival of such ship at any port of the United Kingdom, or at such other time or place as the Board of Trade may from time to time with respect to any ship or class of ships direct, deliver, or send, in such form and manner as the Board of Trade may...
from time to time direct, a return of the facts so recorded to
the Registrar-General of Shipping and Seamen.

(2.) Where a ship which is not a British ship carries pas-
sengers to or from any port of the United Kingdom as the port
of destination or the port of departure of such ship, the provi-
sions of this section shall apply to the captain or master of or
other person having the command or charge of such ship, in
like manner as if it were a British ship.

(3.) Where the said return is directed by the Board of
Trade (whether the ship is British or foreign) to be delivered
upon the arrival of the ship, or the discharge of the crew, or
otherwise, at any port or place out of the United Kingdom, the
Board of Trade may, if they think fit, direct that the return
instead of being delivered to the Registrar-General of Shipping
and Seamen shall be delivered, and the same shall accordingly
be delivered, if such port or place is within Her Majesty's
dominions, to the shipping master or Collector of Customs at
such port or place, to the principal British Consular officer at
the said foreign port or place, and such shipping master, collector,
or officer shall send the same, as soon as may be, by post or
otherwise, to the Registrar-General of Shipping and Seamen.

(4.) Where it appears from any such return that the father
of any child so born, or if the child is a bastard the mother of
such child, was a Scotch or Irish subject of Her Majesty, or
that any person whose death is mentioned in such return was a
Scotch or Irish subject of Her Majesty, the Registrar-General of
Shipping and Seamen shall from time to time send a certified
copy of so much of the return as relates to such birth or death
to the Registrar-General of Births and Deaths in Scotland or
Ireland, as the case may require.

(5.) The Registrar-General of Shipping and Seamen shall
from time to time send to the Registrar-General of Births and
Deaths in England a certified copy of every other such return,
or of that part of every such return which is not so sent to the
Registrar-General of Births and Deaths in Scotland or Ireland.

(6.) A captain of or other person having charge of one of
Her Majesty's ships shall, upon the arrival of any such ship in
any port of the United Kingdom, or at such other time as the
Commissioners of the Admiralty may from time to time direct,
deliver or send, in such manner and form as the said Commis-
sioners may from time to time direct, a return of the facts
recorded in pursuance of this section to that Registrar-General
of Births and Deaths to whom a copy of such return would, if
the ship were a merchant ship, be sent under the provisions of
this section by the Registrar-General of Shipping and Seamen.

(7.) Every Registrar-General of Births and Deaths to whom
a copy of any return or a return is sent in pursuance of this
section shall cause the same to be filed and preserved in or
copied in a book to be kept by him for the purpose, and to be called a marine register book, and such book shall be deemed to be a certified copy of a register book within the meaning of the Acts relating to the registration of births and deaths in England, Scotland, and Ireland respectively.

(8.) Every captain or master of or other person having charge of a ship who fails to comply with this section shall be liable to a penalty not exceeding 5l. for each offence; and such penalty may be recovered in the same Courts and places and in the like manner, and when recovered shall be applied in like manner, as a penalty under “The Merchant Shipping Act, 1854.”

(9.) This section shall extend to all places and persons within British jurisdiction.

(10.) Terms in this section shall have the same meaning as in “The Merchant Shipping Act, 1854.”

---

**ACT of the British Parliament to amend “The Superannuation Act, 1859,”** so far as relates to the Superannuation Allowances to be granted to Civil Servants who have served in unhealthy Climates.

[38 Vict., cap. 4.] [March 19, 1875.]

[Repealed by Act 39 and 40 Vict., cap. 58. Page 745.]

---

**TREASURY MINUTES declaring certain Places Unhealthy for the purposes of the Superannuation Acts, 1859 and 1876.—1875—1878.**

**Treasury Minute, April 9, 1875.**

<table>
<thead>
<tr>
<th>Place</th>
<th>Country</th>
<th>Place</th>
<th>Country</th>
</tr>
</thead>
<tbody>
<tr>
<td>Fernando Po</td>
<td>West Coast of Africa.</td>
<td>Havana</td>
<td>Spanish Possessions.</td>
</tr>
<tr>
<td>Loanda</td>
<td></td>
<td>Puerto Rico</td>
<td></td>
</tr>
<tr>
<td>Brunei</td>
<td></td>
<td>Manila</td>
<td></td>
</tr>
<tr>
<td>Rio de Janeiro</td>
<td></td>
<td>Souliana</td>
<td></td>
</tr>
<tr>
<td>Pará</td>
<td></td>
<td>Canton</td>
<td></td>
</tr>
<tr>
<td>Pernambuco</td>
<td></td>
<td>Whampoa</td>
<td></td>
</tr>
<tr>
<td>Bahia</td>
<td></td>
<td>Amoy</td>
<td></td>
</tr>
<tr>
<td>Santos</td>
<td>Central America</td>
<td>Foo-choo-foo</td>
<td></td>
</tr>
<tr>
<td>Greytown</td>
<td>Columbia (United States of)</td>
<td>Ningpo</td>
<td></td>
</tr>
<tr>
<td>Cartagena</td>
<td></td>
<td>Shanghiae</td>
<td></td>
</tr>
<tr>
<td>Santa Martha</td>
<td></td>
<td>Swatow</td>
<td></td>
</tr>
<tr>
<td>Panama</td>
<td></td>
<td>Chefoo</td>
<td></td>
</tr>
<tr>
<td>St. Thomas</td>
<td>Danish Possessions.</td>
<td>New Cheang.</td>
<td></td>
</tr>
<tr>
<td>Cayenne</td>
<td>French Possessions.</td>
<td>Taiwan</td>
<td></td>
</tr>
<tr>
<td>Réunion</td>
<td></td>
<td>Kiukiang</td>
<td></td>
</tr>
<tr>
<td>Port-au-Prince</td>
<td>Hayti.</td>
<td>Hankow</td>
<td></td>
</tr>
<tr>
<td>Tamararivo</td>
<td>Madagascar.</td>
<td>Peking</td>
<td></td>
</tr>
<tr>
<td>Surinam</td>
<td>Netherland Possessions.</td>
<td>Taku</td>
<td></td>
</tr>
<tr>
<td>Callao</td>
<td>Peru.</td>
<td>Pagoda Island</td>
<td></td>
</tr>
<tr>
<td>Poti</td>
<td>Russia.</td>
<td>Kiungchow</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bangkok</td>
<td>Siam.</td>
</tr>
</tbody>
</table>

* See Vol. 11. Page 238.
GREAT BRITAIN.

Treasury Minute, July 7, 1875.
Hong-Kong.

Treasury Minute, August 6, 1875.
Chinkiang, China. | Tien-tsin, China. | Tamsay, China.

Treasury Minute, December 3, 1875.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Mozambique</td>
<td>Africa (East Coast).</td>
<td>Nagasaki</td>
<td>Japan.</td>
</tr>
<tr>
<td>Zanzibar</td>
<td>&quot;</td>
<td>Osaka</td>
<td>&quot;</td>
</tr>
<tr>
<td>Cobija</td>
<td>Bolivia.</td>
<td>Yedo</td>
<td>&quot;</td>
</tr>
<tr>
<td>Colon</td>
<td>Columbia (United States of).</td>
<td>Yokohama</td>
<td>&quot;</td>
</tr>
<tr>
<td>Savanilla</td>
<td>&quot;</td>
<td>Arica</td>
<td>Peru.</td>
</tr>
<tr>
<td>Guayaquil</td>
<td>Ecuador.</td>
<td>Iquique</td>
<td>&quot;</td>
</tr>
<tr>
<td>Jacmel</td>
<td>Hayti.</td>
<td>Iquique</td>
<td>&quot;</td>
</tr>
<tr>
<td>Hiogo</td>
<td>Japan.</td>
<td>La Guayra</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

Treasury Minute, December 17, 1875.
Payta .. .. Peru

Treasury Minute, October 24, 1878.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Trinidad de Cuba</td>
<td>Spanish Possessions.</td>
<td>Wenchow</td>
<td>China.</td>
</tr>
<tr>
<td>St. Jago de Cuba</td>
<td>&quot;</td>
<td>Pakhoi</td>
<td>&quot;</td>
</tr>
<tr>
<td>Ichang</td>
<td>China.</td>
<td>Wu-hu</td>
<td>&quot;</td>
</tr>
</tbody>
</table>

ACT of the British Parliament, to amend the Law relating to International Copyright. [Translations of Dramatic Pieces.]
[38 Vict., cap. 12.] [May 13, 1875.]

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follow; viz.:
1. In any case in which, by virtue of the enactments herein-
before recited [15 Vict., cap. 12],* any Order in Council has been or may hereafter be made for the purpose of extending protection to the translations of dramatic pieces first publicly represented in any foreign country, it shall be lawful for Her Majesty by Order in Council to direct that the 6th section of the said Act shall not apply to the dramatic pieces to which protection is so extended; and thereupon the said recited Act shall take effect with respect to such dramatic pieces and to the translations thereof as if the said 6th section of the said Act were hereby repealed.

ACT of the British Parliament, to provide for the establishment of a Close Time in the Seal Fishery in the Seas adjacent to the Eastern Coasts of Greenland.

[38 Vict., cap. 18.] [June 14, 1875.]

Be it enacted by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. When it appears to Her Majesty in Council that the foreign States whose ships or subjects are engaged in the seal fishery in the area mentioned in the schedule to this Act, or any part of such area, have made or will make with respect to their own ships and subjects the like provisions to those contained in this Act, it shall be lawful for Her Majesty, by Order in Council, to direct that this Act shall, after the date mentioned in the Order, apply to the seal fishery within the said area, or such part thereof as may be specified in the Order.

Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient.

So long as an Order under this section remains in force this Act shall, subject to any such limitation, condition, exemption, or qualification as aforesaid, apply to the seal fishery within the said area, or such part as may be specified in the Order.

Her Majesty may from time to time, by Order in Council, rescind, alter, or add to any Order made in pursuance of this section, and make a new Order in lieu thereof.

Every Order in Council made in pursuance of this section shall be laid before both Houses of Parliament within 6 weeks after it is made, or if Parliament be not then sitting, within 6 weeks after the then next meeting of Parliament, and shall also be published in the “London Gazette.”

2. When an Order in Council has been made for applying this Act, then, so long as such Order remains in force, the master or person in charge of or any person belonging to any British ship, or any British subject, shall not kill or capture or attempt to kill or capture any seal within the area mentioned in the schedule to this Act, or the part of the area specified in the Order, before such day in any year as may be fixed by the Order, and the master or person in charge of a British ship shall not permit such ship to be employed in such killing or capturing, or permit any person belonging to such ship to act in breach of this section.

Any person who is guilty of any breach (by any act or default) of this section shall be liable to a penalty not exceeding 500l. for each offence.

3. Every offence under this Act may be prosecuted and every penalty under this Act may be recovered:

(1.) In England, before two justices of the peace in a summary manner, or by action in any of Her Majesty's Superior Courts at Westminster, together with full costs of suit; and

(2.) In Scotland, by action as for a debt in the ordinary Sheriff Court or in the Court of Session; and

(3.) In Ireland, before two justices of the peace in a summary manner, or by personal action in any of Her Majesty's Superior Courts at Dublin.

Provided that the penalty imposed in a summary manner by two justices shall not exceed 100l., exclusive of costs.

One half of every penalty recovered under this Act shall be paid to the person who prosecuted the offence or sued for such penalty.

For all purposes of and incidental to the trial and punishment of any person accused of an offence under this Act, and the proceedings and matters preliminary and incidental to and consequential on his trial and punishment, and for all purposes of and incidental to the jurisdiction of any Court or of any constable or officer with reference to such offence, the offence shall be deemed to have been committed either in the place in which it was actually committed or in any place in which the offender may for the time being be found.

4. Where an offence under this Act is committed, then:

(a.) If the same is committed by the fault or with the connivance of the master of any ship, that master, and—

(b.) If the same is committed by the fault or with the connivance of the owner of any ship, that owner—

shall be liable to the like penalty to which the person committing such offence is liable under this Act.

5. Where the owner or master of a ship is adjudged to pay a penalty for an offence under this Act, the Court may, in addi-
tion to any other power they may have for the purpose of compelling payment of such penalty, direct the same to be levied by distress or arrestment and sale of the said ship and her tackle.

6. In this Act the expression "seal" means the harp or saddleback seal, the bladdernosed or hooded seal, the ground or bearded seal, and the floe seal or floe rat, and includes any animal of the seal kind which may be specified in that behalf by an Order in Council under this Act.

SCHEDULE.

Area to which Act applies.

The area included between the parallels of 67° and 75° of north latitude, and between the meridians of 5° east and 17° west longitude, reckoned from the meridian of Greenwich.

ACT of the British Parliament, for amending the Foreign Jurisdiction Acts. [Deportation.]

[38 & 39 Vict., cap. 85.] [August 13, 1875.]

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Where, by Order of the Queen in Council in pursuance of the Foreign Jurisdiction Acts, any court, judge, magistrate, or officer acting or exercising jurisdiction within or in relation to any country or place out of Her Majesty's dominions, is authorised to order the removal or deportation of any person from that country or place, such removal or deportation, and any detention for the purposes thereof, according to the provisions of the Order in Council, shall be as lawful as in the order of the court, judge, magistrate, or officer were to have effect wholly within that country or place.

2. This Act shall be construed as one with "The Foreign Jurisdiction Act, 1843,"* and the Acts amending the same, and together with those Acts may be cited as the Foreign Jurisdiction Acts, 1843 to 1875, and may be cited separately as "The Foreign Jurisdiction Act, 1875."

ACT of the British Parliament, to establish a Register of Trade Marks.

[38 & 39 Vict., cap. 91.] [August 13, 1875.]

Be it enacted by the Queen's Most Excellent Majesty, by

* See Vol. 6: Page 500.
and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. A register of trade marks as defined by this Act, and of the proprietors thereof shall be established under the superintendence of the Commissioners of Patents, and from and after the 1st day of July, 1876, a person shall not be entitled to institute any proceeding to prevent the infringement of any trade mark as defined by this Act until and unless such trade mark is registered in pursuance of this Act.

2. A trade mark must be registered as belonging to particular goods, or classes of goods; and when registered shall be assigned and transmitted only in connection with the goodwill of the business concerned in such particular goods or classes of goods, and shall be determinable with such goodwill, but subject as aforesaid registration of a trade mark shall be deemed to be equivalent to public use of such mark.

3. The registration of a person as first proprietor of a trade mark shall be prima facie evidence of his right to the exclusive use of such trade mark, and shall, after the expiration of 5 years from the date of such registration, be conclusive evidence of his right to the exclusive use of such trade mark, subject to the provisions of this Act as to its connection with the goodwill of a business.

4. Every proprietor registered in respect to a trade mark subsequently to the first registered proprietor shall, as respects his title to that trade mark, stand in the same position as if his title were a continuation of the title of the first registered proprietor.

5. If the name of any person who is not for the time being entitled to the exclusive use of a trade mark in accordance with this Act, or otherwise in accordance with law, is entered on the register of trade marks as a proprietor of such trade mark, or if the registrar refuses to enter on the register as proprietor of a trade mark the name of any person who is for the time being entitled to the exclusive use of such trade mark in accordance with this Act, or otherwise in accordance with law, or if any mark is registered as a trade mark which is not authorised to be so registered under this Act, any person aggrieved may apply in the prescribed manner for an order of the Court that the register may be rectified; and the Court may either refuse such application, or it may, if satisfied of the justice of the case, make an order for the rectification of the register, and may award damages to the party aggrieved.

Where each of several persons claims to be registered as proprietor of the same trade mark, the registrar may refuse to comply with the claims of any of such persons until their rights have been determined by the Court, and the registrar
may himself submit or require the claimants to submit in the
prescribed manner their rights to the Court.

The Court may, in any proceeding under this section, decide
any question as to whether a mark is or is not such a trade
mark as is authorised to be registered under this Act, also any
question relating to the right of any person who is party to
such proceeding to have his name entered on the register of
trade marks, or to have the name of some other person removed
from such register, also any other question that it may be
necessary or expedient to decide for the rectification of the
register.

The Court may direct an issue to be tried for the decision of
any question of fact which may require to be decided for the
purposes of this section.

Whenever any order has been made rectifying the register
the Court shall by its order direct that due notice of such recti-
fication be given to the registrar.

6. The registrar shall not, without the special leave of the
Court, to be given in the prescribed manner, register in respect
of the same goods or classes of goods a trade mark identical
with one which is already registered with respect to such goods
or classes of goods, and the registrar shall not register with
respect to the same goods or classes of goods, a trade mark so
nearly resembling a trade mark already on the register with
respect to such goods or classes of goods as to be calculated to
deceive.

It shall not be lawful to register as part of or in combination
with a trade mark any words the exclusive use of which would
not, by reason of their being calculated to deceive or otherwise,
be deemed entitled to protection in a Court of Equity; or any
scandalous designs.

7. Subject as aforesaid, a register office shall be established
from and after such time (not being later than the 1st day of
January, 1876), in such manner and with such officers, and at
such salaries, to be paid out of moneys provided by Parliament,
as the Lord Chancellor may, with the consent of the Treasury,
direct, and the Lord Chancellor may from time to time, with
the assent of the Treasury, direct; and the Lord Chancellor
may from time to time, with the assent of the Treasury as to
fees, make, and, when made, alter, annul, or vary, such general
rules as to the registry of trade marks, and as to notices to
be given by advertisement before the registration of trade
marks, and as to the classification of goods for the purposes of
this Act, and as to the registration of first and subsequent pro-
prietors of trade marks, and as to the fees to be charged for
registration, and also for the continuance of a trade mark on
the register or otherwise, and as to the removal from the
register of any trade mark, as to notices, and as to the persons

VOL. XIV. 3 B
entitled to inspect the register, and as to any proceedings to be taken to obtain the judgment or leave of the Court, in any matter in which the judgment or leave of the Court is required to be obtained under this Act, and generally for the purpose of carrying into effect this Act, as he may deem expedient.

Any rules made in pursuance of this section shall be laid before both Houses of Parliament if Parliament be then sitting, or if not then sitting, then within 10 days from the then next assembling of Parliament, and shall be of the same validity as if they had been enacted by Parliament; provided that if either House of Parliament resolve, within one month after such rules have been laid before such House, that any of such rules ought not to continue in force, any rule in respect of such resolution has been passed shall, after the date of such resolution, cease to be of any force, without prejudice, nevertheless, to the making of any other rule in its place, or to anything done in pursuance of any such rules before the date of such resolution.

8. The certificate of the registrar as to any entry, matter, or thing which he is authorised by this Act, or any general rules made thereunder, to make or do, shall be evidence of such entry having been made, and of the contents thereof, and of such matters and things having been done or left undone.

9. With respect to the master, wardens, searchers, assistants, and commonalty of the Company of Cutlers in Hallamshire, in the county of York (in this Act called “the Cutlers’ Company”), and the marks or devices (in this Act called “Sheffield corporate marks”) assigned or to be assigned by the master, wardens, searchers, and assistants of that company, be it enacted as follows:

(1.) Within the prescribed time and in the prescribed manner the Cutlers’ Company shall at their own expense deliver to the registrar under this Act copies of all Sheffield corporate marks in force at the time of such delivery:

(2.) When any person, after the passing of this Act, applies to the said master, wardens, searchers, and assistants to assign to him any mark or device, notice of such application, with a copy of such mark or device, shall, within the prescribed time and in the prescribed manner, be delivered to the registrar under this Act; and such mark or device shall not be assigned until after the expiration of the prescribed period from the giving of such notice. In like manner, when any person applies for the registration under this Act of a trade mark as belonging to any goods or class of goods specified in Section 2 of the Cutlers’ Company’s Act of 1860, notice of such application, with a copy of such trade mark, shall, within the prescribed time and in the prescribed manner, be delivered to the Cutlers’ Company; and such trade mark shall not be registered.
until after the expiration of the prescribed period from the
giving of the last-mentioned notice:

(3.) Upon the assigning of any such mark or device, or the
registration of any such trade mark as aforesaid, notice of the
assignment or registration shall, within the prescribed time and
in the prescribed manner, be given to the registrar under this
Act, or to the Cutlers' Company, as the case may be:

(4.) The registrar under this Act, without the special leave
of the Court, to be given only in cases where the applicant
proves his right, shall not in respect of any goods or classes of
goods with respect to which a Sheffield corporate mark shall
have been assigned and actually used, and of which mark a
copy or description or notice of the assigning whereof shall
have been delivered or given to the registrar as aforesaid,
register a trade mark identical with such Sheffield corporate
mark, or so nearly resembling the same as to be calculated to
deceive:

(5.) The master wardens, searchers, and assistants of the
Cutlers' Company shall not assign to any person a mark or
device identical with any trade mark registered under this Act,
and notice of the registration whereof shall have been given to
the Cutlers' Company as aforesaid, or so nearly resembling the
same as to be calculated to deceive:

(6.) Any person to whom a Sheffield corporate mark legally
belongs shall be entitled to have the same mark registered also
as a trade mark under this Act, in respect of any particular
goods or classes of goods, in the same manner and upon the
same terms and conditions in and upon which he might have
registered the same if it were not a Sheffield corporate mark:

(7.) Nothing in this Act shall prejudice or affect the rights
and privileges of the Cutlers' Company, nor, save as is other-
wise in this Act expressly provided, shall any of the provisions
of this Act apply to or in the case of any Sheffield corporate
mark.

10. For the purpose of this Act:
A trade mark consists of one or more of the following
essential particulars; that is to say,
A name of an individual or firm printed, impressed, or
woven in some particular and distinctive manner; or
A written signature or copy of a written signature of an indi-
vidual or firm; or
A distinctive device, mark, heading label, or ticket;
and there may be added to any one or more of the said partic-
ulars any letters, words, or figures, or combination of letters,
words, or figures; also
Any special and distinctive word or words or combination
of figures or letters used as a trade mark before the passing of
this Act may be registered as such under this Act.
“Prescribed” means prescribed by general rules made in pursuance of this Act; and
“Court” means any of Her Majesty’s Superior Courts of Law or Equity at Westminster, or any Court to which the jurisdiction of such Courts may be transferred, or any one or more of such Courts which may be declared to be the Court for the purposes of this Act by such general rules as aforesaid; but the provisions of this Act conferring a special jurisdiction on the Court as above defined shall not, excepting so far as such jurisdiction extends, affect the jurisdiction of any Court in Scotland or Ireland in causes, actions, suits, or proceedings relating to trade marks; and if the register requires to be rectified in consequence of any proceedings in any such Court in Scotland or Ireland, due notice of such requirements shall be given to the registrar, and he shall rectify the register accordingly.

11. This Act may be cited for all purposes as the “Trade Marks Registration Act, 1875.”

---

ACT of the British Parliament, to amend the Copyright of Designs Acts. [Transfer to Commissioners of Patents of Powers vested in Board of Trade.]

[38 & 39 Vict., cap. 93.] ——— [August 13, 1875.]

Be it enacted by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act shall come into operation on the 1st day of January, 1876, which day is in this Act referred to as the commencement of this Act.

2. On and after the commencement of this Act all powers, duties, and authorities vested in, imposed on, or to be exercised by, the Board of Trade under the Acts mentioned in the schedule to this Act shall be transferred to, vested in, and imposed on the Commissioners of Patents for Inventions, and the said Acts shall be construed as if the said Commissioners of Patents were throughout substituted for the Board of Trade or the Lords of the Committee of the Privy Council for the consideration of all matters of trade and plantations.

3. The said Commissioners of Patents may from time to time make, and, when made, revoke and alter general rules for regulating registration under the Acts mentioned in the schedule hereto, and this Act, and on and after the commencement of this Act any discretion or power vested in the registrar under the said Acts shall be subject to the control of the Commissioners of Patents, and shall be exercised by him in such manner
and with such limitations and restrictions (if any) as may be prescribed by the said general rules, and any provisions contained in the said Acts as to the copies, drawings, prints, descriptions, information, matters, and particulars to be furnished to the registrar prior to registration, and as to the mode in which registration is to be conducted by the registrar, and generally as to any act or thing to be done by the registrar, may be modified by such general rules in such manner as the said Commissioners of Patents may think expedient.

General rules made in pursuance of this section shall be laid before Parliament within one month after they are made if Parliament be then sitting, or if not, within one month after the commencement of the then next session; and if either House of Parliament resolve within one month after such rules have been laid before such House that any of such rules ought not to continue in force, any rule in respect of which such resolution has been passed shall, after the date of such resolution, cease to be of any force, without prejudice nevertheless to the making of any other rule in its place, or to anything done in pursuance of any such rules before the date of such resolution.

4. The office of registrar under the Acts mentioned in the schedule to this Act shall cease to exist as a separate paid office, and the Commissioners of Patents may from time to time make arrangements as to the mode in which, and the person or persons by whom, the duties of registrar and other duties under the said Acts are to be performed, and may from time to time delegate to any such person or persons all or any of the duties of the registrar, and any person or persons to whom such duties may be delegated shall, in so far as such delegation extends, be deemed to be the registrar within the meaning of the said Acts.

Any arrangement or delegation of duties to the clerk or other officer of the Commissioners of Patents made by the Board of Trade shall be as valid as it would have been if this Act had been passed at the date of such arrangement or delegation, and the same had been made by the Commissioners of Patents.

5. Each of the Acts mentioned in the schedule to this Act may be cited as “The Copyright of Designs Act” of the year in which it was passed; and the said Acts may, together with this Act, be cited as “The Copyright of Designs Acts, 1842 to 1875,” and this Act may be cited as “The Copyright of Designs Act, 1875.”
SCHEDULE.

Copyright of Designs Acts.

<table>
<thead>
<tr>
<th>Session and Chapter</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>21 &amp; 22 Vict., c. 70</td>
<td>An Act to amend the Act of the 5th and 6th years of Her present Majesty to consolidate and amend the Laws relating to the Copyright of Designs for Ornamenting Articles of Manufacture. Vol. 10. Page 858.</td>
</tr>
</tbody>
</table>

BRITISH PROCLAMATION, respecting the Alteration of Her Majesty's Style and Titles. "Empress of India." Windsor, April 28, 1876.

BY THE QUEEN.—A PROCLAMATION.

VICTORIA R.

WHEREAS an Act has been passed in the present session of Parliament, intituled "An Act to enable Her Most Gracious Majesty to make an addition to the Royal Style and Titles appertaining to the Imperial Crown of the United Kingdom and its Dependencies,"* which Act recites that, by the Act for the Union of Great Britain and Ireland, it was provided that after such union the Royal style and titles appertaining to the Imperial Crown of the United Kingdom and its dependencies should be such as His Majesty by his Royal Proclamation under the Great Seal of the United Kingdom should be pleased to appoint; and which Act also recites that, by virtue of the said Act, and of a Royal Proclamation under the Great Seal, dated the 1st day of January, 1801, our present style and titles are "Victoria, by the Grace of God, of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith;" and which Act also recites that, by the Act for the better government of India, it was enacted that the Government of India, theretofore vested in the East India Company in trust for us, should become vested in us, and that India should thenceforth be governed by us and in our name, and that it is expedient that there should be a recognition of the transfer of Government so made by means of an addition to be made to our style and titles; and which Act, after the said recitals, enacts that it shall be lawful for us, with

* 39 Vict., cap. 10.
GREAT BRITAIN. 743

a view to such recognition as aforesaid, of the transfer of the Government of India, by our Royal Proclamation under the Great Seal of the United Kingdom, to make such addition to the style and title at present appertaining to the Imperial Crown of the United Kingdom and its dependencies as to us may seem meet: We have thought fit, by and with the advice of our Privy Council, to appoint and declare, and we do hereby by and with the said advice appoint and declare, that henceforth, so far as conveniently may be, on all occasions and in all instruments wherein our style and titles are used, save and except all charters, commissions, letters patent, grants, writs, appointments, and other like instruments, not extending in their operation beyond the United Kingdom, the following addition shall be made to the style and titles at present appertaining to the Imperial Crown of the United Kingdom and its dependencies; that is to say, in the Latin tongue in those words, "India Imperatrix." And in the English tongue in these words, "Empress of India."

And our will and pleasure further is, that the said addition shall not be made in the commissions, charters, letters patent, grants, writs, appointments, and other like instruments hereinbefore specially excepted.

And our will and pleasure further is, that all gold, silver, and copper moneys, now current and lawful moneys of the United Kingdom, and all gold, silver, and copper moneys which shall, on or after this day, be coined by our authority with the like impressions, shall, notwithstanding such addition to our style and titles, be deemed and taken to be current and lawful moneys of the said United Kingdom; and further, that all moneys coined for and issued in any of the dependencies of the said United Kingdom, and declared by our Proclamation to be current and lawful money of such dependencies, respectively bearing our style or titles, or any part or parts thereof, and all moneys which shall hereafter be coined and issued according to such Proclamation, shall, notwithstanding such addition, continue to be lawful and current money of such dependencies respectively, until our pleasure shall be further declared thereupon.

Given at our Court at Windsor, the 28th day of April, 1876, in the 39th year of our reign.

God save the Queen.

ACT of the British Parliament, for the amendment of "The Trade Marks Registration Act, 1875."*

[39 & 40 Vict., cap. 33.] [July 24, 1876.]

WHEREAS by "The Trade Marks Registration Act, 1875,"

* An Act for extending the time for the Registration of Trade Marks, in so far as relates to Trade Marks used in Textile Fabrics, was passed on the 6th August, 1877. 40 & 41 Vict., c. 37.
[cap. 91], in this Act referred to as the principal Act, it is provided that from and after the 1st day of July, 1876, a person shall not be entitled to institute any proceeding to prevent the infringement of any trade mark as defined by the principal Act, until and unless such trade mark is registered in pursuance of that Act.

And whereas by reason of the number of trade marks, and especially by reason of the difficulties attending the registration of trade marks in relation to textile fabrics, it has been found impossible to complete the registration of existing trade marks within the time specified by the said section; and it is therefore expedient to prolong the time for the completion of such registration as aforesaid, and otherwise to amend the principal Act.

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. There shall be repealed so much of Section 1 of the principal Act as provides that from and after the 1st day of July, 1876, a person shall not be entitled to institute any proceeding to prevent the infringement of any trade mark as defined by that Act until and unless such trade mark is registered in pursuance of that Act, and in place thereof be it enacted that:

From and after the 1st day of July, 1877, a person shall not be entitled to institute any proceeding to prevent or to recover damages for the infringement of any trade mark as defined by the principal Act until and unless such trade mark is registered in pursuance of that Act, or until and unless, with respect to any device, mark, name, combination of words, or other matter or thing in use as a trade mark before the passing of the principal Act, registration thereof as a trade mark under the principal Act shall have been refused as hereinafter is mentioned.

2. When an application by any person to register as a trade mark a device, mark, name, word, combination of words, or other matter or thing proposed for registration as a trade mark which has been in use as a trade mark before the passing of the recited Act, has been refused, it shall be the duty of the registrar, on request, and on payment of the prescribed fee, to give to the applicant a certificate of such refusal, and a certificate so granted shall be conclusive evidence of such refusal.

3. This Act may be cited for all purposes as "The Trade Marks Registration Amendment Act, 1876."
GREAT BRITAIN.

ACT of the British Parliament, to make further provision respecting the Superannuation Allowance to be granted to Civil Servants serving in Unhealthy Climates.

[39 & 40 Vict., cap. 53.] [August 11, 1876.]

Whereas by “The Superannuation Act, 1875” [cap. 4], provision was made for the grant of special rates of pension to persons who had served in an established capacity in the permanent civil service of the State in unhealthy places, and it is expedient to make further provision for the like purpose:

Be it therefore enacted by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows; viz.:

Unhealthy Places.

1. The Commissioners of Her Majesty’s Treasury (in this Act referred to as the Treasury) may from time to time by order declare that any country or place therein named shall be deemed, and the same shall thereupon be deemed, for the purposes of “The Superannuation Act, 1859,” and this Act, to be an unhealthy place.

The Treasury may from time to time by order revoke or vary an order previously made under this section, but the amount of superannuation, compensation, gratuity, or other allowance to be granted to any person serving, before the date of the order of revocation or alteration in the unhealthy place affected thereby, shall be the same as if it had not been made.

2. For the purpose of reckoning the amount of any superannuation, compensation, gratuity, or other allowance to be granted under “The Superannuation Act, 1859,” to a person who has served in an established capacity in the permanent civil service of the State, two years’ service in an unhealthy place shall be reckoned as service for 3 years, and service in an unhealthy place for any greater or less period than two years shall be reckoned in the like proportion.

Provided that nothing in this section,

(1.) Shall alter so much of Section 2 of “The Superannuation Act, 1859,” as requires a service of 10 years before an annual superannuation allowance can be granted; or

(2.) Shall, without the consent of the Treasury, apply to a person who was residing in an unhealthy place when he entered the permanent civil service of the State.

Supplemental.

3. Every order under this Act shall be laid before both

* See Page 731.
Houses of Parliament in accordance with Section 13 of "The Superannuation Act, 1859."

4. This Act shall apply to persons who have retired from the public service since the 17th day of February, 1875.

5. This Act may be cited as "The Superannuation Act, 1876," and shall be construed as one with "The Superannuation Act, 1859," and that Act and this Act may be cited together as "The Superannuation Acts, 1859 and 1876."

Repeal.

6. "The Superannuation Act, 1875," is hereby repealed: Provided that,

(1.) This repeal shall not affect anything duly done or suffered under the Act hereby repealed; and

(2.) Any order or warrant made in pursuance of the said Act shall have effect as if it were an order made in pursuance of this Act.

ACT of the British Parliament, to amend the Merchant Shipping Acts; so far as relates to Unseaworthy Ships. [British and Foreign.]
[39 & 40 Vict., cap. 80.] [August 15, 1876.]

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

Preliminary.

1. This Act may be cited as "The Merchant Shipping Act, 1876."

2. This Act shall be construed as one with "The Merchant Shipping Act, 1854," and the Acts amending the same; and the said Acts and this Act may be cited collectively as "The Merchant Shipping Acts, 1854 to 1876."

Unseaworthy Ships.

4. Every person who sends or attempts to send, or is party to sending or attempting to send a British ship to sea in such unseaworthy state that the life of any person is likely to be thereby endangered, shall be guilty of a misdemeanour, unless he proves that he used all reasonable means to insure her being sent to sea in a seaworthy state, or that her going to sea in such unseaworthy state was, under the circumstances, reasonable and justifiable, and for the purpose of giving such proof he may give evidence in the same manner as any other witness.

Every master of a British ship who knowingly takes the same to sea in such unseaworthy state that the life of any
person is likely to be thereby endangered shall be guilty of a
misdemeanour, unless he proves that her going to sea in such
unseaworthy state was, under the circumstances, reasonable
and justifiable, and for the purpose of giving such proof he
may give evidence in the same manner as any other witness.

A prosecution under this section shall not be instituted
except by or with the consent of the Board of Trade, or of
the Governor of the British possession in which such prosecu-
tion takes place.

A misdemeanour under this section shall not be punishable
upon summary conviction.

**Foreign Ships, Overloading.**

13. Where a Foreign ship has taken on board all or any part
of her cargo at a port in the United Kingdom, and is whilst at
that port unsafe by reason of overloading or improper loading,
the provisions of this Act with respect to the detention of ships
shall apply to that foreign ship as if she were a British ship,
with the following modifications:

(1.) A copy of the order for the provisional detention of
the ship shall be forthwith served on the Consular officer for the
State to which the ship belongs at or nearest to the place where
the ship is detained:

(2.) Where a ship has been provisionally detained, the Con-
sular officer, on the request of the owner or master of the ship,
may require that the person appointed by the Board of Trade
to survey the ship shall be accompanied by such person as the
Consular officer may select, and in such case, if the surveyor
and such person agree, the Board of Trade shall cause the ship
to be detained or released accordingly, but if they differ, the
Board of Trade may act as if the requisition had not been
made, and the owner and master shall have the appeal to the
Court of Survey touching the report of the surveyor which is
before provided by this Act; and

(3.) Where the owner or master of the ship appeals to the
Court of Survey, the Consular officer, on the request of such
owner or master, may appoint any competent person who shall
be assessor in such case in lieu of the assessor who, if the ship
were a British ship, would be appointed otherwise than by the
Board of Trade.

In this section the expression "Consular officer" means any
Consul-General, Vice-Consul, Consular Agent, or other officer
recognised by a Secretary of State as a Consular officer of a
foreign State.

**Appeal on refusal of certain Certificates to Ships.**

14. Whereas by Section 309 of "The Merchant Shipping
Act, 1854," and enactments amending the same, the owner of a
passenger steamer as defined in that Act is required to cause
the same to be surveyed by a shipwright surveyor and an
engineer surveyor, and those surveyors are required to give
declarations of certain particulars with respect to the sufficiency
or conformity with the Act of the ship and equipments, and to
the limits beyond which the ship is not fit to ply, and to the
number of passengers which the ship is fit to carry, and of
other particulars in the said section mentioned, and the Board
of Trade, under Section 312 of the same Act, issue a certificate
upon such declarations, and the passenger steamer cannot law-
fully proceed to sea without obtaining such certificate;

And whereas under Sections 11 and 50 of “The Passengers
Act, 1855,” and the enactments amending the same, a passenger
ship within the meaning of those sections (in this Act referred
to as an emigrant ship) cannot lawfully proceed to sea without
a certificate of clearance from an emigration officer, or other
officer in those sections mentioned, showing that all the require-
ments of the said sections and enactments have been complied
with, and that the ship is in the officer’s opinion seaworthy, and
that the passengers and crew are in a fit state to proceed to
sea, and otherwise as therein mentioned;

And whereas by Section 30 of “The Merchant Shipping Act
Amendment Act, 1862,” provision is made for preventing a ship
from proceeding to sea in certain cases without a certificate
from a surveyor or person appointed by the Board of Trade to
the effect that the ship is properly provided with lights, and
with the means of making fog signals;

And whereas it is expedient to give in the said cases such
appeal as hereinafter mentioned: Be it therefore enacted that,
If a shipowner feels aggrieved,
(1.) by a declaration of a shipwright surveyor or an engineer
surveyor respecting a passenger steamer under the above-recited
enactments, or by the refusal of a surveyor to give the said
declaration; or
(2.) by the refusal of a certificate of clearance for an emi-
grant ship under the above-recited enactments; or
(3.) by the refusal of a certificate as to lights or fog signals
under the above-recited enactments,
the owner may appeal in the prescribed manner to the Court of
Survey for the port or district where the ship for the time
being is.

On such appeal the judge of the Court of Survey shall
report to the Board of Trade on the question raised by the
appeal, and the Board of Trade, when satisfied that the require-
ments of the report and the other provisions of the said enact-
ments have been complied with may,

(1.) In the case of a passenger steamer give their certificate
under Section 312 of “The Merchant Shipping Act, 1854,” and
(2.) In the case of an emigrant ship give, or direct the emigration or other officer to give, a certificate of clearance under the above-mentioned enactments, and

(3.) In the case of a refusal of a certificate as to lights or fog signals, give or direct a surveyor or other person appointed by them to give a certificate under Section 30 of "The Merchant Shipping Act Amendment Act, 1862."

Subject to any order made by the judge of the Court of Survey, the costs of and incidental to an appeal under this section shall follow the event.

Subject as aforesaid, the provisions of this Act with respect to the Court of Survey and appeals thereto, so far as consistent with the tenour thereof, shall apply to the Court of Survey when acting under this section, and to appeals under this section.

When the survey of a ship is made for the purpose of a declaration or certificate under the above-recited enactments, the person appointed to make the survey shall, if so required by the owner, be accompanied on the survey by some person appointed by the owner, and in such case, if the said two persons agree, there shall be no appeal to the Court of Survey in pursuance of this section.

Passenger Steamers and Emigrant Ships.

16. Any steamship may carry passengers not exceeding 12 in number although she has not been surveyed by the Board of Trade as a passenger steamer, and does not carry a Board of Trade certificate as provided by "The Merchant Shipping Act, 1854," with respect to passenger steamers.

17. Where the legislature of any British possession provides for the survey of and grant of certificates for passenger steamers, and the Board of Trade report to Her Majesty that they are satisfied that the certificates are to the like effect, and are granted after a like survey, and in such manner as to be equally efficient with the certificates granted for the same purpose in the United Kingdom under the Acts relating to merchant shipping, it shall be lawful for Her Majesty by Order in Council,

(1.) To declare that the said certificates shall be of the same force as if they had been granted under the said Acts; and

(2.) To declare that all or any of the provisions of the said Acts which relate to certificates granted for passenger steamers under those Acts shall, either without modification or with such modifications as to Her Majesty may seem necessary, apply to the certificates referred to in the Order; and

(3.) To impose such conditions and to make such regulations with respect to the said certificates, and to the use, delivery,
and cancellation thereof, as to Her Majesty may seem fit, and to impose penalties not exceeding 50£ for the breach of such conditions and regulations.

18. In every case where a passenger certificate has been granted to any steamer by the Board of Trade under the provisions of “The Merchant Shipping Act, 1854,” and remains still in force, it shall not be requisite for the purposes of the employment of such steamer under the Passenger Acts that she shall be again surveyed in her hull and machinery in order to qualify her for service under “The Passengers Act, 1855,” and the Acts amending the same; but for the purposes of employment under those Acts such Board of Trade certificate shall be deemed to satisfy the requirements of the Passenger Acts with respect to such survey, and any further survey of the hull and machinery shall be dispensed with, and so long as a steamer is an emigrant ship that is a passenger ship within the meaning of “The Passengers Act, 1855,” and the Acts amending the same, and the provisions contained in the said Passengers Acts as to the survey of her hull, machinery, and equipments have been complied with, she shall not be subject to the provisions of “The Merchant Shipping Act, 1854,” with respect to the survey of and certificate for passenger steamers, or to the enactments amending the same.

19. Where a Foreign ship is a passenger steamer subject to “The Merchant Shipping Act, 1854,” and the Acts amending the same, or an emigrant ship subject to “The Passengers Act, 1855,” and the Acts amending the same, and the Board of Trade are satisfied, by the production of a foreign certificate of survey attested by a British Consular officer at the port of survey, that such ship has been officially surveyed at a foreign port, and are satisfied that the requirements of the said Acts, or any of them, are proved by such survey to have been substantially complied with, the Board may, if they think fit, dispense with any further survey of the ship in respect of the requirements so complied with, and give or direct one of their officers to give a certificate, which shall have the same effect as if given upon survey under the said Acts or any of them: Provided that Her Majesty may by Order in Council direct that this section shall not apply in the case of an official survey at any foreign port at which it appears to Her Majesty that corresponding provisions are not extended to British ships.

20. It shall be lawful for the Board of Trade, if satisfied that the food, space, accommodation, or any other particular or thing provided in an emigrant ship for any class of passengers is superior to the food, space, accommodation, or other particular or thing required by “The Passenger Act, 1855,” and the Acts amending the same, to exempt such ship from any of the requirements of those Acts with respect to food, space, or accom-
modation, or other particular or thing, in such manner and upon such conditions as the Board of Trade may think fit.

21. Every sea-going passenger steamer and every emigrant ship shall be provided to the satisfaction of the Board of Trade,

(1.) With means for making the signals of distress at night specified in the first schedule to “The Merchant Shipping Act, 1873,” or in any rules substituted therefor, including means of making flames on the ship which are inextinguishable in water or such other means of making signals of distress as the Board of Trade may previously approve; and

(2.) With a proper supply of lights inextinguishable in water and fitted for attachment to life buoys.

If any such steamer or ship goes to sea from any port of the United Kingdom without being so provided as required by this section, for each default in any of the above requisites the owner shall, if he appears to be in fault, incur a penalty not exceeding 100L, and the master shall, if he appears to be in fault, incur a penalty not exceeding 50L.

Grain Cargoes.

22. No cargo of which more than one-third consists of any kind of grain, corn, rice, paddy, pulse, seeds, nuts, or nut kernels, hereinafter referred to as “grain cargo,” shall be carried on board any British ship, unless such grain cargo be contained in bags, sacks, or barrels, or secured from shifting by boards, bulkheads, or otherwise.

If the managing owner or master of any British ship, or any agent of such owner who is charged with the loading of the ship or the sending her to sea, knowingly allows any grain cargo or part of a grain cargo to be shipped therein for carriage contrary to the provisions of this section, he shall for every such offence incur a penalty not exceeding 300L, to be recovered upon summary conviction.

Deck Cargoes.

23. If any ship, British or foreign, other than home trade ships as defined by “The Merchant Shipping Act, 1854,” carries as deck cargo, that is to say, in any uncovered space upon deck, or in any covered space not included in the cubical contents forming the ship’s registered tonnage, timber, stores, or other goods, all dues payable on the ship’s tonnage shall be payable as if there were added to the ship’s registered tonnage the tonnage of the space occupied by such goods at the time at which such dues become payable.

The space so occupied shall be deemed to be the space limited by the area occupied by the goods and by straight lines inclosing a rectangular space sufficient to include the goods.

The tonnage of such space shall be ascertained by an officer
of the Board of Trade or of Customs, in manner directed by sub-section 4 of Section 21 of "The Merchant Shipping Act, 1854," and when so ascertained shall be entered by him in the ship's official log-book, and also in a memorandum which he shall deliver to the master; and the master shall, when the said dues are demanded, produce such memorandum in like manner as if it were the certificate of registry, or, in the case of a foreign ship, the document equivalent to a certificate of registry, and in default shall be liable to the same penalty as if he had failed to produce the said certificate or document.

24. After the 1st day of November, 1876, if a ship, British or foreign, arrives between the last day of October and the 16th day of April in any year at any port in the United Kingdom from any port out of the United Kingdom, carrying as deck cargo, that is to say, in any uncovered space upon deck, or in any covered space not included in the cubical contents forming the ship's registered tonnage, any wood goods coming within the following descriptions; that is to say,

(a.) Any square, round, waney, or other timber, or any pitch pine, mahogany, oak, teak, or other heavy wood goods whatever; or

(b.) Any more than 5 spare spars or store spars, whether or not made, dressed, and finally prepared for use; or

(c.) Any deals, battens, or other light wood goods of any description to a height exceeding 3 feet above the deck; the master of the ship, and also the owner, if he is privy to the offence, shall be liable to a penalty not exceeding 5l. for every 100 cubic feet of wood goods carried in contravention of this section, and such penalty may be recovered by action or on indictment or to an amount not exceeding 100l. (whatever may be the maximum penalty recoverable) on summary conviction.

Provided that a master or owner shall not be liable to any penalty under this section,

(1.) In respect of any wood goods which the master has considered it necessary to place or keep on deck during the voyage on account of the springing of any leak, or of any other damage to the ship received or apprehended; or

(2.) If he proves that the ship sailed from the port at which the wood goods were loaded as deck cargo at such time before the last day of October as allowed a sufficient interval according to the ordinary duration of the voyage for the ship to arrive before that day at the said port in the United Kingdom, but was prevented from so arriving by stress of weather or circumstances beyond his control; or

(3.) If he proves that the ship sailed from the port at which the wood goods were loaded as deck cargo at such time before the 16th day of April as allowed a reasonable interval according to the ordinary duration of the voyage for the ship to arrive
after that day at the said port in the United Kingdom, and by reason of an exceptionally favourable voyage arrived before that day.

Provided further, that nothing in this section shall affect any ship not bound to any port in the United Kingdom which comes into any port of the United Kingdom under stress of weather, or for repairs, or for any other purpose than the delivery of her cargo.

**Deck and Load Lines.**

25. Every British ship (except ships under 80 tons register employed solely in the coasting trade, ships employed solely in fishing, and pleasure yachts) shall be permanently and conspicuously marked with lines of not less than 12 inches in length and one inch in breadth, painted longitudinally on each side amidships, or as near thereto as is practicable, and indicating the position of each deck which is above water.

The upper edge of each of these lines shall be level with the upper side of the deck plank next the waterway at the place of marking.

The lines shall be white or yellow on a dark ground, or black on a light ground.

26. With respect to the marking of a load-line on British ships the following provisions shall have effect:

1. The owner of every British ship (except ships under 80 tons register employed solely in the coasting trade, ships employed solely in fishing, and pleasure yachts) shall, before entering his ship outwards from any port in the United Kingdom upon any voyage for which he is required so to enter her, or, if that is not practicable, as soon after as may be, mark upon each of her sides amidships, or as near thereto as is practicable, in white or yellow on a dark ground, or in black on a light ground, a circular disc 12 inches in diameter, with a horizontal line 18 inches in length drawn through its centre:

2. The centre of this disc shall indicate the maximum load-line in salt water to which the owner intends to load the ship for that voyage:

3. He shall also, upon so entering her, insert in the form of entry delivered to the collector or other principal officer of Customs a statement in writing of the distance in feet and inches between the centre of this disc and the upper edge of each of the lines indicating the position of the ship's decks which is above that centre:

4. If default is made in delivering this statement in the case of any ship, any officer of Customs may refuse to enter the ship outwards:

5. The master of the ship shall enter a copy of this statement in the agreement with the crew before it is signed by any officer.
member of the crew, and no superintendent of any mercantile marine office shall proceed with the engagement of the crew until this entry is made:

(6.) The master of the ship shall also enter a copy of this statement in the official log-book:

(7.) When a ship has been marked as by this section required, she shall be kept so marked until her next return to a port of discharge in the United Kingdom.

27. With respect to the marking of a load-line on British ships employed in the coasting trade, the following provisions shall have effect:

(1.) The owner of every British ship employed in the coasting trade on the coasts of the United Kingdom (except ships under 80 tons register employed solely in that trade) shall, before proceeding to sea from any port, mark upon each of her sides amidships, or as near thereto as is practicable, in white or yellow on a dark ground, or in black on a light ground, a circular disc 12 inches in diameter, with a horizontal line 18 inches in length drawn through its centre:

(2.) The centre of this disc shall indicate the maximum load-line in salt water to which the owner intends to load the ship, until notice is given of an alteration:

(3.) He shall also once in every 12 months, immediately before the ship proceeds to sea, send or deliver to the collector or other principal officer of Customs of the port of registry of the ship a statement in writing of the distance in feet and inches between the centre of the disc and the upper edge of each of the lines indicating the position of the ship's decks which is above that centre:

(4.) The owner, before the ship proceeds to sea after any renewal or alteration of the disc, shall send or deliver to the collector or other principal officer of Customs of the port of registry of the ship notice in writing of the distance in feet and inches between the centre of the disc and the upper edge of each of the deck-lines:

(5.) If default is made in sending or delivering any notice or statement required by this section to be sent or delivered, the owner shall be liable to a penalty not exceeding 100/.

(6.) When a ship has been marked as by this section required, she shall be kept so marked until notice is given of an alteration.

31. A wreck commissioner may, at the request of the Board of Trade, by himself, or by some deputy approved by the Board of Trade, institute the same examination as a receiver of wreck under Section 448 of “The Merchant Shipping Act, 1854,” and shall for that purpose have the powers by that section conferred on a receiver of wrecks.
32. In the following cases:

(1.) Whenever any ship on or near the coasts of the United Kingdom or any British ship elsewhere has been stranded or damaged, and any witness is found at any place in the United Kingdom, or

(2.) Whenever a British ship has been lost or is supposed to have been lost, and any evidence can be obtained in the United Kingdom as to the circumstances under which she proceeded to sea or was last heard of,

the Board of Trade (without prejudice to any other powers) may, if they think fit, cause an inquiry to be made or formal investigation to be held, and all the provisions of the Merchant Shipping Acts, 1854 to 1876, shall apply to any such inquiry or investigation as if it had been made or held under the 8th part of "The Merchant Shipping Act, 1854."

Miscellaneous.

34. Where under the Merchant Shipping Acts, 1854 to 1876, or any of them, a ship is authorised or ordered to be detained, any commissioned officer on full pay in the naval or military service of Her Majesty, or any officer, of the Board of Trade or Customs, or any British Consular officer may detain the ship, and if the ship after such detention or after service on the master of any notice or order for such detention proceeds to sea before it is released by competent authority, the master of the ship, and also the owner, and any person who sends the ship to sea, if such owner or person be party or privy to the offence, shall forfeit and pay to Her Majesty a penalty not exceeding 100/.

Where a ship so proceeding to sea takes to sea when on board thereof in the execution of his duty any officer authorised to detain the ship, or any surveyor or officer of the Board of Trade or Customs, the owner and master of the ship shall each be liable to pay all expenses of and incidental to the officer or surveyor being so taken to sea, and also a penalty not exceeding 100l., or, if the offence is not prosecuted in a summary manner, not exceeding 10l. for every day until the officer or surveyor returns, or until such time as would enable him after leaving the ship to return to the port from which he is taken, and such expenses may be recovered in like manner as the penalty.

37. Whenever it has been made to appear to Her Majesty that the Government of any Foreign State is desirous that any of the provisions of the Merchant Shipping Acts, 1854 to 1876, or of any Act hereafter to be passed amending the same, shall apply to the ships of such State, Her Majesty may by Order in Council declare that such of the said provisions as are in such Order specified shall (subject to the limitations, if any,
contained in the Order) apply, and thereupon, so long as the Order remains in force, such provisions shall apply (subject to the said limitations) to the ships of such State, and to the owners, masters, seamen, and apprentices of such ships, when not locally within the jurisdiction of such State, in the same manner in all respects as if such ships were British ships.

"Stipendiary magistrate" shall be deemed to include any of the justices of the peace in Dublin metropolis and any resident magistrate; and

"A master of the Supreme Court of Judicature" shall mean one of the masters of the Superior Courts of Common Law in Ireland.

44. Nothing in this Act shall apply to any vessel employed exclusively in trading or going from place to place in any river or inland water of which the whole or part is in any British possession, and the provisions of this Act relating to deck cargo shall not apply to deck cargo carried by a ship while engaged in the coasting trade of any British possession.

INSTRUCTIONS to Surveyors for Measuring Space occupied by Deck Cargo on board of Foreign-going Ships.* "Merchant Shipping Act, 1876." Board of Trade, Marine Department, September, 1876.

1. Section 23 of "The Merchant Shipping Act, 1876" [cap. 80], is as follows:

[See Page 751.]

2. Section 44 of "The Merchant Shipping Act, 1876," is as follows:

[See above.]

3. It will be seen that Section 23 does not apply to deck cargo on board of home-trade ships.

4. The following is an extract from "The Merchant Shipping Act, 1854," Section 2, defining home-trade ships:

[See Vol. 9. Page 778.]

5. At ports where there is an officer of the Board of Trade, charged with the measurement of ships for tonnage, and where the Board of Trade and Board of Customs have not made other arrangements, the duty of measuring space occupied by deck cargo, in foreign-going ships, will be performed by that officer.

6. In other cases the duty will be performed by an officer of Customs.

7. When a foreign-going ship, whether British or foreign, is about to leave, or has arrived at any port or place in the United

* A General Order was issued by the Board of Customs to all collectors, on this subject, on the 30th September, 1876.
Kingdom with timber, stores, or other goods on deck or in any covered space not included in the cubical contents forming the ship's registered tonnage, of which the principal officer of the Board of Trade will be informed by the collector or other officer of Customs, a surveyor should at once be instructed to measure the space as follows, that is to say:

The surveyor is to measure along the deck the floor or deck space covered by the cargo at its greatest length, and the greatest breadth of the floor or deck space covered by the cargo; he is then to observe and measure the highest point reached by the cargo. He is then to multiply together the greatest length, breadth, and height so taken, and to divide the product by 100, and the quotient is to be deemed to be the tonnage of the space. The measurements are to be taken in feet and tenths. The space occupied is to be deemed to be limited by the extremes of "straight lines inclosing a rectangular space sufficient to include the goods;" for the measurement of such a space, it is to be remembered, no "means," such as are mentioned in Sub-section 4 of Section 21 of "The Merchant Shipping Act, 1854," are necessary.

8. On completion of the measurement and computation of the space or spaces occupied by cargo, and entry of the tonnage in ship's official log-book, which must be produced on board for the purpose, the surveyor will deliver a memorandum (Form Surveys 104) to the master, and forward a copy to the collector at the port where the measurement is made.

9. The formula of measurement (Surveys 105), showing the measurements and computation, is to be forwarded to the principal surveyor for tonnage, Board of Trade, Downing Street, London, for test and examination.

10. Expenses.—Where these measurements are made by officers of the Board of Trade, those officers are to include in their account with the Board a statement of all expenses incurred by them in taking these measurements, and where they are made by officers of Customs, the statement of expenses will be sent to the collectors of the ports.

THOMAS GRAY, Assistant Secretary.

EDWARD STANHOPE, Secretary.

ACT of the British Parliament, to amend the Law relating to the Fisheries of Oysters, Crabs, and Lobsters, and other Sea Fisheries.

[40 & 41 Vict., cap. 42.] [August 10, 1877.]

PART I.

5. The Board of Trade, on such application as is in this part of this Act mentioned, and after such public inquiry and notice as they think expedient, may, if they think fit, by order,
restrict or prohibit, during a limited period not exceeding one year, either entirely or subject to any exceptions and regulations, the dredging for and taking of oysters on any oyster bank or bed, and may by such order provide for enforcing the order, and any prohibition, restriction, or regulation contained therein, by fines not exceeding 20L. for each offence.

The Board of Trade, by order, may from time to time renew, for a period not exceeding one year, or vary, an order under this section, and may at any time revoke the same.

Nothing in such order shall apply to a several right of fishery in any oyster bed or bank, or to any bed or bank of oysters which has been or shall hereafter be the subject of a grant or regulation order under Part III of "The Sea Fisheries Act, 1868" [cap. 45],* or any Acts amending the same.

**PART II.**

10. The Board of Trade, after such public inquiry and notice as they think expedient, may, if they think fit, from time to time, by order restrict or prohibit, either entirely or subject to any exceptions and regulations, the fishing for and taking of edible crabs and lobsters, or either of them, or any description of them or either of them, within the area named in the order, during such period of years or during such period either in every year or in such number of years as may be limited by the order, and may by the order provide for enforcing the order, and any prohibition, restriction, or regulation contained therein, by fines not exceeding 20L. for each offence.

The Board of Trade by order may from time to time vary, and at any time revoke, an order under this section.

Nothing in such order shall apply to a several right of fishery.

The powers of the Board of Trade under this section shall, as regards any area within the jurisdiction of the Inspectors of Irish Fisheries, be vested in and exercised by those inspectors with the approval of the Lord Lieutenant or other Chief Governor or Governors of Ireland.

**PART III.**

14. This Act shall apply to the Isle of Man and the Channel Islands, and the Royal Courts of the Channel Islands are hereby respectively authorised and required to register this Act.

15. Notwithstanding anything contained in "The Sea Fisheries Act, 1868" [cap. 45],* the Act of the 6th and 7th years of the reign of her present Majesty, chapter 79,† intituled "An Act to carry into effect a Convention between Her Majesty and the King of the French concerning the Fisheries in the Sea between the British Islands and France," so far as regards

French fishermen and French sea-fishing boats, shall be in force as if it had not been repealed, and shall continue in force until the day when the Convention set out in the first schedule to "The Sea Fisheries Act, 1868," [cap. 45],* comes into operation.

REGULATIONS as to wearing English and Foreign Decorations and Medals. London, August 28, 1877.

Her Majesty has approved of the following Regulations for the Navy.

1. Decorations and medals are to be worn in full dress.
2. Miniature orders and medals, or ribands only, may only be worn by officers in the undress uniform.
3. Decorations and medals are to be worn on the left breast, in a single horizontal line, suspended from a single bar, placed on a line one inch below the point of the shoulder, but no part of the bar or buckle is to be seen.
   The buckle of the Companionship of the Bath, however, being part of the decoration, is to be shown.
   The riband is not to exceed one inch in length, unless the number of clasps requires it to be longer.
4. When the decorations and medals cannot, on account of the number, be suspended from the bar so as to be fully seen, they are to overlap.
5. Medals will be worn in the order of the dates on which they were conferred, the first decoration or medal obtained being placed farthest from the shoulder.
   The following is the order of arrangement:
   1. English decorations.
   2. English medals.
   3. Foreign decorations.
   4. Foreign medals.
   The medal for long service and good conduct is to be worn after the war medal.
6. Medals granted to petty officers and seamen may either be worn as indicated in the foregoing paragraphs, or be stitched in a straight horizontal line on the jacket or frock.
7. When ribands only are worn, they must be half-an-inch in length.
8. Medals awarded by a society for bravery in saving human life are, if specially authorised, to be worn on the right breast.

By command of the Lords Commissioners of the Admiralty,

Vernon Lushington.
BRITISH PROCLAMATION, prohibiting certain Articles from being exported or carried Coastwise [Torpedoes, &c.]* Osborne, April 18, 1878.

BY THE QUEEN.—A PROCLAMATION.

VICTORIA, R.

WHEREAS, by "The Customs Consolidation Act, 1876" [cap. 36], section 138,† certain goods may, by Proclamation or Order of Her Majesty in Council, be prohibited either to be exported or carried coastwise: And whereas, we, by and with the advice of our Privy Council, deem it expedient and necessary to prohibit the goods hereinafter mentioned either to be exported or carried coastwise:

We, by and with the advice aforesaid, do hereby order and direct that from and after the date hereof, torpedoes, torpedo boats, boats fitted with apparatus to be used for torpedoes, all apparatus for projecting inflammable materials or firing torpedoes, and the following articles, being articles which we have judged capable of being converted into, or made useful in increasing the quantity of, military or naval stores, that is to say, pumps or other machinery intended to be used for projecting inflammable materials, machinery intended to be used in the construction of torpedoes or torpedo boats, shall be, and the same are hereby, prohibited either to be exported from the United Kingdom or carried coastwise.

Given at our Court at Osborne House, Isle of Wight, this 18th day of April, in the year of Our Lord, 1878, and in the 41st year of our reign.

God save the Queen.

GREAT BRITAIN. (Colonies.)

ACT of the British Parliament, to amend the Law with respect to Customs Duties in the Australian Colonies (New South Wales, Victoria, South Australia, Queensland, Western Australia, and Tasmania). [Agreements with New Zealand.]

[36 Vict., cap. 22.] [May 26, 1873.]

WHEREAS it is expedient to amend the law with respect to Customs duties in the Australian Colonies:

* Prohibitions taken off by Order in Council of August 14, 1878.
† Act 39 & 40 Vict., cap. 36, § 138: The following goods may, by Proclamation or Order in Council, be prohibited either to be exported or carried coastwise: arms, ammunition, and gunpowder, military and naval stores, and any articles which Her Majesty shall judge capable of being converted into or made useful in increasing the quantity of military or naval stores, provisions, or any sort of victual which may be used as food for man, and if any goods so prohibited shall be exported or brought to any quay or other place to be shipped for exportation from the United Kingdom or carried coastwise, or be water-borne to be so exported or carried, they shall be forfeited.
GREAT BRITAIN (Bahamas).

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the "Australian Colonies Duties Act, 1873."

2. In this Act the term "Australian Colonies" shall mean the colonies of New South Wales, Victoria, South Australia, Queensland, Western Australia, and Tasmania:

The term "country" shall mean any country or place except Australian Colonies, and the colony of New Zealand.

3. The Legislature of any one of the Australian colonies shall, for the purpose of carrying into effect any agreement between any two or more of the said colonies, or between any one or more of the said colonies and New Zealand, have full power from time to time to make laws with respect to the remission or imposition of duties upon the importation into such colony of any article the produce or manufacture of or imported from any other of the said colonies, or the produce or manufacture of or imported from New Zealand.

Provided always, that for the purpose aforesaid no new duty shall be imposed upon, and no existing duty shall be remitted as to, the importation into any of the Australian colonies of any article, the produce or manufacture of any particular country, which shall not be equally imposed upon, or remitted as to, the importation into such colony of the like article the produce or manufacture of any other country: Provided further, that no duties shall be levied upon articles imported into any of the Australian colonies for the supply of Her Majesty's land or sea forces, nor shall any duty be levied or remitted contrary to or at variance with any Treaty or Treaties for the time being subsisting between Her Majesty and any foreign Power.

ACT of the Government of the Bahamas, further to amend the Law relating to Aliens. (Right to hold and acquire Real and Personal Property.)

[35 Vict., cap. 9.] [Assented to April 11, 1872.]

WHEREAS by the Imperial Statute, 33 Vict., cap. 14, known as "The Naturalization Act, 1870,"* the right to acquire and hold real and personal property is conferred on aliens, with certain limitations in the said statute specified, and it is expedient that a similar right should be conferred on aliens with respect to property situate in these islands; may it, therefore

762 GREAT BRITAIN (Bahamas).

please the Queen's Most Excellent Majesty that it may be enacted, and be it enacted by his Honour Captain George Cumine Strahan, Royal Artillery, Administrator of the Government of the Bahama Islands, the Legislative Council and Assembly of the said islands, and it is hereby enacted and ordained by the authority of the same, as follows:

1. Real and personal property of every description situate within the Bahama Islands may be taken, acquired, held, and disposed of by an alien in the same manner in all respects as by a natural-born subject, and a title to real and personal property of every description may be derived through, from, or in succession to an alien in the same manner in all respects as through, from, or in succession to a natural-born British subject; provided that this enactment shall not entitle an alien to any political right or privilege of a British subject, or to any other right or privilege whatever, except such rights and privileges in respect of property as are hereby expressly given to him.

2. That this Act shall not affect any estate or interest in real or personal property to which any person has or may become entitled, either mediately or immediately in possession or expectancy in pursuance of any disposition made before the passing of this Act, or in pursuance of any devolution by law on the death of any person dying before the passing of this Act.

3. Nothing in this Act contained shall qualify an alien to be the owner of a British ship.

4. This Act shall not come into operation or have the effect of law until it has received the sanction of Her Most Gracious Majesty the Queen, given and expressed in such manner as the Royal Assent to Acts of Assembly is now given and expressed.

ACT of the Government of the Bahamas, supplementary to the Imperial Statute 33 Vict., cap. 14, to amend the Law relating to the legal condition of Aliens and British Subjects.

[35 Vict., cap. 20.] [Assented to May 23, 1872.]

WHEREAS in and by an Act of the Imperial Parliament of Great Britain and Ireland, passed in the 23rd year of Her Majesty's reign, designated "The Naturalization Act, 1870," provision is made for taking declaration of alienage and of British nationality, and for granting certificates of re-admission to British nationality, not only in the United Kingdom but elsewhere in Her Majesty's dominions, and power is granted to certain judicial officers in the British possessions to take such

declarations and to the Governors of such possessions to grant such certificates.

And whereas the said Act was amended by an Act passed in the same year [cap. 102] designated "The Naturalization Oaths Act, 1870,"* and the two Acts are collectively designated "The Naturalization Acts, 1870."

And whereas an Act was passed during the present session of Assembly making provision for carrying into effect the said Acts of Parliament, but in consequence of a clerical error in the engrossing thereof, the meaning of its provisions is obscure and doubtful, and it is expedient that there should be further legislation on the subject; may it, therefore, please the Queen's Most Excellent Majesty, that it may be enacted, and be it enacted by his Honour Captain George Cumine Strahan, Royal Artillery, Administrator of the Government of the Bahama Islands, the Legislative Council and Assembly of the said islands, and it is hereby enacted and ordained by the authority of the same, as follows:

1. The Governor may, acting by and with the advice of Her Majesty's Executive Council, provide by Regulations for the following matters:

   (1.) The registration in the office of the registrar of records of all declarations taken, and certificates granted and oaths of allegiance administered in the colony under the said Acts.

   (2.) The proof in any legal proceedings of such oaths.

   (3.) The persons by whom certified copies of such declarations, certificates, and oaths, and of entries of the same in such register may be given.

   (4.) The transmission to Her Majesty's Secretary of State for the Colonies, for the purpose of registration, or safe keeping, or of being produced as evidence of any declaration taken, certificates granted, or oaths of allegiance administered in the colony under the said Acts, or of any copies of such declarations, certificates, or oaths; also of copies of entries of such declarations, certificates, and oaths contained in such register as aforesaid.

   (5.) The imposition and application of fees in respect of any such registration, and in respect of the taking of any such declaration, or the grant of any such certificate, or the administration of any such oath, and in respect of certified copies of any such declaration, certificate, or oath.

2. The Act heretofore passed during the present session and hereinbefore referred to is hereby repealed, and it shall not be necessary to chapter or print the same among the Acts of this session or otherwise.

BRITISH ORDER IN COUNCIL, giving effect to the Extradition Act of the Legislature of the Bahamas. Osborne, August 13, 1877.

At the Court at Osborne House, Isle of Wight, the 13th day of August, 1877.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by Section 18 of "The Extradition Act, 1870," it is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas by the Act 40 Vict., cap. 17, enacted by the Legislature of the Bahamas, the short title of which is "The Extradition Act (Bahamas), 1877," it is provided that "all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Acts, 1870 and 1873, are thereby vested in and may in the colony be exercised and done by any police magistrate in relation to the surrender of fugitive criminals under the said Acts."

And whereas it is further provided by the said Act that the said Act shall not come into operation until Her Majesty shall by Order in Council direct that the said Act shall have effect within the colony as if it were part of "The Extradition Act, 1870," but that the said Act shall thereafter come into operation as soon as such Order in Council shall have been publicly made known in the colony.

Now, therefore, Her Majesty, in pursuance of "The Extradition Act, 1870," and in exercise of the power in that behalf in the said Act contained, doth by this present Order, by and with the advice of Her Majesty's Privy Council, direct that the said Act shall have effect in the Colony of the Bahamas without modification or alteration, as if it were part of "The Extradition Act, 1870."

And the Right Honourable the Earl of Carnarvon, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. PEEL.
GREAT BRITAIN (Barbadoes. Bermuda). 765

BRITISH ORDER IN COUNCIL, giving effect to the Extradition Act of the Legislature of Barbadoes. Windsor, November 27, 1878.

At the Court at Windsor, the 27th day of November, 1878.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY.
Lord President, Lord Privy Seal, Mr. Secretary Cross.

WHEREAS by Section 18 of "The Extradition Act, 1870," it is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas by an Act enacted by the Legislature of Barbadoes, the short title of which is "The Extradition Act of Barbadoes, 1878,"* it is provided that "all powers vested in and acts authorised or required to be done by a police magistrate, or any justice of the peace, in relation to the surrender of fugitive criminals in the United Kingdom, under the Extradition Acts, 1870 and 1873, are thereby vested in, and may in the island be exercised and done by, any resident police magistrate in relation to the surrender of fugitive criminals under the said Acts."

And whereas it is further provided by the said Act that the said Act shall not come into operation until Her Majesty shall by Order in Council direct that the said Act shall have effect within the island as if it were a part of "The Extradition Act, 1870," but that the said Act shall thereafter come into operation so soon as such Order in Council shall have been publicly made known in the island.

Now, therefore, Her Majesty, in pursuance of "The Extradition Act, 1870," and in exercise of the power in that behalf in the said Act contained, doth by this present Order, by and with the advice of Her Majesty's Privy Council, direct that the said Act shall have effect in the island of Barbadoes without modification or alteration as if it were part of "The Extradition Act, 1870."

And the Right Honourable Sir Michael Edward Hicks-Beach, Bart., one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. PEEL.

ACT of the Government of Bermuda, to amend the Law relating to Aliens. (Right to hold and acquire Real and Personal Property).

[No. 16.] [October 2, 1871.]

WHEREAS "The Naturalization Act, 1870,"* passed by the Imperial Parliament, has materially affected the law relating to

aliens, and it is deemed expedient to adapt the law of these islands to the changes affected by the said statute, and to remove the disabilities attaching to aliens with respect to purchasing and transmitting property in these islands;

We, therefore, &c., be it enacted, &c.

1. Real and personal property in these islands, of every description, may be taken, acquired, held and disposed of by an alien, in the same manner in all respects as by a natural-born British subject; and a title to real and personal property of every description may be derived through or from, or in succession to an alien, in the same manner in all respects as through, from, or in succession to a natural-born British subject.

Provided:

(1.) That this section shall not qualify an alien to be the owner of a British ship.
(2.) That this Act shall not qualify an alien for any office or for any municipal, Parliamentary, or other franchise, nor shall any alien be capable of sitting in Her Majesty's Council, or in the House of Assembly of these islands.
(3.) That this section shall not entitle an alien to any right or privilege as a British subject, except such rights and privileges in respect of property as are hereby expressly given to him.
(4.) That this section shall not affect any estate or interest in real or personal property to which any person has or may become entitled either mediately or immediately, in possession or expectancy, in pursuance of any disposition made before the passing of "The Naturalization Act, 1870," or in pursuance of any devolution by law on the death of any person who died before the passing of the said Act.

2. All persons who, prior to the passing of "The Naturalization Act, 1870," were capable in law of taking, acquiring, holding, transmitting, and disposing of real and personal property, in these islands, and who, under the provisions of the said Act, became incapable of taking, acquiring, holding, transmitting, or disposing of any such property, real or personal, shall be deemed to have continued to be and to have been continually capable of taking, acquiring, holding, transmitting, and disposing of real and personal property in these islands, and all such property may be derived through, or from, or in succession to any such person who may have died since the passing of the said Act.

3. Nothing herein contained shall in any way affect the provisions of the Act of the Governor, Council, and Assembly of these islands, passed in 1857, entitled "An Act to amend the Laws in force in these Islands relating to Aliens."

4. This Act may for all purposes be cited as "The Alien Law Amendment Act, 1871."

5. This Act shall go into operation when Her Majesty shall
have assented thereto, and such assent shall have been officially published and made known in these islands.

ORDINANCE of the Government of British Honduras, to authorise the removal from the Colony of Persons not being Natural-born Subjects.

[No. 7.] [February 2, 1872.]

Be it enacted by the officer administering the Government of British Honduras, with the advice and consent of the Legislative Council thereof, as follows:

1. Whenever it shall appear to the Lieutenant-Governor in Council, on written information, that the removal from the colony of any person, not a natural-born subject of Her Majesty, is necessary for the public safety, it shall be lawful for the Lieutenant-Governor in Council to issue a summons, signed by the Clerk of the Council, which shall be served personally or left at the usual or last known place of abode of the person, requiring the said person to attend before the Council at a time to be named in such summons, to show cause why he should not be banished from the colony; and if such person shall not appear in accordance with the exigence of such summons, it shall be lawful for the Lieutenant-Governor in Council to issue a warrant, signed by the Clerk of the Council, and addressed to any police officer, requiring him to arrest and detain such person till he can be conveniently brought before the Council.

2. The Lieutenant-Governor in Council shall cause to be delivered to such person a general summary, in writing, of the matters alleged against him, and shall allow him a reasonable time to prepare his defence; and it shall be lawful for him to summon and examine upon oath witnesses, and to be heard before the Lieutenant-Governor in Council either by himself or by counsel, attorney, or agent, in support of the excuse or reason by him alleged.

3. On the appearance of such person before the Lieutenant-Governor in Council, or, in his absence, if it shall be made to appear before the Lieutenant-Governor in Council, that a summons has been served as above directed, it shall be lawful for the Lieutenant-Governor to proceed to hear the information and the evidence as well in favour of as against such person; and thereupon, if it shall appear necessary for the public safety that such person should be banished from the colony, it shall be lawful for the Lieutenant-Governor to issue an order banishing such person from the colony.

4. Any person so ordered to be banished who shall be found
in the colony after the time fixed for his departure in the order of banishment, may be arrested without warrant by any police officer, and shall, upon being brought before a magistrate, and proof that the order of banishment was personally served upon such person or left at the usual or last known place of abode of such person, and also published in the "Official Gazette," if such a gazette shall have been then in use for official notifications, or if not, that true copies of such order were affixed to the notice boards of the Court House of the district in which such abode was situate, and also at the Court House at Belize, in the manner usual with public notices, be liable to a fine not exceeding 500 dollars, and may be imprisoned with or without hard labour in such manner as the Lieutenant-Governor shall direct, until he shall agree to leave and does actually leave the colony. Provided that such imprisonment shall not be continued for a longer period than 6 months: Provided further, that if at the expiration of such term, in the opinion of the Lieutenant-Governor, it shall appear to be necessary for the public safety that such person shall be banished from the colony, and such person shall still refuse or neglect to leave the colony, or, having left the colony, shall return thereto, it shall be lawful for the Lieutenant-Governor in Council to issue a fresh order banishing such person, which order may be enforced and proceeded upon in the same manner as the first order, and so from time to time so long as such necessity shall continue.

5. The Lieutenant-Governor in Council shall not be subject to be restrained in the due execution of his powers under this Act by the order of any Court, nor shall any proceedings before the Council be removed by certiorari into any Court; and the Lieutenant-Governor in Council, in enforcing the attendance of witnesses after a tender of their expenses, the examination of witnesses orally, and the production of deeds, books, papers, and documents, and in punishing persons refusing to give evidence or to produce documents, or guilty of contempt in the presence of the Council, shall have all such powers, rights, and privileges, as are vested in the Supreme Court.

6. The Ordinance No. 13 of 1871, entitled "An Ordinance to authorise the removal of Aliens from the Colony," is hereby repealed.

Passed the Legislative Council, this 30th day of January, 1872.

ROB. W. PICKWOAD, Acting Clerk to the Legislative Council.

I assent in the name of Her Majesty.

R. W. HARLEY, Lieutenant-Colonel and Administrator.

February 2, 1872.
BRITISH ORDER IN COUNCIL, giving effect to the Extradition Ordinance of the Legislature of British Honduras. Windsor, February 22, 1878.

At the Court at Windsor, the 22nd day of February, 1878.

PRESENT: THE QUEEN’S MOST EXCELLENT MAJESTY.

Lord President, Lord Chamberlain, Earl of Beaconsfield, Mr. Secretary Cross, Colonel Taylor, Mr. Lowther.

WHEREAS by Section 18 of “The Extradition Act, 1870,” it is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas by an Ordinance enacted by the Legislature of British Honduras, the short title of which is “The Extradition Ordinance (British Honduras), 1877,”* it is provided that “all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom, under the Extradition Acts, 1870 and 1873, are thereby vested in, and may in the colony be exercised and done by, any police magistrate for the time being of the colony in relation to the surrender of fugitive criminals under the said Acts.”

Now, therefore, Her Majesty, in pursuance of “The Extradition Act, 1870,” and in exercise of the power in that behalf in the said Act contained, doth by this present Order, by and with the advice of Her Majesty’s Privy Council, direct that the said Ordinance shall have effect in the colony of British Honduras without modification or alteration, as if it were part of “The Extradition Act, 1870.”

And the Right Honourable Sir Michael Edward Hicks-Beach, Bart., one of Her Majesty’s Principal Secretaries of State, is to give the necessary directions herein accordingly.

G. L. PEEL.


[31 Vict., cap. 54.] [Assented to May 22, 1868.]

HER Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

I. The Minister of Agriculture shall cause to be kept in his office a book, to be called the “Register of Copyrights,” in which proprietors of literary, scientific, and artistical works or...
compositions, may have the same registered in accordance with the provisions of this Act.

II. The Minister of Agriculture may, from time to time, subject to the approval of the Governor in Council, make such rules and regulations, and prescribe such forms, as may appear to him necessary and expedient for the purposes of this Act; such regulations and forms being circulated in print for the use of the public shall be deemed to be correct for the purposes of this Act, and all documents, executed according the same and accepted by the said Minister of Agriculture, shall be held valid so far as relates to all official proceedings under this Act.

III. Any person resident in Canada, or any person being a British subject, and resident in Great Britain or Ireland, who is the author of any book, map, chart, or musical composition, or of any original painting, drawing, statuary, sculpture, or photograph, or who invents, designs, etches, engraves or causes to be engraved, etched, or made from his own design, any print or engraving, and the legal representatives of such persons, shall have the sole right and liberty of printing, reprinting, publishing, reproducing, and vending such literary, scientific, or artistic works or compositions, in whole or in part, and of allowing translations to be made of such literary works from one language into other languages, for the term of 28 years, from the time of recording the title thereof in the manner hereinafter directed: but no immoral or licentious, treasonable or seditious book, or any other such literary, scientific, or artistic work or composition, shall be the subject of such registration or copyright.

IV. If at the expiration of the aforesaid term, such author, or any of the authors, where the work has been originally composed, and made by more than one person, be still living, and residing in Canada or in Great Britain or Ireland, or being dead, has left a widow or a child or children living, the same exclusive right shall be continued to such author, or if dead, then to such widow and child or children (as the case may be) for the further term of 14 years; but, in such case, within one year after the expiration of the first term, the title of the work secured shall be a second time recorded and all other regulations herein required to be observed in regard to original copyrights shall be complied with in respect to such renewed copyrights.

V. In all cases of renewal of copyright under this Act, the author or proprietor shall, within two months from the date of such renewal, cause a copy of the record thereof to be published once in the “Canada Gazette.”

VI. No person shall be entitled to the benefit of this Act, unless he has deposited in the office of the Minister of Agriculture two copies of such book, map, chart, musical composi-
tion, photograph, print, cut, or engraving, and in case of paintings, drawings, statuary, and sculptures, unless he has furnished a written description of such works of art, and the Minister of Agriculture shall cause the same to be recorded forthwith in a book to be kept for that purpose, in the manner prescribed by the rules and forms which may be made from time to time as hereinbefore provided, for which record the person claiming such right as aforesaid shall pay into the hands of the Minister of Agriculture one dollar, and the like sum for every copy actually given to such person, or his legal representatives, and the sum so paid shall be paid over to the Receiver-General, to form part of the consolidated revenue of Canada.

VII. The Minister of Agriculture shall cause one of the two copies of such book, map, chart, musical composition, photograph, print, cut, or engraving aforesaid, to be deposited in the Library of the Parliament of Canada.

VIII. No person shall be entitled to the benefit of this Act, unless he gives information of the copyright being secured, by causing to be inserted in the several copies of every edition published during the term secured, on the title page, or the page immediately following, if it be a book, or if a map, chart, musical composition, print, cut, engraving, or photograph, by causing to be impressed on the face thereof, or if a volume of maps, charts, music, or engravings, upon the title or frontispiece thereof, the following words, that is to say: "Entered according to Act of the Parliament of Canada, in the year by A.B., in the office of the Minister of Agriculture." But as regards paintings, drawings, statuary, and sculptures, the signature of the artist shall be deemed a sufficient notice of such proprietorship.

IX. To entitle any such literary production or engraving as is in this Act mentioned, being the work of any person residing in Great Britain or Ireland, to the protection of this Act, the same shall be printed and published in Canada, and shall, in addition to the words directed to be inserted by the last section of this Act, and immediately following thereafter, contain the name and place of abode or business in Canada of the printer and publisher thereof.

X. If any other person, after the recording of the title of any book according to this Act, within the term or terms herein limited, prints, publishes, or imports, or causes to be printed, published, or imported, any copy or any translation of such book, without the consent of the person legally entitled to the copyright thereof, first had and obtained by deed duly executed, or, knowing the same to be so printed or imported, publishes, sells, or exposes to sale, or causes to be published, sold, or exposed to sale, any copy of such book without such
consent in writing, such offender shall forfeit every copy of such work to the person then legally entitled to the copyright thereof; and shall forfeit and pay two dollars for every such copy which may be found in his possession, either printed or printing, published, imported, or exposed to sale, contrary to the intent of this Act; of which penalty one moiety shall be to the use of Her Majesty, and the other to the legal owner of such copyright, to be recovered in any court of competent jurisdiction.

XI. If any person, after the recording of any painting, drawing, statuary, or sculpture work, within the term or terms limited by this Act, reproduces in any manner, or causes to be reproduced, made, or sold, in part or in the whole, copies of the said works of art, without the consent of the proprietor or proprietors, such offender or offenders shall forfeit the plate or plates on which such reproduction has been made, and also every sheet thereof so copied, printed, or photographed, to the proprietor or proprietors of the copyright thereof, and shall further forfeit two dollars for every sheet of the same reproduction so published or exposed to sale contrary to the true intent and meaning of this Act; and one moiety of such forfeiture shall go to the proprietor or proprietors, and the other moiety to the use of Her Majesty, and such forfeiture may be recovered in any court of competent jurisdiction.

XII. If any person, after the recording of any painting, drawing, or engraving, or any photographic or other similar work, according to the provisions of this Act, within the term or terms limited by this Act, engraves, etches, or works, sells or copies, or causes to be engraved, etched or copied, made or sold, either in the whole, or by varying, adding to, or diminishing the main design, with intent to evade the law, or prints or imports for sale, or causes to be printed or imported for sale, any such map, chart, musical composition, print, cut, or engraving, or any parts thereof, without the consent of the proprietor or proprietors of the copyright thereof first obtained as aforesaid, or knowing the same to be so printed or imported without such consent, publishes, sells, or exposes to sale, or in any manner disposes of any such map, chart, musical composition, engraving, cut, photograph, or print, without such consent as aforesaid, such offender or offenders shall forfeit the plate or plates on which such map, chart, musical composition, engraving, cut, photograph, or print, has been copied, and also every sheet thereof, so copied or printed as aforesaid, to the proprietor or proprietors of the copyright thereof; and shall further forfeit two dollars for every sheet of such map, chart, musical composition, print, cut, or engraving, which may be found in his or their possession, printed or published, or exposed to sale, contrary to the true intent and meaning of this Act; and one moiety of such
forfeiture shall go to the proprietor or proprietors, and the other moiety to the use of Her Majesty, and such forfeiture may be recovered in any court of competent jurisdiction.

XIII. A literary work, intended to be published in pamphlet or book form, but which is first published in separate articles in a newspaper or periodical, may be the subject of registration within the meaning of the present Act, while it is so preliminarily published, provided that the title of the manuscript and a short analysis of the work are deposited in the office of the Minister of Agriculture, the registration fee be duly paid, and that every separate article so published is preceded by the words, "Registered in accordance with the Copyright Act of 1868;" but the work, when published in book or pamphlet form, shall be subject, besides, to the other requirements of this Act.

XIV. Nothing herein contained, however, shall prejudice the right of any person to represent any scene or object, notwithstanding that there may be copyright in some other representation of such scene or object.

XV. Whenever the author of a literary, scientific, or artistic work or composition which may be the subject of copyright, has executed the same for another person, or has sold the same to another person, for due consideration, such author shall not be entitled to obtain or to retain the proprietorship of such copyright, which is by the said transaction virtually transferred to the purchaser who may avail himself of such privilege, unless a reserve of the said privilege is specially made by the author or artist in a deed duly executed.

XVI. If any person prints or publishes any manuscript whatever in Canada, or the same having been printed or published elsewhere, offers it, or causes it to be offered, for sale in Canada, without the consent of the author or legal proprietor first obtained, such author or proprietor being resident in Canada, or being a British subject resident in Great Britain or Ireland, such person shall be liable to the author or proprietor for all damages occasioned by such injury, to be recovered in any court of competent jurisdiction.

XVII. If any person prints, publishes, or reproduces any book, map, chart, musical composition, print, cut, or engraving, or other work of art or photograph, and not having legally acquired the copyright thereof, inserts therein, or impresses thereon, that the same hath been entered according to this Act, or words purporting the same, every person so offending shall incur a penalty not exceeding 60 dollars (one moiety thereof to the person who sues for the same, and the other moiety to the use of Her Majesty), to be recovered in any court of competent jurisdiction.

XVIII. No action or prosecution for the recovery of any
penalty under this Act shall be commenced more than two years after the cause of action arose.

XIX. Chapter 81 of the Consolidated Statutes of the late Province of Canada, and chapter 116 of the Revised Statutes of Nova Scotia (third series), and all other Acts or parts of Acts, inconsistent with the provisions of the present Act, are hereby repealed, subject to the provisions of the next section.

XX. All copyrights heretofore acquired under the Acts or parts of Acts hereby repealed shall, in respect of the unexpired terms thereof, continue unimpaired, and shall have the same force and effect as regards the province or provinces to which they now extend and shall be assignable and renewable, and all penalties and forfeitures incurred, and to be incurred, under the same, may be sued for and enforced, and all prosecutions commenced before the passing of this Act for any such penalties or forfeitures already incurred, may be continued and completed as if such Acts were not repealed.

XXI. In reciting this Act it shall be sufficient to call it "The Copyright Act of 1868."

---

**ACT of the Government of Canada, respecting Trade Marks and Industrial Designs.**

[31 Vict., cap. 55.] [Assented to May 22, 1868.]

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

I. The Minister of Agriculture shall cause to be kept in his office books, to be denominated respectively the "Trade Mark Register," and the "Register of Industrial Designs," in which any proprietor of a trade mark or of a design may have the same registered, by depositing with the said Minister a drawing and description in duplicate of such trade mark or design, together with a declaration that the same was not in use to his knowledge by any other person than himself at the time of his adoption thereof; and the said Minister of Agriculture, on receipt of the fee hereinafter provided, shall cause the said trade mark or design to be examined; to ascertain whether it resembles any other trade mark or design already registered, and if he find that such trade mark or design is not identical with or does not so closely resemble as to be confounded with any other trade mark or design already registered, he shall register the same, and shall return to the proprietor thereof one copy of the drawing and description, with a certificate signed by the Minister or his deputy, to the effect that the said trade mark or design has been duly registered in accordance with the provisions of this Act; and there shall be further stated in
such certificate the day, month, and year of the entry thereof, in the proper register; and every such certificate shall be received in all courts of law or of equity in Canada, as evidence of the facts therein alleged, without proof of the signature.

II. The Minister of Agriculture may, from time to time, subject to the approval of the Governor in Council, make such rules and regulations, and adopt forms, for the purposes of this Act, and such rules, regulations, and forms, circulated in print for the use of the public, shall be deemed to be correct for the purposes of this Act, and all documents executed according to the same, and accepted by the Minister of Agriculture, shall be held valid, so far as relates to the official proceedings under this Act.

Trade Marks.

III. For the purposes of this Act, all marks, names, brands, labels, packages, or other business devices, which may be adopted for use by any person in his trade, business, occupation, or calling, for the purpose of distinguishing any manufacture, product, or article of any description by him manufactured, produced, compounded, packed, or offered for sale, no matter how applied, whether to such manufacture, product, or article, or to any package, parcel, case, box, or other vessel or receptacle of any description whatever, containing the same, shall be considered and known as trade marks, and may be registered for the exclusive use of the party registering the same, in the manner hereinafter provided; and thereafter he shall have the exclusive right to use the same, to designate articles manufactured or sold by him, and for the purposes of this Act, timber and lumber of any kind upon which labour has been expended by any person in his trade, business, occupation, or calling, shall be deemed a manufacture, product, or article.

IV. Any person having registered a trade mark may petition for the cancellation of the same, and the Minister of Agriculture may cause, on receiving such petition, the said trade mark to be so cancelled: and the same shall, after such cancellation, be considered as if it had never been registered under the name of the said party.

V. Every trade mark registered in the office of the Minister of Agriculture shall be assignable in law, and on the assignment being produced and the fee hereinafter provided being paid, the Minister of Agriculture shall cause the name of the assignee, with the date of the assignment, and such other details as he may see fit, to be entered on the margin of the Register of Trade Marks, on the folio where such trade mark is registered.

VI. If any person shall make application to register, as his
own, any trade mark, which has been already registered, the Minister of Agriculture shall cause all parties interested therein to be notified to appear in person or by attorney, before him, with their witnesses, for the purpose of establishing which is the rightful owner of such trade mark, and after having heard the parties and their witnesses, the said Minister shall order such entry or cancellation, or both, to be made as he shall deem just; in the absence of the said Minister, his deputy may hear and determine the case, and make such entry or cancellation, or both, as to right and justice may appertain, and, similarly, any error in registering trade marks, or any oversight about conflicting registrations of trade marks, may be settled in the same manner.

VII. If any person, other than the party who has registered the same, shall mark any goods or any article of any description whatever, with any trade mark, registered under the provisions of this Act, or with any part of such trade mark, whether by applying such trade mark, or any part thereof, to the article itself, or to any package or thing containing such article, or by using any package or thing so marked which has been used by the proprietor of such trade mark, or shall knowingly sell or offer for sale any article marked with such trade mark, or with any part thereof, with intent to deceive and to induce persons to believe that such article was manufactured, produced, compounded, packed, or sold by the proprietor of such trade mark, he shall be guilty of a misdemeanor, and, on conviction thereof, shall forfeit, for each offence, a sum of not less than 20 dollars, and not exceeding 100 dollars, which amount shall be paid to the proprietor of such trade mark, together with the costs incurred in enforcing and recovering the same; provided always, that every complaint under this section shall be made by the proprietor of such trade mark, or by some one acting on his behalf, and duly authorised thereto.

VIII. If any person shall knowingly and wilfully register as his own any trade mark, the property of a person not resident in Canada, he shall be guilty of a misdemeanor, and shall be subject and liable to the penalty mentioned in the preceding section; and the entry of every such trade mark in the Trade Marks Register shall be cancelled on receipt of a certificate signed by the clerk of the court, or the justices of the peace before whom the conviction was had, of any such conviction; and one-half of every such penalty shall be paid to the party prosecuting, and the other half to the Crown.

IX. If any person shall counterfeit or use the trade mark of any person, not resident in Canada, with intent to deceive the public, and lead to the belief that the articles or package so marked were manufactured or put up by the owner of such trade mark, although the same is not registered in Canada, he
shall, on conviction thereof, forfeit a sum of not less than 10 dollars, nor more than 50 dollars, for each offence, with costs, one-half of which penalty shall be paid to the complainant, and the other half to the Crown.

X. Complaints under either of the two next preceding sections may be brought by any party or person whatever, and the penalties mentioned in the three next preceding sections shall be enforced and recovered in the same manner, and subject to the same provisions as are provided in the sections of this Act, respecting the registration and protection of designs.

XI. The use of any trade mark, either identical with that of any manufacturer, producer, packer, or vendor, or so closely resembling it as to be calculated to be taken for it by ordinary purchasers, shall be held to be a use of such trade mark.

XII. Notwithstanding anything in the preceding sections contained, a suit may be maintained by any proprietor of a trade mark against any person using his registered trade mark, or any fraudulent imitation thereof, or selling articles bearing such trade mark, or any such imitation thereof, or contained in packages being or purporting to be his, contrary to the provisions of this Act.

Registration of Designs.

XIII. The copyright acquired for an industrial design by the registration of the same as aforesaid, shall be valid for the term of 5 years.

XIV. Every design to be protected must be registered before publication; and, after registration, the name of the proprietor, who must be a resident of Canada, shall appear upon the article to which his design applies; if the manufacture be a woven fabric, by printing upon one end; if another substance, at the edge, or upon any convenient parts, the letters "Rd.," with the mention of the year of the registration; the mark may be put upon the manufacture by making it on the material itself, or by attaching thereto a label containing the proper mark.

XV. The author of the design shall be considered the proprietor thereof, unless he has executed the design for another person, for a good or valuable consideration, in which case such other person shall be considered the proprietor, and shall alone be entitled to register it; but his right to the property shall only be co-extensive with the right which he may have acquired.

XVI. Every design shall be assignable in law, either as to the whole interest, or any undivided part thereof, by an instrument in writing, which assignment shall be recorded in the office of the Minister of Agriculture, on payment of the fees hereinafter provided; and every proprietor of a design may
grant and convey an exclusive right, under any copyright, to make, use, and vend and to grant to others to make, use, and vend such design within and throughout Canada, or any part thereof, for the unexpired term thereof, or any part thereof; which exclusive grant and conveyance shall be called a licence, and shall be recorded in the same manner and within the same delay as assignments.

XVII. During the existence of the right (whether it be of the entire or partial use of such design), no person shall, without the licence in writing of the registered proprietor, apply such design, or a fraudulent imitation thereof, to the ornamenting of any article of manufacture, &c., for the purposes of sale, or publish, sell, or expose for sale or use, any article of manufacture, &c., to which such design, or fraudulent imitation thereof, shall have been applied, under penalty of not less than 20 dollars, and not exceeding 120 dollars, to the proprietor of the design, and costs—to be recovered by the registered proprietor, or his assignee, by suit in any court having jurisdiction in suits of a like amount.

XVIII. Every person placing the words "registered," or the letters "Rd.," upon any unregistered article, or upon any article the copyright of which has run out, or advertising the same for sale as a registered article, or unlawfully selling, publishing, or exposing for sale such article, knowing the same to have been fraudulently stamped, or that the copyright thereof has expired, shall forfeit for every offence a sum not less than 4 dollars, and not exceeding 30 dollars, to be recovered in the same manner as penalties under the next preceding section, and that by any person whatever, who shall receive one-half the amount of the said last-mentioned penalty, on the recovery of the amount which the offender may have been condemned to pay.

XIX. A suit may be maintained by the proprietor of any design for the damages he has sustained by the application or imitation of the design, for the purpose of sale, against any person so offending, he (the offender) knowing that the proprietor of the design had not given his consent to such application.

XX. If any person, not being the lawful proprietor of a design, be registered as proprietor thereof, the rightful owner may institute an action in the superior court in the Province of Quebec, in the Court of Queen’s Bench in the Provinces of Ontario, and in the superior court in the Provinces of Nova Scotia or New Brunswick, as the case may be, and the court having cognizance of such suit may, if it appear that the design has been registered in the name of a wrong person, either direct the registration to be cancelled, or that the name of the lawful proprietor shall be substituted for the name in the
register, with costs in its discretion, and on application by the plaintiff, supported by affidavit, it shall be lawful for any such court, pending such action or proceedings, at its discretion, to issue an order upon the defendant prohibiting the use of such design pending such suit or proceedings, under pain of being held in contempt of such court.

XXI. The Minister of Agriculture, after due service of such order and payment of the fee hereinafter provided, shall cause such alteration to be made in the register as shall in said order be directed.

XXII. All proceedings, under the preceding sections of this Act, shall be brought within 12 months from the commission of the offence, and not after; nor shall any of the clauses of this Act apply to protect any design which does not belong to a person resident within Canada, and is not applied to a subject matter manufactured in Canada.

XXIII. On the copy returned to the person registering, a certificate shall be given, signed by the Minister or by his deputy, that the design has been registered, the date of registration, the name of the registered proprietor, his address, the number of such design, and the number or letter employed to denote or correspond with the registration, which said certificate, in the absence of proof to the contrary, shall be sufficient proof of the design, of the name of the proprietor, of the registration of the commencement and period of registry, of the person named as proprietor being proprietor, of the originality of the design, and of compliance with the provisions of this Act; and generally the writing so signed shall be received as evidence of the facts therein stated, without proof of the signature.

General Provisions.

XXIV. Any person may be allowed to inspect the Register of Trade Marks and the Register of Industrial Designs; and the Minister may cause copies or representations of trade marks or industrial designs to be delivered, on the applicant for the same paying the fee, which shall be deemed sufficient for the purpose of having the same copied or represented.

XXV. The Minister of Agriculture shall have power to refuse to register such designs as do not appear to him to be within the provisions of this Act, or when the design is contrary to public morality or order, subject, however, to appeal to the Governor in Council.

XXVI. The Minister of Agriculture shall, from time to time, cause to be published in the "Canada Gazette" the titles of the designs registered, and the names and places of abode of the registered proprietors.

XXVII. Clerical errors happening in the drawing up or
copying of any instrument, shall not be construed as invalidating
the same, but, when discovered, they may be corrected under
the authority of the Minister of Agriculture.

XXVIII. The following fees shall be payable, to wit:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>On every application to register a design or trade mark, including certificate.</td>
<td>5.00</td>
</tr>
<tr>
<td>For each certificate of registration not already provided for</td>
<td>1.00</td>
</tr>
<tr>
<td>For each copy of any drawing, the reasonable expenses of preparing the same.</td>
<td></td>
</tr>
<tr>
<td>For recording any assignment</td>
<td>2.00</td>
</tr>
</tbody>
</table>

For office copies of documents or entries, not above mentioned, the following charges shall be exacted:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>For every single or first folio</td>
<td>0.50</td>
</tr>
<tr>
<td>For every subsequent hundred words (fractions from and under 50 being not counted, and over 50 being counted for 100)</td>
<td>0.25</td>
</tr>
</tbody>
</table>

All of which fees shall be paid over by the Minister of Agriculture to the Receiver-General of Canada.

XXIX. The Act 24th Victoria, chapter 21, of the Statutes of the late Province of Canada, and the 30th Victoria, chapter 31, of the Province of New Brunswick, and all other Acts or parts of Acts inconsistent with the present Act are hereby repealed, as to any further registration or the granting of any new exclusive right under the provisions thereof; but all rights heretofore acquired by virtue of such provisions shall remain good and valid, and assignable in law; and all penalties and forfeitures incurred, or to be incurred, under the same, may be sued for and enforced; and all prosecutions commenced before the passing of this Act for any such penalties or forfeitures already incurred may be continued and completed, and entries and registrations under the said Acts respectively may be cancelled, as if the said Acts and parts of Acts had not been repealed.

XXX. For all the purposes of the Act of Canada, cited in the next preceding section of this Act, so far as the same remains in force after the passing of this Act, the deputy of the Minister of Agriculture shall be and is hereby substituted for the Secretary of the Board of Registration and Statistics mentioned in the said Act, and shall have all the powers and duties of these officers.

XXXI. In citing this Act, it shall be sufficient to call it “The Trade Mark and Design Act of 1868.”
ACT of the Government of Canada, to impose a Duty on Foreign Reprints on British Copyright Works.

[31 Vict., cap. 56.] [Assented to May 22, 1868.]

WHEREAS by an Act of the Parliament of the United Kingdom, passed in the session held in the 10th and 11th years of Her Majesty's reign, intituled, "An Act to amend the Law relating to the protection in the Colonies of Works entitled to Copyright in the United Kingdom," it is provided that, in case the Legislature of any British possession shall be disposed to make due provision for securing or protecting the rights of British authors in such possession, and shall pass an Act for that purpose, and transmit the same in the proper manner to the Secretary of State, in order that it may be submitted to Her Majesty; and in case Her Majesty should be of opinion that such Act is sufficient for the purpose of securing to British authors reasonable protection in such possession, it shall be lawful for Her Majesty to express her Royal approval of such Act, and thereupon by Order in Council to suspend, so long as the provisions of such Act shall continue in force in such colony, the provision contained in the Imperial Acts in the said above recited Act mentioned, or in any other Acts, against the importing, selling, letting out to hire, exposing for sale or hire, or possessing, foreign reprints of books first composed, written, printed, or published, in the United Kingdom, and entitled to copyright therein, and it is expedient to pass such Act as aforesaid, to the end that foreign reprints of such works may, under the provisions of the said Imperial Act, be lawfully imported into Canada, on conditions common to the whole Dominion, and to remove doubts as to the intent of the Act passed in the present Session of the Parliament of Canada, intituled, "An Act imposing Duties of Customs, with the Tariff of Duties payable under it." Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

I. It shall be lawful for the Governor in Council to impose upon books imported into Canada, and being copies printed or reprinted in any other country than the United Kingdom, of books first composed or written, or printed or published, in the United Kingdom, of which the copyright shall be still subsisting, and with regard to which the notice to the Commissioners of Customs required by any Act of the Parliament of the United Kingdom in that behalf, shall have been given, an ad valorem duty not exceeding 20 per cent., and, from time to time, to alter the said duty (not exceeding in any case the rate aforesaid), and, from time to time, to establish such regulations and conditions as may be consistent with any Act of the Parliament of the United Kingdom then in force, as he may deem requisite.
and equitable, with regard to the admission of such books, and
to the distribution of the proceeds of such duty to or among the
party or parties beneficially interested in the copyright, and
such duty shall be collected in like manner as duties of Customs,
and under the provisions of the Acts relating to such duties.

II. The word "book" in this Act shall include every volume,
part or division of a volume, pamphlet, sheet of letter press,
sheet of music, map, chart, or plan, separately published.

III. The foregoing provisions of this Act (except in so far as
it may be otherwise directed in any such Order as aforesaid, of
Her Majesty in Council) shall come into operation upon, from,
and after the day to be appointed for that purpose, in any Pro-
clamation of the Governor, signifying Her Majesty's Royal
approval of this Act, and the issuing of such Order of Her
Majesty in Council, and not before.

IV. And it is hereby declared, that it was not the intent of
the Act of the Parliament of Canada, cited in the preamble to
this Act, that any duty imposed on foreign reprints of such
British copyright books as are mentioned in the foregoing
sections of this Act, by any Act of the late Province of Canada,
or by any order of the Governor of that province in Council
made, or to be made, under such Act, or by any Act of the
Legislature of the Province of Nova Scotia or of New Bruns-
wick, for the purpose of being distributed to or among the party
or parties beneficially interested in the copyright, should be
repealed, and any such duty shall continue to be collected for
the purposes aforesaid, until a duty shall be imposed for like
purposes under this Act, after which it shall cease.

ACT of the Government of Canada, respecting Aliens and Natu-
ralization.

[31 Vict., cap. 66.] [Assented to May 22, 1868.]
WHEREAS the laws in force in the Provinces of Ontario
and Quebec, in the Province of Nova Scotia, and in the Pro-
vince of New Brunswick, providing for the naturalization of
aliens are various, and are local and limited in their effects:
and whereas it is expedient that one uniform provision should
be made for Canada with respect to the naturalization of aliens,
saving always the rights, titles, and claims of all persons,
according to the laws of each province, at the time of the
passing of this Act: and whereas it is also expedient to provide
that the benefits heretofore obtained by any person by natu-
ralization in any part of Canada, shall henceforth extend to and
be available for such person in every other part of Canada.
Therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

**Locally Naturalized Subjects of Her Majesty.**

I. Each and every person who, being by birth an alien, had on or before the passing of this Act become entitled to the privileges of British birth, within any part of Canada, by virtue of any general or special Act of Naturalization in force in such part of Canada, shall hereafter be entitled to all the privileges by this Act conferred on persons naturalized under this Act.

**Naturalization of Aliens.**

II. Every alien-born woman married to a natural-born British subject, or person naturalized under the authority of this Act or of any law, either of the Province of Nova Scotia or of the Province of New Brunswick, or of the late Province of Canada, or of the late Province of Upper Canada, or of the late Province of Lower Canada, shall be deemed to be herself naturalized, and shall have all the rights and privileges of a natural-born British subject.

III. Every alien (not being a woman married to a natural-born or naturalized British subject) now residing in, or who shall hereafter come to reside in any part of this Dominion, with intent to settle therein, and who, after a continued residence therein for a period of 3 years or upwards, has taken the oaths or affirmations of residence and allegiance, and procured the same to be filed of record as hereinafter prescribed, so as to entitle him or her to a certificate of naturalization as hereinafter provided, shall thenceforth enjoy and may transmit all the rights and capacities which a natural-born subject of Her Majesty can enjoy or transmit.

IV. Every such alien (not being a woman married to a natural-born or naturalized British subject) in order to become entitled to the benefit of this Act, shall take and subscribe the following oath of residence, or being one of those persons who are allowed by the laws of the province in which he or she then is, to affirm in judicial cases, shall make affirmation to the same effect, that is to say:

**Oath of Residence.**

"I, A.B., do swear (or, being one of the persons allowed by law to affirm in judicial cases, do affirm) that I have resided 3 years in this Dominion, with intent to settle therein, without having been during that time a stated resident in any foreign country. So help me God."
(2.) And every such alien, in order to become entitled to the benefit of this Act, shall also take and subscribe the following oath of allegiance (or being one of those persons who are allowed by the laws of the province in which he or she then is, to affirm in judicial cases, shall make affirmation to the same effect), that is to say:

Oath of Allegiance.

"I, A.B., do sincerely promise and swear (or, being one of the persons allowed by law to affirm in judicial cases, do affirm) that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, as lawful Sovereign of the United Kingdom of Great Britain and Ireland, and of the Dominion of Canada, dependent on and belonging to the said United Kingdom, and that I will defend her to the utmost of my power against all traitorous conspiracies and attempts whatever which shall be made against her person, Crown, and dignity; and that I will do my utmost endeavour to disclose and make known to Her Majesty, her heirs, and successors, all treasons and traitorous conspiracies and attempts which I shall know to be against her, or any of them: and all this I do swear without any equivocation, mental evasion, or secret reservation. So help me God."

(3.) And every such oath or affirmation shall be taken and subscribed by such alien, and may be administered to him or her by any Judge of any Court of Record in that province of Canada in which such alien resides, or by any person authorized to administer oaths in any of the courts hereinafter mentioned, or by any Commissioners to be appointed by the Governor for that purpose, or by any Justice of the Peace for the county or district within which such alien resides; which said Judge, Commissioner, or Justice of the Peace, on being satisfied by evidence produced by such alien, that he or she has been a resident of Canada for a continuous period of 3 years or upwards, and is a person of good character, shall grant to such alien a certificate, setting forth that such alien has taken and subscribed the said oath or affirmation, and that such Judge, Commissioner, or Justice of the Peace, has reason to believe that such alien has been so resident within Canada for a period of 3 years or upwards, that he or she is a person of good character, and that there exists to the knowledge of such Judge, Commissioner, or Justice of the Peace, no reason why such alien should not be granted all the rights and capacities of a natural-born British subject.

V. Such certificate shall be presented to the Court of Quarter Sessions of the Peace, or the Recorder's Court of the county or city within the jurisdiction of which the alien resides, in
Ontario, or to the Circuit Court in and for the circuit within which he or she resides in Quebec, or to the Supreme Court if he or she resides in Nova Scotia, or to the Supreme Court of Judicature of New Brunswick, or County Court of the county in which he or she resides, if he or she resides in New Brunswick, in open court, on the first day of some general sitting of such court, and thereupon such court shall cause the same to be openly read in court; and if, during such general sitting, the facts mentioned in such certificate are not controverted, or any other valid objection made to the naturalization of such alien, such court, on the last day of such general sitting, shall direct that such certificate be filed of record in the said court, and thereupon such alien shall be thereby admitted and confirmed in all the rights and privileges of British birth, to all intents whatever, as if he or she had been born within Canada.

VI. Every such person shall be then entitled to receive a certificate of naturalization under the seal of such court, and the signature of the clerk thereof, that he or she hath complied with the several requirements of this Act; which certificate of naturalization may be in the following form, or to the like effect, that is to say:

Dominion of Canada,

Province of

Circuit (or county or city) of

to wit:

In the Court of

Whereas A.B., of, &c. (describing him or her as formerly of such a place, in such a foreign country, and now of such a place in Canada, and adding his or her addition), hath complied with the several requirements of the Act respecting aliens and naturalization, and the certificate thereof has been read in open court, and thereupon, by order of the said court, duly filed of record in the same, pursuant to the said Act; these are therefore to certify to all whom it may concern, that under and by virtue of the said Act, the said A.B. hath obtained all the rights and capacities of a natural-born British subject, to have, hold, possess, and enjoy the same, upon, from, and after the day of (the day of filing the certificate of residence), in the year of Our Lord, 18; and the certificate thereof is hereby granted to the said A.B., according to the form of the said law.

Given under my hand and the seal of the said court, this day of , in the year of Our Lord, 18:

(Signature.)  C. D.,

Clerk of the Peace,

(or Clerk of the Recorder's Court, or Clerk of the Circuit Court, or Clerk of the Supreme Court, as the case may be).

VOL. XIV.
VII. A copy of such certificate of naturalization may, at the option of the party, be registered in the registry office of any county, or district, or registration division, within Canada, and a certified copy of such registry shall be sufficient evidence of such naturalization in all courts and places whatsoever.

VIII. Any alien entitled, at the time of the passing of this Act, to be naturalized under the provisions of any of the Acts mentioned in the 12th and 14th sections of this Act, may take the oaths or affirmations of residence and of allegiance, and obtain certificates as aforesaid, in the same manner as aliens entitled to be naturalized under the provisions of the 3rd section of this Act, and with the same effect, to all intents and purposes;

(2.) Notwithstanding anything in this Act, all aliens now resident within the Province of Nova Scotia, and entitled to be naturalized by virtue of the 34th chapter of the Revised Statutes of Nova Scotia, shall hereafter, on fulfilling the requirements of the said last-mentioned chapter, be entitled to all the privileges by this Act conferred on persons naturalized under this Act.

IX. The Clerk of the Peace or Clerk of the Recorder's Court, or Clerk of the Circuit Court, or Clerk of the Supreme Court, shall, for reading and filing the certificate of residence, and preparing and issuing the certificate of naturalization under the seal of the court, be entitled to receive from such person the sum of 25 cents, and no more; and the registrar shall, for recording the said last-mentioned certificate, be entitled to receive from such person the sum of 50 cents, and a further sum of 25 cents for every search and certified copy of the same, and no more.

X. The privileges of naturalization imparted by this Act to the several classes of persons herein mentioned, are imparted to such persons respectively on the terms and conditions herein set forth, and are to be by such persons exercised and enjoyed, according to the true intent and meaning of an Act passed by the Parliament of the United Kingdom of Great Britain and Ireland, in the Session held in the 10th and 11th years of Her Majesty's reign [cap. 83], and intituled, "An Act for the Naturalization of Aliens."*

XI. Nothing in this Act contained shall repeal or in any manner affect the Act of the Legislature of Upper Canada, passed in the 54th year of the reign of His late Majesty King George III, intituled, "An Act to declare certain persons therein described Aliens, and to vest their estates in His Majesty, or any proceedings had under the said Act."

XII. Nor shall anything in this Act contained repeal or in any manner affect the Act passed in the session held in the 4th
and 5th years of Her Majesty's reign, chapter 7, intituled, "An Act to secure to, and confer upon, certain Inhabitants of this Province the civil and political rights of Natural-born British Subjects;" or the 1st, 2nd, or 3rd section of the Act passed in the 12th year of Her Majesty's reign, chapter 197, intituled, "An Act to repeal a certain Act therein mentioned, and to make better provision for the Naturalization of Aliens;" or impair or affect the naturalization of any person naturalized under the said Acts, or either of them, or any rights acquired by such person or by any other party by virtue of such naturalization, all which shall remain valid and be possessed and enjoyed by such person or party respectively.

Penalty for False Swearing.

XIII. Any person wilfully swearing falsely, or making any false affirmation under this Act, shall be deemed guilty of wilful and corrupt perjury, and shall, on conviction, in addition to any other punishment authorised by law, forfeit all the privileges or advantages which he or she would otherwise, by making such oath or affirmation, have been entitled to under this Act, but the rights of others in respect to estates derived from or held under him or her, shall not thereby be prejudiced, excepting always such others as shall have been cognizant of the perjury at the time the title by which they claim to hold under him or her was created.

XIV. The following Acts are hereby repealed, that is to say: The "Act respecting the Naturalization of Aliens," forming the 8th chapter of the Consolidated Statutes of Canada, save and except the 9th section thereof; the 34th chapter of the Revised Statutes of Nova Scotia, third series, "Of the Privileges and Naturalization of Aliens," save and except the 1st, 2nd, and 3rd sections thereof; the Act of the Legislature of New Brunswick, passed in the 24th year of Her Majesty's reign, chapter 54, intituled, "An Act relating to the Naturalization of Aliens;" and the Act of the same Legislature passed in the 28th year of Her Majesty's reign, chapter 5, intituled, "An Act to amend the Act relating to the Naturalization of Aliens;" but nothing in this section contained shall impair or affect the naturalization of any person naturalized under the said Acts, or either of them, or any rights acquired by such person, or by any other party, by virtue of such naturalization, all which shall remain valid, and be possessed and enjoyed by such person or party respectively.
ACT of the Government of Canada, to provide for taking Evidence in Canada in relation to Civil and Commercial Matters pending before Courts of Justice in any other of Her Majesty's Dominions or before Foreign Tribunals.

[31 Vict., cap. 76.] [Assented to May 22, 1868.]

WHEREAS it is expedient that facilities be afforded for taking evidence in Canada, in relation to civil and commercial matters pending before courts of justice in any other of Her Majesty's dominions or before foreign tribunals; therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

I. Whereupon an application for that purpose it is made to appear to any court or judge having authority under this Act, that any court or tribunal of competent jurisdiction, in any other of Her Majesty's dominions, or in any foreign country, before which any civil or commercial matter is pending, is desirous of obtaining the testimony in relation to such matter of any party or witness within the jurisdiction of such first-mentioned court, or of the court to which such judge belongs, or of such judge, it shall be lawful for such court or judge, in their or his discretion, to order the examination upon oath, upon interrogatories or otherwise, before any person or persons named in such order of such party or witness accordingly, and by the same or any subsequent order, to command the attendance of such party or witness, for the purpose of being examined, and for the production of any writings or other documents to be mentioned in such order, and of any other writings or documents relating to the matter in question that may be in the possession or power of such party or witness.

II. Upon the service upon such party or witness of such order, and of an appointment of a time and place for the examination of such party or witness, signed by the person named in such order for taking the same, or if more than one person be named then by one of the persons named, and upon payment or tender of the like conduct money as is properly payable as upon attendance at a trial, such order may be enforced in like manner as an order made by such court or judge, in a cause depending in such court or before such judge.

III. Every person whose attendance shall be required in manner aforesaid shall be entitled to the like conduct money and payment for expenses and loss of time as upon attendance at a trial.

IV. Any person examined under any order made under this Act shall have the like right to refuse to answer questions tending to criminate himself, and other questions which a party or witness, as the case may be, in any cause pending in the court by which, or by a judge whereof, such order is made,
would be entitled to; and no person shall be compelled to produce under any such order any writing or other document that he could not be compellable to produce at a trial of such a cause.

V. It shall be lawful for any person authorised to take the examination of parties or witnesses by any order made in pursuance of this Act to take such examination upon the oath of the parties or witnesses, or upon affirmation in cases where by the law of the province wherein such examination is taken, affirmation is allowed instead of oath; such oath or affirmation to be administered by the person so authorised, or if more than one, then by one of such persons; and if, upon such oath or affirmation, any person making the same, wilfully and corruptly gives any false evidence, every person so offending shall be deemed and taken to be guilty of perjury.

VI. The Court of Appeal for Canada, in the event of such court being constituted, and the superior courts of common law or equity in any province in Canada, and any judge of such courts shall respectively be courts and judges having authority under this Act; and the said courts may respectively frame rules and orders in relation to procedure to the evidence to be produced in support of the application for an order for examination of parties and witnesses under this Act, and generally for carrying this Act into effect; and in the absence of any order in relation to such evidence, letters rogatory from any court of justice in any other of the dominions of Her Majesty, or from any foreign tribunal, in which such civil or commercial matter may be pending, shall be deemed and taken to be sufficient evidence in support of such application.

VII. This Act shall not be so construed as to control or interfere with the right of legislation of the Legislature of any province requisite or desirable for the carrying out the objects hereof.

**ACT of the British Parliament, for authorising a Guarantee of a Loan to be raised by Canada for payment in respect of the transfer of Rupert's Land.**

[32 & 33 Vict., cap. 101.] [August 11, 1869.]

Whereas by "The Rupert's Land Act, 1868," power was given for the Governor and Company of Adventurers in England trading into Hudson's Bay (in this Act referred to as the Hudson's Bay Company) to surrender, and for Her Majesty to accept the surrender of Rupert's Land (as therein defined), for the purpose of admitting the same into the Dominion of Canada:

And whereas an arrangement has been made for the sur-
render by the Hudson's Bay Company of Rupert's Land, and for the admission thereof into the Dominion of Canada:

And whereas part of the terms of the said arrangement was the payment of 300,000l. to the Hudson's Bay Company by the Government of Canada:

And whereas the Government of Canada propose to raise the said sum of 300,000l. by way of loan, and it is expedient to authorise the Commissioners of Her Majesty's Treasury, in this Act referred to as the Treasury, to guarantee the interest of such loan:

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as “The Canada (Rupert's Land) Loan Act, 1869.”

2. The Treasury may guarantee, in such manner and form as they think fit, the payment of the interest, at a rate not exceeding 4 per cent, on any principal money not exceeding the sum of 300,000l. sterling to be raised by way of loan by the Government of Canada for the purpose of the said payment to the Hudson's Bay Company.

3. The Treasury shall not give any guarantee under this Act unless and until provision is made by an Act of the Parliament of Canada, or otherwise, to the satisfaction of the Treasury.

(1.) For raising and appropriating the said loan:
(2.) For charging the Consolidated Revenue Fund of Canada with the payment of the principal and interest of the said loan immediately after the charge of the loan for the fortifications created by an Act of the Parliament of Canada of the year 1868, chapter 41, or to be created by any subsequent Act in respect of sums paid out of the Consolidated Fund of the United Kingdom on account of such last-mentioned loan:
(3.) For payment by the Government of Canada of a sinking fund at the rate of 1 per cent. per annum, on the entire amount of the said loan, and for charging the Consolidated Revenue Fund of Canada with the payment of such sinking fund immediately after the principal and interest of the said loan:
(4.) For charging the Consolidated Revenue Fund of Canada with any sum issued out of the Consolidated Fund of the United Kingdom under this Act, with interest thereon at the rate of 5 per cent. per annum, immediately after the sinking fund of the said loan:
(5.) For payment of the money raised by the said loan to 4 trustees, nominated from time to time, two by the Treasury and two by the Government of Canada, and for the application of such money under the direction of those trustees:
(6.) For remitting to the Treasury the annual sums for the sinking fund by equal half-yearly payments, in such manner as they from time to time direct, and for the investment and accumulation thereof under their direction in the names of 4 trustees nominated from time to time, two by the Treasury and two by the Government of Canada.

4. The said sinking fund may be invested only in such securities as the Government of Canada and the Treasury from time to time agree upon, and shall be applied from time to time under the direction of the Treasury in discharging the principal of the said loan and the interest arising from such securities, and the resulting income thereof shall be invested and applied as part of such sinking fund.

5. Every Act passed by the Parliament of Canada which in any way impairs the priority of the charge upon the Consolidated Revenue Fund of Canada created by that Parliament of the said loan and the interest and sinking fund thereof, and the sums paid out of the Consolidated Fund of the United Kingdom and the interest thereon, shall, so far only as it impairs such priority, be void, unless such Act has been reserved for the signification of Her Majesty’s pleasure.

6. The Treasury are hereby authorised to cause to be issued from time to time, out of the growing produce of the Consolidated Fund of the United Kingdom, such sums of money as may at any time be required to be paid to fulfil the guarantee under this Act.

7. The Treasury may, from time to time, certify to one of Her Majesty’s Principal Secretaries of State the amount which has been paid out of the Consolidated Fund of the United Kingdom to fulfil the guarantee under this Act, and the date of such payment; such certificate shall be communicated to the Governor of Canada, and shall be conclusive evidence of the amount having been so paid, and of the time when the same was so paid.

8. The Treasury shall cause to be prepared and laid before both Houses of Parliament a statement of any guarantee given under this Act, and an account of all sums issued out of the Consolidated Fund of the United Kingdom for the purposes of this Act, within one month after the same are so given or issued, if Parliament be then sitting, or if Parliament be not sitting, then within 14 days after the then next meeting of Parliament.
ACT of the Government of Canada, to authorise the Apprehension and Detention of persons suspected of committing Acts of Hostility or conspiring against Her Majesty's Person and Government.

[33 Vict., cap. 1.] [Assented to April 14, 1870.]

WHEREAS, certain evil disposed persons, being subjects or citizens of foreign countries at peace with Her Majesty, threaten lawless invasions of and hostile incursions into Canada, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enact as follows:

I. All and every person and persons who is, are, or shall be within prison in Canada at, upon, or after the day of the passing of this Act, by warrant of Commitment signed by any two justices of the peace, or by a commissioner of police appointed under the Act of the Parliament of Canada, passed in the 31st year of Her Majesty's reign, and intituled: "An Act respecting Police of Canada," or under capture or arrest made, with or without warrant, by any of the officers, non-commissioned officers, or men of Her Majesty's regular militia, or active militia forces, or by any of the officers, warrant officers, or men of Her Majesty's Navy, and charged with being or continuing in arms against Her Majesty in Canada;

Or with any act of hostility therein;

Or with having entered Canada with design or intent to levy war against Her Majesty, or to commit any felony therein;

Or with levying war against Her Majesty in company with any of the subjects or citizens of any foreign State or country then at peace with Her Majesty;

Or with entering Canada in company with any such subjects or citizens with intent to levy war on Her Majesty, or to commit any act of felony therein;

Or with joining himself or themselves to any person or persons whatsoever, with the design or intent to aid and assist him or them, whether subjects or aliens, who have entered or may enter Canada, with design or intent to levy war on Her Majesty, or to commit any felony within the same;

Or charged with high treason or treasonable practices, or suspicion of high treason or treasonable practices;

May be detained in safe custody without bail or mainprise until the 1st day of January, 1871, and until the end of the Session of Parliament then next succeeding; and no judge or justice of the peace shall bail or try any such person or persons so committed, captured, or arrested, without order from the Queen's Privy Council for Canada, until the day
after the termination of the first session held after the 1st day of January, 1871, any law or statute to the contrary notwithstanding; provided, that if within one month after the date of any warrant of commitment, the same or a copy thereof certified by the party in whose custody any such person or persons is or are detained under it, be not countersigned by a clerk of the Queen’s Privy Council for Canada, then any person or persons detained in custody under such warrant of commitment for any of the causes aforesaid by virtue of this Act, may apply to be and may be admitted to bail.

II. In cases where any person or persons have been, before the passing of this Act, or shall be during the time this Act shall continue in force, arrested, committed or detained in custody by force of a warrant of commitment of any two justices of the peace, or of a commissioner of police, as aforesaid, for any of the causes in the preceding section mentioned, it shall and may be lawful for any person or persons to whom such warrant or warrants have been or shall be directed, to detain such person or persons so arrested or committed in his or their custody, in any place whatever within Canada, and such person or persons to whom such warrant or warrants have been or shall be directed, shall be deemed and taken to be all intents and purposes lawfully authorised to detain in safe custody, and to be the lawful gaolers and keepers of such persons so arrested, committed, or detained; and such place or places, where such person or persons so arrested, committed, or detained, are or shall be detained in custody, shall be deemed and taken, to all intents and purposes, to be lawful prisons and gaols for the detention and safe custody of such person and persons respectively; and it shall and may be lawful to and for the Queen’s Privy Council for Canada, by warrant signed by a clerk of the said Privy Council, to change the person or persons by whom and the place in which any such person or persons so arrested, committed, or detained, shall be detained in safe custody.

III. The Governor-General may, by proclamation, as and so often as he may see fit, suspend the operation of this Act, or within the period aforesaid, again declare the same to be in full force and effect, and upon any such proclamation, this Act shall be suspended or of full force and effect, as the case may be.

IV. This Act may be altered, amended or repealed during the present session of Parliament.
ACT of the Government of Canada, respecting the Coasting Trade.*

[33 Vict., cap. 14.] [Assented to May 12, 1870.]

WHEREAS, by an Act of Parliament of the United Kingdom, passed in the 32nd year of Her Majesty's reign [cap. 11],† and intituled: "An Act for amending the Law relating to the Coasting Trade and Merchant Shipping in British Possessions," it is, among other things, in effect enacted, that after the commencement of the said Act, the Legislature of a British Possession, by any Act or Ordinance, from time to time, may regulate the coasting trade of that British Possession, subject, in every case, to certain conditions mentioned in the said Act, and embodied and enacted in this Act, and that section 163 of the Act of the Parliament of the United Kingdom, known as "The Customs Consolidation Act, 1853,"‡ which is in the following words: "No goods or passengers shall be carried, from one port of any British Possession in Asia, Africa, or America, to another port of the same possession, except in British ships," shall be repealed as from the date in the case of each British Possession, at which either an Act or an Ordinance with respect to the coasting trade, made within two years after the commencement of the Act first above cited, in such British Possession, comes into operation, or if there is no such Act or Ordinance, at which the said two years expire; and that the said first cited Act shall be proclaimed in every British Possession, by the Governor thereof, as soon as may be after he receives notice of the said Act, and shall come into operation in that British Possession on the day of such proclamation, which day is in the said Act referred to as the commencement thereof:

And, whereas, the said Act was so proclaimed by the Governor of Canada, on the 23rd day of October, now last past: And, whereas, it is expedient to exercise in the manner hereinafter provided, the power vested as aforesaid in the Parliament of Canada; therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

I. No goods or passengers shall be carried by water, from one port of Canada to another, except in British ships; and if any goods or passengers are so carried, as aforesaid, contrary to this Act, the master of the ship or vessel so carrying the same, shall forfeit the sum of 400 dollars, and any goods so carried shall be forfeited as smuggled, and such ship or vessel may be detained by the collector of customs, at any port or place to which such goods or passengers are brought, until such penalty is paid, or security for the payment thereof given to his satisfaction, and until such goods (if any) are delivered up to him, to be dealt...
with as goods forfeited under the provisions of the Act passed in the 31st year of Her Majesty's reign, and intituled: "An Act respecting the Customs;" and the said penalty and forfeiture may also be recovered and enforced in the manner provided by the Act last mentioned, with respect to penalties and forfeitures incurred under it, and as if imposed by it; and this Act shall accordingly be construed with reference to the said Act, and as forming one Act with it, and all words and expressions in this Act shall have the same meaning as the like words and expressions in the said Act.

