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TREATIES, ENGAGEMENTS AND SANADS

RELATING TO INDIA AND NEIGHBOURING COUNTRIES

COMPILED BY

C. U. AITCHISON, B.C.S.

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RELATING TO PERSIA, THE ARAB PRINCIPALITIES
IN THE PERSIAN GULF, AND OMAN

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CONTENTS.

PART I.

TREATIES AND ENGAGEMENTS RELATING TO PERSIA.

PAGE.

NARRATIVE 1

TREATIES, ETC., No.

I.—Agreement concluded with Shaikh Sadun for the establishment of a Factory at Bushire, dated 12th April 1763 33

Farman from Karim Khan, King of Persia, for the establishment of a Factory at Bushire, 1763 . . 34

Articles desired by the Khan, dated 2nd July 1763 . 36

II.—Farman from Jaffir Khan for unrestricted trade in the Persian dominions, dated 18th January 1788 . . 36

III.—Treaty of friendship and alliance concluded with His Majesty the Shah of Persia, dated January 1801 . 38

IV.—Farman from Futteh Ali Shah for certain commercial privileges granted to the English, dated January 1801 42

Additional Article relating to the above Treaty . . 46

V.—Preliminary Treaty concluded with Fateh Ali Shah for the prevention of a passage to European armies through his dominions towards India, dated 12th March 1809. 46

Form of Ratification of the Preliminary Treaty of 1809 . 49

VI.—Definitive Treaty concluded with Fateh Ali Shah, annulling the alliances formerly contracted with European States, dated 14th March 1812 49

Form of Ratification of the Definitive Treaty of 1812 . 54

Form of His Royal Highness Mirza Abbas's Ratification of the Definitive Treaty of 1812 54

VII.—Treaty concluded with the Shah of Persia for the adjustment of the terms of the Definitive Treaty of 1812, dated 25th November 1814 54

VIII.—Bond granted by Abbas Mirza, Prince Royal of Persia, annulling, for a pecuniary compensation, the 3rd and 4th articles of the Definitive Treaty of 1814, dated March 1828 58

Rukam of His Royal Highness the Heir-Apparent, ratifying the abrogation of the 3rd and 4th articles of the Definitive Treaty of 1814, dated 24th August 1828 58

Farman of His Majesty the Shah, ratifying the abrogation of the 3rd and 4th articles of the Treaty of 1814 59

PERSIA—*continued.* PAGE.

IX.—Farman of His Majesty Fateh Ali Shah, abolishing export duty on horses, dated July—August 1823 . 59

X.—Farman of the Shah of Persia, permitting British merchants to pay the same duty as Russian merchants, dated May 1836 60

XI.—Commercial Treaty concluded with the Shah of Persia for commercial privileges and appointment of Commercial Agents, dated 28th October 1841 . . 60

XII.—Farman from His Majesty the Shah of Persia for the protection of merchants in cases of bankruptcy and insolvency, dated June 1844 62

XIII.—Farman from His Majesty the Shah for the protection of the servants and dependents of the British mission, dated 15th September 1839 66

XIV.—Amended Farman issued by the Shah of Persia for the protection of the servants and dependants of the British mission, dated April 1840 67

XV.—Engagement of Persian Government, prohibiting the importation of African slaves into Persia by sea, dated 12th June 1848 67

Autograph Note of His Majesty the Shah, prohibiting the importation of African slaves into Persia, dated 12th June 1848 68

Translation of Haji Mirza Aghasi's letter as regards the prohibition of the importation of Negro slaves into Persia by sea, dated 12th June 1848 . . . 68

Farman of His Majesty the Shah of Persia to the Governor of Fars, prohibiting the importation of Negro slaves, dated 1848 69

Farman of His Majesty the Shah of Persia to the Governor of Ispahan, prohibiting the importation of Negro slaves into Persia, dated June 1848 . . 70

XVI.—Convention with Persia for the detention and search of Persian vessels engaged in the slave trade, dated August 1851 70

XVII.—Engagement of the Persian Government regarding the independence of Herat, dated 25th January 1853 . 72

Translation of a letter from the Sadr Azam to Saiyid Muhammad Khan, respecting the sovereignty of Herat, dated 26th January 1853 73

Farman of the Shah to Saiyid Muhammad Khan, regarding the independence of Herat, dated 29th January 1853 74

Letter from the British Envoy in Persia to Saiyid Muhammad Khan, regarding the sovereignty of Herat . 75

XVIII.—Treaty of Peace with His Majesty the Shah of Persia concluded at Paris on the 4th March 1857 . . 76

Separate note referred to in Article 10 of the foregoing Treaty, dated 4th March 1857 80

Translation of the Shah's letter to the Sadr Azam animadverting on the conduct of Mr. Murray, dated December 1855 81

PERSIA—*concluded.* PAGE.

XIX.—Convention with Persia for the extension and protection of telegraphic communication between Europe and India, dated 2nd April 1868 82

XX.—Engagement entered into by the Persian Minister for Foreign Affairs for the construction of a telegraph line from Khanikin to Bushire, 1863 83

XXI.—Telegraph Convention concluded with His Majesty the Shah for the construction and supervision of a second wire from Bushire to Khanikin, dated 23rd November 1865 85

XXII.—Agreement with the Persian Minister for Foreign Affairs for the continuance of the foregoing telegraph convention for a further period of three months, dated 19th June 1872 89

XXIII.—Telegraph convention concluded with His Majesty the Shah for the supervision and construction of a third wire from Tehran to Bushire, dated 2nd December 1872 90

Prolongation of the Telegraph Convention of 2nd December 1872 95

XXIV.—Translation of the Jask Telegraph Agreement of 1887 . 96

XXV.—Convention between Great Britain and Persia for the suppression of the traffic in slaves, dated 2nd March 1882 97

Order in Council for carrying the convention of 2nd March 1882 into effect, dated 18th August 1882 . . 99

XXVI.—Convention between Great Britain and Persia for the extension of the system of telegraphic communication between Europe and India through Persia, 1901 . 100

XXVII.—Commercial convention between Great Britain and Persia, 1903 104

PART II.

TREATIES AND ENGAGEMENTS RELATING TO THE PERSIAN GULF.

PAGE.

NARRATIVE 137

TREATIES, ETC., No.

WAHABIS.

XXVIII.—Declaration of the Wahabi Amir, engaging not to make any aggression on States in alliance with the British Government, dated the 21st April 1866 . . . 156

BAHREIN.

XXIX.—Agreement of the Shaikh of Bahrein, engaging not to permit the sale of property procured by plunder and piracy in Bahrein, dated the 5th February 1820 . 156

XXX.—Engagement entered into by the Chief of Bahrein for the suppression of the slave trade, dated the 10th May 1856 158

Similar engagements entered into by the Chiefs of Ras-al-Khaima, Umm-ul-Gawain, Dabai, Ajman, and Abu Dthabi 158

XXXI.—Convention of the Chief of Bahrein, engaging to abstain from war, piracy and slavery by sea, on condition of British protection, dated the 31st May 1861 . . 159

XXXII.—Agreement of Ali-bin-Khalifa, regarding Muhammad bin-Khalifa's forfeiture of the chiefship of Bahrein, dated the 6th September 1868 161

XXXIII.—Agreement of Shaikh Isa, Chief of Bahrein, dated 22nd December 1880 162

XXXIV.—Exclusive agreement of the Shaikh of Bahrein with the British Government, dated 13th March 1892 . . 163

XXXV.—Agreement of the Shaikh of Bahrein, prohibiting the importation and exportation of arms into and from his territory 164

TRUCIAL ARAB CHIEFS OF OMAN.

XXXVI.—Agreement of Al Kawasim (El Joasim), engaging to respect the flag and property of the British, dated the 6th February 1806 165

XXXVII.—Preliminary engagement concluded with the Chief of Shargah, dated the 6th January 1820 . . . 166

Similar engagements entered into with four other Chiefs 168

XXXVIII.—General Treaty with the Arab Chiefs for the cessation of plunder and piracy by land and sea, dated the 8th January 1820 172

XXXIX.—Agreement of the Maritime Chiefs for the detention and search of Arab vessels engaged in the slave trade, dated the 17th April 1838 176

TRUCIAL ARAB CHIEFS OF OMAN—*conclu ed.*

PAGE.

XL.—Agreement of the Maritime Chiefs for the confiscation of Arab vessels found within certain limits engaged in the slave trade, dated the 3rd July 1839 . . . 177

XLI.—Engagement of the Maritime Chiefs of the Gulf for the suppression of the African slave trade in their ports, 1847 178

XLII.—Agreement of the Arab Chiefs for preserving the maritime peace of the Gulf for a period of ten years, dated 1st June 1843 179

XLIII.—Agreement of the Arab Chiefs for maintaining in perpetuity the maritime peace of the Gulf, dated the 4th May 1853 180

XLIV.—Engagement entered into by the Arab Chiefs of the Gulf for the protection of the Telegraph Line and Stations along the coast, 1864 182

XLV.—Agreement of the Chief of Abu Dthabi, engaging not to commit any breach of the maritime peace, dated the 16th September 1868 182

XLVI.—Agreement of the Chief of Al Katar (Guttur), engaging not to commit any breach of the maritime peace, dated the 12th September 1868 183

XLVII.—Agreement entered into by the Chief of Shargah for the suppression of the slave trade, dated the 26th February 1873 184

XLVIII.—Agreement entered into by the Chief of Abu Dthabi for the suppression of the slave trade, dated the 5th March 1873 184

XLIX.—Exclusive agreement of the Chief of Abu Dthabi with the British Government, dated 6th March 1892 . . 185

Similar agreements with the other Trucial Shaikhs . 185

L.—Agreement of the Trucial Chiefs for the prohibition of traffic in arms, 1902 185

PART III.

TREATIES AND ENGAGEMENTS RELATING TO OMAN.

PAGE.

NARRATIVE 187

TREATIES, ETC., No.

LI.—Agreement with the Imam of Maskat for the exclusion of the French from his territories, dated 12th October 1798 207

LII.—Agreement by the Imam of Maskat for the residence of a British Agent at Maskat, dated 18th January 1800 . 208

LIII.—Treaty with the Imam of Maskat for the suppression of slave-trade in his dominions, dated 4th September 1822 209

Additional requisition for the suppression of the slave-trade with Christian countries, dated 9th September 1822 212

Translation of a letter from the Sultan of Maskat, engaging to apprehend British subjects engaged in the slave-trade, dated 18th August 1845 212

LIV.—Treaty of Commerce concluded with the Sultan of Maskat, dated 31st May 1839 213

Form of Declaration made on the part of the British Government previous to exchange of the ratifications, dated 22nd July 1840 218

Form of Declaration made on the part of the Maskat Government previous to exchange of the ratifications, dated 22nd July 1840 219

Ratification of His Highness the Sultan of Maskat to the Treaty of Commerce, dated 22nd July 1840 . 219

LV.—Additional Articles concluded with the Sultan of Maskat for the suppression of the foreign slave-trade, dated 17th December 1839 220

LVI.—Treaty concluded with the Sultan of Maskat prohibiting export of slaves from His Highness's African dominions, dated 2nd October 1845 221

LVII.—Rules for regulating the duties to be levied on goods transhipped in vessels in the port of Maskat, 1846 . 223

LVIII.—Deed executed by the Sultan of Maskat ceding the Kuria Muria Islands to the British Government, dated 14th June 1854 224

LIX.—Letter to the Sultan of Maskat regarding the independence of Zanzibar, dated 2nd April 1861 . . . 225

Letter from the Sultan of Maskat accepting the award regarding Zanzibar, dated 15th May 1861 . . 226

OMAN—*concluded.* PAGE.

LX.—Agreement between Great Britain and France engaging to respect the independence of Maskat and Zanzibar, dated 10th March 1862 226

LXI.—Articles of Agreement concluded with the Sultan of Maskat for the construction of Telegraph lines in His Highness's territory, dated 17th November 1864 . 227

LXII.—Convention concluded with the Sultan of Maskat for the construction of Telegraph lines in His Highness's territory in Arabia and Makran, dated 10th January 1865 229

LXIII.—Agreement concluded with the Sultan of Maskat for the effectual suppression of the slave-trade, dated 14th April 1873 230

LXIV.—Agreement concluded with the Sultan of Maskat regarding jurisdiction over Native subjects of India residing in Maskat 231

LXV.—Letter from the Sultan of Maskat regarding the levy of duty from distressed vessels putting into the ports of Maskat, dated February 1875 232

LXVI.—Treaty of Friendship, Commerce and Navigation, between Her Majesty and His Highness the Sultan of Maskat, dated 19th March 1891 232

LXVII.—Agreement regarding the cession of territory by the Sultan of Oman, dated 20th March 1891 . . . 240

LXVIII.—Proclamation and notification issued by the Sultan of Oman regarding the suppression of the illegal importation of arms, 1898 241

LXIX.—Undertaking of the Sultan of Oman to the British Government regarding the coalfields at Sur, 1902 . . 242

SOHAR.

NARRATIVE 205

TREATIES, ETC., No.

LXX.—Treaty concluded between the Sultan of Maskat and the Chief of Sohar engaging to abstain from aggression on each other, dated 23rd December 1839 . . . 242

LXXI.—Agreement of the Chief of Sohar for the suppression of the African slave-trade, dated 22nd May 1849 . . 244

APPENDICES.

PERSIA.

PAGE.

I.—Treaty of Peace between the Shah of Persia and the Sultan of Turkey, dated 23rd October 1727 . . . .

II.—Abstract Translation of a Treaty between Turkey and Persia in 1736 iii

III.—Treaty of Peace concluded at the commencement of 1746 between the Sultan of Turkey and the Shah of Persia . iii

IV.—Treaty of Peace between the Shah of Persia and the Sultan of Turkey, dated January 1747 viii

V.—Treaty of Gulistan between Russia and Persia, dated 12th October 1813 xi

VI.—Treaty of Turkmanchai between Russia and Persia, dated 21st February 1828 xv

Separate compact referred to in Article 10 of the foregoing Treaty xxvii

VII.—Convention between Russia and Persia for the interpretation of the 14th Article of the Treaty of Turkmanchai, dated the 3rd July 1844 xxxiv

VIII.—Agreement between Russia and Persia, recognising the Atrak as forming the boundary between the two States on the East Coast of the Caspian Sea, dated 13th December 1869 xxxv

IX.—Telegraph Concessions to Messrs. Siemens & Co., of London, dated 11th January 1868 xxxvi

Treaty concluded by Mr. G. Siemens with the Persian Government, dated 24th May 1869 xl

X.—Agreement between the Shah and the Indo-European Telegraph Company, dated 10th January 1891 . . xliii

XI.—Telegraphic Convention between Russia and Persia, dated 24th May 1879 xliv

XII.—Convention between Russia and Persia for the construction of a telegraph line from Chikishliar to Asterabad, dated 31st January 1881 xlvi

XIII.—Treaty between the Sultan of Turkey and the Shah of Persia for the establishment of a line of telegraph, dated 28th November 1863 xlviii

XIV.—Russo-Persian Railway agreement, dated 12th November 1890 li

XV.—Abstract Translation of the tobacco and salt convention between Persia and Turkey, 1875. lii

XVI.—Tariff respecting the levying of a duty of 75 per cent. on the imports into Turkey of tobacco grown in Persia and its dependencies, 1878 liv

XVII.—Agreement between Persia and Turkey concluded at Erzerum on the 28th July 1823 lv

PERSIA—*continued.* PAGE.

XVIII.—Articles of Agreement concluded at Erzerum and signed by the Turko-Persian Commissioners on 31st May 1847 lx

XIX.—Protocol signed by Persian and Turkish Representatives in 1869 lxii

XX.—Convention between Turkey and Persia regulating the position of the subjects of the two powers in their respective States, dated 20th December 1875 . . lxiv

XXI.—Convention between Persia and Russia defining the boundary between the two countries east of the Caspian Sea (Akhal-Khorasan Boundary), dated 9th and 21st December 1881 lxvi

XXII.—Translated Abstract of an Agreement between the Persian and Turkish Governments respecting sanitary regulations to be observed by Persian pilgrims, 1878 . lxxi

XXIII.—Arrangement for the settlement of the dispute between Persia and Afghanistan regarding the Hashtadan lands, 1888 lxxi

XXIV.—Persian Circular announcing the opening of the Karun river from Mohummerah to Ahwaz, dated 30th October 1888 lxxiii

XXV.—Proclamation by the Shah of Persia respecting the protection of the lives and properties of Persian subjects, dated 26th May 1888 lxxiv

Farman of the Shah of Persia for the execution of the foregoing proclamation, dated May 1888 . . . lxxiv

XXVI.—Commercial Treaty between Persia and Spain, dated 30th March 1842 lxxv

XXVII.—Treaty concluded between Persia and Spain in London on 9th February 1870 lxxvii

XXVIII.—Treaty of Friendship and Commerce between France and Persia, dated 12th July 1855 lxxviii

XXIX.—Treaty of Friendship and Commerce between the United States and Persia, dated 13th December 1856 . . lxxxii

XXX.—Treaty of Commerce and Navigation between Austria-Hungary and Persia, dated 17th May 1857 . . lxxxvi

XXXI.—Treaty of Friendship and Commerce between the Netherlands and Persia, dated 3rd July 1857 . . xciii

XXXII.—Treaty of Friendship and Commerce between Belgium and Persia, dated 31st July 1857 xcvi

XXXIII.—Treaty of Friendship and Commerce between Persia, Sweden, and Norway, dated 17th November 1857 . c

XXXIV.—Treaty of Friendship and Commerce between Denmark and Persia, dated 30th November 1857 . . . ciii

XXXV.—Treaty of Friendship, Commerce, and Navigation between Greece and Persia, dated 16th—28th October 1861 cvi

XXXVI.—Treaty of Friendship, Commerce, and Navigation between Italy and Persia, dated 24th—29th September 1862 cxii

PERSIA—*concluded.* PAGE.

XXXVII.—Additional Articles regarding the exportation of silk-worms' eggs and cocoons, dated 29th September 1862 . cxv

XXXVIII.—Commercial Treaty between Germany and Persia, dated 11th June 1873 cxvii

XXXIX.—Treaty of Friendship and Commerce between Switzerland and Persia, dated 23rd July 1873 . . . cxxiv

XL.—Treaty of Friendship entered into between Burma and Persia in 1877 cxxviii

XLI.—Commercial Treaty between Persia and Russia, 1901 . cxxx

XLII.—Commercial Treaty between Persia and the Argentine Republic, 1902 cxxxiii

XLIII.—Commercial Treaty between Persia and Mexico, 1902 . cxxxvi

XLIV.—Customs Convention between Persia and Turkey, 1902 . cxxxviii

PERSIAN GULF.

XLV.—Translated purport of an Order from His Royal Highness Tamasp Mirza Moid-ud-Daula, 1855 cxxxix

Agreement regarding the release of Bandar Abbas, dated 4th August 1868 cxlii

XLVI.—An Act (12 and 13 Vic., Cap. LXXXIV) for carrying into effect Engagements between Her Majesty and certain Arab Chiefs in the Persian Gulf for the more effectual suppression of the slave trade, dated 1st August 1849 cxliv

OMAN.

XLVII.—Act of Parliament 11 and 12 Vic., Cap. CXXVIII, for giving effect to the Agreement with the Imam of Maskat for the suppression of the slave-trade, dated 15th September 1848 clv

XLVIII.—Treaty of Amity and Commerce between the United States of America and the Sultan of Maskat, dated 21st September 1833 clx

XLIX.—Treaty of Commerce between the Imam of Maskat and the King of the French, dated 17th November 1844 . clxiii

L.—Order in Council regarding Consular Jurisdiction in Maskat, dated 4th November 1867 clxix

LI.—Commercial declaration between Holland and Maskat, dated 27th August 1877 clxxx

LII.—Concession granted by the Sultan of Maskat to the Sponge Exploration Syndicate, Ld., London, to fish for sponges in the territorial waters of Oman, 1905 . . clxxxi

SOHAR.

LIII.—Act of Parliament 16 and 17 Vic., Cap. XVI, for giving effect to the engagement of the Chief of Sohar for the suppression of the slave-trade, dated 9th May 1853 . clxxxiii

PART I.

TREATIES AND ENGAGEMENTS

relating to

PERSIA.

From 1464 (Lazarao Quirino's Mission) to 1718, when a letter was addressed to Shah Sultan Husain, the Republic of Venice had uninterrupted friendly relations with the Court of Persia.

In 1561, during the reign of Shah Tamasp I., son of Shah Ismail, Sir Anthony Jenkinson visited the Court of Persia as an Envoy from Queen Elizabeth of England, but was driven from the Royal presence by the intolerance of the Muhammadan Sovereign.

In 1561 Turkey concluded a treaty with Persia, Shah Tamasp having sent a Kajar Envoy to Constantinople.

It was in the beginning of the seventeenth century, during the reign of Shah Abbas the Great, that the English first established commercial settlements in Persia. Two enterprising Englishmen, Sir Anthony Sherley and his brother, with a few followers, had made their way to the Court of Persia, where they met with a distinguished reception. Sir Anthony returned as Envoy from Shah Abbas to establish an alliance with the Christian monarchs of Europe for the destruction of the Turks and with a grant* permitting all Christian merchants to trade freely with Persia. Under the patronage of

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* *Copy of an English translation of the grant obtained by Sir Anthony Sherley from Shah Abbas for all Christians to trade in Persia.*

Our absolute commaundement, will, and pleasure is that our countries and dominions shall be from this day open to all Christian people and to their religion; and in such sort, that none of ours, of any condition, shall presume to giue them any euil word. And, because of the amitie now ioyned with the princes that professe Christ, I do giue this pattent or all Christian marchants to repaire and trafique in and through our dominions without disturbances or molestations of any duke, prince, gouernor, or captaine, or any, of whatsoever office or qualitie, of ours; but that all merchandize that they shall bring shall be so privileged, that none of any dignitie or authoritie shall haue power to looke unto it, neyther to make inquisitions after, or

Shah Abbas the English, the French, and the Dutch had established factories at Gamrun, to which place the Persian monarch afterwards gave the name of Bandar Abbas, by which it is now known. Shah Abbas, however, had less toleration for the Portuguese, who, in 1507, under Albuquerque, had conquered and occupied the island of Ormaz (Hormuz), at the entrance of the Persian Gulf, not far from Gamrun, and he resolved on their expulsion. He was joined in this enterprise by the English, then at war with Portugal, with whom in 1622 he entered into an engagement* granting them half the plunder of the island and half the future customs of Gamrun and Ormaz. The Portuguese were driven out, but the promises of the King of Persia to the English were not kept. The factory at Gamrun was maintained through many losses and disasters till 1761, when it was withdrawn in consequence of the oppressions of the provincial Governor of Lar.

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stay, for any use or person, the ualue of one asper, neyther shall our religious men, of whatsoeuer sort they be, dare disturbe them, or speake in matters of their faith; neyther shall any of our justices haue power ouer their persons or goodes for any cause or act whatsoeuer.

If by chaunce a marchant shall die, none shall touch any thing that belongeth unto him but if the marchant haue a companion, he shall haue power to take possession of those goodes. But if (by any occasion) he be alone, onely with his seruants, the gouernor or whomsoeuer shall be required by him in his sickness, shall be answerable for all such goodes unto any of his nation which shall come to require them. But if he die suddainly, and haue neyther companion nor seruant, nor time to recommende to any what he woulde haue done, then the gouernor of that place shall sende the goodes to the next marchant of his nation, which shall be abiding in any parts of our dominions.

And those within our kingdomes and prouinces hauing power ouer our tooles and customes shall receiue nothing, nor dare to speake for any receipt from any Christian marchant.

And if any such Christian shall giue credite to any of our subjects (of any condition whatsoeuer) he shall, by this pattent of ours, have authoritie to require any caddie, or gouernor, to do him justice, and thereupon, at the instant of his demaunde, shall cause him to be satisfied.

Neyther shall any gouernor, or justice, of what qualitie soeuer he be, dare take any rewarde of him, which shall be to his expense; for our will and pleasure is, that they shall be used in all our dominions to their own full content, and that our kingdomes and countries shall be free unto them.

That none shall presume to aske them for what ocasion they are heere.

And although it hath bin a continuall and unchaungeable use in our dominious euery yeere to renue all pattents, this pattent, notwithstanding, shall be of full effect and force for euer without any renuing, for me and my successors, not to be changed.

* *The following is the substance of the Articles of Agreement as given in Fryer's Travels, Chapter XII.*

First.—Stipulating that the Persian soldiers should not meddle with the spoils before "the English mariners were satisfied (which were such of all sorts of jewels, gold, and silver, that they refused to carry off any more.)

In 1618 Prince Bariatinsky was sent by the Emperor of Russia (Michael Feodorovitch) as an Envoy to the Persian Court. The Emperor Alexis Michaelovitch, father of Peter the Great, also sent an Envoy to the Court of Persia.

In the same year Philip III of Spain sent an Embassy to Persia, at the head of which was Don Garcia de Silva of Figueroa. The Shah received him very graciously; but the main object of the embassy, *viz.*, security for Ormaz, which was now, through the absorption of Portugal, a Spanish possession, was not obtained.

An English Envoy, Sir Dodmore Cotton, was sent to the Court of Shah Abbas the Great, between the years 1620 and 1628, to try to establish commercial relations between Great Britain and Persia. The negotiations failed owing to intrigue and to the death of the diplomatists to whom the affair was finally entrusted.

In 1625, Louis XIII sent Sainet Memein as French Envoy to Persia.

The death of Shah Abbas in 1628 was followed by the rapid fall of the Safavian dynasty. Four weak princes of that house successively ascended the throne of Persia. During their reign the Turks severed from the Persian empire some of the best of the western provinces, the Arab ruler of Maskat possessed himself of the islands in the Persian Gulf, and the Afghans of the Abdali tribe made themselves independent in Herat, and the Ghilzais in Kandahar.

In 1639 a treaty of peace was concluded between Persia and Turkey during the reign of Shah Safi IV, which delimitated afresh the frontiers of Azarbaijan and Baghdad, Persia ceding Djessan and Badrayi to Turkey and admitting the division of the Jaf tribe. By the provisions of this treaty Baghdad and Basrah also became Turkish and the Arabs of the Chab tribe were declared to be independent.

"*Secondly.*—That Bandar Abbas, now Gombroon, should yearly divide half the customs between the English and Persians, and that whatever English ship should enter the port should be free from any manner of tribute.

"*Thirdly.*—That it should be lawful for them to transport twenty horses, of which number two might be mares, yearly."

"*Provided first.*—That the English should keep two men-of-war constantly to defend the Gulf; and

"*Secondly.*—That they should deliver the Portugal's forts into the Persians hands, in doing which the English should always be esteemed the emperor's friends; and

"*Lastly.*—Should have the first seat in the Council, and their Agents be looked on with equal grace to their prime nobility."

In 1708* and 1715† treaties were concluded between France and Persia.

In 1718 and 1722 treaties were concluded between Turkey and Persia.

In 1715 a certain Lieutenant-Colonel Walinsky was sent by the Russian Government to the Persian Court at Ispahan to inquire into the causes of the troubles in Persia and to conclude a commercial treaty ‡ with that country, which he succeeded in doing.

In 1722, within a century after the death of Shah Abbas, Ispahan was besieged by Mahmud of Kandahar, to whom Shah Husain formally resigned his crown. The Afghan dynasty was short-lived. Mahmud died in a state of raving madness in 1725. His cousin and only successor, Ashraf, was slain in 1730 while fleeing in the desert before his conqueror Nadir Kuli Khan, the notorious Nadir Shah.

In 1724, Turkey was on the point of declaring war on Russia, and, in order to avoid the outbreak of hostilities, Russia agreed to the cession of certain Persian provinces to Turkey. In 1727, Turkey, though defeated by Sultan Ashraf, forced him to cede the Persian provinces which she had occupied, and in return the Porte acknowledged him as Shah.§

In 1729, Russia restored to Persia, by treaty, the provinces of Astarabad and Mazandaran.

After the abdication of Shah Husain, his son, Tamasp, had assumed the name and state of king, and was unceasing in his feeble efforts to recover the crown. At his instigation, in 1722, Peter the Great set out for Persia and captured Darband and Baku, and Tamasp finally entered into a treaty with Russia, ceding all the possessions of Persia on the Caspain Sea on condition of the Emperor expelling the Afghans and placing him on the throne, and with

* Traité de Commerce, 31 articles, daté Redjeb 1120 (Septembre 1708) traduit par François Petits de la Croix.

Commandement du Roi de Perse en faveur des Français, Septembre 1708.

Autre Commandement, Septembre 1708.

Traduits par Barout.

(*" Documents pour servir à l'histoire des relations entre la France et la Perse," par Y Thierry, Evreux, 1866.*)

† Traité d'Amitié et de Commerce, 13 Août, 1715, 11 articles, fait à Versailles.

Quatre, articles séparés du Traité précédent, même daté.

Commandement du Roi de Perse, fairé savoir au Sieur Padery, Consul de France à Chiras qu'il a accepté le traité fait en France, 13 Août 1715, par son Ambassadeur Muhammad Reza Beg, daté 20 juin 1722. (*Idem*).

‡ (Copy not procurable).

§ Appendix No. I,

the same view he entered into negotiations with the Turks, who were extending their conquests in the north and west. Without much consideration, however, for Tamasp and his pretensions, the courts of St. Petersburg and Constantinople concluded a treaty in 1725, by which they partitioned Persia between themselves. It was entirely to the energy and talents of Nadir Kuli Khan, who had acquired a great reputation for courage and enterprise, that Tamasp was indebted for the recovery of his fortunes. Nadir Kuli Khan was put in command of Tamasp's small army in 1727. He compelled the whole of Khorasan to acknowledge the son of Shah Husain, and by the close of the year 1730 the foreign Afghan rulers were expelled from Persia, most of their followers were put to the sword and the Safavian dynasty was once more represented on the throne in the person of Shah Tamasp, who granted to Nadir Kuli, as a reward for his services, the provinces of Khorasān, Mazandaran, Seistan and Karman.

In 1732, by the Treaty of Rasht, Russia restored to the Persian Government Larijan, Gilan, and the Persian provinces as far as the Araxes; and by the Treaty of Gandja, concluded in 1735,* Russia restored Baku and Darband with their provinces to Persia and retired behind the river Terek.

In 1732, on the death of Shah Tamasp, Nadir Kuli Khan was reluctant to usurp the sovereign power on account of the superstitious feeling of the people in favour of the ruling dynasty; he therefore allowed Abbas III, an infant son of Shah Tamasp, to be nominal king till his death three or four years later.

Under Nadir Shah the Persian empire recovered for a time its former glory. He not only recovered the provinces conquered by the Turks and the Russians, but reduced Sind, Kandahar, Kabul, Balkh, and the whole country between the Oxus and the Caspian Sea, carried his arms to Delhi, gave up the capital of the Moghals to plunder and massacre, and compelled the Emperor of Delhi to cede to him all his possessions west of the Indus.

In 1736, as a result of Nadir Shah's victories, a treaty† was concluded between Turkey and Persia, by which the frontiers were newly delimitated.

Towards the end of Nadir Shah's reign a further treaty‡ of peace was concluded between Turkey and Persia fixing the limits of the two countries on the basis of the treaty of 1639; and the following year, namely in 1747,

* Copies of the Perso-Russian Treaties of 1729, 1732, and 1735 are only procurable in Russian at Tehran.

† Appendix No. II.

‡ Appendix No. III.

another treaty* was made between the two sovereigns, Sultan Muhammad and Nadir Shah by which certain parts of Irak and Azarbaijan were ceded by Persia to Turkey.

Nadir Shah was murdered in 1747. Within a few years after his death the mighty empire which he had re-created was dismembered. Ahmad Khan Abdali proclaimed himself King of the Afghans, took Kandahar and Herat, and laid the foundation of an empire which he extended by conquests more brilliant than those of Nadir Shah. The province of Khorasan was all that was left to Shah Rukh, the blinded grandson of Nadir Shah. This was guaranteed in his independant possession by Ahmad Khan, but was soon broken up into a number of independent principalities. The southern and western provinces of Lar, Fars, Irak, Azarbaijan, and Mazandaran were subdued by Karim Khan of the tribe of Zand, and a prince of the Safavian house named Shah Ismail, a son of the sister of Shah Husain, was set up as king. He was, however, a mere puppet, and was at last cast into prison, while the reins of government were held by Karim Khan alone. Karim Khan was a just and enlightened ruler. He took great pains to extend and encourage commerce, and during his reign the English, who had abandoned Gamrun, obtained, in 1763, a Farman (No. I) for a factory at Bushire and the trade of the Persian Gulf.

Karim Khan died in 1779 after a vigorous rule of twenty-six years. His death was the signal for fresh revolutions marked by the most atrocious cruelties, in the course of which the four surviving sons of Karim Khan were savagely mutilated, and which ended in 1795 in the elevation of Agha Muhammad Khan of the Kajar tribe, the founder of the present dynasty, to the throne of Persia. In 1788, during the brief rule of Jafar Khan, nephew of Karim Khan, and the last representative but one of the Zand family, the English, who during the revolution had been subjected to many oppressive exactions, obtained through the chief of their factory at Basrah another Farman (No. II) for unrestricted trade in the Persian dominions.

Agha Muhammad Khan, who for many years had ruled over a considerable province of the Persian empire, but who was not acknowledged as independent sovereign till 1795, was scarcely established in power when he found himself involved in a war with Russia. Taking advantage of the distracted state of Persia, Heraclius, the Wali of Georgia, had in 1783 transferred his allegiance from Persia to Catherine II, who received him under her protection and guaranteed the integrity of his possessions. In 1795 Agha Muhammad Khan resolved to punish the Georgians for their defection, and marching upon the country with a rapidity which prevented the Wali from receiving support from Russia, he ordered a general massacre of the inhabitants,

* Appendix No. IV.

sparing the young and beautiful, whom he carried off into captivity. Persia was instantly invaded by a Russian army, who soon gained important successes and were advancing on Tehran, when their progress was stopped and they were recalled by the death of the Empress in 1796.

In 1796 Monsieur Olivier was charged with a mission to the Court of Persia by the French Republic for the purpose of establishing commercial relations and to try and unite the Persians with the Porte against Russia. The mission failed.

In the following year Agha Muhammad Khan was murdered. He was one of the most prudent and able kings who ever ruled in Persia. He was succeeded by his nephew, Fateh Ali Khan, during whose rule commenced that closer connection between the British Government and Persia which had its origin in the fear of an Afghan invasion of India, the designs of the French on the British dominions in the east, and the competition of European powers for influence at Tehran.

From the success which had attended the invasion of India by Nadir Shah and Ahmad Shah Abdali, it was believed that the plains of India were exposed to be periodically ravaged by any ambitious ruler in Afghanistan. In 1796 Zaman Shah, a grandson of Ahmad Shah Abdali, advanced to Lahore with the professed purpose of restoring the house of Timur from the domination of the Marathas. Disturbances in his own dominions recalled him in the following year; but his invasion and rumours of renewed preparations, coupled with the apprehension of an invasion of India by the French, and the deputation of a secret embassy by Napoleon to establish his influence at Tehran, forced the British Government to take measures for the security of their Indian possessions. Captain Malcolm was accordingly deputed as Envoy to Persia to negotiate a political and commercial alliance. He concluded two treaties in 1801 with the Persian minister, which the Shah ratified by prefixing his farman. By the terms of the political Treaty (No. III) the Shah of Persia engaged to lay waste the country of the Afghans if ever they should invade India, and to prevent the French from settling or residing in Persia, while, in the event of war between the Afghans or the French and Persia, the English were to assist the Shah with military stores. By the commercial treaty (No. IV) all the privileges of the old factories were restored, several more were granted, and the duties to be collected from purchasers of staples were reduced to one per cent.

In 1805, during the war between Persia and Russia which originated in the invasion of Georgia, the Shah of Persia, having suffered severe reverses,

and being threatened with the vengeance of Russia for the treacherous murder of the Russian General, threw himself on the support of Napoleon, who was then at the height of his power, and made overtures for a union of political interests with France.

In 1806 Napoleon sent Monsieur Jaubert to Persia, by whom a commercial treaty was concluded, which was afterwards ratified at Finkenstein. This was followed by General Gardanne's mission, the object of which was to secure an offensive and defensive alliance. Sir Harford Jones in 1808 made it one of the conditions on which he would come to Tehran that General Gardanne should be given his passports.

The Shah bitterly resented the interpretation which the British Government put upon the treaty of 1801 and their refusal to give him the assistance against Russia which he claimed under that treaty, and in consideration of which he had offered, through his ambassador Agha Muhammad Nabi Khan, to relinquish the French alliance. The proposals of the French were that they should compel the Russians to restore the province wrested from Persia, and that they should furnish the Shah with military stores and officers to organize his army on the European system, while the Shah on his part was to declare immediate war with the English, to invade India by way of Afghanistan, and to permit a French army to invade India through his territories. These negotiations were frustrated by the peace concluded at Tilsit between Napoleon and the Emperor Alexander, but they had the effect of rousing the British Government to efforts for the recovery of their lost ascendancy at the Court of Tehran and the protection of their Indian empire by binding the western frontier States in a chain of friendly alliances. Missions were sent to the Amirs of Sind, Ranjit Singh, and the Court of Kabul, and Sir John Malcolm was again accredited as Envoy to Persia. Unfortunately, however, without previous concert with the Indian Government, and in ignorance of the measures concerted by them, Sir Harford Jones was at the same time deputed direct from England as Plenipotentiary on the part of the Crown. This event led to unseemly complications, which had the effect of rendering both governments ridiculous in the eyes of the Persians.

Sir John Malcolm was instructed, in the event of Sir Harford Jones arriving at Bombay on his way to Persia before him, to proceed as Envoy to Baghdad for the purpose of establishing an alliance with the Pasha and the petty Chiefs in Arabia, leaving Sir H. Jones to conduct the negotiations at Tehran; but the paramount importance of recovering a footing in Persia was to overrule all other considerations, and Sir J. Malcolm was to proceed on his mission to Persia without delay if he should find himself the first in

the field. Sir John arrived in Persia first, while the Shah was still trusting to the liberal promises with which the French amused him. Considering the dignity of the British Government insulted by an attempt, which he attributed to the influence of the French embassy, to exclude him from the Royal presence and draw him into negotiations with subordinate officials at Shiraz, he concluded that there was no hope of a friendly alliance. He therefore abruptly quitted the country, and proceeding to Calcutta induced Lord Minto to prepare for the occupation of the island of Karak in the Persian Gulf as a position from which the British Government could either negotiate with dignity or act with effect if war should be declared. The instructions given to Sir Harford Jones were that he should remain at Bombay till the issue of Sir John Malcolm's mission was known, but that he should proceed to Persia at once in the event either of Sir J. Malcolm being obliged to leave without attaining his object, or of his succeeding in concluding a preliminary treaty. On Sir John Malcolm's return, therefore, he set out for Tehran. Further instructions to suspend his mission reached him too late. He arrived at Tehran when the Shah had lost all faith in the professions of the French, which, in consequence of the peace with Russia and reverses in Europe, they were no longer able to fulfil, and he therefere found no difficulty in concluding a preliminary Treaty (No. V). By this treaty, which was concluded on the 12th and exchanged on the 15th March 1809, all treaties contracted by the king with European powers were annulled; the Shah engaged to prevent the passage of European armies through his dominion towards India; and the English were to assist him with troops or a subsidy if any European forces should invade his territories, and to take no part, except as mediators, in any war between Persia and Afghanistan.

The validity of this treaty, subject to such modifications as might afterwards be agreed upon, was recognized by Lord Minto, who, however, suspended the functions of Sir H. Jones, directed him to withdraw from Persia, and again sent Sir John Malcolm as Envoy to the Shah for the purpose of concerting further arrangements. Meanwhile Sir H. Jones had received orders from England to remain at Tehran till the arrival of another Plenipotentiary, Sir Gore Ouseley, whose powers superseded those of both Sir H. Jones and Sir J. Malcolm. A definitive Treaty* (No. VI), based on the preliminary Treaty of 1809, was concluded by Sir Gore Ouseley on the 14th March 1812, but some of the stipulations were altered in England, and

* This Treaty, although never formally ratified by His Majesty's Government, is inserted in this collection because it is referred to in the treaty of 1814, and the scope of the later treaty cannot be fully understood without comparison with it.

it was not till 1814 that the terms of the treaty were finally adjusted (No. VII).

Throughout the long reign of Fateh Ali Shah the Persian empire enjoyed rest from internal revolution, but it suffered severely from protracted war with Russia. The provinces of Georgia, Mingrelia, Daghistan, Shirwan, Karabagh, and Talish were successively severed from it, and only the good offices of the British Government arrested the further advance of the Russian arms. In October 1813 peace was concluded at Gulistan, and a Treaty* was drawn up, indicating generally the boundary between the Russian and Persian empires, but leaving its exact direction to be afterwards settled by commissioners. For some years thereafter there was nominal peace, but in the adjustment of the boundaries many difficulties and disputes arose. The Russians occupied and refused to evacuate the district of Gokcha, which the Persians claimed as theirs. Hostilities were renewed in 1826, the first attack being made by Abbas Mirza, the Prince Royal of Persia. At the commencement of the war the Persians claimed from the British Government the assistance in money or troops stipulated for in the 4th article of the definitive treaty of 1814. After enquiry, however, assistance was refused, on the ground that actual hostilities had been provoked by aggression on the part of Persia, but for which the disputes might have been adjusted by negotiation—a decision of course unsatisfactory to the Shah of Persia, who argued that the Russian occupation of Gokcha was an aggression on his dominions. In the course of the war the Persians sustained severe losses, but at length, through the mediation of the British Envoy, a treaty† of peace was concluded at Turkmanchai, on the 23rd February 1828, by which the Persian Government ceded to Russia the provinces of Erivan and Nakshivan, and agreed to pay indemnification for the expenses of the war. The Emperor of Russia engaged to recognize Abbas Mirza, the Shah's eldest son, as heir and successor to the throne of Persia.

On the conclusion of the negotiations, opportunity was taken by the British Envoy to purchase the abrogation (No. VIII) of the 3rd and 4th articles of the treaty of 1814 by a payment of 200,000 tomans, or one year's subsidy. These articles had been found exceedingly onerous and inconvenient, and productive only of collision with the Persian Government. By the cancelling of the 3rd and 4th articles of the treaty, the 6th and 7th articles also were virtually abrogated.

* See Appendix No. V.

† See Appendix No. VI.

On the 11th February 1829, one year after the signature of the treaty of peace between Russia and Persia which had brought to a close nearly forty years of almost continuous warfare, an event occurred at Tehran which, but for the humble apology made by the Persian Government, might have resulted in the renewal of hostilities. Two Muhammadan Armenian women, natives of the recently ceded provinces, were demanded from a harem; on their surrender a large mob assembled outside the Russian Legation, and the Russian Minister, Monsieur Grebaiadoff, exasperated at the insolence of the crowd, ordered his guards to fire on it. The people thereupon attacked the Legation and finally massacred the Minister and all his suite, thirty-five in number, with the single exception of Monsieur Maltzeff, the first Secretary, who contrived to conceal himself.

In 1834 an understanding, which was subsequently acknowledged to be in force by an interchange of notes in 1838, 1873, and 1874, was come to between Great Britain and Russia with regard to the maintenance of the integrity and independence of Persia.

Fateh Ali Shah died in October 1834. His son, Abbas Mirza, had died the preceding year. By the influence of Russia and England Muhammad Shah, son of Abbas Mirza, was placed on the throne, notwithstanding the opposition of many princes of the Royal blood. After the pacification of Europe in 1815, and the removal of those dangers which had given such exaggerated importance to the Persian alliance, no steps were taken to maintain the influence in Persian counsels which had been secured to the British Government by the Treaty of Tehran in 1814. On the contrary much was done to dishearten the Shah and impress him with the belief that the preservation of the integrity of his empire was a matter of indifference to England. Not the least distasteful part of the change in policy was the transfer, in 1823, of the relations with Persia to the Government of India and the substitution of an envoy of the Governor General for the plenipotentiary of the Crown. This change was accepted most reluctantly by the Shah, who believed that it was not only derogatory to his dignity, but dangerous to his power. The conflict between the Crown and the Indian Government regarding the mission in 1809 had lowered his respect for the latter, and, moreover, he believed that the operations which the Indian Government undertook in the year 1819 against the pirates in the Persian Gulf, would, but for the control of the English ministry, have ended in aggressions on his government. So little care was taken to cultivate relations with Persia that, after the peace of Turkmanchai and the abrogation of the subsidy agreement of 1814, a measure to which the Shah agreed only under the pressure of pecuniary embarrassments caused by the payment of

indemnity to Russia, it is not surprising that the influence of the British Government at Tehran should have declined before that of Russia. The Shah for some years continued to urge the necessity of revising the treaty of 1814, and of substituting for the abrogated articles a general stipulation of protection which would at least evidence the wish of the British Government that the independence of Persia should be preserved. No steps, however, were taken to meet the expectations of the Shah, and when at last after long delay, the British Government in 1833 authorised their representative in Persia to enter on negotiations for a revision of the treaty, their ascendancy had given place entirely to that of Russia. The negotiations were protracted till the year 1837, but led to no result. For a quarter of a century, indeed, British merchants in Persia had not even the protection of a commercial treaty or any other security for trade than that which the general friendly relations of Britain with Persia afforded them, save a Farman (No. IX) abolishing export duty on horses, and another (No. X), granted in 1836, permitting British merchants to trade on payment of the same duties as those paid by Russian merchants. The preamble of the treaty of 1814 provided that a commercial treaty should be afterwards concluded; this, however, was never done, and the Persian Government maintained that the commercial treaty concluded by Sir John Malcolm was abrogated by the later treaty of 1814 The British representatives, Mr. Ellis and Mr. Morier, had in 1814 addressed an official note to the Shah proposing that commerce should remain on the footing of the treaty of 1801, but this proposal was never accepted. Matters remained in this unsatisfactory state till 1841, when a commercial Treaty (No. XI) was concluded, which put the trade of Britain and Persia on the same footing as that of the most favoured nations, and provided for the establishment of commercial agencies in the two countries. In 1844 a Farman (No. XII) was obtained, prescribing the procedure to be followed for the protection of merchants in cases of bankruptcy and insolvency.

In 1836, Persia found herself unable to repress the Turkman raiders in the province of Astarabad, who made constant descents by sea on the Persian shores; and as by the Treaty of Gulistan she had renounced all right to have ships of war on the Caspian Sea, she was compelled to beg for the help of some Russian ships to put down the marauders. Having, however, got possession of the Island of Cherken, whence she could check the raiders, it was notified to the Russian Government that their help was no longer required. A Russian squadron was nevertheless sent in 1842 to the Island of Ashurada, in the Bay of Astarabad, which had a few years previously, in 1838, been occupied by the Russians; a naval station to overawe the

Turkmans was built there, and the island has since remained in the possession of Russia.

In 1839, after the departure of Sir John McNeill from the Persian camp, a Farman (No. XIII) was procured from the Shah guaranteeing protection to mission servants. This had been rendered necessary by the arrest and search of a Legation messenger travelling between Herat and the Shah's camp. This farman was supplemented by a second Farman (No. XIV) for the same purpose granted the following year.

In 1844 a convention * was signed between Russia and Persia, explaining the 14th article of the Treaty of Turkmanchai, and decreeing that the subjects of either State crossing the frontier into the territory of the other must be provided with passports.

In the following year (1845) French merchandize was put on the same footing as that of the most favoured nation; in 1847 a commercial treaty between France and Persia was signed, but not ratified, and in 1849 the Persian Government officially refused to ratify it.

In 1848 a Russian hospital for the use of Russians employed in checking the marauding Turkmans was established by a Royal Farman at Bandar Gez on the Persian mainland in the province of Astarabad.

In the same year, when the British Government were making strenuous exertions to suppress the traffic in African slaves, an Engagement (No. XV) was obtained from the Shah to prohibit the importation of slaves into Persia by sea. The priests were greatly averse to the abolition of slave traffic, and the Shah did not feel himself strong enough to brave their opposition and to absolutely and explicitly prohibit the importation of slaves into his dominions; but he virtually did so by forbidding importation by sea, as the route by land is not practicable. In 1851 a Convention (No. XVI) was concluded for the search and seizure of Persian vessels suspected of being engaged in the slave-trade.

The reconquest of Afghanistan was always a favourite dream of the Kajar dynasty, who conceived that their rights of sovereignty over that country were as complete as in the days of the Safavian kings. The first use which the Russians made of their ascendancy after the peace of 1828 was to encourage Fateh Ali Shah in his ambition for eastern conquests as an off-set for the cessions on his north-western frontier, and as a means of indirectly establishing their own influence as far as the Indus. Fateh Ali Shah projected two unsuccessful expeditions against Afghanistan and the city of

* Appendix No. VII.

Herat, which is the key to the country. His grandson, Muhammad Shah, who was ever a friend of Russia and an enemy to British interests, revived the project, and with a large force laid siege to Herat on the 23rd November 1837. He was aware, and had been warned, that any hostile movement against Herat would be viewed with dissatisfaction by the British Government. Confident, however, in the support of Russia, he rejected all offers for the settlement of his disputes with Shah Kamran of Herat by friendly mediation, and treated the British mission with a marked discourtesy, which compelled the Envoy to lower his flag and declare the alliance with Persia at an end. To force the Shah to renounce his ambitious projects a demonstration was made in the Persian Gulf by the occupation of the island of Karak. This had the effect of forcing him to withdraw his troops from Herat after a memorable siege of ten months, in which all his efforts to take the city were defeated by the energy and ability of Eldred Pottinger, a young English officer of artillery. On the withdrawal of the British armies from Afghanistan, Shah Kamran was deposed and murdered by his minister, Yar Muhammad Khan, who in words professed himself to be a dependant of the Shah of Persia, but maintained himself in real independence.

Muhammad Shah died in August 1848, and was succeeded by his eldest son Nasir-ud-Din. On the death of Yar Muhammad Khan of Herat in 1851, his son Saiyid Muhammad Khan, succeeded him. Feeling himself insecure in power and being threatened by the Amir of Kabul and by Kohandil Khan from Kandahar, Saivid Muhammad Khan made overtures to Persia, and a force was despatched by the Shah nominally to reduce the Turkmans but in reality to occupy Herat. The British Envoy at Tehran remonstrated and required from the Persian Government explicit assurances of the course they meant to adopt. On the 25th January 1853 the Persian Government signed an agreement (No. XVII) not to send troops to Herat unless it should be attacked by a foreign force, and not to interfere further in its affairs than had been done in the lifetime of Yar Muhammad. This interference with their ambitious projects greatly irritated the Persian Court, who showed their annoyance by a series of vexatious slights, which destroyed all cordiality of intercourse with the British Envoy, and eventually caused a new rupture. In 1854 Mirza Hashim Khan, who had been discharged from the Shah's service, was appointed to be agent at Shiraz for the British mission. The Persian Government objected to the appointment, and threatened to imprison him if he should proceed on his duty. They next seized and imprisoned his wife. As all redress was persistently refused, the Envoy at Tehran struck his flag on the 20th November and withdrew from the Persian

dominions. An official notification was issued by the Persian Government justifying their proceedings, and insinuating that the interest of the British Envoy in the case sprang from an intrigue with the wife of Mirza Hashim. In the meantime Muhammad Yusuf, grandson of Firoz, one of the brothers of Shah Shuja, had put Saiyid Muhammad Khan, the ruler of Herat, to death, and had applied to the Shah of Persia for assistance. A force was sent, in December 1855, in violation of the agreement which had been made by the Persian Government. Muhammad Yusuf was taken prisoner, and Herat was captured on the 26th October 1856. Every effort having failed to induce the Persian Government to adjust the quarrel and to apologize for the insults to the British mission, a force was despatched from Bombay to occupy the island of Karak, and war was formally declared on the 1st November 1856. After a brief campaign hostilities were terminated by the Treaty of Paris (No. XVIII) concluded on 4th March 1857. This treaty revived none of the earlier treaties cancelled by the war except the convention of August 1851 for the suppression of slavery in the Persian Gulf, which by the 13th article was renewed till August 1872, and for such time afterwards as neither of the contracting parties by a formal declaration annuls it.

The Legation at Tehran was under the immediate direction of the India Office from 1823 to 1835, and again for one year from the end of 1858 to the end of 1859.* Since then it has remained under the control of the English Foreign Office.

During the Crimean War in 1854 Persia remained neutral, although she was at one time on the point of casting in her lot with Russia, as a return for which territorial aggrandizement was offered her, as well as release from the payment of the subsidy which she had to make to Russia in accordance with the provisions of the Treaty of Turkmanchai. She stood aloof, however, although she had at one time gone so far as to mass troops on the Turkish frontier.

In 1860 the Persian Government sent an expedition under the command of Hamza Mirza against the Tekke Turkmans of Merv, who were considered to be Persian subjects though beyond the control of the Central Government, in order to punish them for the constant raids made on Khorasan. Merv was taken on the 15th of July, the Turkmans having made but little opposition; but when the Persian Commander endeavoured on October 5th to move from his entrenched camp to more suitable ground he was attacked by

* According to Rawlinson ("England and Russia in the East," pages 98-99) the Tehran Mission was transferred to the India Office in 1859 and re-transferred to the Foreign Office in 1860.

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the Turkmans and totally routed, the expedition returning to Khorasan in great confusion.

The Caspian Sea fisheries was granted first about 1867 to M. Lianozoff, a Russian subject, and the concession has since been frequently renewed. A fixed sum is given by the concessionnaire to the Persian Government.

In 1869 the Russians having firmly established themselves at Krasnovodsk, on the eastern shores of the Caspian Sea, it was found necessary to define the frontier between Russia and Persia, and accordingly an agreement* was drawn up secretly and acknowledged by an autograph letter of the Shah fixing the river Atrak as the boundary between the two States. The Persian Government later declared that the Atrak frontier only referred to the seaboard and to about 50 miles inland and did not include the river to its source.

The proceedings of the Persian authorities on the frontier of Baluchistan were long a source of anxiety to the Khan of Kalat. Founding her pretensions to dominion in Baluchistan on the conquest of former dynasties, Persia gradually advanced beyond the frontier which marked her possessions early in the nineteenth century, and justified her action by the necessity of repressing the border Baluchis, who were in the habit of organizing marauding expeditions into the neighbouring province of Karman. In this way the district of Bampur fell into the hands of the Persians in 1841, and nine years later, after the unsuccessful revolt of its Chief, it was permanently occupied by them. Subsequently the Chiefs of the western divisions of Makran, *viz.*, Dizak, Sarbaz, Geh, and Kasarkand paid tribute to Ibrahim Khan, the Persian Governor of Bampur. No opportunity was lost by Ibrahim Khan of asserting the claim of Persia, and his proceedings during the construction of the telegraph from Bushire to Gwadar in 1863, addressing theatening letters to the neighbouring Chiefs, formed the subject of reference to Tehran. Five years later he manifested a disposition to interfere with the construction of the telegraph between Jask and Gwadar, and the threatening attitude adopted by him during that and the following year towards Kej and other parts of Makran owing allegiance to the Khan of Kalat was productive of much excitement and disturbance in the border districts. The ministers of the Shah disclaimed any intention of asserting the claims of Persia to Kej by force of arms, but the British Government having treaty engagements with the Khan of Kalat could not view with indifference any intentions on the part of Persia which caused apprehension to the Khan, and the expediency of

* Appendix No. VIII.

forbidding either open aggression or threats on the part of the frontier authorities was impressed on the ministers.

A proposal was then made in 1870 by the Shah that, as the boundaries between Persia and Kalat had not been clearly defined, if the British Government desired that the line of frontier should be traced, commissioners should be sent to the frontier by England, Persia, and Kalat for the purpose of settling the boundary. This proposal was accepted by the British Government, and in January 1871 the commissioners met on the frontier and, after collecting all the available information, Major-General Goldsmid, the British commissioner, proceeded to Tehran for the adjustment of the question. The Persian frontier, as defined in a memorandum by the British commissioner, and comprising Dizak and Bampusht, Sarbaz and Pishin, Baho and Dashtiyari, was accepted by the Shah on the 4th September 1871. A request was subsequently preferred by the Persian Government that the small district of Kohak, lying below the Jalk and Kalagan sub-divisions of the Dizak district and which had been included on the map within the Kalat frontier, might be made over to Persia. This was so far agreed to by the British Government that the line forming the western boundary of Kalat was drawn to the east of Kohak, but no opinion was expressed as to the position of the Persian frontier. Kohak was occupied by Persian troops in May 1874. (See Baluchistan, Vol. XI.)

In 1861 proposals were made for a convention between the Indian and Persian Governments for the construction of a line of telegraph from the Turkish frontier through Persia to Bandar Abbas, to form part of a telegraph line from England to India. After some negotiations, however, the Persian Government, on the 25th April 1862, declined the terms offered. The route through Persia was therefore abandoned, and the Turkish and Indian lines of telegraph were connected by a sub-marine cable in the Persian Gulf. In 1868 a Convention (No. XIX) was concluded, by which, in order to provide against any accident to the Persian Gulf cable, it was agreed that the British Government should construct and work a line of telegraph between Gwadar and a point between Jask and Bandar Abbas, the British Government to pay 3,000 tomans annually. As originally drawn, this convention expired in 1888, but by mutual declaration made in 1887 it was prolonged till 1905. In 1891 it was prolonged for a further period of twenty years, namely, till 1925.

After the failure of the negotiations alluded to above, the Shah decided on constructing an alternative line at his own cost from Khanikin on the Turkish frontier through Tehran, Ispahan, and Shiraz to meet the other line at Bushire, and for this purpose he concluded an Engagement (No. XX)

in December 1863 to place the construction and working of the line for a time under the superintendence of an English engineer officer; to purchase the materials from the British Government; and to allow the British Government the use of the line on payment of specified charges.

By a Convention (No. XXI) executed at Tehran on 23rd November 1865, and ratified on 1st May following, the Persian Government agreed to erect, under the direction and supervision of British officers, another wire to be used for international messages only, on the Bushire and Khanikin line, the necessary materials to be provided by the British Government and paid for in five yearly instalments. It was further agreed that the establishments should be paid by the British Government, though the protection of the line was to remain with Persia, and that all receipts up to 30,000 tomans a year should be credited to Persia, the surplus, if any, being made over to the British Government. The receipts did not amount to this sum in any one year, and the cost of establishments and maintenance, Rs. 1,20,000, fell entirely on the British Government.

In January 1868 and May 1869, however, arrangements* were concluded between the British and Persian Governments and the Indo-European Telegraph Company, by which the British Government was relieved of a portion of these charges. This company was from its beginning, and is still, under Russian protection in Persia. The company had early in 1868 obtained a concession, owing in great measure to the good offices of the Russian Legation at Tehran, from the Persian Government to construct and work a telegraph line from Julfa to Tehran for a term of twenty-five years. It was now agreed that the company should pay the Persian Government a fixed annual sum of 12,000 tomans in lieu of the receipts up to 30,000 tomans formerly paid by the British Government; that they should deduct from that payment an annual instalment of one twenty-fourth of the debt due by the Persian to the British Government on account of the cost of construction, and should pay that instalment to the British Government; and that till that debt was paid off, or as long, at all events, as the British Government held the concession of the line, the company should also pay the British Government a moiety of the surplus receipts in excess of 12,000 tomans a year. In return for this, if the convention of 1865 were not renewed, the company were to have the concession, and in the case of its renewal, to receive from the Persian Government one-third of their charge on each message along the whole line from Bushire to Julfa.

* See Appendix No. IX.

The telegraph convention of 1865 expired on the 12th August 1872, but was renewed (No. XXII) for a period of three months, and on 2nd December following a fresh Convention (No. XXIII) for the construction of a third wire was signed and came into force from 31st March 1873, the date of its ratification. By this convention it was agreed that the Persian Government should receive from the British Government for three years an annual payment of 2,000 tomans for messages originating or terminating in Persia, pending the making of a separate arrangement. The Indo-European Telegraph Company take two-thirds and the Persian Government one-third on all messages originating and terminating in Persia. Also, in consequence of the frequency with which outrages had been perpetrated on the persons and property of telegraph employés, and damage caused to the telegraph posts and wires, it was provided by article 2 that the British employés should be placed under the special protection of the local authorities, the latter furnishing them with guards when necessary and otherwise assuring their personal safety; and by article 12 that the expense of repairing any wilful damage to the line should be borne by the Persian Government. This convention as originally drawn would have expired on the 1st January 1895, but by mutual declarations made in 1887 it was prolonged to 1925, when the whole line will be handed over to the Persian Government, unless this shall have already been done in accordance with the terms of article 19. The Government of India in 1887 waived their claim to the yearly contribution of 1,000 tomans payable by Persia under article 10 of the convention. In 1891 the convention of 1872 (like that of 1868) was continued for a further period of 20 years, namely, until 1925.

In 1885 the Persian line from Tehran to Mashad (Meshed) was taken over by the Indo-European Telegraph Department.

On the 25th of February 1887 the Jask Agreement (No. XXIV) was signed, which fixes the territorial limits of the telegraph station there and other details respecting taxes to be levied on employés.

In January 1891, an agreement* was arranged between the Shah and the Indo-European Telegraph Company, adjourning the date at which the agreement of 1872 should terminate from 1905, to 1925 in which year also, as already stated, the Anglo-Persian telegraph convention of 1868 and 1872 will, under existing arrangements terminate.

On the 24th of May 1879 a convention† was signed between the Russian and Persian Governments, by which the former were to make a line of telegraph from Chikishliar to meet the Persian line at Astarabad; the

* Appendix No. X.
† Appendix No. XI.

convention to hold good for one year and the line to be handed over to the Persian Government after completion.

On the 31st of January 1881 a further convention * was signed, by which Russian employés are allowed to work the line; 30 centimes per word on messages from Julfa to stations east of the Caspian, and 60 centimes a word on messages to places south of Tehran are to be paid to Persia; and a tenth of the sum received is to be set apart for repairing the line. The convention is to remain in force as long as the Russian Government desire to maintain telegraphic communication with their military authorities in the provinces to the east of the Caspian Sea.

In 1863 a treaty † was signed between Turkey and Persia, establishing a line of telegraph between the two countries and deciding that the point of junction should be at Khanikin. On account of the uncertainty of the exact frontier line two further conventions were signed ‡ in 1863 and 1864 respecting the point of junction of the Turkish and Persian lines.

In 1870 a convention § was come to between Turkey and Persia with reference to the transportation of corpses to the sacred places in Mesopotamia. A period of three years is fixed as the limit to the delay in transport.

The railway question, which had for some years been mooted in Persia, was brought prominently forward by the terms of the Reuter Concession of 1872, and since that time numerous concessions have been granted to European companies and others, but in only two instances—one, the short line from Tehran to Shah Abdul Azim, a distance of six miles, which is worked by a Belgian company, and which was granted in 1886; the other, the Amul railway in Mazandaran, which was granted to Hajji Amini Zarb (Muhammad Hassan)—have these concessions been taken up. In 1890, owing to the rivalry existing between the English and Russian Governments as to railways, the Shah made an agreement ‖ with the Russian Government that no railways should be made in Persia during the next ten years. Two

* Appendix No. XII. † Appendix No. XIII.

‡ The arrangement of 1863 (1280), which was made between Namik Pasha, Governor-General of Baghdad, and Mirza Husain Khan, Persian Minister at Constantinople, on his way through Baghdad, fixes the point of junction on the Turko-Persian frontier for the new through telegraph line by way of Khanikin.

The arrangement of 1864 (1281) was made for the same purpose between Ali Pasha, Turkish Minister for Foreign Affairs, and Mirza Husain Khan, Persian Minister at Constantinople.

(Only Turkish copies of these conventions are procurable.)

§ Concluded at Baghdad and signed by Midhat Pasha, Governor-General of Baghdad, and Mushir-ud-Daula Mirza Hussain Khan, Persian Ambassador at Constantinople.

‖ Appendix No. XIV.

concessions were, however, with the consent of the British and Russian Governments, granted in January 1891 ; the first, according to the concessionnaire, a Belgian subject, the right to prolong the Shah Abdul Azim railway to a distance not exceeding 30 kilometres from Tehran; the second, according to a French citizen, the right to run a light railway to his coal mines, distant about 30 or 40 miles from Tehran. The concessions have since lapsed.

In 1875 a commercial treaty,* having reference to the import of tobacco, was signed at Constantinople, and in 1878 a special tariff† renewable every 10 years was settled.

The disorganized state of the border districts of Persia and Turkey has long been productive of dissensions between the two States. Complaints of the passage of nomad tribes to and from the Pashalik of Baghdad, and of the grant of an asylum to marauders and refugees by the frontier authorities, led to the insertion of articles in the treaty‡ concluded at Erzerum in 1823, providing for the remedy of these abuses. These provisions proved ineffectual, and in 1849 four commissioners were appointed on the part of England, Russia, Persia, and Turkey, respectively, for the purpose of defining the border as provided in the second and third articles of the treaty§ concluded at Erzerum in 1847. A map of the border districts was prepared by the commission, but the actual demarcation was not effected, and the question remained in abeyance. In 1869 a protocol‖ was signed by the Persian and Turkish representatives on the simultaneous presentation, by the representatives of England and Russia at Constantinople and Tehran, of a map which had been drawn up by the English and Russian commissioners. On this map a band of territory varying from 25 to 40 miles wide was laid down, within which the mediatory powers declared that they considered the frontier line ought to be found. Under this protocol the *status quo* of the lands in dispute, which were situated on the south-western slope of the Pusht-i-Koh range, near the Tigris, was to be maintained until the boundary line should be settled, and no buildings were to be erected on these lands. In 1871, however, the border disputes were revived, negotiations ensued, and finally it was arranged that refugees on the border should be removed to such a distance in the interior of each State as should prevent their carrying on intrigues. It was also agreed that a Perso-Turkish commission should assemble at Constantinople for the purpose of carrying into effect

*Appendix No. XV.
†Appendix No. XVI
‡Appendix No. XVII.
§Appendix No. XVIII.
‖ Appendix No. XIX.

the provisions of the second treaty of Erzerum, and at which delegates on the part of England and Russia should be present to assist the delegates of Persia and Turkey in coming to a complete understanding; but owing to the dilatoriness of the Porte the commission never met. In 1884 further representations were made by the Porte that the Persians were cultivating the lands in question, an armed Persian force of 500 horsemen having entered and sown the disputed district; the Persians still maintained that the lands were undoubtedly on the Persian side of the frontier as determined by the treaty of Erzerum in 1847, which fixed the *status quo* in certain districts. The district was then occupied by Turkish troops, whereupon a joint note was addressed by the English and Russian Legations at Tehran to the Turkish and Persian Governments, asking that the troops might evacuate the district, and that a map shewing the frontier might be prepared together with a memorandum explaining the pretentions of Persia.

In 1876 troubles were renewed on the Turko-Persian frontier at Khoi and Zohab, which were claimed both by Turkey and Persia; they were continued in the following year and resulted in the presentation by the Persian Government of their grievances against the Porte, which may be briefly summed up as follows:—*first*, the continued occupation by Turkey of Kotaur (Kutur), which was seized by Darvesh Pasha in 1849, when on his way to join the frontier commission at Baghdad, and which, in spite of the repeated protests of the Persian Government against these alleged violation of territory, was still held by the Porte, and also of Banzargan, Deiri, Mahmudi, Akhorek, and Chibaktu, and Khazina; *second*, the ill-treatment to which Persian pilgrims were subjected; *third*, the non-execution of the promise made that Abbas Mirza should be removed from Baghdad; and *fourth*, the delay in delimitating the frontier. In the same year the island of Shahleh, in the Persian Gulf, which was claimed by Persia, was occupied by Turkey but evacuated on an agreement being entered into by the Persian Government that it should not be cultivated nor occupied by Persian troops pending the final settlement of the respective claims to it.

In 1876 a convention* was agreed upon between the Persian and Turkish Governments for regulating the position of the subjects of the two powers in their respective States.

In 1877 the continued advance of the Russian troops on the east coast of the Caspian Sea caused the Turkmans of Merv and Akhal to consider

* Appendix No. XX.

whether it would be for their advantage that the nominal sovereignty, which Persia had claimed over them for many years, should become more definite, or whether it would be more prudent to declare allegiance to Russia. In the following year some Chiefs of the Tekke Turkmans of Merv visited Tehran and made an agreement with the Shah, by which they promised allegiance to Persia, but the agreement was set aside on their return to Merv. In the same year the Russians advanced on the Akhal territory formerly claimed by Persia. They continued their advance in the following year, but were twice driven back by the Turkmans, namely, at Geok Tapih (Teppe) and Chat. In 1880 the Tekke Turkmans of Merv again sent a deputation to Tehran, but this led to no result, as one of the conditions of their owning allegiance to Persia was that the fertile lands of Sarakhs should be assigned to them if they eventually decided to abandon Merv. In the meanwhile the Turkmans of the Akhal district had gained temporary successes against the Russians and had twice defeated them, at Khoja Kala and at Geok Tapih; but in the following year, 1881, the Russians under General Skobeleff took Geok Tapih and occupied the Persian Ataks of Daraghaz and Kalat-i-Nadiri. This led to the signing of the Akhal-Khorasan boundary convention* on the 21st of December, by which the Russo-Persian frontier from the Caspian Sea to Baba Dormaz is defined, although the work of the actual marking out of the frontier by the Russian and Persian commissioners was not completed till 1885. By the convention of 1881 the agreement entered into in 1869, by which the river Atrak was to form the boundary between the two countries, is cancelled.

In 1882 the Russian Minister at Tehran informed the Persian Government that, as Persia had not asserted her sovereignty over the Tekki Turkmans of Merv, the Russian Government could not now recognize such sovereignty. The Persian Minister of Foreign Affairs replied that Persia, although she could not consider her territorial rights over Merv as invalidated by the reasons given, would nevertheless not take any action with respect to the allegiance of the Tekkes without consulting Russia; and it subsequently transpired that the Russians had already, in the autumn of the preceding year, concluded an agreement with the Tekkes of Merv by which mutual protection is guaranteed to the subjects of both parties, and Russian agents, to the exclusion of all others, are alone to be received at Merv.

In 1884 Merv surrendered to the Russians, who then occupied Sarakhs on the ground that it had always belonged to the Tekke Turkmans of Merv.

In 1878 an agreement† was arranged between the Turkish and Persian Governments respecting sanitary regulations to be observed by Persian pilgrims.

* Appendix No. XXI | † Appendix No. XXII

In 1880 a portocol was signed between Great Britain and Russia regarding the territory of Kotaur, in accordance with the 60th article of the treaty of Berlin, by which the lands in dispute were declared to belong to Persia and were therefore evacuated by the Turkish troops.

In the same year a Kurdish tribe, under a certain Shaikh Obaidulla, made an incursion over the Turko-Persian frontier and ravaged certain Persian villages. In 1881-82, on the Persian Government making urgent representations to the Porte, measures were taken to prevent the recurrence of these inroads, and the Shaikh was captured and banished to Medina.

In May 1889 the Persian Government complained of a Turkish attack on the village of Kadkhoda Ali, in the district of Khanikin, to which the Turkish Ambassador at Tehran replied by complaining of the occupation by Persians of lands at Vazneh on the Turko-Persian frontier, which he declared to be undoubtedly Turkish. Persia proposed the appointment of two engineers to decide as to the proprietary rights to Vazneh, but to this the Turkish Government did not agree. In July of the same year a Kurdish inroad took place at Abagir in the district of Urumia, which is equally claimed by both governments.

In January 1890 the Turkish Government stipulated that, before any agreement should be discussed respecting Vazneh, the lands in dispute should be evacuated by the Persians. In the month of April a protocol was drawn up by the Persian Government and submitted to the Porte for the settlement of the question, by which Persia agreed to evacuate the district pending the decision.

In 1882 a convention was concluded between Turkey and Persia which opens the route by Bask Kala Dilman, though maintaining at the same time the Khanikin route. It is durable for three years, and is renewable for further periods of three years so long as no objection is raised by either government.

On the 2nd of March 1882 a second slave-trade convention was signed between Great Britain and Persia abrogating the convention framed in 1851, giving British cruisers the right to search Persian vessels, and making arrangements respecting the disposal of slaves found and the punishment of the slavers (No. XXV).

In 1884 a convention was made regulating the overland postal arrangements between Turkey and Persia, and in 1890 a convention was signed establishing the transmission of parcels by post between the two countries.

In 1885 the cultivation of certain lands at Hashtadan on the Hari Rud frontier by Persians led to a protest from the Government of Afghanistan, the

Amir claiming the lands in question as part of his dominion. The British Government offered (by virtue of the 6th article of the treaty of Paris, 1857) to act as arbitrator between the two countries in the question at issue, and the offer having been accepted General MacLean, who was subsequently appointed to be Her late Majesty's Consul-General and Agent to the Governor General of India at Mashad, was deputed to act as arbitrator. In 1888 he proposed an arrangement * for the settlement of the disputed frontier, which was accepted by the two Governments. The demarcation was completed on the 24th of May 1891.

A concession for the construction of a railway from Tehran to Shah Abdul Azim was granted to the late Fabius Boital in 1886, and was ceded by him to the "Société anonyme des Chemins de fer et tramways en Perse" of Brussels in 1888.

A concession for the construction of tramways was granted to the late Fabius Boital in May 1888, and was ceded by him to the above mentioned "Société anonyme" of Brussels in the same year.

In 1888 the navigation of the river Karun was thrown open to the ships of all nations.†

In 1888 the New Oriental Bank Corporation opened a branch at Tehran and in other towns of Persia; and the Shah issued a proclamation‡ promising protection of their property to his subjects.

In the following year the Persian Government at length agreed to the appointment of foreign Consuls at Mashad, and the Russian and British Governments at once named Consuls-General there.

The famous Reuter Concession, which had been granted in 1872, and cancelled the following year after the Shah's return from Europe, was remodelled in 1889 and signed on the 30th January of that year at Tehran. Baron Reuter was accorded the grant for a term of 60 years of the Imperial Bank of Persia, which was established under a British Royal Charter in September 1889. Among other concessions were the issue of bank notes which should be a legal tender; the service of the treasury; and the rights of mining for iron, copper lead, mercury, coal, petroleum, borax and asbestos in all Persia. In the same year several minor concessions were granted.

A Belgian, M. Denis, holds several concessions for the manufacture of candles, sugar and glass (1889), and a concession for plaster lime and marble quarries, granted in 1890 for 50 years, within a radius of 35 miles round Tehran.

* Appendix No. XXIII.

† Appendix No. XXIV. ‡ Appendix No. XXV.

In 1890 Lazar Poliakoff of Moscow obtained a concession for the establishment of a "Transport and Insurance Company." This company acquired in 1892 the concession for the Enzeli-Kazvin road, and in 1894 that for the road from Kazvin to Hamadan. The former road was opened for traffic in 1899, the latter in 1905. In 1897 the company purchased the Kazvin-Tehran road, which the Persian Government had constructed in 1880, and acquired a concession for the construction of a quay, piers, etc., at Enzeli.

In 1890 a concession was also granted to an English company giving them the working and management of all the tobacco grown in Persia. The company commenced operations the following spring. At the end of 1891 a strong local agitation was aroused in opposition to this concession, and in January 1892 the Persian Government issued a decree putting an end to the whole tobacco monopoly and paid the company (Imperial Tobacco Corporation) ½ milion sterling, which was raised by a loan in London. The loan was redeemed in 1900.

In the year 1890 also a concession for a loan Bank and "Mont de Piété" was obtained by Jaques Poliakoff of Petersburg. Some years later this Bank became practically an agency of the Russian State Bank and changed its title to "Banque d'Escompte."

In 1890 the concession for a carriage road from Tehran to the south of Persia was purchased by the Imperial Bank of Persia and the work of constructing the road was at once taken in hand.

By a concession dated the 12th May 1895 the French Government obtained the exclusive right in perpetuity of searching for objects of antiquarian interest in Persia.

A concession for a road from Ahwaz to Ispahan was granted in 1897 to the Bakhtiari Chiefs. This road was completed in December 1899.

In 1898 the Imperial Bank of Persia obtained a supplementary article to its concession of 1890. Under the article the bank secured the concession for a road from Kum to Ispahan on the same terms as the original road concession. The entire concession, which includes the construction and working of the road from Tehran to Kum and Ispahan, and from the former to Ahwaz *viâ* Sultanabad, Dizful and Shuster, the extension of the latter from Ahwaz to Mohammerah, and the branch road from Burujird to Ispahan, was transferred by the bank to the Persian Transport Company in consideration of the payment by the latter company of £15,000 and the allotment of 10,000 fully paid up shares of £1 each.

In March 1899 a mining concession was granted to Russian capitalists for 70 years in the district of Karadagh in the province of Azarbaijan. The mines are said to contain coal, copper and lead. No work has begun yet (1906).

In 1901, with a view to securing uninterrupted communication between Europe and India, it was agreed (No. XXVI) between the British and Persian Governments that, in addition to the lines of telegraph already established in virtue of previous engagements, a line of three wires should be constructed by the Persian Government from Kashan to the Baluchistan frontier *viâ* Yezd and Karman.

A petroleum concession for 60 years was granted to Mr. William Knox D'Arcy of London in 1901 for all Persia except Gilan, Mazandaran, Khorasan, Azarbaijan and Astarabad. In the Chiah Surkh wells oil has been found in considerable quantities. The company are exploiting their concession.

In 1902 the Russians acquired a concession for a road running from Julfa on the Russian frontier to Tabriz and linking with Kazvin. In connection with this road the Russian Bank acquired a concession for working naptha and coal situated on each side of the road to a distance of 40 miles.

In 1902 a concession for electric lights for all Persia was given to the late Hakim-ul-Mulk, but nothing has yet been done to light Tehran by electricity.

In 1903 a concession for a road from Astara to Ardabil was granted to the Sherket Umimi. About 25 miles of this road, which is being constructed by a Persian company, have been completed.

The late Shah Muzufferuddin in April 1903 granted the Moayyer-el-Momalek, a Persian noble, a telephone monopoly in Persia for 60 years. By article VII of the concession he is empowered to dispose of his concession, but the concession circular of 1904 prohibits the sale without the permission of the Persian Government.

A Commercial Convention (No. XXVII) and tariff was signed between Great Britain and Persia in February 1903, and was ratified in May of the same year.

In 1904 the Sani-ed-Dowlah obtained a monopoly for running motor cars throughout Persia. This monopoly has been questioned so far as roads constructed by the Russian Finance Ministry are concerned on the ground that the concessionnaire's rights could not cancel rights previously conceded to them. The Sani-ed-Dowlah has acquiesced in this view.

In August 1905 a concession, was granted to the Sponge Exploration Syndicate of London, the members of which are believed to be Greeks, to fish for and exploit sponges in Persian waters from Fao to Gwetter. £1,000 was paid for the concession, and the Syndicate has agreed to pay a royalty of 50 francs for every 100 kilogrammes of sponges exported abroad or brought into Persia for sale. The concession is for 50 years.

SEISTAN.

The rival claims of Persia and Afghanistan to sovereignty over Seistan were for many years productive of disputes which more than once threatened a rupture of friendly relations between the two States. Seistan was in ancient times, and especially under the Safavian dynasty, a dependency of Persia. On the death of Nadir Shah it became an integral portion of the Durani empire founded by Ahmad Shah Abdali. On the dismemberment of the Durani empire, Seistan became dependent at one time on Herat, when that province was isolated from the rest of Afghanistan, with intervals of independence more or less prolonged, and at a later time still on Herat and Kandahar alternately. Although no interference was exercised by Persia in the internal administration of Seistan, the dissensions among the Barazai family led to the diminution of Afghan influence, and after the death of Kohandil Khan in 1855, Ali Khan Sarbandi, who had been installed by him some years previously as ruler of south-western Seistan, made overtures to Persia in the hope of enjoying a greater amount of independence under a power which from its distance would be less able to enforce obedience. Ali Khan was received with honour at Tehran, married a princess of the royal family, and returned to Seistan with an allowance of 4,000 tomans a year: a sum of 3,000 tomans a year was also bestowed on Ibrahim Khan of Chakansur, the principal Chief of northern Seistan, and the other Chiefs. In return for these subsidies the Chiefs undertook to prevent Baluch raiders from entering Persian territory. Towards the close of 1858 Ali Khan was assassinated by his nephew, Taj Muhammad, but the latter eventually expressed his willingness to continue his predecessor's engagements with Persia.

The sovereignty of Persia over Seistan was, however, never recognized by the British Government, and an intimation to that effect was conveyed to the Persian Government when, in 1862, the Shah claimed the execution of the 7th article of the treaty of 1857, on the ground of the alleged intention of Dost Muhammad Khan to require the submission of Seistan. In 1863 Persia, again apprehensive of an invasion of Seistan by Dost Muhammad Khan, who was then engaged in the expedition against Herat, was anxious to obtain an assurance that the British Government would not permit any

such invasion of Persian territory; but as the title to territory of Seistan was disputed, the British Government declined to interfere in the matter, and left it to both parties to make good their possession by force of arms.

Towards the end of 1865 an armed advance was made into Seistan by Persia with the alleged object of enabling Taj Muhammad to keep in check Baluch raiders who had committed depredations on Persian territory. In 1867 the dominion of Persia over the part of Seistan, south-west of the Helmand, was completed by the removal of Taj Muhammad, his brother and his uncle to Tehran. Thenceforward it was the aim of Persia to obtain possession of the territory of Ibrahim Khan of Chakansur, north of the Helmand; and Mir Alam Khan, the Persian Governor of Kain, succeeded in occupying the whole of Seistan proper; *i.e.*, the country lying between the Hamun on the north and west, and the Helmand, below the Kohak dam, on the east. During the civil wars, which after the death of Dost Muhammad Khan distracted Afghanistan, the progress of the Persians met with little opposition, but on the establishment of Amir Sher Ali Khan's power the Afghans found themselves in a position to retaliate, and raids on both sides of the border became of constant occurrence.

The Persian Government having expressed a wish for the good offices of the British Government in placing the relations of Persia with Afghanistan with regard to Seistan on a more satisfactory footing, the British Minister at Tehran was, under article 6 of the treaty of 1857, instructed to offer British arbitration on the question of the sovereignty and boundaries of the whole of Seistan on both sides of the river Helmand, on the basis of ancient right and present possession. The Shah eventually agreed that commissioners on the part of the British Government, Persia and Afghanistan, respectively, should meet in Seistan, where the two latter were to state and substantiate their claims; that if local enquiry should be necessary, the commissioners were to proceed to any point for that purpose and make a map of the districts; that when the British commissioner considered that nothing further could be done on the spot, the commissioners should proceed to Tehran, where the subject would be fully discussed with a view to its settlement, and the British Commissioner would state his opinion as arbitrator; that should either the Persian or Afghan Government not agree to this opinion, reference should be made to the British Government, whose decision should be final and binding on both governments. Accordingly, after some delay caused by the troubles in Afghanistan consequent on Muhammad Yakub Khan's rebellion, the commissioners met on the frontier in the early part of 1872, and the opinion of General Goldsmid, the British

commissioner, was delivered in the following August (see Afghanistan, Vol. XI). An appeal was preferred by the Persian Government, but eventually the decision of General Goldsmid was accepted unconditionally by the Shah and confirmed by the British Government.

In the winter of 1872 the petty Chiefs occupying the Persian portion of Seistan combined against the authority of the Persian Governor, Mir Alam Khan of Kain, and compelled him to retire from the country. As their grievances were ascertained to be real, Mir Alam Khan was replaced by another Governor; he was, however, re-appointed in December 1874. (See also Volume XI.)

Persian Baluchistan and Karman.

On the death of Sardar Din Muhammad Khan, Chief of Dashtyari, his eldest son, Abdi Khan, succeeded to the Chiefship and to the subsidy which the incumbent receives from the Indo-European Telegraph Department for the safety of the line in the vicinity of Charbar. This individual and his relations have frequently given trouble both to the Persian Government and the Telegraph Department, and in 1897 he was deported by the Persian Government to the interior, but was subsequently released. His brother, Mahmud, has now been made co-sharer in the telegraph subsidy, with satisfactory results.

The escape of fugitive Rind slaves to Gwadar and their deportation thence to Karachi for manumission, continued to give trouble to the political authorities, and threats, and even violence, were resorted to by the owners.

In 1896 and 1897 the inhabitants of Persian Baluchistan were evidently affected by the wave of fanaticism which was then passing over Islam, and the country remained in a very disturbed condition. Robbery and murder were rife and the unrest culminated in the murder of Mr. Graves, an Inspector of the Indo-European telegraph line, while travelling on duty in Persian Baluchistan, at his camp on the Rapch river. Enquiry proved that the murder was committed by Kerwani tribesmen, and the Durya Begi, Governor-General of Bushire, with the co-operation of the Resident, eventually succeeded in punishing several of the gang who were responsible for the outrage. One was shot, one publicly executed, and others imprisoned.

A commercial mission composed of private persons, but organised with the Government of India's support, visited south eastern Persia, travelling *viâ* Bundar Abbas, Karman, Yezd, Shiraz and Bushire, with the object of studying openings for British trade.

The following note contains a list of additional treaties concluded between Persia and other Foreign States, not already mentioned in the foregoing narrative. Copies of them are included among the appendices.—

In 1842 a Commercial Treaty was concluded between Persia and Spain for the mutual protection of traders and travellers in each other's territories. In 1872 a further treaty* was concluded confirming the stipulations of the above treaty and providing for the reciprocal appointment of a Consul and Commercial Agent.

On the 12th of July 1855 a Treaty of Friendship and Commerce † was signed between France and Persia.

On 13th December 1856 a Treaty of Friendship and Commerce ‡ was signed between Persia and the United States of North America.

On the 17th May 1857 a Treaty was signed between Persia and Austro-Hungary. §

On 3rd July 1857 a Treaty of Friendship and Commerce || was signed between the Netherlands and Persia.

In July 1857 a Treaty of Friendship and Commerce was signed between Persia and Belgium. ¶

On the 17th of November 1857 a Treaty of Friendship and Commerce ** was signed between Persia and Sweden and Norway.

On the 30th of November of the same year a Treaty of Friendship and Commerce was signed between Denmark and Persia. ††

On 28th October 1861 a Treaty ‡‡ of Friendship, Commerce, and Navigation was signed between Persia and Greece.

On the 24th of September 1862 a Treaty of Friendship, Commerce, and Navigation §§ was signed between Persia and Italy, to which was added an additional article having ||| reference to silkworms' eggs and cocoons.

In 1873 a Treaty ¶¶ of Commerce and Navigation was concluded between Persia and Germany, by which each nation agreed to place the subjects of the other on the footing of the most favoured nation, and to allow them to travel freely wherever they pleased. Provision was also made for defining the jurisdiction of the Consuls, whom, to the number of three, each nation might nominate in the territory of the other. By article 18 the German Government declared its readiness to lend its good offices, if requested by the Shah to do so, in bringing about the settlement of any dispute which might arise between Persia and her neighbours.

On the 23rd of July 1873 a Treaty of Friendship and Commerce *** was signed between Persia and Switzerland.

In 1876 a Postal Convention was signed between Persia and Austria-Hungary; and in January 1890 a Postal Order Convention was signed between Tunis and Persia.

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* Appendices Nos. XXVI and XXVII.
† Appendix No. XXVIII.
‡ Appendix No. XXIX.
§ Appendix No. XXX.
|| Appendix No. XXXI.
¶ Appendix No. XXXII.
** Appendix No. XXXIII.
†† Appendix No. XXXIV.
‡‡ Appendix No. XXXV.
§§ Appendix No. XXXVI.
||| Appendix No. XXXVII.
¶¶ Appendix No. XXXVIII.
*** Appendix No. XXXIX.

In 1877 a Treaty of Friendship, * since rendered inoperative by the conquest of the latter country, was concluded between the Shah and the King of Upper Burma.

In 1901 a Commercial Treaty (Tariff) was signed between Persia and Russia. †

In 1902 a Commercial Treaty was signed betwen Persia and the Argentine Republic. ‡

In 1902 a Commercial Treaty was signed between Persia and Mexico. §

In 1902 a Customs Convention was signed between Persia and Turkey. ||

In addition to the above treaties and conventions Persia has been a signatory or acceding party to the following International Engagements :—

The International Telegraph Convention signed at Paris, 17th May 1865 (State papers, Vol. LVI).

The International Telegraph Convention signed at Vienna on 21st July 1868 (State papers, Vol. LIX).

The declaration made on 11th of December 1868 respecting the non-employment in time of war of explosive projectiles under four hundred grammes, signed at St. Petersburg (State papers, Vol. LVIII).

The International Telegraph Convention signed at Rome on 14th January 1872 (State papers, Vol. LXVI).

The Geneva Convention of the 22nd of August 1864, respecting the wounded in armies in the field (State papers, Vol. LXX).

The International Telegraph Convention signed at St. Petersburg on the 22nd of July 1875 (State papers, Vol. LXVI).

On 18th August 1877 Persia declared her accession to the General Postal Union Treaty signed at Berne on 9th October 1874.

On the 15th of August 1878 Persia acceded to the Universal Postal Union of Paris of 1st June 1878, as amended by the additional article of 21st March 1885 (State papers, Vol. LXIX).

Exchange of postal parcels without declaration of value, signed on 3rd November 1880 (State papers, Vol. LXXI).

On 14th March 1884 the declaration for the protection of submarine cables was signed by the Persian Plenipotentiary, but was not ratified by the Shah (Hertslet's Treaties, Vol. XVII).

Persia signed the additional article to the Universal Postal Union Convention of 1st June 1878, at Lisbon (Hertslet's Treaties, Vol XVII).

* Appendix No. XL.
† Appendix No. XLI.
‡ Appendix No. XLII.
§ Appendix No. XLIII.
|| Appendix No. XLIV.

No. I.

ARTICLES of AGREEMENT made with SHAIK SADOON, of BUSHIRE, the 12th April 1763.

ARTICLE 1.

No customs or duties to be collected on goods imported or exported by the English: and, in like manner, only three per cent. to be taken from the merchants who buy or sell to the English.

ARTICLE 2.

The importation and sale of woollen goods to be solely in the hands of the English; and if any person whatever attempts to bring woollen goods clandestinely, it shall be lawful for the English to size them. This Article to take place in four months from date hereof.

ARTICLE 3.

No European nation whatever is to be permitted to settle at Bushire so long as the English continue a factory here.

ARTICLE 4.

The brokers, linguists, servants, and others of the English are to be entirely under the protection and Government of the English; nor is the Shaik, or his people, in any shape to molest them, or interfere in their affairs.

ARTICLE 5.

In case any of the inhabitants become truly indebted to the English and refuse payment, the Shaik shall oblige them to give the English satisfaction.

ARTICLE 6.

The English to have such a spot of ground as they may pitch upon for erecting a factory, and proper conveniences for carrying on their commerce, to be built at the Shaik's expense. They are to hoist their colours upon it and have twenty-one guns for saluting.

ARTICLE 7.

A proper spot of ground to be allotted the English for a garden, and another for a burying ground.

ARTICLE 8.

The English, and those under their protection, not to be impeded in their religion.

ARTICLE 9.

Soldiers, sailors, servants, slaves, and others belonging to the English, who may desert, are not to be protected or entertained by the Shaik or his people, but, *bonâ fide*, secured and returned.

ARTICLE 10.

In case any English ships sell to or buy from the country merchants apart from the factory, a due account thereof is to be rendered to the English Chief for the time being, for which purpose one of his people is to attend at the weight and delivery of all goods so sold, which is to be done at the public Custom House.

ARTICLE 11.

If through any accident an English vessel should be drove on shore in the country belonging to the Shaik, they shall not in any respect be plundered; but, on the contrary, the Shaik shall afford the English all the assistance in his power for saving them and their effects, the English paying them for their trouble.

ARTICLE 12.

The Shaik shall not permit his subjects to purchase any goods from English vessels in the road, but only on shore.

The Seal of Shaik Sadoon.

ROYAL GRANT from KAREM KHAN, KING of PERSIA, 1763.

The Great God having, of his infinite mercy, given victory unto Karem Khan, and made him Chief Governor of all the kingdoms of Persia, and established under him the peace and tranquillity of the said kingdoms, by means of his victorious sword, he is desirous that the said kingdoms should flourish and re-obtain their ancient grandeur by the increase of trade and commerce, as well as by a due execution of justice.

Having been informed that the Right Worshipful William Andrew Price, Esq., Governor-General for the English nation in the Gulf of Persia, is

arrived with power to settle a factory at Bushire, and has left Mr. Benjamin Jervis, Resident, who, by directions from the said Governor-General, has sent unto me Mr. Thomas Durnford and Stephen Hermit, linguist, to obtain a grant of their ancient privileges in these kingdoms, I do, of my free will and great friendship for the English nation, grant unto the said Governor-General, in behalf of his king and Company, the following privileges, which shall be inviolably observed and held sacred in good faith:—

That the English Company may have as much ground, and in any part of Bushire, they choose to build a factory on, or at any other port in the Gulf. They may have as many cannon mounted on it as they choose, but not to be larger than six pounds bore; and they may build factory houses in any part of the kingdom they choose.

No customs shall be charged the English on any goods imported or exported by them at Bushire, or any other port in the Gulf of Persia, on condition that at no time they import or export other persons' goods in their names. They may also send their goods customs free all over the kingdom of Persia; and on what goods they sell at Bushire, or elsewhere, the Shaik, or Governor, shall only charge the merchants an export duty of three per cent.

No other European nation, or other persons, shall import any woollen goods to any port on the Persian shore in the Gulf, but the English Company only; and should any one attempt to do it clandestinely, their goods shall be seized and confiscated.

Should any of the Persian merchants, or others, become truly indebted to the English, the Shaik, or Governor of the place, shall oblige them to pay it; but should he fail in his duty herein the English Chief may do his own justice and act as he pleases with the debtors to recover what owed him or them.

In all the kingdom of Persia the English may sell their goods to and buy from whomever they judge proper; nor shall the Governor, or Shaik, of any ports or places, prevent their importing or exporting any goods whatever.

When any English ship or ships arrive at any ports in the Gulf of Persia, no merchants shall purchase from them clandestinely, but with the consent and knowledge of the English Chief there resident.

Should any English ship or vessel be drove on shore, unfortunately wrecked, or otherwise lost in any part of the Gulf of Persia, the Shaiks, or Governors of the adjacent places, shall not claim any share of the said wrecks, but shall assist the English, all in their power, in saving the whole or any part of the vessel or cargo.

The English, and all those under their protection, in any part of the kingdom of Persia, shall have the free exercise of their religion, without molestation from any one.

Should soldiers, sailors or slaves desert from the English in any part of Persia, they shall not be protected or encouraged, but, *bonâ fide*, delivered up, but not be punished for the first or second offence.

Wherever the English may have a factory in Persia their linguist, brokers, and all their other servants, shall be exempt from all taxes and impositions whatever, and under their own command and justice, without any one interfering therein.

Wherever the English are they shall have a spot of ground allotted them for a burying ground; and if they want a spot for a garden, if the king's property, it shall be given them *gratis*; if belonging to any private person, they must pay a reasonable price for it.

The house that formerly belonged to the English Company at Schyrash, I now re-deliver to them, with the garden and water thereto belonging.

ARTICLES desired by the KHAN, 1763.

That the English, according to what was formerly customary, shall purchase from the Persian merchants such goods as will answer for sending to England or India, provided they and the Persians shall agree on reasonable prices for the same, and not export from Persia the whole amount of their sales in ready money, as this will impoverish the kingdom and in the end prejudice trade in general.

That the English, wherever they are settled, shall not maltreat the Mussulmen.

What goods are imported by the English into Persia they shall give the preference in sale of them to the principal merchants and men of credit.

The English shall not give protection to any of the king's rebellious subjects, nor carry them out of the kingdom, but deliver any up that may desert to them, who shall not be punished for the first or second offence.

The English shall at no time, either directly or indirectly, assist the king's enemies.

All our Governors of provinces, sea-ports, and other towns are ordered to pay strict obedience to these our orders, on pain of incurring our displeasure, and of being punished for their disobedience or neglect.

Dated in Schyrash, the 23rd of Seerhoja 1176, or the 2nd of July 1763.

No. II.

TRANSLATION of a FIRMAN from JAFFIR KHAN, 1788.

In the name of the Almighty and Glorious God!

This is exalted Firmana.

After compliments.—And as we are always desirous that the merchants and Cofilas, who have occasion to pass backwards and forwards in our dominions, should do so in safety, that they should sleep in the cradle of security

and confidence, and that they should transact all their business, as far as in us lies, without trouble or vexation—

Therefore the high, exalted Firmana has been issued forth, containing the strictest mandates to all Governors and Commanders of our towns and castles, to all our Sirdars, and to all Riotdars, who receive customs on the roads, that they do show every favour to all persons employed by the English nation in our dominions for the purpose of merchandize, whether it be for importation or exportation, and that they be constantly vigilant in protecting them and moreover that these our above-mentioned servants, upon no account or pretence whatsoever, require any customs, presents or money from the Agents of the English nation, but that it may so happen that from a confidence in us, and from a full persuasion of not receiving any insult or vexation, they, the English, may be induced to pass backwards and forwards and to trade in our dominions. And whenever they shall have disposed of the goods and merchandize which they may import for sale, they shall have full liberty to make their returns according to their own wishes.

And it is therefore necessary that our most honoured friend, the English Balios at Bussora, should perfectly understand that in this way our favour is equal in magnitude to whatever he can hope or desire, and it is moreover necessary that in order to make trial thereof he should encourage his nation to trade into Persia, and he has again our word that they shall do so in the fullest and most perfect security.

Again, whatever goods or merchandize the English nation shall import for sale there shall be no restrictions put upon the sale thereof, but after their Agents shall have completed the sales and fulfiled the design of their journey, they shall have every protection granted them on their return, and again upon our royal word there shall be no impositions laid upon them; for if ever, heretofore, there has been any impositions or vexations practised upon the English nation in Persia, it is our will that from this day they be abolished and forgotten.

And being persuaded of the sincerity of our most honoured friend the Balios, we accept of his offer of services and request of him to purchase immediately such rarities as are procurable at Bussora, favouring us at the same time with the amount cost thereof, in order that we may order the same to be repaid to the person who shall be sent with them.

Let our friend, therefore, on all occasions rest satisfied of our favour and protection. Let him on all occasions make known to us his wishes and wants, and let the above for ever remain a compact between us.

Written on the eighth of the second month of Rabbee, in the year of Hijiree one thousand two hundred and two, answering the 18th January 1788.

The refuge of supplicants Jaffir, the son of Mahomed Saduck.

No. III.

TRANSLATION of a FIRMAN from FUTTEH ALI SHAH, KING of PERSIA, and of an annexed TREATY concluded by HAJEE IBRAHEEM KHAN, PRIME MINISTER, on the part of the KING OF PERSIA, by whom he was fully empowered, and by CAPTAIN JOHN MALCOLM, on the part of the ENGLISH GOVERNMENT, by virtue of powers delegated to him for that purpose by the MOST NOBLE THE MARQUIS WELLESLEY, K.P., GOVERNOR-GENERAL of INDIA, &c., &c., &c., 1801.

FIRMAN

In the name of the beloved and Great God!

The King of Persia's Seal.

The earth is the Lord's. Our august commands are issued, that the high in rank, the exalted in station, the great rulers, officers, and writers of the ports, sea coasts, and islands of the provinces of Fars and Khoozistaun, do consider themselves as particularly honoured and advanced by the royal favour; and whereas, at this period, the foundations of union and friendship have been cemented, and the habits of amity and intercourse have been increased between the ministers of the Persian State, of eternal duration, and the ministers of the high government of the refulgent sun of the sky of royalty, greatness, and eminence, the sovereign of the countries of England and India; and as various engagements and Treaties, calculated for duration and permanence, and for mutual good understanding, have been contracted, therefore this command from the Palace of Glory, requiring obedience, has been proclaimed, that you, high in rank, do cheerfully comply and execute the clear sense and meaning of what has been established; and should ever any person of the French nation attempt to pass your ports or boundaries, or desire to establish themselves either on the shores or frontiers, you are to take means to expel and extirpate them, and never to allow them to obtain a footing in any place, and you are at full liberty and authorised to disgrace and slay them. You are to look upon it as your duty to aid and act in a friendly manner to all traders, merchants, and men of rank of the English nation; all such you are to consider as possessing the favour of the king; and you must act in conformity to the conditions of the annexed Treaty that has been concluded between the trustworthy of the high State, the bracelet of the graceful government

Hajee Ibrahim Khan and the high in rank, Captain John Malcolm. View this as an obligation.

Dated the 12th of Shaban, in the year of the Hegira 1215, corresponding with the_____of January A.D. 1801.

Sealed in the usual form, on the back of the Firman, by the following ministers:—

Seal of Hajee Ibrahim Khan.		Seal of Mirza Shuffee.
Seal of Mirza Reza Kouli.		Seal of Mirza Asfud Oollah.
Seal of Mirza Reezy.		Seal of Mirza Ahmud.
Seal of Mirza Mortiza Kouli.	Seal of Mirza Yusoof.	Seal of Mirza Fuzullah.

Treaty annexed.

Preamble.—Praise be unto God, who said, "Oh you who believe, perform your contracts, perform your covenants with God, when you enter into covenant with him, and violate not your engagements after the ratification thereof." After the voice is raised to the praise and glory of the God of the world, and the brain is perfumed with the scent of the saints and prophets (to whom be health and glory), whose rare perfections are perpetually chaunted by birds of the melodious notes,* furnished with two, three, and four pairs of wings, and to the highest seated in the heavens, for whom good has been predestinated, and the perfume mixed with musk, which scenteth the celestial mansions of those that sing hymns in the ethereal sphere, and to the light of the flame of the Most High, which gives irradiated splendour to the collected view of those who dwell in the heavenly regions, the clear meaning of (the Treaty) which has been established on a solid basis is fully explained in this page, and it is fixed as a prescription of law that in this world of existence and trouble, and in this universe of creation and concord, there is no action among those

* Metaphorically, Angels.

of mankind that tends more to the perfection of the human race, or to answer the end of their being and existence than that of cementing friendship and of establishing intercourse, communication, and connexion between each other. The image reflected from the mirror of accomplishment is a tree fruitful and abundant, and one that produces good both now and hereafter. To illustrate the allusions that it has been proper to make and to explain these metaphors, worthy of exposition at this happy period of auspicious aspect, a Treaty has been concluded between the high in dignity and the exalted in station, attended by fortune, of great and splendid power, the greatest among the high viziers, in whom confidence is placed, the faithful of the powerful government, the adorned with greatness, power, glory, splendour, and fortune, Hajee Abrahim Khan, on being granted leave, and vested with authority from the port of the high king, whose court is like that of Solomon, the asylum of the world, the sign of the power of God, the jewel in the ring of kings, the ornament in the cheek of eternal empire, the grace of the beauty of sovereignty and royalty, the king of the universe, like Caherman of the mansion of mercy and justice, the phœnix of good fortune, the eminence of never-fading prosperity, the king powerful as Alexander, who has no equal among the princes exalted to majesty by the heavens in this globe, a shade from the shade of the Most High, a khooroo, whose saddle is the moon and whose stirrup is the new moon, a prince of great rank, before whom the sun is concealed.

(ARABIC VERSE.)

"Thy benevolence is universally dispensed; everywhere drops are scattered. Thy kindness shadows cities; may God fix firm the basis of thy dominion, and may God fix and extend thy power over the servants of the Almighty!" And the high in dignity, the great and able in power, the adorner of those acquainted with manners, Captain John Malcolm (delegated from the sublime quarter of the high in power, seated on a throne, the asylum of the world, the chief jewel in the crown of royalty and sovereignty, the anchor of the vessel of victory and fortune, the ship on the sea of glory and empire, the blazing sun in the sky of greatness and glory, lord of the countries of England and India, may God strengthen his territories and establish his glory and commands upon the seas!), in the manner explained in his credentials, which are sealed with the seal of the most powerful and most glorious, possessing fortune, the origin of rank, splendour, and nobility, the ornament of the world, the completer of the works of mankind, the Governor-General of India.

This Treaty between these two great States shall be binding on race after race, and the two governments must ever, while the world exists, act in conformity to what is now settled.

ARTICLE I.

As long as the sun, illuminating the circle of the two great contracting powers, shines on their sovereign dominions and bestows light on the whole

world, the beautiful image of excellent union shall remain fixed on the mirror of duration and perpetuity, the thread of shameful enmity and distance shall be cut, conditions of mutual aid and assistance between the two States shall be instituted, and all causes of hatred and hostility shall be banished.

ARTICLE 2.

If the king of the Afghans should ever show a resolution to invade India, which is subject to the government of the monarch (above mentioned) the prince of high rank, the king of England, an army overthrowing mountains, furnished with all warlike stores, shall be appointed from the State of the conspicuous and exalted, high and fixed in power (the king of Persia), to lay waste and desolate the Afghan dominions, and every exertion shall be employed to ruin and humble the above mentioned nation.

ARTICLE 3.

Should it happen that the king of the Afghans ever becomes desirous of opening the gates of peace and friendship with the government of the king (of Persia), who is in rank like Solomon, in dignity like Jumsheed, the shade of God! who has bestowed his mercy and kindness on the earth; when negotiations are opened for an amicable adjustment, it shall be stipulated in the peace concluded that the king of the Afghans, or his armies, shall abandon all design of attack on the territories subject to the government of the king above mentioned, who is worthy of royalty, the king of England.

ARTICLE 4.

Should ever any king of the Afghans or any person of the French nation commence war and hostilities with the powerful of the ever enduring State (of the king of Persia), the rulers of the government of the king (of England), whose Court is like heaven, and who has been before mentioned, shall (on such event) send as many cannon and warlike stores as possible, with necessary apparatus, attendants, and inspectors, and such supply shall be delivered over at one of the ports of Persia, whose boundaries are conspicuous, to the officers of the high in dignity, the king of Persia.

ARTICLE 5.

Should it ever occur that an army of the French nation, actuated by design and deceit, attempts to settle with a view of establishing themselves on any of the islands or shores of Persia, a conjunct force shall be appointed by the two high contracting States to act in co-operation for their expulsion and extirpation, and to destroy and put an end to the foundation of their treason. It is a condition, if such event happens, and the conquering troops (of Persia) march, that the officers of the government of the king (of England), who is powerful as the heavens and as before mentioned, shall

load, transport, and deliver (for their service) as great a quantity of necessaries, stores, and provisions as they possibly can. And if ever any of the great men of the French nation express a wish or desire to obtain a place of residence or dwelling on any of the islands or shores of the kingdom of Persia that they may there raise the standard of abode or settlement, such request or representation shall not be consented unto by the high in rank of the State encompassed with justice (the government of Persia), and leave for their residing in such a place shall not be granted.

While time endures, and while the world exists, the contents of this exalted Treaty shall remain an admired picture in the mirror of duration and perpetuity, and submission to the fair image on this conspicuous page shall be everlasting.

Seal of Hajee Ibrahim Khan.

Seal of Captain John Malcolm.

(Sd.) JOHN MALCOLM, *Envoy.*

No. IV.

TRANSLATION of a FIRMAN from FUTTEH ALI SHAH, KING of PERSIA, and of an annexed TREATY concluded by HAJEE IBRAHIM KHAN, PRIME MINISTER, on the part of the KING of PERSIA, by whom he was fully empowered, and by CAPTAIN JOHN MALCOLM, on the part of the ENGLISH GOVERNMENT, by virtue of powers delegated to him for that purpose by the MOST NOBLE the MARQUIS WELLESLEY, K.P., GOVERNOR-GENERAL of INDIA, &c., &c., 1801.

In the name of the beloved and great God!

The King of Persia's Seal.

The earth is the Lord's. Our august commands are issued that the high in dignity, the exalted in station, the refuge of power and glory, the noble and great in authority, the Chiefs of high nobles, the Beglebergs, the Hakims, and Naibs, and Mootasedees of the kingdom under our protection (who are raised by our royal favour) become acquainted that at this period the dignified and eminent in station, the prudent, able and penetrating, the greatest of the exalted followers of the Messiah, Captain John Malcolm, deputed from a glorious quarter (from the government of the king of England) whose Court resembles the firmament, and emperor in dignity like Alexander prossessing the power of the globe, and from the repository of glory, greatness, and ability, endowed with nobility, power

and justice (the Governor General of the kingdom of Hindoostan), for the purpose of establishing union and friendship between the two great States, has arrived at our threshold, founded on justice, and has been honoured by admission to our royal presence of conspicuous splendour, and has expressed a desire that the foundations of amity and union should be laid between the two States, that they should be connected together in the bonds of friendship and harmony, and that a constant union and reciprocal good understanding should exist. We, from our august selves, have given our consent and have granted the request and desires of the high in rank above mentioned, and a treaty, sealed with the seal of the minister* of our ever-enduring government has been given to him; and, you, exalted in station, are positively enjoyed of the necessity (after you become informed of our royal and august order) for all of you acting in strict conformity with the conditions of the Treaty concluded and exchanged between the high in rank, the exalted in station, the great and glorious in power, near to the throne, in whom the royal confidence is placed, Hajee Ibrahim Khan, and the high in rank, the envoy (Captain John Malcolm), whose titles have been before enumerated. Let no one act contrary to this high command, or to the contents of the annexed Treaty; and should it ever be represented to us that any of the great nobles conduct themselves in opposition to the stipulations of this Treaty, or are in this respect either guilty or negligent, such will incur our displeasure and punishment, and be exposed to our royal anger, which is like fire, and let them view this as an obligation.

Dated in the month of Shaban, in the year of the Hegira, 1215, corresponding with the month of January A. D. 1801.

Sealed, in the usual form, on the back of the Firman, by the following ministers:—

Seal of Hajee Ibrahim Khan.

Seal of Mirza Shuffee.

Seal of Mirza Reza Kouli.

Seal of Mirza Assudoolah.

Seal of Mirza Reezy.

Seal of Mirza Ahmud.

Seal of Mirza Moortiza Kouli.

Seal of Mirza Yosuf.

Seal of Mirza Fuzullah.

* Literally, one in whom confidence is placed.

Treaty Annexed.

Preamble.—Praise be to God, who has said "perform your covenant, for the performance of your covenant shall be enquired into hereafter."

As establishing the obligations of friendship between all mankind is a charge from the Almighty and is a most laudable and excellent institution, and as the Creator is pleased, and the happiness and tranquillity of His creatures consulted by it, therefore, at this happy period of auspicious aspect, a Treaty has been concluded between the high in dignity, the exalted in station, attended by fortune, of great and splendid power, the greatest amongst the high viziers, in whom confidence is placed, the faithful of the powerful government, the adorned with greatness, power, glory, splendour, and fortune, Hajee Ibrahim Khan, on being granted leave and vested with authority from the port of the high king, whose court is like that of Solomon's, the asylum of the world, the sign of the power of God, the jewel in the ring of kings, the ornament in the cheek of the eternal empire, the grace of the beauty of sovereignty and royalty, the king of the universe, like Caherman, the mansion of mercy and justice, the phœnix of good fortune, the eminence of never-fading prosperity, the king powerful as Alexander, who has no equal among the princes, exalted to majesty by the heavens in this globe, a shade from the shade of the Most High, a Khooroo, whose saddle is the moon, and whose stirrup is the new moon, prince of great rank, before whom the sun is concealed.

(ARABIC VERSE.)

"Thy benevolence is universally dispensed, everywhere drops are scattered. Thy kindness shadows cities, may God fix firm the basis of the dominion!" And the high in dignity, the great and able in power, the adorner of those acquainted with manners, Captain John Malcolm (delegated from the sublime quarter of the high in power, seated on a throne, the asylum of the world, the chief jewel in the crown of royalty and sovereignty, the anchor of the vessel of victory and fortune, the ship on the sea of glory and empire, the blazing sun in the sky of greatness and glory, Lord of countries of England and India, may God strengthen his territories and establish his glory and command upon the seas), in the manner explained in his credentials which are sealed with the seal of the most powerful and most glorious, possessing fortune, the origin of rank, splendour, and nobility, the ornament of the world, the completer of the works of mankind, the Governor General of India. This Treaty between these two great powers shall be binding on race after race, and the two Governments must ever, while the world exists, act in conformity to what is now settled.

ARTICLE I.

The merchants of the high contracting States are to travel and carry on their affairs in the territories of both nations in full security and confidence, and the rulers and governors of all cities are to consider it their duty to protect from injury their cattle and goods.

ARTICLE 2.

The traders and merchants of the kingdom of England or Hindoostan that are in the service of the English Government shall be permitted to settle in any of the seaports or cities of the boundless empire of Persia (which may God preserve from calamity) that they prefer; and no government duties, taxes, or requisitions shall ever be collected on any goods that are the actual property of either of the governments; the usual duties on such to be taken from purchasers.

ARTICLE 3.

Should it happen that either the person or property (of merchants) are injured or lost by thieves or robbers, the utmost exertions shall be made to punish the delinquents and recover the property. And if any merchant or trader of Persia evades or delays the payment of a debt to the English Government, the latter are authorized to use every possible mode for the recovery of their demands, taking care to do so in communication and with the knowledge of the ruler or governor of the place, who is to consider it as his duty to grant, on such occasion, every aid in his power. And should any merchants of Persia be in India, attending to their mercantile concerns, the officers of the English Government are not to prevent them carrying on their affairs, but to aid and favour them, and the above-mentioned merchants are to recover their debts and demands in the mode prescribed by the customs and laws of the English Government.

ARTICLE 4.

If any person in the empire of Persia die indebted to the English Government, the ruler of the place must exert his power to have such demand satisfied before those of any other creditor whatever. The servants of the English Government, resident in Persia, are permitted to hire as many domestic natives of that country as are necessary for the transaction of their affairs; and they are authorised to punish such, in cases of misconduct, in the manner they judge most expedient, provided such punishment does not extend to life or limb; in such cases the punishment to be inflicted by the ruler or governor of the place.

ARTICLE 5.

The English are at liberty to build houses and mansions in any of the ports or cities of Persia that they choose, and they may sell or rent all such houses or mansions at pleasure. And should ever a ship belonging to the English Government be in a damaged state in any of the ports of Persia, or one of Persia be in that condition in an English harbour, the Chiefs and rulers of the ports and harbours of the respective nations are to consider it as their duty to give every aid to refit and repair vessels so situated. And if it happens that any of the vessels of either nation are sunk or shipwrecked in or near the ports or shores of either country, on such occasions whatever part of the property is recovered shall be restored to their owners or their heirs, and a just hire is to be allowed by the owner to those who recover it.

FINAL ARTICLE.

Whenever any native of England or India, in the service of the English Government, resident in Persia, wishes to leave that country, he is to suffer obstruction from no person, but to be at full liberty to do so, and to carry with him his property.

The Articles of the Treaty between the two States are fixed and determined. That person who turns from God turns from his own soul.

Seal of Hajee Ibrahim Khan.

Seal of Captain John Malcolm.

(Sd.) JOHN MALCOLM, *Envoy.*

Additional Article.

It is further written in sincerity that on iron, lead, steel, broadcloth, and purpetts that are exclusively the property of the English Government, no duties whatever shall be taken from the sellers; a duty not exceeding one per cent. to be levied upon the purchasers. And the duties, imports, and customs which are at this period established in Persia and India (on other goods) are to remain fixed and not to be increased.

The high in rank Hajee Kulleel Khan Mullick-oo-Tijjar is charged and entrusted with the arrangement and settlement of the remaining points relative to commerce.

Seal of Hajee Ibrahim Khan.

Seal of Captain John Malcolm.

(Sd.) JOHN MALCOLM, *Envoy.*

No V.

PRELIMINARY TREATY CONCLUDED by SIR HARFORD JONES with the SHAH of PERSIA in 1809.

In the name of Him who is ever necessary, who is all sufficient, who is everlasting, and who is the only Protector.

In these times distinguished by felicity, the excellent ambassador Sir Harford Jones, Baronet, Member of the Honourable Imperial Ottoman Order of the Crescent, has arrived at the royal city of Teheran in quality of ambassador from His Majesty the King of England (titles), bearing His Majesty's

credential letter, and charged with full powers munited with the Great Seal of England empowering him to strengthen the friendship and consolidate the strict union subsisting between the high States of England and Persia. His Majesty the King of Persia (titles), therefore, by a special Firman delivered to the said ambassador, has appointed the most excellent and noble Lords, Mirza Mahomed Sheffee, qualified with the title of Mcatemmed-ed-dowlah, his first vizier, and Hajee Mahomed Hossein Khan, qualified with the title of Ameen-ed-dowlah, one of the ministers of Record, to be his plenipotentiaries to confer and discuss with the aforesaid ambassador of his Britannic Majesty all matters and affairs touching the formation and consolidation of friendship, alliance, and strict union between the two high States, and to arrange and finally conclude the same for the benefit and advantage of both kingdoms. In consequence whereof, after divers meetings and discussions, the aforesaid plenipotentiaries have resolved that the following Articles are for the benefit and advantage of both the high States, and hereafter to be accordingly for ever observed: —

ARTICLE 1.

That as some time will be required to arrange and form a definite Treaty of alliance and friendship between the two high States, and as the circumstances of the world make it necessary for something to be done without loss of time, it is agreed these Articles, which are to be regarded as preliminary, shall become a basis for establishing a sincere and everlasting definite Treaty of strict friendship and union. And it is agreed that the said definitive Treaty, precisely expressing the wishes and obligations of each party, shall be signed and sealed by the said plenipotentiaries and afterwards become binding on both the high contracting parties.

ARTICLE 2.

It is agreed that the preliminary Articles formed with the hand of truth and sincerity shall not be changed or altered, but there shall arise from them a daily increase of friendship, which shall last for ever between the two most serene kings, their heirs, successors, their subjects, dominions, provinces, and countries.

ARTICLE 3.

His Majesty the King of Persia judges it necessary to declare that from the date of these preliminary Articles, every Treaty or agreement he may have made with any one of the powers of Europe becomes null and void, and that he will not permit any European force whatever to pass through Persia, either towards India, or towards the ports of that country.

ARTICLE 4.

In case any European forces have invaded or shall invade the territories of His Majesty the King of Persia, His Britannic Majesty will afford to His Majesty the King of Persia a force, or in lieu of it, a subsidy with

warlike ammunition, such as guns, muskets, &c., and officers to the amount that may be to the advantage of both parties for the expulsion of the force so invading, and the number of these forces, or the amount of the subsidy, ammunition, &c., shall be hereafter regulated in the definitive Treaty. In case His Majesty the King of England should make peace with such European power, His Britannic Majesty shall use his utmost endeavours to negociate and procure a peace between His Persian Majesty and such power. But if, which God forbid, His Britannic Majesty's efforts for this purpose should fail of success, then the forces or subsidy, according to the amount mentioned in the definitive Treaty, shall still continue in the service of the King of Persia as long as the said European forces shall remain in the territories of His Persian Majesty, or until peace is concluded between His Persian Majesty and the said European power. And it is further agreed that in case the dominions of His Britannic Majesty in India are attacked or invaded by the Afghans or any other power, His Majesty the King of Persia shall afford a force for the protection of the said dominions according to the stipulations contained in the definitive Treaty.

ARTICLE 5.

If a detachment of British troops has arrived from India in the Gulf of Persia, and by the consent of His Persian Majesty landed on the Island of Carrack, or at any of the Persian ports, they shall not in any manner possess themselves of such places, and from the date of these preliminary Articles the said detachment shall be at the disposal of His Majesty the King of Persia, the amount of which shall be settled in the definitive Treaty.

ARTICLE 6.

But if the said troops remain by the desire of His Majesty the King of Persia either at Carrack or any other port in the Gulf of Persia, they shall be treated by the Governor there in the most friendly manner, and orders shall be given to all the Governors of Faristan that whatever quantity of provisions, &c., may be necessary shall, on being paid for, be furnished to the said troops at the fair prices of the day.

ARTICLE 7.

In case war takes place between His Persian Majesty and the Afghans, His Majesty the King of Great Britain shall not take any part therein, unless it be at the desire of both parties, to afford his mediation for peace.

ARTICLE 8.

It is acknowledged the intent and meaning of these preliminary Articles are defensive. And it is likewise agreed that as long as these preliminary Articles remain in force, His Majesty the King of Persia shall not enter into any engagements inimical to His Britannic Majesty or pregnant with injury or disadvantage to the British territories in India.

This Treaty is concluded by both parties in the hope of its being everlasting, and that it may be productive of the most beautiful fruits of friendship between the two most serene Kings.

In witness whereof we, the said plenipotentiaries, have hereunto set our hands and seals, in the royal city of Teheran, this twelfth day of March, in the year of our Lord one thousand eight hundred and nine, answering to the 25th of Moharem-il-Haram, in the year of the Hegira one thonsand two hundred and twenty-four.

MAHOMED SHEFFEE. L. S.

MAHOMED HOSSEIN. L. S.

HARFORD JONES. L. S.

FORM of HIS MAJESTY FUTTEH ALI SHAH'S ratification of the PRELIMINARY TREATY with ENGLAND.

This auspicious and noble document is the preliminary Treaty which was concluded between the ministers of the two great States and sent (to England) by the high in family Mirza Abul Hossein Khan. At present our sincere well-wisher Sir Gore Ouseley, Baronet, ambassador extraordinary from that great State (England), has brought a copy of the said Treaty ratified by, and sealed with the seal, resplendent like the sun, of our brother the pearl of royalty, in dignity above the planets, the King of England and Hindoostan, and presented it to our auspicious view. We also by these presents have ratified and approved of the said preliminary Treaty and have affixed our prosperous seal to the same; and the Articles agreed to therein are of that nature which will be fully explained in the definitive Treaty.

No. VI.

DEFINITIVE TREATY concluded by SIR GORE OUSELEY with the SHAH of PERSIA in 1812.

Praise be to God, the All-perfect and All-sufficient

These happy leaves are a nosegay plucked from the thornless garden of concord and tied by the hands of the plenipotentiaries of the two great States in the form of a definitive Treaty, in which the Articles of friendship and amity are blended.

Previously to this period the high in station, Sir Harford Jones, Baronet, envoy extraordinary from the English Government, came to this Court to form an amicable alliance, and in conjunction with the plenipotentiaries of Persia, their Excellencies (titles) Mirza Mahomed Sheffee and Haji Mahomed Hossein Khan concluded a preliminary Treaty, the particulars of which were to be detailed and arranged in a definitive Treaty.

At this time the high in dignity and loyal well wisher (titles) His Excellency Sir Gore Ouseley, Baronet, appointed by His Britannic Majesty ambassador extraordinary to this Court, has arrived invested with full powers to conclude a definitive Treaty between the two illustrious monarchs.

The plenipotentiaries of this Court, in conjunction with His Excellency Sir Gore Ouseley, Baronet, having consulted on the terms most advisable for this alliance, have comprised them in the twelve adjoining Articles. What relates to commerce, trade and other affairs will be drawn up and concluded in a separate commercial Treaty :—

ARTICLE 1.

The Persian government judge it incumbent on them, after the conclusion of this definitive Treaty, to declare all alliances formerly contracted with European States null and void, and hold themselves bound not to allow any European army to enter the Persian territory, nor to proceed towards India, nor to any of the ports of that country, and also engage not to allow any individuals of such European nations whatever to enter Persia. Should any of the European powers wish to invade India by the road of Kharizen, Taturistan, Bokhara, Samarkand or other routes, His Persian Majesty engages to induce the kings and governors of those countries to oppose such invasion as much as is in his power, either by the fear of his arms or by conciliatory measures.

ARTICLE 2.

In case of any European nation invading Persia, should the Persian government request the assistance of the English, the Governor General of India, on the part of Great Britain, shall comply with the wish of the Persian government in sending from India the force required, if possible and convenient; if, however, the state of affairs in India prevent the possibility of sending troops, the English Government shall pay annually the sum of two hundred thousand tomans so long as the war with such nation shall continue; and since the payment of the above subsidy will be made solely for the purpose of raising and disciplining an army, it is agreed that the British ambassador shall see and be satisfied of its being duly applied to the purpose for which it is assigned.

ARTICLE 3.

Should any European power engaged in war with Persia make peace with England, His Britannic Majesty engages to use his best endeavours to bring Persia and such European power to a friendly understanding; if,

however, His Majesty's cordial interference shall fail of success, England shall still furnish an army from India, as specified in the last Article, or pay an annual subsidy of two hundred thousand tomans for the support of a Persian army, so long as a war in the supposed case shall continue, and until Persia shall make peace with such nation. England shall fulfil her engagement to Persia on this head; and should the English make peace with the European nation at war with Persia, even then, so long as such war shall continue, the English Government shall furnish officers, &c., &c., for the purpose of drilling and disciplining the Persian army, should they be required. Should Persia make peace with the supposed power and still require the aid of officers, &c., for the above purpose, the English Government shall afford them if they can conveniently spare them.

ARTICLE 4.

Since it is the custom of Persia to pay her troops six months in advance, the English ambassador shall do all in his power to pay the subsidy granted in lieu of troops in as early instalments as may be convenient and practicable.

ARTICLE 5.

Should the Afghans be at war with the British nation, His Persian Majesty engages to send an army against them in such manner and of such force as may be concerted with the English Government. The expenses of such an army shall be defrayed by the British Government in such manner as may be agreed on at the period of its being required.

ARTICLE 6.

If war shall be declared between the Persians and the Afghans, the English Government shall not interfere with either party, unless their mediation to effect a peace shall be solicited by both States.

ARTICLE 7.

Should the King of Persia form magazines of materials for ship-building on the coasts of the Caspian Sea, and resolve to establish a naval force, the King of England shall grant permission to naval officers, seamen, shipwrights, carpenters, &c., to proceed to Persia from London and Bombay and to enter the service of the King of Persia. The pay of such officers, artificers, &c., shall be given by His Persian Majesty at the rates which may be agreed on with the English ambassador.

ARTICLE 8.

Should any Persian subject of distinction showing signs of hostility and rebellion take refuge in the British territories, the English Government shall, on intimation from the Persian Government, turn him out of their country, or if he refuse to leave it, shall seize and send him to Persia. Previously to the arrival of such fugitive in the English territory, should

the Governor of the district to which he may direct his flight receive intelligence of the wishes of the Persian Government respecting him, he shall refuse him admission; after such prohibition, should such person persist in his resolution, the said Governor shall cause him to be seized and sent to Persia.

ARTICLE 9.

Should His Persian Majesty require assistance from the English Government in the Persian Gulf, they shall, if convenient and practicable, assist him with ships of war and troops. The expenses of such expedition shall be accounted for and defrayed by the Persian Government, and the above ships shall anchor in such ports as shall be pointed out by the Persian Government, and not enter other harbours without permission, except from absolute necessity.

ARTICLE 10.

The British Government shall pay the allowances of the officers, drill-serjeants, &c., sent to discipline the Persian army; but as it is not the wish of His Persian Majesty that any one should serve him without profiting by his generosity, His Majesty will make them an allowance as here detailed.

The King of Persia's allowance per annum to the different ranks of officers, serjeants, etc:—

	Tomans.
Lieutenant-General	3,600
Major „	2,600
Brigadier „	1,800

Engineers.

Colonel	1,500
Lieutenant-Colonel	510
Major	340
Captain	210
Lieutenant	150

Horse Artillery.

Serjeant-Major	25
Serjeant	21
Corporal	18

Horse Artillery.

	Tomans.
Colonel	750
Lieutenant-Colonel	580
Major	475
Captain	300
Lieutenant	200

Infantry and Artillery.

Colonel	625
Lieutenant-Colonel	470
Major	375
Captain	205
Lieutenant	142

Infantry.

Serjeant-Major	20
Serjeant	16
Corporal	13

The officers and serjeants, &c., at present in Persia, as well as those who may hereafter arrive here, shall receive allowances according to the above rates, and the senior or commanding officer, of whatever rank he may be, shall receive a further gratuity of half the allowance annexed to his rank, in addition, during the period of his command; and if, God forbid, any of them should be negligent in their duty, the matter being represented to the ambassador, such persons shall be dismissed His Persian Majesty's service.

ARTICLE 11.

Since it is the earnest wish of the two great sovereigns that this permanent alliance shall continue in their posterity, the high contracting parties

agree that the respective heirs-apparent of each throne shall hold the Articles of this Treaty sacred, and if either of the heirs-apparent shall require assistance of a nature not specified in this Treaty, such shall be afforded according to the ability of the party in the manner most beneficial to the interests of the States requiring such assistance. The other assistance and subsidy, on the conditions and for the purposes explained in the above Articles of this Treaty, are of course to hold good with the respective heirs-apparent, &c., &c.

ARTICLE 12.

The intention of this Treaty, and the respective wishes of the High contracting powers are to afford mutual assistance, and thereby strengthen, consolidate, and extend their power and dominions for the purpose of defeating the aggressions of their enemies. As the sincere desire of His Britannic Majesty particularly is to strengthen and consolidate the Persian Government so as to prevent foreign nations from invading Persia, and by his assistance to raise her political consequence and to increase her territory, the English Government will not interfere in any quarrels which may hereafter arise between the Princes, Noblemen, or great Chiefs of Persia, until the King then reigning shall require their assistance; and if one of the contending parties should offer a province of Persia with a view of obtaining assistance, the English Government shall not agree to such a proposal, nor by accepting it possess themselves of such part of Persia.

The Articles are thus auspiciously concluded.

This happy and fortunate Treaty, it is hoped, will for ever continue in force, and produce the fairest and most beneficial results.

We, the undersigned plenipotentiaries of the high contracting powers, having concluded this auspicious Treaty in the true spirit of amity and sincerity in the twelve foregoing Articles, have hereunto set our hands and seals, in the royal city of Teheran, this fourteenth day of March, in the year of our Lord one thousand eight hundred and twelve, corresponding with the twenty-ninth of Safer-ol-Mazafer, in the year of the Hegira one thousand two hundred and twenty-seven.

On the Persian leaf.

L. S. L. S.

(Sd.) MOHAMMED SHEFFEE. (Sd.) HOHAMMED HOSSEIN. (Sd.) GORE OUSELEY.

On the English leaf.

Seal. Seal. Seal.

GORE OUSELEY. MOHAMMED HOSSEIN. MOHAMMED SHEFEE.

FORM of HIS MAJESTY FUTTEH ALI SHAH'S ratification of the DEFINITIVE TREATY with ENGLAND.

The auspicious definitive Treaty which the three plenipotentiaries of the two high States have drawn up with the hand of sincerity and truth, and the contents and meaning of which the splendid and glorious mind of the King like the sun has illuminated with its rays, has now received the splendour of his ratification. Please God, the All-perfect protector, the following Articles will for ever be preserved from langour in the execution of them.

FORM of HIS ROYAL HIGHNESS ABBAS MIRZA'S ratification of the DEFINITIVE TREATY with ENGLAND.

His high and potent Majesty, the asylum of the world, having been pleased to nominate me the slave of the threshold of created beings' asylum heir-apparent to his throne, in obedience to His Majesty's commands (the shade of God, to whom my life is a ready sacrifice), I have agreed to this same arrangement, and from this period to the end of time hold myself and my heirs, generation after generation, bound to respect and hold sacred the terms and the Articles comprised in this happy Treaty concluded between the two great States; and by the grace of God this alliance with Great Britain shall be binding and durable for ever. Please the Almighty, our defender during the lapse of ages, nothing shall intervene that may militate against it.

NO. VII.

TREATY concluded with the SHAH of PERSIA for the ADJUSTMENT of the TERMS of the DEFINITIVE TREATY of 1812—1814.

Praise be to God, the All-perfect and All-sufficient.

These happy leaves are a nosegay plucked from the thornless garden of concord and tied by the hands of the plenipotentiaries of the two great States in the form of a definitive Treaty, in which the Articles of friendship and amity are blended.

Previously to this period the high in station, Sir Harford Jones, Baronet, envoy extraordinary from the English Government, came to this Court to form an amicable alliance, and in conjunction with the plenipotentiaries of Persia, their Excellencies (titles) Mirza Mohammed Sheffee and Hajee Mohammed Hossein Khan concluded a preliminary Treaty; the particulars of which were to be detailed and arranged in a definitive Treaty, and the above mentioned Treaty, according to its Articles, was ratified by the British Government.

Afterwards, when His Excellency Sir Gore Ouseley, ambassador extraordinary from His Britannic Majesty, arrived at this exalted and illustrious Court for the purpose of completing the relations of amity between the two

States and was invested with full powers by his own Government to arrange all the important affairs of friendship, the ministers of this virtuous State, with the advice and approbation of the above-mentioned ambassador, concluded a definitive Treaty consisting of fixed Articles and stipulations.

That Treaty having been submitted to the British Government, certain changes in its Articles and provisions consistent with friendship appeared necessary, and Henry Ellis, Esq., was accordingly despatched to this Court in charge of a letter explanatory of the above mentioned alterations. Therefore their Excellencies Mirza Mohammed Sheffee, Prime Minister (titles), Mirza Buzurg Caimaian (titles), and Mirza Abdul Wahab, Principal Secretary of State, were duly appointed and invested with full powers to negotiate with the plenipotentiaries of His Majesty, James Morier, Esq., recently appointed minister at this Court, and the above-mentioned Henry Ellis, Esq. These plenipotentiaries having consulted on the terms most advisable for this alliance have comprised them in eleven Articles. What relates to commerce, trade, and other affairs will be drawn up and concluded in a separate commercial Treaty.

ARTICLE 1.

The Persian Government judge it incumbent on them, alter the conclusion of the definitive Treaty, to declare all alliances contracted with European nations in a state of hostility with Great Britain null and void, and hold themselves bound not to allow any European army to enter the Persian territory, not to proceed towards India, nor to any of the ports of that country, and also engage not to allow any individuals of such European nations entertaining a design of invading India, or being at enmity with Great Britain whatever, to enter Persia. Should any of the European powers wish to invade India by the road of Kharizen, Taturistan, Bokhara, Samarkand, or other routes, His Persian Majesty engages to induce the kings and governors of those countries to oppose such invasion, as much as is in his power, either by the fear of his arms or by conciliatory measures.

ARTICLE 2.

It is agreed that these Articles formed, with the hand of truth and sincerity, shall not be changed or altered, but there shall arise from them a daily increase of friendship which shall last for ever between the two most serene kings, their heirs, successors, their subjects, and their respective kingdoms, dominions, provinces, and countries; and His Britannic Majesty further engages not to interfere in any dispute which may hereafter arise between the Princes, Noblemen, and great Chiefs of Persia, and if one of the contending parties should even offer a province of Persia with a view of obtaining assistance, the English Government shall not agree to such a proposal, nor by adopting it possess themselves of such part of Persia.

ARTICLE 3.

The purpose of this Treaty is strictly defensive, and the object is that from their mutual assistance both States should derive stability and strength

and this Treaty has only been concluded for the purpose of repelling the aggression of enemies; and the purport of the word aggression in this Treaty is an attack upon the territories of another State. The limits of the territories of the two States of Russia and Persia shall be determined according to the admission of Great Britain, Persia, and Russia.

ARTICLE 4.

It having been agreed by an Article in the preliminary Treaty concluded between the high contracting parties that in case of any European nation invading Persia, should the Persian Government require the assistance of the English, the Governor General of India, on the part of Great Britain, shall comply with the wish of the Persian Government by sending from India the force required, with officers, ammunition, and warlike stores, or, in lieu thereof, the English Government shall pay an annual subsidy, the amount of which shall be regulated in a definitive Treaty to be concluded between the high contracting parties; it is hereby provided that the amount of the said subsidy shall be two hundred thousand (2,00,000) tomans annually. It is further agreed that the said subsidy shall not be paid in case the war with such European nation shall have been produced by an aggression on the part of Persia; and since the payment of the subsidy will be made solely for the purpose of raising and disciplining an army, it is agreed that the English minister shall be satisfied of its being duly applied to the purpose for which it is assigned.

ARTICLE 5.

Should the Persian Government wish to introduce European discipline among their troops, they are at liberty to employ European officers for that purpose, provided the said officers do not belong to nations in a state of war or enmity with Great Britain.

ARTICLE 6.

Should any European power be engaged in war with Persia when at peace with England, His Britannic Majesty engages to use his best endeavours to bring Persia and such European power to a friendly understanding. If, however, His Majesty's cordial interference should fail of success, England shall still, if required, in conformity with the stipulations in the preceding Articles, send a force from India, or in lieu thereof, pay an annual subsidy of two hundred thousand tomans for the support of a Persian army so long as a war in the supposed case shall continue, and until Persia shall make peace with such nation.

ARTICLE 7.

Since it is the custom of Persia to pay the troops six months in advance, the English minister at that Court shall do all in his power to pay the subsidy in as early instalments as may be convenient.

ARTICLE 8.

Should the Afghans be at war with the British nation, His Persian Majesty engages to send an army against them in such force and in such

manner as may be concerted with the English Government. The expense of such an army shall be defrayed by the British Government in such manner as may be agreed upon at the period of its being required.

ARTICLE 9.

If war should be declared between the Afghans and Persians, the English Government shall not interfere with either party unless their mediation to effect a peace shall be solicited by both parties.

ARTICLE 10.

Should any Persian subject of distinction showing signs of hostility and rebellion take refuge in the British dominions, the English Government shall, on intimation from the Persian Government, turn him out of their country, or, if he refuse to leave it, shall seize and send him to Persia.

Previously to the arrival of such fugitive in the English territory, should the Governor of the district to which he may direct his flight receive intelligence of the wishes of the Persian Government respecting him, he shall refuse him admission. After such prohibition, should such person persist in his resolution, the said Governor shall cause him to be seized and sent to Persia, it being understood that the aforesaid obligations are reciprocal between the contracting parties.

ARTICLE 11.

Should His Persian Majesty require assistance from the English Government in the Persian Gulf, they shall, if convenient and practicable, assist him with ships of war and troops. The expenses of such expedition shall be accounted for and defrayed by the Persian Government, and the above ships shall anchor in such ports as shall be pointed out by the Persian Government, and not at other harbours without permission, except from absolute necessity.

A definitive Treaty between the two States having formerly been prepared, consisting of 12 Articles, and certain changes not inconsistent with friendship having appeared necessary, we, the plenipotentiaries of the two States comprising the said Treaty in 11 Articles, have hereunto set our hands and seals, in the royal city of Teheran, this twenty-fifth day of November, in the year of our Lord one thousand eight hundred and fourteen, corresponding with the twelfth Zilhajeh, in the year of the Hegira one thousand two hundred and twenty-nine.

L. S. JAMES MORIER. L. S. ISASI.

L. S. ABDUL WAHAB. L. S. MOHAMMED SHEFFEE.

L. S. HENRY ELLIS.

No. VIII.

TRANSLATION of a BOND granted by ABBAS MIRZA, PRINCE ROYAL of PERSIA, to LIEUTENANT-COLONEL MACDONALD, BRITISH ENVOY—1828.

Be it known to Colonel Macdonald, British envoy at our Court, that we, the heir-apparent to the Persian throne in virtue of the full powers vested in us by the Shah, in all matters touching the foreign relations of this kingdom, do hereby pledge our solemn word and promise that if the British Government will assist us with the sum of two hundred thousand tomans (2,00,000) towards the liquidation of the indemnity due by us to Russia, we will expunge, and hereafter consider as annulled, the 3rd and 4th Articles of the definitive Treaty between the two States, concluded by Mr. Ellis, and obtain the royal sanction to the same.

This paper bears the Seal of His Royal Highness Abbas Mirza and that of his Persian Majesty's minister the Kiam Mukam.

Dated in the month of Shaban or March 1828.

RUCKUM of HIS ROYAL HIGHNESS the HEIR-APPARENT, ratifying the ABROGATION of the Articles 3 and 4 of the TREATY with ENGLAND.

Relative to the Articles 3 and 4 of the Treaty between England and Persia, which was concluded by Mr. Ellis, in the month Zihija A.H. 1229, agreeably to the engagements entered into with Your Excellency, that in consequence of the sum of 2,00,000 tomans, the currency of the country, presented as an aid to Persia in consideration of the losses she has sustained in the war with Russia, we, the heir-apparent, vested with full powers in all matters connected with the politics of this nation, have agreed that the said two Articles shall be expunged, and have delivered a bond to Your Excellency, which is already in your hands.

In the month of Zikeyda A.H. 1243, on our going to wait upon His Majesty at Teheran, in conformity with the note addressed to Your Excellency by Mirza Abdul Hossein Khan, the Minister for Foreign Affairs, we were appointed sole Agent in this matter by His Majesty with unlimited authority; therefore, as the government of England, through the medium of Colonel Macdonald, have afforded us the assistance of 2,00,000 tomans, we, the representative of the king, have on this day, the 14th of the month Suffer, and the 24th of the Christian month August, annulled the two obnoxious Articles of our propitious Treaty.

The envoy, considering this document as a ratification on the subject of the two Articles, will know that it is liable to no further comment from the Ministers of the Shah's Court.

Sealed by H. R. H. ABBAS MIRZA.

TRANSLATION of a FIRMAN from HIS MAJESTY the SHAH, to COLONEL MACDONALD, BRITISH ENVOY in PERSIA.

After compliments,—Let it be known to Colonel Macdonald, the English envoy exalted by our munificence, that our noble son having represented to us his having recently come to an arrangement relative to the two Articles of the Treaty with England, we have ordered that what has been executed by our son touching this transaction, in conformity with the Firman of full powers granted him by us, be confirmed by our royal ratification and consent, and we duly appreciate the exertions of Your Excellency during the last year, which have obtained you the good-will of the Shah.

Regarding the crore of tomans required for the redemption of Khore, agreeably to what has been laid before us, His Royal Highness Abbas Mirza has directed the payment of 4,00,000 tomans by Mahomed Mirza, and we have besides instructed the remaining 1,00,000 tomans to be delivered to Mirza Abul Hossein Khan, Minister for Foreign Affairs, for the purpose of being transmitted to you.

Your Excellency will therefore, conceiving this Firman as your security, become responsible for the payment of the above sum, which will be afterwards repaid to you by the Lord of Exalted Rank, Mirza Abul Hossein Khan; also make known to us all your wishes.

Sealed by H. H. FUTTEH ALI SHAH.

NO. IX.

TRANSLATION of a FIRMAN from HIS MAJESTY FUTTEH ALI SHAH of PERSIA, to HIS ROYAL HIGHNESS HOSSEIN ALI MIRZA, GOVERNOR GENERAL of FARS—1823.

This auspicious Firman is issued to inform our beloved and renowned son, Hossein Ali Mirza, the Governor General of Fars, that the British Agent at the Court has represented to our ministers that the officers of the customs of Fars and the ports have commenced to exact a duty on horses purchased in Persia by British subjects for exportation to their own country. According to his statement this regulation did not formerly exist; and in consideration of the friendship between the two States which has rendered their interests inseparable, it is our wish in every respect to cultivate the present alliance; therefore our beloved son is ordered to give instructions, both with regard to horses and other property and goods belonging to British subjects, that no duties shall in future be levied on them, excepting such as long-established usages authorize.

You are enjoined to pay the fullest attention to the purport of this Firman, and not only to prevent the subjects of the British Government

from suffering any injustice or molestation, but to extend them every protection and indulgence.



(True Translation.)

(Sd.) GEORGE WILLOCK.

Dated Zilkad 1238, corresponding with July and August 1823.

No. X.

FIRMAN of the SHAH of PERSIA—1836.

Seal of Mo-
hammed Shah.

Whereas the relations of friendship and amity between the powerful and dignified governments of Persia and England are fixed upon the most perfect and firm basis, and whereas it is agreeable to the exalted character of His Majesty that this friendship and amity should daily increase, and that mutual advantage should thence result, therefore, in the present auspicious year, and henceforth according to this gracious proclamation, we grant liberty and permission to the merchants of the British nation that having brought their merchandise to the territorial possessions of Persia, they may dispose of the same in perfect security and confidence, and that they shall pay to the officers of government the same public dues upon their goods as are paid by the merchants of the Russian Government.

In the month of Mohurrum, in the year of the Hegira 1252, May A.D. 1836.

Witnesses' Seals follow.

No. XI.

COMMERCIAL TREATY concluded with the SHAH of PERSIA in 1841.

Preamble.—Whereas by the benign favour of the one Almighty God, whose bounties are infinite, from the day on which the Treaty of friendship and attachment was concluded between the glorious States of Great Britain and Persia, the renowned and just Sovereigns of the two everlasting States have day by day and at all times attended to and observed the whole of its

Articles and stipulations, and have caused the subjects of both Governments to enjoy all its benefits and advantages except the Treaty of commerce, which, in the preamble of the Treaty of the year one thousand eight hundred and fourteen, the two Governments engaged to conclude, and which up to this time, for certain reasons, has been postponed and left unfinished, therefore in this fortunate year, that all the stipulations of the auspicious Treaty may be fulfilled, His Majesty the Shah of Persia has appointed His Excellency Hajee Mirza Abul Hossein Khan, His Majesty's Secretary of State for Foreign Affairs, to be his sole plenipotentiary, and Her Majesty the Queen of Great Britain and Ireland, and Sovereign of India, has appointed Sir John McNeil, Knight, Grand Cross of the Most Honourable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to the Court of Persia, to be her sole plenipotentiary, and the said plenipotentiaries having concluded a commercial Treaty in these two Articles, have annexed and united it to the original Treaty that by the aid of God it may henceforth be observed between the two governments and be a source of advantage to the subjects of both.

ARTICLE 1.

The merchants of the two mighty States are reciprocally permitted and allowed to carry into each other's territories their goods and manufactures of every description, and to sell or exchange them in any part of their respective countries, and on the goods which they import or export custom duties shall be levied, that is to say, on entering the country the same amount of custom duties shall be levied once for all that is levied on merchandize imported by the merchants of the most favoured European nations, and at the time of going out of the country the same amount of custom duties which is levied on the merchandise of merchants of the most favoured European nations shall be levied from the merchants, subjects of the high contracting parties, and except this, no claim shall be made upon the merchants of the two States in each other's dominions on any pretext or under any denomination, and the merchants or persons connected with or dependant upon the high contracting parties in each other's dominions mutually, shall receive the same aid and support and the same respect which is received by the subjects of the most favoured nations.

ARTICLE 2.

As it is necessary, for the purpose of attending to the affairs of the merchants of the two parties, respectively, that from both Governments commercial Agents should be appointed to reside in stated places, it is therefore arranged that two commercial Agents on the part of the British Government shall reside, one in the capital and one in Tabreez, and in those places only and on this condition, that he who shall reside at Tabreez, and he alone shall be honoured with the privileges of Consul General; and as for a series of years a Resident of the British Government has resided at Bushire, the Persian Government grants permission that the said Resident shall reside there as heretofore; and in like manner two

commercial Agents shall reside on the part of the Persian Government one in the capital, London, and one in the port of Bombay, and shall enjoy the same rank and privileges which the commercial Agents of the British Government shall enjoy in Persia.

This Commercial Treaty we, the plenipotentiaries of the high contracting parties, have agreed to, and in witness thereof have set thereunto our hands and seals, at the capital city of Teheran, this twenty-eighth day of October in the year of our Lord one thousand eight hundred and forty-one corresponding to the twelfth day of the month Ramzan, in the year of the Hegira 1257.

(Sd.) JOHN MCNEILL.

Sealed by MIRZA ABUL HOSSEIN KHAN,
Minister for Foreign Affairs.

No. XII.

TRANSLATION of a FIRMAN relating to BANKRUPTCIES, issued by the PERSIAN GOVERNMENT for the protection of BRITISH MERCHANTS at the instance of COLONEL SHELL, HER MAJESTY'S CHARGÉ D'AFFAIRES at TEHERAN, dated Jummadee-ool-Awul 1260 Hegira, corresponding with May and June 1844.

This, that the high in rank (with other usual titles) Hossein Khan, Adjutant Bashee, Governor of the province of Yezd, honoured and exalted by the increasing favour of His Majesty, may know that the ministers of the British Government having, from a high sense of justice, certified that, with reference to the property remaining with bankrupts and insolvents, to be proportionately distributed and divided among their creditors the subjects of the exalted Persian and British Governments, the dependants of that government (British), shall not on this head receive the slightest favour or distinction; and having at the present time requested, through the medium of their Chargé d'Affaires, His Excellency Colonel Shell, that suitable regulations comprehended in certain Articles, not incompatible with the religion of Islam, should be passed for the protection of merchants, the dependants of the British Government, from all kinds of deceptions, fraud, and evil designs on the part of the insolvent and fraudulent bankrupt, and His Persian Majesty being earnestly desirous that foreign nations and merchants, the subjects of other States in the protected territories of the Shah in Shah should be secured from every evil design of the insolvent and fraudulent bankrupt, acordingly these commercial regulations, which have been arranged between the ministers of the Persian Government and His Excellency Colonel Shell, the British Chargé d'Affaires and have received the auspicious approval and approbation of His Majesty, are written and detailed for the information of that high in rank, &c. (Hossein Khan), in the body of this document,

ARTICLE 1.

All deeds of purchase and sale, bonds, etc., shall henceforth be registered in the respectable (Dewan Khaneh) Courts of Equity in the special dufturs (records), which are returned by the Governor of each province, sealed with the Government Seal; in the said dufturs all claims should, according to their respective dates and numbers, be entered. The dates and numbers of the dufturs (entries) should also be inscribed on the face of the agreement. The pages of the dufturs should be numbered and should contain no emendations or erasures.

ARTICLE 2.

Agreements which have been rendered valid by registry in the large duftur should be again separately written in the Dewan Khaneh in alphabetical order, together with the names of the contracting parties, and a numerical list of the large dufturs be framed.

ARTICLE 3.

Should there exist one spot two bonds in the shape of claims for money, which have been duly registered in the Dewan Khaneh, that whose entry in the Dewan Khaneh shall bear the older date shall be first executed. This condition not to supersede those regulations relative to the proportional division of property which are to have effect at the period of bankruptcy.

ARTICLE 4.

The registry of agreements is not essential, but bonds which, according to regulation, have been rendered valid by registry in the Dewan Khaneh, shall especially be held of greater validity over external bonds (contracted independently), which shall not be executed until the execution of those bonds which have been duly registered in the Dewan Khaneh shall have taken place; such independently contracted bonds may be brought to and registered in the Dewan Khaneh during the space of one year.

ARTICLE 5.

Whoever shall (desire to) sell or place in pledge his immoveable property shall give into the hands of the purchaser a deed of sale or قباچكر transfer; should he not pay the money at the time agreed upon, he shall cause it to be put up to sale, and the Dewan Khaneh, previous to registering and rendering valid such agreement of purchase or sale, shall ascertain that its deed of sale or transfer has been delivered into the hands of the purchaser, and that the said real estate has not been sold nor given in pledge or security to some other person.

ARTICLE 6.

The payment of the money of a bond shall not be (considered) proved until both creditor and debtor shall have attached their seals and signatures

to the bond that the whole of the money has been received; otherwise, at the time of emergency, it will be necessary to establish the settlement of the debt by producing evidence and making affidavit.

ARTICLE 7.

On the death of a debtor the creditors shall have the right of claiming their money from the heirs of the deceased previous to the maturity of the bond or promissory note, and the heirs to the property of the deceased shall satisfy those claims.

ARTICLE 8.

Every trader and merchant who shall appear insolvent shall make affidavit that he has not secreted any of his property, and shall establish (prove) his insolvency; so also, his partners and agents shall take oath that they have not secreted any of his property.

ARTICLE 9.

Such bankrupt shall not be at liberty until he shall have afforded bail for his appearance, and the magistrate shall distrain the effects of the bankrupt, and those of his children and women; but in the event of its being proved that he has become owner of such property subsequent to his insolvency, whatever belonging to his relatives and in which the bankrupt has no concern whatever, which has reached them as inheritance, or as the product of a separate trade or profession, or which has passed away to the husband as the dowries of the daughters, shall be free from distraint,

ARTICLE 10.

If the bankruptcy has been caused by accidental fire or shipwreck, proven, or by robbery by enemies, then in that case bail shall not be required.

ARTICLE 11.

The punishment of the fraudulent bankrupt shall be the same as that (laid down) for the thief and liar, and the authority to mitigate punishment in certain exceptions shall rest with the king only. The fradulent bankrupt shall be imprisoned during the period of investigation, and shall not (be permitted to) hold communication with any one, even his own governors. All his property shall be distrained, and he may not a second time engage in trade nor be (a Mabashir Kar) an agent in business. Similar punishment shall be inflicted upon his accomplices and those persons who may have secreted his property.

ARTICLE 12.

Agreements entered into by an insolvent after his insolvency has appeared and been proven shall be null and void; and in like manner all deeds of gift drawn out after his insolvency shall be null and void.

ARTICLE. 13.

The division of the property of a bankrupt among his creditors shall take place after the lapse of four months. If the effects of the bankrupt are of a kind (liable) to be speedily injured or destroyed, such as cattle, articles of food, etc., they shall, without delay, be turned into money. Merchandize which, after the publication of this insolvency, may be sent to the bankrupt, shall be distrained in the Custom House and sent to the Dewan Khaneh, and, in like manner, letters of whatever kind to the address of the bankrupt, indicative of absence of the truth of his insolvency, shall be taken to the Dewan Khaneh.

ARTICLE 14.

The bankrupt not having satisfied all claims against him shall still be considered a debtor. His creditors shall, of their own accord, allow him time on account of the remainder of their claims, and in the interim whatever he may obtain or become heir to shall be given up in payment of his debts.

ARTICLE 15.

Should there be any discrepancy between the entry in the duftur and the bond itself, and the Dewan Khaneh have erroneously made this registry it (the Dewan Khaneh) shall make good the debts of the insolvent.

ARTICLE 16.

Those reckoned fraudulent bankrupts are of the following description.—*1st*, those who cannot establish their insolvency nor give a public account of the money and effects they have received from others; *2nd*, those who, whether secretly or openly, convey merchandize to their homes; *3rd*, those who, aware of their insolvency, shall, after the same having become apparent, make gifts with a view to securing to themselves (*lit.*, eating up) the property of their creditors; *4th*, those who shall again sell or give in pledge immoveable property already sold to or in pledge with others; *5th*, those who shall sell or give in pledge religious endowments (مال وقف).

ARTICLE 17.

His Majesty the king has abolished all places of asylum in the homes of individuals, except in certain mosques and sanctified places, such as the houses of well known (Oolumas) priests and the king's palaces, which, from olden time, have been places of refuge; and has commanded that none of the subjects of this Government (the Persian) shall admit into their houses delinquents, such as thieves, bankrupts, and others. Whoever shall disobey these royal orders shall subject himself to punishment.

ARTICLE 18.

Since, for the transaction of mercantile affairs, a Mullick-oot-Tijjar, or Chief of merchants, is in every place necessary, accordingly the ministers

of the Persian Government will appoint a Mullick-oot-Tijjar in every place in Persia where extended commerce is carried on; and moreover, when the business of British merchants shall be transacted in the Dewan Khaneh, it (the Dewan Khaneh) shall arrange and settle the same in the presence of a delegate from the mission or consulate, and so, in like manner, the distraint of the property of a bankrupt or of the effects of a deceased debtor, in cases connected with foreign subjects, shall be made in the presence of a delegate from the British authorities. The British Agents shall demand (the amount of) the claims of (due to the) bankrupts from his debtors, being natives of the country, in the same manner as if the debtors were themselves subjects of the British Government.

Reverting to Article 5, treating of immoveable property. In Persia there are three descriptions of persons holding villages: *1st*, the king; *2nd*, the landed proprietor (malik); *3rd*, the inhabitants. Should the malik (desire to) place his village in pledge he shall, in order to obviate discussion, first obtain the permission of the king's government and of the inhabitants.

It is necessary that the high rank before mentioned should make known and publish the above-written details in the Dewan Khanehs of the province of Yezd according to these instructions, and strictly warn the authorities and executives of the Dewan Khanehs of the province alluded to to act up to the commands conveyed in this august document, nor in any way swerve from or disobey them. Let them consider the same their bounden duty.

Written in the month of jemmadee-ool-Awul, in the year of the Hegira 1260.

No. XIII.

TRANSLATION of a FIRMAN issued by the SHAH for the PROTECTION of the SERVANTS and DEPENDANTS of the BRITISH MISSION,—15th September 1839.

On account of the friendship subsisting between the two ever-enduring Governments of Persia and England, it is agreeable to our favour-dispensing Sublime Majesty that the servants and dependants of the Ambassadors of the English Government resident at this Court, should live in all confidence and tranquillity, and should at all times be under the shadow of the protection and favour of our Sublime Majesty; therefore in this auspicious year of the Hog, this auspicious Firman has been written to this effect that the servants and dependants of the English Government, whether Persians or natives of other countries, are safe and secure and under all circumstances in the same manner as the people of that Government are treated by other Governments, so under this Government also the treament will be shown.

Rejjeb 5, 1255 (15th September 1839).

(L. S) THE SHAH.

See ammended Firman of April 1840.)

No. XIV.

TRANSLATION of an AMENDED FIRMAN issued by the SHAH of PERSIA for the PROTECTION of the SERVANTS and DEPENDANTS of the BRITISH MISSION,—April 1840.

Let the Governors and authorities of all the country know that referring to the unity existing between the two mighty Governments of Persia and England, the object of our Royal desire is, that the servants and dependants *of the Mission** of the mighty Government of England, who are stationary at the Court of this haughty Government, may, in all confidence and tranquillity of mind, remain under the shadow of the protection of our clemency and Sublime Majesty, and that never, in this God-protected land, in any possible manner, should they be exposed to loss or detriment of any kind in their lives or property.

Therefore this auspicious and happy Firman, which all the world obeys, is proclaimed and issued to give notice to the above-mentioned (Governors and authorities), that all the servants and dependants of the English Mission, whether these be Persians or natives of other countries, are, as in times past, in safety and under protection, and they should rejoice in the kindness and consideration of the ministers of this haughty State; and should any of these (servants and dependants of the English Government) be guilty of any crime, they *shall not be punished without the knowledge of the English Minister.**

Therefore these high personages (the Governors to whom this Firman is addressed), fully regarding the amity subsisting between the two great States, must act in conformity to this order; and after having paid obedience to this auspicious Firman, let its meaning reach the ears of all people of the whole country, and let them know that it is imperative.

THE SHAH.

[For the correspondence which passed between the British and Persian Governments with regard to the issue of the Farmans of 1839 and 1840, see "State Papers," vol. 28, pages 123 to 147.]

No. XV.

ENGAGEMENT prohibiting the IMPORTATION of AFRICAN SLAVES into PERSIA by SEA—1848.

LIEUTENANT-COLONEL FARRANT to HAJEE AGHASSEE,—June 12th, 1848.

With regard to the abolition of the traffic in negroes (slaves) by sea, it is a long time since it was promised, and Your Excellency recently informed

*The words (of the Mission) do not occur in the Persian copy from which this was tran

me yourself that the discussions on this subject were nearly brought to a conclusion, and that, please God, it would be completed in a few days; but as yet it has not been finished.

If the Persian Government had appreciated my representations on this subject, the prohibition would ere this have been sanctioned; but as this has not been the case, I am now obliged to demand a clear and decisive answer, on this subject, as to whether the Persian Government will issue an order prohibiting the importation of negroes by sea or not.

If it be the intention of the Persian Government to issue this order, I request to be made acquainted with it to-day; and if it is not their intention to do so an immediate and explicit answer necessary to enable me to forward it for the information of my Government, and that Your Excellency, after all your promises, should no longer evade giving me a decided answer on this subject.

The British Government are very anxious to know the determination of the Persian Government, and I therefore request Your Excellency will be good enough to send me a positive answer, as my Government will not consent to any further delay on my part in this matter.

Translated by
(Sd.) JOSEPH REED.

TRANSLATION of an AUTOGRAPH NOTE from HIS MAJESTY the SHAH to HAJEE MIRZA AGHASSEE,—June 12th, 1848. Rejjeb 10th, 1264.

Your Excellency the Hajee, let them not bring any negroes by sea, let them be brought by land, purely for the sake of Farrant Sahib (Lieutenant-Colonel Farrant), with whom, I am muchpleased, I have consented to this. On this subject write to the Governors of Fars and Arabia (Persian Arabia).

Solely on account of the goodness of Farrant* I have consented, otherwise some trifling discussions still exist between us and the English Government.

Translated by
(Sd) JOSEPH REED.

(*Translation*).

HAJEE MIRZA AGHASSEE to LIEUTENANT-COLONEL FARRANT —12th June 1[illegible]

Your communication regarding negroes has been received and its contents fully understood.

With a view to request made by you, my sincere and esteemed friend, and solely on account of the sincere friendship and good feelings I entertain,

*Thus in the original.

towards you, I did not consider it proper to withhold or delay the fulfilment of your desire, and exerted my endeavours to preserve the existing friendship between the two exalted governments of Persia and England by laying your request in detail at a most fortunate time before His Majesty, &c., &c., the Shah; may his dominion and sovereignty be everlasting!

An imperative order has been issued which evinces the exceedingly great favour entertained towards you, my honoured friend, by His Majesty, &c., &c., the Shah, which is evident, will always increase. The importation of slaves by sea alone is forbidden, and imperative orders will be issued to the Governors of Fars and Arabia that hereafter strict prohibition should be observed that no negroes should be either imported or exported except by land.

This affair, in fulfilment of the request of that esteemed friend, has, thank God, been concluded through the countless favour of His Majesty, &c., &c., the Shah, towards you, and by my exertions.

But the Persian ministers in equal proportion require that by the true friendship of the ministers of the British Government, when they make a request it will also be acceded to.

Translated by
(Sd.) JOSEPH REED.

TRANSLATION of a FIRMAN issued by HIS MAJESTY the SHAH to HOSSEIN KHAN, GOVERNOR of FARS—

To the high in rank, the pillar of nobility, &c., &c, Hossein Khan, the Controller of State affairs and Governor of Fars, who has been exalted and supported by the distinguished favours of His Majesty, &c., &c., the Shah, be it known—

That it is a long time since a request for the abolition of the importation of negroes by sea was made on the part of the ministers of the British Government to the ministers and authorities of this kingdom, but their request during this long period has not obtained an answer or (our) consent.

But in consequence of the favour entertained by our august sovereign, &c., &c., towards the high in rank, the sincere well-wisher of the State, the chosen among Christian nobles, &c., &c., Colonel Farrant, Chargé d'Affaires of the English Government, on account of his respectful conduct and manner of proceeding which have been made manifest, and purely for the regard we entertain for him, we have accepted and complied with his request, and we have ordained that henceforward that high in rank shall warn all merchants and persons passing to and fro to discontinue to bring negroes by sea; and that they shall not export or import negroes except by land which is by no means forbidden. That high in rank will be held responsible for the fulfilment of the orders contained in this communication

Written in the month of Rejjeb 1264.

Translated by
(Sd.) JOSEPH REED.

TRANSLATION of a FIRMAN issued by HIS MAJESTY the SHAH to MIRZA NEBBEE KHAN, GOVERNOR of ISPAHAN and PERSIAN ARABIA—1848.

To the high in rank, the superior of Generals, the esteemed of the sovereign, Mirza Nebbee Khan, Chief of the Civil Law Court and Governor of Ispahan and Arabia, who has been honoured by the favour of the pure mind of the king of kings, be it known that at this time the high in rank, the noble and exalted, possessed of dignity, the pillar of Christian nobles, the cream of the great men of Christendom, the undoubted well-wisher of the State, Colonel Farrant, Charge d'Affaires of the exalted English Government, who enjoys the unbounded favour of His Majesty the Shah, whose resplendent mind is desirous to gratify him, made a friendly request on the part of the minister of that exalted government from the ministers of His Majesty the Shah, &c., &c., that with a view to preserve the existing friendship between the two exalted States, a decree should be issued from the source of magnificence (the Shah) that hereafter the importation of the negro tribes by sea should be forbidden, and this traffic be abolished.

In consequence of this it is ordered and ordained that that high in rank after perusing this Firman, which is equal to a decree of fate, it will be incumbent on him to issue positive and strict injunctions to the whole of the dealers in slaves who trade by sea, that henceforth by sea alone the importation and exportation of negroes into the Persian dominions is entirely forbidden, but not by land. Not a single individual will be permitted to bring negroes by sea without being subjected to severe punishment.

That high in rank must in this matter give peremptory orders throughout his government and not be remiss.

Written in the month of Rejjeb 1264-June 1848.

No. XVI.

CONVENTION concluded between COLONEL SHELL and AMEER-E-NIZAM for the detention and search of PERSIAN VESSELS by BRITISH and EAST INDIA COMPANY'S CRUIZERS—1851.

The Persian Government agrees that the ships of war of the British Government and of the East India Company shall, in order to prevent the chance of negro slaves, male and female, being imported, be permitted for the period of eleven years to search Persian merchant vessels in the manner detailed in this document, with the exception of Persian Government vessels, not being vessels the property of merchants, or the property of Persian subjects; with those government vessels there is to be no interference whatever. The Persian Government agrees that in no manner

whatever shall any negro slaves be imported in the vessels of the Persian Government.

THE AGREEMENT IS THIS—

First.—That in giving this permission to search mercantile vessels and those of subjects, the search shall from the first to the last be effected with co-operation, intervention, and knowledge of Persian officers, who are to be on board vessels of the English Government.

Second.—The merchant vessels shall not be detained longer than is necessary to effect the search for slaves. If slaves should be found in any of those vessels, the British authorities are to take possession of them, and to carry them away, without detaining or causing them (that is, the people of the ship importing slaves) any other damage besides that of depriving them of the slaves. The vessel itself in which the slaves have been imported shall, by the co-operation and knowledge of the officers of the Persian Government, who are on board of the British cruizers, be delivered to the authorities of the Persian ports, who are there on the part of the Persian Government; and the authorities of this (the Persian) government are to punish and fine, in a manner suitable to the crime he has committed, the owner of that slaving vessel who has acted in contravention of the commands of His Majesty the King of Persia by importing slaves.

The British ships of war are not in any manner to interfere with the Persian trading vessels without the co-operation of the Persian Government officers; but the Persian Government officers must not on their part be remiss in the duty committed to them.

This convention is to be in force for a period of eleven years and after these eleven years have expired, and the stipulated period has elapsed, if the Persian vessels shall be interfered with for even a single day beyond the eleven years, it will be opposed to the course of friendship with the Persian Government and to the maintenance of her rights, and this government will make a demand for satisfaction.

If the slaves who have been heretofore in Persia, and are now there, should, from the present date and henceforward, wish to proceed by sea on a pilgrimage to Mecca, or to India, or travel by sea, they must with the knowledge of the British Resident in Bushire, procure a passport from the officer at the head of the Persian Passport Office in Bushire, and no exception shall hereafter be taken to any slave holding a passport. The passport (regulation) obtained with the knowledge of the British Resident at Bushire, is, like the other stipulations written above, to be for a period of eleven years.

This agreement of the right of search, and the appointment of the Persian Government officers to be on board the British cruizers, will come in force on the 1st of Rubbee-ool-Awul 1268 (January 1st, 1852).

From the date of this document to the above date there is no right of search.

The Articles written in this document have from first to last been agreed to by both parties, and confirmed by the ministers of both governments, and nothing is to be done in contravention thereof.

Written in the month of Shuwal 1267=August 1851.

Done in duplicate, signed and sealed by Mirza Tukee Khan, Ameer-e-Nizam of the Persian Government. Date as above.

(Sd.) JUSTIN SHEIL,
Her Britannic Majesty's Minister Plenipotentiary and Envoy Extraordinary at the Court of Persia.

No. XVII.

*Translation.**

ENGAGEMENT of the PERSIAN GOVERNMENT regarding HERAT.

15th Rebbel-oo-Sanee 1269 (January 25th, 1853).

The Persian Government engages not to send troops on any account to the territory of Herat, excepting when troops from without attack that place, that is to say, troops from the direction of Cabool, or from Candahar, or from other foreign territory; and in case of troops being despatched under such circumstances, the Persian Government binds itself that they shall not enter the city of Herat, and that immediately on the retreat of the foreign troops to their own country, the Persian force shall forthwith return to the Persian soil without delay.

The Persian Government also engages to abstain from all interference whatsoever in the internal affairs of Herat, likewise in (regard to) occupation or taking possession, or assuming the sovereignty or government, except that the same amount of interference which took place between the two in the time of the late Zuheer-ood-Dowlah, Yar Mahomed Khan, is to exist as formerly. The Persian Government, therefore, engages to address a letter to Syed Mahomed Khan, acquainting him with these conditions, and to forward it to him (by a person) accompanied by some one belonging to the English mission, who may be in Meshed.

The Persian Government also engages to relinquish all claim or pretension to the coinage of money and to the "Khootbeth," or to any other mark whatever of subjection or of allegiance on the part of the people of Herat to Persia. But if, as in the time of the late Kamran and in that of the late Yar Mahomed Khan, they should, of their own accord, send an offering in money and strike it in the Shah's name, Persia will receive it without making any objection. This condition will also be immediately communicated to Syed Mahomed Khan. They also engage to recall Abbas

* This translation was made in 1857 from the original Persian document, as some doubt was raised as to the correctness of the translation made in 1853.

Koolee Khan, Peeseean, after four months from the date of his arrival, so that he may not reside there permanently; and hereafter no permanent agent will be placed in Herat, but intercourse will be maintained as in the time of Yar Mahomed Khan. Neither will they maintain a permanent agent on the part of Herat in Teheran. There will be the same relations and privileges which existed in Kamran's time and in that of the late Yar Mahomed Khan. For instance, if at any time it should be necessary for the punishment of the Toorkomans, or in case of disturbance or rebellion in the Shah's dominions, that the Persian government should receive assistance from the Heratees, similar to that afforded by the late Yar Mahomed Khan, they may, as formerly, render assistance of their own accord and free-will, but not of a permanent nature.

The Persian government further engages, unconditionally and without exception, to release and set free all the Chiefs of Herat who are in Meshed or in Teheran or in any other part of Persia, and not to receive any offenders, prisoners, or suspected persons whatsoever from Syed Mahomed Khan, with the exception of such persons as having been banished by Syed Mahomed Khan from Herat may come here and themselves desire to remain, or to enter the service. These will be treated with kindness and favour as formerly. Distinct orders will be issued immediately to the Prince Governor of Khorassan to carry out these engagements.

The above six engagements on the part of the Persian government are to be observed and to have effect; and the Persian ministers, notwithstanding the rights which they possess in Herat solely out of friendship, and to satisfy the English Government, have entered into these engagements with the English Government so long as there is no interference whatsoever on its part in the internal affairs of Herat and its dependencies; otherwise these engagements will be null and void and as if they never had existed or been written. And if any foreign (State), either Afghan or other should desire to interfere with or encroach upon the territory of Herat or its dependencies and the Persian ministers should make the request, the British Government are not to be remiss in restraining them and in giving their friendly advice, so that Herat may remain in its own state of independence.

Seal and autograph of the Sadr Azim.

Translated by

(Sd.) RONALD F. THOMSON.

(*Translation.*)

THE SADR AZIM TO SYED MAHOMED KHAN, RULER OF HERAT.

January 26th, 1853.

The Persian ministers, from the time when they began to give aid and assistance to you, my son, had no intention of taking possession or assuming sovereignty over Herat; nay, they were desirous that it should remain in a state of independence, and be preserved from the attacks and invasions

of foreigners. They had no views of acquisition on the Herat soil, or of raising contributions from Herat, or the people of Herat, and these circumstances were made known to the Mufti (lately Political Agent from the Governer of Herat to the Shah) when he was here. Now, when their intentions have, thank God, been accomplished, it is necessary that I should inform you, my son, of the Articles and engagements which the (Persian) ministers have imposed upon themselves. They are to the following effect :—

That the Persian ministers never had, nor will ever have, any idea of taking possession, assuming the sovereignty, or governing either Herat or the Herat territory, or its people, and will not interfere in any manner whatsoever in the internal affairs of Herat, so that they may be independent in their country and their own affairs, without the interference of any one belonging either to this government or to the Afghans of Cabool and Candahar, or other foreigners. They will not in any manner agree that the Khootbeh (prayer in the Shah's name) should be recited in the name of His Majesty (the Shah.) With regard to the coinage also, solely to secure your independence, my son, they will never consent that the current coin should be struck in the name of His Majesty (the Shah). But if, as in the times of the late Kamran and the late Yar Mahomed Khan, you should desire to send a sum of money as an offering, and that money should be struck in His Majesty's name, the Persian ministers will not object to it and it will be received. If at any time it should be necessary that the people of Herat should give assistance to Persia in order to punish the Toorkomans, or when there is a disturbance or rebellion in the Persian territory, they may of their own free-will, as was formerly done in the time of the late Yar Mahomed Khan, send assistance in men, but not as a permanent force. Yes, that which His Majesty the Shah considers imperative on him, on account of his services rendered by the late Zuheer-ood-Dowlah is, that if any foreign troops, Afghan or other, should invade Herat, the ministers of this ever-enduring State shall despatch troops to the aid of Heratees, to join the Herat troops outside of the town of Herat and when the foreign troops have been expelled from the Herat soil, to return immediately to the Persian territory. No doubt after you have become acquainted with the real sentiments of the (Persian) ministers, you will act in conformity with them.

Translated by
(Sd.) WILLIAM TAYLOUR THOMSON.

(*Translation.*)

FIRMAN OF THE SHAH TO SYED MAHOMED KHAN, RULER OF HERAT.

January 29th 1853.

Let the high in rank, &c., Zuheer-ood-Dowlah, Syed Mahomed Khan, feel assured of our royal favour and know that the engagement given by

the ministers of this Government, with regard to Herat, and to acquire independence for him, is as His Excellency the Sadr Azim has written to him. No doubt he, Syed Mahomed Khan, will be made acquainted with it, and will act in conformity with it. Let him know that he enjoys the highest favour of our royal person, and represent his prayers to us.

Translated by

(Sd.) WILLIAM TAYLOUR THOMSON.

LIEUTENANT-COLONEL SHEIL TO SYED MAHOMED KHAN, RULER OF HERAT.

Your Excellency has no doubt heard of the anxiety testified many years ago by the government of Her Majesty the Queen of Great Britain for the maintenance of the independence of Herat. Although circumstances have withdrawn Her Majesty's government of late from any direct connection with Afghanistan, they have not ceased to take a warm interest in the welfare and prosperity of Herat, and in the preservation of its independence under Afgan rule. They have watched with solicitude during the last year and a half since Your Excellency's accession to the government of that country, the progress of events in Herat, and the issue has been that they have felt themselves called on to require an explanation from the Persian ministers for their share in certain proceedings connected with Your Excellency's territory, and to claim from them assurances for the maintenance of that territory independent of Persian rule. The discussions which followed terminated in certain engagements concluded by this government, and which I deem it my duty to bring to the knowledge of Your Excellency. They are contained in the three enclosed papers, which are copies of the originals, consisting of a document sealed by the Prime Minister of Persia, a letter from the Prime Minister to Your Excellency, and a Firman from the Shah to your address, ratifying the engagements of the Sadr Azim.

These documents sufficiently explain the views of Great Britain, which, briefly stated, are a determination that Herat shall remain in Afghan hands and in independence.

I sincerely trust that the time has arrived when you will cease to require aid from the government of this country, and that henceforward Your Excellency will be able alone to maintain the integrity of your country. Your Excellency may be assured that the ruler who seeks foreign aid loses the respect and the loyalty of his subjects, and that there is only one termination to repeated applications for foreign succour. The good-will of your subjects is your surest safeguard. By upright, just, and impartial government, by cultivating Afghan national feeling, there can be no doubt

of your ability to maintain your position against all intruders in the same manner that your Excellency's father, the late Yar Mahomed Khan, accomplished with such briliant success.

My messenger, who will deliver this communication, will await Your Excellency's convenience to return with an answer in acknowledgment of its receipt.

Translated into Persian by
(Sd.) WILLIAM TAYLOUR THOMSON.

No. XVIII.

TREATY of PEACE between HER MAJESTY the QUEEN of the UNITED KINGDOM of GREAT BRITAIN and IRELAND and HIS MAJESTY the SHAH of PERSIA.

Signed, in the English and Persian languges, at Paris, March 4th, 1857.

[Ratifications exchanged at Bagdad, May 2nd, 1857.]

In the name of God, the Almighty, the All-Merciful.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty, whose standard is the sun, the sacred, the august, the great monarch, the absolute king of kings of all the States of Persia, being both equally and sincerely animated by a desire to put a stop to the evils of a war, which is contrary to their friendly wishes and dispositions, and to re-establish on a solid basis the relations of amity which had so long existed between the two exalted States by means of a peace calculated for their mutual advantage and benefit, have appointed as their plenipotentiaries for carrying into effect this desired object the following, that is to say:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland—the Right Honourable Henry Richard Charles, Baron Cowley, a Peer of the United Kingdom, 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 Majesty the Emperor of the French, etc., etc., etc.

And His Majesty the Shah of Persia—His Excellency the abode of greatness, the favourite of the king, Ferokh Khan, Ameen-ool-Moolk, the great ambassador of the mighty State of Persia, the possessor of the royal portrait and of the blue cordon, the bearer of the diamond-studded girdle, etc., etc., etc.

Who, having exhibited and exchanged their full powers, and found them to be in due form, have agreed upon and concluded the following Articles :—

ARTICLE 1.

From the day of the exchange of the ratifications of the present Treaty there shall be perpetual peace and friendship betwen Her Majesty the Queen of the United Kingdom of Great Britain and Ireland on the one part and His Majesty the Shah of Persia on the other, as likewise between their respective successors, dominions and subjects.

ARTICLE 2.

Peace being happily concluded between their said Majesties, it is hereby agreed that the forces of Her Majesty the Queen shall evacuate the Persian territory, subject to conditions and stipulations hereafter specified.

ARTICLE 3.

The high contracting parties stipulate that all prisoners taken during the war by either belligerent shall be immediately liberated.

ARTICLE 4.

His Majesty the Shah of Persia engages, immediately on the exchange of the ratifications of this Treaty, to publish a full and complete amnesty, absolving all Persian subjects who may have in any way been compromised by their intercourse with the British forces during the war from any responsibility for their conduct in that respect, so that no persons, of whatever degree, shall be exposed to vexation, persecution, or punishment on that account.

ARTICLE 5.

His Majesty the Shah of Persia engages further to take immediate measures for withdrawing from the territory and city of Herat, and from every other part of Afghanistan, the Persian troops and authorities now stationed therein ; such withdrawal to be effected within three months from the date of the exchange of the ratifications of this Treaty.

ARTICLE 6.

His Majesty the Shah of Persia agrees to relinquish all claims to sovereignty over the territory and city of Herat and the countries of Afghanistan, and never to demand from the chiefs of Herat, or of the countries of Afghanistan, any marks of obedience, such as the coinage, or " Khootdeh, " or tribute.

His Majesty further engages to abstain hereafter from all interference with the internal affairs of Afghanistan. His Majesty promises to recognise the independence of Herat and of the whole of Afghanistan, and never to attempt to interfere with the independence of those States.

In case of differences arising between the government of Persia and the countries of Herat and Afghanistan, the Persian Government engages to refer them for adjustment to the friendly offices of the British Government, and not to take up arms unless those friendly offices fail of effect.

The British Government, on their part, engage at all times to exert their influence with the States of Afghanistan, to prevent any cause of umbrage being given them, or by any of them, to the Persian Government; and the British Government, when appealed to by the Persian Government, in the event of difficulties arising, will use their best endeavours to compose such differences in a manner just and honourable to Persia.

ARTICLE 7.

In case of any violation of the Persian frontier by any of the States referred to above, the Persian Government shall have the right, if due satisfaction is not given, to undertake military operations for the repression and punishment of the aggressors; but it is distinctly understood and agreed to that any military force of the Shah which may cross the frontier for the above-mentioned purpose shall retire within its own territory as soon as its object is accomplished, and that the exercise of the above-mentioned right is not to be made a pretext for the permanent occupation by Persia, or for the annexation to the Persian dominions, of any town or portion of the said States.

ARTICLE 8.

The Persian Government engages to set at liberty without ransom immediately after the exchange of the ratications of this Treaty, all prisoners taken during the operations of the Persian troops in Afghanistan, and all Afghans who may be detained either as hostages or as captives on political grounds in any part of the Persian dominions shall, in like manner, be set free; provided that the Afghans, on their part, set at liberty, without ransom, the Persian prisoners and captives who are in the power of the Afghans.

Commissioners on the part of the two contracting powers shall, if necessary, be named to carry out the provisions of this Article.

ARTICLE 9.

The high contracting parties engage that, in the establishment and recognition of Consuls-General, Consuls, Vice-Consuls, Consular Agents, each shall be placed in the dominions of the other on the footing of the most favoured nation; and that the treatment of their respective subjects and their trade shall also, in every respect, be placed on the footing of the treatment of the subjects and commerce of the most favoured nation.

ARTICLE 10.

Immediately after the ratifications of this Treaty have been exchanged the British mission shall return to Tehran, when the Persian Government

agrees to receive it with the apologies and ceremonies specified in the separate note signed this day by the plenipotentiaries of the high contracting parties.

ARTICLE 11.

The Persian Government engages, within three months after the return of the British mission to Tehran, to appoint a Commissioner, who, in conjunction with a Commissioner to be appointed by the British Government, shall examine into and decide upon the pecuniary claims of all British subjects upon the government of Persia, and shall pay such of those claims as may be pronounced just, either in one sum or by instalments, within a period not exceeding one year from the date of the award of the Commissioners, and the same Commissioners shall examine into and decide upon the claims on the Persian government of all Persian subjects, or the subjects of other powers, who, up to the period of the departure of the British mission from Tehran, were under British protection, which they have not since renounced.

ARTICLE 12.

Saving the provisions in the latter part of the preceding Article, the British Government will renounce the right of protecting hereafter any Persian subject not actually in the employment of the British mission, or of British Consuls-General, Consuls, Vice-Consuls, or Consular Agents, provided that no such right is accorded to or exercised by any other foreign powers; but in this, as in all other respects, the British Government requires, and the Persian Government engages, that the same privileges and immunities shall in Persia be conferred upon and shall be enjoyed by the British Government, its servants and its subjects, and that the same respect and consideration shall be shown for them, and shall be enjoyed by them, as are conferred upon and enjoyed by and shown to the most favoured foreign government, its servants and its subjects.

ARTICLE 13.

The high contracting parties hereby renew the agreement entered into by them in the month of August 1851 (Shawal 1267) for the suppression of the slave trade in Persian Gulf, and engaged further that the said agreement shall continue in force after the date at which it expires, that is, after the month of August 1862, for the further space of ten years and for so long afterwards as neither of the high contracting parties shall, by a formal declaration, annul it; such declaration not to take effect until one year after it is made.

ARTICLE 14.

Immediately on the exchange of the ratifications of this Treaty, the British troops will desist from all acts of hostility against Persia, and the British Government engages further that as soon as the stipulations in regard to the evacuation by the Persian troops of Herat and the Afghan territories, as well as in regard to the reception of the British mission at

Tehran, shall have been carried into full effect, the British troops shall, without delay, be withdrawn from all ports, places, and islands belonging to Persia ; but the British Government engages that, during this interval, nothing shall be designedly done by the Commander of the British troops to weaken the allegiance of the Persian subjects towards the Shah, which allegiance it is, on the contrary, their earnest desire to confirm ; and further the British Government engages that, as far as possible, the subjects of Persia shall be secured against inconvenience from the presence of the British troops, and that all supplies which may be required for the use of those troops, and which the Persian Government engages to direct its authorities to assist them in procuring, shall be paid for, at the fair market price, by the British Commissariat immediately on delivery.

ARTICLE 15.

The present Treaty shall be ratified, and the ratifications exchanged at Bagdad in the space of three months, 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 Paris, in quadruplicate, this fourth day of the month of March in the year of our Lord one thousand eight hundred and fifty-seven.

(Sd.) COWLEY.
(Sd.) FEROKH (*in Persian*).

SEPARATE NOTE referred to in Article 10 of the foregoing TREATY—1857.

(*Signed in the English and Persian languages.*)

The undersigned, Her Britannic Majesty's ambassador extraordinary and plenipotentiary to the Emperor of the French, and His Persian Majesty's ambassador extraordinary and plenipotentiary to His said Imperial Majesty, being duly authorized by their respective governments, hereby agree that the following ceremonial shall take place for the re-establishment of diplomatic and friendly relations between the Courts of Great Britain and Persia. This agreement to have the same force and value as if inserted in the Treaty of peace concluded this day between the undersigned :—

The Sadar Azim shall write, in the Shah's name, a letter to Mr. Murray, expressing his regret at having uttered and given currency to the offensive imputations upon the honour of Her Majesty's Minister, requesting to withdraw his own letter of the 19th of November, and the two letters of the Minister for Foreign Affairs of the 26th of November, one of which contains a rescript from the Shah respecting the imputation upon Mr. Murray, and declaring, in the same letter, that no such further rescript from the Shah as that inclosed herewith in copy was communicated, directly or indirectly, to any of the foreign missions at Tehran.

A copy of this letter shall be communicated officially by the Sadr Azim to each of the foreign missions at Tehran, and the substance of it shall be made public in that capital.

The original letter shall be conveyed to Mr. Murray at Bagdad by the hands of some high Persian officer, and shall be accompanied by an invitation to Mr. Murray, in the Shah's name, to return with the mission to Tehran, on His Majesty's assurance that he will be received with all the honours and consideration due to the representative of the British Government; another person of suitable rank being sent to conduct him as Mehmandar on his journey through Persia.

Mr. Murray on approaching the capital shall be received by persons of high rank deputed to escort him to his residence in the town. Immediately on his arrival there the Sadr Azim shall go in state to the British mission, and renew friendly relations with Mr. Murray, leaving the Secretary of State for Foreign Affairs to accompany him to the royal palace, the Sadr Azim receiving Mr. Murray and conducting him to the presence of the Shah.

The Sadr Azim shall visit the mission at noon on the following day, which visit Mr. Murray will return, at latest, on the following day before noon.

Done at Paris this fourth day of the month of March, in the year one thousand eight hundred and fifty-seven.

(Sd.) COWLEY.

(Sd.) FEROKH (*in Persian*).

Annex to the preceding Note.

(*Translation.*)

THE SHAH TO THE SADR AZIM, DECEMBER 1855.

Last night we read the paper written by the English minister plenipotentiary, and were much surprised at the rude, unmeaning, disgusting, and insolent tone and purport. The letter which he before wrote was also impertinent.

We have also heard that in his own house he is constantly speaking disrespectfully of us and of you, but we never believed; now, however, he has introduced it in an official letter. We are therefore convinced that this man, Mr. Murray, is stupid, ignorant, and insane, who has the audacity and impudence to insult even kings. From the time of Shah Sultan Hossein (when Persia was in its most disorganised state, and during the last fourteen years of his life, when by serious illness he was incapacitated for business) up to the present time, no disrespect towards the sovereign has been tolerated, either from the government or its agent. What has happened now that this foolish minister plenipotentiary acts with such temerity? It appears that our friendly missions are not acquainted with

the wording of that document; give it now to Mirza Abbas and Mirza Malcum, that they may take and duly explain it to the French Minister and Hyder Effendi, that they may see how improperly he has written. Since last night till now our time has been passed in vexation. We now command you in order that you, may yourself know, and also acquaint the missions, that until the Queen of England herself makes us a suitable apology for the insolence of her envoy, we will never receive black this her foolish Minister, who is a simpleton, or accept from her government any other Minister.

No. XIX.

CONVENTION between GREAT BRITAIN and PERSIA for extending and securing TELEGRAPHIC COMMUNICATION between EUROPE and INDIA signed, in the ENGLISH and PERSIAN languages, at TEHRAN, April 2nd, 1868.*

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of all the Kingdoms of Persia, being desirous to extend and secure the means of telegraphic communication between Europe and India, have resolved to conclude a convention for that purpose, and have named as their Plenipotentiaries (that is to say):

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland—Charles Alison, Esqure, Companion of the Most Honourable Order of the Bath, Her Envoy Extraordinary and Minister Plenipotentiary at the Court of Persia;

And His Majesty the King of all the Kingdoms of Persia—His Excellency Meerza Saeed Khan, his Minister for Foreign Affairs, possessor of the Order of the Royal Portrait adorned with diamonds, and of the blue cordon, and bearer of the pearled tassel and rod adorned with diamonds, possessor of the Order of First Serteep with its special cordons, and bearer of the Order of St. Ann of the First Class adorned with diamonds, and of the Order of the Mejedieh of the First Class, and of the First Order of the Iron Crown, and the First Order of Leopold, and the First Order of Danebrog, and the First Order of St. Maurice and Lazare, and the First Order of the Saviour of Greece, and the Order of the Polar Star of Sweden, and the Second Order of the Legion of Honour, and the First Order of the Osmaniah, and the First Order of the White Eagle with the blue cordon;

And the aforesaid distinguished representatives, after meeting in the capital of Tehran, and perusing and exchanging their letters of full power and finding them in due order, have concluded the following Articles:—

ARTICLE 1.

In order to provide against any possible accident to the Persian Gulf Cable, it is agreed between the high contracting governments of England

*Ratification exchanged at Tehran, August 25th, 1868.

and Persia, that the British Government shall make arrangements with regard to the construction and efficient working of a line of telegraph between Guadur and a point between Jask and Bunder Abbas.

ARTICLE 2.

The Persian Government will employ, as far as possible, their good offices and authority for facilitating its construction, maintenance, and protection; and the English Government will pay annually to the Persian government the sum of 3,000 tomans for leave to lay down the line of telegraph on those coasts and places which are under the sovereignty of Persia, the payment of the above sum being made from the day on which the work of laying the wires is commenced.

ARTICLE 3.

The present convention shall remain in force for twenty years.

ARTICLE 4.

The present convention shall be ratified, and the ratifications exchanged at Tehran within five months, or sooner if practicable.

Done at Tehran, on the 2nd day of April, A. D. 1868.

(L. S.) C. ALISON. (L. S.) MEERZA SAEED KHAN.

It is hereby agreed between the undersigned duly authorized thereto by their respective governments that the convention signed at Tehran on April 2nd, 1868, for extending and securing telegraphic communication between Europe and India shall remain in force until January 31st, 1905.

Done at Tehran, this 3rd day of July 1887.

(L. S.) A. NICHOLSON, *H. B. M.'s Chargé d'Affaires.* (L. S.) YAHIA KHAN, *Mushir-ed-Dowleh, Minister for Foreign Affairs.*

NO. XX.

ENGAGEMENT entered into by the PERSIAN MINISTER for FOREIGN AFFAIRS for the construction of a LINE of TELEGRAPH from KHANAKEEN to BUSHIRE—1863.

ARTICLE 1.

The Persian government considers it necessary to construct a line of telegraph without delay from Khanakeen to the capital, Tehran, and from Tehran to the port of Bushire; and they agreed that whenever the English

Government may require to communicate by the said Telegraph, they are to be at liberty to do so through the Persian Telegraph officers in the way they may desire, paying for the same at rates to be specified hereafter.

ARTICLE 2.

The Persian Government will assign a sum sufficient for the construction of this Telegraph, and for the purchase of such materials as are not procurable in Persia, or can be better obtained in Europe.

ARTICLE 3.

The Persian Government engages to purchase from the English Government all the materials which are better procurable in Europe, and the English Government agrees to supply such materials at moderate prices.

ARTICLE 4.

In order that the said line of Telegraph may be well constructed and officially worked, the Persian government agrees to place it under the superintendence of an English Engineer Officer, who is to be paid by the English Government, and they further agree to fix a period during which instruction may be given and the line may be brought into good working order; and his Royal Highness the Itizad-oo-Sultaneh, the Minister of Public Instruction, and his Excellency the Amin-ed-Dowleh, will have cognizance of the aforesaid officer's proceedings.

ARTICLE 5.

The said officer will be fully empowered to call upon the Persian authorities to supply any materials he may consider requisite for this work, and the Persian authorities will make no alterations in his requisitions unless it should be impossible to obtain the thing required. But a Persian officer will accompany him everywhere, so that he may be informed of what is done, and of the prices of the materials; and the accounts will be audited by the above-mentioned Prince and by the Amin-ed-Dowleh every three months, when a report will be drawn up and printed in the *Tehran Gazette*.

ARTICLE 6.

In order to increase the friendship between the two governments, and to promote the above undertaking, the English Government engages to purchase in England, at reasonable rates, with the approval of the Persian Minister Plenipotentiary, the materials required for this work, and to convey them to the Persian frontier, and to receive from the Persian government the price paid for the above articles by five instalments in five years after they are delivered on the frontier of Persia.

(In the handwriting of the Persian Minister for Foreign Affairs.)

The Persian Government accepts this engagement. If the English Government desires it, the construction of the line of Telegraph will be commenced in conformity with the above stipulation.

Approved and accepted by Her Majesty's Government on 6th February 1863.

No. XXI.

TELEGRAPH CONVENTION with the KING of PERSIA—1865.

As Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the King of all the Kingdoms of Persia are desirous of regulating the telegraphic communication between Europe and India, and of placing this work on the sure and friendly basis, they have resolved that a convention for that purpose shall be concluded, wherefore their Majesties have named as their Plenipotentiaries:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland.

His Excellency Charles Alison, Esquire, Companion of the Most Honourable Order of the Bath, Her Envoy Extraordinary and Minister Plenipotentiary at the Court of Persia.

And His Majesty the King of all the Kingdoms of Persia.

His Excelleney Mirza Syud Khan, Minister for Foreign Affairs, possessor of the Order of the Royal Portrait adorned with diamonds and of the blue cordon, and bearer of the pearled tassel, and the rod adorned with diamonds, possessor of the Order of First Serteep with its special cordons, and bearer of the Order of Saint Ann, adorned with diamonds of the First Class, and of the Order of the Medjidie of the First Class, and of the First Order of the Iron Crown, and the First Order of Leopold, and the First Order of Danebrog, and the First Order of Saint Maurice and Lazare, and the First Order of the Saviour of Greece, and the Order of the Polar Star of Sweden, and the Second Order of the Legion of Honour.

And the aforesaid distinguished representatives, after meeting in the capital of Tehran, and perusing and exchanging their letters of full power, and finding them to be in due order, have concluded the following Articles:—

ARTICLE I.

In order to improve the telegraphic communication between Europe and India, the Persian Government agrees to attach another wire to the poles now standing from Bushire to Khannikeen, and to bring it into working order as soon as possible. The wire to be used solely for international messages sent in European languages.

ARTICLE 2.

In order that the second wire may be attached in a complete and effective manner, the Persian Government also agrees that it shall be done under the direction and supervision of an English Engineer Officer and staff; and the Persian Government will use its best endeavours to collect the necessary materials and lay down the wire with all expedition.

ARTICLE 3.

The British Government agrees to procure for the Persian Government at a reasonable price, and with the cognizance of a Persian Commissioner all the wire, insulators, Morse instruments, etc., that may be requisite for this work inclusive of two hundred iron posts for the marshy tracts of Bushire, and to deliver them over to the Government Commissioners at any seaports or frontier towns of Persia that may be suitable, receiving payment in five years in five instalments.

ARTICLE 4.

The Persian Government, moreover, agrees that an English Telegraph Officer with the necessary staff not exceeding (50) fifty in number, exclusive of families, shall be engaged, from the opening of telegraphic communication through the new wire, for (5) five years in organizing the Persian line of telegraph and giving instructions in telegraphy. And the British Government agrees that the English Officer and his staff shall, at the expiration of the prescribed period, make over the said line to the Persian Government and cease connection with Persian Telegraph.

ARTICLE 5.

The conditions under which the English Officer shall exercise control over the second wire during the prescribed period are stated in the following rules:—

1.—His Royal Highness the Itizad-es-Sultaneh, Minister of Science, or any other person who, by the Shah's order, may be appointed in his place, is to be considered the head and absolute chief of all the Persian Government Telegraphs.

2.—Any order which His Royal Highness or such other person in his place may issue concerning the protection of the line, its working, and the Persians employed on it, shall be given through and with the approval of the English Telegraph Officer.

3.—For the protection of the line the whole distance from the Turkish frontier to Bushire shall be divided from station to station into six sections as follows:—

From the Turkish Frontier to Hamadan.
„ Hamadan to Tehran.
„ Tehran „ Cashan.
„ Cashan „ Ispahan.
„ Ispahan „ Shiraz.
„ Shiraz „ Bushire.

To each of these divisions the Itizad-es-Sultaneh shall appoint a Persian Officer, who will be responsible to His Royal Highness for the protection of the line situated within his limits. To enable the said Persian Officer, or Yaver, of each division to carry out his duties efficiently, a certain number of horsemen shall be stationed under his orders along the line. The Yaver will, of course, accept any suggestions which the English Telegraph Officer may give with reference to his charge, due regard being had to the customs of Persia and her power of carrying out such suggestions.

4.—The organization of offices and instruction of employés shall be exclusively in charge of the English Superintending Officers, who will be responsible for the working of the line in these respects; and the Persian signallers shall be ordered to obey implicitly the instructions which the English Officers may give in the performance of their duties.

5.—In case of insubordination or misconduct on the part of the Persian signallers, His Royal Highness the Itizad-es-Sultaneh engages to use his best endeavours in lawfully supporting the authority of the English Superintending Officer, exercised under the last rule. On the other hand, the English Officer engages that the bounds of that authority shall in no way be exceeded.

6.—The English Officer shall have nothing whatever to do with receipts of money. A Mirza will be appointed at each station, who will be directly responsible for the accounts to the Itizad-es-Sultaneh. But the English Superintending Officer shall render to His Royal Highness or any person who may be appointed by the Persian Government, such account of the telegrams despatched under his authority as may be sufficient for full information.

These rules, however general in some sense, are understood to have special application to the second wire.

ARTICLE 6.

In filling up vacancies which may occur among the signallers employed under Article IV, the English Telegraph Officer shall give the preference to natives of Persia, provided they be qualified, in his estimation, by knowledge of the English language and other attainments necessary for this service, to perform the duties required.

ARTICLE 7.

As the Telegraph Offices of these two wires ought to be distinct, the Persian Government shall build a new office adjoining the existing one wherever there are not separate rooms.

ARTICLE 8.

If any injury befall the second wire, or delay occur through press of traffic, the first wire, which is specially used for internal communication in Persia, shall give assistance to the second wire, and *vice versâ*.

ARTICLE 9.

For every message of twenty words or less from Khannikeen to Bushire, or *vice versâ*, 1 toman 5 kerans and 8 shahis in Persian money, or 14 shillings in English money, shall be charged, with proportionate rates for the intervening towns. The Persian Government accepts the tariff laid down in the last convention between Turkey and England so far as regards the rates of messages sent by the two governments from Bushire to India and from Khannikeen to Constantinople or Europe.

ARTICLE 10.

The yearly receipts will be credited to the Persian Treasury, but should they reach a higher sum than thirty thousand (30,000) tomans, the surplus will be made over to the Officers of the English Government for the cost of their establishment.

ARTICLE 11.

All Indian messages at whatever part of the line, or from whatever place received, shall be given over to the second wire, and the accounts regularly kept.

ARTICLE 12.

Should the traffic so continuously increase as to demand more than in one day the fair day's work on the second wire, the excess of telegrams shall be handed over for despatch to the first wire, the money received on them being separately credited to the Persian Government. The adjustment of this matter shall rest with the Itizad-es-Sultaneh and the English Superintending Officer. This Article is quite irrespective of the provision for mutual assistance in the event of a slight and temporary delay.

ARTICLE 13.

The cost of all other than Indian or Submarine cable messages shall be separately credited to the Persian Treasury, although conveyed by the second wire.

ARTICLE 14.

The relative value of coin shall be calculated for purposes of account at the following rates :—

One pound sterling =25 francs=22 kerans.
One shilling=1 franc=25 centimes=1 keran=2 shahis.
One penny=10 centimes=2 shahis.

As a rule, accounts shall be kept in English and payments made in Tehran in Persian currency.

ARTICLE 15.

The telegraph accounts shall be made up by the English Superintending Officer monthly and sent to Constantinople, where, by comparison with

the Cable and Turkish accounts, they will be checked by the British Commissioner appointed for that purpose. On the return to Tehran of the audited accounts from Constantinople, the amount due to the Persian Government will be certified by the English Officer and speedily paid every six months, as stated in the last Article. The above account shall always be open to the inspection of the Telegraph Agent of the Persian Government at Constantinople, or any person recognized by the Persian Minister at the Ottoman Court for the settlement of accounts of international traffic on the Persian Turkish Line.

ARTICLE 16.

The Telegraph Regulations drawn up at Paris on the thirteenth of April Anno Domini one thousand eight hundred and sixty-five shall be carried out under the superintendence of the Persian Government so far as not opposed to the terms of the present convention or the institutions of Persia.

ARTICLE 17.

Any disagreement arising between the telegraphic employés of the two governments shall be referred to their Excellencies the Persian Minister for Foreign Affairs and the British Minister at Tehran, in order that, after necessary investigation, a just decision may be pronounced.

ARTICLE 18.

This covention shall take effect from the opening of correspondence on the second wire, and remain in force for five years from the day that a telegram is first despatched hereby. At the expiration of the five years it shall be null and void. If at any time within the term appointed the capabilities of Persian telegraphers for their work shall be proved to the satisfaction of the Chief of the Persian Telegraphs and the English Telegraph Officer, the full period shall be curtailed, and the line made over altogether to the Persian Government.

ARTICLE 19.

The present convention shall be ratified, and the ratifications exchanged at Tehran within five months, or sooner if practicable.

Done at Tehran on the twenty-third of November Anno Domini one thousand eight hundred and sixty-five.

NO. XXII.

TRANSLATION of an AGREEMENT between the PERSIAN MINISTER for FOREIGN AFFAIRS, and R. F. THOMSON, Esq., dated the 19th June 1872.

(Signed in the English and Persian languages.)

As the Telegraphic Convention which was concluded between England and Persia on the 23rd November 1865, corresponding to the 4th Rejjab

1282, expires on the 12th August 1872, corresponding to the 5th Jemadee II, 1289, the undersigned, with the approval and sanction of their respective governments, have agreed that from the 13th of August next the aforesaid convention shall continue in force, as hitherto (interpreted), for a period of three months. If between the present date and (the expiration of) the extended period of three months a new convention is not agreed upon and concluded between the two governments, the previous convention as well as the present temporary agreement, shall both become entirely null and void.

R. F. THOMSON.

No. XXIII.

New TELEGRAPH CONVENTION with PERSIA—1872.

(Signed in the English and Persian languages.)

HER MAJESTY the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of all the Kingdoms of Persia, being desirous to continue the system of telegraphic communication between Europe and India through Persia, already established in virtue of previous Treaties, have resolved that a Convention for that purpose shall be concluded; wherefore their Majesties have named as their Plenipotentiaries:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland—Ronald Fergusson Thomson, Esquire, Her *Chargé d'Affaires* at the Court of Persia; and His Majesty the King of all the Kingdoms of Persia—His Excellency Mirza Syed Khan, His Minister for Foreign Affairs, possessor of the Order of the Royal Portrait adorned with diamonds, and of the blue cordon; and bearer of the pearled tassel and rod adorned with diamonds: possessor of the Order of First Serteep with its special cordon, and bearer of the First Order of the White Eagle with the blue cordon: and of the Order of St. Anne of the First Class adorned with diamonds: and the Order of the Mejedieh of the First Class; and of the First Order of the Iron Crown; and of the First Order of Leopold, and the First Order of Danebrog, and the First Order of St. Maurice and Lazare; and the First Order of the Saviour of Greece, and the Order of the Polar Star of Sweden, and the second Order of the Legion of Honour and the First Order of the Osmanieh; and the aforesaid distinguished representatives, after meeting in the capital of Tehran and perusing and exchanging their full powers which were found in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE 1.