II. The Governor in Council may, from time to time, declare that the foregoing provisions of this Act, shall not, while such Order in Council is in force, apply to the ships or vessels of any foreign country in which British ships are admitted to the coasting trade of such country, and to carry goods and passengers from one port or place in such country to another, and may, from time to time, revoke or alter such Order in Council.

III. This Act shall not come into operation until the day to be appointed for that purpose, in the proclamation hereinbefore mentioned, signifying Her Majesty's pleasure that it shall come into operation in Canada;

In this Act, the term "British ships," means and includes all ships belonging wholly to persons and bodies corporate, qualified or entitled to be owners of British ships, under the provisions of "The Merchant Shipping Act, 1854" [cap. 120], or other Act of the Parliament of the United Kingdom in that behalf, in force for the time being.

And where, by Treaty, made before the passing of the Act of Parliament of the United Kingdom, first cited in the preamble of this Act, Her Majesty has agreed to grant to any ships of any foreign State, any rights or privileges in respect of the coasting trade of Her Majesty's possessions, such rights and privileges shall be enjoyed by such ships, for so long as Her Majesty has already agreed, or may hereafter agree, to grant the same; anything in this Act to the contrary notwithstanding.


[34 Vict., cap. 13.] [Assented to April 14, 1871.

WHEREAS, it is expedient to make certain provisions respecting the force and effect of the Acts of the Parliament of Canada,
in and in relation to the Province of Manitoba, and the colony of British Columbia when it becomes a province in the Dominion of Canada; therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

**Manitoba.**

I. Subject to the exceptions and limitations in the following sections of this Act, or in the schedule hereunto annexed, all the enactments and provisions contained in the Acts of the Parliament of Canada, passed in 1st, 2nd, and 3rd sessions thereof, held respectively in the 31st, the 32nd, and 33rd, and the 33rd years of Her Majesty’s reign, and applying equally to the whole Dominion of Canada as then constituted, and not limited to any particular province or provinces thereof, or to any territorial division in any one or more of them, shall have the same force and effect in and in relation to the Province of Manitoba, from and after the passing of this Act, as they then have in and in relation to all the other provinces of Canada.

II. In the 7 next following sections of this Act the words “the said Acts” mean the Acts passed in the 1st, 2nd, and 3rd sessions of the Parliament of the Dominion of Canada, which are not mentioned in the schedule to this Act as being declared wholly inapplicable to the Province of Manitoba.

III. In construing the said Acts, the words “Canada,” “the Dominion,” “the Dominion of Canada,” “the provinces of Canada” or other like expressions wherever they occur therein, shall, from and after the passing of this Act, be held to include the Province of Manitoba, provided the subject matter and the context will fairly admit of their being so construed, in order to carry out the intent of this Act.

IV. Nothing in this Act shall be construed as a declaration that any of the said Acts, or any part thereof, had not or has not or would not have, without the passing of this Act, force or effect in and in relation to the Province of Manitoba.

V. In case any of the said Acts, or any enactment or provision therein has force or effect in relation to one or more of the provinces composing the Dominion at the time of its passing in a sense peculiar to such province or provinces, and different from the sense in which it has force and effect in relation to all the said provinces as a whole, such Act, enactment or provision shall have force and effect within and in relation to the Province of Manitoba in the last mentioned sense only.

VI. Nothing in this Act shall be construed so as to give a retroactive effect to any of the said Acts, or to any enactment or provision therein.

VII. Nor shall anything in this Act be construed as relating to or in any way affecting the Act passed in the 33rd year of
Her Majesty's reign, chapter 3, "to amend and continue the Act 32 and 33 Victoria, chapter 3, and to establish and provide for the Government of the Province of Manitoba,"* but the said Act shall have and continue to have the same force and effect, within and in relation to the Province of Manitoba as if this Act had not been passed: Provided that in construing the 27th section of the said Act, the Customs duties thereby continued shall be deemed to be duties imposed by the Parliament of Canada, for the purposes of the Act 33 Vict., chapter 8 (respecting the remission of duties and penalties in certain cases), and other Acts relating to the Customs and revenue.

VIII. Nor shall anything in this Act prevent the effect, in or in relation to the Province of Manitoba, of any Act passed during the present session, relating specially to the said province.

IX. Every law in force in the Province of Manitoba at the time of the passing of this Act, inconsistent with or repugnant to any of the enactments or provisions of any Act of the Parliament of Canada which will be in force in the said province, or making any provision for any matter provided for by any of the said enactments or provisions, other than such as is thereby made, is hereby repealed; but this repeal shall not affect the past operation of any such law, or the validity of anything already done, or any right, title, obligation or liability already accrued, or penalty or forfeiture already incurred, thereunder.

British Columbia.

X. All the enactments and provisions of the Acts of the Parliament of Canada, passed in the 1st, 2nd, and 3rd sessions thereof aforesaid, or in the present session, relating to the Executive Government and the several departments thereof, and the civil service of the Dominion, the Legislature and legislation, the Senate and House of Commons, and the proceedings therein, the independence of Parliament, and the qualification or disqualification of members of the last-mentioned House, the vacating of seats therein and the filling of vacancies, the public works of the Dominion, and the postal service, shall, in so far as they may not be inconsistent with the provisions of any order of the Queen in Council, made under the authority of the 146th section of "The British North America Act, 1867,"† have the same force and effect in and in relation to the Colony of British Columbia after its admission into the Union under such Order in Council, as they then have in and in relation to all the other provinces of Canada.

XI. Such provisions of the Customs laws of Canada (other than such as prescribe the rates of duty), as may be from time to time declared by the Governor in Council applicable to the

Province of British Columbia, after its admission into the Union as aforesaid, shall apply thereto and be in force therein accordingly.

XII. Such provisions of the laws of Canada respecting the Inland Revenue, other than those fixing the amount of duties, as may be from time to time declared by the Governor in Council applicable to the Province of British Columbia, after its admission into the Union as aforesaid, shall apply thereto and be in force therein accordingly.

XIII. Anything in this Act, or in any Act of the Parliament of Canada hereby extended to British Columbia, which may be inconsistent with the order of the Queen in Council for the admission of British Columbia into the Union, shall be void and of no effect.

---

**Schedule A.**

Acts of the Parliament of Canada which will not under the foregoing Act apply to the Province of Manitoba or the application of which to the said Province is limited in the manner and to the extent hereinafter mentioned.

---

**ACT of the Government of Canada, to make further provision for the Government of the North West Territories.**

[34 Vict., cap. 16.] [Assented to April 14, 1871.]

Whereas, the Act passed in the session held in the 32nd and 33rd years of Her Majesty's reign, chapter 3, entitled, "An Act for the temporary Government of Rupert's Land and the North Western Territory when united with Canada," as re-enacted, amended, extended, and continued in force, with respect to such portion of the said land and territory as is not included in the Province of Manitoba by the Act passed in the 33rd year of Her Majesty's reign, chapter 3, entitled, "An Act to amend and continue the Act 32 and 33 Victoria, chapter 3, and to establish and provide for the Government of the Province of Manitoba," will expire at the end of the present session of Parliament; and whereas, it is expedient to make provision for the government, after the expiration of the Act first above mentioned, of the North West Territories, that being the name given by the 35th section of the Act secondly above mentioned to such portion of Rupert's Land and the North Western Territory as is not included in the Province of Manitoba; therefore, Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

I. It shall be lawful for the Governor, by any order or orders to be by him from time to time made, with the advice of the Privy Council (and subject to such conditions and restrictions as to him shall seem meet), to authorise and empower such officer as he may from time to time appoint as the Lieutenant-Governor of the North West Territories, to make provision for the administration of justice therein, and generally to make, ordain, and establish all such laws, institutions, and ordinances as may be necessary for the peace, order, and good government of Her Majesty's subjects, and others therein; provided that all such Orders in Council, and all laws and ordinances, so to be made as aforesaid, shall be laid before both Houses of Parliament as soon as conveniently may be after the making and enactment thereof respectively.

II. The Lieutenant-Governor shall administer the Government under instructions from time to time given him by Order in Council.

III. The Governor may, with the advice of the Privy Council, constitute and appoint, by warrant under his sign-manual, a council of not exceeding 15 nor less than 7 persons, to aid the Lieutenant-Governor in the administration of affairs, with such powers as may be from time to time conferred upon them by Order in Council.

IV. All the laws in force in the North West Territories at the time of the passing of this Act shall, so far as they are consistent with "The British North America Act, 1867,"*—with the terms and conditions of the admission of Rupert's Land and the North Western Territories into the Union, approved of by the Queen under the 146th section thereof,—and with the said above cited Acts and this Act,—remain in force therein, until altered by the Parliament of Canada, or by the Lieutenant-Governor under the authority of this Act.

V. The Lieutenant-Governor and all public officers and functionaries holding office in the North West Territories at the time of the passing of this Act, shall continue to be public officers and functionaries of the North West Territories with the same duties and powers as before, until otherwise ordered under the authority of this Act.

ACT of the Government of Canada, to amend the Act 31st Victoria, Chapter 66,† respecting Aliens and Naturalization.

[34 Vict., cap. 22.] [Assented to April 14, 1871.]

In amendment of the Act passed in the 31st year of Her Majesty's reign, chapter 66, and intitled, "An Act respecting

Aliens and Naturalization,” Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

I. Every person who, being by birth an alien, did, prior to the 1st day of January, 1868, take the oaths of residence and allegiance required by the naturalization laws then in force in that one of the provinces now forming the Dominion of Canada, in which he then resided, shall be admitted to all the rights and privileges of a natural-born British subject conferred upon naturalized persons by the Act of Parliament of Canada respecting aliens and naturalization, passed in the 31st year of Her Majesty’s reign, and the certificate of the judge, magistrate, or other person before whom such oaths were taken and subscribed, shall be evidence of his having taken them; or he may take and subscribe the following oath before some judge, justice, or person authorized to administer the oaths of residence and allegiance under the Act hereby amended, in the county or district in which he resides:

“I, A. B., do (swear or affirm) that, on or about the day of , at in the (county) of , in the Province of (or in the late Province of Canada), I did take and subscribe before (a judge, magistrate, or other proper person, naming him), the (oaths) of residence and allegiance required by the laws respecting the naturalization of aliens then in force in the said province; so help me God.”

II. All aliens who had their settled place of abode in either of the late Provinces of Upper Canada or Lower Canada, or in Nova Scotia, or New Brunswick, on or before the 1st day of July, A.D. 1867, and who are still residents in the Province of Ontario or of Quebec, or in either of the Provinces of Nova Scotia or New Brunswick, shall be deemed, adjudged, and taken to be, and to have been entitled to all the privileges of British birth, as if they had been natural-born subjects of Her Majesty, subject to the following provisions, that is to say:—That no such person (being a male), shall be entitled to the benefit of this Act, unless nor until he shall take the oath or affirmation of allegiance in the form prescribed by the Act hereby amended, together with the oath of residence hereinafter prescribed, before some justice of the peace, or other person authorized to administer oaths under the said Act.

2. Such alien shall take and subscribe the following oath of residence, that is to say:

“I, A. B., do swear (or affirm) that I had a settled place of abode in the Dominion of Canada on the 1st day of July, 1867, and resided therein, with intent to settle therein, and have continuously since resided therein; so help me God.”

III. Every affidavit or affirmation taken under this Act shall
be filed, if the person making it resides in the Province of Ontario, with the clerk of the peace of the county in which he resides,—if he resides in the Province of Quebec, with the clerk of the circuit Court of the circuit within which he resides,—if he resides in Nova Scotia, with the clerk of the Supreme Court, and if he resides in New Brunswick with the clerk of the Superior Court of Judicature; and such clerk shall file the same of record in his Court, and upon its being so filed, the person making it shall be entitled to the benefit of this Act and the privileges of British birth, and shall also, upon payment of a fee of 25 cents to such clerk, be entitled to a certificate from him, in the form or to the effect prescribed in section 6 of the Act hereby amended, and the production of such certificate shall be \textit{prima facie} evidence of his naturalization under this Act, and that he is entitled to and enjoys all the rights and privileges of a British subject.

IV. In this Act the word "oath" includes an "affirmation" in every case where the person taking it is one of those who are allowed by the laws of the province in which he resides to affirm in judicial cases, and the forms herein given shall, in such cases, be worded accordingly.

**ACT of the Government of Canada, respecting Aliens and Naturalization in the Provinces of British Columbia and Manitoba.**

[36 Vict., cap. 36.] [Assented to May 23, 1873.]

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

I. The Acts of the Parliament of Canada, hereinafter mentioned, that is to say, the Act passed in the 31st year of Her Majesty's reign, and intituled "An Act respecting Aliens and Naturalization" [cap. 66],* and the Act passed in the 34th year of Her Majesty's reign, and intituled "An Act to amend the Act 31st Victoria, Chapter 66, respecting Aliens and Naturalization," shall, from and after the passing of this Act, be and are hereby extended and shall apply to and be in force in the Province of British Columbia, subject to the provisions hereinafter made, and shall thereafter be read and construed as if the Province of British Columbia were therein expressly mentioned or referred to whenever the other provinces then forming the Dominion of Canada, or Canada generally, are or is therein mentioned or referred to.

II. In applying the provisions of the said Acts to the Province of British Columbia, whenever the Court of Quarter or

\* See Page 782.
General Sessions of the Peace, the Recorder’s Court, or the Circuit Court is mentioned therein, the Court of like name or jurisdiction in British Columbia or the County Court shall be understood to be substituted; and whenever the Supreme Court of any province is mentioned therein the Supreme Court of British Columbia shall be understood to be substituted; and the clerk or chief officer of the substituted Court shall be understood to be intended whenever the clerk of the Court for which it is substituted is mentioned.

III. The Act or Law now in force in the Province of British Columbia, intituled “An Ordinance to assimilate the Law regarding Aliens in all parts of the Colony of British Columbia,” shall remain in force until the 1st day of July, which will be in the year of Our Lord, 1874; and every person naturalized under its provisions before the said day, whether before or after the passing of this Act, shall be or become entitled, within any part of Canada, to the privileges of British birth conferred on persons naturalized under the Acts mentioned in the preceding sections of this Act; but, except as to such persons and the rights and privileges then acquired by them, which shall remain in force, the said Act or Law shall, upon and after the said day, be repealed, with the exception of the 10th and 11th sections thereof.

IV. In applying the Acts mentioned in the 1st section of this Act to the Province of Manitoba, to which they have been extended by an Act of Parliament of Canada, the said province shall be understood to be included whenever the other provinces then forming the Dominion of Canada, or Canada generally, are or is mentioned, and, whenever the Supreme Court, or the Court of Quarter or General Sessions of the Peace, or the Recorder’s Court, or the Circuit Court is mentioned, the Court of Queen’s Bench of the said Province of Manitoba, and the Court of Quarter or General Sessions of the Peace, or the Court of like name or jurisdiction for the place therein, in which the alien resides, shall be understood to be substituted; and the clerk or chief officer of the substituted Court shall be understood to be intended whenever the clerk of the Court for which it is substituted is mentioned.

ACT of the Government of Canada, respecting the admission of the Colony of Prince Edward Island as a Province of the Dominion.

[36 Vict., cap. 40.] [Assented to May 23, 1873.]

WHEREAS it is probable that Her Majesty the Queen may, in pursuance of the provisions of “The British North America
Great Britain (Canada).

Act, 1867,"* be pleased to admit the colony of Prince Edward Island into the Union of the Dominion of Canada, before the next session of Parliament of Canada, and it is therefore expedient to make certain provisions which shall take effect in the event of such admission: Therefore Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

I. On, from, and after the day on which the said colony of Prince Edward Island shall be admitted into the Union or Dominion of Canada, as a province thereof, by Her Majesty the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, under the provisions of the 146th section of "The British North America Act, 1867," all the Acts of the Parliament of Canada, passed in the present or any former session thereof, and relating to the following subjects, or any of them, that is to say:

1. The Executive Government and the several departments thereof;
2. The Civil Service of the Dominion;
3. The legislature and legislation;
4. The Senate and House of Commons, including the proceedings therein, and the vacating of the seats of Members of the House of Commons and the filling of vacancies;
5. The public works of the Dominion;
6. The postal service, including the penal clauses of the Acts relating thereto;
7. The extradition of fugitive criminals from foreign countries;
8. The navigation of Canadian waters;
9. Lighthouses, buoys, and beacons;
10. The Customs and Excise, including the tariff of duties;

shall, in so far as they are not inconsistent with the provisions of the said "British North America Act, 1867," or with those of the Order of Her Majesty in Council admitting the said colony into the Union or Dominion, and in so far as the said Acts respectively apply to the Provinces of Ontario, Quebec, Nova Scotia, and New Brunswick generally, and not only one or more of them in particular, apply to and be in force in the said colony or Province of Prince Edward Island, as if it had formed part of Canada, where the said Acts were respectively passed, subject always to the provisions hereinafter made.

II. The Governor in Council may from time to time suspend, relax, or modify, as respects Prince Edward Island, any of the provisions or requirements of the said Acts respecting the Customs or Excise (except such as fix the duties payable under them), which he may deem it impracticable or inconvenient to enforce in the said island.

III. If, after the admission of Prince Edward Island into the Dominion, there be brought from it into any other province of Canada any article of commerce not being the produce of the island or of Canada, and liable to any duty of Customs when produced in Canada from any foreign country, or any such article produced in the island, and liable to a duty of Excise if produced in Canada for consumption therein, then, if such Canadian duty of Customs or Excise be greater than the duty of Customs or Excise paid on such article in the island, the difference between the Canadian duty and the duty paid in the island shall be payable on such article when brought from the said island into any other province of Canada; and such difference shall be collected under such regulations as the Governor in Council may, from time to time, make in that behalf; and any such difference of duty payable under this section shall be a duty of Customs within the meaning of the Acts respecting the Customs hereby extended to the said island, all the provisions whereof (including those respecting warehousing), and the penalties for contravention of such provisions, shall apply to such difference of duty.

IV. The two next preceding sections shall be in force until the end of the next session of the Parliament of Canada, and no longer.

V. Any Order in Council, regulation, contract, arrangement, or appointment for giving effect to this Act, or to Her Majesty's Order in Council for the admission of Prince Edward Island into the Union or Dominion, may be made before such admission, to take effect after the same.

ACT of the Government of Canada, so far as relates to Wreck and Salvage.

[36 Vict., cap. 55.] [Assented to May 23, 1873.]

HER MAJESTY, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

Appointment of Receivers of Wreck.

IV. The Minister of Marine and Fisheries shall, throughout Canada, have the general superintendence of all matters relating to wreck and to shipping casualties; and the Governor may, from time to time, appoint any officer of Customs or, where it appears to him to be more convenient, any other person to be a receiver of wreck (in this Act referred to as a receiver), and may, from time to time, remove any receiver; and may, from time to time, by Order in Council, establish, alter, or abolish
districts for the purposes of this Act, and assign a district to any receiver, and may vary such district from time to time; and may from time to time make and vary regulations for the conduct of receivers, subject to the provisions of this Act. And if, at any time, there be not any receiver appointed for any district in which the city of Quebec, or the city of Halifax, or the city of Saint John is included, then the agent of the Department of Marine and Fisheries at such city shall be the receiver for such district; and if, at any time, there be not any receiver appointed for any other district, then the principal officer of Customs at the principal port in such district shall be the receiver for such district.

A receiver, acting in execution of his duties in pursuance of this Act, shall have all the same powers and authorities as a principal officer of Customs or other person acting or appointed under the “Act respecting Inquiries and Investigations into Shipwrecks and other Matters,” passed in the session held in the 32nd and 33rd years of Her Majesty’s reign, chapter 38; and any person wilfully impeding a receiver in the execution of his duty, or making default in appearing or giving evidence before him, shall be subject to the like penalties as if the receiver were a principal officer of Customs or other person acting or appointed under the said Act.

Vessels Wrecked or in Distress.

V. Where any British or foreign vessel is wrecked, stranded, or in distress at any place within the limits of Canada, the receiver shall, upon being made acquainted with such stranding or distress, forthwith proceed to such place; and upon his arrival there he shall take the command of all persons present, and shall assign such duties and issue such directions to each person as he thinks fit for the preservation of such vessel, and of the lives of the persons belonging to or on board the same (in this Act referred to as shipwrecked persons), and of the cargo, stores, and tackle thereof, and of the property of such persons, and of all parts of the vessel separated therefrom (which cargo, stores, tackle, property, and parts are, in this Act, included under the expression “wreck”).

Any person disobeying such directions of the receiver shall incur a penalty not exceeding 200 dollars:

Provided always that nothing in this Act shall be construed to authorise the receiver to take charge of any ship, cargo, or materials contrary to the expressed wish of the master or owner of such ship or cargo, or of their agents.

X. Where a receiver is not present, the following officers or persons in succession, each in the absence of the other, in the order in which they are named (that is to say), any principal officer of Customs, fishery officer, or stipendiary magistrate on
board of any vessel belonging to or in the service of the Government of Canada, and employed in the service of protecting the fisheries, officer of inland revenue, sheriff, justice of the peace, commissioned officer on full pay in the naval service of Her Majesty, or commissioned officer on full pay in the military service of Her Majesty, or lighthouse keeper employed by the Government of Canada, may do all matters and things by this Act authorised to be done by the receiver, for the preservation of vessels, shipwrecked persons, and wreck, with this exception, that, with respect to any wreck, the delivery of which to the receiver is hereby required, any officer or person so acting shall be considered as the agent of the receiver, and shall place the same in the custody of the receiver; and he shall not be entitled to any fees payable to receivers, or be deprived by reason of his so acting of any right to salvage to which he would otherwise be entitled.

Any person acting under the order of an officer or person acting in pursuance of the provisions of this section shall, for the purposes of this Act, be deemed to be acting under the orders of a receiver.

Wreck.

XI. Where any person takes possession of wreck within the limits of Canada, he shall, as soon as possible, deliver the same to the receiver: Provided that the Minister of Marine and Fisheries may, if he thinks fit, dispense with such delivery in the case of any wreck, upon such conditions, if any, as the said Minister thinks fit.

Any person taking possession of wreck within the limits of Canada, who—

1. Fails to deliver the same to the receiver, in pursuance of this section, or who

2. In a case where the Minister has dispensed with such delivery upon any conditions, does not either comply with such conditions or deliver the wreck to such receiver as soon as possible,

shall forfeit any claim to salvage, and shall be liable to pay as a penalty double the value of such wreck, and a further sum not exceeding 400 dollars.

XIII. The owner of any wreck in the possession of the receiver, upon establishing his claim to the same to the satisfaction of the Minister of Marine and Fisheries, within one year from the time at which such wreck came into the possession of the receiver, shall, upon paying the salvage, fees, and expenses due, be entitled to have such wreck or the proceeds thereof delivered up to him or his agent; and where any such wreck is proved to the satisfaction of the Minister of Marine and Fisheries, to belong to a foreign owner, the Consul-General in Canada of
the country to which the owner of such wreck belongs, or any Consular officer of that country authorized in that behalf by any Treaty or arrangement with such country, shall, in the absence of the owner or his agent, be deemed to be the agent of the owner, so far as relates to the custody and disposal of the wreck.

XIV. With respect to the sale of wreck, the following provisions shall have effect, that is to say:

1. Where, in the opinion of the receiver, it is for the advantage of all parties to sell wreck in his custody, or where such wreck consists of goods of a dangerous nature, he may sell the same; and the proceeds of such sale, after defraying the expenses thereof, shall be held by the receiver for the same purposes and subject to the same claims, rights, and liabilities as if the wreck had remained unsold;

2. When the owner of any wreck is known to have established his title to the same, but neglects to pay the salvage, fees, or expenses due thereon for 20 days after notice in writing from the receiver, the receiver may sell such wreck, or a sufficient part thereof, and may, out of the proceeds of such sale, after defraying the expenses of sale, pay the salvage, fees, and expenses due, and shall pay or deliver the surplus, if any, of the proceeds or of the wreck to the persons entitled to receive the same.

Unclaimed Wreck.

XV. When one year has elapsed since a wreck came into the possession of a receiver without any owner having established a claim to it, such wreck, if unsold, shall be sold by such persons and in such manner as the Minister of Marine and Fisheries may direct, and the proceeds thereof, after payment of expenses, costs, fees, and salvage, shall be paid over to the Receiver-General, to form part of the Consolidated Revenue Fund of Canada.

XVI. Upon delivery of wreck or payment of the proceeds of wreck by a receiver, in pursuance of the provisions of this Act, such receiver shall be discharged from all liability in respect thereof; but such delivery or payment shall not prejudice or affect any question which may be raised by third parties concerning such wreck.

XVII. In any case where two or more persons claim any wreck or proceeds of wreck, of what value or amount soever, in the possession of a receiver, any court sitting, and having jurisdiction in civil matters to the value or amount of the wreck or proceeds in question, in the district of such receiver, may, on the application of such receiver or of any such persons, summons such persons before it, and may hear and adjudicate upon their claims, and may make such order between the parties in respect thereof, and of the costs of the proceedings,
as to such court may seem fit, and such order may be enforced in like manner as any order made in any suit brought in the same court.

Offences in respect of Wreck.

XIX. Every person who does, within the limits of the Dominion of Canada, any of the acts following, that is to say:

1. Prevents or impedes, or endeavours to prevent or impede, any shipwrecked person in his endeavour to save his life; or prevents or impedes, or endeavours to prevent or impede, any person in his endeavour to save the life of any shipwrecked person;

2. Prevents or impedes, or endeavours to prevent or impede, the saving of any vessel which is wrecked, stranded, abandoned, or in distress; or prevents or impedes, or endeavours to prevent or impede, any person in his endeavour to save such vessel;

3. Steals or maliciously destroys any wreck; or

4. Sells any vessel or wreck found within the limits of the Dominion, not having a lawful title thereto; shall be deemed to be guilty of felony, and, on conviction thereof, shall be liable to be imprisoned in the Penitentiary for a term not exceeding 7 years, nor less than 2 years, or to be imprisoned in any other gaol or place of imprisonment for any time less than 2 years, with or without hard labour.

Salvage.

XXIII. Where services are rendered within the limits of the Dominion of Canada in saving life from any vessel, there shall be payable to the salvor by the owner of the vessel, freight, cargo, stores, and tackle, a reasonable sum for salvage and expenses, in priority to all other claims, if any, for salvage; and in cases where such vessel, stores, tackle, and cargo are destroyed, or the value thereof, with the freight, if any, is insufficient, after payment of the actual expenses incurred, to pay the amount of such salvage, the Minister of Marine and Fisheries may, in his discretion, award to the salvor, out of any funds at his disposal for that purpose, such remuneration as he thinks fit.

XXIV. Where, within the limits of the Dominion of Canada, any vessel is wrecked or abandoned, stranded or in distress, and services are rendered by any person in assisting such vessel, and where services are rendered, as aforesaid, by any person in saving any wreck, there shall be payable to the salvor by the owner of such vessel or wreck, as the case may be, a reasonable amount of salvage, including expenses properly incurred.
ACT of the Government of Canada, to amend "An Act respecting the Coasting Trade of Canada."

[38 Vict., cap. 27.] [Assented to April 8, 1875.]

In amendment of an Act passed in the 33rd year of Her Majesty's reign [cap. 14],* intituled: "An Act respecting the Coasting Trade of Canada;" Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

I. The master of any steam vessel, not being a British ship, engaged, or having been engaged, after the passing of this Act, in towing any ship, vessel or raft, from one port or place in Canada to another, except in case of distress, shall forfeit the sum of 400 dollars, and such steam vessel may be detained by the collector of customs at any port or place to or in which such ship, or vessel, or raft is towed, until such penalty is paid, and the said penalty may be recovered and enforced in the manner provided by the Act passed in the 31st year of Her Majesty's reign [cap. 6], and intituled: "An Act respecting the Customs," with respect to penalties and forfeitures incurred under it, and as if imposed by it; and this Act shall accordingly be construed with reference to the said Act, and as forming one Act with it, and words and expressions in this Act shall have the same meaning as the like words and expressions in the said Act.

II. The Governor in Council may, from time to time, declare that the foregoing provisions of this Act shall not apply to the ships or vessels of any foreign country in which British ships are admitted to the coasting trade of such country;

And where, by Treaty made before the passing of the Act of the Parliament of the United Kingdom, in the 32nd year of Her Majesty's reign [cap. 11], intituled: "An Act for amending the Law in respect to the Coasting Trade and Merchant Shipping in British Possessions,† Her Majesty has agreed to grant to any ships of any foreign State, any rights or privileges in respect of the coasting trade of Her Majesty's possessions, such rights and privileges shall be enjoyed by such ships, for so long as Her Majesty has already agreed, or may hereafter agree to grant the same,—anything in this Act to the contrary notwithstanding.

III. This Act shall not come into operation, until the day to be appointed for that purpose, in a proclamation signifying Her Majesty's pleasure that it shall come into operation in Canada.

IV. In this Act the term "British ship" means and includes all ships belonging wholly to persons and bodies corporate, qualified or entitled to be owners of British ships, under the

provisions of "The Merchant Shipping Act, 1854" [cap. 120], or other Act of the Parliament of the United Kingdom in that behalf in force for the time being.

ACT of the British Parliament, to remove certain doubts with respect to the Powers of the Parliament of Canada, under Section 18 of "The British North America Act, 1867."

[38 & 39 Vict., cap. 38.] [July 19, 1875.]

WHEREAS by Section 18 of "The British North America Act, 1867" [cap. 3],* it is provided as follows: "The privileges, immunities, and powers to be held, enjoyed, and exercised by the Senate and by the House of Commons, and by the members thereof respectively, shall be such as are from time to time defined by Act of the Parliament of Canada, but so that the same shall never exceed those at the passing of this Act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland, and by the members thereof:"

And whereas doubts have arisen with regard to the power of defining by an Act of the Parliament of Canada, in pursuance of the said section, the said privileges, powers, or immunities; and it is expedient to remove such doubts:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Section 18 of "The British North America Act, 1867," is hereby repealed, without prejudice to anything done under that section, and the following section shall be substituted for the section so repealed.

The privileges, immunities, and powers to be held, enjoyed, and exercised by the Senate and by the House of Commons, and by the members thereof respectively, shall be such as are from time to time defined by Act of the Parliament of Canada, but so that any Act of the Parliament of Canada defining such privileges, immunities, and powers shall not confer any privileges, immunities, or powers exceeding those at the passing of such Act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland, and by the members thereof.

2. The Act of the Parliament of Canada, passed in the 31st year of the reign of Her present Majesty, chapter 24, intitled "An Act to provide for oaths to witnesses being administered in certain cases for the purposes of either House of Parliament,"

GREAT BRITAIN (Canada).

shall be deemed to be valid, and to have been valid as from the date at which the Royal Assent was given thereto by the Governor-General of the Dominion of Canada.

3. This Act may be cited as "The Parliament of Canada Act, 1875."

ACT of the British Parliament, to give effect to an Act of the Parliament of the Dominion of Canada respecting Copyright.

[38 & 39 Vict., cap. 53.] [August 2, 1875.]

Be it enacted by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

2. In the construction of this Act the words "book" and "copyright" shall have respectively the same meaning as in the Act of the 5th and 6th years of Her Majesty’s reign, chapter 45, intituled "An Act to amend the Law of Copyright."

3. It shall be lawful for Her Majesty in Council to assent to the said reserved Bill, as contained in the schedule to this Act annexed, and if Her Majesty shall be pleased to signify her assent thereto, the said Bill shall come into operation at such time and in such manner as Her Majesty may by Order in Council direct; anything in the Act of the 28th and 29th years of the reign of Her Majesty, chapter 93, or in any other Act to the contrary notwithstanding.

4. Where any book in which, at the time when the said reserved Bill comes into operation, there is copyright in the United Kingdom, or any book in which thereafter there shall be such copyright, becomes entitled to copyright in Canada in pursuance of the provisions of the said reserved Bill, it shall be unlawful for any person, not being the owner, in the United Kingdom, of the copyright in such book, or some person authorized by him, to import into the United Kingdom any copies of such book reprinted or republished in Canada; and for the purposes of such importation the 17th section of the said Act of the 5th and 6th years of the reign of Her Majesty, chapter 45,* shall apply to all such books in the same manner as if they had been reprinted out of the British dominions.

5. The Order in Council, dated the 7th day of July, 1868, shall continue in force so far as relates to books which are not entitled to copyright for the time being, in pursuance of the said reserved Bill.

812 GREAT BRITAIN (Canada).

SCHEDULE.

An Act respecting Copyrights.

Her Majesty, by and with the advice and consent of the Senate and House of Commons of Canada, enacts as follows:

1. The Minister of Agriculture shall cause to be kept in his office books to be called the "Registers of Copyrights," in which proprietors of literary, scientific, and artistic works or compositions may have the same registered in accordance with the provisions of this Act.

2. The Minister of Agriculture may, from time to time, subject to the approval of the Governor in Council, make such rules and regulations and prescribe such forms as may appear to him necessary and expedient for the purposes of this Act; such regulations and forms, being circulated in print for the use of the public, shall be deemed correct for the purposes of this Act, and all documents executed and accepted by the said Minister of Agriculture shall be held valid so far as relates to all official proceedings under this Act.

3. If any person prints or publishes, or causes to be printed or published, any manuscript whatever, the said manuscript having not yet been printed in Canada or elsewhere, without the consent of the author or legal proprietor first obtained, such person shall be liable to the author or proprietor for all damages occasioned by such publication, to be recovered in any Court of competent jurisdiction.

4. Any person domiciled in Canada, or in any part of the British Possessions, or being a citizen of any country having an international copyright Treaty with the United Kingdom, who is the author of any book, map, chart, or musical composition, or of any original painting, drawing, statue, sculpture, or photograph, or who invents, designs, etches, engravings, or causes to be engraved, etched, or made from his own design, any print or engraving, and the legal representatives of such person, shall have the sole right and liberty of printing, reprinting, publishing, reproducing, and vending such literary, scientific, or artistic works or compositions, in whole or in part, and of allowing translations to be printed or reprinted and sold, of such literary works from one language into other languages, for the term of 28 years from the time of recording the copyright thereof in the manner hereinafter directed.

5. If at the expiration of the aforesaid term of 28 years, such author, or any of the authors, when the work has been originally composed and made by more than one person, be still living, or being dead has left a widow or a child or children living, the same exclusive right shall be continued to such author, or, if dead, then to such widow and child or children (as the case may be) for the further term of 14 years; but in such case within one year after the expiration of the first term the title of the work secured shall be a second time recorded, and all other regulations herein required to be observed in regard to original copyrights shall be complied with in respect to such renewed copyright.

6. In all cases of renewal of copyright under this Act the author or proprietor shall, within two months from the date of such renewal, cause a copy of the record thereof to be published once in the "Canada Gazette."

7. No person shall be entitled to the benefit of this Act unless he has deposited in the office of the Minister of Agriculture two copies of such book, map, chart, musical composition, photograph, print, cut, or engraving, and in case of paintings, drawings, statuary, and sculpture, unless he has furnished a written description of such works of art, and the Minister of Agriculture shall cause the copyright of the same to be recorded forthwith in a book to be kept for that purpose, in the manner adopted by the Minister of Agriculture, or prescribed by the rules and forms which may be made from time to time as hereinbefore provided.
8. The Minister of Agriculture shall cause one of the two copies of such book, map, chart, musical composition, photograph, print, cut, or engraving aforesaid, to be deposited in the Library of the Parliament of Canada.

9. No person shall be entitled to the benefit of this Act unless he gives information of the copyright being secured, by causing to be inserted in the several copies of every edition published during the term secured, on the title page, or the page immediately following, if it be a book, or if a map, chart, musical composition, print, cut, engraving, or photograph, by causing to be impressed on the face thereof, or if a volume of maps, charts, music, engravings, or photographs, upon the title page or frontispiece thereof, the following words, that is to say; “Entered according to Act of Parliament of Canada, in the year , by A.B., in the office of the Minister of Agriculture.” But as regards paintings, drawings, statuary, and sculptures, the signature of the artist shall be deemed a sufficient notice of such proprietorship.

10. Pending the publication or republication in Canada of a literary, scientific, artistic work, the author, or his legal representatives or assigns, may obtain an interim copyright by depositing in the office of the Minister of Agriculture a copy of the title, or a designation of such work intended for publication or republication in Canada, the said title or designation to be registered in an interim copyright register in the said office, to secure to the author aforesaid, or his legal representatives or assigns, the exclusive rights recognised by this Act, previous to publication or republication in Canada; the said interim registration, however, not to endure for more than one month from the date of the original publication elsewhere, within which period the work shall be printed or reprinted and published in Canada.

(2.) In all cases of interim registration under this Act, the author or proprietor shall cause notice of such registration to be inserted once in the “Canada Gazette.”

(3.) A literary work intended to be published in pamphlet or book form, but which is first published in separate articles in a newspaper or periodical, may be the subject of registration within the meaning of this Act while it is so preliminarily published, provided that the title of the manuscript and a short analysis of the work are deposited in the office of the Minister of Agriculture, and that every separate article so published is preceded by the words “Registered in accordance with the Copyright Act of 1875,” but the work when published in book or pamphlet form shall be subject, besides, to the other requirements of this Act.

(4.) The importation of newspapers and magazines published in foreign countries, and containing, together with foreign original matter, portions of British copyright works republished with the consent of the author or his assigns or under the law of the country where such copyright exists, shall not be prohibited.

11. If any other person after the interim registration of the title of any book according to this Act within the term herein limited, or after the copyright is secured, and for the term or terms of its duration, prints, publishes, or reprints, or republishes, or imports, or causes to be so printed, published, or imported, any copy or any translation of such book without the consent of the person legally entitled to the copyright thereof first had and obtained by assignment, or knowing the same to be so printed or imported publishes, sells, or exposes for sale, or causes to be published, sold, or exposed for sale, any copy of such book without such consent, such offender shall forfeit every copy of such book to the person then legally entitled to the copyright thereof; and shall forfeit and pay for every such copy which may be found in his possession, either printed or printing, published, imported, or exposed for sale, contrary to the intent and meaning of this Act, such sum not being less than 10 cents nor more than one dollar as the Court shall determine; of which penalty one moiety shall be to the use of Her Majesty, and the other to the legal owner of such copyright, and such penalty may be recovered in any Court of competent jurisdiction.

12. If any person after the recording of any painting, drawing, statue, or other work of art within the term or terms limited by this Act, reproduces in any manner, or causes to be reproduced, made, or sold, in whole or in part, copies of the said works of art without the consent of the proprietor or proprietors, such offender or offenders shall forfeit the plate or plates on which such reproduction has been made, and also every sheet thereof so copied, printed, or photographed, to the proprietor or proprietors of the copyright thereof, and shall further forfeit for every sheet of the same reproduction so published or exposed for sale, contrary to the true intent and meaning of this Act, such sum, not being less than 10 cents nor
more than one dollar, as the Court shall determine; and one moiety of such forfeiture shall go to the proprietor or proprietors, and the other moiety to the use of Her Majesty, and such forfeiture may be recovered in any Court of competent jurisdiction.

13. If any person, after the recording of any print, cut, or engraving, map, chart, musical composition, or photograph, according to the provisions of this Act, within the term or terms limited by this Act, engraves, etches, or works, sells or copies, or causes to be engraved, etched, or copied, made or sold, either in the whole or by varying, adding to, or diminishing the main design with intent to evade the law, or prints, or reprints, or imports for sale, or causes to be so printed or imported for sale, any such map, chart, musical composition, print, cut, or engraving, or any part thereof, without the consent of the proprietor or proprietors of the copyright thereof first obtained as aforesaid, or knowing the same to be so printed or imported without such consent, publishes, sells, or exposes for sale, or in any manner disposes of any such map, chart, musical composition, engraving, cut, photograph, or print without such consent as aforesaid, such offender or offenders shall forfeit the plate or plates on which such map, chart, musical composition, engraving, cut, photograph, or print has been copied, and also every sheet thereof so copied or printed as aforesaid, to the proprietor or proprietors of the copyright thereof, and shall further forfeit for every sheet of such map, chart, musical composition, print, cut, or engraving which may be found in his or their possession, printed or published or exposed for sale contrary to the true intent and meaning of this Act, such sum not being less than 10 cents nor more than one dollar, as the Court shall determine: and one moiety of such forfeiture shall go to the proprietor or proprietors, and the other moiety to the use of Her Majesty, and such forfeiture may be recovered in any Court of competent jurisdiction.

14. Nothing herein contained shall prejudice the right of any person to represent any scene or object, notwithstanding that there may be copyright in some other representation of such scene or object.

15. Works of which the copyright has been granted and is subsisting in the United Kingdom, and copyright of which is not secured or subsisting in Canada under any Canadian or Provincial Act, shall, upon being printed and published or reprinted and republished in Canada, be entitled to copyright under this Act; but nothing in this Act shall be held to prohibit the importation from the United Kingdom of copies of such works legally printed there.

(2) In the case of the reprinting of any such copyright work subsequent to its publication in the United Kingdom, any person who may have previous to the date of entry of such work upon the registers of copyright imported any foreign reprints, shall have the privilege of disposing of such reprints by sale or otherwise; the burden of proof, however, in such a case will lie with such person to establish the extent and regularity of the transaction.

16. Whenever the author of a literary, scientific, or artistic work or composition, which may be the subject of copyright has executed the same for another person or has sold the same to another person for due consideration, such author shall not be entitled to obtain or to retain the proprietorship of such copyright, which is by the said transaction virtually transferred to the purchaser who may avail himself of such privilege, unless a reserve of the said privilege is specially made by the author or artist in a deed duly executed.

17. If any person, not having legally acquired the copyright of a literary, scientific, or artistic work, inserts in any copy thereof printed, produced, reproduced, or imported, or impresses on any such copy that the same hath been entered according to this Act, or words purporting to assert the existence of a Canadian copyright in relation thereto, every person so offending shall incur a penalty not exceeding 500 dollars (one moiety whereof shall be paid to the person who sues for the same, and the other moiety to the use of Her Majesty), to be recovered in any Court of competent jurisdiction.

(2) If any person causes any work to be inserted in the Register of Interim Copyright and fails to print and publish or reprint and republish the same within the time prescribed, he shall incur a penalty not exceeding 100 dollars (one moiety whereof shall be paid to the person who sues for the same, and the other moiety to the use of Her Majesty) to be recovered in any Court of competent jurisdiction.

18. The right of an author of a literary, scientific, or artistic work to obtain a copyright, and the copyright when obtained, shall be assignable in law, either as to-
GREAT BRITAIN (Canada). 815-

the whole interest or any part thereof, by an instrument in writing made in duplicate, and to be recorded in the office of the Minister of Agriculture, on production of both duplicates and payment of the fee hereinafter provided. One of the duplicates shall be retained in the office of the Minister of Agriculture, and the other returned, with the certificate of registration, to the party depositing it.

19. In case of any person making application to register as his own the copyright of a literary, scientific, or artistic work already registered in another person's name, or in case of simultaneous conflicting applications, or of an application made by any person other than the person entered as proprietor of a registered copyright, to cancel the said copyright, the party so applying shall be notified that the question is to be settled before a Court of competent jurisdiction, and no further proceedings shall be had concerning the subject before a judgment is produced, maintaining, cancelling, or otherwise settling the matter: and this registration, or cancellation, or adjustment of the said right shall then be made by the Minister of Agriculture in accordance with such decision.

20. Clerical errors happening in the framing or copying of any instrument drawn in the office of the Minister of Agriculture shall not be construed as invalidating the same, but when discovered they may be corrected under the authority of the Minister of Agriculture.

21. All copies or extracts certified from the officer of the Minister of Agriculture shall be received in evidence without further proof, and without production of the originals.

22. Should a work copyrighted in Canada become out of print, a complaint may be lodged by any person with the Minister of Agriculture, who, on the fact being ascertained to his satisfaction, shall notify the copyright owner of the complaint and of the fact; and if, within a reasonable time, no remedy is applied by such owner, the Minister of Agriculture may grant a licence to any person to publish a new edition or to import the work, specifying the number of copies, and the royalty to be paid on each to the copyright owner.

23. The application for the registration of an interim copyright, of a temporary copyright, and of a copyright may be made in the name of the author or of his legal representative by any person purporting to be the agent of the said author, and any fraudulent assumption of such authority shall be a misdemeanour, and shall be punished by fine and imprisonment accordingly; and any damage caused by a fraudulent or an erroneous assumption of such authority shall be recoverable before any Court of competent jurisdiction.

24. If any person shall wilfully make or cause to be made any false entry in the registry books of the Minister of Agriculture, or shall wilfully produce or cause to be tendered in evidence any paper falsely purporting to be a copy of an entry in the said books, he shall be guilty of a misdemeanour, and shall be punished accordingly.

25. If a book be published anonymously it shall be sufficient to enter it in the name of the first publisher thereof, either on behalf of the unnamed author or on behalf of such first publisher, as the case may be.

26. It shall not be requisite to deliver any printed copy of the second or of any subsequent edition of any book or books unless the same shall contain very important alterations or additions.

27. No act or prosecution for the recovery of any penalty under this Act shall be commenced more than two years after the cause of action arose.

The following fees shall be payable to the Minister of Agriculture before an application for any of the purposes hereinafter mentioned shall be entertained; that is to say:

<table>
<thead>
<tr>
<th>Description</th>
<th>Charge</th>
</tr>
</thead>
<tbody>
<tr>
<td>On registering a copyright</td>
<td>1 00</td>
</tr>
<tr>
<td>On registering an interim copyright</td>
<td>0 50</td>
</tr>
<tr>
<td>On registering a temporary copyright</td>
<td>0 50</td>
</tr>
<tr>
<td>On recording an assignment</td>
<td>1 00</td>
</tr>
<tr>
<td>On certified copy of registration</td>
<td>0 50</td>
</tr>
<tr>
<td>On registering any decision of a Court of Justice, for every folio</td>
<td>0 50</td>
</tr>
</tbody>
</table>

On office copies of documents not above mentioned, the following charges shall be made:
816 GREAT BRITAIN (Cape of Good Hope).

...For every single or first folio certified copy ...... 0 50...
For every subsequent 100 words (fractions from and under 50... being not counted, and over 50 being counted for 100) ...... 0 25

(2.) The said fees shall be in full of all services performed under this Act by the Minister of Agriculture, or by any person employed by him in pursuance of this Act.

(3.) All fees received under this Act shall be paid over to the Receiver-General and form part of the Consolidated Revenue Fund of Canada. No fees shall be made the subject of exemption in favour of any person, and no fee exacted by this Act, once paid, shall be returned to the person who paid it.

28. "The Copyright Act of 1868," being the Act 31st Victoria, chapter 54, and all other Acts or parts of Acts inconsistent with the provisions of this Act, are hereby repealed, subject to the provisions of the next following section.

29. All copyrights heretofore acquired under the Acts or parts of Acts repealed shall, in respect of the unexpired terms thereof, continue unimpaired, and shall have the same force and effect as regards the province or provinces to which they now extend, and shall be assignable and renewable, and all penalties and forfeitures incurred and to be incurred under the same may be sued for and enforced, and all prosecutions commenced before the passing of this Act for any such penalties or forfeitures already incurred may be continued and completed as if such Acts were not repealed.

30. In citing this Act it shall be sufficient to call it "The Copyright Act of 1875."

BRITISH ORDER IN COUNCIL, giving effect to the Extradition Ordinance of the Legislature of the Cape of Good Hope of 1877. Osborne, January 15, 1878.

At the Court at Osborne House, Isle of Wight, the 15th day of January, 1878.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY.
His Royal Highness the Duke of Connaught and Strathearn, Lord President, Lord John Manners, Mr. Secretary Cross.

WHEREAS by Section 18 of "The Extradition Act, 1870," it is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas by an Act enacted by the Legislature of the Cape of Good Hope, the short title of which is, "The Extradition Act, Cape of Good Hope, 1877," it is provided that "all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Acts, 1870 and 1873, are thereby vested in and may in the colony be exercised and done by any resident magistrate in relation to the surrender of fugitive criminals under the said Acts;"

And whereas it is further provided by the said Act that the said Act shall not come into operation until Her Majesty shall
by Order in Council direct that the said Act shall effect within
the colony as if it were part of “The Extradition Act, 1870,”
but that the said Act shall thereafter come into operation as
soon as such Order in Council shall have been publicly made
known in the colony.

Now, therefore, Her Majesty, in pursuance of “The Extra-
dition Act, 1870,” and in exercise of the power in that behalf in
the said Act contained, doth by this present Order, by and with
the advice of Her Majesty’s Privy Council, direct that the said
Act shall have effect in the colony of the Cape of Good Hope
without modification or alteration, as if it were part of “The
Extradition Act, 1870.”

And the Right Honourable the Earl of Carnarvon, one of
Her Majesty’s Principal Secretaries of State, is to give the
necessary directions herein accordingly.

C. L. PEEL.

BRITISH ORDER IN COUNCIL, giving effect to the Extradition
Ordinance of the Legislature of Ceylon of 1877. Osborne,
February 4, 1878.

At the Court at Osborne House, Isle of Wight, the 4th day of
February, 1878.

PRESENT: THE QUEEN’S MOST EXCELLENT MAJESTY,
Lord President, Lord Privy Seal, Sir Michael Edward Hicks-
Beach, Bart., Sir Thomas Myddelton-Biddulph.

WHEREAS by Section 18 of “The Extradition Act, 1870,” it
is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas by an Ordinance enacted by the Legislature of
Ceylon, the short title of which is “The Extradition Ordinance,
1877,” it is provided that “all powers vested in and acts
authorised or required to be done by a police magistrate or any
justice of the peace in relation to the surrender of fugitive
criminals in the United Kingdom under the Extradition Acts,
1870 and 1873, are thereby vested in and may in the colony
be exercised and done by any police magistrate in relation to
the surrender of fugitive criminals under the said Acts.”

And whereas it is further provided by the said Ordinance
that the said Ordinance shall not come into operation until Her
Majesty shall by Order in Council direct that the said Ordinance
shall have effect within the colony as if it were part of “The
Extradition Act, 1870,” but that the said Ordinance shall there-
after come into operation as soon as such Order in Council shall
have been publicly made known in the colony.

Now, therefore, Her Majesty, in pursuance of "The Extra-
dition Act, 1870," and in exercise of the power in that behalf
in the said Act contained, doth by this present Order, by and
with the advice of Her Majesty's Privy Council, direct that the
said Ordinance shall have effect in the colony of Ceylon,
without modification or alteration, as if it were part of "The
Extradition Act, 1870."

And the Right Honourable Sir Michael Edward Hicks-Beach,
Bart., one of Her Majesty's Principal Secretaries of State, is to
give the necessary directions herein accordingly.

C. L. PEELE.

ORDINANCE of the Governor of the Colony of Fiji, for the
relief of Aliens. [Real and Personal Property. Naturaliza-
tion.]
[No. 13.] [October 30, 1875.]

Be it enacted by His Excellency the Governor, with the
advice and consent of the Legislative Council, as follows:

I. This Ordinance shall be called and may be cited for all
purposes as "The Aliens Ordinance, 1875."

II. Every alien friend now or heretofore resident in the
colony of Fiji, may inherit or otherwise take by representation
acquire and hold either by grant from the Crown or otherwise,
and may convey, assign, devise, bequeath, or otherwise dispose
of every description of property whether real or personal in the
said colony, in the same manner as if he were a natural-born
subject of Her Majesty.

III. When any alien friend now residing in, or who shall
hereafter reside within Fiji, desires to be naturalized in the said
colony, it shall be lawful for such alien as aforesaid to present
to the Governor a memorial verified upon oath, stating the age,
profession, trade, or occupation of the memorialist, and the
duration of his residence in the colony, and all other grounds
on which he seeks to be naturalized as aforesaid, and praying
the Governor to grant to the memorialist a certificate of
naturalization as prescribed in the first schedule hereto.

IV. And every such memorial shall be considered by the
Governor, who may, if he shall so think fit, issue a certificate
as aforesaid to the memorialist upon his taking the oath pre-
scribed in the second schedule hereto.

V. If any person resident in Fiji, who has previously
obtained any certificate of naturalization in any other British
colony, desires to be naturalized in Fiji, he shall submit such
certificate with a memorial as aforesaid to the Governor, who
may at his discretion, forthwith grant to such person a certificate of naturalization.

VI. When any alien woman in the colony is married to any natural-born or naturalized subject of Her Majesty, such woman shall thereby become and be naturalized in and for the colony.

VII. The Colonial Secretary shall record every certificate of naturalization granted under this Ordinance, and shall demand and receive from every person to whom such certificate is granted the fee of 1/ in respect of such enrolment, and shall permit every person desirous of so doing, to inspect the same and make copies of such certificate on payment of the fee of 2s. 6d. for every such inspection.

VIII. If any person to whom a certificate of naturalization has been granted be convicted of having wilfully made any false statement in his memorial, he shall be deemed guilty of perjury, and such certificate of naturalization shall, except against a bona fide purchaser from such person for valuable consideration, become thereby void.

Passed in Council this 28th day of October, in the year of Our Lord, 1875.

October 30, 1875.

(L.S.) ARTHUR GORDON.

Schedule I.

Certificate of Naturalization.

In pursuance of the power and authority vested in me by an Ordinance of this colony of Fiji intituled "The Aliens Ordinance, 1875," I hereby grant to A.B. (upon his taking the oath prescribed by the said Ordinance) all the rights and capacities of a natural-born British subject in and for the colony of Fiji. Provided always and I do hereby declare that all the beforementioned rights and capacities of a natural-born British subject are granted to the aforesaid A.B., upon the condition that he shall continue to reside permanently within the limits of the said colony of Fiji and that if at any time hereafter he shall voluntarily be absent from the said colony for a period of one year at any one time without licence in writing under the hand of a Governor of the said colony or of one of Her Majesty's Principal Secretaries of State he shall be deemed to have ceased to reside permanently within the colony of Fiji as aforesaid, and then and in such case this certificate and all the rights and capacities thereby granted shall absolutely determine and cease.

In witness whereof I have hereunto subscribed my name this day of , 187.

Schedule II.

I do sincerely promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria as lawful Sovereign of the United Kingdom of Great Britain and Ireland and of this colony of Fiji.

So help me God.
BRITISH ORDER IN COUNCIL, relative to the Residence of Aliens in Gibraltar. Balmoral, August 30, 1873.

At the Court at Balmoral, the 30th day of August, 1873.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY,
His Royal Highness the Duke of Edinburgh, Mr. Gladstone, Sir Robert Collier, Sir George Jessel.

WHEREAS it is expedient to make better provision to prevent the entry into and residence in Gibraltar of unauthorised persons not being British subjects, and to prevent the further increase of the overcrowded condition of Gibraltar, whereby the lives and health of the inhabitants and of Her Majesty's officers and servants, and of all other persons resident, or being there, or resorting thereto, are greatly endangered:

It is therefore hereby ordered by Her Majesty, by and with the advice of Her Privy Council, as follows:

2. The word “Gibraltar” and the words “the fortress,” in this Order in Council, shall respectively mean and include Her Majesty's fortress of Gibraltar: that is to say, her city, garrison, and territory of Gibraltar, the seashore, port, and harbour thereof, and so much of the high sea adjacent thereto as is subject to the dominion of the Crown of England or the jurisdiction of the Admiralty of England.

3. The police magistrate shall, in the exercise of the powers and duties by this Order in Council vested in and imposed upon him, do his utmost to prevent the consolidation of an alien population in Gibraltar, and to enforce the recovery of all sums of money, penalties, and forfeitures which shall become payable under this Order in Council.

4. Save and except, so far as is hereinafter provided, no alien whom the Governor or the police magistrate may not judge proper to admit into Gibraltar is upon any pretence to enter the same or to remain in it; and if any such alien shall be found in Gibraltar, he may be removed by order of the Governor, or of the police magistrate as heretofore.

5. No alien shall enter Gibraltar unless he shall be provided with a day ticket, or monthly ticket, or temporary permit, signed by the police magistrate, or on his behalf by some officer of police duly authorised by him. Nor shall any alien remain in Gibraltar, unless provided with such temporary permit.

29. The police magistrate shall not, except in a case in which he shall receive special authority from the Governor in manner hereinafter mentioned, entertain any application for, or grant any permit or extension of any temporary permit, for any other person or persons, or for any longer period or periods than is or are set forth in the Schedule (B) to this Order in Council.
annexed, nor for any person, though mentioned in the said schedule, being a male, whose wife shall have been delivered of a child, either dead or alive, in Gibraltar, since the 1st day of January, 1870: or being a female, who shall have been delivered of a child, either dead or alive, in Gibraltar, since the day and year aforesaid, nor for any person whatsoever whom he shall know, or have reason to believe, to be a person whom the Governor does not judge proper to enter or to be in Gibraltar.

30. Every permit shall be and become ipso facto void upon the marriage of the alien thereby admitted, and every alien who shall hereafter be married, save and except an alien female, who shall be married to a natural-born subject of Her Majesty, is hereby required immediately upon his or her marriage to leave Gibraltar, together with his or her wife or husband.

36. The Governor may authorise the police magistrate to make special provision for the entry of foreign Ambassadors and other distinguished personages of high rank, with their suites, naval and military officers and men in uniform, and Consuls, with the members of their family domesticated with them, and their temporary residence.

62. This Order in Council shall take effect and come into operation in Gibraltar on a day to be proclaimed by the Governor.

63. And the Right Honourable the Earl of Kimberley, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

PROCLAMATION of the Governor of Gibraltar.

His Excellency Sir William Fenwick Williams of Kars, Baronet, Commander-in-Chief of the City and Garrison of Gibraltar, &c.

WHEREAS Her Majesty has been graciously pleased to signify to me, through the Right Honourable the Earl of Kimberley, one of Her Majesty's Principal Secretaries of State, and, as such, having the Department of the Colonies, the making and passing of an Order in Council, bearing date the 30th day of August, 1873, and authorised to be cited as the "Aliens Order in Council, Gibraltar, 1873," which said Order in Council is to take effect and come into operation on a day to be proclaimed by me in accordance with the provisions of the 42nd section thereof:

Now, therefore, I, by these presents, proclaim and make known to all whom it may concern that the said Order in Council shall take effect and come into operation on the 1st day of January, 1874, according to the tenor thereof, as follows:

[Here follows the preceding Order in Council.]

Gibraltar, December 1, 1873.
BRITISH ORDER IN COUNCIL, giving effect to the Extradition Ordinance of the Legislature of Gibraltar of 1877. Windsor, July 11, 1877.

At the Court at Windsor, the 11th day of July, 1877.

PRESENT: THE QUEEN’S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by Section 18 of “The Extradition Act, 1870,” it is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas, by an Ordinance, No. 2 of 1877, enacted by the Legislature of Gibraltar, the short title of which is “The Extradition Ordinance (Gibraltar), 1877,” it is amongst other things provided that “all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Acts, 1870 and 1873, are hereby vested in and may in the colony be exercised and done by any police magistrate in relation to the surrender of fugitive criminals under the said Acts.”

And whereas it is further provided by the said Ordinance that the said Ordinance shall not come into operation until Her Majesty shall, by Order in Council, direct that the said Ordinance shall have effect within the colony as if it were part of “The Extradition Act, 1870,” but that the said Ordinance shall thereafter come into operation as soon as such Order in Council shall have been publicly made known in the colony.

Now, therefore, Her Majesty, in pursuance of “The Extradition Act, 1870,” and in exercise of the power in that behalf in the said Act contained, doth by this present Order, by and with the advice of Her Majesty’s Privy Council, direct that the said Ordinance shall have effect in the colony of Gibraltar without modification or alteration, as if it were part of “The Extradition Act, 1870.”

And the Right Honourable the Earl of Carnarvon, one of Her Majesty’s Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. PEEL.

ACT of the Government of Grenada, to regulate the Naturalization of Aliens, and to determine the Rights and Privileges of Naturalized Aliens. [Real and Personal Property. Trial by Jury.]

[No. 441.] [October 7, 1872.]

WHEREAS by an Act of the Parliament of the United Kingdom of Great Britain and Ireland, passed in the 33rd year of the reign of Her Majesty Queen Victoria, and in the year of Our Lord, 1870 [cap. 14],* intitled “An Act to amend the Law relating to the

legal condition of Aliens and British Subjects;" and whereas it is among other things enacted that all laws, statutes, and ordinances which should be duly made by the Legislature of any British possession for imparting to any person the privilege, or any of the privileges, of naturalization to be enjoyed by such person within the limits of such possession should within such limits have the authority of law. And whereas certain duties are required by the said Act to be performed by certain persons within this island and its dependencies, and whereas no docket of fees is provided by the said Act. And whereas it is advisable for this colony to avail itself of the hereinbefore recited powers. Be it therefore enacted by the Governor, the Council, and Assembly of the Island of Grenada and its dependencies as follows:

1. This Act may be cited for all purposes as "The Naturalization Act, 1872."

Status of Aliens in this Island and its Dependencies.

Property.

2. Real and personal property of every description may be taken, acquired, held, and disposed of by an alien in the same manner in all respects as by a natural-born British subject; and a title to real and personal property of every description may be derived through, from, or in succession to an alien in the same manner in all respects as through, from, or in succession to a natural-born British subject. Provided,

(1.) That this section shall not entitle an alien to any right or privilege as a British subject, except such rights and privileges in respect of property as are hereby given to him.

(2.) That this section shall not affect any estate or interest in real or personal property to which any person has or may become entitled, either mediately or immediately, in possession or expectancy, in pursuance of any disposition made before the passing of this Act, or in pursuance of any devolution by law, on the death of any person dying before the passing of this Act.

Trial by Jury.

3. From and after the passing of this Act an alien shall not be entitled to be tried by a jury de medietate lingue, but shall be triable in the same manner as if he were a natural-born subject.

Naturalization.

4. An alien who within such limited time before making the application hereinafter mentioned as may be allowed by the Governor of this island and its dependencies, either by general order or on any special occasion, has resided in this island and its dependencies for a term of not less than 5 years, or has been in the service of the Crown for a term of not less than 5 years, and intends when naturalized either to reside in this island and
its dependencies or to serve under the Crown, may apply to the Governor for a certificate of naturalization. The applicant shall adduce in support of his application such evidence of his residence or service and intention to reside or serve as such Governor may require. The Governor, if satisfied with the evidence adduced, shall take the case of the applicant into consideration, and may, with or without assigning any reason, give or withhold a certificate as he thinks most conducive to the public good, and no appeal shall lie from his decision, but such certificate shall not take effect until the applicant has taken the oath of allegiance. An alien to whom a certificate of naturalization is granted shall in this island and its dependencies be entitled to all political and other rights, powers, and privileges, and be subject to all obligations to which a natural-born British subject is entitled or subject in this island and its dependencies, with this qualification—that he shall not when within the limits of the foreign State of which he was a subject previously to obtaining his certificate of naturalization be deemed to be a British subject, unless he has ceased to be a subject of that State in pursuance of the laws thereof, or in pursuance of a Treaty to that effect.

An alien who has been naturalized previously to the passing of this Act may apply to the Governor for a certificate of naturalization under this Act, and it shall be lawful for the Governor to grant such certificate to such naturalized alien upon the same terms and subject to the same conditions in and upon which such certificate might have been granted if such alien had not been previously naturalized in this island and its dependencies.

5. The oath in this Act referred to as the oath of allegiance shall be in the form following, that is to say:

"I, , do swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, her heirs and successors, according to law. So help me God."

Supplemental Provisions.

6. The Governor may by regulation provide for the following matters:

(1.) The form and registration of certificates of naturalization in this island and its dependencies.

(2.) The imposition and application of fees in respect of any registration and the administration of any oath and in respect of the making of any declaration, or the grant of any certificate, authorised to be made or granted by the hereinbefore recited Imperial Act or by this Act.

(3.) The persons by whom the oaths of allegiance may be administered under this Act.

(4.) Whether or not such oaths are to be subscribed, as well as taken, and the form in which such taking and subscription are to be attested.
5. The registration of such oaths.

6. The persons by whom certified copies of such oaths may be given.

7. The proof in any legal proceeding of such oaths.

7. Any person wilfully or corruptly making or subscribing any declaration under the said Imperial Act or under this Act, knowing the same to be untrue in any material particular, shall be guilty of a misdemeanour, and be liable to imprisonment, with or without hard labour, for any term not exceeding 12 months. The Governor by a further regulation may repeal, alter, or add to any regulation previously made by him in pursuance of this section.

8. The following regulations shall be made with respect to evidence under this Act:

1. Any declaration authorised to be made under this Act may be proved in any legal proceeding by the production of the original declaration or of any copy thereof, certified to be a true copy by the Governor, or by any person authorised by him to give certified copies of such declaration, and the production of such declaration or copy shall be evidence of the person therein named as declarant having made the same at the date in the said declaration mentioned.

2. A certificate of naturalization may be proved in any legal proceeding by the production of the original certificate or of any copy thereof certified to be a true copy by the Governor, or by any person authorised by him to give certified copies of such certificate.

3. Entries in any register authorised to be made in pursuance of this Act, shall be proved by such copies and certified in such manner as may be directed by the Governor, and the copies of such entries shall be evidence of any matter by this Act, or by any regulation of the Governor, authorised to be inserted in the register.

Miscellaneous.

9. Nothing in this Act contained shall affect the grant of denization by the Governor.

10. Nothing in this Act contained shall qualify an alien to be the owner of a British ship.

11. Nothing in this Act shall affect the provisions of Clause 101 of "The Immigration Act, 1869," No. 399, nor Act CCXLIII, entitled "An Act to remove doubts as to the Rights of the Liberated Africans in Grenada."

12. The Acts or parts of Acts hereinafter mentioned are hereby repealed, that is to say, the whole of Act CCXCVI, entitled "An Act to facilitate the Naturalization of Aliens," Clause 37 of Act LXXXI, entitled "An Act for consolidating and amending the Laws relating to Jurors and Juries."
13. This Act shall not come into operation until Her Majesty's pleasure thereon shall be signified to this colony.


[39 & 40 Vict., cap. 47.] [August 11, 1876.]

PART I.—Grenada.

WHEREAS on the 9th of February, 1875, the President and Members of the Legislative Assembly of the Island of Grenada and its Dependencies passed an Address in the following terms (that is to say):

To Her Most Gracious Majesty the Queen.

The humble Address of the President and Members of the Legislative Assembly of the Island of Grenada and its Dependencies showeth as follows:

We, the President and Members of the Legislative Assembly of the Island of Grenada and its Dependencies, desire to approach your Majesty with feelings of the most unbounded loyalty and respect, knowing as we do that your Majesty has the welfare and well-being of all your subjects at heart, and satisfied that it is expedient that the entire control and government of this island and its dependencies should be vested in your Majesty, we have caused an Act repealing the present Constitution of the colony to be passed: And should your Majesty be graciously pleased to assent thereto, we leave it entirely to your Majesty's wisdom and discretion to erect such form of government as your Majesty shall deem most desirable for the welfare of the colony. And we remain, as in duty bound, your Majesty's dutiful and most devoted loving subjects and servants.

Hy. B. Beckwith, President of the Assembly.

House of Legislative Assembly, Grenada,
February 9, 1876.

John Wells, Clerk of the Assembly.

And whereas doubts have arisen as to the validity and effect of the said Act in the said Address referred to, and it is expedient to remove such doubts, and to give effect to the said Address under the authority of Parliament, by enabling Her Majesty to erect such form of government in the Island of Grenada and its Dependencies as Her Majesty shall deem most desirable for the welfare of the colony:

"* Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual
and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. It shall be lawful for Her Majesty by Order in Council to create and constitute a Government and Legislature for the Island of Grenada and its Dependencies in such form and with such powers as to Her Majesty may seem fit, and from time to time in like manner to alter and amend the constitution of such Government and Legislature; and it shall be lawful for Her Majesty in like manner to amend or repeal any Act of the Legislature of the said Island of Grenada and its Dependencies now in force, in so far as the same may be repugnant to the terms of any Order in Council passed in pursuance of this Act.

PART II.—Saint Vincent and Tobago.

Whereas Acts have been passed by the Legislature of the Islands of Saint Vincent and Tobago respectively, during sessions held in the present year of Her Majesty's reign, intituled, in the case of Saint Vincent, "An Act to alter and amend the Political Constitution of this Island and its Dependencies," and in the case of Tobago, "An Act to alter and amend the Political Constitution of this Island:" And whereas doubts have arisen as to whether it was competent for the Legislatures of the said islands to pass the said Acts: And whereas it is expedient to remove such doubts, and that the said Acts should be brought into operation under the authority of Parliament:

And whereas the said Acts are set out in the schedule hereunto annexed:

2. Be it therefore enacted that the said Acts set forth in the schedule to this Act shall be and the same are hereby declared to be valid and of full force, and shall come into operation in the Island of Saint Vincent and its Dependencies and in the Island of Tobago respectively so soon as they shall have been confirmed by Her Majesty in Council, and such confirmation shall have been duly published within the island to which the same relates.

3. In construing the said Act of the Island of Saint Vincent the term "Island" in the title thereof shall mean "the Island of Saint Vincent and its Dependencies," and the term "Government" shall mean the Government of the Island of Saint Vincent and its Dependencies; and in construing the said Act of the Island of Tobago the term "Island" shall mean the Island of Tobago.

4. This Act may be cited for all purposes as "The Saint Vincent, Tobago, and Grenada Constitution Act, 1876."
GREAT BRITAIN (Jamaica).

SCHEDULE.

SAINT VINCENT.

"An Act to alter and amend the Political Constitution of this Island and its Dependencies."

TOBAGO.

"An Act to alter and amend the Political Constitution of this Island."

PROCLAMATION of the Governor of Jamaica, announcing that the Islands of Morant Cays were, on the 12th October, 1862, taken possession of in the name of the Queen.

Saint Jago de la Vega, February 23, 1863.

VICTORIA, by the grace of God, of the United Kingdom of Great Britain and Ireland Queen, and of Jamaica Supreme Lady, Defender of the Faith, &c.

To all to whom these presents shall come greeting:

These are to declare and proclaim that William John Ward, a Commander in our Royal Navy, being in command of our steam sloop Styx, did, on the 12th day of October, in the year of Our Lord, 1862, in our name and in our behalf, take possession of the group of islands known by the name of Morant Cays, and situate between the latitudes of 17° 23' and 17° 27' both north of the Equator, and the longitudes 75° 54' and 75° 57' both west from the meridian at Greenwich.

Witness His Excellency Edward John Eyre, Esquire, Lieutenant-Governor of this our Island of Jamaica and Commander-in-Chief of our Colony of British Honduras and Lieutenant-Governor of other our territories in America depending on this our Island of Jamaica, Chancellor and Vice-Admiral of the same, at Saint Jago de la Vega, the 23rd day of February, in the 26th year of our reign, A.D. 1863.

(L.S.) E. Eyre.

By His Excellency's command.

W. G. Stewart, Secretary.

These are to certify that I, the Honourable William John Ward, a Commander in the Royal Navy, and at present commanding Her Britannic Majesty's steam sloop Styx, did, on the 12th day of October, in the year of Our Lord, 1862, in the name of Her Majesty the Queen of Great Britain and Ireland, in obedience to orders received by me from Hugh Dunlop, Esquire, C.B., Commodore of the First Class and Senior Officer of Her Majesty's ships and vessels at Jamaica, take possession of the group of islands known by the name of Morant Cays,
and situate between the latitudes 17° 23' and 17° 27', both north of the Equator, and longitudes 75° 54' and 75° 57' both west from the meridian of Greenwich.

In proof of which I execute this document, done in triplicate, and given under my hand and seal on board Her Majesty's steam sloop Styx, at anchor off the Morant Cays, in presence of the witnesses whose names are hereunto subscribed as such, this 13th day of October, in the year of Our Lord, 1862.

Signed and sealed in presence of us who in his presence and presence of each other have hereunto subscribed our names as witnesses.

(L.S.) W. J. WARD.

THOS. M. GAHAN, Surgeon.

F. E. BLACKBURNE, Lieutenant R.N.

---

LAW of the Governor of Jamaica, to amend the Law relating to Aliens. [Real and Personal Property.]

[No. 16.] [June 2, 1871.]

WHEREAS it is desirable to amend the law relating to the holding of property by aliens: Be it therefore enacted by the Governor of Jamaica, with the advice and consent of the Legislative Council thereof as follows:

1. This Law may be cited, for all purposes, as the "Aliens Law, 1871."

2. Real and personal property of every description may be taken, acquired, held, and disposed of by an alien in the same manner in all respects as by a natural-born British subject, and a title to real and personal property of any description may be derived through, from, and in succession to an alien in the same manner in all respects as through, from, or in succession to a natural-born British subject: Provided,

(1.) That this section shall not entitle an alien to any right or privilege as a British subject, except such rights and privileges in respect of property as are hereby expressly given to him.

(2.) That this section shall not affect any estate or interest in real or personal property to which any person has or may become entitled either mediately or immediately in possession or expectancy, in pursuance of any disposition made before the passing of this Law, or in pursuance of any devolution by law on the death of any person dying before the passing of this Law.

3. Nothing in this Law contained shall qualify an alien to be the owner of a British ship.

4. The 1st, 2nd, and 3rd sections of the Act 14th Vict., cap. 40, are hereby repealed: Provided, that the repeal enacted
in this Law shall not affect any right acquired or thing done before the passing of this Law.

5. This Law shall not come into operation until it shall have received Her Majesty's Royal Assent, and such assent shall have been notified in the "Jamaica Gazette" in the usual manner.

Passed in Council this 19th day of May, 1871.

WILLIAM A. G. YOUNG, Presiding Member.

I assent to this Law, 2nd June, 1871.

J. P. GRANT, Governor.

ACT of the British Parliament, to enable Her Majesty by Order in Council to annex the Turks and Caicos Islands to the Colony of Jamaica.

[36 Vict., cap. 6.] [April 4, 1873.]

WHEREAS by a certain Order in Council of the 11th of August, 1848, the Islands of Grand and Salt Cay, together with the small islands immediately adjacent thereto, and which, together with the said Islands of Grand and Salt Cay, are commonly known and designated as the "Turks Islands," and the islands and cays commonly known and designated as the "Caicos Islands," together with all banks and cays situate, lying, and being to the eastward of the said Turks Islands and Caicos Islands, were made subject to the supervision of the Captain-General and Governor-in-Chief for the time being, or officer administering the Government of the Island of Jamaica:

And whereas by the said Order in Council, and by another Order in Council bearing the same date, and by letters patent bearing date the 25th day of October, 1848, provision was made for the government of the said Turks and Caicos Islands, and for the supervision of the said Government:

And whereas it is desirable that the said Turks and Caicos Islands should cease to have a separate Government, and that they should be annexed to and form part of the said colony of Jamaica:

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. It shall be lawful for Her Majesty, by Order in Council, on addresses from the Legislative Bodies of Jamaica and of the Turks and Caicos Islands, to declare that the said Turks and Caicos Islands shall, from a date to be therein mentioned, be annexed to and form part of the colony of Jamaica, on such terms and conditions as Her Majesty shall think fit to appoint.*

2. From and after such annexation the said recited Orders

* See Page 832.
in Council and letters patent respectively shall cease to have any force or effect, and the said Turks and Caicos Islands shall, subject to such terms and conditions as Her Majesty shall think fit to appoint, be taken and deemed to be part of the said colony of Jamaica for all purposes whatsoever.

3. This Act may be cited for all purposes as "The Turks and Caicos Islands Act, 1873."

---

**LAW of the Governor of Jamaica, to amend "The Aliens Law, 1871." [Real and Personal Property.]**

[No. 12.] [May 15, 1873.]

WHEREAS the Imperial statute, "The Naturalization Act, 1870" (33 Vict., cap. 14),* renders certain classes of persons aliens under certain circumstances therein specified; and whereas "The Aliens Law, 1871" (Law 16 of 1871) enacts by Section 2 that real and personal property may be held by an alien in the same manner as by a British subject, but excepts from such enactment any estate or interest in property to which any person has or may become entitled in pursuance of any disposition made before the passing of that Law, or in pursuance of any devolution by law on the death of any person dying before the passing of that Law; and whereas in consequence of the combined operation of "The Naturalization Act, 1870," and of the said exception in Section 2 of Law 16 of 1871, persons rendered aliens under "The Naturalization Act, 1870," may be deprived of interests of which it was not intended that they should be deprived: Be it enacted by the Governor of Jamaica, with the advice and consent of the Legislative Council thereof, as follows:

1. No person who has become, or who may become, an alien under or by virtue of the provisions of the Imperial statute, "The Naturalization Act, 1870" (33 Vict., cap. 14), shall, by reason merely of such alienage, be deprived of any estate or interest in any real or personal property to which such person may have become entitled previous to the passing of Law 16 of 1871, or be prejudicially affected as to such estate and interest.

2. This Law shall not come into operation until it shall have received Her Majesty's Royal Assent, and such assent shall have been notified in the "Jamaica Gazette."

Passed in Council, 17th April, 1873.  

J. P. GRANT, President.

I assent to this Law, 15th May, 1873.  

J. P. GRANT, Governor.

BRITISH ORDER IN COUNCIL, annexing the Turks and Caicos Islands to the Colony of Jamaica. Osborne, August 4, 1873.

At the Court at Osborne House, Isle of Wight, the 4th day of August, 1873.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY,

WHEREAS it was enacted by the first section of the Act of Parliament 36 Vict., cap. 6, * "An Act to enable Her Majesty in Council to annex the Turks and Caicos Islands to the Colony of Jamaica," that it should be lawful for Her Majesty by Order in Council, on Addresses from the Legislative Bodies of Jamaica, and of the Turks and Caicos Islands, to declare that the said Turks and Caicos Islands should, from a date to be therein mentioned, be annexed to and form part of the colony of Jamaica, on such terms and conditions as Her Majesty should think fit to appoint.

And whereas Addresses from the Legislative Bodies of Jamaica, and of the Turks and Caicos Islands, have been duly presented to Her Majesty under the said Act, and it is expedient to exercise the powers so given to Her Majesty by the said Act, it is hereby ordered by Her Majesty, by and with the advice of her Privy Council, as follows:

1. The Turks and Caicos Islands shall, from and after a day to be proclaimed by the Governor of Jamaica,† be annexed to and form part of the colony of Jamaica, on the terms and conditions hereinafter appointed; and the powers and functions of the Legislative Council and of the Executive Council of the Turks and Caicos Islands, shall thereupon absolutely cease and determine.

2. The revenue, expenditure, and debt of the Turks and Caicos Islands shall be kept distinct from the revenue, expenditure, and debt of the other portions of the colony of Jamaica.

3. Subject to the provisions of this Order, the Governor and Legislature of Jamaica shall have respectively the same jurisdiction, powers, and authority over the Turks and Caicos Islands that they have over the Island of Jamaica. Provided that no law passed by the Legislature of Jamaica shall apply to the Turks and Caicos Islands, unless it is in express terms made applicable thereto.

4. There shall be constituted at the Turks and Caicos Islands a Board, to be called "The Legislative Board for the Turks and Caicos Islands," and such Board shall, subject to the pro

* See Page 830.
† January 1, 1874.
visions of this Order, have all the powers, jurisdictions, and authority hitherto possessed by and vested in the Legislative Council of the Turks and Caicos Islands.

5. The said Board shall consist of not less than 4 and not more than 6 persons; and the Judge of the Supreme Court and the Commissioner shall be, by virtue of their offices, members of the said Board.

6. The Governor of Jamaica may, by warrant or warrants under the seal of the colony of Jamaica, from time to time appoint, and from time to time remove, such persons resident in the Caicos Islands as he may think fit, to be (together with the Commissioner and the Judge of the Supreme Court) members of the said Board. When the said Board shall consist of more than 4 persons, one of the persons so to be appointed shall be a holder of office under the Crown, and the others shall not be holders of any office under the Crown other than an honorary office. In case of the temporary absence or incapacity from any cause of any member of the said Board, whether official or non-official, the Governor of Jamaica may appoint some other person to act in the place of such member during such absence or incapacity.

7. The Governor of Jamaica shall from time to time appoint such member of the said Board as he may think fit to be President of the Board, and may at any time remove such member from the office of President and appoint some other member in his stead; and may during the absence or incapacity of such President, appoint some other member to act provisionally as President.

8. The Board shall meet only when summoned by the President; provided that it shall be lawful for the Board to adjourn its sittings from time to time whenever such adjournment shall be required for the dispatch of business.

9. No business except adjournment of the sittings shall be transacted at any meeting of the Board unless there be present the President of the Board and at least two other members, official or unofficial; and all questions shall be decided by a majority of the votes of the members present; and in case of an equal division of votes, the President shall have a casting vote in addition to his vote as a member of the Board.

10. The said Board may from time to time make standing rules and orders for the regulation of their own proceedings, but such rules and orders shall not come into operation unless approved by the Governor of Jamaica.

11. It shall be lawful for the said Board from time to time, subject to the provision of this Order, to make ordinances for regulating taxation and the expenditure of revenue, and for other matters of a purely local character, and for regulating the course of procedure under this Order.
12. No Ordinance passed by the said Board shall come into operation until the Governor of Jamaica shall have assented to the same, and shall have signed the same in token of such assent, and the fact of such assent shall have been published in the Turks and Caicos Islands by authority of the Governor of Jamaica.

13. The Governor of Jamaica may disallow any Ordinance passed by the said Board; and every Ordinance so disallowed shall become null and void so soon as the disallowance thereof shall be published in the Turks and Caicos Islands by authority of the Governor of Jamaica.

14. No law hereafter passed by the Legislature of Jamaica shall be barred of its force or effect by any Ordinance of the said Board. And any Ordinance passed by the said Board which shall be in any respect repugnant to the provisions of any law of the Jamaica Legislature which shall extend to the Turks and Caicos Islands, or be repugnant to any order or regulation made under authority of such law shall be read subject to such law, order, or regulation, and shall, to the extent of such repugnancy, but not otherwise, be and remain absolutely void and inoperative.

15. Any member of the said Board may move any resolution or introduce any Ordinance, or propose any question for debate, provided that no resolution be passed or Ordinance adopted, or question allowed for debate whenever the object of such resolution, Ordinance, or question may be to dispose of, or to charge any part of the revenue arising within the Turks and Caicos Islands, unless the same be moved, introduced, or proposed by the Commissioner or some other member under the instructions of the Governor of Jamaica.

16. All Ordinances made by the Board shall be styled "Ordinances of the Legislative Board of the Turks and Caicos Islands."

17. All such Ordinances shall be distinguished by titles, and the Ordinances of each year shall also be distinguished by consecutive numbers, commencing in each successive year with the number "One;" and every such Ordinance shall be divided into successive clauses or paragraphs duly numbered, and to every such clause there shall be annexed in the margin a short summary of its contents.

18. In the passing of all Ordinances each different matter is to be provided for by a different Ordinance without mixing in one Ordinance such things as have no proper relation to each other; and no clause shall be inserted in or annexed to any Ordinance which shall be foreign to the subject-matter which the title of such Ordinance imports, nor shall a perpetual clause form part of any temporary Ordinance.

19. This Order shall apply to the islands being dependencies
of Jamaica, of Grand and Salt Cay, together with the small islands immediately adjacent thereto, which, together with the said Islands of Grand and Salt Cay, are commonly known and designated as the "Turks Islands," and the islands and cays commonly known and designated as the "Caicos Islands," together with all banks and cays situate, lying, and being to the eastward of the said Turks and Caicos Islands, and the words "Turks and Caicos Islands" shall, for the purposes of this Order, include the said islands, and none other.

20. The term "Governor of Jamaica" shall mean the Governor or officer for the time being administering the Government of Jamaica.

The term "Commissioner" shall mean the person for the time acting as Commissioner.

21. It shall be lawful for the Legislature of Jamaica from time to time to repeal or alter any of the provisions of this Order. Provided, however, that any such law shall have a clause suspending the operation of such law until Her Majesty's pleasure thereon has been signified in the colony.

22. This Order shall come into operation on such day as the Governor of Jamaica, by Proclamation in Jamaica and in the Turks and Caicos Islands, shall appoint.

And the Right Honourable the Earl of Kimberley, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. Peel.

BRITISH ORDER IN COUNCIL, giving effect to the Extradi-

At the Court at Balmoral, the 23rd day of November, 1877.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY,
His Royal Highness Prince Leopold, Lord President, Mr. Chancellor of the Exchequer.

WHEREAS by Section 18 of "The Extradition Act, 1870," it is amongst other things enacted:

[See Vol. 13. Page 1194.]

And whereas by a law enacted by the Legislature of Jamaica, the short title of which is "The Extradition Act (Jamaica), 1877," it is provided that "all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extra-
3 H 2
dition Acts, 1870 and 1873, are thereby vested in, and may in
the colony be exercised and done by any police or stipendiary
magistrate in relation to the surrender of fugitive criminals
under the said Acts."

And whereas it is further provided by the said law that the
said law shall not come into operation until Her Majesty shall
by Order in Council direct that the said law shall have effect
within the colony as if it were part of "The Extradition Act,
1870," but that the said law shall thereafter come into opera-
tion as soon as such Order in Council shall have been publicly
made known in the colony.

Now, therefore, Her Majesty, in pursuance of "The Extra-
dition Act, 1870," and in exercise of the power in that behalf in
the said Act contained, doth by this present Order, by and
with the advice of Her Majesty's Privy Council, direct that the
said law shall have effect in the colony of Jamaica without
modification or alteration, as if it were part of "The Extradition
Act, 1870."

And the Right Honourable the Earl of Canarvon, one of
Her Majesty's Principal Secretaries of State, is to give the
necessary directions herein accordingly.

C. L. PEEL.

BRITISH ORDER IN COUNCIL, giving effect to the Extradition
Act of the Legislature of the Leeward Islands, of 1877.
Windsor, March 26, 1878.

At the Court at Windsor, the 26th day of March, 1878.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY,
Lord President, Lord Privy Seal, Duke of Devonshire, Lord
Chamberlain, Earl of Derby, Mr. Watson:

WHEREAS by Section 18 of "The Extradition Act, 1870,"
it is amongst other things enacted:

[See Vol. 13. Page 1194.]

And whereas by an Act enacted by the Legislature of the
Leeward Islands, the short title of which is "The Leeward
Islands Extradition Act, 1877,"* it is provided that "all powers
vested in and acts authorised or required to be done by a
police magistrate or any justice of the peace in relation to the
surrender of fugitive criminals in the United Kingdom under
the Extradition Acts, 1870 and 1873, are thereby vested in,
and may in the colony be exercised and done by any resident

* No. 10. December 6, 1577.
GREAT BRITAIN (Malta).

magistrate in relation to the surrender of fugitive criminals under the said Acts."

And whereas it is further provided by the said Act that the said Act shall not come into operation until Her Majesty shall by Order in Council direct that the said Act shall have effect within the colony, as if it were part of "The Extradition Act, 1870," but that the said Act shall thereafter come into operation as soon as such Order in Council shall have been publicly made known in the colony.

Now, therefore, Her Majesty, in pursuance of "The Extradition Act, 1870," and in exercise of the power in that behalf in the said Act contained, doth by this present Order, by and with the advice of Her Majesty's Privy Council, direct that the said Act shall have effect in the colony of the Leeward Islands, without modification or alteration, as if it were part of "The Extradition Act, 1870."

And the Right Honourable Sir Michael Edward Hicks-Beach, Bart., one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. Peel.

BRITISH ORDER IN COUNCIL giving effect to the Extradition Ordinance of the Legislature of Malta, of 1877. Windsor, June 29, 1878.

At the Court at Windsor, the 29th day of June, 1878.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY,
Lord President, Lord Steward, Mr. Secretary Cross.

WHEREAS by Section 18 of "The Extradition Act, 1870," it is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas by an Ordinance enacted by the Legislature of Malta, "No. 4, 1877," it is provided that "all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Acts, 1870 and 1873, are thereby vested in and may in the colony be exercised and done by any magistrate of judicial police in relation to the surrender of fugitive criminals under the said Acts.

And whereas it is further provided by the said Ordinance that the said Ordinance shall not come into operation until Her Majesty shall by Order in Council direct that the said Ordinance

* June 21, 1877.
shall have effect within the colony as if it were part of "The Extradition Act, 1870," but that the said Ordinance shall there-
after come into operation as soon as such Order in Council shall 
have been publicly made known in the colony.

Now, therefore, Her Majesty, in pursuance of "The Extra-
dition Act, 1870," and in exercise of the power in that behalf 
in the said Act contained, doth by this present Order, by and 
with the advice of Her Majesty's Privy Council, direct that the 
said Ordinance shall have effect in the colony of Malta, without 
modification or alteration, as if it were part of "The Extra-
dition Act, 1870."

And the Right Honourable Sir Michael Edward Hicks-Beach, 
Bart., one of Her Majesty's Principal Secretaries of State, is to 
give the necessary directions herein accordingly.

C. L. PEEL.

ACT of the Governor of Manitoba, respecting Aliens. [Real and 
Personal Property.] [February 28, 1874.]

WHEREAS it is expedient to make certain provisions relating 
to the legal condition of aliens in respect to the holding of, 
and title to, real estate and personal property in the Province of 
Manitoba:

Therefore Her Majesty, by and with the advice and consent 
of the Legislative Council and Legislative Assembly of the 
Province of Manitoba, enacts as follows:

1. This Act may be cited as "The Alien Act, 1873."

2. Real and personal property of every description, may be 
taken, acquired, held, and disposed of by an alien, in the same 
manner in all respects, as by a natural-born British subject; and 
a title to real and personal property of every description, may 
be derived through, from, or in succession to an alien, in the 
same manner in all respects, as through, from, or in succession 
to a natural-born British subject: Provided

(1.) That this Act shall not qualify an alien for any office, 
or for any municipal, Parliamentary, or other franchise; and, 
provided further, that no man, not being a natural-born or 
naturalized subject of Her Majesty, shall be qualified to serve 
as a grand or petit juror, in any of the Courts in this province 
on any occasion whatever;

(2.) That this Act shall not entitle an alien to any right or 
privilege as a British subject, except such rights and privileges 
in respect of property as are hereby expressly given to him;

(3.) That this Act shall not affect any estate or interest in 
real or personal property, to which any person has, or may
become entitled, either mediately or immediately, in possession or expectancy, in pursuance of any disposition made before the passing of this Act; or in pursuance of any devolution by law on the death of any person dying before the passing of this Act.

ORDINANCE of the Governor of Mauritius, altering and amending the Law relating to the Naturalization of Aliens.

[No. 21.] [October 18, 1872.]

Whereas it is expedient to alter and amend the law relating to the naturalization of aliens in this colony;

Be it therefore enacted by His Excellency the Governor, with the advice and consent of the Council of Government, as follows:

1. Any person whilst actually residing in the colony may apply by memorial to the Governor, praying that the privileges of naturalization may be conferred upon him. The memorial shall be signed by the applicant, who shall therein state to the best of his knowledge and belief, his names, age, place of birth, place of residence, profession, trade, or occupation, the length of time during which he has resided within the colony, and that he is permanently settled in the colony, or is residing therein with intent to settle.

2. Every such memorial shall be accompanied by a certificate either under the hand of the Consul of the country of which such applicant is a subject, or under the hands of at least two respectable householders in this colony, certifying to the truth of such allegations in the memorial, as are within his or their personal knowledge, and that to his or their belief the other allegations in the memorial are true, and that the applicant is a person of respectability and probity, and worthy to be received as a British subject.

3. Every such memorial and certificate shall be written upon forms to be obtained at the office of the Colonial Secretary, and shall be presented by the applicant personally at the central police office in Port Louis, for the visa of the Inspector-General or Superintendent of Police. Provided always that in the case of applicants resident in any of the dependencies of Mauritius, it shall be lawful to the Governor to exempt such applicants from personal presentation of the memorial and certificate as aforesaid.

4. In considering the prayer of any such memorial, the Governor may require such further information and evidence, either by affidavit or otherwise, as he may deem proper, in addition to the certificate accompanying the memorial; and may direct that the whole or any part of such memorial and
certificate, and of any further information and evidence, be
published in the Government Gazette along with a notice,
calling on all persons, who know any reasons why the applicant
should not be naturalized as a British subject, to state the same
in writing to the Colonial Secretary within a time to be specified
in such notice.

5. If it shall appear expedient so to do, the Governor in
Executive Council may grant the prayer of the applicant’s
memorial, who shall thereupon be required to appear before the
Governor, or such person or persons as may be appointed by
the Governor for such purpose, within 14 days, to take and
subscribe the oath of allegiance, as set forth in the Schedule A
hereunto annexed, which shall be endorsed upon the said
memorial.

6. After the oath of allegiance shall have been so taken and
subscribed, a certificate of naturalization shall be drawn up by
the Colonial Secretary, or as nearly as may be in the form
contained in Schedule B hereunto annexed. The said certificate
shall be signed by the Governor, and given to the applicant,
but a copy thereof together with the memorial and all docu-
ments, affidavits, and evidence annexed thereto, shall be filed in
the office of the Colonial Secretary, and notice shall be given in
the Government Gazette that the applicant has taken the oath
of allegiance, and has obtained a certificate of naturalization.

7. Upon taking and subscribing the oath as hereinbefore
prescribed and obtaining the said certificate the applicant shall,
within the said colony, be deemed a natural-born subject of Her
Majesty, as if he had been born within the said colony, and
shall be entitled therein to all the rights, privileges, and capa-
cities of a subject of Her Majesty born within the said colony,
with this exception that no such naturalized aliens shall, unless
he have resided in the colony for a period of 5 years subsequent
to the date of his naturalization, be qualified to be appointed a
member of the Council of Government.

8. The Governor may, in manner above provided, grant a
special certificate of naturalization within this colony, to any
person with respect to whose nationality as a British subject a
doubt exists, and he may specify in such certificate that the
grant thereof is made for the purpose of quieting doubts as to
the right of such person to be a British subject within this
colony, and the grant of such special certificate shall not be
deemed to be any admission that the person to whom it was
granted was not previously a British subject.

9. An alien who has been naturalized within this colony
previously to the passing of this Ordinance may, under this
Ordinance, apply to the Governor for a certificate of naturali-
ization within this colony, and it shall be lawful for the said
Governor to grant such certificate to such naturalized alien
upon the same terms and subject to the same conditions in and
upon which such certificate might have been granted if such
alien had not been previously naturalized in the colony.

10. Certificates of naturalization may be proved in any legal
proceeding by the production of the original certificate or of
any copy thereof certified to be a true copy by the Governor or
by any person authorised by the Governor to give certified
copies of such certificates.

11. Where the father or the mother, being a widow, has
obtained a certificate of naturalization within this colony, every
child of such father or mother who during minority has become
resident with such father or mother in any part of the colony
shall within the said colony be deemed to be a natural-born
subject of Her Majesty, to the effect of being entitled to all the
rights, privileges, and capacities of a subject of Her Majesty
born within the said colony.

12. Any certificate of naturalization granted under the pro-
visions of this Ordinance, and any certificate of naturalization
that may have been granted under the provisions of Ordinance
No. 8 of 1868 may be cancelled by the Governor in Executive
Council in any of the following cases:

(1.) If any material statement contained in the memorial
presented by the applicant for such certificate for naturalization
be false.

(2.) If the person to whom such certificate shall apply shall
afterwards become naturalized in any country which does not
form part of the British Empire.

(3.) If the person to whom such certificate shall apply shall
commit any of the crimes and misdemeanours mentioned in the
following Articles of Ordinance No. 6 of 1838, commonly called
the “Penal Code” of this colony, viz.: in Articles 50 to 76
(inclusive), Articles 92 to 105 (inclusive), or in Articles 140,
141, 142, 143, 145, 148, 152, 154, 188, 189, 190, 191, 284 to 287
inclusive.

13. No certificate of naturalization shall be cancelled under
the provisions of the foregoing Article, except after conviction
of the person to whom such certificate applies, before one of
the ordinary Courts of justice of this colony, or in the cases
provided for by paragraphs 1 and 2 of the preceding Article,
until such person shall have had an opportunity of being heard,
and of offering his defence before the Governor in Executive
Council.

14. The cancellation of such certificate shall be temporary
and subject to the approval of Her Majesty.

15. From and after the passing of this Ordinance, an alien
shall not be entitled to be tried by a jury de medietate lingue,
but shall be triable in the same manner as if he were a natural-
born subject.
16. Any person wilfully and corruptly making or subscribing any statement in any certificate, declaration, affidavit, or other document under this Ordinance, knowing the same to be untrue in any material particular, shall be deemed to be guilty of an offence, and shall be liable to imprisonment with or without hard labour for any term not exceeding 12 months.

17. For the several matters and documents provided by this Ordinance, there shall be levied and paid to the Colonial Treasury the fees set forth in the Schedule C annexed to this Ordinance.

18. Ordinance No. 8 of 1868, Item 11 of Schedule B of Ordinance No. 2 of 1869, Item 2 of Part 4 of Ordinance No. 12 of 1869, and Ordinance No. 26 of 1871 are hereby repealed, except as far as regards:

(1.) Any right acquired or thing done before the passing of this Ordinance.

(2.) Any liability accruing before the passing of this Ordinance.

(3.) Any penalty, forfeiture or other punishment incurred or to be incurred in respect of any offence committed before the passing of this Ordinance.

(4.) The institution of any investigation or legal proceeding or any other remedy for ascertaining or enforcing any such liability, penalty, forfeiture, or punishment as aforesaid.

Passed in Council, at Port Louis, Island of Mauritius, this 17th day of September, 1872.

(L.S.) ARTHUR GORDON.

THOS. ELLIOTT.

---

SCHEDULE A.

Oath of Allegiance.

I, , do swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, her heirs and successors, according to law.

So help me God.

---

SCHEDULE B.

In the name of Her Majesty Victoria, of the United Kingdom of Great Britain and Ireland, Queen Defender of the Faith.

By His Excellency Governor and Commander-in-Chief in and over the Island of Mauritius and its Dependencies, &c.

These are to certify that has taken the oath of allegiance and been naturalized a British subject in this Island of Mauritius and its dependencies, and that all the rights, privileges, and capacities of a naturalized British subject within the island aforesaid and its dependencies have been and are hereby conferred on him.

Given at Government House, this day of , A.D., 187 .

Colonial Secretary.
SCHEDULE C.

For granting a certificate of naturalization together with the oath of allegiance under the foregoing Ordinance £ s. d.
6 0 0
For taking a declaration, whether of alienage or British nationality 0 2 0
For granting a certificate of re-admission to British nationality and for registering the same together with the oath of allegiance 1 0 0
For administering the oath of allegiance 0 2 6
For transmitting a declaration without oath of registration 0 0 6
For granting a new certificate of naturalization under Article 9 of this Ordinance 2 0 0

BRITISH ORDER IN COUNCIL giving effect to the Extradition Ordinance of the Legislature of Mauritius, of 1877. Windsor, July 11, 1877.

At the Court at Windsor, the 11th day of July, 1877.
PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by Section 18 of “The Extradition Act, 1870,” it is among other things enacted that:

[See Vol. 13. Page 1194.]

And whereas by an Ordinance No. 7 of 1877, enacted by the Legislature of Mauritius, the short title of which is “The Extradition Act (Mauritius), 1877,” it is provided that “all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Acts, 1870 and 1873, are thereby vested in and may in the colony be exercised and done by any police magistrate in relation to the surrender of fugitive criminals under the said Acts.”

And whereas it is further provided by the said Ordinance that the said Ordinance shall not come into operation until Her Majesty shall by Order in Council direct that the said Ordinance shall have effect within the colony as if it were part of “The Extradition Act, 1870,” but that the said Ordinance shall thereafter come into operation as soon as such Order in Council shall have been publicly made known in the colony.

Now, therefore, Her Majesty, in pursuance of “The Extradition Act, 1870,” and in exercise of the power in that behalf in the said Act contained, doth by this present Order, by and with the advice of Her Majesty’s Privy Council, direct that the said Ordinance shall have effect in the colony of Mauritius without modification or alteration, as if it were part of “The Extradition Act, 1870.”

And the Right Honourable the Earl of Carnarvon, one of

Whereas a Treaty between Her Majesty and the United States of America, was granted on the 8th day of May, 1871, and was duly ratified on the 17th of June in that year, which, amongst other things, contained the following Article:

"It is further agreed that the provisions and stipulations of Articles XVIII to XXV of this Treaty, inclusive, shall extend to the colony of Newfoundland, so far as they are applicable; but if the Imperial Parliament, the Legislature of Newfoundland, or the Congress of The United States, shall not embrace the colony of Newfoundland in their laws enacted for carrying the foregoing Articles into effect, then this Article shall be of no effect; but the omission to make provision by law to give it effect, by either of the Legislative Bodies aforesaid, shall not in any way impair any other Articles of this Treaty."

And whereas it is expedient to provide for giving effect, as regards the Island of Newfoundland and its dependencies, to said Articles XVIII to XXV of said Treaty, inclusive, as far as they are applicable to this colony.

Be it therefore enacted by the Governor, Legislative Council and Assembly, in legislative session convened, as follows:

1. As soon as the law required to carry into operation, on the part of the United States of America, the Articles set out in the Schedule to this Act, has been passed by the Congress of The United States, and come into force, all laws of this colony which operate to prevent the said Articles from taking full effect, shall, so far as they so operate, be suspended and have no effect during the period mentioned in the Article numbered XXXIII in the Schedule to this Act: provided that such laws, rules, and regulations relating to the time and manner of prosecuting the fisheries on the coasts of this island, shall not be in any way affected by such suspension.

2. The Governor in Council, by any order or orders to be made for that purpose, may do anything further, in accordance with the spirit and intention of the Treaty, which shall be found necessary to be done on the part of this island to give full effect to the Treaty; and any such order shall have the

same effect as if the object thereof were expressly provided for by this Act.

3. This Act shall not come in force until Her Majesty's assent thereto shall have been given, and until the issuing of a Proclamation, under provisions of Section 2 of the Act of the Imperial Parliament, entitled "The Treaty of Washington Act, 1872," and shall remain in force during the term of years mentioned in Article XXXIII in the Schedule to this Act.

[Confirmed by Order in Council, dated 30th June, 1873.]

ACT of the Legislature of New South Wales, to amend the Law relating to Aliens. [Real and Personal Property.]

[39 Vict., No. 19.]

[June 29, 1875.]

WHEREAS by the Imperial Statute of the 33rd year of Her present Majesty, [cap 14], intituled "An Act to amend the Law relating to the Legal Condition of Aliens and British Subjects," it is enacted that all laws, statutes, and ordinances which may be duly made by the Legislature of any British possession for imparting to any person the privileges or any of the privileges of naturalization to be enjoyed by such person within the limits of such possession, shall, within such limits, have the authority of law, but shall be subject to be confirmed or disallowed by Her Majesty, in the same manner and subject to the same rules in and subject to which Her Majesty has power to confirm or disallow any other laws, statutes, or ordinances in that possession. And whereas it is expedient to amend the law of this colony relating to aliens, in order that the same should, as far as practicable, be assimilated to that in force in the United Kingdom. Be it therefore enacted, by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of the same as follows:

1. This Act shall come into force on the 1st day of January, 1876, and may be cited for all purposes as the "Naturalization Act of New South Wales."

2. The Acts of the 11th and 17th years of Her present Majesty, intituled respectively "An Act to amend the Laws relating to Aliens within the Colony of New South Wales," and "An Act to amend the Act relating to the Naturalization of Aliens," are hereby repealed. But such repeal shall not operate in derogation or prejudice of any right, title, or capacity whether vested, contingent, or acquired under either of the said Acts prior to the passing of this Act, nor shall such repeal affect any liability, penalty, or forfeiture accrued or incurred before

the passing of this Act, or the institution of any investigation or proceeding for ascertaining or enforcing any such liability, penalty, or forfeiture.

3. Real and personal property of every description in New South Wales may be taken, acquired, held, and disposed of by an alien in the same manner in all respects as by a natural-born British subject, and a title to any such property may be derived through, from, or in succession to an alien, in the same manner in all respects as through, from, or in succession to a natural-born British subject. But nothing in this section contained:

(1.) Shall qualify an alien for any office, or extend, or be construed to confer any Parliamentary, municipal, or other franchise in New South Wales.

(2.) Shall qualify an alien to be the owner of a British ship.

(3.) Shall affect any estate or interest in real or personal property in the said colony, to which any person has or may become entitled, either mediately or immediately in possession or expectancy, in pursuance of any disposition made before the passing of this Act, or in pursuance of any devolution by law on the death of any person dying before the passing of this Act.

(4.) Or shall entitle an alien to any right or privilege as a British subject in the said colony, except such rights and privileges in respect of property or otherwise, as are hereby expressly given or extended to him.

4. An alien who has resided in New South Wales for a term of not less than 5 years, within such limited time before making the application hereinafter mentioned as may be allowed by the Governor, either by general order or on any special occasion, and who intends when naturalized to reside in the said colony, may apply to the Governor for a certificate of naturalization. The applicant shall produce, in support of his application, his own statutory declaration, stating his name, age, birthplace, occupation, and residence, also a like declaration of some other person as to the applicant's term of residence within the said colony, and give such further evidence of the completion by him of the said term of residence, and of his intention to reside in the colony as the Governor may require, who, if satisfied with the evidence adduced shall take the applicant's case into consideration, and may, with or without assigning any reason, give or withhold a certificate as he thinks most conducive to the public good. And no appeal shall lie from his decision, but no such certificate shall have any effect until the applicant has taken the oath of allegiance hereinafter prescribed.

5. If the Governor think fit to grant such certificate of naturalization, he shall direct the applicant to take the oath of allegiance prescribed by this Act, before some judge of the
Supreme Court, or of a district court, or before some police magistrate or justice of the peace, and upon the certificate of such judge, police magistrate, or justice that the applicant has taken before him the said oath, he shall issue to the applicant a certificate of naturalization accordingly.

6. Every person to whom a certificate of naturalization under this Act, or the Act 11 Victoria, No. 39, hereby repealed, has been granted, shall, in this colony, be entitled to all political and other rights, powers, and privileges, and be subject to all obligations to which a natural-born British subject is entitled or subject in this colony, anything in the Constitution Act, 17 Victoria, No. 41, Section 2, the "Electoral Act of 1858," 22 Victoria, No. 20, Sections 8 and 9, or the "Jury Act of 1847," 11 Victoria, No. 20, Section 3, to the contrary notwithstanding.

7. Every married woman shall, in this colony, be deemed to be a subject of the State of which her husband is, for the time being, a subject. And every alien woman married to a natural-born British subject or person, who shall have obtained a certificate of naturalization under this or the last-mentioned Act, shall be deemed to be herself naturalized, and to have had in this colony, from the time of her marriage, all the rights and privileges of a natural-born British subject. Every child, under the age of 16 years, whose father or mother shall at the time of the birth of such child have been an alien, but shall have afterwards obtained a certificate of naturalization, or whose mother being an alien shall have married a natural-born British subject shall, if such child shall have been resident in this colony at any time while under that age be deemed naturalized and to have all the rights and privileges of a natural-born British subject.

8. When any person resident in this colony has previously obtained any certificate of naturalization in the United Kingdom, or in any British colony, and desires to be naturalized in this colony, if he submit such certificate to the Governor, and if he further satisfy the Governor that he is the person named in such certificate, and that the same has been obtained without any fraud or intentional false statement, and that the signature and the seal (if any) thereto, are to the best of his belief and knowledge genuine, the Governor may, at his discretion, grant a certificate of naturalization, without requiring from the applicant any further residence in this colony or other condition.

9. The Colonial Secretary shall enrol for safe custody as of record, all certificates of naturalization granted under this Act, and shall demand and receive from every person to whom such certificate is granted, the fee of 1l. in respect of such enrolment, and shall cause to be made proper indices to such certificates, and shall permit every person desirous of so doing, at all
reasonable times, to inspect the same and make copies of such certificates, on payment of the fee of 1s. for every such inspection, and no person to whom any such certificate is granted shall be liable to any other fees or charges for such certificate, enrolment, or otherwise.

10. The oath in this Act, referred to as the Oath of Allegiance, shall be in the form following, that is to say:

"I, do swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, her heirs and successors, according to law. So help me God."

11. A certificate of naturalization may be proved in any proceeding in any Court, by the production of the original certificate, or of any copy thereof, certified to be a true copy under the hand of the Colonial Secretary.

12. In the construction of this Act, the word Governor where hereinbefore used, shall mean Governor with the advice of the Executive Council.

13. Nothing in this Act contained shall affect the prerogative right of the Crown as exercised by the Governor, of granting letters of denization to be in force in this colony.

14. Nothing in this Act shall deprive any person of any estate or interest in any property to which such person is entitled at the time of the passing of this Act, or shall affect any such estate or interest to such person's prejudice.

ACT of the Legislature of New Zealand, fixing the Fees to be taken under "The Imperial Naturalization Act, 1870."  

[No. 47.] [November 14, 1871.]

WHEREAS it is enacted by the Act of the Imperial Parliament called "The Naturalization Act, 1870," hereinafter referred to as "the said Act," that the declaration of alienage and of British nationality and the oath of allegiance where respectively made or taken as therein provided elsewhere in Her Majesty's dominions than in the United Kingdom, may respectively be made and taken in the presence of any judge of any Court of civil or criminal jurisdiction, or of any justice of the peace, or of any other officer for the time being authorised by law in the place in which the declarant is to administer an oath for any judicial or other legal purpose:

And whereas by the said Act it is also enacted that the jurisdiction by the said Act conferred on the Secretary of State in the United Kingdom in respect of the grant of a certificate of re-admission to British nationality in the case of any statutory

alien in any British possession may be exercised by the Governor of such possession:

And whereas under the said Act regulations have been made by one of Her Majesty's Principal Secretaries of State for the transmission to the United Kingdom for the purpose of registration of declarations and certificates made in pursuance of the said Act of the United Kingdom, and for the imposition and application of fees in respect of any registration authorised to be made under the said Act, and in respect of the making of any declaration or the grant of any certificate authorised to be made or granted under the said Act:

And whereas it is by the said Act enacted that any such regulation shall not so far as relates to the imposition of fees be in force in any British possession:

And whereas it is expedient that provisions should be made for the imposition and application of fees in respect of the making declarations and the grant of certificates authorised to be made or granted under the said Act in New Zealand, and in respect of other acts, matters, or things authorised to be done under the said Act in New Zealand:

Be it therefore enacted by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. The short title of this Act shall be "The Naturalization Act, 1870, Fees Act, 1872."

2. In respect of any such act, matter, or thing specified in the first column of the schedule hereto when done, taken, made, granted, or given in New Zealand under the authority of the said Act, or any regulations made or to be made thereunder, there shall be payable the fees respectively set forth in the second column of the said schedule, and the same shall respectively be paid to the persons denominated and be applied as set forth in the third column of the said schedule.

W. Gisborne. (L.S.) G. F. Bowen.

### Schedule

<table>
<thead>
<tr>
<th>The act, matter, or thing in respect of which the Fees may be taken.</th>
<th>The Amount of Fees.</th>
<th>To whom payment of Fee to be made and how applied.</th>
</tr>
</thead>
<tbody>
<tr>
<td>For taking a declaration whether of alienage or British nationality.</td>
<td>£ s. d.</td>
<td>To the clerk of the Court or of the justice taking the declaration if taken by a justice or before a Court of Judicature and to be paid to the Consolidated Fund. If not before such Court or by a justice then to the officer taking the declaration.</td>
</tr>
</tbody>
</table>

VOL. XIV.
The act, matter, or thing in respect of which the fees may be taken. | The Amount of Fees. | To whom payment of fees to be made and how applied.
---|---|---
For granting a certificate of re-admission to British nationality, and for registering the same together with the oath of allegiance. | £ 0 0 | Into the Treasury to be carried to the Consolidated Fund.
For administration of the oath of allegiance. | 0 5 0 | If the oath is administered by a justice of the peace or before a Court of Judicature to the clerk of such justice or Court and to be carried to the Consolidated Fund. Otherwise to the officer administering the oath and to be paid over to Consolidated Fund.
For transmitting to the Home Office a declaration with or without oath for registration. | 0 1 6 | To the clerk of the justice or Court or to the officer who transmits the same in each case for his own benefit. Same as preceding.
For transmitting to the Colonial Secretary's Office a declaration with or without oath for registration. | 0 1 0 | Same as preceding.
For certified copy of any declaration or certificate with or without oath. | 0 10 0 | Into the Treasury to be carried to Consolidated Fund.

---

PROCLAMATION of the Governor of Queensland, annexing the Islands lying within 60 miles of the Coast of the Colony of Queensland. Brisbane, August 22, 1872.

Queensland to wit.
Proclamation by the Most Honourable George Augustus Constantine, Marquis of Normanby, Earl of Mulgrave, Viscount Normanby, and Baron Mulgrave of Mulgrave, all in the county of York, in the peerage of the United Kingdom; and Baron Mulgrave, of New Ross, in the county of Wexford, in the peerage of Ireland; a Member of Her Majesty's Most Honourable Privy Council, Governor and Commander-in-Chief of the Colony of Queensland and its Dependencies, and Governor of the islands within 60 miles of the coast of the Colony of Queensland. Brisbane, August 22, 1872.

WHEREAS Her Most Gracious Majesty the Queen was pleased, by letters patent, under the Great Seal of the United Kingdom, dated the 30th day of May, 1872, to constitute and appoint the Governor and Commander-in-Chief for the time being of the colony of Queensland, to be Governor of all the islands lying...
and being within 60 miles of the coast of the said colony: And whereas Her said Majesty did, by the said letters patent, further declare her pleasure to be that if, at any time thereafter, the Legislative Council and Assembly of the said colony of Queensland should, by resolution or otherwise, request the said Governor of the said islands to transfer the same to the said colony of Queensland for the purpose of their being annexed to, and forming part of, the said colony of Queensland: And whereas Her said Majesty did, by the said letters patent, further declare her pleasure to be that the said Governor of the said islands should declare by proclamation the said transfer, and from and after the date of such proclamation such presents should cease and be of none effect, so far as relates to the appointment of a Governor of the said islands, and his powers thereunder, but not further or otherwise, and not so as to affect any instruments, acts, matters, or things made or done by him, while such Governor as aforesaid, in pursuance of the powers thereby conferred on him: And whereas, the Legislative Council and Assembly of Queensland have respectively resolved that it is desirable that the islands lying within 60 miles of the coast of the colony of Queensland should be annexed to, and become part of, the said colony, and have respectively presented addresses to me, the Governor aforesaid, praying that I will be pleased to exercise the powers in that behalf conferred upon me by the above recited letters patent of the 30th day of May, 1872: And whereas I, the Governor aforesaid, in pursuance of the powers so conferred upon me have, by deed-poll bearing even date herewith, transferred to the said colony the said islands, for the purpose of their being annexed to, and forming part of, the said colony of Queensland: Now, therefore, I, George Augustus Constantine, Marquis of Normanby, the Governor aforesaid, do hereby declare that I have so transferred the said islands, and that, from and after the date of such transfer, the said islands are to be deemed and taken to be, and are annexed to, and do form part of the colony of Queensland.

Given under my hand and seal at Government House, Brisbane, this 22nd day of August, in the year of Our Lord, 1872, and in the 36th year of Her Majesty's reign.

(L.S.) Normanby, Governor.

By command,
A. H. Palmer.

God save the Queen.
BRITISH ORDER IN COUNCIL, giving effect to the Extradition Act of the Legislature of Queensland. Windsor, March 26, 1878.

At the Court at Windsor, the 26th day of March, 1878.

PRESENT : THE QUEEN'S MOST EXCELLENT MAJESTY,
Lord President, Lord Privy Seal, Duke of Devonshire, Lord Chamberlain, Earl of Derby, Mr. Watson.

WHEREAS by Section 18 of the "The Extradition Act, 1870," it is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas by an Act enacted by the Legislature of Queensland, the short title of which is, "The Extradition Act (Queensland), 1877,"* it is provided that "all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Acts, 1870 and 1873, are thereby vested in and may in the colony be exercised and done by any police magistrate in relation to the surrender of fugitive criminals under the said Acts:"

And whereas it is further provided by the said Act that the said Act shall not come into operation until Her Majesty shall by Order in Council direct that the said Act shall have effect within the colony as if it were part of "The Extradition Act, 1870," but that the said Act shall thereafter come into operation as soon as such Order in Council shall have been publicly made known in the colony.

Now, therefore, Her Majesty, in pursuance of "The Extradition Act, 1870," and in exercise of the power in that behalf in the said Act contained, doth by this present Order, by and with the advice of Her Majesty's Privy Council, direct that the said Act shall have effect in the colony of Queensland, without modification or alteration, as if it were part of "The Extradition Act, 1870."

And the Right Honourable Sir Michael Edward Hicks-Beach, Baronet, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. PEEL.

* No. 2. July 17, 1877.
BRITISH ORDER IN COUNCIL, giving effect to the Extradition Ordinance of the Legislature of Sierra Leone of 1878. Windsor, November 27, 1878.

At the Court at Windsor, the 27th day of November, 1878.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY,
Lord President, Lord Privy Seal, Mr. Secretary Cross.

WHEREAS by Section 18 of "The Extradition Act, 1870," it is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas by an Ordinance enacted by the Legislature of Sierra Leone, the short title of which is "The Extradition Ordinance (Sierra Leone), 1878," it is provided that "all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Acts, 1870 and 1873, are thereby vested in and may in the settlement be exercised and done by any police magistrate or officer acting in his stead, in relation to the surrender of fugitive criminals under the said Acts:"

And whereas it is further provided by the said Ordinance that the said Ordinance shall not come into operation until Her Majesty shall by Order in Council direct that the said Ordinance shall have effect within the settlement as if it were part of "The Extradition Act, 1870," but that the said Ordinance shall thereafter come into operation as soon as such Order in Council shall have been publicly made known in the settlement.

Now, therefore, Her Majesty, in pursuance of "The Extradition Act, 1870," and in exercise of the power in that behalf in the said Act contained, doth by this present Order, by and with the advice of Her Majesty's Privy Council, direct that the said Ordinance shall have effect in the said settlement of Sierra Leone, with no modification or alteration, as if it were part of "The Extradition Act, 1870."

And the Right Honourable Sir Michael Edward Hicks-Beach, Bart., one of Her Majesty's Principal Secretaries of State, will give the necessary directions herein accordingly.

C. L. PEEL.
BRITISH ORDER IN COUNCIL, giving effect to the Extradition Ordinance of the Legislature of St. Lucia. Osborne, January 15, 1878.

At the Court at Osborne House, Isle of Wight, the 15th day of January, 1878.

PRESENT: THE QUEEN’S MOST EXCELLENT MAJESTY,
His Royal Highness the Duke of Connaught and Strathearn, Lord President, Lord John Manners, Mr. Secretary Cross.

Whereas by Section 18 of “The Extradition Act, 1870,” it is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas by an Ordinance enacted by the Legislature of St. Lucia, the short title of which is, “The Extradition Ordinance (St. Lucia), 1877,” it is provided that “all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Acts, 1870 and 1873, are thereby vested in and may in the colony be exercised and done by any stipendiary magistrate in relation to the surrender of fugitive criminals under the said Acts.”

And whereas it is further provided by the said Ordinance that the said Ordinance shall not come into operation until Her Majesty shall by Order in Council direct that the said Ordinance shall have effect within the colony as if it were part of “The Extradition Act, 1870,” but that the said Ordinance shall thereafter come into operation as soon as such Order in Council shall have been publicly made known in the colony.

Now, therefore, Her Majesty, in pursuance of “The Extradition Act, 1870,” and in the exercise of the power in that behalf in the said Act contained, doth by this present Order, by and with the advice of Her Majesty’s Privy Council, direct that the said Ordinance shall have effect in the colony of St. Lucia without modification or alteration, as if it were part of “The Extradition Act, 1870.”

And the Right Honourable the Earl of Carnarvon, one of Her Majesty’s Principal Secretaries of State, is to give the necessary instructions herein accordingly.

C. L. Peel.

* No. 8. March 12, 1877.
BRITISH ORDER IN COUNCIL, giving effect to the Extradition Act of the Legislature of South Australia. Windsor, December 12, 1877.

At the Court at Windsor, the 12th day of December, 1877.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY,
Lord President, Lord Privy Seal, Earl of Derby, Mr. Secretary Cross, Mr. Thesiger.

WHEREAS by Section 18 of "The Extradition Act, 1870," it is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas by an Act enacted by the Legislature of South Australia, the short title of which is "The Extradition Act, 1877," it is provided that "all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Acts, 1870 and 1873, are thereby vested in and may in the colony be exercised and done by any justice of the peace in relation to the surrender of fugitive criminals under the said Acts:"

And whereas it is further provided by the said Act that the said Act shall not come into operation until Her Majesty shall by Order in Council direct that the said Act shall have effect within the colony as if it were part of "The Extradition Act, 1870," but that the said Act shall thereafter come into operation as soon as such Order in Council shall have been publicly made known in the colony.

Now, therefore, Her Majesty, in pursuance of "The Extradition Act, 1870," and in exercise of the power in that behalf in the said Act contained, doth by this present Order, by and with the advice of Her Majesty's Privy Council, direct that the said Act shall have effect in the colony of South Australia, without modification or alteration, as if it were part of "The Extradition Act, 1870."

And the Right Honourable the Earl of Carnarvon, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. PEEL.

ACT of the Governor of the Straits Settlements, to amend the Law for the Naturalization of Aliens.

[No. 8.]

HARRY ST. GEORGE ORD, Governor and Commander-in-Chief.

WHEREAS it is expedient to alter and amend the law relating to the naturalization of Aliens in this colony.
It is hereby enacted by his Excellency the Governor of the Straits Settlements, with the advice and consent of the Legislative Council thereof, as follows:

1. From and after the passing of this Act, the Act of the Legislative Council of India for the naturalization of Aliens, No. 30 of 1852, shall cease to have any operation in this colony.

2. Any person whilst actually residing in the colony, may present a memorial to the Governor in Council, praying that the privileges of naturalization may be conferred upon him.

3. Such memorial shall state to the best of the knowledge and belief of the memorialist, his age, place of birth, place of residence, profession, trade or occupation, the length of time during which he has resided within the colony, that he is permanently settled in the colony, or is residing within the same, with intent to settle therein; and such memorial shall be in writing and signed by the memorialist, and accompanied by an affidavit sworn by him, verifying the truth of the statements contained therein.

4. In considering the prayer of any such memorial, the Governor in Council may require such further information and evidence, either by affidavit or otherwise, as may seem proper, in addition to the affidavit of the applicant accompanying his memorial.

5. If after such enquiry it shall appear expedient, the Governor in Council may grant the prayer of the petitioner's memorial, whereupon he shall be required to appear within 14 days to take the oath of allegiance prescribed by this Act before such person as may be appointed by the Governor for that purpose.

6. When the oath of allegiance shall be so taken, a certificate of naturalization shall be drawn up by the officer who may have administered the oath, setting out such portions of the memorial as may seem material, and stating that the oath of allegiance has been taken, and that all the rights, privileges and capacities of a naturalized British subject have been conferred on the memorialist under this Act, except such rights, privileges and capacities (if any) as may be specially excepted.

7. The certificate of naturalization shall be signed by the Governor and given to the memorialist, but a copy thereof, together with the memorial and all documents, affidavits and evidence annexed thereto, shall be filed in the office of the Colonial Secretary.

8. Upon obtaining such certificate, and taking and subscribing the oath as hereinbefore prescribed, the memorialist shall, within the said colony, be deemed a natural-born subject.

* See India.
of Her Majesty, as if he had been born within the said colony, and shall be entitled, within the said colony, to all the rights, privileges and capacities of a subject of Her Majesty born within the said colony, except such rights, privileges and capacities, if any, as may be specially excepted in such certificate.

9. If the memorialist do not appear and take the oath of allegiance within 14 days from the date of service on him of notice to that effect the grant of naturalization shall ipso facto, be null and void.

10.*

11. Every certificate issued under this Act, and every order cancelling such certificate, shall be published in the Government Gazette of the colony.

12. Such fees shall be payable for the proceedings authorized by this Act, as the Governor in Council may, from time to time direct; and all fees received for such proceedings shall be paid into the Treasury, on account of the general revenues of the colony.

13. This Act may be cited as "The Naturalization Act, 1867."

SCHEDULE.

Oath.

I, A.B., of (here state the description of the person) do swear (or being one of the persons allowed by law to affirm in civil cases, do affirm,) that I will be faithful and bear true allegiance to Her Majesty Queen Victoria.

(Signed) A.B.

Passed this 15th day of May, 1867.

H. F. PLOW, Clerk of Councils.

ORDINANCE of the Governor of the Straits Settlements, to amend the Indian Native Passenger Act, No. 21 of 1858.†

[No. 6.] [August 22, 1870.] HARRY ST. GEORGE ORD, Governor and Commander-in-Chief.

WHEREAS it is expedient to amend the Indian Act No. 21 of 1858, for the regulation of native passenger ships:

It is hereby enacted by His Excellency the Governor of the Straits Settlements, with the advice and consent of the Legislative Council thereof, as follows:

1. The following words shall be read after, and as forming part of, Section 3 of the Indian Act No. 21 of 1858, that is to say:

* Replaced by Ordinance of August 22, 1870. Page 859. † See India.
Nor until the master, together with the owner or charterer of the ship, or in the event of the absence of such owner or charterer, or if the master be the owner or charterer, one other good and sufficient person to be approved of by the master attendant or harbour-master of the port, shall enter into a joint and several bond in the sum of 2,500 dollars to Her Majesty, her heirs and successors, according to the form contained in the schedule.

No master attendant, harbour-master, or other officer shall grant a port clearance for the departure of any such passenger ship from any of the ports of the colony until the certificate of the surveying officer be produced to him.

No fresh certificate for a voyage under the Indian Act No. 21 of 1858 shall be granted for any ship unless the conditions in the bond in the schedule shall have been complied with, and unless the owners or charterers shall produce the certificate therein required to be countersigned by the British Consular Authority at the port of discharge, in the Red Sea or Persian Gulf.

2. A copy of such bond purporting to be certified by the master attendant, or harbour-master of the settlement, where it may have been executed, to be a true copy, may be put in suit at any other settlement in the colony, and shall be deemed to be prima facie evidence of the due execution of the bond by the said master and the other obligor.

3. This Ordinance may be cited as "The Native Passenger Ship Amending Ordinance, 1870."

Passed the Legislative Council this 22nd day of August, 1870.

H. F. Plow, Clerk of Councils.

Schedule.

Form of Bond under the Indian Act No. 21 of 1858.

Know all men by these presents, that we , are held and firmly bound unto Her Majesty , by the Grace of God Queen of the United Kingdom of Great Britain and Ireland, in the sum of dollars, to be paid to Her said Majesty, her heirs and successors, to which payment well and truly to be made, we bind ourselves and every of us jointly and severally, for and in the whole, our heirs, executors, and administrators, and every of them firmly by these presents, sealed with our seals. Dated this day of , 1870.

Whereas by the Indian Act No. 21 of 1858, as amended by Ordinance No. VI of 1870, it is amongst other things enacted that before any native passenger ship shall depart or proceed to sea, the master, together with the owner or charterer of the ship, or in the absence of such owner or charterer, or if the master be the owner or charterer, one other good and sufficient person to be approved of by the master attendant or harbour-master at the port of clearance, shall enter into a bond to Her Majesty, her heirs and successors, in the sum of dollars.

Now the condition of this obligation is such that if the ship , whereof the above bounden is master, bound to , is in all respects seaworthy, and
all and every the requirements of the said Indian Act No. 21 of 1858, and of any Order passed by the Governor relating to native passenger ships under the said Act, and now in force, shall in all respects be well and truly performed, and if, moreover, all penalties which the master of such ship may be adjudged to pay for or in respect of the breach or non-fulfilment of any of such requirements as aforesaid, shall be well and truly paid; and if all expenses incurred by any Governor or British Consular officer, under the provisions of the Indian Act No. 21 of 1858, as amended by this Ordinance, shall also be well and truly paid; and if the said ship shall, on her said passage to a British port in the Peninsula of India, or in Ceylon, or at the port of Aden, and there obtain a certificate from the said marine authorities that the several provisions of the Indian Act No. 21 of 1858, as amended by this Ordinance, have been complied with, which certificate shall be handed to the British Consular authority at the port of discharge for countersignature, then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed, and delivered by the above bounden, and in the presence of

1 hereby certify that the above bond was duly signed, sealed, and delivered, according to the law of the colony, by the said , master of the said ship, and by the said

Master Attendant.
Harbour Master.