To expedite and facilitate the transmission of international messages, the English Government will, at its own expense and under the superintendence of its own officers, erect a third wire, in addition to the two already in operation between Tehran and Bushire, and will also substitute iron standards for the existing wooden poles. The English Government agrees to substitute the above iron standards at the rate of five hundred (500)

annually; and the Persian Government engages to pay in ten annual instalments the sum of ten thousand (10,000) tomans to the English Government towards defraying the expenditure incurred on these iron posts. During this work the Persian Government engages itself to render the Superintending Officers every assistance in its power of which they may stand in need.

ARTICLE 2.

Whereas all British subjects in Persia are entitled to the protection of the Persian Government under the operation of Article XII of the Treaty of Paris of March 4th, 1857, it is now provided that the British employés of the Telegraph Department, being charged with public duties, shall be everywhere placed under the special protection of the local authorities, who shall furnish guards when necessary and otherwise assure their personal safety.

ARTICLE 3.

Until the completion of the third wire provided for by the above Article I, the appropriation of the existing first and second wires for local and international messages shall remain as at present, *viz.*, as regulated by Article VII, of the Convention of the 23rd November 1865.

ARTICLE 4.

After the completion of the third wire, notice of which will be given to the Persian Government by the Director of the English Staff, the appropriation of the three wires shall be as follows:

The first wire, *viz.*, the one set up originally in 1864, shall be used for local traffic, while the second and third wires shall be used for international traffic, with the exceptions hereinafter specified in Article VI.

ARTICLE 5.

To prevent any confusion in the working of the different wires, the first wire shall be worked by Persian Government employés and the second and third wires by English Government employés, separate rooms being provided by the Persian Government for the said English and Persian employés in Telegraph Offices considered suitable by both administrations.

ARTICLE 6.

(*a*) Should the first wire be broken at any time, one of the others shall be temporarily lent for Persian correspondence until communication by the first wire is restored, provided always that both the second and third wires are at the time in good working order throughout their length and free from contact.

(*b*) Should the first wire be in contact with either the second or third wire, while the remaining wire is clear, the wire in contact with the first wire

shall be insulated, to allow free working by the Persian employés on the first wire, until the contact is removed.

(*c*) Should the first wire be in contact with the second or third, while the remaining one is interrupted, or should both second and third wires be interrupted, or should all three wires at any time be in contact, the resultant single line shall be used by the English and Persian administrations in the respective proportions of two-thirds to one-third of the day, the exact hours to be fixed by mutual agreement between the English and Persian Directors.

ARTICLE 7.

The revenue derived from the local traffic on the Persian wire shall belong entirely to the Persian Government. By local traffic are meant messages originating at one Persian station and terminating at another Persian station.

ARTICLE 8.

The Persian Government having already made an arrangement with the Indo-European Telegraph Company regarding the revenue derived from the Indo-European traffic, the English Government will abide by that agreement so far as they are concerned. That is to say, the Persian Government in consideration of a fixed annual payment by the said Company of either twelve thousand (12,000) tomans or of two (2) francs per message of twenty (20) words renounces all claims to any portion of the revenue from transit traffic over the line from Julfa (on the Russian frontier) to Bushire. This revenue shall therefore be divided between the English Government and the Indo-European Company in such manner as they themselves may decide, and the accounts between them shall be settled without the intervention of the Persian Government.

As regards international messages originating or terminating in Persia, the Persian Government agrees to cede to the English Government, for a term of three (3) years, the entire Persian terminal tax on such messages in consideration of a fixed annual payment of two thousand (2,000) tomans to be paid to Persia by the English Government. After the three (3) years, the Persian Government shall be free either to accept an annual payment calculated on the basis of two-thirds of the average terminal receipts or to claim two-thirds of the receipts from all *bonâ fide* terminal messages. The Persian Government agrees to leave it to the sense of justice of the English Government to decide which are *bonâ fide* terminal messages and which are to be considered as transit messages, being forwarded to Persia evidently for the purpose of being re-transmitted to other countries.

During the time this Treaty remains in force, the Persian Government engages itself to oppose at the International Telegraph conferences any alteration in the present transit and terminal rates, unless a previous agreement with the English Government shall have been made.

ARTICLE 9.

The English Administration being responsible for the correct transmission of all international messages and for the adjustment of the accounts will collect the payments for these messages according to the rates of the pervailing international Telegraph Convention.

All international messages originating in Persia shall, before transmission, be registered and sealed by officials appointed by the Persian Government. International messages terminating in Persia shall be delivered to the addressees through the agency of the same officials, who shall be bound to give receipts for such messages to the English Administration.

The Persian Administration shall, at all times, have free access to the English Offices and to all records connected with international traffic. International messages are those which pass over the wires of more than one State.

ARTICLE 10.

The maintenance of the line, including repairs and the appointment, control, and payment of the line guards, shall remain in the hands of the English Director and staff.

As a contribution towards the expenditure under this head the Persian Government will pay to the English Director the sum of one thousand (1,000) tomans annually, this amount being deducted from the royalty due to Persia by the Indo-European Telegraph Company as hereinbefore described in Article VIII.

ARTICLE 11.

The duties of the Telegraph Inspectors and line guards are strictly confined to repairing and maintaining the line.

If the line be wilfully damaged the Persian Government will take the most stringent measures to oblige the local authorities to apprehend and punish the offenders.

The Governors of districts will be accordingly instructed to pay prompt attention to all complaints and communications made to them by the English Officers.

ARTICLE 12.

In case of any wilful damage to the line the expense of repairing the same shall be defrayed by the Persian Government.

ARTICLE 13.

To enable the English Director to have a perfect knowledge of the state of the wires and offices, and thereby to provide for their general efficiency and the rapid removal of any impediment to telegraphic communication, the orders and regulations issued by him regarding the connections within the offices and the times and manner of testing the lines shall be strictly obeyed by the Persian Telegraph officers and signallers.

ARTICLE 14.

It having been ascertained that the debt owed by the Persian Government to the English Government on account of materials and erection of the second wire, together with some items connected with the erection of the first wire and the payment of line guards, amounted, on the 31st December 1869, to tomans one hundred and fifteen thousand and seventy-nine, krans eight (115,079-8), or forty-seven thousand two hundred and seventeen (47,217) pounds sterling, the English Government agrees to accept payment without interest, in the course of twenty-four (24) years, in twenty-four (24) equal instalments of the same, from the Indo-European Telegraph Company.

Should the aforesaid Indo-European Telegraph Company wish to pay the amount in question sooner, it is at liberty to do so.

The English Government shall notify, without delay, to the Persian Government, any instance of failure on the part of the Indo-European Telegraph Company in paying the periodical instalments, and will then hold the Persian government responsible for any portion of the debt remaining unpaid.

Nothing in this Article is to be considered to invalidate any claim on the Indo-European Telegraph Company which the Persian Government holds in virtue of the concessions granted to the said Company.

ARTICLE 15.

All articles required by the English staff from abroad for the service of the line shall be exempt from customs or other duties in Persia.

ARTICLE 16.

This convention applies specially to the Tehran-Bushire section, but shall apply equally to the Tehran-Khannikeen section, should the English Director, at any time, deem it expedient to resume charge of that portion of the Persian Telegraph.

In such a case the tariff of the Tehran-Khannikeen section and the method of account shall be settled by a special arrangement between the English and Persian Administrations.

ARTICLE 17.

Any disagreement arising between the Telegraph employés of the two Governments shall be referred for decision to the Persian Minister for Foreign Affairs and the British Representative at Tehran.

ARTICLE 18.

This convention shall take effect from the day on which its ratifications are exchanged, and shall remain in force until the first day of January one

thousand eight hundred and ninety-five, on which date the English Staff shall make over the whole line, in whatever condition it may be at the time, including iron posts and third wire, to the Persian Government, and shall then cease to have any further connection with the Persian Telegraph.

ARTICLE 19.

After the erection of the third wire it shall be competent for the English Government, at any time before the expiry of this convention, on giving six months' notice, to hand over the line, in its existing condition, to the Persian Government, and to withdraw its officers and employés from the country, ceasing from that date to have any further connection with the Persian Telegraph.

ARTICLE 20.

The ratifications of the present convention shall be exchanged at Tehran within five months or sooner, if practicable.

Done at Tehran, in quadruplicate, this second day of December in the year of our Lord one thousand eight hundred and seventy-two.

L. S. (Sd.) MIRZA SYUD KHAN. L. S. (Sd.) ROLD. F. THOMSON.

PROLONGATION of the TELEGRAPH CONVENTION of 2nd December 1872—1887.

It is hereby agreed beween the undersigned duly authorized thereto by their respective Governments that the convention signed at Tehran on 2nd December 1872 for continuing the system of telegraphic communication between Europe and India through Persia shall remain in force until 31st January 1905.

Done at Tehran this third day of July 1887.

L. S. (Sd.) YAHIA KHAN,
Mushir-ed-Dowleh.

L. S. A. NICHOLSON,
H. B. M.'s Chargé d'Affaires. *Minister for Foreign Affairs.*

No. XXIV.

TRANSLATION of the JASK AGREEMENT of 1887.

With regard to the boundaries of the Telegraph establishment at Jask, in accordance with the information received by the Persian Government and the British Legation, it has been decided as follows under date of the month of Jemmadee A. H. 1304 (February 25th, 1887).

That the Telegraph establishment, which is situated at a distance of 300 yards from the point, take possession of 600 yards more to the north of the Telegraph establishment, *i.e.*, 400 yards from the present boundary fence, between which and the Telegraph establishment is a distance of 200 yards, making a total from the end of promontory to the limits of 900 yards; at the end of these 900 yards a wire boundary will be drawn and the government of Jask shall have no right whatsoever on any account whatever to interfere in the interior of those limits.

As the Telegraph establishment well is about 1,000 yards distant from the boundary agreed upon, it is decided that the road and water-way from the well to the place where they meet the limits be protected, and no one shall build upon, destroy, or interfere with them; and for the preservation of the well itself it is agreed to set aside a space around the well to be walled in at a distance all round of 100 yards from the well.

The customs and other buildings of the Persian Government agent must be without the limits above agreed upon and be built on the place agreed upon between Mr. Ffinch and the Malek-i-Tajjar. It is agreed that the Telegraph officials and their true, positive, and salaried servants be exempted from customs dues.

It is agreed that stores for provisions and the necessaries of existence which are brought from the interior for the Telegraph establishment, such as rice, ghee, wood, etc., and such like be exempt from taxation.

It is agreed that if any of the dependents of Jask, other than the true, positive, and salaried servants of the Telegraph establishment, in order to take sanctuary or protection penetrate within the limits, the Telegraph officials shall have no right to protect them; on the contrary, they should place them without their boundary and hand them over to the government of Jask.

Any merchant, native or foreign, who may have shops within the limits must pay the usual customs dues on that which he imports in order to trade, buy, or sell.

(Sd.) A. NICHOLSON.

(Sd). AMEEN-ES-SULTAN.

That which His Excellency the Ameen-es-Sultan, Minister of Finance and of the Palace, has written is correct and is registered in the Foreign Office of the Persian Government.

This 2nd Jemmadee II, 1304.

Seal. Seal of the Ministry for Foreign Affairs.

NOTE.—This boundary was afterwards modified at Colonel Smith's suggestion. Instead of the new fence being erected at a distance of 400 yards and parallel to the old fence right across the point, a line was to be drawn from the West Bay, 150 yards from the old fence, and continued parallel to it to within 100 feet of Telegraph line, thence parallel to Telegraph line till it met new boundary 400 yards from old fence.

(Sd.) B. T. FFINCH,
Director, Persian Gulf Section,
The 14th June 1888. *Indian Government Telegraph Department.*

No. XXV.

CONVENTION between GREAT BRITAIN and PERSIA for the SUPPRESSION of the TRAFFIC in SLAVES.

Signed in the English and Persian languages, at Tehran, 2nd March 1882.*
[*Ratifications exchanged at Tehran, 14th June 1882.*]

In the name of God, the Almighty All-Merciful.

HER MAJESTY the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty the Shah of Persia, being mutually animated by a sincere desire to co-operate for the extinction of the barbarous Traffic in Slaves, have resolved to conclude a Convention for the purpose of attaining this object, and 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—Roland Ferguson Thomson, Esquire, Her Envoy Extraordinary and Minister Plenipotentiary at the Court of Persia;

And His Majesty the Shah of Persia—His Excellency Mirza Saeed Khan, His Minister for Foreign Affairs;

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

* From "State Papers," Vol. 73, page 31. This convention was carried into effect by an Order in Council, dated 18th August 1882, page 97.

ARTICLE I.

Permission to British Cruizers to visit and detain Persian Merchant Vessels.

In order to prevent the chance of negro slaves, male and female, being imported into Persia, British cruizers shall be permitted to visit and detain merchant vessels under the Persian flag, or belonging to Persian subjects, which may be engaged in, or which there may be reasonable grounds for suspecting to be or to have been engaged during the voyage on which they are met, in carrying slaves ; and if any such slaves are found on board such merchant vessels, the vessel, with all on board, shall be taken before the nearest Persian authorities for trial.

Persons provided with Government Passports not to be molested under certain circumstances.

But no person whatsoever who, being furnished with a Government passport, countersigned by a British Resident or Consul, may have gone from Persia to visit the places of pilgrimage, shall, when returning, be interfered with, provided such person be not accompanied by more negroes, either male or female, than the number mentioned in his original pass. The presence of any such additional negro or negroes shall be *primâ facie* evidence of an attempted Traffic in Slaves.

ARTICLE 2.

British Officer to be present at adjudication of captured Vessels.

If any merchant vessel under the Persian flag be captured by a British cruizer and taken into a Persian port for adjudication, it shall be the officer of the British cruizer making the capture, or some duly authorized officer of the British Government, who shall be present at such adjudication.

Disposal of condemned Vessels and slaves found on board.

In the event of the captured merchant vessel being condemned and sold, the proceeds of such sale shall go to the Persian Government, and all slaves found on board such vessel shall be handed over to the British authorities.

ARTICLE 3.

Persians engaging in Slave Traffic by Sea to be severely punished.

His Majesty the Shah of Persia agrees to punish severely all Persian subjects or foreigners amenable to Persian jurisdiction who may be found engaging in Slave Traffic by sea.

Slaves imported to be manumitted and protected.

And to manumit and guarantee the safety and proper treatment of all slaves illegally imported, that is to say, imported by sea into His Majesty's dominions after the signature of the present convention.

ARTICLE 4.

Agreement of August 1851 cancelled.

The present convention shall come into operation on the 1st May 1882. After the convention shall so have been brought into operation, Article XIII of the Treaty between Great Britain and Persia, signed at Paris on the 4th March 1857 (page 20), by which the Agreement entered into by Great Britain and Persia in August 1851 (page 12) was renewed, shall be considered as cancelled, except as to any proceeding that may have already been taken or commenced in virtue thereof.

ARTICLE 5.

The ratifications of the present convention shall be exchanged at Tehran within five months, or sooner if practicable.

Done at Tehran, in quadruplicate, this 2nd day of the month of March in the year of Our Lord 1882.

(L.S.) RONALD F. THOMSON
(L.S.) MIRZA SAEED KHAN.

ORDER in COUNCIL for carrying the above CONVENTION of 2nd March 1882 into effect. (*18th August 1882.*)

At the Court at Osborne House, Isle of Wight, the 8th day of August 1882.

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 provided that "thereupon as (from the said date, or if no date is specified as from the date of such Order)" all the provisions of the Act shall apply and be construed accordingly.

And whereas on the 2nd day of March in the year 1882 a Treaty of Convention was concluded between Her Majesty and His Majesty the Shah

*"Hertslet's Treaties," Vol. 14, page 717.

of Persia for the suppression of the Slave Trade, in the following terms, that is to say,—

[Here follows the Convention of 2nd March 1882, see page 99.]

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 1st day of May 1882, being the day on which the said Treaty or Convention came into operation, 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 Earl Granville, 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.

No. XXVI.

CONVENTION between GREAT BRITAIN and PERSIA, extending the system of Telegraphic communication between Europe and India through Persia, 1901.

[*Ratifications exchanged at Tehran, January 13, 1902.*]

HIS MAJESTY THE KING OF THE UNITED KINGDOM OF GREAT BRITAIN AND IRELAND, EMPEROR OF INDIA, and HIS MAJESTY THE KING OF ALL THE KINGDOMS OF PERSIA, being desirous to extend the system of telegraphic communication between Europe and India through Persia already established in virtue of previous treaties, have resolved that a Convention for that purpose shall be concluded, wherefore Their Majesties have named as their Plenipotentiaries: His Majesty the King of the United Kingdom of Great Britain and Ireland, Emperor of India—SIR ARTHUR HENRY HARDINGE, Knight Commander of the Most Distinguished Order of St. Michael and St. George, Companion of the Most Honourable Order of the Bath, His Envoy Extraordinary and Minister Plenipotentiary to the Court of Persia; and His Majesty the King of all the Kingdoms of Persia—His EXCELLENCY MIRZA NASRULLA KHAN MUSHIR-ED-DOWLEH, HIS Minister for Foreign Affairs, Bearer of the

Order of the Lion and the Sun of the First Class with Green Riband, Possessor of the Order of the Royal Portrait of His LATE MAJESTY NASREDDIN SHAH, Possessor of the Order of Royal Portrait of His PRESENT MAJESTY MUZUFFERED-DIN SHAH of the First Class, and of the Blue Cordon, Bearer of the Order of the White Eagle, and of the 1st Class of the Osmania adorned with diamonds, and of the First Order of Leopold (of Austria) and of the First Order of Leopold (of Belgium) and of the Order of St. Alexander, adorned with diamonds, etc., etc., etc. And the aforesaid Distinguished Representatives after meeting at Tajrisch in the neighbourhood of the Capital of Tehran, and perusing and exchanging their full powers, which were found in good and due form, have agreed upon and concluded the following Articles:—

ARTICLE I.

With the view of securing uninterrupted communication between Europe and India it is agreed that, in addition to the present line of telegraph from Tehran to Bushire and sub-marine cable thence to India already established in virtue of previous treaties, a three-wire line of telegraph shall be constructed by the Persian Government from Kashan to the Baluchistan frontier *viâ* Yezd and Kerman traversing wherever possible inhabited districts.

ARTICLE II.

In order that the line of telegraph may be constructed in a complete and effective manner, the Persian Government agrees that it shall be built under the direction and supervision of the British telegraph staff now controlling the International line in Persia, the British Government advancing to the Persian Government the salaries and allowances of the men actually employed on the work.

ARTICLE III.

The British Government agrees to procure for the Persian Government, at a reasonable price, all the posts, wire, insulators, etc., that may be requisite for this work, and to arrange for the carriage of the stores to the sites required, receiving payment for the same without interest as hereinafter provided. An account of the expenses incurred for this purpose, and certified in so far as they have been incurred in Persia, by the Persian Telegraph Department; and in so far as they have been incurred outside Persia, by the British Government, shall be submitted as early as possible by the Persian Government.

ARTICLE IV.

The Persian Government agrees to lease the use, and the transit revenue, of the line which is its property when complete to the Indo-European Telegraph Department at a rental of 4 (four) per cent. on the

capital expended on its construction, including cost of material, three-quarters of such rental to be retained by the British Government to recoup them for the advances made, and one-quarter, subject to a minimum of 25,000 frs., to be paid annually to the Persian Government in two half-yearly instalments. It is understood that, should the Persian Government's quarter share of the rental exceed 25,000 frs., such excess shall belong to the Persian Treasury.

ARTICLE V.

The maintenance of the line including repairs, and the appointment, control and payment of the line guards, who must be Persian subjects, shall remain in the hands of the British Director and staff, the cost being defrayed by the British Government. The duties of the Telegraph Inspectors and line guards are strictly confined to repairing and maintaining the line.

ARTICLE VI.

The principal offices constituting the permanent residences of the British Electricians and Inspectors shall be situated in towns or large villages, but pending further arrangements to be agreed upon between the two Governments, there shall only be one such office between Kerman and the Indian frontier.

The protection of the line and of the officials, whether Persian or British employed on it, shall be the special duty of the Persian Government, and should the English officials wish to proceed on inspection in Districts proclaimed as dangerous by the Persian Government, they shall inform the nearest local authority, in order that they may be provided with an escort.

The telegraph stations shall be built according to plans approved by the Persian Government, and in towns the houses to be used as such stations shall, wherever possible, be rented.

ARTICLE VII.

The line will be of three wires; one wire will be used by the Persian Telegraph Administration for its local work, and the remaining two wires will be for international traffic as provided in Articles IV, V and VI of the 1872 Convention.

ARTICLE VIII.

The revenue derived from the local traffic on the Persian wire shall belong entirely to the Persian Government. By local traffic is meant, messages originating at one Persian station and terminating at another Persian station.

ARTICLE IX.

As regards international messages originating or terminating in Persia, the Persian Government shall receive two-thirds of the receipts of all *bonâ fide* terminal messages.

And as regards transit messages, as this line is merely an alternative one to that now existing between Tehran and Bushire, the arrangement already made as detailed in Article VIII of the 1872 Convention will remain as at present. State telegrams passing between the Government of India and the British Minister at Tehran shall be sent at half rates.

ARTICLE X.

In view of the erection of the new line and of the increase of telegraph stations in Eastern Persia, and in order to facilitate intercourse with them, the Indo-European Telegraph Department shall place an additional wire along the existing line between Tehran and Kashan, and the expenses of procuring, transporting and putting up this wire will be borne by the Persian Government in the manner provided by Articles 2 and 4 of this Convention.

ARTICLE XI.

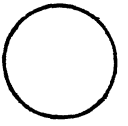
The following articles of the Telegraph Convention of 1872 shall apply to this line, *viz.*, Articles 6, 8, 9, 11, 13, 15 and 17.

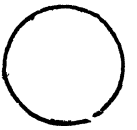
ARTICLE XII.

This Convention shall remain in force until the 1st January 1925 or for such longer period as the debt due by Persia for the construction of the line remains unpaid, and at such date it may, if necessary, be renewed or revised but it shall be competent for the British Government at any time before the expiry of this Convention, on giving six months' notice to hand over the line in its existing condition to the Persian Government and to withdraw its officers and employés from the country, ceasing from that date to have any further connection with this Persian telegraph. But in this case the Persian Government shall be free from any further payment on account of the construction of the line.

The ratifications of the present Convention shall be exchanged at Tehran within five months or sooner, if practicable.

Done at Tajrisch in quadruplicate this sixteenth day of the month of August in the year of Our Lord one thousand nine hundred and one.

L. S.  ARTHUR H. HARDINGE.

L. S.  NASRULLAH.

No. XXVII.

COMMERCIAL CONVENTION between GREAT BRITAIN and PERSIA.—Signed at TEHRAN, February 9, 1903.*

[*Ratifications exchanged at Tehran, May 27, 1903.*]

SA Majesté le Roi de Grande-Bretagne et d'Irlande, Empereur des Indes, et Sa Majesté le Schah de Perse, animés du même désir de consolider les rapports commerciaux entre les deux pays amis, ont jugé opportun de modifier et de compléter les dispositions établies par le deuxième alinéa de l'Article IX du Traité Anglo-Persan de Paris du 4 Mars, 1857,† et ont nommé à cet effet pour leurs Plénipotentiaires savoir:

Sa Majesté le Roi de Grande-Bretagne et d'Irlande, Empereur des Indes, son Envoyé Extraordinaire et Ministre Plénipotentiaire près la Cour de Perse, Sir Arthur Hardinge, Chevalier de l'Ordre de Saint-Michael et de Saint-George; et

Sa Majesté le Schah de Perse, son Premier Ministre, l'Atta Bek Azam Ali Asghar Khan Amin-es-Sultan; et le Sieur Joseph Naus, Ministre d'État, Administrateur-Général des Douanes et des Postes;

Lesquels, dûment autorisés à cet effet, sont convenus de ce qui suit:—

ART. I. Les marchandises d'origine Britannique importées en Perse par les sujets Britanniques, et pareillement les productions de la Perse exportées par les sujets Britanniques, seront soumises aux droits de douane fixés par les Tarifs détaillés (A) et (C) annexés à la présente Déclaration.

II.‡ Les marchandises d'origine Britannique importées en Perse (voir Article I) seront soumises au payement des droits de douane conformément au Tarif (A), une fois pour toutes, à leur entrée en Perse, et ne seront assujetties ensuite au payement d'aucun autre droit de douane ou d'autres charges, sauf celles prévues par l'Article V de la présente Déclaration.

Il est formellement stipulé que les sujets et les importations Britanniques en Perse, ainsi que les sujets Persans et les importations Persanes dans l'Empire Britannique, continueront à jouir sous tous les rapports du régime de la nation la plus favorisée; il est entendu qu'une Colonie Britannique ayant un régime douanier spécial, qui cesserait d'accorder aux importations Persanes le traitement de la nation la plus favorisée, n'aurait plus le droit de réclamer le même traitement pour ses propres importations en Perse.

Les produits Persans exportés en destination du Royaume-Uni payeront les droits de douane à leur entrée dans ce Royaume conformément au

* Signed in the French and Persian languages.

† Vol. XLVII, page 42.

‡ See Notes of February 12 and 13, 1903, page 133.

Tarif Général en vigueur, sous la réserve que ces importations bénéficieront toujours du traitement de la nation la plus favorisée. Dans le cas où le Royaume-Uni viendrait à établir dans son Tarif Général, sans un accord préalable avec la Perse, sur les produits Persans énumérés dans le Tarif (B) applicable aux importations Persanes en Russie (et annexé *ad memorandum* à la présente Déclaration), des droits autres que ceux qui existent actuellement dans le Tarif Général précité, et supérieurs aux droits inscrits dans le dit Tarif (B), la Perse aurait la faculté d'imposer à son tour des droits proportionnels aux provenances de même espèce du Royaume-Uni. Une Convention spéciale serait négociée dans ce but; à défaut d'entente, la présente Déclaration deviendrait nulle, et les deux Parties se trouveraient de nouveau sous le régime antérieur consacré par l'Article IX du Traité de Paris.

Les Règlements édictés ou à édicter pour les produits prohibés à l'importation dans le Royaume-Uni, et aussi pour les droits de sortie du Royaume-Uni, seront applicables au trafic Persan en ce Royaume.

III. Le droit de sortie de 5 pour cent existant jusqu'à présent en Perse sur les marchandises et produits exportés est totalement aboli, à l'exception des droits de sortie établis par le Tarif (C) sur les produitsy dénommés.

Les marchandises Britanniques et Persanes pourront, aux conditions du présent Arrangement, être librement exportées de l'un dans l'autre des deux États sous la réserve bien entendu des interdictions ou prohibitions déjà établies ou à établir par chacune des deux Hautes Parties Contractantes, soit dans un intérêt de sécurité ou de préservation sociale, soit pour empêcher éventuellement l'exportation de produits du sol qu'il serait momentanément nécessaire de réserver afin d'assurer l'alimentation publique.

IV. Le Gouvernement Persan prend l'engagement de suprimer toutes les taxes de rahdari perçues actuellement pour l'entretien des routes de caravane, et de ne pas permettre l'établissement d'autres taxes de routes ou de barrière ailleurs que sur les voies carrossables, comportant des travaux d'art dont la Concession a déjà été accordée ou serait accordée par Firmans spéciaux. Les taux des taxes à percevoir dans ce cas par le concessionnaire seraient fixés par le Gouvernement Persan, qui en donnera connaissance à la Légation de Sa Majesté Britannique; ces taxes ne devant pas dépasser par farsakh celles de la route Resht-Téhéran: la perception ne pourrait commencer qu'après l'achèvement de la route ou du moins de ses principaux tronçons entre des localités importantes, et ne dépassant en aucun cas pour les marchandises Britanniques les taux prélevés des marchandises d'une autre provenance.

V.* Le système de fermage pour la perception des droits de douane en Perse devant être aboli à jamais sera remplacé à toutes les frontières du Royaume par l'institution de bureaux de douane gouvernementale,

organisés et administrés de manière à assurer aux commerçants l'égalité des perceptions et un bon traitement de leurs marchandises.

Le Gouvernement Persan prendra toutes les mesures nécessaires pour assurer d'une manière générale la sécurité des marchandises durant leur séjour dans les bureaux de la douane, et il assume la responsabilité directe de l'intégrité et de la bonne conservation des marchandises qui seront déposées dans les magasins des bureaux de la douane. En conséquence, le Gouvernement Persan s'engage à faire construire aussitôt que possible, et en tout cas pas plus tard que cela est indiqué ci-dessous dans la clause (*a*) de cet Article, dans les bureaux désignés à cet effet par un Règlement prévu ci-après, des magasins dûment clôturés et assez vastes pour y assurer l'emmagasinage des quantités de marchandises habituellement importées ; dans tous les autres bureaux il devra être établi des installations convenables en rapport avec les besoins du trafic de passage. Les commerçants Britanniques jouiront, dans les conditions fixées par le même Règlement, du droit d'entrepôt pendant douze mois à dater du jour de l'arrivée des marchandises, sans payer aucune droits ni taxes pour la mise en entrepôt.

Un Règlement Général arrêté par l'Administration des Douanes, et pour lequel il sera établi un accord avec la Légation d'Angleterre à Téhéran, fixera le plus tôt possible après la mise en vigueur de la présente Convention :

(*a*) La classification des bureaux de douane et leurs attributions, les points des frontières de terre et de mer, et les chemins ouverts pour l'importation et l'exportation des marchandises, ainsi que l'organisation des magasins des bureaux de la douane et la fixation des termes indiquant l'inauguration des opérations de ces bureaux et magasins ;

(*b*) Les formalités á observer par le commerce pour l'importation et l'exportation des marchandises ;

(*c*) Le régime de l'entrepôt applicable aux marchandises Britanniques pendant douze mois à partir de leur arrivée dans un des bureaux ouverts à ce trafic ;

(*d*) Les payements à imposer au commerce, pour le séjour des marchandises dans les magasins de la douane, ou pour tous autres services rendus par la douane aux commerçants ;

(*e*) La procédure douanière concernant la vérification des marchandises frappées de droits spécifiques et l'évaluation de celles imposés *ad valorem*, ainsi que les amendes applicables au cas de fraude ou de violation des formalités et règles établies.

Pour ce qui concerne la procédure douanière applicable aux marchandises à l'entrée ou à la sortie du Royaume-Uni, les sujets Persans seront soumis aux lois édictées ou à édicter dans le dit Royaume sans que les dispositions de celles-ci puissent de quelque manière que ce soit consacrer,

à l'égard du commerce des sujets Persans, des dispositions moins favorables que celles qui sont applicables aux commerçants des pays jouissant du traitement de la nation la plus favorisée.

VI.* L'acquittement des droits d'entrée dans le Royaume-Uni sera effectué en monnaies y admises pour le payement des taxes douanières.

Pour l'applications des Tarifs (A) et (C), le batman Persan dit de Tauris sera calculé à 640 miscals Persans équivalent à 2·97 kilog. Français ; et les 100 krans Persans seront calculés à l'équivalent en monnaie Anglaise de 48 fr. Français en monnaie d'or.

Dans le cas où le change du kran par rapport au franc viendrait à baisser de plus de 10 pour cent et se maintiendrait tel plus d'un mois, le Gouvernement Persan aurait la faculté, après la constatation du fait par les principales banques et notification préalable à la Légation de Sa Majesté Britannique, de hausser proportionnellement les taux des droits spécifiques inscrits dans les Tarifs (A) et (C). La notification relativement à l'élévation des droits devra être faite par le Gouvernement Persan à la Légation d'Angleterre à Téhéran au moins deux semaines avant que cette élévation soit appliquée.

Pour le cas d'une hausse dans le cours du kran dépassant 10 pour cent. et se maintenant tel durant plus d'un mois, le Gouvernement Britannique aura le droit de demander l'abaissement proportionnel des Tarifs (A) et (C), et le Gouvernement Persan serait tenu d'accorder le dit abaissement.

VII. Le Gouvernement Persan s'engage à appliquer à toutes les frontières du Royaume les dispositions de la présente Convention, ainsi que les Tarifs (A) et (C) avec les modifications prévues par l'Article VI.

La présente Déclaration, dont, en cas de contestation, le texte Français prévaudra, sera ratifiée, et les ratifications en seront échangées à Téhéran ; elle sera promulguée par les deux Hauts Gouvernements et entrera en vigueur à la date qui sera fixée d'une commun accord.

Fait en double, en Français et en Persan, le 9 Février, 1903.

(L.S.) ARTHUR H. HARDINGE.

(L.S.) J. NAUS.

The seal and signature of the Atta Bek Azam were affixed to the Persian text.

See Note of February 13, 1903, page 133.

ANNEXE.*

Tarifs Douaniers (A, B, et C) —Annexe à la Déclaration échangée entre le Gouvernement de Sa Majesté Britannique et le Gouvernement de Sa Majesté le Schah-in-Schah de Perse, le 9 Février, 1903.

TARIF (A).—Importations en Perse de Marchandises de Provenance Britannique.

No.	Désignation des Marchandises.	Unité.	Droits.
			T. kr. ch.
1	Allumettes	Le batman brut .	0 0 8
2	Animaux vivants de toute espèce	...	Exempts.
3	Armes de toute espèce, y compris less pièces détachées ou non assemblées .	...	Prohibées.
	Remarque.—Les importations autorisées en vertu d'une dispense spéciale du Gouvernement, conformément à la Loi du 5 Ramazan, 1317, seront soumises à une taxe spéciale de 20 tomans par fusil, de 5 tomans par revolver, de 2 tomans par pistolet, et de 7 tomans par batman pour toutes autres armes, ainsi que pour toutes pièces détachées ou non assemblées.		
4	Bois—		
	1. Bois de construction et d'ébénisterie, de toute espèce, en grume ou sciés	...	Exempts.
	2. Bois ouvrés, autres que les véhicules, les meubles et les articles de fantaisie, y compris les articles de charpenterie, d'ébénisterie, et de tonnellerie	Le batman . .	0 0 2
5	3. Bois non dénommés y compris le bois de chauffage	...	Exempts.
	Boissons—		
	1. Vins mousseux en bouteilles (la bouteille de 80 centilitres ou moins) .	...	0 5 0
	Remarque.—Les demi-bouteilles de 40 centilitres ou moins acquittent la moitié des droits stipulés. Les bouteilles d'une contenance supérieure à 80 centilitres acquittent les droits proportionnellement à leur contenance réelle.		
	2. Vins non mousseux en cercles, en dames-jeannes, en coupes ou en bouteilles	Le batman brut .	0 4 0

	3. Alcools et esprits de vin; eaux-de-vie non denommées, y compris les mêmes eaux-de-vie simplement sucrées, ainsi que celles préparées au moyen de fruits infusés, en cercles ou en bouteilles	„ „ .	0 4 0
	4. Le cognac, le rhum, le whisky, le Schiedam, l'arac, le tafia, le vermouth, le gin, le Kirsch, l'eau-de-vie de Dantzig, le kümmel, et les liqueurs de toute espèce, telles que la chartreuse, la bénédictine, l'alkermès, le marasquin, le curaçao, le punch, l'absinthe, les crèmes, les anisettes, etc., en cercles ou en bouteilles.	„ „ .	1 2 0
	5. Bières, vinaigres, et toutes autres boissons fermentées, en cercles ou en bouteilles	„ „ .	0 0 6
	6. Limonades	„ „ .	0 0 10
	Remarque.—Les limonades qui renferment plus de 5 pour cent d'alcool pur rentrent dans la catégorie des "Eaux-de-vie non dénommées."		
6	7. Eaux minérales naturelles ou artificielles	Les 10 bouteilles .	0 0 10
	Bougies, cierges, et chandelles, y compris les pelotes, les torches, et les mèches	Le batman brut .	0 0 8
7	Charbon de terre et coke; charbon de bois	...	Exempts.
8	Cire brute	Le batman . .	0 0 10
9	Denrées et conserves alimentaires—		
	1. Beurres et autres graisses comestibles—		
	(*a*) Frais ou salés	...	Exempts.
	(*b*) Conservés en boîtes de fer-blanc	Le batman brut .	0 0 8
	2. Cacao de toute espèce, préparé ou non, y compris les déchets et pellicules et le chocolat	„ „ .	0 5 0
	3. Café, y compris les coques, déchets, et pellicules et les succédanés du café—		
	(*a*) Non torréfiés	Le batman . .	0 5 0
	(*b*) Torréfiés	„ . .	0 6 0
	Remarque—Le café importé en petits paquets ou en boîtes en carton, en fer-blanc, ou autres récipients analogues acquitte les droits d'après le poids brut.		

* See Notes of February 12 and 13, 1903, page 133.

No.	Désignation des Marchandises.	Unité.	Droits.
	Denrées et conserves alimentaires (*suite*)—		T. kr. cn.
	4. Céréales alimentaires et leur dérivés—		
	(*a*) Riz	Le batman	0 0 2
	(*b*) Froment, orge, avoine, et autres céréales alimentaires non dénommées	...	Exempts.
	(*c*) Malt	...	Exempt.
	(*d*) Amidon et autres fécules non alimentaires	Le batman	0 1 0
	Remarque.—Les amidons et autres fécules non alimentaires importés en petits paquets, en boîtes en carton ou en fer-blanc, ou autres récipients analogues acquittent les droits d'après le poids brut.		
	(*e*) Farines toute espèce comestibles, y compris l'orge perlé et les gruaux de Mac	...	Exemptes.
	(*f*) aroni, vermicelle, et autres pâtés alimentaires	Le batman	0 1 0
	(*g*) Biscuits, pain d'épice et pâtisseries de toute espèce	Le batman brut	0 1 0
	5. Chicorée séchée, torréfiée, ou moulue	Le batman	0 0 4
	Remarque.—La chicorée importée en petits paquets, en boîtes en carton ou en fer-blanc, ou autres récipients analogues acquitte les droits d'après le poids brut.		
	6. Fromages—		
	(*a*) Communs, mous, et blancs, confectionnés exclusivement au moyen de lait écrêmé	...	Exempts.
	(*b*) Autres de toute espèce	Le batman	0 3 0
	Remarque.—Les fromages importés dans des enveloppes de plomb ou de fer-blanc acquittent les droits avec le poids de ces enveloppes.		
	7. Fruits et baies—		
	(*a*) Frais ou secs, de toute espèce, autres qu'en conserves, ainsi que les amandes, noix, et noisettes	„	0 0 5
	(*b*) Conservés, y compris les confitures, gelées, pâtés de fruits, pastilles, marmelades, fruits confits, les jus et sirops de fruits, en boîtes, post, flacons, et autres récipients analogues	Le batman brut	0 1 0

Remarque.—Les jus et sirops de fruits qui renferment plus de 5 pour cent d'alcool pur rentrent dans la catégorie des "Eaux-de-vie non dénommées.		
8. Huiles végétales—		
(*a*) D'olives	„ „	0 2 0
(*b*) Autres non spécialement dénommées	„ „	0 0 4
9. Lait—		
(*a*) Frais	...	Exempt.
(*b*) Conservé en boîtes de fer-blanc, flacons, et autres récipients analogues; hermétiquement fermés	Le batman brut	0 1 0
10. Légumes de toute espèce—		
(*a*) Frais ou secs	...	Exempts.
(*b*) Conservés en boîtes, pots, flacons, ou autres récipients analogues	Le batman brut	0 1 10
11. Miel	...	Exempt.
12. Œufs de volailles	...	Exempts.
13. Poissons—		
(*a*) Frais, secs, salés, ou fumés	...	„
(*b*) Conservés, y compris le caviar, en boîtes de fer-blanc, pots, flacons, ou autres récipients analogues	Le batman brut	0 1 10
14. Sel	Les 10 batmans	0 0 2
15. Sucres—		
(*a*) En pains ou candits	Le batman	0 0 3
Remarque.—Les sucres en pains acquittent les droits avec le poids des papiers et cordes qui leur servent d'emballage immédiat.		
(*b*) En poudre, y compris les cassonades et les sirops	„	0 0 2
(*c*) Sucreries, telles que dragées, caramels, bonbons, etc.	„	0 1 0
Remarque.—Les sucreries importées en flacons, en pots, en boîtes de carton ou de fer-blanc, ou autres récipients analogues, ou qui sont revêtus d'emballages spéciaux en plomb, en papier, etc., acquittent les droits d'après le poids brut.		

No.	Désignation des Marchandises.	Unité.	Droits.
	Denrées er conserves alimentaires (*suite*)—		T. kr. ch.
	16. Thés—		
	(*a*) Thé blanc	Le batman .	1 8 0
	(*b*) Tous autres thés	„ . .	1 2 0
	Remarque.—Les thés importés en petits paquets ou en boîtes de carton, de fer-blanc, ou autres récipients analogues acquittent les droits d'après le poids brut. Le Gouvernement Persan est autorisé à abaisser ces droits jusqu'à 6 krans par batman.		
	17. Viandes—		
	(*a*) Fraiches	...	Exemptes.
	(*b*) Salées, séchées, ou fumées	Le batman .	0 1 4
	Remarque.—Les viandes salées, séchées, ou fumées, importées dans des enveloppes de métal, acquittent les droits avec le poids de ces enveloppes.		
	(*c*) Conservées, y compris les extraits de viande, en boîtes de fer-blanc, pots, flacons, ou autres récipients analogues . .	Le batman brut .	0 1 10
10	Drogueries	Valeur .	5 pour cent.
	Cet article comprend notamment les parties de végétaux employé es en médecine qui ne sont pas soumises à un régime spécial, les extraits médicinaux et les essences ou huiles médicinales, les baumes, opiats, emplâtres, onguents, cérats, pilules, et pommades pharmaceutiques, les eaux distillées de plantes ne contenant pas d'alcool, et d'une manière générale tous les produits pharmaceutiques préparés sans sucre ni alcool.		
	Remarque. - Les bonbons pharmaceutiques préparés au sucre suivent le régime des " Sucreries " et les produits préparés avec de l'alcool celui des " Liqueurs de toute espèce."		
11	Echantillons commerciaux sans valeur intrinsèque, y compris les échantillons de tissus de 30 centim. ou moins de longueur sur toute la largeur du tissu et les échantillons sur cartes ou carnets, de même que les catalogues illustrés	...	Exempts.
12	Épiceries—		
	1. Poivre, curry, piment, moutarde, cannelle, noix de muscade et clous de girofle	Le batman . .	0 1 10
	2. Vanille et safran, y compris la vaniline	„ . .	3 0 0
	3. Truffes	„ . .	1 0 0
	4. Épiceries non dénommées	Valeur . .	15 pour cent.

	Remarque.—Les épiceries de toute espèce importées dans des enveloppes de plomb, en boîtes, pots, flacons, ou autres récipients analogues acquittent les droits d'après le poids brut.		
13	Gommes—		
	1. Caoutchouc et ses applications—		
	(*a*) Caoutchouc brut	Le batman . .	o o 8
	(*b*) Caoutchouc préparé en plaques, feuilles, ou fils . . .	„ . .	o 3 o
	(*c*) Galoches et autres chaussures en caoutchouc	Les douze paires .	o 6 o
	(*d*) Toiles cirées de toute espèce	Le batman . .	o 2 o
	(*e*) Tous autres ouvrages en caoutchouc à l'exception des objets d'habillement spécialement dénommés, des jouets et des articles de fantaisie	„ . .	1 o o
	2. Toutes autres gommes	...	Exemptes.
14	Habillements—		
	1. Habillements de corps et lingerie de corps, de toute espèce, dont le tissu constitue la partie principale, simplement cousus, sans ornements ou broderies ni garnitures, à l'exception des écharpes, châles, voiles et voilettes, et des autres objets qui sont mentionnés dans les différents paragraphes de l'Article 20.	...	Droits du tissu le plus imposé entrant dans la composition des objets augmenté de 50 pour cent.
	2. Tous autres objets servant à l'habillement, et qui ne sont pas dénommés dans une autre rubrique du Tarif	Valeur . .	15 pour cent.
	Cet Article comprend notamment :—		
	Les articles en bonneterie garnis de dentelles, de franges, de rubans, ou ayant reçu un complément de main d'œuvre après la fabrication du tissu ; les boas, manchons, et palatines ; les bretelles et jarretières ; les ceintures ; les chapeaux, casquettes, et bonnets de toute espèce ; les chaussures autres qu'en cuir et en caoutchouc ; les corsets et brassières ; les cravates et fichus confectionnés ; les écharpes, châles, voiles et voilettes confectionnés s'ils sont garnis de broderies, de dentelles, ou autres ornements, à l'exception des objets mentionnés à l'Article 20 ; les faux-cols, manchettes, et plastrons ; les gants de toute espèce ; les guêtres et jambières autres qu'en cuir ; les mouchoirs garnis de dentelles ; les panaches, aigrettes, plumes, et plumets, et les peaux d'oiseaux préparées pour la parure ; les sous-bras, etc., et en général tous les habillements de corps et lingerie de corps avec dentelles, broderies, ou autres garnitures.		
	3. Parapluies et parasols	„ . . .	5 pour cent.

No.	Désignation des Marchandises.	Unité.	Droits.
			T. kr. ch.
15	Huiles autres que végétales—		
	1. Huiles de naphte, purifiées ou non, en vrac	Les 10 batmans	0 0 3
	2. Les mêmes en fûts, bidons, ou autres emballages analogues	„	0 0 5
	3. Non spécialement dénommées	Le batman brut	0 0 4
16	Instruments de musique—		
	1. Pianos droits et harmoniums autres que les harmoniums-flutes	La pièce	40 0 0
	2. Pianos à queue	„	80 0 0
	3. Tous autres instruments de musique	Valeur	20 pour cent.
17	Instruments scientifiques, de physique, de mathématique, et d'optique	„	10 „
18	Matières animales brutes non dénommées, y compris la colle forte, les plumes et le duvet non préparés, les œufs de vers à soie, et les engrais animaux	...	Exemptes.
19	Matières minérales—		
	(A) Métaux—		
	1. Fer et ses applications—		
	(*a*) Minerais de fer	...	Exempts.
	(*b*) Fer, acier, fonte de fer et d'acier, en lingots; vieux fer et mitraille de fer	Les 10 batmans	0 1 0
	(*c*) Fer et acier en barres, plaques, feuilles, ou fils	„	0 1 5
	(*d*) Fer blanc en feuilles	„	0 5 0
	(*e*) Ouvrages en fonte de fer, en fer, ou en acier	Le batman	0 0 7
	Cette rubrique comprend les machines et les outils de toute espèce, ainsi que la serrurerie, la clouterie, les vis, les cuillers et fourchettes en fer et les couteaux dits de paysan, de table ou de cuisine avec manches en fer, en os, en bois commun, ou en autres matières ordinaires, les canifs et les ciseaux, à l'exclusion des articles de fantaisie.		
	Remarque.—Les articles émaillés, nickelés, ou recouverts d'un autre métal non précieux, ainsi que les couteaux, fourchettes, et canifs, à manches de nacre, d'ivoire, d'écaille, de corne de cerf, ou d'ébène, acquittent un droit supplémentaire de 30 pour cent du droit principal.		
	2. Étain, plomb, et zinc, et leurs applications—		
	(*a*) Minerais d'étain, de plomb, et de zinc	...	Exempts.

(*b*) Étain, plomb, et zinc en lingots, plaques, feuilles, ou fils .	Les 10 batmans	0 6 0
(*c*) Ouvrages en étain, en plomb, et en zinc, à l'exclusion des articles de fantaisie	Le batman .	0 1 0
Remarque 1.—Les feuilles d'étain ou de plomb très minces et destinées à recouvrir d'autres marchandises, telles que pralines, chocolats, fromages, etc., sont considérées comme "Ouvrages."		
Remarque 2.—Les articles émaillés, nickelés, ou recouverts d'un autre métal non précieux acquittent un droit supplémentaire de 30 pour cent du droit principal.		
3. Cuivre et nickel et leurs applications—		
(*a*) Minerais de cuivre et de nickel	...	Exempts.
(*b*) Cuivre, nickel, et leurs alliages, en barres plaques, feuilles, ou fils	Les 10 batmans .	0 6 0
(*c*) Monnaies en cuivre ou en nickel	...	Prohibées.
(*d*) Ouvrages en nickel ou en alliage de nickel, à l'exclusion des articles de fantaisie	Le batman . .	0 2 0
Remarque.—Les articles émaillés ou recouverts d'un autre métal précieux acquittent un droit supplémentaire de 30 pour cent du droit principal, et ceux recouverts de métal précieux de 60 pour cent du droit principal.		
(*e*) Ouvrages en cuivre ou en alliage de cuivre, y compris les machines et mécaniques et outils, le cuivre préparé dit "oripeau," les poudres à bronzer, à dorer, et autres articles analogues, à l'exclusion des articles de fantaisie	,, . .	0 1 0
Remarque 1.—Les poudres à bronzer, à dorer, et autres articles analogues importés en tubes de verre, flacons, boîtes, pots, et autres récipients de même nature acquittent les droits d'après le poids brut.		
Remarque 2.—Les oripeaux en livrets acquittent les droits d'après le poids cumulé des feuilles et du livret.		
Remarque 3.—Les articles émaillés, nickelés, ou recouverts d'un autre métal non précieux acquittent un droit supplémentaire de 30 pour cent du droit principal, et ceux recouverts de métal précieux de 60 pour cent du droit principal.		
4. Or, argent, et platine, et leurs applications—		
(*a*) Minerais d'or, d'argent, ou de platine	...	Exempts.
(*b*) Or, argent, et platine, en lingots	Valeur . .	5 pour cent.

No.	Désignation des Marchandises.	Unité.	Droits.
			T. kr. ch.
	Matières minérales (*suite*)—		
	(A) Métaux (*suite*)—		
	4. Or, argent, et platine, et leurs applications—		
	(*c*) Ouvrages en argent fin ou en argent fin doré, y compris l'argent fin en feuilles, en poudre, en fils, à l'exception du fil dit "Cannetille," qui fait l'objet du section 22 de l'Article 20	Valeur	5 pour cent.
	(*d*) Ouvrages en or fin ou en platine	"	10 pour cent.
	5. Métaux non dénommés et leurs applications—		
	(*a*) Minerais non dénommés	...	Exempts.
	(*b*) Aluminium et autres métaux non dénommés, en barres, plaques, feuilles, et fils	Les 10 batmans	0 8 0
	(*c*) Ouvrages en aluminium ou en autres métaux non dénommés, y compris les machines et mécaniques et les outils, à l'exclusion des articles de fantaisie	Le batman	0 5 0
	Remarque.—Les articles émaillés, nickélés, ou recouverts d'un autre métal non précieux acquittent un droit supplémentaire de 30 pour cent du droit principal et ceux recouverts de métal précieux de 60 pour cent du droit principal.		
	(B) Pierres et leurs applications—		
	1. Pierres brutes	...	Exemptes.
	2. Pierres ouvrées, polies, ou sculptées, y compris les ouvrages en gypse, à l'exclusion des statues, statuettes, bustes, vases, et autres objets servant à l'ameublement ou à la décoration des lieux habités	Les 10 batmans	0 2 5
	3. Pierres précieuses brutes ou taillées, montées, ou non montées, y compris les perles fines	Valeur	25 pour cent.
	(C) Matières minérales non spécialement dénommées, y compris le ciment, la chaux, le gypse, la terre glaise, et la terre plastique	...	Exemptes.
20	Matières textiles, et leurs applications—		
	1. Coton brut	...	Exempt.
	2. Fils de coton de toute espèce, tors ou non tors, écrus, blanchis, ou teints, y compris les fils préparés pour la couture	Le batman	0 1 0
	Remarque.—Les fils sur bobines, cartes, etc., acquittent les droits d'après le poids brut.		

3. Tissus de coton—		
(*a*) De toute espèce, écrus, blanchis, teints ou imprimés, autres que ceux spécialement dénommés	Les 10 batmans	1 2 0
(*b*) Velours et peluches de coton	„	2 5 0
(*c*) Tulles de coton brodés ou non brodés	„	2 5 0
4. Laines brutes, déchets de laine et poils	...	Exempts.
5. Feutre ordinaire, y compris les objets confectionnés en feutre, à l'exclusion de ceux qui rentrent dans la catégorie des habillements	Les 10 batmans	0 5 0
6. Fils de laine et de poils de toute espèce	Le batman	0 1 0
Remarque.—Les fils de laine sur bobines, cartes, etc., acquittent les droits d'après le poids brut.		
7. Tapis de laine, ainsi que les tapis de table brodés ou brodés de franges ou d'autres ornements analogues	„	0 3 0
8. Tissus de laine—		
(*a*) Châles de laine des Indes et de Schirvan	„	3 0 0
Remarque.—Les châles imitant ceux des Indes et de Schirvan de provenance Européenne dûment certifiée acquittent les droits selon l'espèce du tissu.		
(*b*) Tissus de laine pure de toute espèce	„	0 8 0
Remarque.—Les tissus de laine qui contiennent dans l'ensemble des fils de leur chaîne et de leur trame plus de 90 pour cent de fils de pure laine seront traités comme étant de pure laine.		
(*c*) Tissus de laine mélangée de coton, de lin, ou d'autres filaments végétaux, à chaîne ou à trame de pure laine.	„	0 3 0
Remarque.—Les tissus de filaments végétaux mélangés, brodés, ou brochés de laine, ainsi que les écharpes et châles de filaments végétaux, mélangés, brodés, ou brochés de laine ou bien garnis de franges en laine, acquittent les droits du tissu selon l'espèce augmentés de 10 pour cent.		
9. Lin, chanvre, et autres filaments végétaux non dénommés, bruts, y compris les déchets	...	Exempts.
10. Jute brute, y comprisles déchets	Le batman	0 0 4
11. Fils de lin et de chanvre, simples ou tors, et tissus de ces filaments végétaux, écrus ou blanchis, pour emballages, y compris les sacs	„	0 0 6
12. Fils de jute et d'autes filaments végétaux non dénommés, simples ou tors, et tissus de jute, et d'autres filaments végétaux non dénommés, écrus ou blanchis, grossiers pour emballages, y compris les sacs	„	0 0 10
13. Tissus de lin et de chanvre de toute espèce	„	0 0 10

No.	Désignation des Marchandises.	Unité.	Droits.
			T. kr. ch.
	Matières textiles, etc. (*suite*)—		
14.	Tissus de jute et d'autres filaments végétaux, à l'exception des velours et des peluches	Le batman	0 1 0
15.	Velours et peluches de jute	„	0 2 10
16.	Soie en cocons, bourre, et bourrette de soie et déchets de soie non peignés	...	Exempts.
17.	Soie grège ; ouate de soie et déchets de soie, peignés, teints ou non teints	Le batman	0 4 0
18.	Fils de bourre et de bourrette de soie	„	0 5 0
	Remarque.—Les fils sur bobines, cartes, etc., acquittent les droits d'après le poids brut.		
19.	Fils de soie tors ou préparés pour la broderie ou la couture	„	1 0 0
	Remarque.—Les fils sur bobines, cartes, etc., acquittent les droits d'après le poids brut.		
20.	Tissus de soie—		
	(*a*) Tissus de bourre et de bourrette de soie	„	0 15 0
	(*b*) Tissus de soie pure, brochés de fils d'argent faux ou fin, dorés ou non dorés, ainsi que les velours et peluches de soie pure	„	5 0 0
	(*c*) Tissus de soie pure, tous autres	„	3 0 0
	Remarque.—Les tissus qui contiennent dans l'ensemble des fils de leur chaîne et de leur trame plus de 90 pour cent de fils de pure soie seront traités comme étant de pure soie.		
	(*d*) Tissus de soie mélangée de coton ou d'autres filaments végétaux, à chaîne ou à trame de pure soie	„	1 5 0
	Remarque.—Les tissus de laine ou de filaments végétaux, mélangés, brodés, ou brochés de soie ou de fils d'argent faux ou fin, dorés ou non dorés, acquittent les droits du tissu selon l'espèce augmentés de 20 pour cent.		

Remarques générales.—1. Les étoffes tricotées ou tressées en matières filamenteuses, ainsi que les objets de ces étoffes et les objets en tissus qui, après le tissage, n'ont pas reçu de complément de main-d'œuvre, tels que les mouchoirs, les couvertures de lit et de voyage, les nappes et serviettes, les plaids, les châles non dénommés et les écharpes. les voiles et voilettes, la rubanerie, les objets en tricot, etc., suivent le régime des tissus suivant l'espèce.		
2. Les objets confectionnés en étoffes tricotées ou tressées ou en tissu quelconque, ourlés ou bordés de franges de toute espèce, acquittent les droits afférents au tissu comme les mêmes objets non ourlés et non bordés de franges.		
21. Fils d'argent ou d'or faux (clinquant étiré ou filé) recouverts d'argent ou d'or fin ou non recouverts. paillons et paillettes d'argent ou d'or faux, galons, bandes, cordons. agréments, franges, et autres articles de passementerie en toutes matières filamenteuses, ainsi que ceux mélangés de clinquant, argenté et doré, ou non argenté et non doré	Le batman . .	0 2 0
22. Fils d'argent fin, étirés ou filés, dits "Cannetille," dorés ou non dorés, ainsi que les galons, bandes, cordons, agréments, franges, et autres articles de passementerie en toutes matières filamenteuses, mélangées de fils d'argent fin, dorés ou non dorés	„ . .	1 0 0
Remarque.—Les fils d'argent et d'or fin ou faux sur bobines, ainsi que les objets de passementerie sur cartes, etc., acquittent les droits d'après le poids brut.		
23. Dentelles et broderies de toute espèce	Valeur . .	20 pour cent.
24. Tissus non dénommés	„ . .	10 pour cent.
Cette rubrique comprend notamment les tissus de crins, ainsi que les tresses de paille, de sparte, de jonc, les tissus amiantés, etc.		
25. Cordes, cordages, et ficelle en filaments végétaux de toute espèce, y compris les filets	Les 10 batmans	0 3 0
les et chiffons	...	Exempts.

No.	Désignation des Marchandises.	Unité.	Droits.
			T. kr. ch.
21	Mercerie et quincaillerie—		
	1. Les coffres et boîtes en bois de toute espèce, peints ou non peints, garnis ou non garnis, d'ornements, de fermetures, et de montures en métal, les paniers, corbeilles, cabas de paille et d'autres végétaux, de drap, etc, à l'exception des boîtes, coffrets, et corbeilles de fantaisie ; la cire à cacheter ; la colle de poisson et la colle liquide ; les produits servant au nettoyage et au polissage des cuirs, bois, ou métaux, en boîtes ou en flacons, tels que encaustiques, pommades, cirages, etc.	Valeur . .	5 pour cent.
	2. Tous autres objets	„ . .	15 pour cent.
	Cette rubrique comprend notamment les agrafes et porte-agrafes de toute espèce, y compris les agrafes de fantaisie pour ceintures, manteaux, etc. ; les aiguilles à coudre ou à tricoter ; les appareils photographiques et leurs accessoires, tels que plaques, papier sensibilisé, chassis, etc. ; l'argenterie de table en argent-neuf, en argent-faux, en ruolz, en argent blanc, ou en maillechort, y compris les cuillers et fourchettes, et couteaux de table avec manches en ruolz ; et tous les objets destinés au service ou à l'ornement de la table, garnis de montures, ou de fermetures en argent-neuf, en ruolz, ou en autres métaux y assimilés ; les articles pour fumeurs, tels que fume-cigares, fume-cigarettes, pipes, tabatières, étuis à cigares et à cigarettes, cendriers, porte-allumettes, et autres objets analogues ; les articles de bureau, tels que encriers, plumes, porte-plumes, essuie-plumes, crayons, mines, porte-mines, porte-crayons, taille-crayons, règles, compas, etc. ; les articles de toilette, tels que cordons de montre et de pince-nez de toute espèce, sautoirs, chausse-pieds, brosses et peignes de toute espèce, cure-dents, cure-ongles, les éponges, etc. ; les articles de maroquinerie de toute espèce, tels que porte-feuilles, porte-cartes, étuis, porte-monnaies, bourses, etc. ; les articles de voyage, tels que malles, valises, sacs, à l'exception des coffres, paniers, et corbeilles qui sont repris à la section 1 du présent Article ; les articles de lunetterie ordinaires, tels que lunettes, pince-nez, jumelles, longues-vues, stéréoscopes, et autres objets analogues ; les bandages herniaires ; la bijouterie* fausse de toute espèce, y compris les articles en		

	jais, ambre, etc., et les pierres et perles fausses; les boîtes et coffrets de fantaisie; les boîtes de couleurs, ainsi que leurs accessoires et les couleurs en tablettes ou en tubes; les boutons de toute espèce; les cannes; les cartes à jouer; les chapelets de toute espèce; les chevilles pour cordonniers; les cinématographes et autres appareils analogues, et leurs accessoires; les cravaches; les dés à coudre; les épingles de toute espèce; les étuis en métal et en bois de toute espèce; les éventails et les écrans; les feux d'artifice pour divertissements; les fouets; l'ivoire, l'écaille, la nacre, et les objets en ces matières, à l'exception des objets spécialement mentionnés à l'Article 19; les jeux et jouets de toute espèce; les lanternes de toute espèce, y compris les lanternes magiques et les lanternes de projection; le liège en planches, en cubes, en bouchons; les masques; les pierres à fusil et pierres de touche; les phonographes et autres instruments analogues et leurs accessoires ou fournitures; les sonnettes et sonneries de toute espèce; les veilleuses; et en général tous les menus objets, autres qu'en métaux précieux, non spécialement repris dans une autre rubrique du Tarif.		
22	Mobilier et articles d'ameublement—		
	1. Meubles—		
	(*a*) En bois ou en fer de toute espèce, recouverts de tissus ou de cuir	Les 10 batmans .	1 5 0
	(*b*) Tous autres meubles	» » .	0 5 0
	2. Tous autres objets servant à l'ameublement ou à la décoration des lieux habités—		
	(*a*) Glaces et miroirs encadrés, lampes, candélabres, flambeaux, et bougeoirs	Valeur . .	5 pour cent.
	(*b*) Non dénommés	» . .	20 pour cent.
	Cet article comprend notamment les cadres et baguettes dorées ou autres pour encadrements; les coupes et vases de toute dimension; les coussins; les pendules, horloges, et réveils; les statues, statuettes, et bustes; les tableaux; les tentures confectionnées; et généralement tous les objets de fantaisie servant à garnir les cheminées, consoles, etc.	...	
23	Montres—		
	1. Montres en or	La pièce . .	2 0 0
	2. Montres en argent	» . .	0 5 0
	3. Montres autres qu'en or ou en argent	» . .	0 4 0

No.	Désignation des Marchandises.	Unité.	Droits.
			T. kr. ch.
24	Navires et bateaux, y compris les agrès et apparaux	Valeur	5 pour cent.
25	Objets d'art et de collection pour musées	...	Exempts.
26	Opium	Le batman	6 0 0
27	Papiers et leurs applications—		
	1. Papier d'impression ou à écrire, ordinaire, blanc, ou coloré, y compris les enveloppes ordinaires, à l'exclusion de celles avec chiffre, initiales, ou vignettes, et du papier en boîtes et de fantaisie	„	0 0 5
	2. Papier à écrire et enveloppes de fantaisie ou de luxe, en boîtes ou autrement emballés, avec ou sans chiffre, initiales, ou vignettes	„	0 7 0
	Remarque.—Les papiers à écrire importés en boîtes acquittent le droit d'après le poids brut.		
	3. Papiers d'ameublement ou de tenture	„	0 0 10
	4. Autres papiers, y compris le carton	„	0 0 5
	5. Ouvrages en papier	„	0 5 0
	Cette rubrique comprend notamment les reliures et cartonnages, les cahiers reliés ou brochés, les livres de compte et registres reliés, les papiers et enveloppes sur tissus, etc.		
28	Parfumeries de toute espèce, y compris les huiles essentielles de parfumerie, les pommades et cosmétiques, les huiles et les poudres de toilette, les pâtes et eaux dentifrices, etc.	Valeur	15 pour cent.
29	Peaux et leurs applications—		
	1. Peaux brutes d'agneaux, dites de Bagdad	Le batman	0 1 0
	2. Autres peaux brutes, séchées ou salées	„	0 0 10
	3. Peaux préparées—		
	(*a*) Pelleteries apprêtées	„	10 0 0
	(*b*) Peaux tannées, corroyées, ou mégissées	„	0 0 10
	(*c*) Peaux teintes, vernies, chamoisées, maroquinées ou laquées	„	0 1 0
	(*d*) Ouvrages de toute espèce en cuir	„	0 1 10
	Cet article comprend notamment les articles de sellerie et de bourrellerie, les articles de cordonnerie dont le cuir forme la partie principale, les courroies, etc, à l'exclusion des articles de fantaisie et des objets tels que porte-feuilles, porte-monnaies, valises, etc.		

30	Poteries de toute espèce. à l'exclusion des vases, statuettes, et articles de fantaisie—		
	1. Tuiles et briques	...	Exempts.
	2. Autres objets en terre simplement cuite	Les 10 batmans .	0 0 10
	3. Objets en faïence et en porcelaine de toute espèce . .	Le batman .	0 0 8
31	Produits chimiques de toute espèce—		
	(*a*) Sel de soude	„ .	0 0 2
	(*b*) Tous autres	„	0 1 0
32	Produits typographiques et lithographiques—		
	1. Journaux, revues périodiques, livres, musique gravée ou imprimée et étiquettes commerciales accompagnant les marchandises .	...	Exempts.
	2. Autres produits typographiques et lithographiques . . . Cette rubrique comprend notamment les images, gravures, estampes, etc., en feuillets détachés ou en cahiers reliés ou brochés.	Le batman . .	0 4 0
	Remarque.—L'admission à l'entrée des journaux, revues, livres, et gravures reste soumise au contrôle du Gouvernement.		
33	Poudres à tirer . . . . . Y compris la dynamite et tous les produits explosifs quelconques ayant un pouvoir détonnant égal ou supérieur à celui de la poudre à canon ordinaire, ainsi que les cartouches, les capsules de poudre fulminante, les projectiles de toute espèce, les douilles vides, amorcées ou non, et les autres articles analogues.	...	Prohibées.
	Remarque.—Les importations effectuées en vertu d'une dispense spéciale du Gouvernement, conformément à la Loi du 5 Ramazan, 1317, seront soumises à une taxe de 2 tomans par batman.		
34	Récoltes et fourrages	...	Exempts.
35	Résines et bitumes	...	„
36	Saccharine et autres produits similaires	Le batman . .	9 0 0
37	Savons—		
	1. Savons parfumés	Le batman brut .	0 1 0
	2. Savons, autres	Le batman . .	0 0 4
38	Tabacs—		
	1. Tabacs non fabriqués en feuilles ou concassés	„ .	0 3 0

No.	Désignation des Marchandises.	Unité.	Droits.
	Tabacs (*suite*)—		T. kr. ch.
	2. Tabacs fabriqués—		
	(*a*) Cigares ordinaires en caisses de cent ou plus, ne coûtant pas plus de 80 francs le mille	Le batman brut .	3 0 0
	(*b*) Cigares, autres	„ „ .	8 0 0
	(*c*) Cigarettes et tabacs fabriqués, autres	„ „ .	1 0 0
	Cette rubrique comprend notamment le tabac préparé pour la pipe, le tabac à priser, le tabac à mâcher, les jus ou sauces de tabac (praiss), etc.		
39	Teintures, couleurs, et vernis—		
	1. Aniline, couleurs d'aniline, et toutes les couleurs préparées au moyen d'aniline	...	Prohibées.
	2. Indigo et kermez	Le batman brut .	1 0 0
	3. Vernis préparés à l'alcool	„ „ .	0 5 0
	4. Autres vernis	„ „	0 3 0
	5. Teintures et couleurs non dénommées	„ „ .	0 1 0
40	Végétaux et substances végétales, non spécialement dénommés . . .	...	Exempts.
41	Verreries—		
	1. Objets en verre et en cristal avec ornements, tels que : Dessins gravés au burin ou à l'acide, peintures, émail, dorure, argenture, ornements en cuivre ou alliage de cuivre ; ouate de verre, tissus de verre et ouvrages qui en sont faits, à l'exclusion des vases et articles de fantaisie	Le batman . .	0 2 0
	2. Tous autres objets non dénommés, à l'exclusion des vases et articles de fantaisie	Les 10 batmans .	0 4 0
	3. Verres de vitrage	„ „ .	0 2 0
	4. Glaces non encadrées de moins de 50 décimètres carrés . . .	„ „ .	1 0 0
	5. Les mêmes de 50 décimètres carrés ou plus	„ „ .	2 0 0
42	Voitures et véhicules de toute espèce—		
	1. Charrettes, tarantass, fourgons, chariots, brouettes, et autres véhicules analogues, non suspendus, y compris les locomotives à vapeur et les pièces détachées ou non assemblées	Valeur . .	5 pour cent.
	2. Toutes autres voitures et véhicules, y compris les automobiles, vélocipèdes, etc., ainsi que les pièces détachées ou non assemblées	„ . .	10 pour cent.

Observations Additionnelles.

I.—*Acquittement des Droits.*

Art. 1. Les droits spécifiques inscrits dans le Tarif doivent être perçus intégralement sur les quantités présentées à l'importation ou à l'exportation et sans égard à la qualité, à la valeur relative ou à l'état des marchandises. Toutefois, lorsqu'il est dûment justifié d'événements ayant détérioré les marchandises en cours de transport, et s'il est reconnu qu'il n'y a aucune intention frauduleuse, le déclarant ou propriétaire aura la faculté de réclamer le triage et la destruction ou la réexportation des marchandises avariées. En outre, dans des cas exceptionnels, notamment lorsque des marchandises auront été avariées en cours de transport, des réductions de droits proportionnelles à la perte de valeur pourront être accordées, mais seulement à l'intervention de l'Administration Centrale des Douanes.

De plus, les sujets Britanniques auront toujours la faculté de réexporter en exemption des droits de douane les marchandises importées qui se trouvent déposées en entrepôt ou dans un bureau d'entrée aussi longtemps que ces marchandises n'auront pas été déclarées pour la consommation.

2. A l'égard des marchandises imposées à raison d'un nombre ou d'un poids déterminé, les droits sont dus, lorsqu'il s'agit de plus fortes ou de moindres quantités, proportionnellement au taux indiqué au Tarif, comme si cette proportion était spécifiée à chaque article. Les droits se perçoivent dans la même proportion pour les marchandises tarifées à la valeur.

3. Les droits de douane fixés par le Tarif Persan sont payables en nouveaux krans d'argent calculés à raison de 100 krans pour 18 roubles Russes ou 48 francs Français en monnaie d'or.

Il sera loisible aux sujets Britanniques de payer ces droits en Perse en monnaie du pays ou en billets de crédit de la Banque d'Angleterre d'après le calcul préindiqué, aussi longtemps que le Gouvernement Anglais garantira le remboursement de ces billets en or.

Dans le cas où le change du kran par rapport au rouble prédésigné viendrait à s'élever ou à s'abaisser de plus de 10 pour cent, le Gouvernement Persan, d'accord avec le Ministre d'Angleterre à Téhéran, prendra un Décret élevant ou abaissant proportionnellement le taux des droits spécifiques inscrits dans le Tarif.

II.—*Marchandises tarifées au Poids.*

4. L'unité de poids pour les marchandises imposées d'après cette base est le batman dit de Tauris de 640 miskals de Perse, soit de 2 kilogs. 967 grammes de France.

5. Les droits sur les marchandises qui sont indiquées dans le Tarif comme devant acquitter les droits d'après le poids brut sont calculés sur le poids réel de la marchandise, y compris le poids de ceux des emballages qui, d'après les usages du commerce, passent aux acheteurs avec la marchandise, notamment les bidons, futailles, bouteilles, cruchons, ou flacons contenant les liquides, les pots et boîtes de toute espèce, les cartons, les enveloppes de papier ou de toile, et tous autres emballages qui ne peuvent ou ne doivent être séparés de la marchandise sans la détériorer ou sans modifier la forme sous laquelle elle est habituellement présentée pour la vente en gros ou en détail.

6. A l'égard des autres marchandises acquittant les droits au poids et pour lesquelles le Tarif n'indique pas qu'elles sont imposées d'après le poids brut, les

importateurs devront stipuler dans leur déclaration s'ils désirent que les droits soient calculés :

Soit d'après le *poids net réel*, c'est-à-dire, d'après le poids de la marchandise dépouillée de tous ses emballages ;

Soit d'après le *poids net légal*, c'est-à-dire, le poids cumulé de la marchandise et de tous ses emballages quelconques, défalcation faite de la *tare légale*.

A défaut d'indication dans la déclaration de l'option préindiquée, les droits seront toujours calculés d'après le *poids net légal*.

7. La *tare légale* sur les marchandises imposées au poids est fixée comme suit :—

(1) Pour les faïences, porcelaines, verreries, glaces non encadrées et verres de vitrage, en caisses ou futailles, à 40 pour cent du poids brut total ;

(2) Pour toutes autres marchandises :

(*a*) En caisses ou futailles à 20 pour cent du poids brut total ;

(*b*) En peniers, canastres, ou autres emballages en cuir à 8 pour cent du poids brut total ;

(*c*) En nattes, sacs, ou autres emballages analogues à 3 pour cent du poids brut total.

Le calcul de la tare n'est pas applicable aux emballages qui ne recouvrent qu'imparfaitement la marchandise, tels que, par exemple, ceux faits de planchettes, à claire-voie, etc.

8. Les déclarants sont tenus de présenter les marchandises à la vérification en les dépouillant de leurs emballages, et ils sont également tenus de les faire remballer.

Toutefois, lorsque les déclarants présentent soit les factures originales, ou notes de fabricants ou commerçants en gros, soit des notes spécificatives de l'espèce, du poids et de la valeur des marchandises contenues dans chaque colis, la Douane devra se borner à faire vider suivant l'importance de l'expédition un ou plusieurs colis qu'elle désigne spécialement à cet effet. Mais si l'espèce des marchandises, le poids ou la valeur qui résultent de cette vérification par épreuve révèlent des différences supérieures à 5 pour cent des éléments de la déclaration, la Douane exigera que tous les colis soient vidés.

III.—*Marchandises tarifées à la Valeur.*

9. A l'égard des marchandises imposées d'après la valeur, les importateurs sont tenus de déclarer ou de faire déclarer par écrit la valeur sur laquelle ils désirent que les droits soient calculés.

10. L'importateur doit déclarer séparément la valeur des marchandises contenues dans le même colis lorsque, tarifées d'après cette base, la valeur des unes diffère de celle des autres. Toutefois, lorsqu'il s'agit d'articles de mercerie ou de fantaisie ayant une certaine affinité entre eux, ou formant un assortiment dont la valeur ne dépasse pas 100 tomans, on pourra se borner à déclarer la valeur globale.

11. La valeur à déclarer en douane est celle que les marchandises ont au lieu d'origine ou de production augmentée des frais d'emballage, d'achat, d'assurance, et de transport jusqu'au lieu d'importation ou d'exportation.

12. Si la Douane juge insuffisante la valeur déclarée, elle peut, à son choix, demander aux déclarants de souscrire une déclaration supplémentaire ou bien retenir définitivement les marchandises, en payant aux intéressés le montant de la valeur déclarée par eux augmenté de 10 pour cent à titre d'indemnité. La Douane est tenue d'effectuer le dit payement le plus tôt possible, et au plus tard quinze jours après le moment où la préemption a été notifiée aux déclarants.

IV.—*Modifications au Tarif.*

13. En cas de changement au Tarif, le Tarif applicable est celui qui existe au moment de l'inscription en douane des marchandises au premier bureau d'entrée ou de sortie.

V.—*Marchandises omises au Tarif.*

14. Dans le cas où l'on présenterait à l'entrée en Perse des marchandises dont la classification est douteuse, l'Administration Centrale des Douanes aura le droit d'en décrétér la tarification par assimilation aux marchandises avec lesquelles elles ont le plus d'analogie.

Toutefois, les décisions de l'espèce concernant les marchandises omises au Tarif seront prises d'accord avec le Ministre d'Angleterre à Téhéran.

VI.—*Procédure en matière de Contraventions.*

15. Toutes contraventions relativement aux règles fixées pour l'importation, l'exportation, ou le transit, de même que toutes contestations sur l'application du Tarif qui intéressent un sujet Britannique, seront jugées en premier ressort par le Directeur des Douanes de la Province à l'intervention du Consul d'Angleterre ou de son délégué. Il sera toujours loisible à ce dernier d'interjeter appel de la décision intervenue, et dans ce cas le litige sera porté devant l'Administration Centrale des Douanes à Téhéran, où il sera jugé définitivement à l'intervention du Ministre d'Angleterre ou de son délégué.

Tarif (B).—Importations en Russie de Marchandises de Provenance Persane.

Annexé ad Memorandum.

Nos. d'Ordre.	Désignation des Marchandises de Provenance Persane.	Unité.	Droits.
			Rs. kop.
1	Céréales en grains de toute espèce, à l'exception du riz, pommes de terre, pois, et fèves	...	Exempts.
2	Riz—		
	(*a*) Mondé	Le poud	0 15
	(*b*) Non mondé ou riz n'ayant plus de balle extérieure, mais ayant encore la pellicule intérieure	„	0 07
	(*c*) Non mondé, ayant la balle extérieure	„	0 05
3	Légumes ordinaires non spécialement préparés, oignons, et ail	...	Exempts.
4	Fruits et baies—		
	(*a*) Noix et noisettes de toute espèce, non spécialement dénommées, noyaux de pêches et d'abricots, graines de courges nettoyées, châtaignes et noix de coco	Le poud	0 25
	(*b*) Amandes et pistaches, avec ou sans coques	„	0 40
	(*c*) Fruits et baies, autres, frais ou secs, de toute espèce	„	0 25
5	Jus de fruits ou de baies, sans sucre et sans addition d'alcool	Le poud brut	0 25
6	Fromages	Le poud	1 00
7	Œufs de volaille	Les 100 pièces	1 05
8	Animaux vivants—		
	1. Anes	Tête	1 80
	2. Chevaux et poulains	„	5 40
	3. Chameaux	„	9 40
	4. Mulets	„	7 20
	5. Race bovine (bœufs, vaches, etc.)	„	1 80
	6. Races ovine et caprine (moutons, brebis, chèvres, etc.,	„	0 18
	7. Animaux vivants non dénommés	Valeur	10 pour cent.
9	Cornes de toute espèce et sabots, parties d'animaux, y compris les boyaux, produits animaux employés en médecine et non spécialement dénommés au Tarif Général de Russie	...	Exempts.
10	Graisses animales non spécialement dénommées	Le poud brut	0 30
11	Peaux non préparées ou peaux en poils, à l'exception des pelleteries—		
	(*a*) Sèches ou salées à sec.	Le poud	0 60

	(*b*) Salées humides	„	. .	0 30
12	Peaux préparées—			
	(*a*) Peaux tannées, préparées à l'alun, mégissées, chamoisées, petites et grandes, à l'exception du maroquin, les peaux glacées, le chevreau, et le chagrin	„	. .	0 80
	(*b*) Maroquin	„	. .	1 10
	(*c*) Pelleteries de toute espèce non spécialement dénommées au Tarif Général de Russie	„	. .	2 30
13	Bois communs—en poutres, rondins, perches, en billots, en poutres équarries ou sciées de plus de deux pouces d'épaisseur, en planches et poutrelles d'une épaisseur supérieure à ¼ de pouce jusqu'à 2 pouces inclusivement, non rabotées, bois à brûler, bourrées, fagots	...		Exempts.
14	Foin sous toute forme et paille non nettoyée	...		„
15	Parties de plantes dans leur état naturel et semences, non spécialement dénommées, y compris le sésame	...		„
16	Nattes et sacs confectionnés avec des matières végétales non textiles	...		„
17	Pierres précieuses et demi-précieuses, naturelles ou artificielles, brutes ou taillées, perles fines ou fausses, coraux véritables ou artificiels, non ouvrés	La livre	. .	2 00
18	Charbon de bois	...		Exempt.
19	Gommes et résines de toute espèce, non spécialement dénommées dans le Tarif Général de Russie	Le poud	. .	0 60
20	Coton brut, les bouts et les peignures de coton	„	. .	0 40
21	Lin et chanvre, peignés ou non, peignures de lin et de chanvre	...		Exempt.
22	Laines et poils, non peignés, non filés, en suint ou lavés, non teints, peignures de laines non teintes	Le poud	. .	0 30
23	Tissus de coton écrus, blanchis, teints, colorés, peints, imprimés, y compris les velours, et peluches en coton, de provenance Persane, certifiée par le Consulat Impérial de Russie	La livre	. .	0 38
24	Tissus de soie de provenance Persane, certifiée par le Consulat Impérial de Russie—			
	(*a*) Tissus de soie pure brochés de fils d'argent faux ou fin, dorés ou non dorés, ainsi que les velours et peluches de soie pure	„	. .	1 25
	(*b*) Tissus de soie pure, tous autres, y compris les tissus de bourre et de bourrette de soie	„	. .	0 75
	Remarque.—Les tissus qui contiennent dans l'ensemble des fils de leur chaîne et de leur trame plus de 90 pour cent de fils de pure soie seront traités comme étant de pure soie.			
	(*c*) Tissus de soie mélangée de coton ou d'autres filaments végétaux, à chaîne ou à trame de pure soie	„	. .	0 38

JUNG BAHADUR

Nos. d'Ordre.	Désignation des Marchandises de Provenance Persane.	Unité.	Droits.
			Rs. kop.
25	Tissus de laine de toute espèce, y compris les tissus confectionnés de fils de poils de chèvre, de vigogne et de chameau, couvertures de lit en frise (laine grossière), housses en laine pour chevaux, cloches de feutre, étamines et ceintures sans mélange de soie, de provenance Persane, certifiée par le Consulat Impérial de Russie	La livre . .	0 18
	Remarque générale pour tous les tissus mentionnés de provenance Persane, certifiée par le Consulat Impérial de Russie.—Les tissus de laine ou de filaments végétaux, mélangés, brodés, ou brochés de soie ou de fils d'argent faux ou fin, dorés ou non dorés, acquittent les droits du tissu selon l'espèce augmentés de 20 pour cent. Les tissus de laine ou de filaments végétaux brodés ou brochés de laine ou de filaments végétaux, acquittent les droits du tissu selon l'espèce augmentés de 10 pour cent.		
26	Feutre ordinaire et les articles confectionnés en feutre non spécialement dénommés, teints ou non teints	Le poud . .	0 50
27	Ouvrages tricotés en laine, coton, et autres matières filamenteuses, mais sans mélange de soie, faits à la main, de provenance Persane, certifiée par le Consulat Impérial de Russie	„ . .	1 50
28	Tapis de laine de toute espèce, de provenance Persane, certifiée par le Consulat Impérial de Russie	„ . .	4 00

Tarif (C).—Exportations de Perse au Royaume-Uni.

No.	Désignation des Marchandises.	Unité.	Droits.
			T. kr. ch.
1	Animaux vivants—		
	1. Anes	Tête	1 0 0
	2. Chevaux et poulains	„	3 0 0
	3. Chameaux	„	5 0 0
	4. Mulets	„	4 0 0
	5. Race bovine (bœufs, vaches, etc.)	„	1 0 0
	6. Race ovine et caprine (moutons, brebis, chèvres, etc.)	„	0 1 0
	7. Animaux vivants non dénommés	Valeur	10 pour cent.
2	Armes de toute espèce	...	Prohibées.
3	Beurres et autres graisses comestibles	Les 10 batmans	0 7 0
4	Boissons—		
	1. Vins de toute espèce	Le batman	0 0 5
	2. Eaux-de-vie et liqueurs de toute espèce	„	0 2 10
5	Denrées et conserves alimentaires—		
	1. Sel	Les 10 batmans	0 1 0
	2. Œufs	100 œufs	0 0 5
	3. Grains, graines, et leurs dérivés—		
	(*a*) Riz mondé	Les 10 batmans	0 0 15
	(*b*) Riz non mondé, n'ayant plus de balle extérieure, mais ayant encore la pellicule intérieure	„ „	0 0 7
	(*c*) Riz non mondé, ayant la balle extérieure	„ „	0 0 5
	(*d* Tous autres grains	„ „	0 1 0
	(*e*) Farines comestibles	„ „	0 1 10
6	Matières textiles brutes—		
	1. Soie en cocons et déchets de soie non peignée	„ „	1 5 0
	2. Soie grège, ouate de soie et déchets de soie peignée, teints ou non teints	„ „	3 0 0
7	Opium	Le batman	5 0 0
	Remarque.—Ce droit pourra être abaissé par le Gouvernement Persan jusqu'à 2 tomans.		

No.	Désignation des Marchandises.	Unité.	Droits.
			T. kr. ch.
8	Pierres précieuses, montées ou non montées, y compris les perles . .	Valeur . .	5 pour cent.
9	Poissons frais, secs ou salés	Les 10 batmans .	0 1 0
10	Tabacs —		
	1. Tabacs non fabriqués	„ „ .	1 0 0
	2. Tabacs fabriqués	„ „ .	3 0 0
11	Toutes autres marchandises	...	Exemptes.

Fait double, en Français et en Persan, à Téhéran, le 9 Février, 1903, et le 11 Zilkadeh de l'an 1320 de l'Hégire.

(L.S.) ARTHUR H. HARDINGE.

(L.S.) J. NAUS.

(The seal and signature of the Atta Bek Azam were affixed to the Persian text.)

(A).

Sir A. Hardinge to M. Naus.

M. le Ministre, *Téhéran, le 12 Février, 1903.*

Tout en m'autorisant à signer, le 9 Février, la Déclaration concernant les nouveaux Tarifs dans ces termes que nous avions rédigés, le Gouvernement du Roi tient à mettre au clair le sens qu'il attache à la dernière partie de l'Article II.

Il lui semble que la Convention Spéciale dont il est question dans cet Article ne deviendrait nécessaire qu'au cas de désaccord entre deux Hautes Parties Contractantes par rapport aux nouveaux droits proportionnels que la Perse aura la faculté dans certaines éventualités de prélever. Il se pourrait que ces droits missent les importations Anglaises, comparées à celles des autres pays ayant des Conventions Commerciales avec la Perse, sur un pied d'inégalité qui nous amènerait à demander un nouvel arrangement, à défaut duquel la Déclaration actuelle serait abrogée et le régime antérieur rétabli.

La conclusion d'une Convention Spéciale consacrant un pareil arrangement ne découlerait cependant point *ipso facto* d'une augmentation réciproque de droits, mais seulement d'une contestation à ce sujet.

Nous estimons aussi que la suppression en Angleterre de nouveaux droits motivant du côté Persan les représailles prévues par la Déclaration entraînerait comme conséquence naturelle la cessation simultanée de celles-ci. Ce raisonnement n'est d'ailleurs qu'équitable.

Je vous prie, M. le Ministre, si ces vues sont conformes, comme je le pense, à celles du Gouvernement Persan, de vouloir bien me l'affirmer par écrit. Cet échange de notes constituerait alors une annexe à l'accord que nous venons de souscrire et écarterait la possibilité de tout malentendu ultérieur.

Les copies des Tarifs (A) et (C) annexés à la Déclaration ont été préparées à la hâte, vu la nécessité de les expédier le 10 courant à Londres, et contiennent par conséquent de nombreuses rectifications et surcharges. Je prierais votre Excellence de bien vouloir m'en fournir, aussitôt que vous le pourrez, de nouvelles copies soigneusement collationnées, que je leur ferai substituer afin d'assurer que les droits et autres détails inscrits dans les Tarifs annexés à la Déclaration du 9 Février dernier soient identiques à ceux inscrits dans les Tarifs annexés à la Déclaration Russo-Persane du 27 Octobre, 1901.

Nous sommes convenus aujourd'hui que la Déclaration entrerait en vigueur le 14 courant. Elle ne pourra être promulguée en Angleterre que quelques semaines plus tard, mais comme elle n'y modifie point de fait le régime actuellement appliqué au commerce Persan, ce retard ne comporte, à mon avis, aucune conséquence d'ordre pratique.

Veuillez, etc.,

ARTHUR H. HARDINGE.

(B).

M. Naus to Sir A. Hardinge.

M. le Ministre, *Téhéran, le 13 Février, 1903.*

J'ai l'honneur d'accuser réception à votre Excellence de son office du 12 Février courant relatif à l'interprétation de certaines clauses de la Déclaration Anglo-Persane du 9 de ce mois.

En conséquence, prenant acte, au nom du Gouvernement Persan, de votre office précité et me référant au surplus aux conférences que j'ai eues avec votre Excellence à ce sujet, je résume ci-après les points sur lesquels notre accord commun est constaté.

1. Article II, *in fine*, relativement à la clause stipulant—

Que dans le cas où le Royaume-Uni viendrait à établir dans son Tarif Général, sans un accord préalable avec la Perse, sur les produits Persans énumérés dans le Tarif (B) applicable aux importations Persanes en Russie (annexé à la Déclaration *ad memorandum*) des droits autres que ceux qui existent actuellement dans son Tarif Général précité et supérieurs aux droits inscrits dans le dit Tarif (B), la Perse aurait la faculté d'imposer à son tour des droits proportionnels aux provenances de même espèce du Royaume Uni;

Qu'une Convention Spéciale serait négociée dans ce but; et

Qu'à défaut d'entente la Déclaration deviendrait nulle et que les deux Parties se trouveront de nouveau sous le régime antérieur consacré par l'Article IX du Traité de Paris du 4 Mars 1857;*

Il est convenu—

(*a*) Qu'il n'y aurait lieu à la négociation de la Convention prévue qu'en cas de contestations relativement à une augmentation réciproque de certains droits;

(*b*) Qui si le Royaume-Uni, après avoir établi dans son Tarif Général de nouveaux droits d'entrée, ayant justifié l'établissement en Perse de nouveaux droits d'entrée proportionnels, venait à supprimer les dits droits, cette suppression entraînera de plein droit la suppression des mêmes droits proportionnels à l'entrée en Perse;

(*c*) Et enfin, afin d'éviter tout malentendu ultérieur sur ce point, il est formellement stipulé que le retour éventuel au "régime antérieur consacré par l'Article IX du Traité de Paris du 4 Mars, 1857," ne vise pas le rétablissement éventuel des droits antérieurs de 5 pour cent à l'entrée et à la sortie prévus par le Traité Russo-Persan de Tourkmantchai du 10 (22) Février, 1828,† mais bien le retour éventuel au régime reciproque pur et simple de la nation la plus favorisée, sans stipulations de Tarif prévues par le dit Traité de Paris.

2. Article V.—Concernant l'application de la clause disant qu'un Règlement Général arrêté par l'Administration des Douanes pour lequel il sera établi un accord avec la Légation d'Angleterre à Téhéran fixera, etc., il est entendu que, puisque la Déclaration Russo-Persane du 27 Octobre, 1901, laquelle est antérieure, prévoit que le Règlement dont il s'agit devra être arrêté d'accord avec la Légation de Russie à Téhéran, c'est sur la base de la dite Déclaration Russo-Persane que l'accord sera établi avec la Légation d'Angleterre.

3. Article VI.—Le Gouvernement Persan se déclare obligé, en cas d'abaissement, sur la demande de la Légation de Russie à Téhéran, des droits de Douane à l'égard des marchandises importées de Russie, d'étendre aussitot cet abaissement des droits aux marchandises Britanniques à leur entrée en Perse, de même qu'aux marchandises Persanes à leur exportation pour l'Empire Britannique, sans attendre une Déclaration spéciale à ce sujet de la part de la Légation d'Angleterre à Téhéran.

4. Les copies des Tarifs (A) et (C) annexées à la Déclaration ayant été préparées à la hâte et contenant, par suite, de nombreuses rectifications et surcharges, il est entendu que l'Administration des Douanes en fera dresser, le plus tôt possible, de nouvelles copies soigneusement collationnées afin d'assurer que les droits et les autres détails

* Vol. XLVII, page 42. † Vol. XV, page 865.

inscrits soient strictement conformes à ceux inscrits dans les Tarifs annexés à la Déclaration Russo-Persane du 27 Octobre, 1901. Ces nouvelles copies seront substituées à celles qui ont été échangées primitivement.

J'ai l'honneur, M. le Ministre, de prier votre Excellence de bien vouloir me confirmer son accord au sujet des Déclarations qui précèdent, lesquelles constituent une annexe à la Déclaration du 9 Février, 1903.

Pour le surplus je marque à votre Excellence l'accord du Gouvernement Persan relativement à la promulgation ultérieure en Angleterre de la Déclaration échangée entre les deux Gouvernements.

Je vous prie, etc.,

NAUS.

(C.)

Sir A. Hardinge to M. Naus.

M. le Ministre, *Téhéran, le 14 Février, 1903.*

En réponse à l'office de votre Excellence en date d'hier, j'ai l'honneur de vous marquer mon accord, conformément à votre désir, au sujet des Déclarations explicatives y contenues, sous la réserve, pour ce qui concerne le Règlement Douanier visé par l'Article V de la Déclaration Russo-Persane, que tout droit ou avantage que ce Règlement concédera au Gouvernement et aux sujets Russes devra également être concédé, dans celui qui sera établi avec nous, au Gouvernement et aux sujets de Sa Majesté Britannique.

Je vous prie, etc.,

ARTHUR H. HARDINGE.

PART II.

TREATIES AND ENGAGEMENTS

relating to

THE ARAB PRINCIPALITIES IN THE PERSIAN GULF.

The whole of the northern shore of the Persian Gulf from Mohammerah to Gwettur, both inclusive, is now under Persian administration. That portion of the coast which extends from below Mohammerah to the shrine of Shah Abul Shah, near Bandar Dilam, is inhabited mainly by Chaab Arabs and their dependents under the immediate jurisdiction of the Shaikh of Mohammerah. The present ruler, who is Governor of the Mohammerah, Shatt-el-Arab and Karun districts, as well as of the Chaab country above referred to, is Shaikh Khazal Khan, the youngest son of the late Haji Jabir Khan and brother of the last ruler. He holds his appointment direct from the Shah, though in certain matters of administration he is subordinate to the Governor-General of Arabistan. He is paramount Shaikh of the Chaab Arabs and rules all the southern part of the province from Bandigir on the Karun including most of the territory of the former Valis of Hawizeh.

The Shaikh enjoys the titles of Muez-es-Sultaneh and Sardar Arfa, conferred on him by the Persian Government. The maritime belt from Shah Abul Shah to Bushire, including Bandar Dilam, together with the inland districts of Dashtistan and Dashti, with its port of Dayir, is administered by a Governor residing at Bushire and subordinate to the Governor-General of Fars. The full designation of this official is Governor of all

the Ports and Islands in the Persian Gulf, and he holds his appointment directly under the Grand Vizier. He has deputies at Lingah and Bandar Abbas.

The last of the Persian ports within the limits of the Gulf is Bandar Abbas. This was held in farm by the rulers of Maskat from 1798 till 1853. In the latter year the Shah of Persia resumed possession of Bandar Abbas and its dependencies; but a convention having been arranged he restored them to Saiyid Said in 1856, though on much less advantageous terms than formerly. The rent was raised from 6,000 to 16,000 tomans a year, and the islands of Hormuz (Ormaz) and Kishm, the hereditary possessions of the rulers of Maskat, were ceded to Persia.*

On the death of Saiyid Thawaini and succession of his son, Saiyid Salim, in 1866, the Persian Government appeared at first inclined to renew the lease of Bandar Abbas to Saiyid Salim, but at an increased rent and on the condition that his uncle, Saiyid Turki, should be appointed Governor. Subsequently, however, on the ground that Said Salim as grandson of Saiyid Said could not continue to hold under a lease granted, as it was alleged, only to Saiyid Said and his son,† the Persian Government renewed the lease at an enhanced rate of 20,000 tomans in favour of the former Arab Governor, Shaikh Said, a relation of the Maskat family, not as a representative of Maskat, but as a direct dependent of Persia. Throughout the winter of 1867 Saiyid Salim was too much occupied in the task of securing himself in the government of Maskat to be able to give his attention to the former dependencies of his family on the northern shore of the Persian Gulf. Meantime Shaikh Said refused to pay the balance of tribute due by him to Persia, and preparations were made for coercing him. In April 1868, however, Saiyid Salim threatened to blockade Bandar Abbas unless the lease was renewed to him, and as the Persian Government had no naval force it solicited British intervention. The Resident in the Persian Gulf was accordingly instructed to negotiate for a renewal of the lease, and this was finally effected ‡ for a period of eight years at a rent of 30,000 tomans. One of the conditions of the lease was that if a conqueror obtained possession of Maskat, the Persian Government was not to be bound by any conditions of the covenant. Accordingly, on the expulsion of Saiyid Salim

* See Appendix No. XLV.

† The word in the original is "Aulad," which may also be translated 'descendants.'

‡ See Appendix No. XLV.

in October 1868 by Azan bin Kais (see Oman, part III of this volume), the lease became null and void, and the Persian Government appointed Hazi Ahmad, formerly minister of Saiyid Salim, to the charge of Bandar Abbas and its dependencies. In February 1870 Haji Ahmad was expelled from Bandar Abbas by Shaikh Said, acting on the part of Azan bin Kais, but subsequently regained his position. The Persian Government has hitherto declined to re-lease Bandar Abbas to the ruler of Maskat.

At the close of 1903, Lord Curzon, then Viceroy of India, made a state tour in the Persian Gulf, in the course of which His Excellency visited Maskat, Shargah, Bandar Abbas, and the islands adjacent thereto, Lingah, Bahrein, Koweit, Bushire and the British station of Bassidore. This was the first occasion on which an Indian Viceroy had ever visited the Gulf.

Wahabis and the affairs of Nejd.

It was by instigating the Kawasim tribe of Arabs to acts of piracy in the Persian Gulf that the Wahabis first attracted the attention of the British Government.

This sect had adopted strict and puritanical doctrines. They denied divine honours to Muhammad; abhorred and destroyed all holy tombs; abstained from the use of tobacco; and waged war against all Muhammadans who did not accept their peculiar views.

When, in 1809, it became necessary to send a second expedition against the Kawasim (see Trucial Arab Chiefs of Oman, *infra*) the ruler of Maskat was found to be in considerable danger from the aggressions of the Wahabis. It was decided, however, not to attempt any operations by land, and to show extreme forbearance to the Wahabi Chief. In 1811 the Wahabis appeared in the vicinity of Maskat and plundered the territory of Saiyid Said. Application was made by him for the assistance of the British Government, but the request was refused on the ground that the British Government had recently co-operated with him merely for the extirpation of the pirates who interrupted the commence of the Persian Gulf, not in prosecution of war against the Wahabis. A heavy money payment induced them to retire for the time, but the invasion was renewed by Mutlak-ul-Mutairi in 1813.

Saiyid Said was relieved from this denger by the General's death, followed, in 1814, by that of the Amir Saud, and by the invasion of Nejd

from the westward by the Egyptians in 1816. An envoy had been sent by the Amir before his death to endeavour to negotiate a treaty of friendship and commerce with the British Government, but it was deemed inexpedient to negotiate any treaty or to form any intimate connection with the Amir, though a friendly intercourse was to be maintained with him.

Meanwhile the Egyptian troops had taken the holy places of the Muhammadan faith, and the Wahabi power in that quarter was broken for the time. In 1818 Daraya (Diriyyah), the Wahabi capital, was taken by Ibrahim Pasha and razed to the ground. The Wahabi Amir, Abdulla (Said's successor), was sent prisoner to Constantinople and there beheaded, and the overthrow of the Wahabis appeared to be complete. Six years later, however, in 1824, an insurrection against the Egyptians was headed by Turki, the son of the late ruler; the Egyptian Governor was compelled to retire, and Turki was proclaimed Sultan of Nejd. Overtures were made by him to the Arab Chiefs of the Persian Gulf to renew their former relations with the Wahabis, and in 1825 the Chief of the Kawasim solicited the advice of the British Government as to the course he should pursue; he was warned against any proceedings bearing a predatory character or evincing unfriendliness towards the ruler of Maskat. During the next five or six years Turki was employed in recovering the provinces formerly subject to the Wahabis, and at the same time he endeavoured to conciliate the Pasha of Egypt by the payment of a small tribute. In 1831 Saiyid Said entered into an engagement acknowledging his supremacy and agreeing to pay an annual tribute, and the whole of the coast from Ras ul Hadd to Koweit, with the exception of Abu Dthabi, became subject to his authority. About this time the Wahabi Chief expressed a desire to enter into intimate relations with the British Government; to this a reply in general but friendly terms was returned.

In 1831 a strong force of Wahabis advanced into Oman. Strict neutrality was enjoined on the British authorities in the Persian Gulf, but the Wahabis were diverted from schemes of foreign invasion by the murder of Turki by his nephew, Mushari; the latter was in turn put to death by Turki's son, Faisal, who then succeeded to power at the age of about thirty-four years. Two years later a large Egyptian force was assembled at Medina, and Faisal was summoned to contribute a contingent of troops. He evaded the demand; the Egyptians therefore advanced into Nejd, defeated him near Riadh, and in December 1838 obtained possession of Al

Hasa and Katif. Faisal then surrendered, and was sent prisoner to Egypt. The proceedings of the Egyptians were not viewed with indifference by the British Government: a formal protest was entered by the Resident in the Persian Gulf against the proceedings of Khurshed Pasha, the Egyptian Commander; and assurances were given by the maritime Chiefs that they would abide by the wishes of Government, and resist all attempts of Kurshed Pasha to subjugate them. At length, in consequence of the strong remonstrances of the British Government, the Egyptians evacuated Nejd in May 1840, leaving, however, Faisal's cousin, Khalid, as Governor on behalf of the Porte. It was in this way that the claims of the Turkish Government to sovereignty in Central Arabia originated, though until quite recently Turkish authority was neither represented nor recognized in Nejd. During Khalid's short rule a British officer was deputed to visit him at Al Hasa, and obtained from him an assurance that he had no intention of invading Oman, as was then currently reported. In February 1842 Khalid was deposed by his cousin, Abdulla bin Sunaiyan, who in turn was obliged to yield in the following year to Faisal, who had returned from his imprisonment in Egypt.

In 1845 Said bin Mutlak, Faisal's lieutenant, ravaged Sohar territory, compelled the Chief to pay a heavy tribute, and put to death the garrison of the fort of Mujis. At the same time he demanded a heavy tribute from Maskat and prepared to enforce the demand by the invasion of Maskat territory. In consequence of this wanton aggression on the dominions of Saiyid Said a strong demonstration was made by a naval force off the Batinah coast, and forcible remonstrances were addressed to the Wahabi Amir and his lieutenant. These measures proved successful. The Maskat Government agreed to pay Faisal an annual tribute of 5,000 crowns and made a present of 2,000 crowns to Said bin Mutlak. For these considerations the Wahabis evacuated the fort of Mujis.

In 1851 Faisal attempted to assert authority over the Chief of Bahrein, but a naval force was despatched thither with instructions to interfere, if necessary, and Faisal found himself obliged to make peace with the Chief.

In 1852, during the absence of Saiyid Said at Zanzibar, and while his son, Saiyid Thawaini, was in charge of the government, Abdulla bin Faisal invaded Oman with a large force of Wahabis, and demanded the cession of Sohar and the payment of a heavy tribute. Owing to the interference of

the British Resident, Saiyid Thawaini was enabled to enter into negotiations which resulted in an agreement by the Maskat State to pay the Wahabi Amir an annual tribute of 12,000 crowns, besides arrears to the extent of 60,000 crowns and the usual supply of provisions and stores. The Wahabi Amir on his part agreed to assist the ruler of Maskat in every difficulty. The boundaries of the two States remained as before.

In 1859 Faisal again interfered in Bahrein affairs, and made extensive preparations at Katif and Demam for the invasion of the island in favour of Muhammad bin Abdulla, the refugee Chief of Bahrein. The attitude assumed by the British naval force in the Persian Gulf induced him to abandon his design. He was then required to expel Muhammad bin Abdulla from Demam, where for sixteen years his intrigues for the recovery of Bahrein had been the cause of constant disquietude. Demam was bombarded in November 1861, and Muhammad bin Abdulla was compelled to evacuate the fort.

In August 1865 the Jenebeh tribe resident at Sur, a town eighty miles south of Maskat, discontented with Saiyid Thawaini, invited Abdul Aziz, a brother of the Wahabi lieutenant, to join them in an attack on Sur. The town was captured and a large amount of property, belonging chiefly to British subjects, was plundered. Remonstrances were addressed to the Wahabi Chief, who replied that he had directed the release of British subjects imprisoned at Sur and the protection of their property, but approved the action of Abdul Aziz. He was then required to send a written apology, to pay compensation for the plundered property, and to give a written assurance that such outrages should not be repeated. As no reply was received within the prescribed time, the boats of the *Highflyer* destroyed a fort in Katif harbour and a war-vessel, but met with a check at Demam: the forts at Sur were also destroyed, and the vessels of the Jenebeh tribe were confiscated.

Amir Faisal bin Turki died towards the close of 1865; his son and successor, Abdulla, sent an envoy in 1866 to the British Resident to discuss matters, with a written Declaration (No. XXVIII) that he would not injure British subjects within his dominions, or attack the territories of the Arab tribes in alliance with the British Government, especially those of Maskat, and would limit his demands on that State to receiving the customary tribute. These assurances were considered satisfactory, and the matter was allowed to drop.

Abdulla bin Faisal had been virtually ruler of Nejd for many years during the old age and blindness of his father. Soon after his accession a struggle for power commenced between him and his brother, Saud, which ended early in 1871 in the defeat and flight of the former, and the succession of Saud. Abdulla bin Faisal appealed for assistance to the Turks, who despatched an expedition from Baghdad for the purpose of supporting him and restoring tranquillity in Nejd. These proceedings were accompanied by explicit assurances that the Porte had no intention of obtaining supremacy over Bahrein, Maskat, or the maritime tribes, or of undertaking any naval operations. During the year 1871 the Turks succeeded in possessing themselves of the district and port of Al Hasa, and intended apparently to occupy the country permanently. Abdulla bin Faisal, finding that his restoration to power was not included in the Turkish scheme, escaped from their camp, but was unable to cope with the superior forces of his brother, Saud, who occupied Riadh and the heart of the Wahabi country. Early in 1872 Saud bin Faisal, having failed to procure the arbitration of the British Government, or an assurance that they would protect his territories from attacks by sea, opened negotiations with the Turks, but with no other conclusion than the detention of his brother, Abdur Rahman, at Baghdad as a hostage. Communications also passed between Abdulla and the Turks, but without any definite result. The Turkish policy in Nejd afterwards underwent a change, the regular troops were withdrawn, Beziah bin Areyr, of the friendly Beni Khalid tribe, was appointed Governor of Al Hasa, and a police force was raised for the defence of the frontier. Abdur Rahman bin Faisal, was detained at Baghdad till August 1874; on his release he remained for a short time at Bahrein, and then proceeded to the mainland, where he raised the Arab tribes in favour of Saud against the Turkish authorities at Hasa; he met with considerable success and a large Turkish force had to be sent against him. During these operations Saud bin Faisal died, and the contest was for a while carried on by Abdur Rahman. In 1878-79 the sons of Saud bin Faisal effected a coalition, and endeavoured to raise a rebellion against the Turks. Katif was closely invested by Bedouin bands by land and sea, and owed its relief primarily to the appearance off the coast of the British gun-boat *Vulture*, cruising against pirates. Reinforcements were afterwards sent from Basrah and Baghdad and the insurrection was quelled. A garrison, composed mainly of regular troops, was stationed at Hasa and a Turkish Governor was posted there.

The sons of Saud, having thus failed in their attempt against the Turks united with their uncle, Abdulla, to make the best of their isolated position at Riadh and other districts in Nejd. Abdulla bin Faisal was recognized as Imam, or religious head, of the Wahabis of Riadh, and the military power was entrusted to his nephew, Muhammad bin Saud.

In the year 1882 hostilities occurred between Abdulla bin Faisal and the Amir of Jabal Shammar, Muhammad bin Rashid, which broke out again in subsequent years and led to important changes in Nejd.

In 1886 the sons of Saud bin Faisal seized and imprisoned their uncle Abdulla bin Faisal, and Muhammad bin Saud assumed the title of Amir, whereupon the now powerful Muhammad bin Rashid marched upon Riadh which he captured and reinstated Abdulla as nominal Chief of the Wahabis with the title of Imam. Abdulla was, however, taken to Hail and Rashid placed an agent of his own at Riadh. Three sons of Saud bin Faisal continued to reside at Kharj near Riadh until 1888, when they were put to death by order of Rashid, whose authority thus became paramount throughout Nejd. One son only of Saud bin Faisal survived, Abdul Aziz, a youth residing at Hail. In 1889 the Imam Abdulla was permitted to return to Riadh and is reported to have died there in the same year.

BAHREIN.

The island of Bahrein, owing to the richness of its pearl-fisheries, was long a field of contention between the different powers that have held supremacy in the Persian Gulf.

From the eleventh to the beginning of the sixteenth century the inhabitants of Bahrein, to whom an Arab and Persian descent has been variously assigned, were subject to Chiefs of their own race. In the time of Albuquerque the island fell into the hands of the Portuguese and was retained by them till 1622, when they were expelled by the Persians. After the death of Karim Khan, in 1779, the petty Chiefs of the Persian Gulf, who had been kept in check by the strong hand of Nadir Shah and his successors, became involved in contests for supremacy, and in 1783 the Atubi tribe of Arabs, who had for some years inhabited Zobara on the mainland and were virtually independent, made themselves, with the help of the Al Sabah tribe, masters of the island. In 1800 the Imam of Maskat succeeded in conquering Bahrein, but was driven out in the following year by the

Atubis (Arabic plural: Utub), who were on this occasion assisted by the Wahabis. In 1810 the Atubis drove out the Wahabi governor by whom the administration of the island was conducted, and in 1816 repelled an attack by the ruler of Maskat. Since then the Atubis have remained paramount in the island, though at various times they professed allegiance to Maskat, the Wahabis, Turkey, and Persia.

In 1820, after the capture of Ras-ul-Khaimah by the expedition sent against the piratical tribes in the Gulf, an authorized agent on behalf of Shaikhs Sulaiman bin Ahmad and Abdulla bin Ahmad, who then ruled Bahrein conjointly, signed a preliminary Engagement (No. XXIX) not to permit in Bahrein the sale of property procured by plunder and piracy and to restore all Indian prisoners then in their possession. The Shaikhs also subscribed the general treaty of 1820 (see Trucial Arab Chiefs of Oman, No. XXXVIII) for the pacification of the Persian Gulf.

In 1821 the Chiefs of Bahrein agreed to pay a fixed annual tribute of 30,000 crowns to the ruler of Maskat, but the guarantee of the British Government, for which both parties were anxious, was not given. Subsequently the tribute was reduced to 18,000 crowns, but ceased with the failure of an attack made on the island by Saiyid Said in 1828. In 1830 tribute was demanded by the Wahabis, and their protection was purchased by an annual payment of 4,000 crowns. Three years later the Chief of Bahrein refused allegiance to the Wahabis, induced the neighbouring tribes to make incursions into their territory, and blockaded their ports. The dispute terminated by his promising to pay them a tribute of 2,000 dollars, on the understanding that they would assist him against any invaders of Bahrein, and would not demand his co-operation against Maskat. In 1839 the commander of the Egyptian forces in the neighbourhood of Bahrein, announced his intention of attacking the island, as forming part of Nejd, over which claims were asserted by Egypt. He was informed that the British Government could not admit any claim of Egypt to Bahrein. In 1843 the British Government declined to recognize similar claims advanced by Persia to sovereignty over Bahrein. Shortly after the conclusion of the engagement of 1847, overtures were made to the Chief of Bahrein by the Turkish authorities at Basrah with the object of obtaining his recognition of the supremacy of the Porte. The ministers of the Sultan were accordingly informed that as the British Government had had treaty relations with Bahrein as an independent power, it could not acknowledge

or acquiesce in any arrangement for placing the island under the sovereignty or protection of the Porte.

The Chiefs of Bahrein were not parties to any of the agreements concluded after 1820 with the Arab Chiefs, except the Engagement (see Trucial Arab Chiefs of Oman, No. XLI) for the suppression of the slave-trade, signed on 8th May 1847 by Muhammad bin Khalifa, and an additional Agreement (No. XXX) concluded with that Chief in 1856, by which he bound himself to seize and deliver to British vessels of war slaves brought to his territories from any quarter whatever, and to put an embargo on any vessel belonging to him or his subjects, which might be ascertained to have carried slaves.

Muhammad bin Khalifa was the grandson of Sulaiman bin Ahmad who had signed the general Treaty (No. XXXVIII) in 1820. Sulaiman bin Ahmad died in 1825, and his son, Khalifa, who had succeeded to his share in the government, died in 1834. Muhammad bin Khalifa was for some years kept out of power by his grand-uncle, Abdulla bin Ahmad, but in 1843 he succeeded not only in recovering his rights but in expelling Abdulla bin Ahmad from Bahrein. The latter, who found refuge in Demam, made several unsuccessful attempts with the help of the Wahabis and the Chief of Koweit to recover his power. He died in 1848, but his son, Muhammad bin Abdulla, continued the feud. His warlike preparations and his piracies so endangered the peace of the Gulf that in 1859 he was declared a public enemy and expelled from Demam by a British force. No sooner was this done than Muhammad bin Khalifa of Bahrein commenced to levy imposts on Wahabi vessels, and to carry off their property. On being remonstrated with he ostensibly put himself under allegiance, first to Persia and then to Turkey. The policy of the British Government, however, as guardians of the general tranquillity of the Persian Gulf, required that Bahrein should be considered independent. Early in the year 1861, therefore, when the Chief of Bahrein, in violation of his treaty engagements, again blockaded the Wahabi ports, he was forced by the Resident in the Persian Gulf to withdraw the blockade, and was required to conclude a perpetual Treaty (No. XXXI) of peace and friendship, binding himself to abstain from war, piracy, and the importation of slaves by sea, on condition of protection against similar aggressions, and to permit all British subjects to trade with Bahrein on payment of an *ad valorem* duty of 5 per cent. on their goods.

In 1863, in consequence of complaints made against the lawless people on the south-east coast of the peninsula, Shaikh Muhammad bin Khalifa sent his cousin, Muhammad bin Ahmad, to Katar to act as his Amir or deputy. This official arrested and deported to Bahrein the local Chief of Wakra, and made himself so unpopular during the next two or three years that he was at last compelled to return to Bahrein. Shaikh Muhammad bin Khalifa thereupon, in October 1867, sent a force from Bahrein under the command of his brother, Ali, to punish the people of Katar, and at the same time invited the Chief of Abu Dthabi to co-operate with his troops as Bidaa and Wakra had long been harbours of refuge for seceders from Oman. Shaikh Zaid bin Khalifa promptly joined Shaikh Ali with 2,000 men, and the combined forces, after destroying a large number of Katar boats, attacked and sacked the towns of Wakra and Bidaa and the villages of Doha and Duweha (which are now merged in Bidaa) with circumstances of peculiar barbarity, and plundered property of the estimated value of eleven lakhs of krans.

As both the Bahrein and Abu Dthabi Chiefs are bound by their engagements with the British Government to abstain from aggression of every kind by sea ; to appeal to the British Resident as arbitrator ; and to afford full redress for all maritime offences with can justly be charged against them or their subjects, steps were taken to exact reparation for these outrages. Before this could be effected the tribes of Katar retaliated by an attack on Bahrein which proved unsuccessful ; but in the naval action which took place a number of vessels were destroyed and great loss of life occurred.

The Resident in the Persian Gulf, accompanied by H. M. S. *Vigilant* and the gun-boats *Clyde* and *Hugh Rose*, proceeded to Bahrein. Muhammad bin Khalifa fled to the Katar coast, and an Agreement (No. XXXII) was signed by his brother, Ali bin Khalifa, and the principal persons in Bahrein by which they declared Muhammad bin Khalifa to have forfeited by his piratical outrages all claim to the Chiefship of Bahrein, and Ali bin Khalifa bound himself to pay a fine of one lakh of dollars. Under these conditions he was permitted to continue in power, but the Abu Mahur fort near Muharraq was destroyed, and the war craft belonging to Muhammad bin Khalifa were burnt. After about one-fifth of the fine had been realised and distributed rateably among the sufferers the remainder was remitted,

Through the mediation of the Resident an agreement was also concluded between the Chief of Bahrein and the Shaikhs of the Katar tribes, determining the amount of tribute annually payable by the latter and the manner of its payment. The particulars of this agreement are given below (see footnote). The tribute which was only paid for two years, was discontinued when the Turks established themselves in Bidaa.

The deposed Chief was forbidden to reside at Bahrein, but in January 1869, at the request of Ali bin Khalifa, who believed he could keep a better control over his brother if he resided at Bahrein, Muhammad bin Khalifa was allowed to return there. He soon, however, began to intrigue, and it became necessary to deport him to Koweit, whence he afterwards proceeded to Katif. In September 1869 Muhammad bin Khalifa, aided by his relative, Nasir bin Mubarak, and a considerable force of the Beni Hajir tribe, sailed for Bahrein and attacked the fort of Rufaa, then held by Muhammad bin Abdulla, son of the Chief, who died in 1848. An engagement ensued in which, owing mainly to the treachery of Mohammad bin Abdulla, the Bahrein force was defeated, the Chief, Ali bin Khalifa, one of his sons and several of his Shaikhs were killed, and the invaders took possession of Manama and Muharraq, the two chief towns of Bahrein. Manama was given up to plunder, and property belonging to British subjects and others, of the estimated value of upwards of twelve lakhs of rupees was

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We, the undersigned Chiefs, all residing in the province of Katar, do hereby solemnly agree and bind ourselves to pay to Shaikh Ali bin Khalifa, Chief of Bahrein, the sums of money per annum heretofore paid by us to the Chiefs of Bahrein, as follows: this total sum to be paid by us to Muhammad bin Thani of Doha and by him to the Resident for delivery to the Agent of the Chief of Bahrein, at Bushire:—

1,700	Krans on acount of the Mahanda tribe,
1,500	Krans ditto of the Al Bu Ainen and Nayim tribes,
500	Krans ditto of the Semsemieh tribe (*i.e.*, the Al Bu Kuwara, who live at Sumesma),
500	Krans on acount of the Keleb tribe,
1,500	Krans ditto of the Sudan tribe,
2,500	Krans ditto of Muhammad bin Thani (Chief of the Maadhid) and the Musallam tribe,
800	Krans on account of the Amamera tribe.
9,000	Krans. Total.

And we, the said Chiefs, understanding that the Bahrein Chief claims from us a total of 15,000 Krans per annum in lieu of 9,000 as above set forth, we do hereby further agree to pay any extra sums not aggregating a total larger than 15,000, and which the Resident after judicial investigation may decree.

Written on the $\frac{\text{25th Jamadi-ul-Awal 1285.}}{\text{13th September 1868.}}$

carried off. Muhammad bin Abdulla then imprisoned Muhammad bin Khalifa and assumed the government of the island. In order to exact reparation for this unprovoked outrage the British Resident proceeded thither, accompanied by H.M.S.S. *Daphne* and *Nymphe* and the gun-boats *Hugh Rose* and *Clyde* of the Bombay Marine. The fort of Manama on the sea-shore was bombarded and destroyed, and, with the exception of Nasir bin Mubarak, who escaped to the mainland, Muhammad bin Khalifa, Muhammad bin Abdulla, and the leading marauders were captured, and Esa bin Ali bin Khalifa, a son of the late Chief, was installed as Chief, on the understanding that the property of the pirate leaders would be considered as forfeited, and applied in the first instance towards the reimbursement of the persons plundered. The prisoners, five in number, were taken to Bombay and confined as State prisoners, in the fort of Asirgarh, whence they were afterwards removed to Chunar. Two of them Nasir bin Ahmad (the Wazir of Shaikh Ali bin Khalifa, who deserted to the side of Nasir bin Mubarak) and Muhammad bin Abdulla, died there, the former in 1873 and the latter in 1877. The remaining three prisoners were in 1878 removed to Aden where, in 1880, two of them Jasim bin Muhammad Hasan, Wazir of Muhammad bin Abdulla, and Ali bin Nasir Al Abdulla, were released. The last of the five, Muhammad bin Khalifa, was finally released in 1887 on the sole condition of residence in the holy cities of Arabia. He died at Mecca in 1890. His numerous sons have all been provided with certain personal allowances by the Chief of Bahrein. In October 1888 Shaikh Ahmad bin Ali, the most influential of Shaikh Esa's brothers, died. He had, in accordance with an old custom, enjoyed a moiety of the revenues of the island and exercised a considerable amount of power and authority. The Chief of Bahrein then appointed his own eldest son, Selman, as successor to his late brother. On the former's death in 1893 the Chief's second son, Hamed, was nominated heir to the Chiefship. Hamed does not, however, enjoy as large an income as the Chief's eldest surviving brother Khalid.

The weakness of Esa bin Ali's rule has more than once led to intrigues for the restoration of the exiled (Al Abdulla) branch of the family, and in 1874, in 1880, in 1892, and again in 1894, an attack on Bahrein was threatened by their partisans, the Beni Hajir tribe, but was prevented by the presence of British vessels and by the warnings addressed by the British authorities to the various Shaikhs upon the coast. The

Turkish authorities of Hasa, originally at the instigation of Jasim bin Thani, have on more than one occasion expressed the intention of rebuilding the town of Zobara on the west coast of Katar opposite Bahrein and establishing a military post there, and the Chief of Bahrein has invariably protested on the ground of his ancient rights there and of the menace to Bahrein which such proceedings would involve. (Prior to the conquest of Bahrein by the Al Khalifa family, Zobara was their head-quarters, but it has of late years been left unoccupied by Shaikh Esa.) The Porte as well as Nasir bin Mubarak and Jasim bin Thani have frequently been informed by the British Government that no hostile settlement could be permitted at Zobara.

In March 1895, an act of violence committed by Shaikh Khalid bin Ali for which his brother Shaikh Esa failed to give redress, brought matters to a climax. The Al bin Ali tribe of Bahrein removed in a body to Katar, where their leader, Sultan bin Salama, promptly entered into relations with Shaikh Jasim bin Thani. The latter, after ostensibly endeavouring to effect a reconciliation between the Bahrein Chief and the seceding tribe, resolved to settle the Al bin Ali at Zobara. This proposal was supported by the authorities of Hasa, who at once despatched a Mudir and a gun-boat to the scene and caused the Ottoman flag to be hoisted there. In spite of the presence of two British men-of-war, H.M.S. *Sphinx* and H.M.S. *Pigeon*, an invasion of Bahrein was seriously threatened, and a large number of boats was collected by Shaikh Jasim for the purpose. Eventually the British vessels opened fire on the Arab fleet, disabling 40 boats. Shaikh Jasim then offered full submission; the Mudir retired to Hasa; and 120 more boats were surrendered and removed to Bahrein, two-thirds of them being subsequently burnt, and one-third restored to their owners on payment of an indemnity. The majority of the Al bin Ali returned to Bahrein, though their Shaikh accompanied Shaikh Jasim to Bidaa. Zobara was completely evacuated.

Since the accession of Shaikh Esa, the Turkish authorities have on several occasions evinced a disposition to interfere in the affairs of Bahrein, but the British Government have invariably asserted the Chief's independence from Turkish control.

In 1880 Shaikh Esa signed an Agreement (No. XXXIII), undertaking to abstain from entering into negotiations or making treaties with any foreign powers without the consent of the British Government.

In 1892 Shaikh Esa signed an Agreement (No. XXXIV), promising to enter into no agreement or correspondence with any other power than the British; to disallow the residence within his territory of the agent of any other power; and neither to cede, sell, mortgage nor otherwise give for occupation, any part of his territory save to the British Government.

In 1893 the Porte objected to British officials taking up the cases of Bahrein subjects suffering from the piracies of the Beni Hajir. They were informed in reply that Bahrein was under British protection. Later in the same year a claim was put forward by the Porte to treat the people of Bahrein as Turkish subjects within Ottoman territories. The British Government, however, maintained its right to extend British protection to the subjects of the Shaikh whenever occasion might demand.

In 1893 Dr. Peter Zwemer opened a mission station in Bahrein on behalf of the American Arabian Mission.

In 1898, Sheikh Esa signed an Agreement (No. XXXV) absolutely prohibiting the importation and exportation of arms into and from his territory.

In 1900, on the death of the Residency News Agent, a Political Agency, subordinate to the Political Resident in the Persian Gulf, was established at Bahrein.

In December 1900, a cousin of the Chief of Bahrein, named Salman bin Diaij, his son, nephew and 23 followers were attacked on the Dthaharan coast of the mainland and murdered by Bedouins of the Behaih section of the Al Morra tribe. The incident caused great concern to Shaikh Esa. His demands for the surrender or punishment of the offenders, and for compensation for the families of his cousin's retainers, have not yet (1906) been complied with by the Turkish authorities.

In 1901 the German trading firm of Messrs. Wonckhaus & Co. opened a branch in Bahrein. The firm also has branches in the Persian Gulf at Bushire and Lingah.

On the 26th November 1903, His Excellency Lord Curzon of Kedleston, Viceroy and Governor-General of India, visited Bahrein.

In April 1904, Messrs. Gray Paul & Co. of Bushire opened a trading branch at Bahrein, having previously only maintained there a Native agent for mail-steamer work.

In 1905, Shaikh Ali bin Ahmad, a nephew of the Chief, was deported to Bombay for five years, owing to his being concerned in two serious cases of assault on German and Persian subjects.

Trucial Arab Chiefs of Oman.

The possessions of the so-called Trucial Chiefs* of the maritime tribes of the Persian Gulf with whom the British Government have concluded treaties extend from Odeid on the border of Al Katar (Guttur) beyond the island of Bahrein along the coast eastward to Ras-ul-Khaima.

They are all now independent, and since the advent of the Turks and the isolation of the Wahabis in the highlands, have been exempted from the tribute or black-mail for the payment of which they were formerly directly or indirectly liable to the Wahabi Chief of Nejd.

The Kawasim, who have occupied the province of Sir from the earliest times, carried on a vigorous and profitable trade by sea, till in 1805 they succumbed to the influence of the Wahabis and were drawn into the piratical projects of that turbulent sect. Under their influence the Kawasim plundered two British vessels and treated the commanders with great cruelty. An expedition was sent to the Persian Gulf to punish them for this aggression and to co-operate with the Imam of Maskat, who was then at war with them. The expedition resulted in the conclusion of a Treaty (No. XXXVI) on 6th February 1806, binding the Kawasim to respect the flag and property of the British, and to assist vessels touching on their coast. This treaty appears to have been concluded without reference to the Wahabis.

The spread of the Wahabis in Oman soon threatened the ruler of Maskat with destruction, and the British Government determined to support him and, as the only means of preserving the peace of the Gulf, to destroy the piratical fleets. A strong force was despatched in 1809, which took Ras-ul-Khaima, Lingah, Laft, and Shinas, and destroyed the boats of the pirates. No treaty could at this time be concluded with the Kawasim, whose government had been completely overthrown by the Wahabis, nor

* *Tract.*	*Chief.*	*Tribe.*
1. Abu Dthabi (Abuthabi) .	Zaid bin Khalifa . .	Beni Yas.
2. Dabai	Maktoom bin Hashar . .	Al bu Felasah, a branch of Beni Yas.
3. Shargah . . .	Sakar bin Khalid . .	Al Kawasim.
4. Ajman	Abdul Aziz bin Hamid .	Al bu Ali.
5. Umm ul Gawain (Amulgavine).	Rashid bin Ahmad . .	Al bu Ali.
6. Ras-ul-Khaima . .	Khalid bin Sakar (son of Shaikh of Shargah).	Al Kawasim.

were any permanent measures taken to secure the advantages gained in 1809; consequently, piracy soon re-appeared. In 1814 the Kawasim professed a desire to be at peace with the British Government, provided they were left at liberty to make war on the neighbouring Arab tribes. They even expressed themselves ready to abstain from molesting their Arab neighbours, if the British Government would guarantee them protection from the vengeance of the Wahabi Chief. But they were quite unable to make good their professions. Even after the negotiations of preliminary articles of peace with the Resident at Bushire, the Kawasim attacked and plundered British vessels. Other tribes were soon drawn under the Wahabi influence, and piracy increased to an intolerable extent. An expedition under Sir W. Grant Keir was therefore despatched to the Persian Gulf in 1819 for the purpose of completely crushing them. Ras-ul-Khaima was taken on the 9th December, and engagements (No. XXXVII) were made with the Arab Chiefs preliminary to the conclusion of a general Treaty (No. XXXVIII). The object of the preliminary engagements was to include all matters of a temporary or individual character, so as to reserve the general treaty exclusively for arrangements of a permanent nature common to all the Arab Chiefs who might be disposed to subscribe it.

By the 9th article of the treaty of 1820 the carrying off of slaves from the coasts of Africa or elsewhere, and the transporting them in vessels was declared to be plunder and piracy. This was not interpreted as forbidding traffic in slaves, but as prohibiting kidnapping only. A very extensive trade in slaves was carried on from the ports of the Red Sea and the Persian Gulf with Kathiawar, Kutch, and the Native States on the west coast of India. Under the interpretation put on the treaty of 1820, the British Government, however, had no power to interfere with this trade. In April 1838, under instructions from Government, the Resident in the Persian Gulf obtained from the maritime Chiefs of Ras-ul-Khaima, Ajman, Dabai, and Abu Dthabi an Agreement (No. XXXIX), giving to British cruisers the right to detain and search vessels suspected of being employed in carrying off slaves, and to confiscate the vessels if found so employed. In the following year the Chiefs of Ras-ul-Khaima, Dabai, Abu Dthabi, and Umm-ul-Gawain (Amulgavine) entered into an Agreement (No. XL) containing three articles; the first and second of these articles gave to the British Government the right to search and confiscate slave vessels found beyond a line from Cape Delgado, on the African coast, passing two degrees

east of Sokotra, and ending at Cape Guadël, on the Makran coast, unless driven beyond that line by stress of weather or other necessity. By the third article the sale of persons of the Somali tribe was declared to be piracy. The same Chiefs, and also the Chiefs of Ajman and Bahrein, entered into Engagements* (No. XLI) in 1847, binding themselves to prohibit, from and after the 10th December 1847, the exportation of slaves from the African coast, or elsewhere, in vessels belonging to themselves or their subjects, and authorizing British cruisers to confiscate vessels found engaged in the forbidden traffic. In 1856 the Trucial Chiefs signed an Agreement (No. XXX) similar to that concluded with the Chief of Bahrein. (See Bahrein, p. 144.)

The treaty concluded with the maritime Arab Chiefs in 1820 did not limit the right of the Chiefs to carry on acknowledged war with each other by sea, that is to say, war proclaimed and avowed by one Chief upon another. All other hostile aggressions, however, were declared to be piratical. But under the name of acknowledged war many acts of piracy were committed, especially during the season of pearl-fishery. The Chiefs were therefore induced, in 1835, to bind themselves by a maritime truce not, under any circumstances, to engage in hostilities by sea for a period of six months, on the understanding that the British Government would not interfere with their wars by land. The effects of this truce were so marked that the Chiefs were easily persuaded in the following year, and again in 1837, to renew it for eight months. Thereafter it was renewed annually till 1843, when it was prolonged (No. XLII) for ten years. On the expiry of the ten years' truce in 1853 a Treaty (No. XLIII) of perpetual peace was concluded, which provided that there should be a complete cessation of hostilities at sea between the subjects of the subscribing parties; that in the event of aggressions on any one by sea, the injured tribe should not retaliate, but refer the matter to the British authorities in the Persian Gulf; and that the British Government should watch over the peace of the Gulf and ensure at all times the due observance of the treaty.

In 1864 the maritime Chiefs bound themselves (No. XLIV) to prevent their subjects from interfering with the telegraphic operations in or near their territories

* An Act of of Parliament, 12 and 13 Vic., Cap. LXXXIV, was passed to give effect to these engagements. (*See* Appendix No. XLVI.)

In 1867 the Chief of Abu Dthabi joined the Chief of Bahrein in a piratical outrage on the tribes inhabiting the Al Katar coast. On the appearance of British vessels of war off Abu Dthabi the Chief signed an Agreement (No. XLV) not to commit any breach of the maritime peace and to pay a fine of 25,000 dollars. After about one-fifth of this fine had been realized the remainder was remitted in consequence of the subsequent good behaviour of the Chief.

At the same time an Agreement (No. XLVI) was signed by Muhammad bin Thani, the principal Chief of Al Katar, by which he bound himself not to put to sea with hostile intentions, to have no connection with Muhammad bin Khalifa, and to refer any difference of opinion with the Chief of Bahrein to the arbitration of the British Resident.

In 1873 the maritime Chiefs renewed (Nos XLVII and XLVIII) their engagements to prohibit the traffic in slaves.

These Chiefs are constantly engaged in hostilities with each other on land, but the British Government does not interfere so long as the maritime peace is not broken. A native agent is stationed at Shargah, but makes frequent visits to the adjoining ports; his duties are to protect British subjects and property, prevent a breach of the maritime peace, settle claims, and afford aid to shipwrecked crews.

In 1878 the Chief of Abu Dthabi was allowed to assert his rights of possession at Al Odeid, adjoining Al Katar.

In 1879 the maritime Chiefs of the pirate coast entered into a mutual agreement regarding the surrender of fraudulent absconders or payment of their liabilities. This agreement is, however, not an engagement to the Paramount Power, nor guaranteed in any way.

In 1892 the Trucial Chiefs signed Agreements (No. XLIX) promising not to enter into any agreement or correspondence with any power other than the British; not to admit the agent of any other government ; and not to part with any portion of their territories save to the British Government.

Shaikh Humaid-bin-Abdulla, Chief of Ras-ul-Khaima, died at an advanced age in August 1900, and the government of the place was resumed by the Chief of Shargah who now rules both Shargah and Rass-ul-Khaima.

In 1902 Agreements (No. L) were obtained from the Chiefs of Debai, Shargah, Umm-ul-Gawain, Ajman, and Abu Dthabi, in which they bound themselves to prohibit the importation and exportation of arms into and from their respective territories.

No. XXVIII.

TRANSLATION of the DECLARATION of the WAHABEE AMEER, dated the 21st April, 1866.

I, Mahomed bin Abdullah bin Maneh, am certain on the following points:—

I am authorized by Imaum Abdullah bin Fysul to request the Sahib, the Resident in the Persian Gulf, to become the medium of friendship between Imaum Abdullah bin Fysul and the British Government;

Secondly.—I assure the Resident in the Persian Gulf on the part of Imaum Abdullah bin Fysul that he will not oppose or injure British subjects residing in territories under the authority of Abdullah bin Fysul; and

Thirdly.—I assure the Resident in the Persian Gulf on the part of Imaum Abdullah bin Fysul that he will not injure or attack the territories of the Arab tribes in alliance with the British Government, specially on the Kingdom of Muscat, further than in receiving the zukat that has been customary of old.

Written by my hand at Bushire, on Saturday, the 5th day of Zilhejeh 1282 (21st day of April 1866).

L. S.

(Sd.) MAHOMED BIN ABDULLAH BIN MANEH.

No. XXIX.

TRANSLATION of the PRELIMINARY TREATY with the SHEIKHS of BAHREIN—1820.

In the name of God, the merciful, the compassionate!

Know all men there hath come into the presence of General Sir William Grant Keir the Saeed Abdool Jalil, Vakeel on the part of the Sheikhs Suleiman bin Ahmed and Abdulla bin Ahmed, and there have passed between

the General and the said Abdool Jalil, on the part of the above named, the following stipulations :—

ARTICLE 1.

That the Sheikhs shall not permit from henceforth, in Bahrein or its dependencies, the sale of any commodities which have been procured by means of plunder and piracy, nor allow their people to sell anything of any kind whatsoever to such persons as may be engaged in the practice of plunder and piracy; and if any of their people shall act contrary hereto, it shall be equivalent to an act of piracy on the part of such individuals.

ARTICLE 2.

That they shall deliver up all the Indian prisoners who may be in their possession.

ARTICLE 3.

The Sheikhs Suleiman bin Ahmed and Abdulla bin Ahmed shall be admitted to the terms of the general Treaty with the friendly Arabs. End of the Articles.

Issued at Shargah in triplicate on Saturday, the twentieth of the month of Rabe-ool-Thany, in the year of the Hegira one thousand two hundred and thirty-five, corresponding to the fifth of February one thousand eight hundred and twenty.

(Sd.) W. G. KEIR,

Major-General.

L. S.

The above articles accepted by me in quality of Vakeel of the Sheikh named above.

(Sd.) SAEED ABDOOL JALIL BIN SAEED YASAL TABATABAY.

No. XXX.

TRANSLATION of a further ENGAGEMENT entered into by SHEIKH MAHOMED BIN KHALEEFA, with the BRITISH GOVERNMENT, for the more effectual suppression of the SLAVE TRADE—1856.

It having been notified to me by Captain Jones, Resident in the Persian Gulf, that an article was omitted to be inserted in the Conventions entered into by the Maritime Chiefs of the Arabian Coast and Oman with the British Government for the purpose of prohibiting the importation of, and traffic in, slaves, which Convention on my part bears date the 22nd Jumadee-ool-awal 1263 A. H. = 8th May 1847, accordingly, I, Sheikh Mahomed bin Khaleefa, Chief of Bahrein, do hereby engage and bind myself (purely out of friendship to the Sircar, and to assist it in effectually attaining the object it desires) to put into execution the said Article.

The article is this :—

Whensoever it shall become known and certain that from any quarter whatsoever slaves have been brought to my territories, or to any places subject to my authority, I, of my own free will and accord, will seize the said slaves and deliver them over to the British vessels of war. Further, should it be ascertained that slaves have been carried in any of my vessels or in the vessels of people, my subjects, or dependents, and it should happen that the Government cruizers did not fall in with the said vessels then, no matter where the slaves have been landed, do I hereby bind myself to place an embargo upon the delinquent boat and her Nakhoda until such time as instructions have been received from the Resident at Bushire regarding them.

Dated this 15th day of Ramzan, A. H. 1272 (or 10th day of May 1856 A. D.)

L. S. SHEIKH MAHOMED BIN KHALEEFA.

A similar engagement was entered into by the Maritime Chiefs of Ras-ool-Kheirmar, Ummool Keirweyn, Debay, Ejman, and Aboo Dhebbee.

No. XXXI.

TERMS of a FRIENDLY CONVENTION entered into between SHEIKH MAHOMED BIN KHULEEFA, INDEPENDENT RULER of BAHREIN, on the part of HIMSELF and SUCCESSORS, and CAPTAIN FELIX JONES, HER MAJESTY'S INDIAN NAVY, POLITICAL RESIDENT of HER BRITANNIC MAJESTY in the GULF of PERSIA on the part of the BRITISH GOVERNMENT—1861.

Preliminary.—Considering the tribe disorders which arise and are perpetuated from maritime aggressions in the Persian Gulf, I, Sheikh Mahomed bin Khuleefa, independent ruler of Bahrein, on my own part and on that of my heirs and successors, in the presence of the Chiefs and elders who are witnesses to this document, do subscribe and agree to a perpetual Treaty of peace and friendship with the British Government, having for its object the advancement of trade and the security of all classes of people navigating or residing upon the coasts of this sea :—

ARTICLE 1.

I recognize as valid and in force all former Treaties and Conventions agreed to between the Chiefs of Bahrein and the British Government, either direct or through the mediation of its representatives in this Gulf.

ARTICLE 2.

I agree to abstain from all maritime aggressions of every description, from the prosecution of war, piracy, and slavery by sea, so long as I receive the support of the British Government in the maintenance of the security of my own possessions against similar aggressions directed against them by the Chiefs and tribes of this Gulf.

ARTICLE 3.

In order that the above engagements may be fulfilled I agree to make known all aggressions and depredations which may be designed, or have place at sea, against myself, territories, or subject, as early as possible, to the British Resident in the Persian Gulf, as the arbitrator in such cases, promising that no act of aggression or retaliation shall be committed at sea by Bahreins or in the name of Bahrein, by myself or others under me, on other tribe, without his consent or that of the British Government, if it should be necessary to procure it. And the British Resident engages that he will forthwith take the necessary steps for obtaining reparation for every injury proved to have been inflicted, or in course of infliction by sea upon Bahrein or upon its dependencies in this Gulf. In like manner, I, Sheikh Mahomed

bin Khuleefa, will afford full redress for all martime offences, which in justice can be charged against my subjects or myself, as the ruler of Bahrein.

ARTICLE 4.

British subjects of every denomination, it is understood, may reside in, and carry on their lawful trade in the territories of Bahrein, their goods being subject only to an *ad valorem* duty of 5 per cent, in cash or in kind. This amount once paid shall not be demanded again on the same goods if exported from Bahrein to other places: and in respect to the treatment of British subjects and dependants they shall receive the treatment and consideration of the subject and dependants of the most favoured people. All offences which they may commit, or which may be committed against them, shall be reserved for the decisions of the British Resident, provided the British Agent located at Bahrein shall fail to adjust them satisfactorily. In like manner the British Resident will use his good offices for the welfare of the subjects of Bahrein in the ports of the maritime Arab tribes of this Gulf in alliance with the British Government.

ARTICLE 5.

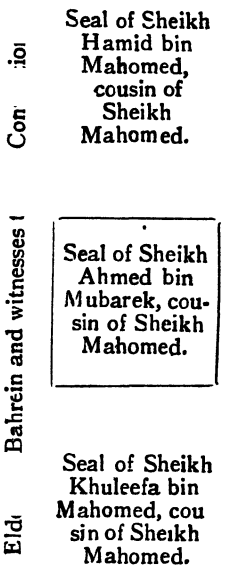
These Articles of alliance shall have effect from the date of ratification or approval by the British Government.

Done at Bahrein this twentieth day of Zilkad, in the year of the Hegira 1277, corresponding with the thirty-first day of May 1861.

Signature and Seal of FELIX JONES,
Political Resident in the Persian Gulf.

Seal of Sheikh Mahomed. Ruler of Bahrein.

Seal of Sheikh Ali bin Khuleefa, Brother of the above.



Approved by His Excellency the Governor-General in Council on the 9th October 1861, and ratified by the Government of Bombay on 25th February 1862.

No. XXXII.

TRANSLATION of the AGREEMENT entered into by ALI BIN KHULEEFA, SHEIKH of BAHREIN—1868.

We, the undersigned, Ali bin Khalifeh and the inhabitants and subjects of Bahrein in general, do hereby declare that Mahomed bin Khalifeh having repeatedly committed acts of piracy and other irregularities at sea, and having now, after his recent piratical act, fled from Bahrein, has forfeited all claim to his title as principal Shaikh and Chief of Bahrein, and at the present moment there being no other Shaikh, I, Ali bin Khalifeh, received the Resident's letter addressed to Mahomed bin Khalifeh, and have understood the demands therein made, and I hereby agree and accept the conditions as follows:—

1st.—To make over to-morrow morning, 19th Jemadi-ool-awul 1285 (7th September 1868), to the high in rank, Captain Brown, Commanding

Her Majesty's ships present, all the war buglas and buteels belonging to Mahomed bin Khalifeh and myself.

2nd.—To pay the Resident the sum of one lakh of dollars in the manner specified below :—

25,000 dollars cash, payable on the spot on the 7th September 1868.

75,000 dollars by three annual instalments of 25,000 dollars, each instalment being payable on the 7th September of each successive year until the total sum is paid up.

3rd.—To consider Mahomed bin Khalifeh as permanently excluded from all participation in the affairs of Bahrein and as having no claim to that territory, and in case of his returning to Bahrein I promise to seize and make him over to the Resident. But if I do not act up to the stipulations now agreed I may be considered a pirate, as Mahomed bin Khalifeh himself.

4th.—In view of preserving the peace at sea, and precluding the occurrence of further disturbance, and in order to keep the Resident informed of what happens, I promise to appoint an agent on my part at Bushire.

Written on the 18th Jemadi-ool-awul 1285-6th September 1868.

No. XXXIII.

TRANSLATION of AGREEMENT signed by the CHIEF OF BAHREIN, dated 22nd December 1880.

I, Isa bin Ali Al Khalifa, Chief of Bahrein, hereby bind myself and successors in the Government of Bahrein to the British Government to abstain from entering into negotiations or making treaties of any sort with any State or Government other than the British without the consent of the said British Government, and to refuse permission to any other Government than the British to establish diplomatic or consular agencies or coaling depôts in our territory, unless with the consent of the British Government.

This engagement does not apply to or affect the customary friendly correspondence with the local authorities of neighbouring States on business of minor importance.

The above Agreement is subject to the approval and acceptance of His Excellency the Viceroy and Governor-General of India in Council.

Signature and seal of ISA BIN ALI.

L. S. Do. do. of AHMAD BIN ALI.

Signed and sealed at Bahrein on the twenty-second day of December one thousand eight hundred and eighty in my presence.

(Sd.) E. C. ROSS, *Lieut.-Col.*,
Political Resident, Persian Gulf.

The above Agreement was accepted and ratified by Her Britannic Majesty's Government in 1881.

(Sd.) E. C. ROSS, *Colonel*,
Political Resident, Persian Gulf.

No. XXXIV.

EXCLUSIVE AGREEMENT of the SHAIKH of BAHREIN with the BRITISH GOVERNMENT, dated the 13th March 1892.

I, Esau bin Ali, Chief of Bahrein, in the presence of Lieutenant-Colonel A. C. Talbot, C.I.E., Political Resident, Persian Gulf, do hereby solemnly bind myself and agree, on behalf of myself, my heirs and successors, to the following conditions, *viz.*:—

1st.—That I will on no account enter into any agreement or correspondence with any Power other than the British Government.

2nd.—That without the assent of the British Government, I will not consent to the residence within my territory of the agent of any other Government.

3rd.—That I will on no account cede, sell, mortgage or otherwise give for occupation any part of my territory save to the British Government.

Dated Bahrein, 13th March 1892, corresponding with 14th Shaaban 1309.

Signature of Esau bin Ali, Chief of Bahrein.

A. C. TALBOT, *Lieut.-Col.*,
Resident, Persian Gulf.

LANSDOWNE,
Viceroy and Governor General of India.

Ratified by His Excellency the Viceroy and Governor General of India at Simla on the twelfth day of May 1892.

H. M. DURAND,
Secretary to the Government of India, Foreign Dept.

No. XXXV.

AGREEMENT with the SHAIKH of BAHREIN for the SUPPRESSION of TRADE in ARMS.

TRANSLATION of AGREEMENT by the SHAIKH of BAHREIN, dated 8th ZIL HIJJAH 1315 (30th April 1898).

I agree to absolutely prohibit the importation of arms into Bahrein territory or exportation therefrom, and, to enforce this, I have issued a notification and proclamation to all concerned.

TRANSLATION of PROCLAMATION from SHAIKH ESA BIN ALI AL KHALIFA, CHIEF of BAHREIN, dated 8th ZIL HIJJAH 1315 (30th April 1898).

Be it known to all who see this that British and Persian vessels-of-war have permission to search vessels, carrying their and our flags in Bahrein

territorial waters, and to confiscate all arms and ammunition (weapons of war) in them, if those arms and ammunition are intended for Indian or Persian ports or the islands of Bahrein. Bahrein vessels, found in Indian and Persian waters by British and Persian vessels-of-war, suspected to contain arms and ammunition for Indian and Persian ports and the islands of Bahrein, are liable to be searched by the said vessels, and all such arms and ammunition found in them will be confiscated as property of the State.

TRANSLATION of NOTIFICATION by SHAIKH of BAHREIN, dated 8th ZIL HIJJAH 1315 (30th April 1898).

Be it known to all who see this that, whereas we have already forbidden the sale of arms and ammunition to our subjects in the island of Bahrein by our notification, dated 13th Safar 1313, January 1896, and whereas there is reason to think that, notwithstanding our prohibition, many arms and much ammunition are imported into Bahrein for the purpose of being exported therefrom to British Indian and Persian ports, where such importation is prohibited, and whereas we have resolved to do all that lies in our power to assist the British and Persian Governments in putting a stop to this illegal traffic, we hereby declare that from the date of this notification the importation of arms and ammunition into the islands of Bahrein, and the exportation of the same therefrom, is absolutely prohibited.

All arms and ammunition in future imported into the islands of Bahrein or exported therefrom will be seized and confiscated as property of the State.

No. XXXVI.

COULNAMAH or AGREEMENT between SHEIKH ABDULLA BIN CROOSH, on the part of SHEIKH-UL MUS SHEIKH AMEER SULTAN BIN SUGGUR, BIN KASHID, JOASMEE, and CAPTAIN DAVID SETON, on the part of the HONOURABLE EAST INDIA COMPANY. In BUNDER ABBAS, this sixth day of February 1806.

ARTICLE 1.

There shall be peace between the Honourable East India Company and Sultan bin Suggur, Joasmee, and the whole of his dependants and subjects on the shores of Arabia and Persia, and they shall respect the flag and property of the Honourable East India Company, and their subjects wherever and in whatever it may be, and the same the Honourable East India Company towards the Joasmee.

ARTICLE 2.

Should the Joasmee infringe the above, they shall be liable in the sum of dollars 30,000, and on this condition Captain David Seton agrees to receive from Amir Sultan bin Suggur the brig now laying at Muscat, and to drop the claims to the cargo, guns, etc., of the said vessel and the *Shannon*.

ARTICLE 3.

Whatever British property shall be found in the Sorie fleet shall be restored.

ARTICLE 4.

Should any British vessel touch on the coasts of the Joasmee for wood or water, or be forced on shore by stress of weather, or any other cause, the Joasmee shall assist and protect the said vessel and property, and permit it to be disposed of or carried away, as their owners shall see fit, without claim or demand.

ARTICLE 5.

Should Johood compel the Joasmee to infringe this peace, they shall give three months' previous notice in all places.

ARTICLE 6.

When the above is confirmed and ratified by both parties the Joasmee shall frequent the English ports from Surat to Bengal as before.

(Sd.) DAVID SETON.

(Sealed) ABDULLAH BIN CROOSH.

Signed, sealed, and confirmed.

SULTAN BIN SUGGUR.

Approved and sanctioned by the Governor-General in Council on 29th April 1806.

No. XXXVII.

TRANSLATION of the PRELIMINARY TREATY with SULTAN BIN SUGGUR—1820.

In the name of God, the merciful, the compassionate!

Know all men that Sultan bin Suggur has been in the presence of

General Sir William Grant Keir, and there have passed between them the following stipulations:—

ARTICLE 1.

Sultan bin Suggur shall surrender to the General towers, guns, and vessels which are in Shargah, Imam, Umm-ool-keiweyn, and their dependencies. The General will leave the boats which are for the pearl fishery and fishing boats, and the remainder of the vessels shall be at the disposal of the General.

ARTICLE 2.

Sultan bin Suggur shall give up all the Indian prisoners, if any such are in his possession

ARTICLE 3.

The General will not allow the troops to enter the towns to lay them waste.

ARTICLE 4.

After the execution of these engagements, Sultan bin Suggur shall be admitted to the same terms of peace as the remainder of the friendly ("or pacificated") Arabs.

On these conditions there is a cessation of hostilities between the General and Sultan bin Suggur and his followers, with the exception that their boats are not to go to sea.

Done at Ras-ool-Kheimah on the twentieth of Rabee-ul-Awul, in the year 1235, corresponding to the sixth of January one thousand eight hundred and twenty.

L. S. (Sd.) W. GRANT KEIR,
Major-General.

L. S. (Sd.) SULTAN BIN SUGGUR,
with his own hand.

Copy of the Articles entered into with Sultan bin Suggur. Witness my hand and seal.

L. S. (Sd.) W. GRANT KEIR,
Major-General.

TRANSLATION of the PRELIMINARY TREATY with HASSUN BIN RAHMAH—1820.

In the name of God, the merciful, the compassionate!

Know all men that Hassun bin Rahmah has been in the presence of General Sir William Grant Keir, and there have passed between them the following stipulations:—

ARTICLE 1.

The town of Ras-ool-Kheimah and Maharra, and the towers which are in the date groves near the town, shall remain in the hands of the British Government.

ARTICLE 2.

If any of the vessels of Hassun bin Rahmah are in Shargah or Ummrool-keiweyn or Imam, or any other of the places to which the General shall go with the force, they shall be surrendered to the General, and the General will leave those which are for the pearl fishery and fishing boats.

ARTICLE 3.

Hassun bin Rahmah shall give up all the Indian prisoners, if any such are in his possession.

ARTICLE 4.

After the execution of these engagements, Hassun bin Rahmah shall be admitted to the terms of the general Treaty with the friendly (literally the pacificated) Arabs. End of the Articles.

Issued at Ras-ool-Kheimah in the forenoon of Saturday, the twenty-second of the month of Rabe-ul-Awul in the year of the Hegira one thousand two hundred and thirty-five, corresponding to the eighth of January 1820.

L. S.

(Sd.) W. GRANT KEIR,
Major-General.

L. S.

The signature of HASSUN BIN RAHMAH.

Copy of the Articles between the General and Hassun bin Rahmah. Witness my hand and seal.

L. S.

(Sd.) W. GRANT KEIR,
Major-General.

TRANSLATION of the PRELIMINARY TREATY with the SHEIKH DEBAT—1820.

In the name of God, the merciful, the compassionate !

Know all men that Mahomed bin Haza bin Zaal, a minor, accompanied by Ahmed bin Futeiss has been in the presence of General Sir William Grant Keir, and there have passed between them the following stipulations:—

ARTICLE 1.

The people of Debay shall surrender to the General the vessels which are in Debay and its dependencies and the guns which are in the town and in the towers. The General will leave the boats which are for the pearl fishery and fishing boats.

ARTICLE 2.

The people of Debay shall give up all the Indian prisoners if any such and their possession.

ARTICLE 3.

The General will not allow the troops to enter the town to lay it waste, and further, as a mark of consideration towards His Highness the Imam Saeed bin Sultan on the part of the General, he will not demolish the fort and towers.

ARTICLE 4.

After the execution of these engagements Mahomed bin Haza bin Zaal and his followers shall be admitted to the same terms of peace as the remainder of the friendly (literally the "pacificated") Arabs.

On these conditions there is a cessation of hostilities between the British and Mahomed bin Haza bin Zaal and his followers, with the exception that their boats are not to go to sea.

Done at Ras-ool-Kheimah on the 23rd of the month of Rabe-ul-Awul, in the year 1235, corresponding to the 9th of January 1820.

L. S.

(Sd.) W. GRANT KEIR,
Major-General.

Seal of
Ahmed
Futeiss.

Witnessed by the signature of Sheikh Hamza bin Mahomed bin Zubu al Moyzzine, Shaikh of Kishm, with his own hand.

Copy of the Articles between the General and Mahomed bin Haza bin Zaal.

Witness my hand and seal.

L. S.

(Sd.) W. GRANT KEIR,
Major-General.

TRANSLATION of the PRELIMINARY TREATY with SHEIKH SHAHBOUT, of ABOO DHEBBEE—1820.

In the name of God, the merciful, the compassionate!

Know all men that Sheikh Shahbout bin Dhyab al Talahij has been in the presence of General Sir William Grant Keir, and there have passed between them the following stipulations:—

ARTICLE 1.

If in Aboo Dhebbee or any other of the places belonging to Sheikh Shahbout there are any of the vessels of the piratical powers which have been attached or may be hereafter attached by the General during the present war against the pirates, he shall deliver such vessels to the General.

ARTICLE 2.

Sheikh Shahbout shall be admitted to the terms of the General Treaty with the friendly Arabs.

Done at Ras-ool-Kheimah on the twenty-fifth of the Rabee-ul-Awul, in the year one thousand two hundred and thirty-five, corresponding to the eleventh of January 1820.

L. S.

(Sd.) W. GRANT KEIR,
Major-General.

L. S.

(Sd.) SHAHBOUT.

Copy of the Articles between the General and Sheikh Shahbout.
Witness my hand and seal.

L. S.

(Sd.) W. GRANT KEIR,
Major-General.

TRANSLATION of the PRELIMINARY TREATY with HASSUN BIN ALI—1820.

In the name of God, the merciful, the compassionate!

Know all men that Hassun bin Ali has been in the presence of General Sir William Grant Keir, and there have passed between them the following stipulations:—

ARTICLE 1.

If any of the vessels of Hassun bin Ali are in Shargah, or Umm-ool keiweyn or Imam, or Aboo Dhebbee or any other of the places to which the General shall go with the force, such vessels shall be surrendered to the General, and the General will leave those which are for the pearl fishery and fishing boats.

ARTICLE 2.

Hassun bin Ali shall give up all the Indian prisoners if any such are in his possession.

ARTICLE 3.

After this Hassum bin Ali shall be admitted to the terms of the general Treaty with the friendly (literally the "pacificated") Arabs. End of the Articles.

Issued at Ras-ool-Kheimah in the forenoon of Saturday, the twenty-ninth of the month of Rabe-ul Awul, in the year one thousand two hundred and thirty-five, corresponding to the 15th of January 1820.

(Sd.) W. GRANT KEIR,

L. S.

Major-General.

L. S. (Sd.) HASSUN BIN ALI.

Copy of the Articles entered into between the General and Hassun bin Ali in the forenoon of Saturday, the twenty-ninth of Rabe-ul-Awul, in the year of Hegira one thousand two hundred and thirty-five, corresponding to the 15th of January 1820.

Witness my hand and seal.

L. S.

(Sd.) W. GRANT KEIR,

Major-General.

No. XXXVIII.

TRANSLATION of the GENERAL TREATY with the ARAB TRIBES of the PERSIAN GULF—1820.

In the name of God, the merciful, the compassionate!

Praise be to God, who hath ordained peace to be a blessing to his creatures. There is established a lasting peace between the British Government and the Arab tribes, who are parties to this contract, on the following conditions:—

ARTICLE 1.

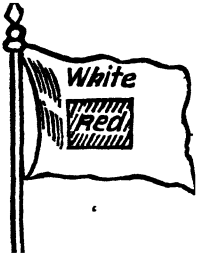
There shall be a cessation of plunder and piracy by land and sea on the part of the Arabs, who are parties to this contract, for ever.

ARTICLE 2.

If any individual of the people of the Arabs contracting shall attack any that pass by land or sea of any nation whatsoever, in the way of plunder and piracy and not of acknowledged war, he shall be accounted an enemy of all mankind and shall be held to have forfeited both life and goods. And acknowledged war is that which is proclaimed, avowed, and ordered by government against government; and the killing of men and taking of goods without proclamation, avowal, and the order of a government, is plunder and piracy.

ARTICLE 3.

The friendly (literally the pacificated) Arabs shall carry by land and sea a red flag, with or without letters in it, at their option, and this shall be in a border of white, the breadth of the white in the border being equal to the breadth of the red, as represented in the margin (the whole forming the flag known in the British Navy by the title of white pierced red), this shall be the flag of the friendly Arabs, and they shall use it and no other.



ARTICLE 4.

The pacificated tribes shall all of them continue in their former relations, with the exception that they shall be at peace with the British Government, and shall not fight with each other, and the flag shall be a symbol of this only and of nothing further.

ARTICLE 5.

The vessels of the friendly Arabs shall all of them have in their possession a paper (Register) signed with the signature of their Chief, in which

shall be the name of the vessel, its length, its breadth, and how many Karahs it holds. And they shall also have in their possession another writing (Port Clearance) signed with the signature of their Chief, in which shall be the name of the owner, the name of the Nacodah, the number of men, the number of arms, from whence sailed, at what time, and to what port bound. And if a British or other vessel meet them, they shall produce the Register and the clearance.

ARTICLE 6.

The friendly Arabs, if they choose, shall send an envoy to the British Residency in the Persian Gulf with the necessary accompaniments, and he shall remain there for the transaction of their business with the Residency; and the British Government, if it chooses, shall send an envoy also to them in like manner; and the envoy shall add his signature to the signature of the Chief in the paper (Register) of their vessels, which contains the length of the vessel, its breadth, and tonnage; the signature of the envoy to be renewed every year. Also all such envoy shall be at the expense of their own party.

ARTICLE 7.

If any tribe, or others, shall not desist from plunder and piracy, the friendly Arabs shall act against them according to their ability and circumstances, and an arrangement for this purpose shall take place between the friendly Arabs and the British at the time when such plunder and piracy shall occur.

ARTICLE 8.

The putting men to death after they have given up their arms is an act of piracy and not of acknowledged war; and if any tribe shall put to death any persons, either Muhammadans or others, after they have given up their arms, such tribe shall be held to have broken the peace; and the friendly Arabs shall act against them in conjunction with the British, and, God willing, the war against them shall not cease until the surrender of those who performed the act and of those who ordered it.

ARTICLE 9.

The carrying off of slaves, men, women, or children from the coasts of Africa or elsewhere, and the transporting them in vessels, is plunder and piracy, and the friendly Arabs shall do nothing of this nature.

ARTICLE 10.

The vessels of the friendly Arabs, bearing their flag above described, shall enter into all the British ports and into the ports of the allies of the

British so far as they shall be able to effect it; and they shall buy and sell therein, and if any shall attack them the British Government shall take notice of it.

ARTICLE II.

These conditions aforesaid shall be common to all tribes and persons, who shall hereafter adhere thereto in the same manner as to those who adhere to them at the time present. End of the Articles.

Issued at Ras-ool-Kheimah, in triplicate, at midday, on Saturday, the twenty-second of the month of Rabe-ul-Awul, in the year of the Hegira one thousand two hundred and thirty-five, corresponding to the eighth of January one thousand eight hundred and twenty, and signed by the contracting parties at the places and times under written.

Signed at Ras-ool-Kheimah at the time of issue by

L. S. (Sd.) W. GRANT KEIR,
Major-General.

L. S. (Sd.) HASSUN BIN RAHMAH;
Sheikh of Hatt and Falna, formerly of Ras-ool-Kheimah.

L. S. (Sd.) RAJIB BIN AHMED,
Sheikh of Jourat al Kamra.

(An exact translation.)

(Sd.) J. P. THOMPSON, *Captain,*
17th Light Dragoons, and Interpreter.

Signed at Ras-ool-Kheimah on Tuesday, the twenty-fifth of the month of Rabe-ul-Awul, in the year of the Hegira one thousand two hundred and thirty-five, corresponding to the eleventh January 1820.

L. S. (Sd.) SHAKBOUT,
Sheikh of Aboo Dhebbee.

Signed at Ras-ool-Kheimah at midday, on Saturday, the twenty-ninth of the month of Rabe-ul-Awul, in the year of the Hegira one thousand two hundred and thirty-five, corresponding to the fifteenth of January 1820.

L. S. (Sd.) HASSUN BIN ALI,
Sheikh of Zyah.

The seal is Captain Thompson's, as Sheikh Hassun bin Ali had not a seal at the time of signature

Copy of the general Treaty with the friendly (literally the "pacificated") Arabs, with the signatures attached to it, up to the fifteenth day of January 1820 inclusive. Given under my hand and seal.

L. S.

(Sd.) W. GRANT KEIR,
Major-General.

(Sd.) J. P. THOMPSON, *Captain,*
17th Light Dragoons, and Interpreter.

Ratified by the Governor-General in Council on 2nd April 1820.

Signed for Mahomed bin Haza bin Zaal, Sheikh of Debay, a minor, at Shargah, on Friday, the twelfth of the month of Rubee-oos-Sanee, in the year of the Hegira one thousand two hundred and thirty-five, corresponding to the twenty-eighth of January 1820.

L. S.

(Sd.) SAEED BIN SYF,
Uncle of Sheikh Mahomed.

Signed at Shargah at mid-day, on Friday, the nineteenth of the month of Rubee-oos-Sanee, in the year of the Hegira one thousand two hundred and thirty-five, corresponding to the fourth of February 1820.

L. S.

(Sd.) SULTAN BIN SUGGUR,
Chief of Shargah.

Signed at Shargah by the Vakeel on the part of the Sheikhs Suleiman bin Ahmed and Abdulla bin Ahmed, in his quality of Vakeel to the Sheikhs aforesaid, on Saturday, the twentieth of the month of Rubee-oos-Sanee in the year of the Hegira one thousand two hundred and thirty-five, corresponding to the 5th of February 1820.

(Sd.) SYUD ABDOOL JABEL BIN SYUD YAS,
L. S. *Vakeel of Sheikh Suleman bin Ahmed and*
Sheikh Abdoola bin Ahmed of the family
of Khalifa, Sheikhs of Bahrein.

Signed and accepted by Suleman bin Ahmed, of the house of Khalifa, at Bahrein, on the ninth of Jemadee-ool-Awul, in the year of the Hegira one

thousand two hundred and thirty-five, corresponding to the twenty-third of February 1820.

L. S.

Signed and accepted by Abdoola bin Ahmed of the house of Khalifa, at Bahrein, on the ninth of Jemadee-ool-Awul, in the year of the Hegira one thousand two hundred and thirty-five, corresponding to the twenty-third of February 1820.

L. S.

Signed at Faleia, at noon on Wednesday, the twenty-ninth of the month of Jemadee-ool-Awul, in the year of the Hegira one thousand two hundred and thirty-five, corresponding to the fifteenth of March 1820.

L. S.

(Sd.) RASHED BIN HAMID,
Chief of Ejman.

Signed at Faleia, at noon on Wednesday, the twenty-ninth of the month of Jemadee-ool-Awul, in the year of the Hegira one thousand two hundred and thirty-five, corresponding to the fifteenth of March 1820.

L. S.

(Sd.) ABDOOLA BIN RASHID,
Chief of Ummool-Keiwey.

L. S.

(Sd.) W. GRANT KEIR,
Major-General.

No. XXXIX.

ARTICLE of AGREEMENT entered into by SHEIKH SULTAN BIN SUGGUR, dated Shargah, the 22nd Mohurrum A. H. 1254, or 17th April A.D. 1838.

In the event of vessels connected with my ports, or belonging to my subjects, coming under the suspicion of being employed in the carrying off (literally stealing) and embarkation of slaves, men, women, or children, I, Sultan bin Suggur, Sheikh of the Joasmee tribe, do hereby agree to their being detained and searched, whenever and wherever they may be fallen in with on the seas, by the cruizers of the British Government; and further

that upon its being ascertained that the crews have carried off (literally "stolen") and embarked slaves their vessels shall be liable to seizure and confiscation by the aforesaid cruizers.

Seal by
SULTAN BIN
SUGGUR.

Sealed by SULTAN BIN SUGGUR.

Similar Agreement signed by Sheikh Rashed bin Hamid, of Ejman; Sheikh Muktoom bin Butye, of Debay; Sheikh Khuleefa bin Shaikbout, of Aboo Dhebbee.

NO. XL.

TRANSLATION of an AGREEMENT entered into by SHEIKH SULTAN BIN SUGGUR, CHIEF of RAS-OOL-KHEIMAH, dated off Ras-ool-Kheimah, 3rd July 1839.

I, Sultan bin Suggur, Sheikh of the Joasmee Tribe, do hereby declare that I bind and pledge myself to the British Government in the following engagements:—

ARTICLE 1.

That the Government cruizers, whenever they may meet any vessel belonging to myself or my subjects beyond direct line drawn from Cape Dalgado, passing two degrees seaward of the Island of Socotra, and ending at Cape Guadel, and shall suspect that such vessel is engaged in the slave trade, the said cruizers are permitted to detain and search it.

ARTICLE 2.

Should it on examination be proved that any vessel belonging to myself or my subjects is carrying slaves, whether men, women or children, for sale beyond the aforesaid line then the government cruizers shall seize and confiscate such vessel and her cargo. But if the aforesaid vessel shall pass beyond the aforesaid line owing to stress of weather, or other case of necessity not under control, then she shall not be seized.

ARTICLE 3.

As the selling of males and females, whether grown up to young, who are "Hoor" or free, is contrary to the Mahomedan religion, and whereas the Soomalee tribe is included in the "Hoor" or free, I, Sultan bin Suggur

do hereby agree that the sale of males and females, whether young or old, of the Soomalee tribe, shall be considered as piracy, and that after four months from this date all those of my people convicted of being concerned in such an act shall be punished the same as pirates.

Seal of
SULTAN BIN
SUGGUR.

NOTE.—A similar agreement to the above was entered into by Sheikh Khuleefa bin Shakbout on the 1st July 1839, and by Sheikh Muktoom of Debay, and Sheikh Abdoola bin Rashed of Umm-ool-Keiweyn, on the 2nd of the same month.

No. XLI.

TRANSLATION of an ENGAGEMENT entered into by SHEIKH SULTAN BIN SUGGUR, CHIEF of RAS-OOL-KHEIMAH and SHARGAH, for the ABOLITION of the AFRICAN SLAVE TRADE in his PORTS, 1847.

It having been intimated to me by Major Hennell, the Resident in the Persian Gulf, that certain conventions have lately been entered into by His Highness the Imam of Muscat and other powers with the British Government for the purpose of preventing the exportation of slaves from the African coast and elsewhere, and it having, moreover, been explained to me that, in order to the full attainment of the objects contemplated by the aforesaid conventions, the concurrence and co-operation of the Chiefs of the several ports, situated on the Arabian coast of the Persian Gulf are required, accordingly I, Sheikh Sultan bin Suggur, Chief of the Joasmee tribe, with a view to strengthen the bonds of friendship existing between me and the British Government, do hereby engage to prohibit the exportation of slaves from the coasts of Africa and elsewhere on board of my vessels and those belonging to my subjects or dependants; such prohibition to take effect from the 1st day of Mohurrum A. H. 1264 (or 10th December A. D. 1847).

And I do further consent that whenever the cruizers of the British Government fall in with any of my vessels, or those belonging to my subjects or dependants, suspected of being engaged in slave trade, they may detain and search them, and in case of their finding that any of the vessels aforesaid have violated this engagement, by the exportation of slaves

from the coasts of Africa, or elsewhere, upon any pretext whatever, they (the government cruizers) shall seize and confiscate the same.

Dated this 14th day of Jemmadee-ool-Awul A. H. 1263, or 30th day of April A. D. 1847.

L. S. (Sd.) SHEIKH SULTAN BIN SUGGUR.

Debay.—Sheikh Muktoom's Engagement is dated 14th Jemmadee-ool-Awul 1263, or 30th April 1847.

Eiman.—Sheikh Abdool Azeez's Engagement is dated 15th Jemmadee-ool-Awul 1263, or 1st May 1847.

Umm-ool-Keiyweyn.—Sheikh Abdoolah bin Rashed's Engagement is dated 15th Jemmadee-ool-Awul 1263 or 1st May 1847.

Aboo Dhebbee.—Sheikh Saeed bin Tahnoon's Engagement is dated 17th Jemmadee-ool-Awul 1263, or 3rd May 1847.

Bahrein.—Sheikh Mahomed bin Khuleefa's Engagement is dated 22nd Jemmadee-ool-Awul 1263, or 8th May 1847.

No. XLII.

TERMS of a MARITIME TRUCE for TEN YEARS agreed upon by the CHIEFS of the ARABIAN COAST, under the mediation of the RESIDENT in the PERSIAN GULF, dated 1st June 1843.

We, whose seals are hereunto affixed, *viz*, Sultan bin Suggur, Chief of the Joasmee tribe, Khuleefa bin Shakbout, Chief of the Beniyas, Muktoom bin Butye, Chief of the Boo Falasa, Abdoolah bin Rashed, Chief of Umm-ool-Keiweyn, Abdool Azeez bin Rashed, Chief of Ejman, being fully impressed with a sense of the evil consequences arising from our subjects and dependants being prevented carrying on the pearl fishery without interruption on the banks, owing to the various feuds existing amongst ourselves, and, moreover, duly appreciating the general advantage to be derived from the establishment of a truce, do hereby agree to bind ourselves down to observe the following conditions :—

ARTICLE 1.

That from the 1st June A. D. 1843 (the corresponding Mahomedan date 2nd Jemmadee-ool-Awul Hegira 1259), there shall be a cessation of hostilities at sea between our respective subjects and dependants, and that from the above date until the termination of the month of May A. D. 1853, an inviolable truce shall be established, during which period our several claims upon each other shall rest in abeyance.

ARTICLE 2.

That in the event of any of our subjects or dependants committing any acts of aggression at sea upon those of any of the parties to this agreement, we will immediately afford full redress upon the same being brought to our notice.

ARTICLE 3.

That in the event of any acts of aggression being committed at sea upon any of our subjects or dependants, we will not proceed immediately to retaliate, but will inform the British Resident or the Commodore at Bassidore, who will forthwith take the necessary steps for obtaining reparation for the injury inflicted, provided that its occurrence can be satisfactorily proved.

ARTICLE 4.

That on the termination of the month of May 1853, by God's blessing we will endeavour to arrange either an extension of this truce, or a firm and lasting peace; but in the event of our being unable to come to a satisfactory adjustment regarding our respective claims, we hereby bind ourselves to give notice, on or about the above date to the British Resident, of our intention to renew hostilities after the expiration of the term now fixed upon for this truce, *viz.*, the end of the month of (May) 1853.

Signed as in the preamble.

No. XLIII.

TREATY of PEACE in PERPETUITY agreed upon by the CHIEFS of the ARABIAN COAST in behalf of THEMSELVES, their HEIRS and SUCCESSORS, under the mediation of the Resident in the PERSIAN GULF, 1853.

We, whose seals are hereunto affixed, Sheikh Sultan bin Suggur, Chief of Rass-oo-Kheimah, Sheikh Saeed bin Tahnoon, Chief of Aboo Dhebbee, Sheikh Saeed bin Butye, Chief of Debay, Sheikh Hamid bin Rashed, Chief of Ejman, Sheikh Abdoola bin Rashed, Chief of Umm-ool-Keiweyn having experienced for a series of years the benefits and advantages resulting from a maritime truce contracted amongst ourselves under the mediation of the Resident in the Persian Gulf and renewed from time to time up to the present period, and being fully impressed, therefore, with a sense of the evil consequence formerly arising, from the prosecution of our feuds at sea, whereby our subjects and dependants were prevented from carrying on the pearl fishery in security, and were exposed to interruption and molestation when passing on their lawful occasions, accordingly, we, as aforesaid have determined, for ourselves, our heirs and successors, to conclude together a lasting and inviolable peace from this time forth in perpetuity

and do hereby agree to bind ourselves down to observe the following conditions:—

ARTICLE 1.

That from this date, *viz.*, 25th Rujjub 1269, 4th May 1853, and hereafter, there shall be a complete cessation of hostilities at sea between our respective subjects and dependants, and a perfect maritime truce shall endure between ourselves and between our successors, respectively, for evermore.

ARTICLE 2.

That in the event (which God forbid) of any of our subjects or dependants committing an act of aggression at sea upon the lives or property of those of any of the parties to this agreement, we will immediately punish the assailants and proceed to afford full redress upon the same being brought to our notice.

ARITICLE 3.

That in the event of an act of aggression being committed at sea by any of those who are subscribers with us to this engagement upon any of our subjects or dependants, we will not proceed immediately to retaliate, but will inform the British Resident or the Commodore at Bassidore, who will forthwith take the necessary steps for obtaining reparation for the injury inflicted, provided that its occurrence can be satisfactorily proved.

We further agree that the maintenance of the peace now concluded amongst us shall be watched over by the British Government, who will take steps to ensure at all times the due observance of the above Articles, and God of this is the best witness and guarantee.

L. S. (Sd.) ABDOOLLA BIN RASHED,
Chief of Ummool Keiwyn.

L. S. (Sd.) HAMED BIN RASHED,
Chief of Ejman.

(Sd.) SAEED BIN BUTYE,
Chief of Debay.

(Sd.) SAEED BIN TAHNOON,
Chief of the Beniyas.

(Sd.) SULTAN BIN SUGGAR,
Chief of the Joasmees.

Approved by the Governor-General in Council on 24th August 1853.

No. XLIV.

ADDITIONAL ARTICLE for the PROTECTION of the TELEGRAPH LINE and STATIONS, agreed to before LIEUTENANT-COLONEL LEWIS PELLY, ACTING POLITICAL RESIDENT, PERSIAN GULF, and appended to the TREATY of PEACE of the 4th May 1853—1864.

Whereas, under date 25th Rujjub 1269 (4th May 1853), we, Chief of the Joasmees, Chief of the Beniyas, Chief of Ummool Keiweyn, Chief of Ejman, Chief of Debay, did agree to a perpetual Treaty of Peace at Sea, and whereby our vessels have been respected and our commerce increased; and whereas the British Government, in the further interests of commerce and of the general peace, are preparing telegraphic lines and stations at various points in or near the Persian Gulf, we do hereby engage for ourselves, our heirs and successors, to respect and abstain from all and every interference with the said telegraphic operations that may be carried on by the said British Government in or near our territory.

And in the event (which God forbid) of any of our subjects or dependents committing an act of aggresion or trespass on the said telegraphic lines and stations or other telegraphic material, we will immediately punish the offender and proceed to afford full redress upon the same being brought to our notice.

The Telegraphic line being intended for the common good, our subjects and dependants shall be permitted to send messages by the Telegraph at such rates of payment as may be paid by British subjects.

No. XLV.

AGREEMENT of the ABOO DHEBBEE CHIEF engaging not to commit any breach of the Maritime Peace, 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 twenty-five thousand dollars by instalments specified below:—

9,000 Dollars to be paid at once in cash on this the 28th Jumadi-ool-awul 1285 =16th September 1868.
8,000 Dollars to be paid in the month of Mohurrum 1285, and
8,000 Ditto ditto ditto Rujjub 1286.

3rd.—That I should not prevent the people who have been removed from Guttar 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 Busreh.

Written on the 28th Jemadi-ool-awul 1285=16th September 1868.

Signed and sealed by

(Sd.) ZAYID BIN KHALIFEH.

Agreed to in our presence by Zayid bin Khalifeh, Chief of Aboo Dhabbee on the 16th September 1868.

(Sd.) LEWIS PELLY, *Lieut.-Col.*,
H. B. M.'s Poltl. Resdt., Persian Gulf.

(Sd.) R. A. BROWN, *Capt.*,
Comdg. H. M.'s ship "Vigilant."

No. XLVI.

AGREEMENT of the CHIEF of EL-KUTR (*Guttur*) engaging not to commit any BREACH of the MARITIME PEACE, 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 Lieutenant-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 Sanee, of Guttur, on this the 12th day of September 1868.

(Sd.) LEWIS PELLY, *Lieut.-Col.*,
H. B. M.'s Polt. Resdt., Persian Gulf.
(Sd.) R. A. BROWN, *Capt.*,
Comdg. H. M.'s Ship "Vigilant."

No. XLVII.

TRANSLATED PURPORT of a letter from SALIM BIN SULTAN CHIEF of SHARGAH, to HER BRITANNIC MAJESTY'S ACTING POLITICAL RESIDENT in the PERSIAN GULF, dated 25th Zilhuj 1289=26th February 1873.

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 Suggur.

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.

The Government Agent has, no doubt, informed you that I seized the slaves that were brought to my territories in a British vessel, and made them over to the Agent.

You may rest assured that I shall carry into effect whatever the Government may desire, and am always happy to receive your commands.

No. XLVIII.

TRANSLATED PURPORT of a letter from SHEIKH ZAYED BIN KHALEEFA, CHIEF of ABOO DHEBBEE, to ACTING RESIDENT, PERSIAN GULF, dated 5th Mohurrum 1290=5th March 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 importation of slaves.

This treaty exists intact, and I am always careful to see that it is not infringed.

No. XLIX.

Exclusive Agreement of the Chief of Abu Dthabi with the British Government, dated the 6th March 1892.

I, Zaeed bin Khalifah, Chief of Abu Dthabi, in the presence of Lieutenant-Colonel A. C. Ṭalbot, C.I.E., Political Resident in the Persian Gulf, do hereby solemnly bind myself and agree, on behalf of myself, my heirs and successors to the following conditions, *viz.* :—

1st.—That I will on no account enter into any agreement or correspondence with any Power other than the British Government.

2nd.—That without the assent of the British Government I will not consent to the residence within my territory of the agent of any other Government.

3rd.—That I will on no account cede, sell, mortgage or otherwise give for occupation any part of my territory, save to the British Government.

Dated Abu Dthabi, 6th March 1892, corresponding to 5th Shaaban 1309 Hijri.

Signature of Zaeed bin Khalifa, Chief of Abu Dthabi.

A. C. Tablot, *Lieut.-Col.*,

Resident in the Persian Gulf.

LANSDOWNE,

Viceroy and Governor-General of India.

Ratified by His Excellency the Viceroy and Governor-General of India at Simla on the twelfth day of May 1892.

H. M. DURAND,

Secretary to the Govt. of India, Foreign Dept.

(The agreements signed by the other Trucial Shaikhs, *viz.*, the Chiefs of Dabai, Ajman, Shargah, Ras-ul-Khima, and Umm ul Gawain, the first three dated the 7th and the last two the 8th March 1892, are indentical in form.)

No. L.

Agreement for the Prohibition of Traffic in Arms.

We, the undersigned Trucial Chiefs, agree to absolutely prohibit the

importation of arms for sale into our respective territories or the exportation therefrom and to enforce this we have issued a notification to all concerned.

MAKTOOM-BIN-HASHAR (Debai).

SAGAR-BIN-KHALED (Sargah).

RASHID-BIN-AHMED (Um-el-Kowain).

ABDUL AZIZ-BIN-HOMAID (Ajman).

ZAEED-BIN-KHALIFAH (Abu Dhabi).

Signed and sealed in my presence by the above-mentioned Trucial Chiefs on board the R.I.M.S. "Lawrence" on the 24th, 25th and 26th November 1902.

C. A. KEMBALL, *Lieut.-Col.*,

Offg. Political Resident, Persian Gulf.

NOTIFICATION referred to in the foregoing agreement.

Be it known to all that whereas it has become known to us that the traffic in arms in British India is prohibited, and as we are of opinion that the traffic if continued, is likely to be prejudicial to the interests of our territories, we have, therefore, decided to do all that lies in our power to put a stop to this illegal traffic, and we hereby declare that from the date of this notification the importation of arms and ammunition into our respective territories and the exportation of the same are absolutely prohibited.

All arms and ammunition so imported or exported in future will be seized and confiscated.

PART III.

TREATIES AND ENGAGEMENTS

relating to

OMAN (MASKAT).

In the middle of the seventeenth century the Maskat Arabs having driven the Portuguese, who had occupied the Oman coast since 1507, from Maskat, established their ascendancy in the Persian Gulf and, by the end of the century, had gained possession of Mombasa and other ports on the African coast. In the reign of Nadir Shah the Persians invaded Oman and gained supremacy over the country for some time, but were eventually expelled by Ahmad bin Said, the Arab Governor of Sohar, a town on the Batinah coast, about 150 miles north-west of Maskat, who contemptuously rejected Nadir Shah's claims to tribute. For this service Ahmad was elected Imam in 1741 and founded the present dynasty of the Al Bu Saidis. He died in 1775 and was succeeded by his second son, Said, who, however, proved an incapable ruler, and ten years later the power was usurped by the fifth son, Sultan. It was in 1798, during the rule of this Chief, that the first Treaty (No. LI) with Maskat was negotiated by Mahdi Ali Khan, the Company's Agent at Bushire, with a view to exclude from Maskat the prejudicial influence of the French, with whom Saiyid Sultan was brought in contact through his trade with the Mauritius. When Sir John Malcolm visited Maskat on his first mission to Persia in 1800, he formed another Engagement (No. LII) with Saiyid Sultan, stipulating for the strict observance of the previous treaty and for the residence of an English gentleman in an official capacity at Maskat.

Saiyid Sultan bin Ahmad was killed on the 14th November 1804 in a contest at sea with his enemies, the Atubis and Kawasim. The rights of his two young sons were disputed by their uncles, especially by Saiyid Kais of Sohar, who aimed at usurping the government of Oman. To oppose their uncle's pretensions the two youths put themselves in the hands of their cousin, Saiyid Badr bin Saif, who called in the Wahabis, and with their help defeated Saiyid Kais and recovered Bandar Abbas and

Hormuz, which had been seized by the Shaikh of Kishm. The weakness resulting from this disputed succession, gave the Wahabis a footing in Maskat which they retained until the occupation of Hasa by the Turks. In 1800 they made their first appearance in Oman. They reduced all the sea-coast of the Persian Gulf from Basrah to Dabai, released the Chiefs of Zahira and Sohar from allegiance to Maskat, and forced Saiyid Sultan to beg for a three years' truce, which they broke soon after. They would probably have conquered all Oman if they had not been stopped by the assassination of their Chief.

Saiyid Said, the second son of Saiyid Sultan, succeeded Badr bin Saif in 1807. This Chief, to whom the religious title of Imam was not conceded by the Arabs, ruled for fifty years, during which time he cultivated a close intercourse with the British Government. In 1808, smarting under the insults of the Wahabis, whose agents were forcibly converting his subjects in his very capital, he roused the Arab tribes in Oman to a combination against them. If Maskat had fallen under the Wahabis, Saiyid Said would have been drawn into the general system of piracy which they encouraged, and would have been converted from a friend into a dangerous enemy. The British Government, therefore, resolved to support him. An armament was accordingly sent towards the close of 1809, which destroyed the piratical boats at Ras-ul-Khaima, Lingah, and Laft, and bombarded and took Shinas. No arrangements, however, were made to secure permanently the advantage then obtained. Piracy was soon renewed, and it became necessary to send another expedition against the pirates in 1819, in which also Saiyid Said co-operated. With these exceptions, till the year 1822, when a Treaty (No. LIII) was concluded for the suppression of slavery, there is nothing requiring special notice in the intercourse between the British Government and Saiyid Said, who was chiefly occupied in wars with his rivals, the Kawasim, and in fruitless attempts to possess himself of the island of Bahrein.

The treaty of 1822 aimed at the suppression of the foreign slave trade with Christian nations only, and not of the trade with Muhammadan countries and within the Maskat dominions, except in cases of kidnapping; and the permission given under the treaty to British cruisers to seize slave ships east of the line defined in the treaty, applied to His Majesty's ships only, and not to vessels of the Indian Navy. In 1839, however, a Treaty of Commerce (No. LIV) was concluded with Saiyid Said by Her Majesty's plenipotentiary at Maskat, by the 15th article of which he confirmed the treaty of 1822 for the suppression of slave trade with Christian countries, and conceded power of search and seizure to vessels of the East India Company as well

as those of the Royal Navy. On the 17th December of the same year he agreed with the Resident in the Persian Gulf to add three additional Articles (No. LV) to the treaty of 1822, authorising the right of search, and extending the boundary laid down in the treaty of 1822 from Diu Head to Passani, the eastern boundary of the Maskat possession on the Makran coast, so as to include the coasts of Kathiawar, Kutch, and Karachi, and upwards of four degrees westward in the limits within which his subjects were forbidden to engage in the slave-trade. In the fourth article of the Arabic version of the treaty of 1822 no mention was made of the obligation of the ruler of Maskat or his authorities to assist in the apprehension of British subjects engaged in the slave-trade, although this obligation was distinctly specified in the English version. He was therefore urged to have the omission rectified by an addition to the Arabic text. He was, however, averse from alteration being made in the treaty; but in a separate letter, dated the 18th August 1845, he bound himself, his heirs, and authorities to afford assistance, when required by persons authorised to demand it, in apprehending British subjects engaged in the slave-trade.

In 1845 Saiyid Said entered into a Treaty* (No. LVI) prohibiting, from the 1st January 1847, the export of slaves from his African dominions, and their importation from any part of Africa into his dominions in Asia; and agreeing to use his influence with the Chiefs of Arabia, the Red Sea, and the Persain Gulf to put a stop to the slave-trade. The treaty, however, did not prohibit the transport of slaves from one port in his African possessions to another. In consenting to this treaty he requested that three additional articles† might be added, prohibiting the search of his vessels in the limits within which the transport of slaves was allowed under the treaty, and of

*An Act of Parliament, 11 and 12 Vict., Cap. CXXVIII, was passed to give effect to this treaty. See Appendix No. XLVII.

†Additional Articles to the Agreement concluded on the 2nd October 1845, corresponding to the 29th Ramzan 1261 Hijra, proposed by His Highness the Imam of Maskat.

ARTICLE 1.

That no vessels belonging to His Highness Saiyid Said bin Sultan, the Imam of Maskat, or belonging to his subjects, be searched by English men-of-war between the boundary of Lamu to the north and Kilwa to the south, mentioned in the treaty concluded on the 2nd October 1845, corresponding with the 29th Ramzan 1261.

ARTICLE 2.

It may perhaps be reported to them (the British Government) that an individual has stolen slaves from the territories of Saiyid Said, the Sultan of Maskat, which are in Africa; unless this be proved, His Highness Saiyid, the Sultan of Maskat, shall not be called to account for it.

his vessels coming from the Arabian and Red Seas to Africa, and stipulating that, if slaves were stolen from the Zanzibar territories, he should not be held responsible. These articles do not appear to have been formally agreed to; but Saiyid Said was informed, in the name of Her Majesty's Government, that British ships of war would search only such vessels under the Maskat flag as might reasonably be suspected of being engaged in slave trade; that, therefore, the description of vessels mentioned in the articles would not be searched unless there should be good ground for suspecting them to be so engaged; and that, in any case, if they should be searched and found not to be so engaged, that fact would be ascertained in a very short space of time, and they would not be prevented for more than a quarter or half an hour from continuing their voyage.

In consequence of some discussion regarding the right of Saiyid Said to duty on goods transhipped in his ports, he issued Rules (No. LVII) in 1846 for the levy of the full duty of 5 per cent. on goods transhipped, but exempting from duty ships putting into his harbours from stress of weather, and all stores of the British Government landed at his ports.

In 1854 Saiyid Said ceded (No. LVIII) to the British Crown the Kuria Muria islands on the south coasts of Arabia. The islands were valuable only for the guano deposits which were found on them and which are now exhausted. In 1874 a piratical outrage was committed by the Jaaferah section of the Beni Bu Ali tribe on two trading vessels at Hellania in these islands, for which they were fined 600 dollars, and a promise of future good behaviour was exacted from them.

During the later years of his rule the affairs of Saiyid Said in his Asiatic dominions fell into much confusion, owing partly to his prolonged residence at Zanzibar,* which in 1840 he made the permanent seat of his government, and partly to the incapacity of the agents whom he left at Maskat, and latterly of his son, Saiyid Thawaini. On more than one occasion his power was saved only by the intervention of the British Government. His contests with the Wahabis in 1832 and again in 1845 and 1852 are described in part II of this volume. In 1833 Saiyid Said concluded a

ARTICLE 3.

It is known that the vessels belonging to His Highness the Sultan of Maskat and those belonging to his subjects coming from the Arabian and Red Seas do not bring slaves from those parts to the territories of the Sultan of Maskat which are in Africa, accordingly English men-of-war shall not search nor trouble them.

*For some account of the connection between Maskat and Zanzibar, see the article on the latter in Volume XIII.

treaty with the United States of America,* and in 1844 with France.† In 1880 a Consul for the former and in 1881 a Consular Agent for the latter were appointed.

Saiyid Said died in 1856. In 1844 he had intimated his desire to appoint his sons, Saiyd Majid and Saiyd Thawaini, as his successors in his African and Asiatic dominions respectively, and had appointed them his deputies. Saiyid Thawaini accordingly succeeded to the government of Maskat on his father's death, and Saiyid Majid to that of Zanzibar. In virtue of his succession to the Chiefship of Oman, he claimed also feudal supremacy over Zanzibar, and prepared to establish his claim by force of arms. The dispute was submitted to the arbitration of Lord Canning, who in 1861 decided (No. LIX) that Zanzibar should be independent of Maskat, but should pay an annual subsidy of 40,000 crowns.

In 1862 an Engagement (No. LX) was concluded between Great Britain and France, by which both powers engaged reciprocally to respect independence of rulers of Maskat and Zanzibar.

In 1864 Saiyid Thawaini agreed (No. LXI) to the construction of one or more lines of telegraph through the territory of Maskat, and in 1865 a Convention (No. LXII) was made with him for the extension of electric telegraph through his dominions in Arabia and Makran.

In February 1866 Saiyid Thawaini was assassinated at Sohar, where he had gone to organise an expedition against the Wahabis. Grave suspicions of having been concerned in this crime attached to his son and successor, Saiyid Salim, and so much alarm was created at Maskat that trade was paralysed and the town was deserted by British subjects residing there. Envoys were shortly afterwards sent by Saiyid Salim to Bombay, but they were informed that while the British Government had no wish to interfere in the domestic affairs of Oman, it was compelled, in the circumstances of the case, to suspend friendly relations with the ruler of Maskat; at the same time the treaty obligations of the British Government with the State of Maskat, which had for their special object the protection of British subjects residing in Maskat territory, were in no way abrogated, and their fulfilment would be required from every ruler of Maskat.

Subsequently, however, as the people of Maskat had apparently accepted Saiyid Salim as their legitimate Chief, it was intimated to the merchants trading with Maskat that they might resume commercial dealings with that port, a Native agent was appointed to the place, and finally in September

* See Appendix No. XLVIII. † See Appendix No. XLIX.

1886, Saiyid Salim was recognised by the British Government as ruler of the State. The appointment of a British officer as Political Agent was revived in the following year.

In the meantime Saiyid Turki, brother of the late Saiyid Thawaini, who had been residing at Bushire on an allowance granted to him by the British Government pending a settlement of Oman affairs, made an unsuccessful attack on Maskat. For this breach of the maritime peace his allowance was stopped, and he was subsequently warned that similar proceedings, which he was believed to be meditating in concert with the Shaikh of Dadai, would expose him and his adherents to be treated as enemies of the British Government.

In June 1867 Saiyid Turki attacked Sohar by land, but was driven off with loss; subsequently, however, he captured Matrah, the principal fort commanding the pass leading to Maskat, and, as Saiyid Salim was unable to expel him, an arrangement was effected through the mediation of the British Resident, by which Saiyid Turki was to receive a monthly allowance of 600 dollars from the Sultan on the condition that he should reside in India.

Saiyid Salim's rule, however, was not destined to last long. In addition to the suspicion of parricide, from which he could never entirely free himself, his preference for the Ghafiri tribe, who professed Wahabi tenets, excited the discontent of their rivals, the Hinawis, by whom the ruling family of Maskat had been principally supported. Early in 1868 an expedition was undertaken by Saiyid Salim against his uncle, the Chief of Masnaah, with whom he had a trifling dispute regarding money. Although a reconciliation was effected before hostilities actually commenced, Saiyid Salim's conduct on this occasion alienated many whose support would have been valuable, while his resources were materially diminished by expenses of the expedition.

When, therefore, Azan bin Kais, Chief of Rostak and brother-in-law of Saiyid Salim, rose in rebellion, the latter had neither friends nor money with which to resist him. In October 1868 Azan bin Kais obtained possession of the town of Maskat, and, on the flight of Saiyid Salim, whom the British Government declined to assist by force of arms, was proclaimed Chief. For some time Saiyid Salim endeavoured to rally his friends on the Arab coast and contemplated an attack by sea on the Oman ports; he was warned, however, against any act which might tend to a breach of the maritime peace, and Government resolved to prohibit, by force of arms if necessary, all naval operations by any party at Maskat or elsewhere. The hope which Saiyid Salim entertained of assistance from the Wahabis

was frustrated by the assassination at Shargah of Sideyri, Governor of the Wahabi outpost of Beraimi, and by his own exertions he could excite no enthusiasm for his cause among the Chiefs of the Arab coast.

During the rule of Azan bin Kais the chief power was wielded by Said bin Khulfan Al Khuleli, the head of the priestly faction among the Hinawis; his cruelties and exactions, and the severity with which he enforced compliance with the precepts of the Koran, rendered Azan bin Kais's rule unpopular at Maskat, though his authority was successfully asserted over the refractory tribes in the interior. Early in 1869 the Wahabi Amir, Abdulla bin Faisal, made a demand for tribute on Azam bin Kais. To this no attention was paid, and on the invitation of the Naim tribe of Bedouins, who had suffered from the oppression of Sideyri, Azam bin Kais attacked Beraimi June 1869 and captured it. Preparations for its recapture were at once set on foot by the Wahabi Chief, in whose possession it had remained for many years previously, and in the first month of 1870 he was reported to be advancing on Beraimi with a considerable force. Difficulties connected with the want of water *en route*, the anticipated hostility of the Abu Dthabi Chief, who was known to be in alliance with Azam bin Kais, and the intrigues of his brother, Saud bin Faisal, combined to deter the Wahabi Chief from carrying his intentions into effect, and before the close of the year he was a fugitive, pursued by his successful brother Saud.

In the meantime the events which had taken place in Oman induced Government to withdraw its prohibition against Saiyid Turki's interference in the affairs of Oman, and in March 1869 he was informed that he might, if he should so wish, proceed to Maskat, but that no help or protection could be afforded him by the British Government in any attempts he might make to establish his power in Oman, and that no operations by sea would be permitted. Saiyid Turki remained at Bombay till March 1870, when he proceeded to Bandar Abbas and thence of the Arab coast. He was at first unsuccessful and was obliged to return to Bandar Abbas. In the following September, however, assisted with funds from Zanzibar, he again landed on the Arab coast with a few followers and soon collected a considerable force, a portion of which he placed under the command of Saif bin Sulaiman. In January 1871 Saif bin Sulaiman attacked Azad bin Kais at Matrah; both the leaders fell in the engagement, but an armistice was arranged through the intervention of the British Resident, and eventually negotiations between Saiyid Turki and Said bin Khulfan ended in a declaration of peace between the contending parties. Said bin Khulfan died a few days afterwards.

Saiyid Turki's principal opponent was now Ibrahim bin Kais, brother of Azan bin Kais, who held the fort of Sohar. In July 1871 Saiyid Turki laid siege to Sohar and had effected a practicable breach, when an arrangement was concluded by which Ibrahim bin Kais retained possession of Sohar and the portion of coast from Sallan to Khabureh, a tract of some 30 miles in extent; and all other parts of the coast, including Sawaik and Masnaah, were made over to Saiyid Turki. Soon afterwards Ibrahim bin Kais plundered a native craft belonging to British traders and imprisoned three of the owners. As Saiyid Turki was unable to procure redress, the Resident in the Persian Gulf was directed to demand restitution of the plundered property and compensation for the imprisonment of British subjects, and in case of refusal to bombard Sohar. These claims, amounting to 2,255 dollars, were accordingly paid by Ibrahim bin Kais.

Saiyid Turki was recognised by the British Government as ruler of Maskat in June 1871, but during that and the succeeding year his power was endangered by the intrigues of his brother, Saiyid Abdul Aziz, and his nephew, Saiyid Salim, in addition to the persistent hostility of Ibrahim bin Kais. A coalition was proposed in April 1872 between Ibrahim bin Kais and Saiyid Salim, but failed owing to the defeat of the former near Lawa and the desertion of the latter by his followers. Finding themselves unable to subvert Saiyid Turki's authority, his brother and nephew quitted Maskat territory towards the close of 1872 and proceeded to Bombay. In the spring of 1873 they left Bombay and began to intrigue against Saiyid Turki's authority in Makran. Offers had been made to them by Saiyid Turki of an allowance of 300 dollars a month on condition of their residing in India and abstaining from interference in Maskat affairs. These offers they declined, and in July of that year Saiyid Abdul Aziz moved on Gwadar. The attack failed, owing to the fidelity of Saiyid Turki's Governor, but a considerable amount of property belonging to British subjects was plundered. Saiyid Abdul Aziz was afterwards captured in an attempt to cross over to Oman, and detained in surveillance at Karachi. On his undertaking not to interfere in Maskat affairs or leave Karachi without permission he was set at liberty, and the allowance of 300 dollars a month was paid to him through the British Government. Gwadar was again attacked in December 1873, on this occasion by Saiyid Salim; the attempt, however, failed, and Saiyid Salim escaped into Persian territory. He was then informed that if he surrendered unconditionally, he would be granted the same allowances as Saiyid Abdul Aziz, otherwise the offer would not be renewed, and he would be arrested wherever he might be found. He subsequently made another attempt on

Oman, was arrested by H. M. S. *Daphne*, and sent as State prisoner to the fort of Hyderabad in Sind, where he died in December 1876.

In June 1873 Saiyid Turki undertook active operations against Ibrahim bin Kais and invested Sohar. Negotiations were entered into which resulted in the surrender of Sohar and other places on the coast to Saiyid Turki; Ibrahim bin Kais receiving a sum of 5,000 dollars and a monthly allowance of 100 dollars on condition of not moving eastward of the fort of Hibi. In spite of this reverse, Ibrahim bin Kais continued to intrigue against Saiyid Turki, and in March 1874 collected a force composed principally of the Yal Saad section of the Hinawis, with which he attacked Masnaah and took possession of the fort after having plundered a considerable amount of property belonging to British subjects. As Ibrahim bin Kais refused to evacuate the fort at the demand of the Political Agent, it was bombarded, and an indemnity of 10,000 dollars as compensation to British subjects was exacted from Yal Saad. In the meantime Saiyid Turki had hardly returned from his successful expedition against Sohar when he was compelled to make terms with Saleh bin Ali El-Harithi, Azam bin Kais's former minister, who made a successful attack on Matrah, and was only induced to withdraw by the payment of a large sum of money.

The annual subsidy which, under the terms of Lord Canning's arbitration, the ruler of Zanzibar was bound to pay to the ruler of Maskat, was duly paid up to the date of Saiyid Thawaini's death in 1866, but Saiyid Majid, who was then Sultan of Zanzibar, objected to continue the subsidy to Saiyid Thawaini's successor, Saiyid Salim, partly on the pretext that the engagement was personal to Saiyid Thawaini, and partly on the ground of Saiyid Salim's alleged parricide. These arguments were not admitted by the British Government, which had recognised Saiyid Salim as ruler of Maskat, but an arrangement was effected by which the subsidy was to be paid through the medium of the political Agent in Oman.

On the expulsion of Saiyid Salim by Azan bin Kais, Saiyid Majid again declined to pay the subsidy, on the ground that a member of another branch of the family had succeeded to power. This plea ceased to have force when Saiyid Turki had succeeded in establishing his authority, and he appealed to the British Government to procure the due observance of the terms of the arbitration. As the great obstacle to the consolidation of Saiyid Turki's power and the establishment of a peaceful administration in Oman was his want of funds, it was determined to guarantee to him the payment of the subsidy, with arrears from the date of his succession to power; and

an assurance was conveyed in 1873 to him that, so long as he continued faithfully to observe his treaty engagements and manifest his friendship towards the British Government, the subsidy of 40,000 crowns would be paid to him annually during his rule. In accordance with this guarantee, the payment was regularly made, and since the death of Saiyid Turki in 1888, the subsidy has been continued to his son Saiyid Faisal, who is the present ruler of Oman, always on the understanding and with the provisos under which it was paid to his father.

The greater portion of the money thus received by Saiyid Turki was spent in subsidising the various tribes in the interior, but the successful raid of Saleh bin Ali showed how little reliance could be placed on their allegiance, and illustrated the real weakness of Saiyid Turki's authority in Oman. As a means of maintaining his position Saiyid Turki sought a reconciliation with his brother, Saiyid Abdul Aziz. Finally, terms were arranged between the brothers; Saiyid Abdul Aziz was permitted to proceed to Maskat and was associated with Saiyid Turki in the government of the country. The difficulties, however, with which Saiyid Turki had to contend did not disappear with the arrival of his brother: dissensions were rife between the Ghafiris and the Hinawis; the Metawwah or fanatical party in the south-east of Oman was hostile to him; and finally quarrels took place between the brothers, of which advantage was taken by the Bedouins who garrisoned Maskat to impose terms upon Saiyid Turki with which he was forced to comply. Finding himself thus powerless to control events, Saiyid Turki, after an ineffectual attempt to conduct affairs unaided, entrusted the government to Saiyid Abul Aziz and retired temporarily to Gwadar.

Signs of opposition to the administration of Saiyid Abdul Aziz soon became apparent; he failed to conciliate the Bedouins, and his difficulties were increased by want of funds. Within a few months of his retirement, Saiyid Turki found himself in a position to return to Maskat; accordingly in December 1875, in the absence of Saiyid Abdul Aziz, he once more took possession of the town and forts. His brother was at this time absent at Semail, from which, however, soon after Saiyid Turki's return, he removed to Samad. The former place was captured in February 1876 by the Sultan, who thus completed the re-establishment of his authority, Ibrahim bin Kais alone remaining independent at the stronghold of Rostak. In the following year he made an attack on Maskat in concert with Shaikh Saleh bin Ali, but after a three days' siege was repulsed and compelled to retire with heavy loss.