Dated , 1870.

ORDINANCE of the Governor of the Straits Settlements, to amend "The Naturalization Act, 1867."

[No. 7.] [August 22, 1870.]
HARRY ST. GEORGE ORD, Governor and Commander-in-Chief.
WHEREAS it is expedient to amend "The Naturalization Act, 1867."

It is hereby enacted by His Excellency the Governor of the Straits Settlements, with the advice and consent of the Legislative Council thereof, as follows:

1. Section 10 of the "Naturalization Act No. 8 of 1867,"* is hereby repealed, and in lieu thereof the following shall be read as Section 10 of the said Act, that is to say:

If any material statement contained in such memorial shall be false, the Governor in Council may, by an order in writing, declare the certificate issued upon such memorial to be null and void to all intents and purposes, and from and after such order, all the rights, privileges, and capacities derived through such certificate, shall cease to exist.

2. This Ordinance may be cited as "The Naturalization Amendment Ordinance, 1870."

Passed the Legislative Council, this 22nd day of August, 1870.

H. F. PLOW, Clerk of Councils.

* See Page 857.
ACT of the British Parliament, to extend the Jurisdiction of Courts of the Colony of the Straits Settlements to certain Crimes and Offences committed out of the Colony.

[37 & 38 Vict., cap. 38.] [July 30, 1874.]

WHEREAS crimes and offences have been and are committed against the persons and property of the inhabitants and others in territories in the neighbourhood of the colony of the Straits Settlements, by subjects of Her Majesty, and by others resident in the said colony, at the time or within a short time before the commission of such crimes and offences, and it is expedient to provide for the trial and punishment of such persons, when found in the said colony, for such crimes and offences:

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. Crimes and offences committed out of the said colony of the Straits Settlements, at any place in the Malayan Peninsula extending southward from the 9th degree of north latitude, or in any island lying within 20 miles from the coast thereof, by any of Her Majesty's subjects, or by any person being a subject of any of the native States in the said peninsula south of the said 9th degree of north latitude, but who is at the time of his committing such crime or offence resident in the said colony, or who has been so resident within 6 months before the commission of such crime or offence, shall be cognizable in the Courts of the said colony exercising criminal jurisdiction, and shall be inquired of, tried, prosecuted, and, upon conviction, punished in such and the same manner as if the crime or offence had been committed within the said colony.

2. Any person known or suspected to have committed a crime or offence within the first section of this Act, may be apprehended in the said colony, and kept in custody therein in like manner as if the same crime or offence had been committed within the colony.

ORDINANCE of the Governor of the Straits Settlements, for the regulation of Passenger Ships.

[No. 6.] [October 5, 1874.]

ANDREW CLARKE, Governor and Commander-in-Chief.

WHEREAS it is expedient to make better provision for the regulation of passenger ships:

It is hereby enacted by the Governor of the Straits Settlements, with the advice and consent of the Legislative Council thereof, as follows:
GREAT BRITAIN (Straits Settlements).

PART I.—General.

1. Every ship arriving at, or departing from, any of the ports of the colony on a voyage from or to any port or place without the colony, and carrying more than 30 passengers, except as provided by Part III, for local passenger ships, shall be deemed to be a passenger ship within the meaning of this Ordinance.

2. Nothing in this Ordinance contained shall be held to apply to any vessel of war, transport, or hired ship in the service of Her Majesty or of any foreign State, nor to any ship under contract to Her Majesty or any such foreign State for the conveyance of public mails.

3. The ships of Native Princes or States in the neighbourhood of the Straits Settlements shall not be entitled to such exemption unless the Native Prince or State shall have been recognised for the purpose by an order of the Governor in Council.

4. No passengers under this Ordinance shall be landed at, or shipped from, any place in the colony other than the 3 ports as defined in “The Harbours Ordinance, 1872,” or such other places as may be prescribed from time to time by the Governor in Council.

5. No open boat in tow of any ship shall be allowed to carry passengers whilst so being towed, except in case of accidents.

6. The harbour-master at any of the ports may, personally or by an officer of his department, duly authorised thereto by the Governor, enter on board any passenger ship and local passenger ship under this Ordinance, and may examine the ship and the accommodation provided for passengers, and may inspect and count the passengers, and may order the detention of any ship in which any of the provisions of this Ordinance, or of any law in force in the colony relating to passenger ships, are infringed, pending adjudication by law thereon; and any person hindering such harbour-master or officer in the execution of the duties herein prescribed, shall be liable to a penalty not exceeding 100 dollars; and the master or owner of any ship so ordered to be detained leaving the port without permission from the harbour-master, who is hereby authorised to refuse a port clearance for such ship, shall be liable to a penalty not exceeding 500 dollars.

7. Passenger ships arriving at a port in the colony and continuing the voyage to another port or ports in the colony, and passenger ships departing from a port in the colony and touching at another port or ports of the colony, shall be subject to the several provisions of this Ordinance, so far as the same may be applicable, during such continued voyage, or during such voyage between, and when at, any of the ports in the colony.
Provided that no fresh survey fee shall be payable in any case where a ship already surveyed at one port in the colony touches at another port in the course of the same voyage.

8. The bonds required by the Ordinance No. 6 of 1870, to be countersigned by the British Consular authority at the port of discharge in the Red Sea or Persian Gulf, may be countersigned by the Consular authority of any civilised Government in amity with Her Majesty the Queen.

Part II.—Accommodation of Passengers.

9. The following conditions as to the accommodation of passengers, whether departing from, or arriving at, the colony in passenger ships, shall be observed:

[Here follow regulations respecting space required.]

Deck Passengers.

10. Deck passengers may be carried under the following conditions, within the limits of the Straits of Malacca, that is to say, from Junk Ceylon to Singapore on the one side, and from Acheen to Anjer on the other side of the said Straits, and from or to any port in the colony to or from any port or place on the north coast of Java.

[Here follows the conditions respecting awnings and space.]

No deck passengers shall be carried on any voyage beyond the limits above set out, unless there be space reserved under deck of not less than 9 superficial and 54 cubical feet for each and every adult passenger, that is to say, every passenger above 12 years of age, and for every two passengers between the age of one and 12 years, to the use of which space the passengers shall be entitled throughout the voyage. Provided always, that it shall be lawful for the Governor in Council, from time to time, to pass Orders in Council permitting passengers to be carried on deck to and from places without the above limits, and to regulate the times during which such passengers may be carried, and the precautions to be taken for their convenience and safety.

Part III.—Local Passenger Ships.

11. Ships plying between the ports of the colony, and to or from any of the ports in the colony from or to any place on the coast of the Malayan Peninsula to the southward of the 9th degree of north latitude, and on the east coast of the Island of Sumatra, carrying more than 10 passengers, or carrying passengers in a proportion greater than one passenger for every 10 tons net register of the ship, are herein called local passenger ships.

It shall be lawful for the Governor in Council, from time to time, to frame rules and orders for regulating the number of
passengers to be carried by such local passenger ships, and the accommodation to be provided for such passengers, and the precautions to be taken for securing their convenience and safety, with reference, in all the above cases, to the nature and probable duration of the contemplated voyage.

12. The master of every such ship on arriving at any port in the settlement shall forthwith deliver to, or cause to be delivered to, the harbour-master, a correct statement of the number of the passengers brought in his ship, signed by himself or by some person authorised by the owners to sign such documents.

**PART V.—Procedure.**

14. All offences under "The Imperial Act," "The Chinese Passenger Ships Act, 1855,"* triable in this colony, and all offences under this Ordinance, may be tried before a Court of quarter sessions or two magistrates.

15. For the purpose of the adjudication of penalties under this Ordinance, any offence shall be deemed to have been committed within the jurisdiction of the Court at the place where the offender is found.

16. The penalties to which masters, owners, or agents of ships are liable by this Ordinance, shall be enforced only by complaint made at the instance of the harbour-master of the port.

17. If the person directed to pay any penalty under this Ordinance is the owner of a ship, or the agent of such owner, and the penalty is not paid at the time and in the manner prescribed by the order of payment, the magistrate may, in addition to the means prescribed by law for enforcing payment, direct by warrant the amount, or the amount remaining unpaid, to be levied by distress, and the sale of the said ship, her tackle, furniture, and apparel, or of so much thereof as may be necessary. Provided always, that if it shall be made to appear to the Court or magistrates before whom a master of a ship has been convicted under this Ordinance, that such master has acted by the orders or with the knowledge or consent of the owner of the ship, or of the agent of such owner, and the penalty is not paid, the same may be recoverable in the manner pointed out in this Ordinance for the recovery of penalties against the owner of a ship.

18. The surveying officer under the Indian Acts 21 of 1858,† and 25 of 1859, and under the Ordinance No. 14 of 1868, at any port within the colony at which any such passenger ship, or local passenger ship, shall touch or arrive, shall report to the harbour-master of the port any particulars which he may deem important, under the provisions of this

Ordinance, respecting the ship and the passengers conveyed therein, who shall forward the same to the officer of the port from which the ship commenced her voyage, and also to the officer at any other port of the colony, where the passengers, or any of them, embarked, or where the ship touched, or is intended to touch at or to go to.

19. In any proceedings for the adjudication of penalties under this Ordinance, a copy of the proceedings of any Court of Justice, or Naval Court, or Consular Court, duly authenticated by the seal of such Court of Justice, or Naval Court, or Consular Court, and any document purporting to be a report of such particulars as are referred to in the last preceding section, and also any copy of any list delivered by the master of any passenger ship under Section 12 of this Ordinance, shall be received in evidence, if the same appears to have been officially transmitted to any officer of Government at any settlement in the colony.

20. For the purpose of penalties under this Ordinance, every person ascertained to have been on board a ship as a passenger at any time since her departure from her last port or place on the voyage to a settlement in the colony, shall be counted as a passenger on the arrival of the ship at the settlement, whether such person shall be on board or not when the ship is examined on such arrival.

21. Magistrates imposing any penalties under this Ordinance may, if they think fit, direct the whole, or any part thereof, to be applied in compensation to any person for any wrong or damage which he may have sustained by or from the act or default in respect of which such penalty is imposed, or in or towards payment of the expenses of the proceedings.

Interpretation.

22. The following words and expressions as used in this Ordinance shall have the meanings herein assigned; that is to say:

The word "ship" shall include every description of vessel used in navigation not propelled by oars.

"Master" shall include every person other than a pilot having command of or charge of a ship.

"Steam vessel" shall mean a steam vessel capable of being propelled by machinery alone at an average speed of at least 5 miles an hour.

"Consul" shall include Consul-General, Consul, Vice-Consul, and Consular Agent.

"Harbour-master" and "harbour-master of the port," shall include the master attendant, harbour-masters, and assistant master attendant and assistant harbour-masters at the several settlements.
ORDINANCE of the Governor of the Straits Settlements, for prohibiting the sale of Arms and Ammunition.

[No. 11.] [November 11, 1875.]

Wm. F. Drummond Jervois, Governor and Commander-in-Chief.

WHEREAS it is expedient to provide powers for the prevention of the sale in this colony of arms and ammunition except under certain restrictions:

It is hereby enacted by the Governor of the Straits Settlements, with the advice and consent of the Legislative Council thereof, as follows:

1. It shall be lawful for the Governor in Council by Proclamation to prohibit, for such period as shall be mentioned in such Proclamation, the purchase or sale of arms and ammunition. Provided, nevertheless, that it shall be lawful for such officer as may be appointed by the Governor for that purpose in each of the settlements to grant licences for the purchase and sale of any arms and ammunition, but such licence shall not authorise any person to purchase or sell any other article or thing than is specified in such licence.

2. Every Proclamation under this Ordinance shall be published in the Government Gazette of the colony, and from and after such publication any person acting in contravention of the terms of the Proclamation, or of any licence issued under this Ordinance, shall, on conviction before a magistrate, be punished with imprisonment for a term which may extend to two years, or with fine which may extend to 5,000 dollars, or with both, and all articles as to which any offence may have been committed within the meaning of this Ordinance shall be seized and forfeited.

3. The word "arms" shall mean and include fire-arms, bayonets, swords, daggers, krisses, spears, and all other similar weapons of offence; and the word "ammunition" shall include percussion caps, as well as gunpowder, and all other materials used for the purpose of discharging fire-arms.
4. This Ordinance shall continue in force for one year from the date of its publication in the Gazette.

5. This Ordinance may be cited as "The Sale of Arms Ordinance, 1875."

Passed this 11th day of November, 1875.

A. KNIGHT, Acting Clerk of Councils.

BRITISH ORDER IN COUNCIL, giving effect to the Extradition Ordinance of the Legislature of the Straits Settlements of 1877.

Windsor, July 11, 1877.

At the Court at Windsor, the 11th day of July, 1877.

PRESENT: THE QUEEN’S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by Section 18 of “The Extradition Act, 1870,” it is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas by an Ordinance, No. 4 of 1877, enacted by the Legislature of the Straits Settlements, the short title of which is “The Extradition Ordinance, 1877,” it is provided that “all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Acts, 1870 and 1873, are thereby vested in and may in the colony be exercised and done by any police magistrate in relation to the surrender of fugitive criminals under the said Acts.”

And whereas it is further provided by the said Ordinance that the said Ordinance shall not come into operation until Her Majesty shall by Order in Council direct that the said Ordinance shall have effect within the colony as if it were part of “The Extradition Act, 1870,” but that the said Ordinance shall thereafter come into operation as soon as such Order in Council shall have been publicly made known in the colony.

Now, therefore, Her Majesty, in pursuance of “The Extradition Act, 1870,” and in exercise of the power in that behalf in the said Act contained, doth by this present Order, by and with the advice of Her Majesty’s Privy Council, direct that the said Ordinance shall have effect in the colony of the Straits Settlements without modification or alteration, as if it were part of “The Extradition Act, 1870.”

And the Right Honourable the Earl of Carnarvon, one of Her Majesty’s Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. PEEL.
BRITISH ORDER IN COUNCIL, giving effect to the Extradition Act of the Legislature of Tasmania of 1877. Osborne, April 18, 1878.

At the Court at Osborne House, Isle of Wight, the 18th day of April, 1878.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY, Lord President, Mr. Chancellor of the Exchequer, Mr. W. H. Smith.

Whereas by Section 18 of “The Extradition Act, 1870,” it is among other things enacted:

[See Vol. 13. Page 1194.]

Whereas by an Act enacted by the Legislature of Tasmania, the short title of which is “The Extradition Act (Tasmania), 1877,” it is provided that “all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Acts, 1870 and 1873, are thereby vested in and may in Tasmania be exercised and done by the police magistrates at Hobart Town and Launceston respectively in relation to the surrender of fugitive criminals under the said Acts.”

And whereas it is further provided by the said Act, that the said Act shall not come into operation until Her Majesty shall by Order in Council direct that the said Act shall have effect within the colony as if it were part of “The Extradition Act, 1870,” but that the said Act shall thereafter come into operation as soon as such Order in Council shall have been publicly made known in the colony.

Now, therefore, Her Majesty, in pursuance of “The Extradition Act, 1870,” and in exercise of the power in that behalf in the said Act contained, doth by this present Order, by and with the advice of Her Majesty’s Privy Council, direct that the said Act shall have effect in the colony of Tasmania, without modification or alteration, as if it were part of “The Extradition Act, 1870.”

And the Right Honourable Sir Michael Edward Hicks-Beach, Bart., one of Her Majesty’s Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. PEEL.

* No. 29. December 11, 1877.
BRITISH ORDER IN COUNCIL, giving effect to the Extradition Ordinance of the Legislature of Trinidad, 1877. Windsor, July 11, 1877.

At the Court at Windsor, the 11th day of July, 1877.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by Section 18 of "The Extradition Act, 1870," it is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas by an Ordinance enacted by the Legislature of Trinidad, the short title of which is "The Extradition Ordinance (Trinidad), 1877," it is provided that "all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Acts, 1870 and 1873, are thereby vested in and may in the colony be exercised and done by any police magistrate in relation to the surrender of fugitive criminals under the said Acts."

And whereas it is further provided by the said Ordinance that the said Ordinance shall not come into operation until Her Majesty shall by Order in Council direct that the said Ordinance shall have effect within the colony as if it were part of "The Extradition Act, 1870," but that the said Ordinance shall thereafter come into operation as soon as such Order in Council shall have been publicly made known in the colony.

Now, therefore, Her Majesty, in pursuance of "The Extradition Act, 1870," and in exercise of the power in that behalf in the said Act contained, doth by this present Order, by and with the advice of Her Majesty's Privy Council, direct that the said Ordinance shall have effect in the colony of Trinidad without modification or alteration, as if it were part of "The Extradition Act, 1870."

And the Right Honourable the Earl of Carnarvon, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. PEEL.
BRITISH ORDER IN COUNCIL, giving effect to the Extradition Act of the Legislature of Victoria of 1877. Windsor, May 16, 1878.

At the Court at Windsor, the 16th day of May, 1878.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY,
Lord President, Lord Chamberlain, Earl of Beaconsfield, Mr. Secretary Cross.

WHEREAS by Section 18 of "The Extradition Act, 1870," it is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas by an Act enacted by the Legislature of Victoria, the short title of which is, "The Extradition Act of Victoria, 1877," it is provided that "all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Acts, 1870 and 1873, are thereby vested in and may in the colony be exercised and done by any police magistrate in relation to the surrender of fugitive criminals under the said Acts."

And whereas it is further provided by the said Act that the said Act shall not come into operation until Her Majesty shall by Order in Council direct that the said Act shall have effect within the colony as if it were part of "The Extradition Act, 1870," but that the said Act shall thereafter come into operation as soon as such Order in Council shall have been publicly made known in the colony.

Now, therefore, Her Majesty, in pursuance of "The Extradition Act, 1870," and in exercise of the power in that behalf in the said Act contained, doth by this present Order, by and with the advice of Her Majesty's Privy Council, direct that the said Act shall have effect in the colony of Victoria, without modification or alteration, as if it were part of "The Extradition Act, 1870."

And the Right Honourable Sir M. E. Hicks-Beach, Bart., one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. PEEL.

* No. 588. December 20, 1877.
BRITISH ORDER IN COUNCIL, giving effect to the Extradition Act of Western Australia of 1877. Osborne, February 4, 1878.

At the Court at Osborne House, Isle of Wight, the 4th day of February, 1878.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY,
The President, Lord Privy Seal, Sir Michael Edward Hicks-Beach, Bart., Sir Thomas Myddleton-Biddulph.

WHEREAS by Section 18 of "The Extradition Act, 1870," it is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas by an Act enacted by the Legislature of Western Australia, the short title of which is, "The Extradition Act Western Australia, 1877," it is provided that "all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Acts, 1870 and 1873, are hereby vested in and may in the colony be exercised and done by any police magistrate in relation to the surrender of fugitive criminals under the said Acts."

And whereas it is further provided by the said Act that the said Act shall not come into operation until Her Majesty shall by Order in Council direct that the said Act shall have effect within the colony as if it were part of "The Extradition Act, 1870," but that the said Act shall thereafter come into operation as soon as such Order in Council shall have been publicly made known in the colony.

Now, therefore, Her Majesty, in pursuance of "The Extradition Act, 1870," and in exercise of the power in that behalf in the said Act contained, doth by this present Order, by and with the advice of Her Majesty's Privy Council, direct that the said Act shall have effect in the colony of Western Australia, without modification or alteration, as if it were part of "The Extradition Act, 1870."

And the Right Honourable Sir Michael Edward Hicks-Beach, Bart., one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. PEEL.

* No. 1. July 25, 1877.
GREAT BRITAIN (Western Pacific Islands). 871

BRITISH ORDER IN COUNCIL, for the Regulation of British Jurisdiction in the Western Pacific Islands (Friendly Islands, Navigators' Islands, Union Islands, Phoenix Islands, Ellice Islands, Gilbert Islands, Marshall Islands or Archipelago, Caroline Islands, Solomon Islands, Santa Cruz Islands, Rotumah Island, part of Island of New Guinea, Islands or Archipelago of New Britain and New Ireland, Louisiade Archipelago, &c.) and the water within 3 miles of every island or place above-mentioned. Osborne, August 13, 1877.

At the Court at Osborne House, Isle of Wight, the 13th day of August, 1877.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

CONTENTS.

Clauses.

<table>
<thead>
<tr>
<th>PART I.—PRELIMINARY.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>1–4. Preliminary</td>
<td>873</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PART II.—EXTENT AND APPLICATION OF ORDER.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>5. Description of Western Pacific</td>
<td>874</td>
</tr>
<tr>
<td>6. Application of Order</td>
<td>875</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PART III.—HIGH COMMISSIONER: COURT.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>7, 8. High Commissioner</td>
<td>875</td>
</tr>
<tr>
<td>9. Judicial Commissioners</td>
<td>875</td>
</tr>
<tr>
<td>10, 11. Deputy Commissioners</td>
<td>875, 876</td>
</tr>
<tr>
<td>12, 13. High Commissioners's Court</td>
<td>876</td>
</tr>
<tr>
<td>14. Assessors</td>
<td>876</td>
</tr>
<tr>
<td>15. Officers</td>
<td>876</td>
</tr>
<tr>
<td>16. Seal</td>
<td>876</td>
</tr>
<tr>
<td>17–22. Jurisdiction</td>
<td>876, 877</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PART IV.—CRIMINAL MATTERS.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>23. Criminal Law in England</td>
<td>877</td>
</tr>
<tr>
<td>24. Offences against Treaties</td>
<td>878</td>
</tr>
<tr>
<td>25. Orders of Prohibition and Removal</td>
<td>878</td>
</tr>
<tr>
<td>26. Depositions (Deportation)</td>
<td>879, 880</td>
</tr>
<tr>
<td>27. Extent of Punishment</td>
<td>881</td>
</tr>
<tr>
<td>28. Mode of Trial</td>
<td>881</td>
</tr>
<tr>
<td>29, 30. Time of Examination and Trial</td>
<td>881, 882</td>
</tr>
<tr>
<td>31–35. Interrogation of Accused</td>
<td>883, 884</td>
</tr>
<tr>
<td>36. Remand</td>
<td>884</td>
</tr>
<tr>
<td>37. Bail</td>
<td>884</td>
</tr>
<tr>
<td>38–41. Conviction for minor or other Offences than those charged</td>
<td>883, 884</td>
</tr>
<tr>
<td>42. Hard Labour</td>
<td>884</td>
</tr>
<tr>
<td>43. Damages for Assault</td>
<td>884</td>
</tr>
<tr>
<td>44. Order for Expenses</td>
<td>884</td>
</tr>
<tr>
<td>45, 46. Manner and Place of Punishment</td>
<td>885</td>
</tr>
<tr>
<td>47. Confirmation of Sentence</td>
<td>885</td>
</tr>
<tr>
<td>48. Remission of Punishment and Pardon</td>
<td>886</td>
</tr>
<tr>
<td>49. Reports of Criminal Cases to Secretary of State</td>
<td>886</td>
</tr>
<tr>
<td>50. Backing of Warrants</td>
<td>886</td>
</tr>
<tr>
<td>51–53. Trial out of Western Pacific</td>
<td>887</td>
</tr>
<tr>
<td>54, 55. Appeal to Supreme Court</td>
<td>887, 888</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>PART V.—CIVIL MATTERS.</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>56. Power to refuse Civil Case</td>
<td>889</td>
</tr>
<tr>
<td>57. Proceeding by Action</td>
<td>889</td>
</tr>
<tr>
<td>Clauses</td>
<td>Page</td>
</tr>
<tr>
<td>------------------------------------------------------------------------</td>
<td>------</td>
</tr>
<tr>
<td>58. Summary nature of Procedure</td>
<td>889</td>
</tr>
<tr>
<td>59. Writ of Summons</td>
<td>889</td>
</tr>
<tr>
<td>60. Cause Book</td>
<td>889</td>
</tr>
<tr>
<td>61. Duration of Writ</td>
<td>890</td>
</tr>
<tr>
<td>62. Dismissal for failure to proceed</td>
<td>890</td>
</tr>
<tr>
<td>63. Appearance</td>
<td>890</td>
</tr>
<tr>
<td>64. Further Particulars of Claim</td>
<td>890</td>
</tr>
<tr>
<td>65. Written Statements</td>
<td>890</td>
</tr>
<tr>
<td>66. Evidence</td>
<td>890</td>
</tr>
<tr>
<td>67. Hearing with Assessors</td>
<td>890</td>
</tr>
<tr>
<td>68-72. Orders</td>
<td>891</td>
</tr>
<tr>
<td>73-80. Order for payment of Money</td>
<td>891-893</td>
</tr>
<tr>
<td>81, 82. Order other than for payment of Money</td>
<td>893</td>
</tr>
<tr>
<td>83, 84. Injunctions and Orders before Action</td>
<td>893, 894</td>
</tr>
<tr>
<td>85. Plaintiff out of particular District</td>
<td>894</td>
</tr>
<tr>
<td>86. Absconding Defendant</td>
<td>894</td>
</tr>
<tr>
<td>87. Removal of Property by Defendant</td>
<td>895</td>
</tr>
<tr>
<td>88. Arrest of Vessel</td>
<td>895</td>
</tr>
<tr>
<td>89. Compensation to Defendant</td>
<td>895</td>
</tr>
<tr>
<td>90. Admiralty</td>
<td>895</td>
</tr>
<tr>
<td>91. Bankruptcy</td>
<td>895</td>
</tr>
<tr>
<td>92. Lunacy</td>
<td>896</td>
</tr>
<tr>
<td>93. Matrimonial Causes</td>
<td>896</td>
</tr>
<tr>
<td>94. Probate</td>
<td>896</td>
</tr>
<tr>
<td>95-103. Proceedings on Death</td>
<td>897, 898</td>
</tr>
<tr>
<td>104, 105. Administration of Property</td>
<td>898, 899</td>
</tr>
<tr>
<td>106. Case for Supreme Court</td>
<td>899</td>
</tr>
<tr>
<td>107, 108. Re-hearing</td>
<td>899</td>
</tr>
<tr>
<td>109-122. Appeal to Supreme Court of Fiji</td>
<td>900-902</td>
</tr>
<tr>
<td>123. Rules for Appeal</td>
<td>902</td>
</tr>
<tr>
<td>124. Appeal to the Queen in Council</td>
<td>902</td>
</tr>
<tr>
<td>125-130. Assessors</td>
<td>902, 903</td>
</tr>
<tr>
<td>131, 132. Arbitration</td>
<td>903, 904</td>
</tr>
<tr>
<td>133, 134. Reconciliation</td>
<td>904</td>
</tr>
<tr>
<td>135. Seals</td>
<td>904</td>
</tr>
<tr>
<td>136. Minutes of Proceedings</td>
<td>904</td>
</tr>
<tr>
<td>137. Obstruction or Disturbance of Court</td>
<td>904</td>
</tr>
<tr>
<td>138, 139. Misconduct of Officers of Court</td>
<td>905</td>
</tr>
<tr>
<td>140, 141. Fees and other Money</td>
<td>906</td>
</tr>
<tr>
<td>142-144. Witnesses</td>
<td>906, 907</td>
</tr>
<tr>
<td>145-149. Foreigners</td>
<td>907, 908</td>
</tr>
<tr>
<td>150. Foreign Tribunals</td>
<td>908</td>
</tr>
<tr>
<td>151. Procedure—Schedule</td>
<td>908</td>
</tr>
<tr>
<td>152. Rules of High Commissioner</td>
<td>908</td>
</tr>
<tr>
<td>153. Fees of Court</td>
<td>909</td>
</tr>
<tr>
<td>154. Report of Rules</td>
<td>909</td>
</tr>
<tr>
<td>155. Limitation of Proceedings</td>
<td>909</td>
</tr>
<tr>
<td>156. Exhibition and Sale of Copies of Order</td>
<td>909</td>
</tr>
</tbody>
</table>

**Part VI.— General.**

WHEREAS Her Majesty the Queen has power and jurisdiction within some islands and places in the Western Pacific Ocean, particularly described in this Order, and therein collectively referred to as the Western Pacific Islands, the same not being within Her Majesty's dominions, and not being within the jurisdiction of any civilised Power:

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by the Pacific Islanders Protection
Acts, 1872* and 1875,† and by the Foreign Jurisdiction Acts, 1843 to 1875, or otherwise, in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

**PART I.—PRELIMINARY.**

1. This Order may be cited as “The Western Pacific Order in Council of 1877.”

2. This Order is divided into parts, as follows:
   - Part I.—Preliminary.
   - Part II.—Extent and application of Order.
   - Part III.—High Commissioner: Court.
   - Part IV.—Criminal matters.
   - Part V.—Civil matters.
   - Part VI.—General.

3. This Order shall, except as otherwise expressed, commence and have effect on a day fixed by Proclamation, under the hand of the Governor of Fiji, or of the officer for the time being administering the Government of Fiji, and published in the “Royal Gazette” of Fiji.

4. In this Order—
   - (1.) “The Secretary of State” means one of Her Majesty’s Principal Secretaries of State;
   - (2.) “The Supreme Court” means the Supreme Court of Fiji;
   - (3.) “The Chief Justice of Fiji” means the Chief Justice for the time being of the Supreme Court;
   - (4.) “British Subject” means a subject of Her Majesty by birth or by naturalization;
   - (5.) “Resident” means having a fixed place of abode in one of the islands and places to which this Order extends and applies;
   - (6.) “Foreigner” means a subject or citizen of a State in amity with Her Majesty;
   - (7.) “Treaty” includes Convention, and Agreement in the nature of a Treaty or Convention, and every other engagement or instrument of a political character, together with every instrument annexed thereto or agreed to in pursuance thereof;
   - (8.) “Offence” includes crime, and any act punishable criminally, in a summary way or otherwise;
   - (9.) “Prosecutor” means complainant or any person appointed or allowed by the Court to prosecute;
   - (10.) “Month” means calendar month;
   - (11.) “Pounds” means pounds sterling;
   - (12.) “Will” means will, codicil, and other testamentary instrument;
   - (13.) “Office copy” means a copy, either made under direc-
tion of the Court, or produced to the proper officer of the Court for examination with the original, and examined by him therewith, and in either case sealed with the seal of the Court, as evidence of correctness;

(14.) "Oath and affidavit," and words referring thereto, or to swearing, may be construed to include affirmation and declaration, and to refer thereto, or to the making of an affirmation or declaration, where an affirmation or declaration is admissible in lieu of an oath or affidavit;

(15.) "Proved" means shown by evidence on oath, in the form of affidavit, or other form, to the satisfaction of the Court, or of the member or officer thereof acting or having jurisdiction in the matter;

(16.) "Proof" means the evidence adduced in that behalf;

(17.) "Person" includes corporation;

(18.) Words importing the plural or the singular may be construed as referring to one person or thing, or to more than one person or thing, and words importing the masculine as referring to females (as the case may require).

PART II.—EXTENT AND APPLICATION OF ORDER.

5. The islands and places in the Western Pacific Ocean to which this Order extends and applies, and which are in this Order collectively referred to as the Western Pacific Islands, are the following, namely:

(1.) The groups of islands known as—
   The Friendly Islands.
   The Navigators' Islands.
   The Union Islands.
   The Phoenix Islands.
   The Ellice Islands.
   The Gilbert Islands.
   The Marshall Islands or Archipelago.
   The Caroline Islands.
   The Solomon Islands.
   The Santa Cruz Islands.

(2.) The Island of Rotumah.

(3.) The part of the Island of New Guinea eastward of the 143rd meridian of longitude.

(4.) The Islands or Archipelago of New Britain and New Ireland.

(5.) The Louisiade Archipelago.

(6.) All other islands in the Western Pacific Ocean not being within the limits of the colonies of Fiji, Queensland, or New South Wales, and not being within the jurisdiction of any civilised Power.

(7.) The waters within 3 miles of every island or place aforesaid.
6. This Order applies to—
   (1.) All British subjects for the time being within the Western Pacific Islands, whether resident or not.
   (2.) All British vessels for the time being within the waters mentioned in Article 5 of this Order.
   (3.) Foreigners, in the cases, and according to the conditions in this Order specified, but not otherwise.

PART III.—HIGH COMMISSIONER: COURT.

7. There is hereby created and constituted, from the date of this Order, the office of High Commissioner in, over, and for the Western Pacific Islands; and the person for the time being filling that office shall be styled Her Britannic Majesty's High Commissioner for the Western Pacific (and is in this Order referred to as the High Commissioner).

8. The High Commissioner shall have an official seal bearing the style of his office and such device as the Secretary of State from time to time approves.

9. The Chief Justice of Fiji, and every other judge, for the time being, of the Supreme Court, shall be, by virtue of his office, a Judicial Commissioner for the Western Pacific (and is in this Order referred to as a Judicial Commissioner).

   (2.) Where, in the opinion of the High Commissioner, the attendance of the Chief Justice, or of another Judge of the Supreme Court, to discharge the duty of a Judicial Commissioner is impracticable, or would be inconvenient, then, and in every such case, from time to time, the High Commissioner may, in the name and on behalf of Her Majesty, by writing under his hand and official seal, appoint a person of legal knowledge and experience to be a Judicial Commissioner for the Western Pacific, for particular purposes, or for a particular time, as to the High Commissioner in each case appears expedient (and every person so appointed is in this Order referred to as a Judicial Commissioner).

   (3.) Each Judicial Commissioner shall, for the purposes of so much of Section 6 of the Pacific Islanders Protection Act of 1875,* as relates to Deputy Commissioners, be deemed to be, and shall, by virtue of this Order, be a Deputy Commissioner duly appointed and empowered under the provisions of this Order, and acting under the directions of the High Commissioner.

   (4.) A Judicial Commissioner shall not be deemed to be a Deputy Commissioner within any other Article of this Order.

10. There shall be Deputies of the High Commissioner, each of whom shall be styled one of Her Britannic Majesty's Deputy Commissioners for the Western Pacific (and is in this Order referred to as a Deputy Commissioner).

   (2.) Every Deputy Commissioner shall be appointed, in the

* See Pacific Islands.
name and on behalf of Her Majesty, by the High Commissioner, by writing under his hand and official seal.

(3). There shall be as many Deputy Commissioners as the Secretary of State from time to time thinks fit.

11. A Deputy Commissioner shall be liable to be suspended or removed from office by the High Commissioner by an instrument in writing, under his hand and official seal, stating the grounds of suspension or removal; and the same shall be reported forthwith to the Secretary of State.

(2.) The appointment of a Deputy Commissioner shall not be affected by any vacancy or change in the office of High Commissioner.

12. There shall be a Court styled Her Britannic Majesty's High Commissioner's Court for the Western Pacific (in this Order referred to as the High Commissioner's Court).

13. The members of the High Commissioner's Court shall be the High Commissioner, the Judicial Commissioners, and the Deputy Commissioners.

14. An assessor, under this Order, shall be a competent and impartial British subject, of good repute, nominated and summoned by the High Commissioner's Court to act as assessor therein.

(2.) An assessor shall not have any voice in the decision of the Court in any case, criminal or civil.

(3.) But an assessor dissenting, in a criminal case, from any decision of the Court or from the sentence, or dissenting, in a civil case, from any decision of the Court, may record in the minutes of proceedings his dissent, and the grounds thereof.

(4.) An assessor dissenting shall be entitled to receive, without payment, a certified copy of the minutes.

15. Subject to the directions of the Secretary of State, the High Commissioner may from time to time appoint such and so many persons to be registrars, clerks, bailiffs, interpreters, and other officers of the High Commissioner's Court, and prescribe their duties, as he thinks fit, and, subject as aforesaid, may remove from office any person so appointed.

(2.) Any registrar of the Court, and any other officer of the Court designated in this behalf by the High Commissioner, shall have power to administer oaths and take affidavits, declarations, and affirmations.

16. The High Commissioner's Court shall have a seal bearing the style of the Court and such device as the Secretary of State from time to time approves.

17. All Her Majesty's jurisdiction, exercisable in the Western Pacific Islands in criminal and civil matters, shall, subject and according to the provisions of this Order, be vested in and exercised by the High Commissioner's Court.

18. The whole jurisdiction and authority of the High Com-
missioner's Court may, subject and according to the provisions of this Order, be exercised by the High Commissioner or by a Judicial Commissioner, while he (the High Commissioner or Judicial Commissioner) is either in the Western Pacific or in Fiji.

19. The whole or any part of the jurisdiction and authority of the High Commissioner's Court, for or in respect of any district or part of the Western Pacific Islands, may, subject and according to the provisions of this Order, be exercised by a deputy commissioner, being authorised by the terms of his appointment to act for and in respect of that district or part, and being within that district or part.

(2.) The term "the district," or "the particular district," in this Order means the particular district or part for and in respect of which a deputy commissioner is so authorised to act, and in which the proceeding in question is pending or is intended to be taken.

20. Each member of the High Commissioner's Court exercising, for the time being, the jurisdiction and authority thereof in conformity with this Order shall, for the purposes of this Order, be deemed to form the High Commissioner's Court.

(2.) The term "the Court" in this Order includes and applies to every member so exercising jurisdiction or authority.

21. Where a British subject charged with an offence committed on the sea, or in any haven, river, creek, or place within the jurisdiction of the Admiralty, is found or brought within the Western Pacific Islands, the Court shall have power to take cognizance of the offence.

(2.) The Court shall have the like jurisdiction and authority, and the like proceedings shall, subject and according to the limitation expressed in Article 31, be had, in respect of the charge, as if the charge were for an offence committed within the Western Pacific Islands.

22. Subject to the other provisions of this Order, Her Majesty's criminal and civil jurisdiction exercisable in the Western Pacific Islands shall, as far as circumstances admit, be exercised on the principles of and in conformity with the statute and other law for the time being in force in and for England, and with the powers vested in and according to the course of procedure and practice observed by and before the Courts of Justice and justices of the peace in England, according to their respective jurisdiction and authorities.

PART IV.—CRIMINAL MATTERS.

23. Except as regards acts declared by this Order to be offences against this Order, any act that would not by a Court having criminal jurisdiction in England be deemed an offence, making the person doing the act amenable to punishment in England, shall not, in the exercise of criminal jurisdiction under
this Order, be deemed an offence, making the person doing the
act amenable to punishment.

24. The High Commissioner shall, by virtue of this Order,
have power and authority to make, from time to time, in the
name and on behalf of Her Majesty, by writing under his hand
and official seal, such regulations as to him seem fit for the
government of British subjects, by enforcing the observance by
them of the stipulations of any Treaty between Her Majesty
and any King, Chief, or other authority in the Western Pacific
Islands, and for securing the maintenance (as far as regards the
conduct of British subjects) of friendly relations between British
subjects and those authorities and persons subject to them.

(2.) The regulations may define offences against the same;
and acts thereby defined to be offences are hereby declared to
be offences against this Order; and the regulations may impose
a punishment for any such offence, as follows:

(i.) Imprisonment for any term not exceeding 3 months,
with or without hard labour, and with or without a money
penalty not exceeding 10l.; or,

(ii.) A money penalty alone, not exceeding 10l., without
any imprisonment; and

(iii.) In case of a continuing offence,—in addition to any
such punishment by imprisonment or a money penalty, or both,
as aforesaid,—a money penalty, not exceeding in any case 10l.
for each day during which the offence continues after the day
of the commission of the original offence.

(3.) The regulations shall be so framed as in every case to
allow of part only of the maximum punishment being adjudged.

(4.) The regulations shall be published in the “Royal
Gazette of Fiji;” and they shall be printed, and a printed copy
thereof shall be affixed, and at all times kept exhibited con-
spicuously, at each Court-house.

(5.) Printed copies shall be sold at such prices as the High
Commissioner directs.

(6.) Until regulations have been so affixed, and have been
for one month kept so exhibited, at the Court-house of a dis-
trict, no act done in that district shall be deemed to be an
offence against the regulations.

(7.) For the purpose of a prosecution, and for all other
purposes, a copy of the “Royal Gazette of Fiji,” publishing
such regulations, or a printed copy of an instrument purport-
ing to be such regulations, that copy purporting to be certified
as a true copy under the hand and official seal of the High
Commissioner, shall be conclusive evidence of the regulations.

25. Where it is shown by evidence on oath, to the satisfac-
tion of the High Commissioner, that any British subject is dis-
affected to Her Majesty's Government, or has committed or is
about to commit an offence against the Pacific Islanders'
Protection Acts, 1872* and 1875,† or is otherwise dangerous to
the peace and good order of the Western Pacific Islands, the
High Commissioner may, if he thinks fit, by order under his
hand and official seal, prohibit that person from being in the
Western Pacific Islands, within the limits specified in the order,
during any time therein specified, not exceeding two years.

(2.) If the person named in the order of prohibition fails to
obey, or acts in contravention of the order—

(i.) He shall be guilty of an offence against this Order, and,
on conviction thereof, shall be liable to imprisonment for any
time not exceeding two years, without prejudice to the opera-
tion of the order of prohibition;

(ii.) Whether the offender has been convicted of, or im-
prisoned for, that offence or not, the High Commissioner may, if
he thinks fit, by order under his hand and official seal, authorise
and direct that he may be taken into custody, and be removed
in custody to some place named in the order of removal, being a
place in the Western Pacific Islands, beyond the limits specified
in the order of prohibition;

(iii.) The offender shall be taken into custody and removed
accordingly; and in such removal force may be used, if neces-
sary; and he shall be discharged from custody at the place
named in the order of removal.

(3.) An appeal shall not lie under this Order against an
order of prohibition or removal.

(4.) The High Commissioner, by order under his hand and
official seal, may, from time to time, vary any order of pro-
hibition (not extending the duration thereof), and may revoke
any order of prohibition or removal.

(5.) The High Commissioner shall forthwith report to the
Secretary of State every order made by him under this Article,
and the grounds thereof, and the proceedings thereunder.

26. (i.) Where it is proved that there is reasonable ground
to apprehend that a British subject is about to commit a breach
of the public peace, or is about to commit an offence against
the Pacific Islanders' Protection Acts, 1872 and 1875, or
that the acts or conduct of a British subject are or is likely to
produce or excite to a breach of the public peace, the Court
may, if it thinks fit, for reasons recorded in the minutes, cause
him to be brought before it, and require him to give security to
the satisfaction of the Court to keep the peace, or for his future
good behaviour, as the case may require;

(ii.) Where a British subject is convicted of an offence
before the Court, the Court may, if it thinks fit, require him to
give security to the satisfaction of the Court for his future good
behaviour, and for that purpose may (if need be) cause him to
be brought before the Court:

In either of these cases, if the person required to give security fails to do so, the Court may, if it thinks fit, order that he be deported from the Western Pacific Islands to a place named in the order.

(2.) The place shall be either in Fiji, or in some other part of Her Majesty's dominions out of the United Kingdom, the Government whereof have consented to the reception therein of persons deported under this Order.

(3.) A judicial commissioner or deputy commissioner making an order of deportation shall forthwith report to the High Commissioner the order, and the grounds thereof; and the order shall not be carried into execution without the direction of the High Commissioner, by writing under his hand and official seal.

(4.) The person to be deported shall be detained in custody until a fit opportunity for his deportation occurs.

(5.) He shall, as soon as is practicable,—and in the case of a person convicted, either after execution of the sentence, or while it is in course of execution, be embarked in custody, under the warrant of the High Commissioner, on board one of Her Majesty's vessels of war, or, if there is no such vessel available, then on board any British or other fit vessel bound to the place of deportation.

(6.) The warrant shall be sufficient authority to the commander or master of the vessel to receive and detain the person therein named, and to carry him to and deliver him up at the place named, according to the warrant.

(7.) The Court may order the person to be deported to pay all or any part of the expenses of his deportation. Subject thereto, the expenses of deportation shall be defrayed as the expenses relating to distressed British subjects are defrayed, or in such other manner as the Secretary of State from time to time directs.

(8.) The High Commissioner shall forthwith report to the Secretary of State every order of deportation made under this Order, and the grounds thereof and the proceedings thereunder.

(9.) An appeal shall not lie under this Order against an order of deportation.

(10.) If any person deported under this Order returns to the Western Pacific Islands without permission in writing of the Secretary of State (which permission the Secretary of State may give), he shall be deemed guilty of an offence against this Order, and shall for every such offence be liable to imprisonment for any term not exceeding one month, with or without hard labour, and with or without a money penalty not exceeding 10l., or to a money penalty not exceed 20l. alone.

(11.) He shall also be liable to be forthwith again deported under the original Order, and a fresh warrant of the High Commissioner.
27. The Court, by a judicial commissioner, shall (subject and without prejudice to the other provisions of this Order) have power to adjudge any such punishment as any Court of criminal jurisdiction in England has for the time being power to adjudge.

(2.) The Court, by the High Commissioner or a deputy commissioner, shall (subject and without prejudice to the other provisions of this Order) have power to adjudge punishment as follows, but not further or otherwise, namely:

(i.) Imprisonment for any term not exceeding 12 months, with or without hard labour, and with or without a money penalty not exceeding 50L; or
(ii.) A money penalty not exceeding 50L, without any imprisonment; and
(iii.) In case of a continuing offence,—in addition to any such punishment by imprisonment or a money penalty, or both, as aforesaid,—a money penalty not exceeding in any case 1L. for each day during which the offence continues after the day of the commission of the original offence.

28. Where the offence charged is treason or murder, the charge shall be triable by a judicial commissioner, with assessors, and not otherwise; and the presence of at least two assessors throughout the trial shall be indispensable.

(2.) In each of the following other cases, namely:

(i.) Where the offence charged is manslaughter, or assault endangering life, or arson, or housebreaking;
(ii.) Where it appears to the Court, at any time before the trial, that the offence charged, if proved, would not be adequately punished by a sentence either of imprisonment for 3 months, with hard labour, or of a money penalty of 20L; the charge shall be triable with assessors, and not otherwise.

(3.) Where this Order does not make a charge triable with assessors, it shall be triable by summary trial, without assessors.

(4.) Where a charge is tried by summary trial, without assessors, the punishment adjudged shall not exceed that specified in this Article.

29. Where a person, subject to the criminal jurisdiction of the Court, is charged with an offence on summons or warrant issuing out of the Court, he shall be brought before the Court within 48 hours after service of the summons or execution of the warrant, unless in any case circumstances unavoidably prevent his being brought before the Court within that period, which circumstances shall be recorded in the minutes.

(2.) In every case, he shall be brought before the Court as soon after the expiration of that period as circumstances reasonably admit, and the time and circumstances shall be recorded in the minutes.
30. Where the accused is ordered to be tried before the Court, with assessors, he shall be tried as soon after the making of the order as circumstances reasonably admit.

(2.) As long notice of the time of trial as circumstances reasonably admit shall be given to him in writing, under the seal of the Court, which notice shall be recorded in the minutes.

31. At the trial of an accused person, either by summary trial, or otherwise, on a charge for an offence committed within the Western Pacific Islands, and not within the jurisdiction of the Admiralty, the Court may, if it thinks fit, from time to time, at any stage of the proceedings, without previously warning the accused, put such questions to him as the Court thinks necessary or proper for arriving at the truth respecting the charge, and his answers shall be evidence on the charge.

(2.) No oath shall be administered to the accused.

(3.) No question shall be put to him except by the Court.

(4.) No question shall be put to him, and no answer shall be received from him, other than questions and answers bearing immediately on the charge.

(5.) A question shall not be put to him, and an answer shall not be received from him, prejudicially affecting, or likely to prejudicially affect, any person other than the parties to the charge.

(6.) The interrogation of the accused by the Court shall not be regarded by the Court as in the nature of a cross-examination, but shall be conducted so as to allow of the accused making a full statement of what he desires to be taken as the truth of the matter.

(7.) If the accused refuses to answer, or answers falsely any question put to him by the Court, he shall not be liable criminally for so doing, but the Court may draw therefrom such inference as it thinks just.

32. No influence by promise or threat or otherwise shall be used to the accused to induce him to answer any question or to make any statement.

33. The provisions of Articles 31 and 32 shall extend and apply to a preliminary examination, where the trial is to be before the Court.

34. In case of a preliminary examination, the whole interrogation of the accused by the Court, including every question put to him and every answer received from him, shall be recorded in full, and shall be read over to him; and he shall be at liberty to explain or add to his answers or statements.

(2.) When the whole has been made conformable to what the accused declares to be the truth, he shall sign it, if he will.

(3.) In every case the deputy commissioner shall certify it under his hand and the seal of the Court.
(4.) It shall be brought before the Court and shall be evidence on the trial.

35. The provisions of Articles 31, 32, and 34, shall extend and apply to trials, preliminary examinations, and other proceedings under this Order in the Supreme Court, either original or on appeal.

36. Where an accused person is in custody, he shall not be remanded at any time for more than 7 days, unless circumstances appear to the Court to make it necessary or proper that he should be remanded for a longer time, which circumstances, and the time of remand, shall be recorded in the minutes.

(2.) In no case shall a remand be for more than 14 days at one time.

37. Every accused person may be admitted by the Court to bail at any stage of the proceedings.

(2.) Where the offence charged is treason or murder, the High Commissioner or a judicial commissioner shall alone have power to admit to bail.

(3.) Where the offence charged is one of the following, it shall be in the discretion of the Court to admit the accused to bail or not, according to the circumstances,—namely:
- Felony (not being murder);
- Assault with intent to commit felony;
- Attempt to commit felony;
- Perjury or subornation of perjury;
- Riot;
- Assault on a constable or officer of the Court in the execution of his duty, or on any person acting in his aid;
- Neglect or breach of duty as a constable or officer of the Court.

(4.) In all other cases the Court shall admit the accused to bail, unless in any instance the Court, having regard to the circumstances, sees good reason to the contrary, which reason shall be recorded in the minutes.

(5.) The High Commissioner or a judicial commissioner may, if he thinks fit, admit to bail a person charged before a deputy commissioner with any offence, although the deputy commissioner, in the exercise of his discretion, has not thought fit to admit the accused to bail.

38. If, on a trial, the Court is of opinion that the accused attempted to commit the offence with which he is charged, but did not complete it, he shall not be therefore acquitted, but the Court may find him guilty of the attempt, and may adjudge him to be punished as if he had been charged with the attempt.

(2.) He shall not be liable to be prosecuted for the attempt.

39. If, on the trial of a person charged with robbery, the Court is of opinion that the accused committed an assault with
intent to rob, but did not commit robbery, he shall not be there-
fore acquitted, but the Court may find him guilty of the assault,
and may adjudge him to be punished as if he had been charged
with the assault.

(2.) He shall not be liable to be prosecuted for the assault.

40. If, on a trial for misdemeanour, the facts proved amount
to a felony, the accused shall not be therefore acquitted of the
misdemeanour.

(2.) He shall not be liable to be afterwards prosecuted for
felony on the same facts, unless the Court thinks fit to abstain
from giving any decision on the charge of misdemeanour, and
to direct him to be prosecuted for felony, whereupon he may
be dealt with as if he had not previously been charged with
misdemeanour.

41. If on a trial for any of the following offences, namely,—
burglary, or stealing in a dwelling-house, or breaking and
entering and stealing in a shop, warehouse, or counting-house,
or a building within the curtilage of a dwelling-house, the facts
proved authorise a conviction for one of those offences, not
being the offence charged, the Court may find the accused
guilty of that other offence, and may adjudge him to be
punished, as if he had been charged with that other offence.

(2.) He shall not be liable to be afterwards prosecuted for
that other offence.

42. Where a person is convicted before the Court of any of
the following offences, namely:

Any cheat or fraud punishable at common law;
Any conspiracy to cheat or defraud, or to extort money or
goods, or falsely to accuse of any crime, or to obstruct, pervert,
or defeat the course of public justice;
Any escape or rescue from lawful custody on a criminal
charge;
Any public and indecent exposure of the person;
Any public selling, or exposing for public sale, or to public
view, of any obscene book, print, picture, or other indecent
exhibition;
the Court may, if it thinks fit, adjudge that the offender,
besides being imprisoned for any term authorised by law, be
kept to hard labour during the whole or any part of the term.

43. The Court may, if it thinks fit, order a person convicted
of an assault to pay to the person assaulted, by way of
damages, any sum not exceeding 10l.

(2.) Damages so ordered to be paid may be either in
addition to or in lieu of a money penalty, and shall be recover-
able in like manner as a money penalty.

(3.) The person convicted shall not be liable to an action for
the assault.

44. The Court may, if it thinks fit, order a person convicted
before it to pay all or any specified part of the expenses of his prosecution, or of his imprisonment or other punishment, or of both.

(2.) Where it appears to the Court that a charge is malicious, or frivolous and vexatious, the Court may, if it thinks fit, order the person making the charge to pay all or any specified part of the expenses of the prosecution.

(3.) In these respective cases the Court may, if it thinks fit, order that the whole, or such portion as the Court thinks fit, of the expenses so paid be paid over to the person injured or to the accused (as the case may be).

(4.) In all cases the reasons of the Court for making any such order or for refusing it, if applied for, shall be recorded in the minutes.

45. The High Commissioner may from time to time, by general order under his hand and official seal, prescribe the manner in which, and the places within the Western Pacific Islands at which, sentences of imprisonment are to be carried into execution.

(2.) The High Commissioner may, if he thinks fit, in any case, by warrant under his hand and official seal, cause an offender convicted before the Court and sentenced to imprisonment, to be sent to and imprisoned in any place in the Western Pacific Islands.

(3.) The warrant shall be sufficient authority to any person to whom it is directed or delivered for execution to receive and detain the person therein named, and to carry him to and deliver him up at the place named, according to the warrant.

46. Where an offender convicted before the Court is sentenced to imprisonment, and it appears to the High Commissioner expedient that the sentence be carried into effect within Her Majesty's dominions, the offender may (under Section 5 of "The Foreign Jurisdiction Act, 1843,"*) be sent for imprisonment to a place in Her Majesty's dominions.

(2.) The place shall be either Fiji, or some other part of Her Majesty's dominions out of the United Kingdom, the Government whereof have consented that offenders may be sent thither under this Article.

(3.) The High Commissioner may, by warrant under his hand and official seal, cause the offender to be sent to the place named in the warrant, in order that the sentence may be there carried into effect accordingly.

(4.) The warrant shall be sufficient authority to any person to whom it is directed or delivered for execution to receive and detain the person therein named, and to carry him to and deliver him up at the place named; according to the warrant.

47. Each judicial commissioner and deputy commissioner shall forthwith send to the High Commissioner, in such form as

* See Vol. 6. Page 500.
the High Commissioner from time to time directs, a report of
the sentence of the Court in every case tried before the judicial
commissioner or deputy commissioner, with an abstract of the
minutes and notes of evidence, and with any observations
which he thinks fit to make.

(2.) Where the sentence imposes a punishment of a money
penalty of 50l., or of one year's imprisonment, or any severer
punishment, the sentence shall not be carried into execution
without the direction of the High Commissioner, by writing
under his hand and official seal.

(3.) If in any case the High Commissioner does not direct
that the sentence be carried into execution, he shall, by writing,
under his hand and official seal, direct what lower money
penalty or less severe punishment, in lieu of the punishment
awarded by the Court, is to be inflicted; and the person con-
victed shall be liable to be so punished accordingly.

48. The High Commissioner may, if he thinks fit, report to
the Secretary of State, recommending a mitigation or remission
of any punishment awarded by the Court; and thereupon the
punishment may be mitigated or remitted by the Secretary of
State.

(2.) But such a recommendation shall not be made with
respect to a punishment adjudged by a judicial commissioner or
a deputy commissioner, except on his recommendation, or on
the dissent of the assessors or an assessor, if any, from the
conviction or from the amount of punishment adjudged.

(3.) Nothing in this Order shall be deemed to affect Her
Majesty's prerogative or pardon.

49. The High Commissioner shall send to the Secretary of
State a report of the sentence of the Court in every case tried
before the High Commissioner, with a copy of the minutes and
notes of evidence, and with any observations which the High
Commissioner thinks fit to make.

(2.) In any case, the High Commissioner shall, if and when
required by the Secretary of State, transmit to him, with any
observations which the High Commissioner thinks fit to make,
the report and papers sent to the High Commissioner under
Article 47, and a report of any direction of the High Commiss-
ioner thereon.

50. Where a warrant or order of arrest is issued by a com-
petent authority in Her Majesty's dominions for the apprehen-
sion of a British subject accused of having committed an
offence there, and being, or supposed to be, in the Western
Pacific Islands, and the warrant or order is produced to the
High Commissioner, or a judicial commissioner, he may sign his
name on the back thereof.

(2.) The warrant or order, when so backed, shall be suffi-
cient authority to any person to whom it was originally
directed, and to any constable in the Western Pacific Islands, and to any officer of the Court to whom it is delivered by the Court for execution, to apprehend the accused at any place in the Western Pacific Islands, and to carry him and deliver him up, according to the warrant or order.

51. Where the charge is triable, and is intended to be tried, in England, the Court may take the preliminary examination, and commit the accused for trial, and allow him to be taken to England.

52. (i.) Where the offence charged appears to a deputy commissioner to be such that, if proved, it would not be adequately punished by such punishment as a deputy commissioner has power to adjudge, and the trial cannot conveniently be had before a judicial commissioner:

(ii.) Where it seems to the Court for any reason expedient that the offence be inquired of, tried, determined, and punished within Her Majesty's dominions elsewhere than in England:

In either of these cases the accused may (under Section 4 of "The Foreign Jurisdiction Act, 1843") be sent for trial to a place in Her Majesty's dominions.

(2.) The place shall be either Fiji, or some other part of Her Majesty's dominions out of the United Kingdom, the Government whereof have consented that accused persons may be sent thither under this Article.

(3.) The Court may, where it appears so expedient, by warrant under the hand of a member of the Court, and the seal of the Court, cause the accused to be sent for trial to the place named in the warrant accordingly.

(4.) The warrant shall be sufficient authority to any person to whom it is directed, or delivered for execution, to receive and detain the person therein named, and to carry him up, according to the warrant.

(5.) Where any person is to be so sent for trial, the Court shall take the preliminary examination, and shall bind over such of the proper witnesses as are British subjects in their own recognizances to appear and give evidence on the trial.

53. Where a person charged with an offence is to be tried out of the Western Pacific Islands, the provisions of this Order relative to trial with assessors in criminal cases shall apply to the proceedings, up to the point of the making of an order for trial before the Court with assessors.

54. (i.) Where a person is convicted before the Court, on a summary trial, and the sentence imposes a punishment of a money penalty of 10l. or upwards, or of imprisonment for one month or upwards, and the person convicted declares his desire to appeal;

(ii.) Where a person is convicted before the Court on a trial with assessors, and the sentence imposes such a punishment as
fore said, and an assessor dissents from any decision of the Court on trial, or from the conviction, or from the sentence, and the person convicted declares his desire to appeal;

(iii.) Where a person is convicted before the Court, and the sentence imposes a punishment of a money penalty of 50z., or of one year’s imprisonment, or any severer punishment, and the person convicted declares his desire to appeal;

(iv.) Where the Court thinks fit to reserve for the judgment of the Supreme Court any question of law or fact arising on the trial;

Then, and in each of the 4 cases aforesaid, the Court shall frame a statement setting out the facts, and the grounds of the conviction and sentence, and any question of law, and any objections alleged by the person convicted.

(2.) The Court shall annex to the statement certified copies of the summons, indictment (if any), and proceedings, and of all documentary evidence admitted or tendered, and the depositions, the notes of the oral testimony, and statement of objections to the conviction or sentence made by the person convicted, and any argument thereon that he desires to submit to the Supreme Court.

(3.) The Court shall forthwith send the statement and its annexes to the Supreme Court.

(4.) The Court shall postpone the execution of the sentence pending the appeal, and shall, as on a remand, either (if necessary) commit the person convicted to prison for safe custody, or admit him to bail or take security by recognizance, deposit of money, or otherwise, for his payment of the fine (if any).

(5.) The Supreme Court shall hear and finally determine the matter, after considering the statement of the Court, and hearing publicly any argument offered on behalf of the prosecution, or of the person convicted.

(6.) The Supreme Court may require the Court to make any amendment or addition to the statement of the Court, or its annexes.

(7.) The judgment of the Supreme Court shall be delivered in open Court.

(8.) The Supreme Court shall either affirm or annul the conviction, or amend it, and shall either affirm or annul the sentence or vary it, not increasing the punishment, and shall give all necessary and proper consequential directions.

55. The Supreme Court shall not annul a conviction or sentence or vary a sentence, on the ground

(i.) Of any objection which, if stated during the trial, might have been met by amendment by the Court; or

(ii.) Of any error committed in the summoning of assessors; or

(iii.) Of any person having served as assessor who was not qualified; or
(iv.) Of any objection to any person as assessor which might have been raised before or at the trial; or
(v.) Of any informality in the swearing of any witness.

PART V.—CIVIL MATTERS.

56. The Court may in any case, if it thinks fit, refuse to allow a civil action or proceeding to be brought or taken in the Court if, in the opinion of the High Commissioner, the attendance of the Chief Justice, or of another judge of the Supreme Court, or the appointment of a judicial commissioner for the hearing of the action or proceeding, is impracticable or would be inconvenient—or the place at which the action or proceeding is proposed to be brought or taken would be inconvenient—or there is no sufficient provision for defraying the fees and expenses of the Court.

(2.) The Court may in any case, if it thinks fit, refuse to allow a civil action or proceeding to be brought or taken in the Court unless security to the satisfaction of the Court is first given, by deposit or otherwise, for the fees and expenses of the Court.

57. Every proceeding in the Court relative to money, goods, land, or other property, or for the recovery of damages or otherwise, concerning any civil right or other matter of a civil nature at issue, shall be taken by action, and not otherwise, and shall be designated an action.

(2.) For the purposes of any enactment or other provision applicable under this Order to any civil proceeding in the Court, an action under this Order shall comprise and be equivalent to a suit, cause, or petition, or any civil proceeding, howsoever required by any such enactment or provision, to be instituted or carried on.

58. Every action shall be heard and determined in a summary way.

(2.) Any application in the course of an action may be made to the Court orally, and without previous formality, unless in any case the Court otherwise directs.

(3.) No action or proceeding shall be treated by the Court as invalid on account of any technical error or mistake in form or in words.

(4.) All errors and mistakes may be corrected by the Court, in its discretion.

59. Every action shall commence by a writ of summons, issued from the Court, on the application of the plaintiff, and served on the defendant.

60. The registrar in each district shall keep a book, called the cause book, in which all actions brought in the Court in the district shall be entered, numbered consecutively in each
year, in the order in which they are commenced, with a short statement of the particulars of each action, and a note of the several proceedings therein.

61. A writ of summons shall not be in force for more than 12 months from the day of its date (including that day).

(2.) If any defendant named in a writ is not served therewith, the plaintiff may, before the end of the 12 months, apply to the Court for leave to renew the writ.

(3.) The Court, if satisfied that reasonable efforts have been made to serve the defendant, or for good reason, may order that the writ be renewed for 6 months from the date of renewal, and so, from time to time, during the currency of the renewed writ.

(4.) The writ shall be renewed by being re-sealed with the seal of the Court, and a note being made thereon by the registrar, stating the renewal and the date thereof.

(5.) A writ so renewed shall remain in force and be available to prevent the operation of any statute of limitation, and for all other purposes, as from the date of the original writ.

(6.) The production of a writ purporting to be so renewed shall be sufficient evidence of the renewal and of the commencement of the action, as of the first date of the renewed writ, for all purposes.

62. If any action entered in the cause book is not proceeded with and disposed of within 12 months from service of the writ of summons, the Court may, if it thinks fit, without application by any party, order the same to be dismissed for failure to proceed.

63. No entry of appearance by a defendant to the writ of summons shall be necessary.

64. The Court may, at any time, if it thinks fit, either on or without application of a defendant, order the plaintiff to put in further particulars of his claim.

65. There shall ordinarily be no written pleadings; but the Court may at any time, if it thinks fit, order the plaintiff to put in a written statement of his claim, or a defendant to put in a written statement of his defence.

66. The evidence on either side may, subject to the direction of the Court, be wholly or partly oral, or on affidavit, or by deposition.

67. Subject to the provisions of this Order, every action which either

(i.) relates to money, goods, or other property, or any civil right or other matter at issue, of the amount or value of 200l. or upwards; or

(ii.) is instituted for recovery of damages, of the amount of 200l. or upwards;

shall be triable with assessors.
(2.) In all other cases an action shall be triable either with
or without assessors.

68. The registrar shall keep a book called the order book.
(2.) Every order of the Court shall be noted therein.
(3.) Every order of the Court formally drawn up shall be
entered by being copied therein.
(4.) The registrar shall make and keep therein proper
alphabetical and other indexes of the contents thereof.

69. A minute of every order, whether interlocutory or final,
shall be made by the registrar in the minutes of proceedings at
the time when the judgment or order is given or made.
(2.) Every such minute shall have the full force and effect
of a formal order.
(3.) The Court may, at any time, order a formal order to be
drawn up on the application of any party.

70. Where a member of the Court delivers a judgment in
writing, the original, or a copy thereof signed by him, shall be
filed in the Court with the papers in the action.

71. An order shall be drawn up, in form only, on the appli-
cation of some party to the action, and shall then be passed
and be certified by the seal of the Court, and be entered, and
shall then form part of the record in the action.
(2.) An order shall not be enforced or appealed from, nor
shall an office copy of it be granted, until it is part of the
record.
(3.) An order shall be dated on the day of the delivery of
the decision or judgment on which the order is founded.
(4.) Any party to an application or action is entitled to
obtain an office copy of any order made thereon or therein.

72. Ordinarily, an order, other than an order of the High
Commissioner, or of a judicial commissioner, shall not be
enforced out of the particular district.
(2.) Where, however, the Court thinks that the urgency or
other peculiar circumstances of the case so require, the Court
(for reasons recorded in the minutes) may order any order to
be enforced out of the particular district.

73. All money paid by the Court to be paid by any person
shall be paid into an office of the Court, unless the Court other-
wise directs.

74. Where an order ordering payment of money remains
wholly or in part unsatisfied (whether an execution order has
been made or not), the person prosecuting the order (in this
order called the judgment creditor) may apply to the Court for
an order, ordering the person by whom payment is to be made
(in this Order called the judgment debtor), to appear and be
examined respecting his ability to make the payment; and the
Court shall, unless it sees good reason to the contrary, make
an order accordingly.
75. On the appearance of the judgment debtor, he may be examined on oath by or on behalf of the judgment creditor, and by the Court, respecting his ability to pay the money ordered to be paid, and for discovery of property applicable thereto, and respecting his disposal of any property.

(2.) He shall produce, on oath or otherwise, all books, papers, and documents in his possession or power relating to any property applicable to payment.

(3.) He may be examined respecting the circumstances under which he contracted or incurred the debt or liability, in respect of which the payment of money is ordered to be made, and respecting the means or expectation he then had of paying or discharging the debt or liability.

(4.) He shall sign his examination as taken down in writing.

(5.) Whether the judgment debtor appears or not, the judgment creditor, and any witness whom the Court thinks requisite, may be examined, on oath or otherwise, respecting the same matters.

(6.) The Court may, if it thinks fit, adjourn the examination from time to time, and require from the judgment debtor such security for his appearance as the Court thinks fit; and, in default of his finding security, may, by order, commit him to the custody of an officer of the Court, there to remain until the adjourned hearing, unless sooner discharged.

76. If it appears to the Court, by the examination of the judgment debtor or other evidence

(i.) that the judgment debtor then has, or, since the making of the order, has had sufficient means to pay the money directed to be paid by him, and he refuses or neglects to pay the same according to the order; or

(ii.) that, with intent to defraud his creditors, or any of them, he has made or suffered any gift, delivery, or transfer of any property, or charged, removed, or concealed any property; or

(iii.) that the debt or liability in question has been contracted or incurred by him or by reason of fraud, or false pretence, or breach of trust committed by him; or

(iv.) that forbearance thereof was obtained by him by fraud or false pretence; or

(v.) that the debt or liability was wilfully contracted or incurred by him without his having had at the same time a reasonable expectation of being able to pay or discharge it; then and in any such case the Court may, if it thinks fit, by order, to commit him to prison for any time not exceeding 40 days.

77. On the examination of the Court, if it thinks fit, whether it makes an order for commitment or not, may rescind or alter any order for the payment of money by instalments or otherwise, and may make any further or other order, either for
payment of the whole amount forthwith, or by instalments, or in any other manner as the Court thinks just.

78. The expenses of the judgment debtor's maintenance in prison shall be defrayed, in the first instance, by the judgment creditor, and may be recovered by him from the judgment debtor as the Court directs.

(2.) The expenses shall be estimated by the Court, and shall be paid by the judgment creditor at such times and in such manner as the Court directs.

(3.) In default of payment, the judgment debtor may be discharged if the Court thinks fit.

79. Imprisonment of a judgment debtor under the foregoing provisions shall not operate as a satisfaction or extinguishment of the debt or liability to which the order relates, or protect the debtor from being anew imprisoned for any new fraud or other default making him liable to be imprisoned, or deprive the judgment creditor of any right to have execution against his goods, as if there had not been such imprisonment.

80. The judgment debtor, on paying at any time the amount ordered to be paid, and all costs and expenses, shall be discharged.

81. Where the order is one ordering some act to be done other than payment of money, there shall be indorsed on the copy of it served on the person required to obey it, a memorandum in the words or to the effect following:

If you, the within-named A.B., neglect to obey this order within the time therein appointed, you will be liable to be arrested and have your property sequestered.

82. Where the person directed to do the act refuses or neglects to do it according to the order, the person prosecuting the order may apply to the Court for another order for the arrest of the disobedient person.

(2.) Thereupon the Court shall, unless it sees good reason to the contrary, make an order ordering and empowering an officer of the Court therein named to take the body of the disobedient person, and detain him in custody until further order.

(3.) He shall be liable to be detained in custody until he has obeyed the order in all things that are to be immediately performed, and given such security as the Court thinks fit, to obey the order in other respects (if any) at the future times thereby appointed; or, in case of his no longer having the power to obey the order then until he has been imprisoned for such time, or until he has paid such fine, as the Court thinks just.

83. On proof of extreme urgency or other peculiar circumstances, the Court may, if it thinks fit, before service of a writ of summons, and without notice, make an order of injunction or an order to sequester money or goods, or to stop the clearances of a vessel, or to hold bail, or to attach property.
(2.) Before making the order the Court shall require the person applying for it to enter into a recognisance, with or without a surety or sureties, as the Court thinks fit, as security for his being answerable in damages to the person against whom the order is sought.

(3.) The order shall not remain in force more than 24 hours, and shall, at the end of that time, wholly cease to be in force, unless within that time an action is regularly brought by the person obtaining the order.

(4.) The order shall be dealt with in the action as the Court thinks just.

84. An order to hold to bail shall state the amount (including costs) for which bail is required.

(2.) It shall be executed forthwith.

(3.) The person arrested under it shall be entitled to be discharged from custody under it on bringing into Court the amount stated in the order, to abide the event of such action as may be brought, or on entering into a recognisance, with or without a surety or sureties, as the Court thinks fit, as a security that he will abide by the orders of the Court in any action brought.

(4.) He shall be liable to be detained in custody under the order for not more than 7 days, if not sooner discharged; but the Court may, from time to time, if it thinks fit, renew the order.

(5.) No person, however, shall be kept in custody under any such order and renewed order for a longer time in the whole than 30 days.

85. Where a person taking out a writ of summons, either alone or jointly with any other person, is out of the district, or is only temporarily therein, he shall file in the Court, at or before the issuing of the writ of summons, a written statement of a fit place within the district where notices and other papers issuing from the Court may be served on him.

(2.) He shall also give security for costs by deposit of the sum of 50l, or by bond in the penal sum of 100l.

(3.) The Court may, at any time, either of its own motion or on the application of any defendant, order the plaintiff to give further or better security to the amount aforesaid for costs, and may direct proceedings to be stayed in the meanwhile.

86. Where an action is brought for the recovery of a sum exceeding 5l, and it is proved that the defendant is about to abscond, the Court may, if it thinks fit, order that he be arrested and delivered into safe custody, to be kept until he gives bail or security, with a surety or sureties, in such sum, expressed in the warrant, as the Court thinks fit, not exceeding the probable amount of debt or damages and costs to be recovered in the action, that he will appear at any time when called on while the action is pending, and until execution or
satisfaction of any order made against him, and that, in default of appearance, he will pay any money and costs which he is ordered to pay in the action.

(2.) The expenses incurred for the subsistence of the defendant while under arrest shall be paid by the plaintiff in advance at such rate and in such amounts as the Court directs, and the total amount so paid may be recovered by the plaintiff in the action unless the Court otherwise directs.

(3.) The Court may at any time, on reasonable cause shown, discharge or vary the order.

87. Where it is proved that the defendant, with intent to obstruct or delay the execution of any order to be obtained or already obtained against him is about to remove any property out of the district, the Court may, if it thinks fit, on the application of the plaintiff, order that the property be forthwith seized and secured.

(2.) The Court may at any time, on reasonable cause shown, discharge or vary the order.

88. On proof of extreme urgency or other peculiar circumstances, the Court may, if it thinks fit, on the application of a plaintiff, or of its own motion, make an order for stopping the clearances of, or for the arrest and detention of, a vessel about to leave the district, other than a vessel enjoying immunity from civil process.

The Court may at any time, on reasonable cause shown, discharge or vary the order.

89. If it appears to the Court that any order made under Article 86, 87, or 88, was applied for on insufficient grounds, or if the plaintiff's action fails, or judgment is given against him, by default or otherwise, and it appears to the Court that there was no probable ground for his bringing the action, the Court may, if it thinks fit, on the application of the defendant, order the plaintiff to pay to the defendant such amount as appears to the Court to be a reasonable compensation to the defendant for the expense and injury occasioned to him by the execution of the order.

(2.) Payment of compensation under this Article shall be a bar to any action for damages in respect of anything done in pursuance of the order, and any such action, if begun, shall be stayed by the Court in such manner and on such terms as the Court thinks just.

90. The Court by a judicial commissioner shall be a Court of Vice-Admiralty.

91. The Court shall be a Court of Bankruptcy, and as such shall, as far as circumstances admit, have, with respect to resident British subjects, and to their debtors and creditors, being either resident British subjects or foreigners submitting to the jurisdiction of the Court, all such jurisdiction as for the time
being belongs to the Court of Bankruptcy and the County Courts in England, or to any other judicial authority having for the time being jurisdiction in bankruptcy in England.

(2.) Proceedings in bankruptcy shall commence by writ of summons addressed to the party intended to be made bankrupt, calling on him to show cause why he should not be adjudicated bankrupt.

(3.) On the issue of the writ a deputy commissioner shall have authority to appoint a receiver over the property of the respondent; but a deputy commissioner shall not in any case proceed further, in the first instance, and shall reserve and forthwith report the matter for the decision or direction of a judicial commissioner, and shall obey and execute every such decision or direction.

92. The Court, by a judicial commissioner shall, as far as circumstances admit, have in itself exclusively for and within the Western Pacific Islands, with respect to resident British subjects, all such jurisdiction relative to the custody and management of the persons and estates of persons of unsound mind as for the time being belongs to the Lord Chancellor or other person or persons in England intrusted by virtue of the Queen's sign-manual with the care and commitment of the custody of the persons and estates of persons found by inquisition in England, idiot, lunatic, or of unsound mind.

93. The Court, by a judicial commissioner, shall be a Court for matrimonial causes, and as such shall, as far as circumstances admit, have in itself exclusively for and within the Western Pacific Islands, with respect to resident British subjects, all such jurisdiction, except the jurisdiction relative to dissolution or nullity or jactitation of marriage, as for the time being belongs to the High Court of Justice in England in matrimonial causes.

94. The Court, by a judicial commissioner, shall be a Court of Probate, and as such shall, as far as circumstances admit, have for and within the Western Pacific Islands, with respect to the property of deceased resident British subjects, all such jurisdiction as for the time being belongs to Her Majesty's High Court of Justice in England in cases of probate.

(2.) The Court by a deputy commissioner shall, however, also have power to grant probate or letters of administration where there is no contention respecting the right to the grant, and it is proved that the deceased was resident at his death within the district of the deputy commissioner.

(3.) Such probate or administration shall have effect over all the property of the deceased within the Western Pacific Islands, and shall effectually discharge persons dealing with an executor or administrator thereunder, notwithstanding that any defect afterwards appears in the grant.
(4.) The grant shall not be impeachable by reason only that the deceased was not at the time of his death resident within the district.

95. A British subject may in his lifetime deposit for safe custody in the Court his own will, sealed up under his own seal and the seal of the Court.

96. The Court shall endeavour to obtain, as early as may be, notice of the death of every British subject dying within the particular district, whether resident or not, and all such information respecting his affairs as may serve to guide the Court with respect to the securing and administration of his property.

(2.) On receiving notice of the death the Court shall put up a notice thereof at the Court-house, and shall keep the same there until probate or administration is granted; or where it appears to the Court that probate or administration will not be applied for or cannot be granted for such time as the Court thinks fit.

97. Where a British subject resident dies in the Western Pacific Islands intestate, then until administration is granted, his personal property shall be deemed to be vested in the High Commissioner.

98. Where a British subject not resident dies in the Western Pacific Islands, the Court shall, where the circumstances of the case appear to the Court so to require, forthwith on his death, or as soon after as may be, take possession of his personal property within the district, or put it under the seal of the Court (in either case, if the nature of the property or other circumstances so require, making an inventory), and so keep it until it can be dealt with according to law.

(2.) All expenses incurred on behalf of the Court in the execution of this Article shall be the first charge on the personal property of the deceased within the district; and the Court shall, by sale of part of that property or otherwise, provide for the discharge of those expenses.

99. If a person named executor in a will takes possession of and administers or otherwise deals with any part of the personal property of the deceased, and does not obtain probate within one month after the death, or after the termination of any proceeding respecting probate or administration, he shall be deemed guilty of an offence against this Order, and shall on conviction thereof, before a judicial commissioner, with assessors, be liable to a money penalty not exceeding 20£.

100. If any person other than the person named executor or administrator, or an officer of the Court, takes possession of and administers or otherwise deals with any part of the personal property of a British subject dying in the Western Pacific Islands, whether resident or not, he shall be deemed guilty of an offence against this Order, and shall on conviction...
thereof, before a judicial commissioner, with assessors, be liable to a money penalty not exceeding 201.

101. Where a British subject dies in the Western Pacific Islands, whether resident or not, then any person having in his possession or under his control any paper or writing of the deceased, being or purporting to be testamentary, shall forthwith bring the original to the Court for the district where the death happens and deposit it there.

(2.) If any person fails to do so for 14 days after having knowledge of the death of the deceased, he shall be deemed guilty of an offence against this Order, and on conviction thereof before a judicial commissioner with assessors, shall be liable to a money penalty not exceeding 201.

102. Where it is shown to the Court that any paper of the deceased, being or purporting to be testamentary, is in the possession or under the control of a British subject, the Court may, in a summary way, whether a proceeding respecting probate or administration is pending or not, order him to produce the paper and bring it into Court.

103. Where it appears to the Court that there are reasonable grounds for believing that any person has knowledge of any paper of the deceased being or purporting to be testamentary (although it is not shown that the paper is in his possession or under his control) the Court may, in a summary way, whether a proceeding respecting probate or administration is pending or not, order that he be examined respecting it in open Court or elsewhere, and that he do attend for that purpose, and after examination, that he do produce the paper and bring it into Court.

104. A person claiming to be a creditor or legatee, or the next of kin, or one of the next of kin, of a deceased person, may apply for and obtain a writ of summons from the Court requiring the executor or administrator (as the case may be) of the deceased to attend before the Court and show cause why an order for the administration of the property of the deceased should not be made.

(2.) On proof of service of the writ, or on appearance of the executor or administrator, and on proof of all such other things (if any) as the Court thinks fit, the Court may, if it thinks fit, make an immediate order for the administration of the property of the deceased.

(3.) The Court shall have full discretionary power to make or refuse or postpone the making of any such order, or to give any special directions respecting the carriage or execution of it; and in the case of applications for such an order by two or more different persons or classes of persons, to grant the same to such one or more of the claimants, or classes of claimants, as the Court thinks fit.
(4.) If the Court thinks fit, the carriage of the order may subsequently be given to such person, and on such terms, as the Court thinks fit.

(5.) On making such an order, or at any time afterwards, the Court may, if it thinks fit, make any further or other order for compelling the executor or administrator to bring into Court, for safe custody, all or any part of the money or securities, or other property of the deceased, from time to time coming to his hands, or otherwise for securing the safe-keeping of the property of the deceased, or any part thereof.

(6.) If the extreme urgency or other peculiar circumstances of the case appear to the Court so to require (for reasons recorded in the minutes), the Court may of its own motion issue such a writ, and make orders and cause proper proceedings to be taken thereon.

105. In a case of intestacy, where the peculiar circumstances of the case appear to the Court so to require (for reasons recorded in the minutes) the Court may, if it thinks fit, of its own motion, grant letters of administration to an officer of the Court.

(2.) The officer so appointed shall act under the direction of the Court, and shall be indemnified thereby.

(3.) He shall publish such notices, if any, as the Court thinks fit, in the Western Pacific Islands, Fiji, and any other colony, the United Kingdom, and elsewhere.

(4.) The Court shall require and compel him to file in the Court his accounts of his administration at intervals not exceeding 3 months, and shall examine them and report thereon to the High Commissioner.

(5.) The accounts shall be in all cases audited by or under the direction of the High Commissioner; for which purpose every deputy commissioner shall, on the 1st day of February and the 1st day of August, in every year, send to the High Commissioner all accounts so filed in the then last half-year.

106. Any decision or judgment may be given by the Court subject to a case to be stated for the opinion of the Supreme Court.

107. Any member of the Court may, on the application of any party, if he thinks fit, for reasons recorded in the minutes, order re-hearing before him of an action heard before him.

(2.) The provisions of this Order respecting a hearing shall extend, as far as may be, to such a re-hearing.

108. The High Commissioner, being in the Western Pacific Islands, may, if he thinks fit, on the application of any party to an action heard before a deputy commissioner order a re-hearing thereof before himself, with the deputy commissioner before whom it was heard, or with any other deputy commissioner.

(2.) If, on the re-hearing, there is a difference of opinion between the High Commissioner and the deputy commissioner
sitting with him, the opinion of the High Commissioner shall prevail.

(3.) The provisions of this Order respecting a hearing shall extend, as far as may be, to such re-hearing.

109. An appeal shall not lie from an order made without notice.

(2.) If any person thinks himself aggrieved by an order so made, he may apply to the High Commissioner's Court to vary or discharge it, and an appeal shall lie from the decision on that application.

110. Where in a civil action a decision of the Court, with or without assessors, other than an order without notice,

(i.) Is given in respect of a sum of 50l. or upwards; or
(ii.) Determines, directly or indirectly, a claim or question respecting money, goods, or other property, or any civil right or other matter of the amount or value of 50l. or upwards;

any party aggrieved by the decision may, on complying with the following conditions, appeal to the Supreme Court, namely:

(a.) He shall give security to the satisfaction of the Court appealed from (in this Order referred to as the Court below) to an amount not exceeding 100l., for prosecution of the appeal, and for payment of all such costs as may be awarded to any respondent by the Supreme Court;

(b.) He shall pay into the Court below a sum estimated by that Court to be the amount of the expense of the making-up and transmission to the Supreme Court of the record.

(2.) In any other case the Court below may, if it thinks fit, give leave to appeal on like conditions.

111. In any case the Supreme Court may give leave to appeal on such terms as it thinks just.

112. After 6 months from the date of an order an appeal against it shall not lie except by leave of the Supreme Court.

(2.) After 12 months from the date of an order, application for leave to appeal against it shall not be entertained by the Supreme Court.

113. Where a person ordered to pay money, or do any other act, appeals, the Court below shall direct either that the decision appealed from be carried into execution, or that the execution thereof be suspended pending the appeal, as it thinks just.

(2.) If the Court directs the decision to be carried into execution, the person in whose favour it is given shall, before the execution of it, give security to the satisfaction of the Court for performance of the order to be made on appeal.

(3.) If the Court directs the execution of the decision to be suspended, the person against whom it is given shall, before an order for suspension is made, give security to the satisfaction of the Court for performance of such order as shall be made on appeal.
114. The appellant shall file an appeal motion-paper in the Court below.

(2.) He may at the same time file any argument which he desires to submit to the Supreme Court in support of the appeal.

(3.) The motion-paper and the argument (if any) shall be served on such persons as respondents as the Court below directs.

115. A respondent may, within 7 days after service, file in the Court below such argument as he desires so submit to the Supreme Court against the appeal.

(2.) Copies thereof shall be furnished by the Court below to such persons as the Court thinks fit.

116. On the expiration of the time for the respondent filing his argument, the Court below shall, without the application of any party, make up the record of appeal, which shall consist of the writ of summons, statements of claim and defence (if any), orders, and proceedings, a certified copy of all written and documentary evidence admitted or tendered, and the notes of the oral evidence, the appeal motion-paper, and the arguments (if any).

(2.) The several pieces shall be fastened together, consecutively numbered; and the whole shall be secured by the seal of the Court below, and be forwarded by that Court to the Supreme Court.

117. After the record of the appeal is transmitted, until the appeal is disposed of, the Supreme Court shall be in exclusive possession of the whole action, as between the parties to the appeal.

(2.) Every application in the action, as between the parties to the appeal, shall be made to the Supreme Court and not to the Court below; but any application may be made through the Court below.

118. The Supreme Court shall, after receiving the record of appeal, fix a day for the hearing of the appeal, and shall give notice thereof through the Court below, or otherwise, to the parties to the appeal, such a day being fixed as will allow of the parties attending in person or by counsel or solicitor, if they so desire.

(2.) But if all the several parties to an appeal appear in person in Fiji, or appoint persons there to represent them as their counsel or solicitor in the appeal, and cause the appearance or appointment to be notified to the Supreme Court, the Court shall dispose of the appeal, without being required to give
notice through the Court below, or otherwise, to the parties to the appeal, of the day fixed for the hearing thereof.

119. The Supreme Court may, if it thinks fit, require a party to an appeal to appear personally before it on the hearing of the appeal, or on any occasion pending the appeal.

120. It is not open, as of right, to a party to an appeal to adduce new evidence in support of his original case, but a party may allege any facts essential to the issue that have come to his knowledge after the decision of the Court below, and may adduce evidence in support of his allegations.

(2.) The Supreme Court may in any case, if it thinks fit, allow or require new evidence to be adduced.

121. The Supreme Court may, from time to time, make any order necessary for determining the real question in controversy in the action, as among the parties to the appeal, and for that purpose may amend any defect or error in the record of appeal.

(2.) The Supreme Court may direct the Court below to inquire into and certify its finding on any question as among those parties, or any of them, which the Supreme Court thinks fit to determine before final judgment in the appeal.

(2.) Generally, the Supreme Court shall, as among the parties to the appeal, have as full jurisdiction over the whole action as if it had been originally instituted and prosecuted in the Supreme Court by parties subject to the original jurisdiction of the Supreme Court.

(4.) The Supreme Court may, if it thinks fit, remit the action to the Court below to be re-heard, or to be otherwise dealt with as the Supreme Court directs.

122. The powers of the Supreme Court under this Order may be exercised by the Supreme Court, notwithstanding that the appeal is brought against part only of the decision of the Court below.

(2.) Those powers may be exercised in favour of all or any of the parties to the action, although they have not appealed from, or complained of, the decision.

123. The Supreme Court may, from time to time, with the concurrence of the High Commissioner, make such rules as to the Court seem fit for the better execution of the provisions of this Order relating to appeals in civil actions.

124. For the purposes of appeal to Her Majesty the Queen in Council, an order or decision of the Supreme Court on appeal under this Order shall be equivalent in all respects to an order or decision of the Supreme Court under its original jurisdiction.

PART VI.—GENERAL.

125. Where a charge or an action is triable with assessors, then

(i.) In proceedings before the High Commissioner, or a Judi-
cial Commissioner, there may be one assessor, or two, 3 or 4 assessors.

(ii.) In proceedings before a deputy commissioner there shall ordinarily be not fewer than two, and not more than 4, assessors.

(2.) Where, however, by reason of local circumstances, the High Commissioner, or a judicial commissioner, or a deputy commissioner, is able to obtain the presence of one assessor only, he may, if he thinks fit, sit with one assessor only.

(3.) Where, for like reasons, the High Commissioner, or a judicial commissioner, is not able to obtain the presence of any assessor, he may, if he thinks fit, sit without an assessor.

(4.) In every such case the reasons shall be recorded in the minutes.

(5.) This Article is subject to the provisions of Article 28.

126. The summons to a person to attend to act as assessor shall be in writing, and shall require the attendance of the person therein named to act as assessor at the time and place therein specified.

(2.) The summons shall be served on him by being delivered to him personally, unless he is at the time of service absent from his usual place of abode, and then it may be left for him there with some adult inmate.

127. The Court may, on reasonable cause shown, excuse from attendance, generally or in any particular case, any person summoned to act as assessor.

128. The Court may, if it thinks fit, on or without an application or suggestion by any party to an action, or the accused, discharge from attendance, generally or in any particular case, any person summoned to act as assessor.

129. If in the course of a trial an assessor is, by sufficient cause, prevented from continuing to serve, the trial shall proceed, with the aid of the other assessor (if any).

(2.) If in any case the sole assessor is, or all the assessors are, prevented from continuing to serve, the proceeding shall be stayed, and a new trial shall be held, with another assessor or other assessors.

(3.) This Article is subject to the provisions of Article 28.

130. If any person summoned to act as assessor fails, without lawful excuse, to attend at the trial, or at any adjournment thereof, or to continue to serve throughout the trial, he shall be liable under a summary order of the Court to a money penalty not exceeding 5£, to be levied by attachment and sale of his goods within the district, and in default of recovery thereof the money penalty, to be imprisoned as a civil prisoner for any time not exceeding 3 days, if the money penalty is not sooner paid.

131. The Court may, with consent of the parties, refer to
arbitration the final determination of any action pending, or of all matters in difference between the parties, on such terms and with such directions as to appointment of an arbitrator and other things as the Court thinks fit, with or without security from the parties, or any of them, that they will abide by the result of the reference.

(2.) In any such case the award shall be final and conclusive.

(3.) On the application of any party a decree of the Court may be entered in conformity with the award, and the decree shall not be open to appeal or re-hearing.

132. Every agreement for reference to arbitration or submission to arbitration by consent, between or by British subjects may, on the application of any party, be made a rule of the Court.

(2.) The Court shall thereupon have authority to enforce the agreement or submission and the award made thereunder, and to control and regulate the proceedings before and after the award, in such manner and on such terms as the Court thinks just.

133. In criminal matters, where all parties concerned are British subjects, the Court may promote reconciliation and encourage and facilitate the settlement in an amicable way of proceedings taken for assault or for any other offence not amounting to felony and being of a private or personal character, on terms of payment of compensation or other terms approved by the Court, and may thereupon order the proceedings to be stayed.

134. In civil matters, the Court and its officers shall, as far as there is proper opportunity, promote reconciliation among persons over whom the Court has jurisdiction, and encourage and facilitate the settlement in an amicable way, and without recourse to litigation, of differences among them.

(2.) When a civil proceeding is pending, the Court may promote reconciliation among the parties thereto, and encourage and facilitate the amicable settlement thereof.

135. Writs of summons, orders, and other instruments issuing from the Court, shall be sealed with the seal of the Court.

136. In every case, criminal or civil, minutes of the proceedings shall be drawn up, and shall be signed by the member of the Court before whom the proceedings are taken, or the presiding member, and shall, where the case is heard with assessors, be open for their inspection and for their signature, if concurred in by them.

(2.) The minutes, with the depositions of witnesses, and the notes of evidence taken by the Court, at the trial or hearing, shall be preserved in a public office of the Court.

137. (i.) If any person wilfully obstructs by act or threat an officer of the Court in the performance of his duty; or
(ii.) Within or close to the room or place where the Court is sitting, wilfully misbehaves in a violent, threatening, or disrespectful manner, to the disturbance of the Court, or to the intimidation of suitors or others resorting thereto; or

(iii.) Wilfully insults any member of the Court, or any assessor, or any clerk or officer of the Court, during his sitting or attendance in Court, or in his going to or returning from Court:

The person so acting shall be liable to be immediately apprehended by order of the Court, and to be detained until the rising of the Court, and on inquiry and consideration then and there, and without further trial, to be punished with a money penalty of not more than 1l., or with imprisonment for not more than 6 hours, in the discretion of the Court.

(2.) A minute shall be made and kept for every such case of punishment, recording the facts of the offence, and the extent of the punishment; and in the case of a deputy commissioner a copy of the minute shall be forthwith sent to the High Commissioner.

(3.) Except in the cases and in the manner provided in this Article, a deputy commissioner shall not have power to punish for contempt of Court.

(4.) A person punished for an offence under this Article shall not be liable to a prosecution or action in respect of the same; and any such prosecution or action, if begun, shall be stayed by the Court in such manner and on such terms as the Court thinks just.

138. If an officer of the Court employed to execute an order by neglect or omission loses the opportunity of executing it, then, on complaint of the person aggrieved, and proof of the fact alleged, the Court may, if it thinks fit, order the officer to pay the damages sustained by the person complaining, or part thereof.

(2.) The order shall be enforced as an order directing payment of money.

139. If a clerk or officer of the Court, acting under pretence of the process or authority of the Court, is charged with extortion, or with not paying over money duly levied, or with other misconduct, the Court, if it thinks fit, may inquire into the charge in a summary way, and may for that purpose summon and enforce the attendance of all necessary persons, as in an action, and may make such order for the repayment of any money extorted, or for the payment over of any money levied, and for the payment of such damages and costs, as the Court thinks just.

(2.) The Court may also, if it thinks fit, impose on the clerk or officer such money penalty, not exceeding 5l. for each offence, as the Court thinks just.

(3.) A clerk or officer punished for an offence under this
Article shall not be liable to a prosecution or action in respect of the same matter; and any such prosecution or action, if begun, shall be stayed by the Court in such manner and on such terms as the Court thinks just.

140. All costs, and all charges and expenses of witnesses, prosecutions, punishments, and deportations, and all other charges and expenses, and all fees, forfeitures, and money penalties payable under this Order, may be levied by distress and seizure and sale of ships, goods, and lands.

(2.) Any bill of sale, or mortgage, or transfer of property, made with a view of avoiding such distress, seizure, or sale, shall not be effectual to defeat the provisions of this Order.

141. All fees, forfeitures, and money penalties levied under this Order shall be carried to the public account.

142. In any case, criminal or civil, and at any stage thereof, the Court, either of its own motion, or on the application of any party, may summon a British subject, being within the district, to attend to give evidence, or to produce documents, or to be examined.

(2.) If the person summoned, having reasonable notice of the time and place at which he is required to attend, fails to attend accordingly, and does not excuse his failure to the satisfaction of the Court, he shall be deemed guilty of an offence against this Order, and on conviction thereof, on summary trial, shall be liable to a money penalty not exceeding 20l., or to imprisonment for any term not exceeding 14 days.

(3.) A person punished for an offence under this Article shall not be liable to a prosecution or action in respect of the same matter; and any such prosecution or action, if begun, shall be stayed by the Court in such manner and on such terms as the Court thinks just.

143. In a criminal case, where it is proved that a British subject is likely to give material evidence, either for the prosecution or for the defence, and that he will not voluntarily attend to give evidence, the Court shall issue a summons for his attendance.

(2.) If he does not obey the summons, and does not excuse his failure to the satisfaction of the Court, then (after proof of service of the summons) the Court may issue a warrant to compel his attendance.

(3.) Where it is proved that he will not attend to give evidence unless compelled to do so, the Court, instead of issuing a summons, may issue a warrant in the first instance.

(4.) If, on his appearance, either in obedience to a summons, or on being brought up under a warrant, he refuses to take an oath, or, having taken an oath, to answer any question put to him, and does not excuse his refusal to the satisfaction of the Court, the Court may, by warrant, commit him to prison, there
to remain for not more than 7 days, unless he in the meantime consents to answer duly on oath.

144. If a British subject wilfully gives false evidence on oath in the Court in any case, criminal or civil, or on a reference, he shall be deemed guilty of wilful and corrupt perjury.

145. Where a foreigner desires to bring in the Court an action against a British subject,—or a British subject desires to bring in the Court an action against a foreigner,—the Court shall entertain the same, and shall hear and determine it, and (although the case, if between British subjects, would not be triable, or necessarily triable, with assessors) if all parties desire, or the Court thinks fit to direct, a trial with assessors, then with assessors, but in all other respects according to the ordinary course of the Court:

(2.) Provided that the foreigner first obtains and files in the Court the consent in writing of the competent authority on behalf of his own nation to his submitting, and does submit, to the jurisdiction of the Court, and, if required by the Court, gives security to the satisfaction of the Court, by deposit or otherwise, to pay fees, damages, costs, and expenses, and abide by and perform the decision to be given by the Court, or on appeal.

146. A cross-action shall not be brought in the Court against a plaintiff, being a foreigner, who has submitted to the jurisdiction, by a defendant, without leave of the Court first obtained.

(2.) The Court before giving leave shall require proof from the defendant that his claim arises out of the subject-matter in dispute, and that there is reasonable ground for it, and that it is not made for vexation or delay.

(3.) Nothing in this provision shall prevent the defendant from bringing in the Court against the foreigner after the termination of the action in which the foreigner is plaintiff any action that the defendant might have brought in the Court against the foreigner, if this Article had not been inserted in this Order.

147. Where a foreigner obtains in the Court an order against a defendant being a British subject, and in another action that defendant is plaintiff and the foreigner is defendant, the Court may, if it thinks fit, on the application of the British subject, stay the enforcement of the order pending that other action, and may set off any amount ordered to be paid by one party in one action against any amount ordered to be paid by the other party in the other action.

148. Where a plaintiff, being a foreigner, obtains an order in the Court against two or more defendants being British subjects jointly, and in another action one of them is plaintiff and the foreigner is defendant, the Court may, if it thinks fit,
on the application of the British subject, stay the enforcement of the order pending that other action, and may set off any amount ordered to be paid by one party in one action against any amount ordered to be paid by the other party in the other action, without prejudice to the right of the British subject to obtain contribution from his co-defendants under the joint liability.

149. Where a foreigner is co-plaintiff in an action with a British subject who is within the district, it shall not be necessary for the foreigner to give security under Article 145, as regards fees and costs, unless the Court so directs, but the co-plaintiff British subject shall be responsible for all fees and costs.

150. Where it is proved that the attendance of a British subject to give evidence, or for any other purpose connected with the administration of justice, is required in a Court or before a judicial officer of a State in amity with Her Majesty, within the Western Pacific Islands, the Court may, if it thinks fit, in a case and in circumstances in which the Court would require his attendance before itself, order that he do attend in that Court or before that judicial officer, and for the purposes aforesaid.

(2.) If the person ordered to attend, having reasonable notice of the time and place at which he is required to attend, fails to attend accordingly, and does not excuse his failure to the satisfaction of the Court, he shall (independently of any other liability) be deemed guilty of an offence against this Order, and shall, for every such offence, on conviction thereof, by summary trial, be liable to a money penalty not exceeding 20l., or to imprisonment for any term not exceeding 14 days.

151. The provisions contained in the schedule to this order, with the appendix of forms to that schedule, shall be deemed part of this Order, and shall have effect accordingly, for the regulation of procedure under this Order.

152. The High Commissioner, with the advice and assistance of the Chief Justice of Fiji, may, from time to time, by writing under the hand and official seal of the High Commissioner and the hand of the Chief Justice, make rules for the better execution of the provisions of this Order.

(2.) The rules shall be in conformity with the practice and procedure of the Supreme Court, with such variations as the circumstances of the Western Pacific Islands appear to the High Commissioner, with the advice and assistance of the Chief Justice, to require.

(3.) The rules may provide for all or any of the following matters, and for any other matter arising in the course of any criminal or civil case, namely:

Times and places of sittings with assessors in criminal cases;
times and places of sittings for hearing of actions; setting down of actions for hearing; case for opinion of Supreme Court; new trial; interrogatories for examination of plaintiff; tender, interpleader; attachment of debts; interlocutory applications; ex-parte orders; orders to show cause; orders in general; scale of costs and charges to be allowed to solicitors and others; taxation and settlement of costs and charges by registrar or other officer.

(4.) Rules made under this Article may alter any provisions in the schedule to this Order, and shall have effect, notwithstanding any provision in that schedule.

153. The High Commissioner shall, from time to time, with the advice and assistance of the Chief Justice of Fiji, by writing under the hand and official seal of the High Commissioner and the hand of the Chief Justice, prescribe the fees to be taken under this Order in the Court, or by any officer of the Court, or by any person authorised or appointed to act in respect of any proceedings in the Court or otherwise.

154. The High Commissioner shall, from time to time, forthwith report to the Secretary of State all rules made by any authority, and all lists of fees prescribed, under this Order.

155. A proceeding (civil or criminal) shall not be commenced in the Court against any person for anything done or omitted under this Order, unless notice in writing is given by the intending plaintiff or prosecutor to the intended defendant one month at least before the commencement of the proceeding, nor unless it is commenced within 3 months next after the act or omission complained of, or in case of a continuation of damage, within 3 months next after the ceasing of the damage.

(2.) The plaintiff in such a civil proceeding shall not succeed if tender of sufficient amends is made by the defendant before the commencement thereof; and if no tender is made, the defendant may at any time pay into the Court such sum of money as he thinks fit; and thereupon such proceeding and order shall be had and made in and by the Court as the Court thinks just.

156. A copy of this Order shall be exhibited in each Court-House.

(2.) Printed copies shall be provided, and shall be sold at such price as the High Commissioner directs.

And the Right Honourable the Earl of Carnarvon and the Right Honourable the Earl of Derby, two of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.
### Schedule.—Procedure.

#### Contents.

<table>
<thead>
<tr>
<th>Clause</th>
<th>Preliminary</th>
<th>Part A.—Criminal and Civil</th>
<th>Part B.—Criminal</th>
<th>Part C.—Civil</th>
</tr>
</thead>
<tbody>
<tr>
<td>157</td>
<td>Application of Part</td>
<td>158</td>
<td>197</td>
<td>238</td>
</tr>
<tr>
<td></td>
<td>Counsel, solicitors, and agents</td>
<td>168</td>
<td>198-199</td>
<td>239-244</td>
</tr>
<tr>
<td></td>
<td>Witnesses</td>
<td>169-179</td>
<td>200-211</td>
<td>245</td>
</tr>
<tr>
<td></td>
<td>Documentary evidence</td>
<td>180-186</td>
<td>212-230</td>
<td>246</td>
</tr>
<tr>
<td></td>
<td>Affidavits</td>
<td>187-196</td>
<td>231</td>
<td>247</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>232</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>233</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>234</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>235</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>236</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>237</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>238</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>239-244</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>245</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>246</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>247</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>248-250</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>251</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>252</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>253</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>254-256</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>257</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>258</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>259</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>260</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>261-263</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>264</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>265</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>266</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>267-275</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>276</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>277-279</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>280, 281</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>282</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>283</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>284</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>285</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>286-300</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>301-307</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>308, 309</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>310-321</td>
<td></td>
</tr>
</tbody>
</table>
APPENDIX TO SCHEDULE.—INDEX TO FORMS.

Criminal.

No.
1. Information to ground search warrant.
2. Search warrant.
3. Charge.
4. Summons to accused.
5. Warrant in first instance for apprehension of accused.
6. Warrant for apprehension of accused where summons is disobeyed.
7. Summons of a witness.
8. Warrant where witness has not obeyed summons.
10. Warrant for commitment of witness for refusing to be sworn or to give evidence.
11. Warrant committing the accused for safe custody during an adjournment of the hearing, or where the hearing is not at once proceeded with, or remanding him.
12. Recognisance of bail on adjournment of hearing, or where hearing is not at once proceeded with, or instead of remand on an adjournment of preliminary examination or for surrender for trial.
13. Notice of recognisances to be given to accused and each of his sureties.
14. Summary conviction for a penalty to be levied by distress, and in default of a sufficient distress, imprisonment; or for a penalty, and in default of payment, imprisonment.
15. Warrant of distress upon conviction, as that last mentioned, or where the person convicted is to pay costs but no penalty.
16. Warrant (on a conviction for a penalty) for commitment of the person convicted in the first instance without previous warrant of distress.
17. Officer's return, if no sufficient distress, to be indorsed on the warrant.
18. Warrant of commitment for want of distress.
19. Summary conviction where the punishment is imprisonment and no penalty.
20. Warrant of commitment on a conviction as that last mentioned.
22. Certificate of dismissal of charge to be given to accused.
23. Warrant of distress for costs to be paid by the person making the charge, on an order for dismissal of the charge.
24. Warrant of commitment for want of distress in the last case.
25. Depositions, and statement of accused, on preliminary examination where trial to be before the Court or Supreme Court.
26. Depositions, and statement of the accused, on preliminary examination where trial not to be before Court or Supreme Court.
27. Order and charge for trial before the Court with assessors.
28. Warrant of commitment of accused for trial before Court or Supreme Court on conclusion of preliminary examination.
29. Warrant of commitment of accused for trial not before the Court or Supreme Court on conclusion of preliminary examination.
30. Recognisance to prosecute or give evidence.
31. Notice of recognisance to be given to prosecutor and each of his witnesses.
32. Commitment of witness for refusing to enter into recognizance.
33. Order of prohibition by High Commissioner.

Civil (in General).

34. Writ of summons.
35. Form of cause book.
36. Notice of payment into Court.
37. Acceptance of sum paid into Court.
38. Notice to admit documents.
39. Affidavit as to documents.
40. Notice to produce documents for inspection.
41. Notice to inspect documents.
42. Writ summoning person to be witness.
No.
43. Judgment and order at trial.
44. Writ of seizure and seal.
45. Writ of attachment of debts and other property in hands of third person.
46. Writ of arrest and imprisonment.
47. Summons for discharge of prisoner for debt.
48. Writ of delivery.
49. Writ of sequestration.
50. Order to arrest absconding defendant.
51. Bail bond.
52. Order to attach property before judgment.

Probate and Administration.

53. Affidavit of attesting witness in proof of due execution of will or codicil dated after December 31, 1837.
54. Oath for executor.
55. Oath for administrator, with will annexed.
56. Oath for administrator (not with will annexed).
57. Probate.
58. Letters of administration, with will annexed.
59. Letters of administration (not with will annexed).
60. Double probate.
61. Letters of administration of goods not already administered.
62. Administration bond.
63. Administration bond for administrator, with will annexed.
64. Declaration of the personal property of a testator or an intestate.
65. Justification of sureties.
66. Renunciation of probate and administration, with will annexed.
67. Renunciation of administration.
68. Order to a person to bring in a paper purporting to be testamentary.
69. Affidavit of handwriting.
70. Affidavit of finding and condition of will.
71. Affidavit of search.
72. Notice to prohibit grant of probate or administration.
73. Warning to person filing notice to prohibit grant.
74. List of probates and administrations.

AFRICA (South Coast).

LAW of the Lieutenant-Governor of Natal, for further facilitating the Naturalization of Persons of European Birth or Descent.

[No. 8.] [January 12, 1874.]

BENJ. C. C. PINE.

WHEREAS it is expedient that the law now in force affecting Aliens should be amended, and that the Lieutenant-Governor of this colony for the time being should be authorised to grant aliens letters of naturalization, under such regulations and restrictions as are hereinafter provided:

Be it therefore enacted by the Lieutenant-Governor of Natal, with the advice and consent of the Legislative Council hereof, as follows:
1. The Ordinance No. 3, 1857, intituled "Ordinance for imparting to Aliens residing within the district of Natal some of the privileges of Naturalization," and Law No. 1, 1860, intituled "For facilitating the Naturalization of Aliens," as well as any Law or Ordinance heretofore in force in this colony, as may be repugnant to or inconsistent with any of the provisions of this Law, are hereby repealed, save and except as to anything already done and any letters of naturalization already granted thereunder in this colony, all which letters of naturalization shall be of the same force and effect as letters of naturalization authorised to be granted under this Law.

2. Any alien of European parentage or descent who shall have attained the age of 21 years, and who shall have resided within the colony for a period of two years, and who shall have taken an oath of allegiance to Her Majesty the Queen, or her successors, as hereinafter provided, shall be entitled to apply to the Lieutenant-Governor for a certificate of naturalization upon the payment of a registration fee of 5s. to the Colonial Treasurer.

3. The applicant shall adduce in support of his application such evidence of residence as the Lieutenant-Governor may require.

4. The Governor in Council shall take the case into consideration, and may give or withhold a certificate of naturalization to such applicant.

5. Any alien to whom a certificate of naturalization shall have been granted in the colony of Natal, shall, after the date of taking the oath of allegiance in this Law mentioned, be entitled to all political and other rights, powers, and privileges, and be subject to all obligations to which any British subject born in the United Kingdom and resident in Natal is entitled or subject in Natal.

6. Any magistrate of the district in which the alien has resided, or justice of the peace within this colony, shall be competent to administer the oath of allegiance.

7. When and as soon as such oath of allegiance has been taken, the resident magistrate or justice of the peace shall transmit to the master of the Supreme Court a certificate signed by himself, setting forth the name, birth-place, age, profession, trade, or calling, and present place of residence of the alien, and such master of the Supreme Court shall publish the same in the "Government Gazette."

8. Upon the publication of the said notice in the "Government Gazette," and upon application being made, the Lieutenant-Governor shall cause to be issued to the said applicant letters of naturalization.

9. This Law to commence and take effect from and after Her Majesty's assent thereunto.
Given at Government House, this 12th day of January, 1874.

By command of his Excellency the Lieut.-Governor,

D. ERSKINE, Colonial Secretary.

ACT of the British Parliament, for the Union under one Government of such of the South African Colonies and States as may agree thereto, and for the Government of such Union; and the purposes connected therewith.

[40 & 41 Vict., cap. 47.] [August 13, 1877.]

WHEREAS proposals have been made for uniting under one Government under the Crown of the United Kingdom of Great Britain and Ireland those Colonies and States of South Africa which may voluntarily elect to enter into such Union:

And whereas such Union would conduce to the welfare of the said Colonies and States and promote the interests of the British Empire, and it is expedient to make provision for any two or more of the said Colonies or States to unite at such time as may be found convenient:

And whereas it is expedient to declare and define the general principles on which the constitution of the legislative authority and of the Executive Government in the Union may be established, and to enable the details of the said constitution and of the administrative establishments thereunder to be provided for after the wishes and opinions of the said colonies and States with respect to such details have been duly represented to Her Majesty through their respective Legislatures:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

I.—PRELIMINARY.

1. This Act may be cited as "The South Africa Act, 1877."

2. The provisions of this Act referring to Her Majesty the Queen shall extend also to her heirs and successors.

II.—UNION.

3. It shall be lawful for the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, to declare by Order in Council that, on and after a day therein appointed, any two or more of the Colonies or States of South Africa, whose respective Legislatures may so agree, shall be joined or confederated together in union under one general Government and Legislature, with such name and designation as to Her Majesty may seem fit; and on and after that day the said general Government and Legislature of the Union shall have full power...
and effect within the said Colonies or Colonies and States which shall have so agreed.

It shall be lawful for the Queen, by and with the advice of Her Majesty's Privy Council, by any subsequent Order in Council issued before the first assembling of the Union Parliament, to alter or amend the said Order in Council, or to provide for any matters or things as to which Her Majesty is authorised by this Act to make provision, and which are not provided for in the said Order in Council; but no such Order in Council shall be issued under the provisions of this section after the first assembling of the Union Parliament.

In any such Order in Council as aforesaid the Queen may make provision for all or any of the matters as to which she is by this Act empowered to give directions, as well as for any matters necessary to the due establishment of the Union, and before making such provision shall have regard to any representations that may be made to Her Majesty by or by the authority of any State or Colony concerned, or by any committee or other body duly appointed by any two or more of the said Legislatures jointly to consider the subjects mentioned in this Act.

4. The subsequent provisions of this Act shall, unless it is otherwise expressed or implied, commence and have effect on and after the Union, that is to say, on and after the day appointed for the Union taking effect; and in the same provisions, unless it is otherwise expressed or implied, the words "the Union" shall be taken to mean the Union of South African Colonies or Colonies and States provided for by this Act.

5. The Union shall be divided into such provinces, with such names and boundaries, as the Queen may direct.

III.—EXECUTIVE POWER.

6. The Executive Government and authority of and over the Union is hereby declared to be vested in the Queen, and may be exercised on Her Majesty's behalf by the Governor-General or the officer appointed to administer the Government by or by authority of Her Majesty's Royal letters patent.

7. The provisions of this Act referring to the Governor-General extend and apply to the Governor-General for the time being of the Union, or other the chief executive officer or administrator for the time being carrying on the Government of the Union on behalf and in the name of the Queen, by whatever title he is designated.

8. There shall be a Great Seal for the Union, of such device as Her Majesty may approve.

9. There shall be a Council to aid and advise in the Government of the Union, to be styled the Privy Council of the Union; and the persons who are to be members of that Council shall be
from time to time chosen and summoned by the Governor-General, and sworn in as Privy Councillors, and may be from time to time removed by the Governor-General.

10. All powers, authorities, and functions which are at the Union lawfully vested in or exercisable by the respective Governor, Lieutenant-Governor, Administrator, or President of a Colony or State, with the advice or with the advice and consent of the Executive Council or other administrative body thereof, or in conjunction with such Council or body, or with any number of members thereof, or by the said Governor, Lieutenant-Governor, Administrator, or President individually, or by Her Majesty's High Commissioner for South Africa, shall (as far as the same continue in existence and capable of being exercised after the admission of such Colony or State into the Union), in relation to the Government of the Union, be vested in and exercisable by the Governor-General, with the advice or with the advice and consent of, or in conjunction with, the Privy Council of the Union or any members thereof, or by the Governor-General individually, as the case requires, subject nevertheless to be abolished or altered by the Union Parliament.

11. The provisions of this Act referring to "the Governor-General in Council" shall be construed as referring to the Governor-General acting by and with the advice of the Privy Council of the Union, and where "the Governor-General" alone is mentioned, the provision shall be construed as referring to the Governor-General acting on his own discretion and without such advice.

12. It shall be lawful for the Queen, if Her Majesty thinks fit, to authorise the Governor-General from time to time to appoint any person or persons jointly or severally to be his deputy or deputies within any part or parts of the Union, and in that capacity to exercise during the pleasure of the Governor-General such of the powers, authorities, and functions of the Governor-General as he may deem it necessary or expedient to assign to him or them, subject to any limitations or directions expressed or given by the Queen in conformity with the constitutional laws of the Union; but the appointment of such a deputy or deputies shall not affect the exercise by the Governor-General himself of any power, authority, or function.

13. The command-in-chief of the land and naval militia, and of all naval and military forces, of and in the Union, is hereby declared to be vested in the Queen.

14. The seat of Government of the Union shall be such place as the Queen may direct.

IV.—Legislative Power.

15. There shall be one general Legislature for the Union (in
this Act called "the Union Parliament"), consisting of the Queen, an Upper House hereinafter styled the Legislative Council, and a House of Representatives hereinafter styled the House of Assembly; provided that either of the said Houses may receive such other designation as the Queen may direct.

16. The privileges, immunities, and powers to be held, enjoyed, and exercised by the Legislative Council and by the House of Assembly and by the members thereof respectively shall be such as are from time to time defined by Act of the Union Parliament, but so that the same shall never exceed those at the time of the passing of such Act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland and by the members thereof; and until the passing of such Act the said privileges, immunities, and powers shall be the same as those at the time of the passing of this Act held, enjoyed, and exercised by the Commons House of Parliament of the United Kingdom of Great Britain and Ireland, and by the members thereof.

17. The Union Parliament shall be called together not later than 12 months after the Union.

The Legislative Council.

18. The Legislative Council shall, subject to the provisions of this Act, consist of such number of members, representing such divisions of the Union, and shall be so constituted as the Queen may direct.

The House of Assembly.

19. The House of Assembly shall, subject to the provisions of this Act, consist of elected members, representing in fair proportions the various provinces of the Union; and until the Union Parliament otherwise provides, the provinces shall for the purposes of the election of members to serve in the House of Assembly be divided into such electoral districts returning such number of members respectively, and the electors and members shall have such qualifications, and the elections shall be conducted according to such rules and regulations, as the Queen may direct: Provided always, that in the apportionment of members, and in the determination of the qualifications of electors and members, provision shall be made for the due representation of the natives in the Union Parliament and in the Provincial Councils, in such manner as shall be deemed by Her Majesty to be without danger to the stability of the Government.

20. The Governor-General shall from time to time, but at least once a year, in the Queen's name, by instrument under the Great Seal of the Union, summon and call together the House of Assembly.
21. A census of the Union shall be taken in the year 1891, and at the end of each subsequent period of 10 years, and on the completion of every such decennial census, the representation of the provinces may be re-adjusted by such authority, in such manner, and from such times as the Union Parliament from time to time provides, subject and according to such rules as the Queen may direct.

Such re-adjustment shall not take effect until the termination of the then existing Parliament.

22. The number of members of the House of Assembly may be from time to time increased by the Union Parliament, provided that the proportionate representation for the time being in force of the provinces is not thereby disturbed.

Money Votes, Royal Assent.

23. Bills for appropriating any part of the public revenue, or for imposing any tax or impost, shall originate in the House of Assembly.

24. It shall not be lawful for the House of Assembly to adopt or pass any vote, resolution, address, or Bill for the appropriation of any part of the public revenue, or of any tax or impost, to any purpose that has not been first recommended to that House by message from the Governor-General in the session in which such vote, resolution, address, or Bill is proposed.

25. Where a Bill passed by the Houses of the Union Parliament is presented to the Governor-General for the Queen’s Assent, he shall declare, according to his discretion, but subject to the provisions of this Act and to Her Majesty’s instructions, either that he assents thereto in the Queen’s name, or that he withholds such assent, or that he reserves the Bill for the signification of the Queen’s pleasure, or that he will be prepared to assent thereto, subject to certain amendments to be specified by him.

26. Where the Governor-General assents to a Bill in the Queen’s name, he shall, by the first convenient opportunity, send an authentic copy of the Act to one of Her Majesty’s Principal Secretaries of State, and if the Queen in Council, within two years after receipt thereof by the Secretary of State, thinks fit to disallow the Act, such disallowance (with a certificate of the Secretary of State of the day on which the Act was received by him) being signified by the Governor-General, by speech or message to each of the Houses of the Union Parliament or by proclamation, shall annul the Act from and after the day of such signification.

27. A Bill reserved for the signification of the Queen’s pleasure shall not have any force unless and until, within two years from the day on which it was presented to the Governor-
General for the Queen's Assent, the Governor-General signifies, by speech or message to each of the Houses of the Union Parliament or by proclamation, that it has received the assent of the Queen in Council.

An entry of every such speech, message, or proclamation shall be made in the journal of each House, and a duplicate thereof duly attested shall be delivered to the proper officer to be kept among the records of the Union.

V.—PROVINCIAL GOVERNMENT.

28. Each province shall be presided over by a chief executive officer bearing such title and appointed and removable in such manner as the Queen may direct.

29. Until altered by Act of the Union Parliament, the salaries of such officers shall be such as the Queen may direct.

30. Every such officer shall, before assuming the duties of his office, make and subscribe before the Governor-General, or some person authorised by him, oaths of allegiance and office similar to those taken by the Governor-General.

31. The provisions of this Act referring to such officer shall extend and apply to the chief executive officer or administrator for the time being carrying on the Government of any province, by whatever title he is designated.

Provincial Council.

32. There shall be a Council or Parliament for each province, consisting of the chief executive officer and a House or two Houses of Legislature, and of such number of councillors, or councillors and members of Assembly, elected in such manner and for such term as the Queen may direct.

VI.—DISTRIBUTION OF LEGISLATIVE POWERS.


33. It shall be lawful for the Queen, by and with the advice and consent of the Legislative Council and House of Assembly, to make laws for the peace, order, and good government of the Union, in relation to all matters not coming within the classes of subjects by this Act assigned to the councils of the provinces; and for greater certainty it is hereby declared that (notwithstanding anything in this Act) the legislative authority of the Union Parliament extends to all matters coming within the classes of subjects next hereinafter enumerated; that is to say:

(1) The qualification of electors and members of the Legislative Council and House of Assembly, and other questions relating to the constitution, privileges, and proceedings of either
AFLICA (South Coast).

of the said bodies, but always subject to the provisions of this Act relating to the representation of natives.

(2.) The public debt and property.
(3.) The regulation of trade and commerce.
(4.) The raising of money by any mode or system of taxation.
(5.) The borrowing of money on the public credit of the Union.
(6.) Postal service and telegraphs.
(7.) The census and statistics.
(8.) Militia, military and naval service, and defence, saving all matters and things relating to the troops, ships, property, and prerogatives of the Crown not heretofore placed under the jurisdiction of the Colonial Governments.
(9.) The fixing of and providing for the salaries and allowances of civil and other officers of the Government of the Union.
(10.) Beacons, buoys, lighthouses.
(11.) Navigation and shipping.
(12.) Quarantine and the establishment and maintenance of marine hospitals.
(13.) Fisheries.
(14.) Bridges or ferries between a province and a foreign State or between two provinces.
(15.) Currency and coinage.
(16.) Banking, incorporation of banks, and the issue of paper money.
(17.) Savings banks.
(18.) Weights and measures.
(19.) Bills of exchange and promissory notes.
(20.) Interest.
(21.) Legal tender.
(22.) Bankruptcy and insolvency.
(23.) Patents of invention and discovery.
(24.) Copyrights.
(25.) Affairs of native tribes or peoples who are not included under the laws applicable to the general community.
(26.) Naturalization and Aliens.
(27.) Marriage and divorce.
(28.) The criminal law.
(29.) The establishment, maintenance, and management of gaols, hospitals, asylums, and other public institutions for the use of the Union generally.
(30.) Such classes of subjects as are expressly excepted in the enumeration of the classes of subjects by this Act assigned exclusively to the councils of the provinces.
(31.) Such other subjects herein assigned to the Councils of the provinces as the Council of any province may by law declare
to be within the competency of the Union Parliament in respect of such province.

**Exclusive Powers of Provincial Councils.**  [Railways, Telegraphs, &c.]

34. In each province the Council may exclusively make laws in relation to matters coming with the classes of subjects next hereinafter enumerated, and not included among the subjects hereinbefore assigned to the Union Parliament; that is to say:

1. The qualification of electors and members of the Provincial Council, but always subject to the provisions of this Act relating to the representation of natives.
2. Direct taxation within the province in order to the raising of a revenue for provincial purposes.
3. The borrowing of money on the sole credit of the province.
4. The establishment and tenure of provincial offices and the appointment and payment of the provincial officers.
5. The management and sale of the public lands belonging to the province, and of the timber and wood thereon.
6. Education.
7. The establishment, maintenance, and management of public and reformatory prisons in and for the province.
8. The establishment, maintenance, and management of hospitals, asylums, charities, and eleemosynary institutions in and for the province other than marine hospitals.
9. Municipal institutions in the province.
10. Licences for trading and other purposes in order to the raising of a revenue for provincial, local, or municipal purposes.
11. Local works and undertakings other than such as are of the following classes:
   a. Lines of steam or other ships, railways, canals, telegraphs, and other works and undertakings connecting the province with any other or others of the provinces, or extending beyond the limits of the province:
   b. Lines of steamships between the province and any British or foreign country:
   c. Such works as, although wholly situate within the province, are before or after their execution declared by the Union Parliament to be for the general advantage of the Union or for the advantage of two or more of the provinces.
12. The incorporation of companies with provincial objects.
13. The solemnization of marriage in the province.
14. Property and civil rights in the province.
15. The administration of justice in the province, including the constitution, maintenance, and organisation of provincial
courts, both of civil and of criminal jurisdiction, and including procedure in civil matters in those courts.

(16.) The imposition of punishment by fine, penalty, or imprisonment for enforcing any law of the province made in relation to any matter coming within any of the classes of subjects enumerated in this section.

(17.) The registration of titles to land.

(18.) Generally all matters of a merely local or private nature in the province.

35. In each province the council may make laws in relation to immigration into the province; and it is hereby declared that the Union Parliament may from time to time make laws in relation to immigration into all or any of the provinces; and any law of a provincial council relative to immigration shall have effect in and for the province as long and as far only as it is not repugnant to any Act of the Union Parliament.

36. It shall not be lawful for the council of any province to adopt or pass any vote, resolution, address, or law for the appropriation of any part of the provincial revenue, or of any tax or impost, to any purpose that has not first been recommended to the council by the chief executive officer.

37. The distribution of legislative powers between the Union Parliament and the councils of the provinces in the 4 last preceding sections of this Act may be varied by any Order in Council issued in pursuance of Section 3 of this Act, and nothing in this Act shall be deemed to affect or limit in any way the power of the Queen, with the advice and consent of the Lords Spiritual and Temporal, and the Commons, of the United Kingdom of Great Britain and Ireland, in Parliament assembled, to make any law relating to the Union.

38. Every law made by a provincial council shall be forthwith transmitted to the Governor-General, who shall proceed with regard to such law in the same manner as is hereinbefore provided with respect to Bills passed by the Union Parliament.

VII.—Revenues; Debts; Assets; Taxation.

39. All duties and revenues lawfully raised within the Union, except such portions thereof as are reserved to the respective councils of the provinces, or are raised by them in accordance with the special powers conferred on them, shall form one Consolidated Revenue Fund, to be appropriated for the public service of the Union in the manner and subject to the charges in this Act provided.

40. The Consolidated Revenue Fund of the Union shall be permanently charged with the costs, charges, and expenses incident to the collection, management, and receipt thereof, and the same shall form the first charge thereon, subject to be
reviewed and audited in such manner as shall be ordered by the Governor-General in Council until the Union Parliament otherwise provides.

41. The annual interest of the public debts of each Colony or State joining the Union shall, so far as they are in this Act declared to be a charge upon the Union, form the second charge on the Consolidated Revenue Fund of the Union.

42. Unless altered by Act of the Union Parliament, the salary of the Governor-General shall be not less than 8,000£ nor more than 10,000£ per annum sterling money of the United Kingdom of Great Britain and Ireland, payable out of the Consolidated Revenue Fund of the Union, and the same shall form the third charge thereon.

43. Subject to the several payments by this Act charged on the Consolidated Revenue Fund of the Union, the same shall be appropriated by the Union Parliament for the public service.

44. The Union shall be liable for so much of the public debt of each province existing at the Union as the Queen may direct, and the said provincial debts may, by Act of the Union Parliament, be consolidated into one stock.

45. The Union may assume any lands or public property required for fortifications or for the defence of the country.

46. All payments to be made under this Act, or in discharge of liabilities created under any law of the Colonies, States, or Province respectively, and assumed by the Union, shall, until the Union Parliament otherwise enacts, be made in such form and manner as may from time to time be ordered by the Governor-General in Council.

47. All articles of the growth, produce, or manufacture of any one of the provinces shall, from and after the Union, be admitted free into each of the other provinces.

48. All duties and revenues raised or received by the respective Governments or councils of the provinces, in accordance with the special powers conferred upon them by this Act, shall in each province form one Consolidated Revenue Fund to be appropriated for the public service of the province.

VIII.—MISCELLANEOUS PROVISIONS.

49. Every member of the Legislative Council or House of Assembly of the Union, and every member of a council of any province, shall, before taking his seat therein, take and subscribe before the Governor-General or some person authorised by him, the oath of allegiance contained in the schedule to this Act.
50. Except as otherwise provided by this Act, or by any Order in Council issued under Section 3 of this Act, all laws in force in the Colonies and States respectively at the Union, and all courts of civil and criminal jurisdiction, and all legal commissions, powers, and authorities, and all officers, judicial, administrative, and ministerial, existing therein at the Union, shall continue in the provinces situate within what at the said Union are the boundaries of those Colonies and States respectively, as if the Union had not been made; subject nevertheless to be repealed, abolished, or altered by the Union Parliament, or by the council of the respective province, according to the authority of the Parliament or of that council under this Act.

51. The Union Parliament may, notwithstanding anything in this Act, from time to time provide for the constitution, maintenance, and organization of a Supreme Court of Judicature and of a General Court of Appeal for the Union and for the establishment of any additional courts for the better administration of the laws of the Union: Provided always, that no Act of the said Union Parliament shall extend or be construed to extend to take away or abridge the undoubted right and authority of Her Majesty, her heirs and successors, upon the humble petition of any person or persons aggrieved by any judgment, decree, order, or sentence of the said General Court of Appeal, to admit his, her, or appeal to Her Majesty in Council from any rule, decree, order, or sentence upon such terms and securities, limitations, restrictions, and regulations as Her Majesty in Council, her heirs and successors, shall think fit.

52. Until the Union Parliament otherwise provides, all officers of the several provinces having duties to discharge in relation to matters other than those coming within the classes of subjects by this Act assigned exclusively to the councils of the provinces shall be officers of the Union, and shall continue to discharge the duties of their respective offices under the same liabilities, responsibilities, and penalties as if the Union had not been made.

53. Until the Union Parliament otherwise provides, the Governor-General in Council may from time to time appoint such officers as the Governor-General in Council deems necessary or proper for the effectual administration of the affairs of the Union in accordance with this Act.

Treaty Obligations with Foreign Countries.

54. The Parliament and Government of the Union shall have all powers necessary or proper for performing the obligations of the Union or of any province thereof, as part of the British Empire, towards foreign countries, arising under Treaties between the Empire and such foreign countries.
Laws.

55. All laws passed by the Union Parliament or by the provincial councils relating to the natives or to native affairs, or relating to immigration, and all laws passed by the provincial councils relating to the tenure of land, shall be reserved by the Governor-General for the signification of Her Majesty's pleasure thereon, unless, owing to some urgent emergency, it is necessary for any such law to have immediate operation; but in such case the law shall be transmitted for Her Majesty's pleasure thereon at the earliest possible opportunity.

56. No Act of the Union Parliament shall be deemed to be void or inoperative on the ground that it is repugnant to this Act or to any Order in Council made hereunder, but any such Act containing provisions differing from the provisions of this Act shall be reserved for the signification of Her Majesty's pleasure thereon, and shall not have effect until Her Majesty's pleasure in that behalf has been duly signified.

57. It shall be lawful for the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, on addresses from the Houses of the Union Parliament, and from the Legislature of any Colony, State, or Province not at the date of such addresses included in the Union, to admit that colony, State, or Province into the Union, and on address from the Houses of the Union Parliament to admit any territory, not at the date of such addresses included in any Colony, State, or Province, into the Union, on such terms and conditions expressed in the addresses as the Queen thinks fit to approve, subject to the provisions of this Act; and the provisions of any Order in that behalf shall have effect as if they had been contained in this Act.

58. It shall be lawful for the Queen, by and with the advice of Her Majesty's Most Honourable Privy Council, to authorise the Governor for the time being of the Cape of Good Hope by proclamation, to declare that the whole or any portion or portions of any territories in South Africa forming part of Her Majesty's possessions, but not already included in that colony, shall be annexed to and form part of such colony, and the said territories or portions shall be annexed accordingly; provided always, that no such proclamation shall be issued until the Legislature of the Cape of Good Hope shall have passed a law providing that the said territories shall become part of the colony.

59. In case of the admission into the Union of any Colony, State, or Province not originally included in the Union, it shall be entitled to a representation in the Legislative Council and in the House of Assembly proportioned to the representation granted under this Act to the other provinces of the Union, and calculated in the same manner.
60. The powers hereby conferred upon Her Majesty with reference to the first establishment of the Union shall not be exercised after the 1st day of August, 1882, and no such Order in Council made in pursuance of this Act shall have any force or effect unless duly published in the “London Gazette” on or before that date.

61. In this Act the words “as the Queen may direct” mean as Her Majesty may direct by any Order in Council issued in pursuance of Section 3 of this Act, but not otherwise.

---

SCHEDULE.

Oath of Allegiance.

I, A.B., do swear, that I will be faithful and bear true allegiance to Her Majesty Queen Victoria.

NOTE.—The name of the Sovereign of the United Kingdom of Great Britain or Ireland for the time being is to be substituted from time to time with proper terms of reference thereto.

---


At the Court at Osborne, Isle of Wight, the 4th day of February, 1878.

PRESENT: THE QUEEN’S MOST EXCELLENT MAJESTY,

Lord President, Lord Privy Seal, Sir Michael Edward Hicks-Beach, Bart., Sir Thomas Myddelton-Biddulph.

WHEREAS by Section 18 of “The Extradition Act, 1870,” it is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas by a Law enacted by the Legislature of Natal, the short title of which is, “The Extradition Law (Natal), 1877,”* it is provided that “all powers vested in and acts authorised or required to be done by a police magistrate or any justice of the peace in relation to the surrender of fugitive criminals in the United Kingdom under the Extradition Acts, 1870 and 1873, are thereby vested in and may in the colony be exercised and done by any resident magistrate in relation to the surrender of fugitive criminals under the said Acts.”

And whereas it is further provided by the said Law that the said Law shall not come into operation until Her Majesty shall by Order in Council direct that the said Law shall have effect

* No. 6, August 7, 1877.
within the colony as if it were part of "The Extradition Act, 1870," but that the said Law shall thereafter come into operation as soon as such Order in Council shall have been publicly made known in the colony.

Now, therefore, Her Majesty, in pursuance of "The Extradition Act, 1870," and in exercise of the power in that behalf in the said Act contained, doth by this present Order, and with the advice of Her Majesty's Privy Council, direct that the said Law shall have effect in the colony of Natal, without modification or alteration, as if it were part of "The Extradition Act, 1870."

And the Right Honourable Sir Michael Edward Hicks-Beach, Bart., one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. PEEL.

AFRICA (West Coast).

TREATIES of Friendship, Commerce, Slave Trade, &c., between Great Britain and Native Chiefs and States on the West Coast of Africa.—1788—1874.

TREATY with the King and Chiefs of Sierra Leone. Cession, &c. August 22, 1788.

KNOW all men by these presents that I, King Nambaner, Chief of Sierra Leone, on the Grain Coast of Africa, by and with the consent of the other Kings, Princes, Chiefs, and potentates subscribing hereto, in consideration of the presents, as by a list annexed, now made me by Captain John Taylor, of His Britannic Majesty's brig Miro, in behalf of and for the sole benefit of the free community of settlers, their heirs and successors, lately arrived from England, and under the protection of the British Government, have granted, and by these presents do grant and forever quitclaim to a certain district of land for the settling of the said free community to be theirs, their heirs and successors, forever; that is to say, all the land, wood, water, &c., which are now contained from the bay commonly called Frenchman's Bay, but by these presents changed to that of St. George's Bay, coastwise up the River Sierra Leone to Gambia Island, and southerly or inland from the river side, 20 miles. And further, be it known unto all men that I, King Nambaner, do faithfully promise and swear for my Chiefs, gentlemen, and people, likewise my heirs and successors, that I
will bear true allegiance to His Most Gracious Majesty George III, King of Great Britain, France, and Ireland, &c., and protect the said free settlers, his subjects, to the utmost of my power, against the insurrections and attacks of all nations or people whatever. And I do hereby bind myself, my heirs and successors, to grant the said free settlers a continuance of a quiet and peaceable possession of the land granted, their heirs and successors, for ever. In witness whereof, I and my Chiefs have set our hands and seals this 22nd day of August, 1788.

And it is also further agreed by the aforesaid Contracting Parties that the customs payable by vessels anchoring in St. George’s Bay shall pay 10 bars to the free settlers and subjects of His Britannic Majesty, and the customs paid for watering to be paid to King Nambaner, his representatives or successors, that is to say, 15 bars as customary, and if to anchor and not to water, the customs as above to be paid to the free settlers of St. George’s Bay as aforesaid.

In witness whereof to this additional part of these presents, and all others contained herein, we have made our marks and signed our names, with our seals affixed, this 22nd day of August, 1788.

John Taylor. King Nambaner.
Thomas Peall. Pabongee.
Benjamin Ellet. Dick Robbin.
Abram Elliot Griffith, Secretary to the King.

A list of the presents given in consideration for completing the purchase of land, &c., hereunder annexed, viz.:

One embroidered bersode coat, waistcoat, and breeches; a crimson satin embroidered waistcoat; a lead coloured satin coat, waistcoat, and breeches; a mock diamond ring; two pairs of pistols; one telescope; two pairs of gold ear-rings with necklaces and drops; 8 dozen bottles of wine; one puncheon of rum; a tierce or 3 hundredweight of pork; one box of smoking pipes; 7 muskets; 20 pounds of tobacco; one piece of fine white cotton or calico; 10 pounds of beads in lots; two cheeses weighing 28 pounds; 200 gun flints; one dozen bottles of red port wine.

This is to certify to all to whom these presents may come, that we whose names are hereunto subscribed make oath that the purchase of the land, &c., made by Captain Thompson was not (to our certain knowledge) valid, it having been purchased from people who had no authority to sell the same.
TREATY between the Governor of Sierra Leone and King Firama and King Tom. Trade, &c. Robiss, July 10, 1807.

TREATY of Peace and Alliance between the Governor of the Colony of Sierra Leone for the Sierra Leone Company on the one part, and King Firama and King Tom with their Princes and Headmen on the other part.

1. It is agreed that there shall henceforth be peace and friendship between the British Colony of Sierra Leone and King Firama and King Tom, and all the Princes, headmen, and people subject.

2. King Firama and King Tom, with the consent of all the headmen at this time assembled, do hereby surrender to His Majesty the King of Great Britain, for the use and benefit of the Sierra Leone Company, all the right, power, and possessions of every sort and kind in the peninsula of Sierra Leone and its dependencies which they or either of them formerly had to the westward of the colony of Sierra Leone or any part thereof.

3. It is nevertheless agreed that the claim of the proprietors of Bance Island to the possession of Cape Sierra Leone and the adjacent land shall not be altered or affected by this Treaty, neither shall the claims of any other person or persons to the same or any part thereof be affected or altered by it; but all such claims shall remain the same as if this Treaty had never been made.

4. No native town shall be built nearer to the colony than Robiss, except Robiss, Salt Town, and Ro-Cupra; the land between Robiss and Ro-Cupra shall be left to the people of those places for their luggars; and in consideration of the permission thus given to rebuild Ro-Cupra, the Governor of Sierra Leone shall have the right to make what use he thinks proper of Sig. Domingo's point and the land adjacent thereto, he engaging to make a reasonable compensation to Sig. Domingo for the same.

5. The customary payment of 100 bars to King Firama, as agreed upon between him and the Governor of Sierra Leone on the 7th March, 1794, shall continue to be paid to him.

6. The Governor of Sierra Leone engages that the usual customs for watering in St. George's Bay shall be collected regularly and paid to King Firama and his successors, or to such person as he or they may appoint to receive the same.

7. And to prevent disputes, it is hereby acknowledged that the duties payable for water are 15 bars (each bar being of the full value of 3s. 4d. sterling, if paid in goods or specie) for every trading vessel that takes water, whether it take little or much, except crafts belonging to traders residing on the coast of Africa, and vessels of any description belonging to the Sierra Leone Company, or to the colonists of Sierra Leone, or...
the proprietor of Bance Island; and further, that no vessel
ought to pay for water more than once in one voyage, unless
that voyage continue more than a twelvemonth.

8. If any dispute shall arise concerning the boundary
between the colony and Robiss and Ro-Cupra, the Governor of
Sierra Leone and the headmen of Robiss and Ro-Cupra shall
meet and settle it in a friendly way.

Done at Robiss this 10th day of July, in the 47th year of
the reign of our Sovereign Lord George the Third, of the
United Kingdom of Great Britain and Ireland King, and in the
year of Our Lord, 1807.

In presence of:

WILLIAM McCaulay.
JOHN Thorpe.
JOHN McCaulay Wilson.
DAVID EDMUND, Junr.
GEORGE S. Caulker.

His mark.

CHARLES S. Shaw.

In witness of our agreement to the above Treaty of Peace
and Alliance concluded on our part by A. Smith, Esquire, and
Captain A. McCaulay, we have hereunto set our seal, at Fort
Thornton, this 13th day of July, 1807.

For the Governor and Council,

(L.S.) T. LAUDLAM, Acting Governor.

In presence of:

WILLUNAY, Captain Commanding the Troops.
Rosette Ossem, at Ro-Bagga, July 13, 1807.

The within Treaty of Peace concluded at Robiss, day and
year aforesaid, was solemnly ratified by the Kings and Chiefs
within subscribing at Ro-bagga, King Firama's chief town of
residence.

In presence of:

A. Smith.
A. Van Neck.
WILLIAM McCaulay.

I attest the above to be a true copy.

G. Richards, Acting Secretary.

TREATY with the King of the Trazars. Trade, &c. Senegal,
April 2, 1814.

Treaty between his Honour Lieutenant-Colonel McCarthy,
commanding His Britannic Majesty's Forces at Senegal,
Goree, and Dependencies, and administering the Civil

* Signed in the Arabic language.
AFRICA (West Coast).

Government, on the one part, and Amar Wouldou Moitar, King of the Trazars, on the other, both parties being desirous of maintaining the relations of friendship and amity now happily subsisting between their respective nations, and giving every encouragement to a lawful trade, have come to the following resolutions, viz.:

1. His Honour Lieutenant-Colonel McCarthy having been duly authorised by His Majesty the King of Great Britain to grant annual presents to Amar Wouldou Moitar, King of the Trazars, as a proof of the high sense His Majesty the King of Great Britain entertains of the friendship of the King of the Trazars, and of the protection and encouragement he has afforded to his people, the Lieutenant-Colonel hereby declares that agreeable to his instructions the presents, which shall consist of the articles enumerated in the list herewith annexed and authenticated with his signature, shall be paid yearly after the success of the gum trade to Amar Wouldou Moitar; or any person duly authorised by him.

2. His Honour Lieutenant-Colonel McCarthy further declares that the same presents will be granted to the sons of Amar Wouldou Moitar, King of the Trazars, after his death, provided they succeed to him as King of the Trazars, and evince towards the British nation the same attachment manifested in many instances by Amar; but that in the event of elevation of another family to the throne, the presents hereby granted shall cease.

3. Amar Wouldou Moitar, King of the Trazars, promises on his part that he will grant every encouragement to the trade of the British nation, and protect with all his power the lives and property of the traders who shall obtain his consent and permission to trade with his people, on their paying such customs as shall have been agreed between him, or persons duly authorised by him.

4. Amar Wouldou Moitar, King of the Trazars, further promises that he will protect from all acts of aggression or plunder all British subjects navigating the River Senegal in pursuit of lawful trade.

5. Both parties further agree to the maintaining of peace and amity between themselves and the persons under their command, and that in the event of any unforeseen difficulties arising, they shall be settled with justice and impartiality either by his Honour Lieutenant-Colonel McCarthy or Amar Wouldou Moitar, King of the Trazars.

6. Both parties have taken to witness of the purity of their intentions of the just maintenance of the above Treaty, the Almighty Ruler of the universe, have signed the present Treaty at the Government House of Senegal in duplicate, the same being written in English and Arabic, one of which being
entered in the register of Senegal, and the other given to Amar Wouldou Moitar, King of the Trazars.

Government House, Senegal, Island of St. Louis, this 2nd day of April, 1814.

A list of articles to be given annually as a present to Amar Wouldou Moitar, King of the Trazars, viz.: 33 pieces blue baft; 21 trade muskets; 600 balls; 500 flints; 2 (sic) ells scarlet; 3 pieces platilles; 2 ozs. cloves; 12 lbs. brown sugar; 30 lbs. powder; 5 long bars iron; 18 cubits muslin.

For his 7 interpreters: 7 trade muskets; 7 pieces blue baft; 14 lbs. powder; 1 small trunk.

Provisions for the King when at Senegal daily, viz.: 20 lbs. fresh beef; 8 lbs. bread; 30 moules corn, or 8 quarts of wine; 16 (sic) lbs. brown sugar, or 8 quarts molasses; 5 lbs. of loaf sugar.

TREATY with the King and Chiefs of the Bago Country. Cession, &c. Crawfords Island, July 6, 1818.

TREATY of Peace and Amity between his Excellency Lieutenant-Colonel Charles McCarthy, Captain-General and Governor-in-Chief in and over the Colony of Sierra Leone and its Dependencies, Vice-Admiral of the same, Chancellor and Ordinary, &c., and Commander-in-Chief of His Majesty's Forces on the West Coast of Africa, on behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, and Munga Demba, King of the Bago country, and his Chieftains Alimamee Dalla Mohammadu, Secca, Amurah, Salea, and Ali, Headmen of the said country.

His Excellency Lieutenant-Colonel Charles McCarthy, Captain-General and Governor-in-Chief of the Colony of Sierra Leone, &c., as aforesaid, being desirous to form a closer union and alliance between himself as Governor of the Colony of Sierra Leone, on the part and behalf of His Britannic Majesty, and Munga Demba and his Chieftains Alimamee Dalla Mohammadu, Secca, Amurah, Salea, and Ali, and the other Headmen of the said country, and to promote commerce and more frequent and beneficial intercourse between themselves and their respective countries and subjects, and the said Munga Demba, King of the Bago country, with the advice and consent of his said Chieftains Alimamee Dalla Mohammadu, Secca, Amura, Salea, and Ali being willing, for the purpose of forwarding the
said object, to cede to His Britannic Majesty the islands known by the name of the Isles de Loss, have mutually agreed as follows:

1st. The said Mungo Demba, King of the Bago country, and his Chieftains Alimamee Dalla Mohammadu, Secca, Amurah, Salea, and Ali, have for themselves and their successors ceded, transferred, and given over to his Excellency Lieutenant-Colonel Charles McCarthy, Governor of the Colony of Sierra Leone, and the Governors of the said colony for the time being, for the use of and on behalf of His Majesty the King of the United Kingdoms of Great Britain and Ireland and his successors, the full, entire, free, and unlimited possession and sovereignty of the islands constituting the Isles de Loss, viz., Factory, Crawfords, Jamara, Whites, and Coral Islands, together with all and every right and title to the navigation, anchorage, waterage, fishing, and other revenue and maritime claims in and over all the harbours, bays, creeks, roads, and roadsteads and waters in and round the said islands.

2nd. His said Excellency Lieutenant-Colonel Charles McCarthy, for himself and his successors the Governors of the Colony of Sierra Leone for the time being, on the part and behalf of his said Britannic Majesty, engages, promises, and agrees to pay yearly and every year to the said King Mungo Demba through the hands of the said Alimamee Dalla Mohammadu, or such other persons as may be appointed his successor for that purpose, the sum of 400 bars for the said islands, and a further sum of 100 bars in lieu of the customs heretofore demanded and received by the said Mungo Demba, or his Chieftains, for the anchorage or waterage of vessels coming into the harbours or waters of the said islands.

3rd. His said Excellency Lieutenant-Colonel Charles McCarthy, for himself and his successors for the time being Governors of the Colony of Sierra Leone, on the part and behalf of his said Britannic Majesty, guarantees to the native inhabitants of the islands of Yamara and Factory, the full, entire, and free possession of the lands they now hold, provided they behave themselves peaceably and according to the laws in force in the said islands.

4th. It is further agreed by the said Contracting Powers that the before-mentioned sums of 400 bars and 100 bars shall be yearly paid on the 6th day of July in each year, beginning in the year 1819, and shall consist of the following articles, viz.:

- 200 lbs. of tobacco, 100 bars; 5 pieces of blue baft, 55 bars;
- 5 pieces of white baft, 45 bars; 5 pieces of Romalls, 30 bars;
- 3 pieces of bandannas, 30 bars; 3 pieces of satin stripe, 36 bars; 1 barrel of powder, 60 bars; 34 gallons of rum, 50 bars;
- 4 Tower muskets, 24 bars; small articles, as bowls, rings, beads, knives, looking-glasses, razors, &c., 70 bars; total 500 bars.
5th. It is further agreed between the said Contracting Parties that the before-mentioned sums of 400 bars and 100 bars, to be paid yearly as aforesaid, shall be in lieu of all demands of the said Mungo Demba and his Chieftains as aforesaid, upon the Government of the colony of Sierra Leone, or any of the present British residents, or any other person or persons who may hereafter be permitted to reside or obtain lands and possessions on the said islands from the Government of Sierra Leone, whether claimed as customs or presents, or by any other name.

Done and signed in 6 originals at Crawfords Island, Isles de Looe, where the parties are assembled, this 6th day of July, 1818.

C. McCakthy.
Mungo Demba.
Aldiamee Dalla Mahomadu.*
Secca.* Amura.* Salea.* Ali.*

This Treaty was made and signed in our presence:
K. Macaulay, First Member Council, Sierra Leone.
James Christopher, Capt. R.A. Corps.
George Pilkington.
Patrick Coleman, Hospital Assistant.

CONVENTION with the Timmanees. Cession, &c. Freetown, May 25, 1819.

CONVENTION between his Excellency Lieutenant-Colonel Charles McCarthy, Captain-General and Governor-in-Chief in and over the Colony of Sierra Leone and its Dependencies, Vice-Admiral of the same, &c., and Commander-in-Chief of His Majesty's Forces on the West Coast of Africa, on the part of His Majesty the King of Great Britain and Ireland, and Pa London, commonly known by the name and style of Ka Conko, and his Chieftains, Headmen, &c.

His Excellency the Captain-General and Governor-in-Chief being anxious to maintain the happy union and harmony which has for several years past subsisted between the Colony of Sierra Leone and the Timmanees, wishing to strengthen and renew the former Treaties made by his predecessors with the Kings and Chieftains, to prevent all misunderstanding which might arise from misconception as to the proper limits and boundaries of the colony, the rights and titles of British subjects under the authority of the Governor and Council, hereafter to form establishments on such parts of the left bank

* Signed in the Arabic language.
of the Bunch river as are at present unoccupied by British subjects, and Pa London, commonly called Ka Conko, and his Chieftains, Headmen, and gentlemen, being animated with the same sentiments, have for the benefit of all parties concerned agreed as follows:

The said Pa London, commonly called Ka Conko, his Chieftains, Headmen, and gentlemen, have for themselves and their successors ceded, transferred, and given to his said Excellency Governor McCarthy, as Governor for the time being, for the use and on the behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, and his successors, the full, entire, free, and unlimited possession and sovereignty of the territory and lands commonly known under the name of Mar Porto and Ro Bomp, situated on the banks of the Bunch River, and extending from to , with all right and title to the navigation of the same river, water, or rivulet situated on the left side as aforesaid.

The extent and limits of the aforementioned lands of Mar Porto and Ro Bomp shall be duly established in the presence and with the consent of Pa London, commonly called Ka Conko, or a person or persons duly authorised by him to that effect, and no alteration in said limits shall hereafter under any pretence or plea be permitted under the authority or sanction of his said Excellency the Governor or his successors, it being fully understood that within the extent of those limits only British subjects shall have a right to occupy lands in those districts.

In consideration of which transfer of lands his said Excellency the Captain-General and Governor-in-Chief, for himself and successors the Governors of Sierra Leone for the time being, on the part and on the behalf of His Britannic Majesty, engages, promises, and agrees to pay yearly and every year to the said Pa London, commonly called Ka Conko, or to such person as may succeed him or be appointed or authorised to receive the same, the sum of 50 bars in lieu of all other claims or demands of whatever nature or description (the yearly rent of 100 bars to King Farima excepted, which shall continue as heretofore) and his Excellency solemnly promises for himself and successors for the time being on the part of His Britannic Majesty not to disturb or molest any of the native inhabitants who may now occupy any towns, houses, or huts within the extent of the limit of the places aforementioned.

It is further agreed by the Contracting Parties that the yearly rent of 50 bars shall become due and payable on the 4th day of June in each year, the same to commence from the 4th of June next, and payable on the same day of the year
AFRICA (West Coast).

1820, and to consist of the following articles, which are to be taken at the rate here agreed upon and not liable to any alteration.

Lastly, in default of due and regular payment of the yearly rent above agreed upon the present Treaty shall be considered as null and void.

In witness whereof the said Contracting Parties at Freetown, in the colony of Sierra Leone, on the 25th day of May, 1819, have hereunto set their hands and seals in the presence of the subscribing witnesses.

In explanation of the within Treaty, and for the better understanding of each party, it is agreed that the articles, which shall compose the said year rent of 50 bars shall be and remain as follows, viz.: One piece of blue India baft, 9 bars; one piece of red taffety, 16 bars; one piece of satin stripe, 10 bars; one quarter barrel gunpowder, 10 bars; two silk handkerchiefs, 2 bars; one jar to contain rum, value 3 bars; total, 50 bars.

Witnesses:

His C. McCarthy.

Freetown, July 21, 1820.

CONVENTION with the Timmanees of the Quia. Cession, &c.

CONVENTION between His Excellency Colonel Charles McCarthy, Captain-General and Governor-in-Chief in and over the Colony of Sierra Leone and its Dependencies, Vice-Admiral of the same, Colonel on the Staff commanding His Majesty’s Forces, &c.

On the part of His Majesty George the Fourth, of Great Britain and Ireland King, Defender of the Faith, &c., and Pa London, commonly known by the name and style of Ka Conko, and one of his chieftains. Whereas his Excellency the Captain-General and Governor-in-Chief being anxious to continue and perpetuate the good intelligence which has prevailed for several years between the colony of Sierra Leone and the Timmanees of the Quia, and being anxious to prevent any grounds which might hereafter cause any misunderstanding between them respectively; and whereas the said Pa London, commonly called Ka Conko, on his part, and also on that of
Thomas Caulker, one of the head chiefs in the river Cammaranca, are animated with the same sentiments, they have for the benefit of all parties concerned, come to the following agreement:

1. The said Pa London, commonly called Ka Conko, has for himself and his successors, and for and in the name of Thomas Caulker and his successors, ceded, transferred, and given to his said Excellency Governor McCarthy or Governor for the time being on the behalf of His Majesty George the Fourth, of the United Kingdom of Great Britain and Ireland King, and his successors, the full, entire, free, and unlimited possession and sovereignty of the Islands of Bananas, situated near and opposite to Cape Shilling, with all and every right and title to the navigation, anchorage, waterage, fishing, and other revenue and maritime claims in and over the harbours, bays, creeks, roads, roadsteads, waters, in and round the said islands.

2. His said Excellency Colonel McCarthy for himself and his successors the Governors of the Colony of Sierra Leone for the time being, on the part and behalf of His said Britannic Majesty and his successors, engages, promises, and agrees to pay yearly and every year to the said Pa London, commonly known under the name and the style of Ka Conko, and his successors, for himself the sum of 100 bars, and for the use of the said Thomas Caulker and his successors the sum of 50 bars.

3. His said Excellency for himself and his successors on the part and in behalf of His Britannic Majesty, guarantees to the native inhabitants of the said islands of Bananas the full, certain, and free possession of the lands, houses, or any other sort of property they may now or hereafter enjoy in the said islands, provided they behave themselves peaceably and according to the laws which may hereafter be in force in the said islands.

4. And it is further agreed that the payment of the aforesaid rent shall become due and payable on the 1st day of August each year, and shall consist of the articles hereinafter enumerated.

5. And lastly it is agreed that in failure of the regular payment above agreed upon, the present Treaty shall be considered as null and void.

In witness whereof the said Contracting Parties at the Government House, Freetown, in the colony of Sierra Leone, on the 21st day of July, 1820, have hereunto set their hands and seals in the presence of the subscribing witnesses.

(L.S.) C. McCarthy.
His
(L.S.) Pa London ≠ Ka Conko.
mark.
February 6, 1822.
WITNESSES:
H. WALSH, Acting Colonial Secretary. H. H. SAVAGE.

Laid before the Council and approved:
C. McCARTHY, Governor. K. McCaulley, Chief Justice.

EDWARD FITZGERALD. JOHN WALSH.

100 bars for Pa London Ka Conko to consist of: 2 pieces India blue baft, 18 bars; 2 pieces satin stripe, 20 bars; 1 white baft, 7 bars; 1 romall, 4 bars; 1 chilooe, 6 bars; 1 silk bandanna, 8 bars; 2 Tower trade muskets, 12 bars; 1 brass pan neptune, 10 bars; ½ barrel of gunpowder, 10 bars; jar and rum, 5 bars; total, 100 bars.

50 bars for Thomas Caulker to consist of: 1 piece of blue India baft, 9 bars; 1 piece of taffeta, 16 bars; 1 piece of satin stripe, 10 bars; ½ lb. (sic) gunpowder, 10 bars; 2 silk handkerchiefs, 2 bars; one jar rum, 3 bars; total, 50 bars.

To become payable on the 1st August, 1821, and from thence next forward for ever.

His C. McCARTHY. PA LONDON & KA CONKO.

Witnesses: J. WALSH. W. H. SAVAGE.

CONVENTION with the Chiefs of Bananas. Cessions, &c.

Plantains, October 20, 1820.

CONVENTION between his Honour Captain Alexander Grant, Acting Governor-in-Chief and Captain-General in and over the Colony of Sierra Leone and its Dependencies, Vice-Admiral of the same, and Captain of the 2nd West India Regiment, commanding His Majesty's Forces on the Western Coast of Africa, &c., on the part and behalf of His Majesty George IV, of Great Britain and Ireland King, Defender of the Faith, &c., and Thomas Caulker and George Stephen Caulker, Chieftains, and their Chiefs or Headmen now assembled.

The said Contracting Parties have agreed and do agree as follows:

1st. That the said Thomas Caulker and George Stephen Caulker, for and on the part and behalf of themselves and their successors, and all and every other person or persons having or pretending to have any right, title, or interest in the Isles known by the name of the Bannanoes, situate opposite to and lying contiguous to Cape Shilling on the Western Coast of Africa, and also all lands in the immediate vicinity thereof, have this day ceded, transferred, and given to his said Honour Acting-Governor Grant, or Governor for the time being, on the part and behalf of His Majesty George IV, of the United Kingdom of Great
Britain and Ireland King, and his successors, the full, entire, free, and unlimited possession and sovereignty of the said islands of Bannanoes and lands in their immediate vicinity, with all and every right and title to the navigation, anchorage, waterage, fishing, and other revenue and maritime claims in and over the harbours, bays, creeks, roads, roadsteads, and waters in and around the said islands, &c.

2nd. His said Honour the Acting-Governor for himself and his successors in the government of the said colony of Sierra Leone, for the time being, on the part and behalf of his said Britannic Majesty and his successors, engages, promises, and agrees to pay yearly and every year to Thomas Caulker and George Stephen Caulker collectively, and their successors, the sum of 250 bars.

3rd. His said Honour the Acting-Governor for himself and his successors, on the part and behalf of His Britannic Majesty, guarantees to Thomas Caulker and George Stephen Caulker, their chieftains and respective successors, the full, certain, and free possession of the lands, houses or property of whatsoever kind which they do now or may possess on the said islands.

4th. And it is further agreed that the payment of the aforesaid rent or custom shall become due and payable on the 1st day of October each year, and shall be paid in Spanish dollars at the rate of one dollar to one bar thenceforth and for ever.

5th. And lastly, it is agreed that in failure of the regular payment above agreed upon the present Treaty shall be considered as null and void.

In witness whereof the said Contracting Parties at the Plantains have hereunto set their hand and affixed their seals this 20th October, 1820, and first of Our Lord the King that now is.

(L.S.) A. GRANT.

His

THOS. X CAULKER.

mark.

(L.S.) GEO. S. CAULKER.

Done and executed in the presence of us:

I. O. N. WALSH, M.C.
R. ALPHERTS, Lieut. 2nd W. I. Regt.
BRIAN O'BEIRNE, Assist. Surgeon, 2nd W. I. Regt.
W. H. SAVAGE, Civil Writer.

Their

PA BARNIC.

Their

THOS. CAULKER.

X

DAVID CAULKER.

X

RICHARD CAULKER.

marks.

marks.
ENGAGEMENT of King of North Bulloms. Cession of Island of Iombo. Iombo, June 5, 1821.

BA SAMMA, commonly known by the style and title of Ba Mano, King or principal Chief of the North Bulloms and districts of Loco, Ma Samma, isles of Bence, Jasso, Iombo, &c., situate, lying, and being in the River Sierra Leone, and his Chieftains or Headmen,

To all whomsoever these presents shall come sends greeting, wishing health, &c. Forasmuch as in times past it hath been usual and customary to grant unto Europeans, and more especially them of the English nation, certain lands or districts in our territory for the purposes of commerce and trade, and we, without intending to divest ourselves of the lordship thereof, but in order to advance by all proper means the good and welfare of our country, and the benefit of our subjects, have, from time to time, by Treaties, written stipulations, and agreements, encouraged the occupancy of such lands, districts or isles as were selected for this purpose by our friends, the subjects of His Britannic Majesty:

And whereas of late the whole of our isles, shores, and other our territories which had been hitherto occupied by the subjects of his said Britannic Majesty were abandoned, and the usual and stipulated customs or rent we were wont to receive discontinued and ceased to be paid: And further, that during this period of abandonment and discontinuance our good friend John McCormack, a subject of his said Britannic Majesty, did visit us at our residence in the Loco Ma Samma, and explain and declare unto us then assembled the advantage and benefit that would generally arise from opening a new source of traffic with Great Britain in ship timber, and did also pray us to surrender to him for occupancy and use the point of a certain isle called Iombo, situate in the mid-channel of the River Sierra Leone, then occupied, in order that he might thereat carry on the said traffic in ship timber:

And whereas on the usual interchange of presents and assurances of friendship, I, the aforesaid Ba Samma, commonly known and called by the style and title of Ba Mano, and Chieftains or Headmen then assembled, did consent to and agree with the said John McCormack for the occupancy and use of the aforesaid point of Iombo, wherein he hath hitherto resided; and we having found and clearly discovered that the said John McCormack, by his example and perseverance, hath introduced and perfected to our nation, and also to the subjects of the Chieftains, my friends of the different districts of Port Logo and Rokelle, the timber trade now carried on, by which an innocent commerce is substituted in place of the slave trade and the general improvement of this part of Africa advanced:
AFRICA (West Coast).

Now, therefore, know ye that I, the aforesaid Ba Samma, commonly known by the style and title of Ba Mano, King or principal Chief of the North Bulloms and districts of Loco Ma Samma, isles of Bence, Jasso, Iombo, &c., together with the Chieftains and Headmen now assembled with me at Iombo, having first declared that we possess the full authority, absolute dominion, and undisputed territorial right to this effect, do by these presents grant, surrender, make over, and resign unto him, the said John McCormack, and his heirs and assigns, all our right, title, and interest in the said point of the isle or island of Iombo; that is to say, from the western extremity of the said isles until when the same is bounded by the salt water creek intersecting said isle to the east, the same being the boundary of old between Iombo, so called, and Iama, to have, hold, possess, and enjoy the same, with all privileges in and around the same, and emoluments, advantages, and uses, absolutely and for ever, without hindrance from us or our successors henceforth and for ever; hereby reserving, notwithstanding, unto us and our successors, being Kings or principal Chiefs of North Bullom, Loco Ma Samma, &c., the yearly rent, custom, or subsidiary gift of 100 bars, to be paid to us and our successors yearly and every year by the said John McCormack, his heirs and assigns, for ever, and payable in every year on the 25th day of December, commencing from that day and month, in the year 1820.

And in default of the said John McCormack, his heirs or assigns, so paying or causing to be paid the aforesaid yearly rent, custom, or subsidiary gift, then this instrument and Treaty shall become null and of no effect, and all advantage, &c., derived thereby thenceforward cease.

In witness whereof I, the said King Ba Samma Ba Mano, and John McCormack, have hereunto at Iombo set our hands and affixed seals, in presence of the witnesses under written, this 5th day of June, 1821.

His

(L.S.) BASSAMA King of the North Bulloms.

mark.

(L.S.) JOHN McCORMACK.

Done and executed in the presence of us:

K. MACAULAY.

ARCHD. BRODIE.

Their SAML. HAMILTON.

X ADAM, Chief of Marabump.

X JEMMY DEAN.

X JACK ROBERTS.

X PETER CRUDIE.

marks.
ENGAGEMENT of King of Caliba. Cession of Lemain Island.
Lemain, April 14, 1823.

Whereas Alexander Grant, Esq., Major in His Majesty's 2nd West Indian Regiment, and Commander of the British Settlement of Saint Mary's, in the River Gambia, has been deputed by his Excellency Brigadier-General Sir Charles McCarthy, Captain-General and Governor-in-Chief in and over His Britannic Majesty's Possessions on the Western Coast of Africa, to treat with us for our island of Lemain, situate in the River Gambia, near Kayee, and opposite to our port of Junko Conda; and whereas all sovereignty of the said Island at present lies in us, and has been handed down to us by our ancestors, and we having full power and authority to dispose of the same, and being fully convinced of the pacific and just disposition of the said Governor-in-Chief and Major Grant his deputy, acting for and on behalf of His Britannic Majesty, as also of the great reciprocal benefits which will result from a British settlement being established in our neighbourhood, and withal being desirous of manifesting our distinguished affection and friendship for the King of Great Britain and his subjects:

Do hereby, for and in consideration of 100 dollars value in merchandise, to be well and truly paid to us yearly and every year, and the value of 10 dollars in merchandise, to be at the same time and in like manner paid to Wooda Maddy, our Alcaide, or our Alcaide for the time being, the first payment to commence and be made from the 1st of April in this present year of the Christian era, 1823, and ever afterwards, by half-yearly instalments, that is, 55 dollars value in merchandise on the 1st of October and 1st of April in each year, for ever cede and relinquish, and do bind ourselves, our heirs and assigns, for ever to cede and relinquish all claim, title, or property which we or they have or might have had in the said island, to the King of Great Britain and Ireland, his heirs and successors for ever.

And we do further, in consideration of the value of 50 dollars in addition to the 110 above mentioned, to be well and truly paid yearly and every year, the first payment to be made on the 1st of April, 1824, abandon, relinquish, and for ever give up for ourselves, our heirs, and successors, any claim we had for customs on colonial vessels trading in the river from St. Mary's; and we further, in consideration of the above-mentioned sums of 110 and 50 dollars, in all amounting to 160 dollars, bind and oblige ourselves, our heirs and successors, as aforesaid, to protect by every means in our or their power all British vessels trading in the river, which are not, as heretofore, to be boarded by us or any of our subjects for the purpose of extorting or asking any custom whatever, they having henceforth and for
ever, by virtue of this Treaty, full liberty of passing and repassing our territories without any hindrance or molestation of any kind whatever.

And we do further, by virtue of this Treaty, and being moreover convinced that the cultivating a good understanding with the subjects of His Britannic Majesty will, under Providence, be attended with the happiest consequences to us and our subjects, solemnly guarantee our protection to them and their property, either settling in or passing through any part of our dominions, as also protection and encouragement to all strangers or native traders passing through our territories in order to trade with the subjects of His Britannic Majesty, or otherwise; and lastly, we bind and oblige ourselves, our heirs and successors, as aforesaid, faithfully and truly to abide by and discharge the Articles of this Treaty, under the penalty of forfeiting all the pecuniary advantages therein held forth.

And to the purity and sincerity of our intentions, in the mutual observance of the foregoing Articles, we, the Contracting Parties, call the Omnipotent God of truth and justice to witness.

Signed, sealed, and delivered in the Commandant's tent on Lemain island, in the presence of the witnesses who have hereunto signed their names, this 14th day of April, in the year of the Christian era 1823, and in the reign of our most Gracious Sovereign George the Fourth.

A. Grant, Major, &c., Commandant.

<table>
<thead>
<tr>
<th>Their</th>
<th>Their</th>
</tr>
</thead>
<tbody>
<tr>
<td>☒ KING COLLIE, of Caliba.</td>
<td>☒ MAMADY.</td>
</tr>
<tr>
<td>☒ WOODY MADDY.*</td>
<td>☒ SY.*</td>
</tr>
<tr>
<td>☒ STATU SAGIS.</td>
<td>☒ BUCKARU.*</td>
</tr>
<tr>
<td>☒ SALUM CASSEMA.*</td>
<td>☒ MA SAUDIE, of WALIA.</td>
</tr>
</tbody>
</table>

marks. | marks.
Witnesses: CHARLES GRANT. THOMAS JONER.

---

CONVENTION with King of North Bulloms. Cession of Islands, &c., on northern side of the River Sierra Leone. August 2, 1824.

CONVENTION between his Honour Daniel Molloy Hamilton, Acting Governor of the Colony of Sierra Leone, on behalf of His Britannic Majesty, and Ba Mauro, King of the North Bulloms, on behalf of himself and his Headmen.

Whereas for the convenience of trade and more easy communication with the surrounding nations, various subjects of His Britannic Majesty have at different times settled upon

* Signed in the Arabic language.
places in the islands and on the northern bank of the River Sierra Leone, within the dominions and territory of King Ba Mauro; and whereas disputes have arisen from the same, and King Ba Mauro has not received the customs to which he believes himself entitled; and whereas the present state of jurisdiction over the said places renders difficult the due execution of justice or good government; to remedy the same and to keep unimpaired the present peace and friendship which so happily exists between His Britannic Majesty and his subjects and the said Ba Mauro and his subjects, his Honour Daniel Molloy Hamilton, Acting Governor of the Colony of Sierra Leone and its dependencies, from 20 degrees north to 20 degrees south latitude, Chancellor and Ordinary of the same, on the part of His Britannic Majesty, and Ba Mauro, King of the North Bulloms, with the advice and consent of his chiefs and headmen, have mutually agreed as follows:

1st. Ba Mauro, King of the North Bulloms, by the advice and consent of his headmen, signified by their signature hereto, has for them and himself, and their and his successors, ceded, transferred, and given over to his Honour Daniel Molloy Hamilton, Acting Governor of the Colony of Sierra Leone, and the Governors of the said colony for the time being, for the use and on behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland and his successors, the full, entire, free, and unlimited right, possession, and sovereignty of the islands of Bance, Tasso, Jombo, Bobs, Caffoo, Yellway, Kropillar, Yeama, Papill, Marabump, Callum Bay, Balt, Pentilar, and all the other islands and islets lying, situate, and being upon the northern side of the River Sierra Leone, between Jagreen Point on the west, and the creek Ka Cupper, above Mafarree, which divides the territories of the said Ba Mauro from those of Ali Karlie, King of Port Logo, on the east, by whatever name or names the same may be known, and also the northern bank of the said river on the main land, for one mile inland from the River Comso Bay on the west, to the said creek above Mafarree on the east, together with all and every right and title to the navigation, anchorage, waterage, fishing, and other revenue and maritime claims in and over the said River Sierra Leone, and all the bays, creeks, inlets, and waters of the same.

2nd. The said Ba Mauro, King of the North Bulloms, with the advice and consent of his headmen, in manner aforesaid, further cedes, grants, and transfers over to the said Daniel Molloy Hamilton, Acting Governor of the Colony of Sierra Leone, for the use of his said Majesty, all the right and title to the rent or customs due or payable to him for the places named in the Schedule annexed to this Treaty, together with all the obligations of lessees thereof, and which places are the only ones he acknowledges as having been leased, let, or given away
by him or on his account, or by his consent, or that of his chieftains, no other person having any right, claim, or title whatsoever to the use, possession, or occupation of any part of the islands, lands, or territories hereby ceded and transferred over.

3rd. The said Daniel Molloy Hamilton, for himself and his successors, Governors of the colony of Sierra Leone for the time being, on the part and behalf of His Britannic Majesty, engages, promises, and agrees to pay yearly and every year to the said Ba Mauro, King of the North Bulloms, his successors, the sum of 300 Spanish dollars in lieu of all other claims for rent, customs, or other dues whatsoever, which said sum shall be paid on the 31st day of December in each year.

4th. The said Daniel Molloy Hamilton, for himself, his successors, Governors of the said colony of Sierra Leone, for the time being, on the part and behalf of his said Britannic Majesty, guarantees to the native inhabitants of the said islands and district of lands so ceded as aforesaid the full, entire, and free possession of the land they now hold in the same manner as the other inhabitants in the said colony.

In witness whereof the said parties have hereunto set their hands and affixed their seals, this 2nd day of August, in the year of the Christian era 1824.

Signed in the presence of:

K. Macaulay, M.C.
J. Reffell, M.C.

Schedule of Land let by King Ba Mauro to various British subjects, and transferred to His Britannic Majesty by Treaty between his Honour Daniel Molloy Hamilton and Ba Mauro, dated August 2nd, 1824.

<table>
<thead>
<tr>
<th>Place</th>
<th>Lessee</th>
<th>Rent per year</th>
<th>Remarks</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bars</td>
<td>Hy. Williams</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Jombo</td>
<td>J. McCormack</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>Lower Sesce</td>
<td>K. Macaulay</td>
<td>30</td>
<td></td>
</tr>
<tr>
<td>Old Sasso</td>
<td>Hy. Williams</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>Papell</td>
<td>Hy. Williams</td>
<td>40</td>
<td></td>
</tr>
<tr>
<td>Re Kilma</td>
<td>Weston and Clouston</td>
<td>140</td>
<td></td>
</tr>
<tr>
<td>Bob's Island</td>
<td>J. Welsh</td>
<td>50</td>
<td></td>
</tr>
<tr>
<td>Back Papei</td>
<td>W. Atkin</td>
<td>25</td>
<td></td>
</tr>
<tr>
<td>Robunka</td>
<td>K. Macaulay</td>
<td>140</td>
<td></td>
</tr>
</tbody>
</table>

His D. M. Hamilton.

Signed in the presence of:

K. Macaulay, M.C.
J. Reffell, M.C.

mark.

VOL. XIV.
Signed, sealed, and delivered in the presence of:

Their

♫ JAMES DEAN.
♫ KING DALLA MAHOMODOO. ♫
♫ BOAM CORPREE.

Their marks.

♫ PETER JUCKBAYOIN. ♫
♫ PAY SUYMA.


Know all men by these presents that I, Bamaro, Chief of the North Bulloms, and the acknowledged lawful successor of the late King Bassamma, do acknowledge that I have received from Henry Williams, of Bance Island and Freetown, merchant, 60 bars in goods for rent or custom for the year 1823, for lands or islands held of me by him the said Henry Williams, viz., Bance Island, Papell, Bob's Island, and Tasso; and the aforesaid Bamaro, for myself and successors, agree to receive from the aforesaid Henry Williams, his heirs or assigns, 60 bars in goods yearly, to be paid each year at Christmas, or so near thereto as he shall be called upon so to do; and the aforesaid 60 bars yearly shall be in full of all demands for rent or custom from henceforth for ever for the aforesaid lands or islands, viz., Bance Island, Papell, Bob's Island, and Tasso; And be it further known that the aforesaid Henry Williams, for himself, his heirs and assigns, doth hereby give up and resign all claim to any other lands or islands whatever which now do or have formerly belonged to me, the said Bamaro; and I, on my own part and for my successors, acknowledge that there are no arrears or claims of any kind due to me from the said Henry Williams from the beginning of the world to the present day; and in witness of all the within we have mutually set our hands and seals this 5th day of August, 1824.

His ♫ PA BAMARO. (L.S.)

HENRY WILLIAMS. (L.S.)

Their marks.

♫ ROBERT LAING.
♫ PA CAESAR.
♫ TAN TA MASSA.
♫ JOHN ROBERTS.

Witness to the above signatures, and that the above was duly explained.

* Signed in the Arabic language.
AFRICA (West Coast).

CONVENTION with the King and Chiefs of Sherbro, Bendo, Bullom, Bagroo, Char, Sherbro Island, Jenkins, Ya Comba, Bompey, Tasso, and Plantain Islands. Cession. Plantain, September 24, 1825.

CONVENTION between his Excellency Charles Turner, Knight Companion of the Most Honourable the Military Order of the Bath, Commander of the Portuguese Order of the Tower and Sword, and of the Turkish Order of the Crescent, Captain-General and Governor-in-Chief of the Colony of Sierra Leone and its Dependencies, the Forts and Settlements on the River Gambia, Cape Coast Castle, and the Forts on the Gold Coast, the Isles de Loss, and the islands, territories, and factories to His Majesty belonging on the Western Coast of Africa, from the 20th degree of north latitude to the 20th degree of south latitude, Vice-Admiral, Chancellor, and Ordinary of the same, Major-General of His Majesty's Land Forces, Colonel of His Majesty's Royal African Colonial Corps, and Commander-in-Chief of His Majesty's Forces on the Western Coast of Africa, &c., on the part of His Britannic Majesty; and Banka, King of Sherbro, on the part of his tributary Kings, Chiefs, and Headmen; Kong Cuba, Prince of Sherbro; Sumana, King of Bendo; Ta Bompay, King of Bullom; Solocco, King of Bagroo; Suwarrow, King of Char; Kenefarre, Chief of Sherbro Island; Will Adoo, Chief of Jenkins; and Ya Comba, Queen of Ya Comba, by her lawful representatives and next of kin, Thomas Caulker, Chief of Bompey, and George Caulker, Chief of Tasso and the Plantain Isles, on behalf of themselves, their tributary Chiefs, Headmen, and people.

WHEREAS a cruel and destructive war has for several years raged between certain tribes of the Kusso nation and the inhabitants of countries bordering on the Sherbro Buloms, which countries the said tribes of the Kusso have conquered and destroyed, and the defenceless inhabitants of which they have cruelly murdered or sold into slavery; and whereas the said Kusso tribes have already commenced hostilities against the said Sherbro Buloms, and have overrun and depopulated part of the territories belonging to the said Bankah, King of Sherbro, and Ya Comba, Queen of Ya Comba, their allies, tributary Kings, Chiefs, and Headmen, and have manifested so determined a spirit as to leave no room to doubt that their ultimate object is to overrun the said territories, to exterminate the present possessors of the soil by the sword or by selling them into slavery; and so satisfied thereof are the said Banka and Ya Comba, their tributary Kings, Chiefs, and Headmen, that they have of their own free will and accord stepped forward and thrown themselves and their countries upon the
protection of his Excellency the Governor-General of Sierra Leone and the British Government as the surest means of saving themselves and subjects from the destruction threatened by their cruel and implacable enemies: and whereas in the progress of the said war violent outrages have been committed by parties to the said war upon the property and persons of British subjects engaged in lawful trade and commerce, plundering the one, seizing and selling into slavery the others.

And whereas his Excellency the Governor-General of Sierra Leone feeling no less apprehension for the peace and security of His Britannic Majesty's territories, the war having already approached the frontiers of the colony of Sierra Leone, than indignation at the insults offered to his nation in the outrages committed on the persons and properties of its subjects, has determined, for the peace and security of the British possessions, and for checking the further progress of this cruel and desolating war, to accede to the prayer of the said Kings, Chiefs, and Headmen: Wherefore his Excellency Charles Turner, Knight Companion of the Most Honourable the Military Order of the Bath, Commander of the Portuguese Order of the Tower and Sword, and of the Turkish Order of the Crescent, Captain-General and Governor-in-Chief of the Colony of Sierra Leone and its Dependencies, the Forts and Settlements on the River Gambia, Cape Coast Castle, and the Forts on the Gold Coast, the Isles de Loss, and the islands, territories, and factories to His Majesty belonging on the Western Coast of Africa, from the 20th degree of north latitude to the 20th degree of south latitude; Vice-Admiral, Chancellor, and Ordinary of the same, Major-General of His Majesty's Land Forces, Colonel of His Majesty's Royal African Colonial Corps, and Commander-in-Chief of His Majesty's Forces on the Western Coast of Africa, &c., on the part and behalf of His Britannic Majesty, and Bankah, King of Sherbro, by the advice and consent of his tributary Kings, Chiefs, and Headmen, namely, Sunana, King of Bendoo; Suwarrow, King of Char; Kong Cuba, Prince of Sherbro; Ta Bompay, King of Bullom; Solocco, King of Bagroo; Kenefarre, Chief of Sherbro Island; Will Adoo, Chief of Jenkins; and Ya Comba, Queen of Ya Comba, by her lawful representatives and next of kin, Thomas Caulker, Chief of Bompay, and George Caulker, Chief of Tasso and the Plantain Isles, with the advice and consent of their tributary Chiefs and Headmen, have mutually agreed as follows: First, Bankah, King of Sherbro, by the advice and consent of his said tributary Kings, Chiefs, and Headmen, and the said Thomas Caulker and George Caulker, representatives of the said Ya Comba, Queen of Ya Comba, have for themselves, their tributary Kings, Chiefs, and Headmen, and people, for them, their heirs, and successors, for ever ceded, transferred, and given over unto his
said Excellency Charles Turner, Governor of the said colony of Sierra Leone, and his successors the Governors of the said colony for the time being, for the use and on behalf of His Majesty the King of Great Britain and Ireland, and his successors, the full, entire, free, and unlimited right, title, possession, and sovereignty of all the territories and dominions to them respectively belonging, being situate between the southern bank of the Camaranka river on the north, and the town of Camala, and the line which separates the territories of King Sherbro from those of the Queen of the Galinas on the south, together with all and every right and title to the navigation, anchorage, waterage, fishing, and other revenue and maritime claims in and over the said territories, and the rivers, harbours, bays, creeks, inlets, and waters of the same. Second, the said Charles Turner, for himself and his successors the Governors of the said colony of Sierra Leone for the time being, on the part and behalf of his said Britannic Majesty, agrees to accept the cession of the aforesaid territories and dominions from the said Banka, King of Sherbro, and the said Ya Comba, Queen of Ya Comba, their tributary Kings, Chiefs, and Headmen, and the other native inhabitants of the said territories and dominions, the protection of the British Government, the rights and privileges of British subjects, and guaranteeing to the said Banka, King of Sherbro, his tributary Kings, Chiefs, and Headmen, namely, Sumana, King of Bendoo; Suwarrow, King of Char; Kong Cuba, Prince of Sherbro; Ta Bompay, King of Bullom; Solocco, King of Bagroo; Kenefarre, Chief of Sherbro Island; Will Adoo, Chief of Jenkins; and to the said Ya Comba, Queen of Ya Comba, and her representatives the said Thomas Caulker, Chief of Bompay, and George Caulker, Chief of Tasso and the Plantain Isles, and the other native inhabitants of the aforesaid territories and dominions, and to their heirs and successors for ever, the full, free, and undisturbed possession and enjoyment of the lands they now hold and occupy.

Signed at the Plantain Isles on Saturday, the 24th day of September, 1825, and ratified in the presence of all the Kings, Chiefs, and Headmen of the Sherbro Bulloms at Yoni, on Sherbro Island, on this 1st day of October, in the year of the Christian era 1825.

Geo. Rendall, A.J.C.
K. Macauley, M.C.

Their Wm. Ross, M.C.

Æ Sumana, King of Bendoo.
Æ Suwarrow, King of Char.
Æ Kong Cuba, Prince of Sherbro.
Æ Ta Bompay, King of Bullom (by King Sherbro).
Æ Solocco, King of Bagroo.

marks.
950 AFRICA (West Coast).

Their

\*\* KENEFARRE, Chief of Sherbro.
\*\* WILL ADOO, Chief of Jenkins.
\*\* THOMAS CAULKER, Chief of Bompay.
\*\* GEORGE CAULKER, Chief of Tasso and Plantain Isles.
\*\* BA YENDA, Chief of Boama.
\*\* CHARLES TURNER, Governor of Sierra Leone and Dependencies.
\*\* BANKA, King of Sherbro.
\*\* YA COMBA, Queen by her representatives.
\*\* THOMAS CAULKER, Chief of Bompay.

marks. GEORGE CAULKER, Chief of Tasso and Plantain Isles.

PROCLAMATION of the Governor-General of Sierra Leone, taking possession of the Kingdoms ceded to Great Britain by the King of Sherbro, and the Queen of Ya Comba, on the 24th September, 1825. Yoni, October 3, 1825.

By His Excellency Major-General Charles Turner, C.B., Captain-General and Governor-in-Chief of the Colony of Sierra Leone and its Dependencies, the Forts and Settlements in the River Gambia, Cape Coast Castle, and the Forts on the Gold Coast, the Isles de Loss, and the islands, territories, and factories to His Majesty belonging on the Western Coast of Africa, from the 20th degree of north latitude to the 20th degree of south latitude; Vice-Admiral, Chancellor, and Ordinary of the same, Colonel of His Majesty’s Royal African Colonial Corps, and Commander-in-Chief of His Majesty’s Forces on the Western Coast of Africa, &c.

CHARLES TURNER.

WHEREAS by a Convention entered into at the Plantain Islands on the 24th day of September last, and ratified at Yoni, on Sherbro Island, on the 1st day of this instant month of October, \* Banka, King of Sherbro, and Ya Comba, Queen of Ya Comba, did, by and with the advice and consent of their several tributary Kings, Chiefs, and Headmen, cede, transfer, and make over to us, for and on behalf of His Majesty, the full, entire, free, and unlimited right, title, possession, and sovereignty of all the territories and dominions of the Sherbro Bulloms situate between the southern bank of the Camaranca river in latitude 7° 54' N. on the north, and the town of Camala and the boundary line which separates the dominions of King Sherbro from those of the Gallinas, in or about latitude 7° N. on the south, extending eastward to the acknowledged boundaries of the Sherbro and Yacomba kingdoms, together with all and every right and title to the navigation, anchorage, waterage, fishing, and other revenue and maritime claims in

\* Page 947.
AFRICA (West Coast).

and over the said territories, and the rivers, harbours, bays, creeks, inlets, and waters of the same.

Now therefore be it known to all whom it may concern, that possession of the said kingdoms has been by us taken in the name and on behalf of His Majesty, and that the same, by virtue of the powers in us vested, are constituted an integral part of the colony of Sierra Leone, and are thereby become subject to the navigation and other laws of the mother country and of the said colony.

Given at Yoni, on Sherbro Island, this 3rd day of October, 1825.

By his Excellency's command,
GEORGE RENDALL, A.J.C.

God Save the King.


CONVENTION between his Excellency Major-General Charles Turner, C.B., Captain-General and Governor-in-Chief of Sierra Leone and its Dependencies, &c., and Caremo, Senior and Chief of the Barra Family; Santigge, his younger brother; and Namina Lahi and Brahima Kayelle, heads of the Sancong family, the lawful possessors of the Bacca Loco territories.

WHEREAS, by the decease of Pa Moribah, Ali Karlie, the territories of Bacca Loco, are left without a Chief to govern and protect the same; and whereas it belongs to Caremo, Senior and Chief of the Barra family, Santigge, his younger brother, and Namina Lahi and Brahima Kayelle, heads of the Sancong family, as lawful proprietors and possessors of the said territories of Bacca Loco, to nominate and appoint a successor to the said Pa Moribah, Ali Karlie; and whereas the extended intercourse and trade existing between the said territories and the surrounding countries require, for the due protection thereof, and the maintenance of the just rights and privileges of the inhabitants, as well for the prevention of cabals and intrigues, that the person administering the government of the same should be armed with more power and authority than the said Barra and Sancong families are capable of affording.

Therefore the said Caremo, Santigge, Namina Lahi, and Brahima Kayelle, reposing full confidence in the good faith and friendly disposition of the Sierra Leone Government, and its power to support and maintain the necessary authority, have offered to his Excellency Major-General Charles Turner, C.B., Captain-General and Governor-in-Chief of the colony of
Sierra Leone and its dependencies, for and on behalf of His Britannic Majesty, the sovereignty of the said territories of Bacca Loco, which his Excellency Major-General Charles Turner, C.B., is willing, on behalf of His Britannic Majesty, to accept.

Wherefore the said Contracting Parties have mutually agreed as follows:

1st. Caremo, Senior and Chief of the Barra family, Santigge, his younger brother, and Namina Lahi, and Brahimá Kayelle, heads of the San cong family, the lawful proprietors and possessors of the territories of Bacca Loco, have, for themselves, their heirs and successors, for ever ceded, transferred, and given over unto his Excellency, Charles Turner, C.B., Captain-General and Governor-in-Chief of the colony of Sierra Leone and its dependencies, and his successors, the Governors of the said colony, for ever, for and on behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, the full, entire, free, and unlimited right, title, and sovereignty into and over the territories and dominions of Bacca Loco, situate and bounded as follows: on the north by the River Mungo, or Small Scarcies, from the line of the Ka Kupper Creek on the west to Kassa on the east; on the east by the line from Kassa to the Sabouney River, which separates the said territories from the Maccama country; on the south by the boundary line of Pa Cobulo's territory, from thence through the Plains of Lallitoboo to Kasanko Point, at the conflux of the Rivers Rokelle and Port Logo; and on the west from Kasanka, up the River Port Logo, to the Ka Kupper Creek, and from thence along the said creek, and the line thereof, to the River Mungo or Small Scarcies; together with all the rivers, inlets, and waters of the same.

2nd. His Excellency Major-General Charles Turner, C.B., Captain-General and Governor-in-Chief of the colony of Sierra Leone and its dependencies, for himself and his successors, the Governors of the said colony, on the part and behalf of His said Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors for ever, has agreed to accept the said sovereignty of the territories of Bacca Loco, and guarantees to the said families of Barra and San cong, and to the inhabitants of the same, the continued and unmolested enjoyment of such lands and other property as they now possess.

In witness whereof the said Contracting Parties have hereunto set their hands and seals, at the town of Port Logo, on this 12th day of December, in the year of the Christian era 1825.

CHARLES TURNER, Governor of Sierra Leone and Dependencies.

Their marks.

* Signed in the Arabic language.
In the presence of:

K. Macaulay, M.C.  Fatima Brahima.*
W. Ross, M.C.  Namina Mahommadu.*
Dalu Mahommadu.*

AGREEMENT with the Chief of the Mandingo. Cession of Island of Mattacong or Matecong. Fouricaria, December 30, 1825.

Be it known unto all, that I, Alimarmie Amura, Ruler and Chief of the Mandingo nation, in presence of the Chieftains, Headmen, Elders, and others, respectable men of that nation, duly and solemnly assembled for the purpose at Fouricaria, my residence, being the principal town of the said country, on Friday, the 2nd Arehuma or day of rest, in the 4th moon of the 1239th year of the Mehemetan era, and, according to Christian chronology, the 30th day of December, in the year since Jesus Christ 1825, taking into consideration that the island commonly called Mattaccong or Matecong, which lies on the north or left-hand side of the entrance of the River Fouricaria, as entered from the sea, has always been deemed and considered as belonging and making part of the said Mandingo country, and that my grandfather, Bocary Manga, did, in order to remove all doubt, and as well to compensate those who might suppose they had any claims on the right, title, or possession to the same, or any part thereof, pay, present, and deliver unto certain headmen of the Mandangia nation, being a mixed people from various origins, then and now living near the sea-shore (and from whom my predecessors in olden time had conquered the present Mandingo country which they now possess), in amity with this country, 7 slaves, by which the old right to produce or manufacture salt on the said island was surrendered entirely to the subjects of the Alimarmie, or chief of this country, a privilege hitherto enjoyed by the said Mandangia: And duly considering that the said island from its situation is well calculated to serve as the residence of European merchants and persons who can promote the commerce of my country, and for which purpose the said island hath, under the sanction of my predecessors and myself, been so inhabited at different times in the memory of man, although at this present there are no inhabitants thereon:

Now, inasmuch as Stephen Gabbidon and William Henry Savage, merchants of Sierra Leone, a friendly English colony in this vicinity, have for several months last past caused to be intimated unto me, Alimarmie Amura, their desire that I should be pleased to grant them a lease occupation on conditions, or

* Signed in the Arabic language.
possession of the said island on such terms as might be thought proper, in order that they, the said Stephen Gabbidon and William Henry Savage, should be enabled to carry on a joint business in commerce, trade, and agriculture on the said island as they may think proper: and I, the said Alimarmie Amura, and my chieftains, headmen, elders, and others assembled, feeling conscious and persuaded that the prosperity of the Mandingo country, under God, is most especially to be promoted by commerce, and in order to give every facility to those who are willing to use their endeavours to effect such a desirable object, and more especially to promote the commercial pursuits of the said Stephen Gabbidon and William Henry Savage, first calling on the great name of God, and having mutually exchanged presents on the occasion, the one to the other, I have, in full faith for myself and my successors, surrendered, leased, made over, and transferred unto the said Stephen Gabbidon and William Henry Savage, and their representatives, the said island of Mattacong or Matecong for a possession, factory, settlement, or place of commerce, trade, and agriculture in perpetuity, according to the tenor and meaning hereinafter expressed, with all the exclusive right of occupation, and every privilege that heretofore ought, did, or might have arisen or belonged to my subjects or the subjects of my predecessors, with the reservations after expressed: And I, the said Alimarmie Amura, for myself, my chieftains, headmen, and nation in general, do hereby solemnly, and in the great name of God, confirm, warrant, and assure the said possession, lease, surrender, transfer, and making over the whole of the said island and its appurtenances, without reservation of any part thereof, unto the said Stephen Gabbidon and William Henry Savage, their heirs and representatives, according to the custom or laws of their country, in perpetuity; that is to say, as long as they, the said Stephen Gabbidon and William Henry Savage, shall continue to pay or cause to be paid unto me, the said Alimarmie, or my successors, yearly and every year, namely, on the date of this instrument of writing if then demanded, 100 bars of such goods as are recited at the foot hereof, and according to the respective prices set against the same: And I, the said Alimarmie Amura, do most solemnly, in the name of the great God and his prophet Mahomet, promise, covenant, and agree with the said Stephen Gabbidon and William Henry Savage, their heirs and representatives, that provided the said sum of 100 bars as expressed is so yearly and every year faithfully paid and delivered for my use, without deduction on any pretence whatsoever, then and in that case I will never hereafter, by Treaty, Convention, or other deed or instrument, convey the sovereignty, right, jurisdiction, or control of the said island during my life, nor shall the same be done during the
life of any of my successors, God willing, to any Prince, Power, nation, or people, but that the said island shall remain and absolutely be considered as an integral part of the Mandingo country, subject to the laws and customs of my nation only; and the said Stephen Gabbidon and William Henry Savage do most solemnly and faithfully promise and undertake that they, one or either of them, their respective heirs or representatives, shall not at any time or times hereafter offer, attempt, or consent to convey or place the said island of Mattacong or Matecong under the protection of any foreign Prince or Power whomsoever, or do any act or thing whereby my sovereignty or that of my successors in and over the said island, as lords of the land and its privileges, shall be injured, curtailed, or affected: And I, the said Alimarmie Amura, for myself, chief-tains, headmen, and nation in general, do sincerely promise the said Stephen Gabbidon and William Henry Savage, their respective heirs and representatives, that no molestation or hindrance shall be given to any nation or people, whether in amity or not, who may visit the said island during its occupancy as aforesaid on their business, neither while they remain there nor within a reasonable distance from the said island, although they may be subjects of any Power or State at war with the Mandingo nation; provided always in this respect, that the said Stephen Gabbidon and William Henry Savage, their heirs and representatives, shall not suffer, as far as in them lie, any of the people or friends of me, the said Alimarmie, or my nation, to be molested or hindered in their business or persons during the time they remain on the said island, but that in all respects the port of the said island and the island itself shall be considered for ever as a place of trade and security to all persons resorting to or visiting the same, nor shall any one, on any pretence whatsoever, be prevented from resting there as in times past, going or coming, or forced to trade against their consent, or in any way deprived of the advantage of watering and refreshing, or put to any charge for the same for ever: And provided it shall so happen that any cause of dispute or complaint arise between the said Stephen Gabbidon and William Henry Savage, their representatives, servants, or others residing in the said island by virtue of this instrument, and my subjects or the people of my nation in general, then the same shall be amicably settled by the headmen of Fouricaria, or by some one deputed by me or my successors to visit for that purpose the said island; and in like manner, if the said Stephen Gabbidon and William Henry Savage, their representatives, servants, dependents, or others, have cause of dispute and complaint which cannot be settled without reference, that the same shall be referred to the headmen of Fouricaria, I, the said Alimarmie Amura, hereby promising to do justice according to the law of
God and Mahomet and the customs of this country in every case, and the same engage for my successors: And taking into consideration the nature and friendly character of the intended and hereby granted settlement of the said island by the said Stephen Gabbidon and William Henry Savage, now made and confirmed by me, I do therefore solemnly promise and undertake, for myself and my successors, that they nor their representatives shall never at this or at any time hereafter be required to take part or engage to assist in any war carried on or to be carried on by myself or my successors against any nation, people, or Power, whatsoever, or generally be required to do any act or thing against their allegiance as subjects of the King of England: And the said Stephen Gabbidon and William Henry Savage, or their representatives, hereafter shall not erect or cause or suffer to be erected any fort, fortification, or maintain armed men on the said island further than what is consistent with the protection of their property, or the mounting of such cannon without embrasure or breastwork as may be required to be used in firing salutes in compliments or on festivals, according to the custom of the white people; and should it so happen that I, the said Alimarmie Amura or my successors, shall think fit at any time, not exceeding once in every year, to visit the said island during its occupancy, then it is understood that a salute of not less than 13 great guns shall be fired on my or their landing and departure, if requested, at the sole expense of the said Stephen Gabbidon and William Henry Savage, their representatives or heirs; and if hereafter the said Stephen Gabbidon and William Henry Savage, their heirs or representatives, abandon the said island, or cease to pay for the space of two whole years the rent or custom herein intended they should pay, then and in either case I, the said Alimarmie Amura, or my successors, or the headmen of the Mandingo country acting in this behalf, may and shall retake possession thereof, and of all buildings and improvements and property of whatsoever kind found therein, and use and dispose of the same as if this Agreement, Convention, and mutual undertaking had never existed. In conclusion, the said Stephen Gabbidon and William Henry Savage, having again faithfully promised and undertaken for themselves, their heirs and representatives, to do and perform the said several acts and things before recited, and which ought to be done and performed by them, and I, the said Alimarmie Amura, having also fully reconsidered all the several promises, agreements, and things relative to myself or successors in the said business, first causing the whole of this instrument and writing, through the interpretation of one of my faithful servants now present, a man fully acquainted with the English and Mandingo languages, Foda Bass, to be expounded and publicly set forth, in full proof
of my entire consent, approval, promise, and undertaking on the day and date first written, in presence of my chieftains, headmen, elders, and others, with my own hand written and subscribed my name thereto; and as well the said Stephen Gabbidon and William Henry Savage having done the same, and, according to the custom of their country, further affixed their respective seals thereto, the same is committed to the protection of God, who can alone cause the acts of man to prosper. May God grant that this Agreement and mutual undertaking may continue for ever. Amen.

Ali Bobo.* S. Gabbidon.
Abburara Daheme.* W. H. Savage.

Done and executed in our presence and in the presence of each other:
Morina Yalladembo.*

List of articles to be annually paid:
2 pieces of India blue baft, 16 bars; 2 ditto, 12 bars; 2 ditto, S. stripe, 18 bars; 2 Tower muskets, 14 bars; ½ barrel of gunpowder, 30 bars; 30 pounds of tobacco, 10 bars; total 100 bars.

S. Gabbidon.* W. H. Savage.

TREATY with the Kafu Bulloms. Cession. 1827.

Convention between his Excellency Major-General Sir Neil Campbell, Knight, Companion of the Most Honourable Order of the Bath, Knight of the Russian Orders of Saint George, Saint Ann, and Wladimir, Captain-General and Governor-in-Chief in and over the Colony of Sierra Leone and Dependencies on the Western Coast of Africa, between the 20th degree of north latitude and the 20th degree of south latitude, Vice-Admiral in the Colony and Dependencies thereof, and in the maritime parts of the same and thereto adjoining; Chancellor and Ordinary of the same, Commander-in-Chief of His Majesty's Forces on the Western Coast of Africa, and Colonel of His Majesty's Royal African Colonial Corps, on the part of His Britannic Majesty; and Bey Sherbro, Ruler and Chief of the Kafu Bulom Country, and Chief of these Bulloms, inhabiting the banks of the Rivers Malaga and Sarmo.

Whereas by the decease of Bey Sherbro, alias King George,

* Signed in the Arabic language.
the Sovereignty of the territories of the Kafu Bulloms has become vacant:

And whereas by the unanimous voice of the people given according to the custom and usage of the country in such case, the succession to the said sovereignty has devolved upon John Macaulay Wilson, eldest son of the deceased, and Chief of the Kafu family, by the style and title of Bey Sherbro:

And whereas the said Bey Sherbro, anxious to continue and secure the extended intercourse existing between his said territories and the said colony of Sierra Leone, and the advantages derived from it to his subjects, by an uninterrupted trade and commerce, as well as for the due protection thereof, and the maintenance of the just rights and privileges of those engaged in such innocent and lawful commerce, and further having full confidence in the good faith and friendly disposition of the Sierra Leone Government, under the protection of which the said Bey Sherbro is desirous of hereafter placing himself and people, and thereby more firmly renewing the old friendly engagements between the said colony and his country; now offers to his Excellency Major-General Sir Neil Campbell, Knight, C.B., Captain-General and Governor-in-Chief in and over the colony of Sierra Leone and dependencies, for and on behalf of His Britannic Majesty, the sovereignty of the said territories of the Kafu Bulloms, which his Excellency Major-General Sir Neil Campbell, Knight, C.B., is willing on behalf of His Britannic Majesty to accept:

Wherefore the said Contracting Parties have mutually agreed as follows:

First: That he the said Bey Sherbro, the Ruler and Chief aforesaid, Pa Nain Banna, Pa Forie, Ka Mott, and Pa Moriba, commonly called Allimamee of Mambole, and the other Chiefs who have hereunto set their hands, being the lawful proprietors and possessors of the territories of the Kafu Bulloms, have for themselves, their heirs and successors, forever ceded, transferred, and given over unto his Excellency Major-General Sir Neil Campbell, Knight, C.B., Captain-General and Governor-in-Chief, in and over the colony of Sierra Leone and dependencies, and his successors the Governors of the said colony for and on behalf of His Majesty the King of the United Kingdom of Great Britain and Ireland, the full entire free and unlimited right, title, and sovereignty, into and over the territories and dominions of the Kafu Bulloms, for ever, situate and bounded as follows: On the north by the Atlantic Ocean and the Small Scarcies, on the south by the River Sierra Leone, on the east by the country of the North Bulloms or Loco Marsamma, and by a line drawn from the head of the Robarna creek, which runs from the Sierra Leone river to the head of the Creek Shalneppa-took, which runs from the aforesaid River Scarcies, and
on the west by the Atlantic Ocean (and the entrance of the River Sierra Leone), together with all the islands, rivers, inlets, and waters of the same.

Second: His Excellency Major-General Sir Neil Campbell, Knight, C.B., Captain-General and Governor-in-Chief in and over the colony of Sierra Leone and its dependencies, for himself and his successors the Governors of the said colony, on the part and behalf of his said Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors, for ever, has agreed to accept the said sovereignty of the territories of the Kafu Bulloms, and guarantees to the Kafu family and to the inhabitants of the same, the continued and unmolested enjoyment of such lands and other property as they now possess, together with all their rights, usages, and customs, with respect to domestic servitude, at the same time it being clearly understood that no ruler, headman, chief, or head of a family, or any other being a subject of the said Bey Sherbro, shall attempt to remove any of his, her, or their domestics, or their children, male or female, from the territories of the Kafu Bulloms, for the purpose of being carried into bondage or made use of for any purposes of traffic.

In witness whereof the said Contracting Party have hereunto set their hands and seals at the town of Yongoroo, on this 8th day of March, in the year of the Christian era, 1827. In duplicate.

Signed and sealed by me as being the other Contracting Party at Hastings, within the said colony, the 10th March, 1827.

(L.S.) Neil Campbell. (L.S.) Bey Sherbro.

(L.S.) Nain Banna. (L.S.) Pa Ceaser.
(L.S.) Pa Forte. (L.S.) Pa Smart.
(L.S.) Ka Mott. (L.S.) Pa Saree.
(L.S.) Ansaruna Balia.* (L.S.) Pa Morebar.
(L.S.) Ansoruna Cambalia.* (L.S.) S. P. Wilson.

Witnesses:


In the presence of us as witnesses to the due execution hereof by the said Bey Sherbro and his Chief at Yongoroo.

George Maclean, Lieut. R.A.C. Corps, and Deputy Judge Advocate in Sierra Leone.

W. H. Savage.

Not ratified by the King. V. Despatch No. 6, May 13, 1827, from Lord Goderich to Sir N. Campbell.

J. Thorpe.

*Signed in the Arabic language.
ENGAGEMENT of the King of Caleba, permitting British Subjects to cut and heave Stones and to make Quarries on the Mainland of Yani. May 7, 1827.

On board the Steam Vessel African.

In consideration of the friendship which I bear to the King of Great Britain, and for the purpose of maintaining mutual trade and good offices between the English settled in the River Gambia, and the people of Yani, Caleba, and all States and dominions under my influence and government, I hereby grant permission to Major-General Sir Neil Campbell, Governor-in-Chief and Commander of the Forces over the British Possessions in Western Africa, or any one whom he may depute for that purpose, to cut and heave such stones, or may make such quarries (for the purposes of building on McCarthy's Island) on the mainland of Yani, as he or his representatives may judge best adapted for that purpose. In virtue whereof I have set my hand, in the presence of the undersigned witnesses.

Given on board the colonial steam vessel off McCarthy's Island this 7th day of May, in the year of Our Lord, 1827.

N. Campbell, Governor-in-Chief, Commanding His West Coast of Africa.

NAMAR, King of Caleba.

Witnesses: mark.

AL. McL. FRASER, Captain and Commandant.

Their

SELATI.

ODI MADDE, Alcaide. { Witness, C. W. BURROWS, Acting Military Secretary.

SALEM SAY.

MOMOSA, Headman of Cale.


TREATY between his Excellency Major-General Sir Neil Campbell, Knight, C.B., Captain-General and Governor-in-Chief in and over the Colony of Sierra Leone and its Dependencies, &c., and the Chiefs of the Soomba Soosoos, with the Tura family.

With reference to a Treaty concluded upon the 18th day of April, 1826,* between his Honour Kenneth Macaulay, Acting-Governor of the Colony of Sierra Leone and its dependencies, in behalf of His Britannic Majesty and the Chiefs of the Soomba Soosoos, with their allies the Tura family:

AFRICA (West Coast).

It is hereby agreed that Article IX of the before-mentioned Treaty shall be considered null and void, as His Majesty the King of Great Britain wishes not only to be on terms of peace and friendship with all the native powers in Africa who abolish the inhuman traffic in slaves, and in place thereof promote cultivation and commerce, but also that all the natives of Africa shall reciprocally pursue the same conduct towards each other for the encouragement of the same objects which will tend to their own happiness. His Excellency the Governor of Sierra Leone having duly empowered Michael Proctor, Esquire, in the Islands de Loss, his representative, to conclude this Treaty with the Chiefs of the Soombia Soosoos and the Tura family, he and the other party duly authorised have hereunto set their hands and seals, at Wongupong, the capital of the Soombia country, this 25th day of May, 1827.

His SATTAN X LAHAI, Chief of all the Soombia mark. Country.

MICHAEL PROCTOR, Isles de Loss.

Witnesses to the concluding and signatures of the same:

Isakar Rogers.* J. J. Robinson.

CONFERENCE with Marampa, Mendi, Port Loco, Bumbelly, Mallaly, Sanda, Tomeso, Tambacca, Rokon, &c. Trade. Open Roads and Rivers. Mabelly, April 18, 1836.

Note of a Conference between the Undersigned, at which the following arrangements were made:

It is the bounden duty of Bey Cobolo, King of Marampa; Bey Fonti, King of Mendi; Ali Karlie, Chief of Port Loco; Lanselly, Chief of Bumbelly; and Massa Packey, King of Mallaly, to keep open the road to Foutah by way of Mendi, Bumbelly, and Woosy, also the rivers.

Of Ali Karlie, Chief of Port Loco; Ali Karlie Sa Maura, Chief of Sanda; Nardemah Mahomadu, Chief of Tomeso; and Bokoro Surie, Chief of Tambacca, to keep open the road to Foutah by way of Bentie, Rocco, Tambacca, and Tomeso, also the rivers.

Of Alimamy Cabba to keep open his portion of the River Rokelle, and also the road from Rokelle to Mahara and Masimmera.

Of Pa Suba to keep open the road from Mabelly to Mendi and Port Loco.

Of Tom Bendu, Chief of Rokon, to keep open the road from Rokon to Masimmera and Mahara, and also the river.

Of Mahomadu Bundu to keep open the road from Furadugo

* Signed in the Arabic language.
to Mahara, and from thence to Waterloo in the colony of Sierra Leone and also the creeks and rivers in his district.

Of Bey Simmera to keep open the roads and rivers in his country.

Of Bey Woosay to keep open the road from Woosay to Foutah.

Of Cessi Betty to keep open the roads and rivers in his neighbourhood.

Of Bey Gamma to keep open the roads and rivers in his neighbourhood.

It is understood and agreed upon that in the event of any of the before-mentioned roads or any of the rivers of the country being stopped, that it shall be the duty of every one of the undersigned Kings, Chiefs, and Headmen to use his or their exertions immediately to open the road or river again for the free pursuit of trade.

The Undersigned Kings, Chiefs, and Headmen have agreed with the Lieutenant-Governor of Sierra Leone to send off immediately as messengers to Alimamy Bocarry, the King of Foutah Jallow, as well from themselves as the said Lieutenant-Governor, to state to Bocarry that the Undersigned have entered into a formal agreement with the Lieutenant-Governor of Sierra Leone that all the roads in their countries shall be kept free and open for all traders and travellers to pass up and down, and to call on Bocarry as an old and esteemed friend of all, and in particular Sierra Leone, to use his influence in keeping the roads open from his own country down to the town of Tomeso, where the authority of Ali Karlie, of Port Loco, and of that Chief's friends, commences.

In testimony of which the Undersigned have hereunto placed their signatures.

Their H. D. Campbell, Lieutenant-Governor.
BEY COBLO, King of Marampa.
BEY FONTI, King of Mendi.
FATIMA BRIMAH ALI KARLIE, Chief of Port Loco.
LANSELLY, Chief of Bumbelly.
MASSA PACKY, King of Mallaty.
ALI KARLIE SA MAURO, Chief of Sanda.
MARDEMAH MAHOMADU, Chief of Tomeso.
BOCORO SURIE, Chief of Tambaica.
ALIMAMY CABBAH, Chief of Rokelle.
PA SUBA, Chief of Mabelly.
TOM BENDU, Chief of Rokom.
MAHOMADU BONDU, Chief of Furadogo and Mahara.
BEY SIMMERAH, King of Simmerah.
BEY WOOSEY, King of Limba.
CESSI BETTY, Chief of Myappa.
BEY CAMMA, King of Kolifa.
Witnesses:
W. N. Aitkin, Colonial Secretary.
PETER BARROW, Private Secretary.
J. W. CATTELL, Civil Service.

ACCESSION of Kings of Mabang, Ma Yosso, Simmerah, Tanee, Mallaly, Yellee, Fundoo, and Yannie, to the Treaty of Peace with the Timmanees of 16th April, 1836.* Mabelly, March 28, 1837.

We the Undersigned Kings, Chiefs, and Headmen engaged in the late war, and who were unable to be present at the Treaty of Peace concluded on the 16th day of April, 1836, being most anxious to become parties thereto, have met his Excellency Henry Dundas Campbell and the Kings, Chiefs, and Headmen included therein, now assembled at Mabelly, and the said Treaty being read and fully explained to us, we do hereby declare our approval of the same, and solemnly engage to adhere to the terms therein contained, and that such reconciliation shall not be broken, but shall continue firm and lasting.

In witness whereof we, the Undersigned, have this 28th day of March, in the year of Our Lord, 1837, at Mabelly aforesaid, placed our hands and seals.

Their
(L.S.) X BEY KROO, King of Mabang.
(L.S.) X BEY YOSSO, King of Ma Yosso.
(L.S.) X BEY YOLA, King of Simmerah.
(L.S.) X BEY YINKA, King of Tanee.
(L.S.) X MASSA PACKET, King of Mallaly.
(L.S.) X CURU-BAH-YOTT, Chief of Yellee.
(L.S.) X ENKERRY, Chief of Fundoo.
(L.S.) X FENDA MOODU, Chief of Yannie.

OATH taken by the Kings, Chiefs, and Headmen to the Treaty of the 16th April, 1836, and 28th March, 1837. Trade. Open Roads and Rivers.

“I swear that I will make no war against any of the Kings, Chiefs, and Headmen, parties to the present Treaty, or their people, without first obtaining the consent of the Lieutenant-Governor of Sierra Leone thereto; and I do further swear that I will keep all roads and rivers open which pass through my country, and allow free trade to the water side, using my best endeavours to effect this object.”

ORDER of the King of the Bulloms to the Chief of the Dalu Mahdoo Family, not to engage in the Slave Trade. Ro Bauny, Bullom, September 23, 1852.

I HEREBY inform you that, having been duly elected by the Kafir people to be their King, and having been fully recognised by the representative of Her Majesty the Queen of England, his Excellency N. W. Macdonald, Esquire, Governor of Sierra Leone, and having entered with my Chiefs and Headmen into a Treaty of Friendship with his Excellency on the part of Her Majesty,* in which we have ratified and confirmed the cession of the sovereignty of the whole of the water side and boundaries of our country one quarter of a mile inland to Her Majesty the Queen of Great Britain, for ever:

Now, then, I look to you and hold you responsible, as the head of the Dalu Mahdoo family, and of the strangers introduced by your late father and your family into the Kafir Bullom country, that you will not permit any canoe with slaves to land at Medina, or at any of the towns occupied by your family, or any of the strangers under your charge, or any part of the coast of my country from Medina round to Ro-Key-Jullong Creek; and I hereby authorise and empower you to seize any canoe which may attempt to do so contrary to this my order, together with all the slaves and all the goods which may be found, for the purpose of being handed over to Her Majesty’s Representative, the Governor of the colony of Sierra Leone, to be dealt with by him according to English law, for the breach they have committed in landing with slaves upon territory under the sovereignty of Her Majesty.

I have further to warn you that, from this date you do not, or any of your family, or any of the strangers under you, export any slaves from my territory of Bullom: and that I shall hold you responsible in this matter, as you well know that it is not us Bulloms who are engaged in the Slave Trade, and we are determined not to get blamed in future for what we have no hand in.

I have now further to acquaint you and your family, and the strangers under you, that I have sent a copy of this letter over to his Excellency the Governor of Sierra Leone, that he may know we have given you full notice of what we have done and of what is required of you by us.

We remain, your good friend,

Their

X Bey Sherbro.
X PA Thonghoh, Chief of Ro Longside.
X Rob Deane, King’s Speaker.
X Dara Shareka, late Bey Sherbro’s Son at Yongroo.
X Lamina Konko, Magistrate at Ro Matensie.

marks.

AFRICA (West Coast).

Witnesses to marks:
JOHN DENNIS, Carpenter, of Freetown.
WILLIAM BARNETT, Freetown.
THOMAS NIGHTINGALE, War General.
THOS. GEO. LAWSON, Government Messenger and Interpreter.

AGREEMENT with the King of Lagos, relative to the appointment of a British Consul to reside at Lagos. Lagos, December 31, 1859.

ARTICLES agreed upon and concluded between George Brand, Esquire, Her Britannic Majesty's Consul in the Bight of Benin, on the part of Her Britannic Majesty, and Docemo, King of Lagos, on the coast of Africa:

It is agreed and declared that the interests of all British subjects coming to or residing in the territories of Docemo, King of Lagos, shall be placed under the regulation and control of a Consul of Her Britannic Majesty, who will be appointed to reside at Lagos, and who shall give effect to all rules and regulations that are or may be enacted by Her Britannic Majesty in Council, or by any public officer or officers duly authorised by Her Majesty for the government of British subjects in the territories of the said King, the conduct of their trade, and the prevention of violations of the laws of the said territories.

It is further agreed that the said King will afford to the British Consul every assistance and protection in carrying into execution the decisions which he may pronounce under any such rules and regulations in regard to British subjects within its territories.

Done in triplicate at the King's House, Lagos, this the 31st day of December, 1859.

(L.S.) KING DOCEMO. His mark.

(L.S.) G. BRAND, Her Britannic Majesty's Consul.

Witnesses:
LIEUT. F. LODDER, Commanding H.M.S. Brune.
JOHN P. BOYLE, Clerk.
AGREEMENT with the Third Chief of Creek Town, Old Calabar, relative to the appointment of a British Consul to reside at Fernando Po. January 16, 1860.

ARTICLES agreed upon and concluded between Thomas Joseph Hutchinson, Her Britannic Majesty's Consul, on the part of Her Britannic Majesty, and Eyo Honesty, third Chief of Creek Town, on the Old Calabar river, on the coast of Africa:

It is agreed and declared that the interests of all British subjects coming to or residing in the territories of Eyo Honesty, third Chief of Creek Town, in the Old Calabar river, shall be placed under the regulation and control of a Consul of Her Britannic Majesty, who will be appointed to reside at Fernando Po, and who shall give effect to all rules and regulations that are or may be enacted by Her Britannic Majesty in Council, or by any public officer or officers duly authorised by Her Majesty for the government of British subjects in the territories of the said Chief, the conduct of their trade, and the prevention of violations of the laws of the said territories.

It is further agreed that the said Chief will afford to the British Consul every assistance and protection in carrying into execution the decisions which he may pronounce under any such rules and regulations in regard to British subjects within his territories.

Mutually agreed upon and signed by the Contracting Parties on board Her Majesty's steam ship Spitfire, this 16th day of January, 1860.

(L.S.) Thos. J. Hutchinson, Her Britannic Majesty's Consul.

King Eyo Honesty 3rd.

In presence of:

C. O. D. Allingham, Lieutenant Commanding H.M.S. Spitfire.

Charles J. Cary, Assistant Paymaster in charge.

AGREEMENT with the Chief of Duke Town, Old Calabar, relative to the appointment of a British Consul to reside at Fernando Po. Duke Town, May 3, 1860.

ARTICLES agreed upon and concluded between Thomas Joseph Hutchinson, Her Britannic Majesty's Consul, on the part of Her Britannic Majesty, and John Archibong, Chief of Duke Town, in the Old Calabar River, on the coast of Africa:

It is agreed and declared that the interests of all British subjects coming to or residing in the territories of John Archibong, Chief of Duke Town, Old Calabar, shall be placed under
the regulation and control of a Consul of Her Britannic Majesty, who will be appointed to reside at Fernando Po, and who shall give effect to all rules and regulations that are or may be enacted by Her Britannic Majesty in Council, or by any public officer or officers duly authorised by Her Majesty for the government of British subjects in the territories of the said Chief, the conduct of their trade, and the prevention of violations of the laws of the said territories.

It is further agreed that the said Chief will afford to the British Consul every assistance and protection in carrying into execution the decisions which he may pronounce under any such rules and regulations in regard to British subjects within his territories.

Mutually agreed upon and signed by the Contracting Parties at Duke Town Mission House, this 3rd day of May, 1860.

(L.S.) Thos. J. Hutchinson, Her Britannic Majesty's Consul.

King Archibong II.

In presence of:
Wm. Anderson, Missionary, Duke Town.

AGREEMENT with Chiefs and Natives of Batanga, for the better regulation of Trade, and the further protection of British Merchants and their Property. Wrecks, &c. Batanga, July 18, 1860.

We, John Laughland, Her Britannic Majesty's Acting Consul for Fernando Po and the Bight of Biafra, and Arthur George Fitzroy, Commander of Her Majesty's steam sloop Falcon, acting on the part of Her Majesty the Queen of England, and King John and King William, for the Chiefs and natives of Batanga, on their part, hereby make agreement for the better regulation of trade, and for further protection of British merchants and their property at Batanga.

Although the Treaty made with the Kings of Batanga on the 5th of July, 1847, appears to have been acted up to by the natives as regards the suppression of the Slave Trade, Article IV of the said Treaty has not been fully complied with, inasmuch as loss and injury have accrued to British subjects within the said territory of Batanga; We, in consequence, therefore, make the following additional agreements:

That, in the name of the Queen of England, King John and King William are hereby acknowledged to be jointly and solely Kings of the territory of Batanga, and that the Chiefs of the several towns within the said territory shall be deemed to be subjects of the said Kings.

* See Vol. S. Page 17.
King John and King William on their part declare that they will protect the persons and property of all British merchants and traders who may be established within the Batanga country, and that they will not in future interfere, nor permit any of their subjects to interfere, on the removal of any British trader with his goods to any other town than that in which he may have traded, nor will they molest or offer any hindrance to his leaving the country with his property at any time.

The said Kings further agree to hold themselves responsible for all thefts, assaults, or injuries or other illegal acts of their subjects, to the detriment of British residents or traders.

It is also further agreed that all complaints made by either of the before-mentioned Kings of Batanga against British subjects to Her Britannic Majesty's Consul shall receive every attention and the earliest possible redress.

And the said Kings will at all times, in the event of the shipwreck of any British vessel on their territory, use their utmost endeavours to protect and relieve the crew, and also afford every assistance in saving the cargo and effects of the ship from loss and pillage by their subjects.

Given under our hands at Batanga, this 18th day of July, 1860.

JNO. LAUGHLAND, Acting Consul for Fernando Po and Bights of Biafra.
A. G. FITZROY, Commander of H.M. Steam Sloop Their Falcon.

King John.
King William.

Witnessed by:

CHARLES TOWNSEND, Merchant.
W. BYANT, Agent for Capt. S. Dyer.
THOMAS BLACK, Agent for Laughland and Brown.

TREATY with the King of Ma Bwetie (Magbatee) and Kambia (Ro-Wallah), on the Great Sarcies River. Peace, Slave Trade, Boundaries, Open Roads, Trade, Religion, &c. Kambia, June 11, 1861.

Treaty between John McCormack, Esquire, of the Civil Service, a Commissioner duly authorised and empowered by his Excellency Colonel Stephen John Hill, C.B., Captain-General and Governor-in-Chief in and over the Colony of Sierra Leone and its Dependencies, Vice-Admiral, Chancellor, and Ordinary of the same, for and on behalf of Her Majesty Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, &c.,
and Bey Farama, King of Ma Bwetie and Kambia on the
Great Scarcies' River.

Whereas war has unhappily been carried on for a con-
siderable time between Alimamy Wise, King of Fouricaria, and
Sattan Lahia, King of Ro Woollah, and Bey Farama, King of
Ma Bwetie and Kambia, and Lamina Bamoi, Governor of
Kambia; and the said Chiefs, being desirous of putting an end
to its calamities, have applied to the Governor of Sierra Leone
to appoint an officer of this Government to assist in completing
peace:

I. There shall be peace between the subjects of the Queen
of England and the subjects of the said Bey Farama, and of
the several Chiefs, parties to this Treaty, and there shall also be
peace between the subjects of the said several Chiefs respec-
tively, and should any difference or dispute accidentally arise
between the said Bey Farama and any of the other Chiefs or
their subjects, parties to this Treaty, it shall be referred to the
Governor of Sierra Leone, and his decision thereon shall be final
and binding upon all parties concerned.

II. The persons and property of all British subjects shall be
inviolate, and no semo, country law, or custom, shall be put in
force against them; neither shall they, if aggrieved, have re-
course to any semo, country law, or custom; they must lay
their grievance before the Governor of Sierra Leone.

III. British subjects are strictly prohibited from breaking
the country laws, from interfering in any way with the disputes
and quarrels of the native Chiefs or their subjects, and from
aiding, assisting, countenancing, or supporting them directly or
indirectly in their wars, against each other, either by supplying
them with arms, ammunition, or any warlike stores whatever, or
with the means of procuring them.

IV. The Slave Trade is for ever abolished within the terri-
tories of the said King, party hereto. And his subjects are
hereby prohibited from being engaged in that traffic either
directly or indirectly.

V. No persons whatever, Europeans or others, are to be per-
mitted to establish themselves within the territories of the said
King, party hereto, for the purpose of carrying on or engaging
in the Slave Trade, and the said King hereby empowers the
officers and forces of the Queen of England to expel all persons
violating this clause from the territories of the said King by
force, if need be, and to burn or otherwise destroy their barra-
coons and slave factories, and to seize all boats, canoes, or
vessels of any description found engaged either directly in the
Slave Trade, or in aiding and abetting that traffic within the
waters belonging to the said King.

VI. The subjects of the Queen of England are hereby
guaranteed the right of free and unrestricted legitimate traffic
within the territories of the said King, and all rights and privileges heretofore enjoyed by them are hereby recognised and confirmed; they may buy or rent lands and houses, which shall not be entered upon without their free will and consent.

VII. All privileges conferred upon the subjects of any foreign State or Power shall be considered as being equally granted to British subjects. And no privileges or rights shall be secured to the subjects of a foreign State without being notified to the Governor of Sierra Leone, in order to such privilege or right being extended to the subjects of Her Majesty.

VIII. Her Majesty may appoint an agent to visit or reside in the territories of the said King for the protection of Her subjects, and for securing due adherence to the stipulations of this Treaty, and the person and property of such agent shall be inviolate, and he shall receive all honour and protection.

IX. All complaints against British subjects must be made to Her Majesty's agent, if there be one, or to the Governor of Sierra Leone, in either case accompanied by sufficient proof, in order that justice may be impartially done between all parties.

X. The ministers of the Christian religion shall be permitted to reside and exercise their calling within the territories of the said King, and to establish schools for the education and proper training up of the youths of both sexes, and they are to receive all honour and protection.

XI. The roads throughout the territories of the said King shall be kept open; they are not to be "semoed" or shut on any pretext whatever, and all parties, British subjects, native strangers, and others are to be allowed to travel thereon to and from the colony of Sierra Leone, or elsewhere, free and unmolested.

XII. The canoes and boats of the said King and of his subjects visiting the colony of Sierra Leone for the purpose of trade are placed upon the same footing as the boats of the colony, and are exempted from all taxes, and the subjects of the said King and their property, while peaceably trading to or residing within the colony, shall receive the fullest protection.

XIII. The bodies of British seamen or other non-resident British subjects who may die within the territories of the said King shall have the right of interment, on payment of 6 dollars to the said King, which sum shall be in full of all burial fees; and all resident British subjects dying within the territories of the said King, party to this Treaty, shall be interred on payment of the customary tribute or offering, the amount of which shall be arranged and determined between the friends of the deceased and the said King or his representatives. The graves of persons so interred shall be secured from violation.

XIV. The Queen of England shall have the right to demand
the surrender of criminals, or other persons being British subjects or liberated Africans, or others resident in Sierra Leone, accused of any crime or offence committed within the colony of Sierra Leone or its dependencies, cognisable by the laws of England, for the purpose of being tried for such offence in Sierra Leone, or in such British colony as Her Majesty the Queen of England may think fit to appoint: and the Kings and Chiefs, parties to this Treaty, do hereby bind themselves to secure and surrender all British subjects or liberated Africans or others resident in Sierra Leone, who may be charged with any crime or offence as aforesaid, upon demand being made for them by His Excellency the Governor of Sierra Leone, or by any other competent authority.

XV. All merchandise imported in British vessels within the dominion of the King, party to this Treaty, shall be exempted from the payment of any duty whatever, and in like manner the production of the territories of the said King, party to this Treaty, imported into the colony of Sierra Leone shall be (subject to the approval of the Governor and Council of the said colony) exempted from all import or other duties.

XVI. In consideration of the foregoing stipulations of this Treaty being agreed upon and strictly adhered to on the part of the King aforesaid, and his successors, His Excellency Colonel Stephen John Hill, C.B., Captain-General and Governor-in-Chief of the Colony of Sierra Leone, agrees for himself and successors, on the part of Her Majesty the Queen of England, to pay or cause to be paid annually to the said King and his successors the customs hereinafter mentioned and set forth; viz., 200 bars, and the further sum of 100 bars to Lamina Bamoi, as the present Governor of the town of Kambia, and to each succeeding Governor of the town of Kambia as may be duly chosen with the consent and approval of the Governor of Sierra Leone. The above bars are to be computed at and after the rate of 1s. each bar.

XVII. The amount stipulated to be paid annually to the said King and to the said Governor of Kambia for the time being by this Treaty, shall be considered a full compensation for the fulfilment of the terms and conditions thereof by the King and Governor aforesaid, and shall be in full satisfaction for all charges on British merchant shipping resorting to the waters of the territories of the said King for the purposes of trade, with the free and unrestricted right to wood and water.

XVIII. This Treaty shall revoke and annul all previous Treaties made between Her Majesty the Queen of England and the late King Farama as the King of Ma Bwetie, and with the present Sattan Lahia, King of Ro Woollah, as the King of Kambia, and shall be proclaimed immediately on its being concluded and signed, and be made law throughout the terri-
tories of the said Bey Farama, which for the better maintenance of peace and the avoidance of all causes of differences and disputes hereafter, are hereby fixed with the consent of Bey Farama and his Chiefs, and with the consent of the Kings and Chiefs, parties to this Treaty, to be as follows, viz.: On the south side of the Great Scarcies river commencing on the west at Marinjah Creek, which runs inland a little to the westward of the village of Ro-Ta-Buncle, and running eastward along the south bank of the said river to a brook or creek called “Bongkome,” which runs into the River Kankana a little above the town of Ro Singbwe, the said River Kankana emptying itself a little further on into the Collantine, or Great Scarcies river about two and a half to 3 miles to the eastward of “Pinta-Killie,” a little to the eastward of Kambia; this is the eastern boundary; and on the south the said territory between Ro Marinjah Creek on the west and Ro Bong Konney creek and river; Kankanah on the east is bounded by the Small Scarcies or Ro Bury river.

Signed and sealed at Kambia, on the Great Scarcies river, this 11th day of June, in the year of Our Lord, 1861, and of Her Majesty’s reign the 24th.

Their (L.S.) JOHN MCCORMACK, Commissioner.

﹀ (L.S.) BEY FARAMA, King of Magbatee and Kambia.

﹀ (L.S.) SATTAN LAHIA, King of Ro Woollah, for ALIMAMY WISE,

﹀ (L.S.) ALIMAMY SAMBA, a Chief of Toweah.

﹀ (L.S.) LAMINA BAMOI, Governor of Kambia.

Witnesses:

Their MAMADO TURAY.*

﹀ YALEY MALAGEH, a Chief of Ro Woollah.

﹀ BOCARRY BONGBOH.*

﹀ PA SUGGOH, a Chief of Saff rakoh.

marks. ROBT. DAVIES. His ALIMAMY FENDA SANNASEE.*

SAML. W. THORPE. ＄ YA LOLL.

THOMAS C. SMART. mark.


TREATY OF PEACE entered into at Matappen in the Boom River this 24th day of May, 1869, through the mediation and in the presence of John Jennings Kendall, Esquire, Her Ma-

* Signed in the Arabic language.
jesty’s Colonial Secretary of Sierra Leone, on the part of Sir Arthur Edward Kennedy, C.B., Governor-in-Chief and Representative of Her Majesty the Queen of England on the West Coast of Africa, and between the Undersigned Chiefs of the Boom, Bullum, Lubu, and Bompey Countries on the Boom River.

WHEREAS an unhappy war has broken out in the above districts, and has continued up to this time, whereby much damage has been caused to the trade and social welfare of the above-mentioned districts, and of British subjects trading therein, and whose interest it is to live together in peace and unity:

It is hereby agreed by the above-mentioned Chiefs that there shall be peace and friendship between them all, hereafter and for ever. The following Articles, being fully discussed and understood, are agreed to:

I. The free navigation of the Boom river, and its tributaries throughout its whole course to the sea, shall be open to all subjects of Her Majesty the Queen of Great Britain, without dues or taxation of any description; and no offence committed by any labourer or other person employed in any boat, canoe, or craft shall entitle any Chief or other person to seize or detain the said canoe, boat, or craft, or any of the produce or merchandise contained therein; and, in the event of immediate restitution not being enforced upon application to all or any of the Chiefs subscribing to this Treaty, the British Government will inflict summary punishment upon the nearest towns or villages to which the offence has been committed.

II. The subjects of Her Majesty the Queen of Great Britain shall have free access to the various countries bordering on the Boom river and its tributaries, and be permitted to pursue their different trades and callings, and that full protection of life and property shall be guaranteed to them without molestation of any kind.

III. Each and all of the parties subscribing to this Treaty shall suppress any interference with traders of whatever country or nation, and bring to summary punishment any person or persons committing a breach of the foregoing Articles.

IV. If any difficulty or dispute should in the future arise between any or either of the parties subscribing to this Treaty, either with themselves or any other tribe or nation, it shall be submitted to the Governor-in-Chief, whose decision, after a full hearing, shall be final and binding upon all persons.

V. The parties to this Treaty agree and solemnly promise that they will immediately call upon all other tribes or nations who have been unhappily drawn into this war to lay down their arms, and consolidate a peace which shall be honourable to all.

In proof of our truth and sincere desire for peace, we sub-
scribe our names to this Treaty, a copy of which will be retained by each party:

Their

XX MOSSAH OF SERABOU, Chief of Serabou.
XX MEMDI MASSAH, Chief of Mofin.
XX KA VUNG.
XX YOBOH FOR MOMADOO BRAW, Chief of Booromah and Matappen.
XX CANRY VONG, Chief of Hig-e-mah, Lubu Country.
XX THE MAGOW, Queen of Lubu.
XX THOS. B. BONGOW, Chief of Mobongo.
XX KAH BAYFOO, Lubu Country.
XX YOMAH, Lubu Country.
XX SESSI ANIMO, Speaker for the Magow.
XX FAHBA MATCH, Chief of Bahmanney, Boom River.
XX KAMO, Chief of Lowannah.
XX MOREY BRIMAH, Chief of Mamandoo.
XX CANRY BRIMAH, Chief of Peje, Bompey Country.
XX HUMPHA MAGBE, Chief of Mongrey and Faccannah (Porroh King).
XX HUMPHA AND MAGBE, for Kakbanta, Boom.
XX W. E. TUCKER, Chief of Bullum.
XX BIA BAIGWAH FOR SEYBUREH, Chief of Tomo, and
XX KAMO, Chief of Benkia.

I, William Tucker, Chief of Bullum, do hereby hold myself personally responsible in territory, goods, chattels, and household property, and in all personal property whatsoever, together with the stipend I now receive from the Colonial Government, to forfeiture, for the future good conduct and behaviour of one Fahjongobah, now in my custody, and I make this solemn declaration of binding myself as above to secure the said Fahjongobah from being delivered up by me to the Sierra Leone Government for previous bad conduct in making and causing wars and disturbances in the countries of the Boom river, causing destruction to property and hindrance to trade.

Given under my hand at Matappen, Upper Boom, this 24th day of May, 1869.

W. E. TUCKER, Chief of Bullum.

Witnesses to signature:
C. S. SALMON. J. J. KENDALL. H. EDWARDS.

AGREEMENT between the Chiefs of the Sherbro, to withdraw all complaints submitted to Arbitration to Governor of Sierra Leone. June 11, 1870.

We, the Undersigned, do solemnly agree to withdraw all
personal complaint laid before the Governor-in-Chief for hearing and arbitration, and further agree that no alleged wrongs of which either party complain prior to this date shall be brought into consideration or discussion at any future time.

Any matter connected with boundary or property of a specific kind may be brought before the Governor-in-Chief at any time for arbitration.

And all parties signing this Agreement bind themselves to abide by his (the Governor-in-Chief’s) decision.

Their

THOMAS STEPHEN CAULKER.
R. C. B. CAULKER.
GEORGE S. CAULKER.
CANRAYBAH CAULKER.

Signed in the presence of:
A. E. KENNEDY. GEORGE FRENCH, C.J.
HENRY ANTON, Lieutenant-Colonel 1st W.I.R., Commanding the Troops.
CHARLES HEDDLE. JOHN ASHWOOD.
BEY SHERBO, Chief of Bullom Shore.
Rev. HENRY JOHNSON, Missionary C.M.S.
THOMAS GEORGE LAWSON, Government Interpreter.
PETER WILSON.

ENGAGEMENT of Chiefs of Sherbo, to submit the re-settlement of the Succession to the decision of the Governor-General of Sierra Leone. Government House, June 13, 1870.

The sons of George Stephen Caulker, who were by the supplementary clause of the Treaty of the 4th of July, 1849, mutually agreed upon and appointed to succeed to the whole Caulker territory, on the death of the two principals to that Treaty (namely, Canraybah Caulker and Thomas Stephen Caulker) having all died during the lifetime of Thomas Stephen Caulker, it becomes necessary, for the peace and well-being of the country, to re-settle the succession thereto, both as regards the present and the future, by a like Treaty between Thomas Stephen Caulker (the only survivor of the principals to the Treaty of the 4th July, 1849), on the one part, and Richard Canraybah Caulker, the son of Canraybah Caulker the other principal to that Treaty, on the other part.

We, the Undersigned, therefore solemnly pledge ourselves, on our part, and that of our heirs, to submit the re-settlement of succession to the Governor and Council as now assembled,
and we further pledge ourselves to abide by that decision, whatever it may be.

Their

THOMAS STEPHEN CAULKER.
R. C. B. CAULKER.
GEORGE S. CAULKER.
CANRAYBAH CAULKER.
CHARLES CANRAY CAULKER.
CONG THAM.
marks.
W. S. CAULKER.
THOS. N. CAULKER.

Signed in the presence of:
GEORGE FRENCH, C.J. JOHN ASHWOOD.
BEY SHERBRO, Chief of Bullom Shore.

DECISION of the Governor-General of Sierra Leone, relative to Succession in the Plantain Island, and in Bompey. June 13, 1870.

The Council having before them papers marked 1 and 2, dated 11th and 13th June, 1870, and having fully considered the whole of the circumstances of this case, decide that the supplementary clause to Treaty of 4th July, 1849,* entered into between Canraybah Caulker and Thomas Stephen Caulker be annulled, and that the following line of succession be adopted in lieu thereof, with regard to present and future title to Caulker territory:

Namely, that Thomas Stephen Caulker should remain, as at present, Chief of the Plantain Island and territory belonging thereto;

And that he should, at his death, be succeeded by his eldest son, George S. Caulker, and his brother in succession, according to country custom;

That Richard Canraybah Caulker, who is and has been for many years de facto Chief of Bompey, should remain undisturbed in the territory of his father, Canraybah Caulker, to be succeeded by his brother in seniority, according to country customs;

The line of succession herein decided to be adhered to in future generation as nearly as practicable in accordance with country custom.

The Council further decide that a new Treaty be drawn in accordance with this decision, embodying the conditions of the Treaty of 4th July, 1849, as far as they may be consistent with it.

A. E. KENNE D Y, Governor-in-Chief.

After it had been read and explained to all parties concerned and by whom it was approved, namely:

* See Vol. 9. Page 43.
TREATY with the Plantain Islands and Bompey. Succession, Peace, Religion, Commerce, and Navigation. Freetown, June 17, 1870.

Between Sir Arthur Edward Kennedy, C.B., Governor and Commander-in-Chief of Her Majesty's West Africa Settlements, on behalf of Her Most Gracious Majesty the Queen of Great Britain and Ireland, and Thomas Stephen Caulker, Chief of the Plantain Islands, and Richard Canraybah Caulker, Chief of Bompey.

Whereas, by a Treaty done at Tasso, in the Sherbro Country, and dated the 4th day of July, 1849,* and made between Benjamin Chilley Campbell Pine, Esquire, Acting Governor of the Colony of Sierra Leone, and Hugh Dunlop, therein described, on behalf of Her Most Gracious Majesty the Queen of Great Britain and Ireland, and Canraybah Caulker, Chief of Bompey, and Thomas Stephen Caulker, Chief of the Plantain Islands, and other Chiefs of the Sherbro Country, parties thereto, friends and allies of the said Canraybah Caulker and Thomas Stephen Caulker, it was, among other things, agreed that the territories of the said Canraybah Caulker should extend from the limits of the colony of Sierra Leone to the creek called the Bago, and the territories of the said Thomas Stephen Caulker should extend from the Bago creek to the River Yaltucka, and that the village of Tasso, being the burial place of the Caulker family, should equally belong to all the members thereof:

And whereas, by a supplementary clause to the said Treaty, dated the 4th day of July, 1849,* the parties to such Treaty agreed, by the said supplementary clause, that upon the death of Canraybah Caulker and Thomas Stephen Caulker, the sons of George Stephen Caulker, the then late brother of Thomas Stephen Caulker, were to succeed to the whole of the territories belonging to the Caulker family, according to the laws and customs of the country, upon condition of their observing the terms of the said Treaty of the 4th day of July, 1849:

* See Vol. 9, Page 43.

VOL. XIV.

3 R
And whereas the said Canraybah Caulker died in the year 1857:

And whereas Stephen George Caulker, Thomas George Caulker, and Charles Caulker, the only 3 sons of George Stephen Caulker who were alive at the date of the said Treaty, are now deceased, and the said George Stephen Caulker has no sons now living:

And whereas no provision was made, either in the said Treaty of the 4th day of July, 1849, or in the said supplementary clause thereto, as to the person or persons who should succeed to the share of the said territories allotted by the said Treaty to the said Canraybah Caulker and Thomas Stephen Caulker, respectively, in the interval between the death of either of them and the death of the survivor of them:

And whereas no provision was made, either in the said Treaty of the 4th day of July, 1849, or in the said supplementary clause thereto, as to the person or persons who should succeed to the whole of the territories belonging to the said Caulker family upon the death of the survivor of them, the said Canraybah Caulker and Thomas Stephen Caulker:

And whereas for several years past, and since the death of the said Canraybah Caulker, the said Richard Canraybah Caulker has been and is now, with the consent and approbation of the said Thomas Stephen Caulker, in possession of the territories allotted to the said Canraybah Caulker under the said Treaty of the 4th day of July, 1849:

And whereas differences may hereafter arise as to the person or persons who, upon the death of the said Thomas Stephen Caulker, may be entitled to succeed to the whole of the territories belonging to the said Caulker family:

And whereas, by a memorandum of agreement, dated the 13th day of June, 1870,* and marked No. 2, and appended to this Treaty, it was agreed between the said Thomas Stephen Caulker and Richard Canraybah Caulker that the question of the present and future right to the whole of the territories belonging to the said Caulker family should be referred for decision and determination to an Executive Council of the settlement of Sierra Leone, consisting of his Excellency Sir Arthur Edward Kennedy, C.B., Governor and Commander-in-Chief of Her Majesty's West Africa Settlements, his Honour George French, Chief Justice of the said settlement of Sierra Leone, the Honourable Henry Anton, Lieutenant-Colonel in Her Majesty's Army, commanding Her Majesty's troops on the West Coast of Africa, the Honourable John Ashwood, Acting Colonial Secretary of the said settlement of Sierra Leone, and the Honourable Charles William Maxwell Heddle:

And whereas an Executive Council composed of the said

* See Page 975.
Arthur Edward Kennedy, George French, Henry Anton, John Ashwood, and Charles William Maxwell Heddle, was held at Government House, Freetown, in the settlement of Sierra Leone, on the 13th day of June, 1870,* for the purpose of having the question last hereinbefore mentioned referred to them for decision and determination:

And whereas it was decided by the said Executive Council as follows: that is to say, that the said supplementary clause of the Treaty of the 4th July, 1849, be annulled; that Thomas Stephen Caulker should remain as at present Chief of the Plantain Islands and territory belonging thereto, and that he should at his death be succeeded by his eldest son George Stephen Caulker and his brothers in succession, according to country custom; that Richard Canraybah Caulker, who is and has been for many years de facto Chief of Bompey, should remain undisturbed in the territory of his father Canraybah Caulker, to be succeeded by his brothers in seniority, according to country custom; that the line of succession therein decided be adhered to in future generations as nearly as practicable in accordance with country custom; and that a new Treaty be drawn in accordance with the said decision embodying the conditions of the said Treaty of the 4th day of July, 1849, as far as they might be consistent with it:

And whereas the said Thomas Stephen Caulker and Richard Canraybah Caulker are severally desirous that the said decision should be carried into effect:

And whereas, for the purpose of giving effect to the said decision, it has been agreed among the several Contracting Parties hereto that this present Treaty should be entered into containing the terms and conditions hereinafter mentioned:

1. The territories of the said Thomas Stephen Caulker shall extend from the Bago creek to the River Yaltucka, and he shall have possession of the same during his life, and upon his death such territories shall descend to and the possession thereof shall be enjoyed by the sons of the said Thomas Stephen Caulker in succession and according to seniority and priority of birth for their respective lives.

2. The territories of the said Richard Canraybah Caulker shall extend from the limits of the settlements of Sierra Leone to the creek called the Bago, and such territories shall be enjoyed by the said Richard Canraybah Caulker during his life, and upon his death they shall descend to and be enjoyed by his brothers Canraybah Caulker, Charles Canraybah Caulker, Stephen Canraybah Caulker, Robert Canraybah Caulker, James Canraybah Caulker, Thomas Canraybah Caulker 1st, Thomas Canraybah Caulker 2nd, Samuel Canraybah Caulker, alias Chow

* See Page 976.
Cundu, at Port Lokkoh, James Canraybah Caulker, alias Chow Yemmy, at the Gallinas, and Thomas Canraybah Caulker, alias Kong, at the Quiah, in succession and according to seniority and priority of birth for their respective lives.

3. Upon the death of the survivor of them the said Thomas Stephen Caulker and his several sons, his territories shall descend as nearly as circumstances will permit according to the law and customs of the country.

4. Upon the death of the survivor of them the said Richard Canraybah Caulker and his several brothers, his territories shall descend as nearly as circumstances will permit according to the law and customs of the country.

5. The village of Tasso, being the burial place of the Caulker family, shall belong to all the members thereof equally.

6. The Chiefs for the time being of the territories belonging to the Caulker family shall remain at peace with each other; but if any dispute shall arise between them, such dispute shall be referred to the Governor for the time being of Sierra Leone, and his decision thereon shall be final and binding upon all parties; and if any or either of the said Chiefs for the time being shall refuse to refer such dispute to the said Governor, or to abide by his decision thereon, the other or others of the said Chiefs shall unite with the said Governor in punishing him or them.

7. The Chiefs for the time being of the territories belonging to the said Caulker family shall preserve peace within their respective territories, and if peace therein be broken the Chief of the territories in which peace is broken shall be responsible for such breach of peace.

8. The persons and property of the subjects of the Queen of England within the territories belonging to the said Caulker family shall be inviolate, and such subjects may freely carry on trade in every part of the territories belonging to the Caulker family, and may have houses and factories therein, and no favour shall be shown within those territories to the ships and traders of other countries which shall not be shown to the ships and traders of Great Britain.

9. No purroh or country law or custom of any kind is to be enforced against the subjects of the Queen of England; but if such subjects wrong or injure the subjects and people of the Chiefs for the time being of the territories belonging to the Caulker family, the Governor of Sierra Leone and the senior naval officer of Her Majesty's ships and vessels on the West Coast of Africa will do all in their power either to compel the subjects of the Queen of England to make reparation for such wrongs or injuries, or to punish the offending parties.

10. The ministers of the Christian religion shall be permitted to reside and exercise their calling within the territories
belonging to the Caulker family, and they shall have full protection therein.

11. The subjects and Chiefs for the time being of the territories belonging to the said Caulker family shall freely carry on trade with the settlement of Sierra Leone, and their persons and property shall, while within the said settlement, be as fully protected as those of the subjects of the Queen of England.

12. The vessels, canoes, and boats of the subjects of the Chiefs for the time being of the territories belonging to the said Caulker family, shall, when trading between such territories and the settlement of Sierra Leone in articles the produce of the territories belonging to the said Caulker family, be placed upon the same footing as the vessels, boats, and canoes of the said settlement, and the following articles shall be admitted duty free into the said settlement; viz., rice, grain, palm-oil, nuts used for the manufacture of oil, hides, beeswax, coffee, benni-seed, ivory, dye-woods, timber, cottons, country cloths, and gums.

13. In consideration of the foregoing stipulations of this Treaty and all other Treaties entered into with Her Majesty the Queen of England being strictly adhered to on the part of the said Thomas Stephen Caulker, and of his long-continued fidelity to Her Majesty, the said Governor-in-Chief of Her Majesty's West Africa Settlements agrees for himself and his successors, on the part of Her Majesty, to pay or cause to be paid annually out of the revenues of the settlement of Sierra Leone to the said Thomas Stephen Caulker, his heirs and successors, being Chiefs for the time being of the Plantain Islands, the sum of 70l., to be computed in bars in the following manner, that is to say:

<table>
<thead>
<tr>
<th>£</th>
<th>s.</th>
<th>d.</th>
</tr>
</thead>
<tbody>
<tr>
<td>20</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>25</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>

Making in all the sum of 1,400 bars, equal to the sum of 70l.

14. In consideration of the foregoing stipulations of this Treaty and all other Treaties entered into with Her Majesty the Queen of England being strictly adhered to on the part of the aforesaid Richard Canraybah Caulker, the said Governor-in-Chief of Sierra Leone agrees for himself and successors, on the part of Her Majesty, to continue to pay or cause to be paid annually to the said Richard Canraybah Caulker the sum of 400 bars, as agreed in the before-mentioned Treaty of 4th July, 1849.

A. E. KENNEDY, Governor-in-Chief.

* See Vol. 9. Page 43.
TREATY with Lokkoh Masamali, Kaffu Bullom, and Medina. 

Between his Excellency Sir Arthur Kennedy, K.C.M.G., C.B., Governor-in-Chief, for and on behalf of Her Majesty Queen Victoria, and Alikarlie Moruba Kindoe, the principal Chief of Port Lokkoh and its districts, on behalf of himself and his Chiefs, Saikoo Camara, son of the late Alikarlie Fatma Brimah, Head of the Camara family, Binneh Sankong, representative of the Sankong family, Bey Koora Harry, King of Chaing Katopoh, Bey Booreh, King of Kasseh country, and also Bocarry Keerandarree, Chief of Camasonoo, in the country of Masar Bonguoh.

Whereas a Treaty was concluded by his Excellency Alexander Fitzjames, Acting-Governor of Sierra Leone, for and on behalf of Her Majesty Queen Victoria, and Bey Mauro, King of Lokkoh Masamah, Bey Sherbro, King of Kaffu Bullom, Amarah Adam, Chief of Medina, and others, on the 15th day of April, 1860. *

And another Treaty was concluded between his Excellency Stephen John Hill, Governor-in-Chief of the Colony of Sierra Leone, on behalf of Her Majesty Queen Victoria, and Yan Kobah Alikarlie, of Port Lokkoh, and other Kings and Chiefs of the Timanee country, on the 27th day of February, 1857. †

And although peace was concluded between Bey Mauro, King of Locco Marsama, the Alikarlie of Port Lokkoh and the Dolmodu family residing at Medina, Bullom Shore, yet, unfortunately, it has never been concluded between the Sankong...

family and the Port Lokkoh Kings and Chiefs, from whom the whole evil originated.

This matter having been referred to his Excellency for final settlement, the various Kings and Chiefs met together at Government House, Sierra Leone, on the 24th day of November, 1871, and then and there in the presence of his Excellency Sir Arthur Kennedy, K.C.M.G., C.B., Captain P. Sheppard, officer commanding the troops, the Honourable E. G. Alston, Queen's Advocate of this settlement, and Captain O'Callaghan, 1st W.I.R., Aide-de-Camp and Private Secretary to the Governor-in-Chief, and in the presence of the aforesaid Chiefs, Binnie Sankong, on behalf of the Sankong Family, and Saikoo Camara, on behalf of the Camara family, shook hands together to remain hereafter and for ever in peace, friendship, and goodwill one towards another, and all former disputes to be for ever forgotten.

And it is hereby agreed by and between the parties hereto:

1. That all places taken in the late war belonging to the Sankong family by the Camara family and other Chiefs of Port Lokkoh, and now in their possession, be restored without delay to the Sankong family.

2. Bey Koora Harry and Bey Booreh and Bocarry Keerandarree having expressed their desire to enter into a Treaty of Peace and goodwill, they shall be considered as parties to the aforesaid Treaty of the 27th February, 1857, and be bound by all the provisions therein contained.

3. In consideration whereof his Excellency agrees to pay to Bey Koora Harry an annual stipend of 100 bars equal to that given to Bey Camara, King of Ro Ma Cammah, and to Bey Booreh an annual stipend of 200 bars, equal to that given to Bey Inka, and to Bocarry Keerandarree an annual stipend of 50 bars.

4. These payments are made on the express condition that Bey Koora Harry and Bey Booreh and Bocarry Keerandarree shall strictly adhere to and faithfully observe all the terms of the aforesaid Treaty of 27th February, 1857, as fully and to all intents and purposes as if they were each and all of them named therein as parties.

5. As it is the desire of this Government and that of the Kings and Chiefs named in this Treaty, that the roads from the interior to this settlement should be kept free and open to all travellers, caravans, and others, unmolested, his Excellency Sir Arthur Kennedy, K.C.M.G., C.B., on behalf of the Queen, agrees to allow the Chief of the Bombelli country, who has sent Lahai Sankong to represent him, the annual stipend of 50 bars as had been allowed to his predecessor mentioned in the Treaty entered into by his Excellency Sir John Jeremie with that Chief, dated 13th February, 1841, on the condition that he shall strictly

adhere to and faithfully observe all the terms of the said Treaty of 27th February, 1857, as fully to all intents and purpose as if he was named therein as party thereto.

6. Copies of this Treaty and of the Treaty of the 27th February, 1857, shall be delivered to each party.

Signed and sealed at Government House, Freetown, Sierra Leone, this 30th day of November, 1871, and of Her Majesty's reign the 35th.

A. E. Kennedy.

ALIKARLIE MOKUBA KINDOE, Principal Chief of Port Lukkoh.

SAIKOO CAMARA, son of the late Alkarlie Fatma Brimah, head of the Camara Family.

BINNEH SANKONG, Representative of the Sankong Family.

Bey KOORA HARRY, King of Chainatopoh.

Bey BOOREH, King of Kasseh Country.

BOGARRY KEERANDARREE, Chief of Camasonoo, in the country of Maser Bonguoh.

LAHAI SANKONG, on behalf of Luseney Barley, Chief of Bambalie.

Signed and sealed in the presence of:

CEARAY MOODOO,

NAMINA MOODOO,

Bullom Shore.

SIP YARNEY, Chief of Kontah Mellicourie.

SAORIE SANKONG.

FORAY SANKONG.

ANSUMANAA FATMA BRIMAH.

CAMARA.

ANSUMANAA FATMA MODDO.

E. GRAHAM ALSTON, Queen's Advocate.

C. O'CALLAGHAN, Capt. 1st W. I. Regt., A.D.C. and Private Secretary.

THOS. GEO. LAWSON, Government Interpreter.

G. M. MACAULAY, Assistant Interpreter and Protector of Strangers.


BEETWEEN his Excellency John Jennings Kendall, Administrator of the Government of the West Africa Settlements, on behalf of Her Majesty Queen Victoria, of the one part, and Alex-

* Signed in the Arabic language.

† The literal translation of this signature is Abrahema Condito.
ander Bey Cantah, King of the Quiah country, on behalf of himself and Chiefs and people, of the other part.

WHEREAS by Treaty dated the 2nd April, 1861,* and made between his Excellency Stephen John Hill, C.B., on behalf of her said Majesty, of the one part, and the said Alexander Bey Cantah and the Chiefs and Headmen of the Quiah country of the other part, all that territory now known as British Quiah was ceded, surrendered, and transferred to her said Majesty, her heirs and successors, and was annexed to the settlement of Sierra Leone, and made subject to the laws then and thereafter in force in the said settlement:

And whereas Her Majesty the Queen has been graciously pleased as a proof of her goodwill and favour to the King, Chiefs, and people of Quiah to cede and give back again a portion of the said country known as British Quiah upon the conditions following, namely:

1. The right, title, and sovereignty of Her Majesty Queen Victoria and her successors in, to, and over the whole of the country now known as British Quiah, is hereby declared and shall be forever maintained.

2. That portion of British Quiah bounded as follows: commencing at the entrance of Bance creek, thence following the creek at Ro Bruce river to the north of the town of Madonkia, thence in a straight line along the proposed line marked A B by Songo town to the point marked C on Songo town creek, thence following the original boundary to a point marked D on Quiah creek, and thence following the course of the creek and the banks of Sierra Leone river to the point of commencement (except however as next hereinafter mentioned), and on the plan hereunto annexed coloured red, is hereby ceded by Her Majesty Queen Victoria to Bey Cantah and his successors the Kings of Quiah, subject nevertheless as aforesaid, and to the conditions herein contained; and he and all his people are permitted to return to their country, and reside within the aforesaid boundaries.

3. The house at Benkia, together with a piece of land included within a radius of one quarter of a mile, shall be and is hereby excepted out of the territory now ceded; but no persons shall be disturbed in the occupation of their houses and lands within this radius as long as the terms of this Treaty are faithfully observed and performed.