In 1879 Saiyid Turki, at the invitation of the Shaikhs, sent an expedition to Dhofar from which the notorious Mopla usurper, Saiyid Fadthl, had lately been expelled by the inhabitants. The district was occupied by Saiyid Turki's troops, and, although two unsuccessful attempts were made by the inhabitants in 1881 and 1888 to overthrow the Sultan's rule, it still forms part of his dominions.

After 1879 the peace of Oman remained unbroken till 1883; in that year the disaffection which Saiyid Abdul Aziz, from his retreat at Samad, had been sedulously fomenting among the Sharkiyeh tribes, came to a head, and they marched upon Maskat with the Sultan's brother as leader. After some sharp fighting they were repulsed by the Sultan's troops with the assistance of the Ghafiris; and an expedition sent shortly afterwards under Saiyid Faisal bin Turki, the Sultan's second son, to punish the rebels was completely successful.

In 1886 Saiyid Turki was created an Honorary Knight Grand Commander of the Star of India, and at the same time the British Government declared publicly their determination to afford him active support in case of attacks on Muskat, which had the salutary effect of maintaining peace during the remainder of his life.

Saiyid Turki died on the 4th of June 1888 after a lingering illness, leaving three sons, Muhammad, Faisal, and Fahad. The second, Saiyid Faisal, who had already taken a share in the administration of the State during his father's lifetime, and shown an aptitude to govern the country, assumed power and proclaimed himself the ruler of Oman, immediately on his father's death. In September 1888 Saiyid Faisal undertook active operations against Saiyid Ibrahim bin Kais with a view to reduce Rostak, but the attempt ended in total failure. Saiyid Abdul Aziz made several attempts to overthrow Saiyid Faisal, but the latter successfully maintained his position and established himself in power. In 1890, Saiyid Faisal was recognised as Sultan by the British Government, and in the same year Saiyid Abdul Aziz withdrew to Bombay, where he still (1906) resides. In 1891 the Sultan of Zanzibar offered him an allowance of Rs. 600 a month, on the express conditions that he did not attempt to go to Zanzibar, or to apply to the Sultan for more money. He was advised by the Government of India to accept this offer, and was warned against disturbing the peace of either Zanzibar or Oman.

Bandar Abbas was formerly held by the rulers of Maskat on lease from Persia, but the lease was resumed in 1868 and has not since been renewed. In 1891 the proceedings of the Persian authorities in exacting at Bandar

Abbas customs dues in excess of those prescribed by treaty stipulations formed the subject of correspondence with the Government of India.

Besides their possessions on the Arabian coast, the rulers of Maskat have held uninterrupted possession of the port of Gwadar since the close of the eighteenth century when, according to native tradition, it was conferred by Nasir Khan, Khan of Kalat, on Saiyid Sultan who had fled from Maskat after an unsuccessful attempt to subvert the authority of his brother, Saiyid Said. When Azan bin Kais succeeded to power in Maskat in 1868, he sent Saiyid Saif as his Governor to Gwadar, but his fanatical opinions disgusted the inhabitants and he had to give way to Nasir bin Thawini who had appeared off the port. After Saiyid Turki's success at Maskat in 1871, his brother, Saiyid Abdul Aziz, established himself at Gwadar, and subsequently seized the port of Charbar, which had also been for many years in the possession of the rulers of Maskat, but had recently been occupied by Din Mahammad, Chief of Dastiari. The Persians, however, who had long asserted a claim of sovereignty over Charbar, attacked and took it in February 1872 and expelled Abdul Aziz, while Saiyid Turki availed himself of this opportunity to make himself master of Gwadar, and has ever since retained possession of it. No interference was exercised by the British Government in the proceedings of the Persian authorities, but in the attack on Charbar property belonging to British subjects was plundered, for which compensation was afterwards paid by Persia.

On the 4th November 1867 an Order in Council * was issued making suitable provision for the exercise of Consular jurisdiction in Maskat.

In May 1871 Saiyid Turki issued a proclamation prohibiting the import of slaves to Maskat by sea, and in April 1873 Sir Bartle Frere, who had been deputed as Her Majesty's Special Envoy to effect arrangements for the more effectual suppression of the slave-trade, concluded a formal treaty (No. LXIII) with him, by which he engaged for himself, his heirs and successors to prohibit absolutely the import or export of slaves within his territories, to abolish all public slave markets, and to confer freedom on all slaves entering his territories. It was moreover considered desirable that subjects of Native States in India residing in Maskat should, like British subjects under the treaty of 1839 (No. LIV) and the Order in Council of 1867 (see Appendix No. L), be amenable to the jurisdiction of the Political Agent and Consul. An agreement (No. LXIV) to this effect was accordingly signed by Saiyid Turki.

* See Appendix No. L.

In 1875 Saiyid Turki consented (No. LXV) to observe the customs rules issued by Sultan Said in 1846 (see *supra*, No. LVII), and to forego the duty in cases where the cargo might be transhipped to another vessel.

In 1877 an exchange of a commercial declaration took place between Maskat and Holland.*

In January 1880 the Sultan gave his assent to the adoption of the rules and regulations for preventing collisions at sea, etc., as published at page 81, Part I, of the *Gazette of India* of the 31st January 1880, so far as Maskat vessels are concerned.

In 1891, a Treaty of Friendship, Commerce and Navigation (No. LXVI) superseding the Treaty of 1839 (No. LIV), was concluded between the British Government and the Sultan of Maskat. Ratifications were exchanged in 1892.

There was not in the new treaty any material departure from the spirit of the old, which it was expressly declared to supersede; but it contained a new provision by which the Sultan was debarred from prohibiting the import or export of any particular article, and the levy of export taxes was made conditional upon the consent of the British Government. The treaty was to remain in force for 12 years absolutely, and was to be subject to revision at any time thereafter on the expiration of twelve months' notice given by either party.

In 1900 a question arose as to the exact interpretation of article 6 (1) of the treaty of 1891. Under the provisions of this article exemption from payment of duty could be claimed on goods destined for transhipment, or re-exportation, provided that a declaration to this effect was made on the arrival of the ship and that the goods were handed over to be kept under customs seal. The Sultan of Maskat contended that goods consigned to Maskat in the manifest of the vessel, with discretion as to disposal on arrival, were not exempted from customs duty if re-exported or transhipped. It was, however, eventually agreed that there should be no rule requiring that goods to be transhipped or re-exported should be so declared in the manifest, and that the real intent of the treaty would be secured if the agents observed the procedure prescribed in article 6 (1) of the treaty.

In 1903 the Government of India had under consideration the question of the revision of the treaty of 1891, which had, owing to the lapse of

*See Appendix No. LI.

twelve years, become subject to revision. In 1905 His Majesty's Government approved of the draft of the revised treaty, but the commencement of negotiations with the Sultan regarding the treaty was postponed pending the conclusion of those then in progress regarding the French flag arbitration award (see *infra*). The modifications proposed were, however, unimportant.

In March 1891, the Sultan issued a proclamation prohibiting the import into Gwadar and its dependencies of arms and ammunition.

About the same time the Sultan signed a Declaration (No. LXVII) binding himself and his successors not to cede any portion of his dominions to any power other than the British Government.

In June 1894 occurred the death by suicide of the Sultan's brother, Saiyid Fahad.

In 1895, certain Shaikhs of the Hinawi tribes rose in rebellion against the Sultan of Maskat, and seized by treachery the palace and the greater portion of the town. The Sultan and his family took refuge in Fort Jellali, and his brother in Fort Merani.

The leaders publicly proclaimed that the sole object of the insurrection was to dethrone Saiyid Faisal—who, by his weak rule, had shown himself unfitted to govern Oman—and to replace him by a Sultan who would make his power felt throughout the country.

A British warship (H. M. S. *Sphinx*) was at once despatched to Maskat in order to arrange for the removal of British subjects, and the Political Resident followed immediately in the R. I. M. S. *Lawrence*. A few days later H. M. S. *Bramble* also reached Maskat from Bombay.

Fighting of a half-hearted character between the Sultan's troops and the rebels continued for three weeks. On the 9th March 1895 the Sultan came to terms with the rebel leader, who left the town with his followers the samee vening. It subsequently transpired that the rebels had received some thousands of rupees as the price of their withdrawal.

The damage done to British Indian property was assessed at $177,000, which the Sultan was called upon to recover by the imposition of a punitive tax on the produce of the tribes concerned. This indemnity was not finally liquidated until 1900.

Owing to this rebellion the Sultan was compelled to postpone till 1895 the issue of Maskat copper coin, which he had commenced to mint in 1894 to remedy the scarcity of copper coin caused by the heavy shipments of Indian copper coin from Maskat to India for speculation purposes.

In December 1895 the Sultan was compelled to despatch an expedition against Dhofar, where Sulaiman bin Suwailim, a member of the Al Kathir tribe, owing to the unjust imprisonment of one of the tribe by the Sultan's Vali, attacked the Nalb Vali, killed him and several other persons and obtained possession of the town and province. Finding himself unable to regain possession, the Sultan asked the British Government to help him to recover his position. The Political Resident, with the *Lawrence* and *Bossack*, proceeded to Dhofar whither 400 troops under Saiyid Muhammad bin Turki were also despatched. The rebels came to terms and handed over possession without bloodshed.

In 1898 the Sultan agreed to co-operate with the British and Persian Governments in the suppression of the illegal importation of arms into Persia and British India, and issued a Proclamation (No. LXVIII) on the 13th January authorising British and Persian men-of-war to search in Maskat waters vessels flying the British, Persian or Maskat flags, and to confiscate arms proved to be destined for British Indian and Persian ports. As a result of this arrangement, the Anglo-Persian Steam Navigation Company's S. S. *Baluchistan* was searched at the desire and on behalf of the Sultan in Maskat waters, and 220 cases of arms and ammunition intended for Bushire were seized. A protracted law suit instituted by the shippers was eventually decided on appeal by the House of Lords in favour of the Sultan and of the British Government.

In 1897, the Sultan granted a lease to the French Government of the harbour of Bandar Jisseh, about seven miles south of Maskat, as a coaling station. On the receipt of a protest from the British Government against this action as constituting a breach of the Sultan's treaty engagements, His Highness decided to cancel the lease. The matter was satisfactorily settled by the grant to the French Government of a moiety of the area of the British coal depôt in the Makulleh cove of Maskat harbour.

In 1899 the Sultan abolished the practice of farming the customs, which had hitherto prevailed, and substituted therefor a system of direct management.

In 1899 the attention of the Sultan was drawn to the extent to which the practice of granting French flags, and therewith a claim to French protection, to Omani subjects had increased. The use of French flags by the people of Sur had gradually become so prevalent as to constitute a serious encroachment on the integrity and independence of Oman. Accordingly, in February 1899, the Sultan wrote to the French flag holders in Sur enjoining them to give up their flags. His Highness at the same time informed the

French Vice-Consul at Maskat that he did not recognize the right of the French to exercise jurisdiction over Omani subjects in Oman. During a visit which the Sultan paid to Sur in the following year the Suri French flag holders spontaneously presented His Highness with a written agreement * in which they renounced, with effect from the 12th June 1900, the benefits of French protection and undertook to return the French flags and certificates in their possession to the authorities from whom they had received them. The same day the Sultan formally † accepted this undertaking and issued a proclamation ‡ refusing to recognise in his territory foreign flags and papers given to his subjects without permission. This proclamation was to have effect from after the date of its communication to the French Consul, and did not therefore debar those already in possession of the French flag from continuing to make use of it. The question reached an acute stage in 1903, when a French flag holder belonging to Sur, who had arrived at Maskat and who was subject to quarantine, broke quarantine himself and, after abducting two followers from the quarantine station, absconded.

The matter was then taken up in London by the French Ambassador, and, as a result of negotiations between the British and French Governments, was referred to the Hague Tribunal, whose decision published on the 8th August 1905 was as follows:—

1. That before the § 2nd January 1892, France was entitled to authorise vessels belonging to subjects of His Highness the Sultan of Maskat to fly the French flag, only bound by her own legislation and administrative rules;

2. That owners of dhows, who before 1892, had been authorised by France to fly the French flag, retained this authorisation as long as France renewed it to the grantee; and

3. That after the 2nd January 1892, France was not entitled to authorise vessels belonging to subjects of His Highness the Sultan of Maskat to fly the French flag, except on condition that their owners, or fitters-out, had established, or should establish, that they had been considered and treated by France as her "protégés" before the year 1863; ‖

* Translation of document voluntarily passed by the Jenebeh and Beni Abu Ali, French flag holders at Sur, in which they express their wish and intention to relinquish French protection from date, dated 12th June 1900.

Let it be known to all who see these words that we, natives of Sur, who have been domiciled in the place from the days of our fathers and forefathers, consider ourselves the subjects of His Highness Sultan Feysal-bin-Turki-bin-Saeed, we are his vassals

and, with regard to the effect, transference or transmission of flags so granted, it was decided,

(1) that dhows of Maskat authorised as aforesaid to fly the French flag were entitled in the territorial waters of Masket to the inviolability provided by the French Maskat treaty of November 17, 1884;

(2) that the authorisation to fly the French flag could not be transmitted or transferred to any other person, or to any other dhow, even if belonging to the same owner; and

(3) that subjects of the Sultan of Maskat, who were owners or masters of dhows authorised to fly the French flag, or who were members of the crews of such vessels, or who belonged to their families, did not enjoy in consequence of that fact, any right of exterritoriality which could exempt them from the sovereignty, especially from the jurisdiction of His Highness the Sultan of Maskat.

The award of the Hague Tribunal was considered as generally satisfactory, and the French Government instructed their Consul at Maskat to

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and under his protection, and we wish to render him that loyalty and obedience which it is the duty of subjects (to render to their sovereign; accordingly those of us who have taken French flags will return them to that Government at the beginning of the coming year (that is, when season re-opens after monsoon), and, moreover, if their Consul (at Maskat) will accept them from us, we are ready to return them at once in order to save ourselves the inconvenience and loss of time (which would result if we took them to Zanzibar, etc.) We do this without any pressure being put upon us and without compulsion, simply from (a sense of) that respect which is due to our said sovereign. Let this be manifest and salaam.

Dated Sur this 11th day Safar 1318, *i.e.*, 12th June 1900.

(Here follows attestation by the local Kazi or spiritual and legal head of the community.)

I bear witness that the above has been declared true and valid by the individuals who have signed below.

So help me God.

(Sd.) Saiyid Mahomed-bin-Saeed Ahmed Ed-Dhab,
Moulavi (Kazi) of Sur.

Here follow signatures of all the French flag-holders.

Lastly follows the signature of

Amir Abdulla-bin-Salim-bin-Mahomed-el-Hamoodeh,
Chief of all the elders of the tribes at Sur and known as the "Amir."

† Translation of formal acceptation of their undertaking passed by the Sultan to his subjects at Sur in response to their written document, dated the 12th June 1900.

Be it known to you that we have received the declaration which you presented to us on 11th Safar 1318, intimating that you, the Mukhanneh, the Aramir, the Gheyalin, and Fuwarish sections of the Jenebeh and Beni Abu Ali who against my wishes and without my authority had obtained flags and articles from Consuls of the French Government

prepare a list of French protégés for communication to the British Consul and to discuss with him the manner of announcing the award.

In November 1901, Maskat was put in cable connection with the outer world *viâ* Jask.

In 1902, the British Government obtained from the Sultan an engagement (No. LXIX) that he would not grant a concession for working the coal-fields in the hinterland of Sur to any foreign government or company until an opportunity had been given to the British Government of undertaking the work in conjunction with the Sultan himself.

In 1903, as the Sultan was unable to leave Maskat, his eldest son, Saiyid Taimur, at the invitation of the Government of India, attended the Coronation Darbar at Delhi.

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pretending that you had thereby obtained French protection, and you inform me that of your own wish and accord you now realise that you are my subjects and mine only, and that now, in the presence of all the elders of your tribes in full conclave, you desire and are ready to return your flags and French papers, and ask of me from this day forward to consider the said papers and flags null and void. Accordingly I hereby receive your protestations, and believe that you have made them in good faith and accept them according to your wish, and it is understood that, if these articles remain in your possession until the sailing seasons re-opens, you in the meanwhile drop all claim to any French protection by virtue of them. And, furthermore, having understood your wishes and agreed to fall in with them, I now intimate in return, on my own account, to you and all my subjects, that, whereas there appears to have been in time past a misunderstanding among you as to my wishes in this connection there must be nothing of the sort in the future, you must therefore, clearly understand that from to-day I neither recognise nor permit that any subject of mine, no matter who he may be, should take so-called protection papers and flags from the French Government or any Government whatever without my special written permission and in accordance with the treaties existing between me and Foreign Powers. Let it not be hidden from you and salaam.

11th Safar 1318,
i.e., *12th June 1900.* } (Sd.) SAIYID FEYSAL-BIN-TURKI.

‡ Translation of notification issued by the Sultan, dated the 14th Safar 1318, *i.e.*, 15th June 1900.

We have observed that subjects of ours have ignorantly taken flags and articles from a foreign Government whereunder they *pretend to claim* their protection. This has taken place in the past, but there must be none of it in the future, and you must understand that such procedure is contrary to the duties and obligations of subjects to their sovereign). You are hereby informed that we do not recognise in our territories (*i.e.*, in the hands of our subjects) such flags and protection papers, and will not pardon any one who takes them otherwise than with our written permission and sanction in accordance with the terms of the treaties between us and Foreign Powers. Let this be clear to all and salaams. Written 14th Safar 1318.

(Sd.) SAIYID FEYSAL-BIN-TURKI.

In the same year, on the occasion of the visit of Lord Curzon, then Viceroy and Governor General of India, to Maskat, visits were exchanged between His Excellency and the Sultan, and at a Darbar held on H. M. S. *Argonaut*, His Highness the Sultan was invested by His Excellency with the insignia of a G. C. I. E.

In 1905 a London Company entitled "the Sponge Exploration Syndicate Limited" obtained from the Sultan of Maskat, for a period of fifteen years, a concession* to fish for sponges in the territorial waters of Oman from Ras-ul-Had. to Khasab.

SOHAR.

The present ruling family of Maskat are, as has been already noted, descended from Ahmad bin Said, the Governor of Sohar, a town on the Batinah coast about 100 miles north-west of Maskat, who in 1741, expelled the Persians and became the first ruler of Muskat. Saiyid Kais of Sohar who had attempted to supplant his nephew, Saiyid Said, in the government of Maskat, was killed in 1808, and his family were deprived of their patrimony. In 1830, however, his grandson, Saiyid Hamud bin Azan, the cousin of Saiyid Said, taking advantage of the absence of the latter at Zanzibar, regained possession of Sohar and compelled Saiyid Said to restore to him also other districts on payment of tribute. His popularity in Oman was great, and, but for the intervention of the British Government, he would have succeeded in dismembering the Maskat possessions. In 1839 a reconciliation was effected between Saiyid Said and Saiyid Hamud through the mediation of the Resident in the Persian Gulf, and an engagement (No. LXX) was mediated between them by which they engaged to abstain from aggressions on each other, and to admit free intercourse and trade between their respective possessions. Saiyid Said also bound himself to support the Chief of Sohar when attacked by enemies.

By this agreement the Chief of Sohar became independent. As the general engagements for the suppression of the slave-trade in the Persian Gulf were concluded while the relations of Sohar Maskat were still undefined, formal agreement had not been concluded with Saiyid Hamud. But in 1848 he was invited to enter into the general arrangements, and accordingly a

§ The date in question is that of the ratification of the Brussels Act of 1890, the court holding that France was, in relation to Great Britain, bound to grant her flag only under the conditions prescribed under article 31 of that Act.

‖ The year 1863 is taken as the date which, in virtue of legislation by the Ottoman Porte, and of the Franco-Moroccan Treaty of that year, the creation of new protégés, was regulated and limited.

* See Appendix No. LII.

Treaty * (No. LXXI), similar to those concluded with the other maritime States for the suppression of the slave-trade, was concluded on the 22nd May 1849, with his son, Saiyid Said, who was then in possession of the government. Saiyid Saif, who had usurped his father's authority, was soon afterwards put to death by him.

The treaty concluded in 1839 between Maskat and Sohar contained no article by which the British Government undertook to guarantee its conditions, but the very formal manner in which it was negotiated was considered to make it more than usually binding on both parties. Notwithstanding this, Saiyid Thawaini, who governed Maskat, during his father's absence at Zanzibar, treacherously seized Sayid Hamud at a friendly conference and laid siege to Sohar by land and sea. Failing in his attempts to take the fort, he returned to Maskat, carrying his prisoner with him. Saiyid Hamud died from the rigour of his confinement on the 23rd April 1850. Saiyid Kais, his brother, took up arms to avenge his death, and with the help of the Kawasim took Shinas and several other forts. Saiyid Said however returning from Zanzibar, gained over the Kawasim to his side, and defeated Saiyid Kais, from whom he took Sohar, leaving to him Rostak and Hibi and assigning him a monthly stipend of 200 crowns.

On the death of Saiyid Said, his son Saiyid Turki, who had been placed in the government of Sohar, made several unsuccessful attempts to make himself independent of his elder brother, Saiyid Thawaini, and to create a rebellion in Oman. Accordingly in 1862 Saiyid Thawaini seized him and placed him in confinement. He was subsequently released at the intervention of the British Government, and a monthly allowance was made to him by Saiyid Thawaini conditionally on his remaining loyal. In 1865, in consequence of Saiyid Thawaini's expressed distrust of his brother, he was informed that Saiyid Turki would be permitted to reside in India during good behaviour on any allowance he might sanction, and that unless Saiyid Turki accepted this offer the British Government would not interfere between him and his suzerain.

When Saiyid Thawaini was murdered in the following year Saiyid Turki's life was in danger at Sohar, and he was taken up by the British Resident. The subsequent history of Sohar has been given in the narrative of Maskat affairs. Being now a part of Maskat dominions, it is governed by a Vali nominated by the Sultan.

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* An Act of Parliament, 16 and 17 Vict., Cap. XVI, was passed to carry this treaty into effect. See Appendix No. LIII.

No. LI.

TRANSLATION of the COWLNAMAH, or WRITTEN ENGAGEMENT from the IMAM OF MUSKAT—1798.

L. S.

DEED of AGREEMENT from the STATE of the OMANIAN ASYLUM under the approbation of the IMAM, the DIRECTOR SYUD SULTAN whose grandeur be eternal! to the HIGH and POTENT ENGLISH COMPANY, whose greatness be perpetuated as comprehended in the following Articles:—

ARTICLE 1.

From the intervention of the Nawab Etmandi Edowla Mirza Mehedy Ally Khan Bahadoor Hurhmut Jung never shall there be any deviation from this Cowlnamah.

ARTICLE 2.

From the recital of the said Nawab my heart has become disposed to an increase of the friendship with that State, and from this day forth the friend of that Sircar is the friend of this, and the friend of the Sircar is to be the friend of that; and, in like manner, the enemy of that Sircar is the enemy of this, and the enemy of this is to be the enemy of that.

ARTICLE 3.

Whereas frequent applications have been made, and are still making, by the French and Dutch people for a factory, *i.e.*, to seat themselves in either at Maskat or Goombroom, or at the other ports of this Sircar, it is therefore written that, whilst warfare shall continue between the English Company and them, never shall, from respect to the Company's friendship, be given to them throughout all my territories a place to fix or seat themselves in, nor shall they get even ground to stand upon within this State.

ARTICLE 4.

As there is a person of the French nation, who has been for these several years in my service, and who hath now gone in command of one of my vessels to the Mauritius, I shall, immediately on his return, dismiss him from my service and expel him.

ARTICLE 5.

In the event of any French vessel coming to water at Muscat, she shall not be allowed to enter the cove into which the English vessels are admitted, but remain without and in case of hostilities ensuing here between the French and English ships, the force of this State by land and by sea, and my people, shall take part in hostility with the English, but on the high seas I am not to interfere.

ARTICLE 6.

On the occurrence of any shipwreck of a vessel or vessels appertaining to the English, there shall certainly be aid and comfort afforded on the part of this Government, nor shall the property be seized on.

ARTICLE 7.

In the port of Abassy (Goombroom) whenever the English shall be disposed to establish a factory, I have no objection to their fortifying the same and mounting guns thereon, as many as they list, and to forty or fifty English gentlemen residing there, with seven or eight hundred English Sepoys, and for the rest, the rate of duties on goods on buying and selling will be on the same footing as at Bussora and Abushehr.

Dated 1st of Jemmadee-ul-Awul 1213 Hegira, or 12th of October 1798.

L.S

NO. LII.

L.S.

AGREEMENT entered into by the IMAM of the STATE of OMAN with CAPTAIN JOHN MALCOLM BAHADOOR, ENVOY from the RIGHT HONOURABLE the GOVERNOR-GENERAL, dated the 21st of Shaban 1213 Hegira, or 18th January 1800.

ARTICLE 1.

The Cowlnamah entered into by the Imam of Oman with Mehedy Ally Khan Bahadoor remains fixed and in full force.

ARTICLE 2.

As improper reports of a tendency to interrupt the existing harmony and create misunderstanding between the States have gone abroad, and have been communicated to the Right Honourable the Governor-General, the Earl of Mornington, K.P., with a view to prevent such evils in future, we, actuated by sentiments of reciprocal friendship, agree that an English gentleman of respectability, on the part of the Honourable Company, shall always reside at the port of Muscat, and be an Agent through whom all intercourse between the States shall be conducted, in order that the actions of each government may be fairly and justly stated, and that no opportunity may be offered to designing men, who are ever eager to promote dissensions, and that the friendship of the two States may remain unshook till the end of time, and till the sun and moon have finished their revolving career.

L.S.

Sealed in my presence.
(Sd.) JOHN MALCOLM,
Envoy.

Approved by the Governor-General in Council on 26th April 1800.

No. LIII.

TREATY CONCLUDED WITH THE IMAM OF MUSCAT FOR THE SUPPRESSION OF SLAVERY—1822.

TRANSLATION.

In the name of the Most High God! *In the name of the Most High God!*

Particulars of the requisitions which were made by Captain Moresby, Commander of the Ship *Meani*, who arrived at the port of Muscat on the 9th of the sacred (month of) Zilhujjah 1237 (27th August 1822) from the Island of Mauritius, on the part of the Governor Sir Robert Farquhar, Bahadur.

ARTICLE 1.

That you (the Imam) instruct all the Officers in your dominions to prevent the subjects from selling slaves to Christians of all nations.

Answers to the requisitions which were made by Captain Moresby on the part of the Governor Sir Robert Farquhar, Bahadur, may his glory be eternal which (requisitions) are mentioned on the back of this paper.

ARTICLE 1.

That we did write last season to all our Officers to prohibit the sale of slaves to all the Christian nations, and we will send further instructions to them on the subject.

ARTICLE 2.

That you do issue orders to all your Officers, who are on your part throughout your dominions, as well in Zanzibar as in other places, to the effect that if they discover persons on board any Arab vessel buying slaves for the purpose of taking them to Christian countries, they (the Officers) should seize such vessel with all that she may contain, and should send to you the Nakhoda (*i.e.*, the Commander) and the crew, in order that you may punish them.

ARTICLE 2.

That we will send orders to all our Officers who are employed throughout our dominions to the effect that if they find any Arab vessel buying slaves for the purpose of taking them to Christian countries, they must seize the vessel and inflict punishment on persons connected with her, even if they be bound for the Island of Madagascar.

ARTICLE 3.

That it shall be obligatory on the crew of every vessel that shall clandestinely convey slaves to Christian countries to give, on their return to an Arab port, information to the Governor of that port, in order that he may punish the Commander, and that if they fail to give the information, all shall suffer punishment.

ARTICLE 3.

That we will instruct our Officers and notify throughout our dominions that the crew of a vessel conveying slaves for sale to Christian countries are required, on their return to an Arab port, to give information to the Governor of the port in order that he may punish the Commander, but that if they conceal (the fact), all shall suffer punishment.

ARTICLE 4.

That Your Highness give us a written order, on your part to the Governor of Zanzibar and your other Governors in that quarter, to the effect that they do allow a person to be stationed on our part in any place in those countries which we shall see fit, and that they do allow us a place for residence in order that we may obtain intelligence of any vessel that may convey slaves to Christian countries.

ARTICLE 4.

That a written order which you wish to have, permitting the stationing of a person on your part in Zanzibar and the neighbouring parts for the purpose of obtaining intelligence of the sale of slaves to Christian nations, has been granted, and will reach through the hands of the respected Captain Moresby. May his dignity endure for ever!

ARTICLE 5.

That you give us a written permission that if we find any vessel

ARTICLE 5.

That written permission which you wish to have, permitting you, after

laden with slaves for sale, carrying them to Christian countries, after four months from the date of such written permission, we may seize her.

ARTICLE 6.

That you do write to all your Governors that on the sailing of every vessel they shall write out a pass for her, stating clearly what port she is leaving and what she is bound to, in order that if our ships should meet a vessel having no pass, but having on board slaves for sale and proceeding in the direction of the Christian countries, they (the British ships) may seize her; such a vessel, if found within the line of the Island of Madagascar and the neighbourhood of Zanzibar and Lamoo, to be carried into Muscat for punishment by you; but if found sailing beyond the Island of Madagascar and in the sea of Mauritius, to be seized by themselves (British vessels), and this (to take place) after four months from the date of the written permission.

four months, to seize vessels conveying slaves for sale to Christian countries, will reach through the hands of the said Captain.

ARTICLE 6.

That we will write to our Governors regarding the granting of a pass to every vessel proceeding on a voyage, specifying therein the port she sails from, and the port she is bound to, and you may seize every vessel you may fall in with beyond the Island of Madagascar and in the sea of Mauritius after four months from the date of the written permission alluded to in the fifth requisition; and if any vessel be found on this side, the matter should come to us, provided she do not possess a pass from the Governor of the port of departure.

Here end the answers to the six requisitions, and they have been written by the most humble Abdul Kahir bin Syud Mahomed Ali Majid by order of his master, who commands his obedience, Syud Saeed bin Syud Sultan bin Imam Ahmed bin Saeed Al Boo Saeedee.

Written on the 17th of the sacred (month of) Zilhujjah 1237, one thousand two hundred and thirty-seven of the Hegira (4th September 1822).

This is signed by the humble Saeed bin Sultan with his own hand.

Saeed bin Sultan bin Ahmed.

TRANSLATION.

In the name of the Most High God!

Particulars of an additional requisition made by CAPTAIN MORESBY for the suppression (of the sale of) slaves carried on board vessels to Christian countries.

It is necessary to define the line beyond which we may seize Arab vessels carrying slaves to Christian countries after four months from the date of the written permission mentioned in the fifth requisition. Let it be understood that all vessels on board of which there may be slaves for sale, and which may be found by our ships beyond a straight line drawn from the Cape Delkada and passing six zains (*i.e.*, sixty miles) from Socotra on to Dieu, shall be seized by our ships, but that vessels found beyond the said line driven by stress of weather or by any other unavoidable circumstance shall not be seized.

In the name of the Most High God!

Answer to the additional requisition made by CAPTAIN MORESBY for the suppression (of the sale of) slaves carried to Christian countries.

I permit the Captains of ships belonging to the English Government to seize all Arab vessels carrying slaves to Christian countries which may be found beyond a straight line drawn from the Cape Delkada and passing sixty miles from Socotra on to Dieu* after the date of the written permission mentioned in the fifth requisition, but not to size vessels found beyond the line which may have been driven by stress of weather or any other unavoidable circumstance.

Written by Abdul Kahir bin Syud Mahomed bin Syud Majid by order of his master, who commands his obedience, Saeed bin Syud Sultan Imam Ahmed bin Saeed Al boo Saeedee.

Written on the 22nd Zilhujjah 1237, 9th September 1822,

TRANSLATION of the annexed letter, dated 18th August 1845, from HIS HIGHNESS the IMAM of MUSCAT, to CAPTAIN HAMERTON, relative to the fourth Article of the TREATY concluded on the 10th September 1822 by CAPTAIN MORESBY with HIS HIGHNESS the IMAM of MUSCAT.

After Compliments.—Your excellent letter has reached, and your friend understood its contents; you mention that you have received a letter from the

* Here is omitted four months.

mighty Government, containing orders to you to bring to our notice that, in the 4th Article of the Treaty we concluded with Captain Moresby in the year 1822, it is mentioned in the English version that it is incumbent on us, and our heirs and Governors, to assist in apprehending English subjects engaged in the slave trade, but that such is not mentioned in the Arabic version of the treaty, and my friend (you) considering it not necessary to alter the Treaty, nevertheless we consider it incumbent on us, our heirs and Governors, that we should assist to apprehend English subjects who may be engaged in the slave trade. Therefore whoever may be accredited from the Government and require assistance from us, shall receive it accordingly. Whatever you may require let us know, and peace be on you.

Dated 4th Shaban 1241, 18th August 1845.

No. LIV.

Treaty of Commerce between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Highness Sultan Seid Saeed bin Sultan, Imam of Muscat—1839.

Preamble.—Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Highness the Sultan of Muscat and its dependencies, being desirous to confirm and strengthen the good understanding which now subsists between them, and to promote by means of a convention the commercial intercourse between their respective subjects; and His Highness the Sultan of Muscat being, moreover, desirous to record in a more formal manner the engagements entered into by His Highness on the 10th of September 1822, for the perpetual abolition of the slave trade between the dominions of His Highness and all Christian nations, they have accordingly appointed as the Plenipotentiaries, that is to say, Robert Cogan, Esq., a Captain in the Naval Service of the East India Company, on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, &c., &c., and Hasin bin Ebrehim, and Ali bin Naser on behalf of His Highness the Sultan of Muscat, &c., &c., who having communicated their full powers found to be in due and proper form, have agreed upon and concluded the following articles:—

Artcle 1.

The subjects of His Highness the Sultan of Muscat shall be at liberty to enter, reside in, trade with and pass with their merchandize through all parts of Her Britannic Majesty's dominions in Europe and in Asia, and shall enjoy in those dominions all the privileges and advantages, with respect to commerce or otherwise, which are or may be accorded therein to the

subjects or citizens of the most favoured nations; and the subjects of Her Britannic Majesty shall, in like manner, have full liberty to enter, reside in, trade with and pass with their merchandize through all parts of the dominions of His Highness the Sultan of Muscat, and shall in those dominions enjoy all the privileges and advantages, with respect to commerce or otherwise, which are or may be accorded therein to the subjects or citizens of the most favored nation.

ARTICLE 2.

British subjects shall be at liberty to purchase, sell, or hire land or houses in the dominions of His Highness the Sultan of Muscat.

The houses, ware-houses, or other premises of British subjects, or of persons actually in the service of British subjects in the dominions of His Highness the Sultan of Muscat, shall not be forcibly entered, nor on any pretext searched without the consent of the occupier, unless with the cognizance of the Consul or British Resident Agent. But such Consul or Resident Agent, on just cause being adduced by the authorities of His Highness the Sultan of Muscat, shall send a competent person, who, in concert with the Officers of His Highness the Sultan of Muscat, shall conduct the search, and shall prevent the use of unnecessary violence or of improper resistance.

ARTICLE 3.

The two high contracting parties acknowledge reciprocally to each other the right of appointing Consuls to reside in each other's dominions wherever the interests of commerce may require the presence of such officers, and such Consuls shall at all times be placed in the country in which they reside on the footing of the Consuls of the most favored nations. Each of the high contracting parties further agrees to permit his own subjects to be appointed to consular offices by the other contracting party, provided always that the persons so appointed shall not begin to act without the previous approbation of the sovereign whose subjects they may be.

The public functionaries of either government residing in the dominions of the other shall enjoy the same privileges, immunities and exemptions which are enjoyed within the same dominions by similar public functionaries of other countries.

ARTICLE 4.

Subjects of the dominions of His Highness the Sultan of Muscat, actually in the service of British subjects in those dominions, shall enjoy the same protection which is granted to British subjects themselves, but if such subjects of the dominions of His Highness the Sultan of Muscat shall be convicted of any crime or infraction of the law requiring punishment, they shall be discharged by the British subject in whose service they may be, and shall be delivered over to the authorities of His Highness the Sultan of Muscat

ARTICLE 5.

The authorities of His Highness the Sultan of Muscat shall not interfere in disputes between British subjects or between British subjects and the subjects or citizens of other Christian nations. When differences arise between a subject of the dominions of His Highness the Sultan of Muscat and a British subject, if the former is the complainant, the cause shall be heard by the British Consul or Resident Agent, who shall administer justice thereupon. But if the British subject is the complainant against any of the subjects of His Highness the Sultan of Muscat, or the subjects of any other Mahomedan power, then the cause shall be decided by the highest authority of His Highness the Sultan of Muscat, or by persons nominated by him, but in such case the cause shall not be proceeded in except in the presence of the British Consul or Resident Agent, or of some person deputed by one or other of them, who shall attend at the Court House, or where such matter shall be tried. In causes between a British subject and a native of the dominions of His Highness the Sultan of Muscat, whether tried before the British Consul or Resident Agent, or before the above-mentioned authority of His Highness the Sultan of Muscat, the evidence of a man proved to have given false testimony on a former occasion shall not be received.

ARTICLE 6.

The property of a British subject who may die in the dominions of His Highness the Sultan of Muscat, or of a subject of His Highness the Sultan of Muscat who may die in the British dominions, shall be delivered over to their heirs, or executors, or administrators of the deceased, or to the respective Consul or Resident Agent of the contracting parties, in default of such heirs, or executors, or administrators.

ARTICLE 7.

If a British subject shall become bankrupt in the dominions of His Highness the Sultan of Muscat, the British Consul or Resident Agent shall take possession of all the property of such bankrupt, and shall give it up to his creditors to be divided among them. This having been done, the bankrupt shall be entitled to full discharge of his creditors, and he shall not at any time afterwards be required to make up his deficiency, nor shall any property he may afterwards acquire be considered liable for that purpose. But the British Consul or Resident Agent shall use his endeavours to obtain, for the benefit of the creditors, any property of the bankrupt in another country, and to ascertain that everything possessed by the bankrupt at the time when he became insolvent has been given up without reserve.

ARTICLE 8.

If a subject of His Highness the Sultan of Muscat should resist or evade payment of his just debts to a British subject, the authorities of His Highness shall afford to the British subject every aid and facility in recovering

the amount due, and in like manner the British Consul or Resident Agent shall afford every aid and facility to subjects of His Highness the Sultan of Muscat in recovering debts justly due to them from a British subject.

ARTICLE 9.

No duty exceeding 5 per cent. shall be levied at the place of entry in the dominions of His Highness the Sultan of Muscat on any goods, the growth, produce, or manufacture of the dominions of Her Britannic Majesty imported by British vessels, and this duty shall be deemed to be a full payment of all import and export and tonnage duties of license to trade, of pilotage and anchorage, and of any other charge by government whatever upon the vessels or upon the goods so imported or exported. Nor shall any charge be made on that part of the cargo which may remain on board unsold; and no additional or higher duty shall be levied upon these goods when afterwards transported from one place to another in the dominions of His Highness; but the above-mentioned duty having once been paid, the goods may be sold by wholesale or retail without any further duty. No charge whatever shall be made on British vessels which may enter the ports of His Highness for the purpose of refitting or for refreshments, or to enquire about the state of the market.

ARTICLE 10.

No articles whatever shall be prohibited from being imported into or exported from the territories of His Highness the Sultan of Muscat, but the trade between the dominions of Her Britannic Majesty and those of His Highness the Sultan of Muscat shall be perfectly free, subject to the above-mentioned duty upon goods imported, and to no other; and His Highness the Sultan of Muscat hereby engages not to permit the establishment of any monopoly or exclusive privilege of sale within his dominions except in the articles of ivory and gum copal on that part of the East Coast of Africa from the port of Tangate situated in about five and a half degrees of south latitude to the port of Quila lying in about seven degrees south of the Equator, both ports inclusive; but in all other ports and places in His Highness's dominions there shall be no monopoly whatever, but the subjects of Her Britannic Majesty shall be at liberty to buy and sell with perfect freedom from whomsoever and to whomsoever they chose, subject to no other duty by government than that before mentioned.

ARTICLE 11.

If any disputes should arise in the dominions of His Highness the Sultan of Muscat as to the value of goods which shall be imported by British Merchants, and on which the duty of 5 per cent. is to be levied, the Custom Master, or other authorized Officer acting on the part of government of His Highness the Sultan of Muscat, shall be entitled to demand one-twentieth part of the goods-in lieu of the payment of 5 per cent., and the Merchant

shall be bound to surrender the twentieth part so demanded whenever, from the nature of the articles, it may be practicable to do so; but the Merchant having done so, shall be subject to no further demand on account of customs on the other nineteen-twentieths of those goods in any part of the dominions of His Highness the Sultan of Muscat to which he may transport them. But if the Custom Master should object to levy the duty in the manner aforesaid by taking one-twentieth part 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 Custom Master 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.

ARTICLE 12.

It shall not be lawful for any British Merchant to expose his goods for sale for the space of three days after the arrival of such goods, unless before the expiration of such three days, the importer and Custom Master shall have agreed as to the value of such goods. If the Custom Master shall not within three days have accepted one of the two modes proposed for ascertaining the value of the goods, the authorities of His Highness the Sultan of Muscat, on application being made to them to that effect, shall compel the Custom Master to choose one of the two modes by which the amount of the customs to be levied is to be determined.

ARTICLE 13.

If it shall happen that either the Queen of England or His Highness the Sultan of Muscat should be at war with another country, the subjects of Her Britannic Majesty and the subjects of His Highness the Sultan of Muscat shall nevertheless be allowed to pass such country through the dominions of either power with merchandize of every description except warlike stores, but they shall not be allowed to enter any port or place actually blockaded or besieged.

ARTICLE 14.

Should a vessel under the British flag enter a port in the dominions of His Highness the Sultan of Muscat in distress, the local authorities at such port shall afford all necessary aid to enable the vessel to refit and to prosecute her voyage; and if any such vessel should be wrecked on the coast of the dominions of His Highness the Sultan of Muscat, the authorities of His Highness shall give all the assistance in their power to recover and to deliver over to the owners all the property that can be saved from such vessel. The same assistance and protection shall be afforded to vessels of the dominions of His Highness the Sultan of Muscat, and property saved therefrom under similar circumstances in the ports and on the coast of the British dominions.

ARTICLE 15.

His Highness the Sultan of Muscat hereby renews and confirms the engagements entered into by His Highness with Great Britain on the 10th of September 1822 for the entire suppression of slave trade between his dominions and all Christain countries ; and His Highness further engages that the ships and vessels of war belonging to the East India Company shall be allowed to give full force and effect to the stipulations of the said Treaty, agreeably with the conditions prescribed therein, and in the same manner as the ships and vessels of Her Britannic Majesty.

ARTICLE 16.

It is further acknowledged and declared by the high contracting parties that nothing in this Convention is intended in any way to interfere with or rescind any of the rights or privileges now enjoyed by the subjects of His Highness the Sultan of Muscat in respect to commerce and navigation within the limits of the East India Company's Charter.

ARTICLE 17.

The present Convention shall be ratified, and the ratifications thereof shall be exchanged at Muscat or Zanzibar as soon as possible, and in any case, within the space of fifteen months from the date thereof.

Done on the Island and at the Town of Zanzibar this thirty-first day of May in the year of Christ eighteen hundred and thirty nine, corresponding with the seventeenth of the month Rubbee-ul-Awul of the Ul Hegira twelve hundred and fifty-five.

FORM of DECLARATION made on the part of the BRITISH GOVERNMENT previous to exchange of the RATIFICATIONS.

The undersigned Samuel Hennell, Esq., a Captain in the Military service of the East India Company, and Resident in the Persian Gulf, appointed on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland to exchange Her Majesty's ratification of the Treaty of Commerce concluded at Zanzibar, on the 31st May 1839, by Robert Cogan, Esq., a Captain in the Naval service of the East India Company on the part of Her said Majesty, and by Hassan bin Ebrehim, and Mahabat Ali bin Nasir, on the part of His Highness the Sultan of Muscat, against the ratification of the same Treaty by His Highness the Sultan of Muscat, is commanded by the Queen, in order to avoid any possible misunderstanding as to the meaning of the words contained in the ninth Article of the said Treaty, "any other charge by Government whatever," to declare to Syud Mahomed Ibin Syud Shurruf, appointed by His Highness the Sultan of Muscat, to exchange His Highness's ratification, that the

aforesaid words are by Her Majesty taken and understood to mean "any other charge whatever made by the Government or by any local authority of the government."

Muscat, this twenty-second day of July 1840.

L. S. (Sd.) S. HENNELL.

FORM of DECLARATION made on the part of the MUSCAT GOVERNMENT previous to exchange of the RATIFICATIONS.

The undersigned Syud Mahomed Ibin Syud Shurruf, appointed by His Highness the Sultan of Muscat to exchange His Highness's ratification of the Treaty of Commerce concluded at Zanzibar, on the 31st May 1839, by Robert Cogan, Esq., a Captain of the Naval Service of the East India Company on the part of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and by Hassan Bin Ebrehim, and Mahabat Ali bin Nasir on the part of His Highness the Sultan of Muscat, against the ratification of the same Treaty by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, having received from Samuel Hennell, Esq., a Captain in the Military Service of the East India Company, and Resident in the Persian Gulf, appointed to act in this matter on behalf of Her said Majesty, a declaration stating that in order to avoid any possible misunderstanding as to the meaning of the words "any other charge by government whatever," contained in the ninth Article of the said Treaty, the aforesaid words are by Her Majesty taken and understood to mean "any other charge whatever made by the Government, or by any local authority of the government," the undersigned Syud Mahomed Ibin Syud Shurruf, being duly authorized by His Highness the Sultan of Muscat, hereby accepts and adopts the said declaration in the name and on the behalf of His Highness the Sultan of Muscat.

Muscat, this twenty-second day of July 1840.

L. S. (Sd.) SYUD MAHOMED IBIN SYUD SHURRUF.

FORM of CERTIFICATE signed on the exchange of the RATIFICATIONS.

The undersigned having met together for the purpose of exchanging the ratifications of a Treaty of Commerce between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Highness the Sultan of Muscat, concluded and signed at Zanzibar on the 31st day of May 1839, and the respective ratifications of the said instrument having been carefully perused, the said exchange took place this day in the usual form.

In witness whereof they have signed the present Certificate of exchange and have affixed thereto their respective Seals.

Done at Muscat, the 22nd day of July 1840.

L. S. (Sd.) S. HENNELL.

L. S. „ SYUD MAHOMED IBIN SYUD SHURRUF.

TRANSLATION of the RATIFICATION of HIS HIGHNESS the IMAM of MUSCAT to the TREATY of COMMERCE.

We having duly considered the Treaty above drawn out have approved, accepted, and confirmed the several Articles and Clauses therein set forth, and by this document do hereby approve, accept, and confirm the same for ourselves, our heirs, and successors. Accordingly we do by our word promise and engage sincerely and faithfully to perform all and everything set forth and contained in the aforesaid Treaty, and further that to the utmost of our power we will allow no one to violate and infringe this engagement in any way whatsoever. In witness whereof we have directed our seal to be affixed to this document, which we have signed with our own hand in this our port of Muscat, this 22nd day of Jemmadee-ul-Awul A. H. 1256, according to 22nd July 1840 of the Christian era.

L. S. (Sd.) SYUD SAEED.

No. LV.

TRANSLATION of ADDITIONAL ARTICLES regarding the SUPPRESSION of the FOREIGN SLAVE TRADE entered into by HIS HIGHNESS SAEED SYUD BIN SULTAN, the IMAM of MUSCAT—1839.

I agree that the following Articles be added to the above Treaty concluded by Captain Moresby on the aforesaid date :—

ARTICLE 1.

That the Government cruizers, whenever they may meet any vessel belonging to my subjects beyond a direct line drawn from Cape Delgado

passing two degress seaward of the Island of Socotra and ending at Pussein, and shall suspect that such vessel is engaged in the slave trade, the said cruizers are permitted to detain and search it.

ARTICLE 2.

Should it on examination be found that any vessel belonging to my subjects is carrying slaves, whether men, women, or children, for sale beyond the aforesaid line, then the government cruizers shall seize and confiscate such vessel and her cargo. But if the said vessel shall pass beyond the aforesaid line owing to stress of weather, or other case of necessity not under control, then she shall not be seized.

ARTICLE 3.

As the selling of males and females, whether grown up or young, who are "Hoor" or free, is contrary to the Mahomedan religion, and whereas the Soomalees are included in the Hoor or free, I do hereby agree that the sale of males and females, whether young or old, of the Soomalee tribe, shall be considered as piracy, and that four months from this date, all those of my people convicted of being concerned in such an act shall be punished as pirates.

Dated 10th Showal 1255 A. H., corresponding to the 17th December A.D. 1839.

Seal of
SYUD BIN
SULTAN.

No. LVI.

AGREEMENT between HER MAJESTY the QUEEN of the UNITED KINGDOM of GREAT BRITAIN and IRELAND and HIS HIGHNESS SYUD SAEED BIN SULTAN, "the SULTAN of MUSKAT," for the termination of the EXPORT of SLAVES from the AFRICAN DOMINIONS of HIS HIGHNESS the SULTAN of MUSKAT—1845.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland being earnestly desirous that the export of slaves from the African dominions of His Highness the Sultan of Muscat should cease, and His

Highness the Sultan of Muscat, in deference to the wishes of Her Majesty and of the British nation, and in furtherance of the dictates of humanity which have heretofore induced him to enter into engagement with Great Britain to restrict the export of slaves from his dominions, being willing to put an end to that trade, and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Highness the Sultan of Muscat having resolved to record with due form and solemnity this further restriction of the export of slaves, and Her Majesty having given due authority to Captain Hamerton, Her Representative at the Court of the Sultan of Muscat, to conclude an agreement with His Highness, accordingly His Highness Saeed Syud bin Sultan, for himself, his heirs and successors, and Captain Hamerton, on behalf of the Queen of the United Kingdom of Great Britain and Ireland, her heirs and successors, have agreed upon and concluded the following Articles :—

ARTICLE 1.

His Highness the Sultan of Muscat here engages to prohibit, under the severest penalties, the export of slaves from his African dominions, and to issue orders to his Officers to prevent and suppress such trade.

ARTICLE 2.

His Highness the Sultan of Muscat further engages to prohibit, under the severest penalties, the importation of slaves from any part of Africa into his possessions in Asia, and to use his utmost influence with all the Chiefs of Arabia, the Red Sea, and the Persian Gulf, in like manner, to prevent the introduction of slaves from Africa into their respective territories.

ARTICLE 3.

His Highness the Sultan of Muscat grants to the ships of Her Majesty's Navy as well as to those of the East India Company, permission to seize and confiscate any vessels, the property of His Highness or of his subjects, carrying on slave trade, excepting only such as are engaged in the transport of slaves from one port to another of his own dominions in Africa between the port of Lamoo to the north and its dependencies, the northern limit of which is the north point of Kuyhoor Island in 1° 57′ (one degree and fifty-seven minutes) South Latitude, and the port of Kulwa to the south and its dependencies, the southern limit of which is the Songa Manora or Pagoda Point in 9° 2′ (nine degrees and two minutes) South Latitude, including the Islands of Zanzibar, Pemba, and Monfea.

ARTICLE 4.

This agreement to commence and have effect from the 1st (first) day of January 1847 (one thousand eight hundred and forty-seven) of the year of

Christ, and the 15th day of the month of Mahaneerun 1263 (twelve hundred and sixty-three) of the Hegira.

Done at Zanzibar this 2nd (second) day of October 1845 (one thousand eight hundred and forty-five) of the year of Christ and 29th day of Ramzan 1261 (twelve hundred and sixty-one) of the Hegira.

(Sd.) ATKINS HAMERTON,
Captain.

On behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, her heirs and successors.

Seal of
CAPTAIN
HAMERTON.

NO. LVII.

RULES established by HIS HIGHNESS the IMAM of MUSCAT in April 1846, in regard to the Duties to be hereafter charged on the cargoes of vessels putting into HIS HIGHNESS'S ports.

In a letter, dated the 13th April 1846, Captain Atkins Hamerton, Her Majesty's Consul, and Honourable Company's Agent in the dominions of His Highness the Imam of Muscat, reported that His Highness the Imam of Muscat had ordered the following Rules to be henceforth observed in regard to the landing or transhipment of the cargoes of vessels putting into Muscat or into any of His Highness's other ports:—

ARTICLE 1.

That the full duty of 5 per cent. shall be levied on all articles transhipped from one vessel into another in all the ports and harbours belonging to His Highness the Imam.

ARTICLE 2.

That a vessel of any nation being obliged to put into any of His Highness's ports through stress of weather, or for the purpose of refit, shall not

be required to pay duty on any part of her cargo which may be landed and stored during the repair of the vessel provided it be re-embarked in her.

ARTICLE 3.

That no duty shall, under any circumstances whatever, be levied on stores, the property of the British Government when landed at any of His Highness's ports.

No. LVIII.

DEED of CESSION of the KORIA MORIA ISLANDS executed by HIS HIGHNESS the IMAM of MUSCAT in the presence of CAPTAIN FREMANTLE, COMMANDING HER MAJESTY'S SHIP *Juno*, under date the 14th June 1854.

From the humble Saeed bin Sultan, to all and every one who may see this paper, whether Mahomedans or others—

There has arrived to me from the powerful nation (England) Captain Fremantle, belonging to the Royal Navy of the Great Queen, requesting from me the (Jesairi bin Colfaim) Koria Moria Islands, *viz.*, Helaneea, Jibleea, Soda, Haski and Gurzond ; and I hereby cede to the Queen Victoria the above-mentioned Islands, to be her possessions, or her heirs and successors after her. In proof whereof I have hereunto affixed my signature and seal, on behalf of myself and my son after me, of my own free will and pleasure, without force, intimidation, or pecuniary interest whatsoever.

And be the same known to all to whom these presents may come.

Done at Muscat, the 17th day of the month Showal 1270, 14th July 1854.

Given under my hand.

Seal.

(Signed by the IMAM.)

Done in the presence of me.

(Sd.) STEPHEN G. FREMANTLE,
Captain, H. M.'s Ship "Juno."

Muscat, the 14th July 1854.

No. LIX.

Letter to His Highness Syud Thowaynee bin Syeed bin Sultan of Muscat—1861.

Beloved and esteemed Friend !

I address Your Highness on the subject of the unhappy differences which have arisen between yourself and Your Highness's brother, the ruler of Zanzibar, and for the settlement of which Your Highness has engaged to accept the arbitration of the Viceroy and Governor-General of India.

Having regard to the friendly relations which have always existed between the Government of Her Majesty the Queen and the Government of Oman and Zanzibar, and desiring to prevent war between kinsmen, I accepted the charge of arbitration between you, and in order to obtain the fullest knowledge of all the points in dispute, I directed the Government of Bombay to send an Officer to Muscat and Zanzibar to make the necessary enquiries. Brigadier Coghlan was selected for this purpose, an officer in whose judgment, intelligence, and impartiality the Government of India reposes the utmost confidence.

Brigadier Coghlan has submitted a full and clear report of all the questions at issue between Your Highness and your brother.

I have given my most careful attention to each of these questions.

The terms of my decision are as follows:—

1st.—That His Highness Syud Majid be declared ruler of Zanzibar and the African dominions of His late Highness Syud Saeed.

2nd.—That the ruler of Zanzibar pay annually to the ruler of Muscat a subsidy of 40,000 crowns.

3rd.—That His Highness Syud Majid pay to His Highness Syud Thowaynee the arrears of subsidy for two years, or 80,000 crowns.

I am satisfied that these terms are just and honourable to both of you: and as you have deliberately and solemnly accepted my arbitration, I shall expect that you will cheerfully and faithfully abide by them, and that they will be carried out without unnecessary delay.

The annual payment of 40,000 crowns is not to be understood as a recognition of the dependence of Zanzibar upon Muscat, neither is it to be considered as merely personal between Your Highness and your brother Syud Majid. It is to extend to your respective successors, and is to be held to be a final and permanent arrangement, compensating the ruler of Muscat for the abandonment of all claims upon Zanzibar, and adjusting the inequality between the two inheritances derived from your father, His late Highness Syud Saeed, the venerated friend of the British Government, which two inheritances are to be henceforward distinct and separate.

I am, Your Highness's

Sincere friend and well-wisher,

(Sd.) Canning.

Fort William;
The 2nd April 1861.

To His Exalted Excellency Lord Canning, Governor-General of India, etc., etc., etc.

In the name of the great God !

After Compliments.—At a most propitious and favourable time we were honoured with the receipt of your esteemed letter and were highly gratified with its contents. What Your Excellency has stated is most satisfactory to us, more especially as regards your award betwixt us and our brother Majid. We heartily accept the same and are at a loss how to express our regret for having occasioned you so much trouble, and our appreciation of the kindness which has been manifested towards us in this matter. We thank God for your efforts on our behalf, praying also that your good will may be rewarded and that you may never cease to be our support. We further pray that our sincere affection may always be towards the Great (British) Government, and that it may increase continually: moreover, that your exalted affection and noble solicitude may always be exercised towards us, and that we may never be deprived thereof. As regards our brother Majid, we pray God during our life-time he may never experience anything from us but kindness and hearty good will. Furthermore, we rely implicitly on your arbitration between us (being carried out).

What your exalted Excellency may require in any way from your attached friend, a hint alone will suffice for its accomplishment, and we shall feel honoured in executing it.

We pray finally that you may be preserved to the highest honours and in the most perfect health. We send you the salutation of peace as the best conclusion.

From your truly sincere friend, the servant of God, who confides in him as the Giver of all good.

(Sd.) Thowaynee bin Saeed bin Sultan.

4th of Eb-Kaada 1277.

L. S.

15th May 1861.

No. LX.

Declaration respecting the Independence of Muscat and Zanzibar—1862.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the Emperor of the French, taking into consideration the importance of maintaining the independence of His Highness the Sultan of Muscat and of His Highness

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et de l'Irlande et Sa Majesté l'Empereur des Français, prenant en considération l'importance qui s'attache au maintien de l'indepen dance du Sultan de Muscat Zanzibar d'une part et du Sultan de l'autre, ont jugé

the Sultan of Zanzibar, have thought it right to engage reciprocally to respect the independence of these Sovereigns.

The undersigned, Her Britannic Majesty's Ambassador Extraordinary and Plenipotentiary at the Court of France, and the Minister Secretary of State for Foreign Affairs of His Majesty the Emperor of the French being furnished with the necessary powers, hereby declare in consequence that their said Majesties take reciprocally that engagement.

Witness whereof the undersigned have signed the present Declaration and have affixed thereto the seals of their arms.

convenable de s'engager reciproquement à respecter l'independance de ces deux Princes.

Les Soussignés, Ambassadeur extraordinaire et plénipotentiaire de Sa Majésté Britannique, près la Cour de France, et Ministre des Affaires Etrangères de Sa Majesté l'Empereur des Français étant emmis de pouvoir à cet effet, declarent en conséquence par le présent Acte, que leurs dites Majestés prennent réciproquement l'engagement indiqué ci-dessus.

En foi de quoi, les Soussignés ont signé en double la présente Déclaration et y ont opposé le cachet de leurs armes.

DONE AT PARIS,
The 10th March 1862.

FAIT À PARIS,
le 10 Mars 1862.

L. S. (Sd.) COWLEY.

L. S. DE THOUVENAL.

No. LXI.

ARTICLES of AGREEMENT agreed to before LIEUTENANT-COLONEL LEWIS PELLY, HER BRITANNIC MAJESTY'S POLITICAL RESIDENT in the PERSIAN GULF, and LIEUTENANT-COLONEL HERBERT DISBROWE, HER BRITANNIC MAJESTY'S POLITICAL AGENT at BIRKA, MUSCAT, BY HIS HIGHNESS SYED THOWEYNEE BIN SAEED BIN SULTAN, the SULTAN of MUSCAT,—under date this 17th day of November 1864.

ARTICLE 1.

My ancient and faithful ally, the British Government, is at liberty to construct one or more lines of telegraphic communication anywhere within the territories appertaining to the State of Muscat.

ARTICLE 2.

The British Government is further at liberty to construct one or more lines of telegraphic communication in any territories which I may hold in lease from the Shah of Persia.

ARTICLE 3.

I engage for myself, my heirs, and successors, to respect and abstain from all and every interference with telegraphic operations carried on by the British Government in or near the territories of Muscat.

ARTICLE. 4.

And in the event (which God forbid) of any of my subjects or dependants committing an act of aggression or trespass on the said telegraphic lines and stations, or other telegraphic material, I will immediately punish the offender and proceed to afford full redress upon the same being brought to my notice.

ARTICLE 5.

Nothing in these Articles shall be held as conferring any dominion or sovereign right on the part of the British Government over the territory of Muscat through which the line may pass, neither of any additional dominion or right on my part as Sultan of Muscat, over territory which I may hold in lease from the Shah of Persia.

ARTICLE 6.

In like manner nothing in these Articles shall be held as invalidating or derogating from the title of the British Government to the station of Bassadore, that station having been freely granted to the British Government by my late illustrious father of blessed memory, the late Imaum Syed Saeed oin Sultan, on behalf of himself, his heirs, and successors.

ARTICLE 7.

Nothing in these Articles shall be held as invalidating any Article of any Treaty entered into by myself or forefathers with our ancient and faithful ally, the British Government, from the year 1798 downwards.

Dated Birka, Muscat, 17th November 1864. Signed in our presence by Syed Thoweynee bin Saeed, Sultan of Muscat, this 17th day of November 1864, and sealed in our presence by His Highness's Minister, Hajee Ahmed at Muscat, this 18th day of November 1864.

(Sd.) LEWIS PELLY, *Lieut.-Col.*,
H.B.M.'s Poltl. Resdt., Persian Gulf.

Seal.

,, HERBERT DISBROWE, *Lieut.-Col.*,
H.B.M.'s Poltl. Agent, Muscat.

No. LXII.

CONVENTION between the BRITISH GOVERNMENT and HIS HIGHNESS SYUD THOWAYNEE BIN SAEED BIN SULTAN, the SULTAN of MUSCAT, for the extension of the ELECTRIC TELEGRAPH through the dominions subject to the sovereignty of HIS HIGHNESS in ARABIA and MEKRAN—1865.

ARTICLE 1.

That the British Government shall be at liberty to construct one or more telegraphic lines, and to erect Telegraph Stations, in any portion of territory subject to the sovereignty of His Highness, both in Arabia and Mekran, which shall be most convenient to them.

ARTICLE. 2.

That the cost of materials, landing charges, labour, housing, provisions, &c., &c., shall be paid by the British Government, who will make any arrangement they consider most convenient regarding their own supplies, labour, etc., the Sultan of Muscat undertaking that no impediment of any sort shall be thrown in their way in collecting them; on the contrary, that every protection and assistance shall be given on his part.

ARTICLE 3.

That His Highness the Sultan of Muscat shall afford protection to the best of his ability to the lines of Telegraph, the Telegraph Stations, and the persons employed in their construction and maintenance.

ARTICLE 4.

Should any disagreements arise in the possessions of the Sultan of Muscat, situate near Arabia, between the Telegraph officials and the subjects of His Highness, the said disagreements shall be referred to the British Political Officer at Muscat, if they cannot be satisfactorily settled on the spot.

ARTICLE 5.

In like manner, should any disagreements arise in the possessions of the Sultan of Muscat, situate in Mekran, between the Telegraph officials and the subjects of His Highness, the said disagreements shall be referred to the Assistant British Political Officer at Gwadur, if they cannot be satisfactorily settled on the spot.

PERPUSTAKAAN SULTANAH NUR ZAHIRAH UNIVERSITI SULTAN ZAINAL ABIDIN

ARTICLE 6.

This Convention, together with any supplementary Articles that may hereafter thereunto be added, is to be considered dependent for completion and effect upon the approval of the British Government.

Done at Muscat this nineteenth day of January in the year of Christ one thousand eight hundred and sixty-five, corresponding with the twentieth day of the month Shabun of the Hegira one thousand two hundred and eighty-one, day of the week Thursday.

(Sd.) HERBERT DISBROWE, *Lieut.-Col.*,
H.B.M.'s Poltl. Agent at Muscat,
on the part of the British Govt.

No. LXIII.

TREATY between HER MAJESTY and the SULTAN of MUSCAT for the ABOLITION of the SLAVE TRADE, signed at MUSCAT, APRIL 14th, 1873.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Highness the Syud Toorkee bin Saeed, 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, Syud Toorkee bin Saeed, acting on his own behalf, they have agreed upon and concluded the following Articles:—

ARTICLE 1.

The import of slaves from the coasts or islands of Africa or elsewhere into the dominions of Muscat, whether destined for transport from one port of the Sultan of Muscat's dominions to another, or for conveyance to foreign ports, 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 authorized for that purpose on the part of Her Britannic Majesty and all persons hereafter entering the Sultan's dominions and dependencies shall be free.

ARTICLE 2.

The Sultan engages that all public markets in his dominions for slaves shall be entirely closed.

ARTICLE 3.

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.

ARTICLE 4.

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.

ARTICLE 5.

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 Syud Toorkee bin Saeed, Sultan of Muscat, on his own behalf, have signed the same and have affixed thereto their respective seals.

Done at Muscat this fourteenth day day of April, one thousand eight hundred and seventy-three.

(L. S.) (Sd.) H. B. E. FRERE.

" " SYUD TOORKEE BIN SAEED.

No. LXIV.

AGREEMENT entered into by the SULTAN of MUSCAT relative to the jurisdiction of the POLITICAL AGENT and CONSUL over subjects of NATIVE STATES in INDIA residing in the MUSCAT DOMINIONS.

Whereas it is desirable that all subjects of Native States in India residing in Muscat territories should be amenable to the jurisdiction of the Political Agent and Consul at Muscat, and it would appear that such jurisdiction is at present defective without the express consent of His Highness the Sultan: It is hereby formally declared and consented to by

* Delivered to the Sultan in September 1873.

His Highness Syud Toorkee bin Saeed on behalf of himself, his heirs and successors, that subjects of Native States of India who may commit offences within the Muscat dominions shall be amenable to the Political Agent and Consul's Court in the same way as British subjects whenever, in any particular case, the Political Agent thinks fit to exercise such jurisdiction, and that the words " British subjects " in all Treaties between the English Government and the Muskat State shall include subjects of Native Indian States.

L. S.

(Sd.) TOORKEE BIN SAEED.

No. LXV.

TRANSLATED purport of a LETTER from HIS HIGHNESS SYUD TOORKEE, SULTAN of MUSCAT, to MAJOR S. B. MILES, HER BRITANNIC MAJESTY'S POLITICAL AGENT and CONSUL, MUSCAT,—dated 3rd Moharrum 1291—10th February 1875.

I have received your letter of the 2nd instant, and have understood its contents. I abide by the agreement made by my father with the British Government regarding the Customs duties leviable on goods landed from distressed vessels. For example, if a vessel that puts into Muscat for repairs, lands her cargo in order to undergo such repairs, and re-ships her cargo or puts it into another vessel, I forego all claim to duty for the sake of the unity between us and the British Government, and will raise no question concerning such goods, even though such were liable to duty in the time of our ancestors.

No. LXVI.

TREATY of FRIENDSHIP, COMMERCE and NAVIGATION between GREAT BRITAIN and MUSKAT—1891.

Signed at Muscat, March 19th—1891.

Ratifications were exchanged in 1892.

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Highness the Seyyid Feysal bin Turki bin Saeed, Sultan of Muskat and Oman, being desirous to confirm and strengthen the friendly relations which now subsist between the two countries and to promote and extend their commercial relations, 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, Empress of India, Colonel Edward Charles Ross, Companion of the Star of India, Her Britannic Majesty's Political Resident in the Persian Gulf ; and His Highness the Sultan of Muskat in person ; who had agreed upon and concluded the following Articles :—

ARTICLE 1.

The Treaty concluded between the British Government and Sultan Seyyid-bin-Sultan of Muskat and Oman on the 31st May, 1839 (17 Rabia 1st, 1255), is hereby cancelled and declared void, and the present Treaty, when ratified, shall be substituted for it.

ARTICLE 2.

Subjects of Her Britannic Majesty shall, for the purposes of this Treaty, include subjects of Native States in India in alliance with Her Majesty. Such subject shall enjoy, immediately and unconditionally, throughout the dominions of His Highness the Sultan of Muskat, with respect to commerce, shipping and the exercise of trade, as in every other respect, all the rights, privileges, immunities, advantages, and protection of whatsoever nature, which are or hereafter may be, enjoyed by, or accorded to, the subjects or citizens of the most favoured nation.

They shall more especially not be liable to other or more onerous duties, imposts, restrictions, or obligation of whatever description, than those to which subjects or citizens of the most favoured nation now are, or hereafter may be, subjected.

ARTICLE 3.

The two High Contracting Parties acknowledge reciprocally to each other the right of appointing Consuls to reside in each other's dominions wherever the interests of commerce may require the presence of such officers ; and such Consuls shall at all times be placed, in the country in which they reside, on the footing of the Consuls of the most favoured nations. Each of the High Contracting Parties further agrees to permit his own subjects to be appointed to Consular Offices by the other Contracting Party, provided always that the person so appointed shall not begin to act without the previous approbation of the Sovereign whose subjects they may be. The public functionaries of either Government residing in the dominions of the other, shall enjoy the same privileges, immunities, and exemptions which are enjoyed within the same dominions by similar public functionaries of other countries.

ARTICLE 4.

There shall be perfect freedom of commerce and navigation between the High Contracting Parties ; each shall allow the subjects of the other to enter all ports, creeks, and rivers with their vessels and cargoes, also to travel, reside, pursue commerce and trade, whether wholesale or retail, in

each other's dominions, and therein to hire, purchase, and possess houses, warehouses, shops, stores, and lands. British subjects shall everywhere be freely permitted, whether personally or by agent, to bargain for, buy, barter, and sell all kinds of goods, articles of import, or native production, whether intended for sale within the dominions of His Highness or for export, and to arrange with the owner or his agent regarding the price of all such goods and produce without interference of any sort on the part of the authority of His Highness.

His Highness the Sultan of Muskat binds himself not to allow or recognise the establishment of any kind of monopoly or exclusive privilege of trade within his dominions to any Government, Association, or individual.

ARTICLE 5.

Subjects of Her Britannic Majesty shall be permitted, throughout the dominions of His Highness the Sultan, to acquire by Gift, purchase, intestate succession, or under will, or any other legal manner, land, houses, and property of every description, whether moveable or immoveable, to possess the same; and freely to dispose thereof by sale, barter, donation, or otherwise.

ARTICLE 6.

His Highness the Sultan shall be permitted to levy a duty of entry not exceeding 5 per cent. on the value of all goods and merchandise, of whatever description, imported by sea from foreign countries into His Highness's dominions. This duty shall be paid at that port in His Highness's dominions where the goods are first landed, and, on payment thereof, such goods shall thereafter be exempt, within the Sultan's dominions, from all other custom duties or taxes, levied by, or on behalf of, the Government of His Highness the Sultan, by whatever names these may be designated, and no higher import duty shall be claimed from British subjects than that which is paid by subjects or citizens of the most favoured nation.

This duty, once paid, shall cover, from all other charges on the part of His Highness the Sultan, goods of whatever description coming from Foreign countries by sea, whether these are intended for local consumption or for transmission elsewhere in bulk or otherwise, and whether they remain in the state in which they are imported or have been manufactured.

There shall, however, be exempted from payment of all duty the following, namely:—

(1) All goods and merchandise which, being destined for a foreign port, are transhipped from one vessel to another in any of the ports of His Highness the Sultan of Muscat, or which have been for this purpose provisionally landed and deposited in any of the Sultan's Custom houses to await the arrival of a vessel in which to be re-shipped abroad. But goods and merchandise so landed shall be exempted only, provided that the consignee or his Agent shall have, on the arrival of the ship, handed over the said goods to be kept under Customs seal, and declared them as landed for transhipment, designa-

ting at the same time the foreign port of destination, and also provided that the said goods are actually shipped for the said foreign port as originally declared, within a period not exceeding six months after their first landing, and without having, in the interval, changed owners.

(2) All goods and merchandise which, not being consigned to a port within the dominions of the Sultan, have been inadvertently landed, provided that such goods are re-shipped within a month of being so landed and transported abroad. Should, however, such goods or merchandise, here spoken of, be opened or removed from the custody of the Customs authorities, the full duty shall then be payable on the same.

(3) Coals, naval provisions, stores, and fittings, the property of Her Majesty's Government, landed in the dominions of His Highness for the use of the ships of Her Majesty's Navy.

(4) All goods and merchandise transhipped or landed for the repair of damage caused by stress of weather or other disasters at sea, provided the cargo so discharged shall be re-shipped and taken away on board of the same vessel, or if the latter shall have been condemned, or her departure delayed, in any other manner.

ARTICLE 7.

No article whatever shall be prohibited from being imported into or exported from the territories of His Highness the Sultan of Muskat, and no export duties are to be levied on goods exported from those territories except with the consent of the Government of Her Britannic Majesty, such consent being subject to the conditions that may be laid down in the notifications intimating the same.

ARTICLE 8.

It is agreed and understood by the High Contracting Parties that, in the event of an arrangement being entered into hereafter between His Highness and the powers having Treaty relations with Muscat, and to which Great Britain shall be a consenting party, whereby vessels entering the port of Muscat shall be charged with shipping, tonnage, or harbour dues, such dues to be administered under the control of a special Board for the improvement of the harbour and construction and maintenance of lighthouses, &c.; nothing in the aforementioned provisions shall be construed so as to exempt British vessels from payment of such shipping, harbour, or tonnage dues as may hereafter be agreed upon.

ARTICLE 9.

It shall be at the option of the British subject in each case to pay the percentage duties stipulated in Article 6, either in cash, or, if the nature of the goods allows of it, in kind, by giving up an equivalent amount of the goods or produce.

In the event of payment being made in cash, the value of the merchandise, goods, or produce on which duty is to be levied, shall be fixed according to the ready money market price ruling at the time when the duty is levied. In the case of foreign imports, the value shall be fixed according to the market price at Muskat, and in that of native goods and produce by the market price at the place where the merchant shall choose to pay the duty.

In the event of any dispute arising between a British subject and the Custom-house authorities regarding the value of such goods, this shall be determined by reference to two experts, each party nominating one, and the value so ascertained shall be decisive. Should, however, these experts not be able to agree, they shall choose an umpire, whose decision is to be considered final.

ARTICLE 10.

His Highness the Sultan of Muskat engages by the present Treaty to provide and give orders to his officials that the movement of goods in transit shall not be obstructed or delayed in a vexatious manner by unnecessary Customs formalities and Regulations, and that every facility will be given for their transport.

ARTICLE 11.

British vessels entering a port in the dominions of His Highness the Sultan of Muscat, in distress, shall receive from the local authorities all necessary aid to enable them to re-victual and refit so as to proceed on their voyage.

Should a British vessel be wrecked off the coast of His Highness's dominions, the authorities of His Highness shall render all assistance in their power to the distressed vessel in order to save the ship, her cargo and those on board; they shall also give aid and protection to persons saved, and shall assist them in reaching the nearest British Consulate; they shall further take every possible care that the goods so recovered are safely stored, and kept for the purpose of being handed over to the owner, Captain, Agent of the ship, or British Consul, subject always to rights of salvage.

His Highness's authorities shall further see that the British Consulate is at once informed of such disaster having occurred.

Should a British vessel, wrecked on the coast of His Highness's dominion, be plundered, the authorities of His Highness shall, as soon as they come to know thereof, render prompt assistance and take measures to pursue and punish the robbers, and recover the stolen property. Likewise, should a vessel of His Highness the Sultan of Muskat, or of one of his subjects, enter a British port in distress, or be wrecked off the coast of Her Majesty's dominions, the like help and assistance shall be rendered by the British authorities.

ARTICLE 12.

Should sailors or others belonging to a British ship of war, or merchant vessel, desert, and take refuge on shore or on board of any of His Highness's

ships, the authorities of His Highness the Sultan of Muscat shall, upon request of a Consular official, or, in his absence, of the Captain of the ship, take the necessary steps in order to have them arrested and delivered over to the Consular official or to the Captain.

In this, however, the Consular officer and Captain shall render every assistance.

ARTICLE 13.

Subjects of Her Britannic Majesty shall, as regards their person and property, enjoy within the dominions of His Highness the Sultan of Muskat the rights of ex-territoriality.

The authorities of His Highness the Sultan have no right to interfere in disputes with subjects of Her Britannic Majesty amongst themselves, or between them and members of other Christian nations; such questions, whether of a civil or criminal nature shall be decided by the competent Consular authorities. The trial and also the punishment of all offences and crimes of which British subjects may be accused within the dominions of His Highness the Sultan, also the hearing and settlement of all civil questions, claims, or disputes in which they are the defendants, is expressly reserved to the British Consular authorities and Courts, and removed from the jurisdiction of His Highness the Sultan.

Should disputes arise between subjects of His Highness the Sultan or other non-Christian Power, not represented by Consuls at Muscat, and a subject of Her Britannic Majesty, in which the British subject is the plaintiff or complainant, the matter shall be brought before and decided by the highest authority of the Sultan, or some person specially delegated by him for this purpose. The proceedings and final decision in such a case shall not, however, be considered legal unless notice has been given and an opportunty afforded for the British Consul or his substitute to attend at the hearing and final decision.

ARTICLE 14.

Subjects of His Highness the Sultan, or any non-Christian nation, not represented by Consuls at Muscat, who are in the regular service of British subjects within the dominions of His Highness the Sultan of Muskat, shall enjoy the same protection as British subjects themselves.

Should they be charged with having committed a crime or serious offence punishable by law, they shall, on sufficient evidence being shown to justify further proceedings, be handed over by British employers, or by order of the British Consul, to the authorities of His Highness the Sultan for trial and punishment.

ARTICLE 15.

Should a subject of Her Majesty residing in the dominions of His Highness the Sultan of Muskat be adjudicated bankrupt, the British Consul

shall take possession of, recover, and realise' all available property and assets of such bankrupt, to be dealt with and distributed according to the provisions of English Bankruptcy Law.

ARTICLE 16.

Should a subject of His Highness the Sultan of Muskat resist or evade payment of the just and rightful claims of a British subject, the authorities of His Highness the Sultan shall afford to the British creditor every aid and facility in recovering the amount due to him. In like manner the British Consul shall afford every aid and facility to subjects of His Highness the Sultan of Muscat in recovering debts justly due to them from a British subject.

ARTICLE 17.

Should a British subject die within the dominions of His Highness the Sultan of Muscat, or dying elsewhere leave property therein, moveable or immoveable, the British Consul shall be authorised to collect, realise, and take possession of the estate of the deceased, to be disposed of according to the provisions of English law.

ARTICLE 18.

The houses, dwellings, warehouses, and other premises of British subjects, or of persons actually in their regular service, within the dominions of His Highness the Sultan of Muscat, shall not be entered, or searched under any pretext, by the officials of His Highness without the consent of the occupier, unless with the cognizance and assistance of the British Consul or his substitute.

ARTICLE 19.

It is hereby agreed between the two High Contracting Parties that, in the event of an agreement being hereafter arrived at between His Highness the Sultan of Muscat and the various Powers with which His Highness shall be in Treaty relations, including Great Britain, which must be a consenting party, whereby the residents of a district or town shall, without distinction of nationality, be made subject to the payment of local taxes, for municipal and sanitary purposes, the same to be fixed and administered by or under the control of a special Board, nothing contained in this Treaty shall be understood so as to exempt British residents from the payment of such taxes.

ARTICLE 20.

Subjects of the two High Contracting Parties shall, within the dominions of each other, enjoy freedom of conscience and religious toleration, the free and public exercise of all forms of religion, and the right to build edifices for religious worship.

ARTICLE 21.

The stipulations of the present treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty so far as the laws permit, excepting to those hereinafter named, that is to say, except to—

The Dominion of Canada.
Newfoundland.
The Cape of Good Hope.
Natal.
New South Wales.
Victoria.
Queensland.
Tasmania.
South Australia.
Western Australia.
New Zealand.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions, on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative in Muscat to His Highness the Sultan within two years from the date of exchange of the ratifications of the present treaty.

ARTICLE 22.

The Present Treaty has been executed in quadruplicate, two copies being written in English and two in Arabic. These are understood to be of similar import and significations ; in the event, however, of doubt hereafter arising as to the proper interpretation of the English or Arabic text of one or other of the Treaty stipulations, the English text shall be considered decisive. The Treaty shall come into operation within one month after the date when the ratifications may take place.

ARTICLE 23.

After the lapse of twelve years from the date on which the Treaty shall come into force, and on twelve months' notice given by either party, this Treaty shall be subject to revision by Plenipotentiaries appointed on both sides for this purpose, who shall be empowered to decide on and adopt such amendments as experience shall proved to be desirable.

In witness whereof Colonel Edward Charles Ross, C.S.I., on behalf of Her Majesty the Queen of Great Britain and Ireland, and Empress of India, and His Highness Seyyid Feysal-bin-Turki, the Sultan of Muscat, on his own behalf, have signed the same and affixed thereto their respective seals.

Done at Muscat, this 19th day of March 1891, corresponding to the 8th Shaban of the year 1308 Hijreea.

(Signed) EDWARD CHARLES ROSS,
Colonel,
Political Resident in the Persian Gulf.

Signature in Arabic of His Highness the Sultan of Muscat.

Protocol.

The undersigned, in proceeding to the exchange of ratifications of the Treaty signed at Muscat on the 19th March, 1891, between Her Majesty the Queen of Great Britain and Ireland, Empress of India, and His Highness Seyyid Feysal-bin-Turki, Sultan of Muscat, have agreed to the present Protocol, which shall have the same force and validity as if it had been inserted in the body of the Treaty itself.

It is agreed that under Article 23 of the said Treaty either of the High Contracting Parties shall be at liberty, after the expiration of twelve years from the date on which the Treaty has come into force, to terminate the said Treaty at any time on giving twelve months' notice.

In witness whereof the undersigned, duly authorized, for the purpose have signed the present Protocol, in quadruplicate, and have affixed thereto their seals.

Done at Muscat, on the 20th day of February 1892.

(Sd.) A. C. TALBOT, *Lieut.-Col.*,
(L.S.) *Political Resident, Persian Gulf.*

Signature in Arabic of His Highness the Sultan of Muscat.
(L.S.)

No. LXVII.

AGREEMENT REGARDING THE CESSION OF TERRITORY BY THE SULTAN OF OMAN, DATED 20TH MARCH 1891.

PRAISE BE TO GOD ALONE.

The object of writing this lawful and honourable Bond is that it is hereby covenanted and agreed between His Highness Seyyid Feysal bin Turki bin Seyyid, Sultan of Muscat and Oman, on the one part, and Colonel Edward Charles Ross, Companion of the Star of India, Her Britannic Majesty's Political Resident in the Persian Gulf, on behalf of the British Government, on the other part, that the said Seyyid Feysal bin Turki bin

Saeed, Sultan of Muskat and Oman, 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 dominions of Muskat and Oman or any of their dependencies.

In token of the conclusion of this lawful and honourable Bond Seyyid Feysal bin Turki bin Saeed, Sultan of Muskat and Oman, and Colonel Edward Charles Ross, Companion of the Star of India, Her Britannic Majesty's Political Resident in the Persian Gulf, 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 ninth day of Shaaban one thousand three hundred and eight (A.H.) corresponding to the twentieth day of March (A.D.) 1891.

E. C. ROSS, *Colonel,*
Political Resident in the Persian Gulf.

Signature of HIS HIGHNESS SEYYID FEYSAL BIN TURKI BIN SAEED,
Sultan of Muskat and Oman.

LANSDOWNE,
Viceroy and Governor-General of India.

Ratified by His Excellency the Viceroy and Governor-General of India, at Simla on the twenty-third day of May 1891.

H. M. DURAND,
Secretary to the Government of India,
Foreign Department.

No. LXVIII.

TRANSLATION OF PROCLAMATION ISSUED BY THE SULTAN OF OMAN REGARDING THE SUPPRESSION OF THE ILLEGAL IMPORTATION OF ARMS INTO PERSIA AND BRITISH INDIA, 1891.

Be it known to all who see it that we have given permission to British and Persian vessels of war to search vessels carrying their and our flags in our territorial waters, and to confiscate all arms and ammunition (weapons of war) in them, if those arms and ammunition are intended for Indian and Persian ports, and if they are the property of British, Persian or Muscat subjects.

We have also given permission to those vessels of war to search Muscat vessels in Indian and Persian waters suspected to contain arms and ammunition for Indian and Persian ports, and to confiscate the said arms and ammunition.

(This is written) that it may be known. And salaams.

Written the 19th day of Shaban 1315 A. H. (13th January 1898).

TRANSLATION of NOTIFICATION.

Be it know to such of our subjects as see this that, whereas the British and Persian Governments have represented to us that they are desirous of preventing introduction of arms and ammunition into India and Persia, and that there is reason to think that many are exported from Muscat and taken to those two abovenamed countries, we have resolved to join them and to assist them as far as it lies in our power in suppressing this trade in arms and ammunition between Muskat and India and Persia. We therefore warn (our subjects) that all the arms and ammunition sent to those two countries will be confiscated and those engaged in this trade will be punished, as the introduction of arms and ammunition into India and Persia is prohibited by the Governments of these two countries and therefore illegal.

In future our Muscat flag will be no protection to vessels carrying the said arms and ammunition from our dominions to India and Persia. (This is written) that it may be known. And salaams.

Dated the 19th of Shaban 1315 A. H. (13th January 1898).

(Sd.) FEYSAL-BIN-TURKI.

No. LXIX.

TRANSLATION of AN UNDERTAKING GIVEN BY THE SULTAN of OMAN ON THE 31st MAY 1902 TO THE BRITISH POLITICAL AGENT AT MUSCAT, REGARDING THE SUR COALFIELDS.

After the usual compliments.—Regarding the communication you made to me on the subject of the Geologist's report and the views of Government on the subject of the coal deposits, Your Honour is at liberty to inform Government on my behalf, that for the present I have no intention of entering upon the work myself; and that in the future if any Government or Company ask my permission to embark upon the mining enterprise in question, I will not accord such permission without first communicating with Government, in order that they may themselves take up the work with me if they feel so inclined. This is what had to be written. May you be preserved.

No. LXX.

TRANSLATION of a TREATY of PEACE between HIS HIGHNESS SYUD SAEED BIN SULTAN, the IMAM, THE MUSCAT, and SYUD HUMOOD, the CHIEF of SOHAR—1839.

Praise be to Him who has caused peace to be the means of adjusting the affairs of mankind, and who is the promoter of friendship in every class of life.

The object of writing this paper and these words of truth is, that peace has been established between His Highness the Imam of Muscat, Syud Saeed, the son of Syud Sultan, and the Chief of Sohar, the Honourable Syud Humood, the son of Syud Azan, through the mediation of Captain Hennell, the British Resident in the Persian Gulf, this 17th day of Showal A.H. 1255, corresponding with the 23rd December A.D., 1839, upon the following conditions :—

ARTICLE 1.

That from this day there shall be a perfect, lasting, and established peace between the two contracting parties.

ARTICLE 2.

That the subjects of the two contracting parties shall carry on a free intercourse with each other's territory for purposes of trade without hinderance or molestation.

ARTICLE 3.

Whenever subjects of either of the two contracting parties remove voluntarily from the territories of the one and take up their residence in those of the other, no blame shall attach to the ruler of the territory in which they settle, and moreover it shall not be incumbent upon him to cause them to return to their original country unless he thinks proper to do so.

ARTICLE 4.

That neither of the two contracting parties shall commit any sort of aggression upon the territories of the other, neither openly nor secretly, and shall not excite others to do so.

ARTICLE 5.

In the event of either of the two contracting parties proceeding to punish any rebellious person among his own subjects, the other shall not assist or support such rebel, either openly or secretly, nor shall encourage him in his rebellion by word or by letter.

ARTICLE 6.

As the district of Roostak, which belongs to Syud Humood bin Azan, is surrounded by the territory of His Highness Syud Saeed bin Sultan, the communication and road between the aforesaid district and the other territories of Syud Humood shall not be interrupted or closed.

ARTICLE 7.

In the event of an enemy arising against Syud Humood and making war upon him, His Highness Syud Saeed is to support him in every way to the utmost of his power and ability.

These are the conditions upon which this engagement has been made on both sides and with the consent of both parties, and to this the Almighty is a witness.

Dated Muscat, the 17th Showal 1255, A. H., corresponding with the 23rd December A.D. 1839.

The Seal of Syud Humood bin Azan.

The Seal of Syud Seed bin Sultan.

No. LXXI.

Translation of an Engagement entered into by Syud Syf bin Humood, Chief of Sohar, for the Abolition of the African Slave Trade in his ports—1849.

It having been intimated to me by Major Hennell, the Resident in the Persian Gulf, that certain conventions have lately been entered into by the Ottoman Porte and other powers with the British Government for the purpose of preventing the exportation of slaves from the coast of Africa and elsewhere, and it having, moreover, been explained to me that, in order to the full attainment of the objects contemplated by the aforesaid Conventions, the concurrence and co-operation of the Chiefs of the several ports situated on the Arabian coast of the Persian Gulf are required, accordingly I, Syud Syf bin Humood, Chief of Sohar, with a view to strengthen the bonds of friendship exisiting between me and the British Government, do hereby engage to prohibit the exportation of slaves from the coast of Africa and elsewhere on board of my vessels and those belonging to my subjects or dependants, such prohibition to take effect from the 29th Rujut 1225, or the 21st June A.D. 1849.

And I do further consent, that whenever the cruizers of the British Government fall in with any of my vessels, or those belonging to my subjects or dependants, suspected of being engaged in the slave trade, they may detain and search them, and in case of their finding that any of the vessels aforesaid have violated the engagement by the exportation of slaves from the coast of Africa, or elsewhere, upon any pretext whatever, they (Government cruizers) shall seize and confiscate the same.

Dated this 20th day of Jemmadeeood Akhir A.D. 1264, or 22nd day of May 1849.

L. S. Syud Syf bin Humood.

Approved by the Government of Bombay on 4th August 1849.

APPENDICES.

APPENDICES.

PERSIA.

APPENDIX No. I.—*Page 4.*

TRAITÉ de PAIX entre ESCHREFF SCHAH de PERSE & le GRAND SEIGNEUR, contenu dans une LETTRE du SCHAH à SA HAUTESSE, du 23 Octobre 1727.*

Au nom du Dieu miséricordieux.

PREAMBLE.

Loué soit Dieu qui m'a fait la grâce de me mettre au nombre des Fidèles, & de me créer pour poursuivre les Hérétiques qui sont en abomination à tout le monde. Loué soit aussi notre Prophète Mahomet, Bien-aimé de Dieu ; & le Seigneur benisse jusqu'au dernier jour sa Postérité, & tous ceux qui sont aimez de lui !

Sur ce je prens la hardiesse de faire une très-humble Proposition à V. H., vous qui desservez les 2 Villes Sacrées de la Mecque & de Médine, Roi des Rois d'Arabie, Gouverneur d'un grand nombre de Nations, Défenseur de la Foi Mahométane, Soutien des Armées & de tous ceux qui combattent pour la Foi, Vicaire du Prince, Protecteur des Savans, Exterminateur des Infidèles qui croyent plus d'une Divinité, Reformateur de la Religion, le plus illustre des Monarques du tems passé, Vainqueur des Mécréans, Propagateur de la Justice, Extirpateur des Idoles & de ceux qui croyent plus d'une Personne dans la Divinité, Haut & Puissant Monarque, le plus célèbre des Souverains, l'asyle & la consolation de tous les hommes, l'Ombre de Dieu sur la Terre, l'Empereur & le Refuge du monde, Dieu veuille combler votre Personne & vos Etats de toutes sortes de prospéritez, & vous accorder jusqu'au dernier jour la continuation de ses bénédictions !

Et afin que nous achevions notre Traité suivant les termes de l'Alcoran, qui dit : " Soumettez-vous à Dieu, au Prophète & à ceux qui ont l'autorité absolue," nous avons résolu de prendre ce chemin d'obéissance, & de l'avis des Commissaires nommez de part et d'autre, nous sommes convenus de la Paix aux conditions suivantes :

ARTICLE 1.

Province of Huveise and Jurisdiction of Sultanie.

Que la Province d'Huveise et la Jurisdiction de Sultanie doivent être cédées à V. H. comme faisant partie du Royaume de Perse.

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* Dumont : Vol. 2, Part 2, Supplement, page 208.

ARTICLE 2.

Mecca Pilgrims.

Que de notre côté nous devons nommer tous les ans un Conducteur des Pélerins qui vont à la Mecque.

ARTICLE 3.

Persian Ambassador at the Porte.

Que nous aurons toujours un Ambassadeur à la Porte, selon l'ancien usage.

ARTICLE 4.

Persian Commerce.

Qu'il sera libre à tous les Marchands d'exercer leur Commerce, qui seul peut rendre un Etat florissant.

ARTICLE 5.

Right of Persians to visit Temple of Immamaazem.

Qu'il sera permis de visiter le Temple d'Immamaazem, sans que personne puisse y former aucun obstacle.

ARTICLE 6.

Hussein Bey to be set at Liberty.

Que Hussein Bey, de la Race de Bracki, Peuple de Lesgi, qui est détenu par les Moscovites, sera mis en liberté.

ARTICLE 7.

Annual Payment to be made by Persia to Turkey.

Qu'il sera payé tous les ans au Trésor de V. H. 1,500 Bourses, chacune de 500 Rixdalers en espèces.

Terms of Peace.

C'est sur ce pied-là que la Paix doit être gardée, tant pour le présent que pour l'avenir, & ce conformément à l'Alcoran, que veut qui tous les Musulmans soient véritablement Frères, qu'ils entretiennent entre eux une amitié fraternelle, & qu'ils ne donnent lieu à aucune haine ni division.

Puis donc que nous nous soumettons à l'obéissance & aux ordres absolus de V. H., Elie accordera aussi de son côté que tout soit exécuté selon la teneur de notre Convention.

Ratification.

Et afin que cette Convention soit fermément & fidèlement exécutée à jamais & que rien n'y soit changé, nous attendons la Ratification de V. H., espérant qu'elle y consentira & ne permettra pas qu'il y soit fait aucun changement.

MEHEMED EMER ESCHREFF KAN.

APPENDIX No. II.—*Page 5.*

ABSTRACT TRANSLATION of a TREATY concluded at CONSTANTINOPLE between TURKEY and PERSIA in 1736 A. D. as reported in MR. RONALD THOMSON'S Despatch No. 9, (Commercial) to LORD GRANVILLE, of September 2nd, 1881.

Traité conclu à Constantinople, dans le mois de Djemagi-ul Akher de l'an 1149 de l'Egire, 1736 A. D., sous les règnes de Sultan Ahmed Khan Ier et Nadir Schah, du temps du grand vézirat de Mehmed Pacha, par les entremises du Vézir Moustapha Pacha, d'Emin Fetva Abdullah Effendi et d'Orta Mollasse Halil Effendi d'une part et d'Abdul Baki Khan, de Mirza Aboul Hassain et de Mollah Ali Ekber de l'autre. Le traité comprend trois articles et concerne le pélérinage, l'accréditation des Rapoudji-bachi, la livraison des prisonniers, la délimitation des frontières, la forme des lettres autographes, l'abandon de la conduite de la dynastie des Safaviyés, les facilités pour le commerce, et les droits de douane.

APPENDIX No. III.—*Page 5.*

TRAITÉ de PAIX conclu, vers le commencement de 1746, entre le SULTAN MAHOMET, EMPEREUR des TURCS, & SCHAH NADYR, ROI de PERSE.*

PREAMBLE.

Au Nom de Dieu très-miséricordieux. Grâces soient rendues à cet Être Suprême & louanges à son sacré Prophète, à sa sainte Famille & à ses illustres Compagnons.

Les Lettres, qui ont été ci-devant adressées à la Porte de Félicité de la part de Sa Maj. Persanne, ont fait voir que par l'Assistance Divine, & par le concours des Grands du Roïaume de Perse, assemblés dans la grande Plaine située dans le Mougan, les jeunes & les vieux avoient, d'une voix unanime et sans aucune restriction, choisi pour l'ornement du Trône de leur

* Rousset: Vol. 19, page 477.

Capitale le Très-Haut et Très-Généreux Prince, aussi brillant que la Lune, aussi éclatant que le Soleil, le gage précieux du Monde & de la Religion, le centre de la beauté du Musulmanisme & des Musulmans, le Monarque dont les Troupes égalent le nombre des Etoiles, celui qui est aujourd'hui assis sur le Trône de Cosroës & de Dgem ; le Schah Nadyr, dont Dieu perpétue la gloire & la prospérité !

Sa Maj. Persanne, à l'exemple de ses glorieux Ancêtres, attachée au Hanéfisme des vrais Musulmans, & ne pouvant souffrir la conduite blâmable de cette Nation, refusoit déjà d'accepter la Couronne, lorsque ces Peuples s'empressèrent à lui donner des preuves de leur aveugle soumission à ses ordres, en abandonnant les mauvais Principes qui jusqu'alors avoient servi de fondemens à leur dérèglemens.

Les sentimens de religion & de générosité, profondément gravés dans le cœur de Sa Maj. Persanne, lui inspirèrent bientôt un véritable désir de mettre fin à tout ce qui pouvoit contribuer depuis si longtems à fomenter le feu de l'inimitié, & à aiguiser les traits de la vengeance entre la Turquie & la Perse.

Il envisagea comme un service insigne & important à ses États, à la Sublime Porte & à tous les Musulmans, de faire revivre parmi eux l'ancienne Union, qui avoit fait un tems leur bonheur.

Il écrivit dans ce dessein d'augustes Lettres au très-vertueux Empereur, des Ottomans, pour remettre entre les mains de Sa Hautesse la gloire de couronner l'œuvre lorieuse & mémorable, qui faisoit le plus cher objet de ses vœux.

De cinq Articles qui composoient les Propositions de Sa Maj. Persanne l'on applanit les difficultés sur trois, & on les accepta comme étant de pure politique, & dépendant absolument du bon plaisir de Sa Hautesse ; mais la rigueur des Loix n'aïant été trouvée susceptible d'aucun tempérament pour les deux autres Articles, l'on représenta plusieurs fois à Sa Maj. Persanne qu'on en appelloit à sa discrétion & à son équité.

Les Décrets éternels s'opposoient encore à l'exécution d'un projet, dont le succès étoit depuis si longtemps désiré, et une fermeté mal entendue fomentoit encore l'animosité des Parties, lorsque Sa Maj. Persanne envoïa dernièrement à la Sublime Porte des Lettres, par lesquelles Elle témoignoit que ses vœux n'aïant pour but ni Possessions, ni biens, ni inimitié, ni guerre, il avoit sous les augustes auspices ramené, & réüni dans la voïe droite des vrais Musulmans tous les Habitans de la Perse, pour procurer au Peuple du Prophète le repos & la tranquillité, en faisant succéder à une Guerre odieuse les avantages d'une heureuse Paix.

Ces Lettres contenoient, à la vérité, quelques Propositions nouvelles concernant les Limites, mais comme elles étoient concues en forme d'insinuations, & dans les termes les plus ménagés, & que Sa Maj. Persanne, bien loin d'appuïer sur sa demande, en remettoit entièrement le refus ou l'acceptation à l'équitable choix de Sa Maj. Khalifale, celle-ci, sensible à cette façon de traiter amicale, se détermina à entrer en Negociations pacifiques,

Sa Maj. Impériale, l'Ombre de Dieu, écrivit, en conséquence, une Lettre Impériale pour faire part à Sa Maj. Persanne que, par le résultat d'un grand Conseil tenu à la Sublime Porte de Félicité, il avoit résolu de vérifier & de soussigner en tout point entre les deux Puissances le Proverbe de *Præteriit quod præteriit.* Qu'à l'égard de sa nouvelle demande aïant été regardée comme contraire aux Loix & aux Canons, il convenoit pour la bonne union des Parties que Sa Maj. Persanne voulût bien s'en désister, pour donner son auguste & heureux consentement à un Traité, entièrement dépouillé de tout point susceptible de tâche & de deshonneur pour la Maj. des Hauts Contractans, proposant pour base de cé Traité celui qui avoit été arrêté & conclu pour les Confins & Limites sous le règne de l'Empereur Sultan Murad Khan IV, * qui jouït en l'autre Monde du printemps du Paradis ; qu'au reste Sa Maj. Persanne devoit être assurée qu'à cette Condition, rien ne pourroit désormais ébranler les fondemens & les arcboutans de l'Amitié et de l'Union réciproques tant qu'il auroit en mains les Renes de la Félicité, & qu'il auroit le pied dans le brillant Etrier de la Fortune, & non seulement sous son glorieux Règne, mais encore sous celui de ses Descendans & de ses Successeurs.

Sa Maj. Impériale, l'Ombre de Dieu, me députa à cet effet en qualité d'Envoïe, me chargeant d'une agréable Lettre Impériale, qui accordoit au Très-puissant, Très-clément & Très-magnifique Ahmed Pacha, Gouverneur de Bagdad & Bassora, & Séraskier de ce Département, le pouvoir spécial pour entamer & terminer les opérations de cette Négociation dans le forme ci-dessus, & je fus pareillement honoré pour moi d'une Lettre dans le même sens. Ahmed Pacha me donna pour adjoint l'Effendi de son Divan, le Très-éclairé Vely Effendi, avec lequel je me rendis en Perse. Aussitôt que nous fûmes heureusement arrivés au Camp Roïal de Sa Maj. Persanne, entre Tharan & Casbin, j'eus l'honneur de lui présenter la Lettre Impériale de l'auguste asyle du Khalyfat, en lui représentant avec tout le respect dû à Sa Maj. tout ce qui m'avoit été recommandé & ordonné, et Sa Maj. aïant témoigné le penchant et le désir sincère qu'Elle avoit de terminer & de conclure ce Traité selon les intentions & les inspirations de S. Hautesse, Elle nomma quelques personnes de sa Cour pour conférer avec nous sur l'œuvre pieuse de cette Pacification, dont nous parvînmes à la conclusion dans une seule Conférence en établissant une Base, une Condition, trois Articles & un Appendice, qui font tout le contenu de ce Traité ; & sur le compte qu'on en rendit à Sa Maj. Persanne, Elle permit d'en dresser & d'en signer l'Acte de part & d'autre.

On verra ci-après la teneur de la Base, de la Condition, des trois Articles & de l'Appendice de ce Traité, depuis si longtemps désiré pour l'union & la tranquillité du Peuple du Prophète, & conclu en conséquence du pouvoir spécial, dont j'ai été muni & honoré dans la forme ci-dessus par l'Empereur, l'asyle de Musulmanisme, le Monarque miroir de la Justice, le Prince des Princes, l'Ombre de Dieu, le possesseur des Troupes qui égalent le nombre des Etoiles, le Dépositaire du Khalifat, le Serviteur des

* Wenck : Vol. 2, page 305.

deux sacrées & nobles Villes, le Maître des deux Terres & des deux Mers, le Sultan, Fils du Sultan, le Très-puissant, Très-redoubtable, Très-Magnanime & Très-généreux Empereur Sultan Mahmoud le Conquérant, Fils du Sultan Moustafa le Conquérant, dont Dieu illustre le règne & prolonge les jours !

Maintenance of Limits.

Base du Traité.—On observera de part & d'autre sans altération, changement, ni diminution, les Confins & Limites qui ont jusqu'à présent été observées, & qui ont été réglées dans la dernière Paix prise aujourd'hui pour modèle, & conclue autre fois sous le Règne glorieux du Très-puissant Empereur Sultan Murad Khan IV, * qui jouit dans l'autre Monde du printems du Paradis.

Condition.—En accordant & en observant envers les deux Parties, dans la forme convenable, tout ce qui est dû à leur honneur & à leur gloire, l'on évitera soigneusement tout ce qui peut être réciproquement susceptible de distinction de Religion & de deshonneur.

ARTICLE 1.

Persian Pilgrims proceeding to Mecca.

Quand les Pélerins de Perse iront à la Mecque, par la voïe de Bagdad, et de Damas, les Gouverneurs, les Juges & Emir-haggs, qui se trouveront sur ces routes, donneront toute leur attention pour protéger, & soutenir en toute occasion ces sortes de Pélerins, & pour les faire arriver sains & saufs.

ARTICLE 2.

Reception of Diplomatic Agents.

Pour manifester au Public la bonne intelligence & l'union des deux Cours la Sublime Porte enverra une personne pour résider à la Cour de Perse, & celle-ci pareillement en enverra une pour résider à la Porte de Felicité, & ces Chargé d'Affaires seront défraïés & raisonnablement entretenus comme les hôtes des Cours où ils résideront, and seront changés tout les trois ans.

ARTICLE 3.

Release of Prisoners.

On élargira de part & d'autre les prisonniers respectifs ; on ne pourra les vendre ni les acheter, & on ne s'opposera point à leur départ dans les endroits où ils ne voudront pas rester, quand ils demanderont à se repatrier.

Maintenance of Limits fixed by previous Treaty.

Appendice.—Comme les Confins & Limites sont réglés selon la teneur ci-dessus, conformément au Traité conclu sous le Règne du Sultan Murad IV,* les Gouverneurs des Confins reciproques observeront avec exactitude tout ce qui se pratiquoit anciennement, & se donneront bien de garde de contre-

* Wenck: Vol. 2, page 305.

venir en rien à la condition de ce Traité, dans les Affaires qui pourront survenir concernant les Confins.

Religion. Pilgrims to Mecca, Medina, and other Holy Places.

Puisque par un effet de la Grâce Divine, les Habitans de la Perse ont entièrement renoncé aux Maximes illicites innovées sous les Sophis, qu'ils sont rentrés dans le giron du Musulmanisme, en acceptant les anciens Dogmes des Sunnites ou vrais Musulmans, & qu'ils chantent les loüanges & les éloges des Khalifes Rachidins, & des autres illustres Compagnons sur qui soit la Bénédiction de Dieu, les Pélerins, qui iront dans la suite à la Mecque, à Medine, & dans tous les Etats Musulmans, seront traités avec tous les égards possibles, comme tous les autres Musulmans, & l'on se donnera bien garde de les inquiéter & les molester, & d'exiger d'eux la moindre chose sous le nom de *Dérirmé*.

Religion. Customs Dues.

Quand les Marchands des deux Nations auront païé, selon l'exigence des lieux, la Doüane des Marchandises qu'ils apporteront dans les Etats respectifs, ou ne pourra les molester par aucune autre exaction.

Persian Pilgrimes to Mecca, Medina, and other Holy Places.

Lorsqu'il viendra de Perse à la Mecque & à Médine, & aux Tombeaux situés à Bagdad, des Pélerins, qui, attirés par la seule dévotion de Pélerinage, n'auront point avec eux des Marchandises, les Juges & autres Officiers ne pourront exiger d'eux aucun droit, ni les inquiéter en aucune façon sans raison légitime.

Non-protection of Fugitives. Extradition.

Si après la date du présent Traité, quelqu'un des Sujets & des Rayas des deux Cours venoit à se réfugier dans les Etats respectifs, il ne sera accordé aucune protection à de pareils fugitifs ; ils seront au contraire rendus aux Chargés d'Affaires réciproques sur la demande qu'ils en feront.

Tant que l'on observera exactement de part & d'autre les Articles ci-dessus, on ne négligera rien pour perpétuer cette heureuse Paix, même sous le Règne des Descendans & des successeurs des Hauts Contractans, sans autre borne que la volonté de l'Etre suprême.

Ratification.

Conclusion.—La Paix etant enfin conclue dans la forme ci-dessus par l'assistance du Très-Haut, il a aussi été arrêté que vers le premier jour de la nouvelle Année de l'Egire 1160, les deux Cours s'enverront des Ambassadeurs Extraordinaires du même rang, avec la Ratification du Traité, & le Très-puissant & Très-magnifique Hassan-Aly-Khan, l'un des plus illustres Khans de la Perse, nous aïant remis, en vertu de ses Pleinspouvoirs,

l'Ecrit scellé portant le consentement de Sa Maj. Persanne à la Base, à la Condition, aux trois Articles & à l'Appendice ci-dessus, nous l'avons reçu & accepté, vu qu'il est conforme à nos instructions, & avons pareillement présenté & remis en échange à Sa Maj. Persanne le présent Ecrit, signé & scellé par le susdit très-puissant & très-clément Ahmed Pacha, & par moi en vertu de nos Pouvoirs.

Fait le 19 de la Lune de Chabon l'an de l'Egire 1159, ou vers le commencement de Janvier, 1746.

APPENDIX No. IV.—*Page 6.*

TRAITÉ de PAIX entre NADER CHAH, EMPEREUR de PERSE, & le SULTAN MAHMOUD, EMPEREUR des TURCS.

PREAMBLE.

Gloire soit à Dieu, qui a plongé dans le sommeil les yeux de la commotion, en éveillant les cœurs des monarques ; qui a fait découler la fontaine de la paix parmi le genre humain, en arrêtant le cours de la rivière de la discorde entre les Rois, & les puissans Sultans ; qui a rétabli par leur amicable agréement le désordre des affaires des fidèles croyans ; qui a dépouillé leurs cœurs de tout le ressentiment, afin de pouvoir guérir l'âme blessée de son peuple ; qui a déraciné toute haine & inimitié de leur sein, & leur a ordonné de garder inviolablement leurs Traités, ainsi que dit le livre à jamais glorieux : O vous qui croyez, gardez vos Conventions !

Puisse à présent le Très-Haut être gracieux envers son Prophète Mohammed, dont le siège est exalté : envers sa Famile & ses Compagnons, & particulièrement ses successeurs, les Califes, qui marchent dans la voie droite, & qui usent d'une extrême diligence, pour maintenir la vraie Religion !

Après ces prémises, il suit : Dans les vastes plaines de Mogan, le peuple de l'Iran désira que nous acceptassions le diadême royal ; mais voyant les troubles que les hérésies de Chah Ismaïl avoient suscités dans la Perse, & l'inimitié qu'elles avoient causée entre les Turcs & les Persans ; considérant aussi, que la secte des Sunnis étoit suivie par nos nobles ancêtres, & grands progéniteurs, nous refusâmes leur proposition. Mais après plusieurs instances réitérées, nous consentîmes de régner sur eux, sous condition, qu'ils adjureroient de cœur & de bouche leurs anciennes erreurs, & reconnoitroient la légitime succession des grands Califes (auxquels Dieu soit favorable !) ils consentirent à nos demandes, & quittèrent leurs hérésies.

Maintenant puisque Sa Haute Majesté, exaltée au-dessus des autres rois de monde, qui a le pouvoir de Salomon, l'éclat du soleil, le protecteur des fide les croyans, le vainqueur des infidèles, le roi des deux continens & des deux mers, un second Iskander Zoulkarnein, serviteur des deux cités sacrées l'Empereur & Victorieux Sultan Mahmoud Khan, dont Dieu a étendu

l'ombre sur tout l'univers, véritable Calife des croyans, & lumière de la famille Turcmane, nous a demandé l'accroissement de notre amitié, nous, en conséquence, espérant la continuation de ces sentimens favorables, le dispensons de deux des Articles, que nous avions proposes, & ne demandons que la confirmation des trois autres, pour l'uniformité de religion, & pour la préservation de notre empire, désirant à cette Négociation une conclusion heureuse.

Et quand même nous n'aurions pas eu l'intention d'écarter tout sujet d'aliénation entre nous, & de donner la paix à nos sujets, en faisant fleurir les boutons de rose de cet amicable Traité, nous aurions néanmoins, pour l'honneur des fidèles croyans, notifié à Sa Haute Majesté, exaltée ainsi que Salomon, notre changement fortuné de religion, & la désertion de nos anciennes erreurs.

Parts of Provinces of Irak and Azarbigian ceded by Persia to Turkey.

Comme quelques parties des Provinces de l'Irak, & de l'Azarbigian, pendant le règne agité de Chah Ismail, furent transférées à la Cour Ottomane, afin qu'il ne reste aucun sujet de complainte, nous donnons, en présent, un de ces Territoires à Sa Majesté l'Empereur des Turcs. Et puisque dans la lettre royale que le très-noble Netif Effendi nous a portée, Sa très haute Majesté désire d'établir l'amour & la bienveillance entre les deux Empires, de génération à génération, de notre part nous croyons, que la confirmation de cette amitié, & la tranquillité de nos Dominations, sont des objets aussi importans qu'avantageux; nous désirons donc que la paix faite autrefois, dans le tems de Morad quatrième, entre less Turcs & les Persans, soit renouvelée; & nous demandons, que Sa dite Majesté acquiesce gracieusement à ce présent Traité de paix, qui contient le plan, la stipulation, trois Articles, & un Supplément.

Plan ou Fondement du Traité.

Que la paix conclue dans le tems du Sultan Morad quatrième, d'heureuse mémoire, entre les deux Empires de Perse & de Turquie, soit renouvelée; puisse-t-elle demeurer ferme, & perpétuelle dans toutes les Provinces, & puisse sa continuation n'être altérée ni troublée par aucun manquement!

Stipulation.—Après que toutes commotions sont endormies, que le sabre est replacé dans le fourreau, après que tout ce qui peut renverser la paix, & détruire l'amitie, est écarté; que la bénédiction de Dieu, le pacte d'amour & d'unanimité, soit durable entre les deux empires, & les familles des deux monarques, jusqu'au jour du jugement.

ARTICLE. 1.

Persian Pilgrims.

Que les pélerins de Perse, qui passeront par Bagdad, ou par la Syrie, pour se rendre au temple sacré, seront conduits d'une station à l'autre en

sûreté, & protégés par les magistrats & gouverneurs des places, qui se trouvent dans leur voyage.

ARTICLE 2.

Commissioners to be appointed to receive Mutual Tributes.

Pour confirmer l'amitié & l'alliance entre les deux Cours, que tous les trois ans un Commissaire soit envoyé de la Porte en Perse, & de la Perse en Turquie, pour recevoir les tributs mutuels.

ARTICLE 3.

Freedom of Slaves. Slave Trade.

Que les esclaves de chacune des deux nations soient mis en liberté, & qu'il ne soit pas permis de les acheter, ou vendre, mais qu'ils ayant le privilège de retourner dans leurs pays respectifs.

Frontier Disturbances.

Appendice ou Supplément—Que les Gouverneurs de toutes les villes frontières évitent toutes commotions, qui peuvent tendre à la dissolution de ce Traité; & que les Persans s'abstiennent de toutes expressions peu convénables relativement à la religion qu'ils ont embrassée, & à celle qu'ils ont désertée, pour suivre la secte des Sunnis.

Pilgrims to Mecca, Medina, or other Holy Cities.

Qu'ils ne mentionnent jamais les grands Califes sans due révérence & prières; que lorsqu'ils voyagent pour aller ou au temple de la Mecque, ou à Medine, ou dans quelques autres cités célèbres, ou qu'ils traversent la Natolie avec d'autres pélerins du pays, ou de quelque autre nation Mahométane, ils ne leur montrent aucune marque d'aversion ou d'aliénation.

Customs Duties.

Qu'aussi dans les Villes Impériales on ne mette aucun impôt sur ceux qui ne font aucun profit par le commerce, mais que les officiers de la douane fassent payer des droits seulement aux commerçans, & ne demandent rien de plus, & qu'enfin dans ces occasions on tienne la même conduite dans les deux Empires.

Observance of Stipulations of Treaty.

Nous déclarons donc, en vertu de ce Traité, que la susdite paix & les Articles mentionnés en celle, demeureront à jamais fermes entre les deux Empires & les familles de leurs souverains, bien entendu, tant qu'il n'y aura aucune action contraire de commise, de l'un ou de l'autre côte.

Quiconque de sa part sera coupable d'une telle violation, offensera contre sa propre conscience, & quiconque observera ces Conventions, recevra du ciel une récompense.

Ecrit dans le mois sacré Moharrem, l'année 1160 de notre Prophète auquel soit louanges & saluts!

[January, 1747.]

APPENDIX No. V.—*Page 10.*

TRANSLATION of the TREATY of GULISTAN between RUSSIA and PERSIA, 1813.

Their Majesties the Emperor of Russia and the King of Persia, actuated by their affections towards their respective subjects, are anxious to commute the present hostilities so repugnant to their disposition, to an amicable understanding. With this view Lieutenant-General Ritischeuf, Governor-General and Commander-in-Chief in Georgia, the line of Caucasus, Laghoor, and Astrachan, and Commander-in-Chief of the Caspian Fleet, Knight of the Order of Alexander Neuski, of the 1st Order of St. Anne, and 4th of the Military Order of St. George, and of the Sword of Bravery, is fully empowered to treat on the part of His Majesty the Emperor of Russia.

His Excellency Mirza Abul Hussein Khan, late Ambassador to the Courts of Constantinople and London, of noble descent, &c., &c., &c., is appointed Plenipotentiary on the part of His Majesty the King of Persia.

The Plenipotentiaries having met at the Russian camp on the banks of Zuivan near Gulistan in the district of Karabagh, and having exchanged their credentials in the name of their respective Sovereigns whom they severally represent, hold themselves bound religiously to observe for ever the articles and conditions here entered into.

ARTICLE 1.

After the conclusion of this Treaty the hostilities which have hitherto existed between the States of Russia and Persia shall cease, and peace shall be established between the respective sovereigns and their allies for ever.

ARTICLE 2.

The *status quo ad presentem* having been agreed on as the basis of treating in virtue of this arrangement, the several districts hitherto possessed by the respective States shall remain under their subjection, and the frontier is determined in the manner under written.

The line of demarcation is to commence from the plain of Aduna Bazar, running direct towards the plain of Moghan to the ford of the Anas at Yuln Bulook, up the Anas to the Junction of the Capennuk Chace at the

back of the hill of Mekri; from thence the boundary of Karabagh and Nukshivan is from above the mountains of Alighuz to Dualighuz, and thence the boundary of Karabagh, Nukshivan, Erivand, and also part of Georgia, and of Kuzah and Shums-ud-deen Loo is separated by Eishuk Meidaun; from Eishuk Meidaun the line is the chain of mountains on the right and the river of Humya Chummun, and from the tops of the mountains of Alighuz it runs along the village of Shoorgil and between those of the village of Mystery until it reaches the river of Arpachahi; and as the district of Talish during the hostilities has been partially subjected by the contending parties, for the purpose of strengthening mutual confidence after the conclusion of the Treaty, Commissioners shall be appointed respectively, who, in concurrence with each other and with the cognizance of the Governors concerned, shall determine what mountains, rivers, lakes, villages, and fields shall mark the line of frontier, having first ascertained the respective possessions at the time of making the Treaty, and holding in view the *status quo ad presentem* as the basis on which the boundaries are to be determined.

If the possessions of either of the High Contracting Parties shall have been infringed on by the above-mentioned boundaries, the Commissioners shall rectify it on the basis of the *status quo ad presentem.*

ARTICLE 3.

His Majesty the King of Persia, in demonstration of his amicable sentiments towards the Emperor of Russia, acknowledges in his own name and that of his heirs the sovereignty of the Emperor of Russia over the provinces of Karabagh and Georgia, now called Elizabeth Paul, the districts of Shekie, Shiriwan, Kobek, Derbend, Bakoobeh, and such part of Talish as is now possessed by Russia, the whole of Degesten, Georgia, the tract of Shoorgil, Achook, Bash, Gooreea, Mingrelia, Abtichar, the whole country between the boundary at present established and the line of Caucasus, and all the territory between the Caucasus and the Caspian Sea.

ARTICLE 4.

His Majesty the Emperor of Russia, actuated by similar feelings towards His Majesty of Persia, and in the spirit of good neighbourhood wishing the Sovereign of Persia always to be firmly established on the throne, engages for himself and heirs to recognise the Prince who shall be nominated heir-apparent, and to afford him assistance in case he should require it to suppress any opposing party. The power of Persia will thus be increased by the aid of Russia. The Emperor engages for himself and heirs not to interfere in the dissensions of the Prince, unless the aid of the Russian arms is required by the King of the time.

ARTICLE 5.

The Russian merchantmen on the Caspian Sea shall, according to their former practice, have permission to enter the Persian harbours, and the Per-

sians shall render to the Russian Marine all friendly aid in case of casualties by storm or shipwreck.

Persian merchantmen shall enjoy the same privilege of entering Russian harbours, and the like aid shall be afforded to the Persian marine by the Russians in case of casualties by storm or shipwreck.

The Russian flag shall fly in the Russian ships-of-war which are permitted to sail in the Caspian, as formerly; no other nation whatever shall be allowed ships-of-war on the Caspian.

ARTICLE 6.

The whole of the prisoners taken either in battle or otherwise, whether Christians or of any other religion, shall be mutually exchanged at the expiration of three months after the date of the signature of the Treaty. The High Contracting Parties shall give a sum to each of the prisoners for his expenses, and send them to Kara Ecclesia; those charged with the superintendence of the exchange on the frontiers shall give notice to each other of the prisoners being sent to the appointed place, when they shall be exchanged; and any person who either voluntarily deserted or fled after the commission of a crime shall have permission to return to his country, [or] shall remain without molestation. All deserters who return to their country shall be forgiven by both contracting parties.

ARTICLE 7.

In addition to the above articles, the two contracting sovereigns have been pleased to resolve to exchange Ambassadors, who at a proper period will be sent to their respective capitals, where they will meet with that honour due to their rank, and due attention shall be paid to the requests they may be charged to make. Mercantile agents shall be appointed to reside in the different cities for the purpose of assisting the merchants in carrying on their trade; they shall only retain ten followers; they shall be in no ways molested; they shall be treated with respect and attention, and parties of either nation injured in the way of trade may by their interference have their grievances redressed.

ARTICLE 8.

With regard to the intercourse of caravans, the merchants of either country must be provided with a passport that they may travel either by sea or land without fear, and individuals may reside in either country for the purpose of trade so long as it suits their convenience, and they shall meet with no opposition when they wish to return home. In regard to merchandise and goods, brought from Russia to Persia, or sent from Persia to Russia, the proprietors may at their own discretion either sell or exchange them for other property. Merchants having occasion to complain of failure of payment or other grievances will state the nature of their cases to the mercantile agents; or, if there are none resident in the place, they will apply to the

Governor, who will examine into the merits of their representations, and will be careful that no injustice be offered this class of men. Russian merchants having entered Persia with merchandise will have permission to convey it to any country in alliance with that State, and the Persian Government will readily furnish them a passport to enable them to do so. In like manner, Persian merchants who visit Russia will have permission to proceed to any country in alliance with Russia. In case of a Russian merchant dying in Persia, and his goods remaining in Persia, as they are the property of a subject of a friendly State, they shall be taken charge of by the proper constituted authorities, and shall be delivered over, on demand, to the lawful heirs of the deceased, who shall have permission to dispose of them. As this is the custom among all civilised nations, there can be no objection to this arrangement.

ARTICLE 9.

The duties on Russian merchandise brought to Persian ports shall be in the proportion of five hundred dinars (or 5 per cent.) on property of the value of one toman, which having been paid at one city the goods may be conveyed to any part of Persia without any further demand of duty being made on any pretence whatever. The like percentage, and nothing more, will be paid on exports. The import and export duties from Persian merchants in Russia will be levied at the same rate.

ARTICLE 10.

On the arrival of goods at the seaport towns, or such as come by land-carriage to the frontier towns of the two States, merchants shall be allowed to sell or exchange their goods without the further permission of the Custom House Officers, because it is the duty of Custom House Officers to prevent all sorts of delay in the prosecution of trade, and to receive the King's customs from the buyer or seller as may be agreed between them.

ARTICLE 11.

After the signature of this Treaty the respective plenipotentiaries shall immediately announce the peace to the different frontier posts and order the suspension of all further hostilities; and two copies of this Treaty being taken with Persian translations, they shall be signed and sealed by the respective plenipotentiaries, and be exchanged. They must then be ratified by the signatures of their Majesties of Russia and Persia, and the ratifications shall be exchanged in the course of three months.

Done in the Russian camp, at the River Zuivan near Gulistan in Karabagh.

The 12th October 1813. — *The 29th Showal 1828 Higira.*

Signed and Sealed. } NICHOLAS RITISCHEUF.

Signed and Sealed. } MIRZA ABUL HUSSEIN KHAN.

APPENDIX No. VI.—*Page 10.*

TREATY of TURKMANCHAI between RUSSIA and PERSIA, 1828.

IN the name of Almighty God, His Majesty the Most High, Most Illustrious, and Most Powerful Emperor and Autocrat of all the Russias, and His Majesty the Shah of Persia, equally animated by a sincere desire to put a period to the evils of a war entirely contrary to their mutual wishes, and to re-establish on a solid basis the former relations of good neighbourhood and amity between the two States, through the medium of a peace, comprising in itself the guarantee of its duration, by the removal of all causes of future difference and misunderstanding, have appointed the following Plenipotentiaries charged with the execution of this salutary work, namely, on the part of His Majesty the Emperor of all the Russias, the Sieur Jean Paskevitch, General of Infantry, and Aide-de-Camp General, Commandant of the Corps detached from the Caucasus, Superintendent of the civil portion of Georgia, and of the administrations of Astracan and of the Caucasus, Commandant of the Flotilla of the Caspian Sea, Knight of the Diamond Orders of St. Alexander Newsky; of St. Anne of the 1st Class; of St. Vladimir of the 1st Class; of St. George of the 2nd Class; decorated with two swords of Honour, one of which bears the inscription "for valour," and the other bedecked with diamonds, Knight of the Foreign Orders of the Red Eagle of Prussia of the 1st Class, of the Crescent of the Sublime Ottoman Porte, and of many others; the Sieur Alexander Obuskoff,

AU nom de Dieu Tout Puissant, Sa Majesté le très haut, très illustré, et très puissant, Empereur et autocrate de toutes les Russies, et Sa Majesté le Padischah de Perse, également animés d'un sincère désir de mettre un terme aux maux d'une Guerre entièrement contraire à leurs mutuelles dispositions, et de rétablir sur une base solide les anciens rapports de bon voisinage et d'amitié entre les deux états, au moyen d'une Paix, qui porte en elle même la garantie de sa durée, en éloignant tout sujet de différence et de mésintelligence futures, ont désigné par leurs Plénipotentiaires, chargés de travailler à cette œuvre salutaire; savoir; Sa Majesté l'Empereur de toutes les Russies, le Sieur Jean Paskewitch, général d'Infanterie, et son Aide-de-Camp Général, Commandant le corps détaché du Caucase, Dirigeant la Partie civile de la Georgie, et des Gouvernements d'Astrachan et du Caucase, Commandant la flotille de la mer Caspienne, et Chevalier des ordres de St. Alexandre Newsky en diamans, de St. Anne de la première classe en diamans; de St. Vladimir de la première classe; de St. George de la seconde classe; décoré de deux épées d'honneur, dont un est en or, avec l'inscription "pour la Valeur," et l'autre enrichie de diamans; et chevalier des ordres étrangères de l'aigle rouge de Prusse de la première classe, du croissant de la sublime Porte Ottomane, et de plusieurs autres; le Sieur Alexandre Abuskoff Son Conseiller d'état actuel et chambellan, Chevalier de

Counsellor of State and Chamberlain, Knight of the Order of St. Vladimir of the 3rd Class, of St. Stanislas of Poland of the 2nd Class, and of St. John of Jerusalem; and on the part of His Majesty the Shah of Persia, His Royal Highness the Prince Abbas Mirza, who, after having met at Dekhargane and exchanged their full powers which were found in good and due form, have adopted and concluded the following Articles :—

ARTICLE 1.

There shall be established from this day peace, amity, and perfect understanding between His Majesty the Emperor of all the Russias on the one part, and His Majesty the Shah of Persia on the other part, their heirs and successors, their respective States and subjects, in perpetuity.

ARTICLE 2.

Considering that the hostilities between the high contracting parties, now happily terminated, have caused the suspension of the obligations imposed on them by the Treaty of Gulistan, His Majesty the Emperor of all the Russias and His Majesty the Shah of Persia have deemed it proper to replace the said Treaty of Gulistan by the present clauses and stipulations, which are intended to regulate and consolidate more and more the future relations of peace and amity between Russia and Persia.

ARTICLE 3.

His Majesty the Shah of Persia, as well in his own name as in that

l'ordre de St. Vladimir de la troisième classe, de St. Stanislas de Pologne de la 2me classe, et de St. Jean de Jérusalem ; et Sa Majesté le Schah de Perse, son Altesse Royale le Prince Abbas Mirza, lesquels après s'être réunis à Dekhargane, et avoir échangé leurs pleins pouvoirs, trouvés en bonne et due forme, ont arrêté et conclu les Articles suivans :—

ARTICLE 1.

Il y aura à compter de ce jour, paix, amitié, et parfaite intelligence, entre Sa Majesté l'Empereur de toutes les Russies d'une part, et Sa Majesté le Schah de Perse de l'autre part, leurs héritiers et successeurs, leurs états et leurs sujets respectifs à perpétuité.

ARTICLE 2.

Considérant que les hostilités servenues entre les hautes parties contractantes, et heureusement terminées aujourd'hui ont fait cesser les obligations que leur imposait le Traité de Gulistan, Sa Majesté l'Empereur de toutes les Russies et Sa Majesté le Padischah de Perse, ont jugé convenable de remplacer le dit Traité de Gulistan par les présentes clauses et stipulations lesquelles sont destinées à régler, et à consolider de plus en plus, les relations futures de paix et d'amitié entre la Russie et la Perse.

ARTICLE 3.

Sa Majesté le Schah de Perse tant en son propre nom qu'en celui de ses

of his heirs and successors, cedes in full right and property to the Empire of Russia the Khanat of Erivan on either side of the Araxes, and the Khanat of Nackhtchivan. In consequence of this cession, His Majesty the Shah engages to cause the delivery to the Russian authorities within the space of six months at farthest from the signature of the present Treaty of all the archives and public documents concerning the administration of the two Khanats above mentioned.

ARTICLE 4.

The two high contracting parties agree to establish, as the frontier between the two States, the following line of demarcation :—

Commencing from that point of the frontier of the Ottoman States, which is the nearest in a direct line to the summit of little Arrarat, this line (of demarcation) shall proceed as far as the top of that mountain, whence it shall descend as far as the source of the river called Karasson inferior, which flows from the southern side of Little Arrarat, and shall pursue its course down to the river's mouth in the Araxes opposite to Cherour. At this point the line shall follow the bed of the Araxes as far as the fortress of Abassabad; about the exterior works of this place which are situated on the right bank of the Araxes, there shall be drawn a radius of half an Agatch, or three and a half Russian versts, which will extend in every direction; all the territory comprised in this radius shall belong exclusively to Russia, and shall be marked out with the greatest exactness within the period of two months

héritiers et successeurs, céde en toute propriété à l'Empire de Russie le Khanat d'Erivan, tant en deca qu'en de là de l'Araxe, et le Khanat de Nackhtchivan. En conséquence de cette cession, Sa Majesté le Schah s'engage à faire remettre aux autorités Russes, dans l'espace de six mois au plus à partir de la signature du présent Traité, toutes les archives, et tous les documens publics, concernant l'administration des deux Khanats susmentionnés.

ARTICLE 4.

Les deux hautes parties contractantes conviennent d'établir pour frontière entre les deux états la ligne de démarcation suivante :—

En partant du point de la frontière des états Ottomans le plus rapproché en ligne droite de la sommité du Petit Arrarat, cette ligne se dirigera jusqu'à la sommité de cette montagne, d'où elle descendra jusqu'à la source de la rivière dite Karasson inférieure, qui découle du versant méridional du Petit Arrarat, et elle suivra son cours jusqu'à son embouchure dans l'Araxe vis à vis de Cherour. Parvenue à ce point, cette ligne suivra le lit d'Araxe jusqu'à la Fortresse d'Abassabad; autour des ouvrages extérieurs de cette place, qui sont situés sur la rive droite de l'Araxe, il sera tracé un rayon d'un demi Agatch ou trois verstes et demie de Russie, lequel s'étendra dans toutes les directions; tout le terrain qui sera renfermé dans ce rayon appartiendra exclusivement à la Russie, et sera démarqué avec la plus grande exactitude, dans l'espace de deux mois à dater de ce jour. Depuis l'endroit où l'extrémité orientale de ce rayon aura réjoint l'Araxe, la ligne frontière continuera à suivre le lit de ce fleuve

from this date. From the point where the eastern extremity of the radius shall have joined the Araxes, the frontier line shall continue to follow the bed of that river as far as the ford of Jediboulouk, whence the Persian territory shall extend along the bed of the Araxes over a space of three Agatch or 21 versts below the confluence of the two little rivers called Odinabazar und Sarakamyche, and shall proceed along the right bank of the eastern stream of Odinabazar up to its source, and thence as far as the apex of the heights of Djikoir, so that all the rivers which terminate in the Caspian Sea shall belong to Russia, and all those whose course (or disemboguement) is on the side of Persia shall belong to Persia. The boundary of the two States being here marked by the ridge of the mountains, it is agreed that their declivity on the side of Talische shall belong to Russia, and the opposite declivity to Persia. From the ridge of the heights of Djikoir the frontier shall proceed as far as the summit of Kamar Konia, the mountains which separate Talyche from the district of Archa. The ridges of the mountains forming the separation on both sides, the course of the rivers shall determine here the frontier line in the same manner as is above indicated in regard to the distance comprised between the source of Odinabazar and the heights of Djikoir. The frontier line shall then proceed from the summit of Kamar Konia, the ridge of mountains separating the district of Zouvant from that of Archa, to the limits of Welkidgi, always conformably to the principle laid down

jusqu'au gué de Jediboulouk, d'où le territoire Persan s'étendra le long du lit de l'Araxe sur un espace de trois Agatch ou 21 verstes au dessous du confluent des deux petites rivières appelées Odinabazar et Sarakamyche, et s'etendra le long de la rive droite de la rivière orientale d'Odinabazar jusqu'à sa source, et de là jusqu'à la cime des hauteurs de Djikoir, de manière que toutes les eaux qui aboutissent à la mer Caspienne appartiendront à la Russie, et toutes celles dont le versant est du côté de la Perse, appartiendront à la Perse. La limite des deux états étant marquée ici, par la crête des montagnes, il est convenu que leur déclinaison du côté de Talische appartiendra à la Russie et que leur pente opposée appartiendra à la Perse. De la crête des hauteurs de Djikoir, la frontière suivra jusqu'à la sommité de Kamar Konia, les montagnes qui séparent le Talyche du district d'Archa. Les crêtes des montagnes séparent de part et d'autre le versant des eaux, détermineront ici la ligne frontière de la même manière qu'il est dit ci-dessus au sujet de la distance comprise entre la source d'Odinabazar et les sommités de Djikoir. La ligne frontière suivra ensuite depuis la sommité de Kamar Konia, les crêtes des montagnes qui séparent le district de Zouvant de celui d'Archa, jusqu'à la limite de celui de Welkidgi, toujours conformément au principe énoncé par rapport au versant des eaux. Le district de Zouvant, à l'exception de la partie située de côté opposé de la cime des dites montagnes, tombera de la sorte en partage à la Russie.

respecting the course of the rivers; the district of Zouvant, with the exception of the portion situated on the opposite side of the apex of the said mountains, shall thus fall to the share of Russia.

From the limits of the district of Welkidgi the frontier line between the two States shall follow the summits of Klopontz, and the principal chain of mountains which intersect the district of Welkidgi, as far as the northern source of the river called Astara, always observing the principle regarding the course of the rivers; thence the frontier shall follow the bed of that stream to its embouchure in the Caspian Sea and complete the line of demarcation which shall henceforward separate the respective possessions of Russia and Persia.

A partir de la limite du district de Welkidgi, la ligne frontière entre les deux états suivra les sommités de Klopontz, et la chaine principale des montagnes, qui traversent le district de Welkidgi, jusqu'à la source septentrionale de la rivière dite Astara, toujours en versant des eaux;—de là la frontière suivra le lit de ce fleuve jusqu'à son embouchure dans la mer Caspienne, et complétera la ligne de démarcation qui séparera dorénavant les possessions respectives de la Russie et de la Perse.

ARTICLE 5.

His Majesty the Shah of Persia, in testimony of his sincere friendship for His Majesty the Emperor of all the Russias, solemnly recognizes the present Article, in his own name and in that of his heirs and successors to the Throne of Persia, the appertainment for ever to the Empire of Russia of all the countries and the islands situated between the line of demarcation indicated by the preceding Article on one side, and the ridge of the Caucasian Mountains and the Caspian Sea on the other, as also the wandering tribes who inhabit those territories.

ARTICLE 5.

Sa Majesté le Schah de Perse, en témoignage de son amitié sincère pour Sa Majesté l'Empereur de toutes les Russies, reconnoit solennellement par le présent Article, tant en son nom qu'au nom de ses héritiers, et successeurs au trône de Perse, comme appartenant à jamais à l'Empire de Russie, tous les pays et toutes les îles situées entre la ligne de démarcation désignée par l'article précédent d'un côté, et la crête des montagnes du Caucase et la mer Caspienne de l'autre, de même que les peuples noma les et autres qui habitent ces contrées.

ARTICLE 6.

With a view to compensate for the considerable sacrifices which

ARTICLE 6.

Dans le but de compenser les sacrifices considérables que la guerre

the war between the two States has occasioned to the Empire of Russia, as well as the losses and injuries which have resulted therefrom to Russian subjects, His Majesty the Shah of Persia engages to make good these by the payment of a pecuniary indemnity. It is agreed between the two high contracting parties that the amount of this indemnity is fixed at ten crores of tomans, or thirty millions of silver roubles, and that the mode, time, and guarantee in respect to the payment of this sum shall be regulated by a separate arrangement.

qui a éclaté entre les deux états a occasionné à l'Empire de la Russie, ainsi que les pertes et dommages, qui en sont résultés pour les sujets Russes, Sa Majesté le Schah de Perse s'engage à les bonifier moyennant le payement d'une indemnité pécuniaire. Il est convenu entre les deux hautes parties contractantes, que le montant de cette indemnité est fixé à dix crores de tomans raidje ou trente millions de roubles d'argent, et que le mode, les termes, et les guaranties du payement de cette somme, seront réglés par un arrangement particulier.

ARTICLE 7.

His Majesty the Shah of Persia, having deemed it expedient to nominate, as his successor and heir presumptive, his august son the Prince Abbas Mirza, His Majesty the Emperor of all the Russias, with a view to afford to His Majesty the Shah of Persia a public testimony of his amicable disposition, and of his desire to contribute towards the consolidation of this order of succession, engages to recognize henceforward in the august person of His Royal Highness the Prince Abbas Mirza the successor and heir presumptive of the Crown of Persia and to consider him as the legitimate Sovereign of that kingdom from the moment of his accession to the throne.

ARTICLE 7.

Sa Majesté le Schah de Perse ayant jugé à-propos, de désigner pour son successeur et héritier présomptif son auguste fils le Prince Abbas Mirza, Sa Majesté l'Empereur de toutes les Russies, afin de donner à Sa Majesté le Schah de Perse un témoignage public de ses dispositions amicales et de son désir de contribuer à la consolidation de cet ordre de succession, s'engage à reconnaître dès aujourd'hui dans l'auguste personne de son Altesse Royale le Prince Abbas Mirza, le successeur et l'héritier présomptif de la couronne de Perse, et à le considérer comme legitime Souverain de ce royaume dès son avènement au trône.

ARTICLE 8.

Russian merchant vessels shall enjoy as formerly the right of navigating in freedom the Caspian Sea, and of landing on its coasts. They shall find in Persia aid and assistance in case of shipwreck. The

ARTICLE 8.

Les bâtimens marchands Russes jouiront, comme par le passé, du droit de naviguer librement sur la mer Caspienne, et le long de ses côtes et d'y aborder. Ils trouveront en Perse secours et assistance dans le cas de nauf-

same right is granted to Persian merchant vessels of navigating on the *ancient footing* the Caspian Sea, and of landing on the Russian banks, where in case of shipwreck the Persians shall receive aid and assistance reciprocally. With respect to ships of war those carrying the Russian military colours, being *ab antiquo* the only vessels which have had the right of navigating the Caspian Sea, that exclusive privilege is for this reason now equally reserved and secured to them, so that, with the exception of Russia, no other power shall be able to have ships of war in the Caspian Sea.

ARTICLE 9.

His Majesty the Emperor of all the Russias and His Majesty the Shah of Persia, cordially desirous of drawing closer by every means the bonds so happily re-established between them, have agreed that the Ambassadors, Ministers, and Chargés d'Affaires who may be reciprocally delegated to the respective High Courts, whether on a temporary mission, or for the purpose of residing there permanently, shall be received with the honours and distinctions due to their rank, and suited to the dignity of the high contracting parties, as well as to the sincere friendship which unites them and the usages of the countries. In this respect the ceremonials to be observed on both sides shall be agreed upon by means of a special Protocol.

ARTICLE 10.

His Majesty the Emperor of all the Russias, and His Majesty the

rage. Le même droit est accordé aux bâtimens marchands Persans de naviguer sur *l'ancien pied*, dans la mer Caspienne, et d'aborder aux rivages Russes, où, en cas de naufrage, les Persans recevront réciproquement secours et assistance Quant aux bâtimens de guerre, ceux qui portent le pavillon militaire Russe, étant *ab antiquo* les seuls qui aient le droit de naviguer la mer Caspienne, ce même privilège exclusif leur est par cette raison également réservé, et assuré aujourd'hui, de sorte qu'à l'exception de la Russie aucune autre puissance ne pourra avoir des bâtimens de guerre sur la mer Caspienne.

ARTICLE 9.

Sa Majesté l'Empereur de toutes les Russies, et Sa Majesté le Schah de Perse, ayant à cœur de resserrer par tous les moyens les liens si heureusement rétablis entre eux, sont convenus que les Ambassadeurs, Ministres, et Chargés d'Affaires, qui pourraient être réciproquement délégués auprès des hautes cours respectives, soit pour s'acquitter d'une mission temporaire, soit pour y résider en permanence, seront reçus avec les honneurs et distinctions analogues à leur rang, et conformes à la dignité des Hautes Puissances contractantes, comme à l'amitié sincère qui les unit et aux usages du pays. On conviendra à cet effet, moyennant un Protocole spécial, du cérémoniel à observer de part et d'autre.

ARTICLE 10.

Sa Majesté l'Empereur de toutes les Russies, et Sa Majesté le Schah de

Shah of Persia, considering the re-establishment and extension of the commercial relations between the two States as one of the principal benefits which the return of peace should produce, have agreed to regulate all the arrangements relative to the protection of commerce and the security of their respective subjects, as stated in a separate Act hereunto annexed, concluded between the respective Plenipotentiaries, and which shall be considered as forming an integral part of the present Treaty of Peace. His Majesty the Shah of Persia reserves to Russia as formerly the right of appointing Consuls or Commercial Agents wherever the good of commerce may require, and he engages to allow these Consuls or Agents, each of whom shall not have a suite of more than ten individuals under his protection, the enjoyment of the honours and privileges due to their public character.

His Majesty the Emperor of all the Russias promises on his part to observe a perfect reciprocity in regard to the Consuls or Commercial Agents of His Majesty the Shah of Persia; in the event of any well-grounded complaint on the part of the Persian Government against any one of the Russian Consuls or Agents, the Minister or Chargé d'Affaires of Russia, residing at the Court of His Majesty the Shah, and under whose immediate orders they shall be placed, will suspend him from his functions and confer the charge provisionally on whomsoever he may think proper.

ARTICLE II.

All the affairs and demands of their respective subjects, suspen-

Perse, considérant le rétablissement et l'extension des relations commerciales entre les deux états, comme un des premiers bienfaits que doit produire le retour de la paix, sont convenus de règler dans un parfait accord toutes les dispositions relatives à la protection du commerce, et à la sureté des sujets respectifs, et de les consigner dans un acte séparé et ci annexé, arrêté entre les Plénipotentiaires respectifs, et qui est, et sera considéré comme faisant partie intégrante du présent traité de paix. Sa Majesté le Schah de Perse réserve à la Russie, comme par le passé, le droit de nommer des Consuls ou Agens commerciaux partout, où le bien de commerce l'exigera, et il s'engage à faire jouir ces Consuls ou Agents, chacun desquels n'aura pas une suite de plus de dix individus de sa protection, des honneurs et des privilèges attachés à leur caractère public.

Sa Majesté l'Empereur de toutes les Russies promet de son côté, d'observer une parfaite réciprocité à l'égard des Consuls ou Agens commerciaux de Sa Majesté le Schah de Perse. En cas de plainte fondée, de la part du Gouvernement Persan, contre un des Agens ou Consuls Russes, le Ministre ou Chargé d'Affaires de Russie, résident auprès de la cour de Sa Majesté le Schah, et sous les ordres immédiats duquel ils seront placés, le susprendra de ses fonctions, et en conférera provisoirement la gestion à qui il le jugera convenable.

ARTICLE II.

Toutes les affaires et réclamations des sujets respectifs, suspendues

ded by the event of the war, shall be resumed and settled comformably to the principles of justice after the conclusion of peace. The debts which their respective subjects may have contracted among themselves shall be promptly and wholly liquidated.

ARTICLE 12.

The high contracting parties agree with a view to the interests of their respective subjects to fix a term of three years in order that those who possess simultaneously immoveable property on either side of the Araxes may have the power to sell or to exchange the same freely. His Imperial Majesty of all the Russias excepts, nevertheless, from the benefits of this arrangement (as far as it respects them) the late Erivan Sirdar Hossein Khan, his brother Ha Jun Khan, and Kurreem Khan, former Governor of Nacktchivan.

ARTICLE 13.

All prisoners of war made on either side, whether in the course of the last war or before, as well as the subjects of the two Governments who may have fallen into captivity at any period whensoever, shall all be freely delivered over within the term of four months, and after having been supplied with provisions and other necessary articles, they shall be sent to Abbassabad to be there made over to the Commissioners respectively deputed to receive them and to take measures for their conveyance to their homes. The high contracting parties will

par l'événement de la guerre, seront reprises et terminées suivant la justice, après la conclusion de la paix. Les créances que les sujets respectifs peuvent avoir les uns envers les autres, ainsi que celles sur le jeu, seront promptement et entièrement liquidées.

ARTICLE 12.

Les hautes parties contractantes conviennent d'un commun accord dans l'intérêt de leurs sujets respectifs de fixer un terme de trois ans pour que ceux d'entre eux qui ont simultanément des propriétés immobilières en decà et en delà de l'Araxe, ayant la faculté de les vendre, ou de les échanger librement. Sa Majesté Impériale de toutes les Russies excepte néanmoins du bénéfice de cette disposition, en autant qu'elle la concerne, le cidevant Sirdar Erivan Houssein Khan, son frère Ha Jan Khan, et Kerim Khan, cidevant Gouverneur de Nacktchivan.

ARTICLE 13.

Tous les prisonniers de guerre faits de part et d'autre, soit dans le cours de la dernière guerre, soit auparavant, de même que les sujets des deux Gouvernements réciproques tombés en captivité à quelque époque que ce soit, seront tous librement rendus dans le terme de quatre mois, et après avoir été pourvus de vivres et autres objets nécessaires, ils seront dirigés sur Abbassabad pour y être remis entre les mains des Commissaires, respectivement chargés de les recevoir et d'aviser à leur renvoi ultérieur dans leurs foyers. Les hautes parties contractantes en useront de même à

adopt the same course in regard to all prisoners of war, and all Russian and Persian subjects reciprocally found in captivity who may not have been restored within the term above mentioned either by reason of the distance at which they may have been, or owing to any other cause or circumstances whatever. The two Governments expressly reserve to themselves the unlimited right of claiming them at any time, and they bind themselves to restore them reciprocally, as soon as they shall present themselves, or shall be claimed.

ARTICLE 14.

The high contracting parties shall not demand the surrender of refugees and deserters who may have passed under their respective dominations before or during the war.

With a view, however, to prevent mutually the prejudicial consequences which might result from the communication which some of these refugees may maintain with their old compatriots, the Persian Government engages not to tolerate within its possessions situated between the Araxes and the line formed by the river called Tehan, the Lake of Aroomiah, the River of Djikaton, and by the river named Hizri Ozane, as far as its confluence with the Caspian Sea, the presence of the individuals who shall be designated by name now, or who may be so indicated hereafter.

His Majesty the Emperor of all the Russias promises equally on his part not to permit Persian refugees to settle in the Khanats of Karabagh and Nacktchivan, as well as in the portion of the

l'égard de tous les prisonniers de guerre, et de tous les sujets Russes et Persans réciproquement tombés en captivité, que n'auraient pas été restitués dans le terme susmentionné, soit en raison de l'éloignement où ils seraient trouvés, soit par tout autre cause ou circonstance. Les deux Gouvernements se réservent expressément le droit illimité de les réclamer en tout tems, et ils s'obligent à les restituer mutuellement à mesure qu'il se présenteront, ou à mesure qu'ils les reclameront.

ARTICLE 14.

Les hautes parties contractantes n'exigeront pas l'extradition des transfuges et déserteurs qui auraient passé sous leurs dominations respectives avant ou pendant la guerre.

Toutefois, pour prévenir les conséquences mutuellement préjudiciables qui pourraient résulter des intelligences que quelques-uns de ces transfuges chercheraient à entretenir avec leurs anciens compatriotes ou vassaux, le Gouvernement Persan s'engage à ne pas tolérer dans ses possessions, situées entre l'Araxe et la ligne formée par la rivière dite Tehan, par le lac d'Oroumiah, par la rivière dite Djikaton, et par la rivière dite Hizri Ozane, jusqu'à son confluent dans la mer Caspienne, la présence des individus, qui lui seront nominalement désignés maintenant ou qui seraient signalés à l'avenir.

Sa Majesté l'Empereur de toutes les Russies promet également de son côte de ne pas permettre que les transfuges Persans s'établissent, ou restent à demeure, dans les Khanats de Karabaugh et de Nacktchivan,

Khanat of Erivan situated on the right bank of the Araxes. It is understood, however, that this clause is not, and shall not be, obligatory except in regard to individuals invested with a public character, or of a certain dignity, such as Khans, Begs, and Spiritual Chiefs or Mollahs, whose personal example, instigations, and clandestine communications might have a prejudicial influence on their old campatriots. As far as concerns the mass of the population in the two countries, it is agreed between the high contracting parties that their respective subjects who might have already passed, or who may hereafter pass, from one State into the other, shall be free to settle or sojourn wherever the Government under whose authority they may place themselves shall deem proper.

ainsi que dans la partie du Khanat d'Erivan située sur la rive droite de l'Araxe. Il est entendu toutefois que cette clause n'est et ne sera obligatoire qu'à l'égard d'individus revêtus d'un caractère public, ou de certaine dignité, tels que les Khans, les Begs, et les Chefs spirituels ou Mollahs, dont l'exemple personnel, les instigations, et les intelligences clandestines pourraient exercer une influence abusive sur leurs anciens compatriotes administrés, ou vassaux. Pour ce qui concerne la masse de la population dans les deux pays, il est covenu entre les hautes parties contractantes que les sujets respectifs que auraient passé, ou qui passeraient à l'avenir d'un état dans l'autre, seront libres de s'établir, ou de séjourner partout où le trouvera bon le Gouvernement, sous la domination duquel ils se seront placés.

ARTICLE 15.

With the benevolent object of restoring tranquillity to their States, and removing from their subjects all that can aggravate the evils inflicted on them by the war to which the present Treaty has so happily put an end, His Majesty the Shah grants a full and entire amnesty to all the inhabitants and functionaries of the Province called Azerbijan. None of them without any exception shall be persecuted or molested for his opinions, acts, or conduct, either during the war, or during the temporary occupation of the said Province by the Russian troops. There shall be granted to them farther the term of one year

ARTICLE 15.

Dans le but bienfaisant et salutaire de ramener le calme dans ses états et d'écarter de ses sujets tout ce qui pourrait aggraver les maux qu'a déjà attirés sur eux la guerre à laquelle le présent traité a mis si heureusement fin, Sa Majesté le Schah accorde une amnestie pleine et entière, à tous les habitans et fonctionnaires de la Province dite Azerbijan. Aucun d'eux sans exception de catégorie, ne pourra être ni poursuivi, ni molesté pour ses opinions, pour ses actes, ou pour la conduite qu'il aurait tenue, soit pendant la guerre, soit pendant l'occupation temporaire de la dite Province par les troupes Russes. Il leur sera accordé, en outre, le

from this date to remove freely with their families from the Persian Dominions into the Russian States, to export or to sell their property without the slightest opposition on the part of the Government, or the Local authorities, or the imposition of any duty or fee on the effects or articles sold or exported by them. With regard to their immoveable property, a period of five years shall be granted to them for its sale or disposal, according to their pleasure. From this amnesty are excepted those who may be guilty, within the period above mentioned of one year, of any crime or misdemeanour liable to penalties inflicted by the tribunals.

terme d'un an, à dater de ce jour, pour se transporter librement avec leurs familles des états Persans, dans les états Russes, pour exporter ou pour vendre leurs biens meubles sans que le Gouvernement, ou les autorités locales puissent y mettre le moindre obstacle, ni prélever aucun droit, ou aucune rétribution, sur les biens ou sur les objets vendus ou exportés par eux. Quant à leurs biens immeubles il leur sera accordé un terme de cinq ans, pour les vendre, ou pour en disposer à leur grè. Sont exceptés de cette amnestie, ceux qui se rendront coupables, dans l'espace de tems susmentionné d'un an de quelque crime ou délit passible des peines punis par les tribunaux.

ARTICLE 16.

Immediately after the signature of the present Treaty of peace, the respective Plenipotentiaries shall lose no time in transmitting to every quarter the necessary advices and instructions for the immediate cessation of hostilities.

The present Treaty drawn up in two parts of the same tenor, signed by the respective Plenipotentiaries, impressed with their seals, and exchanged between them, shall be confirmed and ratified by His Majesty the Emperor of all the Russias and His Majesty the Shah of Persia, and the solemn ratifications bearing their own signatures shall be exchanged between their Plenipotentiaries within the term of four months, or earlier if possible.

Signed by the Plenipotentiaries of the High Contracting Parties, Cump Turkomanchi, the 21st February 1828.

ARTICLE 16.

Aussitôt après la signature du présent Traité de paix, les Plénipotentiaires respectifs s'empresseront d'envoyer en tous les lieux les avis et injonctions nécessaires pour la cessation immédiate des hostilités.

Le présent Traité, dressé en deux instruments de la même tenuer, signés par les Plénipotentiaires respectifs, munis de leurs cachets, et échangés entre eux, sera confirmé et ratifié par Sa Majesté l'Empereur de toutes les Russies, et Sa Majesté le Schah de Perse, et les ratifications solennelles, revêtues de leur propre signature, en seront échangées entre leurs Plénipotentiaires, dans le terme de quatre mois, ou plutôt si faire se peut.

SEPARATE COMPACT (RELATIVE TO COMMERCE AND THE SECURITY OF RUSSIAN AND PERSIAN SUBJECTS RESPECTIVELY) REFERRED TO IN ARTICLE X OF THE TREATY OF TURKMANCHAI.

The two high contracting parties, desirous that their respective subjects shall enjoy all the advantages resulting from freedom of commerce on both sides, have agreed upon the following articles. Russian subjects provided with passports in due form shall be allowed to trade throughout the whole extent of the Kingdom of Persia, and also to proceed to the States adjoining the said Kingdom. In return for which Persian subjects shall be allowed to import their merchandize into Russia either by the Caspian Sea or by the frontier land separating Russia from Persia, to barter them or to make purchases for exportation; and they shall enjoy all the rights and privileges accorded in the States of His Imperial Majesty to the subjects of the most favoured friendly powers. In the event of the death of a Russian subject in Persia, his movable and immovable property, as belonging to a subject of a friendly power, shall be entirely made over to his relations or partners who shall have the right to dispose of the said property as they may think fit. In default of relations or partners the disposal of these same goods shall be entrusted to the Mission, or to the Consuls of Russia without any opposition on the part of the local authorities.

Les deux hautes parties contractantes désirant faire jouir leurs sujets respectifs de tous les avantages qui résultent d'une liberté réciproque de commerce, sont convenus de ce qui suit. Les sujets Russes, munis de passeports en bonne forme, pourront commercer dans toute l'étendue du Royaume de Perse et se rendre également dans les États voisins du dit Royaume. En réciprocité de quoi, les sujets Persans pourront importer leurs marchandises en Russie, soit par la Mer Caspienne, soit par la frontière de terre qui sépare la Russie de la Perse, les échanger ou faire des achats pour l'exportation, et ils jouiront de tous les droits et prérogatives accordes dans les États de Sa Majesté Impériale aux sujets des Puissances amies les plus favorisées. En cas de décès d'un sujet Russe en Perse, ses biens meubles et immeubles, comme appartenant à un sujet d'une Puissance amie, seront remis intégralement à ses parents ou associés, lesquels auront le droit d'aliéner les dits biens selon qu'ils le jugeront convenable. A défaut de parents, ou d'associés, la disposition de ces mêmes biens sera confiée à la Mission, ou aux consuls de Russie, sans aucune entrave de la part des autorités locales.

ARTICLE 2.

Contracts, bills of exchange, securities and other engagements

ARTICLE 2.

Les contrats, lettres de change, cautionnements et autres actes passés

passed in writing between the respective subjects in connection with their business transactions shall be registered before the Russian Consul and before the Hakim (Civil Judge), and in places where there may be no Consul, before the Hakim alone, so that in case of dispute between the two parties it may be possible to make the necessary investigation with a view to decide the difference in conformity with justice. If one of the two parties, without being provided with documents drawn up and legalized as mentioned above, which shall be valid before either Court of justice, should wish to institute an action against the other by simply producing witnesses, such claims shall not be admitted unless the defendant himself should acknowledge their validity. Every engagement contracted between the respective subjects [of the two powers] in the forms above prescribed shall be scrupulously observed, and every refusal to abide by it that might occasion loss to one of the parties, shall be visited with a proportionate indemnity from the other party. In case of the failure of a Russian merchant in Persia, his creditors shall be paid out of the goods and effects of the insolvent; but the Minister, the Chargé d'Affaires, or the Consul of Russia shall not refuse their good offices, if need be, to ascertain if the insolvent has not left in Russia disposable property which might serve to satisfy the said creditors. The friendly stipulations in the present Article shall be reciprocally observed with regard to Persian subjects who trade in Russia under the protection of the laws.

par écrit entre les sujets respectifs pour leurs affaires de commerce, seront enrégistrés chez le Consul de Russie et chez le Hakim (juge civil) et là où il ne se trouve pas de Consul, chez le Hakim seul, afin qu'en cas de contestation entre les deux parties, on puisse faire les recherches nécessaires pour décider la différence, conformément à la justice. Si l'une des deux parties, sans être pourvue des documents dréssés et legalisés comme il est dit plus haut, lesquels seront valables par devant chaque cour de justice, voulait intenter un procès à l'autre en ne produisant que des preuves testimoniales, de telles prétentions ne seront point admises, à moins que le défendeur lui-même n'en reconnaisse la légalité. Tout engagement contracté entre les sujets respectifs dans les formes ci-dessus prescrites sera religieusement observé, et tout refus d'y satisfaire qui occasionnerait des pertes à l'une des parties, donnera lieu à une indemnité proportionnelle, dela part de l'autre. En cas de faillite d'un négociant Russe en Perse, ses créanciers seront payés des biens et effets du failli; mais le Ministre, le Chargé d'Affaires, ou le Consul de Russie, ne refuseront pas s'ils en étaient requis leurs bons offices pour s'assurer si le failli n'a point laissé en Russie, des propriétés disponibles, qui puissent servir à satisfaire les mêmes créanciers. Les dispositions arrêtées dans le présent article seront réciproquement observées à l'égard des sujets Persans qui commercient en Russie, sous la protection des lois.

ARTICLE 3.

In order to secure to the commerce of the respective subjects the advantages which form the subject of the foregoing stipulations, it is agreed that the merchandize imported into Persia or exported from that Kingdom by Russian subjects, and in like manner the produce of Persia imported into Russia by Persian subjects either by the Caspian Sea or by the frontier land between the two States, as well as Russian merchandize which Persian subjects might export from the Empire by the same routes, shall be liable as heretofore to a duty of five per cent. levied once for all at their entrance or exit, and shall not thereafter be subjected to the payment of any other customs duty. If Russia should deem it necessary to make new customs regulations and new tariffs, she nevertheless engages even in that case not to increase the duty of five per cent. mentioned above.

ARTICLE 4.

If Russia or Persia should be involved in war with another Power, the respective subjects shall not be prohibited from passing with their merchandize through the territories of the high contracting parties in order to proceed to the States of the said Power.

ARTICLE 5.

Seeing that, according to the existing usages in Persia, it is difficult for foreign subjects to find houses, ware-rooms or proper places for the storage of their merchandize to let, it is permitted to

ARTICLE 3.

Afin d'assurer au commerce des sujets respectifs les avantages qui font l'objet des stipulations antérieures, il est convenu, que les marchandises importées en Perse ou exportées de ce Royaume par les sujets Russes, et pareillement les productions de la Perse importées en Russie par les sujets Persans, soit par la Mer Caspienne, soit par la frontière de terre entre les deux Etats, de même que les marchandises Russes que des sujets Persans exporteraient de l'Empire, par les mêmes voies, seront soumises, comme par le passé, à un droit de cinq pour cent perçu une fois pour toutes à leurs entrée ou à leurs sortie, et ne seront assujetties ensuite au payement d'aucun autre droit de douane. Si la Russie jugeait nécessaire d'arrêter de nouveaux règlements de douane et de nouveaux tarifs, elle s'engage néanmoins à ne pas hausser, même dans ce cas, le droit ci-dessus mentionné de cinq pour cent.

ARTICLE 4.

Si la Russie ou la Perse se trouvait en guerre avec une autre Puissance, il ne sera pas défendu aux sujets respectifs de traverser avec leurs marchandises le territoire des hautes parties contractantes pour se rendre dans les États de la dite Puissance.

ARTICLE 5.

Attendu que d'après les usages existants en Perse, il est difficile pour les sujets étrangers de trouver à louer des maisons, magasins ou emplacements propres au dépôt de leurs marchandises, il est permis aux

Russian subjects in Persia not only to rent, but also to acquire, by every right of ownership, houses to dwell in, as well as ware-rooms and places in which to deposit their merchandize. The servants of the Persian Government shall not be allowed to enter by force the said houses. ware-rooms or places without having recourse, in case of necessity, to the authority of the Minister, or of the Chargé d'Affaires, or of the Consul of Russia who shall depute an officer or dragoman to be present at the inspection of the house or of the merchandize.

sujets Russes en Perse non seulement de louer, mais aussi d'acquérir en toute propriété des maisons pour les habiter et des magasins ainsi que des emplacement pour y déposer leurs marchandises Les employés du Gouvernement Persan ne pourront entrer de force dans les dites maisons, magasins ou emplacements, à moins du recourir, en cas de nécessité à l'autorisation de Ministre, ou du Chargé d'Affaires, ou du Consul de Russie, lesquels délégueront un employé ou drogman pour assister à la visite de la maison ou des marchandises.

ARTICLE 6.

In like manner, if the Minister or Chargé d'Affaires of His Imperial Majesty, the servants of the Russian Mission, the Consuls and dragomans should find it difficult in Persia to purchase suitable materials for their clothing, or several other necessary articles of consumption, they shall be allowed to send for, on their own account, free of duty and other charges, all goods and articles which are destined exclusively for their private use.

The public Agents of His Majesty the Shah residing in the States of the Russian Empire shall enjoy perfect reciprocity in this respect. Persian subjects forming part of the suite of the Minister or Chargé d'Affaires, or Consuls, and indispensable for their service, shall enjoy, so long as they may remain with them, their protection equally with Russian subjects; but if it should happen that one among them should commit some misde-

ARTICLE 6.

De même le Ministre, ou le Chargé d'Affaires de Sa Majesté Impériale, les employés de la mission de Russie, les Consuls et les drogmans ne trouvant à acheter en Perse, ni les effets qui servent à leur habillement, ni beaucoup d'objets de consommation, quileurs sont nécessaire, pourront faire venir francs de droits et de rétributions, pour leur propre compte, tous les objets et effets qui seront destinés uniquement à leur usage.

Les Agens publics de Sa Majesté le Schah residant dans les Etats de l'Empire Russe, jouiront d'une parfaite réciprocité à cet égard. Les sujets Persans faisant partie de la suite du Ministre, ou du Chargé d'Affaires et des Consuls, et nécessaires pour leur service, jouiront, tant qu'ils se trouveront auprès d'eux, de leur protection à l'égal des sujets Russes; mais s'il arrivait qu'un d'entre eux se rendit coupable de quelque délit et qu'il encourût par là le chatiment des lois existantes

meanour, and should thereby incur the penalty of the existing laws, in that case the Persian Minister or the Hakim and, in his absence the competent local authority, shall immediately apply to the Minister, Chargé d'Affaires, or Russian Consul in whose service the accused may be, in order that he may be delivered up to justice; and if this application be founded on proofs establishing the guilt of the accused, the Minister, Chargé d'Affaires, or Consul shall make no difficulty whatever in complying with it.

ARTICLE 7.

All lawsuits and litigations between Russian subjects shall be submitted exclusively to the investigation and decision of the Mission or of the Consuls of Russia in conformity with the laws and customs of the Russian Empire. So also shall disputes and lawsuits arising between Russian subjects and those of another Power, in case the two parties shall consent to such a course.

Whenever any disputes or lawsuits shall arise between Russian and Persian subjects, the said lawsuits or disputes shall be brought before the Hakim or Governor, and shall not be investigated and decided except in the presence of the Dragoman of the Mission or of the Consulate. Once judicially disposed of, such suits shall not be allowed to be instituted a second time. If, however, circumstances should be of such a nature as to render a second trial necessary, it shall not take place without previous intimation being given to the Minister, or the Chargé d'Affaires, or the Consul of Russia; and in that case the

dans ce cas le Ministre Persan ou le Hakim et, à son défaut l'autorité locale compétente, s'adressera immédiatement au Ministre, Chargé d'Affaires ou Consul Russe, au service duquel se trouvera le prévenu afin qu'il soit livré à la justice; et si cette demande est fondée sur des preuves établissant la culpabilité de l'accusé, le Ministre, Chargé d'Affaires, ou Consul ne fera aucune difficulté d'y satisfaire.

ARTICLE 7.

Tous les procès, et toutes les affaires litigieuses entre sujets Russes, seront soumis exclusivement à l'examen et la décision de la Mission ou des Consuls de Russie conformément aux lois et coutumes de l'Empire de Russie; de même que les différends et procès survenus entre les sujets Russes et ceux d'une autre Puissance, dans le cas où les deux parties y consentiront.

Lorsqu'il s'élévera des différends ou procès entre les sujets Russes et les sujets Persans, les dits procès ou différends seront portés par devant le Hakim, ou Gouverneur, et ne seront examinés et jugés qu'en présence du Drogman de la Mission ou du Consulat. Une fois juridiquement terminés, de tels procès ne pourront être informés une seconde fois. Si toute fois les circonstances étaient de nature à exiger un second examen, il ne pourra avoir lieu, sans que le Ministre, ou le Chargé d'Affaires, ou le Consul de Russie, en soient prévenus, et dans ce cas l'affaire ne sera instruité et jugée qu'au Defter, c'est-a-dire à la chancellerie suprême du Schah à Tabriz ou à Téhéran—également en

action shall be brought and decided only in the Dufter, that is to say, in the Supreme Court of the Shah at Tabriz or at Teheran, likewise in the presence of a Dragoman of the Mission or of the Russian Consulate.

ARTICLE 8.

In case of murder or any other crime committed among Russian subjects, the investigation and decision of the case shall be within the exclusive province of the Minister, or Chargé d'Affaires, or Consul of Russia in virtue of the jurisdiction delegated to them over their own countrymen. If a Russian subject should happen to be implicated with individuals of another nation in a criminal suit, he shall not be prosecuted nor molested in any way without proofs of his participation in the crime; and even in that case, as in the one in which a Russian subject should be charged with direct culpability, the tribunals of the country shall not be competent to proceed with the trial and judgment of the crime except in the presence of a delegate of the Mission or the Russian Consulate, and if there should be none on the spot in which the crime has been committed, the local authorities shall take steps to send the delinquent to a place where there is a Consul or a constituted Russian Agent. The evidence both for and against the accused shall be faithfully taken by the Hakim and by the Judge of the place, and attested by their signature; transmitted in this form to the place where the offence is to be tried; this evidence shall constitute a

presence d'un Drogman de la Mission on du Consulat de Russie.

ARTICLE 8.

En cas de meurtre ou d'autre crime commis entre sujets Russes, l'examen et la décision du cas seront du ressort exclusif du Ministre, ou du Chargé d'Affaires, ou du Consul de Russie, en vertu de juridiction qui leur est déférée sur leurs nationaux. Si un sujet Russe se trouve impliqué avec des individus d'un autre nation dans un procès criminel, il ne pourra être poursuivi, ni inquiété d'aucune manière à moins de preuves de sa participation au crime, et dans ce cas même comme dans celui où un sujet Russe serait prévenu de culpabilité directe, les tribunaux du pays ne pourront procéder à la connaissance et au jugement du crime qu'en présence d'un délégué de la Mission ou du Consulat de Russie, et s'il ne s'en trouve pas sur les lieux où le délit été commis, les autorités locales feront transporter le délinquant là où il y a un Consul ou un agent Russe constitué. Les temoignages à charge et à décharge du prévenu seront fidèlement recueillis par le Hakim et par le Juge de l'endroit et revêtus de leur signature; transmis dans cette forme là où le délit devra être jugé ces témoignages deviendront des documents ou précis authentiques du procès, à moins que l'accusé n'en démontre évidemment la fausseté. Lorsque le prévenu aura été dûment convaincu et que la sentence aura été prononcée, le délinquant sera remis au Ministre, Charge

record or authentic summary of the proceedings, unless the accused should clearly demonstrate the falsity of the same. When the accused shall have been duly convicted and the sentence passed, he shall be handed over to the Minister, or Chargé d'Affaires, or Consul of His Imperial Majesty, who shall send him back to Russia, there to receive the punishment awarded by the law.

d'Affaires, ou Consul de Sa Majesté Impériale, qui le renverra en Russie pour y recevoir le châtiment porté par les lois.

ARTICLE 9.

The High Contracting Parties shall take good care that the stipulations of the present Act be strictly observed and fulfilled, and the respective Governors of their provinces, Commandants and other authorities shall not allow themselves to infringe them on any account, under pain of incurring a grave responsibility and even dismissal on clear proof of a repetition of the fault.

To this end we, the undersigned Plenipotentiaries of His Majesty the Emperor of all the Russias and of His Majesty the Shah of Persia, have arranged and concluded the stupulations contained in the Present Act, which are the result of the.. ...Article of the principal Treaty concluded on the same day at Dekhargane, and which shall have the same force and weights as if they were inserted therein word for word and ratified.

In consequence whereof the present separate Act, in duplicate, has been signed by us, impressed with our respective seals, and exchanged.

ARTICLE 9.

Les Hautes Parties Contractantes veilleront à ce que les stipulations du présent Acte soient strictement observées et remplies, et les Gouverneurs de leurs Provinces, Commandants et autres Autorités respectives ne se permettront dans aucun cas d'y contrevenir, sous peine d'une grave responsabilité et même de destitution en cas de recidive duement avérée.

A cette fin, nous soussignés Plénipotentiaires de Sa Majesté l'Empereur de toutes les Russies et de Sa Majesté le Schah de Perse, avons réglé et arrêté les stipulations contenues dans le présent Acte, lesquelles sont la conséquence de l'Article ..... du Traité principal conclue à même jour à Dekhargane, et auront la même force et valeur que si elles y étaient insérées mot-à-mot, et ratifiées.

En conséquence de quoi le présent Acte séparé, fait double, a été signé par nous, muni de nos cachets respectifs et échangés.

APPENDIX No. VII.—*Page 13.*

CONVENTION entre la RUSSIE et la PERSE, pour l'interprétation de l'ARTICLE XIV du TRAITÉ de PAIX de TOURKMANTCHAÎ (du 22 Février, 1828).* Conclue à Téhéran, le 3 Juillet, 1844.

Arrest of Subjects of either State entering the Territories of the other without Passports.

Dans le but de faire cesser les désordres et les abus que les habitants des provinces limitrophes de la Russie et de la Perse font souvent de la transmigration, les fondés de pouvoirs des 2 Parties Contractantes, avec la permission et l'autorisation de leurs Gouvernements respectifs, ont signé l'arrangement suivant :—

ARTICLE 1.

Les sujets des 2 Puissances ne pourront désormais passer d'un pays dans l'autre sans passeport et sans permis en régle de leur Gouvernement.

ARTICLE 2.

Tout individu sujet de l'un des 2 Gouvernements qui se rendrait sur le territoire de l'autre, sans s'être pourvu d'un passeport, sera arrêté et livré aux autorités frontières les plus proches, ou bien au Ministre, Chargé d'Affaires, ou Consul de sa nation, avec tous les objets d'habillements, d'armements, &c., dont il sera porteur.

ARTICLE 3.

Toute demande que les sujets des 2 Etats adresseront à leur Gouvernement pour obtenir l'autorisation d'émigrer, devra se faire sans intervention étrangère.

ARTICLE 4.

Si les préposés des 2 Gouvernements, en considération de l'amité qui les unit, demandent l'un à l'autre des passeports, on ne les refuser pas pour quelques familles, à moins qu'il n'y ait des empêchements légaux.

Signé à Téhéran le 3 Juillet 1844 (28 Djoumadi-el-sani 1260).

(L. S.) HADJI-MIRZA-AGASSY.

(L. S.) A. MEDEM.

* February 22, 1828. "State Papers," Vol. 15, page 669.

APPENDIX No. VIII—*Page 16.*

AGREEMENT between RUSSIA and PERSIA recognizing the RIVER ATTREK as forming the BOUNDARY between the two STATES on the EAST COAST of the CASPIAN SEA. 13th December 1869.*

On the 13th December 1869 the following Agreement was signed between Russia and Persia recognizing the sovereignty of Persia up to the banks of the Attrek:—

"His Majesty the Shah having on the 12th instant (4th December requested the Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor, to explain for what object the fort at Kizil Soo (Krasnovodsk was being constructed, and having also required an assurance that the Russian authorities would in no way interfere with the affairs of the Yemut Turkomans, and of those living on the Attrek and Goorgan Rivers; also, that no fort or stronghold should hereafter be built at the embouchures of the Attrek or Goorgan Rivers; and likewise that they should not interfere in any way with the possessions of Persia, but that the Persian Government should continue to maintain the authority they have hitherto held in respect to these tribes and their territories, in accordance with the wish expressed by His Majesty the Shah, the Undersigned lost no time in referring by telegraph to the Ministry of the Foreign affairs to His Majesty the Emperor, and he has now the pleasure to bring to the knowledge of the Ministers of His Majesty the Shah the reply which he has just received to the effect that the Government of His Majesty the Emperor recognizes the authority and sovereignty of Persia up to the banks of the Attrek River, and that they have no intention to construct any fort.

"M. BEGER."

On the 26th March 1873 the British Chargé d'Affaires at Tehran (Mr. R. Thomson) reported that the Persian Government considered that the Declaration made by Russia on the 13th December 1869 had no reference to the territory in the interior towards Khorassan, but regarded only the territory adjoining the Province of Astrabad, that is to say, from the Caspian Sea, at the mouth of the Attrek, along the banks of that river, for about 30 miles to where the Goorgan district ended:*

* See further Convention, 21st December 1881, Appendix No. 20.

APPENDIX No. IX.—*Page 18.*

CONCESSIONS granted by the PERSIAN GOVERNMENT to MESSRS. SIEMENS & CO. of LONDON.—11th January 1868.

ARTICLE 1.

The Persian Government concedes to Messrs. Siemens and Halske of Berlin and St. Petersburg, and to Messrs. Siemens Brothers and London the exclusive right to construct and manage a telegraphic line between the Russian Frontier (Joolfa) and Tehran. This line will be the continuation of a direct line between London and Joolfa.

ARTICLE 2.

The grantees engage to organize the line, so that it shall be ready to be opened throughout its whole length not later than two years after the receipt of the present concession. No further delay will be allowed unless the execution of the work be hindered by circumstances beyond the control of the grantees.

ARTICLE 3.

The grantees engage to construct the line solidly, and to maintain it in a good state of repair during the whole term of the concession. The telegraphic wires must be made of iron of the best quality, and must have a diameter of at least six millemetres (very nearly quarter of an inch). The standards are to be of iron. The grantees are bound to submit the project of the formation of the line from Joolfa to Tehran for the sanction of the Persian Government. The line will at first be constructed with two wires, but the grantees have the right, in case of need, to increase the number. The grantees, moreover, engage to provide their stations with instruments of the best quality. The method of working management of the line must be previously communicated to the Persian Government.

ARTICLE 4.

The line of the grantees is solely destined for the despatch of Indo-European telegrams. The Administration of Persian Telegraphs entrusts to the grantees, to be despatched to their destination, all the telegrams which it receives for India or Europe. Messages from India or Europe for Persia are to be transmitted by the grantees to the proper station of the Persian telegraph, to be sent, by its medium, to those for whom they are intended. All direct intercourse with the public for the receipt or transmission of messages is prohibited to the grantees, unless the Persian Government authorizes the grantees to transmit inland messages in a foreign language, in which case they are to charge for such messages at the rate fixed in the Government tariff.

ARTICLE 5.

On the Persian territory the telegraphic line will be considered as a Government institution, and with respect to its organization and security it will enjoy the same rights as those accorded to the telegraph lines of the Persian Government.

ARTICLE 6.

The Persian Government exempts the grantees from customs duties on the importation of materials destined for the organization of the Persian branch of the line. The Persian Government must be previously informed of the quantity of the materials to be imported. The grantees are equally exempt from all inland imposts.

ARTICLE 7.

The grantees have the right to run their line through towns and villages as well as through private property, without paying any indemnity for the ground occupied.

ARTICLE 8.

The following arrangement has been made with respect to the settlement of the tariff for the Indo-European correspondence :—

(*a*)—Under the head of exceptions to the tariff generally adopted, half messages of ten words may be transmitted for half the price fixed for the unit message of twenty words.

(*b*) For every additional five words over and above the twenty, at quarter of the price of the unit message of twenty words will be charged in addition.

(*c*)—The maximum price for the unit message of twenty words from London to the western part of India shall not exceed four pounds sterling, dating from the time when the English tariff for messages transmitted by the submarine lines of the Persian Gulf and the Indian Ocean shall have been reduced to half the actual rate ; until then the price of a despatch of twenty words must not be higher than that fixed for the despatch of a similar message between Europe and India by the Turkish line.

(*d*)—The fixing of the tariff for communications between India and the intermediate stations is left to the free will of the grantees, on condition that the price for the despatch of a message from an intermediate station to India shall not, in any case, exceed that which is charged for the whole line.

ARTICLE 9.

Until the expiration of the term of the Anglo-Persian Convention of the 23rd November 1865, the grantees renounce all right to participate in the receipts for international messages sent from Joolfa to Bunder Bushire or *vice versâ*. The granties, therefore, are to receive nothing for the transmission of Indo-European messages between Joolfa and Tehran until

the expiry of the term above-mentioned; but, on the other hand, the price at present fixed by the Perso-Russian Convention be not in any case raised during the present grant.

After the expiry of the term of the Anglo-Persian Convention above-mentioned the Tehran-Shiraz-Bunder-Bushire line is to be handed over in good condition, to the grantees, unless the Persian Government, in the meantime, should conclude a fresh agreement with the English Government concerning that line. In the first case the conditions of the present agreement will be equally applicable to the Tehran-Bunder-Bushire line, with this difference only that a telegraph wire is to be placed at the disposal of the Government each day for ten hours for the Persian correspondence. The Persian Government will have its own servants for this service regarding the details of which it will come to an understanding with the grantees.

In case the Tehran-Bunder-Bushire line is handed over to the grantees the latter promise to pay the Persian Government for each Indo-European despatch of twenty words the sum of two francs.

For half messages this payment will also be reduced to one-half. For messages which contain more than twenty words half a franc extra will be paid for every additional five words over and above the twenty. If, on the contrary, the Persian Government concludes with England another agreement for the said line, the grantees have the right to a third (one-third) of the charge fixed for messages between Joolfa and Bunder-Bushire, which, however, is never to exceed ten francs and a half. The Persian Government engages to transmit, on the Tehran-Bunder-Bushire line, half messages of less than ten words for half the price for a message of twenty words. For their own messages concerning the administration of the line the grantees will have nothing to pay. If during the term of the agreement any special competition whatsoever or any other unforeseen circumstances should happen, which might necessitate a considerable reduction from the maximum of the general tariff, the Persian Government, after having assured itself of the indispensable necessity of this measure, will give its assent to an agreement more favourable to the grantees.

ARTICLE 10.

The Persian Government will have a right to adopt measure of control with the object of ensuring the exact performance of the present agreement, but which must, nevertheless, neither hinder nor retard the transmission of messages. In like manner the Persian Government will have the right of inspecting the registers and proceedings of the grantees through a functionary specially appointed for the purpose previously notified by the Government.

ARTICLE 11.

The Persian Government will have the right, whilst paying the price established by the Persian tariff, to transmit official messages by the line of

the grantees. The grantees promise to place on their standards, between Joolfa and Tehran, the new Government wire, and to replace it during the whole term of the present agreement. To indemnify the grantees the Persian Government will repay to them the expenses for putting up the abovementioned line only. The iron standards (their purchase, fixing, and replacing) will be at the expense of the grantees.

ARTICLE 12.

The adjustment of accounts between the grantees and the Government will be made quarterly. If the payments due to the Government shall not be made within three months after the settlement of accounts, the Government will have a right to sequester the property of the grantees until the whole amount is liquidated. In order to facilitate intercourse with the Persian Government the grantees are to appoint a special Agent at Tehran.

ARTICLE 13.

The duration of the agreement is fixed for twenty-five years, dating from the day when the telegraphic working of the line shall have commenced. At the expiration of this time the privilege will cease, and the grantees must come to terms beforehand with the Government as to the continuance of their use of the Indo-European telegraphic line. In case they do not come to an understanding on this point, the whole organized line, by virtue of the agreement, will be handed over, in good condition and without indemnity, to the Persian Government.

ARTICLE 14.

If during the term of the grant the grantees have, with the consent of the Government, put up new wires to increase the means of communication, and if at the expiry of the grant no arrangemnt has been made for its prolongation, the Government promises to pay the grantees, according to a valuation, an indemnity for these new wires. This valuation will be made by a Government Commission and an authorized Agent on the part of the grantees.

ARTICLE 15.

It will always be in the power of the grantees to transfer the rights accorded to them by the present grant, together with obligations assumed by them to a company, the rules of which ought to be confirmed by Government. The grantees are, nevertheless, expected to take at least a fifth part of the stock of such new company.

ARTICLE 16.

In order to facilitate settlement of accounts between the Persian Government and the grantees, the relative value of the monies is fixed by the following invariable currency :—

One pound sterling=twenty-five francs=twenty-two krans.
One shilling=one franc twenty-five centimes=one kran two shahis.
One penny=ten centimes=two shahis.
One rouble=four francs=three krans and ten shahis.

COPY of TREATY concluded by MR. GEORGE SIEMENS with the PERSIAN GOVERNMENT ON behalf of the INDO-EUROPEAN TELEGRAPH COMPANY.—24th May 1869.

The conclusions accepted by the Vienna Conference having altered the basis of the concession of 11th January 1868, granted to Messrs. Siemens and Halske and Siemens Brothers, by compelling the said grantees to fix a tariff which is below the minimum of 100 francs, stipulated in the 8th Article of the said concession, the Persian Government and the grantees have agreed upon the following Articles :—

ARTICLE 1.

The Persian Government concedes to the grantees from the 1st January 1870 to the expiration of the Treaty of 23rd October 1865 all the rights which it possesses under this Treaty in the receipts accruing from the international messages sent by the Tehran-Bushire line.

After the expiration of this Treaty the Tehran-Bushire line shall be made over to the grantees, unless the Persian Government should make at the time a new convention with the British Government concerning this line on the same financial basis.

Should the treaty be renewed, the Persian Government concedes to the grantees, up to the 1st January 1895, the date of the expiration of the concession of 11th January 1868, all the rights which would revert to the Persian Government, and which the renewal of the Anglo-Persian Convention would still give it, over two-thirds of the receipts accruing from the international messages sent by the line between Joolfa and Bushire, the remaining one-third already belonging to the grantees, as stipulated in the 9th Article of the concession of 11th January 1868.

The grantees shall themselves collect the above-mentioned receipts, and shall arrange with the British Government to this effect.

In return the grantees shall pay to the Persian Government during the 25 years, commencing from 1st February 1870 to the 1st January 1895,

either a duty of two francs for each message of transit passing through the Joolfa-Bushire line, with the exception of service messages, or an annual subsidy of 12,000 tomans, whichever it may prefer. They shall pay this duty or the fixed subsidy in both cases, whether the Tehran-Bushire line be made over to them, or whether it remains under its present management, the grantees only enjoying the revenues which revert to the Persian Government and to themselves.

Moreover, the grantees are willing, should the Persian Goverment desire it, to pay all the debts which this Government has contracted up to the present time with the British Government for the purchase of telegraphic materials, as well as the debts which the Administration of the Persian telegraphs has incurred, to the same Government for the construction of the line.

The amount of these debts must be stated by the Persian and British Governments before the 1st January 1871. From the commencement of this period the grantees shall be authorised to reimburse themselves by deducting every year the twenty-fourth part of the sum stated by the said Governments from the subsidy or the duties payable to the Persian Government.

In case the settlement of accounts between the said Governments is not effected at the above-mentioned date another term, not exceeding one year, shall be fixed for such settlement. The grantees shall then have the right to reimburse themselves by retaining every year a sum equal to the twenty-third part of the sum stated.

If the accounts are not adjusted even at the end of the latter period, the grantees shall be freed from this obligation.

ARTICLE 2.

Moreover, the Persian Government grants to the actual possessors of the concession of 11th January 1868 the exclusive privilege of erecting and working a telegraph line with one wire between Shiraz and Bunder Abbass.

The grantees are bound to inform the Persian Government of the direction of the line before proceeding upon its construction.

The grantees engage to finish the construction of this line as quickly as possible.

The grantees engage to construct the line and to maintain it in good working order during the whole term of their administration. The telegraph wire shall be made of iron of the best quality, and shall have a diameter of at least 6 millemetres.* The standards shall be of iron; the instruments, etc., of the best quality. If practicable, the stations at Shiraz shall be built on the grounds of the Persian Telegraph; at other places, on such sites as the Minister of Foreign Affairs and the grantees shall deem suitable, and which shall be given to the latter free of cost from lands belonging to the Persian Government.

* 236 or nearly a quarter of an inch.

Like the already existing lines,the new line is designed to transmit international messages which shall pass the line of the grantees between London and Tehran.

The line shall be considered as an institution of the Government, and shall enjoy, in regard to its organization and security, all the privileges accorded to the lines of the Persian Government.

The Persian Government exempts the grantees from customs duties of the importation of materials destined for the organization and maintenance of this line and of its stations, and absolves them from the payment of all inland dues. The Custom House officers shall have the right to visit the stations belonging to the grantees on the frontier.

The grantees shall have the right to carry their line in the direction sanctioned by Government through towns and villages skirting the routes, without being liable to pay any indemnity for the land occupied by the line. In places where the line shall pass through the property of private individuals or communities, the grantees shall enjoy the right of compulsory appropriation in accordance with the rules in force ; and in the proportion which the Government shall deem indispensable.

The duration of the concession is limited to 25 years, commencing from the date on which the working of the Shiraz--Bundar Abbass line shall have begun. After the expiration of this period the privilege shall cease, and the grantees shall have to come to an understanding with the Persian Government on the subject of their continued possession of this line. In case no arrangement on this point shall have been come to, the whole line organized by virtue of this concession, together with the buildings at the stations, shall be made over to the Persian Government without any indemnity.

As the Shiraz-Bunder-Abbass concession will expire after the 1st January 1895 the safety and rapidity of international traffic, which depend on uniformity of administration, would probably be imperilled if at that time the Government resumed the Joolfa-Tehran and Tehran-Bushire lines, while the Shiraz-Bunder Abbass line still continued for some time in the hands of the grantees.

The Persian Government, wishing to obviate this inconvenience, and not wishing to resume the Shiraz-Bunder Abbass line before the expiration of this concession, so that it might not be compelled to indemnify the grantees for the expenses of construction which they might not have yet incurred, consents to extend the concession for the Joolfa-Tehran line and the arrangement regarding the Tehran-Bushire line till the expiration of the Shiraz-Bunder Abbass concessions.

In return the grantees shall pay to the Persian Government for the working of this line a sum of 1,000 tomans annually during the first-half of the 25 years, and 2,000 tomans annually during the second-half, the payment to commence from the date on which the line is opened to international correspondence.

If the Joolfa-Tehran concession and the arrangement regarding the Tehran-Bushire line are extended beyond the 1st January 1895, they shall pay from this date, till the expiration of the Shiraz-Bunder Abbass concession, an annual subsidy of 15,000 tomans in lieu of the 12,000 tomans fixed by Article I of the present Agreement.

If, during the term of the concession, the grantees should set up additional wires to increase the means of communication, the Persian Government engages to pay the grantees, on the surrender of the line, an indemnity for these additional wires fixed on an estimate made by a Government Commissioner and an authorized Agent on the part of the grantees.

It shall at all times be lawful to the grantees to transfer the rights accorded to them by the present concession, together with the obligations assumed by them, to another Company, the rules of which ought to be sanctioned by the Government. It is agreed that the number of foreign employés throughout the whole length of the Shiraz-Bunder Abbass line shall not exceed 50.

ARTICLE 3.

The clauses of the former concession of 11th January 1868 remain in force unless modified by the foregoing stipulations.

ARTICLE 4.

His Excellency the Minister for Foreign Affairs of His Majesty the Shah of Persia and Mr. George Siemens, the lawfully constituted agent of the grantees, having met and exchanged their powers, have signed two copies of this paper, and have affixed their seals thereto.

Tehran, the 12th Suffar 1186 Hijra, corresponding with 24th May 1869.

(Sd.) GEORGE SIEMENS.

(Sd.) MIRZA SAID KHAN,

Minister for Foreign Affairs of the Sublime Persian Government.

APPENDIX No. X.—*Page 19.*

Agreement between the SHAH and the INDO-EUROPEAN TELEGRAPH COMPANY, 1891.

Le Gouvernement Impérial Persan ayant pris en considération la demande de la Compagnie Télégraphique Indo-Européenne au sujet de la prolongation de ses Concessions en Perse, les dites Concessions sont renouvelées aux clauses et conditions suivantes:—

ARTICLE 1.

La durée des Concessions datées du 11 Janvier 1868, du 24 Mai 1869, et du 12 Août 1882, déjà accordées à la Compagnie Télégraphique Indo-

Européenne, est par la présente Convention prolongée pour une période de vingt ans, à savoir 31 Janvier 1905 au 31 Janvier 1925.

ARTICLE 2.

La Compagnie Télégraphique Indo-Européenne ayant déjà payé jusqu'à 31 Janvier 1899 les redevances sur les Concessions existantes, consent par la présente Convention à payer au Gouvernement Imperial Persan une redevance annuelle de dix mille francs, en outre des cent trente mille francs. qu'elle paie actuellement, ce paiement devant commencer au 31 Janvier 1889, et continuer jusqu'à l'expiration de cette Convention au 31 Janvier 1925.

Fait en double à Téhéran, le 10 Janvier 1891.

Registration at the Russion Legation, said registration, etc., being signed by M. deBatzow, the Russian Minister.

APPENDIX No. XI.—*Page 19.*

TRANSLATION of a TELEGRAPHIC CONVENTION between RUSSIA and PERSIA, May 24, 1879 (E. Jemade es Sanee, 1296).

The Government of His Imperial Majesty of all the Russias, having determined to connect their military commands across the Caspian with those in Russia by a telegraph line in conjunction with telegraph wire now existing in Persia, is desirous to construct a line for this object from Chekishler to Astrabad; therefore the undersigned have agreed upon the following articles:—

ARTICLE 1.

The Government of His Imperial Majesty of Russia will at their own cost construct a telegraph line from Chekishler to the town of Astrabad, so that it may be there connected with the Persian telegraph lines.

ARTICLE 2.

The Government of His Imperial Majesty the Shah of Persia sanctions the construction of that part of the line which may be in Persian territory between Chekishler and Astrabad. The Russian Government will previously inform that of Persia which route may be chosen for that part of the line, and the Persian Ministers will then immediately grant leave for its construction.

ARTICLE 3.

The Persian Ministers will not consider themselves entitled to any recompense or compensation for the construction of that part of the line between Chekishler and Astrabad which may be in Persian territory, and

they also engage not to claim custom duty for any material or implements which may be necessary for the construction and keeping in repair of this part of line to be constructed between Chekishler and Astrabad.

ARTICLE 4.

The Ministers of His Majesty the Shah undertake as far as in them lies to protect such part of the telegraph line from Chekishler to Astrabad as may be in Persia whether during construction or after completion. They engage to protect it and keep it in working order, that is to say, its exploitation.

ARTICLE 5.

The cost of repairing the whole of the telegraph line from Chekishler to Astrabad will rest with the Russian Government until the expiration of this convention.

ARTICLE 6.

After the erection of the telegraph line from Chekishler to Astrabad any telegraph messages from Russian stations on the eastern coast of the Caspian will be received and transmitted by the Persian telegraph lines. The Persian Ministers consent to the transmission and receipt of telegraph messages by the Persian telegraph lines whether they be in Russian or (any other) Foreign language, or in cypher; (and) to give permission for the stationing of Russian Telegraph officers at Persian telegraph stations from Joolfa up to Astrabad itself, and wherever they may be deemed requisite for the transmission of messages in due order and without delay.

ARTICLE 7.

The rights and duties of the Russian signallers who may reside in the Persian telegraph stations by virtue of Article VI of this Convention, the rules of their intercourse with the Persian Telegraph Department, and in conformity with the arrangement which is known in French as the "Déclaration Ministeriel" concluded between the Persian and Russian Governments on the 28th of October 1870, and will be as follows:—

	Francs.
For a message in transmit of 20 words from Astrabad to Joolfa	4
From Joolfa to Astrabad	4
From places between Russian stations on the eastern side of the Caspian to Tehran and other telegraph stations situated to the north of that place	4
But from Russian telegraph stations to the south of Tehran	8

ARTICLE 9.

The transmission of all the transit telegraph messages passing by the Persian lines between Astrabad and Joolfa will take precedence of all private

messages from Persian telegraph stations, except the official messages on the Persian Government.

ARTICLE 10.

This Convention will be in force for a year from the day of its signature: after the lapse of this one year should the Ministers of the Persian and Russian Governments both deem it suitable to maintain it or to make any changes in it this will be done.

APPENDIX No. XII.—*Page 20.*

TRANSLATION of a CONVENTION between RUSSIA and PERSIA for the construction of a TELEGRAPH LINE from CHEKISHLER to ASTRABAD. 31st January 1881.

As the Telegraph Convention of the $\frac{12}{24}$th May 1879* (2nd Jemade es Sanee 1296), contracted between the Ministry for Foreign Affairs and the Russian Legation at Tehran has expired, and the Rsusian Government wish to keep up communication with their military authorities on the east coast of the Caspian Sea the undersigned have agreed upon the following articles:—

ARTICLE 1.

In order that the aforesaid communications may pass through without loss of time, the Persian Government engage to protect as far as is in their power such telegraph wires of the Chekishler-Astrabad line as pass through Persian territory. In virtue of Article XI of the Convention of the $\frac{12}{24}$th May 1879,* the lines which have been constructed on Persian territory have become the property of the Persian Government, which now engages to protect them and keep them in working order, that is to say, their "exploitation" and the horsemen who are employed to protect the telegraph lines will accompany the Russian telegraph employés on their inspection of these lines.

ARTICLE 2.

The Russian Government on its side engages to pay all expenses of repairs to the wires from Chekishler to Astrabad during the time that this Convention is in force. The Persian Government also engages not to claim customs duty for any material and implements which may be necessary for the construction and keeping in repair of the said line.

ARTICLE 3.

The Persian Government will give permission for stationing Russian telegraph officers at Persian stations from Joolfa to Chekishler whenever they may

* Appendix No. II.

be deemed requisite for the transmission of messages in due order and without delay, and their duties and rights will be the same as those enacted in the Convention of the $\frac{12th}{24th}$ May 1879.

ARTICLE 4.

For messages in transit between Joolfa and Astrabad, and also between Russian stations on the eastern side of the Caspian and Tehran, with the Persian telegraph stations to the north of that place, in conformity with the arrangement of the 2nd April 1880, between the Governments of Russia and Persia, which is known in French as the "Déclaration," the Persian Government is to receive 30 centimes a word, and between Russian stations on the east of the Caspian and the south of Tehran 60 centimes will be paid to the Persian Government.

ARTICLE 5.

The transmission of all Government messages passing over Persian lines between Astrabad and Joolfa will take precedence of private messages from Persian telegraph stations, but not of the official messages of the Persian Government.

ARTICLE 6.

In order that no delay should take place in the transmission of messages between Joolfa and Astrabad, the lines must be inspected and repaired; therefore the Persian Government engages to set aside one-tenth of the amount received by Persia for messages, in virtue of this Convention, for the necessary repairs, and the Persian Telegraph Department shall expend that amount in making the said repairs, unless in the case of its being found that so large a sum is not required for that purpose.

ARTICLE 7.

This Convention will be in force so long as the Russian Government requires to keep up telegraphic communications with its military authorities in the Caspian, and when no longer necessary for such communication the Russian Government will without delay inform the Persian Government of the fact.

(L. S.) JEAN ZINOVIEW.

(L. S.) MIRZA SAIDKHAN.

(30th Sefer 1298 $\frac{31st\ January}{12th\ February}$ 1881.)

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* Appendix No. II.

APPENDIX No. XIII.—*Page 20.*

TREATY between the SUBLIME PORTE and the SHAH of PERSIA for the ESTABLISHMENT of a LINE of TELEGRAPH.—Signed at Constantinople, 28th November 1863.

(Traduction.)

Branch Lines to be established.

ARTICLE 1.

Le Gouvernement Persan promet d'étendre une de ses lignes télégraphiques jusqu'à un endroit situé sur les frontières Ottomanes, et de son côté le Gouvernement Ottoman s'engage d'établir un embranchement d'un endroit quelconque de sa ligne télégraphique entre Scutari et Bagdad jusqu'à l'endroit où la ligne télégraphique Persane serait porté.

Lines to meet at Hankin.

ARTICLE 2.

Il fut convenus entre les deux Parties Contractantes que l'endroit nommé Hankin sera fixé comme point de rencontre des deux lignes ; cependant, si plus tard il y a nécessité de faciliter et d'élargir les communications télégraphiques, elles pourront être réunies également sur d'autres points des frontières.

Telegraphic Despatches between Persia, &c., and Turkey &c., and vice versâ.

ARTICLE 3.

Le Gouvernement Ottoman promet d'admettre et de faire passer sans difficulté les dépêches télégraphiques transmises du Royaume Persan ou bien d'un Etat qui est en communication télégraphique avec la Perse, en destination pour les Etats de Sa Majesté le Sultan, ou bien pour un Etat étranger qui est en communication télégraphique avec le Gouvernement Ottoman: et il est de même convenu que le Gouvernement Persan admettra et fera passer sans difficulté les dépêches télégraphiques transmises de la Turquie ou bien d'un Etat qui est en communication télégraphique avec le Gouvernement Ottoman, en destination pour la Perse ou pour un Etat étranger qui est en communication télégraphique avec le Gouvernement Persan.

Les dépêches télégraphiques de la Perse dans les Etats Ottomans, et les dépêches télégraphiques des Etats Ottomans en Perse, participeront aux mêmes avantages et obligations que les dépêches intérieures respectives ou bien celles d'un autre Etat étranger.

ARTICLE 4.

Employment of Morse's System.

Les deux Parties Contractantes s'engagent d'employer l'appareil Morse, employé actuellement en Europe, pour la transmission des dépêches télégraphiques qu'ils auront à échanger; et de même en ajoutant la Convention de Bruxelles à ce Traité, elles établissent qu'elles se conformeront, en toutes choses, aux clauses de la susdite Convention pour ce qui regarde la transmission des dépêches télégraphiques.

ARTICLE 5.

Telegraphic Despatches.

Les dépêches télégraphiques, qui seront échangées entre les deux Parties Contractantes, sont divisées en deux: 1, les dépêches Persanes et Ottomanes qui partent d'un des bureaux télégraphiques de l'un des susdits Gouvernements pour les Etats de l'autre; et 2, les dépêches des Gouvernements étrangers qui passent par les Etats de l'une des Parties Contractantes en destination pour l'étranger.

ARTICLE 6.

Charges.

La taxe à percevoir pour les dépêches de la première catégorie est fixée à 30 paras par *fersah*, ou bien à 20 paras par heure, en commençant de Hankin jusqu'à l'endroit de leur destination. La taxe ainsi calculée ne concerne que les dépêches qui contiennent 20 mots ou moins que cela, tant dans l'Empire Ottoman qu'en Perse; quant à celles qui contiennent plus de 20 mots, elles seront grêvées de 10 piastres par chaque 10 mots ou même d'une fraction de 10 mots qu'elles contiennent.

ARTICLE 7.

Charges for Telegraphic Despatches passing by Turkish, Asiatic, and by Persian Lines.

Les dépêches télégraphiques de la seconde catégorie seront taxées d'après la Convention de Bruxelles annexée au présent Traité, seulement lorsque celles-ci passent par les domaines Asiatiques du Sultan et par les lignes Persanes, elles y seront taxées d'après le mode ci-dessus mentionné; de sorte que la taxe des dépêches qui appartiennent à cette catégorie sera perçue dans le bureau établi à la frontière Persane en *sahib kerans* et en piastres, tandis que la taxe de ces dépêches dans les parties d'Europe jusqu'à l'endroit de leur destination sera perçue en francs, et ce mode de perception de taxes sera observé dans la transmission des dépêches télégraphiques des Etats Ottomans aux Indes Orientales.

ARTICLE 8.

Telegraphic Despatches sent by Hankin and by Bagdad and Bussorah.

Les dépêches télégraphiques partant de l'Europe par les lignes télégraphiques Ottomanes, en destination pour les pays Asiatiques situés au delà des domaines Persans, et celles transmises de ces pays au continent Européen, sont divisées en deux parties égales, dont l'une passera par les lignes de Hankin et de la Perse, et l'autre par Bagdad et Bussorah.

ARTICLE 9.

La correspondance télégraphique entre les Etats Ottomans et ceux de la Perse sera fait en langue Turque, Persane, Française, et Anglaise.

ARTICLE 10.

Telegraph Employés.

Les employés du télégraphe, aux service des deux Parties Contractantes, échangeront leurs comptes à la fin de chaque mois, et chaque semestre ils régleront définitivement leurs comptes d'après l'évaluation monétaire suivante :—

	Piastres.	Paras.
Sahib Keran	5	0
Toman	50	0
Franc	4	14
Abas	0	1

ARTICLE 11.

Commencement and Duration of Convention.

La présente Convention sera mise en exécution à l'expiration de 4 mois, et plutôt si cela est possible, et elle sera en vigueur pendant 10 ans depuis le jour de l'échange des ratifications.

ARTICLE 12.

Ratifications.

Cette Convention sera ratifiée par les deux Gouvernements et les ratifications seront échangées à Constantinople dans l'espace de 3 mois depuis ce jour.