4. The remaining portion of British Quiah, and on the said plan coloured green, shall remain and for ever hereafter form a portion of the settlement of Sierra Leone, and all residents therein are and shall be subject to the laws for the time being in force in the said settlement.

5. The territory now ceded shall be liable to be resumed by Her Majesty Queen Victoria and her successors whenever she or they shall think fit.

6. Bey Cantah and his successors shall keep all roads open, and in particular shall make, maintain, and keep in proper order and repair a good road from west to east through the said territory and marked A B on the plan annexed hereto, the said road to be made within 12 months from the date of this Treaty.

7. Good order shall be maintained by Bey Cantah and his successors and Chiefs throughout the territory, and all criminals, whether British subjects or others, shall be surrendered to the Agent of the Government of Sierra Leone whenever a demand shall be made for that purpose, in order that they shall be tried and punished according to English law.

8. The buying, selling, or bartering of slaves is forbidden, and shall be by Bey Cantah and his successors and Chiefs strictly prohibited; nor shall the passage of slaves through the ceded territory be allowed.

9. Human sacrifices shall be prevented and for ever forbidden by Bey Cantah and his successors and Chiefs.

10. Bey Cantah and his successors the Kings of Quiah shall be entitled to receive a stipend of 500L per annum from the Government of Sierra Leone during his and their good behaviour, and so long as the conditions of this Treaty are faithfully observed, but no longer.

11. No person shall be molested or disturbed in the exercise or enjoyment of any right acquired under the said Treaty of April 2, 1861,* and the Kings and Chiefs shall be responsible for the protection of British subjects resident in the territory on their payment of the rents for their farms and factories now paid and payable at the date of this Treaty.

12. British subjects are hereby guaranteed the right of free and unrestricted legitimate traffic within the said territory, and all rights and privileges heretofore enjoyed by them are hereby recognised and confirmed, subject to the usual rents and customs.

13. All complaints against British subjects must be made to the nearest resident English magistrate or to the Governor of Freetown, in order that justice may be impartially done between the parties.

14. British subjects are strictly prohibited from breaking the country laws, or from interfering in any way with the manners, customs, or proceedings of the people in the ceded territory.

15. No customs or other dues or payments shall be levied or collected upon any boats or canoes coming down the river to or going up from Sierra Leone for the purpose of trade, and all merchandise imported into the ceded territory in vessels, boats, or canoes clearing from the harbour of Sierra Leone shall be

exempted from the payment of any duty whatever; and in like manner the productions of the said territory imported into Sierra Leone shall be exempted from all import or other duties.

16. All missionaries and ministers of religion shall be allowed the free exercise of their calling, and be protected therein without the payment of rents or dues of any kind.

17. Bey Cantah and his successors shall not carry war into any of the neighbouring territories; nor shall he or they allow war to take place in the Quiah country without immediate notification thereof to the Governor of Sierra Leone.

18. This Treaty shall be proclaimed throughout the settlement of Sierra Leone immediately after the execution thereof, and a duplicate shall be delivered to Bey Cantah.


Signed and sealed at Benkia, in Quiah, this 29th day of January, in the year of Our Lord, 1872, and in the 35th year of the reign of Her Majesty Queen Victoria, in the presence of:

Ansumanna Konkoh, for Pa Nain Bannah.

Ali MAMA LAHIE BUNDOO.  Bonkonah Bundoo.

SORIE TUGOSHIE.  Bey Maro.

DouDoo BUNDOO.  Bey Sherbro, Bey Sherbro.

Fillah.  SORI CUNDITO.

Signed in the Arabic language.


Entered into on board H.M.C.S.S. Sherbro, at Tasso, in the Bagroo river, this 21st day of February, 1872, between his Excellency John Jennings Kendall, Administrator of the

* Signed in the Arabic language.
Government of the West Africa Settlements, and Representative of Her Majesty the Queen of England on the West Coast of Africa, on the one part, and the Chiefs of the Imperay and Bagroo countries on the other part.

Whereas an unhappy war has long existed in the above districts and has continued up to this time, whereby much damage has been done to the trade and social welfare of the above-mentioned districts, and of British subjects trading therein, and whose interest it is to live together in peace and unity.

It is hereby agreed by the above-mentioned Chiefs that there shall be peace and friendship between them all hereafter and for ever.

The following Articles, being fully discussed and understood, are agreed to:

ART. I. Peace is hereby declared to be restored and promised to be preserved for ever between the Bagroo Chiefs and the Imperay Chiefs, and it is now signified by the shaking of hands as well as by each of them signing this Treaty.

II. The tranquillity of their respective countries and the free navigation of the rivers belonging to them for the purposes of trade are to be strictly maintained by the Imperay and Bagroo Chiefs.

III. Lives and properties of British subjects and others are to be thoroughly protected.

IV. All labourers and others of whatever nation employed by British subjects in their respective territories for any service whatever are to be protected and allowed to pursue their avocations unmolested; but, at the same time, it is to be distinctly understood that this protection is not to give the said labourers or other strangers any political influence, right of territory, or interference in the countries in which they may be residing, their manners, customs, or affairs, against the will of their lawful Chiefs.

V. No British subjects or any other strangers are to be permitted to interfere with the rights, privileges, or customs of the countries they may be residing in, out of British jurisdiction.

VI. All complaints against British subjects or disputes between them and the people of the countries they may be residing in, must be referred to the nearest British Agent for the information of the Governor of Sierra Leone, who will see justice done.

VII. Should unfortunately any disputes arise between any of the Chiefs subscribing to this Treaty, which they are unable to settle amicably between themselves, the said disputes must be referred to the Governor of Sierra Leone, whose decision between the disputants must be considered as final.
VIII. Gbanyah, though a stranger, in consideration of his long and good friendship with the British Government, is to be permitted to become a party to this Treaty.

IX. No stockaded towns are to be permitted to be built in British territory without permission from the British Government, and those stockades now in existence are to be removed without delay.

X. In consideration of the due observance of this Treaty, a yearly stipend will be allowed to the principal Chiefs of each country subscribing to it, which will be stopped from any one failing to observe it. In addition to which stipends they will classed as the friends and allies of the British Government for ever.

XI. This Treaty is not to interfere with any former Treaty in existence between the British Government and the Bagroo and Imperay Chiefs.

In proof of our true and sincere desire for peace, we subscribe our names to this Treaty, a copy of which will be retained by each party.

Their

XX BEAH BOOM, Chief of Gambiah.
XX BEAH NONKOH.
XX BEUWA, on behalf of Yama Fanna.

Their

XX CONGA YAMA.
XX CARRY FEMA, of Manho.
XX SOMANKA, King of Bagroo.
XX So CA CA.
XX SIE RANGO.

XX SOMANK, King of Bagroo, on behalf of Hamper Rango.

marks.

XX REGBAFRI, Principal Lady of Manho.

marks.


NATHAN HARRIS.

GEO. NATH. JOWETT.


We, the Undersigned, Chiefs of the Imperay and Bagroo countries, do hereby hold ourselves responsible in accordance with the Treaty entered into yesterday between ourselves and the British Government, to use our best endeavours to apprehend the perpetrators of the outrage committed on the wood-
cutters employed by Mr. J. M. Harris, on the part of the British Government, about (8) eight miles from Manho, in the territory of Beah Boom, in the month of January last, and to bring them to the Commandant at Bonthe, who will concert with the Chief or Chiefs of the country or countries to which they may belong as to the best punishment to be inflicted upon them.

Their

CARRY FEMA.

Somank, on behalf of Humper Rango.

RegbaFRI, the Principal Lady of Manho.

Beah Boom.

So Ca Ca.

Conga Yama.

Mahomado Groma.

Their

Their

Somanka.

Beah Nonkoh.

Beuwha.

So Whamy.

Sie Rango, marks.

marks.

marks.

marks.

ORDINANCE of the Legislature of the Settlement of Lagos, for the Naturalization of Aliens.

[No. 9.] [July 7, 1873.]

WHEREAS it is expedient to make general provision for the naturalization of aliens within the settlement of Lagos.

Be it therefore enacted, by the Administrator and Legislative Council of the Settlement of Lagos, as follows:

I. Every alien now residing, or who may hereafter come to reside in the settlement with intent to settle therein, and who shall have actually resided therein for a continuous period of one year at least, shall be entitled to procure himself to be naturalized in manner hereinafter described.

II. Every such alien desirous of becoming naturalized, as aforesaid, shall procure a declaration of residence and character to be made and subscribed by some British subject resident in this settlement, in the Form marked A in the schedule hereto annexed, and shall also make and subscribe a declaration of residence in the Form marked B in the said schedule hereto annexed.

III. Every such declaration may be taken, made, and subscribed before any magistrate, and shall be delivered to such alien, with the attestation at the foot thereof, signed by such magistrate.

IV. It shall be lawful for the said alien to present all the said documents properly subscribed and filled up, as aforesaid, on the first day of any general sittings of the Court of Civil and Criminal Justice, and all such documents shall then be read aloud in open Court, and it shall be lawful for the judge thereof to order all the said documents and proceedings to be entered as of record in the said Court, and thereupon such alien shall (after having taken the oath of allegiance in the Form C in the
said schedule, which oath shall be administered to him by the said judge) be admitted and deemed, so long as he shall be resident or domiciled within the said settlement, to be thenceforth a British subject to all intents and purposes whatever, and to hold, enjoy, and transmit all property, rights, and capacities therein in the same manner as if born within Her Majesty's dominions.

V. The clerk of the said Court shall deliver to the said alien a certificate of naturalization, in the Form D in the schedule hereto annexed, and a copy of the said certificate shall be publicly notified by the said clerk of the court, in such manner as Government notices and proclamations are or shall be published in the said settlement, or in such manner as the chief magistrate shall from time to time direct.

VI. The declarations hereinbefore referred to shall be deemed to be made in accordance with the Imperial Act passed in the session holden in the 5th and 6th years of the reign of King William IV, cap. 62,* for the abolition of unnecessary oaths; and any wilful false statement made therein shall be deemed perjury, and shall expose every person making such false statement, or procuring the same to be made, to all the penalties of perjury; and in addition to all such penalties it shall be lawful for the Court or judge, on motion by the prosecutor, on any trial for perjury or subornation of perjury in respect of any such declaration, to declare null and void the naturalization so obtained upon such false declaration: and thereupon all such steps shall be taken as shall be thought fitting by the said Court or judge: Provided, nevertheless, that nothing shall affect the rights of any other person, derived under the person whose naturalization is so annulled, unless such other person shall have been cognizant of the perjury at the time of acquiring the right.

VII. There shall be paid to the magistrate before whom such declarations as aforesaid shall be taken and subscribed the sum of 5s. and no more for each such declaration, and to the clerk of the said Court for reading and recording the said certificate and documents the sum of 15s. and no more, if the person applying to become a British subject be a native of Africa, and the sum of 10l. if he be a native of any other country, and all such fees shall be paid into the Colonial Treasury.

VIII. This Ordinance shall be cited for all purposes as "The Naturalization Ordinance, 1873."

GEORGE BERKELEY, Administrator.

Passed in the Legislative Council, this 7th day of July, in the year of Our Lord, 1873.

CHAS. FORESYTHE, Clerk of Council.

* See Vol. 4. Page 544.
The Schedule before referred to.

FORM A.

I, M.N., of , do solemnly declare that I am a British subject resident in this settlement and that I have known A.B., of subject (or as the case may be) ever since , and that the said A.B. has resided within the settlement of Lagos for a period of (one year or upwards) and now resides therein, that he is a person of good character, and that there exists to my knowledge no reason why to the said A.B. there should not be granted all the rights and capabilities of a natural-born British subject, and I make this solemn declaration conscientiously believing the same to be true.

Declared and subscribed by the said M.N. before me, at Lagos, this day of , in pursuance of "The Naturalization Ordinance, 1873."

FORM B.

I, A.B., formerly of (place of birth), and a subject of , do solemnly declare that I have resided (one) year and am now residing in this settlement with intent to settle therein, and I desire to become a naturalized British subject within the said settlement, and I make this solemn declaration conscientiously believing the same to be true.

Declared and subscribed before me, at Lagos, this day of , 187 , in pursuance of "The Naturalization Ordinance, 1873."

FORM C.

Oath of Allegiance.

"I, A.B., do solemnly promise and swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, her heirs and successors. So help me God."

Sworn and subscribed by the said A.B. before me, this day of , 187 .

FORM D.

Certificate of Naturalization.

This is to certify that A.B., formerly of , but not now residing in the settlement of Lagos, was on the day of in open Court duly admitted to be a naturalized British subject within the said settlement, according to the provisions of "The Naturalization Ordinance, 1873."

C.D., Clerk of the Court.

ORDINANCE of the Governor of Sierra Leone, for the Naturalization of Aliens.

[No. 5.] [November 26, 1873.]

WHEREAS it is expedient to make general provisions for the naturalization of aliens within the settlements of Sierra Leone: Be it therefore enacted by the Governor-in-Chief and Legislative Council as follows:

I. From and after the passing of this Ordinance, "The Naturalization Ordinance, 1872," passed by the Governor and
AFRICA (West Coast).

Council on the 6th day of September, 1872, shall cease to have any operation in this settlement.

II. Any alien now residing or who shall hereafter come to reside in this settlement, with intent to settle therein, and who shall have actually resided therein for a continuous period of one year at least, may present a memorial to the Governor in the Executive Council, praying that the privileges of naturalization may be conferred upon him.

III. Such memorial shall state to the best of the knowledge and belief of the memorialist, his age, place of birth, place of residence, profession, trade, or occupation, the length of time during which he has resided within the settlement, that he is permanently settled in the settlement or is residing within the same with the intent to settle therein; and such memorial shall be in writing and signed by the memorialist, and accompanied by an affidavit sworn by him, verifying the truth of the statements contained therein; and the said affidavit shall be made and sworn to before the Master of the Supreme Court of this settlement or such other officer or person as the Governor of the settlement shall from time to time appoint to take the said oath and affidavit.

IV. In lieu of the said affidavit, any person entitled as aforesaid to make the same may make a solemn declaration in writing before the Master of the said Court or such other officer or person as aforesaid appointed by the Governor, and such declaration shall contain the like matters and things as are hereinbefore directed to be contained in the aforesaid affidavit, and shall be made in the form prescribed by, and be deemed to be made in accordance with, the Imperial Act passed in the session of Parliament holden in the 5th and 6th years of King William IV, cap. 62,* for the abolition of unnecessary oaths; and any wilful false statement made in such declaration shall be deemed perjury, and shall expose every person making such false statement or procuring the same to be made, to all the penalties of perjury.

V. In considering the prayer of any such memorial, the Governor in the Executive Council may require such further information and evidence, either by affidavit or declaration made as aforesaid or otherwise, as may seem proper, in addition to the affidavit or declaration of the applicant accompanying his memorial.

VI. If after such enquiry it shall appear expedient, the Governor may grant the prayer of the petitioner's memorial, whereupon he shall be required to appear within 14 days to take the oath of allegiance as near as may be in the form prescribed in the schedule hereto annexed, before the Governor of the settlement or such other person as the Governor for the time being may appoint for that purpose.

* See Vol. 4. Page 544.
VII. When the oath of allegiance shall be so taken, a certificate of naturalization shall be drawn by the Queen's Advocate or such other person as the Governor may appoint for that purpose, and in the said certificate shall be set out such portion of the memorial as may seem material, and it shall therein be stated that the oath of allegiance has been taken, and that all the rights, privileges, and capacities in this settlement of a naturalized British subject have been conferred on the memorialist under this Ordinance, except such rights, privileges, and capacities (if any) as may be specially excepted by the Governor in the Executive Council.

VIII. The certificate of naturalization shall be signed by the Governor and given to the memorialist, but a copy thereof, together with the memorial and all documents, affidavits, declarations and evidence accompanying the said memorial or annexed thereto, shall be transmitted by the Governor to the office of the Registrar-General of the said settlement who shall file, and he is hereby required to file, the same in the said office.

IX. Upon taking and prescribing the said oath of allegiance, and obtaining the certificate of naturalization, the memorialist shall within this settlement be deemed a natural-born subject of Her Majesty, as if he had been born within the said settlement, and shall be entitled within the said settlement, to all the rights, privileges, and capacities of a subject of Her Majesty, born within the said settlement, except such rights, privileges, and capacities, if any, as may be specially excepted in such certificate.

X. If the memorialist do not appear and take the said oath of allegiance within 14 days from the date of service on him of notice to that effect, the grant of naturalization shall ipso facto be null and void.

XI. If any material statement contained in such memorial shall be false, the Governor in the Executive Council may, by an order in writing, declare the certificate issued upon such memorial to be null and void to all intents and purposes, and thus may cancel the said certificate, and from and after such order, all the rights, privileges, and capacities derived through such certificate, shall cease to exist: Provided nevertheless, that nothing shall affect the rights of any other person, derived through the naturalization of such person whose certificate shall be declared to be null and void as aforesaid, until, as hereinafter provided, the revocation or cancellation of such certificate shall have been published by official notification or in the "Sierra Leone Royal Gazette," unless such other person as aforesaid shall have been a party to such false statement, or shall have been cognisant of such false statement at the time in which the same shall have been made.
XII. Every certificate issued under this Ordinance, and every order cancelling such certificate shall be published by official notification or in the “Sierra Leone Royal Gazette.”

XIII. There shall be paid to the Colonial Treasurer by the memorialist the following fees in respect of the said memorial and otherwise in relation to his naturalization under this Ordinance; that is to say, that the memorialist, if he be a native of Africa and the subject of any African Power only, shall before presenting his memorial to the Governor in Council as aforesaid, pay the sum of 5s., and shall, upon the granting as aforesaid of the prayer of his memorial and before the signing of his certificate of naturalization, pay the further sum of 15s.; and every other memorialist shall pay the sum of 1l. sterling before presentation of his memorial to the Governor in Council aforesaid, and shall, after the grant of the prayer of his memorial, and before the signing as aforesaid of his certificate of naturalization, pay the sum of 10l. sterling, which said sum and sums of money shall be received by the said treasurer, and passed to the credit of the settlement.

XIV. This Ordinance may be cited as “The Naturalization Amendment Ordinance, 1873.”

GEORGE BERKELEY, Governor-in-Chief.

Passed in the Legislative Council, this 26th day of November, in the year of Our Lord, 1873.

JACOB WM. LEWIS, Clerk of Legislative Council.

SCHEDULE.

Oath.

I, A.B., of (here state the description of the memorialist) do swear (or being one of the persons allowed by law to affirm in civil cases, do affirm) that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, her heirs and successors, according to law. So help me God.

(Signed) A.B.

BRITISH ORDER IN COUNCIL, constituting the Supreme Court of Sierra Leone a Court of Appeal from the Decisions of the Court of Civil and Criminal Justice of the Settlements on the Gambia. Balmoral, October 23, 1877.

At the Court at Balmoral, the 23rd day of October, 1877.

PRESENT: THE QUEEN’S MOST EXCELLENT MAJESTY,
His Royal Highness Prince Leopold, Lord President, Lord Chamberlain.

WHEREAS by an Act passed in the 6th year of Her Majesty
[cap. 13*], intituled "An Act to enable Her Majesty to provide for the Government of Her Settlements on the Coast of Africa and in the Falkland Islands," it was enacted that it should be lawful for Her Majesty by any Order or Orders, to be by her made, with the advice of Her Privy Council, to establish all such laws, institutions and ordinances, and to constitute such Courts and officers, and to make such provisions and regulations for the proceedings in such Courts, and for the administration of justice as might be necessary for the peace, order and good government of Her Majesty's subjects and others within the said settlements; and whereas a Court of Civil and Criminal Justice has been established in Her Majesty's settlements on the Gambia and it is expedient to make further provisions for a Court of appellate jurisdiction to hear and determine appeals from the said Court. It is therefore ordered by the Queen's Most Excellent Majesty, by and with the advice of the Privy Council, as follows:

1. Her Majesty's Supreme Court of the Settlement of Sierra Leone shall be, and it is hereby constituted a Court of record to receive, hear, and determine appeals from the Court of Civil and Criminal Justice of the Settlements on the Gambia.

2. Any person or persons against whom any sentence, judgment, or decree or order of the said Court of Civil and Criminal Justice shall be given for or in respect of any sum or matter at issue above or exceeding the value of 50L. sterling may appeal therefrom to the said Court of Appeal, and the person or persons appealing from such sentence, judgment, decree, or order shall, within 14 days from the passing thereof, give to the adverse party or parties notice of such appeal, and enter into sufficient security to be approved by the chief or other presiding magistrate of the Court, to satisfy and perform the said sentence, judgment, decree, or order, in case the same shall be affirmed or the appeal dismissed, together with such further costs as shall be awarded thereon, and in all cases of appeal where notice shall be given and security perfected as aforesaid, execution shall be stayed, and not otherwise: and the said Supreme Court shall inquire into, hear, and decide all questions whether of law or fact arising upon any such appeal, but shall not admit or receive any evidence which was not tendered to the Court below on the hearing or trial of any such suit or action therein:

3. The said Supreme Court is hereby authorised and required to make and establish such rules, orders, and regulations as to it shall seem meet, touching and concerning the forms and manner of proceeding to be observed in the said Court of Civil and Criminal Justice, the practice and pleadings in all informations, actions, suits, and other matters civil or criminal to be therein brought, the process of the said Court, and the mode of

executing the same, the admission of barristers, attorneys, solicitors, and notaries in the said Court, the proceedings of the sheriffs and other ministerial offices, the fees and poundage to be paid to any officer, costs of suits and the taxing thereof in the said Court, and touching and concerning all such other matters and things necessary for the proper conduct and dispatch of business in the said Court and in the said Supreme Court in appeals from the said Court and all such rules, orders, and regulations from time to time to revoke, alter, amend, or renew as occasion may require: Provided always, that all such rules, orders, and regulations shall forthwith be transmitted by the chief justice of the said Supreme Court to the Governor-in-Chief of the West Africa settlements, to be by him transmitted to Her Majesty, her heirs and successors, for her or their approbation or disallowance.

Any rules, orders, or regulations relating to the said Court of Civil and Criminal Justice which are in force when this Order in Council takes effect may be repealed or altered by any rules, orders, or regulations to be made under this section, but shall continue in full force and effect until so altered or repealed.

4. Any person who feels himself aggrieved by any final judgment, sentence, decree, or order of the said Supreme Court on appeal may appeal to Her Majesty, her heirs and successors, in her or their Privy Council, against any such final judgment, sentence, decree, or order of the said Court, and such appeals shall be made subject to the rules, regulations, limitations, and conditions which for the time being shall be in force respecting appeals to Her Majesty, her heirs and successors in Council, from any judgment, sentence, decree, or order of the said Supreme Court of the Settlement of Sierra Leone, and subject to such other regulations and conditions as Her Majesty, her heirs and successors, shall be pleased to direct.

The said Court of Civil and Criminal Justice shall in all cases of appeal to Her Majesty, her heirs and successors, in Council, execute and carry into immediate effect such judgment and orders as Her Majesty, her heirs and successors, shall make thereupon in such manner as any original judgment of the said Court respectively can or may be executed.

5. For the purpose of this Order in Council any person lawfully appointed to act for the time being as chief justice of the said Supreme Court of the Settlement of Sierra Leone shall be deemed and taken to be a judge of the said Court of Appeal.

And the Right Honourable the Earl of Carnarvon, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. Peel.
BRITISH ORDER IN COUNCIL, providing for Appeals to be made to Her Majesty in Council from the Decisions of the Supreme Court of Judicature for the Gold Coast Colony.

Balmoral, October 23, 1877.

At the Court at Balmoral, the 23rd day of October, 1877.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY,
His Royal Highness Prince Leopold, Lord President, Lord Chamberlain.

WHEREAS by letters patent under the Great Seal of the United Kingdom of Great Britain and Ireland bearing date the 24th day of July, 1874, Her Majesty's settlements on the Gold Coast and Lagos were constituted and erected into one colony under the title of the Gold Coast Colony.

And whereas Her Majesty has power and jurisdiction in divers territories near or adjacent to Her Majesty's said Gold Coast Colony.

And whereas the Supreme Court of the Gold Coast Colony has been constituted by Ordinance to be the Supreme Court of Judicature for the said colony and for the territories thereto near or adjacent, wherein Her Majesty may at any time before or after the commencement of the said Ordinance have acquired powers and jurisdiction.

And whereas it is expedient that provisions should be made by this Order and in pursuance of the powers vested in Her Majesty by an Act passed in a session of Parliament holden in the 7th and 8th years of Her Majesty's reign (chapter 69) to enable parties to appeal from the decisions of the said Supreme Court to Her Majesty in Council.

It is hereby ordered by the Queen's Most Excellent Majesty, by and with the advice of her Privy Council, as follows:

1. Any person or persons may appeal to Her Majesty, her heirs and successors, in her or their Privy Council, from any final judgment, decree, order, or sentence of the said Supreme Court of the Gold Coast Colony, in such manner, within such time, and under and subject to such rules, regulations, and limitations as are hereinafter mentioned; that is to say:

In case any such judgment, decree, order, or sentence shall be given or pronounced for or in respect of any sum or matter at issue above the amount or value of five hundred pounds sterling (500L), or in case such judgment, decree, order, or sentence shall involve, directly or indirectly, any claim, demand, or question to or respecting property, or any civil right amounting to or of the value of five hundred pounds sterling (500L), the person or persons feeling aggrieved by any such judgment, decree, order, or sentence may within 14 days next after the same shall
have been pronounced, made, or given, apply to the said Court, by motion or petition, for leave to appeal therefrom to Her Majesty, her heirs and successors, in her or their Privy Council.

In case such leave to appeal shall be prayed by the party or parties who is or are directed to pay any such sum of money or perform any duty, the said Court shall be and is hereby empowered either to direct that the judgment, decree, order, or sentence appealed from shall be carried into execution, or that the execution thereof shall be suspended pending the said appeal, as to the said Court may appear to be most consistent with real and substantial justice.

And in case the said Court shall direct such judgment, decree, order, or sentence to be carried into execution, the person or persons in whose favour the same shall be given shall, before the execution thereof, enter into good and sufficient security, to be approved by the said Court for the due performance of such judgment or order as Her Majesty, her heirs and successors, shall think fit to make upon such appeal.

In all cases security shall also be given by the party or parties appellant in a bond or mortgage or personal recognizance, not exceeding the value of five hundred pounds sterling (500L), for the prosecution of appeal and the payment of all such costs as may be awarded by Her Majesty, her heirs and successors, or by the Judicial Committee of Her Majesty's Privy Council, to the party or parties respondent; and if such last-mentioned security shall be entered into within 3 months from the date of such motion or petition for leave to appeal, then, and not otherwise, the said Court shall allow the appeal, and the party or parties appellant shall be at liberty to prefer and prosecute his, her, or their appeal to Her Majesty, her heirs and successors, in her or their Privy Council, in such manner and under such rules as are or may be observed in appeals made to Her Majesty from Her Majesty's colonies and plantations abroad.

2. It shall be lawful for the said Supreme Court, at its discretion, on the petition of any party who considers himself aggrieved by any preliminary or interlocutory judgment, decree, order, or sentence of the said Supreme Court, to grant permission to such party to appeal against the same to Her Majesty, her heirs and successors, in her or their Privy Council, subject to the same rules, regulations, and limitations as are herein expressed respecting appeals from final judgments, decrees, orders, and sentences.

3. Nothing herein contained doth or shall extend or be construed to extend or take away, or abridge the undoubted right and authority of Her Majesty, her heirs and successors, upon the humble petition of any person or persons aggrieved by any judgment or determination of the said Court, at any time to admit his, her, or their appeal therefrom, upon such terms, and
upon such securities, limitations, restrictions, and regulations, as Her Majesty, her heirs or successors, shall think fit, and to reverse, correct, or vary such judgment or determination, as to Her Majesty, her heirs and successors, shall seem meet.

4. In all cases of appeal, allowed by the said Court, or by Her Majesty, her heirs or successors, the said Court shall certify and transmit to Her Majesty, her heirs or successors, in her or their Privy Council, a true and exact copy of all evidence, proceedings, judgments, decrees, and orders had or made in such cases appealed, so far as the same have relation to the matters of appeal, such copies to be certified under the seal of the said Court, and the said Court shall also certify and transmit to Her Majesty, her heirs and successors, in her or their Privy Council, a copy of the reasons given by the judges of such Court, or by any such judges for or against the judgment or determination appealed against, where such reasons shall have been given in writing, and where such reasons shall have been given orally, then a statement in writing of the reasons given by the judges of such Court, or by any of such judges, for or against the judgment or determination appealed against.

5. The said Court shall, in all cases of appeal to Her Majesty, her heirs or successors, conform to and execute, or cause to be executed, such judgments and orders as Her Majesty, her heirs and successors, shall think fit to make in the premises, in such manner as any original judgment, decree, or decretal order, or other order or rule of the said Court, should or might have been executed.

And the Right Honourable the Earl of Carnarvon, one of Her Majesty’s Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. Peel.

BRITISH ORDER IN COUNCIL, annulling the Order of 26th February, 1867, establishing the West Africa Court of Appeal.
Balmoral, October 23, 1877.

At the Court at Balmoral, the 23rd day of October, 1877.
PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY,
His Royal Highness Prince Leopold, Lord President, Lord Chamberlain.

WHEREAS, by an Order of Her Majesty in Council, dated the 26th day of February, 1867, after reciting (among other things) that Courts of Civil and Criminal Justice had been established

by Ordinances in Her Majesty's Settlements on the Gambia, on
the Gold Coast, and of Lagos, in Western Africa, and that it
was expedient to provide a Court of Appellate Jurisdiction, to
hear and determine appeals from the said Courts, it was ordered
that the judges for the time being of Her Majesty's Supreme
Court of the Settlement of Sierra Leone should be a Court of
record to receive and hear appeals from the Courts of Her
Majesty's said settlements on the Gambia, on the Gold Coast,
and of Lagos, to be styled "The West Africa Court of Appeal,"
and to proceed as in the said Order mentioned.

And whereas Her Majesty's settlements on the Gold Coast
and of Lagos have been erected into one colony, with a separate
Supreme Court for such colony;

And whereas the Supreme Court of the Settlement of Sierra
Leone now consists of one judge only;

And whereas by an Order of Her Majesty in Council bearing
even date herewith provision is made for the hearing and deter-
mination of appeals from the Courts of Civil and Criminal Justice
of the settlements on the Gambia;

It is therefore ordered by the Queen's Most Excellent Majesty,
by and with the advice of her Privy Council, as follows:

1. The above-recited Order of Her Majesty in Council esta-
blishing the West Africa Court of Appeal, and bearing date the
26th day of February, 1867, is hereby repealed, revoked, and
annulled, except in respect of anything lawfully done thereunder
and of any proceedings which may have been commenced there-
under before the date at which this Order is published in the
settlement in which such proceedings were commenced.

2. Any proceedings so commenced may be completed, and
any appeal to Her Majesty in Council, in respect of such pro-
cedings may be had, prosecuted, and completed as fully and
effectually as if this Order had not been made.

And the Right Honourable the Earl of Carnarvon, one of
Her Majesty's Principal Secretaries of State, is to give the
necessary directions herein accordingly.

C. L. PEEL.

AGREEMENT between the British Government and the Sultan of
Socotra, relative to the Landing and Storage of Coal, &c., on the
Island. 1834.

(Translation.)

First the said Sultans do promise and agree to the British
Government landing and storing on any part of the sea coast
of the Island of Socotra, any quantity of coals or other articles
which may be sent now or hereafter from the British Govern-
ment of India to be deposited on the island.
Secondly, Captain Daniel Ross on the part of his Excellency the Right Honourable the Governor-General, do promise that there shall be no interference with the laws and customs of the Island of Socotra, or with the interior of the island, or shall the inhabitants of such parts where the coals are deposited be ill-treated by the English vessels visiting the island with the coals.


(Translation.)

Praise be to God alone!

The object of writing this lawful and honourable bond is that it is hereby covenanted and agreed between Ali bin Abdulla bin Salem bin Saad bin Afreer, Sultan of Socotra, on the one part, and Brigadier-General John William Schneider, the Governor of Aden, on behalf of the British Government, on the other part, that the said Ali bin Abdulla bin Salem bin Saad bin Afreer, Sultan of Socotra, does pledge and bind himself, his heirs and successors, never to cede, to sell, to mortgage, or otherwise give for occupation, save to the British Government, the Island of Socotra or any of its dependencies—the neighbouring islands.

In consideration of the above covenant, the said Ali bin Abdulla bin Salem bin Saad bin Afreer, Sultan of Socotra, has received from Brigadier-General John William Schneider, the Governor of Aden, on behalf of himself, his heirs, and successors, an immediate payment of 3,000 dollars (three thousand), and he, his heirs and successors, shall further receive from the British Government a yearly subsidy of 360 dollars (three hundred and sixty), it being understood that this stipend imposes on the aforesaid Ali bin Abdulla bin Salem bin Saad bin Afreer, Sultan of Socotra, his heirs and successors, the obligation of rendering assistance to any vessel, whether belonging to the British or any other nation, that may be wrecked on the Island of Socotra, or on its dependencies—the neighbouring islands, and of protecting the crew, the passengers, and the cargo thereof, for which acts of friendship and goodwill towards the British Government a suitable reward will also be given to Ali bin Abdulla bin Salem bin Saad bin Afreer, Sultan of Socotra, and to his heirs and successors after him.
ARGENTINE REPUBLIC.

In token of the conclusion of this lawful and honourable bond, Ali bin Abdulla bin Salem bin Saad bin Afreer, Sultan of Socotra, and Brigadier-General John William Schneider, the Governor of Aden, the former for himself, his heirs and successors, and the latter on behalf of the British Government, do each, in the presence of witnesses, affix their signatures on this 26th day of Zilhujjeh (A.H.) 1292, corresponding with the 23rd day of January (A.D.) 1876.

(Signature in Vernacular.)

J. W. SCHNEIDER, Brigadier-General, Political Resident, Governor of Aden.

Witnessed by:

(L signature in Vernacular.)

In the presence of:

LINDSAY BRINE, Captain of Her Majesty's Ship Briton.

SALEH JAFFER, Interpreter to the Resident, on board Her Majesty's Ship Briton, off Kischeen.

23rd January, 1876.

NORTH BROOK, Viceroy and Governor-General of India.

Ratified by His Excellency the Viceroy and Governor-General of India at Calcutta, on the 1st day of March, 1876.

T. H. THORNTON, Officiating Secretary to the Government of India.

ARGENTINE REPUBLIC.

LAW of the Argentine Republic, relative to Nationality and Naturalization. Buenos Ayres, October 8, 1869.

(Translation.)

The Senate and the Chamber of Deputies sanction as follows:

TITLE I.

ART. I. The following persons are Argentines:

1. All persons born or to be born in the territory of the Republic, whatever may be the nationality of their parents, with the exception of the children of the foreign Ministers and members of the Legation residing in the Republic.

2. The children of native Argentines, who having been born in a foreign country choose the citizenship of their extraction.

5. Those born in our seas under the Argentine flag.
II. The following persons are citizens by naturalization:

1. Foreigners of 18 years of age who reside in the Republic for two years consecutively and manifest before the Federal Sectional Judges their wish to become naturalized.

2. Foreigners, whatever their term of residence, who prove before the aforesaid judges that they have rendered any of the following services: 1. Having honourably discharged the functions of a national or provincial office in or out of the Republic; 2. Having served in the army or fleet, or having assisted in military functions in defence of the nation; 3. Having established some new kind of industry in the country, or introduced a useful invention; 4. Being contractor for or constructor of railways in any of the provinces; 5. Taking part in the formation of the colonies established or hereafter to be established in the national territory or in the provinces, provided that the applicants possess real property therein; 6. Inhabiting or peopling national territories on the actual frontier lines or beyond them; 7. Having married an Argentine woman in any of the provinces; 8. Exercising a professorship therein, in any of the branches of education or industry.

III. The son of a naturalized citizen who was under age at the time of his father's naturalization, and was born in a foreign country, can obtain letters of citizenship from the Federal Judge, by the fact of having enrolled himself in the National Guard at the time prescribed by the law.

IV. The son of a naturalized citizen in a foreign country, after the naturalization of his father, can obtain his letters of citizenship if he comes to the Republic and enrolls himself in the National Guard at the age prescribed by law.

TITLE VI.

ART. XII. The sons of native Argentines and foreigners who are actually exercising Argentine citizenship, are considered as native or naturalized citizens without subject to any of the requirements established by this law; they have only to inscribe themselves in the National Civic Register.

ART. XIV. Let this be communicated.

Given in the Sessions Hall of the Argentine Congress, at Buenos Ayres, on the 1st of October, 1869.

Salustiano Zavala Manuel Quintana, Carlos M. Saravia, Rufino Varela, Secretaries.

8th October, 1869.

Let this be fulfilled, communicated, published, and inserted in the official register.

Dalmacio Velez Sarsfield.
BRITISH ORDER IN COUNCIL, applying "The Slave Trade Act of 1876" to certain Parts of Asia and Africa (Khelat, Muscat, Belcochistan, Persian Gulf, Arabia, and Tribes near Aden, Zanzibar, &c.). Windsor, April 30, 1877.

At the Court at Windsor, the 30th day of April, 1877.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act of Parliament made and passed in the session of Parliament holden in the 39th and 40th years of Her Majesty's reign [cap. 46],* intituled "An Act for more effectually punishing offences against the Laws relating to the Slave Trade," it is, amongst other things, enacted that:

If any person being a subject of Her Majesty, or of any Prince or State in India in alliance with Her Majesty, shall, upon the high seas or in any part of Asia or Africa which Her Majesty may from time to time think fit to specify by any Order in Council in this behalf, commit any of the offences defined in Sections 367, 370, and 371 (in the schedule to this Act respectively cited) of Act 45 of 1860, passed by the Governor-General of India in Council, and called "The Indian Penal Code," or abet, within the meaning of the 5th chapter of the said penal code, the commission of any such offence, such person shall be dealt with in respect of such offence or abetment as if the same had been committed in any place within British India in which he may be or may be found.

Now, therefore, in pursuance and by virtue of the said recited Act of Parliament, Her Majesty is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, that the said Act shall apply to the several parts of Asia and Africa hereinafter specified, that is to say:

(a.) The territories of the Khan of Khelat and of the Sultan of Muscat in Mekran and Arabia.

(b.) The coast of Belochochistan, and of the Bunder Abbass districts, and the shores of the Persian Gulf.

(c.) The coast of Arabia from Ras Mussendom to Cape Bab-el-Mandeb.

(d.) The territories of the following tribes near Aden, namely:
   The Abdali.  The Howshabi.  The Subahi.
   The Foodli.  The Alawi.  The Yafai.
   The Akrabi.  The Amir.  The Oulaki.

(e.) The coast of Africa from Ras Sejarme to Delagoa Bay.

* See India.
(f.) The territories of the Sultan of Zanzibar.

(g.) The sea and islands within 10 degrees of latitude or longitude from such coasts and shores respectively.

And the Right Honourable the Marquis of Salisbury and the Right Honourable the Earl of Derby and the Lords Commissioners of the Admiralty are to give the necessary directions herein as to them may respectively appertain.

C. L. Peel.

AUSTRIA, &c.

CONSTITUTION of the Austrian Empire; so far as relates to the declaration of War and the conclusion of Treaties. Vienna, April 25, 1848.

Art. XII. Il déclare la guerre et conclut la paix et des Traités avec des Gouvernements étrangers.

Tous les Traités passés avec des États étrangers doivent être sanctionnés par la Diète.

BRITISH ORDER IN COUNCIL, extending the British System of Tonnage Measurement to Austro-Hungarian Vessels. Balmoral, August 19, 1871.

At the Court at Balmoral, the 19th day of August, 1871.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by "The Merchant Shipping Act Amendment Act, 1862," it is enacted that "whenever it is made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships for the time being in force under the principal Act have been adopted by the Government of any foreign country, and are in force in that country, it shall be lawful for Her Majesty, by Order in Council, to direct that the ships of such foreign country shall be deemed to be of the tonnage denoted in their certificates of registry or other national papers, and thereupon it shall be no longer necessary for such ships to be remeasured in any port or place in Her Majesty's dominions, but such ships shall be deemed to be of the tonnage denoted in their certificates of registry or other papers, in the same manner, to the same extent, and for the same purposes in, to, and for which the tonnage denoted in the certificates of registry of British ships is to be deemed the tonnage of such ships;" And whereas it has been made to

appear to Her Majesty, that the rules concerning the measurement of tonnage of merchant ships now in force under "The Merchant Shipping Act, 1854,"* have been adopted by his Imperial and Royal Majesty the Emperor King of Austro-Hungary, and are in force in the Austro-Hungarian dominions:

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct that the ships of Austro-Hungary, the certificates of Austro-Hungarian nationality and registry of which are dated on or after the 1st day of September, 1871, shall be deemed to be of the tonnage denoted in the said certificates of Austro-Hungarian nationality and registry.

EDMUND HARRISON.

CONVENTION concluded between Germany, the Argentine Republic, Austro-Hungary, Belgium, Brazil, Denmark and the Danish Colonies, Egypt, Spain and the Spanish Colonies, the United States of North America, France and the French Colonies, Great Britain and certain British Colonies, British India, Canada, Greece, Italy, Japan, Luxembourg, Mexico, Montenegro, Norway, the Netherlands and the Netherlands Colonies, Peru, Persia, Portugal and the Portuguese Colonies, Roumania, Russia, Servia, Salvador, Sweden, Switzerland, and Turkey, for a Universal Postal Union. Paris, June 1, 1878.

CONVENTION.

The Undersigned, Plenipotentiaries of the Governments of the countries above enumerated, being assembled in Congress at Paris, by virtue of Article XVIII of the Treaty constituting the General Postal Union, concluded at Berne on the 9th October, 1874,† have, by common consent, and subject to ratification, revised the said Treaty conformably to the following stipulations:

Art. I. The countries between which the present Convention is concluded, as well as those which may join it hereafter, form, under the title of "Universal Postal Union," a single postal territory for the reciprocal exchange of correspondence between their post offices.

II. The stipulations of this Convention extend to letters, post cards, printed papers of every kind, commercial papers and patterns or samples of merchandise, originating in one of the countries of the Union, and intended for another of those countries. They also apply, as far as regards conveyance within the Union, to the exchange by post of the articles above mentioned between the countries of the Union and countries.

* 17 & 18 Vict., c. 104, §§ 21 to 29. See Great Britain.
† See Page 67.
foreign to the Union whenever that exchange makes use of the services of two of the Contracting Parties at least.

III. The postal administrations of neighbouring countries or countries able to correspond directly with each other, without borrowing the intermediary of the services of a third administration, determine, by common consent, the conditions of the conveyance of their reciprocal mails across the frontier, or from one frontier to the other.

Unless any contrary arrangement be agreed upon, the direct sea conveyance between two countries by means of packets or vessels depending upon one of them shall be considered as a third service; and this conveyance, as well as any performed between two offices of the same country, by the intermediary of sea or territorial services maintained by another country, is regulated by the stipulations of the following Article.

IV. The right of transit is guaranteed throughout the entire territory of the Union.

Consequently, the several postal administrations of the Union may send reciprocally through the intermediary of one or of several of them, as well closed mails as correspondence à découvert, according to the wants of the traffic and the requirements of the postal service.

The correspondence exchanged, whether à découvert or in closed mails, between two offices of the Union, by means of the services of one or of several other administrations of the Union, is subject to the following transit charges, to be paid to each of the countries traversed, or whose services participate in the conveyance; viz.:

1. For territorial conveyance, 2 francs per kilogramme of letters or post cards, and 25 centimes per kilogramme of other articles.

2. For sea conveyance, 15 francs per kilogramme of letters or post cards, and 1 franc per kilogramme of other articles.

It is, however, understood:

1. That wherever the transit is already gratuitous at present, or subject to more advantageous conditions, such state of things is maintained, except in the case provided for in paragraph 3 following:

2. That wherever the rate of sea conveyance has hitherto been fixed at 6 francs 50 centimes per kilogramme of letters or post cards, such rate is reduced to 5 francs:

3. That every sea conveyance not exceeding 300 nautical miles is gratuitous if the administration concerned is already entitled on account of mails or correspondence benefiting by this conveyance to the remuneration applicable to territorial transit; in the contrary case, payment is made at the rate of 2 francs per kilogramme of letters and 25 centimes per kilogramme of other articles:
4. That in the case of sea conveyance effected by two or more administrations, the expenses of the entire transport cannot exceed 15 francs per kilogramme of letters or post cards, and 1 franc per kilogramme of other articles; those expenses are, in such case, shared between the administrations in proportion to the distances traversed, without prejudice to other arrangements between the parties interested:

5. That the rates specified in the present Article do not apply either to conveyance by means of services depending upon administrations foreign to the Union, or to conveyance within the Union by means of extraordinary services specially established or maintained by one administration in the interest or at the request of one or several other administrations. The conditions of these two categories of conveyance are regulated by mutual consent between the administrations interested.

The expenses of transit are borne by the administration of the country of origin.

The general accounting of those expenses takes place on the basis of statements prepared every two years, during a month to be determined on in the Detailed Regulations referred to in Article XIV hereafter.

The correspondence of the postal administrations with each other, articles re-directed or mis-sent, undelivered articles, acknowledgments of delivery, post office money orders or advices of the issue of orders, and all other documents relative to the postal service, are exempt from all charges for transit, whether territorial or by sea.

V. The rates of postage for the conveyance of postal articles throughout the entire extent of the Union, including their delivery at the residence of the addressees in the countries of the Union where a delivery is or shall be organised, are fixed as follows:

1. For letters, 25 centimes in case of prepayment, and double that amount in the contrary case, for each letter and for every weight of 15 grammes or fraction of 15 grammes.

2. For post cards, 10 centimes per card.

3. For printed papers of every kind, commercial papers, and patterns or samples of merchandise, 5 centimes for each article or packet bearing a particular address, and for every weight of 50 grammes or fraction of 50 grammes, provided that such article or packet does not contain any letter or manuscript note having the character of an actual and personal correspondence, and that it be made up in such a manner as to admit of its being easily examined.

The charge on commercial papers cannot be less than 25 centimes per packet, and the charge on patterns or samples cannot be less than 10 centimes per packet.

In addition to the rates, and the minima fixed by the preceding paragraphs, there may be levied:
1. For every article subjected to the sea transit rates of 15 francs per kilogramme of letters or post cards, and 1 franc per kilogramme of other articles, a surcharge which may not exceed 25 centimes per single rate for letters, 5 centimes per post card, and 5 centimes per 50 grammes or fraction of 50 grammes, for other articles. As a temporary arrangement, there may be levied a surcharge up to 10 centimes per single rate for the letters subjected to the transit rate of 5 francs per kilogramme.

2. For every article conveyed by services maintained by administrations foreign to the Union, or conveyed by extraordinary services in the Union, giving rise to special expenses, a surcharge in proportion to those expenses.

In case of insufficient prepayment, correspondence of every kind is liable to a charge equal to double the amount of the deficiency, to be paid by the addressees.

There shall not be forwarded:

1. Articles other than letters which are not prepaid at least partly, or which do not fulfil the conditions required above in order to enjoy a reduction of charge.

2. Articles of a nature likely to stain or injure the correspondence.

3. Packets of patterns or samples of merchandise which have a saleable value, or which exceed 250 grammes in weight, or measure more than 20 centimetres in length, 10 in breadth, and 5 in depth.

4. Lastly, packets of commercial papers, and printed papers of every kind, the weight of which exceeds 2 kilogrammes.

VI. The articles specified in Article V may be registered.

Every registered article is liable, at the charge of the sender:

1. To the ordinary prepaid rate of postage on the article, according to its nature:

2. To a fixed registration fee of 25 centimes at the maximum in European States, and of 50 centimes at the maximum in other countries, including the issue of an acknowledgment of posting to the sender.

The sender of a registered article may obtain an acknowledgment of the delivery of such article, by paying in advance a fixed fee of 25 centimes at the maximum.

In case of the loss of a registered article, and except in the case of force majeure, there is to be paid an indemnity of 50 francs to the sender, or, at his request, to the addressee, by the administration of the country in the territory or in the maritime service of which the loss has occurred, that is to say, where the trace of the article has ceased.

As a temporary measure, the administrations of the countries beyond Europe, whose legislation is actually opposed to the
principle of responsibility, are permitted to postpone the application of the preceding clause until the time when they shall have obtained by legislative enactment authority to subscribe to it. Up to that time the other administrations are not bound to pay an indemnity for the loss, in their respective services, of registered articles addressed to or originating in the said countries.

If it is impossible to discover the service in which the loss has occurred, the indemnity is borne in equal proportions between the two corresponding offices.

Payment of this indemnity is made with the least possible delay, and, at the latest, within a year dating from the date of application.

Every claim for an indemnity is excluded if it be not made within one year, counting from the date on which the registered article was posted.

VII. Those countries of the Union which have not the franc for their monetary unit fix their charges at the equivalents in their respective currencies of the rates determined by Articles V and VI preceding. Such countries have the option of rounding off the fractions in conformity with the table inserted in the Règlement mentioned in Article XIV of the present Convention.

VIII. Prepayment of postage on every description of article can be effected only by means of postage stamps valid in the country of origin for the correspondence of private individuals.

Official correspondence relative to the postal service, and exchanged between postal administrations, is alone exempted from this obligation, and from all liability to charge.

IX. Each office keeps the whole of the sums which it collects by virtue of the foregoing Articles V, VI, VII, and VIII. Consequently, there is no necessity on this head for any accounts between the several administrations of the Union.

Neither the senders nor the addressees of letters and other postal packets are called upon to pay, either in the country of origin or in that of destination, any tax or postal duty other than those contemplated by the Articles above mentioned.

X. No supplementary postage is charged for the re-direction of postal packets within the interior of the Union.

XI. It is forbidden to the public to send by post:

1. Letters or packets containing gold or silver bullion, pieces of money, jewelry, or precious articles:

2. Any packets whatever containing articles liable to Customs duty.

In the event of a packet falling under one of these prohibitions being delivered by one administration of the Union to another administration of the Union, the latter proceeds accord-
ing to the manner and forms prescribed by its legislation, or by its inland regulations.

There is, moreover, reserved to the Government of every country of the Union the right to refuse to convey over its territory, or to deliver, as well articles liable only to a reduced rate, in regard to which the laws, ordinances, or decrees which regulate the conditions of their publication or of their circulation in that country have not been complied with, as correspondence of every kind which may evidently bear inscriptions forbidden by the legal enactments or regulations in force in the same country.

XII. The offices of the Union which have relations with countries beyond the Union admit all the other offices to take advantage of these relations for the exchange of correspondence with the said countries.

The correspondence exchanged à découvert between a country of the Union and a country foreign to the Union, through the intermediary of another country of the Union, is treated, as regards the conveyance beyond the limits of the Union, in conformity to the Conventions, arrangements, or special provisions governing the postal relations between the latter country and the country foreign to the Union.

The rates chargeable on the correspondence in question consists of two distinct elements, viz.:

1. The Union rate fixed by Articles V, VI, and VII of the present Convention.

2. A rate for the conveyance beyond the limits of the Union.

The first of these rates is assigned:

a. For correspondence originating in the Union and addressed to foreign countries, to the despatching office in case of prepayment, and the office of exchange in the case of non-prepayment.

b. For correspondence originating in foreign countries and addressed to the Union, to the office of exchange in case of prepayment, and to the office of destination in case of non-prepayment.

The second of these rates is, in every case, assigned to the office of exchange.

With regard to the expenses of transit within the Union, the correspondence originating in or addressed to a foreign country is assimilated to that from or for the country of the Union which maintains relations with the country foreign to the Union, unless such relations imply obligatory and partial prepayment, in which case the said Union country has the right to the territorial transit rates fixed by Article IV preceding.

The general settlement of the rates of postage chargeable for the conveyance beyond the limits of the Union takes place
on the basis of statements which are prepared at the same time as the statements drawn up by virtue of Article IV preceding, for the calculation of the expenses of transit within the Union.

As regards the correspondence exchanged in closed mails between a country of the Union and a country foreign to the Union, through the intermediary of another country of the Union, the transit thereof is subject,

Within the limits of the Union, to the rates fixed by Article IV of the present Convention;

Beyond the limits of the Union, to the conditions resulting from the special arrangements concluded or to be concluded for that purpose between the administrations interested.

XIII. The exchange of letters of declared value and that of post office money orders form the subject of special arrangements between the various countries or groups of countries composing the Union.

XIV. The postal administrations of the various countries composing the Union are competent to draw up, by common consent, in the form of a Règlement, all the measures of order and detail which are judged necessary.

The several administrations may, moreover, make amongst themselves the necessary arrangements on the subject of questions which do not concern the Union generally, provided that those arrangements are not contrary to the present Convention.

The administrations interested are, however, permitted to come to mutual arrangements for the adoption of lower rates of postage within a radius of 30 kilometres, for the conditions of the delivery of letters by express, as well as for the exchange of post cards with paid answers. In this latter case the answer when sent from the country of origin enjoys the exemption from transit charges stipulated by the last paragraph of Article IV of the present Convention.

XV. The present Convention does not involve alteration in the postal legislation of any country as regards anything which is not provided for by the stipulations contained in this Convention.

It does not restrict the right of the Contracting Parties to maintain and to conclude Treaties, as well as to maintain and establish more restricted Unions, with a view to the improvement of postal relations.

XVI. There is maintained, under the name of the International Bureau of the Universal Postal Union, a central office, which is conducted under the surveillance of the Swiss postal administration, and the expenses of which are borne by all the offices of the Union.

This office continues to be charged with the duty of collect-
ing, collating, publishing, and distributing information of every kind which concerns the international postal service; of giving, at the request of the parties concerned, an opinion upon questions in dispute; of making known proposals for modifying the acts of the Congress; of notifying alterations adopted; and, in general, of considering and working out all questions in the interest of the Postal Union.

XVII. In case of disagreement between two or more members of the Union as to the interpretation of the present Convention, the question in dispute is decided by arbitration. To that end, each of the administrations concerned chooses another member of the Union not directly interested in the matter.

The decision of the arbitrators is given by an absolute majority of votes.

In case of an equality of votes the arbitrators choose, with the view of settling the difference, another administration equally uninterested in the question in dispute.

XVIII. Countries which have not taken part in the present Convention are admitted to be parties to it upon their demand. This adhesion is notified diplomatically to the Government of the Swiss Confederation, and by that Government to all the countries of the Union.

It implies, as a matter of right, accession to all the clauses, and admission to all the advantages stipulated by the present Convention.

It devolves upon the Government of the Swiss Confederation to determine, by common consent with the Government of the country interested, the share to be contributed by the administration of this latter country towards the expenses of the International Bureau, and, if necessary, the rates to be levied by that administration in conformity to Article VII preceding.

XIX. Congresses of Plenipotentiaries of the countries participating in the Convention, or simple administrative conferences, according to the importance of the questions to be solved, are held, when a demand for them is made or approved by two-thirds at least of the Governments or administrations, as the case may be.

Nevertheless, a Congress shall be held at least once in every 5 years.

Each country may be represented either by one or several delegates, or by the delegation of another country. But it is understood that the delegate or delegates of one country can be charged with the representation of two countries only, including the country they represent.

In the deliberations each country has one vote only.

Each Congress fixes the place of meeting of the following Congress.
For Conferences, the administrations fix the places of meeting according to the proposal of the International Bureau.

XX. In the interval which elapses between the meetings, any postal administration of a country of the Union has the right to address to the other administrations belonging to it, through the intermediary of the International Bureau, proposals concerning the business of the Union. But, in order to become binding, those proposals must obtain:

1. Unanimity of votes, if they involve any modification of the stipulations of Articles II, III, IV, V, VI, and IX preceding.

2. Two-thirds of the votes, if they involve a modification of the stipulations of the Convention other than those of Articles II, III, IV, V, VI, and IX.

3. A simple absolute majority, if they involve either the interpretation of the stipulations of the Convention, except the case of dispute contemplated by Article XV preceding.

The binding decision is sanctioned in the first two cases by a diplomatic declaration, which the Government of the Swiss Confederation is charged with the duty of preparing and transmitting to all the Governments of the contracting countries, and in the third case by a simple notification from the International Bureau to all the administrations of the Union.

XXI. The following are considered as forming, for the application of Articles XVI, XIX, and XX preceding, a single country or administration as the case may be:

1. The Empire of British India.
2. The Dominion of Canada.
3. The whole of the Danish Colonies.
4. The whole of the Spanish Colonies.
5. The whole of the French Colonies.
6. The whole of the Netherland Colonies.
7. The whole of the Portuguese Colonies.

XXII. The present Convention shall come into operation on the 1st April, 1879, and shall remain in vigour during an indefinite period; but each Contracting Party has the right of withdrawing from the Union by means of a notice given, one year in advance, by its Government to the Government of the Swiss Confederation.

XXIII. After the date on which the present Convention takes effect, all the stipulations of the Treaties, Conventions, Arrangements, or other acts previously concluded between the various countries or administrations, in so far as those stipulations are not in accordance with the terms of the present Convention, are abrogated, without prejudice to the rights reserved by Article XV.

The present Convention shall be ratified as soon as possible. The acts of ratification shall be exchanged at Paris.

In faith of which the Plenipotentiaries of the countries above
enumerated have signed the present Convention at Paris, the 1st of June, 1878.


l'Allemagne: A. Maclean. Dr. Stephan.

la République Argentine: Gunther. Sachse.

l'Autriche: Carlos Calvo.

la Hongrie: Dewez.

la Belgique: Gervay.

le Brésil: J. Vincent.

le Danemark et les colonies Danoises: F. Gife.

l'Egypte: Vicomte D'Itajuba.

l'Espagne et les colonies Espagnoles: Schou.


la France: Emilio C. de Navasques.

les colonies Françaises: James H. Tyner.

l'Inde Britannique: Joseph H. Blackfan.

le Canada: Leon Say.

la Grèce: Ad. Cochery.

l'Italie: A. Besnier.

le Japon: E. Roy.

le Luxembourg: Fred. R. Hogg.

le Mexique: F. O. Adams.

le Monténégro: W. J. Page.

la Norvège: A. Maclean.

les Pays-Bas et les colonies Néerlandaises: N. P. Delyanni.

le Pérou: A. Mansolas.

la Perse: G. B. Tantesio.

le Portugal et les colonies Portugaises: Naonobu Sameshima.

la Roumanie: Samuel M. Bryan.

la Russie: V. de Rebe.

G. A. de Barros.

F. Barreda.

Chr. Hefty.

Hofsteede.

Baron Sweerts de Landas-Wyborgh.

G. F. Robesco.

Baron Velho.

Georges Poggenpohl.
FINAL PROTOCOL.

The Undersigned, Plenipotentiaries of the Governments of the countries which have this day signed the Convention of Paris, have agreed as follows:

I. Persia, * which forms part of the Union, being unrepresented, will nevertheless be allowed to sign the Convention hereafter, provided that country confirms its adhesion by a diplomatic act with the Swiss Government, before the 1st April, 1879.

II. The countries foreign to the Union, which have deferred their adhesion or which have not yet come to a decision, shall enter the Union on fulfilling the conditions specified in Article XVIII of the Convention.

III. In case one or the other of the Contracting Parties should not ratify the Convention, this Convention shall nevertheless be binding on the parties to it.

IV. The various British colonies, other than Canada and British India, which are parties in the Convention, are, Ceylon, the Straits Settlements, Labuan, Hong Kong, Mauritius and dependencies, Bermuda, British Guiana, Jamaica, and Trinidad.

In faith of which the Plenipotentiaries hereunder mentioned have drawn up the present final Protocol, which shall have the same force and the same value as if the stipulations which it contains were inserted in the Convention itself, and they have signed it in one single instrument, which shall be deposited in the archives of the French Government, and a copy of which shall be delivered to each party.

Paris, June 1, 1878.

[Here follow the signatures of the delegates of the Governments of Great Britain and certain British colonies, Germany, the Argentine Republic, Austria, Hungary, Belgium, Brazil, Denmark and the Danish colonies, Egypt, Spain and the Spanish colonies, the United States of North America, France, the French colonies, British India, Canada, Greece, Italy, Japan, Luxemburg, Mexico, Montenegro, Norway, the Netherlands and Netherland colonies, Peru, Portugal, and the Portuguese colonies, Roumania, Russia, Salvador, Servia, Sweden, Switzerland, and Turkey.]

* Persia acceded to this Convention by an Act dated 15th August, 1878.
AGREEMENT between Great Britain and Borneo, respecting the Trial of British Subjects for Crimes committed in Borneo, and for the Settlement of Disputes in which British Subjects may be engaged. Brunei, November 26, 1856.

(Mr. St. John's seal and signature.) November 26, 1856.

His Highness the Sultan of Borneo makes an Agreement with Mr. St. John, Her Majesty's Consul-General, to be in lieu of the Additional Article to the Treaty.*

His Highness the Sultan agrees that, in all cases where a British subject shall be accused of any crime, committed in any part of His Highness's dominions, the person so accused shall be tried and adjudged by the English Consul-General, or other officer duly appointed by Her Majesty, together with (and by) an officer chosen by His Highness; and in all cases where disputes and differences shall arise between British subjects or between British subjects and the subjects of His Highness, or between British subjects and the subjects of any other foreign Power within the dominions of the Sultan of Borneo, Her Majesty's Consul-General or other officer duly appointed, together with an officer appointed by His Highness, will adjudge, according to the customs of Borneo, those who are in the wrong in these differences, and the Sultan will receive their sentences and carry them out. No other persons can interfere with English subjects, and no punishment can be inflicted on them heavier than accords with the customs of the English.

This Agreement is written in Brunei, on the 20th day of Rabi-al-Awal, on Wednesday, in the year 1273.

Within 6 months of the date of this Agreement we expect the acceptance of our friend, Her Majesty, that it may be held by us and our successors.

[Provisionally approved by the British Government, July 24, 1857.]

DECLARATION by the Sultan of Borneo, extending the provisions of Clause VIII of the Treaty with Great Britain of May 27, 1847,† to the case of Wrecked Vessels belonging to States in amity with Great Britain. August 17, 1878.

His Highness Abdul Muinin, Sultan of Borneo, for himself,

his heirs and successors, hereby declares that, from the date of this Declaration, the provisions of Article VIII of the Treaty dated the 27th May, 1847, between Great Britain and Borneo, relating to the assistance and protection to be afforded by His Highness in the case of vessels under the British flag wrecked upon the coasts of His Highness's dominions, shall be and are hereby extended to the case of wrecked vessels belonging to States in amity with Great Britain, the clause referred to being in the following terms:

"Clause VIII. If any vessel under the British flag should be wrecked on the coasts of the dominions of His Highness the Sultan of Borneo, His Highness engages to give all the assistance in his power to recover for and to deliver over to the owners thereof all the property which can be saved from such vessels. His Highness further engages to extend to the officers and crew, and to all other persons on board such wrecked vessel, full protection both [as] to their persons and as to their property."

This 17th day of August, 1878.

(Seal of His Highness the Sultan of Borneo.)

W. H. TREACHER, Her Britannic Majesty's Acting Consul-General in Borneo.

CHILE.

DECREE of the President of the Republic of Chile, with regard to Cemeteries. Santiago, December 21, 1871.

(Translation.)

I HAVE resolved and decree:

Art. I. A locality shall be allotted within the precinct of each one of the Catholic cemeteries at present existing in the Republic, for the burial of the corpses of those individuals to whom the canonical regulations deny the right of being interred.

The said locality shall be proportionate to the importance of each town and to the extent of its cemetery, having to be separated from the rest of the latter by an iron or wooden railing, or by a division of trees, and its entrance being in every case through the door of the principal cemetery.

II. The cemeteries which may from the date of this Decree be laid out with Government or municipal funds, shall be secular, and exempt from the ecclesiastical jurisdiction without distinction of the religion to which the individuals belonged when living.

III. In the secular cemeteries the corpses shall be buried with
the ceremonies or rites of the religion or sect which those interested may prefer.

IV. There shall be in them a department for family vaults or for private ownership, which may be acquired by purchase, and another for the burial in common of paupers.

V. There may also be in them a chapel consecrated to the Catholic worship, for the celebration of the ceremonies of that religion on the interment of the corpses of Catholics.

VI. The secular cemeteries shall be conducted entirely by the same offices and according to the same regulations as the Catholic ones, but a special account shall be kept of the receipts and expenditure, in order to apply the funds to the preservation and improvement.

VII. Besides the secular cemeteries, others may be formed for private ownership, on account of corporations, societies, or private persons, and these shall be destined to the object of their institution, according to the will of their founders or proprietors.

VIII. Private cemeteries can only be established beyond the city limits, and with the previous sanction of the respective municipality, which shall determine the advantages of its local situation in respect to the public health.

The Government reserves to itself the faculty of conceding according to the speciality of cases permission for the formation of cemeteries within the city limits.

IX. Private cemeteries shall be subject to the same regulations as public ones, in all things concerning police regulations and sanitary measures already laid down or which may hereafter be directed on the subject.

X. The conveyance of corpses to public or private cemeteries may take place at any hour of the day, on the requisite pass having been previously obtained.

XI. Any corpse may be deposited in a church, to be thence conveyed to the respective cemetery, after the offices or religious ceremonies, without the necessity of a special licence.

XII. The administrator or those in charge of the cemeteries to which Article I refers, shall carry out the provisions of its second part, within the term of 6 months reckoned from the above date.

If within this term there should occur any of the cases provided for in the first part of the same Article, the corpse shall be deposited in the locality destined for the purpose, although it may not yet have been closed in apart from the rest of the cemetery.

Let note hereof be taken, communicated, and published.

Santiago, December 21, 1871.

E. ALTAMIRANO.

E. ERRAZURIZ.
At the Court at Windsor, the 20th day of March, 1877.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

Whereas by Section 18 of "The Extradition Act, 1870," it is among other things enacted:

[See Vol. 13. Page 1194.]

And whereas by a certain Ordinance enacted in the year 1875 by the Governor of Hong Kong, with the advice of the Legislative Council thereof, and numbered 11 of the said year, the short title of which is "The Extradition Ordinance (Hong Kong), 1875," provision is that all powers vested in or acts authorised or required to be done under the Acts of the Imperial Parliament, known as the Extradition Acts, 1870 and 1873, by the Secretary of State or by a police magistrate in relation to the surrender of a fugitive criminal, which by the said Imperial Acts are in respect of British Possessions vested in or required to be done by the Governor alone, may in respect of the Governor of Hong Kong be exercised and done by the Governor or police magistrate of the colony respectively.

And whereas the said Ordinance has been confirmed and allowed by Her Majesty.

Now, therefore, Her Majesty, in pursuance of "The Extradition Act, 1870," and in exercise of the power in that behalf in the said Act contained, doth by this present Order, by and with the advice of Her Majesty's Privy Council, direct that the said "Extradition Ordinance (Hong Kong), 1875," shall have effect in the colony of Hong Kong, without modification or alteration, as if it were part of "The Extradition Act, 1870."

And the Right Honourable the Earl of Carnarvon, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

C. L. Peel.
DENMARK.

DANISH LAW, throwing open the Danish Coasting Trade to Foreign Vessels. April 14, 1865.

(Translation.)

We, Christian IX, by God's grace King of Denmark, the Wends and Goths, Duke of Sleswick, Holstein, Stormarn, Dithmarsken, Lauenburg, and Oldenburg, hereby make known to all that the Rigeraad has passed, and we by our consent have enacted, the following Law:

The Government is authorised, on condition of reciprocity, to admit ships of foreign States privileged in respect of their commercial relation to Denmark, without regard to the burthen of such ships, to engage in the carrying trade from place to place in the Kingdom, on observance of the general regulations in force for such voyages.

All who are concerned herein are to act accordingly.

Given at Amalienborg, April 14, 1865, under our Royal hand and seal.

C. N. David. (L.S.) Christian R.

DANISH LAW, throwing open the Coasting Trade of Iceland and the Faroe Islands to Foreign Vessels. April 17, 1868.

(Translation.)

We, Christian IX, by God's grace King of Denmark, the Wends and Goths, Duke of Sleswick, Holstein, Stormarn, Dithmarsken, Lauenburg, and Oldenburg, hereby make known to all that the Rigsdag has passed, and we by our consent have enacted, the following Law:

The Government is authorised, on condition of reciprocity, to admit ships of foreign States privileged in respect of their commercial relation to Denmark, without regard to the burthen of such ships, to engage in the carrying trade both from port to port in Iceland and between Iceland and the Kingdom, including the Faroe Islands, both ways, but with observance of the general regulations in force for such voyages.

All who are concerned herein are to act accordingly.

Given in our residential city of Copenhagen, April 17, 1868, under our Royal hand and seal.

Th. Rosenorn-Teilmann. (L.S.) Christian R.
BRITISH ORDER IN COUNCIL, extending the system of British Tonnage Measurement to Danish Vessels. Osborne, February 29, 1868.

At the Court at Osborne House, Isle of Wight, the 29th day of February, 1868.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by “The Merchant Shipping Act Amendment Act, 1862,”* it is enacted:

[See Order in Council, August 19, 1871 (Austria). Page 1005.]

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under “The Merchant Shipping Act, 1854,”† have been adopted by His Majesty the King of Denmark, and are in force in that country, and that such rules came into operation on the 1st of October, 1867.

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct that the ships of Denmark, the certificates of Danish nationality and registry of which are dated on and after the said 1st day of October, 1867, shall be deemed to be of the tonnage denoted in the said certificates of Danish nationality and registry.

EDMUND HARRISON.

DANISH LAW, prohibiting Fishing with Trawl Nets in the Seas within the Limits of Danish Territory. London, April, 1872.

NOTICE to British Fishermen, fishing off the Coasts of Jutland or other Possessions of the Danish Crown.

“The following is a translation of a Law passed by the Danish Chambers, and sanctioned by the King of Denmark, prohibiting fishing with trawl nets in the seas within the limits of Danish territory.

1. It shall hereafter be forbidden to fish with trawls in any harbours, bays, fjords, and sounds within the marine territories of the Kingdom of Denmark. (By trawl is meant a boat heavily ballasted with iron chains, bars, or other dead weight, which propelled by sail or steam, drags along the trawl net which escapes the bottom.)

2. Infringements of the prohibition mentioned in Section 1

† 17 & 18 Vict., c. 184, §§ 21 to 29. See Great Britain.
shall be punishable by fines of from 20 to 200 rigs-dollars. Actions arising out of such breaches of the law shall be treated as public police cases. The fine shall fall to the police fund.

"All concerned shall conform to the foregoing."

British fishermen are hereby warned against breaking the above Law by fishing with a trawl within the Danish limits.

C. Cecil Trevor, Assistant Secretary.
Board of Trade, April, 1872.

EGYPT.

FIRMANS addressed by the Sultan of Turkey to the Viceroy's of Egypt; so far as they relate to the conclusion of Commercial and other Non-Political Treaties; the Contract of Loans, and the Payment of Tribute. 1841-1873.

(1.) FIRMAN. February 13, 1841.

(Translation.)

The principles founded on the laws of security of life, of the security of property, and the preservation of honour, principles recorded in the salutary ordinances of my Hatti Sheriff of Gulhané, all the Treaties concluded and to be concluded between my Sublime Porte and the friendly Powers, shall be completely executed in the Province of Egypt likewise.

(2.) FIRMAN addressed by the Sultan to Mehemet Ali, Pasha of Egypt, specifying the amount of Tribute to be paid to the Sultan, and the Mode of Payment. May, 1841.

(Translation.)

Since thou hast been confirmed in the Government of Egypt with hereditary succession, on the determinate conditions which are inserted in another Firman, my sovereign will is, that thou shalt have to pay annually for my Sublime Porte, out of the customs duties, the tithes and the capitation tax, and out of the other revenues and products of that province, a tribute of 80,000 purses;* that, in order that the amount of the

* 80,000 purses, or 40,000,000 Turkish piastres, amounting at present (1841) to about 363,955/. sterling.
tribute may not vary, since the value of currency changes, the sum of 80,000 purses shall be calculated according to the price of the Spanish "Colonnates" which are in circulation in Egypt; and the actual amount of the Colonnates shall be paid each year in kind, or else that its equivalent shall be paid in other good money. Such are my orders, in consequence of which the present Imperial Firman has been written and dispatched.

Therefore, when thou shalt have acquainted thyself with this matter, thou shalt act in the manner above described, and thou shalt be careful to pay to the Imperial Treasury, as soon as the time for the payment arrives, the tribute set forth above.

---

(3.) FIRMAN addressed by the Sultan to the Viceroy of Egypt, modifying the Order of Succession, and increasing the amount of Tribute. May 27, 1866.

(Translation.)

HAVING taken cognizance of the request which thou hast submitted to me, and in which thou informest me that the modification of the order of succession established by the Firman, addressed under date of the month of Reibiul Akhir 1257,* to thy grandfather Mehmed Ali Pasha, conferring on him the hereditary Government of the Province of Egypt, and confirmed by my Imperial Hatt, and the transmission of the succession from father to son in a direct line, and in order of primogeniture, would contribute to the good administration of Egypt, and to the development of the welfare of the inhabitants of that province.

Succession. Territories.

Appreciating, likewise, to their full extent, the efforts thou hast made with this object since thy nomination to the Governor-Generalship of Egypt, which is one of the most important provinces of my Empire, as well as the fidelity and devotion of which thou hast always given proof towards me, and wishing to confer on thee a striking proof of the full and entire confidence I reposed in thee, I have determined that, henceforth, the Government of Egypt, with the territories which are annexed to it, and its dependencies, and with the Kaïmakamates of Suakin and Massowah, shall be transmitted to the eldest of thy male children, and in the same manner to the eldest sons of thy successors.

Tribute.†

The tribute of 80,000 purses paid by Egypt to the Imperial Treasury is raised to 150,000 purses, commencing from the month of March of the year 1860, at the rate of 100 piastres to a pound Turkish, that is to say, to 750,000 pounds Turkish annually.

*February 13, 1841. Page 1024. † See also Firman of June 8, 1873. Page 1030.
EGYPT.

(4.) FIRMAN addressed by the Sultan to the Khedive of Egypt, confirming the privilege of Hereditary Succession, and the right to conclude Commercial and other Treaties having no political signification. June 8, 1867.*

(Translation.)

Treaties.

INASMUCH as the internal administration of the province, and consequently its financial, material, and other interests are confided to the Government of Egypt, in order to preserve and extend those interests, it is permitted to that Government to frame such regulations as may seem necessary in the form of “special Tanzimat for the Interior.” In like manner, whilst all the Treaties of the Sublime Porte must be respected in Egypt, an exception is made only as regards the Customs duties, and as regards foreigners in matters relating to the police, postal, and transit services, for which full powers are given to thee to enter into special arrangements with foreign agents. But such arrangements must not take the form of Treaties or Conventions having any political signification or purport. And in the event of their being inconsistent with the principles laid down above, or opposed to my original sovereign rights, it will be necessary to hold them as null and void.

Wherefore the question of conformity or non-conformity to these principles in matters where a doubt exists as regards Egypt must be referred to my Sublime Porte previously to such arrangements being concluded.

And when in the manner explained above any special arrangements are entered into concerning the Customs duties in Egypt, information thereof must be transmitted to my Sublime Porte.

Also, when any Conference respecting Commercial Treaties takes place between my Government and other Powers in order that the commercial interests of Egypt may be attended to, the opinions of Egyptian Administration shall be consulted thereon.

(5.) FIRMAN addressed by the Sultan to the Khedive of Egypt, relative to contracts for Foreign Loans being submitted to the Sultan for Approval. November 29, 1869.†

(Translation.)

It is superfluous for me to say how much I have at heart the prosperity of the important Province of Egypt, and the increase of the well-being and security of its inhabitants. While giving serious attention to the maintenance intact of the internal privileges granted to the Egyptian Administration, it is at the same time, my duty to look to the strict accomplishment of the obligations of that Administration, whether towards my Crown or towards the inhabitants of the province.

* Confirmed by Firman of September 10, 1872. Page 1026.
† Repealed by Firman of September 10, 1872. Page 1029.
For this reason, I have accepted the explanations which thou hast given, and the engagements which thou hast taken relative to armaments and ships of war, as also respecting the external relations of the province, in the letter of the 10th Djemazi-ul-Ewel, 1286, which thou hast written in answer to that which my Grand Vizier had addressed to thee on the 18th Rebi-ul-Akhir, 1286, by my sovereign order.

Still, as the financial question is a vital one for every country, if the rate of the taxes is beyond the means of the tax-payers, or if the yield of these taxes is absorbed in fruitless expenditure, instead of being employed for the real requirements of the country, there is undoubtedly a risk of losses and incalculable dangers.

For this reason the Sovereign of the country has the sacred and unimpeachable right anxiously to watch over this important object; and in order that there should be no doubt or misunderstanding in this respect, I have decided to give thee the following explanations, which shall also be made generally known. According to the fundamental conditions, then, which form the basis of the Egyptian Administration, all taxes and dues should be assessed and levied in my name. I could not therefore, in any way consent to the sums yielded by these taxes being employed otherwise than for the real requirements of the country, or to the inhabitants being burdened with new taxes without legitimate and recognised necessity. It is therefore my absolute decision that thy care and thy zeal should unceasingly be directed to these two important objects, as also to the necessity that my Egyptian subjects should be always treated with justice and equity.

Foreign Loans.

As foreign loans pledge for many years the revenues of the country, I cannot permit that sums raised from the revenues of Egypt should be applied to the service of a loan, unless all the details of the reasons for having recourse thereto have been submitted to my Imperial Government, and unless my permission has been previously obtained.

It is therefore my desire that no loan should ever be made unless the necessity for having recourse to it be clearly established, and my permission previously obtained.

(6.) FIRMAN addressed by the Sultan to the Khedive of Egypt, cancelling the Restrictions imposed by the Firman of November 29, 1869, and confirming the Privileges accorded by the Firman of June 8, 1867. September 10, 1872.

(Translation.)

The privileges granted to the Egyptian Government on

See Aliro Finlan of September 25, 1872. Page 1028.
the part of our Imperial Government, with the object of developing the prosperity of Egypt, are connected with the entire accomplishment by the said Government of certain duties and conditions that have been laid down towards our Imperial Government, duties and conditions of which the value has been assured and fixed by our Imperial orders, previously issued.

By our Imperial Firman dated the 5th Safer, 1284,* the internal administration of Egypt, and consequently its financial, material, and other interests, have devolved on the Egyptian Government.

Our Imperial favour has granted it all that is connected with the development of internal organisation and general progress.

In this state of things, thou has submitted to me that some restrictions and exceptions contained in my Firman of the 22nd Chaban, 1286 (29th November, 1869),† were creating serious obstacles to the complete development of the prosperity of Egypt.

It is evident that the prosperity of the country and the welfare of my subjects are both, in my eyes, of the highest importance, and the object of my dearest wishes.

The realisation of these wishes naturally depends on the means and facilities granted to satisfy requirements which result from them.

As such has been my Imperial will, it is contrary to my desire that the progress and prosperity of Egypt should be obstructed by restrictions placed on the privileges which my sovereign munificence had granted to the Egyptian Government in its material and financial interests.

I have therefore ordered the maintenance in full of the privileges granted by my Firman dated the 5th Safer, 1284, and I have issued this supreme order from my Sublime Porte, and given it to thee,

The 7th day of Redjeb, 1289 (September 10, 1872).

(7.) IMPERIAL KHATT addressed by the Sultan to the Khedive of Egypt, renewing the authority to contract Foreign Loans. September 25, 1872.

(Translation.)

The material and financial administration of Egypt having been conferred on thee, in every respect and entirely, by my various Imperial Firmans, the power of making foreign loans, and of devoting them to the welfare of Egypt is included in the privileges specially granted to the Egyptian Government.

Henceforth, also, whenever, for the prosperity of the country the necessity shall arise of contracting foreign loans, I renew and confirm to thee the authorisation to borrow the necessary.

* June 8, 1867. Page 1026.
† Page 1026.
sums in the name of the Egyptian Government, and without requesting authority to do so.

The 22nd Redjeb, 1289 (September 25, 1872).

(8.) FIRMAN addressed to the Sultan to the Khedive of Egypt:
so far as relates to the Order of Succession; Internal and Financial Administration; the conclusion of Non-Political Treaties; the Contract of Loans; the Levy of Troops; Coinage; Military and Civil Orders; Flags; Vessels of War; and the Payment of Tribute. June 8, 1873.

(Translation.)

Succession.

The order of succession to the Government of Egypt granted by our Imperial Firman dated the 2nd Reib-ul-ewel, 1257, has been so modified that the Khedivate of Egypt passes to thy eldest son, and after him to his eldest son, and in like manner as regards others, that is to say, that the succession is to proceed by primogeniture in the interests of the good administration of Egypt and of the welfare of its inhabitants. Again, as I have noted the care which thou bestowest on Egypt and the efforts thou art making for its prosperity, the greatness and importance of which are obvious to me, as well as the fidelity and devotion which thou hast always evinced to me, I have given thee my entire good grace and confidence, and, in order to give thee a striking proof of this, I have resolved to establish as law that the succession to the Khedivate of Egypt and its dependencies, with the Kaimakamats of Souakin and Massowa, and their dependencies, shall pass as aforesaid, to thy son, and after him, in conformity with the law of primogeniture, to the eldest sons of future Khedives. In the event of Khedive leaving no male children, the Khedivate shall pass to his younger brother, and, in case he should not be surviving, to the eldest son of such younger brother. This rule is established definitively, and does not apply to the male children of the female line.

Internal and Financial Administration.

The civil and financial administration of the country, and all interests, material or otherwise, are in every respect under the control of the Egyptian Government, and are confided to it, and as the administration, the maintenance of order in any country, and the development of the riches and prosperity of the population spring from the harmony to be established between the facts, the general relations, the condition and the nature of the country, as well as the disposition and the customs of the inhabitants, the Khedive of Egypt is authorised to make internal regulations and laws as often as it may be necessary.

* February 13, 1841. Page 1024.
Conclusion of Commercial Conventions, &c.

He is also authorised to renew and to contract (without interfering with the political Treaties of my Sublime Porte) Conventions with the Agents of foreign Powers for Customs and trade, and for all relations which concern foreigners, and all the affairs of the country, internal or otherwise, with the object of developing commerce and industry, and to arrange the police for foreigners as well as their position, and all their relations with the Government and the population.

Contraction of Loans.

The Khedive has complete and entire control over the financial affairs of the country. He has full power to contract, without leave, in the name of the Egyptian Government, any foreign loan, whenever he may think it necessary.

Ley of Troops.

The first and most essential duty of the Khedive being to guard and defend the country, he has full and entire authority to provide for all the means and establishments for defence and protection according to the exigencies of time and place, and to increase the number of my Imperial Egyptian troops as may be required, without any restriction being imposed upon him.

Military and Civil Orders; Coinage; Flags; Ships of War.

The Khedive will retain, as before, the privilege of conferring ranks in the military order up to the rank of Colonel, and in the civil order up to the rank of Raubci Sanick. The money coined in Egypt should be struck in my Imperial name; the flags of the land and sea forces will be the same as the flags of my other troops; and, as regards ships of war, ironclads alone shall not be constructed without my permission.

Payment of Tribute.

Thou wilt also pay great attention to remitting to my Imperial Treasury, every year, without delay, and in its entirety the fixed tribute of 150,000 purses.

13 Reiibul Akhir, 1290 (June 8, 1873).

AGREEMENT between Great Britain and Egypt, relative to the acquisition by Great Britain of the Shares held by the Khedive in the capital of the Universal Company of the Maritime Canal of Suez. November 25, 1875.

AGREEMENT entered into this 25th day of November, in the year of Our Lord, 1875, between Major-General Edward Stanton, C.B., Her Britannic Majesty's Agent and Consul-General in Egypt, acting on behalf of Her Britannic Majesty's Government on the one part, and His Excellency Ismail Sadek Pasha, Egyptian Minister of Finance, acting on behalf of His Highness the Khedive of Egypt, on the other part.
WHEREAS His Highness the Khedive has proposed to sell to Her Britannic Majesty’s Government the whole of his shares in the Suez Canal Company, and whereas Her Britannic Majesty’s Government has proposed to purchase from His Highness the Khedive 177,642 shares in the said Suez Canal Company, for the sum of 4,000,000l. sterling.

Now it is hereby witnessed that His Highness the Khedive agrees to sell to Her Britannic Majesty’s Government the whole of his shares in the Suez Canal Company, being to the number of 176,602 shares, not, as supposed by Her Britannic Majesty’s Government, 177,642 shares; and Her Britannic Majesty’s Government agrees to purchase the same for the sum of 4,000,000l. sterling, less the proportionate value of the 1,040 shares, the difference between 177,642, and 176,602, and Her Britannic Majesty’s Government agrees to recommend to Parliament to sanction the contract.*

Her Britannic Majesty’s Government undertakes that on the 1st of December next, on the deposit of the shares in the hands of Her Majesty’s Agent and Consul-General in Egypt, the sum of 1,000,000l. sterling shall be held at the disposal of the Egyptian Government, in the hands of Messrs. N. de Rothschild and Sons of London; and that the remaining 3,000,000l. sterling, less the amount to be deducted for the value of the 1,040 shares above-mentioned, shall be provided in the months of December and January next, as may be arranged between the Egyptian Government and Messrs. Rothschild and Sons.

The Egyptian Government undertakes to pay to Her Britannic Majesty’s Government interest at the rate of 5 per cent. per annum on the whole amount of the purchase money of the said 176,602 shares, in equal half-yearly payments,—the said payments to be made in London on the 1st of June and the 1st of December in each year, until such time as the coupons of the said shares shall be liberated from the engagement now existing with the Suez Canal Company; and the Egyptian Government further engages that the amount of the said interest shall be charged on the revenues of Egypt.

In witness whereof we have this day affixed our signatures and official seals.

(L.S.) Edwd. Stanton.
(L.S.) Ismail Sadek.

ACT of the British Parliament, for making provision respecting Shares in the Capital of the Universal Company of the Maritime Canal of Suez, acquired on behalf of the Crown. August 15, 1876.

[39 & 40 Vict., cap. 67.] [August 15, 1876.]

WHEREAS on the 25th day of November, 1875, an Agreement

* Act, 39 & 40 Vict., cap. 67. August 15, 1876.
was entered into on behalf of Her Majesty the Queen, on the one part, and of His Highness the Khedive of Egypt, on the other part, for the purchase, on the terms therein mentioned, of shares held by His Highness the Khedive in the capital of the Universal Company of the Maritime Canal of Suez, which Agreement was in the words and figures following; that is to say:

[For Agreement see Page 1030.]

And whereas on the 23rd day of February, 1876, the House of Commons resolved that a sum not exceeding 4,080,000£., be granted to Her Majesty, to enable Her Majesty to pay the purchase money of the shares which belonged to the Khedive of Egypt in the Suez Canal, and the attendant expenses thereon, which will come in course of payment during the year ending on the 31st day of March, 1876:

And whereas, by "The Exchequer Bonds Act, 1876,"* the Commissioners of Her Majesty's Treasury are empowered within one month after the 31st day of March, 1876, to raise money not exceeding 4,080,000£. by the issue of Exchequer bonds at interest;

And whereas it is expedient that provision be made respecting the custody and disposal of the shares aforesaid, and the receipt and application of money to accrue under the said Agreement and on those shares, and for other purposes relating thereto;

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same as follows:

1. The Commissioners of Her Majesty's Treasury shall receive and hold, and may use, the shares aforesaid, on behalf of Her Majesty the Queen, her heirs and successors, on trust for public purposes.

2. All money received under the recited Agreement, or in respect of the shares aforesaid, shall be paid into the receipt of Her Majesty's Exchequer, and be carried to the Consolidated Fund of the United Kingdom.

3. The Commissioners of Her Majesty's Treasury shall cause to be laid before both Houses of Parliament, or in 3 months after the 31st day of March in every year, accounts, showing the sums received under the recited Agreement, or in respect of the shares aforesaid, and the charge within the year for principal of and interest on the money raised in respect of the purchase of the shares aforesaid, and the amount of principal money still outstanding.

4. This Act may be cited as "The Suez Canal (Shares) Act. 1876."

---

* 39 Vict., c. 1.
EGYPT.


Art. I. There shall be a regular exchange of correspondence between the Post Office of the United Kingdom and the Egyptian Post Office, in conformity to the provisions of the Treaty of Berne,† and of the subsequent Conventions annexed to that Treaty.

II. The two offices shall by mutual agreement decide upon all the measures necessary for the execution of the present Convention. It is understood that these measures may be modified whenever the two offices shall agree that an alteration is necessary.

III. The exchange of money orders between the two Offices shall be regulated by the Convention of the 16th December, 1873,‡ and the 2nd paragraph of Article I of that Convention shall be cancelled.

IV. The Egyptian Government undertakes to convey from Alexandria to Suez, and from Suez to Alexandria, the British mails to and from the East Indies, Australia, and other of Her Britannic Majesty's colonies or possessions, or to and from China, Japan, or any other foreign country.

It also undertakes to convey between Cairo and Alexandria the sealed bags containing the despatches and official correspondence of Her Britannic Majesty's Agent and Consul-General in Egypt.

The Egyptian Government guarantees the safety of the British mails while passing through Egypt, except in the case of force majeure.

V. The time occupied in conveying the British mails from Alexandria to Suez shall not exceed 16 hours, counting from the time when the last package is handed over to the Egyptian authorities at the Peninsular and Oriental Steam Navigation Company's wharf adjoining the railway station at Alexandria, to the time at which the last package is delivered alongside the packet at the Suez docks; and the time occupied in conveying the mails from Suez to Alexandria shall be 13 hours, counting from the time at which the last package is handed over to the Egyptian authorities at Suez to the time at which the last package is delivered to the agent of the British Post Office at the Peninsular and Oriental Steam Navigation Company's wharf at Alexandria, for embarkation on board the British mail packet.

VI. The Egyptian Government shall provide the means of placing the mails on board the packet lying alongside the

* Signed also in the French language.
† October 9, 1874. See Page 67.
‡ See Page 283.
wharf in the Suez docks, after they have been checked by the
agent of the British Post Office, or by his clerks.

VII. The mails may be forwarded by a passenger, goods, or
mixed train, provided always that the stipulations contained in
Article XIII of this Convention are strictly observed.

VIII. If the time stipulated for the conveyance of the mails
between Alexandria and Suez, or vice versa, shall terminate
during the night, say between 6 P.M. and 6 A.M., then the time
for delivery of the mails, either at Alexandria or Suez, shall be
extended to 6 o'clock on the following morning.

IX. The British Post Office shall have the right to maintain
agencies at Alexandria and Suez, and to send its own
messengers with the mails.

Second-class accommodation shall be provided gratuitously
for these messengers (not exceeding 3 in number) in the trains
by which the mails are conveyed.

If the service should require that the agent himself should
accompany the mails, he shall be allowed to travel, free of
charge, in the first class. In this case the number of messengers
shall be reduced to two only.

X. The powers of the agents of the British Post Office shall
be limited, so far as regards their relations with the Egyptian
Administrations, to the superintendence of the transit of the
British mails.

XI. The British Post Offices shall be abolished on and from
the date when the present Convention shall come into opera-
tion.

XII. On the arrival of the British mails at Suez, the
Egyptian Government shall provide a suitable and separate
place on the quay for the landing, loading, and embarkation
of the said mails; it will also provide proper means for the con-
voyance of the mails from the packet to the train, and vice
versa; and will furnish a suitable conveyance to the British
agent, or any of his clerks, whenever it shall be necessary for
him to proceed from the town of Suez to the docks, or vice
versa, to carry on his service.

The Egyptian authorities shall take charge of the British
mails arriving from Brindisi at the Peninsular and Oriental
Company's wharf at Alexandria, where they shall also deliver
into the hands of the British Post Office agent the mails arriv-
ing from Suez.

In the event of its being found necessary to change the
place for the landing and embarking of the British mails at
Alexandria, the two Governments may, by common consent,
appoint some other wharf suitable for the purpose.

In all cases in which the mails may be from any cause de-
tained at Alexandria or Suez, the Egyptian Government shall
either retain the mails in secure weather-proof vans, locked
and duly guarded, or shall provide warehouse room in the railway station for the storage of such mails, and the agent of the British Post Office shall at all times have access to them.

XIII. The British mails, during their passage through Egypt, shall be placed in separate and secure railway carriages, under lock and key, and neither passengers nor goods of any kind shall be placed in the same carriages.

XIV. For the performance by the Egyptian Government of all the foregoing services, Her Britannic Majesty's Government agrees to pay in Cairo or Alexandria, by equal quarterly payments, the sum of 6,000L. sterling per annum; the exchange to be calculated at 97½ piastres tariff to the pound sterling.

XV. The present Convention shall come into operation on the 1st of April, 1878, and shall continue in force until one of the two Contracting Parties shall announce to the other, one year in advance, its intention to terminate it.

The Convention signed at Alexandria on the 18th of May, 1873,* and the Additional Convention signed at Alexandria on the 11th of August, 1874,† shall cease to have effect from the date on which the present Convention shall come into operation.

Done in duplicate and signed in London, the 14th day of November, 1877.

JOHN MANNERS.
A. CAillard.

BRITISH ORDER IN COUNCIL, for the execution of the Slave Trade Convention with Egypt of August 4, 1877. Osborne, December 30, 1878.

At the Court at Osborne House, Isle of Wight, the 30th day of December, 1878.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act passed in the 37th year of Her Majesty's reign, chapter 88, intituled "The Slave Trade Act, 1873,"‡ it was amongst other things provided that, where any Treaty in relation to the Slave Trade is made after the passing of that Act, by or on behalf of Her Majesty, with any foreign State, Her Majesty may by Order in Council direct that as from such date, not being earlier than the date of the Treaty as may be specified in the Order, such Treaty shall be deemed to be an existing Slave Trade Treaty within the meaning of the Act; and it was further provided that thereupon (as from the said date, or if no date should be specified, as from the date of such Order) all the provisions of the Act should apply and be construed accordingly.

* See Page 272. † See Page 302. ‡ See Page 717.
And whereas on the 4th day of August, in the year 1877, a Treaty or Convention for the suppression of the Slave Trade was concluded between Her Majesty's Government and the Government of His Highness the Khedive of Egypt, in the following terms, that is to say:

[Here follows the Convention. See Page 321.]

"And whereas it is expedient that the said Treaty or Convention should be brought within the operation of 'The Slave Trade Act, 1873.'"

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf as aforesaid, is pleased by and with the advice of Her Privy Council to order, and it is hereby ordered as follows:

The said Treaty or Convention hereinbefore recited shall from the said 4th day of August, 1877, being the day of the date thereof, be deemed to have been and to be an existing Slave Trade Treaty within the meaning of "The Slave Trade Act, 1873."

And the Lords Commissioners of Her Majesty's Treasury, the Right Honourable the Marquis of Salisbury, one of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.

C. L. PEEL.

---


NAPOLEON, par la grâce de Dieu et la volonté nationale, Empereur des Français, à tous présents et à venir, salut : avons sanctionné et sanctionnons, promulgué et promulguons ce qui suit :

LOI.

Le Corps Législatif a adopté le Projet de Loi dont la teneur suit :

TITRE I.—Des Sociétés en Commandite par Actions.

ART. I. Les sociétés en commandite ne peuvent diviser leur capital en actions ou coupons d'actions de moins de 100 francs, lorsque ce capital n'excède pas 200,000 francs, et de moins de 500 francs lorsqu'il est supérieur.

Elles ne peuvent être définitivement constituées qu'après la souscription de la totalité du capital social, et le versement, par
Chaque actionnaire, du quart au moins du montant des actions par lui souscrites.

Cette souscription et ces versements sont constatés par une déclaration du gérant dans un acte notarié.

A cette déclaration sont annexés la liste des souscripteurs, l'état des versements effectués, l'un des doubles de l'acte de société s'il est sous seing privé, et une expédition s'il est notarié, et s'il a été passé devant un notaire autre que celui qui a reçu la déclaration.

L'acte sous seings privés, quel que soit le nombre des associés, sera fait en double original, dont l'un sera annexé, comme il est dit au paragraphe qui précède, à la déclaration de souscription du capital et de versement du quart, et l'autre restera déposé au siège social.

II. Les actions ou coupons d'actions sont négociables après le versement du quart.

III. Il peut être stipulé, mais seulement par les statuts constitutifs de la société, que les actions ou coupons d'actions pourront, après avoir été libérés de moitiés être convertis en actions au porteur par délibération de l'assemblée générale.

Soit que les actions restent nominatives après cette délibération, soit qu'elles aient été converties en actions au porteur, les souscripteurs primitifs qui ont aliéné les actions, et ceux auxquels ils les ont cédées avant le versement de moitié, restent tenus au payement du montant de leurs actions pendant un délai de deux ans, à partir de la délibération de l'assemblée générale.

IV. Lorsqu'un associé fait un apport qui ne consiste pas en numéraire ou stipule à son profit des avantages particuliers, la première assemblée générale fait apprécier la valeur de l'apport ou la cause des avantages stipulés.

La société n'est définitivement constituée qu'après l'approbation de l'apport ou des avantages, donné par une autre assemblée générale, après une nouvelle convocation.

La seconde assemblée générale ne pourra statuer sur l'approbation de l'apport ou des avantages qu'après un rapport qui sera imprimé et tenu à la disposition des actionnaires 5 jours au moins avant la réunion de cette assemblée.


Les associés qui ont fait l'apport ou stipulé des avantages particuliers soumis à l'appréciation de l'assemblée n'ont pas voix délibérative.

A défaut d'approbation, la société reste sans effet à l'égard de toutes les parties.

L'approbation ne fait pas obstacle à l'exercice ultérieur de l'action qui peut être intentée pour cause de dol ou de fraude.
Les dispositions du présent Article relatives à la vérification de l'apport qui ne consiste pas en numéraire ne sont pas applicable au cas où la société à laquelle est fait le dit apport est formée entre ceux seulement qui étaient propriétaires par indivis.

V. Un conseil de surveillance, composé de 3 actionnaires au moins, est établi dans chaque société en commandite par actions.

Ce conseil est nommé par l'assemblée générale des actionnaires immédiatement après la constitution définitive de la société, et avant toute opération sociale.

Il est soumis à la réélection aux époques et suivant les conditions déterminées par les statuts.

Toutefois le premier conseil n'est nommé que pour une année.

VI. Ce premier conseil doit, immédiatement après sa nomination, vérifier si toutes les dispositions contenues dans les Articles qui précèdent ont été observées.

VII. Est nulle et de nul effet à l'égard des intéressés toute société en commandite par actions constituée contrairement aux prescriptions des Articles I, II, III, IV, et V de la présente Loi.

Cette nullité ne peut être opposée aux tiers par les associés.

VIII. Lorsque la société est annulée, aux termes de l'Article précédent, les membres du premier conseil de surveillance peuvent être déclarés responsables, avec le gérant, du dommage résultant pour la société ou pour les tiers de l'annulation de la société.

La même responsabilité peut être prononcée contre ceux des associés dont les apports ou les avantages n'auraient pas été vérifiés et approuvés conformément à l'Article IV ci-dessus.

IX. Les membres du conseil de surveillance n'encourent aucune responsabilité en raison des actes de la gestion et de leurs résultats.

Chaque membre du conseil de surveillance est responsable de ses fautes personnelles, dans l'exécution de son mandat, conformément aux règles du droit commun.

X. Les membres du conseil de surveillance vérifient les livres, la caisse, le portefeuille et les valeurs de la société.

Ils font, chaque année, à l'assemblée générale, un rapport dans lequel ils doivent signaler les irrégularités et inexactitudes qu'ils ont reconnues dans les inventaires et constater, s'il y a lieu, les motifs qui s'opposent aux distributions des dividendes proposées par le gérant.

Aucune répétition de dividendes ne peut être exercée contre les actionnaires, si ce n'est dans le cas où la distribution en aura été faite en l'absence de tout inventaire ou en dehors des résultats constatés par l'inventaire.

L'action en répétition, dans le cas où elle est ouverte, se prescrit par 5 ans, à partir du jour fixé pour la distribution des dividendes.
FRANCE.

Les prescriptions commencées à l'époque de la promulgation de la présente Loi, et pour lesquelles il faudrait encore, suivant les lois anciennes, plus de 5 ans, à partir de la même époque, seront accomplies par ce laps de temps.

XI. Le conseil de surveillance peut convoquer l'assemblée générale et, conformément à son avis, provoquer la dissolution de la société.

XII. 15 jours au moins avant la réunion de l'assemblée générale, tout actionnaire peut prendre par lui ou par un fondé de pouvoir, au siège social, communication du bilan des inventaires et du rapport du conseil de surveillance.

XIII. L'émission d'actions ou de coupons d'actions d'une société constituée contrairement aux prescriptions des Articles I, II, et III de la présente Loi, est punie d'une amende de 500 à 10,000 francs.

Sont punis de la même peine:
Le gérant qui commence les opérations sociales avant l'entrée en fonctions du conseil de surveillance;
Ceux qui en se présentant comme propriétaires d'actions ou de coupons d'actions qui ne leur appartiennent pas, ont créé frauduleusement une majorité factice dans une assemblée générale, sans préjudice de tous dommages-intérêts, s'il y a lieu, envers la société ou envers les tiers;
Ceux qui ont remis les actions pour en faire l'usage frauduleux.

Dans les cas prévus par les deux paragraphes précédents, la peine de l'incarcération de 15 jours à 6 mois peut, en outre, être prononcée.

XIV. La négociation d'actions ou de coupons d'actions dont la valeur ou la forme serait contraire aux dispositions des Articles I, II, et III de la présente Loi, ou pour lesquels versement du quart n'aurait pas été effectué conformément à l'Article II ci-dessus, est punie d'une amende de 500 à 10,000 francs.

Sont punies de la même peine toute participation à ces négociations, et toute publication de la valeur des dites actions.

XV. Sont punis des peines portées par l'Article CCCCV du Code Pénal, sans préjudice de l'application de cet Article à tous les faits constitutifs du délit d'escroquerie:
1. Ceux qui, par simulation de souscriptions ou de versements ou par publication, faite de mauvaise foi, de souscriptions ou de versements qui n'existent pas, ou de tous autres faits faux, ont obtenu ou tenté d'obtenir des souscriptions ou des versements;
2. Ceux qui, pour provoquer des souscriptions ou des versements, ont, de mauvaise foi, publié les noms de personnes désignées, contrairement à la vérité, comme étant ou devant être attachées à la société à un titre quelconque;
3. Les gérants qui, en l'absence d'inventaires ou au moyen
d'inventaires frauduleux, ont opéré entre les actionnaires la répartition de dividendes fictifs.

Les membres du conseil de surveillance ne sont pas civilement responsables des délits commis par le gérant.

XVI. L'Article CCCCLIII du Code Pénal est applicable aux faits prévus par les 3 Articles qui précèdent.

XVII. Des actionnaires représentant le vingtième au moins du capital social peuvent, dans un intérêt commun, charger à leurs frais un ou plusieurs mandataires de soutenir, tant en demandant qu'en défendant, une action contre les gérants ou contre les membres du conseil de surveillance, et de les représenter, en ce cas, en justice, sans préjudice de l'action que chaque actionnaire, peut intenter individuellement en son nom personnel.

XVIII. Les sociétés antérieures à la Loi de 17 Juillet, 1856, et qui ne se seraient pas conformées à l'Article XV de cette Loi, seront tenues, dans un délai de 6 mois, de constituer un conseil de surveillance, conformément aux dispositions qui précèdent. A défaut de constitution de conseil de surveillance dans le délai ci-dessus fixé, chaque actionnaire a le droit de faire prononcer la dissolution de la société.

XIX. Les sociétés en commandite par actions antérieures à la présente Loi, dont les statuts permettent la transformation en société anonyme autorisée par le Gouvernement pourront se convertir en société anonyme dans les termes déterminés par le Titre II de la présente Loi, en se conformant aux conditions stipulées dans les statuts pour la transformation.

XX. Est abrogée la Loi du 17 Juillet, 1856.

Titre II.— Des Sociétés Anonymes.

XXI. A l'avenir, les sociétés anonymes pourront se former sans l'autorisation du Gouvernement.

Elles pourront, quel que soit le nombre des associés, être formées par un acte sous seings privés fait en double original.

Elles seront soumises aux dispositions des Articles XXIX, XXX, XXXII, XXXIII, XXXIV, et XXXVI, du Code de Commerce et aux dispositions contenues dans le présent titre.

XXII. Les sociétés anonymes sont administrées par un ou plusieurs mandataires à temps, révocables, salariés ou gratuits, pris parmi les associés.

Ces mandataires peuvent choisir parmi eux un directeur, ou, si les statuts le permettent, se substituer un mandataire étranger à la société et dont ils sont responsables envers elle.

XXIII. La société ne peut être constituée si le nombre des associés est inférieur à 7.

XXIV. Les dispositions des Articles I, II, III, et IV de la présente Loi sont applicables aux sociétés anonymes.

La déclaration imposée au gérant par l'Article I est faite
par les fondateurs de la société anonyme; elle est soumise, avec les pièces à l'appui, à la première assemblée générale, qui en vérifie la sincérité.

XXV. Une assemblée générale est, dans tous les cas, convoquée, à la diligence des fondateurs, postérieurement à l'acte qui constate la souscription du capital social et le versement du quart du capital, qui consiste en numéraire. Cette assemblée nomme les premiers administrateurs; elle nomme également, pour la première année, les commissaires institués par l’Article XXXII ci-après.

Ces administrateurs ne peuvent être nommés pour plus de 6 ans; ils sont rééligibles, sauf stipulation contraire.

Toutefois ils peuvent être désignés par les statuts avec stipulation formelle que leur nomination ne sera point soumise à l'approbation de l'assemblée générale. En ce cas, ils ne peuvent être nommés pour plus de 3 ans.

Le procès-verbal de la séance constate l'acceptation des administrateurs et des commissaires présents à la réunion.

La société est constituée à partir de cette acceptation.

XXVI. Les administrateurs doivent être propriétaires d'un nombre d'actions déterminé par les statuts.

Ces actions sont affectées en totalité à la garantie de tous les actes de la gestion, même de ceux qui seraient exclusivement personnels à l'un des administrateurs.

Elles sont nominatives, inaliénables, frappées d'un timbre indiquant l'inaliénabilité, et déposées dans la caisse sociale.

XXVII. Il est tenu, chaque année au moins, une assemblée générale à l'époque fixée par les statuts. Les statuts déterminent le nombre d'actions qu'il est nécessaire de posséder, soit à titre de propriétaire, soit à titre de mandataire, pour être admis dans l'assemblée, le nombre de voix appartenant à chaque actionnaire, eu égard au nombre d'actions dont il est porteur.

Néanmoins, dans les assemblées générales, appelées à vérifier les apports, à nommer les premiers administrateurs à vérifier la sincérité de la déclaration des fondateurs de la société, prescrite par le deuxième paragraphe de l’Article XXIV, tout actionnaire, quel que soit le nombre des actions dont il est porteur, peut prendre part aux délibérations avec le nombre de voix déterminé par les statuts, sans qu'il puisse être supérieur à 10.

XXVIII. Dans toutes les assemblées générales, les délibérations sont prises à la majorité des voix.

Il est tenu une feuille de présence; elle contient les noms et domicile des actionnaires et le nombre d'actions dont chacun d'eux est porteur.

Cette feuille, certifiée par le bureau de l'assemblée, est déposée au siège social et doit être communiquée à tout requérant.

XXIX. Les assemblées générales qui ont à délibérer dans vol. xiv.
des cas autres que ceux qui sont prévus par les deux Articles qui suivant doivent être composées d'un nombre d'actionnaires représentant le quart au moins du capital social.

Si l'assemblée générale ne réunit pas ce nombre, une nouvelle assemblée est convoquée dans les formes et avec les délais prescrits par les statuts, et elle délibère valablement, quelle que soit la portion du capital représenté par les actionnaires présents.

XXX. Les assemblées qui ont à délibérer sur la vérification des apports, sur la nomination des premiers administrateurs, sur la sincérité de la déclaration faite par les fondateurs, aux termes du paragraphe 2 de l'Article XXIV, doivent être composées d'un nombre d'actionnaires représentant la moitié au moins du capital social.

Le capital social, dont la moitié doit être représentée pour la vérification de l'apport, se compose seulement des apports non soumis à vérification.

Si l'assemblée générale ne réunit pas un nombre d'actionnaires représentant la moitié du capital social, elle ne peut prendre qu'une délibération provisoire. Dans ce cas, une nouvelle assemblée générale est convoquée. Deux avis, publiés à 8 jours d'intervalle, au moins un mois à l'avance, dans l'un des journaux désignés pour recevoir les annonces légales, font connaître aux actionnaires les résolutions provisoires adoptées par la première assemblée, et ces résolutions deviennent définitives si elles sont approuvées par la nouvelle assemblée, composée d'un nombre d'actionnaires représentant le cinquième au moins du capital social.

XXXI. Les assemblées qui ont à délibérer sur des modifications aux statuts ou sur des propositions de continuation de la société au delà du terme fixé pour sa durée, ou de dissolution avant ce terme, ne sont régulièrement constituées et ne délibèrent valablement qu'autant qu'elles sont composées d'un nombre d'actionnaires représentant la moitié au moins du capital social.

XXXII. L'assemblée générale annuelle désigne un ou plusieurs commissaires, associés ou non, chargés de faire un rapport à l'assemblée générale de l'année suivante sur la situation de la société, sur le bilan et sur les comptes présentés par les administrateurs.

La délibération, contenant approbation du bilan et des comptes, est nulle si elle n'a été précédée du rapport des commissaires.

A défaut de nomination des commissaires par l'assemblée générale, ou en cas d'empêchement ou de refus d'un ou de plusieurs des commissaires nommés, il est procédé à leur nomination ou à leur remplacement par Ordonnance du Président du Tribunal de Commerce du siège de la société, à la requête de tout intéressé, les administrateurs dûment appelés.
XXXIII. Pendant le trimestre qui précède l'époque fixée par les statuts pour la réunion de l'assemblée générale, les commissaires ont droit, toutes les fois qu'ils le jugent convenable dans l'intérêt social, de prendre communication des livres et d'examiner les opérations de la société.

Ils peuvent toujours, en cas d'urgence, convoquer l'assemblée générale.

XXXIV. Toute société anonyme doit dresser, chaque semestre, un état sommaire de sa situation active et passive.

Cet état est mis à la disposition des commissaires.

Il est, en outre, établi chaque année, conformément à l'Article IX du Code de Commerce, un inventaire contenant l'indication des valeurs mobilières et immobilières et de toutes les dettes actives et passives de la société.

L'inventaire, le bilan, et le compte des profits et pertes sont mis à la disposition des commissaires le quarantième jour, au plus tard, avant l'assemblée générale; ils sont présentés à cette assemblée.

XXXV. 15 jours au moins avant la réunion de l'assemblée générale, tout actionnaire peut prendre, au siège social, communication de l'inventaire et de la liste des actionnaires, et se faire délivrer copie du bilan résumant l'inventaire et du rapport des commissaires.

XXXVI. Il est fait annuellement, sur les bénéfices nets, un prélèvement d'un vingtième au moins, affecté à la formation d'un fonds de réserve.

Ce prélèvement cesse d'être obligatoire lorsque le fonds de réserve a atteint le dixième du capital social.

XXXVII. En cas de perte des trois quarts du capital social, les administrateurs sont tenus de provoquer la réunion de l'assemblée générale de tous les actionnaires, à l'effet de statuer sur la question de savoir s'il y a lieu de prononcer la dissolution de la société.

La résolution de l'assemblée est, dans tous les cas, rendue publique.

A défaut par les administrateurs de réunir l'assemblée générale, comme dans le cas où cette assemblée n'aurait pu se constituer régulièrement, tout intéressé peut demander la dissolution de la société devant les Tribunaux.

XXXVIII. La dissolution peut être prononcée sur la demande de toute partie intéressée, lorsqu'un an s'est écoulé depuis l'époque où le nombre des associés est réduit à moins de 7.

XXXIX. L’Article XVII est applicable aux sociétés anonymes.

XL. Il est interdit aux administrateurs de prendre ou de conserver un intérêt direct ou indirect dans une entreprise ou dans un marché fait avec la société ou pour son compte, à moins qu'ils n'y soient autorisés par l'assemblée générale.
Il est, chaque année, rendu à l'assemblée générale un compte spécial de l'exécution des marchés ou entreprises par elle autorisés, aux termes du paragraphe précédent.

XLI. Est nul et de nul effet à l'égard des intéressés toute société anonyme pour laquelle n'ont pas été observées les dispositions des Articles XXII, XXIII, XXIV, et XXV ci-dessus.

XLII. Lorsque la nullité de la société ou des actes et délégations a été prononcée, aux termes de l'Article précédent, les fondateurs auxquels la nullité est imputable, et les administrateurs en fonctions au moment où elle a été encourue, sont responsables solidaires envers les tiers, sans préjudice des droits des actionnaires.

La même responsabilité solidaire peut être prononcée contre ceux des associés dont les apports ou les avantages n'auraient pas été vérifiés et approuvés conformément à l'Article XXIV.

XLIII. L'étendue et les effets de la responsabilité des commissaires envers la société sont déterminés d'après les règles générales du mandat.

XLIV. Les administrateurs sont responsables, conformément aux règles du droit commun, individuellement ou solidairement suivant les cas, envers la société ou envers les tiers, soit des infractions aux dispositions de la présente Loi, soit des fautes qu'ils auraient commises dans leur gestion, notamment en distribuant ou en laissant distribuer sans opposition des dividendes fictifs.

XLV. Les dispositions des Articles XIII, XIV, XV, et XVI de la présente Loi sont applicables en matière de sociétés anonymes, sans distinction entre celles qui sont actuellement existantes et celles qui se constitueront sous l'empire de la présente Loi. Les administrateurs qui, en l'absence d'inventaire ou au moyen d'inventaire frauduleux, auront opéré des dividendes fictifs, seront punis de la peine qui est prononcée, dans ce cas, par le numéro 3 de l'Article XV, contre les gérants des sociétés en commandite.

Sont également applicables, en matière de société anonyme, les dispositions des 3 derniers paragraphes de l'Article X.

XLVI. Les sociétés anonymes actuellement existantes continueront à être soumises pendant toute leur durée aux dispositions qui les régissent.

Elles pourront se transformer en sociétés anonymes dans les termes de la présente Loi, en obtenant l'autorisation du Gouvernement, et en observant les formes prescrites pour la modification de leurs statuts.

XLVII. Les sociétés à responsabilité limitée pourront se convertir en sociétés anonymes dans les termes de la présente Loi, en se conformant aux conditions stipulées pour la modification de leurs statuts.

Sont abrogés les Articles XXXI, XXXVII, et XL du Code.

**Titre III.—Dispositions Particulières aux Sociétés à Capital Variable.**

**XLVIII.** Il peut être stipulé dans les statuts de toute société que le capital social sera susceptible d'augmentation par des versements successifs faits par les associés, ou l'admission d'associés nouveaux, et de diminution par la reprise totale ou partielle des apports effectués.

Les sociétés dont les statuts contiendront la stipulation ci-dessus seront soumises, indépendamment des règles générales qui leur sont propres, suivant leur forme spéciale, aux dispositions des Articles suivants.

**XLIX.** Le capital social ne pourra être porté par les statuts constitutifs de la société au-dessus de la somme de 200,000 francs.

Il pourra être augmenté par des délibérations de l'assemblée générale, prises d'année en année ; chacune des augmentations ne pourra être supérieure à 200,000 francs.

L. Les actions ou coupons d'actions seront nominatifs, même après leur entière libération ; ils ne pourront être inférieurs à 5 francs.

Ils ne seront négociables qu'après la constitution définitive de la société.

La négociation ne pourra avoir lieu que par voie de transfert sur les registres de la société, et les statuts pourront donner, soit au Conseil d'Administration, soit à l'assemblée générale, le droit de s'opposer au transfert.

**L.** Les statuts détermineront une somme au-dessous de laquelle le capital ne pourra être réduit par les reprises des apports autorisées par l'Article XLVIII.

Cette somme ne pourra être inférieure au dixième du capital social.

La société ne sera définitivement constituée qu'après le versement du dixième.

**LII.** Chaque associé pourra se retirer de la société lorsqu'il le jugera convenable, à moins de conventions contraires et sans l'application du paragraphe 1er de l'Article précédent.

Il pourra être stipulé que l'assemblée générale aura le droit de décider, à la majorité fixée pour la modification des statuts, que l'un ou plusieurs des associés cesseront de faire partie de la société.

L'associé qui cessera de faire partie de la société, soit par l'effet de sa volonté, soit par suite de décision de l'assemblée générale, restera tenu, pendant 5 ans, envers les associés et envers les tiers, de toutes les obligations existant au moment de sa retraite.
LI. La société, quelle que soit sa forme, sera valablement représentée en justice par ses administrateurs.

LV. La société ne sera point dissoute par la mort, la retraite, l'interdiction, la faillite ou la déconfiture de l'un des associés; elle continuera de plein droit entre les autres associés.

TITRE IV.—Dispositions relatives à la Publication des Actes de Société.

LV. Dans le mois de la constitution de toute société commerciale, un double de l'acte constitutif, s'il est sous seing privé, ou une expédition, s'il est notarié, est déposé au greffe de la justice de paix ou du Tribunal de Commerce du lieu dans lequel est établie la société.

A l'acte constitutif des sociétés en commandite par actions et des sociétés anonymes, sont annexés : 1. Une expédition de l'acte notarié constatant la souscription du capital social et le versement du quart; 2. Une copie certifiée des délibérations prises par l'assemblée générale dans les cas prévus par les Articles IV et XXIV.

En outre, lorsque la société est anonyme, on doit annexer à l'acte constitutif la liste nominative, dûment certifiée, des souscripteurs, contenant les noms, prénoms, qualités, demeure et le nombre d'actions de chacun d'eux.

LV. Dans le même délai d'un mois, un extrait de l'acte constitutif et des pièces annexées est publié dans l'un des journaux désignés pour recevoir les annonces légales.

Il sera justifié de l'insertion par un exemplaire du journal certifié par l'imprimeur, légalisé par le maire et enregistré dans les 3 mois de sa date.

Les formalités prescrites par l'Article précédent et par le présent Article seront observées, à peine de nullité, à l'égard des intéressés; mais le défaut d'une d'elles ne pourra être opposé aux tiers par les associés.

LVII. L'extrait doit contenir les noms des associés autres que les actionnaires ou commanditaires; la raison de commerce ou la dénomination adoptée par la société et l'indication du siège social; la désignation des associés autorisés à gérer, administrer et signer pour la société; le montant du capital social et le montant des valeurs fournies ou à fournir par les actionnaires ou commanditaires; l'époque où la société commence, celle où elle doit finir, et la date du dépôt fait aux greffes de la justice de paix et du Tribunal de Commerce.

LVIII. L'extrait doit énoncer que la société est en nom collectif ou en commandite simple, ou en commandite par actions, ou anonyme ou à capital variable.

Si la société est anonyme, l'extrait doit énoncer le montant du capital social en numéraire et en autres objets, la quotité à prélever sur les bénéfices pour composer le fonds de réserve.
Enfin, si la société est à capital variable, l'extrait doit contenir l'indication de la somme au-dessous de laquelle le capital social ne peut être réduit.

LIX. Si la société a plusieurs maisons de commerce situées dans divers arrondissements, le dépôt prescrit par l'Article LV et la publication prescrite par l'Article LVI ont lieu dans chacun des arrondissements où existent les maisons de commerce.

Dans les villes divisées en plusieurs arrondissements, le dépôt sera fait seulement au greffe de la justice de paix du principal établissement.

LX. L'extrait des actes et pièces déposés est signé, pour les actes publics, par le notaire, et pour les actes sous seing privé, par les associés, en nom collectif, par les gérants des sociétés en commandite ou par les administrateurs des sociétés anonymes.

LXI. Sont soumis aux formalités et aux pénalités prescrites par les Articles LV et LVI :
Tous actes et délibérations ayant pour objet la modification des statuts, la continuation de la société au-delà du terme fixé pour sa durée, la dissolution avant ce terme et le mode de liquidation, tout changement ou retraite d'associés et tout changement à la raison sociale.

Sont également soumises aux dispositions des Articles LV et LVI les délibérations prises dans les cas prévus par les Articles XIX, XXXVII, XLVI, XLVII, et XLIX ci-dessus.

LXII. Ne sont pas assujettis aux formalités de dépôt et de publication les actes constatant les augmentations ou les diminutions du capital social opérées dans les termes de l'Article XLVIII, ou les retraites d'associés, autres que les gérants ou administrateurs, qui auraient lieu conformément à l'Article LXI.

LXIII. Lorsqu'il s'agit d'une société en commandite par actions ou d'une société anonyme, toute personne a droit de prendre communication des pièces déposées aux greffes de la justice de paix et du Tribunal de Commerce, ou même de s'en faire délivrer à ses frais expédition ou extrait par le greffier ou par le notaire détenteur de la minute.

Toute personne peut également exiger qu'il lui soit délivré au siège de la société une copie certifiée des statuts, moyennant payement d'une somme qui ne pourra excéder 1 franc.

Enfin, les pièces déposées doivent être affichées d'une manière apparente dans les bureaux de la société.

Si la société a usé de la faculté accordée par l'Article XLVIII, cette circonstance doit être mentionnée par l'addition de ces mots : "à capital variable."

Toute contravention aux dispositions qui précèdent est punie d'une amende de 50 francs à 1,000 francs.

LXV. Sont abrogées les dispositions des XLII, XLIIL, XLIV, XLV, et XLVI du Code de Commerce.

**TITRE V.—Des Tontines et des Sociétés d'Assurances.**

LXVI. Les associations de la nature des tontines, et les sociétés d'assurances sur la vie, mutuelles ou à primes, restent soumises à l'autorisation et à la surveillance du Gouvernement.

Les autres sociétés d'assurances pourront se former sans autorisation. Un règlement d'administration publique déterminera les conditions sous lesquelles elles pourront être constituées.

LXVII. Les sociétés d'assurances, désignées dans le paragraphe 2 de l'Article précédent, qui existent actuellement, pourront se placer sous le régime qui sera établi par le règlement d'administration publique, sans l'autorisation du Gouvernement, en observant les formes et les conditions prescrites pour la modification de leurs statuts.

Délibéré en séance publique, à Paris, le 13 Juin, 1867.

Le Président: SCHNEIDER.

Les Secrétaires, BARON LAFOND DE SAINT-MUR.
DE GUILLOUTET.
MEGE.
COMTE W. DE LA VALETTE.

---

**Extrait du Procès-Verbal du Sénat.**

Le Sénat ne s'oppose pas à la promulgation de la Loi relative aux Sociétés.

Délibéré et voté en séance, au Palais du Sénat, le 19 Juillet, 1867.

Le Président: TROPLONG.

Les Secrétaires, CHAIX D'EST-ANGE.
MILLINET.
DE MENTQUE.

Vu et scellé du sceau du Sénat:

Le Sénateur Secrétaire, CHAIX D'EST-ANGE.

FRANCE.

Fait au Palais des Tuileries, le 24 Juillet, 1867.

Par l'Empereur: NAPOLÉON.

Le Ministre d'Etat, E. ROUHER.

Vu et scellé du grand sceau:

Le Garde des Sceaux, Ministre de la Justice et des Cultes,

J. BAROCHÉ.

BRITISH ORDER IN COUNCIL for the execution of the Postal Convention with France, of April 30, 1870.* (Standards of Weights.) Balmoral, June 4, 1870.

At the Court at Balmoral, the 4th day of June, 1870.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS the Lords of the Committee of the Privy Council for Trade have represented to Her Majesty that, in order to carry out the terms of a Postal Convention with France, it is expedient that secondary standards of the weight of one-third of an ounce avoirdupois, and of two-thirds of an ounce avoirdupois, should be legalized, in pursuance of the provisions contained in Sections 6 and 8 of "The Standards of Weights, Measures, and Coinage Act, 1866,"† and that new imperial weights of such denominations have been constructed, and have been duly verified and authenticated in the Standards Department of the Board of Trade, their weight in relation to the imperial standard pound having been accurately determined:

Now, therefore, in pursuance and by virtue of the said recited Act of Parliament, Her Majesty, by and with the advice of Her Privy Council, is pleased to order, and it is hereby declared, that the said standard weights of one-third of an ounce avoirdupois and of two-thirds of an ounce avoirdupois respectively, shall be legal secondary standards of weight, from and after the time when this Order shall have been duly published in the London Gazette, pursuant to the said Act.

EDMUND HARRISON.

† 29 & 30 Vict. c. 33, § 6. Where at any time any secondary standard of length or of weight or of capacity has been derived from the imperial standards of length and of weight respectively, and duly verified and authenticated by comparison therewith, it shall be lawful for Her Majesty in Council, by Order in Council, to declare the same to be a legal secondary standard of length or of weight or of capacity, as the case may be.
§ 8. All Orders in Council made under this Act, or made after the passing of this Act under any former Act relating to standard weights and measures, shall be published in the London and Edinburgh and Dublin Gazettes, and laid before both Houses of Parliament.
BRITISH ORDER IN COUNCIL extending the British System of Tonnage Measurement to French Vessels. Windsor, May 5, 1873.

At the Court at Windsor, the 5th day of May, 1873.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by "The Merchant Shipping Act Amendment Act, 1862," it is enacted that:

[See Order in Council, August 19, 1871, Austria. Page 1006.]

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under "The Merchant Shipping Act, 1854," have been adopted by the President of the French Republic, and are in force in the French dominions:

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct that the ships of France, the certificates of French nationality and registry of which are dated on or after the 1st day of June, 1873, shall be deemed to be of the tonnage denoted in the said certificates of French nationality and registry.

EDMUND HARRISON.

AWARD of the President of the French Republic, relative to the Claims of Great Britain and Portugal to certain Territories formerly belonging to the Kings of Tembe and Mapoota, on the Eastern Coast of Africa, including the Islands of Inyack and Elephant. [Delagoa Bay.] Versailles, July 24, 1875.

Nous, Marie Edme Patrice Maurice de MacMahon, Duc de Magenta, Maréchal de France, Président de la République Française, statuant en vertu des pouvoirs qui ont été conférés au Président de la République Française aux termes du Protocole signé à Lisbonne, le 15 Septembre, 1872, par lequel le Gouvernement de Sa Majesté la Reine de la Grande Bretagne et d'Irlande et celui de Sa Majesté le Roi de Portugal sont convenus de déléguer au Président de la République Française, pour être réglé par lui définitivement et sans appel, le litige qui est pendu entre eux depuis l'année 1823, au sujet de la possession des territoires de Tembe et de Maputo et des îles d'Inyack et des Éléphants, situés sur la Baie de Delagoa ou Lorenzo Marquez, à la Côte Orientale d'Afrique;

† 17 & 18 Vict., c. 104, § 21-29. See Great Britain.
Vu les mémoires remis à l'arbitre par les représentants des deux parties, le 15 Septembre, 1873, et les contre-mémoires également remis par eux, les 14 et 15 Septembre, 1874 ;

Vu les lettres de son Excellence M. l'Ambassadeur d'Angleterre et de M. le Ministre de Portugal à Paris, en date du 8 Février, 1875 ;

La Commission instituée, le 10 Mars, 1873, à l'effet d'étudier les pièces et documents respectivement produits, nous ayant fait part du résultat de son examen ;

Attendu que le litige, tel que l'objet en a été déterminé par les mémoires présentés à l'arbitre et, en dernier lieu, par les lettres ci-dessus citées des représentants à Paris des deux parties, porte sur le droit aux territoires suivants, savoir :

1. Le territoire de Tembe, borné au nord par le Fleuve Espirito Santo ou English River et par la Rivière Lorenzo Marquez ou Dundas, à l'ouest par les Monts Lebombo, au sud et à l'est par le Fleuve Maputo et de l'embouchure de ce fleuve jusqu'à celle de l'Espirito Santo par le rivage de la Baie de Delagoa ou Lorenzo Marquez ;

2. Le territoire de Maputo, dans lequel sont comprises la presqu'île et l'Île d'Inyack, ainsi que l'Île des Éléphants, et qui est borné au nord par le rivage de la baie, à l'ouest par le Fleuve Maputo, de son embouchure, jusqu'au parallèle de 26° 30' de latitude australe, au sud par ce même parallèle et à l'est par la mer ;

Attendu que la Baie de Delagoa ou Lorenzo Marquez a été découverte au 16ème siècle par les navigateurs Portugais et qu'au 17ème et 18ème, le Portugal a occupé divers points sur la côte nord de cette baie et à l'Île d'Inyack dont l'Îlot des Éléphants est une dépendance ;

Attendu que, depuis la découverte, le Portugal a, en tout temps, revendiqué des droits de souveraineté sur la totalité de la baie et des territoires riverains, ainsi que le droit exclusif d'y faire le commerce, que de plus, il a appuyé à main armée cette revendication contre les Hollandais, vers 1732, et contre les Autrichiens, en 1781 ;

Attendu que les actes, par lesquels le Portugal a appuyé ses prétentions n'ont soulevé aucune réclamation de la part du Gouvernement des Provinces Unies, qu'en 1782 ces prétentions ont été tacitement acceptées par l'Autriche, à la suite d'explications diplomatiques échangées entre cette Puissance et le Portugal ;

Attendu qu'en 1817, l'Angleterre elle-même n'a pas contesté le droit du Portugal, lorsqu'elle a conclu avec le Gouvernement de Sa Majesté Très-Fidèle la Convention du 28 Juillet pour la répression de la Traite ; qu'en effet, l'Article 2ème de cette Convention doit être interprété en ce sens qu'il désigne comme faisant partie des possessions de la Couronne de Portugal la
totalité de la baie, à laquelle s'applique indifféremment l'une ou l'autre des dénominations de Delagoa ou de Lorenzo Marquez ;

Attendu qu'en 1822, le Gouvernement de Sa Majesté Britannique, lors qu'il chargea le Capitaine Owen de la reconnaissance hydrographique de la Baie de Delagoa et des rivières qui y ont leur embouchure, l'avait recommandé aux bons offices du Gouvernement Portugais ;

Attendu que si l'affaiblissement accidentel de l'autorité Portugaise dans ces parages a pu, en 1823, induire en erreur le Capitaine Owen et lui faire considérer de bonne foi comme réellement indépendants de la Couronne de Portugal les chefs indigènes des territoires aujourd'hui contestés, les actes par lui conclus avec ces chefs n'en étaient pas moins contraires aux droits du Portugal ;

 Attendu que, presque aussitôt après le départ des bâtiments Anglais, les chefs indigènes de Tembe et de Maputo de nouveau reconnu leur dépendance vis-à-vis des autorités Portugaises, attestant ainsi eux-mêmes qu'ils n'avaient pas eu la capacité de contracter ;

Attendu que les Conventions signées par le Capitaine Owen et les Chefs indigènes du Tembe et du Maputo, alors même qu'elles auraient été passées entre parties aptes à contracter, seraient aujourd'hui sans effet, l'acte relatif au Tembe stipulant des conditions essentielles qui n'ont pas reçu d'exécution, et les actes concernant le Maputo, conclus pour des périodes de temps déterminées, n'ayant point été renouvelées après l'expiration de ces délais ;

 Par ces motifs nous avons jugé et décidé que les prétentions du Gouvernement de Sa Majesté Très Fidèle sur les territoires de Tembe et de Maputo, sur la presqu'île d'Inyack, sur les îles d'Inyack et des Éléphants, sont dûment prouvées et établies.

 Versailles, le 24 Juillet, 1875.

MAL. DE MACMACHON, Duc de Magenta.

BRITISH ORDER IN COUNCIL, relative to the "Sea Fisheries Act, 1868."* Balmoral, October 23, 1877.

At the Court at Balmoral, the 23rd day of October, 1877.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the "Sea Fisheries Act, 1868," it is (among other things) enacted that it shall be lawful for Her Majesty by Order in Council from time to time to do all or any of the following things, namely:

(a.) To make regulations for carrying out, enforcing, and giving effect to, both the entry and registry of British sea-fishing
boats, and also Articles IV, V, VI, VII, and VIII of the Convention then recently concluded between Her Majesty and the Emperor of the French concerning the fisheries in the seas adjoining the British Islands and France, and set out in the first schedule to the Act;*

(b.) To adopt in such regulations any existing system of registry or lettering and numbering of boats, and to provide for bringing any such system into conformity with the requirements of the said Convention and the Act, and with the said regulations;

(c.) To define the boats or classes of boats to which such regulations, or any of them, are to apply, and to provide for the exemption of any boats or classes of boats, from such regulations or any of them, and from the provisions of Part II of the Act with respect to entry or registry and the possession of a certificate of registry and official papers;

(d.) To apply to the entry and registry respectively of sea-fishing boats so defined, and to all matters incidental thereto, such (if any) of the enactments contained in any Act relating to the registry of British ships, and with such modifications and alterations as may be found desirable;

(e.) To impose penalties not exceeding 20l. for the breach of any regulations made by any Order in Council, for the breach of which a punishment cannot be provided by the application of the enactments contained in any Act relating to the registry of British ships;

(f.) To alter and revoke an Order so made;

And that every such Order shall be of the same force as if it were enacted in the said recited Act;

And whereas Her Majesty did, in pursuance of the said recited Act, on the 18th day of June, 1869,† by Order in Council, make certain regulations for the lettering, numbering, and registering of British sea-fishing boats under Part II of the Act, which are now in force;

And whereas it is expedient that in addition to the classes already exempted by No. 1 of such regulations, provision should be made for the exemption of the classes of boats mentioned in the schedule hereto annexed;

And whereas it is also expedient that a penalty not exceeding 20l. should be imposed for the breach of No. 14 of such regulations;

Now, therefore, Her Majesty, in exercise of the power vested in her by the said recited Act, by and with the advice of Her Privy Council, is pleased to make the regulations which are set forth in the schedule hereto annexed, and to direct that the same shall come into force from the date of the present Order.

C. L. PEEL.

SCHEDULE to which the foregoing Order refers.

Additional Regulations for the lettering, numbering, and registering of British sea-fishing boats under Part II of "The Sea Fisheries Act, 1868" (31 and 32 Victoria, chapter 45).*

1. All open or undecked boats employed in fishing or dredging for purposes of sale on the coasts of England, Wales, Scotland, and the Islands of Guernsey, Jersey, Alderney, Sark, and Man, and not going outside:
   (a.) The distance of 3 miles from low water mark along the whole extent of the said coasts;
   (b.) In cases of bays less than 10 miles wide the line joining the headlands of such bays;
shall not be subject to the regulations for the lettering, numbering, and registering of British sea-fishing boats under Part II of "The Sea Fisheries Act, 1868," made by Her Majesty on the 18th day of June, 1869.

2. The owner and master of any boat required to be registered, lettered, and numbered, or otherwise marked in pursuance of the said regulations, who shall, in the absence of any reasonable cause for the same (proof whereof shall lie on him), efface, cover, or conceal, or cause to be effaced, covered, or concealed in any manner whatsoever the letters, numbers, and names placed on such boats or their sails, shall each be liable to a penalty not exceeding 20l.

BRITISH ORDER IN COUNCIL, for carrying into effect the Extradition Treaty with France of August 14, 1876.† Windsor, May 16, 1878.

At the Court at Windsor, the 16th day of May, 1878.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS, by an Act of Parliament made and passed in the session of Parliament holden in the 33rd and 34th years of the reign of her present Majesty [cap. 52],‡ intituled "An Act for amending the Law relating to the Extradition of Criminals," and also by an Act of Parliament, made and passed in the session of Parliament holden in the 36th and 37th years of the reign of her present Majesty, intituled "An Act to amend the Extradition Act, 1870," it was amongst other things enacted that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that Her

Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in, or suspected of being in, the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient;

And whereas a Treaty was concluded on the 14th day of August, 1876, between Her Majesty and the President of the French Republic, for the mutual extradition of fugitive criminals, which Treaty is in the terms following:

[See Page 359.]

And whereas the ratifications of the said Treaty were exchanged at Paris on the 8th day of April last;

Now, therefore, Her Majesty, by and with the advice of Her Privy Council, and in virtue of the authority committed to her by the said recited Acts, doth order, and it is hereby ordered, that from and after the 31st day of May, 1878, the said Acts shall apply in the case of the said Treaty with the President of the French Republic.

C. L. Peel.

GERMANY.

BRITISH NOTICE to Fishermen fishing off the Coasts of North Germany. London, November, 1868.

Her Majesty's Government and the North German Government having come to an agreement respecting the regulations to be observed by British fishermen fishing off the coasts of the North German Confederation, the following Notice is issued for the guidance and warning of British fishermen.

NOTICE.

[Articles I and II the same as the Notice of December, 1874, with the alterations of the words "North Germany" for "the German Empire." Page 1058.]

Art. III. Fishing boats not of German nationality which pass within the limits above mentioned without being compelled to do so by any of the circumstances above enumerated, and not being on their direct way to a port for the sale of fish, will be liable to be turned back; and in the event of their resisting, or persisting in fishing within the limits above described, will
be arrested and proceeded against before the nearest competent authority.

[Altered by Notice of December, 1874. Page 1057.]

C. Cecil Trevor, Assistant Secretary.

Board of Trade, November, 1868.

LAW of the North German Confederation, respecting Nationality and Naturalization. Berlin, June 1, 1870.

(Translation.)

We, William, by the Grace of God King of Prussia, &c., decree in the name of the North German Confederation, with the consent of the Bundesrath and the Reichstag, as follows:

§ 1. Federal nationality is acquired through nationality in a Federal State, and expires with the loss of it.

Persons belonging to the Grand-Duchy of Hesse only possess Federal nationality when they are natives of those parts of the Grand-Duchy which belong to the Confederation.

§ 2. Nationality in a Federal State will in future only be established:

(1.) Through descent;
(2.) Through legitimacy;
(3.) Through marriage;
(4.) For a North German through admission (Aufnahme); and
(5.) For a foreigner through naturalization.

Adoption, alone, has not this effect.

§ 3. By birth, even if this takes place in a foreign country, legitimate children of a North German acquire the nationality of the father, and illegitimate children of a North German that of the mother.

§ 6. Admission (Aufnahme) as also naturalization is acquired by means of documents furnished by the administrative authorities.

§ 12. Residence within a Federal State does not of itself constitute nationality.

BRITISH ORDER IN COUNCIL, extending the system of British Tonnage Measurement to German Vessels. Windsor, June 26, 1873.

At the Court at Windsor, the 26th day of June, 1873.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by "The Merchant Shipping Act Amendment Act, 1862," it is enacted that:

[See Order in Council, August 19, 1871, Austria. Page 1006.]

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships, now in force under "The Merchant Shipping Act, 1854," have been adopted by the Government of His Majesty the German Emperor, with the exception of a slight difference in the mode of estimating the allowance for engine room, and such rules are now in force in that country, having come into operation on the 1st day of January, 1873.

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct as follows:

1. As regards sailingships: that merchant sailingships of the said German Empire, the measurement whereof, after the said 1st day of January, 1873, has been ascertained and denoted in the registers and other national papers of such sailingships, testified by the date thereof, shall be deemed to be of the tonnage denoted in such registers and other national papers in the same manner, and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the certificate of registry of British sailingships is deemed to be the tonnage of such ships.

2. As regards steam ships: that merchant ships belonging to the said German Empire which are propelled by steam, or any other power requiring engine room, the measurement whereof shall, after the said 1st day of January, 1873, have been ascertained and denoted in the registers and other national papers of such steam ships, testified by the dates thereof, shall be deemed to be of the tonnage denoted in such registers or other national papers in the same manner, and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the certificate of registry of British ships is deemed to be the tonnage of such ships; provided nevertheless, that if the owner or master of any such German steam ship desires the deduction for engine room in his ship to be estimated under the rules for engine room measurement and deduction applicable to British ships, instead of under the German rule, the engine room shall be measured and the deduction calculated according to the British rules.

ARTHUR HELPS.

BRITISH NOTICE to Fishermen fishing off the Coasts of the German Empire. London, December, 1874.

HER Majesty's Government and the German Government having come to further agreement respecting the Regulations to be observed by British Fishermen fishing off the coasts of

* 17 & 18 Vict., c. 104, §§ 21-29. See Great Britain.
the German Empire, the following Notice is issued for the
guidance and warning of British fishermen.

NOTICE.

I. The exclusive fishery limits of the German Empire are
designated by the Imperial Government, as follows: that tract
of the sea which extends to a distance of 3 sea miles from the
extremest limit which the ebb leaves dry of the German North
Sea coast of the German islands or flats lying before it, as
well as those bays and incurvations of the coast which are
10 sea miles or less in breadth, reckoned from the extremest
points of the land and the flats, must be considered as under
the territorial sovereignty of the German Empire.

II. The exclusive right of fishery within the above limits is
accordingly to be enjoyed by fishermen of German nationality
only, and English fishing boats are not at liberty to enter those
limits, except under the following circumstances, namely:

(1.) When driven by stress of weather or by evident
danger.

(2.) When carried in by contrary winds, by strong tides, or
by any other cause beyond the control of the master and crew.

(3.) When obliged by contrary winds and tides to beat up
in order to reach their fishing grounds; and when from the
same cause of contrary wind or tide, they could not, if they
remained outside, be able to hold on their course to their fishing
ground.

(4.) When during the herring fishing season, English fishing
boats shall find it necessary to anchor under shelter of the
German coasts, in order to await the opportunity for proceed-
ing to their fishing ground.

(5.) When proceeding directly to any port of the German
Empire, open to Englishmen for the sale of fish where the
cargo is to be sold.

III. Fishing boats not of German nationality which pass
within the limits above mentioned without being compelled to
do so by any of the circumstances above enumerated, and not
being on their direct way to a port for the sale of fish, will be
liable to be turned back; and in the event of their resisting,
or in the event of their being found fishing within the limits
above described, will be arrested and proceeded against before
the nearest competent authority.

T. H. FARRER, Secretary.

Board of Trade, December, 1874.


(Extract.) Hawaiian Consulate, 3rd July, 1877 (Rec. 5th July).

I am instructed to give notice through your Lordship to Her Majesty's Government, that the Hawaiian Government desires to annul the clauses numbered IV, V, and VI [of the Treaty of July 10, 1851], 12 months after the date of this present notice.

MANLEY HOPKINS, His Hawaiian Majesty's Chargé d'Affaires and Consul-General.

The Earl of Derby.

In pursuance of this Notice, the following Notification was inserted in the "London Gazette" of February 19, 1878.

Foreign Office, February 16, 1878.

NOTICE has been given by the Hawaiian Government to terminate Articles IV, V, and VI of the Treaty of July 10, 1851, between Great Britain and the Sandwich Islands. In consequence of this Notice these Articles will expire on the 3rd of July next.

[The Notice to terminate Articles V and VI was subsequently withdrawn. See the following Notification of May 14, 1878.]


MAJOR WODEHOUSE, Her Majesty's Commissioner and Consul-General at Honolulu, has reported* that the Hawaiian Government withdraw the Notice to terminate Articles V and VI of the Treaty of July 10, 1851, between Great Britain and the Sandwich Islands.

* Despatch, April 3, 1878.
HONDURAS.

The Notice to terminate Article IV of that Treaty, as announced in the London Gazette of February 19, 1878, is maintained.

HONDURAS.

AGREEMENT between Great Britain and Honduras, for giving effect to the Agreement of March 27, 1852, respecting the Debt of Honduras. (British Claims.) Guatemala, February 25, 1878.

AGREEMENT.

The Undersigned, Sidney Locock, Esquire, Minister President of Her Britannic Majesty in Central America, and Dr. Don Enrique Soto, Minister Plenipotentiary of Honduras in Guatemala, duly authorised and acting in the name of their respective Governments, in order to give effect to the object of the Chatfield-Cruz Agreement,* have concluded and signed the present Agreement.

ART. I. The debt of Honduras recognised by the Chatfield-Cruz Agreement, and at present consisting partly of capital and partly of unpaid interest, is declared consolidated on the 1st of January of the present year, in the sum of 50,000 dollars.

II. The Government of Honduras engages to pay the 50,000 dollars in 5 successive annual instalments of 10,000 dollars each: the payments will be effected in the following manner:

III. On the 1st of January of each year, or at the latest in the course of the month, the Government of Honduras will deliver to the Diplomatic Representative of Her Britannic Majesty in Central America, 4 preferential drafts to his order, drawn by the Minister of Finance on the Custom-Houses of Amapala, Truxillo, Puerto Cortes and Omoa, respectively. Each draft shall be for the sum of 2,500 dollars, payable in the course of the year.

IV. These drafts shall be paid in silver by the Custom-House on which they are respectively drawn, within the year to which they correspond, and the Government of Honduras shall take care to furnish in time to the Custom-Houses, in case of necessity, the requisite funds in order that the drafts may never remain unpaid.

V. In case that the drafts are paid by the Custom-Houses in two or more instalments, the holder of the draft shall give provisional receipts, and shall deliver it cancelled when he receives the last instalment. In the books of the Custom-

Houses there shall be made the corresponding entries, which, in case of the loss of the draft, shall be considered as proof of the payments already made.

VI. From the day on which the debt is consolidated, that is to say, from the 1st of January of the present year, 1878, and during the 5 years stipulated in this Agreement for the amortization, the debt thus consolidated shall not bear interest, the Government of Honduras being only responsible for the sum of 50,000 dollars. But in the remote case of the Government of Honduras not covering the entire debt in the 5 years, that is to say, before the 31st of December, 1882, the balance shall then bear the same annual interest of 5 per cent., stipulated in the Chatfield-Cruz Agreement. This interest shall not be liable to capitalization, except by means of an express agreement.

VII. Inasmuch as the year in which the first instalment is to be paid has already commenced, and it is thus impossible strictly to comply with the first stipulation of Article III, it is understood that it will be sufficient that the Government of Honduras should send to the representative of Her Britannic Majesty in Guatemala the drafts corresponding to the year 1878, as soon as it shall receive satisfaction of this Agreement.

VIII. All the previous stipulations opposed to this Agreement remain without any value.

IX. This Agreement without further ratification shall be obligatory on both Governments.

In faith of which the undersigned have signed and sealed the present.

Done in duplicate in the city of Guatemala, this 25th day of February, 1878.

(L.S.) Sidney Locock.
(L.S.) Enrique Soto.

---

INDIA.

ACT for the Naturalization of Aliens, passed by the Governor-General of India in Council.*

[No. 30.] [July 16, 1852.]

WHEREAS it is expedient to provide for the Naturalization of Aliens resident in the territories under the Government of the East India Company, it is enacted as follows:

I. Any person whilst actually residing in any part of the Territories under the Government of the East India Company

---

* Annulled so far as regards the Straits Settlements by Straits Settlements Act of May 15, 1867. Page 855.
may present a memorial to Government, praying that the privileges of naturalization may be conferred upon him.

II. Such memorial shall state, to the best of the knowledge and belief of the memorialist, his age, place of birth, place of residence, profession, trade, or occupation, the length of time during which he has resided within the said territories, that he is settled in the said territories, or is residing within the same with intent to settle therein, and any other particulars which the Government may require to be stated therein, and such memorial shall be in writing and signed by the memorialist, and accompanied by an affidavit sworn by him, verifying the truth of the statements contained therein.

III. The memorial shall be considered by the Government to whom it shall be presented, who shall inquire into the circumstances of the case, and may require such evidence either by affidavit or otherwise as they may deem proper, in addition to the beforementioned affidavit of the memorialist, to prove the truth of the statements contained in such memorial.

IV. The Government may, if they shall think fit, issue a certificate in writing, reciting such of the contents of the memorial as they may consider to be true and material, and granting to the memorialist all the rights, privileges, and capacities of naturalization under this Act, except such rights, privileges, or capacities, if any, as may be specially excepted in such certificate.

V. The certificate shall be delivered to the memorialist, and a copy or duplicate thereof, together with the memorial upon which the same shall be obtained, and any affidavit which may accompany such memorial or be produced in support thereof, shall be filed by the secretary to the Government or such other officer as the Government may direct; and such secretary or officer shall keep an alphabetical list of all persons who may be naturalized by such Government.

VI. If any material statement contained in such memorial shall be false, the Government may, if they think fit, by an order in writing, declare the certificate issued upon such memorial to be null and void to all intents and purposes, except such purposes, if any, as may be specially excepted in such order; and from and after such order all the rights, privileges, and capacities derived through such certificate shall cease to exist.

VII. Such fees shall be payable in respect of the proceedings hereby authorised as shall be fixed by the Government.

VIII. Upon obtaining such certificate, and taking and subscribing the oath as hereinafter prescribed, the memorialist shall, within the said territories under the Government of the East India Company, be deemed a natural-born subject of Her Majesty as if he had been born within the said territories, and shall be entitled within the said territories to all the rights.
INDIA. 1063

privileges, and capacities of a subject of Her Majesty born within the said territories, except such rights, privileges, and capacities, if any, as may be specially excepted in such certificate.

IX. [Repealed by Act No. 16 of 1874.]

X. Within 60 days from the day of the date of such certificate the memorialist named in such certificate shall take and subscribe the oath contained in the Schedule annexed to this Act.

XI. Such oath, as well as any other oath or affidavit required by this Act, may be administered by any magistrate or justice of the peace within the limits of his jurisdiction, or by any other person to be appointed for that purpose by Government, and the person who shall administer the oath mentioned in the Schedule to this Act annexed shall grant to the memorialist a certificate in writing of his having taken and subscribed such oath, and of the date of his taking and subscribing the same, and shall forward to the Government the oath so taken and subscribed, together with a duplicate of such certificate, which oath and duplicate certificate shall be filed and kept with the memorial.

XII. The word "Government" in this Act shall be deemed to mean the person or persons for the time being lawfully entitled to administer the executive Government in that part of the said territories in which the memorialist shall reside at the time of presenting such memorial. The word "magistrate" shall include any person lawfully exercising the powers of a magistrate, and words denoting the masculine gender shall include the feminine.

XIII. In every case in which the word "oath" or "affidavit" is used in this Act, an affirmation to the same effect as the oath or affidavit required shall be sufficient in cases where the person required to make such oath or affidavit shall be a person allowed by law to affirm in civil cases, and in every such case such affirmation shall be made before the person authorised to administer the oath, and the word "oath" or "affidavit," wherever used in this Act, shall include such affirmation.

SCHEDULE.

Oath.

I, A. R., of (here state the description of the party) do swear (or being one of the persons allowed by law to affirm in civil cases, do affirm) that I will be faithful and bear true allegiance to the Sovereign of the United Kingdom of Great Britain and
IRELAND, and of these territories [as dependent thereon, and that I will be true and faithful to the East India Company*].

(Signed) A. B.

TREATY between the British Government and His Highness Ameer Dost Mohammed Khan, Walee of Cabul and of those countries of Afghanistan now in his possession; concluded on the part of the British Government by John Lawrence, Esquire, Chief Commissioner of the Punjab, in virtue of full powers vested in him by the Most Noble James Andrew, Marquis of Dalhousie, K.T., &c., Governor-General of India; and on the part of the Ameer of Cabul, Dost Mohammed Khan, by Sirdar Gholam Hyder Khan, in virtue of full authority granted to him by His Highness. March 30, 1855.

ART. I. Between the Honourable East India Company and His Highness Ameer Dost Mohammed Khan, Walee of Cabul and of those countries now in his possession, and the heirs of the said Ameer, there shall be perpetual peace and friendship.

II. The Honourable East India Company engages to respect those territories of Afghanistan now in His Highness's possession, and never to interfere therein.

III. His Highness Ameer Dost Mohammed Khan, Walee of Cabul and of those countries of Afghanistan now in his possession, engages on his own part and on the part of his heirs, to respect the territories of the Honourable East India Company, and never to interfere therein, and to be the friend of the friends and enemy of the enemies of the Honourable East India Company.

Done at Peshawur this 30th day of March, 1855, corresponding with the 11th day of Rujjub, 1271 Hijree.

Seal.

JOHN LAWRENCE, Chief Commissioner of the Punjab.

As the representative of Ameer Dost Mohammed Khan, and in person on his own account as heir-apparent.

Ratified by the Most Noble the Governor-General at Ootakamund, this 1st day of May, 1855.

DALHOUSIE.

* The Clause within brackets was repealed by Act No. 12 of 1876.

Art. I. Whereas the Shah of Persia, contrary to his engagement with the British Government, has taken possession of Herat, and has manifested an intention to interfere in the present possessions of Ameer Dost Mohammed Khan, and there is now war between the British and Persian Governments, therefore the Honourable East India Company, to aid Ameer Dost Mohammed Khan to defend and maintain his present possessions in Balkh, Cabul, and Kandahar against Persia, hereby agrees, out of friendship, to give the said Ameer one lac of Company’s rupees monthly during the war with Persia, on the following conditions:

II. The Ameer shall keep his present number of cavalry and artillery, and shall maintain not less than 18,000 infantry, of which 13,000 shall be regulars, divided into 13 regiments.

III. The Ameer is to make his own arrangements for receiving the money at the British Treasuries, and conveying it through his own country.

IV. British officers, with suitable establishments and orderlies, shall be deputed, at the pleasure of the British Government, to Cabul or Kandahar or Balkh, or all three places, or wherever an Afghan army be assembled to act against the Persians. It will be their duty to see generally that the subsidy granted to the Ameer be devoted to the military purposes for which it is given, and to keep their own Government informed of all affairs. They will have nothing to do with the payment of the troops, or advising the Cabul Government, and they will not interfere in any way in the internal administration of the country. The Ameer will be responsible for their safety and honourable treatment while in his country, and for keeping them acquainted with all military and political matters connected with the war.

V. The Ameer of Cabul shall appoint and maintain a vakil at Peshawur.

VI. The subsidy of one lac per mensem shall cease from the date on which peace is made between the British and Persian Governments, or at any previous time at the will and pleasure of the Governor-General of India.
VII. Whenever the subsidy shall cease the British officers shall be withdrawn from the Ameer's country; but at the pleasure of the British Government a vakil, not a European officer, shall remain at Cabul on the part of the Government, and one at Peshawur on the part of the Government of Cabul.

VIII. The Ameer shall furnish a sufficient escort for the British officers from the British border when going to the Ameer's country, and to the British border when returning.

IX. The subsidy shall commence from 1st January, 1857, and be payable at the British Treasury one month in arrears.

X. The 5 lakhs of rupees which have been already sent to the Ameer (3 to Candahar and 2 to Cabul) will not be counted in this Agreement. They are a free and separate gift from the Honourable East India Company. But the 6th lakh now in the hands of the mahajuns of Cabul, which was sent for another purpose, will be one of the instalments under this Agreement.

XI. This Agreement in no way supersedes the Treaty made at Peshawur on 30th March, 1855* (corresponding with 11th of Rajjab 1271), by which the Ameer of Cabul engaged to be the friend of the friends and the enemy of the enemies of the Honourable East India Company, and the Ameer of Cabul, in the spirit of that Treaty, agrees to communicate to the British Government any overtures he may receive from Persia or the allies of Persia during the war, or while there is friendship between the Cabul and British Governments.

XII. In consideration of the friendship existing between the British Government and Ameer Dost Mohammed Khan, the British Government engages to overlook the past hostilities of all the tribes of Afghanistan, and on no account to visit them with punishment.

XIII. Whereas the Ameer has expressed a wish to have 4,000 muskets given him in addition to the 4,000 already given, it is agreed that 4,000 muskets shall be sent by the British Government to Tull, whence the Ameer's people will convey them with their own carriage.

JOHN LAWRENCE, Chief Commissioner.

HERBERT B. EDWARDES, Commissioner of the Peshawur Division.

* See Page 1064.
ACT of the Legislative Council of India, to amend the Law relating to the carriage of Passengers by Sea.

(Received the Assent of the Governor-General on the 15th January, 1860.)

[No. 11.]

WHEREAS by Section 99 of an Act of the Imperial Parliament called "The Passengers Act, 1855," it is enacted that "it shall be lawful for the Governor-General of India in Council, from time to time, by any Act or Acts to be passed for that purpose, to declare that this Act, or any part thereof, shall apply to the carriage of passengers upon any voyage, from any ports or places within the territories of British India, to be specified in such Act or Acts, to any other places whatsoever, to be also specified in such Act or Acts;" and it is thereby also enacted that "on the passing of such Indian Act or Acts, and whilst the same shall remain in force, all such parts of this Act as shall be adopted therein shall apply to and extend to the carriage of passengers upon such voyages as in the said Indian Act or Acts shall be specified. The provisions of such Indian Act shall be enforced in all Her Majesty's possessions in like manner as the provisions of this Act may be enforced." And whereas it is expedient to make certain parts of the said Act of Parliament applicable to the carriage of passengers upon the voyages hereinafter specified: It is enacted as follows:

I. The provisions contained in Sections 2, 3, and 4 of this Act (being parts of the said Act of Parliament) are declared applicable to the carriage of passengers upon the following voyages:

Voyages from the ports of Calcutta, Madras, and Bombay, to the Mauritius, under Act 15 of 1842.

Voyages from the ports of Calcutta, Madras, and Bombay, to Jamaica, British Guiana, and Trinidad, under Act 21 of 1844.

Voyages from the ports of Calcutta, Madras, and Bombay, to St. Lucia and Grenada, under Act 31 of 1855.

Voyages from ports in British India to ports in the Red Sea or Persian Gulf, under [Act 21 of 1858*].

II. If the passengers on any such voyage as is specified in the last preceding section shall be taken off from the ship carrying such passengers, or shall be picked up at sea from any boat, raft, or otherwise, it shall be lawful, if the port or place to which they shall be conveyed shall be in any of Her Majesty's colonial possessions, for the Governor of such colony, or for any person authorised by him for the purpose, or if in any foreign

* The Act of 1858 has been repealed, and this clause was therefore altered by "The Native Passenger Act, 1876" (No. 8), so as to refer to that Act instead of to the Act of 1858. See Page 1071.
country, for Her Majesty's Consular officer, at such port or place therein, to defray all or any part of the expenses thereby incurred.

III. If any passenger of any such passenger ship as aforesaid shall, without any neglect or default of his own, find himself within any colonial or foreign port or place other than that at which he may have contracted to land, it shall be lawful for the Governor of such colony, or by any person authorised by him for the purposes, or for Her Majesty's Consular officer at such foreign port or place, as the case may be, to forward such passenger to his intended destination, unless the master of such ship shall, within 48 hours of the arrival of such passenger, give to the Governor or Consular officer, as the case may be, a written undertaking to forward or carry on within 6 weeks thereafter such passenger to his original destination, and unless such master shall accordingly forward or carry him on within that period.

IV. All expenses incurred under the last two preceding sections, or either of them, by or by the authority of such Governor or Consular officer as aforesaid, including the cost of maintaining the passengers until forwarded to their destination, and of all necessary beddings, provisions, and stores, shall become a debt to Her Majesty and her successors from the owner, charterer, or master of such ship, and shall be recoverable from them, or from any one or more of them, at the suit and for the use of Her Majesty, in like manner as in the case of other Crown debts; and a certificate purporting to be under the hand of any such Governor or Consular officer (as the case may be), stating the total amount of such expenses, shall in any suit or other proceeding for the recovery of such debt be received in evidence without proof of the handwriting or of the official character of such Governor or Consular officer, and shall be deemed sufficient evidence of the amount of such expenses, and that the same was duly incurred. Provided, nevertheless, that in no case shall any larger sum be recovered on account of such expenses than a sum equal to twice the total amount of passage money received by the owner, charterer, or master of such passenger ship, or any of them, from or on account of the whole number of passengers who may have embarked in such ship; which total amount of passage money shall be proved by the defendant if he will have the advantage of this limitation of the debt; but if any such passengers are forwarded or conveyed to their intended destination under the provisions of the last preceding section, they shall not be entitled to the return of their passage money, or to any compensation for loss of passage.
PROCLAMATION of the Rao of Kutch to his subjects, prohibiting the Traffic in Slaves. April 24, 1869.

(Translation.)

Maharaja Dhiraj Mirza Maha Plao Shree Praymuljee Baha-door to the population of Kutch generally.

To wit,

That for the security of those among you who, for the purposes of trade, &c., permanently reside in, or come and go to and from, the country of Zanzibar, I have, at the suggestion of Government, given notice in a Zad, under date the Kartick Sood 1st Sumout, 1922, through the Political Agent to the exalted Government that the claims and disputes with any other persons of those of you who permanently reside in, or frequent for the purposes of trade, the ports of Muscat and other places in Africa, Arabia, and the Persian Gulf, and in other countries where my subjects may reside, should be settled by the British Government in the same way as if you were its own subjects, consequent on the Treaties concluded with Government.

You formerly carried on trade in slaves, but this traffic having been forbidden by the will of Government, a Proclamation to the effect that if any slaves, negroes, or Abyssinians, shall be brought to Kutch by any one for sale, the vessel conveying them, with its cargo, will be confiscated, was issued by my late father, under date the Maha bid 5th Sumout, 1892.* Notwithstanding this, I am now informed, through Major Shortt, the Political Agent at this place, by the Political Agent at Zanzibar, at the direction of Government, that the subjects of Kutch residing at Zanzibar are now engaged in the Slave Trade. From this it appears that you have not yet abandoned this trade. It is, therefore, hereby ordered that if you persist in the traffic of slaves, the Government will, by virtue of my aforesaid permission, treating you who reside at Zanzibar as its own subjects, liberate all slaves from your possession, and will not, however large the number of slaves so liberated, award any compensation whatever, nor entertain any claim in regard thereto, and, besides, the perpetrators will be punished there according to the law there prevailing, and you will also be considered as criminals, liable to punishment here in my domain.

Note this well, and take warning. Given in His Highness’s presence, this 13th day of the first Vaisak Sood Sumout, 1925, of the Vilrram era.

ACT of the British Parliament, to render valid certain Title Deeds for Inam Lands.

[32 & 33 Vict., cap. 29.] [July 12, 1869.]
Whereas by an Act passed in the 22nd and 23rd years of the reign of her present Majesty [cap. 106],* intituled "An Act for the better Government of India," it was provided that any deed, contract, or other instrument for the purpose of disposing of real estate in India, vested in Her Majesty under the said last-mentioned Act, may be expressed to be executed as on behalf of the Secretary of State for India in Council, by or by order of the Governor-General in Council, or the Governor of Fort Saint George or of Bombay in Council:

And whereas certain title deeds have been issued for Inam lands in the Presidency of Fort Saint George by the Inam Commissioner in the execution of his office in that respect, in which it is not expressed that they are executed by order of the Governor in Council, and which further purport to have been executed on behalf of the Governor in Council instead of on behalf of the Secretary of State for India in Council:

And whereas it is apprehended that such title deeds might, under the operation of the Acts above recited, be invalid:

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. That no title deed for Inam lands issued by the Inam Commissioner in the Presidency of Fort Saint George up to the date of the passing of this Act shall be invalid on the ground that such deed is not expressed therein to have been executed by order of the Governor in Council, or that it is expressed to have been executed on behalf of the Governor in Council of Fort Saint George instead of on behalf of the Secretary of State for India in Council; and all such title deeds shall be read and have the same effect as if they were expressed to have been executed by order of the Governor in Council and on behalf of the Secretary of State for India in Council.

ACT of the Governor-General of India in Council, to consolidate and amend the Law relating to Native Passenger Ships.

(Received the Assent of the Governor-General, March 28, 1876.) [No. 8.]
Whereas it is expedient to consolidate and amend the law relating to native passenger ships; it is hereby enacted as follows:

CHAPTER I.—Preliminary.

1. This Act may be called "The Native Passenger Ships Act, 1876."

2. It extends to the whole of British India, and applies,
   (a.) To all subjects of Her Majesty within the dominions of
   Princes and States in India in alliance with Her Majesty;
   (b.) To all native Indian subjects of Her Majesty without
   and beyond British India; and
   (c.) Subject to the exceptions mentioned in the subsequent
   parts of this section, to vessels carrying more than 30
   passengers, being natives of Asia or Africa.

   Nothing herein contained applies,
   (d.) To any ship-of-war or transport belonging to, or in the
   service of, Her Majesty;
   (e.) To any ship-of-war belonging to any foreign Prince or
   State;
   (f.) To any sailing vessel not carrying as passengers more
   than 30 natives of Asia or Africa;
   (g.) To any steamer not carrying as passengers more than
   60 of such natives;
   (h.) To any sailing vessel or steamer not intended to convey
   passengers to or from any port in British India.

3. This Act shall come into force on such day as the
   Governor-General in Council directs by notification in the
   "Gazette of India."

4. On and from that day the Acts specified in the schedule
   hereto annexed shall be repealed.

   But all ports, places, and officers appointed, and all certificates
   granted, under any of such Acts, shall be deemed to be
   respectively appointed and granted under this Act;

   And the last clause of Section 1 of Act No. 2 of 1860 (to
   amend the law relating to the carriage of passengers by sea)
   shall be read as follows:

   "Voyages from ports in British India to ports in the Red
   Sea or Persian Gulf, under 'The Native Passenger Ships Act,
   1876.'"

5. In this Act,

   The expression "magistrate" means a person exercising
   powers not inferior to those of a magistrate of the second class,
   and includes a justice of the peace, and, at the Port of Aden,
   the Political Resident and his assistants:

   The expression "ship" includes every description of vessel
   used in navigation not propelled by oars:

   The expression "master" includes every person (other than
   a pilot) having command or charge of a ship:

   The expression "passenger" means a person above the age
   of 12 years, or two persons between the ages of one year and
12 years; but it does not include a person in attendance on another person who is not a native of Asia or Africa, nor a child under one year of age:

The expression "voyage" means the whole distance between the ship's port of departure and her final port of arrival:

The expression "long voyage" means any voyage during which the ship performing it will under ordinary circumstances be 120 hours or upwards continuously out of port:

The expression "short voyage" means any voyage during which the ship performing it will never under ordinary circumstances be 120 hours continuously out of port:

Illustration.

A ship starts from port A, and is destined finally to arrive at port B, between which ports the ordinary distance is 10 days: but she is to touch at 4 intermediate ports, no one of which is under ordinary circumstances more than 5 days from the next one. This is a short voyage.

The expression "chief officer of Customs" means the executive officer of highest rank in the department of Customs in any port to which this Act applies.

Chapter II.—Rules for all Voyages.

6. No ship carrying passengers shall depart or proceed from, or shall discharge passengers at, any port or place within British India other than such ports and places as the Local Government may from time to time appoint in this behalf;

And after any ship has departed or proceeded upon any voyage from a port or place so appointed, no person shall be received on board as a passenger, except at some other port or place so appointed.

7. The master, owner, or agent of every ship so departing or proceeding shall give notice to an officer authorised in this behalf by the Local Government that the ship is to carry native passengers, and of her destination, and of the proposed time of sailing.

Such notice shall be given not less than 24 hours before such time.

8. After receiving such notice, the officer aforesaid, or any person authorised by him, shall be at liberty at all times to enter and inspect the ship and the fittings, provisions, and stores therein.

9. No ship intended to carry passengers shall commence any voyage from any port or place appointed under this Act, unless the master holds two certificates to the effect hereinafter mentioned.

And the officer of Government whose duty it is to grant a
port-clearance for such ship shall not grant the same unless the master holds such certificates.

10. The first of such certificates (hereinafter called "Certificate A") shall state that the ship is seaworthy and properly equipped, fitted, and ventilated; and the number of passengers that she is capable of carrying.

11. The second of such certificates (hereinafter called "Certificate B") shall state:

(a.) The voyage which the ship is intended to make, and the intermediate ports (if any) at which she is intended to touch;

(b.) That she has the proper complement of officers and seamen;

(c.) That provisions, fuel, and pure water, over and above what is necessary for the crew, and the other things (if any) prescribed for the ship by rule under Section 46, have been placed on board, of the quality prescribed by rule under the same section, properly packed, and sufficient to supply the passengers on board during the declared duration of the intended voyage, according to the scale for the time being prescribed by rule under the same section;

(d.) That the master holds Certificate A;

(e.) If she is intended to make a short voyage in a season of foul weather, and to carry upper-deck passengers, that she is furnished with substantial bulwarks and a double awning or other sufficient protection against the weather;

(f.) Such other particulars (if any) as may for the time being be required for such ship under this Act.

12. The person by whom Certificate B is to be granted shall in all cases be the officer referred to in Section 7.

13. The person by whom Certificate A is to be granted shall be the officer aforesaid, except that, if the master of a ship produce to such officer either of the following certificates (namely):

(a.) A valid certificate granted by the Board of Trade or by any British Colonial Government;

(b.) A certificate granted under the authority of any British Indian Government, and dated not more than 6 months before the proposed day of sailing;

And if the particulars required by Section 10 are certified thereby;

Such officer may take any such certificate as evidence of such particulars, and it shall then be a valid certificate for the purposes of this Act.

14. After receiving the notice required by Section 7, the officer aforesaid may, if he think fit, cause the ship to be surveyed at the expense of the master or owner by competent surveyors, who shall report to him whether the ship is, in their opinion, seaworthy and properly equipped, fitted and ventilated for her intended voyage:
Provided that he shall not cause any ship holding any certificate mentioned in Section 13, Clause (a) or Clause (b), to be surveyed, unless, from the ship having met with damage or having undergone alterations, or on other reasonable ground, he considers it likely that she may be found unseaworthy or not properly equipped, fitted, or ventilated for her intended voyage.

If the officer aforesaid causes a survey to be made of any vessel holding any such certificate, and if the surveyors report that the vessel is seaworthy and properly equipped, fitted, and ventilated for her intended voyage, and that there was no reasonable ground why the officer aforesaid should have thought it likely that she would be found unseaworthy, or not properly equipped, fitted, or ventilated for her intended voyage, the expense of the survey shall be paid by the Local Government.

15. The officer authorised to grant a certificate under this Act, in respect of any ship, shall not grant the same, unless he is satisfied that she has not on board any cargo likely from its quality, quantity, or mode of stowage, to prejudice the health or safety of the passengers.

But, save as aforesaid, and subject to the provisions of Section 16, the grant or withholding of a certificate under this chapter shall in all cases be in the discretion of the officer aforesaid.

16. In the exercise of such discretion such officer shall be subject to the control of the Local Government, or of any intermediate authority which that Government may from time to time report in this behalf.

17. The owner or master shall put up in a conspicuous part of the ship, so as to be visible to persons on board the same, a copy of each of the said certificates granted by an officer appointed under this Act in respect of the ship, and shall keep such copies in such position during the voyage.

18. The requirements of this Act respecting the supply of provisions for passengers shall not, except as to the supply of water, be applicable to any passenger who has contracted to furnish his own provisions, and who has, in the opinion of such officer as the Local Government appoints in this behalf, actually furnished such provisions of the quality and to the amount for the time being prescribed by rules made under Section 46.

Chapter III.—Rules for Short Voyages.

19. For seasons of fair weather every ship performing a short voyage shall contain in the between-decks at least 6 superficial feet and 30 cubic feet of space for every intermediate or between-decks passenger, and shall contain on the upper deck at least 4 superficial feet for each such passenger, and 6 superficial feet for each upper-deck passenger.

For seasons of foul weather, every ship propelled by sails and performing a short voyage shall contain in the between-
decks at least 12 superficial feet and 72 cubic feet of space for every intermediate or between-decks passenger, and shall contain on the upper deck at least 4 superficial feet for each such passenger, and 12 superficial feet for each upper-deck passenger.

For seasons of foul weather every ship propelled by steam, or partly by steam and partly by sails, and performing a short voyage, shall contain in the between-decks at least 9 superficial feet and 54 cubic feet of space for every intermediate or between-decks passenger, and shall contain on the upper deck at least 4 superficial feet for each upper-deck passenger.

But in such seasons no ship shall carry upper-deck passengers unless she is furnished with substantial bulwarks and a double awning or other sufficient protection against the weather.

20. If any ship performing a short voyage takes any additional passengers on board at any intermediate port or place, the master shall obtain a supplementary certificate from the proper officer at such port, stating:

(a.) The number of passengers so taken on board, and
(b.) That provisions, fuel, and pure water (over and above what is necessary for the crew, and the other things, if any, prescribed for the ship by rule under Section 46) have been placed on board, of the quality prescribed by rule under the same section, properly packed, and sufficient to supply the total number of passengers on board during the declared duration of the intended voyage, according to the scale for the time being prescribed by rule under the same section;

Provided that, if the Certificate B held by the master of such ship states that provisions, fuel, and pure water, over and above what is necessary for the crew, and the other things, if any, prescribed for her by rule under Section 46, have been placed on board, of the quality prescribed by rule under the same section, properly packed, and sufficient to supply the full number of passengers that she is capable of carrying, the master shall not be bound to obtain any such supplementary certificate.

21. When the ship reaches her final port of arrival, the master shall notify to such officer as the Governor-General in Council may appoint in this behalf, the date and supposed cause of death of every passenger dying on the voyage.

Chapter IV.—Rules for Long Voyages:

22. Every ship propelled by sails and performing a long voyage shall contain in the between-decks at least 12 superficial feet and 72 cubic feet of space for every passenger.

Every ship propelled by steam, or partly by steam and partly by sails, and performing a long voyage, shall contain in the between-decks at least 9 superficial feet and 54 cubic feet of space for every passenger.
23. The master of every such ship, before departing or proceeding on any long voyage from any port or place in British India, shall sign two statements, specifying the number and the respective sexes of all the passengers, and stating the number of the crew; and shall deliver them to the officer last aforesaid, who shall thereupon (after having first satisfied himself that the numbers are correct) countersign and return to the master one of such statements.

24. The master shall note in writing on such last-mentioned statement, and on any additional statement to be made under the next following section, the date and supposed cause of death of any passenger who may die on the voyage, and shall forthwith, on the arrival of the ship at her destination or at any port at which it may be intended to land passengers, and before any passengers are landed, produce the statement, with any additions thereto made, to any person lawfully exercising Consular authority on behalf of Her Majesty at the port of arrival if it be a foreign port, or to the chief officer of Customs, or the officer (if any) appointed under this Act to receive such statements, at any port or place at which it is intended to land the passengers or any of them.

25. If, after the ship has departed or proceeded on any long voyage, any additional passengers are taken on board at a port or place within British India appointed under this Act for the embarkation of passengers;

Or if such ship upon her voyage touch or arrive at any such port, having previously received on board additional passengers at any place without British India;

The master shall obtain a fresh certificate to the effect of Certificate B from the proper officer at such port, and shall make additional statements specifying the number and the respective sexes of all such additional passengers;

And all the provisions hereinbefore contained in that behalf shall be applicable to any certificate granted or statement made under this section.

26. In the case of every ship sailing from any port within British India to any port in the Red Sea, the officer whose duty it is to grant a port-clearance for any such ship shall not grant such clearance unless and until the owner, agent, or master of such ship and two sureties resident in British India have, by a joint and several bond, become bound unto the Secretary of State for India in Council, in the penal sum of 5,000 rupees, for the purpose of binding the ship to touch at Aden on the outward voyage, and there to obtain a clean bill of health, and to do the same on the homeward voyage if she continue (being propelled by sails) to carry more than 30 passengers, or (being propelled by steam or partly by steam and partly by sails) to carry more than 60 passengers.
27. Every ship carrying more than 30 passengers being natives of Asia or Africa, and sailing from any port in British India to any port in the Red Sea;

Or sailing from any port in the Red Sea to any port in British India;

shall touch at Aden, and shall not leave that port without having obtained from the proper authority a clean bill of health.

28. No bill of health shall be granted under Section 26 or Section 27 in case the ship has on board a greater number of passengers than in the proportion prescribed for her by this Act.

29-38. Penalties.

Chapter V.—Procedure.

39. All offences against this Act shall be punishable in a summary manner by a magistrate.

If the person on whom any fine is imposed under this Act is the master or owner of a ship, and the fine is not paid at the time and in the manner prescribed by the order of payment, the magistrate may, in addition to the ordinary means prescribed by law for enforcing payment, direct by warrant the amount remaining unpaid to be levied by distress and sale of the said ship, her tackle, furniture, and apparel.

40. For the purpose of the adjudication of penalties under this Act, every offence against its provisions shall be deemed to have been committed within the limits of the jurisdiction of the magistrate of the place where the offender is found.

41. The penalties to which masters and owners of ships are made liable by this Act, shall be enforced only by information laid at the instance of the officers appointed to grant certificates under this Act; or, at any port or place where there is no such officer, at the instance of the chief officer of Customs.

42. Any magistrate imposing any fine under this Act may, if he thinks fit, direct the whole or any part thereof to be applied in compensating any person for any detriment which he may have sustained by the act or default in respect of which such fine is imposed, or in or towards payment of the expenses of the proceedings.

43. Whenever, in the course of any legal proceeding under this Act, the testimony of any witness is required in relation to the subject-matter of such proceeding, any deposition that he may have previously made in relation to the same subject-matter before any justice or magistrate in Her Majesty’s dominions (including all parts of India other than those subject to the same Local Government as the port or place where such proceedings are instituted), or any British Consular officer elsewhere, shall be admissible in evidence on due proof that such witness cannot be found within the jurisdiction of the Court in which such proceeding is instituted:
Provided that such deposition shall not be admissible unless,

(a.) It is authenticated by the signature of the justice, magistrate, or Consular officer;

(b.) It was made in the presence of the person accused; and

(c.) The fact that it was so made is certified by the justice, magistrate, or Consular officer.

It shall not be necessary in any case to prove the signature or official character of the person appearing to have signed such deposition; and in any criminal proceeding, such certificate as aforesaid shall, unless the contrary is proved, be sufficient evidence of the accused having been present in manner thereby certified.

CHAPTER VI.—Miscellaneous.

44. The chief officer of Customs, or the officer (if any) appointed under this Act, at any port or place within British India at which any ship to which this Act applies touches or arrives, shall, with advertence to the provisions herein contained, send any particulars which he may deem important respecting the ship and the passengers conveyed therein, to the officer at the port from which the ship commenced her voyage, and also to the officer at any other port within British India where the passengers or any of them embarked.

And any officer appointed under this Act may at any port or place in British India at which any ship to which this Act applies touches, board such ship and inspect her in order to ascertain whether the provisions of this Act as to the number of passengers and otherwise have been complied with.

45. In any proceeding for the adjudication of any penalty incurred under this Act, any document purporting to be a report of such particulars or a copy of the proceedings of any Court of justice duly authenticated, and also any like document purporting to be made and signed by any person lawfully exercising Consular authority on behalf of Her Majesty in any foreign port, shall be received in evidence, if the same appears to have been officially transmitted to any officer at or near the place where the proceeding under this Act is had.

46. The Governor-General in Council may from time to time make rules consistent with this Act, to regulate, in the case of any ship or class of ships to which this Act applies, all or any of the following matters:

(a.) The scale on which provisions, fuel, and water are to be supplied to the passengers and the quality of such provisions, fuel, and water;

(b.) The medical stores and other appliances and fittings for maintaining health, cleanliness, and decency to be provided on board;
INDIA. 1079

(c.) The boats, anchors, and cables to be provided on board;
(d.) The instruments for purposes of navigation to be supplied;
(e.) The apparatus for the purpose of extinguishing fires on board and the precautions to be taken to prevent such fires;
(f.) And, generally, to carry out the provisions of this Act.

All such rules shall be published in the "Gazette of India," and shall thereupon have the force of law.

47. The Local Government shall appoint such persons as it thinks fit to exercise and perform the powers and duties conferred and imposed by this Act.

48. The Governor-General in Council may from time to time declare, by notification in the "Gazette of India," what shall be deemed to be, for the purposes of this Act, "seasons of fair weather" and "seasons of foul weather," and for sailing vessels and steamers respectively, a "long voyage" and a "short voyage."

49. The Governor-General in Council may from time to time direct, in the case of any ship or class of ships, and for all or any voyages to which this Act applies, the number of superficial or of cubic feet of space to be contained for the passengers; and such directions shall override the provisions of Sections 19 and 22 so far as they apply to such ship or class of ships.

SCHEDULE.
(See Section 4).

<table>
<thead>
<tr>
<th>Number and year</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>25 of 1859</td>
<td>An Act to prevent the Overcrowding of Vessels carrying Native Passengers in the Bay of Bengal.</td>
</tr>
<tr>
<td>12 of 1870</td>
<td>An Act for the Regulation of Native Passenger Ships, and of Steam Vessels intended to convey Passengers on Coasting Voyages.</td>
</tr>
<tr>
<td>12 of 1872</td>
<td>An Act to amend Act 12 of 1870 (&quot;The Native Passenger Ships Act&quot;).</td>
</tr>
<tr>
<td>Madras Act 2 of 1862</td>
<td>An Act to extend the provisions of Act 25 of 1859, entitled An Act to prevent the Overcrowding of Vessels carrying Native Passengers in the Bay of Bengal.</td>
</tr>
</tbody>
</table>

ACT of the British Parliament, to enable Her Most Gracious Majesty to make an addition to the Royal Style and Titles appertaining to the Imperial Crown of the United Kingdom and its Dependencies. [Empress of India, &c.*] [39 Vict., cap 10.] [April 27, 1876.]

WHEREAS by the Act for the Union of Great Britain and

* See Proclamation of April 29, 1876. Page 742.
Ireland passed in the 40th year of the reign of his late Majesty King George III, chapter 67, it was provided that after such Union as aforesaid the Royal style and titles appertaining to the Imperial Crown of the United Kingdom and its dependencies should be such as His Majesty by his Royal Proclamation under the Great Seal of the United Kingdom should be pleased to appoint:

And whereas by virtue of the said Act and of a Royal Proclamation under the Great Seal, dated the 1st day of January, 1801, the present style and titles of Her Majesty are “Victoria by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith.”

And whereas by the Act for the better government of India, passed in the session of the 21st and 22nd years of the reign of her present Majesty, chapter 106, it was enacted that the Government of India, theretofore vested in the East India Company in trust for Her Majesty, should become vested in Her Majesty, and that India should thenceforth be governed by and in the name of Her Majesty, and it is expedient that there should be a recognition of the transfer of Government so made by means of an addition to be made to the style and titles of Her Majesty:

Be it therefore enacted by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

It shall be lawful for Her Most Gracious Majesty with a view to such recognition as aforesaid of the transfer of the Government of India, by Her Royal Proclamation under the Great Seal of the United Kingdom, to make such addition to the style and titles at present appertaining to the Imperial Crown of the United Kingdom and its dependencies as to Her Majesty may seem meet.

DECLARATION between Great Britain and Switzerland, recording the Adhesion of British India to the General Postal Union of the 9th of October, 1874. Signed at Berne, July 1, 1876.

(Translation.)

An arrangement concerning the entry of British India into the General Postal Union having been concluded at Berne on the 27th of January, 1876, between the delegates of the British Government and the delegates of the administrations interested, forming part of the Postal Union, and no objection to this arrangement having, in consequence of the communication which was addressed to all the members of the Union by circular dated the 29th of January, 1876, been made within the

period of 6 weeks, prescribed by Article XVII, paragraph 6, of the Treaty of Berne, of the 9th of October, 1874;

The Undersigned, duly authorised for this purpose, record by the present diplomatic act the definitive adhesion of the British Government for British India to the stipulations of the Treaty concerning the creation of a General Postal Union, concluded at Berne on the 9th of October, 1874, as well as to the detailed regulations for the execution of the Treaty.

Done at Berne, July 1, 1876.

For the Government of the United Kingdom of Great Britain and Ireland and for the Government of British India,
The Minister Resident of Her Britannic Majesty to the Swiss Confederation,

(L.S.) Edwin Corbett.

For the Swiss Federal Council in the name of the Members of the Union,
The President of the Confederation,

(L.S.) Weltli.

ACT of the British Parliament, for more effectually punishing Offences against the Laws relating to the Slave Trade.

[39 & 40 Vict., cap. 46.] [August 11, 1876.]

WHEREAS under an Act passed in the session held in the 32nd and 33rd years of the reign of her present Majesty [cap. 98],* the Governor-General of India in Council is empowered to make laws for native Indian subjects of Her Majesty without and beyond British India:

And whereas under an Act passed in the session held in the 28th and 29th years of the reign of her present Majesty [cap. 17], the Governor-General of India in Council is empowered to make laws for all British subjects of Her Majesty within the dominions of Princes and States in India in alliance with Her Majesty, whether in the service of the Government of India or otherwise:

And whereas the several Princes and States in India in alliance with Her Majesty have no connections, engagements, or communications with foreign Powers, and the subjects of such Princes and States are, when residing or being in the places hereinafter referred to, entitled to the protection of the British Government, and receive such protection equally with the subjects of Her Majesty:

And whereas it is expedient to make provision for more effectually punishing offences against the laws relating to the Slave Trade by British subjects and other persons protected by the British Government in such places:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords

* See Vol. 13 Page 562.
Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. If any person, being a subject of Her Majesty, or of any Prince or State in India in alliance with Her Majesty, shall, upon the high seas or in any part of Asia or Africa which Her Majesty may from time to time think fit to specify by any Order in Council in this behalf, commit any of the offences defined in Sections 367, 370, and 371 (in the schedule to this Act respectively recited) of Act 45 of 1860, passed by the Governor-General of India in Council, and called "The Indian Penal Code," or abet within the meaning of the fifth chapter of the said Penal Code the commission of any such offence, such person shall be dealt with, in respect of such offence or abetment, as if the same had been committed in any place within British India in which he may be or may be found.

2. If the Governor-General of India in Council shall, at a meeting for making laws and regulations, amend the provisions of the said Sections 367, 370, and 371 of the said Penal Code, or any of them, or the said fifth chapter thereof, so far as relates to the abetment of any of the offences forbidden by such sections, or make any further provision for preventing or suppressing the making, buying, or selling of slaves, or any of the offences comprised in the said 3 sections, the Secretary of State for India shall, unless Her Majesty has disallowed such amendment or further provision, lay a copy of the amending Act before each House of Parliament, and after the same shall have lain on the table of both Houses of Parliament for the space of 40 days, it shall be lawful for Majesty, unless either House of Parliament shall present an address to Her Majesty to the contrary, to direct by Order in Council that the provisions of the first section of this Act shall apply to the law so amended or enlarged, and the same shall be applicable accordingly.

3. For the purpose of obtaining evidence of the commission of the offences made punishable by this Act or any Act of Parliament relating to slavery or the Slave Trade, every High Court in India shall have, as respects the persons in the first section of this Act referred to, and as respects any British colony, settlement, plantation, or territory, wherein any witness may be, the same powers as are conferred on the Court of Queen's Bench by the fourth section of an Act made and passed in the session of Parliament holden in the 6th and 7th years of Her Majesty's reign, chapter 98, with respect to such British colonies, settlements, plantations, and territories as are therein referred to.

And every High Court may, if it thinks fit, issue such commission as is mentioned in Section 330 of Act 10 of 1872, passed by the Governor-General of India in Council, and called "The

Code of Criminal Procedure," to any Consular officer of Her Majesty in the parts of Asia or Africa specified in any Order of Her Majesty in Council under Section 1 of this Act, or to any political officer or agent of the Governor-General of India in Council or of any Indian Government in the said parts or in the dominions of any Prince or State in India in alliance with Her Majesty, or to any magistrate in Her Majesty's Indian dominions.

And the dispositions taken by virtue of the said powers or under such commission shall be deemed by every Court of original or appellate jurisdiction in India in any trial or proceeding under this Act or any Act of Parliament relating to slavery or the Slave Trade to be as good and competent evidence as if the witnesses deposing had been present and examined *vivâ voce* and had made oath or affirmation as required by law.

4. And whereas by certain Orders of Her Majesty in Council made by virtue of an Act made and passed in the session of Parliament holden in the 6th and 7th years of Her Majesty's reign, chapter 94,* which Orders are dated respectively the 9th August, 1866,† and the 4th November, 1867,‡ it is ordered that the provisions of such Orders relating to British subjects shall extend and apply to all subjects of Her Majesty, whether by birth or by naturalization, and also to all persons enjoying Her Majesty's protection in the several dominions mentioned in such Orders respectively:

It is hereby declared and enacted that for the purposes of the said Orders in Council, and of any Orders in Council which Her Majesty may hereafter think fit to make by virtue of the said Act of the 6th and 7th years of Her Majesty's reign, chapter 94, all subjects of the several Princes and States in India in alliance with Her Majesty, residing and being in the several dominions comprised in such Orders respectively, are and shall be deemed to be persons enjoying Her Majesty's protection therein.

5. Nothing in this Act shall be deemed to restrict the legislative power which the Governor-General of India in Council possesses at meetings for the purpose of making laws and regulations.

6. Save as aforesaid, nothing in this Act shall be deemed to affect any Order made or to be made by Her Majesty in Council by virtue of the said Act of the 6th and 7th years of Her Majesty, chapter 94.

SCHEDULE.

8. 367 of the Indian Penal Code.—Whoever kidnaps or abducts any person, in order that such person may be subjected or may be so disposed of as to be put in

*See Vol. 6. Page 500.*  
danger of being subjected to grievous hurt, or slavery, or to the unnatural lust of any person, or knowing it to be likely that such person will be so subjected or disposed of, shall be punished with imprisonment of either description for a term which may extend to 10 years, and shall also be liable to a fine.

S. 370. Whoever imports, exports, removes, buys, sells, or disposes of, any person as a slave, or accepts, receives, or detains against his will any person as a slave, shall be punished with imprisonment of either description for a term which may extend to 7 years, and shall also be liable to a fine.

S. 371. Whoever habitually imports, exports, removes, buys, sells, traffics, or deals in slaves, shall be punished with transportation for life, or with imprisonment of either description for a term not exceeding 10 years, and shall also be liable to a fine.

ADDITIONAL ARTICLES to the Treaty between the British Government and the Khan of Khelat, of 14th May, 1854.*


WHEREAS it has become expedient to renew the Treaty of 1854, between the British Government and Nusseer Khan, Khan of Khelat, and to supplement the same by certain additional provisions calculated to draw closer the bonds of friendship and amity between the two Governments, the following Additional Articles are herewith agreed upon between the Right Honourable Edward Robert Bulwer Lytton, Baron Lytton of Knebworth, in the county of Hertford, and a Baronet of the United Kingdom, Viceroy and Governor-General of India, and Grand Master of the Most Exalted Order of the Star of India, on behalf of the British Government on the one hand, and His Highness Meer Khodadad Khan, Khan of Khelat, on the other.

ART. I. The Treaty concluded between the British Government and Meer Nusseer Khan, Khan of Khelat, on the 14th of May, 1854, is hereby renewed and re-affirmed.

II. There shall be perpetual friendship between the British Government and Meer Khodadad Khan, Khan of Khelat, his heirs and successors.

III. Whilst on his part, Meer Khodadad Khan, Khan of Khelat, binds himself, his heirs, successors, and Sirdars to observe faithfully the provisions of Article III of the Treaty of 1854, the British Government on its part engages to respect the independence of Khelat, and to aid the Khan, in case of need, in the maintenance of a just authority and the protection of his territories from external attack, by such means as the British Government may at the moment deem expedient.

IV. For the further consolidation of the friendship herewith renewed and re-affirmed between the two Governments, it is agreed on the one hand that British Agents with suitable escorts shall be duly accredited by the British Government to reside permanently at the Court of the Khan and elsewhere in His Highness's dominions, and on the other hand, that a suitable

* See Vol. 9. Page 1009.
representative shall be duly accredited by His Highness to the Government of India.

V. It is hereby agreed that should any dispute, calculated to disturb the peace of the country, arise hereafter between the Khan and the Sirdars of Khelat, the British Agent at the Court of His Highness shall in the first place use his good offices with both parties to effect by friendly advice an amicable arrangement between them, failing which the Khan will, with the consent of the British Government, submit such dispute to its arbitration, and accept and faithfully execute its award.

VI. Whereas the Khan of Khelat has expressed a desire on the part of himself and his Sirdars for the presence in his country of a detachment of British troops, the British Government, in accordance with the provisions of Article IV of the Treaty of 1854, and in recognition of the intimate relations existing between the two countries, hereby assents to the request of His Highness, on condition that the troops shall be stationed in such positions as the British Government may deem expedient, and be withdrawn at the pleasure of that Government.

VII. It is also agreed that such lines of telegraph or railway as may be beneficial to the interests of the two Governments shall be from time to time constructed by the British Government in the territories of the Khan, provided that the conditions of such construction be a matter of previous arrangement between that Government and the Government of His Highness.

VIII. There shall be entire freedom of trade between the State of Khelat and the territories of the British Government, subject to such conditions as the British Government may, at any time, in concert with the Khan of Khelat, deem necessary for the protection of fiscal interests.

IX. To aid Meer Khodadad Khan, his heirs and successors, in the efficient fulfilment of the obligations contracted by them under the Treaty of 1854, and the present supplementary engagement, the British Government hereby undertakes to pay to the said Khan, his heirs and successors, an annual sum of one lakh of rupees, so long as they shall faithfully adhere to the engagements heretofore and hereby contracted.

X. The British Government further undertakes to contribute 20,500 rupees annually towards the establishment of posts and development of traffic along the trade routes in His Highness's territories, provided such money is expended by the Khan in the manner approved of by the British Government.

Executed at Jacobabad, this 8th day of December, 1876, Anno Domini.

LYTTON, Viceroy and Governor-General of India.

(Seal) of Khan of Khelat.
ITALY.

FUNDAMENTAL STATUTE for the Government of the States of the King of Sardinia; so far as relates to declarations of War, and the conclusion of Treaties. Turin, March 4, 1848.

V. Au Roi seul appartient la puissance exécutive. Il est le Chef Suprême de l'Etat : il commande toutes les forces de terre et de mer ; déclare la guerre ; fait les Traités de paix, d'alliance, de commerce, et autres, et en donnant connaissance aux Chambres aussitôt que l'intérêt et la sécurité de l'Etat le permettent, et en y joignant les communications convenables. Les Traités qui imposeraient quelques charges aux finances, ou qui apporteraient quelque variation au territoire de l'Etat, n'auront d'effet qu'après avoir obtenu l'assentiment des Chambres.

BRITISH ORDER IN COUNCIL, extending the system of British Tonnage Measurement to Italian Vessels. Balmoral, September 30, 1873.

At the Court at Balmoral, the 30th day of September, 1873.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by "The Merchant Shipping Amendment Act, 1862,"* it is enacted:

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under "The Merchant Shipping Act, 1854,"† have been adopted by the Government of His Majesty the King of Italy, and such rules are now in force in that country, having come into operation on the 1st day of July, 1873.

Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct as follows:

1. As regards sailing ships:—That merchant sailing ships of the Kingdom of Italy, the measurement whereof, after the said 1st day of July, 1873, has been ascertained and denoted in the registers and other national papers of such sailing ships, testified by the date thereof, shall be deemed to be of the tonnage denoted in such registers and other national papers, in the same manner, and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the certi-

† 17 & 18 Vict., c. 104, §§ 21-29. See Great Britain.
The certificate of registry of British sailing ships is deemed to be the tonnage of such ships.

2. As regards steam ships:—That merchant ships belonging to the said Kingdom of Italy, which are propelled by steam or any other power requiring engine-room, the measurement whereof shall, after the said 1st day of July, 1873, have been ascertained and denoted in the registers and other national papers of such steam ships, testified by the dates thereof, shall be deemed to be of the tonnage denoted in such registers or other national papers, in the same manner, and to the same extent, and for the same purposes, in, to, and for which the tonnage denoted in the certificate of registry of British ships is deemed to be the tonnage of such ships; provided, nevertheless, that if the owner or master of any such Italian steam ship desires the deduction for engine-room in his ships to be estimated under the rules for engine-room measurement and deduction applicable to British ships, instead of under the Italian rule, the engine-room shall be measured, and the deduction calculated according to the British rules.

EDMUND HARRISON.


Le Soussigné, Chargé d’Affaires de Sa Majesté le Roi d’Italie, a reçu l’ordre de son Excellence Monsieur le Chevalier Visconti-Venosta, Secrétaire d’Etat pour les Affaires Étrangères de Sa Majesté, son Auguste Souverain, d’adresser au Gouvernement de Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d’Irlande, une déclaration de dénonciation du Traité de Commerce et Navigation actuellement en vigueur entre les deux États.

Le Soussigné a, par conséquent, l’honneur d’annoncer à son Excellence Monsieur le Comte de Derby, Secrétaire d’Etat pour les Affaires Étrangères de Sa Majesté la Reine, l’intention du Gouvernement de Sa Majesté le Roi d’Italie de faire cesser le susdit Traité de Navigation et Commerce, ainsi qu’il en a été réservé le droit aux Parties Contractantes dans les stipulations du même Traité.

Le Soussigné, &c.
Londres, le 26 Juin, 1875.

R. DE MARTINO.

Le Comte de Derby.

* See Vol. II. Page 1112.
[In consequence of the above Notice, the following Notification appeared in the London Gazette of July 2, 1875:—

"Foreign Office, July 1, 1875.

"The Secretary of State for Foreign Affairs has received a Note, dated the 26th ultimo, from the Italian Chargé d'Affaires at this Court, containing a denunciation on the part of the Italian Government of the Treaty of Commerce and Navigation between Great Britain and Italy of the 6th of August, 1863.

"The existing Treaty will accordingly expire on the 26th June, 1876."

Declarations, however, have been signed between the two countries prolonging the duration of the Convention, and it is now agreed that it shall remain in force until the 31st December, 1879. See Pages 405-408.]

---

**JAPAN.**

**BRITISH LETTERS PATENT, investing the Court of Hong Kong with Appellate Jurisdiction in British Civil Suits from Japan. July 6, 1863.**

Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland Queen, Defender of the Faith, &c.

To all to whom these presents shall come greeting:

Whereas, by an Ordinance passed by the Legislative Council of Hong Kong, in the year 1845, intituled No. 6 of 1845, "An Ordinance to repeal Ordinance No. 15 of 1844, for the establishment of a Supreme Court of Judicature at Hong Kong, and to substitute other provisions in lieu thereof," it was enacted that there should be within the said colony a Court, which should be called the Supreme Court of Hong Kong.

And whereas by certain letters patent, bearing date the 30th January, 1860, provision was professedly made for investing the said Supreme Court with appellate jurisdiction in cases of civil suits, heard and determined under authority of Her Majesty's Order in Council of the 3rd March, 1859, by British Consuls within the dominions of the Emperor of Japan, but such Order in Council had been repealed previously to the date of the said letters patent, that is to say, by Her Majesty's Order in Council of the 23rd of January.

And whereas it is expedient that the said letters patent should be revoked.

Now, know ye, that, upon consideration of the premises, and of our certain knowledge and mere motion, we have thought fit to direct and ordain, and do direct and ordain, as follows:
1. The aforesaid letters patent of the 30th day of January, 1860, are hereby revoked and determined.

And whereas by the 13th section of an Order in Council, bearing date the 23rd of January, 1860, it was ordered that, in the event of any suit of a civil nature arising between British subjects within the dominions of the Tycoon of Japan, it should be lawful upon the application of any party to such suit, for the Consul of the district within which the party sued should be found, to hear and determine such suit, subject in case the sum in dispute should exceed 1,000 dollars to an appeal to the Supreme Court of the colony of Hong Kong, and that every such appeal should be made and conducted in the manner and form, and under the same conditions as were prescribed by the said Order in Council in cases in which the defendant only was a British subject.

And whereas by the 28th section of the aforesaid Order in Council, it was further ordered that the Supreme Court of the colony of Hong Kong should have, and might exercise concurrently with Her Majesty's Consul, authority and jurisdiction in regard to all suits of a civil nature between British subjects, arising within any parts of the dominions of the Emperor of Japan: Provided always that the said Supreme Court should not be bound, unless in a fit case it should deem it right so to do, by writ of "Certiorari," or otherwise to debar or prohibit the Consul from hearing and determining, pursuant to the provisions of the several sections of the said Order, any suit of a civil nature between British subjects or to stay the proceedings of a Consul in any such matter.

2. We do further direct and ordain that if any party to any such suit as aforesaid, heard and determined in Japan, and in which the sum in dispute shall exceed 1,000 dollars, shall be dissatisfied with the decision given upon the said suit by the Consul before whom the same shall be heard or tried, it shall be lawful for such party, within 15 days after such decision, to give to the Consul notice of appeal to the Supreme Court of Hong Kong, whereupon the Consul shall, with as little delay as possible, stamp with his Consular seal and transmit to the said Supreme Court all the documents which were produced before him, and none other, and also the notes taken by him of the evidence adduced in the said suit, together with a statement of the grounds on which he formed his decision, and an exact copy of the order made by him, and shall forthwith notify to the several parties the transmission thereof. Provided always that it shall be lawful for the Consul to require from any party appealing to the said Court reasonable security, which shall consist in part of one or two sufficient sureties, to be approved by the Consul, that such party shall and will abide by the decision to be given by the said Supreme Court, and pay all such costs
of and incidental to such appeal, as the said Supreme Court shall direct.

3. And we do further direct and ordain that it shall be competent to the said Supreme Court, and the said Court is hereby required to take into consideration such documents and statements, and decide upon the same, and to communicate its decision to the Consul, who shall forthwith proceed to carry the same into execution.

4. And we do further direct and ordain that in any appeal to the said Court from the decision of a Consul, it shall not be open to any party, except as hereinafter is provided, to adduce any further evidence than that which was laid before the Consul, and that a party shall not be required to appear personally to prosecute an appeal or support a sentence. Provided always that in all appeals from the decision of a Consul, it shall be lawful for a party to allege facts essential to the issue of the suit which have come to his knowledge subsequently to the decision of the Consul, and to produce evidence in support of such facts; and provided also that it shall, moreover, be lawful for the said Court to admit any further legal evidence besides that adduced before the Consul; on its being established to the satisfaction of the said Court by oath on personal examination or by affidavit that the party desiring to produce such further evidence was ignorant of the existence of such evidence, or was taken by surprise at the hearing before the Consul, or was unable to produce it before the Consul after due and reasonable diligence and exertion on his part in that behalf; or wheresoever under the particular circumstances of the case, it shall appear to the said Court that further evidence ought to be received.

5. And we do hereby give and grant to the said Supreme Court full jurisdiction, power, and authority to hear and determine all such causes, suits, matters, and things as are mentioned and comprised in the said 28th Article of the aforesaid Order in Council of 23rd January, 1860.

6. And we do further direct and ordain that it shall be lawful for the said Court to make such rules, orders, and regulations, not being inconsistent with the provisions of the said Order in Council, or with these our letters patent, or with the laws in force in Hong Kong, as may, in the judgment of the said Court, be requisite for the speedy and effectual decision of the aforesaid appeals, and also of the said causes, suits, matters, and things. Provided always that all such rules, orders, and regulations, shall forthwith be communicated to the Governor of Hong Kong, and by him be transmitted to us, our heirs and successors, under the seal of the said Court, for our or their approval or disallowance, to be signified through one of our Principal Secretaries of State, to the said Governor.

In witness whereof we have caused these our letters to be
TREATY OF COMMERCE between Great Britain and the Ameer of Kashgar and Yarkund. Signed at Kashgar, February 2, 1874.

TREATY between the British Government and His Highness the Ameer Mahomed Yakoob Khan, Ruler of the territory of Kashgar and Yarkund, his heirs and successors, executed on the one part by Thomas Douglas Forsyth, C.B., in virtue of full powers conferred on him in that behalf by his Excellency the Right Honourable Thomas George Baring, Baron Northbrook, of Stratton, and a Baronet, Member of the Privy Council of Her Most Gracious Majesty the Queen of Great Britain and Ireland, Grand Master of the Most Exalted Order of the Star of India, Viceroy and Governor-General of India in Council, and on the other part by Syud Mahomed Khan Toorah, Member of the First Class of the Order of Medjedie, &c., in virtue of full powers conferred on him by His Highness.

WHEREAS it is deemed desirable to confirm and strengthen the good understanding which now subsists between the High Contracting Parties, and to promote commercial intercourse between their respective subjects, the following Articles have been agreed upon:

ART. I. The High Contracting Parties engage that the subjects of each shall be at liberty to enter, reside in, trade with, and pass with their merchandise and property into and through all parts of the dominions of the other, and shall enjoy in such dominions all the privileges and advantages with respect to commerce, protection, or otherwise, which are or may be accorded to the subjects of such dominions, or to the subjects or citizens of the most favoured nation.

II. Merchants of whatever nationality shall be at liberty to pass from the territories of the one Contracting Party to the territories of the other with their merchandise and property at all times and by any route they please; no restriction shall be placed by either Contracting Party upon such freedom of transit, unless for urgent political reasons to be previously communicated to the other; and such restriction shall be withdrawn as soon as the necessity for it is over.
III. European British subjects entering the dominions of His Highness the Ameer, for purposes of trade or otherwise, must be provided with passports certifying to their nationality. Unless provided with such passports they shall not be deemed entitled to the benefit of this Treaty.

IV. On goods imported into British India from territories of His Highness the Ameer by any route over the Himalayan Passes which lie to the south of His Highness's dominions, the British Government engages to levy no import duties. On goods imported from India into the territories of His Highness the Ameer no import duty exceeding 2½ per cent. ad valorem shall be levied. Goods imported as above into the dominions of the Contracting Parties may, subject only to such excise regulations and duties, and to such municipal or town regulations and duties as may be applicable to such classes of goods generally, be freely sold by wholesale or retail, and transported from one place to another within British India, and within the dominions of His Highness the Ameer respectively.

V. Merchandise imported from India into the territories of His Highness the Ameer will not be opened for examination till arrival at the place of consignment. If any disputes should arise as to the value of such goods the Customs officer or other officer acting on the part of His Highness the Ameer, shall be entitled to demand part of the goods at the rate of 1 in 40 in lieu of the payment of duty. If the aforesaid officer should object to levy the duty by taking a portion of the goods, or if the goods should not admit of being so divided, then the point in dispute shall be referred to two competent persons, one chosen by the aforesaid officer and the other by the importer, and a valuation of the goods shall be made; and if the referees shall differ in opinion they shall appoint an arbitrator, whose decision shall be final, and the duty shall be levied according to the value thus established.

VI. The British Government shall be at liberty to appoint a Representative at the Court of His Highness the Ameer, and to appoint commercial agents subordinate to him in any towns or places considered suitable within His Highness's territories. His Highness the Ameer shall be at liberty to appoint a Representative with the Viceroy and Governor-General of India, and to station commercial agents at any places in British India considered suitable. Such Representatives shall be entitled to the rank and privileges accorded to Ambassadors by the law of nations, and the agents shall be entitled to the privileges of Consuls of the most favoured nation.

VII. British subjects shall be at liberty to purchase, sell, or hire land, or houses, or depôts, for merchandise in the dominions of His Highness the Ameer, and the houses, depôts, or other premises of British subjects shall not be forcibly entered or
searched without the consent of the occupier, unless with the
cognizance of the British Representative or Agent, and in
presence of a person deputed by him.

VIII. The following arrangements are agreed to for the
decision of civil suits and criminal cases within the territories of
His Highness the Ameer in which British subjects are con-
cerned:

(a.) Civil suits in which both plaintiff and defendant are
British subjects, and criminal cases in which both prosecutor
and accused are British subjects, or in which the accused is a
European British subject mentioned in Article III of this
Treaty, shall be tried by the British Representative or one of
his agents, in the presence of an agent appointed by His
Highness the Ameer.

(b.) Civil suits in which one party is a subject of His High-
ness the Ameer and the other party a British subject, shall be
tried by the Courts of His Highness in the presence of the
British Representative, or one of his agents, or of a person
appointed in that behalf by such Representative or agent.

(c.) Criminal cases in which neither prosecutor nor accused
is a subject of His Highness the Ameer shall, except as above
otherwise provided, be tried by the Courts of His Highness in
presence of the British Representative or of one of his agents,
or of a person deputed by the British Representative, or by one
of his agents.

(d.) Except as above otherwise provided, civil and criminal
cases in which one party is a British subject and the other the
subject of a foreign Power, shall, if either of the parties is a
Mahomedan, be tried in the Courts of His Highness; if neither
party is a Mahomedan, the case may, with consent of the
parties, be tried by the British Representative or one of his
agents; in the absence of such consent, by the Courts of His
Highness.

(e.) In any case disposed of by the Courts of His Highness
the Ameer to which a British subject is party, it shall be com-
petent to the British Representative, if he considers that justice
has not been done, to represent the matter to His Highness the
Ameer, who may cause the case to be retried in some other
Court, in the presence of the British Representative or of one of
his agents, or of a person appointed in that behalf by such
Representative or agent.

IX. The rights and privileges enjoyed within the dominions
of His Highness the Ameer by British subjects under this Treaty
shall extend to the subjects of all Princes and States in India in
alliance with Her Majesty the Queen; and if, with respect to
any such Prince or State, any other provisions relating to this
Treaty, or to other matters, should be considered desirable, they
shall be negotiated through the British Government.
X. Every affidavit and other legal document filed or deposited in any Court established in the respective dominions of the High Contracting Parties, or in the Court of the Joint Commissioners in Ladakh, may be proved by an authenticated copy, purporting either to be sealed with the seal of the Court to which the original document belongs, or in the event of such Court having no seal, to be signed by the judge, or by one of the judges of the said Court.

XI. When a British subject dies in the territory of His Highness the Ameer, his movable and immovable property situate therein shall be vested in his heir, executor, administrator, or other representative in interest, or (in the absence of such representative) in the Representative of the British Government in the aforesaid territory. The person in whom such charge shall be so vested shall satisfy the claims outstanding against the deceased, and shall hold the surplus (if any) for distribution among those interested. The above provisions, mutatis mutandis, shall apply to the subjects of His Highness the Ameer who may die in British India.

XII. If a British subject residing in the territories of His Highness the Ameer becomes unable to pay his debts, or fails to pay any debt within a reasonable time after being ordered to do so by any Court of justice, the creditors of such insolvent shall be paid out of his goods and effects; but the British Representative shall not refuse his good offices, if needs be, to ascertain if the insolvent has not left in India disposable property which might serve to satisfy the said creditors. The friendly stipulations in the present Article shall be reciprocally observed with regard to His Highness's subjects who trade in India under the protection of the laws.

This Treaty having this day been executed in duplicate, and confirmed by His Highness the Ameer, one copy shall, for the present, be left in possession of His Highness, and the other, after confirmation by the Viceroy and Governor-General of India, shall be delivered to His Highness within twelve months in exchange for the copy now retained by His Highness.

Signed and sealed at Kashgar on the 2nd day of February, in the year of Our Lord, 1874, corresponding with the 15th day of Zilhijj, 1290 Hijri.

T. DOUGLAS FORSYTH, Envoy and Plenipotentiary.

WHEREAS a Treaty for strengthening the good understanding that now exists between the British Government and the Ruler of the territory of Kashgar and Yarkund, and for promoting commercial intercourse between the two countries, was agreed upon and concluded at Kashgar on the 2nd day of February, in the year of Our Lord, 1874, corresponding with the 15th day of Zilhijj, 1290 Hijri, by the respective Plenipo-
tentiaries of the Government of India and of His Highness the Ameer of Kashgar and Yarkund duly accredited and empowered for that purpose: I, the Right Honourable Thomas George Baring, Baron Northbrook, of Stratton, &c., &c., Viceroy and Governor-General of India, do hereby ratify and confirm the Treaty aforesaid.

Given under my hand and seal at Government House in Calcutta, this 13th day of April, in the year of Our Lord, 1874.

NORTH BROOK.

MADAGASCAR.

EDICT proclaiming the Emancipation of all Mozambique Slaves in Madagascar. June 20, 1877.

Antananarivo, June 20, 1877.

RANAVALOMANJAKA, by the Grace of God, and the will of the people, Queen of Madagascar, and Defender of the Country’s Laws, &c.

1. This is what I say to you, O ye Ambanilanitra (lit. under the heavens, a term designating all free subjects): This country and this kingdom God save to Andrianampoinimerina to be their Lord. And I tell you also, that while Andrianampoinimerina reigned over this country he laid the foundations of the union of Tmenira, for he ruled it with equity and rectitude, and therefore Tmenira was united by him; the country enjoyed peace, the kingdom enjoyed peace, for he was a Sovereign who did not break his word with any one; and I tell you this, O ye Ambanilanitra, that it may be known by you all: for the rich possessed their own, and the poor possessed their own.

Nevertheless, O ye Ambanilanitra, those laws of the kingdom which were made by him at that time, were made by him in order that the country as well as the kingdom might enjoy peace, and so they were obeyed by your grandfathers and by your fathers, for none of your grandfathers and none of your fathers dared disregard those laws, or treat them as trifles, for whatever Andrianampoinimerina commanded to be done or left undone, was fulfilled and obeyed by your grandfathers, your fathers, and the Ambanilanitra.

Again, what was regarded by your grandfathers and your fathers as calculated to benefit the country and the kingdom, was not in those days rejected by Andrianampoinimerina, but was agreed to and followed by him because he did not break
his word in matters habitually searched out by him as means to improve the country and kingdom; for he, as Sovereign, pointed out and revealed the principles of equity which were to be followed, and these who owned him as Lord on the other hand did not hold the Sovereign back from those measures which should be adopted in order to benefit the country and kingdom. In consequence of this Tmenira enjoyed peace, and I tell you this, O Ambanilanitra, that you may hear it, for children only are left as successors to their fathers, the Bekotromaroholatra (lit. soldiers who from long service and their many wounds have been discharged, i.e., the trusted soldiers of Andrianampoinimerina and Radama I), having passed away.

2. And again, in the time of Lehidama (Radama I) when these very Bekotromaroholatra were those who continued to guard and surround Lehidama, this was what Andivanampoinimerina said to these Bekotromaroholatra: I intend to appoint Damalahy over you, and you must watch over him in order that he may have no occasion of feeling shame, and do not desert him, for you who joined me in the work of union are all still alive, and for this kingdom's sake I made my life as nothing, and endured self-denial.

But let Lehidama be as the young of birds to whom you will present your work when finished, for many will be the things required by him, and it will be you who will do them, wherefore do not treat him falsely or anger him because he sees not; but take care of those things which will be for Lehidama's and the kingdom's good, and when you remember me, then go to him, and behave towards him as you have done towards myself, and do not be spoken of behind his back, and do not be deceived, for the Sovereign has no relations, for they only who obey his words and believe the laws are his relations.

"But still, I tell you, O Lehidama, that if these same people do what is not right by the kingdom, cut them down and cast them away, for I have no obligation to return to them, or favour to ask of them. So, I tell you, O Lehidama, search only for that which will benefit and strengthen this kingdom, for it is you only who are the chief person of the kingdom, and behold these men! they will work together with you."

And when Lehidama reigned, O ye Ambanilanitra, Lehidama and those Bekotromaroholatra did what might benefit this country and kingdom, as the means of keeping the good advice of Andrianampoinimerina, and many were the things which Lehidama did to improve this country and kingdom, for his rank was not made by Lehidama an excuse for idleness, but to the utmost of his power he obeyed his father's commands, and did what he could to increase the material welfare of his kingdom, and to make this island a single monarchy in order that the Ambanilanitra might live in ease and comfort.
Again, Lehidama being no idle monarch, nor vainly jealous of his prerogatives, what he did for the good of the country and the kingdom, he did it not simply as the Sovereign, and whatever Laws and Treaties were made by him, these were not broken by your grandfathers and fathers, O ye Ambanilanitra, for they followed and obeyed them in order that the kingdom might be in peace. And whoever transgressed the Laws and Treaties made by him, no matter how high in rank that person may have been, your grandfathers did not make Lehidama responsible for that transgression, but the guilty one was condemned by them according to the Laws and Treaties; and Lehidama on the other hand did not say of any one, whether high or low in rank, “This man is my near relation:” but whoever transgressed in those days was punished by him according to the Laws and Treaties, that the words of Andrianampoinimeri and his own words might be fulfilled, for God had given him the country and the kingdom. Moreover, there are they who still live who worked together with him, and I also tell you, O ye Ambanilanitra, that you may hear.

3. Again, when Rabodonandrianampoinimerina (Ranavolona I) was on the throne, she also stood by the commands of Andrianampoinimerina and Lehidama, that she might hold the country and the kingdom, and she also did what might benefit them that the good advice of Andrianampoinimerina might not be changed, and I will not mention that I, too, together with you saw this, O ye Ambanilanitra, for you have seen and heard all that passed in the presence of Rabodonandrianampoinimerina; and who of you, O ye Ambanilanitra, dared transgress the laws of the kingdom, and the measures to which you had given your consent in the presence of Rabodonandrianampoinimerina? And who of you that transgressed the laws and lost not all you had, and was not punished by Rabodonandrianampoinimerina according to the laws? And that was done by you, O ye Ambanilanitra, that you might not be vainly proud of having Andrianampoinimerina and Lehidama and Rabodonandrianampoinimerina, and the commands and laws were obeyed by you, that the country and the kingdom might be in peace; for it was no ordinary mortal who was loved by you and was dear to you but Rabodonandrianampoinimerina, that the words of Andrianampoinimerina and Lehidama might not be changed, and I tell you this for a thing to be known by you, O ye Ambanilanitra.

4. And when we come to the time of Rasoherimanjaka, O ye Ambanilanitra, the commands of Andrianampoinimerina, of Lehidama, and of Rabodonandrianampoinimerina, were unchanged by Rasoherimanjaka, and she did what might improve them, and they were held tight by you, Ambanilanitra, that you might by means of them keep possession of the country.
and kingdom, but Rasoherimanjaka, and you, O ye Ambanilanitra, did not suffer from battle but by your friendships.

And in consequence of that she made a Treaty with her relations across the seas in 1865*(12 years since). And amongst the words of that Treaty, O ye Ambanilanitra, are words which say: People stolen from across the seas are not to be introduced either to be sold or bought as slaves in Madagascar, and these said words, O ye Ambanilanitra, you both know and have seen to be the very words of the Treaty. Again, O ye Ambanilanitra, when the time and the necessity came of making that Treaty with her relations across the seas, Rasoherimanjaka did not do so by herself as Sovereign, but she asked leave of her father and mother, for the Ambanilanitra were her father and her mother. Wherefore, the words of that Treaty which she made with her relations across the seas, were agreed to by you; for you, O ye Ambanilanitra, were made by her to take the place of Andriampanoinimerina and Lehidama and Rabodonandrianampoinimerina, for she was appointed by them over you, and you were left by them to her.

So in the time of Rasoherimanjaka, O ye Ambanilanitra, each one of you was told, both those in the central provinces, as well as those on the sea coast, strictly to observe that people stolen from across the seas cannot be enslaved or sold as slaves, on account of the words agreed to by her with her relations across the seas, and I tell you that you may know well, O ye Ambanilanitra.

5. And now we come to my own time, the time of me, Ranavalomanjaka, O ye Ambanilanitra, for God gave me the country and the kingdom, for it was I who succeeded to the 12 Kings, and am the lawful successor of the last 4 Sovereigns, and I remind you, O ye Ambanilanitra, that I have been appointed by them over you, and you were left by them to me.

Wherefore, O ye Ambanilanitra, I reposed my kingdom upon God, that I might conduct you in the ways of equity and uprightness. Therefore, whatever commands have been left by Andrianampoinimerina, and by Lehidama, and by Rabodonandrianampoinimerina, and by Rasoherimanjaka, both you, O ye Ambanilanitra, and I refuse to allow to be changed by any one, or to be set aside as forgotten or unknown; and especially if any one, be he of what rank he may, by fancying that he has a sovereign partial to him shall change my commands, and shall say: “It does not matter. It is not so, O ye Ambanilanitra?”

Therefore, this is what I say to you, Ambanilanitra, both you, O ye Ambanilanitra, and I refuse to disregard the Treaty made by Rasoherimanjaka with her relations across the seas.

and to which you agreed. O ye Ambanilanitra, for she did not do it on her own authority as Sovereign, but asked leave of her father and her mother, for she put you in the place of the family of 4 (i.e. the last 4 Sovereigns), and especially that part of the Treaty which says that people stolen from across the seas must not be introduced into the Kingdom of Madagascar, either to be sold or bought. Is it not so, O ye Ambanilanitra?

Wherefore concerning this matter, I have heard, for all about me are as my eyes and my ears, that Mozambiques coming from across the seas are taking into the unknown parts of the country, and are there taught to speak Malagasy; and then after they are acquainted with the Malagasy language, are dispersed over the land in order to be sold, and because the buyers wish to have a profit, and the sellers wish to realise, they are even brought into the centre of the country by ways which are thought cannot be discovered. And when I heard this, O ye Ambanilanitra, I made a Proclamation in 1874,* lest the words agreed to between Rasoherimanjaka and her relations across the seas should be broken, which words you too have agreed to, and because I am the successor of Rasoherimanjaka, I made an order saying, "I have placed amongst my subjects the Mozambiques who have come into Madagascar during the 9 years since the Treaty was made, for they cannot be enslaved; and I acted like that with you, Ambanilanitra, for it is difficult the breaking of Treaties. And after that, O ye Ambanilanitra, I waited for those who ought to have delivered the new Mozambiques, saying: These are our new ones during the 9 years, and we bring them here to you their master; however there was none amongst you who delivered any up to me, and I was astonished, O ye Ambanilanitra; for at some of the ports only were some that were delivered up, and these I have released to be free subjects.

Nevertheless, O ye Ambanilanitra, you know well enough that some have new Mozambiques, but you did not tell me, and appeared as though you did not see, while those who had them were your own neighbours, even those who were to the east and west, and north and south of you, and how could you not have known who have any of them, whether old ones from the time of Lehidama, or from the time of Rabodonandrianampoinimerina, or ones from the time of Radama II, or whether they were new ones from the times of Rasoherimanjaka's making the Treaty with her relations across the seas?

And have I not distinctly told you, saying, "The Mozambiques since the 9 years the Treaty's being in operation I have liberated to be free subjects? Nevertheless, up to the present time none of you have delivered any up."

* Page 410.
And at this very present time, O ye Ambanilanitra, I have truly heard that some continue to devise wicked plans, and are introducing Mozambiques into the borders of the land in ways not to be discovered, and are regarded as old slaves, and others continue to buy them. Wherefore, if this is being done in my country and in my kingdom to overthrow the Treaty agreed to between Rasoherimanjaka and her relations across the sea, you, O ye Ambanilanitra, and I have nothing to do with these, for who is her successor but I, Ranavalomanjaka, for God has given to me the country and the kingdom.

And I remind you, O ye Ambanilanitra, that here in our native land, according to the laws of the kingdom, any one who buys stolen property is punishable, and especially in this the case with the Mozambiques coming from across the seas whom you know to be stolen property, and still they are bought by you, and there are some who make believe that it cannot be discovered who are the purchasers, and who are the sellers, and who wish to possess.

So I tell you, O ye Ambanilanitra, for it was I whom God appointed to be the lord of the country and the kingdom, that I make an end of this business now, O ye Ambanilanitra, for I am a Sovereign who loves not idle prattle, and do liberate every Mozambique that is in my kingdom to be a free subject of mine, whether he be an old or a new slave. Is it not so, O ye Ambanilanitra?

And if any one does not obey this word of mine, and still continues to enslave Mozambiques, I condemn that person, O ye Ambanilanitra, and I shall punish him according to the laws of the kingdom. Is it not so, O ye Ambanilanitra?

And I tell you also, O ye Ambanilanitra, that whoever buys or whoever sells, such buying and such selling is no longer legal, for the matter is finished. And if any one acts as though such bartering were legal I shall consider him guilty. For is it not so, O ye Ambanilanitra?

And if these words of mine which I have commanded respecting them be used by you to befool the wise, or encourage the foolish, or cause terror in my country and in my kingdom; if any one does this, O ye Ambanilanitra, no matter who he is, I shall consider him worthy of death, for I am a Sovereign who deceives not. For is it not so, O ye Ambanilanitra?

And I say to you further, O ye Ambanilanitra, let those be confident who observe the words of Andrianampoinimerina, and I do not change the words of Lehidama and Rabodonandrianampoinimerina and Rasoherimanjaka, and especially those who keep the words of me, Ranavalomanjaka, for I am the successor of the family of from 4 (i.e., the last 4 Sovereigns), and I am she who is the defender of the husband or wife, I am she who is the defender of the child, I am she who is the defender of
property, and when I say be confident, be confident in truth. For is it not so, O ye Ambanilanitra? says

RAINIVALOMANJAKA, Queen of Madagascar.
RAINILAIARIAMONIY, Prime Minister and Commander-in-Chief.

[On the following day a Decree was issued by the Queen of Madagascar, providing for the maintenance of all freed slaves pending their settlement in villages, or their obtaining employment.]

MEXICO.

SPEECH of the President of Mexico, on the opening of Congress; so far as relates to the termination of Treaties with certain Foreign Powers, and the Protection of Foreigners. Mexico, December 8, 1867.

(Translation.)

On account of the intervention, our relations with the European Powers have been severed. Three of them by virtue of the Convention of London,* put themselves in a state of war with the Republic. Subsequently, France alone continued the task of intervention, but afterwards, the so-called Government which she supported was recognised by the European Governments that had relations with the Republic, which they then disowned, and abandoned the condition of neutrality. In that manner those Governments broke their Treaties with the Republic, and the relations with us have been and still are severed. The conduct of the Government of the Republic has had to be regulated by reason of that of the aforesaid Governments. Without asking anything of them our Government has taken care that nothing should be done that could justly be considered as a cause of offence; and it will not raise any difficulty against the possibility of concluding new Treaties under fitting circumstances, and on just and suitable conditions especially in what relates to the interests of commerce.

The Government has also taken care that the subjects of those nations, who reside in the Republic, shall be under the protection of the laws and the authorities. The efficacy of that protection has been sufficient to prevent cause for complaint. It has been practically demonstrated that from the enlightenment of our nation, and from the principles of our liberal institutions, foreigners resident in Mexico are, without any necessity for the special protection of Treaties, considered as on an equality with Mexicans, and enjoy the rights and guarantees conceded by the laws.

LAW of the Netherlands, relating to Sea Fisheries. The Hague, June 13, 1857.

ART. I. All persons shall enjoy full liberty to exercise the various branches of sea-fishery as they may think proper.

II. The prohibition to import cleaned and salted herrings, the produce of foreign fisheries, and the temporary prohibition to import foreign uncleaned salted herrings, as provided by existing laws, shall be repealed. The condition of reciprocity in reference to the importation of foreign sea-fish, stipulated by the same laws, shall be withdrawn.

III. An opportunity shall always be afforded to all persons, having an interest therein, to have cleaned herrings, the produce of Netherlands fishery, examined at their own expense, and to have the barrels branded with such a mark as shall indicate the quality of the fish contained therein.

The conditions and the manner of examination shall be regulated by us in a Decree to be advertised in the Official Gazette, on a representation emanating from the Board mentioned in Article V.*

IV. The forging, damaging, or altering of marks, or complicity in such offences, shall be punished by imprisonment of not less than one month and not more than one year, and a fine of not less than 100 fl. and not more than 1,000 fl.

The packing of unexamined herrings or of herrings examined and pronounced to be of another sort, in barrels branded with an official mark, and the selling of herrings packed in barrels which bear an altered or forged mark, shall be considered equivalent to the alteration of marks, and be punished accordingly.

The fish, barrels, &c., with which the offence has been committed shall be seized and declared forfeited for the benefit of the poor of the commune in which the examination was held.

V. The promotion of the interests of the sea-fisheries shall be committed to a "Fishery Board."

This Board shall furnish the Government with observations and information in regard to all matters connected with sea-
fishery, and shall endeavour as much as possible to promote the
development of this branch of industry by investigating,
making known, and helping to introduce improvements which
have already been adopted elsewhere.

The Board shall be composed of 9 members, to be named by
us, the majority of whom shall consist of persons in no way
connected with the interests of the sea-fishery.

The members shall hold office for 3 years.

A third of their number shall retire annually according to
a list to be drawn up for that purpose.

The retiring members may be immediately re-appointed.

A list of instructions approved by us shall regulate the
work of the Board.

The expenses of administration and the further expenditure
of the Board shall be regulated by us and be annually included
in the public estimate.

VI. The Fishery Board shall appoint, subject to the approval
of our Minister of the Interior, at all places where it shall deem
necessary, persons charged with the examination of all herrings
submitted to them and the branding of the barrels.

Before entering upon their office the examining officers shall
take an oath or make an affirmation before the mayor of the
commune in which they reside that they will exactly, faithfully,
and honourably discharge the duties of their office.

The scale of fees to be received by the examining officers
from such persons as avail themselves of the examination shall
be regulated by the Board, subject to our approval.

VII. In addition to the examining officers mentioned in
Article VI of this Law, the heads of local administrations, the
officers and agents of the ordinary and communal police are
bound to make known violations of the provisions of Article IV,
by means of written reports.

VIII. These written reports shall be drawn up as quickly as
possible by the officials mentioned in the preceding Article
under the oath taken by them on entering upon their office or
sworn to within 48 hours after their being drawn up, before the
district judge or before the head of the communal authority,
either at the place in which the offence was committed, or where
the officers or one of them resides.

The violations of the Law may also, without such report,
be proved by such evidence as is mentioned in the Criminal
Code.

IX. The reports of violations of this Law shall be transmitted
to the proper prosecuting officer of the Government, in order
that the cases may be tried and determined according to the
Criminal Code.

X. This Law shall come into operation before January 1st,
1858.
On this Law coming into operation the Law of March 18th, 1818, and the Law of April 10th, 1854, shall be null and void.
The Hague, June 13th, 1857.

REGULATIONS between Great Britain and the Netherlands, for the conduct of Telegraphic Correspondence between the two countries. The Hague, December 19, 1870.*

The Undersigned, his Excellency Mr. Peter Philip van Bosse, His Netherland Majesty's Minister of Finance, and Vice-Admiral the Honourable Edward Alfred John Harris, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of the Hague, duly authorised by their respective Governments, have agreed upon the following Regulations for the conduct of telegraphic correspondence between the two countries, in substitution for the regulations contained in the concession, granted on the 10th of July, 1858, by the Netherland Government to the International Telegraph Company, who have made over their lines and other property to the British Government:

Art. I. The submarine cables between the Netherlands and Great Britain shall continue to be used for international correspondence between the Netherlands and Great Britain, and the British Government engages to maintain those cables in good order.

II. The Netherland Government undertakes to maintain, renew, and pay all expenses necessary for the proper working of the land line, which starts from the point where the cables end on the Dutch coast to the Telegraph Office at Amsterdam, on condition that the line and all materials and instruments belonging to it shall be handed over to the Netherland Government, who shall be empowered to make what further use they may think fit of the line, provided such further use shall in no way affect the working of the wires connected with the cables.

III. To facilitate the examination and repair of its cables, when necessary, the Netherland Government shall place at the disposal of the British Government the hut, provided with all necessary instruments and apparatus, situated on the spot, where the cables end and the land-line commences on the Netherland coast. The officers charged with the examination and repair of the cables shall arrange with the telegraph

* Signed also in the Dutch language.
IV. The Contracting Governments engage to introduce for the submarine telegraph service between the two Kingdoms all recognised improvements in apparatus and instruments.

VI. The British Government reserves the right to continue to lease the cables to the Submarine Telegraph Company, or to any other company or person.

VII. In the case referred to in the preceding Article, the service of the international lines shall be regulated by arrangement between the party or the managing official of the company to whom the lines are leased and the chief of the Netherland telegraphic administration. The regulation of the accounts shall also take place between the same parties.

IX. The British Government undertakes to give 3 months' notice in the event of its intending to lease the cables to any other party or parties.

X. The Netherland and British Governments respectively agree not to accord a concession for the establishment and working of a new line of submarine cable between the two countries, except by mutual consent.

XI. The present Agreement shall remain in force for 25 years from the date upon which it shall come into operation, and may be cancelled at any time after that period, upon the expiration of 12 months' notice from either Government.

XII. This Agreement shall come into operation on the 1st of January, 1871.

In witness whereof the Undersigned have signed the present Articles, and have affixed thereto the seal of their arms.

Done at the Hague, the 19th day of December, in the year of Our Lord, 1870.

(L.S.) E. A. J. HARRIS.
(L.S.) VAN BOSSE.
[BRITISH ORDER IN COUNCIL, extending the system of British Tonnage Measurement to Netherland Vessels. Balmoral, October 26, 1875.]

At the Court at Balmoral, the 26th day of October, 1875.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by “The Merchant Shipping Act Amendment Act, 1862,” it is enacted:

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under “The Merchant Shipping Act, 1854,” have been adopted by the Government of His Majesty the King of the Netherlands with the exception of a difference in the mode in certain steamers of estimating the allowance for engine room, and such rules are now in force in that country, having come into operation on the 1st day of January, 1876, Her Majesty is hereby pleased, by and with the advice of Her Privy Council, to direct as follows:

1. As regards sailing ships, that merchant sailing ships of the said Kingdom of the Netherlands, the measurement whereof after the said 1st day of January, 1876, has been ascertained and denoted in the registers and other national papers of such sailing ships, testified by the date thereof, shall be deemed to be of the tonnage denoted in such registers and other national papers in the same manner and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the certificate of registry of British sailing ships is deemed to be the tonnage of such ships.

2. As regards steam ships, that merchant ships belonging to the said Kingdom of the Netherlands which are propelled by steam or any other power requiring engine room, the measurement whereof shall after the said 1st day of January, 1876, have been ascertained and denoted in the registers and other national papers of such steam ships, testified by the dates thereof, shall be deemed to be of the tonnage denoted in such registers or other national papers in the same manner and to the same extent, and for the same purpose, in, to, and for which the tonnage denoted in the certificate of registry of British ships is deemed to be the tonnage of such ships: Provided nevertheless that if the owner or master of any Dutch steam ship desires the deduction for engine room in his ships to be estimated under the rules for engine room measurement and deduction applicable to British ships instead of under the Dutch rule, the

† 17 & 18 Vict., c. 104, §§ 21-29. See Great Britain.
British Notice to Fishermen fishing off the Coast of Holland.

London, May, 1876.

Complaints having been made to Her Majesty's Government that the crews of certain British fishing boats have misconducted themselves when off the Dutch coast, by sailing across and cutting the nets of, and by ill-treating Dutch fishermen: Notice is hereby given, that every endeavour will be used by Her Majesty's Government to assist the Dutch authorities in repressing all such outrages, and in bringing the offenders to justice.

British fishermen are hereby warned that, in the event of a repetition of any of the offences complained of, the offenders will not only be liable, when the offences are committed within the Dutch territorial limits, to be arrested and proceeded against by the competent authorities in Holland, but will further, and wherever the offences may be committed, be liable to proceedings in this country under Section 267 of "The Merchant Shipping Act, 1854," which is as follows:

"All offences against property or person committed in or at any place, either ashore or afloat, out of Her Majesty's dominions by any master, seaman, or apprentice, who at the time when the offence is committed is or within 3 months previously has been employed in any British ship, shall be deemed to be offences of the same nature respectively, and be liable to the same punishments respectively, and be enquired of, heard, tried, determined, and adjudged in the same manner and by the same Courts and in the same places as if such offences had been committed within the jurisdiction of the Admiralty of England; and the costs and expenses of the prosecution of any such offence may be directed to be paid as in the case of costs and expenses of prosecutions for offences committed within the jurisdiction of the Admiralty of England."

C. Cecil Trevor, Assistant Secretary.

Board of Trade, May, 1876.

[This Notice was re-issued in August, 1879.]
Circulaire du 20 Octobre, 1876, à tous les membres de l'Union Générale des Postes d'admettre dans l'Union l'ensemble des colonies Néerlandaises, aux mêmes conditions que l'ont été les colonies Françaises et l'Inde Britannique, c'est-à-dire aux conditions de l'arrangement signé à Berne le 27 Janvier, 1876, et aucune objection contre cette proposition n'ayant été présentée dans le délai de 6 semaines, prescrit par Article XVII, paragraphe 6, du Traité de Berne du 9 Octobre, 1874:

Les Soussignés, dûment autorisés à cet effet, constatent par le présent acte diplomatique l'adhésion définitive dès le 1 Mai, 1877, du Gouvernement des Pays-Bas, pour l'ensemble des colonies Néerlandaises, aux stipulations du Traité concernant la création d'une Union Générale des Postes, conclu à Berne le 9 Octobre, 1874, ainsi qu'aux dispositions du règlement de détail pour l'exécution du dit Traité.

Fait à Berne, le 19 Janvier, 1877.

Pour le Gouvernement des Pays-Bas:

Le Consul-Général des Pays-Bas près la Confédération Suisse,

(L.S.) J. G. SUTER VERMEULEN.

Pour le Conseil Fédéral Suisse, au nom des membres de l'Union:

Le Président de la Confédération,

(L.S.) Dr. J. HEER.


The Undersigned, William Baron Van Heeckeren Van Kell, His Netherlands Majesty's Minister for Foreign Affairs, John Peter Roetert Tak Van Poortvliet, His Netherlands Majesty's Minister for Public Works, Commerce, and Industry, and the Honourable William Stuart, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of the Hague, duly authorised by their respective Governments, have agreed upon the following regulations for the conduct of telegraphic correspondence between the two countries in substitution for the regulations contained in the Articles IV and VI of the Agreement of the 19th December, 1870.

§ 1. The Articles IV and VI of the foresaid Agreement

* See Page 67.  † See Page 72.  ‡ See Page 1104.  § Signed also in the Dutch language.
between the two countries, which are in the following terms, are cancelled:

Art. IV. The Contracting Governments will adopt for their international telegraphic correspondence, the regulations of the Paris Convention of the 17th May, 1865,* as revised at Vienna on the 21st July, 1868.†

Art. VI. For telegrams exchanged between the Netherlands and Great Britain, the interior Netherlands tariff shall be charged for transmission over the Netherlands lines, and a cable tariff of 1 guilder 90 cents Dutch currency, for 20 words or less, shall be charged for telegrams to London, and 2 guilders 50 cents for a similar telegram to any other station in the United Kingdom.

§ 2. The charge for ordinary telegrams exchanged between the Netherlands and Great Britain and Ireland shall be uniformly for each single word: 15 cents, when the telegram originates in the Netherlands, and 3d. when the telegram originates in Great Britain or Ireland.

§ 3. For a prepaid reply to a telegram the payment shall be equal to the amount chargeable for a telegram of 10 words. Whenever any greater number of words shall be prepaid for an answer, the number of words so paid for shall be given at the head of the telegram. No prepaid reply shall consist of more than 30 words.

For an acknowledgment of receipt a sum equal to the charge for a telegram of 10 words shall be paid.

For the delivery of copies of a telegram to several addresses in the same town the charge for telegrams containing 100 words or less shall be 25 cents, or 5d. for each copy, and for telegrams containing more than 100 words, an additional charge of 25 cents, or 5d. for each additional 100 words, or part thereof, for each copy. In calculating the charge, the total number of words in all the addresses and the text shall be counted.

For semaphore telegrams, an additional charge of 15 cents, or 3d. for each word shall be made.

§ 4. The amounts collected shall be divided thus:

The Netherlands administration shall pay to the English administration, for each word of an ordinary telegram originating in the Netherlands, 25 centimes.

The English administration shall pay to the Netherlands administration, for each word of an ordinary telegram originating in Great Britain or Ireland, 5 centimes.

The settlement of accounts shall be in francs, and accessory charges, such as those for “Réponse payée,” &c., shall be accounted for at 30 centimes per word.

§ 5. Telegrams exchanged upon the request of the sender by any other than the direct route shall be charged for in accordance with the International Convention.

No additional charge shall be levied on telegrams which, in consequence of interruptions of the direct means of communication are exchanged between the Netherlands and Great Britain and Ireland by the lines of other administrations, but the expenses of transit shall be borne by the administration of the office of origin.

§ 6. The rules and regulations of the International Convention of St. Petersburg of July 14, 1875,* and of the annexed "Règlement de Service International," as already revised or as they may be revised by future international conferences shall be followed, except so far as they are altered by the foregoing provisions.

§ 7. The foregoing conditions shall come into operation on the 15th March, 1879, and shall remain in force until one year from the date upon which one of the Contracting Parties shall have given notice of its intention to terminate them. Nothing, however, shall prevent a reduction of the rates for telegrams herein fixed at any time upon the mutual consent of both parties.

In witness whereof the Undersigned have signed the present paragraphs, and have affixed thereto the seal of their arms.

Done at the Hague, the 7th day of March, in the year of Our Lord, 1879.

(L.S.) HEECKEREN VAN KELL.
(L.S.) TAK VAN POORTVLIET.
(L.S.) W. STUART.

PERSIA.

DECLARATION of Accession of Persia to the Postal Union of June 1, 1878.† Berne, August 15, 1878.

L'Article I, du Protocole final, signé à Paris le 1er Juin, 1878, statue que la Perse, qui fait partie de l'Union Postale Universelle, mais qui n'était pas représentée au Congrès de Paris, serait admise néanmoins à signer ultérieurement la Convention moyennant qu'elle consacre son adhésion par un acte diplomatique avec le Gouvernement Suisse, avant le 1er Avril, 1879.

Se fondant sur cette disposition, le Gouvernement Persan, représenté par Mr. Riederer, son Directeur-Général des Postes, qui est muni des pouvoirs nécessaires en bonne et due forme,

* See Page 95. † See Page 1007.
déclare par la présente adhérer à la Convention de l'Union Postale Universelle conclue à Paris le 1er Juin, 1878, au même titre que si son représentant en avait signé les divers instruments.

La présente Déclaration sera communiquée par le Gouvernement Suisse à tous les Gouvernements Co-contractantes.

Ainsi-fait à Berne, le 15 Août, 1878.

(L.S.) CHEVALIER GUSTAVE RIEDERER-DAXBERG.

---

PERSIAN GULF, &c.

AGREEMENT of the Chief of El-kutur (Guttur), engaging not to commit any breach of the Maritime Peace.* September 12, 1868.

I, MAHOMED BIN SANEE, of Guttur, do hereby solemnly bind myself, in the presence of the Lord, to carry into effect the undermentioned terms agreed upon between me and Lieutenaut-Colonel Pelly, Her Britannic Majesty's Political Resident, Persian Gulf:

1st. I promise to return to Dawka and reside peaceably in that port.

2nd. I promise that on no pretence whatsoever will I at any time put to sea with hostile intention, and, in the event of disputes or misunderstanding arising, will invariably refer to the Resident.

3rd. I promise on no account to aid Mahomed bin Khalifeh, or in any way connect myself with him.

4th. If Mahomed bin Khalifeh fall into my hands, I promise to hand him over to the Resident.

5th. I promise to maintain towards Shaikh Ali bin Khalifeh, Chief of Bahrein, all the relations which heretofore subsisted between me and the Shaikh of Bahrein, and in the event of a difference of opinion arising as to any question, whether money payment or other matter, the same is to be referred to the Resident.

Dated on the 24th of Jemadi-ool-awul, 1285, corresponding with the 12th of September, 1868.

Sealed in our presence by Mahomed bin Sane, of Guttur, on this the 12th day of September, 1868.

LEWIS PELLY, Lieut.-Col., H.B.M.'s Political Resident, Persian Gulf.

R. A. BROWN, Captain Commanding H. M.'s Ship Vigilant.

AGREEMENT of the Aboo Dhebbee (Aboothabee) Chief, engaging not to commit any breach of the Maritime Peace.* September 16, 1868.

I, ZAYID BIN KHALIFEH, do hereby, in the presence of Colonel Pelly, Resident, Persian Gulf, bind myself and agree to the conditions stated below:

1st. That hereafter I should not commit any disturbances whatsoever in breach of the peace at sea, but if any happen on my part, I should suffer the consequence.

2nd. That I should pay to the Resident the sum of 25,000 dollars by instalments specified below:

- 9,000 dollars to be paid at once in cash on this the 28th Jemadi-oool-awul, 1285, 16th September, 1868.
- 8,000 dollars to be paid in the month of Mohurrum, 1285, and 8,000 ditto ditto ditto Rujub, 1286.

3rd. That I should not prevent the people who have been removed from Guttur to return to their homes if they should so wish.

4th. That I should make over to Abdoor Rahman, British Agent, the Machowa (boat) given me by Ali bin Khalifeh on her return from Buurseh.

Written on the 28th Jemadi-oool-awul, 1285 = 16th September, 1868.

Signed and sealed by: ZAYID BIN KHALIFEH.

Agreed to in our presence by Zayid bin Khalifeh, Chief of Aboo Dhabbee, on the 16th September, 1868.

LEWIS PELLY, Lieut.-Col., H.B.M.'s Political Resident, Persian Gulf.


ENGAGEMENTS of the Chiefs of the Countries near the Persian Gulf, for the suppression of the Slave Trade. (Bahrein, Aboothabee, Shargah, Ras-el-Khymah, Ajman (Ejman), Amulgavine, and Debaye.) 1872, 1873.

Colonel Pelly to Sir B. Frere.

Sir,

During the summer of last year I received from the Indian Office copy of correspondence instructing me to hold the Sovereigns and Trucial Chiefs of the countries near the Persian Gulf strictly to their engagements for the suppression of the Slave Trade.

2. As the anti-slavery engagements of the Trucial Chiefs had been of a personal character, and did not expressly bind their heirs and successors, it seemed expedient to transmit to the present Chiefs copies of the engagements when communicating to them the instructions of Her Majesty's Government.

3. Accordingly I addressed to all the Trucial Chiefs a circular letter, and forwarded it through the British Agent on the Arab coast, with a transmitting letter.

4. Inclosed are translated purports of the replies of the Trucial Chiefs now marginally enumerated, and I trust that these renewed assurances may be deemed satisfactory by your Excellency.

5. The British Agent has not forwarded to me the reply of the Chief of Shargah, but from his letter of the 4th September, 1872, it appears that his reply was favourable. It appears further from the Agent's letter of the 5th October, that he had personally visited the several Chiefdoms, and found them free of imported slaves.

6. As regards the Sultan of Muscat, I addressed His Highness, suggesting his adherence to his anti-slavery engagement.

7. A translated purport of the reply of the Sultan of Muscat is inclosed. This document is at the present moment remarkable, and on the whole, I think satisfactory.

8. Referring to the Persian littoral of the Gulf, I beg to inclose for your Excellency's information a copy of a letter I addressed to the Persian Slave Commissioner at Bushire, and of a translated purport of his reply. Your Excellency is aware that our Anti-Slavery Convention with Persia is insufficient for the purpose of practically suppressing the Slave Trade with that country.

I have, &c,

LEWIS PELLY.

P.S.—Since writing the above letter, I have received the reply of the Chief of Shargah. It is quite satisfactory, and I beg to append its translated purport.

L. P.

(Inclosure 1.)—Circular addressed by Colonel Pelly to the Chiefs of Bahrein, Aboothabee, Shargah, Ras-el-Khymah, Ajman, Amulgavine, and Debaye.

(After compliments.) August 20, 1872.

It will be in your recollection that in 1847 A.D. (1263 A.H.), Shaik (name of subscribing Chief) entered into solemn engagements with the British Government for the suppression of the

Slave Trade between Africa and the territory of (subscribing Chief); a copy of this engagement is now inclosed.*

Her Majesty's Government having come to suppose that the trade in slaves is still actively carried on between the East Coast of Africa and the coast of Arabia, I am directed by Her Majesty's Government to hold all the Trucial Chiefs of the Persian Gulf strictly to their engagements, and I doubt not you will afford me your earnest and constant support in endeavouring wholly to prevent the import of any African slave into your territory, and in endeavouring also to prevent any of your craft from becoming in any manner engaged in the prosecution of the Slave Trade.

LEWIS PELLY, Colonel, Her Majesty's Political Resident in Persian Gulf.

AJMAN (OR EJMAN).

(Inclosure 2.)—Translated Purport of a Letter from Rashed Ben Hamad ben Rashed, Chief of Ajman, to Colonel Pelly.

(After compliments.) Bushire, October 1, 1872.

I have received your letter of 15th Jemad al Sane, with copy of Treaty, stipulating the prohibition of slaves with my grandfather, father, and self. Since the date of the Treaty I have always prohibited the traffic, and shall hereafter do the same, please God.

AMULGAVINE.

(Inclosure 3.)—Extract of a Translated Purport of a Letter from Sheikh Ahmed ben Abdullali, Chief of Amulgavine, to Colonel Pelly.

(After compliments.)

I have received your letter, a copy of Slave Treaty. I have prohibited the importation of slaves, according to the desire of the Government, and shall always do the same.

DEBAYE.

(Inclosure 4.)—Husheer bin Maktoom, Chief of Debaye, to Colonel Pelly.

(After compliments.) (Translation.)

Your letter arrived. You write concerning the Slave Trade; up to the present I do not know that craft have brought slaves to my country to trade in them. When Hajee Abdool Rahman came I sent two of my men with two of his to search the crafts which arrived from Batinah. They saw nothing, and

I, please God, will obey your orders. Any time that I hear that any slaves are brought to my country I shall stop them.

Bahrein.

(Inclusion 5.)—Translated Purport of a Letter from Evan ben Ali Al Khuleefa, Chief of Bahrein, to Colonel Pelly.

(After compliments.) August 24, 1872.

I have received your letter of 15th instant in regard to the engagements which in the year 1263 was entered into between the British Government and Sheik Mahomed ben Khuleefa, Chief of Bahrein, for abolition of Slave Trade between Africa and the Island of Bahrein.

I now enclose an engagement from myself, and will endeavour to the best of my ability to abolish the traffic in the same manner as I have done heretofore.

I am always ready to carry out the terms of this engagement.

The Agreement is word for word like the Agreement entered into in the year 1273 (1856), marked B in compilation of Treaties for abolition of the African Slave Trade, but in Colonel Pelly's name.

J. C. Edwards, Assistant Resident, Persian Gulf.

Muscat.

(Inclusion 6.)—Translated Purport of a Letter from the Sultan of Muscat to Colonel Pelly.

(After compliments.) September 20, 1872.

I have had the pleasure of receiving your letter, and was glad to hear of your welfare.

I have understood all that you had written to me, particularly that in regard to the Slave Trade as between Africa and the Arabian ports.

This trade, in fact, continues to be carried on because of there being no check to it at its source. But if vigilance and exertion were used at the proper place, the object in view would be gained, and the matter would be stopped effectually.

On my part, every attention is given and all efforts made to prevent the sale of slaves and the importation thereof to the best of my means and ability.

But it would be impossible for me to put a stop to this matter (trade) unless I had some means of connection with a place in Africa; for in that case it would be easy for me to prevent [the trade] and see to matters. And then if you or the Sirkar wished me to undertake this affair I would have no excuse or difficulty in carrying out your wishes. But this on condition that I should have a place there, and liberty to settle therein and exercise power and enforce authority. I would then
be in a position to meet your wishes in regard to the export of slaves from Africa, and I would bind myself to its being altogether stopped. It is evident that, for one having a settlement in those parts, there would be no difficulty in this matter; on the contrary, there would be every facility in managing it.

SHARGAH.

(Inclosure 7.)—Translated Purport of a Letter from Salem bin Sultan, Chief of Shargah, to Colonel Pelly.

(After compliments.) February 28, 1872 (Zilhaj 25, 1289).

I was very happy to receive your letter of 15th Jemadi-ul-Sani, with two copies of Treaties entered into by my father, Sultan bin Saggur.

I beg to inform you that as regards fresh importations of male and female slaves, I have prohibited all my subjects and the vessels in my territories from trading in slaves.

All slaves that come into my territories I seize, according to the terms of the Treaty, and make over to the Government Agent.

You may rest assured that I shall carry into effect whatever the Government may desire, and am always happy to receive your commands.

ABOOTHABEE.

(Inclosure 8.)—Translated Purport of a Letter from Sheikh Zayed-bin-Khuleefah, Chief of Aboothabee, to the Acting Resident, Persian Gulf.*

(After compliments.) Dated 5th Mohurram, 1290 (March 5, 1873).

Be it known to you that I received a letter from Colonel Pelly, Resident in the Persian Gulf, in regard to the Treaty about the importation of slaves.

The Treaty exists intact, and I am always careful to see that it is not infringed.

PERU.

DECREES of the President of Peru, ordering Payment to be made of the Awards of the Mixed Commission on the Callao Pillage Claims, 1865. Lima, February 27, 1871.

(Translation.)

JOSE BALTA, President of the Republic considering:

1. That documents relative to the pillage which took place

* Inclosed in Colonel Pelly's letter to Sir Bartle Frere of May 9, 1873.
in the city of Callao, the 6th November, 1865, show that the Dictatorial Government, established in the latter days of that month, ordered the public sale of various articles recovered from the pillage, and the product of which sale was deposited:

2. That it is further shown, that the Government assumed the responsibility of indemnifying the sufferers, the question having recently been submitted to a Mixed Commission that made the respective awards, duly transmitted to the Foreign Department:

3. That by virtue of all reclamations having been adjudicated upon and their amount reduced to 205,987 dols. 40 cents. from 1,203,326 dols. ½ rial claimed by the sufferers, the matter was recommended to the Legislature installed on the 28th July, 1870, and the above item was moreover inserted in the projected estimates of the said department:

4. That although this item was approved in the Chamber of Deputies, a like approval was only obtained in the Senate on the very day of adjournment through pressure of time:

5. That the 5 Diplomatic Agents* interested in this matter on behalf of their respective countrymen, urge that a definitive resolution be arrived at, and that it is not equitable to defer it until the Legislature of 1872, nor dignified for the nation or its Government so to defer it:

6. That the claim of the Chilian citizens, Langshaw Brothers, for 10,407 dols., is similarly circumstanced with that of the sufferers of Callao, because an award has likewise been given thereon, for the payment of which the dignity of the nation is engaged:

I DECREE with the unanimous concurrence of the Cabinet Council.

SOLE ARTICLE. The payment of the sums awarded as indemnification to the sufferers of the Callao pillage, and also the amount corresponding to Langshaw Brothers; this Decree to be transcribed to the Department of Finance, for the due arranging of the form and manner in which payment is to be made.

To be communicated, registered, and published.

Lima, February 27th, 1871.

JOSE J. LOAYZA.

JOSE BALTA.

* Great Britain, France, Italy, North German Confederation, and United States.
LAW of the King of Portugal, extending to Great Britain the advantages contained in Tariff B annexed to the Treaty with France of July 11, 1866.* January 26, 1876.

(Translation.)

Dom Lewis, by the Grace of God King of Portugal and of the Algarves, &c.

We make known to all our subjects that the General Cortes have decreed, and that we sanction the following Law:

Art. I. The Government is hereby empowered to extend to Great Britain, and to all other countries where Portuguese products enjoy the most-favoured-nation treatment, the advantages contained in Tariff B, annexed to the Treaty of 11th July, 1866, between Portugal and France.

II. All legislation to the contrary is hereby revoked.

We command, therefore, &c.

The Ministers and Secretaries of State for Foreign Affairs, and for Finance shall cause the same to be printed, published, and circulated.

Given at the Palace of Ajuda, 26th of January, 1876.

JOAO DE ANDRADE CORVO. THE KING.
ANTONIO DE SERPA PIMENTEL.

DECREE of the King of Portugal, directing the application of the Law of January 26, 1876,† solely in favour of British Products Imported into Portugal. February 3, 1876.

(Translation.)

Availing myself of the authority recorded in virtue of the Law of January 26 last, I am pleased to decree that the advantages contained in Tariff B, annexed to the Treaty of 11th July, 1866, between Portugal and France, shall be extended to the products from Great Britain cleared inwards, at the expiration of the legal terms when the said Law shall commence to come into operation.

The Ministers and Secretaries of State for Foreign Affairs and for Finance shall accordingly cause the same to be carried into effect.

At the Palace of the Ajuda, February 3, 1876.

JOAO DE ANDRADE CORVO. THE KING.
ANTONIO DE SERPA PIMENTEL.

PORTUGAL. 1119

DECREE of the King of Portugal, abolishing Slavery in the Province of St. Thomas and Princes. February 3, 1876.

(Translation.)

DOM Lewis, by the Grace of God King of Portugal and of the Algarves, &c. We make known to all our subjects that the General Cortes have decreed and that we sanction the following Law:

Art. I. The servile condition mentioned in the Decree, having the force of law, of the 25th of February, 1869,* is to be considered as abolished in the Province of St. Thomé and Principe from the date of the publication of this Law in that Province, and those to whom it refers are declared free.

II. All the provisions contained in the Law of 29th April, 1875,t and in the respective Regulations approved by the Decree of 20th December, of the same year, are to remain immediately in force from that date in the said province, as far as concerns any individuals who may thus acquire the state of freedom.

III. All legislation to the contrary is hereby revoked.

We command, &c.

The Minister and Secretary of State for Foreign Affairs, and, ad interim, for the Navy and Colonies, shall cause the same to be printed, published, and circulated.

Given at the Palace of the Ajuda, February 3, 1876.

JOAO DE ANDRADE CORVO.

THE KING.