Constantinople, 17 Djemaziul-ahir, 1280 (le 28 Novembre, 1863).

APPENDIX No. XIV.—*Page 20.*

Translation of a Russo-Persian Railway Agreement, signed at Tehran, on the 12th November 1890, by MONSIEUR DE BUTZOW, Russian Minister, and the Amin-es-Sultan, Persian Prime Minister.

As the Ministers of the Government of His Most Sacred Majesty the Shah have declared that there are difficulties in the way of their carrying out the engagements entered into in Rejeb 1306 (March 1888) regarding the construction of railways in Persia by Russian Companies, the Ministers of the Government of His Imperial Majesty the Czar of all the Provinces of Russia have agreed to alter the above-mentioned engagements as follows; and His Highness the Amin-es-Sultan, Grand Vizier of the Government of His Most Sacred, Sublime and Absolute Shah of all the Provinces of Persia, and His Excellency Monsieur de Butzow, Minister Plenipotentiary and Envoy Extraordinary of His Imperial Majesty the Most Mighty Emperor of all the Provinces of Russia, empowered by their respective Governments have drawn up the following conditions:—

(1) The Persian Government engages, for the space of ten years, beginning from the date of the signature of this agreement, neither itself to construct a railway in Persian territory, nor to permit nor grant a concession for the construction of railways to a Company or other persons; and after the expiration of ten years the renewal of the prolongation shall be immediately discussed between the two parties.

(2) By railway lines is understood those upon which steam or an other power is used, of which all kinds are included in this agreement.

(3) Tramway lines worked by horses are excluded from this agreement, but only those in towns and on roads near towns.

(4) A railway line from Tehran to Shemran, where the summer residences of His Most Sacred Sublime Majesty are situated, the most distant of which is two farsakhs from Tehran, is excluded from this engagement and agreement.

(5) After the signature of this agreement that portion of the document, dated Rejeb 1306 (March 1888) relating to railways, becomes null and void.

This agreement in duplicate has been signed and sealed in Tehran.

27th of the month of Rabbi-ul-Avval 1308 (12th of November 1890).

(Signature of Amin-es-Sultan and approval of NASER-ED DEEN Shah.)

APPENDIX No. XV.—*Page 21.*

ABSTRACT translation of the TUMBAKU, TOBACCO and SALT CONVENTION between PERSIA and TURKEY, signed on the 21st Zikadeh 1292 (1875) at Constantinople and renewed in 1302 A. H.

ARTICLE 1.

The importation of salt and tobacco in any shape or form whatsoever, the products of Persia, into Turkey is prohibited, and this prohibition shall continue so long as similar prohibitions remain in force with other nations. The Persian Government has also the right to prohibit the importation of Turkish salt and tobacco into Persia.

ARTICLE 2.

The duty on Persian tumbaku imported into Turkey, by land or sea, shall be 75 per cent. of its net value. This duty once levied no further dues of any kind shall be leviable in Turkey.

ARTICLE 3.

The 75 per cent. shall be leviable in accordance with a tariff to be agreed upon by the two parties.

From the beginning of the month of Naisan in the year 1291 of the Turkish era to a period of three months, the amount of the customs dues on tumbaku levied at the Customs Houses of Erzerum, Bagdad, and Jeddah, together with the minimum amount of tumbaku brought to the aforesaid places in the above-mentioned period shall be calculated, and the mean average of the result of that calculation shall be adopted as the basis of the first tariff of the convention. Tumbaku which shall not have reached during the aforesaid period shall be valued in accordance with the lowest price of its kind during a period of a year prior to the above-mentioned three months. The tariff shall remain in force for a period of ten years from its establishment. Should one of the Contracting parties request a change or alteration therein during a period of three months prior to the expiration of the agreed period it shall be renewed. Should no such request be made the tariff shall remain in force for a further ten years. After the expiration of each ten years, should no request for an alteration have been made by one party or the other, it shall be the rule that the tariff remains in force for a further seven years. For the regulation of the tariff, in accordance with the aforesaid basis, and for the determination of the depreciations, such as "moisture," "weight of bags," the reduction of which is customary, after the establishment of this Convention a Commission shall be formed, the members of which shall endeavour to complete their work previous to the commencement of the period when the tariff shall come in to force.

ARTICLE 4.

The duty of 75 per cent., as above, shall be levied at the first Turkish Customs House, but, in order to facilitate commerce, those wishing to pay the duty at the place of sale shall do as follows:—

The Persian merchant importing tumbaku into Turkey shall immediately deliver it to the Customs House, where it shall be weighed and its wrapper deducted from it. On the determination of its net weight should it be sold in the place the 75 per cent. must be immediately paid and a paper (tezkereh) for it taken, but should it be proposed to take it elsewhere for sale the owner must proceed to the Customs and present a merchant of credit as a guarantee and execute a bond, binding himself to transport the tumbaku to the place he intends selling it in within a reasonable determined period, and after having his tezkereh countersigned by the local Customs authority he shall return it to the place of entry, where he shall pay the 75 per cent. After presenting a guarantee and executing the bond a paper will be handed over to the merchant setting forth the weight of his goods and the date within which it shall be delivered to the Customs House of the town to which it is being sent.

Should the merchant desire to pay the dues after sale, he may do so if he places the tumbaku in his stores in a room locked with two keys, one of which is to be in the hands of the Customs officials. This also may be done at the merchant's option at the frontier (or first Customs House at which it is delivered).

A deduction of 2 per cent. will be allowed by the Customs for every hundred hokkehs of weight on account of moisture absorbed in transit from the frontier to the town in the interior on goods, the dues of which are paid, not at the frontier, but at the place of sale.

ARTICLE 5.

Tumbaku in transit will be treated as the merchandise in transit of other nations.

ARTICLE 6.

Tumbaku taken from other parts of Turkey through Moldavia, Wallachia, Servia, or Egypt, shall pay customs at the first Turkish Customs House in the aforesaid places; just in the same way tumbaku brought from the above-mentioned places to Turkey shall pay the dues at the first Customs House of the Turkish Government. Tumbaku on which duty has been levied and which has not been sold and is exported within a period of six months to one of those places shall receive back the customs dues, less 1 per cent.

ARTICLE 7.

With reference to tobacco, tumbaku and salt, the privileges conferred in former treaties to pilgrims to Kerbela shall remain in force; other travellers shall be treated on a par with the travellers of other nations.

ARTICLE 8.

This convention shall come into force from the beginning of the month of Mart* of the next year 92. It has also been stipulated that should the tariff mentioned in Article III not have been established within this period, until it is established the value of tumbaku shall be taken as 10 per cent. less than the current price and 75 per cent. of it shall be levied at the frontier Customs.

Done in duplicate and signed by both parties, who exchanged the same.

The 21st Zikadeh 1292.

(Sd.) MD. RÂSHID,

Minister for Foreign Affairs of the Turkish Government.

(Sd.) MUSHIN,

Minister Plenipotentiary of the Persian Government at Constantinople.

APPENDIX No. XVI.—*Page 21.*

TRANSLATION.

TARIFF drawn up with the Imperial sanction, in accordance with the provisions of the Convention of Shoubat 1295, made and exchanged between the Governments of TURKEY and PERSIA respecting the levying of a duty of 75 per cent. on the imports into TURKEY of tobacco grown in PERSIA and its dependencies 1878.

ARTICLE 1.

A general customs duty of 2 piastres and 35 paras will be charged on every oke of Persian tobacco, of whatever kind or quality, whether the best, medium or inferior kind imported into Turkey.

ARTICLE 2.

When the bales of tobacco arrive at the Customs House, after unfastening the cords employed by the muleteers for attaching the loads to their mules or other animals, the tobacco and the sacks, skins and other wrappers in which it is packed will all be weighed together; six okes in every hundred will then be deducted for the weight of the covers and duty paid on the remaining number of okes.

* Syro-Roman month of March.

ARTICLE 3.

The duty payable on tobacco transported from place to place with a teshéré (tezkereh, permit) will be two piastres 35 paras per oke, but a deduction of two okes per hundred will be allowed, on which no duty will be charged, on account of the increased weight of the tobacco owing to damp on the journey, during six months dating from the 25th of October, old style. If however, the surplus weight exceeds this amount 2 piastres 35 paras will be charged on the excess. Duty will also be charged at the same rate on any amount in excess of the quantity stated in the permit, whether large or small, if the six months' period above stated falls in the summer season.

ARTICLE 4.

The customs duty of 2 piastres 35 paras per oke of tobacco chargeable as above must be paid in coin, the Turkish lira or Yuzleh, the only standard recognised, being calculated at 100 piastres. Persons wishing to pay in silver mejidiehs must pay the difference on the exchange between the gold and silver currencies, namely 4 piastres, so that 104 piastres silver will be taken as the equivalent of 100 piastres gold.

If hereafter the Turkish currency is modified this tax will be subject to the convention.

ARTICLE 5.

As stated in Article 3 of the convention this tariff will come into force from the date of making the same, namely from the beginning of December 1296 of the current year, and will remain in force for ten years. If either of the contracting powers desires to change it, it must notify its desire to the other three months before the expiration of this term, and it can then be renewed. If no such notice is given it will remain in force for ten years longer, and unless either of the parties proposes a change three months before the expiration of every period of ten years it will remain in force seven years longer.

APPENDIX No. XVII.—*Page 21.*

TRANSLATION of an AGREEMENT between PERSIA and TURKEY concluded at ARZEERAAM on the 19th Zeekaad, in the year of the Hegira 1238, corresponding to the 28th July 1823.

IN THE NAME OF THE MOST MERCIFUL GOD!

Arising from various occurrences of late years the amicable relations between the two powerful Mahomedan States became interrupted, and their friendship and good understanding were converted into strife and enmity, which terminated in open warfare. The interests of the religion of Islam required a reconciliation, the two Governments were anxious to

prevent the further effusion of blood, and the renewal of the ties of amity was mutually desired and proposed.

With this view, by the authority of a Firman from His Majesty the King of Kings, the Khakan, son of a Khakan, the Conqueror Futh Ali Shah, the Sovereign of Persia, and also invested with discretionary powers from His Royal Highness, the heir-apparent, Prince Abbas Mirza the High in Dignity Mirza Mahomed Ali, Mustofee, has been honoured with the rank of Plenipotentiary, and in virtue of a Firman, His Majesty the Protector of the Faith, the Guardian of the Holy Cities, Sultan of the Sea and Earth, the Sultan, son of the Sultan, the Conqueror, Mahmood Khan, Emperor of the Ottomans, has named for His Plenipotentiary the illustrious Mahomed Ummeer Raoof Pasha, Sur Askar, Governor of Arzeeraam, and Wallee of the Eastern Provinces of the Ottoman Empire, who, on the exchange of their full powers, have concluded their conferences and discussions in the fore-mentioned city by assenting to the conditions of peace.

Basis.—The stipulations of the treaty concluded in the year of the Hegira 1159 respecting the ancient boundaries of the two Empires and the former agreements relating to the pilgrims, the delivery of refugees, the free egress for all prisoners, and the residence of a Minister at the respective Courts are considered valid, and are to be strictly observed. The slightest deviation from the engagement therein detailed shall not be permitted, and the amity between the two powerful States shall be for ever preserved.

Stipulations.—Henceforward the sword of enmity shall be sheathed, and every circumstance shall be avoided which may produce coldness or disgust, and may be contrary to friendship and perfect union. The countries within the boundaries of the Ottoman Empire, that during the war or previously to the commencement of hostility have been taken possession of by Persia, including fortresses, districts, lands, towns, and villages to be restored in their present state, and at the expiration of sixty days from the signature of this Treaty shall be delivered over to the Ottoman Government. And in token of respect for this happy peace the prisoners captured on both sides, without concealment or prevention, shall have free permission to depart. Provisions and other necessaries requisite for the journey shall be afforded them, and they shall be sent to the frontiers of the two countries.

ARTICLE I.

The two High Powers do not admit of each other's interference with the internal affairs of their respective States. From this period, on the side of Bagdad and Koordistan, no interference is to take place, or with any districts of the divisions of Koordistan is the Persian Government to intermeddle, or authorise any acts of molestation, or to assume any authority over the present or former possessors of those countaries And on that frontier should the tribes of either side pass the boundaries .or a summeror winter residence, the Agents of his Royal Highness, the heir-apparent with the Pasha of Bagdad, shall arrange the tribute customary to be paid

the rent of the pasture lands, and other claims in order that they may not cause any misintelligence between the two Governments.

ARTICLE 2.

Persian subjects proceeding to the holy cities of Mecca and Medina, or to other Mahomedan towns, such as pilgrims and persons travelling through the Ottoman territories, are to be entirely exempt from all contribution, whilst other impositions in variance with lawful usages are not to be demanded from them. In like manner, the pilgrims to Kerbela and Najuff, as long as they have no merchandise, neither tribute or tax of any kind is to be exacted from them; but in the case that they have in their possession articles of commerce the just rate of customs is to be levied on their goods, and nothing extra is to be demanded. The Persian Government is likewise bound to pursue the same line of conduct towards the merchants and subjects of the Ottoman Empire. In conformity with former engagements from this period on the part of the Viziers, the Emir-i-Haj, and other Commanders and Governors, the ancient stipulations respecting the Persian pilgrims shall be considered in full force, and acted up to. The pilgrims shall be conducted from Damascus to the holy cities, from thence to Damascus, and on the part of the Emir-i-Haj attention shall be shown towards them, whilst no treatment in variance with the existing engagements shall be permitted; on the contrary, every exertion shall be made to afford them aid and protection. In the case that any disputes should arise amongst the Persian Pilgrims the Emir-i-Haj, in conjunction with the chief person amongst them, is to settle their differences. To the female attendants of His Persian Majesty, the wives of the Royal Princes, or of the Grandees of the Empire, who may be on pilgrimage to Mecca or Kerbela and Nujuff, every respect and honour shall be paid according to their respective ranks. Persian merchants and subjects shall pay the same rate of customs as those of the Ottoman Government. The duties are only once to be exacted, and they shall be at a computation of four piastres from a hundred piastres on the value of the merchandise. Tescarees shall be given, and whilst the goods remain in the posession of the first proprietors and are not disposed of to other persons, no further duties are to be demanded. The Persian merchants who carry the choobooks or pipe-sticks of Shiraz to Constantinople shall be allowed to traffic them without any restrictions, and to sell them to whomsoever they may think proper. To the merchants, subjects, and dependants of the two High Powers, visiting the two countries, in consideration of the Mahomedan religion, every friendly treatment shall be extended, and they shall be protected from all molestation and injury.

ARTICLE 3.

The tribes of Hyderanloo and Sibbikee, which have been the cause of contention between the two High Powers, and are now dwelling in the territory of the Ottoman Empire, should they from thence transgress the boundary of Persia, and commit any ravages, the Turkish Frontier authorities

must endeavour to prevent such proceedings and punish the offenders. In the case that these tribes continue to invade and molest the Persian territory, and the Frontier authorities do not put a stop to these aggressions, the Ottoman Government shall cease to protect them, and should these tribes on their own will and choice return to Persia, their departure shall not be prevented or opposed. But after their arrival in Persia should they again desert to Turkey, the Ottoman Government shall afford them no further protection, nor shall they be received. In the event of their return to Persia, should these tribes disturb the tranquillity of the Ottoman territory, the Persian Frontier authorities are obliged to use every effort to prevent these irregularities.

ARTICLE 4.

In conformity with ancient engagements the deserters from either country are not to be received, and in like manner from this period the wandering tribes and Eliauts quitting Persia for Turkey or Turkey for Persia are not to be afforded protection by either party.

ARTICLE 5.

The property of the Persian merchants sequestrated at Constantinople with the cognizance of the law, and according to the public registers from the date of this Treaty to the period of sixty days wherever the sequestration may have taken place, shall be restored to the proprietors. Besides the goods under sequestration, whatever effects during the war may have been taken by force from the Persian pilgrims and subjects throughout the Ottoman dominions, by the different Viziers and Governors on the representations of the Persian Government, Firmans shall be granted to the agents of such persons who, on giving lawful proofs of the authenticity of the claims, shall receive the required restitution.

ARTICLE 6.

On the demise of any Persian subjects in the Ottoman dominions should be deceased have no lawful heir or executor present the officers of the treasury (beit al mal) shall, with the cognizance of the law, register the property, and shall enter it into the records of the Courts of Judicature. For the period of one year the effects are to be lodged in a secure place, until the lawful heir or administrator of the estate may arrive, when, according to the register of the Courts of Judicature, the property shall be delivered up. The customary fees and the hire of the place depositing the effects are to be paid, and should they be burnt or destroyed in the forestated period, no pretensions are to be made for the recovery of the property. If, during the forestated period, the heir or executor of the deceased does not arrive, the officers of the treasury (beit al mal), with the

knowledge of the Agent of the Persian Government, are to sell the property and to keep the amount in deposit.

ARTICLE 7.

Agreeably to former engagements, and for the purpose of adding fresh ties to the alliance, a Minister shall be sent every three years to reside for that period at the respective Courts. The subjects of the two High Powers, who during the war may have deserted from either country, in consideration of this happy peace, shall suffer no punishment for the offence committed.

FINAL ARTICLE.

The capitulations detailed in the basis of the Treaty, in the stipulations, and different articles, which have been the result of the conferences, shall be approved of by both parties. No claim shall be advanced on account of plunder and losses, or any indemnification required for the expenses of the war, and the principle adhered to by both Governments shall be to overlook all past occurrences.

According to established custom the ratifications of this Treaty shall be exchanged, and from the signature of this authentic instrument to the space of sixty days, Ambassadors of secondary rank must meet each other on the frontiers of the two countries, and from thence proceed to the Courts of the respective States for the purpose of delivering the ratified Treaty. In this manner the alliance has been renewed and confirmed, and the truest reconciliation has taken place from the date of this Treaty. No alteration shall be made in the above stipulations and agreements or any measures hereafter pursued in repugnance to the rights of friendship.

The Plenipotentiary of the Ottoman Government in virtue of his full powers has signed and sealed this Treaty on the 19th day of Zekand in the year 1238, for which this instrument, in exact conformity thereto, has been delivered in exchange by the Plenipotentiary of His Persian Majesty agreeably to his full powers.

(Sd.) MAHMUD UMMEER RAOOF. L. S.

(Sd.) MAHOMED ALI. L. S.

(A true translation.)

(Sd.) GEORGE WILLOCK.

APPENDIX No. XVIII.—*Page 21.*

TRANSLATION of ARTICLES of AGREEMENT concluded at ERZEROOM and signed by the TURCO-PERSIAN COMMISSIONERS on the 31st May 1847.

ARTICLE 1.

The two Mahomedan Governments will settle that all pecuniary claims, excepting those mentioned in the fourth article, shall be abandoned.

ARTICLE 2.

The town and port of Mohammerah, and the island of Khiza, with the anchorage, as well as so much of the eastern bank of the Shut-el-Arab as is occupied by tribes confessedly belonging to Persia, are to remain in the possession of Persia, besides which Persians will enjoy the complete liberty of navigating the Shut-el-Arab, from its mouth to the point of contact of the two frontiers. Soolumaneeyeh will remain in the possession of Turkey. In regard to Nohab, the Persian Government settles that all the mountainous portion with the pass of Kerrond on its eastern part will be retained by it, and the plain of Nohab which forms the western portion, will be given over to Turkey.

ARTICLE 3.

All other territorial claims being renounced the two parties engage to appoint, without delay, Commissioners and Engineers, to determine the frontier between the two Kingdoms, agreeably to the preceding article.

ARTICLE 4.

The two parties will settle that all losses mutually sustained subsequent to the acceptance in Jemadee-ool-evval 1261 (June 1845) of the propositions of the Mediating Powers, as well as the arrears of the pasturage fees for former years, are to be equitably arranged by the Commissioners on both sides, to be appointed without delay for this purpose.

ARTICLE 5.

The Turkish Government will appoint Broussa as the place of residence of the refugee Persian Princes, without allowing them to absent themselves or to entertain secret relations with Persia. As regards other refugees they are all to be restored agreeably to the Treaty of Erzeroom.

ARTICLE 6.

The Merchants of Persia will pay the custom duties on their merchandise according to its actual value in that country (Turkey) either

cash or stock in conformity with the commercial Article in the Treaty of Erzeroom concluded in A. H. 1239 (A. D. 1823), and nothing exceeding what is written in the abovementioned Treaty is to be claimed from them.

ARTICLE 7.

The Turkish Government in conformity with former treaties will grant the necessary immunities to Persian pilgrims, in order that they may visit in complete security, and free from every exaction, the holy places situated in Turkey, and with a view to strengthen the relations of friendship and concord, which ought to exist between the two Powers of Islam and their respective subjects. The Turkish Government will further take into consideration the most appropriate mode of conferring on other subjects of Persia, as well as its pilgrims, the privileges enjoyed by them in order that they may be protected from every species of violence and oppression. The Turkish Government will admit such Consuls as His Majesty the Shah may appoint in Turkey wherever the interests of commerce or the protection of the merchants or subjects of Persia render it necessary, excepting the holy cities of Mecca and Medina, and the Porte will confer on the said Consuls the privileges due to their official character, and which are enjoyed by the Consuls of other friendly States. Persia, on her part likewise, will grant to the Consuls appointed by His Majesty the Sultan in Persia, wherever their residence may be necessary, the privileges enjoyed by the Consuls of Foreign Powers in Persia and in the same way the protection stipulated in former Treaties will be exercised towards the subjects or merchants of Turkey who may frequent Persia, and they will be protected from every kind of insult or injury whether in their trading concerns or other matters.

ARTICLE 8.

The two Mahomedan Governments engage to take measures of precaution to put an end to robbery by the frontier tribes of the two kingdoms, and will with this object establish military posts on the frontier, and the two States will become responsible for the incursions made into either territory. Uncontested tribes will be restored to the Government to which they belong, but contested tribes whose dependence is doubtful, shall be at liberty to choose once for all their future place of abode.

ARTICLE 9.

All the articles of the Treaty of Erzeroom, which are not specially altered in this document, are to be inserted word for word in the new Treaty.

APPENDIX No. XIX.—*Page 21.*

PROTOCOL signed by PERSIAN and TURKISH REPRESENTATIVE in 1869.

In order to confirm the *status quo* stipulated between the two Governments respecting their disputed grounds, this temporary document has been exchanged between the Sublime Porte and the Persian Legation :—

I.—The two parties will use every exertion towards increasing the security of the frontiers lying between their respective States.

II.—The *status quo* respecting disputed lands, such as was defined by the Commissioners of the four Powers, is to continue in force until the boundary line is settled. The two Governments and their frontier authorities shall exert themselves to preserve this stipulation, and shall refrain from any action that may be opposed thereto.

III.—Every place which was considered disputed land when the *status quo* was accepted by the parties shall remain under the authority of the State which governed it at that time until the boundary is settled. But the supervision will not confer the right of ultimate possession.

IV.—On these disputed lands no buildings of any description shall

Pour consolider et donner plus de force au réglement de *statu quo* adopté par les Gouvernements Turco-Persan au sujet des lieux en litige des frontières, la présente convention a été provisoirement échangé entre l'Ambassadeur de Perse et la S. P.

I. Pour sécurité et maintien de bon ordre dans les frontières qui séparent les deux états on veillera scrupuleusement des deux côtés de manière à prévenir tout état de choses défavorables à la sécurité et confiance respective.

II. Le réglement de *statu quo* qui a été adopté de part et d'autre lors de l'enquête des Commissaires des quatre Gouvernements au sujet des lieux litigieux des frontières, doit être maintenu tel quel jusqu'à une délimitation définitive, et les autorités limitrophes respectives en observant scrupuleusement le maintien de ce *statu quo* se garderont de toute démarche et conduite contraire qui pouvait porter attente au dit réglement.

III. A partir de l'époque où le *statu quo* a été adopté par les deux Gouvernements, les lieux litigieux en question qui se sont trouvés placés sous l'administration de chacune des deux parties seront encore pareillement administrés par elles jusqu'à la délimitation définitive des frontières, mais il est bien entendu que cette administration ne aura point prévaler comme le droit et les dits lieux litigieux ne seront aucunement par cela seul considérés des propriétés acquises.

IV. Aucune construction à l'avenir ne sera élevé sans aucune demeuration

henceforth be erected by either party, and any buildings or marks which may have hitherto been erected on such lands shall not, when the boundary line is fixed, be considered as proofs of possession by the party unentitled thereto.

V.—The repairing of the houses which were demolished at Kazlee Gioul does not form part of the stipulation previously explained; and it is agreed upon by the two States that the occupants of these houses may repair them; but their doing so shall not be considered when the frontier line is settled as having conferred upon them the right of proprietorship.

VI.—Should any dispute arise between the frontier authorities on this subject they must in the first instance discuss the matter between themselves in a manner suitable to the dignity and rights of the two States, and to the friendship subsisting between them. But if they should not be able to agree they shall then, without having recourse to any action, refer the case to their respective central Governments and await their instructions.

VII.—This temporary agreement shall hold good until the boundary line is settled. With regard to the disputed lands and the question under discussion between the two Governments, no verbal or written communication or protest which may have been made can alter the present stipulations.

Sealed by ALI PASHA.

que ce soit dans les lieux en litige qui se trouvent à l'administration de l'une et l'autre partie, et toutes elles qui ont eu lieu jusqu'à ce jour ainsi que toutes les manques et idées de limite ne seront à la délimitation définitive aucunement considérées comme preuve de droit et propriété acquis.

V. Exceptionellement à l'article précédent toutes les maisons ruinées à Cazlighure seront reconstruites par leurs propriétaires; mais ces constructions comme il est dit plus haut, ne seront point considérées comme preuves de droit acquis à la désignation des frontières.

VI. Si des contestations venaient à s'éléver entre les autorités limitrophes respectives relativement aux lieux litigieux en question, on s' adressera en premier lieu selon toutes ces marques de considération de cordialité et de bonne entente pour aplanir la difficulté entre eux, mais en cas de mésintelligence on s'empressera de part et d'autre de rapporter l'affaire sans y procéder à leur Gouvernements respectifs et attendra leurs instructions y relatives.

VII. Cette convention provisoire sera observée scrupuleusement jusqu'à la délimitation définitive des frontières sans annuller néanmoins toutes les réclamations et protestations échangées de part et d'autre au sujet des lieux litigieux question, et des constructions y élévées en qui toutes gardent leur effet et vigueur.

Fait le 3 Août 1869.

the MUSHEER-ED-DOWLAH,
Persian Envoy.

(Signé) AALI.
(„) HOUSSEIN.

APPENDIX No. XX.—*Page 22.*

CONVENTION between TURKEY and PERSIA regulating the position of the SUBJECTS of the two POWERS in their respective STATES, dated 20th December 1875, corresponding with 21st Zilkaadah A. H. 1292.

Premier article.—Les sujets Persans établis en Turquie, demeurent justiciables de la police et des tribunaux de l'Empire pour tout crime, délit ou faute dont ils se rendraient coupables. Toutefois, ainsi qu'est stipulé dans l'art. 4, les représentants de la Perse en Turquie conservent toujours leur droit de protection sur leurs nationaux. Lorsque le crime a été perpétré d'une manière manifeste et publiquement, la police et les tribunaux se saisiront directement des coupables, comme par le passé. Dans toutes les autres circonstances, la légation Persane à Constantinople et les Consuls et Vice-Consuls de Perse dans les provinces, sont autorisé à intervenir, soit en personne soit par l'entremise de leurs drogmans, en faveur de leurs nationaux, accusés d'un crime ou d'un délit ; ils sont également autorisés à joindre leur action à celle des autorités locales pour les premières recherches, et jusqu'à ce que la culpabilité ou l'innocence du prévenu soit établi. Les autorités impériales sont tenues de communiquer aux agents de Perse les sentences qui seraient rendues contre leurs nationaux.

Les procès et contestations qui auront surgi entre des sujets Persans et des sujets Ottomans pour affaires civiles ou commerciales, seront jugés devant les tribunaux de l'Empire. Dans ces sortes de procès, les sujets Persans pourront être assistés par un drogman de leur consulat.

Pour les sentences rendues par les tribunaux civils et de commerce contre des sujets Persans, les fonctionnaires Ottomans adresseront pour leur exécution à la légation et aux Consulats Persans. Dans le cas cependant où cette exécution n'aurait pas lieu dans le délai fixe, ou bien s'il était démontré qu'elle ne pourra pas être obtenue, les fonctionnaires Ottomans procéderaient directement à leur exécution.

Deuxième article.—Comme les sujets Ottomans, les Persans établis en Turquie peuvent exercer tout art et métier, et, s'ils le désirent, faire partie des corporations (Esnafs). Mais ils sont tenus d'observer les lois et règles qui regissent ces corporations et d'acquitter, comme les sujets Ottomans, tous les droits et taxes qui pèsent sur la corporation dont ils font partie. Les tribunaux et les fonctionnaires Ottomans sont seuls compétents pour juger toute contestation ou affaire concernant les corporations.

Troisième article.—Les Consuls, Vice-Consuls et les drogmans Persans dont la qualité a été ou sera reconnue par Berat ou par ordonnance vézirielle, jouiront des mêmes privilèges, immunités et concessions que les consuls et drogmans des autres puissances amies.

Quatrième article.—Les Consuls et Vice-Consuls de Perse résidant en Turquie, sont chargés de veiller à la sécurité et de protéger les intérêts de

leurs nationaux, voyageant ou établis dans l'Empire Ottoman. Ils ont donc de droit de correspondre à cet effet, par écrit ou verbalement, avec les autorités locales et de faire les représentations nécessaires auprès des autorités dans le cas où un sujet Persan aurait à se plaindre d'un fonctionnaire Ottoman ou d'un agent de la sûreté publique. Ils ont en outre la faculté de faire rapatrier tout sujet Persan et, à cet effet, ils peuvent, s'ils le jugent nécessaire, réclamer l'assistance de l'autorité locale. L'inventaire et les autres formalités légales sur les successions des Persans décédés dans l'Empire Ottoman, sont du ressort des Consuls et Vice-Consuls de Perse.

Si un sujet Ottoman élève des réclamations contre une succession, le différend est jugé par le tribunal compétent et conformément aux lois de l'Empire.

Cinquième article.—A l'exception des personnes investies d'un mandat officiel, tous les sujets Persans qui voyagent dans l'Empire, sont tenus d'observer à l'instar des sujets des autres Puissances étrangères, les prescriptions en vigueur sur les passeports, les feuilles de route et la quarantaine.

Sixième article.—En leur qualité d'étrangers, les sujets Persans, établis dans l'Empire sont, comme les sujets des autres Puissances, exempt du service militaire et des impôts auxquels sont soumis exclusivement les sujets Ottomans.

Septième article.—Toute sorte de procès et de contestation qui surgiront entre des sujets Persans sont de la juridiction des Consuls et des Vice-Consuls de Perse. Ainsi les affaires civiles et criminelles entre Persans seront jugées par leurs Consuls. La police qui saisira les coupables pour crime ou délit les remettra entre les mains de l'autorité consulaires, après que la nationalité du délinquant aura été dûment établie. Les Consuls et Vice-Consuls trouveront toute assistance auprès des autorités locales.

Huitième article.—Aucune ingérence ne pourra être exercée en ce qui concerne les rapports des Consuls avec leurs nationaux ainsi que la perception des taxes et des droits dûs par ces derniers à leur autorité consulaire.

Neuvième article.—La loi sur la nationalité Ottomane du 24 Djemazi-ul-Ewel 1285, qui a été communiquée à toutes les missions étrangères est applicable aussi à tous les nationaux Persans qui voudraient l'obtenir. Les Persans qui voudraient abandonner leur nationalité pour devenir Ottomans devront remplir toutes les formalités prescrites par la loi et auxquelles sont soumis également, en pareille occurrence, les sujets des autres puissances. Aucun Persan ne sera admis à la nationalité Ottomane, contrairement aux dispositions de la susdite loi.

Dixième article.—Par une conséquence naturelle des dispositions que précèdent, les sujets de l'Empire Ottoman établis en Perse jouiront des avantages stipulés en faveur des Persans résidant en Turquie. Toute clause qui ne sera pas exécutée en Perse à l'egard des Ottomans cessera aussi d'être valide en Turquie en faveur des Persans. Sous ce rapport, les parties contractantes agiront dans un esprit de parfaite réciprocité.

Onzième article.—Le droit de propriété foncière pour les Persans sera réglé par une convention spéciale. En attendant cette question continuera à être régie comme par le passé.

Douzième article.—Les règles et les formalités actuellement en vigueur pour les procès et contestations, surgissant entre les Persans et les sujets des Puissances étrangères, continueront à être observées, comme par le passé, jusqu'à ce qu'une entente soit établie entre la légation de Perse et les missions étrangères de Constantinople.

Treizième article.—Les faillites des sujets Persans demeurent exclusivement de la compétence de la légation et des Consulats Persans. Sur la demande des créanciers Ottomans l'un de ceux-ci pourra être nommé second syndic.

Quatorzième article.—En dehors des clauses stipulées dans les articles précédents, pour toute autre circonstance, les sujets Ottomans en Perse et les sujets Persans en Turquie seront traités sur le même pied que les sujets des nations les plus favorisées.

Celles des clauses ci-dessus stipulées que ne seront pas mises à exécution en Perse, réciproquement ne seront pas non plus observées en Turquie.

APPENDIX No. XXI—*Page 23.*

CONVENTION between PERSIA and RUSSIA defining the boundary between the two countries east of the CASPIAN SEA (Akhal-Khorassan Boundary).—Signed at Tehran, $\frac{9th}{21st}$ December, 1881.*†

[Ratifications exchanged at Tehran $\frac{11th}{d.}$ March 1882.]

In the name of God the Almighty.

His Majesty the Shah of Persia and His Majesty the Emperor and Autocrat of all the Russias, acknowledging the necessity of accurately

* From "State Papers," Vol. 72, page 97.

† This Convention was laid before Parliament in 1882, with correspondence respecting the Affairs of Central Asia, and formed an inclosure in the following despatch:—

"*Mr. Thomson to Earl Granville*—(*Received 6th March*)

Tehran, 23rd January 1882.

"MY LORD,

"I have the honour to transmit herewith, for your Lordship's information, translation of the Akhal-Khorassan Boundary Treaty, lately concluded between Russia and Persia, as reported in my telegram of the 4th January.

"This translation has been made from the Russian text by Mr. Stephen. Comparing it with the Persian version I observe that the terms employed in Article V are not the same in both languages. In the Russian text it is stated that both Governments engage with a view to the development of commercial intercourse between the Trans-Caspian province and Khorassan, to come to a mutually advantageous agreement for the construction of waggon-roads between the above-mentioned provinces; whereas in the Persian version of this clause it is said that in order to facilitate commercial operations between the Trans-Caspian provinces and that of Khorassan, the two Contracting Powers engage, as regards the construction of waggon-roads for the transport of merchandise between the aforesaid countries, to make such arrangements as may be of mutual advantage to them.

"The Minister for Foreign Affairs has informed me that the Nasseer-ed-Dowleh, who was formerly employed in the Persian Foreign Office, and lately in the Ministry of Justice, will be named Commissioner under Article II of this Convention for the local demarcation of the line of frontier, on the basis agreed upon in Article I.

"I have, etc.,

"RONALD F. THOMSON."

Earl Granville.

defining the frontier of their Possessions east of the Caspian Sea, and of establishing therein security and tranquillity, have agreed to conclude a Convention for that purpose, and have appointed as their Plenipotentiaries:

His Majesty the Shah of Persia, on the one hand, Mirza Said Khan, Moutemid-ul-Mulk, his Minister for Foreign Affairs;

His Majesty the Emperor and Autocrat of all the Russias, on the other Ivan Zenoviea, his Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the Shah;

Who, having exchanged their respective full powers, found in good and due form, have agreed on the following Articles:—

ARTICLE I.

Frontier between Russia and Persia East of the Caspian Sea.

The frontier-line between the Possessions of the Russian Empire and Persia, east of the Caspian Sea, is fixed as follows:—

Beginning at the Hasan Kuli Gulf the course of the River Atrek serves as the frontier as far as Chat. From Chat the frontier-line follows in a north-easterly direction the ridges of the Songou Dagh and Sagirim ranges, thence extending northward to the Chandir River, reaching the bed of that river at Tchakan Kale. From Tchakan Kale it runs in a northerly direction to the ridge of the mountains dividing the Chandir and Sumbar valleys, and extends along the ridge of these mountains in an easterly direction, descending to the bed of the Sumbar at the spot where the Ach-Agaian stream falls into it. From this point eastward the bed of the Sumbar marks the frontier as far as the ruins of Medjet Dainé. Thence the road to Durrun forms the frontier line as far as the ridge of the Kopet Dagh, along the ridge of which the frontier-extends south-eastward, but before reaching the upper part of the Giamab Pass turns to the south along the mountain heights dividing the valley of the Sumbar from the source of the Giamab. Thence taking a south-easterly direction across the summits

of the Misino and Tchoubest Mountains, it reaches the road from Giamab to Rabab, passing at a distance of 1 verst to the north of the latter spot. From this point the frontier-line runs along the ridge of the mountains as far as the summit of the Dalang Mountain, whence passing on the northern side of the village of Khairabad it extends in a north-easterly direction as far as the boundaries of Geok Keital. From the boundaries of Geok Keital the frontier-line crosses to the gorge of the River Firuze, intersecting tha t gorge on the northern side of the village of Firuze. Thence the frontier-line takes a south-easterly direction to the summits of the mountain-range bounding on the south the valley, through which the road from Askabad to Firuze passes, and runs along the crest of these mountains to the most easterly point of the range. From here the frontier-line crosses over to the northernmost summit of the Aselm range, passing along its ridge in a south-easterly direction, and then skirting round to the north of the village of Keltechinar it runs to the point where the Ziri Kou and Kizil Dagh Mountains join, extending thence south-eastward along the summits of the Ziri Kou range, until it issues into the valley of the Baba Durmaz stream. It then takes a northerly direction, and reaches the oasis at the road from Gavars to Lutfabad, leaving the fortress of Baba Durmaz to the east.

ARTICLE 2.

Commissioners to be appointed to trace the Boundary in detail.

Whereas, in Article I of the present Convention, the principal points are indicated through which the frontier between the possessions of Russia and Persia is to pass, the High Contracting Parties are to appoint Special Commissioners with a view of accurately tracing on the spot the frontier-line, and of erecting proper boundary-marks. The date and place of meeting of the said Commissioners shall be mutually agreed upon by the High Contracting Parties.

ARTICLE 3.

Persia to evacuate Forts of Giamab and Kulkulab, reserving right to withdraw Inhabitants within Persian Territory.

Whereas the forts of Giamab and Kulkulab, situated in the gorge through which the stream watering the soil of the Trans-Caspian province passes, lie to the north of the line which, in virtue of Article 1 of the present Convention, is to serve as the boundary between the territories of the two High Contracting Parties, the Government of His Majesty the Shah engage to evacuate the said forts within the space of one year from the date of the exchange of the ratifications of the present Convention, but shall have the right during the said period to remove the inhabitants of Giamab and Kulkulab to within the Persian frontier, and to establish them there.

Russia not to erect Fortifications or to establish Turcoman Families within those localities.

On their part the Government of the Emperor of All the Russias engage not to erect fortifications in these said localities nor to establish any Turcoman families therein.

ARTICLE 4.

Persia not to interfere with Water Supply flowing to Akhal through Persian Territory nor to increase number of Villages or extent of land now under cultivation along sources of River Firuze and other Streams.

Whereas the sources of the River Firuze, as well as of other streams watering the soil of the Trans-Caspian province contiguous to the Persian frontier, lie within the Persian territory, the Government of His Majesty the Shah engage on no account whatever to permit the establishment of fresh settlements along the course of the said streams and rivulets from their sources to the point where they leave Persian territory, and not to extend the area of land at present under cultivation, and under no pretence whatever to turn off the water in larger quantities than is necessary for irrigating the fields now under cultivation within the Persian territory. With a view to the immediate observance and fulfilment of this stipulation the Government of His Majesty the Shah engage to appoint a sufficient number of competent Agents, and to subject any infringer thereof to severe punishment.

ARTICLE 5.*

Commercial Intercourse between Akhal and Khorassan. Construction of Roads.

With a view to the development of commercial intercourse between the Trans-Caspian province and Khorassan, both High Contracting Parties engage to come to a mutually advantageous agreement as soon as possible for the construction of waggon-roads suitable for commercial traffic between the above-mentioned provinces.

ARTICLE 6.

Neither Russia nor Persia to allow Arms or War Material to be supplied to the Turcomans.

The Government of His Majesty the Shah of Persia engage to strictly prohibit the export from His Majesty's dominions, along the whole extent of the frontier of the Provinces of Asterabad and Khorassan, of all arms and

* See note, p. 132.

war material, and likewise to adopt measures to prevent arms being supplied to the Turcomans residing in Persian territory. The Persian frontier authorities shall afford the most effective support to the Agents of the Imperial Russian Government, whose duty it shall be to watch that arms are not exported from the Persian territory. The Government of His Majesty the Emperor of All the Russias on their part engage to prevent arms and war material being supplied from Russian territory to Turcomans living in Persia.

ARTICLE 7.

Appointment of Russian Agents in Persian Frontier Towns to preserve order and tranquillity among Turcomans.

With a view to the observance and fulfilment of the stipulations of the present Convention, and in order to regulate the proceedings of the Turcomans residing on the Persian frontier, the Government of His Majesty the Emperor of All the Russias shall have the right to nominate Agents to the frontier points of Persia. In all questions concerning the observance of order and tranquillity in the districts contiguous to the possessions of the High Contracting Parties, the appointed Agents will act as intermediaries in the relations between the Rusian and Persian authorities.

ARTICLE 8.

Confirmation of all Treaties, &c., between Russia and Persia.

All engagements and stipulations contained in Treaties and Conventions concluded up to this time between the two High Contracting Parties shall remain in force.

ARTICLE 9.

Ratifications.

The present Convention, done in duplicate, and signed by the Plenipotentiaries of both parties, who have affixed to it the seal of their arms, shall be confirmed and ratified by His Majesty the Shah of Persia and His Majesty the Emperor and Autocrat of All the Russias ; the ratifications to be exchanged between the Plenipotentiaries of both parties at Tehran within the space of four months, or earlier if possible.

Done at Tehran, the $\frac{9th}{21st}$ December 1881, which corresponds to the Mussulman date of the 29th Muharram, 1299.

(L. S) MIRZA-SAID-KHAN, *Minister of Foreign Affairs of Persia.*

(L. S.) IVAN ZENOVIEF.

APPENDIX No. XXII.—*Page 23.*

TRANSLATED ABSTRACT of an AGREEMENT come to between the PERSIAN and TURKISH GOVERNMENTS respecting SANITARY REGULATIONS to be observed by PERSIAN PILGRIMS—1878.

This agreement contains six articles:—

1. Construction of lazarets on the frontier.
2. When will it be necessary to establish quarantine?
3. The corpses must be examined and a certificate given at Kermanshah by a sanitary doctor and a Persian doctor.
4. Fixes the date when the number of sanitary officials at Khanikin shall be increased.
5. Pilgrims must have their passports *visé*.
6. Tax to be levied on Persians coming into Turkey.

APPENDIX No. XXIII.—*Page 25.*

ARRANGEMENT for the SETTLEMENT of the DISPUTE between PERSIA and AFGHANISTAN regarding the HASHTADAN LANDS—1888.

PROPOSED COMPROMISE.

Taking into consideration all evidence hitherto submitted to me by the Persian Agent, the evidence afforded by history and local tradition, besides information, oral and documentary, obtained* from various individuals, and my own observation, I consider that Persia has neither regained nor occupied Hashtadan since she lost it in 1749-50, when Ahmed Shah overran Eastern Khorassan.

* Quite privately. (Sd.) C. M.

There is no visible sign of her recent sovereignty, and on each occasion that she has attempted occupation she has at once been rebuffed by the Afghans.

On the other hand the valley passed into Afghan possession in 1749-50, and possibly may have remained populated and flourishing under Herat until about 100 years ago, or for a period of nearly 40 years.

During this time it is possible that Hashtadan and Kulukh Pardai may have been, for administrative purposes, attached to Kushan, the connecting link being naturally Darband and Kafir Kalla, all three being dependent on the same water-supply. In the same way Chahar Kamay have become attached to Ghorian.

This would not, however, explain how Chahar Kalla came to be attached to Ghorian in 1684 while under * Persian sway.

* As alleged by the Persians. (Sd.) C. M.

A similar difficulty arises about Tir Kisht, which the Afghan sanad shows to have been attached to Ghorian in 1686, when the whole Herat province was under Persia, while the Persian sanad, No. 10, refers to it as attached to Bakharz in 1792, when it was under Afghanistan.

The genuineness of the sanads, as as already stated, cannot be thoroughly tested until the opposing parties have had an opportunity of examining them.

If Kilich Khan was a Herat subject up to the time of his death in 1822, † then it would appear that the Afghans re-asserted their claims to Hashtadan between 1806-10, although it is doubtful whether the idea of restoring the valley to prosperity was ever carried out. A clue to this will be perhaps found when the date of Mirza Hadi's incumbency of the office of Treasurer or revenue Collector of Herat is ascertained. After Kilich Khan's death there seems little doubt that the valley was again abandoned by the Afghans and remained practically at the disposal of the Turkomans. This state of things continued until 1874, when Persia represented by Yusuf Khan, Hazara, commenced work at Hashtadan, but was promptly stopped by the Afghans. So it is not surprising that the Afghans cite the withdrawal of Yusuf as it a tacit recognition of their own rights.

† It is for the Persians to prove he was not. (Sd.) C. M.

The Persian claim was not again put forward until 1885, when it was again disputed by the Afghans.

Whether the assertions and statements of the Afghan Agent regarding the regulations adopted for patrols, escorts, and liability for payment of compensation are accurate cannot obviously be ascertained until the Persians have had an opportunity of making a reply.

Both sides will probably summon crowds of witnesses to support their statements and the result will not be satisfactory or convincing.

Since the alleged attempt of Kilich Khan at occupation up to 1874 the claims of the Afghans seem to have lain dormant, but even then no attempt was made by them to occupy the place themselves. Upon the whole, looking to the nature of my present information, it seems to me that neither Persians nor Afghans can produce proofs of recent possession in support of their respective claims, neither having felt inclined to stand the brunt of collisions, in such an exposed locality, with the Turkomans.

The case seems eminently one for compromise, in which both parties should somewhat abate their pretensions in order to render an equitable settlement possible.

Such a settlement is possible only by a division of the water-supply available for irrigation as indicated by the old karezes ‡ or kanats (old water canals). It is on this principle that the compromise indicated on the map § of the Hashtadan valley has been based.

‡ Under-ground canals.

§ Already submitted to Government of India. (Sd.) C. M.

By accepting the above compromise Persia will secure the greater portion of the arable land of the valley including the actual land over which the dispute arose, and on which work was interrupted by the Afghans, as already described.

On the other hand the Afghans will secure what they profess to desire, *viz.*, a supply of water for the irrigation of the Kafir Kalla lands * and all the grazing-grounds lying on the southern end of the valley.

* The Afghans will also have a considerable area of arable land at Chahar Kalla, as well as the large tract near the month of the Shorab pass which can be irrigated from the large canal, and the cultivation at Tir Kisht can be extended to a considerable extent.

(Sd.) C. M.

Neither Persians nor Afghans are aware of the nature of the compromise I have in view, but it is remarkable that Nawab Hassan Ali Khan, who is in no way a favourer of Afghanistan, proposed a compromise very similar to mine, of the nature of which, of course, he is completely ignorant.

(Sd.) C. S. MACLEAN,
Brigadier-General.

MESHED:
The 9th November 1888.

APPENDIX No. XXIV.—*Page 25.*

TRANSLATION of a PERSIAN CIRCULAR announcing the OPENING of the KARUN RIVER from MOHAMMERAH to AHWAZ. 30th October 1888.

The Persian Government, with a view to the extension of commerce and wealth in her provinces and the progress of agriculture in Khuzistan and Ahwaz, has ordered that commercial steamers of all nations, without exception, besides sailing vessels which formerly navigated the Karun River, undertake the transport of merchandise in the Karun River from Mohammerah to the Dyke at Ahwaz ; but it is on the condition that they do not pass the Dyke at Ahwaz upwards, as from the Dyke upwards the river navigation is reserved to the Persian Government itself and its subjects, and the tolls which the Persian Government will organize shall be paid at Mohammerah. Such vessels are not to carry goods prohibited by the Persian Government, and vessels are not to stay longer than necessary for the unloading and loading of commercial loads.

(*24th Sefer 1303=30th October 1888.*)

APPENDIX No. XXV.—*Page 25.*

TRANSLATION of a PROCLAMATION of the SHAH of PERSIA respecting the PROTECTION of the LIVES and PROPERTIES of PERSIAN SUBJECTS. Tehran, 26th May, 1888.

Official Government Proclamation.

The Great and Most High God having made our holy person the source of justice and benevolence, and the executor of his command and power, and having especially entrusted the protection of the lives and property of the subjects of the united countries of Persia into our well-skilled hands, in thanksgiving for this great bounty we consider it incumbent on us in the execution of this trust not to draw back from or evade the distribution of justice and the protection of the lives and property of the people of this country from the encroachment of oppressors, and (we consider it incumbent upon us) to so properly endeavour and persevere that the people be masters of their lives and property, in order that they may, with the greatest ease and prosperity, engage themselves in enterprises which are the basis of civilization and the source of wealth; therefore, for the information and assurance of all the subjects and people, in order to make them acquainted with the watchfulness, tempered with justice, of our sovereign mind by the issue of this great Proclamation and noble Address, we make it generally known to the people of the united countries of Persia that all our subjects, as egards their lives and property, are free and independent, so that they may, without fear or apprehension, exercise any right of proprietorship they like over their own belongings, and any enterprise for which the combination of money and formation of companies for the construction of works and roads and any branch of the branches of civilization and wealth which they may undertake will give us satisfaction and pleasure, and the protection of such is our duty, and no one shall have the right or power to lay hands upon, or take possession of, or interfere with the life or property, or punish or chastise the subjects of the Persian Government, except it be in execution of the religious and civil laws.

Month of Ramazan-ul-Mubareh 1303 (May 1888).

TRANSLATION of a FIRMAN of the SHAH of PERSIA for the execution of the foregoing PROCLAMATION. May 1888.

(The Firmans contain the same words as the Proclamation, with an additional injunction, of which the following addressed to the Veliahd, or Heir-Apparent, at Tabriz is a specimen.)

It is commanded that the Dawn of the Soul's Light, the Key of the Gates of Victory, the Light of the Eyes, of the Khilafet and Kingdom, Resplendence of the face of Sovereignty and Empire, Dear and Most Noble Son, Light of the Eyes, Muzafer-ud-Din Mirza, Veliahd of the Everlasting Kingdom of Persia, Governor-General of the Province of Azerbaijan, will execute this world; respected Imperial Firman, and not allow it to be disregarded and this very Firman is be read in all Masjids and meeting-houses, and is to be generally explained and instilled into the people, and

published to all small towns, districts, and even villages and settlements, so that all the subjects of Persia be informed of this Imperial command, and bonds are to be taken from the petty authorities binding them to carry out these commands, and anyone disregarding this order will be so punished and chastised as to be the wonder of the spectators. (*May 1888.*)

APPENDIX No. XXVI.—*Page 31.*

TRANSLATION of a COMMERCIAL TREATY between PERSIA and SPAIN—1842.

PREAMBLE.

PRAISE be to the Almighty Guardian of the Universe!

The exalted Government of Persia and the exalted Government of Spain for the purpose of protecting the interests and welfare of the merchants and other subjects of the two countries, and the improvement and extension of trade and commerce, are desirous of an arrangement which will be for the honour and glory of these Governments. Thus having been convinced that nothing is equal to the formation of, Treaty for the support and benefit of important affairs, they both therefore have considered it suitable that hereafter between these mighty Governments and their subjects a basis of friendly intercourse should be established, according to an auspicious Treaty of friendship and commerce ornamented with truth and justice, and founded on a firm and permanent footing. For the pupose of completing this agreement His Majesty, &c., &c., Mahomed Shah, Kajar, on his part, has appointed Meerza Jaffer Khan, Chief Engineer, &c., &c., and Ambassador Extraordinary of the Persian Government to the Court of Turkey, his Plenipotentiary and in like manner in the name of Her Majesty, Donna Isabella the second, during Her minority, as, heir-apparent to the sovereignty of Spain, His Highness Baldomero Espartero Regent and Duke of Vittoria and Marbella, has appointed Monsieur Antonio Louis Cordova, Knight, &c., &c., and Minister Plenipotentiary of Spain at the Sublime Porte, Plenipotentiary on his part. These two Plenipotentiaries having on perusal of each other's full powers found them to be correct and according to custom have framed the stipulations of the auspicious Treaty in the following seven articles :—

ARTICLE 1.

From this day and until the Almighty pleaseth, between the exalted Governments of Persia and Spain and their subjects the foundation of friendship, truth, and everlasting regard shall be firmly established.

ARTICLE 2.

The subjects of these exalted Governments are reciprocally permitted and allowed to pass in peace and security into each other's territories and to carry on their mercantile transactions or to travel, and to rent such

houses, shops, or storehouses, as may be necessary for the purpose of their business, without any hindrance on the part of the Government authorities, who are always to render them assistance and protection and to use their endeavours to maintain a good understanding between the merchants and travellers of these two exalted Governments, and to the utmost of their power to add to their comforts. And whenever it may be necessary for them to depart orders and passports shall be given to them, that they shall not be molested, but afforded every assistance.

ARTICLE 3.

The subjects of these two powerful States, who for the purpose of trade and commerce, or to travel, visit each other's territories, from the time of their arrival to that of their departure, shall be treated with due respect, and on no account shall any taxes be taken from them excepting this, that on their merchandise the same amount of custom duty shall be levied that is levied on merchandise of other friendly nations.

ARTICLE 4.

These two exalted Governments, for the care and security of their subjects who may pass into each others countries, will give permission for the residence of Commercial Agents in two suitable places. The Persian Government will give permission for one Agent to reside in Tehran, and one in Tabreez on the part of the Spanish Government. In like manner the Spanish Government will consent to the residence of one Agent on the part of the Persian Government in the capital of Madrid, and another at the port of Barcelona, or in any other port that the Persian Government may think suitable for its Agent to reside.

ARTICLE 5.

Whenever any disputes shall arise between the subjects of these contracting Governments, with regard to trade and traffic, such disputes must be settled according to the custom and laws of the country, and with the knowledge of the Agent of that country, and if anyone of the subjects of these Governments should become insolvent or bankrupt after an examination of his books of exports, imports, and credits, and remaining property, his goods and property shall be divided between his debtors according to the Bankruptcy law, and if one of the subjects of these States should die all the property posssesed by such person shall be made over to the care of the Agent of his Government.

ARTICLE 6.

If either of these contracting States should be at war with another power, according to the everlasting friendship subsisting between the Governments of Persia and Spain, on no account shall any loss or neglect be experienced by either of them.

ARTICLE 7.

This Treaty of friendship and commerce between the two States in accordance with the contents of the foregoing Articles, by the assistance

of the one Almighty God, the Ministers of the two contracting Powers will always adhere to its stipulations, and on no account shall its basis be impaired, and Please God in the space of five months, or less, this Treaty will be ratified and sealed by the Ministers of the two contracting Governments at Constantinople and there be exchanged by the Plenipotentiaries of these Governments.

CONCLUSION.

These seven Articles were drawn up and attested by the Plenipotentiaries of the two contracting parties in two corresponding copies, and after being ratified and sealed by both parties, were exchanged at Constantinople on the 30th of March 1842, corresponding with the 20th of Mohurrum 1258 of the Hajireh, and have now received the ratification of His Excellency Haji Mirza Aghassee and the Ministers of the Persian Government in this month of Sheoval 1262 (October 1846).

Translated by

(Sd.) JOSEPH REID.

APPENDIX No. XXVII.—*Page 31.*

TRANSLATION of a TREATY between PERSIA and SPAIN, signed in LONDON by GENERAL HAJEE SHEIKH MOHSIN KHAN and DON MANUEL RANCESY VILLANEUVA on the 8th Zeekaadeh 1286 = 9th February 1870, and ratified by HIS MAJESTY the SHAH on the 1st Zeehejjeh 1288 = 10th FEBRUARY 1872.

ARTICLE 1.

The stipulations contracted by the two powerful States in their Treaty of the 20th Mohurrum 1258 = 4th March 1842, are hereby fully confirmed, and they shall be considered as forming an integral part of the present auspicious Treaty.

ARTICLE 2.

His Majesty and the Shah of Persia shall be at liberty to appoint a Consul and Commercial Agent at any Spanish port, be it Cadiz or any other port where he may consider (such appointment) most advantageous to the trade of his subjects. In like manner the Government of Spain shall also be at liberty to appoint a Consul and Commercial Agent at any port in the Persian Gulf, be it Bushire or elsewhere, which may appear to it suitable for the commercial interests of its subjects.

The places of residence of the Commercial Agents and Consuls of the two parties will be as follows :—On the part of Persia—Madrid, Barcelona, and Cadiz, or any (other) port which she may select; and on the part of

Spain—Tehran, Tabreez, and Bushire, or any other port which she may prefer.

ARTICLE 3.

Both Powers being desirous that their commerce should enjoy the privileges accorded to that of the most favoured nation, it is hereby decided that if, after the experiment which will be made, the commercial interests of the two parties should hereafter require that the number of the Commercial Agents and Consuls specified in the present Treaty should be fixed, a new arrangement shall be made to that effect.

ARTICLE 4.

The present Treaty shall be written in Persian and Spanish, and the Plenipotentiaries, of the two States shall each keep a copy duly signed and sealed by them.

Both copies shall be translated into French, and after having been compared with the originals, the said translations shall be signed and sealed by the two Plenipotentiaries, who will each keep a copy, which shall have the same validity as the originals.

ARTICLE 5.

The ratifications of the present Treaty shall be exchanged in London between the Legations of the two Powerful States as soon as possible.

Done in London by the aforementioned Plenipotentiaries on the 8th Zeekaadeh 1286=9th February 1870.

APPENDIX No. XXVIII.—*Page 31.*

TRAITÉ d'Āmitié et de Commerce entre la France et la Perse. Signé à Téhéran, le 12 Juillet, 1855.

[Ratifications échangées à Téhéran, le 14 Juillet, 1855.]

Au nom du Dieu clément et miséricordieux !

Sa Haute Majesté l'Empereur Napoléon dont l'élévation est pareille à celle de la planète Saturne, à qui le soleil sert d'étendard, l'astre lumineux du firmament des têtes couronnées, le soleil du ciel de la royauté, l'ornement du diadème, le splendeur des étendards insignes impériaux, le Monarque illustre et libéral ;

* From "State Papers," Vol. 47, page 869.

Et Sa Majesté élevée comme la planète de Saturne, le Souverain à qui le soleil sert d'étendard, dont la splendeur et la magnificence sont pareilles à celles des cieux, le Souverain sublime, le Monarque dont les armées sont nombreuses comme les étoiles, dont la grandeur rappelle celle de Djemschid, dont la munificence égale celle de Darius, l'héritier de la couronne et du trône des Keyaniens, l'Empereur sublime et absolu de toute la Perse ;

L'un et l'autre également et sincèrement désireux d'établir des rapports d'amitié entre les 2 Etats, ont voulu les consolider par un Traité d'amitié et de commerce réciproquement avantageux et utile aux sujets des 2 Hautes Puissances Contractantes ;

A cet effet, ont désigné pour leurs Plénipotentiaires :

Sa Majesté l'Empereur de France, le Sieur Nicolas-Prosper Bourée son Envoyé Extraordinaire et Ministre Plénipotentiaire, etc. :

Et Sa Majesté l'Empereur de toute la Perse, son Excellence Mirza-Aga-Khan, son premier Ministre, Eetemad-el-Dowlet (confiance du Gouvernement), etc.

Et les 2 Plénipotentiaires s'étant réunis à Téhéran, ayant échangé leurs pleins pouvoirs et les ayant trouvés en bonne et due forme ont arrêté les Articles suivants :—

ARTICLE 1.

Friendship.

A dater de ce jour et à perpétuité, il y aura amitié sincère et une constante bonne intelligence entre l'Empire de France et tous les sujets Français, et l'Empire de Perse et tous les sujets Persans.

ARTICLE 2

Reception of Diplomatic Agents.

Les Ambassadeurs ou Ministres Plénipotentiaires qu'il plairait à chacune des 2 Hautes Puissances Contractantes d'envoyer et d'entretenir auprès de l'autre seront reçus et traités, eux et tout le personnel de leur mission, comme sont reçus et traités, dans les 2 pays respectifs, les Ambassadeurs ou Ministres Plénipotentiaires des nations les plus favorisées, et ils y jouiront, de tout point, des mêmes prérogatives et immunités.

ARTICLE 3.

Protection of Travellers, Merchants, and Others.

Les sujets des 2 Hautes Parties Contractantes, voyageurs, négociants, industriels et autres, soit qu'ils se déplacent, soit qu'ils résident sur le territoire de l'une ou de l'autre Empire, seront respectés et efficacement protégés par les autorités du pays et leurs propres agents, et traités, à tous égards comme le sont les sujets de la nation la plus favorisée.

Liberty to Import, Export, or Transport Merchandise, etc.

Ils pourront réciproquement apporter, par terre et par mer, dans l'un et l'autre Empire et en exporter toute espèce de marchandises et de produits, les vendre, les échanger, les acheter, les transporter en tous lieux sur les territoires de l'un et de l'autre Etat.

ARTICLE 4.

Duties on Goods.

Les marchandises importées ou exportées par les sujets respectifs des 2 Hautes Parties Contractantes ne payeront dans l'un et l'autre Etat, soit à l'entrée, soit à la sortie, que les mêmes droits que payent à l'entrée et à la sortie, dans l'un et l'autre Etat, les marchandises et produits importés et exportés par les marchands et sujets de la nation la plus favorisée ; et nulle taxe exceptionelle ne pourra, sous aucun nom et sous aucun prétexte, être réclamée dans l'un comme dans l'autre Etat.

ARTICLE 5.

French Consular Jurisdiction : Disputes between French Subjects.

Les procès, contestations et disputes qui, dans l'Empire de Perse, viendraient à s'élever entre sujets Français, seront référés en totalité à l'arrêt et à la décision de l'agent ou Consul Français qui résidera dans la province où ces procès, contestations et disputes auraient été soulevés, ou dans la province la plus voisine. Il en décidera d'après les lois Françaises.

French Consular Jurisdiction: Disputes between French and Persian Subjects.

Les procès, contestations et disputes soulevés en Perse entre des sujets Français et des sujets Persans, seront portés devant le tribunal Persan, juge ordinaire de ces matières, au lieu où résidera un Agent ou un Consul Français, et discutés et jugés selon l'équité, en présence d'un employé de l'Agent ou du Consul Français.

French Consular Jurisdiction : Disputes between French Subjects and those of other Powers.

Les procès, contestations et disputes soulevés en Perse entre des sujets Français et des sujets appartenant à d'autres puissances également étrangères, seront jugés et terminés, par l'intermédiaire de leurs Agents ou Consuls respectifs.

Trial of Disputes in France in which Persians are interested.

En France, les sujets Persans seront également, dans toutes leurs contestations, soit entre eux, soit avec des sujets Français ou étrangers, jugés

suivant le mode adopté dans cet Empire envers les sujets de la nation la plus favorisée.

Criminal Jurisdiction.

Quant aux affaires de la juridiction criminelle dans lesquelles seraient compromis des sujets Français en Perse, des sujets Persans en France, elles seront jugées en France et en Perse suivant le mode adopté dans les 2 pays envers les sujets de la nation la plus favorisée.

ARTICLE 6.

Succession to Property of Deceased Subjects.

En cas de décès de l'un de leurs sujets respectifs sur le territoire de l'un ou de l'autre Etat, sa succession sera remise intégralement à la famille ou aux associés du défunt, s'il en a. Si le défunt n'avait ni parents ni associés, sa succession, dans l'un comme dans l'autre pays, serait remise à la garde de l'Agent ou du Consul de la nation du sujet décédé, pour que celui-ci en fasse l'usage convenable, conformément aux lois et coutumes de son pays.

ARTICLE 7.

Appointment of Consuls.

Pour la protection de leurs sujets et de leur commerce respectifs, et pour faciliter de bonnes et équitables relations entre les sujets des 2 Etats, les 2 Hautes Parties Contractantes se réservent la faculté de nommer, chacune 3 Consuls. Les Consuls de France résideront à Téhéran, à Bender-Bouchir,* et à Tauris.† Les Consuls de Perse résideront à Paris, à Marseille, et à l'Ile de la Réunion (Bourbon).

Ces Consuls des 2 Hautes Puissances Contractantes jouiront réciproquement, sur le territoire de l'un et de l'autre Empire où sera établie leur résidence, du respect, des privilèges et des immunités accordés dans l'une et dans l'autre Empire aux Consuls de la nation la plus favorisée.

ARTICLE 8.

Ratifications. Treaty to be perpetual.

Le présent Traité de Commerce et d'Amitié, cimenté par la sincère amitié et la confiance qui régnent entre les 2 Empires bien conservés de France et de Perse, sera, Dieu aidant, fidèlement observé et maintenu, de part et d'autre, à perpétuité, et les Plénipotentiaires des 2 Hautes Parties Contractantes s'engagent à échanger les ratifications impériales de leurs augustes Souverains, soit à Téhéran, soit à Paris, dans l'espace de 6 mois, ou plus tôt, si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs des 2 Hautes Parties Contractantes ont signé le présent Traité et y ont apposé leurs sceaux.

* Bushire. † Tabreez.

Fait en double, en Français et en Persan, le 12 du mois deJuillet, de l'an du Christ, 1855, et le 27 du mois de Chawal de l'Hégire, l'année 1271, à Téhéran.

(L. S.) P. BOUREE.
(L. S.) MIRZA-AGA-KHAN.

APPENDIX No. XXIX.—*Page 31.*

TREATY of Friendship and Commerce between the UNITED STATES and PERSIA.—Signed at Constantinople 13th December 1856.*

[Ratifications exchanged at Constantinople, 13th June 1857.]

In the name of God, the Clement and the Merciful.

The President of the United States of North America, and His Majesty as exalted as the planet Saturn ; the Sovereign to whom the sun serves as a standard ; whose splendour and magnificence are equal to that of the skies ; the Sublime Sovereign, the monarch whose armies are as numerous as the stars : whose greatness calls to mined that of Jeinshid ; whose magnificence equals that of Darius; the Heir of the Crown and Throne of the Kayanians, the Sublime Emperor of all Persia, being both equally and sincerely desirous of establishing relations of friendship between the two Governments, which they wish to strengthen by a Treaty of friendship and commerce, reciprocally advantageous and useful to the citizens and subjects of the two High Contracting Parties, have for this purpose named for their Plenipotentiaries :—

The President of the United States of North America, Carroll Spence, Minister Resident of the United States near the Sublime Porte ; and His Majesty the Emperor of all Persia, His Excellency Emin-ul-Molk Farrukh Khan, Ambassador of His Imperial Majesty the Shah, decorated with the portrait of the Shah, with the great Cordon Blue, and Bearer of the Girdle of Diamonds, &c.

And the said Plenipotentiaries, having exchanged their full powers, which were found to be in proper and due form, have agreed upon the following Articles :

ARTICLE I.

Good understanding between Persia and the United States.

There shall be hereafter a sincere and constant good understanding between the Government and citizens of the United States of North America and the Persian Empire, and all Persian subjects.

* Signed also in the Persian language.

† From "State Papers," Vol. 47, p. 355.

ARTICLE 2.

Reception and Treatment of Ambassadors or Diplomatic Agents.

The Ambassadors or Diplomatic Agents whom it may please either of the two High Contracting Parties to send and maintain near the other, shall be received and treated, they and all those composing their missions, as the Ambassadors and Diplomatic Agents of the most favoured nations are received and treated in the two respective countries ; and they shall enjoy there in all respects the same prerogatives and immunities.

ARTICLE 3.

Protection of Travellers, Merchants, and other Residents.

The citizens and subjects of the two High Contracting Parties travellers, merchants, manufacturers, and others, who may reside in the territory of either country, shall be respected and efficiently protected by the authorities of the country and their agents ; and treated in all respects as the subjects and citizens of the most favoured nation are treated.

Right to Import, Export, and Trade in all kinds of Produce and Manufactures.

They may reciprocally bring by land or by sea into either country, and export from it, all kinds of merchandise and products, and sell, exchange, or buy, and transport them to all places in the territories of either of the High Contracting Parties. It being, however, understood that the merchants of either nation who shall engage in the internal commerce of either country shall be governed, in respect to such commerce, by the laws of the country in which such commerce is carried on.

Internal Commerce.

And in case either of the High Contracting Powers shall hereafter grant other privileges concerning such internal commerce to the citizens or subjects of other Governments, the same shall be equally granted to the merchants of either nation engaged in such internal commerce within the territories of the other.

ARTICLE 4.

Payment of Duties on Merchandise Imported or Exported. Taxes.

The merchandise imported or exported by the respective citizens or subjects of the two High Contracting Parties shall not pay in either country on their arrival or departure other duties than those which are charged in either of the countries on the merchandise or products imported or exported by the merchants and subjects of the most favoured nation, and no exceptional tax, under any name or pretext whatever, shall be collected on them in either of the two countries.

ARTICLE 5.

Consular Jurisdiction in Persia: Suits and Disputes between Persian Subjects and United States Citizens.

All suits and disputes arising in Persia between Persian subjects and citizens of the United States shall be carried before the Persian tribunal to which such matters are usually referred at the place where a Consul or Agent of the United States may reside, and shall be discussed and decided according to equity in the presence of an employé of the Consul or Agent of the United States.

Jurisdiction. Suits and Disputes between United States Citizens.

All suits and disputes which may arise in the empire of Persia between citizens of the United States shall be referred entirely for trial and for adjudication to the Consul or Agent of the United States residing in the province wherein such suits and disputes may have arisen, or in the province nearest to it, who shall decide them according to the laws of the United States.

Jurisdiction. Suits and Disputes between United States Citizens and Subjects of other Foreign Powers.

All suits and disputes occurring in Persia between the citizens of the United States and the subjects of other foreign Powers shall be tried and adjudicated by the intermediation of their respective Consuls or Agents.

Jurisdiction. Trials in the United States of Disputes between Persian Subjects, or between them and United States Citizens or Foreigners.

In the United States Persian subjects, in all disputes arising between themselves, or between them and citizens of the United States or foreigners, shall be judged according to the rules adopted in the United States respecting the subjects of the most favoured nation.

Jurisdiction. Trials for Criminal Offences.

Persian subjects residing in the United States, and citizens of the United States residing in Persia, shall, when charged with criminal offences, be tried and judged in Persia and the United States in the same manner as are the subjects and citizens of the most favoured nation residing in either of the above-mentioned countries.

ARTICLE 6.

Effects of Deceased Subjects or Citizens.

In case of a citizen or subject of either of the Contracting Parties dying within the territories of the other his effects shall be delivered up

integrally to the family or partners in business of the deceased, and in case he has no relations or partners his effects in either country shall be delivered up to the Consul or Agent of the nation of which the deceased was a subject or citizen, so that he may dispose of them in accordance with the laws of his country.

ARTICLE 7.

Protection of Subjects and Citizens and their Commerce.

For the protection of their citizens or subjects, and their commerce respectively, and in order to facilitate good and equitable relations between the citizens and subjects of the two countries,

Right to appoint Diplomatic Agents and Consuls at certain places.

the two High Contracting Parties reserve the right to maintain a Deplomatic Agent at either seat of Government, and to name each three Consuls in either country. Those of the United States shall reside at Tehran, Bender-Bushire, and Tauris, those of Persia at Washington, New York, and New Orleans.

Consular Privileges, etc.

The Consuls of the High Contracting Parties shall reciprocally enjoy in the territories of the other, where their residences shall be established, the respect, privileges, and immunities granted in either country to the Consuls of the most favoured nation.

Persian Subjects not to be Protected by United States Diplomatic Agent or Consuls.

The Diplomatic Agent or Consuls of the United States shall not protect, secretly or publicly, the subjects of the Persian Government, and they shall never suffer a departure from the principles here laid down and agreed to by mutual consent.

Trading Consuls.

And it is further understood, that if any of those Consuls shall engage in trade they shall be subjected to the same laws and usages to which private individuals of their nation engaged in commercial pursuits in the same place are subjected.

Employment of Domestics by United States Diplomatic and Consular Agents to be limited.

And it is also understood by the High Contracting Parties that the Diplomatic and Consular Agents of the United States shall not employ a greater number of domestics than is allowed by Treaty to those of Russia residing in Persia.

ARTICLE 8.

Duration of Treaty.

And the High Contracting Parties agree that the present Treaty of Friendship and Commerce, cemented by the sincere good feeling and the confidence which exists between the Governments of the United States and Persia, shall be in force for the term of ten years from the exchange of its ratification; and if, before the expiration of the first ten years neither of the High Contracting Parties shall have announced, by official notification to the other, its intention to arrest the operation of said Treaty, it shall remain binding for one year beyond that time, and so on until the expiration of twelve months, which will follow a similar notification, whatever the time may be at which it may take place; and the Plenipotentiaries of the two High Contracting Parties further agree to exchange the ratifications of their respective Governments at Constantinople in the space of six months, or earlier if practicable.

In faith of which the respective Plenipotentiaries of the two High Contracting Parties have signed the present Treaty, and have attached their seals to it.

Done in duplicate in Persian and English the 13th day of December 1856, and of the Hijereh the 15th day of the moon of Rebiul Sany, 1273, at Constantinople.

(L. S.) CARROLL SPENCE.

(L. S.) EMINUL MOLK FARRUKH KHAN.

APPENDIX No. XXX.—*Page 31.*

TREATY of COMMERCE and NAVIGATION between AUSTRIA-HUNGARY and PERSIA.—Signed at Paris, 17th May 1857.*

[Ratifications exchanged at Paris, 13th November 1857.]

Au nom de Dieu clément et miséricordieux !

Sa Majesté l'Empereur d'Autriche, Roi de Hongrie et de Bohême, du Roy aume Lombardo-Vénitien, de Dalmatie, Croatie, Esclavonie, Gallicie et Lodomérie, Illyrie, Roi de Jérusalem, Archiduc d'Autriche, &c.

Et Sa Majesté Auguste et très-Sacrée, dont le soleil est l'étendard, le Grand Rois des Rois et le Souverain absolu de tous les Etats d'Iran.

L'un et l'autre également et sincèrement désireux d'établir des rapports d'amitié entre les deux Etats, ont voulu les consolider par un Traité d'Amitié, de Commerce et de Navigation réciproquement avantageux et utile aux sujets des deux Hautes Puissances Contractantes ;

* From "State Papers," Vol. 47, page 1159.

A cet effet ont nommé pour leurs Plénipotentiaires :

Sa Majesté l'Empereur d'Autriche, le Sieur Joseph Alexandre Baron de Hübner, Son Ambassadeur près de Sa Majesté l'Empereur des Français;

Et Sa Majesté le Shahinshah de Perse, le très-illustre favori du Roi, Farrokh Khan Amin-ol-Molk, Son Ambassadeur extraordinaire, &c.

Et les deux Plénipotentiaires s'étant réunis à Paris, ayant échangé leurs pleins pouvoirs et les ayant trouvés en bonne et due forme, sont convenus des Articles suivants :

ARTICLE 1.

Friendship.

A dater de ce jour, il y aura amitié sincere et bonne intelligence entre les Etats et les sujets de la Haute Cour d'Autriche et les Etats et les sujets de la Haute Cour d'Iran.

ARTICLE 2.

Reception of Envoys and Diplomatic Agents.

Les Envoyés ou Agents Diplomatiques qu'il plairait à chacune des deux Hautes Puissances Contractantes d'envoyer et d'entretenir auprès de l'autre y seront reçus et traités, eux et tout le personnel de la Mission, comme sont reçus et traités par cet Etat les Envoyés ou Agents Diplomatiques des autres Puissances amies les plus favorisés, et ils y jouiront, de tous points, des mêmes honneurs, immunités, et privilèges.

ARTICLE 3.

Access to Respective Countries. Treatment of respective Subjects.

Les sujets des deux Hautes Parties Contractantes pourront désormais parcourir en pleine liberté les territoires respectifs et les traverser pour se rendre dans les pays voisins, sans qu'ils en soient empêchés par les autorités locales qui, de leur côté, mettront la plus vive sollicitude à les préserver de tout désagrément, en veillant continuellement à leur sûreté personnelle, en les traitant avec tous les égards possibles, afin qu'ils n'éprouvent ni dommage ni entrave ou vexation quelconque dans leur voyage, et en les munissant à cet effet de sauf-conduits, firmans ou autres documents.

ARTICLE 4.

Treatment of Merchants and Travellers.

Les sujets des deux Hautes Cours qui, en leur qualité de marchands, commerçants ou voyageurs, se rendraient sur les territoires respectifs pour leurs affaires, y seront accueillis et traités, dès leur entrée jusqu'à leur sortie, avec les mêmes égards et sur le même pied que les sujets des nations les plus favorisées.

Liberty to Import, Export, and Transport Merchandise, to hire Houses, &c. Taxes.

En conséquence, les sujets des deux Hautes Parties Contractantes pourront, soit par terre soit par mer, librement importer dans les pays respectifs, en exporter ou y transporter des marchandises et exercer le commerce dans toute l'étendue des deux Empires, conformément aux règlements et aux lois en vigueur dans les pays respectifs, y louer des maisons, des magasins, et des boutiques pour leurs affaires, et ils ne seront soumis, sous aucun nom ou prétexte, à un impôt quelconque auquel ne seraient point soumis les sujets des nations les plus favorisées.

Possession of Lands, Houses, Shops, &c.

Il est bien entendu que si la Haute Cour d'Iran accordait aux sujets d'une nation étrangère le droit d'acquérir et de posséder en Perse des terres, maisons, magasins ou autres immeubles, ce même droit sera aussi accordé aux sujets Autrichiens en Perse.

Submission to Laws.

Les marchands des deux nations qui voudraient faire le commerce intérieur dans les deux pays, seront soumis, quant à ce commerce, aux lois du pays où ce commerce se fait.

Domiciliary Visits.

Les officiers, employés ou sujets de la Haute Cour d'Iran ne pourront entrer de force dans le domicile d'un sujet Autrichien ni dans ses magasins ou boutiques, et en cas de nécessité, il faudra en prévenir l'Agent Diplomatique ou le Consul Autrichien, là où il y en a, et toute perquisition domiciliaire ne pourra se faire qu'en présence des commissaires délégués par le dit Agent ou Consul.

Dans les localités où il n'y a pas d'Agent ou Consul d'Autriche, les sujets de cette Puissance seront traités à cet égard sur le même pied que le sont les sujets des nations les plus favorisées dans les endroits où il n'y a pas d'Agent ou Consul de leur Gouvernement.

ARTICLE 5.

Customs Duties, Imports, and Exports.

Les sujets Autrichiens qui importeraient des marchandises en Perse ou en exporteraient, seront traités, à l'égard des droits de douane, sur le même pied que les sujets des nations les plus favorisées.

Pareillement les sujets Persans qui importeraient des marchandises dans les Etats de l'Empire d'Autriche ou en exporteraient, seront traités à l'égard des droits de douane et impôts, sur le même pied que les sujets des nations les plus favorisées.

ARTICLE 6.

Commercial Privileges to Austrian Subjects.

En considération de l'union intime et des relations particulières qui existent entre l'Autriche et les autres Etats appartenant à la Confédération Germanique, Sa Majesté l'Empereur et Sa Majesté le Shahinshah sont convenus que les sujets des dits Etats Allemands devront jouir en Perse de tous les droits et avantages que le présent Traité assure au commerce et aux sujets Autrichiens, à condition toutefois que les Gouvernements des Etats d'Allemagne susdits s'engagent, dans l'espace de trois années à dater du jour de la ratification du présent Traité, à admettre à leur tour le commerce et les sujets de la Perse à la jouissance des mêmes droits et avantages qui leur sont accordées en Autriche.

ARTICLE 7.

Appointment of Consuls.

Pour la protection de leurs sujets et de leur commerce respectifs, et pour faciliter de bonnes et equitables relations entre les sujets des deux Etats, les deux Hautes Parties Contractantes se réservent la faculté de nommer chacune trois Consuls.

Les Consuls d'Autriche résideront à Téhéran, Tabris, et dans un port situé sur le golfe Persique et à désigner plus tard.

Les Consuls de Perse résideront à Vienne, Trieste, et Venise.

Ces Consuls des deux pays jouiront, tant pour leur personne et l'exercice de leurs fonctions, que pour leurs maisons, les employés de leurs consulats et les personnes attachées à leur service, des mêmes honneurs et des mêmes privilèges dont jouissent les Consuls du même rang et les Agents commerciaux des nations les plus favorisées.

En cas de désordre publics, il devra être accordé aux Consuls, sur leur demands, une sauvegarde chargée d'assurer l'inviolabilité du domicile consulaire.

Non-Protection of Persian Subjects except those employed by Austrian Diplomatic Agents or Consuls.

Les Agents Diplomatiques et Consuls d'Autriche ne devront pas protéger ni en secret ni publiquement, aucun sujet Persan qui ne serait pas employé par la Mission Impériale ou par les Consuls-Généraux, Consuls, Vice-Consuls ou Agents Consulaires de l'Autriche; mais si le Gouvernement Persan accordait à une autre Puissance étrangère un pareil droit, le même droit sera aussi accordé à l'Autriche, et dans ce cas, comme pour tout autre, cette Puissance jouira des mêmes privilèges que ceux accordés à la nation la plus favorisée.

Austrian Consuls engaged in Trade.

Il est bien entendu que si un des Agents Consulaires de l'Autriche en Perse s'engageait dans des affaires commerciales, il serait soumis, en ce qui

concerne son commerce, aux mêmes lois et usages que les particuliers de sa nation.

ARTICLE 8.

Commercial Contracts and Engagements.

Tous les contrats et autres engagements des sujets des deux Hautes Cours par rapport aux affaires de commerce seront fidèlement maintenus et protégés avec la plus grande exactitude par les Governements respectifs.

Legalisation of Commercial Documents.

Pour mieux veiller à la sûreté des sujets Autrichiens en Perse, les billets de créance, lettres de change et lettres de garantie, ainsi que tous les contrats faits par des sujets des deux Hautes Parties Contractantes, relativement à des affaires de commerce, devront être signés par le Divan-Khané et à défaut de celui-ci, par l'autorité local compétente, et dans les endroits où il y aurait un Consul Autrichien, aussi par ce dernier, afin qu'en cas de quelque différend, on puisse faire les recherches nécessaires et décider ces affaires litigieuses conformément à la justice.

En conséquence, celui qui, sans être muni des documents ainsi légalisés voudrait intenter un procès à un sujet Autrichien, en ne produisant d'autre preuves que les déclarations d'un temoin, ne sera point écouté quant à sa demande, à moins que celle-ci ne fut reconnue valable par le sujet Autrichien.

Treatment of Persians in Austria.

La Haute Cour d'Autriche promet également de veiller à la sûreté des sujets Persans dans ses Erats, conformément aux lois et aux usages établis, et de les traiter à cet égard sur le pied des nations les plus favorisées.

ARTICLE 9.

Austrian Consular Jurisdiction in Disputes between Austrian Subjects.

Toutes les contestations ou disputes et tous les procès qui s'élèveraient entre des sujets Autrichiens en Perse seront examinés et jugés par le Représentant de Sa Majesté l'Empereur à la Haute Cour d'Iran ou par le Consul Antrichien de leur résidence ou de l'endroit le plus rapproché, conformément aux lois Autrichiennes, sans que l'autorité locale y puisse opposer le moindre empêchement ou la moindre difficulté.

Austrian Consular Jurisdiction in Disputes between Austrian and Persian Subjects.

Les procès, contestations, et disputes qui s'élèveraient en Perse entre des Autrichiens et des sujets appartenant à d'autres nations étrangères, seront jugés exclusivement par l'intermédiaire de leurs Agents ou Consuls.

Toutes les contestations ou disputes et tous les procès qui s'élèveraient en Perse entre les sujets des deux Hautes Parties Contractantes seront jugés devant les tribunaux Persans. mais ces différends et procès ne pourront être décidés ou jugés qu'en présence et avec l'intervention du Représentant ou Consul Impérial ou, au nom de celui-ci, en présence du Drogôman Autrichien, le tout conformément aux lois et aux coutumes du pays.

Revision of Judgment.

Le procès une fois terminé par la sentence du juge compétent ne pourra plus être repris une seconde fois, mais si la nécessité exigeait la révision du jugement prononcé, celle-ci ne pourra se faire qu'avec l'avis du Représentant, ou Consul d'Autriche, ou au nom de celui-ci, en présence du Drogôman Autrichien, et que devant une des Cours Suprêmes de Contrôle et de Cassation qui siègent à Téhéran ou à Tabris ou Ispahan.

Trial of Disputes in Austria in which Persians are interested.

En réciprocité de ces engagements, les sujets de la Haute Cour d Iran jouiront en Autriche, pour leurs intérêts et leurs droits acquis, en cas des contestations, de la pleine protection des lois et des tribunaux Autrichiens de la même manière que les sujets nationaux et ceux d'autres Puissances étrangères ; et la Haute Cour d'Autriche accorde aux Représentants, Consuls et Agents de la Haute Cour d'Iran, quant à une intervention de leur part en faveur de leurs nationaux aupres des autorités Impériales, la même faculté dont jouissent en Autriche les Agents Diplomatiques et Consuls des nations les plus favorisées.

ARTICLE 10.

Failures and Bankruptcies.

Si un sujet de l'une des deux Hautes Cours résidant dans les domaines de l'autré, se déclare en état de faillite ou fait bauqueroute, on dressera l'inventaire de tous ses biens, de ses effets et de ses comptes actifs et passifs pour en faire la liquidation requise et la juste répartition au pro-rata entre ses créanciers qui devront, à la fin de cette procédure, restituer les titres de leurs créances après en avoir reçu la somme proportionnelle qui leur revient.

Cette procédure ne pourra avoir lieu à l'égard d'un sujet Autrichien en Perse que de l'avis et sous l'intervention du Représentant ou Consul d'Autriche, et celui-ci, sur la demande faite par les créanciers, n'hésitera point de provoquer les recherches nécessaires pour constater si le failli n'a pas laissé dans sa patrie des biens qui pourraient satisfaire à leurs réclamations.

Si un sujet Persan en Autriche se déclare en faillite ou fait banqueroute, la Haute Cour d'Autriche accorde aux Représentants, Consuls, et Agents de la Haute Cour d'Iran quant à l'intervention de leur part, en faveur de ce sujet Persan, la même faculté dont jouiraient éventuellement en Autriche les Agents Diplomatiques et Consuls des nations les plus favorisées.

ARTICLE 11.

Succession to Property of Deceased Subjects.

En cas de décès de l'un de leurs sujets respectifs sur le territoire de l'un ou de l'autre Etat, sa succession sera remise intégralement à la garde de l'Agent ou du Consul de la nation du sujet décédé, pour que celui-ci en fasse l'usage convenable conformément aux lois et coutumes de son pays.

ARTICLE 12.

Criminal Jurisdiction.

Les affaires de la juridiction criminelle, dans lesquelles seraient compromis des sujets Autrichiens en Perse, ou des sujets Persans en Autriche, seront jugées dans les deux pays suivant le mode adopté à l'égard de la nation la plus favorisée.

ARTICLE 13.

Proceeding in case of Wars with other Powers.

En cas de guerre de l'une des deux Parties Contractantes avec une autre Puissance, il ne sera porté, pour cette seule cause, atteinte, injustice, préjudice ou altération à la bonne intelligence et à l'amitié sincère qui doivent exister à jamais entre les Hautes Cours d'Autriche et d'Iran.

ARTICLE 14.

Ratifications. Duration of Treaty.

Le présent Traité restera en vigueur pendant 25 années à compter du jour de l'échange des ratifications* et au delà de ce terme jusqu'à l'expiration de 12 mois après que l'une des Hautes Parties Contractantes aura annoncé à l'autre d'en faire cesser les effets.

Les Gouverneurs, commandants, douaniers, officiers et autres employés des deux Hautes Parties Contractantes seront chargés d'en remplir les stipulations avec toute l'exactitude possible et sans y porter la moindre atteinte.

Des ratifications de leurs Majestés les deux augustes Souverains seront échangées à Paris ou à Constantinople dans l'espace de six mois, ou plus tot, si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs des deux Hautes Parties Contractantes ont signé le présent Traité et y ont apposé le sceau de leurs armes.

Fait à Paris, en double expédition, en Français et en Persan, le 17me jour du mois de Mai, de l'an du Christ 1857, et le 22me du mois de Ramazan de l'Hégire l'année 1273.

(L. S.) HÜBNER.

(L. S.) AMIN-OL-MOLK FARROKH KHAN.

* 15th November 1857.

APPENDIX No. XXXI.—*Page 31.*

TRAITÉ D'AMITIÉ et DE COMMERCE, entre les PAYS-BAS et la PERSE.

Signé à PARIS, LE 3 JUILLET 1857.

[Ratifications echangées, le 30 Janvier 1858.]

Au nom de Dieu clément et miséricordieux!

Sa Majesté Guillaume III, Roi des Pays-Bas, Prince d'Orange-Nassau, Grand Duc de Luxembourg, &c.

Et Sa Majesté Impériale, le sacré, l'auguste, le grand Monarque, le Roi des Rois, le Souverain absolu de tous les Etats de Perse.

L'un et l'autre également et sincèrement désireux d'établir des rapports d'amitié entre les deux Etats, ont voulu les consolider par un Traité d'Amitié et de Commerce réciproquement avantageux et utile aux sujets des deux Hautes Puissances Contractantes.

A cet effet ont désigné pour leurs Plénipotentiaires:

Sa Majesté le Roi des Pays-Bas, le Sieur Léonard Antoine Lightenvel, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté l'Empereur des Français, &c.

Et Sa Majesté l'Empereur de toute la Perse, Son Excellence Farrokh Khan, Eminol Molk, Son Ambassadeur Extraordinaire près Sa Majesté l'Empereur des Français, &c.

Et les deux Plénipotentiaires s'étant réunis à Paris, ayant échangé leurs pleins pouvoirs, et les ayant trouvés en bonne et due forme, ont arrêté les Articles suivants:

ARTICLE 1.

Friendship.

A dater de ce jour il y aura amitié sincère et une constante bonne intelligence entre le Royaume des Pays-Bas, ses colonies et possessions d'outre-mer, et tous les sujets Néerlandais et l'Empire de Perse et tous les sujets Persans.

ARTICLE 2.

Reception of Diplomatic Agents.

Les Ambassadeurs ou Ministres Plénipotentiaires, qu'il plairait à chacune des deux Hautes Puissances Contractantes d'envoyer et d'entretenir auprès de l'autre, seront reçus et traités, eux et tout le personnel de leur mission, comme sont reçus et traités dans les deux pays respectifs les Ambassadeurs ou Ministres Plénipotentiaires des nations les plus favorisées, et ils y jouiront de tout point, des mêmes prérogatives et immunités.

SAN DIEGO BAHADUR

* From "State Papers," Vol. 47, page 514.

ARTICLE 3.

Treatment of Merchants and Travellers.

Les sujets des deux Hautes Parties Contractantes, voyageurs, négociants, industriels, et autres, soit qu'ils se déplacent soit, qu'ils résident sur le territoire de l'un ou de l'autre Etat, seront respectés et efficacement protégés par les autorités du pays et leurs propres agents, et traités à tous égards comme le sont les sujets de la nation la plus favorisée.

Right to Import, Export, and Transport Merchandise, &c.

Ils pourront réciproquement apporter, par terre et par mer, dans l'un et dans l'autre Etat, et en exporter toute espèce de marchandises et de produits, les vendre, les échanger, les acheter, les transporter en tous lieux sur le territoire de l'un et de l'autre Etat.

Submission to Laws relating to Internal Trade.

Mais il est bien entendu que les sujets de l'un et de l'autre Etat qui se livreraient au commerce intérieur, seront soumis aux lois du pays où ils font le commerce.

ARTICLE 4.

Import and Export Duties. Taxes.

Les navires respectifs et les marchandises importées ou exportées par les sujets respectifs des deux Hautes Parties Contractantes, ne payeront dans l'un et l'autre Etat, soit à l'entrée, soit à la sortie, que les mêmes droits que payent à l'entrée, et à la sortie, dans l'un et dans l'autre Etat les navires ainsi que les marchandises et produits importés ou exportés par les marchands et sujets de la nation la plus favorisée, et nulle taxe exceptionelle ne pourra, sous aucun nom et sous aucun prétexte, être réclamée dans lun comme dans l'autre Etat.

Exception in favour of certain Special Privileges granted in Netherland Colonies.

Il est fait exception à cette règle du présent Traité, en ce qui concerne les faveurs spéciales accordées ou à accorder par la suite dans les colonies Néerlandaises des Indes-Orientales aux nations Asiatiques de l'Archipel Oriental pour l'importation des produits de leur sol et de leur industrie ou pour leur exportation.

Persians to enjoy same Rights as those granted by the Netherlands or British, French, and Ottoman Subjects.

Il est bien entendu que, sous ce rapport même, les sujets Persans seront traités de la même manière que ceux de la nation la plus favorisée de l'Europe, de l'Amérique ou de l'Asie, par comprise sous la dénomination

de nation Asiatique de l'Archipel Oriental, et qu'ils auront nommément les mêmes droits que les sujets de leurs Majestés Britannique, Française et Ottomane.

ARTICLE 5.

Appointment of Consuls at certain places in either country.

Pour la protection de leurs sujets et de leur commerce respectifs et pour faciliter les bonnes et équitables relations entre les sujets des deux États, les deux Hautes Parties Contractantes se réservent la faculté dé nommer chacune trois Consuls.

Les Consuls des Pays-Bas résideront à Téhéran, à Bender Bouchir, et à Tauris.

Les Consuls de Perse résideront à Amsterdam, à Rotterdam, et à Batavia.

Consular Privileges.

Les Consuls des deux Hautes Parties Contractantes jouiront réciproquement sur le territoire de l'un et de l'autre Etat où sera établie leur résidance, du respect, des privilèges et immunités accordés dans l'un et dans l'autre pays aux Consuls de la nation la plus favorisée.

Non-Protection of Natives.

Les Agents Diplomatiques et les Consuls des Pays-Bas ne protégeront ni publiquement ni secrètement les sujets Persans.

Les Agents Diplomatiques et les Consuls Persans ne protégeront ni publiquement ni secrètement les sujets des Pays-Bas.

Position of Consuls engaged in Trade.

Les Consuls des deux Gouvernements Contractants, qui dans l'un et l'autre Etat se livreraient au commerce, seront soumis aux mêmes lois et aux mêmes usages auxquels sont soumis leurs nationaux faisant le même commerce.

ARTICLE 6.

Duration of Treaty.

Le présent Traité de Commerce et d'Amitié cimenté par la sincère amitié et la confiance qui règnent entre le Royaume des Pays-Bas et l'Empire de Perse sera, Dieu aidant, fidèlement observé et maintenu de part d'autre pendant douze ans, à dater du jour où les ratifications seront échangées. Mais si une année avant l'expiration du terme fixé aucune des deux Hautes Parties Contractantes n'a annoncé officiellement à l'autre l'intention d'en faire cesser les effets, il continuera à rester en vigueur pour les deux parties pendant un an à dater du jour où il aura été dénoncé, quelle que soit l'époque à laquelle cette déclaration aura lieu.

Ratifications.

Les Plénipotentiaires des deux Hautes Parties Contractantes s'engagent à échanger les ratifications de leurs Augustes Souverains à Paris ou à Constantinople, dans l'espace de six mois, ou plus tôt si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs des deux Hautes Parties Contractanties ont signé le présent Traité et y ont apposé leurs sceaux.

Fait double à Paris en Français et en Perse, le 3 du mois de Juillet de l'an du Christ 1857.

(L. S.) LIGHTENVELT.
(L. S.) FARROKH KHAN.

APPENDIX No. XXXII.—*Page 31.*

TRAITÉ D'AMITIÉ de COMMERCE entre la BELGIQUE et la PERSE.

Signé à BRUXELLES le 13 Juillet 1857.*

[Ratifications échangés à Paris le 22 Mars 1858.]

Au nom de Dieu clément et miséricordieux !

Sa Haute Majesté Léopold I, Roi des Belges, le monarque illustre et libéral :

Et Sa Majesté dont l'étendard est le soleil, le sacré, l'auguste, le grand Monarque, le Roi des Rois ; le Souverain absolu de tous les Etats de Perse.

Désirant se donner un nouveau et solennel témoignage de l'amitié qui les unit et imprimer un plus vif essor au commerce entre leurs Etats respectifs, ont résolu de conclure un Traité à cet effet, et ont nommé pour leurs Plénipotentiaires :

Sa Majesté le Roi des Belges, le Vicomte Charles Vilain XIIII, son Ministre des Affaires Etrangères ;

Et Sa Majesté l'Empereur de toute le Perse, Son Excellence Ferrokh Khan, Eminol Molk, Asile de grandeur, le favori du Roi, Grand Ambassadeur du Sublime Empire de Perse, &c. ;

Et les deux Plénipotentiaires s'étant réunis à Bruxelles, ayant échangé leurs pleins pouvoirs, et les ayant trouvés en bonne et due forme, ont arrêté les Articles suivants :

ARTICLE I.

Friendship.

Il continuera d'exister une amitié sincère et une constante bonne intelligence entre le Royaume de Belgique et tous les sujets Belges et l'empire de Perse et tous les sujets Persans.

* From "State Papers," Vol. 47, page 662.

ARTICLE 2.

Reception of Ambassadors or Diplomatic Agents.

Les Ambassadeurs ou Agents Diplomatiques qu'il plairait à chacune des deux Hautes Puissances Contractantes d'envoyer et d'entretenir auprès de l'autre, seront reçus et traités dans les deux pays respectifs, eux et tout le personnel de leur mission, comme sont reçus et traites les Ambassadeurs ou Agents Diplomatiques des nations les plus favorisées, et ils y jouiront de toutes les mêmes prérogatives et immunités.

ARTICLE 3.

Protection of Travellers, Merchants, and Others.

Les sujets des deux Hautes Parties Contractantes, voyageurs, négociants, indrustriels, et autres, soit qu'ils se déplacent, soit qu'ils résident sur le territoire de l'un ou de l'autre Etat, seront respectés et efficacement protégés par les autorités du pays et leurs propres agents et traités à tous égards comme le sont les sujets de la nation la plus favorisée.

Importation, Exportation, and Transport of Merchandise.

Ils pourront réciproquement apporter par terre et par mer, dans l'un et l'autre Etat, et en exporter toute espèce de marchandises et de produits, les vendre, les acheter, les changer, les transporter en tous lieux sur le territoire de l'un et de l'autre Etat.

Hire of Houses, Shops, and Warehouses.

Ils pourront louer des maisons, des boutiques, et des magasins pour leurs demeures et affaires de commerce, sans qu'il y soit apporté aucun empêchement de la part des employés du Gouvernement.

Passports.

Les Belges qui, dans le but de voyager ou d'exercer le commerce, voudront visiter les Etats de la haute cour d'Iran, obtiendront, pour leur securité des commandements impériaux et des passeports au moyen desquels ils ne rencontreront aucun obstacle et trouveront protection et assistance.

Submission to Laws.

Mais il est bien entendu que les sujets de l'un et de l'autre Etat qui se livreraient au commerce intérieur, seront soumis aux lois du pays où ils font le commerce.

ARTICLE 4.

Duties on Ships and Merchandise.

Les navires respectifs et les marchandises importées ou exportées par le sujets respectifs des deux Hautes Parties Contractantes ne payeront dans

l'un et l'autre Etat, soit à l'entrée, soit à la sortie, par terre ou par mer, que les mêmes droits que payent à l'entrée et à la sortie, dans l'un et l'autre Etat, les navires ainsi que les marchandises et produits importés ou exportés par les marchands et sujets de la nation la plus favorisée, et nulle taxe exceptionnelle ne pourra, sous aucun prétexte, être réclamée dans l'un comme dans l'autre Etat.

ARTICLE 5.

Belgian Consular Jurisdiction. Disputes between Belgian Subjects.

Les procès, contestations, et disputes, qui, dans l'empire de Perse, viendraient à s'élèver entre Belges, seront référés en totalité à l'arrêt et à la décision de l'Agent ou Consul Belge qui résidera dans la province où ces procès, contestation, et disputes auraient été soulevés, ou dans la province la plus voisine.

Il en décidera d'après les lois Belges.

Belgian Consular Jurisdiction. Disputes between Belgians and Persians.

Les procès, contestations, et disputes soulevés en Perse entre des Belges et Persans seront portés devant le tribunal Persan, juge ordinaire de ces matières, au lieu où résidera un Agent ou un Consul Belge, et discutés et jugés selon l'équité, en présence d'un employé de l'Agent ou du Consul Belge.

Belgian Consular Jurisdiction. Disputes between Belgians and Subjects of other Powers.

Les procès, contestations, et disputes soulevés en Perse entre des Belges et des sujets appartenant à d'autres Puissances également étrangérès seront jugés et terminés par l'intermédiaire de leurs Agents ou Consuls respectifs.

Trial of Disputes in Belgium in which Persian Subjects are interested.

Dans le Royaume de Belgique, les sujets Persans seront également, dans toutes leurs contestations, soit entre eux, soit avec des Belges ou des étrangers, jugés suivant le mode adopté dans ce Royaume envers les sujets de la nation la plus favorisée.

Criminal Jurisdiction.

Quant aux affaires de la juridiction criminelle dans lesquelles seront compromis des Belges en Perse, ou des Persans en Belgique, elles seront jugées, en Belgique et en Perse, suivant le mode adopté dans les deux pays envers les sujets de la nation la plus favorisée.

ARTICLE 6.