TREATY of Commerce and Extradition between Great Britain and Portugal, with reference to their Indian Possessions. Signed at Lisbon, December 26, 1878.‡

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Most Faithful Majesty the King of Portugal and the Algarves, being equally animated by the desire to draw closer the ancient ties of friendship which unite the two nations, and to improve and extend the relations of commerce between their respective dominions, and judging it convenient to substitute for the privileges accorded to Portuguese commerce at Surat a system more in harmony with the fiscal interests of British India and those of Portuguese India, Their Majesties have resolved, with these objects, to establish a Customs Union between the possessions of their respective Crowns in India, and to conclude a Treaty of Commerce and Extradition for the said possessions.

‡ Signed also in the Portuguese language. Ratifications exchanged at Lisbon, August 6, 1879.
And for these purposes have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Robert Burnet David Morier, Esquire, Companion of the Most Honourable Order of the Bath, Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty at the Court of His Most Faithful Majesty, &c.;

And His Most Faithful Majesty the King of Portugal and the Algarves, Senhor João de Andrade Corvo, Councillor of State, Peer of the Realm, Minister and Secretary of State for Foreign Affairs, Professor in the Polytechnical School of Lisbon, Lieutenant-Colonel of Engineers, Knight Grand Cross of the Ancient, Most Noble and Illustrious Order of St. James for the reward of Scientific, Literary, and Artistic Merit, Knight Commander of the Order of Christ, Companion of the Military Order of Avis, Effective Knight Grand Cross of the Order of the Rose of Brazil, Knight Grand Cross of the Legion of Honour of France, of Leopold of Austria, of Saints Maurice and Lazarus of Italy, of the Royal Order of Charles the Third of Spain, of the Order of the Polar Star of Sweden, Officer of Public Instruction in France, &c.;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:

Art. I. There shall be reciprocal freedom of commerce, navigation, and transit, between the Indian dominions of the High Contracting Parties.

Such freedom of commerce, navigation, and transit shall not extend to contraband of war, or to articles of which the exportation or importation is prohibited by this Treaty, or by any law not inconsistent therewith, now or for the future in force in the Indian dominions of either party.

II. The subjects of each of the High Contracting Parties shall be entitled to enter into and to travel and reside in the Indian dominions of the other; to hire and own lands and houses therein; to open warehouses and wholesale and retail shops, and otherwise to trade with perfect freedom therein.

The subjects of each of the High Contracting Parties availing themselves of the above permission shall enjoy in the Indian dominions of the other, in respect of commercial and industrial pursuits, all privileges, immunities, and other advantages which are or may be accorded to the subjects of the other, and shall not be liable to any general, special, or local imposts whatever, except those which are or may be imposed on such subjects; but they shall be in all respects amenable to the general laws and statutes in force in such dominions.

III. The ports, harbours, roadsteads, basins, creeks, and
rivers in the Indian dominions of each of the High Contracting Parties shall be open to the commerce and navigation of the subjects of the other, on the same conditions as those on which they are open to the subjects of the party in whose dominions they are.

The coasting and carrying trade between one port and another in the Indian dominions of each of the High Contracting Parties shall be open to the vessels of the other, without any restriction except such as is or may be imposed upon national vessels.

No vessel of one of the High Contracting Parties shall be subjected by the other to any harbour or navigation dues of any description whatsoever, or to any regulations for stationing, loading, unloading, or otherwise, to which national vessels are not equally subject, or shall be denied any privilege which is accorded to such vessels.

The High Contracting Parties reserve to themselves respectively the right of retaining, increasing, modifying, and abolishing the dues and charges on navigation in their respective Indian dominions, and of establishing new dues and charges of a like nature.

IV. The privileges and engagements comprised in Articles I, II, and III of this Treaty shall extend to native States, which, by Treaty with Her Britannic Majesty or otherwise, may be entitled to be placed, in the matters referred to therein respectively, on the same footing as British India. The Governor-General of British India will, from time to time, communicate to the Governor-General of Portuguese India a list of such native States.

V. The High Contracting Parties agree to use their best endeavours to establish between their respective systems of moneys, weights, and measures the harmony desirable for the development of commercial relations between their respective dominions.

The detailed measures to be adopted shall form the subject of a separate Convention between the Governors-General of British India and Portuguese India, to be executed within two years from the date when this Treaty comes into force.

VI. The High Contracting Parties, being equally animated by the desire of procuring for their respective subjects new facilities of communication, and of extending the external commerce of India, agree to the following stipulations:

(a.) Whenever His Most Faithful Majesty shall give notice to Her Britannic Majesty that a joint stock company has been formed for the construction of a railway from the port of Marmagaum to the town of New Hubli, and that his said Majesty proposes to give to the said company a concession of powers and facilities for the construction and maintenance of
the portions of the said railway lying within Portuguese India, and the rendering of the said port safe and suitable for purposes of commerce, Her Britannic Majesty engages, upon being satisfied that such concession is suitable and sufficient, and that the capital necessary for the undertaking is forthcoming, and upon the said concession being actually granted by His said Majesty, to enter into a contract with the said company providing for:

1. The grant, upon the same terms as those upon which land has been granted to guaranteed railway companies in British India, of whatever land may be temporarily or permanently necessary for the construction and maintenance of the portion of the line lying within British territory.

2. The use of Her Majesty's best endeavours to obtain from any native State whose territory the line is intended to traverse, the grant on the same terms of whatever land may be so necessary for the said purpose, but subject to Her Britannic Majesty's Imperial jurisdiction and sovereignty.

3. The affording of all usual and reasonable facilities for the making and working of the line.

4. The conveyance of the said company, on the whole line of railway between Marmagaum and New Hubli, or any part thereof, upon terms similar to those on which the same are conveyed upon the guaranteed railways in British India, of Her Britannic Majesty's mails, post-office officials, police, artisans, and stores, and also (subject in the case of transit through His Most Faithful Majesty's territory, to the provisions of Article XVIII of this Treaty)* of her troops, arms, and munitions of war.

5. The right of Her Britannic Majesty to construct and maintain an electric telegraph on such whole line, or any part thereof.

6. The right of Her Britannic Majesty to construct from any point or points of the said whole line a line of railway to Karwar, and lines to any other places in British India, and the use, with engines, carriages, and otherwise, for the purposes of any such lines, of the whole or any part of the company's said whole line, and the stations, works, watering places, and conveniences thereof, upon such terms and considerations as may be mutually agreed upon or settled by arbitration.

7. The exercise by Her Britannic Majesty, in respect of the portion of the said whole line situated within British India, of all powers usually exercised, or provided to be exercised, over any of the guaranteed railways aforesaid, and the subject of the said company to any enactment for the regulation of the affairs of railways which may be passed by the Legislative Council of the Governor-General of British India.

(b.) In the event of a contract, as contemplated in clause (a) of this Article, being entered into within two years from

* See Page 11322.
the date of this Treaty coming into force, or otherwise previous to the completion by Her Britannic Majesty of an Imperial State railway between the towns of New Hubli and Bellary, Her Britannic Majesty further engages to include in such contract, should the said company so desire, the further right to complete and maintain the line of railway between the said towns, upon the same terms as those applicable to the line between the Portuguese frontier and New Hubli, together with the addition of an engagement on the part of the said company to take over, on equitable terms to be mutually agreed upon or settled by arbitration, any portion of the said line then completed or under construction, and the works, stock, or appliances appertaining thereto.

(c) Whenever either of the High Contracting Parties may be desirous of ascertaining the feasibility and expediency of constructing a railway from the port of Marmagaum to the town of New Hubli, and the advantages of such a railway to commerce generally, as compared with a railway from the port of Karwar to the said town, the said parties shall, in concert, appoint a Mixed Commission under the provisions of Article XVI of this Treaty, which shall cause a thorough survey to be made of the routes available, and any other investigations which may be necessary, and shall submit a report on the question. Each of the High Contracting Parties shall pay the salaries of its own engineers or officers engaged on the Commission or investigations, together with the expenses which the Commission may occasion in its own territories.

(d) In the event of His Most Faithful Majesty not finding it practicable or expedient to grant a concession to any joint stock company as contemplated in clause (a) of this Article, but of the report of a Commission appointed under clause (c) of the same establishing to the satisfaction of both Governments that a railway can be constructed from Marmagaum to New Hubli at a reasonable cost and with fair prospects of becoming remunerative, and that such a railway would be preferable, in the interests of commerce generally, to one from New Hubli to Karwar, the High Contracting Parties engage to adopt, in concert, such measures as may be compatible with their respective financial circumstances, with the view to insure the construction thereof at as early a date as may be practicable.

VII. In order further to carry out the desire of the High Contracting Parties that their respective Indian dominions shall become one territory in all matters relating to commerce, it is agreed as follows:

All Customs duties, whether on import or export, now levied on the frontier lines between the Indian dominions of the High Contracting Parties, shall be abolished, and all Customs establishments connected therewith shall be discon-
tinued. All articles of commerce, of whatever origin, which, according to the provisions of this Treaty, may be imported into or exported from the Indian dominions of either party, shall pass freely into or out of such dominions across such frontier lines, without being subject to any import, export, or transit duty, and shall be in all respects treated not less favourably than similar national products.

All goods, the growth, produce, or manufacture of the Indian dominions of one of the High Contracting Parties, or which have been legally imported into such dominions, may be conveyed by sea out of such dominions into the Indian dominions of the other without payment of duties of Customs.

With the view of preventing injury to the joint interests of the High Contracting Parties by the passage, free of duty, of dutiable articles across those frontiers of Portuguese India which march with Native States not entitled to the same Customs' privileges as British India, and by the import from, and export to, such States, by sea, of such articles, the Government of Portuguese India will levy, on all goods passing such frontiers, or so imported or exported, duties at the rates for the time being in force under this Treaty in respect of similar goods respectively imported into, or exported from, Portuguese India from or to foreign countries.

The Governor-General of British India will, from time to time, communicate to the Governor-General of Portuguese India a list of the Native States entitled to the same Customs' privileges as British India.

VIII. In order to insure that the complete freedom of intercourse between their respective Indian dominions, which it is the desire of the High Contracting Parties to provide, shall produce beneficial results, without prejudice to the financial interests of either, it is hereby agreed that there shall be a Customs Union between the said dominions on the following terms:

The laws and regulations relating to the levy of Customs duties on goods exported or imported by sea, and the administration of the Department of Customs, shall be uniform throughout the said dominions, in so far as the High Contracting Parties, acting in concert, may deem practicable after taking into consideration any special circumstances which may exist in the case of the dominions of either of them.

The tariff of Customs duties to be levied on goods exported or imported by sea shall, except as hereinafter provided, be uniform throughout the said dominions.

The tariff annexed to this Treaty* shall come into force upon the same date as the Treaty itself.

IX. In order that each of the High Contracting Parties may preserve its legislative independence as regards its own

* See Page 1134.
dominions, without interfering with either the interests of the
other or the objects of the Union, it is agreed as follows:

(a.) His Most Faithful Majesty reserves to himself the right
to increase, reduce, or abolish the export duties on any articles
grown, produced, or manufactured in Portuguese India. The
Portuguese Indian origin of any articles for which any such
privilege is claimed shall be duly established at the Custom-
House of the port of exportation.

(b.) His Most Faithful Majesty also reserves to himself the
right to increase, reduce, or abolish the import duties on such
quantity of any articles as may be bonâ fide required for con-
sumption within Portuguese India.

The quantity so required shall be from time to time deter-
mined by a Mixed Commission. The Commission shall be
guided in its decision either by the consumption in the said
dominions previous to the Union, with an augmentation, if
necessary, for subsequent increase of population and resources,
or by the consumption per head of population in other parts of
India, the circumstances of which are generally similar.

The whole quantity of any such articles which may be
imported shall, in the first instance, be subjected to the pay-
ment of duty, and the amount of duty recovered upon any
quantity for which exemption has been granted under the pro-
visions of the preceding clauses shall, at the end of the year,
be handed over out of the common receipt to the Government
of Portuguese India, to be by them refunded pro rata to the
several importers.

(c.) A fixed quantity of the Wines of Portugal, intended
exclusively for consumption in His Most Faithful Majesty's
Indian dominions, shall be admitted into the said dominions, on
payment of the same import duty as at present, that is to say,
at the rate of 2 xerafins and 2 tangas per almude, or 2 annas
9 pies per gallon. The quantity entitled to this privilege is
now fixed at 500 pipes or 41,500 imperial gallons, but shall, so
long as this Treaty remains in force, be open to revision by a
Mixed Commission, at the expiration of successive periods of
3 years.

(d.) Wines of Portugal intended for consumption in British
India shall not be subjected to duties different from, or higher
than those to which the wines commonly known as "Claret
and Burgundy" may, from time to time, be subjected.

(e.) Subject to the reservations contained in clauses (a),
(b), (c), and (d) of this Article, His Most Faithful Majesty
engages to give effect, in all Custom-Houses in Portuguese
India, to any modifications in the tariff which the Government
of British India may deem necessary: Provided always, that if
the said modifications reduce or abolish duties on importation,
and His Most Faithful Majesty does not concur in them, the
amount of loss of duty occasioned thereby on the quantity of any articles bonus fide required for consumption within Portuguese India, as compared with the duty previously levied on such quantity, shall be added to the share of His Most Faithful Majesty in the common receipt which may be determined under the 4th paragraph of Article X of this Treaty. The said quantity shall, in the event of any difference of opinion, be determined under clause (b) of this Article.

X. The produce of the said Customs duties at the ports of British India and at the ports of Portuguese India, or at all of such ports as may from time to time be found to be practically affected by the present Treaty, shall constitute a common receipt.

The said common receipt, after deduction of refunds (if any), but not of expenses of collection, shall be divided at the close of each year, upon the principle of securing to His Most Faithful Majesty the whole of the duties collected, at both British Indian and Portuguese Indian ports, on all dutiable articles consumed in or produced in Portuguese India.

Such registers and accounts of traffic shall be kept at the Custom-Houses of both the High Contracting Parties, and upon any railway which may now or hereafter serve to connect their respective Indian dominions, as may be necessary to facilitate the division of the said common receipt.

The said division shall be practically effected either in accordance with the actual ascertained traffic from year to year, or upon the basis of the estimated consumption per head of the population of Portuguese India, or otherwise, as the Governments of Bombay and of Portuguese India may from time to time determine, after full and fair consideration of all the circumstances of the case. In the event of any difference of opinion between them on the subject, the question shall be determined by a Mixed Commission.

The share of His Most Faithful Majesty in the common receipt, as thus ascertained, shall be augmented from the said receipt by three-fourths of its amount, the remainder shall constitute the share of Her Britannic Majesty.

XI. The High Contracting Parties reserve to themselves respectively the right to maintain, modify, increase, or abolish all internal duties of excise, or otherwise, on production, manufacture, or consumption, existing in their Indian dominions, and to establish new duties of a similar nature; provided always, that the products of the Indian dominions of the one shall not be subject, in the Indian dominions of the other, to any duties except such as may be imposed on similar national products.

The High Contracting Parties recognise, however, that in the case of all products subject to a duty sufficiently heavy to cause a serious difference in the price to the consumer, it is
highly important to adopt in their respective dominions, as far as may be practicable, a uniform system of administration and duties.

Consequently, and with the view as well of preventing injury to the revenues of Her Britannic Majesty from a diversity of systems, as of securing for His Most Faithful Majesty's Indian dominions the advantages of uniformity, the High Contracting Parties respectively engage to carry out the following stipulations regarding salt, spirits, and opium.

XII. His Most Faithful Majesty engages to grant to Her Britannic Majesty's Government of Bombay, for the period during which this Treaty may remain in force, the exclusive privilege of regulating or undertaking the manufacture and sale of salt in Portuguese India under the following conditions:

(a.) The proprietors or tenants of salt-works may, under the direction of the agents of the said Government, and subject to conditions mutually agreed upon between them, continue to manufacture salt on their own account, or manufacture salt on account of the said agents, or farm out their salt-works to them.

(b.) If the said proprietors or tenants cannot arrive at a voluntary agreement with the said agents, the Government of Portuguese India will take such measures as may be necessary to let the said salt-works in farm to, and under the direction or administration of the said agents, so that the said agents may be able to cause salt to be made there in such manner as they may judge most suitable: Provided that when, on the expiration of the farm, the said proprietors obtain possession of the salt-works, they shall be entitled to compensation for damage (if any) resulting thereto from the farm, but shall not be liable to payment of compensation for improvements which may have been effected therein.

(c.) The agents shall have the right to use the land adjacent to all salt-works for the purpose of transporting or depositing salt or other operations connected with the manufacture, provided that they do not interfere with the cultivation of the same. The proprietors or tenants of the said land, on their part, shall have the right to derive from the salt-works the same advantages, in respect of the cultivation of rice or other crops, as they have enjoyed hitherto, provided that they do not interfere with the manufacture of salt. The relations in this matter between the said proprietors or tenants and the said agents shall be determined by special rules made by the Government of Portuguese India.

(d.) The Government of Portuguese India will cause the suppression of any salt-works which, in the opinion of the said agents, may be difficult to superintend or guard, or cannot be worked with profit.

* See Additional Article of March 8, 1879. Page 1146.
The Government of Portuguese India will secure to the said agents the acquisition, at a fair and reasonable price, of all the salt existing, or in course of manufacture, in Portuguese India at the time this Treaty comes into force; provided that if the said agents do not wish to purchase the whole of the said salt, the owners thereof shall have the right of selling it locally, or of exporting it under the same conditions as hitherto.

His Most Faithful Majesty will prohibit the manufacture and sale of salt, the collection of salt spontaneously produced, and the transit and exportation thereof both by sea and land, by any persons not delegated in this behalf by the said agents, or who have not obtained from the said agents a permit in due form, and he will adopt in Portuguese India the procedure and penalties in force in British India for the repression of smuggling and contraband practices in respect of salt, with such modifications as the Portuguese Indian system of legislation and administration, or the diversity of circumstances, may necessitate.

In order to insure the effective exercise of the privilege granted by this Article, His Most Faithful Majesty invests the said agents with the right—

1. To enter and inspect at any time any salt-work, or any warehouse or premises used for storing salt, or any vessel which has been or is proposed to be laden with salt.

2. To search all persons, animals, carriages, vessels, goods, and packages in or upon which they may have reason to believe contraband salt to be, or to be concealed.

3. To arrest any person found in the act of smuggling or contraband practices, and any accomplice present, provided that such person or accomplice shall be immediately delivered over to an officer appointed under paragraph (6) of this clause, or to the nearest revenue or police station, or to the administrative authority of the parish.

4. To seize any salt which they may have reason to believe to be contraband, and any animals, carriages, or vessels used in transporting it, or in or upon which it may be found, and all goods and packages in or among which it may be contained or concealed; provided that everything so seized shall be retained in provisional custody pending orders for the disposal thereof by competent Portuguese authority, to whom the seizure and the circumstances thereof shall be reported.

5. To obtain from the competent local Portuguese authority, on written application, the arrest of any person whom such authority may have reason to believe to have been guilty of smuggling or contraband practices, and the search of any house, building, premises, or vessel in which there may be reason to suspect that contraband salt is, or is concealed.

6. For the purpose of co-operating with the said agents
in the proceedings contemplated under the preceding paragraphs (1) to (5) inclusive, and of repressing smuggling and contraband practices in respect of salt, His Most Faithful Majesty engages to appoint such number of officers as he may from time to time deem fit, to reside at or near the several salt-works. The said officers shall, when called upon by the said agents, be legally bound to assist them in their proceedings aforesaid, and the said agents shall, except as otherwise permitted in paragraph (3), hand over to them all persons arrested and property seized, for delivery to the charge of higher Portuguese authority, or for provisional custody, as the case may be.

(7.) It is to be understood that the said agents will be subject in every respect to the laws of Portuguese India, and will be responsible, in accordance with those laws for all abuses that may be committed by them, as also for all acts done on their requisition by the officers referred to in the last preceding paragraph.

(4.) In consideration of the preceding stipulations of this Article, Her Britannic Majesty engaged to pay just compensation to the proprietors of salt-works which have been let in farm to the said agents or suppressed, under the provisions of clauses (b) or (d) of this Article.

The compensation shall be awarded by a Mixed Commission, and shall be either in the form of an annual payment, or in some other form if the two parties interested prefer it. With respect to the amount, the Commission shall take specially into consideration—

(1.) The average annual proceeds of the salt-works during a series of years, up to ten if ascertainable.

(2.) The average price of salt in the locality and (excluding duty) in the neighbouring districts of British India, during the preceding ten years.

(3.) The damage (if any) caused to the proprietors by the suppression of their salt-works, or by deprivation of the free use of them with respect to other cultivation, or with respect to the exercise of other vested rights of property.

But with regard to salt-works which have been suppressed, the Commission shall make a deduction for the proceeds (if any) which the proprietors may gain from the lands if otherwise employed.

The Commission shall add to the sum determined on the above principles 15 per cent. on the amount thereof. The total shall be the compensation awarded by the Commission to the proprietors.

The compensation so awarded shall be paid to the proprietors, who shall be responsible for the satisfaction of all just claims of other persons connected with the salt-works.
Provided always, that if the proprietors are dissatisfied with the award of the Commission, they shall be at liberty to have recourse to the ordinary procedure for expropriation established by the local law of Portugal. The amount of compensation so awarded to them by any local tribunal, whether more or less than that awarded by the Commission, shall alone be paid to them accordingly. But in the event of such amount being in excess of the amount awarded by the Commission, the difference shall be defrayed by the Government of Portuguese India.

(i.) Her Britannic Majesty engages also—

(1.) To deliver to the Government of Portuguese India, at the price of manufacture in those possessions respectively, the quantity of salt necessary for the domestic use and consumption of the inhabitants of the various Portuguese possessions in India. This quantity shall be calculated annually at the rate of 14 lbs. per head of the ascertained population.

It is understood that His Most Faithful Majesty reserves to himself the right of causing the said quantity of salt to be sold to consumers at whatever price he may think proper.

(2.) To sell to cultivators at a fair and reasonable price, and free of all duty, such quantity of inferior salt or salt spontaneously produced as they may bond fide require for the cultivation of the cocoanut tree, or for such other cultivation as may need this kind of manure.

(3.) To supply the markets of Portuguese India, under conditions similar to those which may be from time to time in force in the neighbourhood British Indian districts, with the quantity of salt which trade may require.

(4.) To furnish the salt necessary to the fish-salting trade under the most favourable conditions from time to time accorded to the same industry in British India.

(j.) All differences arising with regard to the price of salt under the preceding clauses (e) and (i), shall be determined by a Mixed Commission, or in such other manner as may be mutually agreed upon by the Governments of Bombay and Portuguese India.

XIII. His Most Faithful Majesty engages to take such measures as may be necessary to insure that the system of excise on spirituous liquors, including toddy, whether in its fermented or unfermented state, sanctioned by law in the Presidency of Bombay, shall be introduced into, and effectively maintained in, Portuguese India.

The rates of excise duty levied accordingly in the several Indian possessions of His Most Faithful Majesty shall not, except in so far as may be mutually agreed upon between the Governments of Bombay and Portuguese India, be less than those levied for the time being in the British districts nearest to them respectively.
The Government of Bombay shall render cordial assistance to the Government of Portuguese India for the accomplishment of this end, by affording full information to Portuguese officers who may be deputed to study the British system, or otherwise, as may be in accordance with the wishes of the said Government.

XIV. His Most Faithful Majesty engages, on receipt of a request from Her Britannic Majesty—

(a.) To prohibit the exportation by sea or land of raw opium, or any preparation or admixture of opium, or any intoxicating drug made from the poppy.

(b.) To prohibit the cultivation and manufacture of opium except on account of the Government of British India, and under restrictions and limitations similar to those for the time being in force in the Presidency of Bengal, the arrangements in this case being made through the Government of Portuguese India.

XV. In consideration of the stipulations contained in Articles XI, XII, XIII, and XIV of this Treaty, Her Britannic Majesty engages to pay annually to His Most Faithful Majesty the sum of four lacs of rupees. The said payment shall be made quarterly, in equal instalments, by the Government of Bombay, within ten days after presentation to the said Government of bills of exchange drawn upon it by the Government of Portuguese India.

XVI. Whenever it shall be necessary, under the provisions of this Treaty, to appoint a Mixed Commission, the Government of Bombay and the Government of Portuguese India shall each appoint not more than two Commissioners.

It shall be at the discretion of either Government to delegate its powers of appointing Commissioners to any officer whom it may think fit, and to cancel such delegation.

In cases of compensation, the Government of Portuguese India, or any officer delegated by it, may invite the proprietors or others interested to nominate persons for appointment as Commissioners on their behalf, and may appoint such persons, or any of them, accordingly.

In the event of the death, resignation, prolonged absence, or incapacity of any Commissioner, the Government appointing him shall forthwith appoint another Commissioner in his place.

The Commissioners shall, before proceeding to any other business, select another person as President of the Commission.

If they shall be unable to agree, the selection shall be made by the majority of votes, and if the votes shall be equal, the Commissioner or Commissioners on behalf of each Government shall name one person, and it shall be decided by lot which of the two persons so named shall be President.

In the event of the death, resignation, prolonged absence,

* See Memorandum of December 26, 1878. Page 1145.
† See Declaration of August 6, 1879. Page 1147.
or incapacity of any President, another person shall be selected in the same manner to be President in his stead.

The President and Commissioners shall then proceed to the investigation of the matters referred to them, and the decision shall, in the event of difference of opinion, be according to the opinion of the majority, and shall be given in writing.

The Commission shall be competent to decide all questions which may arise regarding the payment of the expenses of the Commission, and may impose the payment thereof upon either of the High Contracting Parties, or upon persons to whom compensation is awarded.

The High Contracting Parties engage, except as otherwise provided in clause (h) of Article XII, to consider the decision as conclusive, and to give full effect to it.

XVII. Each of the High Contracting Parties shall appoint one or more delegates for the purpose—

(a.) Of visiting the Custom-Houses in the Indian dominions of the other, and taking note of all arrangements relating to the import and export of goods and the collection of duties; and

(b.) Of taking cognizance generally of all matters of administration connected with the freedom of commerce, navigation, and transit, and the community of interests, established by the present Treaty.

The instructions to such delegates shall be framed in concert by the Governments of British India and Portuguese India, on the principle that the Government to which they are accredited shall, with full sincerity, afford to them every facility and all information which concern the objects for which they have been appointed, and that the delegates, acting in concert when necessary, shall use their best endeavours to overcome all difficulties, and to adjust all differences of system or opinion in a manner consistent with the common end and the ties which unite the two nations.

The delegates shall, with the least possible delay, prepare a complete system of statistics for Portuguese India, affording means of comparison, for the purposes of this Treaty, with the existing British Indian statistics.

XVIII. The High Contracting Parties mutually agree to adopt in their respective territories suitable measures for the prevention and punishment of smuggling, or other evasion of the spirit of the arrangements relating to navigation, Customs, salt, spirituous liquors and toddy, and opium, effected by this Treaty.

The revenue, magisterial, and police authorities of the Indian dominions of the High Contracting Parties shall cordially cooperate with each other for the maintenance, on the common lines of traffic and elsewhere, of perfect security of persons and

* See Declaration of August 6, 1879. Page 1147.
property; and in the pursuit of criminals and persons engaged in smuggling and contraband practices the said authorities of the one High Contracting Party may cross the frontier and enter the dominions of the other High Contracting Party, provided that in such dominions they shall act in accordance with the local laws and the provisions of this Treaty.

The armed forces of one of the two High Contracting Parties shall not enter the Indian dominions of the other, except for the purposes specified in former Treaties, or for the rendering of mutual assistance as provided for in the present Treaty, or except in consequence of a formal request made by the party desiring such entry to the other.

The exportation of arms, ammunition, or military stores from the Indian dominions of one of the High Contracting Parties into those of the other, shall not be permitted, except with the consent of, and under rules approved of by, the latter. The Governments of British India and Portuguese India shall co-operate to enforce all such rules as are herein contemplated.

The Governor-General of British India will from time to time communicate to the Governor-General of Portuguese India a list of the Native States to be placed, in respect of arms, ammunition, and military stores upon the same footing as British India.

XIX. The High Contracting Parties engage to deliver up to each other those persons who, being accused or convicted of crimes committed in the Indian dominions or jurisdiction of the one party, shall be found in the Indian dominions or jurisdiction of the other party.

The circumstances and conditions under which, and the crimes for which, such persons are to be delivered up shall form the subject of a separate Convention between the Governors-General of British India and Portuguese India, to be executed at the earliest date possible after the ratification of this Treaty.

Such Convention shall have the same binding character as the present Treaty, and shall continue in force for the same period.

XX. The High Contracting Parties engage that Commissions issued in criminal trials and inquiries, and in civil suits and proceedings by the judicial tribunals of the one party, for the examination of persons resident in the dominions of the other, shall be executed according to the provisions of the laws of the dominions where the witness resides.

XXI. The High Contracting Parties engage to recommend to the Legislature of their respective dominions all such projects of law, and to adopt such other measures as may now or hereafter be necessary for the due fulfilment of the several obligations contracted by them respectively under the provisions of this Treaty.
XXII.* The present Treaty shall come into force at the expiration of 3 months after the day of the exchange of ratifications, and shall remain in force for the period of 12 years; and in case neither of the High Contracting Parties shall have notified to the other 12 months before the expiration of the said period of 12 years, its intention to put an end to its operation, the Treaty shall continue in force for another period of 12 years, and so on for successive periods of 12 years, until the expiration of a year counting from the day on which one or other of the High Contracting Parties shall have announced its intention to put an end to it.

XXIII. The present Treaty shall be submitted for the ratification of the High Contracting Powers, and the ratifications shall be exchanged at Lisbon or at London as soon as possible.

In faith whereof the respective Plenipotentiaries have signed it, and have affixed thereto the seals of their arms.

Done in duplicate at Lisbon, on the 26th day of December, in the year of Our Lord, 1878.

(L.S.) R. B. D. MORIER.
(L.S.) JOAO DE ANDRADE CORVO.

TARIFF annexed to the Treaty of Commerce and Extradition between Great Britain and Portugal with reference to their Indian Possessions.

SCHEDULE (A).—Import Tariff.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Apparel, including haberdashery and millinery, but excluding boots, shoes, and hosiery</td>
<td>Ad val.</td>
<td>5 percent.</td>
<td></td>
</tr>
</tbody>
</table>
| 2   | Arms, ammunition, and military stores—Fire-arms and parts thereof—  
1. Fire-arms other than pistols, for each | Ad val. | 50 | 0 |
| 2   | 2. Barrels for the same, whether single or double, for each | 30 | 0 |
| 3   | 3. Pistols, for each | 15 | 0 |
| 4   | 4. Barrels for the same, whether single or double, for each | 10 | 0 |
| 5   | 5. Springs used for fire-arms, for each | 8 | 0 |
| 6   | 6. Gunstocks, sights, blocks, and rollers, for each | 5 | 0 |
| 7   | 7. Revolver-breaches, for each cartridge they will carry, for each | 2 | 8 |
| 8   | 8. Extractors, nippers, heel-plates, pins, screws, tangs, bolts, thumbs, pieces, trigger-guards, hammers, pistons, plates, and all other | | |

* See Declaration of August 6, 1870. Page 1146.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>parts of a fire-arm not herein otherwise provided for, and all tools used for cleaning or putting together or loading the same, for each</td>
<td></td>
<td></td>
<td>1 8</td>
</tr>
<tr>
<td>9.</td>
<td>Machines for making or loading or closing cartridges, for each</td>
<td></td>
<td></td>
<td>10 0</td>
</tr>
<tr>
<td>10.</td>
<td>Machines for capping cartridges, for each</td>
<td></td>
<td></td>
<td>2 8</td>
</tr>
</tbody>
</table>

**Exception 1.**—Articles falling under the 5th, 6th, 8th, 9th, or 10th head of the above list, when they appertain to a fire-arm falling under the 1st or 3rd head, and are fitted into the same case with such fire-arm, are free.

**Exception 2.**—No duty in excess of 10 per cent. *ad valorem* shall be levied upon any of the said articles imported in reasonable quantity for his own private use by any person lawfully entitled to possess the same.

**Exception 3.**—When any articles which have been imported otherwise than by any such person, and upon which duty has been levied or is leviable under this head, are purchased retail from the importer by a person lawfully entitled as aforesaid, in reasonable quantity for his own private use, the importer may apply to the Customs collector for a refund or remission (as the case may be) of so much of the duty thereon as is in excess of 10 per cent. *ad valorem*; and if such collector is satisfied as to the identity of the articles, and that such importer is in other respects entitled to such remission, he shall grant the same accordingly.

| Gunpowder, common. | Lb. | 0 5 | 10 per cent. |
| All other sorts    | "   | 1 0 |
| 10 Chinese and Japanese ware, including lacquered ware, but excluding earthenware, china, and porcelain | "   | 5   |
| 11 Clocks, watches, and other timekeepers |       |     |
| 13 Coral, real |       |     |
| 15 Cork and articles made of cork— |       |     |
| Bottle corks | Gross | 1 8 |
| Vial corks | "   | 0 8 |
| All other sorts | Ad val. |     |
| 16 Cotton and articles made of cotton— |       |     |
| Cotton hosiery | Ad val. |     |
| Cotton rope | Cwt. | 25 0 |
| Country canvas | "   | 50 0 |
| Piece goods— |       |     |
| Grey— "Jaconets," exceeding 10 x 10 to the quarter inch | Lb. | 0 12 | 5  |
## PORTUGAL.

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lb.</td>
<td>Rs.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>0 10 1</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>1 1</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>0 10 1</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>0 9</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>0 9</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>0 8</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Ad val.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sewing thread—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Goa and country</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>On reels or cards containing 100 yards each, and pro rata above and below (b)</td>
<td>Cwt.</td>
<td>30 0</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>White and coloured</td>
<td></td>
<td></td>
<td>Gross 3 0</td>
</tr>
<tr>
<td></td>
<td>Twist—</td>
<td></td>
<td></td>
<td>Lb. 1 0</td>
</tr>
<tr>
<td></td>
<td>&quot;Mule&quot;—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nos. 15 and lower Nos.</td>
<td></td>
<td></td>
<td>0 5</td>
</tr>
<tr>
<td></td>
<td>is free.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nos. 16 to 24</td>
<td></td>
<td></td>
<td>0 7</td>
</tr>
<tr>
<td></td>
<td>is free.</td>
<td></td>
<td></td>
<td>0 8</td>
</tr>
<tr>
<td></td>
<td>Nos. 25 to 32</td>
<td></td>
<td></td>
<td>0 9 1/2</td>
</tr>
<tr>
<td></td>
<td>Nos. 33 to 42</td>
<td></td>
<td></td>
<td>0 11</td>
</tr>
<tr>
<td></td>
<td>Nos. 43 to 52</td>
<td></td>
<td></td>
<td>0 12 1/2</td>
</tr>
<tr>
<td></td>
<td>Nos. 53 to 60</td>
<td></td>
<td></td>
<td>0 14</td>
</tr>
<tr>
<td></td>
<td>Nos. 61 to 70</td>
<td></td>
<td></td>
<td>0 15</td>
</tr>
<tr>
<td></td>
<td>Nos. 71 to 80</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>And so on, one anna to be added to the valuation per lb. for every count of 10, or part of a count of 10, above 80.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Water—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nos. 20 and lower Nos.</td>
<td></td>
<td></td>
<td>0 8</td>
</tr>
<tr>
<td></td>
<td>(Excepting grey, which is free.)</td>
<td></td>
<td></td>
<td>0 9 1/2</td>
</tr>
<tr>
<td></td>
<td>Nos. 21 to 30</td>
<td></td>
<td></td>
<td>0 11 1/2</td>
</tr>
<tr>
<td></td>
<td>Nos. 31 to 40</td>
<td></td>
<td></td>
<td>0 13</td>
</tr>
<tr>
<td></td>
<td>Nos. 41 to 60</td>
<td></td>
<td></td>
<td>1 0</td>
</tr>
<tr>
<td></td>
<td>Above 50</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Twist, orange, red, and other colours except Turkey red (c)</td>
<td></td>
<td></td>
<td>0 13</td>
</tr>
<tr>
<td></td>
<td>Twist, Turkey red, all kinds (c)</td>
<td></td>
<td></td>
<td>1 6</td>
</tr>
<tr>
<td></td>
<td>Cotton goods, all other sorts</td>
<td></td>
<td></td>
<td>Ad val.</td>
</tr>
<tr>
<td>17</td>
<td>Drugs and medicines, except opium (d)</td>
<td>Cwt.</td>
<td>11 0</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Aloes, black</td>
<td></td>
<td></td>
<td>25 0</td>
</tr>
<tr>
<td></td>
<td>Socotra</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(a) These articles are free, if shown to the satisfaction of the Customs collector, whose decision shall be final, to be of the dimensions, weights, counts, and qualities now generally known under those descriptions, and to contain no yarn of a higher number than 30 s.

(b) Duty to be charged either on the mark or on the actual length.

(c) Duty to be charged on the grey weight of the coloured yarn; when this is not ascertainable, the actual wharf weight, or invoice weight, to be taken.

(d) Drugs, China clay, imported into British India by paper manufacturers, and shown to the satisfaction of the chief Customs authority of the place where they are imported to be intended solely for use in the manufacture of paper, are exempted from the whole of the duties to which they are liable under this Tariff. Vide Notification, No. 190, dated 13th January, 1876, published at page 43 of Part I of the "Gazette of India" of 16th January, 1876.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1137</td>
<td>Aseafrotida (&quot;hing&quot;)</td>
<td>Cwt.</td>
<td>55 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>coarse (&quot;hingra&quot;)</td>
<td></td>
<td>10 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Camphor, Bhemsaini (&quot;bara&quot;)</td>
<td>Lb.</td>
<td>80 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>refined, cake</td>
<td>Cwt.</td>
<td>65 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>crude, in powder</td>
<td></td>
<td>40 0</td>
<td>5 per cent.</td>
</tr>
<tr>
<td></td>
<td>Cassia, lignea</td>
<td></td>
<td>38 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Salep</td>
<td></td>
<td>80 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Senna leaves</td>
<td></td>
<td>5 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other sorts, except quinine, which is free</td>
<td>Ad val.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Dyeing and colouring materials—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Aniline dyes, magenta and roseine</td>
<td>Oz.</td>
<td>0 4</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cochineal</td>
<td>Lb.</td>
<td>1 4</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Gallnuts, country, Mirabolam Persia</td>
<td>Cwt.</td>
<td>4 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Madder or manjith</td>
<td></td>
<td>12 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Orchilla weed</td>
<td></td>
<td>5 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sapan wood and root</td>
<td></td>
<td>5 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other sorts (e)</td>
<td>Ad val.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>19</td>
<td>Earthenware (except earthenware piping), china, china clay, (e), and porcelain</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Fireworks—</td>
<td>Box of</td>
<td>133 lbs.</td>
<td>30 0</td>
</tr>
<tr>
<td></td>
<td>China</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other sorts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Glass, glass-ware, beads, false pearls, and false corals—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bangles, glass, china, gilt</td>
<td>100 pairs</td>
<td>6 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; &quot; not gilt</td>
<td></td>
<td>3 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Beads, China</td>
<td>Cwt.</td>
<td>30 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Coral, false</td>
<td></td>
<td></td>
<td>Ad val.</td>
</tr>
<tr>
<td></td>
<td>Glass, China, of all colours</td>
<td>133 lbs.</td>
<td>32 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; crown, coloured</td>
<td>100 sup. ft.</td>
<td>25 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; of sizes</td>
<td></td>
<td>7 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pearls, false—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bajria</td>
<td>Lakh</td>
<td>5 0</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Boria</td>
<td></td>
<td>1,000</td>
<td>4</td>
</tr>
<tr>
<td></td>
<td>Jouria</td>
<td>Lakh</td>
<td>8 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nathia</td>
<td>1,000</td>
<td>0 6</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tachea</td>
<td></td>
<td>1 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wattlesah</td>
<td>Lakh</td>
<td>10 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other sorts of beads, false pearls, and glass, except bottles used to bottle beer, wine, spirit, or aerated waters, which are free</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>24</td>
<td>Gums, gum resins, and articles made of gum or gum resin—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Copal</td>
<td>Cwt.</td>
<td>65 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cutch and Gambier</td>
<td></td>
<td>10 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Gum ammoniac</td>
<td></td>
<td>12 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Arabic</td>
<td></td>
<td>15 0</td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Bdellium (common gum)</td>
<td></td>
<td>5 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Benjamin</td>
<td></td>
<td>40 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bysabol (coarse myrrh)</td>
<td></td>
<td>12 0</td>
<td></td>
</tr>
</tbody>
</table>

(e) Lac of all sorts is free. *Vide* Notification, dated 14th July, 1877, No. 110.

(see) See Note (d), page 1136.
<table>
<thead>
<tr>
<th>No.</th>
<th>Names of articles.</th>
<th>Per valuation.</th>
<th>Rate of duty.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1138</td>
<td>PORTUGAL.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>23</td>
<td>Names of articles.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>Instruments and apparatus—Musical</td>
<td></td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Ivory and ivory-ware—</td>
<td></td>
<td>5 per cent.</td>
</tr>
<tr>
<td>30</td>
<td>Jewellery, including plate—</td>
<td></td>
<td></td>
</tr>
<tr>
<td>32</td>
<td>Liquors (A)—</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(f) Rosin exempt from the duty to which it is liable under this Tariff, when imported into British India by paper manufacturers, and shown to the satisfaction of the chief Customs authority of the place where it is imported to be intended to be used solely in the manufacture of paper. 

(g) This includes engines, tenders, and other machinery imported for railway purposes. 

(i) Any wine, spirit, or liqueur shipped in a vessel which sailed for British India on or before the 15th August, 1875, if sold, or a contract for its delivery concluded, on or before the 5th August, 1875, at a fixed price, including the import duty payable in British India, shall not be liable to a higher duty than that specified in the Indian Tariff Act, 1871. 

(‡) Rosin exempt from the duty to which it is liable under this Tariff, when imported into British India by paper manufacturers, and shown to the satisfaction of the chief Customs authority of the place where it is imported to be intended to be used solely in the manufacture of paper. 

(‡) This includes engines, tenders, and other machinery imported for railway purposes. 

(‡) Any wine, spirit, or liqueur shipped in a vessel which sailed for British India on or before the 15th August, 1875, if sold, or a contract for its delivery concluded, on or before the 5th August, 1875, at a fixed price, including the import duty payable in British India, shall not be liable to a higher duty than that specified in the Indian Tariff Act, 1871.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>33</td>
<td>Matches, lucifer, and all other sorts</td>
<td>Ad val.</td>
<td>5 per cent.</td>
<td></td>
</tr>
<tr>
<td>35</td>
<td>Metals, unwrought, wrought, and articles made of metals—</td>
<td>Ad val.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Brass—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Beads, ghungri, China</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>old</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sheets, rolls, very thin</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wire</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other sorts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Copper—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Australian cake</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bolt</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Brazier's</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>China cash</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Japan</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nails and composition nails</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>old</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pigs and slabs, foreign</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sheet, sheathings, and plate</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tiles, ingots, cakes, and bricks</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other sorts, unmanufactured</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>China, white copper-ware</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Foil or dakpana</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wire</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other sorts (j)</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Gold leaf, European</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>mock</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Iron—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Anchors and cables</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Angle and T-iron</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Beams, pillars, girders, bridge-work, and other descriptions of iron, imported for building purposes</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(i) Wines of Portugal, not exceeding 41,500 imperial gallons in any year, and intended exclusively for consumption in Portuguese India, are subject by Article IX (c) of this Treaty, to a duty of only 2 annas 9 pices per gallon.

(j) This does not include copper coin. Vide letter to the Government of Bengal, No. 627, dated 16th December, 1876.
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Flat, square, and bolt, including</td>
<td></td>
<td></td>
<td>R. a.</td>
</tr>
<tr>
<td></td>
<td>Scotch</td>
<td>Ton</td>
<td>100 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Galvanized</td>
<td>Cwt.</td>
<td>11 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hoop, plate, and sheet</td>
<td>Ton</td>
<td>135 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nails, rose, clasp, and flat-headed, rivets and washers</td>
<td>Cwt.</td>
<td>12 8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nails, other sorts, including galvanized</td>
<td></td>
<td></td>
<td>Ad val.</td>
</tr>
<tr>
<td></td>
<td>Nail-rod</td>
<td>Ton</td>
<td>120 0</td>
<td>1 per cent.</td>
</tr>
<tr>
<td></td>
<td>Old</td>
<td>Cwt.</td>
<td>2 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pig</td>
<td>Ton</td>
<td>55 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pipes and tubes</td>
<td></td>
<td></td>
<td>Ad val.</td>
</tr>
<tr>
<td></td>
<td>Rice bowls</td>
<td>Set of 10</td>
<td>4 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rod, round British, not exceeding 1-inch diameter</td>
<td>Ton</td>
<td>180 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rod, exceeding 1-inch diameter</td>
<td>Cwt.</td>
<td>160 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Swedish, flat and square</td>
<td></td>
<td>15 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tinned plates</td>
<td></td>
<td>Ad val.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other sorts (k), including wire, but excluding railway materials and kentledge, which last-named article is free</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lametta, double reels</td>
<td>Score</td>
<td>2 4</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lead</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ore, galena</td>
<td>Cwt.</td>
<td>18 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fig</td>
<td></td>
<td>11 0</td>
<td>Ad val.</td>
</tr>
<tr>
<td></td>
<td>Pipes</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sheets, tea</td>
<td>Cwt.</td>
<td>20 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other sorts</td>
<td></td>
<td>12 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Orsidue and brass leaves, foreign, European.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ditto, ditto, China.</td>
<td></td>
<td>0 14</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Patent or yellow metals, sheathing, sheets, and bolts.</td>
<td>Cwt.</td>
<td>42 0</td>
<td>1 2</td>
</tr>
<tr>
<td></td>
<td>Ditto, ditto, old</td>
<td></td>
<td>37 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Quicksilver</td>
<td>Cwt.</td>
<td>16 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Shot, bird</td>
<td></td>
<td>5</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Steel, excluding railway materials— Blistered</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>British and foreign, other than Swedish</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cast</td>
<td></td>
<td>9 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Spring</td>
<td></td>
<td>25 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Swedish</td>
<td></td>
<td>10 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tin, block</td>
<td></td>
<td>50 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other sorts</td>
<td></td>
<td>Ad val.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Zinc or spelter— Nails</td>
<td>Cwt.</td>
<td>14 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Plate and other shapes, soft hard</td>
<td></td>
<td>15 0</td>
<td>11 0</td>
</tr>
<tr>
<td></td>
<td>Sheet or zinc sheathing</td>
<td></td>
<td>17 0</td>
<td></td>
</tr>
</tbody>
</table>

(k) Iron ore is free. Letter to Collector of Customs, Calcutta, No. 121, dated 11th February, 1877.
<table>
<thead>
<tr>
<th>No.</th>
<th>Names of articles</th>
<th>Per valuation</th>
<th>Rate of duty</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Cwt.</td>
<td>Rs.</td>
</tr>
<tr>
<td>40</td>
<td>Opium not covered by a Government pass</td>
<td>Seer of 80 tolahs</td>
<td>5 per cent.</td>
</tr>
<tr>
<td>41</td>
<td>Paints, colours, painters' materials, and composition for application to leather and metals—</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ochre, other than European, all colours (I)</td>
<td>Cwt. 1 8</td>
<td>5 per cent.</td>
</tr>
<tr>
<td></td>
<td>Paints of sorts</td>
<td>Cwt. 12 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>composition</td>
<td>Cwt. 25 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>patent driers</td>
<td>Cwt. 1 4</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Prussian blue, China</td>
<td>Lb. 0 8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>European</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Red lead</td>
<td>Cwt. 1 14 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Turpentine</td>
<td>Imp. gall. 1 10</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Verdigris</td>
<td>Cwt. 75 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Vermilion, Canton</td>
<td>Box of 90 bundles 150 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>White lead</td>
<td>Cwt. 1 2 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other sorts</td>
<td></td>
<td></td>
</tr>
<tr>
<td>43</td>
<td>Perfumery—</td>
<td>Ad. val.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Attar, Persian</td>
<td>Cwt. 15 0</td>
<td>Rs. 4</td>
</tr>
<tr>
<td></td>
<td>Perfumed spirit in wood, or in bottles containing more than half-a-pint</td>
<td>Imp. gall. 1 3</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rose flowers, dried</td>
<td>Cwt. 13 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rose-water</td>
<td>Imp. gall. 1 12</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other sorts, including perfumed spirit in bottles containing not more than half-a-pint</td>
<td></td>
<td></td>
</tr>
<tr>
<td>44</td>
<td>Piece goods not otherwise described, except piece goods made of jute, which are free</td>
<td>Ad. val.</td>
<td></td>
</tr>
<tr>
<td>47</td>
<td>Provisions and oilman's stores—</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bacon in canisters, jowls and cheeks</td>
<td>Lb. 0 9</td>
<td>5 per cent.</td>
</tr>
<tr>
<td></td>
<td>Beef and pork</td>
<td>Tierce of 3 cwt. 60 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cheese</td>
<td>Barrel of 2 cwt. 40 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>China preserves</td>
<td>Lb. 0 10</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Flour</td>
<td>Box of 6 jars 8 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ghee</td>
<td>Cwt. 36 0</td>
<td>Ad. val.</td>
</tr>
<tr>
<td></td>
<td>Groceries not otherwise described</td>
<td>Lb. 0 10</td>
<td>12 annas.</td>
</tr>
<tr>
<td></td>
<td>Pork hams</td>
<td>Cwt.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Salted fish (m)</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

(I) Ochre is exempt from the duty to which it is liable under this Tariff if imported into British India by paper manufacturers, and shown to the satisfaction of the chief Customs authority of the place where it is imported to be intended solely for use in the manufacture of paper. Vide Notification, No. 190, dated 13th January, 1876, published at page 43 of Part I of the "Gazette of India" of the 15th idem.

(m) Duty to be levied only on salted fish imported into the Bombay Presidency.
<table>
<thead>
<tr>
<th>No.</th>
<th>Names of articles</th>
<th>Per</th>
<th>Tariff valuation</th>
<th>Rate of duty</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Tongues, salted</td>
<td>Keg of 6</td>
<td>10 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Vinegar, European, in wood</td>
<td>Imp. gall.</td>
<td>1 8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; Persian country</td>
<td>&quot;</td>
<td>0 12</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; All other sorts, except bêche-de-mer, fish-maws,</td>
<td>&quot;</td>
<td>0 6</td>
<td>5 per cent.</td>
</tr>
<tr>
<td></td>
<td>&quot; shark-fins, singly, and sozille, which are free</td>
<td>&quot;</td>
<td>Ad val.</td>
<td></td>
</tr>
<tr>
<td>49</td>
<td>Salt</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Imported into British Burma</td>
<td>Indian</td>
<td>3 annas.</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; Imported into the lower provinces of Bengal</td>
<td>maund of</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; Imported into any other part of British India or</td>
<td>82 lbs.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; into Portuguese India</td>
<td>avoirdupois</td>
<td></td>
<td></td>
</tr>
<tr>
<td>51</td>
<td>Shells and cowries—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Chanks—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; Large shells, for cameos</td>
<td>100</td>
<td>10 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; White, live</td>
<td>&quot;</td>
<td>6 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; dead</td>
<td>&quot;</td>
<td>3 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cowras—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; From Mozambique and Zanzibar</td>
<td></td>
<td>3 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; From other places</td>
<td>&quot;</td>
<td>0 8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cowries—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; Blažir, common</td>
<td>Cwt.</td>
<td>2 8</td>
<td>5 per cent.</td>
</tr>
<tr>
<td></td>
<td>&quot; Maldivian</td>
<td>&quot;</td>
<td>10 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; Sankhli</td>
<td>&quot;</td>
<td>5 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; Yellow, superior quality</td>
<td>&quot;</td>
<td>5 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; Mother-of-pearl</td>
<td>&quot;</td>
<td>30 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; Tortoise-shell</td>
<td>&quot;</td>
<td>6 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; nakh</td>
<td>&quot;</td>
<td>1 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other sorts, including nakhla</td>
<td>&quot;</td>
<td>Ad val.</td>
<td></td>
</tr>
<tr>
<td>52</td>
<td>Silk (n), and articles made of silk—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Floss</td>
<td>Lb.</td>
<td>8 0</td>
<td>Ad val.</td>
</tr>
<tr>
<td></td>
<td>Piece goods</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Raw silk—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cháhâram and Cochin China</td>
<td>Lb.</td>
<td>4 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mathow</td>
<td>&quot;</td>
<td>1 12</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Other kinds of China</td>
<td>&quot;</td>
<td>7 0</td>
<td>5  &quot;</td>
</tr>
<tr>
<td></td>
<td>Panjam and Kachra</td>
<td>&quot;</td>
<td>1 4</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Persian</td>
<td>&quot;</td>
<td>5 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Siâm</td>
<td>&quot;</td>
<td>2 8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Sewing thread, China</td>
<td>&quot;</td>
<td>8 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other sorts</td>
<td>&quot;</td>
<td>Ad val.</td>
<td></td>
</tr>
<tr>
<td>54</td>
<td>Spices—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Aniseed star</td>
<td>Cwt.</td>
<td>35 9</td>
<td>5  &quot;</td>
</tr>
<tr>
<td></td>
<td>Betel nuts</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; Goa</td>
<td>&quot;</td>
<td>12 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>&quot; In the husk</td>
<td>&quot;</td>
<td>2 0</td>
<td></td>
</tr>
</tbody>
</table>

and into such other parts of British India as the Governor-General in Council may, by notification in the "Gazette of India," from time to time direct.

(s) The value of raw silk, the produce of the Tasar or other wild worm, when such silk is imported from China, is fixed at Rs. 4 per lb. Vide Notification, No. 68, dated 16th March, 1877, published at p. 142 of Part I of the "Gazette of India" of the 17th idem.
<table>
<thead>
<tr>
<th>No.</th>
<th>Names of articles</th>
<th>Per</th>
<th>Tariff valuation</th>
<th>Rate of duty</th>
</tr>
</thead>
<tbody>
<tr>
<td>1143</td>
<td>White, Srvardhann</td>
<td>Cwt.</td>
<td>18 0</td>
<td>5 per cent.</td>
</tr>
<tr>
<td></td>
<td>All other sorts</td>
<td>&quot;</td>
<td>9 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Chillies, dried.</td>
<td>&quot;</td>
<td>8 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cloves</td>
<td>&quot;</td>
<td>40 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>in seeds, Narlavan</td>
<td>&quot;</td>
<td>16 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Mace</td>
<td>Lb.</td>
<td>1 2</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Nutmegs</td>
<td>&quot;</td>
<td>1 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>in shell</td>
<td>&quot;</td>
<td>0 8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Pepper, black and long</td>
<td>Cwt.</td>
<td>25 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>white</td>
<td>&quot;</td>
<td>32 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other sorts</td>
<td>&quot;</td>
<td>Ad val.</td>
<td></td>
</tr>
<tr>
<td>55</td>
<td>Stationery, except paper, which is free (o)</td>
<td>&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>56</td>
<td>Sugar—</td>
<td>Cwt.</td>
<td>20 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>China, candy</td>
<td>&quot;</td>
<td>23 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Loaf</td>
<td>&quot;</td>
<td>13 8</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Soft</td>
<td>&quot;</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other sorts</td>
<td>&quot;</td>
<td>Ad val.</td>
<td></td>
</tr>
<tr>
<td>57</td>
<td>Tea—</td>
<td>Lb.</td>
<td>0 12</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Black</td>
<td>&quot;</td>
<td>1 4</td>
<td></td>
</tr>
<tr>
<td>58</td>
<td>Tobacco—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Manufactured</td>
<td></td>
<td></td>
<td>5</td>
</tr>
<tr>
<td></td>
<td>Unmanufactured</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>60</td>
<td>Toys and requisites for all games.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>61</td>
<td>Umbrellas—</td>
<td>Box of 110</td>
<td>30 0</td>
<td></td>
</tr>
<tr>
<td></td>
<td>China paper kettisals</td>
<td>Each</td>
<td>0 13</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Cotton, steel-ribbed</td>
<td>&quot;</td>
<td>0 12</td>
<td></td>
</tr>
<tr>
<td></td>
<td>oil, other than European</td>
<td>&quot;</td>
<td>0 10</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other sorts</td>
<td>&quot;</td>
<td>Ad val.</td>
<td></td>
</tr>
<tr>
<td>62</td>
<td>Woollen goods—</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Braid</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Hosiery</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Piece goods</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>All other sorts</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**SCHEDULE (B).—Export Tariff.**

1. Dyeing and colouring materials—
   - Dyeing and colouring materials—
     - Indigo—
       - Leaves, green or dry.
     - Manufactured.
   - Ton
   - Indian
   - mand of
   - 3,200 tolshas
   - Rs. 3
2. Grain and pulse—
   - Rice in the husk (paddy)
   - not in husk.
3. Lao—
   - Button
   - Shell
   - Cwt.
   - Rs. 1 4
   - Rs. 1 8

(o) This includes millboard and pasteboard. Vide letter to Government of Bengal, No. 627, dated 16th December, 1876.
1. This Tariff extends to the whole of British India except Aden.

2. Nothing herein contained affects the regulations now in force in British India relating to the transhipment of goods, or any regulations which may be applied to Portuguese India under Article VIII of the foregoing Treaty, or authorises the levy of duties of Customs on any article carried from one port in British or Portuguese India to another, except salt, salted fish, opium, and spirit.

3. Goods not prohibited to be imported into, or used in British or Portuguese India, whereof any article liable to duty under this Tariff forms a part or ingredient, shall be chargeable with the full duty which would be payable on such goods if they were entirely composed of such article, or, if composed of more than one article liable to duty, then with the full duty which would be payable on such goods if they were entirely composed of the article charged with the highest rate of duty.

4. The Governments of British and Portuguese India may, from time to time, prescribe rules for ascertaining and determining what spirit imported into Portuguese India shall be deemed to have been effectually and permanently rendered unfit for human consumption, so as to be subject only to an ad valorem duty of 10 per cent. under Schedule (A) of this Tariff, and for causing such spirit to be so rendered, if necessary, by their own officers, before the duty of Customs leviable thereon is levied, and at the expense of the person importing it.

Such rules, on being published in the respective official Gazettes, shall have the force of law, and whoever wilfully contravenes any such rule shall be liable to a fine not exceeding 500 rupees.

In the absence of any such rules, or if any dispute arises as to their applicability, the executive officer of highest rank in the Department of Customs in the port shall decide what spirit is subject only to the said ad valorem duty, and such decision shall be final.

5. On all pepper exported by sea from the port of Cochin there shall be levied such duty not exceeding 9 rupees per khandi, as the Governor of Fort St. George in Council from time to time determines; and at the close of each year, or as soon thereafter as may be convenient, the Collector of Customs at the said port shall, after deducting the expenses of collection, pay the duty collected under this section to the Governments of Travancore and Cochin in such proportion, and in such manner, as the Governor of Fort St. George in Council from time to time directs.

6. No opium shall be imported into or exported from any
part of British India, except in accordance with the British Indian Opium Act, 1878, or any other law relating to opium for the time being in force in British India.

7. No opium shall be exported from any part of Portuguese India except in accordance with Article XIV of the foregoing Treaty.*

(L.S.) R. B. D. MORIER.
(L.S.) JOAO DE ANDRADE CORVO.

Lisbon, December 26, 1878.


The Undersigned, Plenipotentiaries of Her Britannic Majesty and His Most Faithful Majesty, taking into consideration that the official Portuguese version of the tariff annexed to the Treaty of Commerce and Extradition signed by them this day could not, owing to the Indian technicalities, and the partly local terminology of that instrument, be satisfactorily completed at Lisbon without the assistance of Custom-House experts from British and Portuguese India, hereby declare the English text annexed to the Treaty to be the official and authoritative text of the tariff agreed to by the High Contracting Parties, and agree that the task of preparing the official Portuguese version, and bringing it into harmony with the English version, shall be confided to the Delegates to be named under Article XVII† of the Treaty.

Done in duplicate at Lisbon, this 26th day of December, 1878.

(L.S.) R. B. D. MORIER.
(L.S.) JOAO DE ANDRADE CORVO.

ADDITIONAL ARTICLE to the Treaty of Commerce and Extradition between Her Majesty and the King of Portugal and the Algarves with reference to their Indian Possessions. [Manufacture and Sale of Salt.] Signed at Lisbon, March 8, 1879.‡

THE Undersigned, Robert Burnet David Morier, Companion of the Most Honourable Order of the Bath, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of His Most Faithful Majesty, &c.; and Joao de Andrade Corvo, Councillor of State, Peer of the Realm, Minister and Secretary of State for Foreign Affairs of His Most Faithful Majesty, Professor of the Polytechnic School of Lisbon, Lieutenant-Colonel of Engineers, Knight Grand Cross of the Ancient

* See Page 1131. † Ratifications exchanged at Lisbon, August 6, 1879. ‡ See Page 1132.
Most Noble and Illustrious Order of St. James for the reward of scientific, literary, and artistic merit, Knight Commander of the Order of Christ, Companion of the Military Order of Aviz, Effective Knight Grand Cross of the Order of the Rose of Brazil, Knight Grand Cross of the Legion of Honour of France, of Leopold of Austria, of Saints Maurice and Lazarus of Italy, of the Royal Order of Charles III of Spain, of the Order of the Polar Star of Sweden, Officer of Public Instruction in France, &c.; being furnished with the authority of their respective Governments, have agreed upon the following Additional Article to the Treaty of Commerce and Extradition with reference to the Indian possessions of the British and Portuguese Crowns, signed on the 26th day of December, 1878:

"At the expiration of 3 years from the date at which the arrangements respecting the manufacture and sale of salt, provided for in Article XII* of the Treaty aforesaid, shall have been definitively concluded, each of the High Contracting Parties shall have the right to invite the other Contracting Party to reconsider the stipulations of that Article with a view to their alteration, modification, or improvement, and, should it be alleged that abuses have arisen in the practical application of the stipulations aforesaid, the High Contracting Parties engage jointly to investigate such allegations, and, in the event of their being proved to be correct, to co-operate with each other for the removal of such abuses.

"It is, nevertheless, understood that, unless both High Contracting Parties shall mutually agree to substitute some other arrangements for the manufacture and sale of salt than those stipulated for in Article XII of the Treaty aforesaid, the arrangements stipulated for in the said Article XII shall continue in force for the remaining portion of the term of 12 years during which the Treaty has to run."

The present Additional Article shall have the same force and validity as if it had been inserted word for word in the aforesaid Treaty of the 26th December, 1878, and shall be included in the ratification of the said Treaty.

In witness whereof the Undersigned Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done in duplicate at Lisbon, this 8th day of March, 1879.

(L.S.) R. B. D. Morier.
(L.S.) Joao de Andrade Corvo.

Declaration. Reforms in Portuguese Colonies in India. Payment of 1st British Instalment. Lisbon, August 6, 1879.

THE Undersigned, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at the Court of His Most

* See Page 1127.
Faithful Majesty, and His Most Faithful Majesty's Minister and Secretary of State for Foreign Affairs, having met, this 6th day of August, 1879, at the Ministry of Foreign Affairs at Lisbon, for the purpose of exchanging the ratifications of the Treaty of Commerce and Extradition between Her Britannic Majesty and His Most Faithful Majesty with reference to their Indian Possessions, signed at Lisbon on the 26th day of December, 1878, made the following declarations:

His Most Faithful Majesty's Minister and Secretary of State for Foreign Affairs declared that His Majesty's Government, whilst fully determined to do everything in their power to hasten the preparatory labours required for the full execution of the Treaty stipulations, so as, if possible, to bring them to a conclusion within the 3 months, at the expiration of which, from the date of the exchange of ratifications, Article XXII stipulates that the Treaty shall come into force, nevertheless, cannot, in view of the varied and complicated nature of the reforms which it will be necessary to introduce into the administrative system of the Portuguese Colonies in India, engage with certainty that these preparatory labours shall be so far advanced, at the expiration of 3 months from to-day, as to enable the Treaty to come into force at the date thus specified.

Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary having taken act of the declaration made by His Most Faithful Majesty's Minister and Secretary of State for Foreign Affairs, declared himself authorised by his Government to propose to the Government of His Most Faithful Majesty that the Delegates to whom, under Article XVI, is confided the task of preparing the measures requisite for the execution of the Treaty, shall, not later than 6 weeks from the date at which they commence their joint labours, and at an earlier date if possible, report to the Governors-General of British and Portuguese India at what date their labours will be so far advanced as to allow of the Treaty coming into force; upon which the Governors-General aforesaid shall conjointly determine the date at which the Treaty shall accordingly come into force. He further declared himself authorised to state that the first quarterly instalment of the annual sum of 4 lacs of rupees which Her Britannic Majesty engages, under Article XV, to pay to His Most Faithful Majesty, in consideration of Articles XI, XII, XIII, and XIV of the Treaty, will be paid at the expiration of 3 months from the date at which the Treaty shall accordingly come into force.

His Most Faithful Majesty's Minister and Secretary of State for Foreign Affairs thereupon declared that His Most Faithful Majesty's Government adhered to the proposal made by Her

* See Page 1119. † See Page 1184. ‡ See Page 1132. § See Page 1131.
Britannic Majesty’s Minister, and took act of his declaration with reference to the payment of the first instalment of the annual sum of 4 lacs of rupees payable to His Most Faithful Majesty under Article XV of the Treaty.

Done in duplicate at Lisbon, this 6th day of August, in the year of Our Lord, 1879.

R. B. D. MORIER.
ANSELMO JOSE BRAAMCAMP.

AWARD of the Emperor of Germany, on the Interpretation of the Treaty between Great Britain and The United States of 15th June, 1846. (Water Boundary between Vancouver’s Island and the Mainland, Rosario Straits, Canal de Haro. Island of San Juan.) Berlin, October 21, 1872.

(Translation.)

We, William, by the Grace of God, German Emperor, King of Prussia, &c.

After examination of the Treaty between the Governments of Her Britannic Majesty and that of the United States of America, dated at Washington, May 6th, * 1871; † by virtue of which the above-named Governments have submitted to our Arbitration the question at issue between them, viz., whether the line of boundary which, according to Treaty dated at Washington, June 15, 1846, ‡ after it had been continued westward along the 49th parallel of north latitude to the middle of the channel which separates the continent from Vancouver’s Island, shall be further drawn southerly through the middle of the said channel and of Fuca’s Straits to the Pacific Ocean, should run, as claimed by the Government of Her Britannic Majesty, through the Rosario Straits, or through the Canal of Haro, as claimed by the Government of The United States, in order that we should decide finally and without appeal which of these claims is most in accordance with the true interpretation of the Treaty of June 15, 1846:

Have, after taking into consideration the statements of the experts and jurists appointed by us to report upon the contents of the respective cases and counter-cases, with their inclosures, given the following decision:

The claim of the Government of The United States, viz., that the line of boundary between the dominions of Her Britannic Majesty and The United States should be run through the Canal of Haro, is most in accordance with the true inter-

pretation of the Treaty concluded between the Government of Her Britannic Majesty and that of the United States of America, dated at Washington, June 15, 1846.

Given under our hand and seal at Berlin, October 21, 1872.

(L.S.) WILLIAM.

[In consequence of this Award the British Garrison was withdrawn from the Island of San Juan, November 25, 1872.]

---

ROUMANIA.

LAW OF ROUMANIA, respecting Commercial Arrangements with Foreign States. Sinaia, July 1878.

(Translation.)

CHARLES I, by the Grace of God and the will of the nation Sovereign Lord of Roumania.

To all to whom these presents shall come health.

Taking into consideration the report of our Minister Secretary of State for the Department of Finance, marked No. 17,953.

The Legislative body having adopted, we have sanctioned as follows:

ART. I. The Customs dues on imports, being the product of the soil or of the industries of countries with which Roumania has not concluded Commercial Conventions, will be levied in conformity with the tariff composed in virtue of the Commercial Convention of 22nd June, 1875, between Roumania and Austro-Hungary, with an addition of 15 per cent, to those duties.

The duties on exports, exemptions and prohibitions will be applied in conformity with the same tariff.

Instructions to the executive authorities issued in the form of ordinances for public administration will determine, according as necessity arises, the merchandise that belongs to each article.

II. The countries whose Governments have already signed Conventions with the Roumanian Government or who may enter into negotiations for concluding such Conventions, will at once enjoy the most-favoured-nation treatment.

The present Law will come into force on the 1st August, 1878, from which date the general tariff of 15th May, 1876, remains abrogated.

Dated Sinaia, 15th July, 1878.

CHARLES.

* A Declaration was signed between the British and Roumanian Governments on the 30th November, 1876, for regulating provisionally the commercial relations between the two countries; and its duration was prolonged for 9 months by a Protocol, signed on the 12th May, 1877. See Pages 468, 469.
RUSSIA.

BRITISH NOTIFICATION, with regard to the protection against seizure of Coal supplied for the use of Steamers navigating the Suez Canal, during the War between Russia and Turkey.

London, August 15, 1877.

It is hereby notified for general information that, with the view of obviating any interruption in the supply of Coal for the use of steamers navigating the Suez Canal, the Russian Consul-General in London has been authorised by the Imperial Government to grant to owners and masters of vessels clearing from any port in the United Kingdom with coals for Port Said, certificates of protection against seizure by Russian cruisers, on production of shipping documents or other evidence showing that the coal is destined for commercial use.

If London be the port of departure of the vessel, the application may be made direct to the Consul-General; in all other cases it must be made through the Consular Agent on the spot, who will transmit the same to the Consul-General.

London, August 15, 1877.

SERVIA.

DECLARATION for regulating provisionally the Commercial Relations between Great Britain and Servia. Signed at Belgrade, March 17, 1879.

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Highness the Prince of Servia, being desirous of provisionally regulating the commercial relations between the two countries during the time requisite to negotiate and conclude a Treaty of Commerce, the Undersigned, duly authorised to that effect, have agreed to the following arrangement:

The products of British origin or manufacture which shall be imported into the Principality of Servia, and the products of Servian origin or manufacture which shall be imported into the United Kingdom of Great Britain and Ireland and the
British Colonies, shall be respectively subject to, as regards import, export, and transit duties, as regards re-exportation, brokerage, goods in bond, and local duties and also as regards Custom-House formalities, the same treatment as the products of the nation the most favoured.

The present provisional arrangement shall remain in force until the conclusion of a definite Treaty of Commerce; but in any case it shall cease to have effect on the 1st May, 1880.

The two Governments engage, if necessary, to cause the present arrangement to be approved by their respective Legislatures in the course of the next session.

In witness whereof the Undersigned have drawn up the present Declaration, and have affixed thereto their seals of office.

Belgrade, 14th March, 1879.

(L.S.) G. F. GOULD, Her Britannic Majesty’s Chargé d’Affaires at Belgrade.

(L.S.) J. RISTICH, the President of the Council and Minister for Foreign Affairs of His Highness the Prince of Servia.

SIAM.

RULES AND REGULATIONS for the observance of Treaty Stipulations, and for the Peace, Order, and good Government of Her Britannic Majesty’s Subjects being within the Dominions of their Majesties the Kings of Siam. November 6, 1860.

[Framed under the Order of Her Majesty in Council of the 28th day of July, 1856,* by Her Majesty’s Consul appointed to reside within the Kingdom of Siam, and approved by Her Majesty’s Principal Secretary of State for Foreign Affairs.]

I. Her Britannic Majesty’s Consulate Office shall be open for the transaction of public business, from 10 o’clock A.M. to 4 o’clock P.M. daily, excepting Sundays, and those holidays upon which public offices in England are closed.

II. British subjects intending to reside within the dominions of the Kings of Siam, are required, in conformity with Article V of the Treaty concluded between Her Majesty and the Kings of Siam, to enrol themselves in the register of British residents kept for that purpose at the Consulate. Failing to do so

within 14 days after their arrival, without there is valid reason to account for the omission, they are not entitled, conformably to the Order of Her Majesty in Council, dated at the Court of Osborne House, Isle of Wight, the 28th day of July, 1856, to protection under the Consul's authority.

British subjects on leaving Siam as a residence are equally required to report themselves at the Consulate at least 48 hours before their departure.

Seamen borne on the muster roll of a British vessel are exempt from this obligation.

III. In compliance with the Order of Her Majesty in Council, dated the 1st of May, 1855, a register of all births and deaths occurring amongst British subjects in Siam is kept at the Consulate. The registration fee of each case is 2s. 6d.

The period within which such registration can take place after the occurrence of the event in foreign countries, has been fixed by Her Majesty's Government to be 7 years, this being the utmost limit that can be allowed for such registration.

IV. In the event of a sudden death, either by accident or otherwise, amongst the subjects of Her Majesty residing here it must forthwith be reported at Her Majesty's Consulate, in order that such measures may be taken as the circumstances require.

V. British subjects in Siam desiring to trade beyond the limits stipulated by the Treaty, must apply for a passport to the Consulate a reasonable time before their intended departure, as that document must be countersigned by the proper Siamese authority.

Persons travelling without a pass render themselves liable to be treated as deserters, and will be detained at the Government stations in the interior until the case having been reported to the Consul, instructions on the subject have been received.

VI. In all cases of loss of British property, by theft or fraud, assault or felony, whether committed on shore or on board a British vessel in harbour, the occurrence must be forthwith reported at the Consulate Office, and in cases of theft, peculation, or assault, where British and Siamese subjects are both concerned, a Siamese if guilty of any criminal act may be conveyed to Her Majesty's Consulate, provided there is no responsible officer of his country at hand to whom the offender might be delivered. But British subjects will not be permitted to use violence to Siamese offenders, or take steps for the redress of their grievances under peril of rendering themselves liable for the prosecution of an assault.

VII. It is strictly forbidden a British subject, whether permanently or temporarily residing in Bangkok, or in any other part of Siam, to enter the precincts of a wat or Siamese temple.

for the purpose to shoot pigeons or other birds; nor is it permitted to injure the edifices, or the symbols of Siamese worship or their tombs, or to damage any of the trees and shrubs within the last. Any infringement of this rule will subject the offender to a fine not exceeding 20L, or in default of such payment to imprisonment in the Consular jail to a period not surpassing a month, with or without hard labour.

VIII. No British subject residing in Bangkok or in any other part of Siam may establish either a boarding or eating house without the sanction of the Consul, and unless security has been given not to harbour any seaman who fails to prove that he has been legally discharged. Any person thus licensed as boarding or eating house keeper, must use every precaution that the inmates and frequenters of his house do not conduct themselves in a riotous manner, or break the peace, otherwise he will be rendered responsible and his licence may be withdrawn.

IX. Any British subject resident here who wilfully harbours or secretes any seaman or apprentice who has deserted from a British ship, knowing or having reason to believe, such to be the case, shall, conformably to "The Merchant Shipping Act, 1854" (paragraph 257), incur a penalty not exceeding 20L, in default he may be imprisoned in the Consular jail for any term not exceeding 3 months, with or without hard labour.

X. It is strictly forbidden to British subjects to enter the houses of the Siamese people against their will or to create disturbances at their abodes. Any infringement of this rule subjects the offender, or if more than one, each of the offenders to a penalty not exceeding 20L, or in default thereof to imprisonment in the Consular jail for the period of no more than one month, with or without hard labour.

GENERAL REGULATIONS under which British Trade is to be conducted in Siam, in conformity with the Treaty concluded between Her Britannic Majesty and the Kings of Siam.

I. The master of any English ship coming to Bangkok to trade, must either before or after entering the river, as may be found convenient, report the arrival at the Custom-House at Paknam, together with the number of his crew and guns, and the port from whence he comes. Upon anchoring his vessel at Paknam, he will deliver into the custody of the Custom-House officers all his guns and ammunition, and a Custom-House officer will then be appointed to the vessel, and will proceed in her to Bangkok.

II. A vessel passing Paknam without discharging her guns and ammunition, as directed in the foregoing Regulation, will be sent back to Paknam to comply with its provisions, and will...
be fined 800 ticals for having so disobeyed. After delivery of her guns and ammunition she will be permitted to return to Bangkok to trade.

III. When a British vessel shall have cast anchor at Bangkok, the master (unless a Sunday should intervene) will within 24 hours after arrival, proceed to the British Consulate, and deposit there his ship's papers, bills of lading, &c., together with a true manifest of his import cargo, and upon the Consuls reporting these particulars to the Custom-House, permission to break bulk will at once be given by the latter.

For neglecting to report his arrival, or for presenting a false manifest, the master will subject himself, in each instance, to a penalty of 400 ticals; but he will be allowed to correct within 24 hours after delivery of it to the Consul, any mistake he may discover in his manifest, without incurring the above-mentioned penalty.

IV. A British vessel breaking bulk and commencing to discharge before due permission shall be obtained, or smuggling either when in the river or outside the bar, shall be subject to the penalty of 800 ticals, and confiscation of the goods so smuggled or discharged.

V. As soon as a British vessel shall have discharged her cargo, and completed her outward lading, paid all her duties, and delivered a true manifest of her outward cargo to the British Consul, a Siamese port clearance shall be granted her on application from the Consul, who, in the absence of any legal impediment to her departure will then return to the master his ship's papers, and allow the vessel to leave, a Custom-House officer will accompany the vessel to Paknam; and on arriving there she will be inspected by the Custom-House officers of that station, and will receive from them the guns and ammunition previously delivered into their charge. The above regulations numbered from I to V are obligatory under the Treaty concluded between Great Britain and Siam;* those which follow numbered from VI to XIV are equally to be observed by masters of British vessels and their crews.

VI. Masters of British vessels when reporting their arrival at Her Majesty's Consulate at the port of Bangkok, as directed by the fourth regulation above quoted, shall notify in writing, the names of all passengers and persons not forming part of the registered crew.

Notice must likewise be given of the number and names of persons, who, as passengers or in any other capacity (seamen borne on the muster-roll excepted) intend to leave Siam in a British vessel.

VII. Seamen, Lascars, and others belonging to British

* 18th April, 1855, see Vol. 10, Page 557, and 13th May, 1856, Vol. 10, Page 666.
vessels in the port are strictly prohibited to wear side knives or any other weapon while on shore.

VIII. Should any seaman or apprentice absent himself without leave, the master will report his absence, if such exceeds 24 hours, at the Consulate Office.

IX. Any British subject who entices a seaman or apprentice to desert, incurs according to "The Merchant Shipping Act, 1854," paragraph 257, a penalty not exceeding 10L, or any such subject who wilfully harbours or secretes a person deserted from his ship incurs a penalty not exceeding 20L, if it be proved that he had knowledge of his being a deserter.

In default of the payment of such fines, the offender is to be imprisoned in the Consular jail for any term not exceeding 3 months, with or without hard labour.

X. All cases of death, and especially of sudden death, occurring on board of British vessels in the port of Bangkok, must be immediately reported at this Consulate.

XI. The discharge of guns from vessels anchored in the port of Bangkok, without notice having been previously given, and permission obtained through Her Majesty's Consul from the proper Siamese authority, is forbidden under a penalty not exceeding 10L.

XII. It is strictly prohibited to shoot birds within the precincts of the wats or temples, either in Bangkok or elsewhere within the Siamese dominions, or to injure or to damage any of the statues or figures, the trees or shrubs in such localities of Siamese worship, any British subject or seaman of a British vessel guilty of such an act renders himself liable to a penalty not exceeding 20L, or in default thereof to an imprisonment in the Consular jail for a period no more than one month.

XIII. When a vessel under the British flag is ready to leave the port of Bangkok, the master will give notice at the Consulate Office, and hoist a blue peter 24 hours before her departure, which is to fly until she breaks anchorage.

XIV. Should any vessel take in or discharge cargo subsequent to the issue of the Siamese port clearance, as directed by the fifth regulation, above quoted, the master as in a case of smuggling, subjects himself to a fine of 800 ticals (equal to 100L) and the goods so taken or discharged will be liable to confiscation.

XV. Every fine or penalty levied under these regulations, if not paid in sterling money) at the rate of 8 ticals Siamese currency for 1L.

British Consulate, Bangkok, November 6th, 1860.

R. H. SCHOMBURGK, Her Majesty's Consul.
CONVENTION between the Governor-General of India and the King of Siam, defining the Boundary on the Mainland between the Kingdom of Siam and the British Province of Tenasserim. Signed at Bangkok, February 8, 1868.

Lieutenant Arthur Herbert Bagge, Royal Engineers, Her Britannic Majesty's Commissioner, with powers from his Excellency the Right Honourable Sir John Lawrence, Viceroy and Governor-General of India, on the one part; Chow Phya Sri Sury Wongse thi Samuha Phra Kalahome, Prime Minister, President of the Western and South-Western Provinces; and Chow Phya Phutarapie thi Samuha Na Yoke, President of the Northern and North-Western Provinces, with full powers from His Majesty the King of Siam, on the other part; have unanimously agreed to this Convention regarding the boundaries on the mainland between the Kingdom of Siam and the British Province of Tenasserim; to wit:

On the north of the channel of the River Maymuey (Siamese) or Thongyeng (Burmese) up to its source in the Pa-wan range of mountains, the eastern or right bank of the said river being regarded as Siamese territory, and the western or left bank being regarded as English territory. Then along the Pa-wan range to the main watershed, and along it to Kroo Kradook Moo, or Moogadok Toung, in the Province of Theethawat. Here the boundary line crosses the valleys of the Houngdrau and Maygathat Rivers, in almost a straight line, and meets the main watershed near the common source of the Phabesa and Krata Rivers. From this point it runs down the central range of mountains which forms the main watershed of the peninsula as far as Khow Htam Dayn, in the district of Champon, thence along the range known as Khow Dayn Yai, as far as the source of the Kra-na-ey stream, which it follows to its junction with the Pakchan; thence down the Pakchan River to its mouth; the west or right bank belonging to the British, the eastern or left bank belonging to the Siamese.

With regard to the islands in the River Pakchan, those nearest to the English bank are to belong to the English, and those nearest to the Siamese bank are to belong to the Siamese, excepting the island of Kwan, off Maleewan, which is Siamese property.

The whole of the western bank of the River Pakchan down to Victoria Point shall belong to the British, and the eastern bank throughout shall belong to Siam.

This Agreement, written both in Siamese and English, shall fix the boundary line between the Kingdom of Siam and the British Province of Tenasserim for ever.

* Ratifications exchanged by the King of Siam's Plenipotentiary and Mr. Acting-Consul Alabaster, at Bangkok, July 3, 1868.
A tabular statement is attached to this Agreement, in which the various boundary marks in the valleys and along the mountain ranges are specified, together with their geographical positions.

Within the term of 6 months from the date of this Agreement, Her Britannic Majesty's Commissioner shall forward two maps, which shall be compared with the present map, now signed and sealed, showing the boundary in a red line. Should the two maps be found correct, the British and Siamese Governments shall ratify the same.

Signed and sealed by the respective Commissioners, at Bangkok, on Saturday, the 15th day of the waxing moon, the year of Rabbit, the 9th of the decade, Siamese Civil Era 1229, corresponding with the 8th day of February, 1868, of the Christian Era.

(L.S.) ARTHUR H. BAGGE.
(L.S.) C. PHYA SRI SURY WONGSE.
(L.S.) (Signature of the Second Siamese Plenipotentiary.)

TREATY between Great Britain and Siam, respecting Boundaries, Extradition, Customs Dues. (Quedah.) Signed at Bangkok, May 6, 1869.

TREATY entered into between Thomas George Knox, Esq., Her Britannic Majesty's Consul-General in Siam, and his Excellency Chao Phraya Sri Suriwongse Phra Kalahome, Prime Minister of Siam, Commissioner on the part of His Majesty the King of Siam, being a Treaty in substitution for former Treaties respectively dated 1786, 1791, and 1802 of the Christian era, and 1201, 1206, and 1217 of the Mahomedan era, and also in substitution for the Treaty with Ligor Siam of 1831, and for the Treaty concluded by Sir Harry St. George Ord on the 21st day of March, of the year 1868 of the Christian era.

ART. I. When this Treaty shall come into operation the Treaty concluded in the year 1802 of the Christian, and 1217 of the Mahomedan, era, between Sir George Leith, Bart., Lieutenant-Governor of Pulo Penang, and His Highness Yang de Per Tuan Rajah Mooda of Purties and Quedah, with the previous Treaties and Agreements referred to therein, and the Treaty concluded in the year 1831 of the Christian era between Robert Ibbotson, Esq., President of Singapore, Pulo Penang and Malacca, and the Caho Phya of Ligor Si Tamrat, and also the Treaty concluded on the 21st day of March, in the year 1868 of the Christian era, between Sir Harry St. George Ord, Knight, Governor and Commander-in-Chief of the Straits Settlements, and their Excellencies Phya Debra Phrajun and Phra Bedis Banij Siam Bejit Bhacty, Commissioners on the part of His Majesty the King of Siam, shall cease and determine
except so far as they grant to Her Majesty the territories referred to therein.

II. The Governor of the British Colony of the Straits Settlements shall pay annually to His Highness the Yeang de Per Tuan of Quedah, 10,000 dollars, as long as Her Britannic Majesty shall continue in possession of Pulo Penang and the country on the opposite coast, hereafter mentioned.

III. His Highness the Yeang de Per Tuan of Quedah agrees that the dominions of Her Britannic Majesty, on the mainland opposite the Island of Penang, shall comprise the territories bounded as follows, that is to say:—On the west by the sea, on the north by the right bank of the River Muda, on the south by the right bank of the River Kurreean, and on the east by a line running south, from a spot on the right bank of the River Muda, opposite the existing frontier pillar at Summatool, in a straight line to a point on the extreme eastern end of the Maratajam range of hills; thence along the top ridge of the Punchore hill to the existing frontier pillar on the right bank of the River Kurreean, about 400 English yards above and east of Bukit Toongal. A map, showing the eastern boundary above described, is annexed to the present Treaty, and signed by the respective Commissioners. The British authorities engage to respect the Royal burying grounds at Kotah Prye, within the ceded territory, and to consider them still the property of His Highness the Yeang de Per Tuan of Quedah, but subject, nevertheless, to British jurisdiction in other respects, provided always that the Mudah River shall, at all times, be free to the peaceful navigation of the subjects of His Majesty the King of Siam.

IV. It is mutually agreed that stone pillars, not less than 6 feet high and at the distance of one mile apart, shall be erected at the joint expense of the Government of the Straits Settlements and His Highness the Yeang de Per Tuan of Quedah, in order to mark the eastern boundary line of the ceded territory; that no grant or transfer of land shall be made, or houses other than police stations allowed to be erected within 100 yards on either side of this boundary line; and further, that within the distance of two miles from the said boundary line no shops for the sale of opium, toddy, bang, or spirits shall be licensed, or gambling houses be permitted in their respective districts, by the Governor of the Straits Settlements or the Yeang de Per Tuan of Quedah.

V. All persons convicted of or awaiting trial for or against whom warrants for their arrest may be issued for the crimes hereafter specified, who may effect their escape from any of the possessions of Her Britannic Majesty into the territory of Quedah, or who may be found within the said territory of Quedah, shall, upon a formal requisition from the Governor of the Straits Settlements, or the Lieutenant-Governor of Penang
or Malacca to the Yeang de Per Tuan, be delivered up to the British authorities, and in like manner, all persons convicted of or awaiting trial for or charged by the Yeang de Per Tuan of Quedah with any of the crimes hereinafter specified, who may effect their escape from Quedah into British territory, shall, upon requisition from the Yeang de Per Tuan to the Governor of the Straits Settlements or the Lieutenant-Governor of Penang or Malacca, be surrendered to the authorities of Quedah. The crimes above referred to are the following, that is to say:— Murder, dacoity, robbery, arson, rape, burglary, aggravated assault, cattle stealing, making or uttering false coin, forgery, embezzlement, perjury, breach of prison, fraudulent bankruptcy, or attempt to commit murder, dacoity, robbery, arson, rape, burglary, or aggravated assault. But no person shall be delivered up, in virtue of this Article, by the Governor of the Straits Settlements, or by the Lieutenant-Governor of Penang or Malacca, unless the Governor or Lieutenant-Governor, as the case may be, shall be satisfied that there are reasonable grounds for believing him to have been guilty of some one of the above crimes.

VI. The Yeang de Per Tuan of Quedah engages not to levy any duty upon cattle, grain, or other provisions exported from Quedah into the British territory higher than according to the following tariff, viz.:—Upon rice 8 dollars per coyan of 40 piculs; upon paddy, 4 dollars per coyan of 800 gantangs; upon cattle 1 dollar per head; upon ducks and fowls, 1 dollar per 100. Provided always that, in the event of a failure of the rice crop in the territory of Quedah, it shall be lawful for the said Yeang de Per Tuan to prohibit the export of rice from Quedah for the current rice season at any time after 3 months' notice of such his intention shall have been given to the British Government at Penang, and provided that such prohibition shall be general, and not applicable to particular places.

VII. This Treaty shall be submitted for confirmation to the Government of Her Britannic Majesty and to the Government of His Majesty the King of Siam; but it shall come into operation as soon as possible after its signature.

In witness whereof the Undersigned, Thomas George Knox, Esq., Her Britannic Majesty's Consul-General in Siam, and Chao Phraya Sri Suriwongse Phra Kalahome, Commissioner on the part of His Majesty the King of Siam, have signed this Treaty and affixed their seals thereto.

Done at Bangkok, the 6th day of May, in the year of the Christian era 1869.

(L.S.) THOMAS GEORGE KNOX, Her Britannic Majesty's Consul-General.

(Signature and Seal of the Rajah of Quedah.)

(L.S.) CHAW PHYA SRI SURY WONGSE.
ARRANGEMENT between the British and Spanish Governments, for the Settlement of Claims arising out of the Capture of certain British Subjects on board the Virginius and their Execution at Santiago de Cuba. August 13, 1874.

No. 1.—The Earl of Derby to Mr. Macdonell.

Sir,

Foreign Office, August 13, 1874.

On the 10th instant I received from you a telegram informing me that the Spanish Government had forwarded to you a project of a note, expressing their willingness to pay, as an advance, such sum as might be claimed by Her Majesty's Government for the relief of the families of the British subjects taken on board the Virginius and executed at Santiago de Cuba; but that while the American claims are still pending the Spanish Government do not wish to admit the principle involved in the matter.

I have now to instruct you to state to the Spanish Minister for Foreign Affairs that Her Majesty's Government accept the arrangement proposed by his Excellency, and you will add that Her Majesty's Government consider the following would be a fair amount for the Spanish Government to pay:

To the family of each coloured man, of whom there were nine, 300l., making 2,700l.:  
To the family of each white man, of whom there were ten, 500l., making 5,000l.

Total, 7,700l.

You will also state that, in any case where no near relations of one of the persons executed come forward to make a claim, or in case any alleged relatives fail to prove their claim within a reasonable time, the money paid on account of such claim shall be repaid to the Spanish Government.

The substance of the above instructions has been already sent to you by telegraph.

I inclose for your information a copy of a Memorandum showing the names of the British subjects in question, and the information regarding each of them in possession of this office.

I am, &c.,

(Signed) Derby.

No. 2.—Mr. Macdonell to the Earl of Derby.—(Received August 23.)

Extract.) Madrid, August 19, 1874.

I thought I might venture to make the following arrangement, which has since been accepted by the Spanish Government, viz., that the sum of 1,000l., by which the Spanish Government seem desirous of reducing the claim, should be
held by them as the balance to be paid on the final settlement of this question; by this means Her Majesty's Government will eventually receive payment in full of the total amount claimed.

Accordingly, Señor Ulloa has now addressed to me a note, informing me that orders have been given to the Ministry of Finance for the immediate payment to Her Majesty's Government in London of the sum of 6,700l., it being clearly understood that the balance of 1,000l. shall be paid when the question of the Virginius claims shall have been definitely settled by a Council of State.

[On the 14th December, 1874, a cheque for 6,700l. was handed over to the British Government.]

DECREE of the Governor-General of Cuba regarding Emancipados.

Havana, February 15, 1876.

(Translation.)

I HAVE resolved: (Extract.)

1. The negroes called “emancipados” according to the second paragraph of Article V of the Law of 4th July, 1870,* were placed on the same footing as the free-born (ingénuos), and had the right, and may, like the latter, enter into such contracts regarding their own persons as best suits them; nevertheless, those who have contracted any legal compromise are bound to fulfil it.

2. As a consequence of the foregoing declaration, the said “emancipados” must not be sent to the depôts. Those now there are only to be detained the time indispensably necessary for their identification.

3. Whenever the “emancipados” consider themselves wronged they can appeal to the ordinary courts for justice, without prejudice to their right of soliciting the protection referred to in Article XIII of said Law.

4. In order to legalise the situation of the “emancipados” who are at present deprived of the rights which were conceded to them (and it appearing by the records of this Government that there are some in this case, because their respective patrons have not declared their situation, or have not presented these “emancipados” for the purpose of providing them with their corresponding papers), repeating what is ordered, the holders of these negroes will continue paying to the revenue the appointed quotas or portion of their hire for all the time they keep them in this state, without prejudice to the responsibility that they may incur by so doing, reserving to the “emancipados” their right to claim from said holders what may be due.

5. Governors and Lieutenant-Governors will facilitate free

papers to those "emancipados" who may not have any, reporting to this Government-General so as to record the same and to notify the revenue, taking special care to identify their persons before granting said free papers, for which purpose they will apply to this Government for the required data.

Havana, February 15, 1876.

DECREES of the Governor-General of Cuba regarding Emancipados. Havana, May 20, 1876.

(Translation.)

As amplification of my Decree of 15th February last regarding emancipados, I have ordered as follows:

1. Every patron, or person who is not even a patron, who infringes what has been repeatedly decreed, by keeping in his possession any negro of this class without his free papers, besides incurring the penalties established and paying to the revenue the quotas of wages earned up to the date said documents are granted, must pay to the emancipado or emancipados what is due to them as free labourers, counting from the date on which it was ordered that they should be presented, their patronage having ceased; and those persons, patrons or not patrons, who, after the expiration of one month from the publication of this Decree in the "Gazette," continue disobeying the law shall be also handed over to the tribunals for the punishment they may deserve for occultation.

2. The emancipados who lack the cedula, which, as free men, they ought to have, will apply to the respective Governors, Lieutenant-Governors, or Mayors, in order that this document may be furnished to them with the formalities prescribed in Article 5 of said Decree of 15th February.

Havana, May 20, 1876.


(Translation.)

The Marquis de Laiglesia to the Marquis of Salisbury.

My Lord, Spanish Legation, February 17, 1879.

In pursuance of the instructions which I have received from Madrid, I have the honour of declaring to your Excellency that the Government of His Majesty the King denounces the Convention, respecting literary and artistic property, concluded between Spain and the United Kingdom on the 30th September, 1857, the denunciation to be reckoned from to-day, for the effects mentioned in Article XIII of the said Convention.

* The Convention was signed July 7, 1857, and the Ratifications were exchanged at Madrid, September 5, 1857. Vol. 10. Page 981.
the same time the Government of His Majesty the King directs me to express to your Excellency its desire to adjust a new Convention with the United Kingdom, as it proposes to do with other nations, that shall be in harmony with the prescriptions of the law on literary copyright recently promulgated in Spain.

I avail myself of this opportunity to renew, &c.,

MARQUIS DE CASA LAIGLESIA.

The Marquis of Salisbury.

SWITZERLAND.


And Acceptance thereof by the Swiss Confederation in the name of all the Contracting Parties. Signed at Berne, March 3, 1865.

The President and Federal Council of the Swiss Confederation, having communicated to the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, a Convention signed at Geneva on the 22nd of August, 1864, between the Swiss Confederation, His Royal Highness the Grand Duke of Baden, His Majesty the King of the Belgians, His Majesty the King of Denmark, Her Majesty the Queen of Spain, His Majesty the Emperor of the French, His Royal Highness the Grand Duke of Hesse, His Majesty the King of Italy, His Majesty the King of the Netherlands, His Majesty the King of Portugal and the Algarves, His Majesty the King of Prussia, and His Majesty the King of Wurtemberg, for the amelioration of the condition of the wounded in armies in the field, which Convention is word for word as follows:


And the Swiss Confederation having, in virtue of Article IX of the said Convention, invited the Government of Her Britannic Majesty to accede thereto;

The Undersigned, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, duly authorised for that purpose, hereby declares that the Government of Her Britannic Majesty fully accedes to the Convention aforesaid.

In witness whereof he has signed the present Act of Accession, and has affixed thereto the seal of his arms.

Done at London, the 18th day of February, in the year of Our Lord, 1865.

(L.S.) RUSSELL.

ACT OF ACCEPTANCE.

The Federal Council of the Swiss Confederation:

Having seen the Act signed at London on the 18th of February, 1865, whereby his Excellency the Minister for Foreign Affairs of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, in exercise of the power reserved by Article IX of the International Convention concluded at Geneva on the 22nd of August, 1864, for the amelioration of the condition of soldiers wounded in armies in the field, declares that the Government of Her Britannic Majesty fully accedes to that Convention; which Act of Accession is as follows:

(Here follows the Act of Accession.)

Declares by these presents;

In virtue of the final stipulation of the procès-verbal of the exchange of the ratifications of the said Convention, signed at Berne on the 22nd of December, 1864, that the Federal Council accepts such Accession, as well in the name of the Swiss Confederation as in that of the other High Contracting Parties, to whom official communication thereof is given by the present Declaration.

In witness whereof these presents have been signed by the President and the Chancellor of the Confederation, and furnished with the seal of the Federal Council, at Berne, the 3rd of March, 1865.

In the name of the Swiss Federal Council:

(L.S.) SCHENK, the President of the Confederation.
(L.S.) SCHIESS, the Chancellor of the Confederation.

The following is a list of the Parties who signed, or have acceded to, the Geneva Convention up to this date, December 31, 1879:

<table>
<thead>
<tr>
<th>Argentine Republic</th>
<th>Nov. 25, 1879.</th>
<th>The Pope</th>
<th>May 9, 1868.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria*</td>
<td>June 21, 1866.</td>
<td>Portugal*</td>
<td>Aug. 9, 1866.</td>
</tr>
<tr>
<td>Belgium.</td>
<td>Nov. 15, 1879.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bolivia.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chile.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Denmark.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>France.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Great Britain.</td>
<td>Feb. 18, 1865.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Hesse-Darmstadt.</td>
<td>June 22, 1866.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Italy.</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Mecklenburgh-Schwerin</td>
<td>Mar. 9, 1865.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Montenegro.</td>
<td>Nov. 4, 1875.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Persia.</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

* Signing parties to the Convention.
DECLARATION between Great Britain and Switzerland, recording the Adhesion of Ceylon, the Straits Settlements, Labuan, Trinidad, British Guiana, Bermuda, Jamaica, Mauritius and its Dependencies, and Hong Kong, to the General Postal Union of October 9, 1874.† Signed at Berne, February 23, 1877.

Le Département des Postes Suisses ayant proposé à tous les membres de l'Union Générale des Postes :

1. Par circulaire du 20 Octobre, 1876, d'admettre dans l'Union Générale des Postes, aux mêmes conditions que l'ont été les Colonies Françaises et l'Inde Britannique, c'est-à-dire aux conditions de l'arrangement signé à Berne le 27 Janvier, 1876, les Colonies Britanniques de Ceylan, des Etablissements du Détroit (Straits Settlements), de Labouan, Trinidad, de la Guyane Britannique, des Iles Bermudes et de la Jamaïque ;

2. Par circulaire du 11 Novembre, 1876, d'admettre la Colonie Britannique de l'Ile Maurice et de ses dépendances dans l'Union Générale des Postes, aux conditions de l'arrangement précité du 27 Janvier, 1876 ;

3. Par circulaire de 8 Janvier, 1877, d'admettre également et aux mêmes conditions dans l'Union Générale des Postes la Colonie Britannique de Hong Kong ;

Et aucune objection contre ces propositions n'ayant été présentée dans le délai de 6 semaines prescrit par l'Article XVII, paragraphe 6, du Traité de Berne du 9 Octobre, 1874.†

Les Soussignés, dûment autorisés à cet effet, constatent par le présent acte diplomatique l'adhésion définitive, dès le 1er Avril, 1877, du Gouvernement Britannique, pour ses Colonies de Ceylan, des Straits Settlements, de Labouan, Trinidad, de la Guyane Britannique, des Iles Bermudes, de la Jamaïque, de l'Ile Maurice et de ses dépendances, et de Hong Kong, aux stipulations du Traité concernant la création de l'Union Générale des Postes, conclu à Berne le 9 Octobre, 1874, ainsi qu'aux dispositions du règlement de détail pour l'exécution du dit Traité.†

Fait à Berne, le 23 Février, 1877.

Pour le Gouvernement du Royaume Uni de Grande Bretagne et d'Irlande, et pour le Gouvernement de l'Inde Britannique :

(L.S.) Edwin Corbett, le Ministre Résident de Sa Majesté Britannique près la Confédération Suisse.

Pour le Conseil Fédéral Suisse, un nom des Membres de l'Union :

(L.S.) Schenk, le Vice-Président du Conseil Fédéral.

* See Page 67. † See Page 72. ‡ See Page 74.
DECLARATION between Great Britain and Switzerland, recording the Adhesion of Canada to the General Postal Union of October 9, 1874.* Berne, May 28, 1878.

Par circulaire du 11 Avril, 1876, l'Administration Suisse des Postes a proposé aux autres membres de l'Union Générale des Postes de recevoir le Canada aux conditions du Traité de Berne du 9 Octobre, 1874.

Par leurs lettres du 13 Mai, 1878, dont le contenu est identique, les Administrations des Postes de France et d'Espagne ont déclaré retirer l'opposition qu'elles avaient formulée contre l'admission du Canada, dans le terme de 6 semaines prescrit par l'alinea 6 de l'Article XVII du Traité précité.

Vu les circonstances qui précèdent, les Soussignés, dûment autorisés à cet effet, constatent par le présent acte diplomatique l'adhésion définitive, dès le 1er Juillet, 1878, du Gouvernement Britannique, pour le Canada, aux stipulations du Traité concernant la création d'une Union Générale des Postes, conclu à Berne le 9 Octobre, 1874, ainsi qu'aux dispositions définitives du Règlement de détail pour l'exécution du dit Traité.

Fait à Berne, le 28 Mai, 1878.

Pour le Gouvernement du Canada:

HORACE RUMBOLD, le Ministre-Résident de Sa Majesté Britannique près la Confédération Suisse.

Pour le Conseil Fédéral Suisse, au nom des Membres de l'Union:

SCHENK, le Président de la Confédération.

CONVENTION prolonging the Duration of the Extradition Treaty between Great Britain and Switzerland of March 31, 1874, for 12 Months from December 22, 1874. Signed at Berne, December 13, 1878.

Le Conseil Fédéral Suisse ayant dénoncé, par note du 22 Décembre, 1877; le Traité d'Extradition du 31 Mars, 1874, existant entre le Royaume Uni de Grande Bretagne et d'Irlande et le Confédération Suisse, et un nouveau Traité d'Extradition n'ayant pas encore été conclu, les Hautes Parties Contractantes, désirant prolonger la durée du Traité actuellement encore en vigueur, ont nommé à cet effet pour leurs Plénipotentiaires:

Sa Majesté la Reine du Royaume Uni de Grande Bretagne et d'Irlande, Sir Horace Rumbold, Baronet, son Ministre-Résident près le Confédération Suisse; et

* See Page 67. † See Page 72. ‡ See Page 74. § See Page 533.
Le Conseil Fédéral de la Confédération Suisse, M. le Conseiller Fédéral Fridolin Anderwert, Chef du Département Fédéral de Justice et Police;
Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, ont conclu la Convention suivante :

**Article Unique.**
La durée du Traité d'Extradition du 31 Mars, 1874, entre le Royaume Uni de Grande Bretagne et d'Irlande et la Confédération Suisse est prolongée de 12 mois à partir du 22 Décembre, 1878.
Ainsi fait à Berne, 13 Décembre, 1878.
HORACE RUMBOLD, le Plénipotentiaire du Royaume Uni de Grande Bretagne et d'Irlande.
ANDERWERT, le Plénipotentiaire de Suisse.

---

**BRITISH ORDER IN COUNCIL,** for carrying into effect the Treaty of March 31, 1874, the Protocol of November 28, 1874, and the Conventions of June 19 and December 13, 1878, between Great Britain and the Swiss Confederation, for the Mutual Extradition of Fugitive Criminals. Windsor, February 22, 1879.

**At the Court at Windsor, the 22nd day of February, 1879.**
**PRESENT:** THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

**WHEREAS** by the Extradition Acts of 1870* and 1873† it was amongst other things enacted, that where an arrangement has been made with any foreign State with respect to the surrender to such State of any fugitive criminals, Her Majesty may, by Order in Council, direct that the said Acts shall apply in the case of such foreign State; and that Her Majesty may, by the same or any subsequent Order, limit the operation of the Order, and restrict the same to fugitive criminals who are in or suspected of being in the part of Her Majesty's dominions specified in the Order, and render the operation thereof subject to such conditions, exceptions, and qualifications as may be deemed expedient:
And whereas a Treaty was concluded on the 31st day of March, 1874, between Her Majesty and the Swiss Confederation, for the mutual extradition of fugitive criminals, which Treaty is in the terms following:

[See Page 533.]

And whereas a Protocol amending Article XVI of the afore-
said Treaty was signed by the Plenipotentiaries of Her Majesty
and of the Swiss Confederation on the 28th day of November,
1874, which Protocol is in the following terms:

[See Page 537.]

And whereas the ratifications of the said Treaty and Pro-
tocol were exchanged at Berne on the 31st day of December,
1874:

And whereas under and by virtue of the powers in and by
Article XVII of the said Treaty reserved and contained, the
Swiss Confederation did, on the 22nd day of December, 1877,
give notice to Her Majesty's Government of the termination of
the said Treaty, subject to the provisions in the said Article
contained, that the same should remain in force for 6 months
after notice should be given for its termination.

And whereas on the 19th day of June, 1878, a Convention
was entered into between Great Britain and Switzerland in the
terms following:

[See Page 539.]

And whereas on the 13th day of December, 1878, a further
Convention was entered into between Great Britain and Swit-
zerland in the terms following:

[See Page 1166.]

Now, therefore, Her Majesty, by and with the advice of Her
Privy Council, and in virtue of the authority committed to her
by the said recited Acts, doth order, and it is hereby ordered,
that the said Acts shall apply in the case of Switzerland and of
the said Treaty and Protocol, and Conventions with the Swiss
Confederation.

C. L. Peel.

CONVENTION prolonging the Duration of the Extradition Treaty
between Great Britain and Switzerland of March 31, 1874, for
12 Months from December 22, 1879. Signed at Berne,
December 8, 1879.

Le Conseil Fédéral Suisse ayant dénoncé, par note du
22 Décembre, 1877, le Traité d'Extradition du 31 Mars, 1874,*
existent entre le Royaume Uni de Grande Bretagne et d'Irlande
et la Confédération Suisse, et un nouveau Traité d'Extradition
n'ayant pas encore été conclu, les Hautes Parties Contractantes,
désirant prolonger la durée du Traité actuellement encore en
vigueur, ont nommé à cet effet pour leurs Plénipotentiaires:

* See Page 533.
TURKEY.

Sa Majesté la Reine du Royaume Uni de Grande Bretagne et d'Irlande, Sir Horace Rumbold, Baronet, son Ministre-Résident près la Confédération Suisse; et
Le Conseil Fédéral de la Confédération Suisse, M. le Conseiller Fédéral Fridolin Anderwert, Chef du Département Fédéral de Justice et Police;
Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, ont conclu la Convention suivante:
La durée du Traité d'Extradition du 31 Mars, 1874, entre le Royaume Uni de Grande Bretagne et d'Irlande et la Confédération Suisse est prolongée de 12 mois à partir du 22 Décembre, 1879.
Ainsi fait à Berne, le 8 Décembre, 1879.
HORACE RUMBOLD, le Plénipotentiaire du Royaume Uni de Grande Bretagne et d'Irlande.
ANDERWERT, le Plénipotentiaire de Suisse.

BRITISH NOTIFICATION of the Adoption by the European Commission of the Danube, of the System of Tonnage Measurement recommended by the International Commission of Constantinople,* and put in practice for the passage of the Suez Canal.
London, August 17, 1877.

The European Commission of the Danube adopts, from the 1st of January, 1878, in its entirety, the system of tonnage measurement recommended by the International Commission of Constantinople, and put in practice for the passage of the Suez Canal.†
From the 1st of January, 1878, the reduction of 3 per cent. of taxation allowed to steam vessels with fixed bunkers, and the surtax of 11 per cent. charged on vessels measured according to paragraph A, clause 23, of "The Merchant Shipping Act of 1854," shall be alike suppressed, and every steam vessel which shall not present a special certificate indicating that her tonnage has been calculated according to the system above mentioned, shall be measured at Sulina by the Navigation Cash Office for the purpose of ascertaining the taxable tonnage.‡

* "London Gazette," August 21, 1877.
† The Convention concluded between Colonel John Stokes, C.B., and M. de Lesseps, on the 21st February, 1876, relative to the question of Tonnage as regards the Transit Tariff, by the Suez Canal, which was approved by the Sublime Porte on the 30th March, 1877, was, together with the Regulations with regard to Tonnage Measurement recommended by the International Commission of Constantinople, laid before Parliament in 1878. ["Commercial," No. 12. Pages 99-100.]
CONVENTION of Defensive Alliance between Great Britain and Turkey. [Russian Aggressions. Occupation and Administration of Cyprus by England, and Reforms.] Signed at Constantinople, June 4, 1878.*

[Laid before Parliament with Correspondence respecting the Convention between Great Britain and Turkey, of June 4, 1878. Turkey, No. 36, 1878.]

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Imperial Majesty the Sultan, being mutually animated with the sincere desire of extending and strengthening the relations of friendship happily existing between their two Empires, have resolved upon the conclusion of a Convention of defensive alliance with the object of securing for the future the territories in Asia of His Imperial Majesty the Sultan.

Their Majesties have accordingly chosen and named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, the Right Honourable Austen Henry Layard, Her Majesty's Ambassador Extraordinary and Minister Plenipotentiary at the Sublime Porte;

And His Imperial Majesty the Sultan, his Excellency Safvet Pasha, Minister for Foreign Affairs of His Imperial Majesty;

Who, after having exchanged their full powers, found in due and good form, have agreed upon the following Articles:

Art. I. If Batoum, Ardahan, Kars, or any of them shall be retained by Russia, and if any attempt shall be made at any future time by Russia to take possession of any further territories of His Imperial Majesty the Sultan in Asia, as fixed by the Definitive Treaty of Peace,† England engages to join His Imperial Majesty the Sultan in defending them by force of arms.

In return, His Imperial Majesty the Sultan promises to introduce necessary reforms, to be agreed upon later between the two Powers, into the government, and for the protection of the Christian and other subjects of the Porte in these territories; and in order to enable England to make necessary provision for executing her engagement, His Imperial Majesty the Sultan further consents to assign the Island of Cyprus to be occupied and administered by England.

II. The present Convention shall be ratified, and the ratifications thereof shall be exchanged, within the space of one month, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seal of their arms.

Done at Constantinople, the 4th day of June, in the year 1878.

(L.S.) SA芙VET.

(L.S.) A. H. LAYARD.

* Signed also in the French language. † Treaty, July 13, 1878. See Page 1172.

[Laid before Parliament with Correspondence respecting the Convention between Great Britain and Turkey, of June 4, 1878. Turkey, No. 36, 1878.]

The Right Honourable Sir A. H. Layard, G.C.B., and his Highness Safvet Pasha, now the Grand Vizier of His Majesty the Sultan, have agreed to the following Annex to the Convention signed by them as Plenipotentiaries of their respective Governments on the 4th June, 1878:

Annex.

It is understood between the two High Contracting Parties that England agrees to the following conditions relating to her occupation and administration of the Island of Cyprus:

Art. I. That a Mussulman religious Tribunal (Mehkéméi Shéri) shall continue to exist in the island, which will take exclusive cognizance of religious matters, and of no others, concerning the Mussulman population of the island.

II. That a Mussulman resident in the island shall be named by the Board of Pious Foundations in Turkey (Evkraf) to superintend, in conjunction with a delegate to be appointed by the British authorities, the administration of the property, funds, and lands belonging to mosques, cemeteries, Mussulman schools, and other religious establishments existing in Cyprus.

III. That England will pay to the Porte whatever is the present excess of revenue over expenditure in the island; this excess to be calculated upon and determined by the average of the last 5 years, stated to 22,936 purses, to be duly verified hereafter, and to the exclusion of the produce of State and Crown lands let or sold during that period.

IV. That the Sublime Porte may freely sell and lease lands and other property in Cyprus belonging to the Ottoman Crown and State (Arazii Miriyé vé Emlaki Houmayoun) the produce of which does not form part of the revenue of the island referred to in Article III.

V. That the English Government, through their competent authorities, may purchase compulsorily, at a fair price, land required for public improvements, or for other public purposes, and land which is not cultivated.

VI. That if Russia restores to Turkey Kars and the other

* See preceding Page. † Signed also in the French language. ‡ See Agreement of February 3, 1879. Page 1173.
conquests made by her in Armenia during the last war, the
Island of Cyprus will be evacuated by England, and the Con-
vention of the 4th of June, 1878, will be at an end.
Done at Constantinople, the 1st day of July, 1878.
(L.S.) A. H. LAYARD.
(L.S.) SAFVET.

TREATY between Great Britain, Austria, France, Germany, Italy,
Russia, and Turkey, for the Settlement of the Affairs of the East;
so far as relates to Religious Worship, Commerce, Navigation,
Transit Dues, Railways, Consular Protection, the Navigation of
the Danube, and the Free Port of Batoum. Signed at Berlin, July
13, 1878.

ART. V. The following points shall form the basis of the
public law of Bulgaria:
The difference of religious creeds and confessions shall not
be alleged against any person as a ground for exclusion or in-
capacity in matters relating to the enjoyment of civil and
political rights, admission to public employments, functions, and
honours, or the exercise of the various professions and industries
in any locality whatsoever.
The freedom and outward exercise of all forms of worship
are assured to all persons belonging to Bulgaria, as well as to
foreigners, and no hindrance shall be offered either to the hier-
archical organisation of the different communions, or to their
relations with their spiritual chiefs.

Consular Jurisdiction.

ART. VIII. The Treaties of Commerce and of Navigation
as well as all the Conventions and arrangements concluded
between Foreign Powers and the Porte, and now in force, are
maintained in the Principality of Bulgaria, and no change shall
be made in them with regard to any Power without its previous
consent.
No transit duties shall be levied in Bulgaria on goods pass-
ing through that Principality.
The subjects and citizens and commerce of all the Powers
shall be treated in the Principality on a footing of strict
equality.
The immunities and privileges of foreigners, as well as the
rights of Consular jurisdiction and protection as established by
the Capitulations and usages, shall remain in full force so long
as they shall not have been modified with the consent of the
parties concerned.
Bulgaria. Railways.

ART. X. Bulgaria takes the place of the Imperial Ottoman Government in its undertakings and obligations towards the Rustchuk-Varna Railway Company, dating from the exchange of the ratifications of the present Treaty. The settlement of the previous accounts is reserved for an understanding between the Sublime Porte, the Government of the Principality, and the Administration of this Company.

The Principality of Bulgaria likewise, so far as it is concerned, takes the place of the Sublime Porte in the engagements which the latter has contracted, as well towards Austro-Hungary as towards the Company, for working the railways of European Turkey in respect to the completion and connection as well as the working of the railways situated in its territory.

The Conventions necessary for the settlement of these questions shall be concluded between Austria-Hungary, the Porte, Servia, and the Principality of Bulgaria immediately after the conclusion of peace.


ART. XX. The Treaties, Conventions, and international arrangements of any kind whatsoever, concluded or to be concluded between the Porte and Foreign Powers, shall apply in Eastern Roumelia as in the whole Ottoman Empire. The immunities and privileges acquired by foreigners, whatever their status, shall be respected in this province. The Sublime Porte undertakes to enforce there the general laws of the Empire on religious liberty in favour of all forms of worship.

Eastern Roumelia. Railways.

ART. XXI. The rights and obligations of the Sublime Porte with regard to the railways of Eastern Roumelia are maintained in their integrity.


ART. XXVII. The High Contracting Parties are agreed on the following conditions:

In Montenegro the difference of religious creeds and confessions shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to the enjoyment of civil and political rights, admission to public employments, functions, and honours, or the exercise of the various professions and industries in any localities whatsoever.

The freedom and outward exercise of all forms of worship shall be assured to all persons belonging to Montenegro, as well as to foreigners, and no hindrance shall be offered either to the
hierarchical organisation of the different communions, or to their relations with their spiritual chiefs.

**Servia.**

**Art. XXXIV.** The High Contracting Parties recognize the independence of the Principality of Servia, subject to the conditions set forth in the following Article.

**Servia. Religious Worship.**

**Art. XXXV.** In Servia the difference of religious creeds and confessions shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to the enjoyment of civil and political rights, admission to public employments, functions, and honours, or the exercise of the various professions and industries, in any locality whatsoever.

The freedom and outward exercise of all forms of worship shall be assured to all persons belonging to Servia, as well as to foreigners, and no hindrance shall be offered either to the hierarchical organisation of the different communions, or to their relations with their spiritual chiefs.

**Servia. Commercial Intercourse. Transit Dues. Consular Jurisdiction.**

**Art. XXXVII.** Until the conclusion of fresh arrangements no change shall be made in Servia in the actual conditions of the commercial intercourse of the Principality with foreign countries.

No transit duties shall be levied on goods passing through Servia.

The immunities and privileges of foreign subjects, as well as the rights of Consular jurisdiction and protection, as at present existing, shall remain in full force so long as they shall not have been modified by mutual consent between the Principality and the Powers concerned.

**Servia. Railways.**

**Art. XXXVIII.** The Principality of Servia takes the place, so far as it is concerned, of the Sublime Porte in the engagements which the latter has contracted as well towards Austria-Hungary as towards the Company for the working of the railways of Turkey in Europe, in respect to the completion and connection, as well as the working of the railways to be constructed on the territory newly acquired by the Principality.

The Conventions necessary for settling these questions shall be concluded, immediately after the signature of the present Treaty between Austria-Hungary, the Porte, Servia, and, within the limits of its competency, the Principality of Bulgaria.

**Roumania.**

**Art. XLIII.** The High Contracting Parties recognise the
independence of Roumania, subject to the conditions set forth in the two following Articles.*

Roumania. Religious Worship.

Art. XLIV. In Roumania the difference of religious creeds and confessions shall not be alleged against any person as a ground for exclusion or incapacity in matters relating to the enjoyment of civil and political rights, admission to public employments, functions, and honours, or the exercise of the various professions and industries in any locality whatsoever.

The freedom and outward exercise of all forms of worship shall be assured to all persons belonging to the Roumanian State, as well to foreigners, and no hindrance shall be offered either to the hierarchical organisation of the different communions, or to their relations with their spiritual chiefs.

The subjects and citizens of all the Powers, traders or others, shall be treated in Roumania, without distinction of creed, on a footing of perfect equality.

Roumania. Transit Dues.

Art. XLVIII. No transit duties shall be levied in Roumania on goods passing through the Principality.

Roumania. Consular Privileges, &c.

Art. XLIX. Roumania shall have power to make Conventions to determine the privileges and attributes of Consuls in regard to protection within the Principality. Existing rights shall remain in force so long as they shall not have been modified by the mutual consent of the Principality and the parties concerned.

Navigation of the Danube.

Art. LII. In order to increase the guarantees which assure the freedom of navigation on the Danube which is recognised as of European interest, the High Contracting Parties determine that all the fortresses and fortifications existing on the course of the river from the Iron Gates to its mouths shall be razed, and no new ones erected. No vessel of war shall navigate the Danube below the Iron Gates with the exception of vessels of light tonnage in the service of the river police and Customs. The "stationnaires" of the Powers at the mouths of the Danube may, however, ascend the river as far as Galatz.

Art. LIII. The European Commission of the Danube on which Roumania shall be represented is maintained in its functions, and shall exercise them henceforth as far as Galatz in complete independence of the territorial authorities. All the Treaties, arrangements, acts, and decisions relating to its rights, privileges, prerogatives, and obligations are confirmed.

Art. LIV. One year before the expiration of the term assigned * The Independence of Roumania was officially recognised by Great Britain, France, and Germany on the 20th February, 1880.
for the duration of the European Commission the Powers shall come to an understanding as to the prolongation of its powers, or the modifications which they may consider necessary to introduce.

Art. LV. The regulations respecting navigation, river police, and supervision from the Iron Gates to Galatz shall be drawn up by the European Commission, assisted by Delegates of the Riverain States, and placed in harmony with those which have been or may be issued for the portion of the river below Galatz.

Art. LVI. The European Commission of the Danube shall come to an arrangement with the proper authorities to ensure the maintenance of the lighthouse on the Isle of Serpents.

Art. LVII. The execution of the works which have for their object the removal of the obstacles which the Iron Gates and the Cataracts place in the way of navigation is entrusted to Austria-Hungary. The Riverain States on this part of the river shall afford every facility which may be required in the interest of the works.

The provisions of Article VI of the Treaty of London of the 13th March, 1871,* relating to the right of levying a provisional tax in order to cover the cost of these works, are maintained in favour of Austria-Hungary.

Batoum a Free Port.

Art. LIX. His Majesty the Emperor of Russia declares that it is his intention to constitute Batoum a free port, essentially commercial.

Turkey. Religious Liberty.

Art. LXII. The Sublime Porte having expressed the intention to maintain the principle of religious liberty, and give it the widest scope, the Contracting Parties take note of this spontaneous declaration.

In no part of the Ottoman Empire shall difference of religion be alleged against any person as a ground for exclusion or incapacity as regards the discharge of civil and political rights, admission to the public employments, functions and honours, or the exercise of the various professions and industries.

All persons shall be admitted, without distinction of religion to give evidence before the tribunals.

The freedom and outward exercise of all forms of worship are assured to all, and no hindrance shall be offered either to the hierarchical organisation of the various communions or to their relations with their spiritual chiefs.

Ecclesiastics, pilgrims, and monks of all nationalities travelling in Turkey in Europe, or Turkey in Asia, shall enjoy the same rights, advantages, and privileges.

The right of official protection by the Diplomatic and Con-

sular Agents of the Powers in Turkey is recognised both as regards the above-mentioned persons and their religious, charitable, and other establishments in the Holy Places and elsewhere.

The rights possessed by France are expressly reserved, and it is well understood that no alterations can be made in the status quo in the Holy Places.

The monks of Mount Athos, of whatever country they may be natives, shall be maintained in their former possessions and advantages, and shall enjoy, without any exception, complete equality of rights and prerogatives.

Treaties of 1856 and 1871.

LXIII. The Treaty of Paris of March 30, 1856,* as well as the Treaty of London of March 13, 1871,† are maintained in all such of their provisions as are not abrogated or modified by the preceding stipulations.

AGREEMENT between Great Britain and Turkey, giving to Her Majesty full powers for making Laws and Conventions for the Government of the Island of Cyprus in Her Majesty's name, and for the regulation of its Commercial and Consular relations and affairs, free from the Porte's Control. Constantinople, August 14, 1878.‡

[Laid before Parliament with Correspondence respecting the Island of Cyprus. Cyprus, No. 1, 1879.]

The Right Honourable Sir A. Henry Layard, G.C.B., and his Highness Safvet Pasha, Grand Vizier and Minister for Foreign Affairs of His Imperial Majesty the Sultan, having met together this day, have, in virtue of their full powers, signed the following Additional Article to the Convention of the 4th June, 1878.§ signed by them as Plenipotentiaries of their respective Governments.

It is understood between the High Contracting Parties, without prejudice to the express provisions of the Articles I, II, and IV of the Annex of the 1st July, 1878,|| that His Imperial Majesty the Sultan, in assigning the Island of Cyprus to be occupied and administered by England, has thereby transferred to and vested in Her Majesty the Queen, for the term of the occupation and no longer, full powers for making Laws and Conventions for the government of the island in Her Majesty's name, and for the regulation of its Commercial and Consular relations and affairs, free from the Porte's control.

Done at Constantinople, the 14th day of August, 1878.

(L.S.) A. H. LAYARD.
(L.S.) SAFVET.

‡ Signed also in the French language. § See Page 1170. || See Page 1171.
AGREEMENT between Great Britain and Turkey, for Commuting the Ottoman Crown Property, Revenues, &c., of Cyprus for a fixed Annual Payment of £5,000. Constantinople, February 3, 1879.

It having been agreed between Her Britannic Majesty's Government and that of His Imperial Majesty the Sultan that all the rights reserved to the Ottoman Crown and Government, under Article IV of the Annex to the Convention signed at Constantinople on the 4th of June, 1878, shall be commuted by a fixed annual money payment, the Undersigned, the Right Honourable Austen Henry Layard, Her Britannic Majesty's Ambassador Extraordinary and Minister Plenipotentiary to the Sublime Porte, and his Excellency Alexandre Carathéodory Pasha, His Imperial Majesty's Minister for Foreign Affairs, being duly authorised so to do, hereby declare that:

All property, revenues, and rights reserved to the Ottoman Crown and Government in the said Article IV of the Annex to the Convention of the 4th June, including all revenue derived from tapous, mahloul, and intikal are commuted hereby for a fixed annual payment of 5,000£, to be made by Her Britannic Majesty's Government to that of His Imperial Majesty the Sultan, every year during the British occupation of Cyprus, to be calculated from the beginning of next financial year.

Done at Constantinople, the 3rd day of February, 1879.

Al. Carathéodory. A. H. Layard.

29 Janvier 1879.

UNITED STATES.

PROTOCOL OF CONFERENCE between Great Britain and The United States, relative to the Cession by Great Britain to The United States of Horse-shoe Reef on Lake Erie, for the purpose of erecting a Lighthouse thereon. London, December 9, 1850.

Viscount Palmerston, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, and Abbott Lawrence, Esquire, the Envoy Extraordinary and Minister Plenipotentiary of the United States of America at the Court of Her Britannic Majesty, having met together at the Foreign Office:

Mr. Lawrence stated that he was instructed by his Government to call the attention of the British Government to the dangers to which the important commerce of the great lakes of the interior of America, and more particularly that con-

* See Pages 1170, 1171.
centrating at the town of Buffalo, near the entrance of the Niagara river from Lake Erie, and that passing through the Welland Canal, is exposed from the want of a lighthouse near the outlet of Lake Erie. Mr. Lawrence stated that the current of the Niagara river is at that spot very strong, and increases in rapidity as the river approaches the falls; and as that part of the river is necessarily used for the purpose of a harbour, the Congress of The United States, in order to guard against the danger arising from the rapidity of the current, and from other local causes, made an appropriation for the construction of a lighthouse at the outlet of the lake, but, on a local survey being made, it was found that the most eligible site for the erection of the lighthouse was a reef known by the name of the “Horseshoe Reef,” which is within the Dominions of Her Britannic Majesty; and Mr. Lawrence was therefore instructed by the Government of The United States to ask whether the Government of Her Britannic Majesty will cede to The United States the Horseshoe Reef, or such part thereof as may be necessary for the purpose of erecting a lighthouse, and, if not, whether the British Government will itself erect and maintain a lighthouse on the said reef.

Viscount Palmerston stated to Mr. Lawrence in reply that Her Majesty’s Government concurs in opinion with the Government of The United States, that the proposed lighthouse would be of great advantage to all vessels navigating the lakes; and that Her Majesty’s Government is prepared to advise Her Majesty to cede to The United States such portion of the Horseshoe Reef as may be found requisite for the intended lighthouse, provided that the Government of The United States will engage to erect such lighthouse, and to maintain a light therein; and provided no fortification be erected on the said reef.

Mr. Lawrence and Viscount Palmerston, on the part of their respective Governments, accordingly agreed that the British Crown should make this cession, and that The United States should accept it, on the above-mentioned conditions.

PALMERSTON.

Foreign Office, December 9, 1850.

ABBOTT LAWRENCE.

---

ACT of the Legislature of South Carolina* to authorise Aliens to Hold Property. Charleston, February 27, 1872.

SECTION I. Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same:

* A similar Act was passed by the Legislature of North Carolina on the 5th August, 1851.
That real and personal property, of every description, may be taken, acquired, held, and disposed of, by an alien, in the same manner, in all respects, as by a natural born citizen; and a title to real and personal property, of every description, may be derived through, from, or in succession to an alien, in the same manner, in all respects, as through, from, or in succession to a natural born citizen.

Approved February 27, 1872.

FINAL AWARD of the British, United States, and Italian Commissioners, appointed under the Treaty of 8th May, 1871, on the Claims of British Subjects against The United States, and of American Citizens against Great Britain. September 25, 1873.*

Office of the Mixed Commission on British and American Claims, under the Treaty of May 8, 1871,
Newport, Rhode Island, September 25, 1873.

THE Undersigned Commissioners, appointed under Article XIII of the Treaty signed at Washington on the 8th day of May, 1871,† between the United States of America and Her Britannic Majesty, do now make their Final Award of and concerning the matters referred to them by said Treaty, as follows, that is to say:

We award that the Government of the United States of America shall pay to the Government of Her Britannic Majesty, within 12 months from the date hereof, the sum of 1,929,819 dollars in gold, subject to the deduction provided for by Article XVI of the Treaty aforesaid, for and in full satisfaction of the several claims on the part of corporations, companies, or private individuals, subjects of Her Britannic Majesty, upon the Government of The United States, arising out of acts committed against the persons or property of subjects of Her Britannic Majesty, during the period between the 13th day of April, 1861, and the 9th day of April, 1865, inclusive: said sum being the aggregate of the several separate awards upon such claims, made in writing, in duplicate, and signed by us or such of us as assented to said separate awards.

And all other such claims on the part of subjects of Her Britannic Majesty against The United States, which have been presented and prosecuted for our award, have been and are hereby disallowed or dismissed, in manner and form as will

* Papers respecting the Proceedings of the Mixed Claims Commission at Washington, as well as a Report by Her Majesty's Agent of the Proceedings and Awards of the Mixed Commission, were laid before Parliament in 1874.
† See Vol. 13. Page 970.
appear by the several separate awards in writing concerning the
same, signed as aforesaid.

Certain other claims on the part of subjects of Her Britannic
Majesty against The United States was also presented, but were
afterwards, and before any award was made thereon, withdrawn
by the Agent of Her Britannic Majesty, as will appear by the
record of the proceedings of the Commission kept in duplicate,
and which will be delivered to each Government herewith.

And we award that all claims on the part of corporations,
companies, or private individuals, citizens of The United States,
upon the Government of Her Britannic Majesty, arising out of
acts committed against the persons or property of citizens of
The United States, between the 13th day of April, 1861, and
the 9th day of April, 1865, inclusive, not being claims growing
out of the acts of vessels referred to in Article I of the said
Treaty, have been and are hereby disallowed: separate awards
upon each of said claims having been made in writing, in
duplicate, and signed by us or such of us as assented to each
separate awards.

And we refer to the several separate awards made and
signed as aforesaid, as a part of this our Final Award, it being
our intent that the proceedings of this Commission shall have
the force and effect named and provided in Article XVII of said
Treaty.

(L.S.) L. Corti,
Russell Gurney,
Jas. S. Frazer,
Commissioners.

PROTOCOL of a Conference between Great Britain and The
United States, relative to the Newfoundland Fisheries. Wash-
ington, May 28, 1874.

WHEREAS it is provided by Article XXXII of the Treaty
between Her Majesty the Queen of the United Kingdom of
Great Britain and Ireland and the United States of America,
signed at Washington on the 8th of May, 1871,* as follows:

ART. XXXII. It is further agreed that the provisions and
stipulations of Articles XVIII to XXV of this Treaty, inclusive,
shall extend to the Colony of Newfoundland, so far as they are
applicable. But if the Imperial Parliament, the Legislature of
Newfoundland, or the Congress of The United States, shall not
embrace the Colony of Newfoundland in their laws enacted for
carrying the foregoing Articles into effect, then this Article
shall be of no effect; but the omission to make provision by
law to give it effect, by either of the legislative bodies afore-

said, shall not in any way impair any other Articles of this Treaty.

And whereas an Act was passed by the Governor, Legislative Council, and Assembly of Newfoundland in Legislative Session convened in the 37th year of Her Majesty's reign, and assented to by Her Majesty on the 12th day of May, 1874, intituled "An Act to carry into effect the provisions of the Treaty of Washington so far as they relate to this colony."

And whereas an Act was passed by the Senate and House of Representatives of the United States of America in Congress assembled, and approved on the 1st day of March, 1873, by the President of The United States, entitled "An Act to carry into effect the provisions of the Treaty between The United States and Great Britain, signed in the City of Washington the 8th of May, 1871, relating to fisheries," by which Act it is provided:

§ 2. That whenever the Colony of Newfoundland shall give its consent to the application of the stipulations and provisions of the said Articles XVIII to XXV of the said Treaty, inclusive, to that colony, and the Legislature thereof, and the Imperial Parliament shall pass the necessary laws for that purpose, the above enumerated articles, being the produce of the fisheries of the Colony of Newfoundland, shall be admitted into The United States free of duty from and after the date of a Proclamation by the President of The United States, declaring that he has satisfactory evidence that the said Colony of Newfoundland has consented, in a due and proper manner, to have the provisions of the said Articles XVIII to XXV, inclusive, of the said Treaty extended to it, and to allow The United States the full benefits of all the stipulations therein contained, and shall be so admitted free of duty, so long as the said Articles XVIII to XXV, inclusive, and Article XXX of said Treaty shall remain in force, according to the terms and conditions of Article XXXIII of said Treaty.

The Undersigned, the Right Honourable Sir Edward Thornton, one of Her Majesty's Most Honourable Privy Council, Knight Commander of the Most Honourable Order of the Bath, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States of America, and Hamilton Fish, Secretary of State of The United States, duly authorised for this purpose by their respective Governments, having met together at Washington, and having found that the laws required to carry the Articles XVIII to XXV, inclusive, and Articles XXX and XXXII of the Treaty aforesaid into operation, have been passed by the Imperial Parliament of Great Britain, by the Parliament of Canada, and by the Legislature of Prince Edward's Island, and the Legislature of Newfoundland.

land,* on the one part, and by the Congress of The United States on the other,† hereby declare that Articles XVIII to XXV, inclusive, and Article XXX of the Treaty between Her Britannic Majesty and the United States of America, shall take effect in accordance with Article XXXIII of said Treaty between Her Majesty's subjects in the Colony of Newfoundland and the citizens of the United States of America on the 1st day of June next.

In witness whereof the Undersigned have signed this Protocol, and have hereunto affixed their seals.

Done in duplicate, at Washington, this 28th day of May, 1874.

(L.S.) Edward Thornton.
(L.S.) Hamilton Fish.

PROCLAMATION of the President of The United States respecting Fisheries. May 29, 1874.

By the President of the United States of America.

A Proclamation.

Whereas, by Article XXXIII of a Treaty concluded at Washington on the 8th day of May, 1871,‡ between The United States and Her Britannic Majesty, it was provided that "Articles XVIII to XXV, inclusive, and Article XXX of this Treaty shall take effect as soon as the laws required to carry them into operation shall have been passed by the Imperial Parliament of Great Britain, by the Parliament of Canada, and by the Legislature of Prince Edward's Island, on the one hand, and by the Congress of The United States on the other."

And whereas it is provided by Article XXXII of the Treaty aforesaid "That the provisions and stipulations of Articles XVIII to XXV of this Treaty, inclusive, shall extend to the Colony of Newfoundland, so far as they are applicable; but if the Imperial Parliament, the Legislature of Newfoundland, or the Congress of The United States shall not embrace the Colony of Newfoundland in their laws enacted for carrying the foregoing Articles into effect, then this Article shall be of no effect; but the omission to make provision by law to give it effect by either of the Legislative Bodies aforesaid shall not in any way impair any other Articles of this Treaty."

And whereas, by the 2nd section of an Act entitled "An Act to carry into effect the provisions of the Treaty between The United States and Great Britain, signed in the City of Washington the 8th day of May, 1871, relating to the fisheries,"§ it is provided:

[See Page 682.]

† March 1, 1873. Page 682.
And whereas the Secretary of State of The United States and Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at Washington have recorded in a Protocol of a Conference held by them at the Department of State, in Washington, on the 28th day of May, 1874, in the following language:

[See Page 1181.]

Now, therefore, I, Ulysses S. Grant, President of the United States of America, in pursuance of the premises, do hereby declare that I have received satisfactory evidence that the Imperial Parliament of Great Britain and the Legislature of Newfoundland have passed laws on their part to give full effect to the provisions of the said Treaty, as contained in Articles XVIII to XXV, inclusive, and Article XXX of said Treaty.

In testimony whereof I have hereunto set my hand, and caused the seal of The United States to be affixed.

Done at the City of Washington, this 29th day of May, in the year of Our Lord, 1874, and of the Independence of the United States of America the 98th.

By the President:  

(L.S.) U. S. Grant.

HAMILTON FISH, Secretary of State.

ACT of Congress of The United States, to amend Section 5271 of the Revised Statutes relating to Extradition.

[No. 75.]  
[Approved June 19, 1876.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, that section 5271 of the Revised Statutes be amended so as to read as follows:

"In every case of complaint and of a hearing upon the return of the warrant of arrest, any depositions, warrants, or other papers offered in evidence, shall be admitted and received for the purpose of such hearing if they shall be properly and legally authenticated so as to entitle them to be received as evidence of the criminality of the person so apprehended, by the tribunals of the foreign country from which the accused party shall have escaped, and copies of any such depositions, warrants, or other papers, shall, if authenticated according to the law of such foreign country, be in like manner received as evidence; and the certificate of the principal Diplomatic or Consular Officer of The United States resident in such foreign country shall be proof that any such deposition, warrant, or other paper, or copy thereof, is authenticated in the manner required by this section."
AWARD of the British, United States, and Belgian Commissioners appointed under the Treaty of 8th May, 1871,* to award the amount of Compensation, if any, to be paid by The United States Government to the British Government, in respect of the North American Fisheries. Halifax, November 23, 1877.†

"The Undersigned Commissioners appointed under Articles XXII and XXIII of the Treaty of Washington of the 8th May, 1871, to determine, having regard to the privileges accorded by The United States to the subjects of Her Britannic Majesty, as stated in Articles XIX and XXI of the said Treaty, the amount of any compensation which in their opinion ought to be paid by the Government of The United States to the Government of Her Britannic Majesty, in return for the privileges accorded to the citizens of The United States, under Article XVIII of the said Treaty:

"Having carefully and impartially examined the matters referred to them according to justice and equity, in conformity with the solemn declaration made and subscribed by them on the 15th day of June, 1877;

"Award the sum of 5,500,000 dollars, in gold, to be paid by the Government of The United States to the Government of Her Britannic Majesty, in accordance with the provisions of the said Treaty.‡

"Signed at Halifax, this 23rd day of November, 1877.

Maurice Delfosse.
A. T. Galt.

The United States Commissioner is of opinion that the advantages accruing to Great Britain under the Treaty of Washington are greater than the advantages conferred on The United States by the said Treaty, and he cannot, therefore, concur in the conclusions announced by his colleagues.

And the American Commissioner deems it his duty to state further that it is questionable whether it is competent for the Board to make an Award under the Treaty, except with the unanimous consent of its members.

E. H. Kellogg, Commissioner.

---

† Correspondence respecting this Award was laid before Parliament in 1878.
‡ Paid by The United States Minister in London to the British Government, November 21, 1878.
In the city of Monte Video, on the 29th day of the month of April, 1879, there being assembled at the Department for Foreign Affairs of the Oriental Republic of Uruguay, Francis Clare Ford, Esquire, a Companion of the Most Honourable Order of the Bath, and Companion of the Most Distinguished Order of Saint Michael and Saint George, Minister Plenipotentiary to the Oriental Republic of Uruguay, and his Excellence Dr. Gualberto Mendez, Minister Secretary of State in the aforesaid Department, with a view to carrying into effect an arrangement entered into in accordance with the notes of the 17th and 20th January last, for the resumption of diplomatic relations, which had been broken off in the year 1871, between their two countries respectively, which arrangement had met with the approval of their respective Governments;

They declare that, in accordance with instructions received to that effect from their respective Governments, diplomatic relations between the Government of the Oriental Republic of Uruguay and that of Her Britannic Majesty are reopened and re-established on a footing of perfect friendship and amity.

It is further agreed that, after the signature of the present document, a day and hour shall be appointed when the Place of Monte Video and one of Her Britannic Majesty's ships shall fire a salvo of 21 guns, thus saluting reciprocally their respective national flags.

In virtue whereof the two Plenipotentaries have signed and affixed their seals to the present document, in duplicate, on the above-mentioned date.

(L.S.) Francis Clare Ford,
(L.S.) Gualberto Mendez.

[Notes referred to in the above Protocol.]

Settlement of Claims of British Subjects for Losses sustained during War.

No. 1.—Mr. Ford to Senor Mendez.
M. le Ministre, Monte Video, January 17, 1879.

I have the honour to address to your Excellency this note at the close of the negotiations I have had the honour of carrying on with your Excellency during my stay in Monte
Video, which I undertook in pursuance with instructions I had received from my Government to ascertain what steps the Uruguayan Government were willing to take in order to bring to a close the estrangement which has so unhappily existed during the last 7 years between the Government of the Oriental Republic and that of Her Britannic Majesty.

Her Majesty's Government, regretting the causes which led to the suspension of diplomatic relations, nevertheless gladly avail themselves of an opportunity to renew them, provided they can do so consistently with the honour and dignity of Great Britain and with due regard to the security and interests of British subjects in Uruguay; and I wish to resume at present the result of the communications which have passed between us, and which I have reason to believe will be considered acceptable by the Government I have the honour to represent.

I will commence by recording the sincere pleasure it has afforded me to assure your Excellency of the friendly feeling in which I undertook the important mission committed to my charge, and the favourable opinion I entertained of a successful result of our negotiations from the urbanity and conciliatory spirit displayed by your Excellency during the several interviews I have had the honour of holding with your Excellency.

At my first interview I informed your Excellency that Her Majesty's Government had learnt with satisfaction from the reports submitted to them by Her Majesty's Charge d'Affaires at Buenos Ayres, who had come to Monte Video at the time of the late British Consul's death, and had had the honour of a personal interview with your Excellency, that the Uruguayan Government were sparing no efforts to bring to justice persons accused of murder and other crimes committed against British subjects at a period prior to the accession to power of the present Administration; and Her Majesty's Government were likewise duly sensible of the friendly spirit which animated the Uruguayan Government to accord Her Majesty's Charge d'Affaires so cordial a reception, and of the courtesy shown by Colonel Latorre and his Ministers on the occasion of the late British Consul's funeral.

The British Government, I informed your Excellency, were disposed to consider these acts as a sufficient proof that the Uruguayan Government will, in future, show due respect to Her Majesty's representatives, and afford its protection to British subjects residing in the country.

I am willing to believe, and give all credit to your Excellency's assertion, that the Administration existing to-day in the Republic differs essentially from that of former times, and that the Government has not only the desire, but disposes of the means as well, to make its laws respected and to ensure the lives and property of all those living within its territory.
There remained, however, the question of certain claims preferred by British subjects against the Uruguayan Government for losses sustained at various periods within the last few years, and on my producing a list of them, a copy of which I beg to append to this note, your Excellency was good enough to give them your immediate and ready consideration.

Their number is small, and the amount in value incon- siderable.

It was nevertheless my duty to point out to your Excellency that if the Uruguayan Government were sincere in their desire to bring about a renewal of diplomatic relations with Great Britain, the means best calculated to attain that end would be to give Her Majesty's Government a proof of its sincerity by agreeing to settle at once the claims I brought to its notice.

These claims I had purposely separated into two classes.

In the first were comprised those of persons who were in possession of receipts clearly substantiating the losses they had suffered, and bearing the signature of Uruguayan Government officials.

These could not but be considered as legal and authentic documents, and I am happy to say that your Excellency was disposed to acknowledge them as such, and to agree upon the following mode of settling them, namely:

On the 1st May of the present year the 5 claims marked in the margin to be paid in full.*

With regard to the claims of Mr. Callender and Messrs. Drabble and Co., which amount to a total sum of 14,530 dol. 62 c., they will receive a sum of 2,000 dol. each on account on the 1st June of this year, and another sum of 2,000 dol. each at the expiration of every period of 6 months until the total amount owing to each of them shall have been paid in full—it being agreed, however, that the last payment to be made on account of Mr. Callender's claim on the 1st January, 1881, shall be for a sum of 2,135 dol. 62 c., and that the last payment to be made on account of Messrs. Drabble's claim on the 1st July, 1880, shall be for a sum of 2,395 dollars.

With regard to the claims which I had comprised in a second class, and which were destitute of that undeniable proof of authenticity in the absence of which it was not possible for the Uruguayan Government to take them into consideration, I am happy to record your Excellency's assurance that whenever the respective claimants find themselves in a position to present their claims to the Government, or to the tribunals of the country in proper form, they will receive all due and impartial consideration with a view to their early investigation and settlement.

* Furlong, 566 dollars; Bruce, 180 dollars; Bordes and Canon, 178 dollars; Newton, 149-20 dollars; Flagerty, 90 dollars.
In conclusion, I informed your Excellency that Her Majesty's Government were not disposed to insist upon the Uruguayan Government entering into a Convention or signing a Protocol previous to a renewal of relations, and that a simple interchange of notes between your Excellency and myself would be sufficient to meet the object we had in view.

Trusting sincerely that the communications I shall make to my Government on the earliest opportunity may be received with their approbation, I avail, &c.

Senor Mendez.

F. C. Ford.

(Translation.) No. 2.—Senor Mendez to Mr. Ford.

M. Le Ministre, Monte Video, January 20, 1879.

I have had the honour to receive, and to convey to the knowledge of his Excellency the Provisional Governor, your Excellency's note of the 17th instant, recapitulating the results of our previous conferences relative to the renewal of diplomatic relations between our respective countries.

His Excellency the Provisional Governor has instructed me to reply in the terms I have the satisfaction to lay before you.

I hasten at once to state to your Excellency that my Government laments the causes that gave rise to and prolonged the interruption of our diplomatic relations, and would regard with the greatest pleasure their renewal, which could not fail to prove greatly beneficial to the moral and material interests of both countries.

Nothing has therefore been more agreeable to the Oriental Government than to enter into negotiations with your Excellency, whose delicate tact and good wishes insured a definitive solution of the questions at issue between the two Governments, who are called on by so many titles to cultivate relations of the most cordial amity.

It behoves me at the same time to be grateful to your Excellency for having been pleased to take the initiative in this matter of the highest importance to the rightly-understood interests of both States.

I now proceed to set forth to your Excellency the engagements which the Oriental Government contract in respect of the losses by war which have been sustained by some British subjects residing in the country.

The acknowledged claims of Messrs. Furlong, Bruce, Bordes, Canon, Newton, and Flagerty, as also those which have reference to the British subjects, Callender, Drabble, and Co., shall be paid in the form and manner pointed out in your Excellency's note, which is precisely as was agreed upon in our last conference.

With regard to the other claims, not authenticated they
shall be duly attended to, when presented with all the legal forms of which they are at present divested as your Excellency has had occasion to observe.

Your Excellency has been able, during your stay at Monte Video, to become convinced that the guarantees of life and property afforded to all the inhabitants of the Republic are perfectly assured, and that law and justice are here a reality, as they are in all civilised countries.

In closing this note it is gratifying to me to assure your Excellency that the Oriental Government would experience the most lively satisfaction if that of Her Britannic Majesty would be pleased to furnish your Excellency with the necessary credentials and full powers to put into an official form and definitely conclude the arrangements which we have formulated by virtue of our respective instructions.

I avail, &c.

F. C. Ford, Esq.

GUALBERTO MENDEZ

VENEZUELA.

RESOLUTION of the Government of Venezuela, withdrawing the permission temporarily granted to Foreigners to engage in the Coasting Trade. Caracas, February 20, 1871.

(Translation.)

Resolution,—The vessels of the national navy with which the insurgents of Maracaibo threatened the safety of the coasting trade, being now in possession of the Government, the causes have ceased which led to the necessity and convenience of allowing the coasting trade to be carried on by foreign vessels, as directed by the Executive Decree of the 17th of June of last year,* fixing 4 months as the term for the permission, which was extended for 4 months more on the 8th of November last.

The National Executive has, therefore, resolved that the effects of the said Decrees shall cease on the 17th of March next, the date on which the 8 months terminated, and one more in addition for distant places, to be reckoned from the date on which the first Decree was issued.

Let this be communicated to those whom it concerns, and let it be published.

For the Acting President.

Gutierrez.

Caracas, 20th February, 1871.

ZANZIBAR.

PROCLAMATION of the Sultan of Zanzibar, relative to the suppression of the Inland Slave Trade. April 18, 1876.

(Translation.)

In the Name of God, the Merciful, the Compassionate.
(Seal of His Highness Seyed Barghash.)

From Barghash bin Saeed bin Sultan.

To all whom it may concern of our friends on the mainland of Africa, the Island of Pemba, and elsewhere.

WHEREAS, in disobedience of our orders and in violation of the terms of our Treaties with Great Britain, slaves are being constantly conveyed by land from Kilwa for the purpose of being taken to the Island of Pemba. Be it known that we have determined to stop, and by this order to prohibit all conveyance of slaves by land under any conditions; and we have instructed our Governors on the coast to seize and imprison those found disobeying this order, and to confiscate their slaves.

Published the 22nd of Rabea el Awal, 1293 (18th April, 1876).

Proclamation.*

In the Name of God, the Merciful, the Compassionate.
(Seal of His Highness Seyed Barghash.)

From Barghash bin Saeed bin Sultan.

To all whom it may concern of our friends on the mainland of Africa and elsewhere.

WHEREAS slaves are being brought down from the lands of Nyassa, of the Yao and other parts, to the coast, and there sold to dealers who take them to Pemba against our orders and the terms of the Treaties with Great Britain. Be it known that we forbid the arrival of slave caravans from the interior, and the fitting out of slave caravans by our subjects, and have given our orders to our Governors accordingly, and all slaves arriving at the coast will be confiscated.

Published the 22nd of Rabea el Awal, 1293 (18th April, 1876).

* This Proclamation was published by the Portuguese Governor-General of Mozambique in the "Boletino Official" of May 22, 1876.
TREATY with the King and People of Ambrizette, for the Protection of British Traders. June 27, 1879.

For the avoidance of misunderstanding between the British traders at Ambrizette and the King and people of that place, the following Articles have been jointly agreed upon and concluded, on behalf of the said British traders, by William George Lennon Hunt, Esquire, Her Britannic Majesty's Consul for the Province of Angola and other parts of the south-west coast of Africa, including Ambrizette, and Lieutenant Ernest Freke Brickdale, commanding Her Britannic Majesty's gunboat Forward, on the one part; and by Nanga Bido, King's Mouth, on behalf of Simao Tobe, King of Ambrizette, and his people, on the other part:

Art. I. British traders at Ambrizette shall freely engage the Headmen and all other persons to be employed in their factories, and shall also freely dismiss the same whenever they may think proper to do so; and the King of Ambrizette hereby undertakes not only never to interfere in such engagements and dismissals, but also to guarantee the said British traders against any interference therein by his people, as well as against any attempt on the part of the latter to remove any one from the service of the said British traders, no matter under what pretext.

II. Any kind of trading on credit by natives of Ambrizette with coloured persons employed in British factories is hereby expressly prohibited, and there shall be no redress for loss sustained by natives of Africa engaging in such transactions.

III. Questions which may arise between any or all of the British traders and the King of Ambrizette, and which cannot be privately settled satisfactorily, shall be arranged by palaver, to be called by the person considering himself to be aggrieved; and such palaver shall always and without exception be held at a British factory and nowhere else.

IV. Notice of a palaver demanded by the King of Ambrizette shall be given to the British trader or traders by the King's Mouth in person, accompanied by not more than two attendants; and in the reverse case a like notice shall be given to the King's Mouth by a messenger from the British trader or traders.

V. At all palavers with British traders the King of Ambrizette shall be represented by the King's Mouth, accompanied by
such of the King's people as the King may select for that purpose; it being, however, expressly provided that the number of the King's people present thereat shall never in any case exceed 10, including the King's Mouth, and that none of these 10 persons shall be armed.

Should the palaver be general as regards British traders, those traders will naturally all take part therein. Should the palaver affect one or more of the said traders, but not all of them, those concerned shall be at liberty to invite to be present thereat such of their countrymen as they may select.

VI. The King of Ambrizette hereby undertakes that if, at any palaver between British traders and himself, a decision should not be arrived at, he will cause all matters to remain exactly as they were before the arising of the question at issue, until such time as Her Britannic Majesty's Consul may be able to come to Ambrizette to be present at a fresh palaver on the subject. The British traders, on their part, undertake that, in the case of any such unsettled palaver between themselves and the King of Ambrizette, they will, pending the arrival of Her Britannic Majesty's Consul, in like manner also restore matters to their primitive footing.

The King of Ambrizette further undertakes that never at any time shall the British traders be debarred by him nor his people from taking water from the river, nor from providing themselves with wood.

VII. The British traders at Ambrizette bind themselves to pay to the King the customs as previously established, in return for which the King promises his protection to their lives and property.

VIII. In case of robbery of property belonging to a British trader being committed by any native of Africa, the King of Ambrizette hereby undertakes to make good the loss occasioned thereby, if any of the King's people be proved to have been implicated therein, either as the actual perpetrators of the robbery, as receivers or purchasers of the stolen goods, or in any other way whatsoever.

IX. The tax known as the "Mafucadimbo" shall henceforth be paid to the King of Ambrizette weekly, namely, on Saturdays only, by the Headmen of each British factory; the said Headmen being the only persons responsible for the payment of that tax.

X. In no case shall the Articles of this Treaty be altered or annulled without the intervention and sanction of Her Britannic Majesty's Consul.

Done in duplicate original at Ambrizette, this 27th day of June, 1879.

(L.S.) W. G. LENNON HUNT, Her Britannic Majesty's Consul.
PERPETUAL TREATY OF PEACE between Will Braid, the Head of the Barboy House, and the King and Chiefs of New Calabar. November 19, 1879.

ART. I. Perpetual peace shall exist between Will Braid, the Head of the Barboy House, and King Amachree, and the Chiefs of New Calabar.

II. Will Braid or his successors and people may at any time return to New Calabar Town.

III. Will Braid and his people shall, at all times, have free access to all the New Calabar markets, and shall trade exclusively in New Calabar.

IV. Will Braid shall leave his present position at Ewaffa, and shall choose any place subject to the approval of the arbitrators.

V. All property in Ewaffa and the other markets held by Will Braid, and proved to be the property of the New Calabar people, shall be returned with as little delay as possible.

VI. Nil.

VII. All property held by the people of New Calabar, claimed and proved by Will Braid to be his, shall be returned to him with as little delay as possible.

VIII. Will Braid shall receive back such of the people as belong to him or his house, but not Chiefs he claims by right of descent.

IX. Any dispute or difference arising between Will Braid and the King and Chiefs of New Calabar shall be referred to the arbitration of the Kings and Chiefs of Bonny, Opobo, and Okrika, whose award, subject to ratification by Her Majesty's Consul, shall be final.

X. The King and Chiefs of New Calabar engage not to interfere with or molest Will Braid whilst under the protection of Bonny, Opobo, and Okrika, and Will Braid and his people engage on their part not to interfere with or molest any subject of New Calabar.
XI. On his return to New Calabar, Will Braid shall retain the rank and privileges he enjoyed prior to his cessation.

XII. If either Will Braid or the people of New Calabar should punish or oppress the Ebo tribe for the part they have taken during this quarrel, it is to be considered a breach of this Treaty.

XIII. Four weeks shall be given to either party to open the markets and destroy these fortifications under a fine of 100 puncheons.

Five months will be allowed to Will Braid to settle finally.

XIV. The arbitrators on this occasion bind themselves to see this Treaty carried into effect on every point, and that they shall regard, as a common enemy, either party that may break any of the clauses of this Treaty.

XV. A fine of 400 puncheons of palm oil shall be inflicted for the breach of any Article of this Treaty, to be divided, 100 to Bonny, 100 to Opobo, 100 to Okrika, and 100 to Her Majesty the Queen, the latter to be paid first, and the Bonny, Opobo, and Okrika peoples shall assist the Consul in levying this fine.

Given on board Her Majesty's ship Dido, this 19th day of November, 1879, in presence of—

COMPTON DOMVILE.
C. G. MICHAELSON.
THOS. H. ATKINSON.
S. F. EASTON, Her Majesty's Acting Consul.
R. D. BOLER.

PERPETUAL TREATY OF PEACE, between the King and Chiefs of New Calabar and the King and Chiefs of Bonny. November 19, 1879.

We, the undersigned Kings and Chiefs of Bonny and New Calabar, considering that our mutual security and the good of our country require that we should be united in friendship, did this day* meet on board Her Majesty's ship Dido in the

* For date, see preceding Treaty.
Bonny River, and in the presence of Captain Compton E. Domvile, the Senior Naval Officer on the West Coast of Africa, Her Britannic Majesty's Acting Consul, S. F. Easton, and the officers and gentlemen who have hereunto attached their signatures, solemnly agreed that from this day no quarrel, war, or strife shall arise amongst us, and having chosen Her Britannic Majesty's Consul for the time being as Arbitrator for the settlement of the troubles that have so long disturbed the peace of our countries and injured our commerce, we further most solemnly bind ourselves to abide by his decisions under the penalties as set forth in this Treaty or Agreement.

**ART. I.** The King and Chiefs of Bonny will not in any way aid or assist the Okrika men against the New Calabars. They bind themselves under a penalty of 100 tun of palm oil to observe this Article, and the New Calabars also bind themselves in the same penalty not to assist the Okrikas should they go to war with Bonny.

**II.** The Kings and Chiefs of Bonny for themselves, and the King and Chiefs of New Calabar for themselves, agree to let all old palavers to be bygones, and never to bring them up again.

**III.** The Kings and Chiefs of the countries mentioned in Article II, that in any further misunderstanding between them, they will refer their case to the arbitration of Her Britannic Majesty's Consul for the time being, and that they will be bound by his decision.

**IV.** The Kings and Chiefs agree to put an end to, at once and for ever, the disgusting and horrible practice of cannibalism.

**V.** The Okrika men shall have the right to fish in all the creeks and waters in which they have hitherto fished, without molestation, so long as they are on friendly terms with the New Calabars.

**VI.** Seeing the deadly enmity that has so long existed between the people of Okrika and New Calabar, it is decided, for the better and more efficient maintenance of peace, and for the lasting welfare of the country, that they shall not use the same oil markets, and further, that the New Calabar men have, by a long possession of the Obiartuboo markets, proved their rights to them, and it is, therefore, decided that they shall retain undisturbed possession of the same.

**VII.** The Bonny people shall have the exclusive right of trading in the Andelli markets only on and after the 21st January, 1880, and the New Calabars shall have the exclusive right of trading at all the other so-called Brass Markets. A penalty of 500 tun of palm oil shall be inflicted upon the New Calabars for any act of aggression upon Bonny people, or vice versa.

**VIII.** The King and Chiefs of New Calabar shall open the creeks leading to Brass and Bonny, and shall not prevent the
BELGIUM.

Abassa men from passing through with their canoes, but shall give them their safe convoy.

IX. The Bonny Chiefs having sworn Ju-Ju with the Okrikas, against New Calabar, are ordered to at once remove their Ju-Ju's.

In the event of any of the Articles of the Agreement being broken, a fine of 100 puncheons of palm oil will be enforced from the aggressors, except in Article VII.

All trade shall be stopped until the fine shall have been paid.

X. That this Treaty and all the stipulations therein contained shall be binding between the two Contracting Powers of Bonny and Calabar perpetually from the date hereof.

XI. That the Billap people are not to be molested by either Contracting Party, but are free to go where they please, under a fine of 100 puncheons.

XII. That the usual traders coming to Andelli are to be allowed full liberty to trade without the slightest restriction, under a fine of 100 puncheons of oil.

Their

King Amachree.
George Amachree.
Horsfall Manuel.

Their

Manilla Pepple.
Oko Jumbo.
Adda Allison.

marks. marks. marks.

November 19, 1879.

Witnesses:

Compton Domville, Captain and R. B. Knight.
Senior Officer.
Harry A. Ogle, Lieutenant. F. W. Batty.
S. F. Easton, Her Majesty's C. Cardi.
Acting Consul.

BELGIUM.

AGREEMENT, between Great Britain and Belgium, for facilitating the application of a Word Tariff for Telegraphic Correspondence exchanged by way of Belgium, between Great Britain and Germany. Signed at London, December 31, 1878.

The Government of Her Majesty the Queen of Great Britain and Ireland, Empress of India, and the Government of His Majesty the King of the Belgians, being desirous of facilitating the application of a Word Tariff for telegraphic correspondence

* No date was affixed to this Treaty, but it was no doubt concluded on the same day as the preceding Treaty.

† Signed also in the French language.
COLOMBIA.

exchanged by way of Belgium between Great Britain and Germany, the Undersigned, authorised for this purpose, have agreed to the following provisions:

Telegrams exchanged between Great Britain and Germany, when passing by the telegraphic lines of Belgium, shall be subject to a transit charge of 5 centimes per word, to be placed to the credit of the latter country.

The several Administrations shall manage, by mutual agreement, the manner of accounting for the aforesaid correspondence.

The present arrangement shall take effect from the 1st January, 1879, and shall continue in force for an indefinite period, subject, however, to its denunciation, notice of which must be given by one of the High Contracting Parties a year in advance.

Done in duplicate at London, the 31st of December, 1878.

SALISBURY.

SOLVYNS.

COLOMBIA.

AGREEMENT, between the British and Colombian Governments, for the Settlement of certain Claims of British Subjects, arising out of a Riot at Panama in April, 1856. Bogotá, December 7, 1868.*

(Translation.)

ROBERT BUNCH, Her Britannic Majesty's Chargé d'Affaires, acting under the instructions of his Government for the settlement of the claims of certain British subjects for losses and damages caused by a riot which took place in Panama in April, 1856, and Santiago Perez, Secretary of the Interior and Foreign Affairs of the United States of Colombia, duly authorised by the Executive Power, in order to bring to a close these claims, have agreed as follows:

ART. I. The Government of the United States of Colombia recognises in favour of the British subjects Samuel Harris, Thomas Bland, Charles C. Spence, Lyman Weller, and William Harvey, and also of the Liverpool Steam Navigation Company in the Pacific, the sum of 4,745 dols., as the value of the losses and damages which they have sworn that they suffered by the riot, in the following form:

To Samuel Harris, the value of certain property lost, 1,000 dols.; to Thomas Bland, for the injury caused by a wound, which has prevented him from working, 2,500 dols; to Chas. C. Spence, for the value of various articles, some lost and others destroyed, 100 dols.; to Lyman Weller, for the same, 30 dols.;

* Approved by the British Government, January 31, 1869.
DENMARK.

DEVELOPMENT, between Great Britain and Denmark, for the Protection of Trade Marks. Signed at Copenhagen, November 28, 1879.*

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the King of Denmark, with a view to the reciprocal protection of trade marks and trade labels, as well as industrial designs and patterns, in the two countries, have agreed as follows:

The subjects of each of the Contracting Parties shall have in the dominions and possessions of the other the same rights as belong to native subjects, or as are now granted, or may hereafter be granted, to the subjects of the most favoured nation, in everything relating to property in trade marks and trade labels, as well as in industrial designs and patterns.

It is understood that any person who desires to obtain the aforesaid protection must fulfil the formalities required by the laws of the respective countries.

In witness whereof the Undersigned have signed the present Declaration, and have affixed thereto the seal of their arms.

Done at Copenhagen, the 28th day of November, 1879.

(L.S.) CHARLES LENNOX WYKE.
(L.S.) O. D. RÖSENORN-LEHN.

* Signed also in the Danish language.
FRANCE.

FRANCE.

FRENCH NOTIFICATION, respecting the delay in carrying into effect the Fishery Convention of November 11, 1867. Paris, January 26, 1869.

The Minister of Foreign Affairs in France to the British Ambassador at Paris.

M. L’AMBASSADEUR,

Paris, le 26 Janvier, 1869.

J’ai reçu la lettre en date du 22 de ce mois, par laquelle votre Excellence m’a fait l’honneur de m’exprimer, au nom du Gouvernement de Sa Majesté Britannique, le désir de voir mettre d’un commun accord, en vigueur les dispositions de la Convention sur les Pêcheries, signée le 11 Novembre, 1867, entre la France et l’Angleterre.

Je regrette, M. l’Ambassadeur, de ne point me trouver en mesure d’accueillir cette proposition. Votre Excellence n’ignore pas que les prohibitions contenues dans la Convention doivent être préalablement sanctionnées par le Corps Législatif; à cet effet le Département de la Justice a préparé un projet de loi qui sera très prochainement présenté aux Chambres. En prévision de la communication à laquelle je réponds, mon prédécesseur avait, d’ailleurs, cru devoir consulter M. le Garde des Sceaux sur la question de savoir s’il était indispensable d’attendre la promulgation de la loi nouvelle avant de mettre à exécution la Convention de 1867.* M. Baroche n’a point hésité à se prononcer pour l’affirmative. Toutes les dispositions ont été prises, au reste, pour que la loi soit votée dans le plus court délai possible, et j’aurai l’honneur d’informer sans retard votre Excellence de l’époque à laquelle la Convention pourra entrer en vigueur.

Son Excellence Lord Lyons.

LA VALETTE.

[A notification to this effect was inserted in the London Gazette of the 9th February, 1869, to which was added the following notice:

“With reference to the notification published in the Gazette of the 22nd ultimo, that the day fixed for the coming into force of ‘The Sea Fisheries Act, 1868,’† was on the 1st instant, notice is hereby given that the Convention above-mentioned, which is set out in the first schedule to that Act, has not yet been brought into operation in the manner prescribed in Article XXXIX thereof, and that until it has duly come into operation, so much of ‘The Sea Fisheries Act, 1868,’ as relates thereto does not apply to French subjects and French vessels.”

* The Law has not been passed up to this date, December 31, 1879.
† See Vol. 13. Page 422.

In execution of Article III of the Treaty of Commerce and Navigation, between the United Kingdom of Great Britain and Ireland and France, signed at Versailles, the 23rd of July, 1873,* his Excellency Lord Lyons and M. le Duc Decazes, provided with full powers, found in good and due form, have exchanged the following Declaration:

The Plenipotentiaries accept, on behalf of their respective Governments, the Report presented on the 22nd instant to the Governments of Great Britain and France by the British and French Commissioners, appointed under Article IV of the Treaty aforesaid, relative to the Supplementary Convention signed this day.

They accept, in like manner, the Protocol relative to expertise proceedings appended to the said Report.

This Report and Protocol shall remain annexed to the present Declaration.†

The High Contracting Parties, not having been able to settle in the said Supplementary Convention the question relative to the attributes and privileges of their Consuls in the respective countries, have agreed to open further negotiations for this purpose.

In faith of which the Undersigned Plenipotentiaries have drawn up the present Declaration, to which they have affixed the seal of their arms.

Done in duplicate at Versailles, the 24th January, 1874.

(L.S.) Le Duc Decazes. (L.S.) Lyons.

LAW passed by the French National Assembly, respecting the Claims of Exporters of Mineral Oils from Great Britain to France. July 3, 1874.

(Translation.)

Versailles, July 3, 1874.

Law crediting the Minister of Finance with the sum of 350,000 francs (14,000£) on the Budget of 1874, for the reimbursement of duties and the payment of indemnities and expenses connected with certain importations of mineral oils of British origin.

The National Assembly has adopted the Law which runs as follows:

Art. I. The Minister of Finance is credited with the sum of 350,000 francs on the Budget of 1874, for the reimbursement of

* Page 348. † Page 354.
duties and the payment of indemnities and expenses connected with certain importations of minerals oils of British origin.

This credit will form the subject of a new clause, No. 82, in the Budget of the Ministry of Finance for the year 1874.

II. Provision will be made for this expenditure out of the general receipts of the Budget of 1874.

Passed at Versailles, June 25, 1874.

L. BUFFET, President of the National Assembly.

The President of the Republic promulgates the present Law,

MARSHAL MACMAHON, Duke of Magenta.

P. MAGNE, Minister of Finance.


Foreign Office, January 13, 1879.

The Government of France have given notice for the termination of the following Commercial Treaties with this country:

The Treaty of Commerce of the 23rd of January, 1860.*

Additional Article of 25th of February, 1860.†

Second Additional Article of 27th of June, 1860.‡

First Supplementary Convention of 12th of October, 1860.§

Second Supplementary Convention of 16th of November, 1860.¶

Treaty of Commerce and Navigation of 23rd of July, 1873.¶

Convention Supplementary to ditto of 24th of January, 1874,** and

Declaration relative to Expertise of 24th of January, 1874.††

This Notice will take effect on the 1st of January, 1880.

[These Treaties, &c., were, by a Declaration dated October 10, 1879,† continued in force for 6 months from the date of the promulgation of a New French General Customs Tariff.]

DECLARATION between the British and French Governments, for regulating the mode of dealing with the Proceeds of Vessels Wrecked upon the Coasts of the two States. Signed at London. June 16, 1879.§§
the French Republic, being desirous of regulating, by common agreement, the mode of dealing with the proceeds of vessels wrecked upon the coasts of the two States, have agreed upon the following arrangements:

1. If any ship belonging to the subjects of one of the two Contracting States shall be wrecked or stranded upon the coasts of the other, the competent local authorities shall, with as little delay as possible, bring the fact to the knowledge of the Consul-General, Consul, Vice-Consul, or Consular Agent nearest to the spot where the wreck or stranding has taken place.

2. The Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, in the absence or upon the demand of the owners of the ship and cargo, have the power of interposing either personally or through a special delegate in order to co-operate in the salvage.

3. The competent local authorities shall remit to the owners of the ship and cargo, or to their representatives duly authorised, who may claim them, the ship or its wreck, the ship's papers, and all the articles and merchandise which shall have been saved therefrom, or the proceeds of their sale if sold.

4. In the absence of the owners, or of their representatives, the competent local authorities shall, upon their claiming them, remit the articles which have been saved, or the proceeds thereof if sold, to the Consul-General, Consul, Vice-Consul, or Consular Agent nearest to the spot where the wreck took place.

5. The intervention of the local authorities shall not give rise to the levying of charges of any kind with the exception of those which the operations of the salvage and the preservation of the articles saved shall have rendered necessary, and those to which national ships would, under similar circumstances, be liable. These charges shall be paid, according to the circumstances of the case, by the owners or their representatives, or by the Agents of the Consular Service above-mentioned, to whom the proceeds of the salvage shall have been delivered.

6. The merchandise and articles saved shall not be subject to the payment of any Customs duties unless they are intended for home consumption, in which case they shall pay the same duties that they would have to pay if they had been imported in national vessels.

In witness whereof, the Undersigned, duly authorised for that purpose, have signed the present Declaration, and have affixed thereto the seal of their arms.

Done in duplicate at London, the 16th day of June, 1879.

(L.S.) CTE. G. DE MONTEBELLO. (L.S.) SALISBURY.
AGREEMENT between the General Post Office of the United Kingdom of Great Britain and Ireland and the General Post Office of France. [Remuneration to Captains or Owners of Merchant Vessels for the Sea Transport of Mails.] Signed in Paris, June 20, 1879.*

The Postmaster-General of the United Kingdom of Great Britain and Ireland, of the one part;
And the Minister of the Posts and Telegraphs of France, of the other part;

With reference to Article III of the Convention concerning the Universal Postal Union, concluded in Paris the 1st June, 1878,† an Article thus framed:

"The Postal Administrations of neighbouring countries or countries able to correspond directly with each other, without borrowing the intermediary of the services of a third administration, determine by common consent the conditions of the conveyance of their reciprocal mails across the frontier or from one frontier to the other."

With reference to Article IV of the same Convention, stipulating as follows:

"The expenses of transit are borne by the Administration of the country of origin."

Declare as follows:

From the 1st of July, 1879, the remuneration allowed to the captains or owners of merchant vessels for the sea transport of mails exchanged between French Post Offices and British Post Offices shall be calculated thus:

1st. At the rate of 5 francs per kilogramme of letters or post cards;
2nd. At the rate of 50 centimes per kilogramme of other articles of correspondence.

This remuneration shall be paid by the Post Office of origin, and shall not give rise to any account between the two Administrations.

Executed in duplicate and signed in London the 23rd of June, 1879, and in Paris the 20th of June, 1879.


DECLARATION between the British and French Governments, prolonging the Duration of the existing Treaties of Commerce and Navigation between Great Britain and France. Signed at Paris, October 10, 1879.‡

The Government of Her Britannic Majesty and the Government of the French Republic, foreseeing the case in which the

* Signed also in the French language.  † Page 1007.
‡ Signed also in the French language.
commercial and maritime relations between Great Britain and France should not have been settled by fresh arrangements before the 31st December, 1879, the period at which the existing Commercial Treaties and Conventions are to expire, and wishing to secure for the manufacturers and merchants of both countries a sufficient delay to conclude the operation in course of execution,

Have agreed to prolong, for a period of 6 months before their definitive termination, the Conventional Acts in force between Great Britain and France.

Considering, besides, that, according to the terms of the Law passed in France on the 4th August last, which confers on the Government of the Republic the power of prolonging the Commercial Treaties and Conventions, the duration of their prolongation cannot exceed 6 months from the promulgation of the new General Customs Tariff submitted to the approbation of the French Chambers,

The High Contracting Parties agree that the stipulated delay of 6 months shall commence from the day either anterior or posterior to the 1st January, 1880, on which the new General Customs Tariff shall have been promulgated.

The benefit of the prolongation shall apply to the Conventional Acts enumerated hereafter, that is to say:

[See List of Treaties, Page 1202.]

In witness whereof, the Undersigned, acting in the names of their respective Governments, have drawn up the present Declaration, and have affixed thereto the seal of their arms.

Done in duplicate, at Paris, the 10th day of October, 1879.

(L.S.) WADDINGTON.  
(L.S.) F. O. ADAMS.

AGREEMENT between the British and French Governments, for the Mutual Relief of Distressed Seamen. Signed at London, November 5, 1879. *

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of the French Republic, being desirous to make arrangements for the relief of distressed seamen of the two nations in certain cases, the Undersigned, duly authorised to that effect, have agreed as follows:

If a seaman of one of the Contracting States, after serving on board a ship of the other Contracting State, remains behind in a third State or in its colonies, or in the Colonies of that State whose flag the ship carries, and the said seaman is in a helpless condition in consequence of shipwreck or from other causes, then the Government of that State whose flag the ship bears shall be bound to support the said seaman until he enters into

* Signed also in the French language.
ship-service again, or finds other employment, or until he
arrives in his native State or its colonies, or dies.

But this is on condition that the seaman so situated shall
avail himself of the first opportunity that offers to prove his
necessitous condition and the causes thereof to the proper
officials of the State whose support is to be solicited, and that
the destitution is shown to be the natural consequence of the
termination of his service on board the ship; otherwise the
aforesaid liability to afford relief lapses.

The said liability is also excluded if the seaman has deserted,
or has been turned out of the ship for any criminal act, or has
left it on account of disability for service in consequence of
illness or wounding resulting from his own fault.

The relief includes maintenance, clothing, medical attend-
ance, medicine, and travelling expenses; in case of death the
funeral expenses are also to be paid.

The present Agreement shall come into operation on the
1st January, 1880, and shall continue in force until one of the
Contracting Parties shall announce to the other, one year in
advance, its intention to terminate it.

In witness whereof the Undersigned have signed the present
Agreement, and have affixed thereto the seal of their arms.

Done in duplicate, at London, the 5th day of November, 1879.
(L.S.) A. POTHUAU. (L.S.) SALISBURY.

GERMANY.

GERMAN DECREE, for the establishment of Naval Courts for
the investigation into all Cases of Accidents at Sea which may
occur to German Merchant Vessels or to Foreign Merchant
Vessels in German Waters. July 27, 1877.

(Translation.)
We, William, &c., decree in the name of the German Empire,
with the consent of the Bundesrath and Reichstag, as follows:
§ 1. Local Admiralty or Nautical Courts (Seeacemter) are to
be instituted on the German coasts, for the purpose of investi-
gation into the accidents at sea met with by merchant vessels.

§ 2. Subjects for investigation are accidents at sea:
(1.) To German merchant vessels;
(2.) To Foreign merchant vessels, if
(a.) The accident has happened in German waters; or
(b.) The investigation is directed by the Chancellor of the
Empire (Reichskanzler).

§ 3. The Nautical Court is obliged to institute the inquiry:
(1.) If by the accident either human life has been lost, or a
vessel sunk or abandoned;
(2.) If the inquiry is directed by the Imperial Chancellor.
In the case of other accidents at sea the institution of the inquiry rests at the discretion of the Nautical Court.

§ 4. By the investigation shall be ascertained the cause of the accident, as well as all circumstances connected therewith. Especially is to be established:

1. Whether the commander [master] (Schiffer) of the vessel or the steersman [mate] (Steuermann) has by his own fault been guilty of the accident or its consequences;

2. Whether defect in the construction, condition, outfit, lading or manning of the ship; or

3. Whether want of navigable water or helping contrivances (signals, pilotage, salvage apparatus, &c.), or the fault of the persons appointed for the manipulation of these contrivances have caused the accident or its consequences;

4. Whether the published directions for the prevention of collisions at sea, and for the course to be pursued after such collision have been obeyed.

§ 5. Competent for the investigation is that Nautical Court:

1. In whose district the port lies which the ship first reaches after the accident;

2. Whose seat is nearest to the place of the accident;

3. In whose district the port of registry of the vessel is situated.

Of the different Nautical Courts which are accordingly competent, that one has the preference which has first commenced the inquiry. The investigation can, however, be transferred to another of the competent courts by the Imperial Chancellor.

§ 6. The institution of the Nautical Courts, and the appointment of the officials who are to superintend these courts is incumbent on the Government of the Province, according to the law of the land; the fixing of the limits of their districts on the Bundesrath.

The supreme direction of these courts is conducted by the Empire.

§ 7. The Nautical Court forms a board and consists of a president and 4 assessors.

The president must possess judicial qualifications.

He is appointed for the duration of the office filled by him at the time of his appointment, or in case he shall, at the time of his appointment, occupy no position, for life.

This definition has no application to a representative appointed in case of the hindrance or refusal of the president.

At least two of the assessors must be qualified as sea-captains, and must have acted in that capacity.

§ 8. The inspecting board must annually draw up a list of persons qualified to act as assessors, and submit the same to the president of each Nautical Court. The number of persons to be entered in the list is decided, according to the necessity, by
the inspecting board. If a representation of shipowners, captains, or commercial men is available, their proposals are to be heard before drawing up the list.

§ 9. The president of the Nautical Court chooses from the list 4 assessors for each investigation, summons them, and swears them in, to the fulfilment of the duties of their office.

§ 10. As to capability for the office of assessor, the resolutions contained in §§ 31 to 34 of the Law of Legal Procedure have particular application, but instead of § 33, No. 2, the following Article is in force.

(2.) Persons who at the time of the drawing up of the list do not reside within the district of the Nautical Court; and in accordance with § 34, No. 9, men belonging to the navy on active service are exempted.

The summons to the office of assessor can be refused:

(1.) By members of a German Legislative Assembly;

(2.) By persons who at the time of the drawing up of the list (§ 8) have completed their 65th year, or who will complete it in the current year;

(3.) By persons who have discharged the duties of an assessor in the last year.

The assessors receive from the public funds indemnification for travelling expenses and fees, the amount of which is determined by the Government.

§ 11. Men on active service in the navy are not entered on the list. The president of the Nautical Court can, however, choose a man on active naval service, with his own consent, and without regard to his residence in the district of the Court.

In this case the choice from the list is limited to 3 assessors, and if necessary a deputy.

§ 12. The president decides finally in all cases of petitions for excuse or of appeal.

Assessors who, without sufficient excuse, are not punctually present at the sittings, or who fail in their obligations in any other way, are to be fined from 10 to 300 marks, with costs. The judgment is pronounced by the president. Should sufficient excuse be afterwards forthcoming, the judgment can be wholly or in part revoked. Appeal is to be made to the board of inspection.

§ 13. The Imperial Chancellor appoints a commissioner for every Nautical Court, who is authorised to propose motions to the court or its president, to assist at the proceedings, to inspect the reports, and in case the president refuse to institute an inquiry, to make arrangements for an investigation before the Imperial Chancellor. The same person can be appointed as commissioner for several Nautical Courts.

§ 14. The courts adapted for the obtaining of information, the harbour officers, tidewaiters, shipping registries, and the Consulates are bound to indicate, without delay, to a competent
§ 5. Nautical Court the accidents happened at sea which have come to their knowledge.

§ 15. German Consuls abroad, as soon as they hear of an accident at sea, are to institute, for the preliminary establishment of the fact, such inquiries and collect such evidence as is least liable to delay.

§ 16. The president decides on the course of procedure in the investigation.

On him are incumbent the necessary inquiries preparatory to the chief investigation, the fixing of the date of this investigation, the needful summons of the witnesses and experts concerned, the seasonable procuring of evidence and other preparations for the final investigation.

The president can also make other arrangements in cases where no delay is admissible, especially in the matter of the interrogation and swearing of witnesses in danger, provided the Nautical Court is not assembled.

§ 17. If a legal investigation is opened as to an accident at sea, the president is authorised to defer the commencement or continuation of the investigation into this accident until the termination of the legal proceedings. If, however, the Nautical Court is assembled this authority is conferred on it.

§ 18. The Nautical Court is authorised to collect the evidence of eye-witnesses, to summon witnesses and experts, and to hear them on their oath.

§ 19. So far as this law does not contain contradictory statements, the determinations of the Law of Legal Procedure, Titles 15 and 16, and the rulings of the Penal Court, Book I, Sections 3, 6, and 7, are applicable.

The imposition and extent of penalties against witnesses and experts, as well as the production of non-appearing witness, follow upon petition to a competent law court. Sentence of imprisonment for the compulsion of a witness does not take place.

§ 20. The law courts and the officials named in § 14 are bound to respond to the propositions of the Nautical Court, in as far as they are in a position to do so.

§ 21. The proceedings of the Nautical Court are public and oral.

The President conducts the proceedings, at the opening of which he is to give an explanatory statement of the information on the accident at sea hitherto procured. The assessors and Imperial Commissioner have the right to interrogate directly the persons appearing for examination. The Nautical Court arrives at its resolution by a majority of voices.

§ 22. The commander [master] (Schiffer) and steersman [mate] (Steuermann) of the vessel, the accident to which forms the subject of the inquiry, are sworn as witnesses, only upon the resolution of the court.
They can make propositions, on which the court decides, question directly the persons appearing for examination, and also make use of legal or expert assistance.

§ 23. Doubts as to the admissibility of a question are in all cases decided by the court.

§ 24. Minutes of the verbal proceedings are kept, which must contain the names of those present, and the important events in the proceedings. The minutes are signed by the president and by the keeper of the minutes.

§ 25. After the conclusion of the proceedings, the Nautical Court has to pronounce its judgment as to the cause of the accident. Grounds must be given for the same, and the result of the proceedings in evidence clearly laid down. The judgment is to be made out in writing, and announced in a public session at latest within 14 days after the close of proceedings. A copy of the sentence is to be transmitted to the Imperial Commissioner, and on demand to the commander [master] (Schiffer) of the vessel and the steersman [mate] (Steuermann).

§ 26. If it so proved that a German captain [master] (Schiffer) or steersman [mate] (Steuermann), in consequence of the want of such qualities as are necessary for the exercise of his profession, has been guilty of the accident or its consequences, upon the proposition of the Imperial Chancellor that captain or steersman can lose all authority for the exercise of his profession (§ 31 of the Trade Regulations, June 21, 1869). A commander [master] (Schiffer) who has been deprived of his certificate at the discretion of the court can be also forbidden the exercise of the calling of steersman [mate] (Steuermann).

§ 27. If the Nautical Court by its decision deprives a captain (Schiffer) or steersman [mate] (Steuermann) of his certificate, or if it has negatived the proposal of the Imperial Commissioner to that effect, in the first case the captain or steersman, in the latter the Imperial Commissioner, has the right of appeal to the High Court of Admiralty. The appeal must be lodged in writing with the Nautical Court within 14 days after the announcement, or if this has taken place in the absence of the appellant, within 14 days after the delivery of the judgment.

The appellant, to whom the judgment has not yet been delivered must receive the same after the deposition of the appeal.

The appeal, formally drawn up in writing, must be justified at the Nautical Court on its deposition, or at latest within 14 days after the expiration of the term appointed for its deposition, or in case the sentence shall not yet have been handed over to appellant, after such handing over.

The deposition of the appeal has no retarding effect.

§ 28. A delivery of the judgment to a person residing abroad is to be obtained by means of an application to a German Con-
sulate. The deposition and justification of the appeal can also be effected by the same Consulate. The Consulate can also prolong the term granted to the captain (Schiffer) or steersman (Steuermann) [mate] for the justification of the appeal and put off the date for the deposition of the appeal, at latest till the arrival of the appellant in a German harbour.

§ 29. The Supreme Nautical Court forms a board, and consists of a president, to whom are applicable the resolution of § 7, clause 2, and of 6 members, at least 3 of whom must be acquainted with navigation. The president and an assessor (expert in navigation) are appointed by the Emperor. The Governments of the confederate naval States (Bundes-seestaaten) propose each 3 skillful persons for the other posts. The proposal remains in force for 3 years, after the lapse of which a new proposal is to be made. From the total of those proposed, the president chooses 5 assessors for each appeal case, summons them, and swears them in to the fulfilment of their duties. The assessors' travelling expenses are defrayed, and they receive fees, the amount of which is decided by the Imperial Chancellor. The directions of § 12 are specially applicable to the members of the Supreme Nautical Court.

The Supreme Nautical Court adopts its resolutions by a majority of voices. The dispositions necessary, outside the chief investigation, are made by the president.

§ 30. The Supreme Nautical Court can institute or order the completion or the repetition of the taking of evidence. The resolutions in §§ 18 to 24 on the proceedings of the Nautical Courts have also application to the Supreme Court.

The president can charge a member of the Supreme Court with the statement of the proceedings and inquiries which have been hitherto instituted.

§ 31. The Supreme Nautical Court proceeds and decides in public session after the summons and audience of the appellant and of his adversary.

A decision must also be pronounced as to whether the appellant is burdened with the costs of the appeal.

§ 32. The decision of the Supreme Court, for which grounds must be therein given, is to be delivered in writing to the appellant and his adversary.

§ 33. The order of procedure in the Supreme Court is fixed by the Bundesrath.

§ 34. A captain [master] (Schiffer) or steersman [mate] (Steuermann), who has been deprived of his certificate, can be put again in possession of the same, after the lapse of one year by the Imperial Chancery Office, if it is to be presumed that, in future, he can acquitted himself of the duties of his profession.

§ 35. This law comes into force on January the 1st, 1878. It is also applicable in the case of accidents at sea, met with by
CONVENTION between the Governments of Great Britain and the German Empire, extending to the German Empire the provisions of the Treaty between Great Britain, Prussia, Austria, France, and Russia, for the Suppression of the Slave Trade, of the 20th December, 1841. * Signed at London, March 29, 1879.†

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the German Emperor, King of Prussia, considering it desirable that the Treaty for the suppression of the Slave Trade concluded between Great Britain, Austria, France, and Russia, at London, on the 20th December, 1841, and ratified by all these Powers, with the exception of France, should be so extended to the German Empire as to correspond with the present altered circumstances, their Majesties have appointed Plenipotentiaries to conclude a Convention for that purpose, namely:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Most Honourable Robert Arthur Talbot Gascoyne Cecil, Marquis of Salisbury;
And His Majesty the German Emperor, King of Prussia, his Excellency George, Count Münster;
Who, after having communicated to each other their respective full powers, found in good and due form, have agreed as follows:

ART. I. All the rights and obligations hitherto devolving on Prussia, in virtue of the above-mentioned Treaty and the Annexes thereto, shall, subject to certain modifications contained in Article II of this Convention, henceforth devolve on the German Empire, as if that Empire had been a Contracting Party to the said Treaty.

II. In the place of the 11th and 12th paragraphs, under Head V of the Instructions to Cruizers appended to the aforesaid Treaty as Annex B, the following stipulations shall be adopted:

All German vessels which shall be detained on the stations of America or Africa by the cruizers of the other Contracting Parties shall be taken to Cuxhaven, and be delivered up by the authorities there to the jurisdiction of that German State to which the home port of the vessel belongs.
But if slaves shall be found on board any such German

* See Vol. 6., Page 2.
† Ratifications exchanged at London, March 17, 1880. Signed also in the German language.
vessel at the time of her detention, the vessel shall, in the first
instance, be sent to deposit the slaves at that port to which she
would have been taken for adjudication if she had been sailing
under the English flag. The vessel shall afterwards be sent to
Cuxhaven, and shall be delivered up to the competent German
jurisdiction, as above stipulated.

III. The present Convention shall be ratified, and the
ratifications exchanged at London as soon as possible after the
Governments of Austria-Hungary and Russia, parties to the
Treaty of the 20th December, 1841, have signified their consent
to the modifications of that Treaty, agreed to in the present
Convention.

In witness whereof the Undersigned have signed the present
Convention in duplicate, and have affixed thereto their seals.

Done at London, on the 29th day of March, 1879.

(L.S.) MUNSTER.          (L.S.) SALISBURY.

AGREEMENT between the British and German Governments, for
the Mutual Relief of Distressed Seaman. Signed at London,
May 27, 1879.*

The Government of Her Majesty the Queen of the United
Kingdom of Great Britain and Ireland, and the Government of
His Majesty the German Emperor, King of Prussia, being de-
sirous to make arrangements for the relief of distressed seamen
of the two nations in certain cases, the Undersigned, duly
authorised to that effect, have agreed as follows:

If a seamen of one of the Contracting States, after serving
on board a ship of the other Contracting State, remains behind
in a third State or in its colonies, or in the colonies of that
State whose flag the ship carries, and the said seaman is in a
helpless condition in consequence of shipwreck or from other
causes, then the Government of that State whose flag the ship
bears shall be bound to support the said seaman until he enters
into ship-service again, or finds other employment, or until he
arrives in his native State or its colonies, or dies.

But this is on condition that the seaman so situated shall
avail himself of the first opportunity that offers to prove his
necessitous condition and the causes thereof to the proper
officials of the State whose support is to be solicited, and that
the destitution is shown to be the natural consequence of the
termination of his service on board the ship, otherwise the
aforesaid liability to afford relief lapses.

The said liability is also excluded if the seaman has de-
serted, or has been turned out of the ship for any criminal act,
or has left it on account of disability for service in consequence
of illness or wounding resulting from his own fault.

* Signed also in the German language.
The relief includes maintenance, clothing, medical attendance, medicine, and travelling expenses; in case of death the funeral expenses are also to be paid.

The present Agreement shall come into operation on the 1st July next, and shall continue in force until one of the Contracting Parties shall announce to the other, one year in advance, its intention to terminate it.

In witness whereof the Undersigned have signed the present Agreement and affixed thereto their seals.

Done at London, the 27th day of May, 1879.

(L.S.) Munster.

(L.S.) Salisbury.

---

AGREEMENT between the Governments of Great Britain and Germany relative to Merchant Seamen Deserters. Signed at London, November 5, 1879.*

The Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of His Majesty the German Emperor, King of Prussia, being desirous, for the benefit of the commerce of the two countries, to facilitate the discovery, apprehension, and surrender of seamen who may desert from merchant vessels of either country, on the basis of a full and entire reciprocity, have agreed as follows:

It is mutually agreed that if any seamen or apprentices, not being slaves, should desert from any ship belonging to a subject of either of the Contracting Parties, within any port in the territories, or in the possessions or colonies of the other Contracting Party, the authorities of such port and territory, possession or colony, shall be bound to give every assistance in their power for the apprehension and sending on board of such deserters, on application to that effect being made to them by the Consul of the country to which the ship of the deserter may belong, or by the deputy or representative of the Consul.

It is understood that the preceding stipulations shall not apply to subjects of the country where the desertion shall take place.

Each of the two High Contracting Parties reserves to itself the right of terminating this Agreement at any time, on giving to the other a year's notice of its wish to that effect.

In witness whereof the Undersigned have signed the present Agreement, and have affixed thereto the seal of their arms.

Done at London in duplicate, the 5th day of November, in the year of Our Lord, 1879.

(L.S.) Munster.  
(L.S.) Salisbury.

---

* Signed also in the German language.
GREECE. GUATEMALA.

GREECE.

BRITISH ORDER IN COUNCIL, extending the System of British Tonnage Measurement to Greek Vessels. Osborne, August 14, 1879.

[Same as Germany, Page 1056, substituting Greece and Greek vessels for Germany and German vessels.]

C. L. PEEL.

GUATEMALA.

PROTOCOL OF CONFERENCE between Great Britain and Guatemala, relative to the satisfaction to be given by the Guatemalan Government in consequence of an Outrage inflicted on the British Vice-Consul at San José. Guatemala, May 1, 1874.

(Translation.)

Protocol of the Conference held in the Foreign Office of Guatemala, at 1 o'clock in the afternoon of the 1st May, 1874, between the Licenciado Don Marco A. Soto, Minister of that Department of the said Republic, and Mr. Henry Scholfield, Her Britannic Majesty's Chargé d'Affaires, with the object of agreeing on the satisfaction which, on the part of Guatemala, has to be given to the English Government in consequence of the outrage inflicted, in the port of San José, on the British Vice-Consul, Mr. John Magee, by the Commandant Don José Gonzalez, a native of Spain, in the service of the Government of the Republic.∗

First, the said Chargé d'Affaires stated that, convinced that the Government of Guatemala was properly disposed to put an end to this matter in a manner satisfactory to both Governments, as had been communicated to him in a despatch from this Department, dated 25th April last, in which it was explained to him:

"That the authors of the criminal act referred to should be punished with the utmost rigour of justice.

"That this Government would give to that of Her Britannic Majesty the most complete satisfaction, and would also make corresponding reparation as soon as the result of the investigations, which had been ordered to be made, should be made known."

The Chargé d'Affaires being convinced of this, and the first

∗ Correspondence respecting the outrage on Mr. Magee, British Vice-Consul at San José, Guatemala, was laid before Parliament in 1875.
steps having been already taken, said that he wished to come to an agreement, in a more explicit manner, as to the definite arrangement of this business.

The Minister of Foreign Affairs explained that his Government, in conformity with what had been offered to Her Britannic Majesty's Chargé d'Affaires, had, through the Supreme Court of Justice, already given orders to deliver the parties inculpated to the ordinary tribunals for their trial and punishment, according to the laws of the country, because the outrage had been committed within the territory of the Republic; the Government of Guatemala believing that by this step is placed in evidence the best satisfaction it can offer to Her Britannic Majesty's Government, and which is in conformity with the practice of the most polished nations.

Mr. Scholfield said that he was satisfied with this arrangement of the Government.

Second. As a proof of the desire that the Government of Guatemala entertains to preserve the best relations with that of Her Britannic Majesty, and in proof of the profound feeling of sorrow with which it has witnessed the outrage inflicted on Vice-Consul Magee, the Government will give orders to salute the British flag in the port of San José with 21 guns, the day that may be agreed upon with Her Majesty's Chargé d'Affaires.

Third. Her Majesty's Chargé d'Affaires also demands an indemnity for the outrage inflicted on Vice-Consul Magee by the Commandante Gonzalez.

The Minister for Foreign Affairs represented that the Government of Guatemala does not think itself under the obligation to grant such indemnity:

1st. Because Mr. Magee, as the Chargé d'Affaires is aware of, has officially declared that he neither wishes nor desires his Government to make any claim, nor will he personally make any;

2ndly. Because the Government of Guatemala thinks that it is not the case for granting an indemnity, according to the general principles of justice and the special circumstances of the fact which has been the cause of this claim.

But the Government of Guatemala now places on record that, if Her Britannic Majesty's Government shall, when it shall have a full knowledge of the matter, and of the conduct of the Government of Guatemala, and of the manner in which it has deplored this event, should be of opinion that it ought to ask for an indemnity, and should insist upon it, notwithstanding the contrary resolution of the outraged Mr. Magee, then the Government of Guatemala will enter with that of Her Britannic Majesty into the negociations convenient to arrange this point.*

* 50,000 dollars = £10,000, the sum demanded by the British Government for the insult offered to Vice-Consul Magee, was paid to the British Chargé d'Affaires at Guatemala on the 31st August, 1874. The other demands were also complied with.
ITALY.

Fourth. It was finally agreed that, in these terms, the affair to which this Protocol refers should be arranged, and that in future the Government of Her Britannic Majesty will not make any claim on account thereof, excepting that which may have reference to Article III, treating of indemnity.

In witness whereof the present Protocol is signed and sealed in duplicate by the Licenciado Don Marco A. Soto, Minister for Foreign Affairs, and Mr. Henry Scholfield, Her Britannic Majesty's Chargé d'Affaires, obliging themselves to the fulfilment of what is stipulated on the part of their respective Governments, in Guatemala, May 1, 1874.

H. SCHOLFIELD, Her Majesty's Chargé d'Affaires.
M. A. SOTO, Minister for Foreign Affairs of Guatemala.

ITALY.

DECLARATION between Great Britain and Italy, for prolonging the Duration of the Treaty of Commerce and Navigation of the 6th August, 1863,* till the 31st December, 1880. Signed at Rome, November 11, 1879.†

WHEREAS the Treaty of Commerce and Navigation between Great Britain and Italy of the 6th August, 1863, would cease to be in force on the 31st December, 1879,‡ and the two Governments having recognised the utility of prolonging its duration, the Undersigned, duly authorised to this effect, have agreed to declare as follows:

The Treaty of Commerce and Navigation between Great Britain and Italy of the 6th August, 1863, will continue to remain in force until the 31st December, 1880.

In faith of which, they have signed the present Declaration, made in duplicate, and have affixed their seals.

Done at Rome, on the 11th November, 1879.

(L.S.) A. B. PAGET.
(L.S.) CAIROLI.

* See Vol. 11. Page 1112. † Signed also in the Italian language. ‡ See Page 1088.

VOL. XIV.
NORWAY.

BRITISH ORDER IN COUNCIL, extending the System of British Tonnage Measurement to Norwegian Vessels. Windsor, May 17, 1876.

[Same as Germany, Page 1056, substituting Norway and Norwegian vessels for Germany and German vessels.]

UNITED STATES.

BRITISH ORDER IN COUNCIL, extending the System of British Tonnage Measurement to Vessels of The United States. Osborne, July 30, 1868.

At the Court at Osborne House, Isle of Wight, the 30th day of July, 1868.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS it is enacted by "The Merchant Shipping Amendment Act, 1862:" [See Order in Council, Austria, August 19, 1871. Page 1006.]

And whereas it has been made to appear to Her Majesty that the rules concerning the measurement of tonnage of merchant ships now in force under the "Merchant Shipping Act, 1854," have been adopted by the Government of the United States of America, with the exception that no deduction from the gross tonnage of such ships specified in the registers or other national papers whereof, is made for crew space in sailing vessels, and for crew space and engine room in steam vessels, and such rules are now in force in that country, having come into operation on the 1st January, 1865:

Her Majesty (in pursuance and in exercise of the powers hereinbefore mentioned) is hereby pleased, by and with the advice of her Privy Council, to direct that the merchant ships of the said United States of America, the measurement whereof shall, after the said 1st of January, 1865, have been ascertained and denoted in the registers and other national papers of such ships, testified by the dates thereof, shall be deemed to be of the tonnage denoted in such registers or other national papers in the same manner and to the same extent, and for the same purpose in, to, and for which the tonnage denoted in the certificate of registry of British ships is deemed to be the tonnage of such ships, after making therefrom the same deductions in respect of crew space and engine room as would if such ships were British.
be made from their gross tonnage under the laws relating to British ships.

Arthur Helps.

GREAT BRITAIN.

ACT of the British Parliament, for extending and amending the Foreign Jurisdiction Acts. [Jurisdiction over British Subjects resident in Countries without regular Government, and in Vessels in Chinese and Japanese Waters.]

[41 & 42 Vict., cap. 67.] [August 16, 1878.]

Be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows, that is to say:

1. (1.) This Act shall be construed as one with the Foreign Jurisdiction Acts, 1843 to 1875, and those Acts together with this Act, may be cited as the Foreign Jurisdiction Acts, 1843 to 1878, and this Act may be cited separately as the Foreign Jurisdiction Act, 1878.

(2.) The Acts whereof the titles are given in the first schedule to this Act may be cited by the respective short titles given in that schedule.

2. The Acts mentioned in the second schedule to this Act are hereby repealed to the extent in the third column of that schedule mentioned: provided that,

(1.) Any Order in Council, commission, or instructions made or issued in pursuance of any enactment hereby repealed, and in force at the passing of this Act, shall continue in force until altered or revoked by Her Majesty; and

(2.) This repeal shall not affect anything done or suffered, or any right accrued or liability incurred before the passing of this Act; and

(3.) Any action, suit, or other proceeding affected by any enactment hereby repealed may be carried on in like manner as if this Act had not been passed.

3. (1.) It shall be lawful for Her Majesty the Queen in Council, if it seems fit, from time to time, by Order, to direct that all or any of the enactments described in the first schedule to this Act, or any enactments for the time being in force amending or substituted for the same, shall extend, with or without any exceptions, adaptations, or modifications in the Order mentioned, to any country or place to which for the time being the Foreign Jurisdiction Act, 1843, applies.

(2.) Thereupon those enactments shall operate as if that
country or place were one of Her Majesty's Colonies, and as if Her Majesty in Council were the Legislature of that colony.

4. An Order in Council purporting to be made in pursuance of the Foreign Jurisdiction Acts, 1843 to 1878, or any of them, shall be deemed a colonial law within the Colonial Laws Validity Act, 1865, that is to say, the Act of the session of the 28th and 29th years of the reign of Her present Majesty, chapter 63,* "to remove doubts as to the validity of colonial laws;" and any country or place to which any such Order extends shall be deemed a colony within that Act.

5. In any country or place out of Her Majesty's dominions, in or to which any of Her Majesty's subjects are for the time being resident or resorting, and which is not subject to any government from whom Her Majesty might obtain power and jurisdiction by Treaty or any of the other means mentioned in the Foreign Jurisdiction Act, 1843,† Her Majesty shall by virtue of this Act have power and jurisdiction over Her Majesty's subjects for the time being resident in or resorting to that country or place, and the same shall be deemed power and jurisdiction had by Her Majesty therein within the Foreign Jurisdiction Act, 1843.

6. It shall be lawful for Her Majesty the Queen in Council, from time to time, by Order, to make, for the government of Her Majesty's subjects being in any vessel at a distance of not more than 100 miles from the coast of China or of Japan, any law that to Her Majesty in Council may seem meet, as fully and effectually as any such law might be made by Her Majesty in Council for the government of Her Majesty's subjects being in China or in Japan.

7. Every Order in Council made in pursuance of the Foreign Jurisdiction Acts, 1843 to 1878, or any of them, shall be laid before both Houses of Parliament forthwith after it is made if Parliament be then in session, and if not, forthwith after the commencement of the then next session of Parliament.

8. (1.) An action, suit, prosecution, or proceeding against any person for any act done in pursuance of execution or intended execution of the Foreign Jurisdiction Acts, 1843 to 1878, or any of them, or of any Order in Council made under the same, or of any such power or jurisdiction of Her Majesty as is mentioned in the said Acts or any of them, or in respect of any alleged neglect or default in the execution of the said Acts or any of them, or of any such Order in Council, power, or jurisdiction as aforesaid, shall not lie or be instituted—

(a.) In any court within Her Majesty's dominions, unless it is commenced within 6 months next after the act, neglect, or default complained of, or in case of a continuance of injury or damage, within 6 months next after the ceasing thereof, or

where the cause of action arose out of Her Majesty’s domnions, within 6 months after the parties to such action, suit, prosecution have been within the jurisdiction of the court in which the same is instituted;

(b.) Nor in any of Her Majesty’s courts without Her Majesty’s dominions, unless the cause of action arose within the jurisdiction of that court, and the action is commenced within 6 months next after the act, neglect, or default complained of, or, in case of a continuance of injury or damage, within 6 months next after the ceasing thereof.

(2.) In any such action, suit, or proceeding, tender of amends before the same was commenced may be pleaded in lieu of or in addition to any other plea. If the action, suit, or proceeding was commenced after such tender, or is proceeded with after payment into court of any money in satisfaction of the plaintiff’s claim, and the plaintiff does not recover more than the sum tendered or paid, he shall not recover any costs incurred after such tender or payment, and the defendant shall be entitled to costs, to be taxed as between solicitor and client, as from the time of such tender or payment; but this provision shall not affect costs on any injunction in the action, suit, or proceeding.

(3.) So far as regards any action, suit, prosecution, or proceeding instituted after the passing of this Act, the provisions of this section shall supersede any provision for a like purpose which is contained in any Order in Council under the Foreign Jurisdiction Acts, 1843 to 1875, and is in force at the passing of this Act, and such provision shall cease to have any effect.

---

**Schedules.**

**First Schedule.**

Enactments referred to.

<table>
<thead>
<tr>
<th>Act Reference</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>37 &amp; 38 Vict., c. 94, § 51</td>
<td></td>
</tr>
</tbody>
</table>

**Second Schedule.**

Enactments repealed.

<table>
<thead>
<tr>
<th>Act Reference</th>
<th>Page</th>
</tr>
</thead>
</table>
ACT of the British Parliament, to regulate the Law relating to the Trial of Offences committed on the Sea within a certain distance of the Coasts of Her Majesty’s Dominions. [Territorial Waters. Maritime Jurisdiction.]

[41 & 42 Vict., cap. 73.] [August 16, 1878.]

WHEREAS the rightful jurisdiction of Her Majesty, her heirs and successors, extends and has always extended over the open seas adjacent to the coasts of the United Kingdom and of all other parts of Her Majesty’s dominions to such a distance as is necessary for the defence and security of such dominions:

And whereas it is expedient that all offences committed on the open sea within a certain distance of the coasts of the United Kingdom and of all other parts of Her Majesty’s dominions, by whomsoever committed, should be dealt with according to law:

Be it therefore enacted by the Queen’s Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. The Act may be cited as the Territorial Waters Jurisdiction Act, 1878.

2. An offence committed by a person, whether he is or is not a subject of Her Majesty, on the open sea within the territorial waters of Her Majesty’s dominions, is an offence within the jurisdiction of the Admiral, although it may have been committed on board or by means of a foreign ship, and the person who committed such offence may be arrested, tried, and punished accordingly.

3. Proceedings for the trial and punishment of a person who is not a subject of Her Majesty, and who is charged with any such offence as is declared by this Act to be within the jurisdiction of the Admiral, shall not be instituted in any court of the United Kingdom, except with the consent of one of Her Majesty’s Principal Secretaries of State, and on his certificate that the institution of such proceedings is in his opinion expedient, and shall not be instituted in any of the dominions of Her Majesty out of the United Kingdom, except with the leave of the Governor of the part of the dominions in which such proceedings are proposed to be instituted, and on his certificate that it is expedient that such proceedings should be instituted.

4. On the trial of any person who is not a subject of Her Majesty for an offence declared by this Act to be within the jurisdiction of the Admiral, it shall not be necessary to aver in any indictment or information on such trial that such consent or certificate of the Secretary of State or Governor as is required by this Act has been given, and the fact of the same having
been given shall be presumed unless disputed by the defendant at the trial; and the production of a document purporting to be signed by one of Her Majesty's Principal Secretaries of State as respects the United Kingdom, and by the Governor as respects any other part of Her Majesty's dominions, and containing such consent and certificate, shall be sufficient evidence for all the purposes of this Act of the consent and certificate required by this Act.

Proceedings before a justice of the peace or other magistrate previous to the committal of an offender for trial or to the determination of the justice or magistrate that the offender is to be put upon his trial shall not be deemed proceedings for the trial of the offence committed by such offender for the purposes of the said consent and certificate under this Act.

5. Nothing in this Act contained shall be construed to be in derogation of any rightful jurisdiction of Her Majesty, her heirs or successors, under the law of nations, or to affect or prejudice any jurisdiction conferred by Act of Parliament or now by law existing in relation to foreign ships or in relation to persons on board such ships.

6. This Act shall not prejudice or affect the trial in manner heretofore in use of any act of piracy as defined by the law of nations, or affect or prejudice any law relating thereto; and where any act of piracy as defined by the law of nations is also any such offence is declared by this Act to be within the jurisdiction of the Admiral, such offence may be tried in pursuance of this Act, or in pursuance of any other Act of Parliament, law, or custom relating thereto.

7. In this Act, unless there is something inconsistent in the context, the following expressions shall respectively have the meanings hereinafter assigned to them, that is to say:

"The jurisdiction of the Admiral," as used in this Act, includes the jurisdiction of the Admiralty of England and Ireland, or either of such jurisdictions as used in any Act of Parliament; and for the purpose of arresting any person charged with an offence declared by this Act to be within the jurisdiction of the Admiral, the territorial waters adjacent to the United Kingdom, or any other part of Her Majesty's dominions, shall be deemed to be within the jurisdiction of any judge, magistrate, or officer having power within such United Kingdom, or other part of Her Majesty's dominions, to issue warrants for arresting or to arrest persons charged with offences committed within the jurisdiction of such judge, magistrate, or officer;

"United Kingdom" includes the Isle of Man, the Channel Islands, and other adjacent islands;

"The territorial waters of Her Majesty's dominions," in reference to the sea, means such part of the sea adjacent to the coast of the United Kingdom, or the coast of some other part
of Her Majesty's dominions, as is deemed by international law
to be within the territorial sovereignty of Her Majesty; and for
the purpose of any offence declared by this Act to be within the
jurisdiction of the Admiral, any part of the open sea within
one marine league of the coast measured from low-water mark
shall be deemed to be open sea within the territorial waters of
Her Majesty's dominions;

"Governor," as respects India, means the Governor-General
or the Governor of any presidency; and, where a British posses-
sion consists of several constituent colonies, means the Governor-
General of the whole possession or the Governor of any of the
constituent colonies; and as respects any other British posses-
sion, means the officer for the time being administering the
government of such possession; also any person acting for or
in the capacity of Governor shall be included under the term
"Governor;"

"Offence" as used in this Act means an act, neglect, or
default of such a description as would, if committed within the
body of a county in England, be punishable on indictment
according to the law of England for the time being in force;

"Ship" includes every description of ship, boat, or other
floating craft;

"Foreign ship" means any ship which is not a British ship.

ACT of the British Parliament, relating to Customs and Inland
Revenue; so far as relates to the right to prohibit the Export of
Arms or Munitions of War.

[42 & 43 Vict., cap. 21.] [July 3, 1879.]

8. The following goods may by Proclamation or Order in
Council be prohibited either to be exported or carried coast-
wise:—Arms, ammunition, and gunpowder, military and naval
stores, and any articles which Her Majesty shall judge capable
of being converted into or made useful in increasing the quantity
of military or naval stores, provisions, or any sort of victual
which may be used as food for man; and if any goods so
prohibited shall be exported or brought to any quay or other
place to be shipped for exportation from the United Kingdom
or carried coastwise, or be waterborne to be so exported or
carried, they shall be forfeited, and the exporter or his agent or
the shipper of any such goods shall be liable to the penalty
of £100.
ACT of the British Parliament, to remove Doubts as to the Validity of certain Marriages of British Subjects on board Her Majesty's Ships.

[42 & 43 Vict., cap. 29.] [July 21, 1879.]

WHEREAS officers commanding Her Majesty's ships on foreign stations have permitted marriages to be solemnised according to religious rites or ceremonies, or to be contracted per verba de presenti in the presence of such officers, in the belief that marriages were authorised by law to be so solemnised and contracted, and doubts have arisen with respect to the validity of such marriages, and it is expedient to confirm the same:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited as the Confirmation of Marriages on Her Majesty's Ships Act, 1879.

2. All marriages, both of the parties being British subjects, which before the passing of this Act have been solemnized on board one of Her Majesty's vessels on a foreign station in the presence of the officer commanding such vessel, whether solemnised according to any religious rite or ceremony, or contracted per verba de presenti, shall be valid in like manner as if the same had been solemnised within Her Majesty's dominions with the due observance of all forms required by law:

Provided that this enactment shall not render valid any marriage which before the passing of this Act has been declared invalid by any court of competent jurisdiction in any proceedings touching such marriage, or any right dependent on the validity or invalidity thereof, or render valid any marriage where either of the parties has before the passing of this Act and during the life of the other party lawfully intermarried with any person.

DECLARATION of the Canadian Government, admitting Belgian Vessels to the Canadian Coasting Trade. September 30, 1879.

Government House, Ottawa, September 30, 1879.

PRESENT: THE GOVERNOR-GENERAL IN COUNCIL.

On the recommendation of the Honourable the Minister of Marine and Fisheries, and under the provisions of the 2nd section of the Act passed in the session of the Parliament of Canada, held in the 33rd year of Her Majesty's reign, chapter
14. and intitled "An Act respecting the Coasting Trade of Canada," his Excellency, by and with the advice of the Queen's Privy Council for Canada, has been pleased to declare, and it is hereby declared, that the provisions of the said Act shall not apply to the ships or vessels of Belgium, but that such ships shall be admitted to the coasting trade of Canada, it appearing that British subjects and vessels enjoy the same privileges and are treated in all respects on the same footing in Belgium as national subjects and vessels.†

W. A. HIMSORTH, Clerk Privy Council.

ACT of the British Parliament, to remove doubts as to the validity of certain Marriages Solemnised in the Islands of Fiji prior to their erection into a British Colony.

[41 & 42 Vict., cap. 61.] · · · · [August 16, 1878.]

WHEREAS, before the erection of the Islands of Fiji into a British Colony, certain marriages of British subjects were solemnised by ministers of the Christian religion in accordance with the custom then in use, such marriages not having been solemnised according to the provisions of the Act of the session of the 12th and 13th years of the reign of Her Majesty, chapter 68, intituled "An Act for facilitating the Marriages of British subjects in foreign countries:" †

And whereas it is expedient, under the circumstances aforesaid, to remove all doubts touching the validity of the marriages so solemnised, and to render the same valid:

Be it therefore enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This Act may be cited for all purposes as the Fiji Marriage Act, 1878.

2. All marriages (both or one of the parties thereto being subjects or a subject of this realm) solemnised in the islands now constituting the Colony of Fiji, before the 10th day of October, 1874, by any minister of religion of any denomination of Christians duly appointed or ordained, or reputed to be duly appointed or ordained, shall be as valid in law as if the same had been solemnised within Her Majesty's dominions with a due observance of all forms required by law.

3. A certificate of the marriage, purporting to be signed by any minister of religion as aforesaid who solemnised the same, or a certified copy of such certificate, shall be receivable by all

* May 12, 1870. Page 794.
courts of law as evidence of such marriage at the date set forth in the said certificate.

4. Any such marriage may be registered by producing the certificate of the minister of religion aforesaid to the Registrar-General of the Colony of Fiji, at any time within 18 months after the passing of this Act; and the said Registrar-General shall register the same, and shall add the date when solemnised, together with the words "valid from the date of solemnisation under the Fiji Marriage Act, 1878;" and an extract from the register, signed by the Registrar-General, shall be received in all courts of law as sufficient evidence of the marriage as of the date set forth in the entry made under this section by the Registrar-General: Provided that any entry in the said register, and any extract therefrom, made prior to the Proclamation of this Act in the Colony of Fiji, in pursuance of an Ordinance of the said colony, the short title of which was the Fiji Marriages Validity Ordinance, 1877, shall be as valid in all respects as though the same had been made in pursuance of this Act.

5. This Act shall come into operation from the date of its Proclamation within the Colony of Fiji.

POSTAL CONVENTION between the United States of America and the Colonial Government of Hong Kong, China. August 10, 1867. November 12, 1867.

ARTICLES OF AGREEMENT between the Post Office Department of The United States and the General Post Office of Hong Kong, for the purpose of establishing and regulating the interchange of mails between The United States and Hong Kong and dependent Chinese ports, by means of the direct line of United States mail packets plying between San Francisco and Hong Kong, via Yokohama in Japan, it is agreed between the Post Office Department of The United States and the Post Office Department of Hong Kong:

Art. I. The Post Offices of New York and San Francisco shall be The United States offices of exchange, and the General Post Office at Hong Kong the office of exchange of the Colony of Hong Kong for all mails transmitted under this arrangement.

II. There shall be an exchange of correspondence between the United States of America and the Colony of Hong Kong, by means of United States mail packets, plying between San Francisco and Hong Kong, comprising letters, newspapers, and prices current originating and posted in The United States, and addressed to and deliverable in Hong Kong and those Chinese
ports with which the Hong Kong Post Office has postal relations, including the ports of Canton, Amoy, Swatow, and Foochow and vice versa, of correspondence originating and posted in Hong Kong and the Chinese ports above designated, and addressed to and deliverable in The United States.

III. The postage to be levied and collected at the office of mailing in The United States, upon letters, newspapers, and prices current, destined for Hong Kong and the above designated Chinese ports, with which Hong Kong has postal connections, shall be 10 cents per single rate of \( \frac{1}{4} \) an ounce or under on letters, and two cents each on newspapers and prices current; and the postage to be levied and collected at Hong Kong and dependent Chinese ports, on correspondence originating in those ports and destined to The United States, shall be 8 cents per single rate of \( \frac{1}{4} \) an ounce or under on letters, and 2 cents on each newspaper or price current. No postal accounts shall be kept between the respective postal departments upon the correspondence exchanged between them under this arrangement, but each department shall deliver the correspondence which it receives from the other free of all postage charge, that is to say, the Hong Kong post department agrees to deliver without charge all letters, newspapers, and prices current, brought by The United States mail packets, addressed to Hong Kong, and, also, to forward without charge all such letters, newspapers, &c., as are addressed to the Chinese ports above-named, south of Shanghai; and The United States postal department, on its side, agrees to deliver without charge all letters, newspapers, &c., originating in Hong Kong, or the ports mentioned, and forwarded by said packets addressed to and deliverable in The United States. All letters, newspapers, &c., dispatched by either office to the other, under this arrangement, shall be plainly stamped with the words “paid all,” in red ink, on the right hand upper corner of the face of the address, and shall also bear the stamp of the mailing exchange office on their face, and that of the receiving exchange office on their back.

IV. The postal department of The United States and of Hong Kong shall each return to the other, monthly, or as frequently as their regulations will allow, all letters, newspapers, &c., without claim, which cannot for any cause be delivered.

V. An exchange of mails shall also take place between The United States postal agency at Yokohama, Japan, and the Hong Kong Post Office, by means of United States mail packets, comprising correspondence originating in Japan and addressed to Hong Kong and the Chinese ports above designated, and vice versa, correspondence originating in Hong Kong and dependent Chinese ports and addressed to Japan, subject to the same terms and conditions as those established by
Article III of this Convention, with respect to the correspondence exchanged between The United States and Hong Kong and dependent Chinese ports.

VI. All letters, newspapers, and prices current intended to be forwarded from Hong Kong to The United States by the direct line of United States mail packets running between San Francisco and Hong Kong must be specially addressed to be forwarded by that route.

VII. The two postal departments may by mutual consent make such detailed regulations as shall be found necessary to carry out the objects of this arrangement, such regulations to be terminable at any time on a reasonable notice by either office.

VIII. This Convention shall come into operation the 1st day of November, 1867, and shall be terminable at any time on a notice by either office of 6 months.

In witness whereof, I have hereto set my hand and the seal of the Post Office Department, this 12th day of November, 1867.

(L.S.) ALEX. W. RANDALL, Postmaster-General.

In witness whereof I have hereunto set my hand and the seal of the Colony of Hong Kong, at Victoria herein, this 10th day of August, 1867.

RICHARD GRAVES MACDONELL, Governor and Commander-in-Chief.

I hereby approve the foregoing Convention, and in testimony thereof I have caused the seal of The United States to be affixed.

(L.S.) ANDREW JOHNSON.

By the President:

WILLIAM H. SEWARD, Secretary of State.

Washington, November 12, 1867.

CONSOLIDATED STATUTES of Newfoundland; so far as they relate to Coast Fisheries, 1872.

TITLE XXVII. Cap. CII.—Of the Coast Fisheries.

1. No person shall haul, catch, or take herrings by or in a seine, or other such contrivance on or near any part of the coast of this colony or its dependencies, or in any of the bays, harbours, or other places therein, at any time between the 20th day of October and the 12th day of April* in any year, or at any time use a seine or other contrivance for the catching and taking of herrings, except by way of shooting and forthwith

* Altered to "25th day of April" by Act of April 25, 1876. See Page 1233.
haling the same: Provided that nothing herein contained shall prevent the taking of herrings by nets set in the usual and customary manner, and not used for in-barring or inclosing herrings in a cove, inlet, or other place.

2. No person shall, at any time between the 20th day of December and the 1st day of April in any year, use any net to haul, catch, or take herring or near the coasts of this colony or of its dependencies, or in any bays, harbours, or other places therein, having the mores, meshes, or scales of such net less than 2½ inches at least, or having any false or double bottom of any description; nor shall any person put any net, though of legal size mesh, upon or behind any other net not of such size mesh, for the purpose of catching or taking such herring or herring fry passing a single net of legal size mesh.

3. No person shall wilfully remove, destroy, or injure any lawful net or seine, the property of another, set or floating on or near the coast of this colony or its dependencies, or any of the bays, harbours, or other places therein, or remove, let loose, or take any fish from such seine or net.

4. No person shall, between the 20th day of April* and the 20th day of October in any year, haul, catch, or take herrings or other bait for exportation, within one mile, measured by the shore or across the water, of any settlement situate between Cape Chapeau Rouge and Point Enragee, near Cape Ray; and any person so hauling, catching, or taking within the said limits, may be examined on oath by a justice, officer of Customs, or person commissioned for the purpose as to whether the herrings or other bait are intended for exportation or otherwise, and on refusal to answer, or answering untruly, such person shall, on conviction, be subject to the provisions of the 12th section of this chapter.

5. No person shall, by spearing, or sweeping with nets or seines, take or attempt to take any salmon, grilse, par, or trout in any bay, river, stream, cove, or watercourse, above where the tide usually rises and falls, or in any pond or lake.

6. No stake, seine, weir, or other contrivance for taking salmon, except nets set or placed across, shall be set or placed in any river, stream, cove, lake, or watercourse. No net shall extend more than one-third of the distance in a straight line across, and all nets shall be set only on one side of such river, stream, cove, lake, or watercourse.

7. No person shall construct any mill-dam, weir, rack, frame, train-gate, or other erection or barrier across any river, stream, cove, lake, or watercourse, so as to obstruct the free passage of salmon, grilse, par, trout, or other fish resorting thereto for the purpose of spawning; and all mill-dams or other erections

* Altered to "10th day of May" by Act of April 25, 1876. See Page 1233.
GREAT BRITAIN (Newfoundland). 1231

placed on, over, or across any watercourse, river, or stream resorted to by fish for the purpose of spawning, shall have a waste gate opening, or slope sufficient to constitute a proper and sufficient fishway, which shall be kept in repair by the owner. No person shall permit any sawdust or mill rubbish to be cast into any such river, stream, cove, lake, or watercourse.

8. No person shall use any net for taking salmon, the mokes, meshes, or scales of which are less than $\frac{4}{4}$ inches.

9. No person shall buy or sell or have in his possession salmon, knowing the same to have been taken contrary to the provisions of this chapter, and every salmon so taken, bought or sold, shall be declared forfeited to the complainant by any justice.

10. No net shall be moored or set in any harbour, cove, creek, or estuary, or on or near any part of the coast of this Colony, or its dependencies, for the purpose of taking salmon nearer to any other net moored or set for a like purpose than 100 yards for a single net, and 300 yards for a double net or fleet of nets.

11. No salmon shall be taken before the 1st day of May, or after the 10th day of September in any year: Provided that if the time limited in this section shall be found to operate injuriously in any part of this island, the Governor in Council may appoint any other time or times, which shall be as binding on all persons as if specially mentioned herein.

12. Any person who shall violate any of the provisions of this chapter shall be subject to a penalty not exceeding 50 dollars, and all seines, nets, and other contrivances used contrary to the provisions of this chapter shall be forfeited, and may be seized and detained until the trial of the offender by any justice, sub-collector of Customs, preventive officer, fishery warden, or constable, on view, or by virtue of a warrant issued by such justice, sub-collector, or preventive officer, upon complaint made on oath to be administered by either of them, and upon conviction, the same may be declared forfeited and ordered to be sold at public auction.

13. Any justice, sub-collector, preventive officer, fishery warden, or constable, may, on view, destroy any weir, rack, frame, train-gate, or other erection or barrier, used or erected contrary to the provisions of this chapter, or the same may be destroyed by virtue of a warrant issued by any justice, sub-collector, or preventive officer, upon complaint made on oath to be administered by either of them.

14. All forfeitures and penalties imposed by this chapter, shall be recovered, with costs, in a summary manner, before any justice, for which purpose such justice may summon or arrest the offender, and compel witnesses, by summons or warrant, to appear before him; and upon conviction of the offender, such justice shall cause all seines, nets, and other contrivances
illegally used to be sold by public auction, or where permitted under the provisions of the preceding sections of this chapter, destroyed; and in default of the payment of any penalty imposed, and costs, such justice shall issue his warrant and cause such offender to be arrested and imprisoned for any period not exceeding 20 days.

15. All penalties and forfeitures imposed by this chapter and the proceeds thereof, shall be paid to the party informing against and prosecuting the offender to conviction.

16. No proceeding or conviction by any justice or other officer under this chapter shall be quashed or set aside for any informality, provided the same shall be substantially in accordance with the intent and meaning of this chapter.

17. The Governor in Council may appoint the collector of revenue for Labrador, or other person, to be superintendent of the fisheries on the coast of this island and its dependencies, and may also appoint fishery wardens, and prescribe their duties for the purposes of this chapter. The compensation for the services of such officers to be provided by the Legislature.

18. Nothing in this chapter shall affect the rights and privileges granted by Treaty to the subjects of any State or Power in amity with Her Majesty.

**ACT of the Legislature of Newfoundland, to carry into effect the Provisions of the Treaty of Washington**, as far as they relate to that Colony. [Fisheries.]

[37 Vict., cap. 2.] — [Passed 28th March, 1874.†]

WHEREAS a Treaty between Great Britain and the United States of America was signed at Washington on the 8th day of May, 1871,† and was duly ratified on the 17th day of June in that year, containing the following Articles, viz.:

"It is further agreed that the provisions and stipulations of Articles XVIII to XXV of this Treaty inclusive, shall extend to the Colony of Newfoundland, so far as they are applicable; but if the Imperial Parliament, the Legislature of Newfoundland, or the Congress of the United States, shall not embrace the Colony of Newfoundland in their laws enacted for carrying the foregoing Articles into effect, then this Article shall be of no effect; but the omission to make provision by law to give it effect by either of the legislative bodies aforesaid shall not in any way impair any other Articles of this Treaty."

Be it therefore enacted, by the Governor, Legislative...
Council and Assembly, in Legislative Council convened, as follows:

1. The Governor may, at any time hereafter, by his proclamation, to be published in the “Royal Gazette” of this colony, declare that after a time to be therein named the provisions and stipulations of the said Articles XVIII to XXV of the said Treaty inclusive as set forth in the Schedule to this Act, shall extend to this Colony of Newfoundland, so far as they are applicable; and the time so named in such Proclamation the provisions and stipulations of the said Articles shall come into full force, operation, and effect in this colony, so far as the same are applicable, and shall thenceforth so continue in full force, operation, and effect during the period mentioned in Article XXXIII of the said Treaty, recited in the Schedule to this Act, any law of this colony to the contrary notwithstanding.

2. The Governor in Council may, by any order or orders to be made for that purpose, do any act or thing in accordance with the spirit and intention of the said Treaty, which shall be found necessary to be done on the part of this colony, to give full force, operation and effect to the said Treaty; and any such order shall have the same effect as if the same were expressly enacted in this Act.

3. This Act shall not come into operation until Her Majesty’s assent thereto shall have been given; and shall remain in force during the term of years mentioned in Article XXXIII in the Schedule to this Act.

[Here follows a Schedule reciting the Fishery Articles of the Treaty of Washington. See Vol. 13, Pages 978–981.]

**ACT of the Legislature of Newfoundland, to amend the Law relating to the Coast Fisheries.**

[39 Vict., cap. 6.] [Passed 26th April, 1876.]

BE it enacted by the Governor, Legislative Council and Assembly in Legislative Session convened, as follows:

1. The 1st section of Cap. CII of the Consolidated Statutes* is hereby amended by substituting the words “25th day of April” for the “12th day of April.”

2. The 4th section of the said chapter is hereby amended, by substituting the words “10th day of May,” for “20th day of April.”

3. No person shall, at any time, haul, catch, or take squids, with, in, or by means of any seine, bunt, or other such contrivance.

4. No person shall, between the hours of 12 on Saturday night and 12 o’clock on Sunday night, haul or take any herring

* See Page 1229.
caplin, or squids, with nets, seines, bunts, or any such contrivance, or set or put out any such net, seine, bunt, or contrivance for the purpose of such hauling or taking.

5. Any person violating the provisions of this Act shall be subject to the same penalties as are provided by § 12 of the said chapter.


The Undersigned, being thereunto duly authorised by their respective Governments, have agreed upon the following Articles, establishing and regulating the exchange of correspondence between the United States of America and the Colony of New South Wales:

Art. I. There shall be an exchange of correspondence between the United States of America and New South Wales by means of the direct line of colonial mail packets plying between San Francisco and said colony, as well as by such other means of direct mail steamship transportation between the United States and New South Wales as shall hereafter be established, with the approval of the respective post departments of the two countries, comprising letters, newspapers, printed matter of every kind, and patterns and samples of merchandise, originating in either country, and addressed to and deliverable in the other country, as well as correspondence in closed mails originating in New South Wales and destined for foreign countries by way of the United States.

II. The Post Office of San Francisco shall be the United States office of exchange, and Sydney the office of exchange of the Colony of New South Wales, for all mails transmitted under this arrangement.

III. [Replaced by Convention, signed at Sydney, 1st June, 1875, at Washington, 20th July, 1875. See Page 1236.]

IV. The United States Office engages to grant the transit through the United States, as well as the conveyance by United States mail packets, of the correspondence in closed mails which the New South Wales Post Office may desire to transmit via the United States to British Columbia, the British North American Provinces, the West Indies, Mexico, Central and South America, and at the following rates of United States transit postage, viz.:

For The United States territorial transit of closed mails from New South Wales for Mexico, British Columbia, Canada, or other British North American Provinces, when transmitted
entirely by land routes, 6 cents per ounce for letter mails and
16 cents per pound for all kinds of printed matter.

For the United States territorial and sea transit of closed
mails from New South Wales for British Columbia or other
British North American Provinces, Mexico, Central and South
America, or the West India Islands, when transmitted from The
United States by sea, 25 cents per ounce for letter mails and 20
cents per pound for all kinds of printed matter.

The New South Wales Post Office shall render an account
to The United States Post Office, upon letter-bills to accompany
each mail, of the weight of the letters, and also of the printed
and other matter contained in such closed mails forwarded to
The United States for transmission to either of the above-named
countries and colonies; and the accounts arising between the
two offices on this class of correspondence shall be stated,
adjusted, and settled quarterly, and the amounts of The United
States transit charges found due on such closed mails shall be
promptly paid over by the New South Wales Post Office to
The United States Post Office, in such manner as the Postmaster-
General of The United States shall prescribe.

V. Prepaid letters from foreign countries received in and
forwarded from The United States to New South Wales shall
be delivered in said colony free of all charges whatsoever, and
letters received in New South Wales from The United States,
addressed to other colonies of Australia, will be forwarded to
destination, subject to the same conditions as are applicable to
correspondence originating in New South Wales, and addressed
to those countries.

VI. In the event of any of the Australian colonies not
agreeing with New South Wales and New Zealand to con-
tribute to the maintenance of any line of mail packets plying
between New South Wales and New Zealand and The United
States of America, and subsidised by New South Wales and
New Zealand, the New South Wales Post Office may require
The United States Post Office not to forward by such subsidised
packets any mails, letters, newspapers, or other articles addressed
to such colony, and the New South Wales Post Office may
refuse to transmit to their destination all mails, letters, news-
papers, or other printed matter addressed to such colony, and
received in New South Wales from The United States by such
subsidised packets, and may refuse to forward to their destina-
tion by such subsidised packets all mails, letters, newspapers, or
other printed matter received in New South Wales from such
colony and addressed to The United States of America, or
elsewhere.

VII. The two Post Departments may by mutual agreement
provide for the transmission of registered articles in the mails
exchanged between the two countries.
The register fee for each article shall be 10 cents in The United States and 4 pence in New South Wales.

VIII. The two Post Departments shall settle by agreement between them all measures of detail and arrangement required to carry this Convention into execution, and may modify the same in like manner from time to time, as the exigencies of the service may require.

IX. Every fully prepaid letter dispatched from one country to the other shall be plainly stamped with the words “Paid all,” in red ink, on the right hand upper corner of the address, in addition to the date stamp of the office at which it was posted; and on insufficiently paid letters the amount of the deficient postage shall be inscribed in black ink.

X. Dead letters which cannot be delivered, from whatever cause, shall be mutually returned without charge monthly, or as frequently as the regulations of the respective offices will permit.

XI. This Convention shall come into operation on the 1st day of February, 1874, and shall be terminable at any time on, a notice by either office of 6 months.

Done in duplicate and signed in Washington, the 15th day of January, in the year of Our Lord, 1874.

(L.S.) JNO. A. J. CRESWELL, Postmaster-General of The United States.

(L.S.) SAUL SAMUEL, Postmaster-General of New South Wales.

I hereby approve the foregoing Convention, and in testimony thereof I have caused the seal of The United States to be affixed.

(L.S.) U. S. GRANT.

By the President:

HAMILTON FISH, Secretary of State.
Washington, January 15, 1874.

POSTAL CONVENTION between the United States of America and the Government of New South Wales. Signed at Sydney, June 1, 1875, and at Washington, July 20, 1875.

AMENDED ARTICLE to replace Article III of the Postal Convention between the United States of America and the Government of New South Wales, signed at Washington, the 15th day of January, A.D. 1874. [See Page 1234.]

The Undersigned, being thereunto duly authorised by their respective Governments, have agreed to replace Article III of the Postal Convention of 15th January, 1874, by the following Article:
ART. III. No accounts shall be kept between the Post Departments of the two countries upon the international correspondence, written or printed, exchanged between them, but each country shall retain to its own use the postage which it collects.

The single rate of international letter postage shall be 12 cents in The United States, and sixpence in New South Wales, on each letter weighing half an ounce or less, and an additional rate of 12 cents (sixpence) for each single weight of half an ounce or fraction thereof, which shall in all cases be prepaid, at least one single rate, by means of postage stamps, at the office of mailing in either country. Letters unpaid or prepaid less than one full rate of postage shall not be forwarded, but insufficiently paid letters, on which a single rate or more has been prepaid shall be forwarded, charged with the deficient postage, to be collected and retained by the Post Department of the country of destination.

The United States Post Office shall levy and collect to its own use, on newspapers addressed to New South Wales, a postage charge of two cents, and on all other articles of printed matter, patterns, and samples of merchandise addressed to New South Wales, a postage charge of 4 cents per each weight of 4 ounces or fraction of 4 ounces.

The Post Office of New South Wales shall levy and collect to its own use, on newspapers and other articles of printed matter, patterns and samples of merchandise addressed to The United States, the regular rates of domestic postage chargeable thereon by the laws and regulations of the Colony of New South Wales.

Letters, newspapers, and other articles of printed matter, patterns, and samples of merchandise fully prepaid, which may be received in either country from the other, shall be delivered free of all charge whatever.

Newspapers and all other kind of printed matter, and patterns and samples of merchandise, are to be subject to the laws and regulations of each country respectively, in regard to their liability to be rated with letter postage when containing written matter, or for any other cause specified in said laws and regulations, as well as in regard to their liability to customs duty under the revenue laws.

The provisions of this amended Article shall be carried into operation on the 1st of July, A.D. 1875.

Done in duplicate and signed at Sydney, the 1st day of June, 1875, and at Washington, the 20th day of July, A.D. 1875.

(L.S.) J. F. BURNS, Postmaster-General of New South Wales.

(L.S.) MARSHALL JEWELL, Postmaster-General of The United States.
1238 GREAT BRITAIN (Queensland).

I hereby approve the foregoing amended Article, and in testimony thereof I have caused the seal of The United States to be affixed.

(L.S.) U. S. Grant.

By the President:
HAMILTON FISH, Secretary of State.
Washington, July 29, 1875.

ACT of the Government of Queensland, to provide that certain Islands in Torres Straits, and lying between the Continent of Australia and the Island of New Guinea shall become part of the Colony of Queensland, and subject to the Laws in force therein.

[No. 1.] [Assented to June 24, 1879.]

WHEREAS by letters patent under the Great Seal of the United Kingdom of Great Britain and Ireland, bearing date the 10th October, in the 42nd year of the reign of Her Majesty Queen Victoria, Her said Majesty did authorise the Governor for the time being of the Colony of Queensland, by Proclamation under his hand and the public seal of the colony, to declare that from and after a day to be therein mentioned certain islands, which are described in the schedule hereto should be annexed to and form part of the said colony. And in the said letters patent it was provided that the said Governor is not to issue such Proclamation as aforesaid until the Legislature of the said colony shall have passed a law providing that the said islands shall on the day aforesaid become part of the said colony, and subject to the laws in force therein. And in the said letters patent it was also provided that the application of the said laws to the said islands might be modified, either by such Proclamation as aforesaid or by any law or laws to be from time to time passed by the Legislature of this colony for the government of the said islands so annexed. And whereas it is desirable that the said islands shall be annexed to and form part of the said Colony of Queensland. Now be it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of Queensland in Parliament assembled, and by the authority of the same as follows:

1. From and after such day as His Excellency the Governor of Queensland shall, by such Proclamation under his hand and the public seal of the colony, as is authorised by the said letters patent, mention and appoint for that purpose the islands described in the schedule hereto shall be annexed to, and
become part of the Colony of Queensland, and shall be and become subject to the laws in force therein.*

Schedule.

Certain islands in Torres Straits and lying between the continent of Australia and Island of New Guinea, that is to say, all islands included within a line drawn from Sandy Cape northward to the south-eastern limit of Great Barrier Reefs, thence following the line of the Great Barrier Reefs to their north-eastern extremity near the latitude of 9° degrees south, thence in a north-westerly direction, embracing East Anchor and Bramble Cays, thence from Bramble Cays in a line west by south (south 79 degrees west) true, embracing Warrior Reef, Saibai, and Tuan Islands, thence diverging in a north-westerly direction, so as to embrace the group known as the Talbot Islands, thence to and embracing the Deliverance Islands, and onwards in a west by south direction (true) to the meridian of 138 degrees of east longitude.

ACT of the Straits Settlements, for prohibiting the exportation of Arms, Ammunition, and Military Stores.

[No. 13.] [July 1, 1867.]

HARRY ST. GEORGE ORD, Governor and Commander-in-Chief.

WHEREAS it is expedient to provide powers for the prevention of the export from the colony of arms, ammunition and military stores, under certain circumstances.

IT is hereby enacted by His Excellency the Governor of the Straits Settlements, with the advice and consent of the Legislative Council thereof, as follows:

1. It shall be lawful for the Governor in Council, by Proclamation, to prohibit for such period as shall be mentioned in such Proclamation, the exportation or carriage from place to place in the colony, or from the colony to any place without the colony to be named in such Proclamation, arms, ammunition, and gunpowder, military and naval stores, and any articles which the Governor in Council shall judge capable of being converted into or made useful in increasing the quantity of arms, ammunition, and naval and military stores, provisions or any sort of victual which may be used as food by man; and to exempt from such prohibition, under such restrictions as may be deemed advisable, such quantity of any such articles as may be required for the use of any vessels or persons proceeding to any place to which such exportation or carriage shall be prohibited.

2. Every such exemption shall be warranted by a licence to be issued by such officer as the Governor may appoint for that purpose, which licence shall set out the quantities of articles licensed to be carried, and that such articles are only to be used for the safety and provision of the vessel and crew and

* Proclamation issued July 18, 1879.
passengers on such voyage, and are not to be sold or disposed of, contrary to the provisions of this Act.

3. Every Proclamation under this Act, shall be published in the Government Gazette of the colony, and, from and after such publication, any person acting in contravention to the terms of the Proclamation, or of any licence issued under this Act, shall, on conviction, be liable to a penalty not exceeding 5,000 dollars, and all articles as to which any offence may have been committed within the meaning of this Act shall be seized and forfeited.

4. Any vessel about to leave any of the settlements in the colony, bound to any place to which exportation shall have been prohibited, may be searched, by order in writing of the master attendant or harbour master of the settlement, and if any articles, the exportation of which may have been prohibited by Proclamation under this Act, shall be found therein, contrary to the provisions of this Act, such vessel shall be detained, and all such articles so found shall be taken out therefrom, and the master or other person in charge of such vessel, shall, on conviction of an offence, contrary to the provisions of this Act, relating to such export, be liable to a penalty not exceeding 5,000 dollars, and all such articles so found shall be forfeited.

5. No prosecution shall be commenced under this Act, except on the complaint of the Attorney-General or the master attendant or harbour master of the settlement at which the accused may be found.

6. Nothing in this Act provided shall be held to apply to any of Her Majesty's troop or transport ships or ships-of-war.

7. The master attendant or harbour master, or other officer acting bonâ fide under the provisions of this Act, shall not be liable in damages or otherwise for any act done by him, in pursuance of the obligation and duty imposed on him by this Act, and in case the Governor shall direct the disposition of any articles which shall have been seized by any master attendant or harbour master, or other officer, such direction shall be conclusive evidence that the act done by the master attendant or harbour master, or other officer, is within the duty imposed on them by this Act.

8. This Act may be cited as the Arms Exportation Act.

1867.

Passed this 1st day of July, 1867.

H. F. PLOW, Clerk of Councils.
At the Court at Windsor, the 26th day of June, 1879.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY,

His Royal Highness Prince Leopold, Lord President, Lord Privy Seal, Sir Michael E. Hicks-Beach, Bart.

Whereas by the 2nd section of an Act passed in the session of the 29th and 30th years of Her Majesty's reign, chapter 115, entitled "An Act to provide for the Government of the Straits Settlements," it is enacted that it shall be lawful for Her Majesty, by Order or Orders in Council, to be by her from time to time made, with the advice of her Privy Council, to establish such laws, institutions, and ordinances, and to constitute such courts and officers, and to make such provisions and regulations for the proceedings in such courts, and for the administration of justice, and for the raising and expenditure of the public revenue as may be deemed advisable for the peace, order, and good government of Her Majesty's subjects and others within the said Settlements, or within any territory which may at any time be part of or dependent upon the same, any law, statute, or usage to the contrary in anywise notwithstanding.

And whereas it is expedient to provide for the surrender by the Governor of the said Settlements to foreign States in the case of which the Extradition Act, 1870,* does not apply of persons accused of the commission of certain crimes within the jurisdiction of such States.

Now, therefore, it is hereby ordered by Her Majesty by and with the advice of Her Privy Council, as follows:

1. If requisition be made to the Governor of the Straits Settlements by any foreign State in the case of which the Extradition Act, 1870, does not for the time being apply, or by any person recognised by him as an authorised Minister or officer, Consul or Vice-Consul, of such State for the surrender of a fugitive criminal of such State who is or is suspected of being in any part of the Straits Settlements, the Governor may issue an order under his hand and seal to any magistrate of the said Settlements, directing him to inquire into the truth of the charge.

2. Every such order for inquiry shall signify that the requisition for surrender has been made, shall state the nature of the crime charged, the name or designation (if the name be not known), and any other description that may be thought necessary of the fugitive criminal, and shall require the magistrates

to whom it shall be directed, or any of them, to inquire into the truth of the charge and proceed in pursuance of this Order in Council.

3. The order for inquiry shall be a sufficient proof of the requisition having been made, and a sufficient justification for all acts done in pursuance thereof, and upon the production thereof to the magistrate to whom it is directed, he shall have the same powers as if the crime charged had been committed within his jurisdiction.

4. If the evidence adduced shall be such as would in the opinion of the magistrate justify the apprehension of the fugitive criminal, named or designated in the order, if the crime charged had been committed within his jurisdiction, he shall issue his warrant for the apprehension of the fugitive criminal. The warrant shall be issued in the same manner as if the crime charged had been committed within the jurisdiction of the magistrate issuing it, and shall contain a memorandum stating that it is issued under this Order in Council.

5. Every warrant for the apprehension of a fugitive criminal issued under this Order in Council may be executed in any part of the Straits Settlements.

6. A fugitive criminal apprehended on a warrant issued under this Order in Council shall be forthwith brought before a magistrate within whose jurisdiction he shall be apprehended, and such magistrate shall deal with the case in the same manner as if the fugitive criminal were charged with an indictable offence committed within his jurisdiction.

7. If any fugitive criminal shall, in pursuance of this Order in Council, be brought before a magistrate other than the magistrate who issued the warrant for his apprehension, the depositions and documents upon which the warrant was issued, or copies thereof certified under the hand of the magistrate by whom the warrant was issued, shall, upon the requisition of the magistrate before whom the fugitive criminal shall be brought, be forwarded to such last-mentioned magistrate.

8. Depositions, statements on oath, or affirmations taken in a foreign State, and copies of such original depositions or statements on oath or affirmations may, if duly authenticated, be received in evidence in proceedings under this Order in Council. Such depositions, statements, or affirmations, and copies thereof, shall be deemed to be duly authenticated, for the purposes of this Order in Council, if they purport to be certified under the hand of a judge, magistrate, or officer of the foreign State where the same were taken, to be the original depositions, statements, or affirmations, or to be true copies thereof, as the case may require; and if they are authenticated by the oath of some witness, or by being sealed with the official seal of some Minister of State; and all courts of justice and magistrates in
the Straits Settlements shall take judicial notice of such official seal.

9. The magistrate before whom a fugitive criminal shall be brought, in pursuance of this Order in Council, shall, if such evidence is produced as would, according to the law of the Straits Settlements, justify the committal for trial of the fugitive criminal, if the crime of which he is accused has been committed in the Straits Settlements, commit him to some prison in the Straits Settlements, but otherwise shall order him to be discharged. If the magistrate commit the fugitive criminal to prison, he shall inform such fugitive criminal that he will not be surrendered until after the expiration of 15 days, and that during such 15 days he may appeal to any judge of the Supreme Court of the Straits Settlements.

10. Every magistrate who shall commit a fugitive criminal to prison under this Order in Council, shall forthwith report the result of his proceedings to the Governor, together with any remarks which he may deem it necessary or proper to make upon the case, and together with a copy of all depositions and documents used before him.

11. Upon receipt of a magistrate's report of the committal of a fugitive criminal under the provisions of this Order in Council, the Governor may after the expiration of 15 days from the date of committal, or after the decision of the judge before whom the appeal of the fugitive criminal is brought, as the case may be, or after such further period as may be allowed in either case by the Governor by warrant under his hand and seal, order the fugitive criminal to be surrendered to such person as may in his opinion be duly authorised to receive the fugitive criminal by the foreign State from which the requisition for his surrender proceeded, and such fugitive criminal shall be surrendered accordingly. Provided always, that no fugitive criminal shall be surrendered under this Order in Council, if (1) the offence in respect of which his surrender is demanded is of a political character, or if it is shown to the satisfaction of the Governor that the requisition for his surrender has been made with a view to try or punish him for an offence of a political character, nor (2) unless provision is made by the law of the State from which the requisition for his surrender proceeds, or by arrangement that he shall not until he has been restored to Her Majesty's dominions, be detained or tried in that State for any offence committed before his surrender other than the crime in respect of which he is surrendered.

12. It shall be lawful for the person to whom a fugitive criminal shall be so ordered to be surrendered to receive, hold in custody, and convey within the jurisdiction of the foreign State from which the requisition for his surrender came such fugitive criminal, and if such fugitive criminal escapes out of
the custody of such person, it shall be lawful to retake him in
the same manner as any person accused of any crime against
the laws of the Straits Settlements may be retaken upon an
escape from lawful custody.

13. If any fugitive criminal committed to prison under this
Order in Council, shall not be surrendered and conveyed out of
the Straits Settlements within two calendar months after his
committal, it shall be lawful for any judge of the Supreme
Court of the Straits Settlements, upon application by or on
behalf of the fugitive criminal, and upon proof that notice of
the application has been given to the Governor or to the
Colonial Secretary, to order the fugitive criminal to be dis-
charged out of custody unless sufficient cause is shown to the
contrary.

14. For the purposes of this Order in Council every colony,
dependency, and constituent part of a foreign State shall be
deemed to be within the jurisdiction of such foreign State.

15. In this Order in Council the term “Fugitive Criminal”
means any person accused of any crime committed either before
or after the date of this Order in Council, which if committed in
England or within English jurisdiction would be one of the
crimes described in the schedule to this Order in Council, and
the term “Fugitive Criminal of a State” means a person
accused of any such crime as aforesaid committed within the
jurisdiction of that State, and the term “Governor” means the
person for the time being administering the Government of the
Straits Settlements, and words in the masculine gender include
the feminine.

16. Every person who is accused of having counselled, pro-
cured, commanded, aided, or abetted the commission of any
such crime as aforesaid, or of being accessory before or after the
fact to any such crime, shall be deemed for the purposes of this
Order in Council to be accused of having committed such crime.

17. The schedule to this Order in Council annexed shall be
taken to be part of this Order in Council.

C. L. PEEL.

SCHEDULE.

The following list of crimes is to be construed according to the law existing in
the Straits Settlements at the date of the alleged crime:

Murder and attempt, and conspiracy to murder; manslaughter; counterfeiting
and altering money, and uttering counterfeit or altered money.

Forgery, counterfeiting, and altering and uttering what is forged of counter-
feited or altered.

Embezzlement and larceny.

Obtaining money or goods by false pretences.

Crimes by bankrupts against Bankruptcy Law.

Fraud by a bailiff, banker, agent, factor, trustee, or director or member or public
officer of any company made criminal by any Act for the time being in force.
BRITISH ORDER IN COUNCIL, relative to the Western Pacific Islands; so far as relates to Deportation, the extension of the Judicial Powers of the High Commissioner and Fugitive Offenders. Osborne, August 14, 1879.

At the Court at Osborne House, Isle of Wight, the 14th day of August, 1879.

PRESENT: THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by the Western Pacific Order in Council of 1877* Her Majesty the Queen was pleased to create and constitute the office of High Commissioner in, over, and for certain islands and places in the Western Pacific Ocean, which islands and places are in the said Order more particularly described, and are therein and in this Order referred to as the Western Pacific Islands, with such powers and jurisdiction as are in the said Order set forth:

* See Page 871.
And whereas it is expedient to extend and amend in various respects the said Order:

Now, therefore, Her Majesty, by virtue and in exercise of the powers in this behalf by the Pacific Islanders' Protection Acts, 1872* and 1873,† and by the Foreign Jurisdiction Acts, 1843 to 1878, or otherwise, in Her Majesty vested, is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:

Regulations by High Commissioner.

7. (1.) The High Commissioner shall, by virtue of this Order, have power and authority to make from time to time in the name and on behalf of Her Majesty, by writing under his hand and official seal, such regulations as to him may seem fit for the government of British subjects in the Western Pacific Islands, and for securing the maintenance (as far as regards the conduct of British subjects) of friendly relations between British subjects and all kings, chiefs, and other authorities in those islands, and persons subject to them.

(2.) The regulations may define offences against the same; and acts thereby defined to be offences are hereby declared to be offences against the principal Order; and the regulations may impose a punishment for any such offence, as follows:

(i.) Imprisonment for any term not exceeding 3 months, with or without hard labour, and with or without a fine not exceeding 10 pounds; or

(ii.) A fine alone, not exceeding 10 pounds, without any imprisonment: and

(iii.) In case of a continuing offence,—in addition to any such punishment by imprisonment or a fine, or both, as aforesaid,—a further fine, not exceeding in any case 10 shillings for each day during which the offence continues after the day of the commission of the original offence.

(3.) The regulations shall be so framed as to allow that less than the highest punishment imposed by the regulations may be adjudged in any case; and the regulations shall not be so framed as to impose a fixed punishment in any case, or to prevent the court from adjudging in any case as low a punishment as the court in its discretion may think fit.

(4.) The regulations shall be affixed, and, as far as practicable, at all times kept exhibited, at each court-house, or at some other public place in each district.

(5.) Copies of the regulations shall be sold at such price as the High Commissioner directs.

(6.) The regulations shall, as soon as practicable, be published in the Royal Gazette of Fiji, and be printed separately.

† See Page 425.
The High Commissioner on making regulations shall forthwith report them to the Secretary of State.

Every regulation shall, unless approved by the Secretary of State, cease to be in force at the expiration of 18 months from the making thereof, except as regards things done and rights and liabilities accrued and incurred thereunder before the expiration of that time, and the institution and prosecution thereafter of any proceeding, civil or criminal, in respect of any such thing, right, or liability.

The High Commissioner may at any time, in manner aforesaid, revoke or alter any regulation; and the Secretary of State may at any time direct the revocation of any regulation.

The last foregoing Article is hereby substituted for Article 24 of the principal Order.

But all regulations made under Article 24 of the principal Order, before the commencement of this Order, shall remain in force as if this Order had not been passed, subject to be revoked or altered by the High Commissioner, and so that they shall, unless approved by the Secretary of State before or after the commencement of this Order, cease to be in force at the expiration of 12 months from the commencement of this Order, except as regards things done and rights and liabilities accrued and incurred thereunder before the expiration of that time, and the institution and prosecution thereafter of any proceeding, civil or criminal, in respect of any such thing, right, or liability.

Deportation.

Article 26 of the principal Order shall be read and have effect as if the words "from the Western Pacific Islands" were omitted from the first paragraph thereof.

Extension of Judicial Power of High Commissioner.

Notwithstanding anything in the principal Order, the High Commissioner may, when at a place distant from his ordinary place of official residence, and in a case being, in his opinion, a case of urgency, and in the absence of a Judicial Commissioner, exercise so much of the jurisdiction and authority of the court as is by Articles 27 and 28 of the principal Order confined to a Judicial Commissioner.

The High Commissioner shall forthwith make a special report to the Secretary of State in every case in which he exercises such jurisdiction and authority, setting forth therein the reasons for his proceedings.

If in any case the sentence passed by the High Commissioner, under the authority of this Article, is a sentence of death, it shall not be executed unless and until the High Commissioner has referred the minutes and notes of evidence in the
case to the Chief Justice of Fiji, or if, in the opinion of the High Commissioner, by reason of the remoteness of the place or otherwise, a reference to the Chief Justice would be inconvenient, then to another Judicial Commissioner, being a barrister of 10 years' standing, and the Chief Justice or that other Judicial Commissioner has certified in writing to the High Commissioner his concurrence in the sentence.

(4.) In every such case the High Commissioner shall postpone the execution of the sentence pending such reference, and shall commit the person convicted to prison for safe custody, or shall cause him to be detained in custody, and to be removed to any part of the Western Pacific Islands, or to Fiji, and to be there detained in custody pending such reference.

(5.) Nothing in this Article shall affect the right or the power of the court to reserve for the judgment of the Supreme Court any question of law or fact arising on a trial.

(6.) Where there is such an appeal or reservation, a reference under this Article to the Chief Justice of Fiji or another Judicial Commissioner shall not be made.

Fugitive Offenders.

15. (1.) The Fugitive Offenders Act, 1843, or so much thereof as is for the time being in force, and any enactment for the time being in force amending or substituted for the same, are hereby extended, with reference to British subjects, to the Western Pacific Islands, with the adaptations following, namely:

(a.) In Sections 2 and 6 of the Fugitive Offenders Act, 1843, the High Commissioner's Court by a Judicial Commissioner shall be deemed to be substituted for a judge of a superior court in a colony:

(b.) In Sections 3, 5, 6, and 7, of that Act the High Commissioner shall be deemed to be substituted for the Governor of a colony.

(2.) This Article is hereby substituted for Article 50 of the principal Order.

And the Most Honourable the Marquess of Salisbury, and the Right Honourable Sir Michael Edward Hicks-Beach, Baronet, two of Her Majesty's Principal Secretaries of State, and the Lords Commissioners of the Treasury, and the Lords Commissioners of the Admiralty, are to give the necessary directions herein as to them may respectively appertain.

C. L. Peel.