Succession to Property of Deceased Subjects.

En cas de décès de l'un de leurs sujets respectifs sur le territoire des l'un ou de l'autre Etat, il sera procédé de la même manière qu'à l'égard des successions appartenant aux sujets de la nation la plus favorisee.

ARTICLE 7.

Appointment of Consuls.

Pour la protection de leurs sujets et de leur commerce respectifs, et pour faciliter de bonnes et équitables relations entre les sujets des deux Etats, les deux Hautes Parties Contractantes se réservent la faculté de nommer chacune trois Consuls. Les Consuls de Belgique résideront à Téhéran, à Bender-Bouchir,* et à Taurist, les Consuls de Perse résideront à Bruxelles, à Anvers, et à Liège.

Les Consuls des deux Hautes Parties Contractantes jouiront réciproquement sur le territoire de l'un et de l'autre Etat où sera établie leur résidence, du respect, des privilèges et des immunités accordés dans l'un et l'autre Etat aux Consuls de la nation la plus favorisée.

Non-Protection of Subjects of either Country by Diplomatic or Consular Agents.

Les Agents Diplomatiques et les Consuls Belges ne protégeront ni publiquement ni secrètement les sujets Persans.

Les Agents Diplomatiques et les Consuls Persans ne protégeront ni publiquement in secrètement les Belges.

Trading Consuls.

Les Consuls des deux Gouvernements qui dans l'un et l'autre Etat se livreraient au commerce, seront soumis aux mêmes lois ou mêmes usages auxquels sont soumis leurs nationaux faisant le même commerce.

ARTICLE 8.

Non-interruption of Relations in event of War with other Powers.

En cas de guerre de l'une des Hautes Puissances avec une autre, il ne sera porté atteinte en aucune manière à l'amitié et bonne intelligence qui existera perpétuellement entre les deux Cours.

ARTICLE 9.

Ratification. Duration of Treaty.

Le présent Traité de Commerce et d'Amitié, cimenté par le sincère amitié et la confiance qui régnent entre les deux Etats bien conserves de

* Bushire. † Tabreez.

Belgique et de Perse, sera, Dieu aidant, fidèlement observé et maintenu de part et d'autre pendant dix ans, à dater du jour où les ratifications seront échangeés ;* mais, si une année avant l'expiration du terme fixé, aucune des deux Hautes Parties Contractantes n'a annoncé officiellement à l'autre l'intention d'en faire cesser les effets, il continuera à rester en vigueur pour un an, à dater du jour où il aura été dénoncé, quelle que soit l'epoque à laquelle cette déclaration aura lieu.

Les Plénipotentiaires des deux Hautes Parties Contractantes s'engagent à échanger les ratifications de leurs Augustes Souverains, soit à Bruxelles, à Téhéran ou à Constantinople, dans l'espace de 12 mois ou plus tôt si faire se peut.

En foi de quoi les deux Plénipotentiaires respectifs des deux Hautes Parties Contractantes ont signé le présent Traité, et y ont apposé leurs sceaux.

Fait en double en Français et en Persan; le 31me du mois de Juillet, de l'an du Christ 1857, à Bruxelles.

(L.S.) VICOMTE VILAIN XIIII.

(L.S.) FERROKH KHAN.

APPENDIX No. XXXIII.—*Page 31.*

TREATY of FRIENDSHIP and COMMERCE between PERSIA and SWEDEN and NORWAY.—Signed at PARIS, 17th November 1857.†

[Ratified at Teheran, February 1858, and at Stockholm, 2nd March 1858.]

Au nom de Dieu clément et miséricordieux !

Sa Majesté Oscar Ier, Roi de Suède et de Norvège, des Goths et des Vandales :

Et Sa Majesté, dont l'étendard est le soleil, le Sacré, l'Auguste, le Grand Monarque, le Roi des Rois, le Souverain absolu de tous les Etats de Perse ;

L'un et l'autre également et sincèrement désireux d'établir des rapports d'amitié entre leurs Etats respectifs, ont voulu les consolider par un Traité d'Amitié et de Commerce réciproquement avantageux et utile aux sujets des Deux Hautes Parties Contractantes, et à cet effet ont désigné pour Leurs Plénipotentiaires :

Sa Majesté le Roi de Suède et de Norvège le Sieur Louis Baron de Manderström, Son Chambellan, Son Envoyé extraordinaire et Ministre Plénipotentiaire, Grand Croix de Son Ordre de l'Etoile Polaire, Chevalier de

* Bushire.

† From "State Papers," Vol. 47, page 1156.

l'Ordre de Charles XIII, Commandeur de celui de St. Olave de Norvége. Grand Croix de l'Ordre du Lion Néerlandais et de celui de Dannebrog, Ac.

Et Sa Majesté l'Empereur de toute la Perse Son Excellence Ferrokh Khan Emin-ol-Molk, Grand Ambassadeur du Sublime Empire de Perse, Porteur du Portrait Royal et du Cordon Bleu, et de la Ceinture de Diamants Ac.

Et les Deux Plénipotentiaires s'étant réunis à Paris, ayant échangé Leurs Pleins pouvoirs, et les ayant trouvés en bonne en due forme, ont arrêté les Articles suivants :—

ARTICLE 1.

A dater de ce jour, il y aura amitié sincère et une constante bonne intelligence entre les Royaumes de Suède et de Norvége et tous les sujets Suédois et Norvégiens, et l'Empire de Perse et tous les sujets Persans.

ARTICLE 2.

Les Ambassadeurs ou Ministres Plénipotentiaires, qu'il plairait à chacune des Deux Hautes Parties d'envoyer et d'entretenir auprès de l'autre, seront reçus et traités dans les pays respectifs, eux et tout le personnel de leur mission, comme sont reçus et traités les Ambassadeurs ou Ministres Plénipotentiaires des nations les plus favorisées, et ils y jouiront de tout point des mêmes prérogatives et immunités.

ARTICLE 3.

Les sujets des Deux Hautes Parties Contractantes, voyageurs, négociants, industriels et autres, soit qu'ils residént sur le territoire de l'un ou de l'autre Etat, seront respectés et efficacement protégés par les autorités du pays et leurs propres Agents, et traités à tous égards comme le sont les sujets de la nation la plus favorisée.

Ils pourront réciproquement apporter par terre et par mer dans l'un et l'autre Etat et en exporter toute espèce de marchandises et de produits, les vendre, les échanger, les acheter, les transporter en tous lieux sur le territoire de l'un et de l'autre Etat.

Mais il est bien entendu que les sujets de l'un et de l'autre Etat, qui se livreraient au commerce intérieur, seront soumis aux lois du pays, où ils font le commerce.

ARTICLE 4.

Les navires respectifs et les marchandises importées ou exportées par les sujets respectifs des Deux Hautes Parties Contractantes ne paieront dans l'un et dans l'autre Etat, soit à l'entrée, soit à la sortie, que les mêmes droits que payent à l'entrée, et à la sortie, dans l'un et l'autre Etat les navires ainsi que les marchandises et produits importés et exportés par les marchands et sujets de la nation la plus favorisée, et nulle taxe exceptionnelle ne pourra

sous aucun nom et sous aucun prétexte être réclamée dans l'un comme dans l'autre Etat.

ARTICLE 5.

Pour la protection de leurs sujets et de leur commerce respectifs, et pour faciliter de bonnes et équitables relations entre les sujets des Hautes Parties Contractantes, elles se réservent la faculté de nommer chacune trois Consuls. Les Consuls de Suède etde Norvége résideront à Téhéran, à Bender-Bouchir, et à Tauris ; les Consuls de Perse résideront à Stockholm, à Christiania, et à Gothembourg.

Les Consuls des Deux Hautes Parties Contractantes jouiront réciproquement sur le territoire de l'un et de l'autre Etat, où sera établie leur résidence, du respect, des privilèges et des immunités accordées dans l'un et l'autre Etat aux Consuls de la nation la plus favorisée.

Les Agents diplomatiques et les Consuls de Suéde et de Norvège ne protégeront ni publiquement ni secrètement les sujets Persans.

Les Agents diplomatiques et les Consuls Persans ne protégeront ni publiquement ni secrètement les sujets Suédois et Norvégiens.

Les Consuls des Governements contractants, qui dans l'un et l'autre Etat se livreraient au commerce, seront soumis aux mêmes usages, auxquels sont soumis leurs nationaux faisant le même commerce.

ARTICLE 6.

Le présent Traité de commerce et d'amitié, cimenté par la sincère amitié et la confiance qui régnent entre les royaumes bien conservés de Suède et de Norvége et de Perseera, Dieu aidant, fidèlement observé et maintenu de part et d'autre pendant 12 ans, à dater du jour où les ratifications seront échangées. Mais, si une année avant l'expiration du terme fixé, aucune des Deux Hautes Parties Contractantes n'a annoncé officiellement à l'autre l'intention d'en faire cesser les effets, il continuera à rester en vigueur pour les Deux Hautes Parties pendant un an, à dater du jour où il aura été dénoncé, quelle que soit l'époque à laquelle cette déclaration aura eu lieu.

Les Plénipotentiaires des Deux Hautes Parties Contractantes s'engagent à ce que l'échange des ratifications de leurs Augustes Souverains ait lieu, soit à Constantinople, ou ailleurs dans l'espace d'un an ou plutôt, si faire se peut.

En foi de quoi les Deux Plénipotentiaires respectifs des Deux Hautes Parties Contractantes ont signé le présent Traité et y ont apposé leurs sceaux.

Fait double en Français et en Persan le 17 du mois de Novembre de l'an du Christ 1857, et le trente du mois de Rabbi-ol avval de l'Hégire, l'année 1264.

(L. S.) L. MANDERSTRÖM.

(L. S.) FERROKH-KHAN.

APPENDIX No. XXXIV.—*Page 31.*

TREATY of FRIENDSHIP and COMMERCE between DENMARK and PERSIA.—Signed at PARIS, 30th November 1857.*

(Ratifications échangés à Paris, 1858).

Au nom du Dieu clément et miséricordieux !

Sa Majesté Frédérik VII, par la grâce de Dieu, Roi de Danemark, des Vandales et des Goths, Duc de Slesvick, Holstein, Stormarn, des Dithmarses, de Lauenbourg et d'Oldenbourg.

Et Sa Majesté dont l'étendard est le soleil, le Sacré, l'Auguste, le Grand Monarque, le Roi des Rois, et le Souverain de tous les Etats de Perse.

L'un et l'autre également et sincèrement désireux d'établir des rapports d'amitié entre Leurs Etats respectifs, ont voulu les consolider par un Traité d'Amitié et de Commerce réciproquement avantageux et utile aux sujets des Deux Hautes Parties Contractantes, et à cet effet ont désigné pour Leur Plénipotentiaires ;

Sa Majesté le Roi de Danemark : Son Envoyé Extraordinaire et Ministre Plénipotentiaire près de Sa Majesté l'Empereur des Français, le Baron Jean Charles Daniel Ulysse Dirckinck de Holmfeld, Son Chambellan et Grand Veneur, etc ;

Et Sa Majesté l'Empereur de toute la Perse : Son Excellence Ferrokh Khan Eminol Molk, Ambassadeur du Sublime Empire de Perse, etc.

Et ces deux Plénipotentiaires s'etant réunis à Paris, ayant échangé leur pleins pouvoirs et les ayant trouvés en bonne et due forme ont arrêté les Articles suivants :—

ARTICLE 1.

Friendship.

A date de ce jour il y aura amitié sincère et une constante bonne intelligence entre le Royaume de Danemark et tous les Danois, et l'Empire de Perse et tous les sujets Persans.

ARTICLE 2.

Reception of Diplomatic Agents.

Les Ambassadeurs, Ministres Plénipotentiaires ou autres Agents Diplomatiques qu il plairait à chacune des Hautes Parties Contractantes d'envoyer et d'entretenir auprès de l'autre seront reçus et traités dans les deux pays respectifs, eux et tout le personnel de leur mission, comme sont reçus et traités les Ambassadeurs ou Ministres Plénipotentiaires ou les autres Agents

* From "State Papers, Vol. 47, p. 1156.

Diplomatiques des nations les plus favorisées et ils y jouiront de tout point les mêmes prérogatives et immunités.

ARTICLE 3.

Protection of Travellers, Merchants, and Others.

Les sujets des deux Hautes Parties Contractantes, voyageurs, négociants, industriels et autres, soit qu'ils resident sur le territoire de l'un ou de l'autre Etat, seront respectés et efficacement protégés par les autorités du pays et leurs propres agents, et traités à tous égards comme le sont les sujets de la nation la plus favorisée.

Liberty to Import, Export, and Transport Merchandise, etc.

Ils pourront réciproquement apporter par terre et par mer dans l'un et l'autre Etat et en exporter toute espèce de marchandises et de produits, les vendre, les échanger, les acheter, les transporter en tous lieux sur le territoire de l'un et de l'autre Etat.

Submission to the Laws.

Mais il est bien entendu que les sujets de l'un et de l'autre Etat, qui se livreraient au commerce intérieur, seront soumis aux lois du pays où ils font le commerce.

ARTICLE 4.

Duties on Ships and Merchandise.

Les navires respectifs et les marchandises importées ou exportées par les sujets respectifs des deux Hautes Parties Contractantes ne paieront dans l'un ou dans l'autre Etat, soit à l'entrée soit à la sortie, que les mêmes droits que passent à l'entrée ou à la sortie, dans l'un et l'autre Etat, les navires, les marchandises et produits importés et exportés par les marchands et sujets de la nation la plus favorisée, et nulle taxe exceptionnelle ne poura sous aucun nom et sous aucun prétexte être réclamée dans l'un comme dans l'autre Etat.

ARTICLE 5.

Appointment of Consuls.

Pour la protection de leur sujets et de leur commerce respectifs et pour faciliter de bonnes et équitables relations entre les sujets des Hautes Parties Contractantes, elles se réservent la faculté de nommer chacune trois Consuls. Les Consuls du Danemark résideront à Téhéran, à Bender-Bouchir,* et à Tauris ;† ceux de la Perse à Copenhague, Flensbourg, et Altona.

* Bushire. † Tabreez.

Les Consuls de deux Hautes Parties Contractantes jouiront réciproquement sur le territoire de l'un et de l'autre Etat, où sera établie leur résidence du respect, des privilèges et des immunités accordés dans l'un et dans l'autre Etat aux Consuls de la nation la plus favorisée.

Non-Protection of Subjects of either Country by Diplomatic or Consular Agents.

Les Agents Diplomatiques et les Consuls du Danemark en Perse ne protégeront ni publiquement ni secrètement les sujets Persans.

Les Agents Diplomatiques et les Consuls Persans en Danemark ne protégeront ni publiquement ni secrètement les sujets Danois.

Trading Consuls.

Les Consuls des Gouvernements contractants, qui dans l'un et l'autre Etat se livreraient au commerce, seront soumis aux mêmes lois et aux mêmes usages auxquels sont soumis leurs nationaux faisant le même commerce.

ARTICLE 6.

Ratifications. Duration of Treaty.

Le présent Traité d'Amitié et de Commerce cimenté par la sincère amitié et la confiance qui règnent entre les monarchies du Danemark et de la Perse sera, Dieu aidant, fidèlement observé et maintenu de part et d'autre pendant douze ans, à dater du jour où les ratifications seront échangées.* Mais si une année avant l'expiration du terme fixé, aucune des deux Hautes Parties Contractantes n'a annoncé officiellement à l'autre l'intention d'en faire cesser les effets, il continuera à rester en vigueur pour les deux Parties pendant un an, à dater du jour où il aura été dénoncé, quelle que soit l'époque à laquelle cette déclaration aura eu lieu.

Les Plénipotentiaires des deux Hautes Parties Contractantes s'engagent à échanger les ratifications de Leurs Augustes Souverains à Paris ou à Constantinople dans l'espace d'un an, ou plus tôt, si faire se peut.

En foi de quoi les Plénipotentiaires respectifs des deux Hautes Parties Contractantes ont signé le présent Traité et y ont apposé leurs sceaux.

Fait double en Français et en Persan le 30me jour du mois de Novembre, de l'an du Christ, 1857.

(L. S.) U. DIRCKINCK DE HOLMFELD.

(L. S.) FERROKH KHAN.

* 18th August 1858.

APPENDIX No. XXXV.—*Page 31.*

TRAITÉ D'AMITIÉ, de COMMERCE et de NAVIGATION ENTRE LA GRÈCE et la PERSE.—CONCLU À CONSTANTINOPLE, le $\frac{16}{28}$ October 1861.

[Ratifications échangées à Constantinople, le 11 Mars, 1862.]

Au nom de Dieu clément et miséricordieux!

Sa Haute Majesté Othon I, Roi de Grèce, le Monarque illustre et libéral, et Sa Majesté, dont l'étendard est le soleil, l'auguste, le Grand Monarque, l'Empereur de toute la Perse, l'un et l'autre également et sincèrement désireux d'établir des rapports d'amitié entre les deux Etats, ont voulu les consolider par un Traité, d'Amitié de Commerce et de Navigation, réciproquement avantageux et utile aux sujets des deux Hautes Parties Contractantes.

A cet effet, ont désigné pour leurs Plénipotentiaires:

Sa Majesté le Roi de Grèce, son Excellence le Sieur Mare Renieri, son Envoyé Extraordinaire et Ministre Plénipotentiaire près la Sublime Porte Ottomane, etc.;

Et Sa Majesté l'Empereur de toute la Perse, Son Excellence Hadji-Mirza-Houssein Khan, son Envoyé Extraordinaire et Ministre Plénipotentiaire près la Sublime Porte Ottomane, etc.

Et les deux Plénipotentiaires, réunis à Constantinople, ayant échangé leurs pleins pouvoirs, et les ayant trouvés en bonne et due forme, ont arrêté les Articles suivants:

ARTICLE 1.

Friendship.

Il y aura, désormais, amitié sincère et une constante bonne intelligence entre l'auguste Royaume de Grèce et les sujets de ce Royaume et l'auguste Empire de Perse et les sujets de cet Empire.

ARTICLE 2.

Reception and Treatment of Diplomatic Agents.

Les Envoyés ou Agents Diplomatiques qu'il plairait à chacune des deux Hautes Puissances Contractantes d'envoyer et d'entretenir près de l'autre, y seront reçus et traités, eux et tout le personnel de la Mission,

* Signed also in the Greek language.
† From "State Papers," Vol. 51, page 533.

comme sont reçus et traités par cet Etat les Envoyés ou Agents Diplomatiques des autres Puissances amies les plus favorisées, et ils y jouiront, de tous points, des mêmes honneurs, immunités et privilèges.

ARTICLE 3.

Right of Subjects of either Country to have Access to and to pass through the Territories of the other. Passports.

Les sujets des deux Hautes Parties Contractantes pourront désormais parcourir, en pleine liberté, les territoires respectifs, et les traverser pour se rendre dans les pays voisins, sans qu'ils en soient empêchés par les autorités locales, qui, de leur côté, mettront la plus vive sollicitude à les préserver de tout désagrément, en veillant continuellement à leur sûreté personnelle, en les traitant avec tous les égards possibles, afin qu'ils n'éprouvent ni dommage, ni entrave ou vexation quelconque dans leur voyage, et en les munissant, à cet effet, de sauf-conduits, firmans, ou autres documents.

ARTICLE 4.

Treatment of Merchants and Travellers.

Les sujets des deux Hautes Cours qui, en leur qualité de commerçants, industriels ou voyageurs, se rendraient sur les territoires respectifs pour leurs affaires, y seront accueillis et traités, dès leur entrée jusqu'à leur sortie, avec les mêmes égards et sur le même pied que les sujets des nations les plus favorisées.

Right to Import, Export, and Transport Merchandise.

En conséquence, les sujets des deux Hautes Parties Contractantes pourront, soit par terre soit par mer, librement importer dans les pays respectifs, en exporter ou y transporter des marchandises, et exercer le commerce dans toute l'étendue des deux Empires, conformément aux règlements et aux lois en vigueur dans le pays respectifs.

Right to Hire Houses, Warehouses, and Shops. Taxes.

Y louer des maisons, des magasins, et des boutiques pour leurs affaires, et ils ne seront soumis, sous aucun nom ou prétexte, à un impôt quelconque auquel ne seraient point soumis les sujets des nations les plus favorisées.

Privileges, etc., granted to a third Power to be conceded by either Country to the other on the concession of an equivalent.

Il est bien entendu que tout avantage, droit ou privilège que les deux Hautes Parties Contractantes accorderont à une nation tierce, ce même avantage, droit ou privilège sera aussi accordé aux sujets des deux Etats respectifs, sauf les avantages que l'une des Parties Contractantes accorderait sur l'assurance d'avantages particuliers. Il est entendu pourtant que

chacune des Hautes Parties Contractantes est en droit de demander ces mêmes avantages sur la concession d'un équivalent, à condition que cet équivalent soit de nature à être agréé et accepté par l'autre partie.

Submission to Laws relating to Internal Trade.

Les sujets des deux Hautes Parties Contractantes qui voudraient faire le commerce intérieur dans les deux pays, seront soumis, quant à ce commerce, aux lois du pays où ce commerce se fait.

Inviolability of Domicile.

Les officiers, employés ou sujets de la Haute Cour d'Iran ne pourront entrer de force dans le domicile d'un sujet Grec, ni dans ses magasins ou boutiques, et, en cas de nécessité, il faudra en prévenir l'Agent Diplomatique ou le Consul de Grèce, là où il y en a, qui, de leur côté, s'empresseront de se conformer à la demande de l'autorité locale, et toute perquisition domiciliaire ne pourra se faire qu'en présence des commissaires délégués par le dit Agent ou Consul.

Dans les localités où il n'y a pas d'Agent ou Consul de Grèce, les sujets de cette Puissance seront traités, à cet égard, sur le même pied que le sont les sujets des nations les plus favorisées, dans les endroits où il n'y a pas d'Agent ou Consul de leur Gouvernement.

ARTICLE 5.

Import and Export Duties. Taxes.

Les sujets Grecs qui importeraient des marchandises en Perse ou en exporteraient, seront traités à l'égard des droits de douane, sur le même pied que les sujets des nations Chrétiennes les plus favorisées.

Pareillement, les sujets Persans qui importeraient des marchandises dans les Etats du Royaume de Grèce ou en exporteraient, seront traités, à l'égard des droits de douane et impôts, sur le même pied que les sujets des nations les plus favorisées.

ARTICLE 6.

Duties, etc., on Vessels.

Les bâtiments de commerce qui entreront et séjourneront dans les ports de l'un ou du l'autre Etat, qu'ils soient sur lest ou chargés de marchandises, jouiront, dès leur arrivée jusqu'à leur départ, de tous les égards et privilèges, et ne se seront assujettis à d'autres ni à de plus forts droits que ceux acquittés par les navires des nations les plus favorisées.

Duties on Merchandise Imported or Exported in Vessels of either Country. Appointment of Consuls.

Les marchandises et produits de toute espèce, sans distinction de leur provenance ni de leur destination, qui seraient importés ou exportés par les

navires respectifs des deux Hautes Parties Contractantes, paieront, dans l'un et l'autre Etat, les mêmes droits de douane que paient les navires de commerce des Puissances Chrétiennes les plus favorisées, soit à l'entrée des marchandises et produits dans les Etats respectifs, soit à leur sortie.

ARTICLE 7.

Wrecks.

S'il arrive que quelque navire Hellène ou Persan fasse naufrage dans les ports ou sur les côtes des territoires respectifs, tout secours possible lui sera donné de la même manière qu'aux navires des Puissances les plus favorisées.

ARTICLE 8.

Pour la protection de leurs sujets et de leur commerce respectifs, et pour faciliter de bonnes et équitables relations entre les sujets des deux Etats, les deux Hautes Parties Contractantes se réservent la faculté de nommer chacune 3 Consuls.

Les Consuls de Perse résideront à Athènes, Syra, et un autre port de la Grèce, à désigner plus tard.

Les Consuls de Grèce résideront à Téhéran, Tabris, et dans un port situé sur le Golfe Persique, à désigner plus tard.

Consular Privileges.

Les Consuls des deux pays jouiront, tant pour leur personne et l'exercice de leurs fonctions que pour leurs maisons, les employés de leurs Consulates et les personnes attachées à leur service, des mêmes honneurs et des mêmes privilèges dont jouissent les Consuls du même rang et les Agents commerciaux des nations les plus favorisées.

Inviolability of Consular Domicile.

En cas de désordres publics, il devra être accordé aux Consuls, sur leur demande, une sauvegarde chargée d'assurer l'inviolabilité du domicile consulaire.

Non-protection of Persians not employed by Greek Mission or Consulates.

Les Agents Diplomatiques et Consuls de Grèce ne devront pas protéger, ni en secret ni publiquement, aucun sujet Persan qui ne serait pas employé par la Mission Royale, ou par les Consuls-Généraux, Consuls, Vice-Consuls ou Agents Consulaires de la Grèce.*

Position of Consular Officers engaged in Trade.

Il est bien entendu que, si un Consul, Vice-Consul ou Agent Consulaire de la Grèce, en Perse, s'engageait dans des affaires commerciales, il serait

* See interpretation of this Article, page 103.

soumis en ce qui concerne son commerce, aux mêmes lois et usages que les particuliers de sa nation.

Employment of Dragomans and Guards.

Les Ministres et les Consuls des deux Hautes Parties Contractantes se serviront de tels drogmans et employeront pour le service de leur maison tel huissier et gens qu'ils voudraient, sans distinction de nationalité; mais s'il arrive qu'un ou plusieurs employés ou gens de service soient d'une conduite déréglée, le Ministre ou le Consul auprès duquel ils se trouvent, doit le congédier à la demande de l'autorité locale compétente, si cet employé ou gens de service relèvent de cette autorité.

ARTICLE 9.

Jurisdiction. Civil Suits in Persia between Greeks, or between Greeks and other Foreigners.

Les procès, contestations, et disputes qui s'élèveraient, dans l'Empire de Perse, entre sujets Hellènes, ou Hellènes et étrangers,

Jurisdiction. Civil Suits in Greece between Persians, or between Persians and Foreigners.

ou, dans le Royaume de Grèce, entre sujets Persans, ou Persans et étrangers, seront jugés selon le mode adopté dans chacun de ces Etats à l'égard des sujets des Puissances les plus favorisées.

Jurisdiction. Civil Suits in Persia between Greeks and Persians.

Les procès, contestations, et disputes qui seraient soulevés, en Perse, entre des sujets Grecs et des sujets Persans, seront portés devant les tribunaux Persans; mais ces différends et procès ne pourront être discutés et jugés qu'en présence de l'Agent Diplomatique ou Consulaire Hellénique, ou au nom de celui-ci, en présence du Drogman Hellénique, le tout conformément à ce qui se pratique à l'égard des nations les plus favorisées.

Criminal Jurisdiction.

Quant aux affaires de la juridiction criminelle, dans lesquelles seraient compris des sujets Grecs en Perse, ou des sujets Persans en Grèce, elles seront instruites et jugées, en Grèce et en Perse, suivant la loi adoptée dans les deux pays envers les étrangers les plus favorisés.

Disposal of Property of Deceased Subjects.

En cas de décès d'un de leurs sujets respectifs sur le territoire de l'un ou de l'autre Etat, sa succession sera remise intégralement à la garde de l'Agent ou du Consul de la nation du sujet décédé, pour que celui-ci en fasse l'usage convenable; conformément aux lois et coutumes de son pays.

ARTICLE 10.

Non-Interruption of Friendly Relations in case of War with other Powers.

En cas de guerre de l'une des deux Parties Contractantes avec une autre Puissance, il ne sera porté, pour cette seule cause, atteinte, préjudice ou altération à la bonne intelligence et à l'amitié sincère qui doivent exister à jamais entre les Hautes Cours de Grèce et d'Iran.

ARTICLE 11.

Duration of Treaty.

Le Traité d'Amitié et de Commerce qui a été conclu en considération de la sincère amitié et confiance qui règnent entre les deux Etats de Grèce et de Perse sera, avec l'aide de Dieu, fidèlement observé et maintenu de part et d'autre pendant 12 ans, à dater du jour de l'échange des ratifications; et si, 12 mois avant l'expiration de ce terme, l'une ou l'autre des Hautes Parties Contractantes n'aurait pas annoncé à l'autre, par une notification officielle, son intention d'en faire cesser les effets, ce Traité demeurera en vigueur une année au délà, et ainsi de suite jusqu'à l'expiration des 12 mois qui suivront une pareille notification, à quelque époque qu'elle ait lieu.

Ratifications.

Les Plénipotentiaires des Hautes Parties Contractantes s'engagent à échanger les ratifications de leurs Souverains à Constantinople, dans l'espace de 3 mois, ou plus tôt si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs des deux Hautes Parties Contractantes ont signé le présent Traité et y ont apposé leurs sceaux.

Fait en double, en Persan et en Français, le $\frac{16}{18}$ Octobre, 1861 (le 24 du mois Rebi-oul-akhir de l'Hégire, l'année 1278) à Constantinople.

(L. S.) M. RENIERI.
(L. S.) MIRZA HOUSSEIN KHAN.

Protection of Natives. Interpretation of Art. 8.

Les Soussignés, munis de pleins pouvoirs de leurs Gouvernements respectifs à l'effet de négocier et signer un Traité d'Amitié, de Commerce et de Navigation entre les Etats de Grèce et de Perse, entendent, d'un commun accord, sur la portée de l'Alinéa 6 de l'Article VIII du Traité signé en ce jour, que cet alinéa ne peut, en aucune manière, accorder aux

Ministres, aux Consuls Généraux, aux Vice-Consuls ou aux Agents Consulaires de l'une des Hautes Parties Contractantes le droit de protéger, comme étant leurs employés, des sujets de l'autre partie en nombre supérieur à celui qui les Traités antérieurs ont accordé à la nation la plus favorisée.

La présente interprétation est signée en double ; les Plénipotentiaires la transmettront à leurs Gouvernements respectifs, afin que, par l'échange des ratifications, cette interprétation acquière et possède la même valeur que si elle était inserée dans le texte même du Traité signé en ce jour.

Fait en double à Constantinople le $\frac{16}{28}$ Octobre, 1861 (24 Rebioul Akhir, 1278.)

(L.S.) M. RENIERI.

(L.S.) MIRZA HOSSEIN KHAN.

APPENDIX No. XXXVI.—*Page 31.*

TRAITÉ D'AMITIÉ, de COMMERCE et de NAVIGATION entre L'ITALIE et le PERSE.—Signé à TÉHÉRAN, le 24-29 Septembre 1862.*

[Ratifications échangées à Paris, le 15 Décembre 1862.]

Au nom de Dieu clément et miséricordieux !

Sa Majesté le Roi d'Italie, et Sa Majesté dont l'étendard est le soleil, le sacré, l'auguste, le grand Monarque, le Roi des Rois, le Souverain absolu de tous les Etats de Perse ;

L'un et l'autre, également et sincèrement désireux d'établir des rapports d'amitié entre les deux Etats, ont voulu les consolider par un Traité d'Amitié et de Commerce réciproquement avantageux et util aux sujets des deux Hautes Puissances Contractantes, et à cet effet ont désigné pour Plénipotentiaires :

Sa Majesté le Roi d'Italie, le Sieur Marcel Cerrutti, Son Ministre en mission extraordinaire, etc. ;

Et Sa Majesté l'Empereur de toute la Perse, Son Excellence Mirza Said Khan, Ministre des Affaires Etrangères, Secrétaire d'Etat, etc. ;

Et les deux Plénipotentiaires s'étant réunis à Téhéran, ayant échangé leurs pleins pouvoirs, et les ayant trouvés en bonne et due forme, ont arrêté les Articles suivants :

* From " State Papers, Vol. 57, page 318.

ARTICLE 1.

Friendship.

Il y aura amitié sincère et une constante bonne intelligence entre le Royaume d'Italie et tous les sujets Italiens, et l'Empire de Perse et tous les sujets Persans.

ARTICLE 2.

Reception of Diplomatic Agents.

Les Ambassadeurs ou Ministres Plénipotentiaires qu'il plairait à chacun des deux Hautes Puissances Contractantes d'envoyer ou d'entretenir auprès de l'autre, seront reçus et traités dans les deux pays respectifs, eux et tout le personnel de leur mission, comme sont reçus et traités les Ambassadeurs ou Ministres Plénipotentiaires des nations les plus favorisées, et ilsy jouiront de tout point des mêmes prérogatives et immunités.

ARTICLE 3.

Treatment of Merchants and Travellers.

Les sujets des deux Hautes Parties Contractantes, voyageurs, négociants, industriels, et autres, soit qu'ils se déplacent, soit qu'ils résident sur le territoire de l'un ou de l'autre Etat, seront respectés et efficacement protégés par les autorités du pays et leurs propres Agents, et traités à tous égards comme le sont les sujets de la nation la plus favorisée.

Right to Import and Export Merchandise, etc.

Ils pourront réciproquement apporter par terre et par mer dans l'un et l'autre Etat, et en exporter tout espèce de marchandises et de produits, les vendre, les échanger, les acheter, les transporter en tous lieux sur le territoire de l'un et de l'autre Etat.

Submission to Laws relating to Internal Trade.

Mais il est bien entendu que les sujets de l'un et de l'autre Etat, qui se livreraient au commerce intérieur, seront soumis aux lois du pays, où ils font le commerce.

ARTICLE 4.

Import and Export Duties.

Les marchandises importées ou exportées par les sujets respectifs des deux Hautes Parties Contractantes, ne paieront dans l'autre Etat, soit à l'entrée, soit à la sortie, dans l'un et dans l'autre Etat, les marchandises et produits importés et exportés par les marchands et sujets de la nation la

plus favorisée ; et nulle taxe exceptionelle ne pourra, sous aucun nom et sous aucun prétexte, être réclamée dans l'un comme dans l'autre Etat.

ARTICLE 5.

Jurisdiction. Civil Suits between Italians and Persia.

Les procès, contestations, et disputes qui dans l'Empire de Perse viendraient à s'élèver entre sujets Italiens, seront référés en totalité à l'arrêt et à la décision de l'Agent ou Consul Italien qui résidera dans la province où ces procès, contestations, et disputes auraient été soulevés, ou dans la province la plus voisine. Il en décidera d'après les lois Italiennes.

Jurisdiction. Civil Suits in Persia between Italians and Persians.

Les procès, contestations, et disputes soulevés en Perse entre des sujets Italiens et des sujets Persans, seront portés devant le tribunal Persan, juge ordinaire de ces matières, au lieu où résidéra un Agent ou un Consul Italien, et discutés et jugés selon l'équité, en présence d'un employé de l'Agent ou Consul Italien.

Jurisdiction. Civil Suits in Persia between Italians and other Foreigners.

Les procès, contestations, et disputes soulevés en Perse entre des sujets Italiens et des sujets appartenant à d'autres Puissances également étrangères, seront jugés et terminés par l'intermédiaire de leurs Agents ou Consuls respectifs.

Jurisdiction. Civil Suits between Persians in Italy.

Dans le Royaume d'Italie les sujets Persans seront également dans toutes leurs contestations, soit entre eux, soit avec des sujets Italiens ou étrangers, jugés suivant le mode adopté dans ce Royaume envers les sujets de la nation la plus favorisée.

Criminal Jurisdiction.

Quant aux affaires de la juridiction criminelle, dans lesquelles seraient compromis des sujets Italiens en Perse, des sujets Persans en Italie, el les seront jugés en Italie et en Perse suivant le mode adopté dans les deux pays envers les sujets de la nation la plus favorisée.

ARTICLE 6.

Disposal of property of Deceased Subjects.

En cas de décès de l'un de leurs sujets respectifs sur le territoire de l'un ou de l'autre Etat, sa succession sera remise intégralement à sa famille ou à ses héritiers en ayant droit, avec l'intervention du Consul de sa nation.

Si le défunt n'avait sur les lieux ni héritier légitime, ni exécuteur testamentaire, la succession serait dans l'un comme dans l'autre pays remise à la garde de l'Agent ou du Consul de la nation du sujet décédé pour que le dit Agent ou Consul après avoir acquitté les dettes locales du défunt, en fasse l'usage convenable, conformément aux lois et coutumes de son pays.

ARTICLE 7.*

Appointment of Consuls in certain Places in either Country.

Pour la protection de leurs sujets et de leur commerce respectifs, et pour faciliter des bonnes et équitables relations entre les sujets des deux Etats, les deux Hautes Parties Contractantes se réservent la faculté de nommer chacun trois Consuls. Les Consuls d'Italie résideront à Téhéran, à Bender Bouchir, et à Tauris ; les Consuls de Perse résideront à Turin, à Gênes et à Cagliari.

Consular Privileges.

Les Consuls des deux Hautes Parties Contractantes jouiront réciproquement sur le territoire de l'un et de l'autre Etat où sera établie leur residence, du respect, des privilèges et des immunités accordés dans l'un et l'autre Etat au Consuls de la nation la plus favorisée.

Non-protection of Natives by Diplomatic or Consular Agents.

Les Agents Diplomatiques et les Consuls Italiens ne protégeront ni publiquement ni secrètement les sujets Persans.

Les Agents Diplomatiques et les Consuls Persans ne protégeront ni publiquement ni secrétèment les sujets Italiens.

Position of Consuls engaged in Trade.

Les Consuls des deux Gouvernements respectifs qui dans l'un ou l'autre pays se livreraient au commerce seront soumis aux mêmes lois et aux mêmes usages auxquels sont soumis leurs nationaux faisant le même commerce.

ARTICLE 8.

Duration of Treaty.

Le présent Traité de Commerce et d'Amitié, cimenté par le sincère amitié et la confiance qui règnent entre les Etats bien conservés d'Italie et de Perse sera, Dieu aidant, fidèlement observé et maintenu, de part et d'autre, pendant 12 ans à dater du jour où les ratifications seront échangées ; mais si une année avant l'expiration du terme fixé, aucune des deux Hautes Parties Contractantes n'a annoncé officiellement à l'autre l'intention d'en faire cesser les effets, il continuera à rester en vigueur pour les deux Parties pendant un an à dater du jour où il aura été denoncé quelle que soit l'époque à laquelle cette déclaration aura lieu.

* See Add. Article 3, 29th September 1862, Appendix No. 35.

Ratification.

Les Plénipotentiaires des deux Hautes Parties Contractantes s'engagent à échanger les ratifications de leurs Augustes Souverains à Paris dans l'espace de six mois, ou plus tôt si faire se peut.

En foi de quoi les deux Plénipotentiaires respectifs des deux Hautes Parties Contractantes ont signé le présent Traité et y ont apposé leurs sceaux.

Fait en double en Français et en Persan le 24 Septembre 1862, à Téhéran.

(L.S.) M. CERRUTI.
(L.S.) MIRZA SAID KHAN.

APPENDIX No. XXXVII.—*Page 31.*

ARTICLES Additionnels, relatif au vente et à l'exportation de la GRAINES des Vers-à-Soie et les Cocons, etc., de 29 Septembre 1862.

[Silkworms' Eggs and Cocoons.]

ARTICLE 1.

Le Gouvernement de Sa Majesté Persane s'engage pendant l'espace de 4 ans à autoriser pleinement les sujets Persans à vendre la graines des vers-à-soie et les cocons, et à autoriser aussi l'exportation de ces deux produits par les sujets Italiens, sauf, bien entendu, en faveur du trésor Persan la perception du droit ordinaire de 5 pour cent à la sortie.

ARTICLE 2.

En cas de dissentiment au sujet des droits de Douane entre les Agents de la Douane et les négociants Italiens ou leurs Agents il ne sera jamais permis de séquestrer, retenir ou apporter des retards quelconques à la sortie des graines des vers-à-soie parcequ'elles pourraient être perdues par ces causes et leurs conséquences.

On se contentera d'exiger de l'exportateur une caution solide égale au montant de la somme réclamée par les autorités Persanes, et la difficulté pendante sera jugée suivant l'usage à Téhéran par le Gouvernement Persan et la Légation de Sa Majesté Italienne.

Il est évident que les sujets Persans employés par les négociants Italiens seront soumis à la loi Persane.

ARTICLE 3.

Appointment of Consuls.

Le Gouvernement Persan autorise l'établissement de Consuls ou Agents Consulaires Italiens dans trois places commerçantes de la Perse : à Tébriz,

Bushyr, et Rescht. Ces Agents seront traités sur le même pied que ceux de la Puissance la plus favorisée.

Le Gouvernement Italien s'engage en outre des stipulations contenues dans le Traité à autoriser l'établissement d'un Consul Persan dans une des villes du Royaume d'Italie au choix du Gouvernement Persan et selon qu'il le jugera convenable pour les intérêts des négociants Persans.

ARTICLE 4.

Ces Articles Additionnels au Traité signé aujourd'hui seront considérés comme faisant partie du même Traité et seront inclus dans les mêmes ratifications pendant l'espace de quatre années.

Fait en double à Téhéran, aujourd'hui 29 Septembre, 1862 (4 Rebbi us sani 1279 Hégire).

(L. S.) M. CERRUTI.

(L. S.) MIRZA SAID KHAN.

APPENDIX No. XXXVIII.—*Page 31.*

COMMERCIAL TREATY between GERMANY and PERSIA.

Journal de St. Petersbourg, 9-21 Juin 1873.

VOICI le traité d'amitié, de commerce et de navigation conclu entre l'empire d'Allemagne et la Perse le 11 juin 1873 à St. Pétersbourg et qui, comme nous le disions hier, a été communiqué le 14 au conseil fédéral d'Allemagne.

ARTICLE 1.

Il y aura, comme par le passé, amitié sincère et bonne intelligence entre les Etats et les sujets des Hautes Parties Contractantes.

ARTICLE 2.

Les Ambassadeurs, Ministres Plénipotentiaires ou autres Agents Diplomatiques respectifs seront reçus et traités réciproquement, eux et tout le personnel de leurs missions, comme sont reçus dans les pays respectifs les Ambassadeurs, Ministres Plénipotentiaires ou autres Agents Diplomatiques des nations les plus favorisées et ils y jouiront de tout point des mêmes honeurs, prérogatives et immunités.

ARTICLE 3.

Pour la protection de leurs sujets et de leur commerce respectifs et pour faciliter de bonnes et équitables rélations entre leurs sujets, les Hautes Parties Contractantes se réservent la faculté de nommer chacune trois Consuls dans les Etats respectifs.

Les Consuls d'Allemagne résideront, à Téhéran, à Tauris, et à Bender Bouchir.

Les Consuls de Perse résideront en Allemagne partout où se trouvent des consuls d'une puissance étrangère.

Ces Consuls des Hautes Puissances Contractantes jouiront réciproquement, tant pour leur personne et l'exercice de leurs fonctions, que pour leurs maisons, les employés de leurs Consulats et les personnes attachées à leur service, des mêmes honneurs et des mêmes privilèges dont jouissent et jouiront à l'avenir les Agents Consulaires de la nation la plus favorisée.

En cas de désordres publics, il devra être accordé anx Consuls, sur leur demands, une sauvegarde chargée d'assurer l'inviolabilité du domicile consulaire.

Les Agents Diplomatiques et Consuls d'Allemagne et réciproquement les Agents Diplomatiques et Consuls de l'empire Persan ne devront pas portéger, ni en sécret ni publiquement, aucun sujet Persan, et réciproquement aucun sujet Allemand qui ne serait pas employé effectivement par leurs missions ou par les Consuls généraux, Consuls, Vice-Consuls ou Agents Consulaires respectifs.

Il est bien entendu que si un des Agents Consulaires de l'une des Hautes Parties Contractantes s'engageait dans les affaires commerciales sur le territoire de l'autre Puissance, il serait soumis à cet égard aux mêmes lois et aux mêmes usages auxquels sont soumis les nationaux faisant le même commerce.

ARTICLE 4.

Les sujets de chacune des Parties Contractantes jouiront dans les territoires de l'autre des mêmes droits, privilèges, immunités et exemptions, dont jouissent actuellement ou jouiront à l'avenir en matière de commerce et de navigation les sujets de la nation la plus favorisée.

ARTICLE 5.

Les sujets des deux Hautes Parties Contractantes pourront parcourir en pleine liberté les territoires respectifs et les traverser pour se rendre dans les pays voisins, sans qu'ils en soient empêchés par les autorités locales, qui, de leur côté, mettront la plus vive sollicitude à les préserver de tout désagrément en veillant continuellement à leur sûreté personnelle, en les traitant avec tous les égards possibles, afin qu'ils n'eprouvent ni dommage, ni entrave ou vexation quelconque dans leur voyage et en les munissant à cet effet de sauf conduits, firmans ou autres documents.

ARTICLE 6.

Les sujetsdes Hautes Parties Contractantes qui, en leur qualité de marchands, commerçants ou voyageurs, se rendraient sur les territoires

respectifs pour leurs affaires, y seront accueillis et traités, dès par leur entrée jusqu'à leur sortie, avec les mêmes égards et sur le même pied que les sujets des nations les plus favorisées.

En conséquence, les sujets des Hautes Parties Contractantes pourront soit par terre, soit par mer, librement importer dans les pays respectifs, en exporter ou y transporter des marchandises, exercer le commerce dans toute l'étendue de leurs Etats, conformément aux règlement et aux lois en vigueur dans les pays respectifs, y louer des maisons, des magasins, et des boutiques pour leurs affaires, et ils n'y seront soumis, sous aucun nom ou prétexte, à un impôt quelconque auquel ne seraient point soumis, les sujets des nations les plus favorisées.

Il est bien entendue que si la Haute Cour d'Iran accordait aux sujets d'une nation étrangère le droit d'acquérir et de posséder en Perse des terres, maisons, magasins ou autres immeubles, ce même droit sera aussi accordé aux sujets de l'empire d'Allemagne.

Les marchands des deux nations, qui voudraient faire le commerce intérieur dans les deux pays, seront soumis, quant à ce commerce, aux lois du pays où ce commerce se fait.

ARTICLE 7.

Les sujets de l'empire d'Allemagne qui importeraient des marchandises en Perse ou en exporteraient, seront traités, à l'égard des droits de douane, sur le même pied que les sujets des nations les plus favorisées.

Pareillement, les sujets Persans qui importeraient des marchandises en Allemagne ou en exporteraient, seront traités à l'égard des droits de douane, et impôts sur le même pied que les sujets des nations les plus favorisées.

ARTICLE 8.

Il sera permis aux bâtiments de commerce de chacune des Hautes Parties Contractantes, soit chargés, soit sur lest, de fréquenter librement dans les Etats respectifs toutes les baies et rivières ainsi que tous les ports, rades, et ancrages ouverts par le gouvernement territorial au commerce maritime. Cette liberté comprendra pour les navires et les sujets des Hautes Parties Contractantes la faculté de faire le commerce d'importation et d'exportation dans la même étendue que les navires et les sujets des nations les plus favorisées, ainsi que la faculté de se livrer à toutes les opérations commerciales, dont l'exercice est permis en vertu des lois en vigueur dans les pays respectifs ; les bâtiments de commerce et les sujets respectifs seront en tout point traités à cet égard sur le même pied que les navires et les sujets des nations les plus favorisées.

ARTICLE 9.

Les bâtiments de l'une des Hautes Parties Contractantes qui arrivent soit sur lest, soit chargés de quelque pays que ce soit dans les ports de l'autre,

seront traités tant à leur entrée qu'à leur sortie sur le même pied que les bâtiments des nations les plus favorisées par rapport aux droits de tonnage, de fanaux et de pilotage, ainsi qu'à tout autre droit ou charge de quelque espèce ou dénomination que ce soit revenant à la couronne, aux villes ou à des établissements particuliers quelconque.

ARTICLE 10.

Relativement aux cas de naufrage, les Hautes Parties Contractantes s'engagent à prendre les dispositions nécessaires pour qu'il soit voué au sauvetage de leurs navires respectifs échoués sur les côtes de l'une ou de l'autre, ainsi qu'à des personnes et des objets de tout genre, qui se trouveront à leur bord, les mêmes soins qui, en pareille circonstance, seraient apportés au sauvetage des bâtiments de la nation la plus favorisée. Elles s'engagent également à veiller à ce que les débris du navire naufragé, les papiers du bord, les espèces, effets, ustensiles et autres objets de valeur soient mis sous bonne garde, ainsi que cela se pratique à l'égard des navires naufragés des Puissances les plus favorisées; à ce qu'il soit donné connaissance du fait au Gouvernement intéressé par l'organe de son Consul ou Agent commercial le plus rapproché ou par toute autre voie, en mettant le tout à sa disposition de la manière la plus convenable, et enfin à ce que tous les objets sauvés, ou bien le prix de leur vente, dans le cas où celle-ci aurait dû s'effectuer, soient fidélement remis aux propriétaires ou à leurs fondés de pouvoirs, ou bien à défaut des uns et des autres à la charge du Consul ou Agent du Gouvernement intéressé.

ARTICLE 11.

Les officiers, employés ou sujets de la Haute Cour d'Iran ne pourront entrer de force dans le domicile d'un Allemand, ni dans ses magasins ou boutiques: en cas de nécessité, il faudra en prévenir l'Agent Diplomatique ou le Consul duquel cet individu relèvera, et toute perquisition domiciliaire ne pourra se faire qu'en présence des commissaires délégués par le dit Agent ou Consul. Dans les localités où il n'y a pas d'Agent ou Consul, les sujets de l'empire d'Allemagne seront traités à cet égard sur le même pied que le sont les sujets des nations les plus favorisées dans les endroits où il n'y a pas d'Agent ou Consul de leur Gouvernement.

ARTICLE 12.

Tous les contrats et autres engagements des sujets des Hautes Parties Contractantes par rapport aux affaires de commerce seront fidèlement maintenus et protégés avec la plus grande exactitude par les Gouvernements respectifs.

Pour mieux veiller à la sûreté des sujets de l'empire d'Allemagne en Perse, les billets de créance, lettres de change et lettres de garantie, ainsi que tous les contrats faits par des sujets des Hautes Parties Contractantes,

relativement à des affaires de commerce, devront être signés par le Divan-Khané, [*sic*] et, à défaut de celui-ci, par l'autorité locale compétente, et dans les endroits où il y aurait un Consul d'Allemagne, aussi par ce dernier, afin qu'en cas de quelque différend, on puisse faire les recherches nécessaires et décider ces affaires litigieuses, conformément à la justice.

En conséquence, celui qui, sans être muni des documents ainsi légalisés voudrait intenter un procès à un sujet allemand, en ne produisant pas d'autres preuves que les déclarations d'un témoin, ne sera point écouté quant à sa demande, à moins que celle-ci ne soit reconnue valable par ledit sujet allemand.

L'empire d'Allemagne, veillera également à la sûreté des sujets Persans en Allemagne, conformément aux lois et aux usages établis, et les traitera à cet égard sur le pied des nations les plus favorisées.

ARTICLE 13.

Toutes les contestations, ou disputes et tous les procès qui s'élèveraient entre des Allemands en Perse, seront examinés et jugés par les représentants respectifs près la Haute Cour d'Iran, ou par les Consuls desquels ils relèveront ou les plus rapproches de leur domicile, conformément aux lois de leur pays, sans que l'autorite locale y puisse opposer le moindre empêchement ou la moindre difficulté.

Les procès, contestations et disputes qui s'élèveraient en Perse entre des Allemands et des sujets appartenant à d'autres nations étrangères, seront jugés exclusivement par l'intermédiaire de leurs Agents ou Consuls.

Toutes les contestations ou disputes et tous les procès qui s'élèveraient en Perse entre les sujets des deux Hautes Parties Contractantes seront jugés devant les tribunaux Persans, mais ces différends et procès ne pourront être décidés ou jugés qu'en présence et avec l'interventions du représentant ou du Consul allemand ou au nom de celui-ci, en présence du drogman, qui sera désigné à cet effet, le tout conformément aux lois et aux coutumes du pays.

Les procès une fois terminés par la sentence du juge compétent, ne pourront plus être repris une seconde fois, mais si la nécessité exigeait la révision du jugement prononcé celle-ci ne pourra se faire qu'avec l'avis du représentant ou Consul duquel les sujets allemands dont il s'agira relèvent, ou au nom de cet Agent en présence du drogman respectif et seulement devant une des cours suprêmes de contrôle et de cassation qui siègent à Téhéran, à Tauris ou à Ispahan.

En réciprocité de ces engagements, les sujets de la Haute Cour d'Iran jouiront dans l'empire d'Allemagne, pour leurs intérêts et leurs droits acquis, en cas de contestations, de la pleine protection des lois et des tribunaux de ces Etats, de la même manière que les sujets nationaux et ceux d'autres Puissances étrangères; et les Représentants, Consuls et Agents de la Haute Cour d'Iran y jouiront, quant à une intervention de leur part en faveur

de leurs nationaux auprès des autorités de ces Etats, de la même faculté qui y est accordée aux Agents Diplomatiques et Consuls des nations les plus favorisées.

ARTICLE 14.

Si un sujet de l'une des deux Hautes Parties Contractantes, résidant dans les domaines de l'autre, se déclare en état de faillite ou fait banqueroute, on dressera l'inventaire de tous ses biens, de ses effets et de ses comptes actifs et passifs pour en faire la liquidation requise et la juste répartition entre ses créanciers.

En cas qu'un Allemand résidant ou se trouvant on Perse, se déclare en état de faillite, la procédure susmentionnée ne sera effectuée que de l'avis et par l'intervention du représentant ou Consul respectif résidant à l'endroit le plus rapproché du lieu de séjour du banqueroutier.

Si un sujet Persan fait faillite en Allemagne il sera accordé dans la procédure de faillite au représentant ou Consul Persan le même droit d'intervention, dont jouissent en pareil cas les représentants ou Consuls de la nation la plus favorisée.

Sur la demande faite par les créanciers, les Agents Diplomatiques ou Consulaires respectifs des Puissances Contractantes provoqueront les recherches nécessaires pour constater si le failli n'a pas laissé dans sa patrie des biens qui pourraient satisfaire à leurs réclamations.

ARTICLE 15.

En cas de décès de l'un de leurs sujets respectifs sur le territoire de l'une ou de l'autre des Hautes Parties Contractantes, sa succession sera remise intégralement à la famille ou aux associés du défunt s'il en a. Si le défunt n'avait ni parents, ni associés, sa succession dans les pays des Hautes Parties Contractantes sera remise intégralement à la garde des agents ou des Consuls respectifs, pour que ceux-ci en fassent l'usage convenable, conformément aux lois et coutumes de leur pays.

ARTICLE 16.

Quant aux affaires de la juridiction criminelle, dans lesquelles seraient compromis des sujets allemands en Perse, ou des sujets Persans en Allemagne, elles seront jugées dans les Etats respectifs suivant le mode qui y est adopté à l'egard de la nation la plus favorisée.

ARTICLE 17.

Le Gouvernement impèrial d'Allemagne s'engage à n'accorder à aucun sujet Persan de lettres de naturalisation, qu'à la condition expresse dû consentement préalable du Gouvernement Persan ; le Gouvernement Persan s'engage aussi de son côté à n'accorder de lettres de naturalisation à aucun sujet dudit empire allemand sans le consentement préalable du Gouvernement de celui-ci.

ARTICLE 18.

En cas de guerre de l'une des Puissances Contractantes avec une autre Puissance, il ne sera porté, pour cette seule cause, atteinte, préjudice ou altération à la bonne intelligence et à l'amitié sincère qui doivent exister à jamais entre les Hautes Parties Contractantes. Pour le cas où la Perse serait impliquée dans un différend avec une autre Puissance, le Gouvernement impérial allemand se déclare prêt à employer, sur la demande du gouvernement de S. M. I. le Shah, ses bons offices pour contribuer le différend.

ARTICLE 19.

Le présent traité restera en vigueur à dater du jour de sa signature jusqu'à l'expiration de douze mois après que l'une des Hautes Parties Contractantes aura annoncé à l'autre l'intention d'en faire cesser les effets.

Toutefois, les deux Hautes parties Contractantes se reservent la faculté d'introduire, d'un commun accord dans le présent traité toutes modifications qui ne seraient point en opposition avec son esprit ou ses principes et dont l'utilité serait démontrée par l'expérience.

ARTICLE 20.

Les dispositions du présent traité sont applicables également au grand-duché de Luxembourg, tant qu'il sera compris dans le système de douane et d'impôts allemands.

ARTICLE 21.

Les Gouverneurs, Commandants, douaniers, officiers et autres employés des Hautes Puissances Contractantes seront chargés de remplir les stipulations de ce traité avec toute l'exactitude possible et sans y porter la moindre atteinte.

Le présent traité sera ratifié et les ratifications en serent échangées à St. Petersbourg dans l'espace de...mois ou plus tôt si faire se peut.

En foi de quoi les Plénipotentiaires respectifs des Hautes Parties Contractantes ont signe le present traité et y ont apposé le sceau de leurs armes.

Fait à St. Petersbourg le 11 juin 1873 en quatre expeditions, dont deux en langue française et deux en langue Persane.

Signé : HENRI VII, prince DE REUSS.

Signé : ABDULRAHIM.

Un traité d'amitié, de commerce et de navigation ayant été conclu à St. Petersbourg entre S. M. l'Empereur d'Allemagne, Roi de Prusse, d'une part et S. M. l'Empereur de Perse de l'autre, dont l'art. 19 porte :

" Que le présent traité doit rester en vigueur à partir du jour de sa signature jusqu'à l'expiration de douze mois après que l'une des Hautes Parties contractantes aura annoncé à l'autre l'intention d'en faire cesser les effets et que

toutefois les deux Hautes Parties Contractantes se réservent la faculté d'introduire, d'un commun accord, dans le présent traité toutes modifications qui ne seraient point en opposition avec son esprit ou ses principes et dont l'utilité serait démontrée par l'expérience."

Et comme les deux Hautes Parties Contractantes ont l'intention de donner à ce traité une durée d'au moins dix ans, les soussignés sont convenus de déclarer que leurs Gouvernements respectifs s'engagent à ne point exercer le droit de dénonciation du traité ci-dessus mentionné pendant les dix plus prochaines années à partir de l'échange des ratifications de ce traité.

En foi de quoi, etc.
Berlin, le 6 juin 1873.
Signé : DE BISMARCK.

Signé : MIRZ HUSSEIN KHAN.

APPENDIX No. XXXIX.—*Page 31.*

TRAITÉ D'AMITIÉ et de COMMERCE entre la SUISSE ET LA PERSE.—Signé à GENÉVE, le 23 Juillet, 1873.*

[Ratifications échangées à Paris, le 27 Octobre 1874.]

Le Conseil Fédéral de la Confédération Suisse et Sa Majesté l'Empereur de tous les Etats de Perse, également et sincèrement désireux d'établir des rapports d'amitié entre la Suisse et la Perse, ont voulu les consolider par un Traité d'Amitié et de Commerce, également avantageux aux citoyens et sujets des deux pays. A cet effet, ils ont désigné pour leurs Plénipotentiaires, savoir :

Le Conseil Fédéral de la Confédération Suisse, Monsieur Jean-Conrad Kern, son Envoyé Extraordinaire et Ministre Plénipotentiaire près la République Française ; et

Sa Majesté l'Empereur de tous les Etats de Perse, Monsieur le Général Nazare-Aga, son Envoyé Extraordinaire et Ministre Plénipotentiaire près la République Française ;

Lesquels, ayant échangé leurs pleins-pouvoirs et les ayant reconnus en bonne et due forme, ont arrêté les Articles suivants :

ARTICLE I.

Friendship.

A dater de ce jour, il y aura amitié sincère et constante bonne intelligence entre la Confédération Suisse et tous les citoyens Suisses, d'une part, et l'Empire de Perse et tous les sujets Persans, d'autre part.

* From "State Papers, Vol. 63, page 625.

ARTICLE 2.

Reception of Ambassadors and other Diplomatic Agents.

Les Ambassadeurs, Ministres Plénipotentiaires, et autres Agents Diplomatiques qu'il plairait à chacune des deux Hautes Parties Contractantes d'envoyer et d'entretenir auprès de l'autre seront reçus et traités dans les deux pays respectifs, eux et tout le personnel de leur mission, comme sont reçus et traités, dans les deux pays respectifs, les Ambassadeurs, Ministres Plénipotentiaires, et autres Agents Diplomatiques des nations les plus favorisées, et ils y jouiront de tout point des mêmes prérogatives et immunités.

ARTICLE 3.

Right of Subjects of either Country to Reside and Trade in Territories of the other.

Les citoyens ou les sujets des deux Hautes Parties Contractantes, voyageurs, négociants, industriels et autres, soit qu'ils se déplacent, soit qu'ils résident sur le territoire de l'un ou de l'autre Etat, seront respectés et efficacement protégés par les Autorités du pays et leurs propres agents, et traités à tous égards comme le sont les citoyens ou les sujets de la nation la plus favorisée.

Right to Import and Export Merchandise, etc.

Ils pourront réciproquement importer dans l'un et dans l'autre Etat, et en exporter, toute espèce de marchandise et de produits, les vendre, les échanger, les acheter, les transporter en tous lieux sur le territoire de l'un et de l'autre Etat.

Internal Trade to be carried on subject to Laws of the Country.

Mais il est bien entendu que les citoyens et sujets de l'un et de l'autre Etat qui se livreraient au commerce intérieur, seront soumis aux lois du pays où ils feront le commerce.

ARTICLE 4.

Customs Dues on Imports and Exports. Taxes.

Les marchandises importées ou exportées par les citoyens et sujets respectifs des deux Hautes Parties Contractantes ne paieront, dans l'un et l'autre Etat, soit à l'entrée, soit à la sortie, que les mêmes droits que paient, à l'entrée et à la sortie dans l'un et l'autre Etat, les marchandises et produits importées et exportés par les marchands et sujets de la nation la plus favorisée, et nulle taxe exceptionnelle ne pourra, sous aucun nom et sous aucun prétexte, être réclamée dans l'un comme dans l'autre Etat.

ARTICLE 5.

Jurisdiction. Civil Suits between Swiss Citizens.

Les procès, contestations, et disputes qui, dans l'Empire de Perse, viendraient à s'élèver entre des citoyens Suisses, seront référés, en totalité, à l'arrêt et à la décision de l'Agent ou Consul Suisse qui résidera dans la province où ces procès, contestations, et disputes auraient été soulevés, ou dans la province la plus voisine. Il en décidera d'après les lois Suisses.

Jurisdiction. Civil Suits between Swiss Citizens and Persian Subjects.

Les procès, contestations, et disputes soulevés en Perse entre des citoyens Suisses et des sujets Persans, seront portés devant le tribunal Persan, juge ordinaire de ces matières, au lieu où résidera un Agent ou un Consul Suisse, et discutés et jugés selon l'équité, en présence d'un employé de l'Agent ou du Consul Suisse.

Jurisdiction. Civil Suits between Natives and Subjects of other Powers.

Les procès, contestations, et disputes soulevés en Perse entre des citoyens Suisse et des sujets appartenant à d'autres Puissances également étrangères, seront jugés et terminés par l'intermédiaire de leurs Agents ou Consul respectifs.

En Suisse, les sujets Persans seront également, dans toutes leurs contestations, soit entre eux soit avec des Suisses ou des étrangers, jugés suivant le mode adopté en Suisse envers les sujets de la nation la plus favorisée.

Criminal Jurisdiction.

Quant aux affaires de la juridiction criminelle dans lesquelles seraient compromis des citoyens Suisses en Perse, des sujets Persans en Suisse, elles seront jugées en Suisse et en Perse, suivant le mode adopté dans les deux pays envers les sujets de la nation la plus iavorisée.

ARTICLE 6.

Succession to Property of Deceased Citizens or Subjects.

En cas des décès de l'un de leurs citoyens ou sujets respectifs sur le territoire de l'un ou de l'autre Etat, sa succession sera remise intégralement à la famille ou aux associés du défunt s'il en a. Si le defunt n'avait ni parents ni associés, sa succession, dans l'un comme dans l'autre pays, sera remise à la garde de l'Agent ou du Consul de la nation du citoyen ou du sujet décédé, pour que celui-ci en fasse l'usage convenable, conformément aux lois et coutumes de son pays.

ARTICLE 7.

Appointment of Consuls at certain places in either Country.

Pour la protection de leurs citoyens ou sujets et de leur commerce respectifs, et pour faciliter de bonnes et équitable relations entre les citoyens et

sujets des deux Etats, les deux Hautes Parties Contractantes se réservent la faculté de nommer chacune 3 Consuls.

Les Consuls de Suisse auront leur résidence à Téhéran, à Bender-Bouchir, et à Tauris. Le Gouvernement Persan pourra choisir les résidences de ses Consuls en Suisse.

Consular Privileges.

Les Consuls des deux Hautes Parties Contractantes jouiront réciproquement, sur le territoire de l'un ou de l'autre Etat où sera établie leur résidence, du respect, des privilèges et des immunités accordés dans l'un et l'autre Etat aux Consuls de la nation la plus favorisée.

Non-Protection of Natives.

Les Agents Diplomatiques et les Consuls Suisses ne protégeront ni publiquement ni secrètement les sujets Persans.

Les Agents Diplomatiques et les Consuls Persans ne protégeront ni publiquement ni secrètement les citoyens Suisses.

Position of Trading Consuls.

Les Consuls des deux Gouvernements Contractants, qui dans l'un et l'autre Etat se livreraient au commerce, seront soumis, en ce qui concerne leur négoce, aux mêmes lois et aux mêmes usages auxquels sont soumis leurs nationaux faisant le même commerce.

ARTICLE 8.

Duration of Treaty.

Le présent Traité d'Amitié et de Commerce, cimenté par la sincère amitié et la confiance qui règnent entre les deux Etats sera, Dieu aidant, fidèlement observé et maintenu de part et d'autre pendant 12 ans, à dater du jour où les ratifications seront échangés.* Mais si, une année avant l'expiration du terme fixé, aucune des deux Hautes Parties Contractantes n'a annoncé officiellement à l'autre l'intention d'en faire cesser les effets, il demeurera obligatoire jusqu'à l'expiration d'une année à partir du jour où l'une ou l'autre des Hautes Parties Contractantes l'aura dénoncé, quelle que soit l'époque à laquelle cette déclaration aura lieu.

ARTICLE 9.

Ratifications.

Le présent Traité sera ratifié et les ratifications en seront échangées à Paris dans un an ou plus tôt si faire se peut.

En foi de quoi, les Plénipotentiaires respectifs des deux Hautes Parties Contractantes ont signé le présent Traité, et y ont apposé le cachet de leurs armes.

* Ratifications exchanged, 22nd October, 1874.

Fait double à Genève, le 23 juillet, 1873 (28 Djemadi Ouvla 1290 de l'année de l'Hégire).

(L. S.) KERN.

(L. S.) NAZARE AGA.

APPENDIX No. XL.—*Page 32.*

TRANSLATION.

TREATY of FRIENDSHIP entered into between BURMA and PERSIA—1877.

His Most Glorious and Excellent Majesty the King of Burma and His Majesty the King of Persia, wishing to enter into an engagement with the view of a long-existing great friendship and the increase of trade, this Treaty is contracted by Agga-Maha-Senapati, Legaing Myotsah, Thenat Woon, Ken Woon Mengyee, "Meng-thadoh-Mengyee-Maha-Menhla-Tseethoo-Gyaw," invested with powers by His Majesy the King of Burma, and by the Persian Consul-General, Mirza Fuzloola Khan, invested with powers by His Majesty the King of Persia.

ARTICLE 1.

The great friendship will be firm and lasting between Their Majesties the King of Burma and the King of Persia for a long period down to the times of their Royal descendants; and in the meanwhile both sides are to be careful that peace is preserved between the two countries, and that the great friendship is made more firm and lasting.

ARTICLE 2.

There existing the great friendship between the two countries, wealthy traders, merchants, and common people, subjects of His Majesty the King of Burma, trading and going to and from the dominions of His Majesty the King of Persia as also wealthy traders, merchants, and common people, subjects of His Majesty the King of Persia, trading and going to and from the dominions of His Majesty the King of Burma, are, according to the customs of great nations, to be protected and looked after with the same regard by both sides as if they were the respective subjects of each.

ARTICLE 3.

His Majesty the King of Burma's subjects residing in his dominions who may for the purposes of trade arrive in the dominions of His Majesty

the King of Persia, as also His Majesty the King of Persia's subjects residing in his dominions who may for the purposes of trade arrive in the dominions of His Majesty the King of Burma, are to pay the various sums leviable on account of customs and revenue according to the rules made by the authorities ruling the country.

ARTICLE 4.

Wealthy traders, merchants, and common people residing in the dominions of His Majesty the King of Burma going to and from, or permanently dwelling in, the dominions of His Majesty the King of Persia for the purposes of trade or work, as also wealthy traders, merchants, and common people residing in the dominions of His Majesty the King of Persia going to and from, or permanently dwelling in, the dominions of His Majesty the King of Burma, for the purposes of trade, becoming involved in civil, criminal, or other various cases, will be regarded as if they were the respective subjects of each, and the laws made by the ruling authorities of the country will be followed.

ARTICLE 5.

Should His Majesty the King of Burma wish to place a Consul in the dominions of His Majesty the King of Persia, or His Majesty the King of Persia to place a Consul in the dominions of His Majesty the King of Burma, Burmese or Persian subjects whose appointments are agreed to by the respective Governments in accordance with the regulations of the country are to dwell as Consuls, after the manner prevailing among Consuls of other nations, in order that there may be facilities in corresponding on matters of transmission of letters, and of trade, between the two countries, and of protecting the interests of their respective subjects.

ARTICLE 6.

This Treaty is written in three languages, *viz.*, Burmese, Persian, and English. The terms of this Treaty, so long as they remain unchanged by either Government, will be in force for ever ; but after the expiration of ten years, if either party should wish to change or add to the terms of this Treaty, changes or additions for the advantage of both—which must one year previous to their being made be discussed and agreed to—may be made. This Treaty also will according to custom be ratified and exchanged within one year from date of signature, after which the terms of the Treaty will be in full force. Should the meaning of any expression in the Treay differ in the Burmese and Persian versions, the meaning according to the English version will be taken to be the true one.

APPENDIX No. XLI.—*Page 32.*

RUSSIA.

CONVENTION between the Emperor of RUSSIA and the Shah of PERSIA regulating their Commercial Relations and modifying Article III of the Additional Act of February $\frac{10}{22}$, 1828.—Signed at Theran, $\frac{\text{October 27}}{\text{November 9,}}$ 1910.

[Ratified December 13, 1902; came into force February 14, 1903.]

SA Majesté l'Empereur de Toutes les Russies et Sa Majesté le Schah de Perse, animés du même désir de faciliter le développement des relations commerciales entre les deux pays voisins et amis, ont jugé opportun de modifier et de compléter les dispositions établies par l'Article III de l'Acte Additionnel conclu entre la Russie et la Perse à Tourkmentchai le 10 (22) Février, 1828,* et ont nommé à cet effet pour leurs Plénipotentiaires, savoir:

Sa Majesté l'Empereur de Toutes les Russies, son Envoyé Extraordinaire et Ministre Plénipotentiaire près la Cour de Perse, Conseiller Privé Argyropoulo, et le Conseiller Privé Valentin Goloubew, Membre du Conseil du Ministre des Finances; et

Sa Majesté le Schah de Perse, son Premier Ministre, l'Atabek-Azam Mirza Ali Asghar Khan Amin-es-Sultan, et le Sieur Joseph Naus, Administrateur-Général des Douanes;

Lesquels, dûment autorisés à cet effet, sont convenus de ce qui suit:—

ART. I. Les marchandises importées en Perse ou exportées de ce Royaume par les sujets Russes et pareillement les productions de la Perse importées en Russie, soit par la Mer Caspienne, soit par la frontière de terre entre les deux Etats par les sujets Persans, de même que les marchandises Russes que les sujets Persans exporteront de l'Empire par les mêmes voies, seront soumises non plus à la taxation prévue par l'Article III de l'Acte Additionnel du 10 (22) Février, 1828, mais à des Tarifs détaillés (A, B, C)† qui se trouvent annexés à la présente Déclaration.

II. Les marchandises exportées de Russie (voir Article I) seront soumises au paiement des droits de douane conformément au Tarif (A) une fois pour toutes à leur entrée en Perse, et ne seront assujetties ensuite au paiement d'aucun autre droit de douane ou d'autres charges, sauf celles prévues par l'Article V de la présente Déclaration.

Les produits Persans exportés en Russie (voir Article I) paieront les droits de douane à leur entrée en Russie conformément au Tarif (B) et ne seront assujettis à aucun droit de sortie ou autre charge à leur exportation de Perse, sauf les exceptions prévues dans les Articles III et V de la présente Déclaration.

* Vol. XLV, page 865. † Not printed.

Toutes les marchandises et objets d'exportation Persans non dénommés dans le Tarif (B) seront soumis en Russie au paiement des droits d'entrée stipulés par les Tarifs applicables aux provenances des nations les plus favorisées, sauf les Tarifs établis ou à établir pour les produits d'exportation de la Chine et d'autres pays Asiatiques voisins.

Les règlements édictés ou à édicter pour les produits prohibés à l'importation en Russie, et aussi pour les droits de sortie de la Russie, seront applicables au trafic Persan en Russie.

III. Le droit de sortie de 5 pour cent existant jusqu'à présent en Perse sur les marchandises et produits exportés est totalement aboli, à l'exception des droits de sortie établis par le Tarif (C) sur les produits y dénommés.

Les marchandises Russes et autres pourront, aux conditions du présent arrangement, être librement exportées de l'un dans l'autre des deux Etats sous la réserve, bien entendu, des interdictions ou prohibitions déjà établies ou à établir par chacune des deux Hautes Parties Contractantes, soit dans un intérêt de sécurité ou de préservation sociale, soit pour empêcher éventuellement l'exportation de produits du sol qu'il serait momentanément nécessaire de réserver afin d'assurer l'alimentation publique.

IV. Le Gouvernement Persan prend l'engagement de supprimer toutes les taxes de raghdari perçues actuellement pour l'entretien des routes et de ne pas permettre l'établissement d'autres taxes de routes ou de barrière ailleurs que sur les voies carrossables comportant des travaux d'art dont la concession a déjà été accordée ou serait accordée par firmans spéciaux. Les taux des taxes à percevoir dans ce cas par les concessionnaires seraient fixés par le Gouvernement Persan, qui en donnera connaissance à la Légation Impériale de Russie, ces taxes ne devant pas dépasser par farsakh celle de la route Recht-Téhéran; la perception ne pourrait commencer qu'après l'achèvement de la route ou, du moins, de ses principaux tronçons entre des localités importantes et ne dépasserait en aucun cas pour les marchandises Russes les taux prlévés des marchandises d'une autre provenance.

V. Le système de fermage pour la perception des droits de douane en Perse devant être aboli à jamais sera remplacé à toutes les frontières du Royaume par l'institution de bureaux de Douane gouvernementaux, organisés et administrés de manière à assurer aux commerçants l'égalité des perceptions et un bon traitement de leurs marchandises.

Le Gouvernement Persan prendra toutes les mesures nécessailes pour assurer d'une manière générale la sécurité des marchandises durant leur séjour dans les bureaux de la Douane, et il assume la responsabilité directe de l'intégrité et de la bonne conservation des marchandises qui seront déposées dans les magasins des bureaux de la Douane. En conséquence, le Gouvernement Persan s'engage à faire construire, aussitôt que possible, et en tout cas pas plus tard que cela est indiqué ci-dessous dans la clause (*a*) de cet Article, dans les bureaux désignés à cet effet par un Règlement prévu ci-après, des magasins dûment clôturés et assez vaste pour y assurer l'emmagasinage des quantités de marchandises habituelle-

ment importées; dans tous les autres bureaux il devra être établi des installations convenables en rapport avec les besoins du trafic de passage. Les commerçants Russes jouiront, dans les conditions fixées par le même Règlement, du droit d'entrepôt pendant douze mois à dater du jour de l'arrivée des marchandises sans payer aucuns droits ni taxes pour la mise en entrepôt.

Un Règlement général arrêté par l'Administration des Douanes, d'accord avec la Légation de Russie à Téhéran, fixera avant la mise en vigueur de la présente Convention :—

(*a*) La classification des bureaux de Douane et leurs attributions, les points des frontières de terre et de mer, et les chemins ouverts pour l'importation et l'exportation des marchandises, ainsi que l'organisation des magasins des bureaux de la Douane et la fixation des termes indiquant l'inauguration des opérations de ces bureaux et magasins;

(*b*) Les formalités à observer par le commerce pour l'importation et l'exportation des marchandises;

(*c*) Le régime de l'entrepôt applicable aux marchandises Russes pendant douze mois à partir de leur arrivée dans un des bureaux ouverts à ce trafic;

(*d*) Les paiements à imposer au commerce pour le séjour des marchandises dans les magasins de la douane ou pour tous autres services rendus par la Douane aux commerçants;

(*e*) La procédure douanière concernant la vérification des marchandises frappées de droits spécifiques et l'évaluation de celles imposées *ad valorem*, ainsi que les amendes applicables au cas de fraude ou de violation des formalités et règles établies.

Pour ce qui concerne la procédure douanière applicable aux marchandises à l'entrée ou à la sortie du territoire Russe, les sujets Persans seront soumis aux lois édictées ou à édicter par l'Empire, sans que les dispositions de celles-ci puissent, de quelque manière que ce soit, consacrer à l'égard du commerce des sujets Persans des dispositions moins favorables que celles qui sont applicables aux commerçants des pays jouissant du traitement de la nation la plus favorisée.

VI. L'acquittement des droits d'entrée en Russie d'après le Tarif (B) annexé à la présente Déclaration sera effectué en monnaies admises pour le paiement des taxes douanières dans tout l'Empire, calculé sur la base du poud équivalent à 40 livres Russes, à 16·38 kilog. Français, à 5·5 batmans de Tauris, de 640 miskals Persans. Pour l'application des Tarifs (A) et (C) le batman Persan dit de Tauris sera calculé à 640 miskals Persans, équivalent à 7·27 livres Russes et à 2·97 kilog. Français; et les 100 krans Persans seront calculés à 18 roubles Russes ou à 48 fr. Français en monnaie d'or.

Dans le cas où le change du kran par rapport au rouble Russe viendrait à baisser de plus de 10 pour cent et se maintiendrait tel plus d'un mois, le Gouvernement Persan aurait la faculté, après la constatation du fait par les principales banques et notification préalable à la Légation Impériale

de Russie, de hausser proportionnellement les taux des droits spécifiques inscrits dans les Tarifs (A) et (C). La notification relativement à l'élévation des droits devra être faite par le Gouvernement Persan à la Légation de Russie à Téhéran au moins deux semaines avant que cette élévation soit appliquée.

Pour le cas d'une hausse dans le cours du kran dépassant 10 pour cent et se maintenant tel durant plus d'un mois, l'initiative de l'abaissement proportionnel des Tarifs (A) et (C) appartiendrait au Gouvernement Impérial de Russie, et le Gouvernement Persan serait tenu d'accorder le dit abaissement.

VII. Le Gouvernement Persan s'engage à appliquer à toutes les frontières du Royaume les dispositions de la présente Déclaration, ainsi que les Tarifs (A) et (C), avec les modifications prévues par l'Article VI.

La présente Déclaration, dont, en cas de contestation, le texte Français prévaudra sera ratifiée, et les ratifications en seront échangées à Téhéran, après quoi elle sera promulguée par les deux hauts Gouvernements et entrera en vigueur à la date qui sera fixée d'un commun accord le jour de l'échange des ratifications.

Fait en double, en Français et en Persan, le 27 Octobre de l'an 1901, et le 26 Redjeb, 1319 de l'Hégire, à Téhéran.

(L. S.) ARGYROPOULO.
(L. S.) GOLOUBEW.
(L. S.) ATABEK-AZAM.
(L. S.) NAUS.

APPENDIX No. XLII.—*Page 32.*

TRAITÉ D'AMITIÉ ET DE COMMERCE ENTRE L'EMPIRE DE PERSE ET LA RÉPUBLIQUE ARGENTINE.

[Signé à Ostende, le 27 Juillet 1902.]

Ratifications échangees à Bruxelles, le 14 Avril 1905.

Sa Majesté Impériale Mozaffar-Eddine Schahin-Schah de Perse et le Lieutenant Général Julio A. Roca, Président de la République Argentine, également animés du désir d'établir et de développer des relations d'amitié et de commerce entre leurs pays respectifs ont decidé de conclure un Traité à cet effet et ont nommé pour leurs Plénipotentiaires à savoir:

Sa Majesté Impériale le Schahin-Schah, Son Excellence le Général Isaac Khan Mofazham-ed-Dowleh, Son Aide-de-Camp Général et Son Envoyé Extraordinaire et Ministre Plénipotentiaire aux Etats-Unis d'Amérique; et

Son Excellence le Président de la République Argentine, Son Excellence le Docteur Eduardo Wilde, Envoyé Extraordinaire et Ministre Plénipotentiaire en Belgique et Hollande.

Lesquels, après s'être communiqué leurs pleins pouvoirs trouvés en bonne et due forme, sont convenus des articles suivants :

ARTICLE 1.

Il y aura paix perpétuelle et amitié invariable entre Sa Majesté Impériale le Schahin-Schah de Perse, ses héritiers et successeurs et la République Argentine, et entre leurs citoyens et sujets respectifs.

ARTICLE 2.

Sa Majesté Impériale le Schahin-Schah et le Gouvernement de la République Argentine auront le droit de nommer des Agents Diplomatiques, Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires, qui résideront respectivement dans la capitale et les principales villes des deux pays où de pareils Agents étrangers sont admis à résider, et jouiront de mêmes droits, privilèges, faveurs, immunités et exemptions qui sont accordés aux Agents Diplomatiques et Consulaires des Puissances les plus favorisées.

Les Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires sont tenus, avant d'entrer en exercice de leurs fonctions d'obtenir dans la manière usuelle l'exéquatur du Gouvernement du pays où ils auront à les remplir.

ARTICLE 3.

Les citoyens ou sujets de chacune des deux Hautes Parties Contractantes jouiront pour leurs personnes et pour leurs biens dans toute l'étendue du territoire de l'autre des mêmes droits, liberté, faveurs et immunités dont jouissent ou jouiront les citoyens ou sujets des nations les plus favorisées.

ARTICLE 4.

Il y aura liberté réciproque de commerce entre l'Empire de Perse et la République Argentine.

Les marchandises de chacun des deux pays pourront entrer librement dans le territoire de l'autre conformément aux lois de celui-ci, et ni l'une ni l'autre des deux Hautes Parties Contractantes n'imposera sur les produits provenant du sol et de l'industrie de l'autre Partie, d'autres ni de plus hauts droits d'importation, consommation, entreposage, réexportation ou transit que ceux qui sont ou seront imposés sur les mêmes produits de la nation la plus favorisée.

Pareillement, aucune prohibition d'importation ou d'exportation de quelque article que ce soit, ne sera imposée au Commerce réciproque des Parties Contractantes, à moins qu'elle ne soit également appliquée à toutes

les nations, sauf pour des motifs spéciaux sanitaires, ou pour empêcher, soit la propagation d'épizooties, soit la destruction de récoltes, ou bien en vue d'événements de guerre.

ARTICLE 5.

S'il surgissait entre les deux Hautes Parties Contractantes un différend qui ne put être réglé par la voie diplomatique les Hautes Parties Contractantes conviennent d'en soumettre la solution à l'arbitrage d'une Puissance amie proposée et acceptée de commun accord.

ARTICLE 6.

Ce Traité entrera en vigueur à partir du deuxième mois après l'échange des ratifications.

Dans le cas où aucune des deux Hautes Parties Contractantes n'aurait dénoncé ce Traité, il demeurera en vigueur et ne cessera de produire ses effets qu'à la fin d'une année à partir du jour où l'une ou l'autre des Hautes Parties Contractantes aurait annoncée son intention d'en faire cesser les effets.

ARTICLE 7.

Le présent Traité sera redigé en double exemplaire dans chacune de langues Persane, Espagnole et Française. S'il se produisait une divergence dans l'interprétation du texte Persan ou Espagnol, elle sera décidée de conformité avec le texte Français, lequel sera obligatoire pour les deux Gouvernements.

ARTICLE 8.

Le présent Traité sera ratifié par Sa Majesté Impériale le Schahin-Schah et Son Excellence le Président de la République Argéntine, d'accord avec leurs législations respectives, et les ratifications seront échangées aussitôt que possible.

En foi de quoi les Plénipotentiaires ont signé le présent Traité et ont apposé leurs cachets respectifs, à Ostende, le vingt-et-un du mois de Rabiel-Sani mille trois cent vingt de l'Hégire (vingt-sept du mois de juillet mille neuf cent deux).

(L. S.) GÉNÉRAL ISAAC KHAN,
MOFAKHAM-ED-DOVLET.

(L. S.) EDUARDO WILDE.

APPENDIX No. XLIII.—*Page 32.*

TRAITÉ D'AMITIÉ ET DE COMMERCE ENTRE L'EMPIRE DE PERSE ET LES ÉTATS-UNIS DE MEXIQUE.—SIGNÉ A WASHINGTON, LE 14 MAI 1902. (ALSO SIGNED IN THE SPANISH LANGUAGE.)

[Ratifications échangées à Washington, le 12 Mars 1903.]

Sa Majesté Impériale, Mazaffer-Eddin Schahinschah de Perse et le Général de Division, Don Porfirio Diaz, Président des Etats-Unis de Mexique, également animés du désir d'établir et de développer des relations d'amitié et de commerce entre leurs pays respectifs, ont décidé de conclure un Traité à cet effet et ont nommé pour leurs Plénipotentiaires savoir :

Sa Majesté Impériale le Schahinschah, Son Excellence le Général Isaac Khan, Mofakham-ed-Dowleh, Son Aide-de-Camp Général et Son Envoyé Extraordinaire et Ministre Plénipotentiaire aux Etats-Unis d'Amérique.

Et Son Excellence le Président du Mexique, Son Excellence Manuel de Azpiroz, Ambassadeur Extraordinaire et Plénipotentiaire aux Etats-Unis d'Amérique.

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des articles suivants :

ARTICLE 1.

Il y aura paix perpétuelle et amitié invariable entre Sa Majesté Impériale le Schahinschah de Perse, ses héritiers et successeurs et les Etats-Unis du Mexique et entre leurs sujets et citoyens respectifs.

ARTICLE 2.

Sa Majesté Impériale le Schahinschah et le Gouvernement des Etats-Unis du Mexique, auront le droit de nommer des Agents Diplomatiques, Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires qui résideront respectivement dans la capitale et les principales villes des deux pays où de pareils Agents étrangers sont admis à résider et jouiront des mêmes droits, privilèges, faveurs, immunités et exemptions qui sont ou seront accordés aux Agents Diplomatiques et Consulaires des Puissances les plus favorisées.

Les Consuls Généraux, Consuls, Vice-Consuls et Agents Consulaires sont tenus avant d'entrer en exercice de leurs fonctions, d'obtenir dans la manière usuelle l'exequatur du Gouvernement du pays où ils auront à les remplir.

ARTICLE 3.

Les sujets ou citoyens de chacune des deux Hautes Parties Contractantes jouiront pour leurs personnes et pour leurs biens dans toute l'étendue

du territoire de l'autre des mêmes droits, liberté, faveurs et immunités dont jouissent ou jouiront les sujets ou citoyens des nations les plus favorisées.

ARTICLE 4.

Il y aura liberté réciproque de commerce entre l'Empire de Perse et les États-Unis du Mexique.

Les marchandises de chacun des deux pays pourront entrer librement dans le territoire de l'autre conformément aux lois de celui-ci, et ni l'une ni l'autre des deux Hautes Parties Contractantes n'imposera sur les produits provenant du sol et de l'industrie de l'autre Partie, d'autres ni de plus hauts droits d'importation, consommation, entreposage, réexportation ou transit que ceux qui sont ou seront imposés sur les mêmes produits de la nation la plus favorisée.

Pareillement aucune prohibition d'importation ou d'exportation de quelque article que ce soit, ne sera imposée au commerce réciproque des l'arties Contractantes, à moins qu'elle ne soit également appliquée à toutes les nations, sauf pour des motifs spéciaux sanitaires ou pour empêcher soit la propagation d'épizooties, soit la destruction de récoltes ou bien en vue d'événements de guerre.

ARTICLE 5.

S'il surgissait entre les deux Hautes Parties Contractantes un différence susceptible d'être réglé à l'amiable sans avoir pû être réglé par la voie diplomatique, les Hautes Parties Contractantes conviennent d'en soumettre la solution à l'arbitrage d'une Puissance amie proposée et acceptée de commun accord.

ARTICLE 6.

Ce Traité entrera en vigueur à partir du deuxième mois après l'échange des ratifications.

Dans le cas où aucune des deux Hautes Parties Contractantes n'aurait dénoncé ce Traité, il demeurera en vigueur et ne cessera de produire ses effets qu'à la fin d'une année à partir du jour où l'une ou l'autre des Hautes Parties Contractantes aurait annoncée son intention d'en faire cesser les effets.

ARTICLE 7.

Le présent Traité sera rédigé en double exemplaire dans chacune des langues Persane, Espagnole et Française.

S'il se produisait une divergence dans l'interprétation du texte Persan ou Espagnol, elle sera décidée de conformité avec le texte Français, lequel sera obligatoire pour les deux Gouvernements.

ARTICLE 8.

Le présent Traité sera ratifié par Sa Majesté Impériale le Schahinschah et Son Excellence le Président de la République du Mexique, d'accord avec leurs législations respectives et les ratifications seront échangées à Washington aussitôt que possible.

Et foi de quoi, les Plénipotentiaires ont signé le présent Traité et y ont apposé leurs cachets respectifs, le cinq du mois de Safar mille trois cent vingt de l'Hégiré et le quatorze du mois de Mai 1902.

(S. E.) GÉNÉRAL ISAAC KHAN,
MOFAKHAM-ED-DOWLEH.

(S. E.) MANUEL DE AZPIROZ.

APPENDIX No. XLIV.—*Page 32.*

TURKEY.

Customs Convention concluded by an exchange of notes at Constantinople, September 5, 1902.

Persia and Turkey have agreed by this Convention to grant each other the régimé of the most-favoured-nation treatment in Customs matters. The Convention takes the place of all former Treaties as regards Customs duties and all anterior stipulations respecting duties are to be considered null and void whilst this arrangement is in force. No period has been fixed for the duration of the convention, but the instrument contains a denunciation clause by which either of the Contracting Parties is permitted to denounce the agreement at any time. The convention will remain operative for one year after such denunciation, both powers regaining their liberty of action in Customs matters after the expiration of that term.

By this arrangement the export duties of 12 per cent. levied both by Turkey and Persia on native products exported to either country were abolished, the import duty on Turkish products entering Persia was reduced to 5 per cent. from 6 per cent., and the import duty levied by Turkey was increased from 6 per cent. to 8 per cent., whilst Persian subjects having Persian products passing through Turkey in transit were only liable to pay 1 per cent. transit dues, instead of the full duty of 6 per cent. formerly demanded.

This régime, as regards Turkish imports into Persia, lasted until the new Russo-Persian Customs Tariff came into force in February 1903, when such imports came under the specific duties—Tariff.

PERSIAN GULF.

APPENDIX No. XLV.—*Page 138.*

TRANSLATED purport of an ORDER from HIS ROYAL HIGHNESS TAMASP MIRZA MOAYED-ED-DOWLAH, dated Shaban 1272 H., A. D. 1855.

By order and permission of the ministers of the exalted Government of Persia, and on the following conditions, we entrust the Government of Bunder Abbas, the islands of Kishm and Hormuz, and the districts of Ossein, Tazyan, Shemie, Minah, Khameer, and Biyahan and all their dependencies that are all the very territories of the exalted government, to His Highness Syud Saeed Khan, the Imam of Muscat and Oman. His Highness should act according to these conditions and not avoid any of them :—

ARTICLE 1.

That the Chief of Bunder Abbas should be a dependent of the Persian Government, and give a writing to that effect to the ministers of that Government, and, like all other Chiefs in Fars, must obey the Governor-General of Fars.

ARTICLE 2.

That His Highness should remit with a confidential man of his, in four instalments, the annual sum, as herein detailed, of sixteen thousand tomans on account of the revenue, peshkush, and present for Bunder Abbas, getting a receipt for the same for the Governor-General of Fars:—

		Tomans.
Total 16,000 Tomans	Revenue	12,500
	Peshkush for Prime Minister . .	2,000
	Ditto for Governor-General of Fars	1,000
	Present for Shoja-el-Moolk . .	500

ARTICLE 3.

That His Highness should cause the ditch that is now being dug around the fort of Bunder Abbas to be filled in, and it should never be re-dug again.

ARTICLE 4.

That until twenty years the Imam of Muscat and his son will have the right of the Government of Bunder Abbas, and after the expiration of twenty years, they will have to repair the place and make it over to the Persian Government. Should the ministers of the exalted Government

then again wish to grant the Government of Bunder Abbas to the Imam and his sons, they will, through friendship, do so under a new Firman and instructions, otherwise they can occupy the place and depute another Chief there.

ARTICLE 5.

That they should always fly the Persian flag at Bunder Abbas, and there will always be a few Persians there to take care of the flag. A Taskarachee also will be appointed and sent to remain permanently at Bunder Abbas. Every respect due to the Persian flag should be brought into effect. There will be a monthly courier sent to Bunder Abbas to take newspapers and to look after the flag and its attendants. On all festivals and on the anniversary of the Shah's birthday a salute should be fired. The usual morning and evening guns will also be fired.

ARTICLE 6.

The Chief of Bunder Abbas should in no respect annoy or oppress the subjects and inhabitants of that place who have for some years past served the Persian Governments, but on the contrary he must take great care of them.

ARTICLE 7.

The Chief of Bunder Abbas should not interfere with any other places than those that have been since the time of the late Fath Ali Shah and are at present under his authority.

ARTICLE 8.

Should at any time the Governor-General of Fars or Governor of Laristan desire to go for recreation or sport to Bunder Abbas the Chief like other Chiefs, should pay the necessary respect of receiving and every due attention.

ARTICLE 9.

In the event of the Governor-General of Fars or Governor of Kerman enquiring in certain emergent cases, to send troops to Cutch, Mekran, or Beloochistan, the Chief of Bunder Abbas, like those of other places, should not fail in attending to his wants, giving provisions and guides, paying the necessary respect on their departure, and doing all like services.

ARTICLE 10.

In case the Governor-General of Fars finding any fault in the Chief of Bunder Abbas, the Iman immediately, on its being brought to his notice, should, without any excuse, discharge the Chief and depute anohter whom he may deem fit, and who would be obedient to the Governor-General of Fars.

ARTICLE 11.

Should any of the subjects of Laristan, Sabba, and other districts of Fars, or of any of the districts of Kerman, emigrate to Bunder Abbas, on notice being given by the Chief of such district the Chief of Bunder Abbas should return them to their places.

ARTICLE 12.

These conditions have been made with the present living Imam Syud Saeed Khan and his sons. But should at any time an usurper get into possession of Muscat, the ministers of the Persian Government will not be bound to any of these conditions.

ARTICLE 13.

As long as Bunder Abbas, the above-mentioned two islands, Shernal, Minab, and their dependencies are in the hands of the Imam of Muscat, he should not allow any officers of foreign Governments to go there. He should also promise to protect those places by land and sea, providing for every port having an anchorage some ships, bughlas, and other vessels of war. He should further promise to protect all the boundaries of the above-mentioned places from all interference and intrusion of strangers, whether in an amicable or hostile manner. He should not at any time allow any ship, bughla, or other vessels of war, or any hostile person armed or otherwise, Arab or foreign, to approach or get a footing at Bunder Abbas or the Persian territory with hostile intentions or other pretexts.

ARTICLE 14.

The Imam of Muscat, notwithstanding these conditions, has not the right of letting Bunder Abbas and the above said places to any foreigner or others. He can only himself hold them, appointing one of his relatives for the management thereof who would act in accordance with these conditions.

ARTICLE 15.

It is reported by the Persian merchants that formerly an Indian, the Contractor of Customs at Muscat, has deputed an Agent at Bunder Abbas, and there received the Muscat duty for goods sent from Bunder Abbas to India and other places, whereas no such rules exist in any country, as charging the duty of one place, where the goods are not being sent, in another. As this proceeding is against rules and customs, the Imam should prevent the occurrence thereof hereafter, and should only levy such export and import duty as the late Sheikh Saif used to do, and no more.

ARTICLE 16.

The merchandise detained on the island of Kishm should be brought to Bunder Abbas and distributed to their respective consigners there, through Hajee Abd-el Mahomed, the Melek-el-Toojjar of Bushire, and their receipts taken and sent to Teheran.

TRANSLATION of the ARTICLES of AGREEMENT for the release of BUNDER ABBAS, entered into, sealed and signed by HAJEE AHMED, VIZIER, on the part of HIS HIGHNESS SYUD SALIM, SULTAN OF MUSCAT, with HIS MAJESTY the SHAH OF PERSIA, dated 15th RABEE-OOS-SANEE HIJREE 1285 (4th August, 1868).

According to the order and permission of His Majesty the Shah of Persia, the Government of Bunder Abbas, the islands of Kishm and Hurmuz, the Districts of Yuseen, Tazian, Shumeel, Minab, and Biyaban, and the port of Khumeer and all their dependencies have been made over to the charge of His Highness Syud Salim, the Imam of Muscat, and the country of Oman to be held under the following 15 conditions:—

1st.—That the Chief of Bunder Abbas should be a dependent of the Persian Government, and, like all other Chiefs in Fars, must obey the Governor-General of Fars, and he should give a writing to the effect that he is henceforth a subject of the Persian Government.

2nd.—He (His Highness the Imam of Muscat) should remit, in four instalments, the sum of thirty thousand tomans annually to Teheran or Shiraz and obtain receipts for them.

3rd.—The ditch, which is now being dug around the fort of Bunder Abbas, should be filled in, and it should never be re-dug.

4th.—He and his heirs to hold the Government of Bunder Abbas for eight years. After this period he should give it back to the Persian Government, with all the improvements made to it. If His Majesty think it proper, he may give it to His Highness the Imam of Muscat and his descendants on renewed conditions, or may appoint another Chief to Bunder Abbas.

5th.—The flag of the Persian Government and the several persons in charge of it, as also the passport-writer, should always be allowed to remain at the above-named place. The Chief should honour the flag. The courier should be allowed to visit the place monthly to bring newspapers, and to see the flag of the (Persian) Government and the people in charge thereof. A salute should be fired on the anniversary of the birthday of His Majesty the Shah and on the occasion of all festivals. The usual morning and evening gun should also be fired.

6th.—The former Chiefs and subjects of Bunder Abbas, who have served His Majesty the Shah, should in no way be molested, but, on the contrary, they should be taken great care of.

7th.—The Chief of Bunder Abbas should not interfere with any other places than those which have been above mentioned, and of which the Government of Muscat had charge during the time of the late Fateh Ali Shah.

8th.—Whenever the Governor-General of Fars or the Governor of Laristan may desire to go for recreation or sport to Bunder Abbas, the Chief of the Bunder should show them every mark of respect and honour, and should serve them as other Chiefs do.

9th.—If there be any necessity for the Governor-General of Fars or Kirman to send any army towards Cutch, Mekran, and Beloochistan, the Chief of Bunder Abbas should, like the Chiefs of other places, not fail in providing them with provisions and guides, and in paying the necessary respect on their departure.

10th.—If the Governor-General of Fars find any fault in the service rendered by the Chief of Bunder Abbas and apprize His Highness the Imam thereof, His Highness should immediately discharge the Chief and appoint another person in his place, who should be obedient to the Governor-General of Fars.

11th.—If any of the subjects of Laristan, Suba, and other districts of Fars, or of any of the districts of Kirman, run away and take refuge at Bunder Abbas, the Chief should, on receiving information thereof from the Chiefs of those districts, return them to their native places.

12th.—These conditions have been entered into with the present living Imam of Muscat, His said Highness Syud Salim, and his descendants. If any conqueror takes possession of Oman and Muscat, the Persian Government will not be bound to any of these conditions in regard to that conqueror.

13th.—As long as Bunder Abbas and the above-named two islands, and Shumeel and Mioab and their dependencies, are in the hands of the Imam of Muscat, he should not allow officers of other Governments to go there. His Highness should protect these places by sea and land, providing for every port having an anchorage some ships, bughlas, and other vessels of war. He should protect all the boundaries of the above-named places from all interference and intrusion of strangers, whether under friendly pretext or otherwise. He should not under any circumstances, allow any foreign ship, bughla, or man-of-war, the property of an Arab or Arabs, or of any foreign power, whether with or without ammunition, to anchor within the limits of the anchorage ground of the said territories.

14th.—His Highness the Imam of Muscat, notwithstanding these conditions, has no right to let the said Bunder Abbas and the said places to any other Government, but His Highness should, according to these conditions, send one of his own people or servants to manage Bunder Abbas and the aforesaid places, who must act according to the terms of these conditions.

15th.—According to the statement of the Persian merchants there was formerly a Hindoo contractor of the customs at Muscat who had deputed an Agent at Bunder Abbas, and there received the Muscat duty for goods belonging to Persian subjects, sent from Bunder Abbas to India and other places. This practice, *viz.*, to levy the duty of one place where the goods are not being sent in another, is contrary to the rules of every nation or Government. His Highness should put a stop to it, and it should never be reverted to in future. The Iman should levy such duty on goods imported into Bunder Abbas either by land or by sea, as Shaik Syif used to do when he was alive, and no more.

APPENDIX No. XLVI.—*Page 154.*

12 and 13 Victoria, Cap. LXXXIV.

An ACT for carrying into effect ENGAGEMENTS between HER MAJESTY and certain ARABIAN CHIEFS in the PERSIAN GULF for the more effectual suppression of the SLAVE-TRADE, dated 1st August 1[illegible]

Whereas on the thirtieth day of April, in the year of our Lord one thousand eight hundred and forty-seven, an Engagement was concluded between Major S. Hennell, the Resident in the Persian Gulf, on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and Sultan bin Sugger, Shaik of Ras-ool-Kheimah and Shargah in the Persian Gulf, the Chief of the Joasmee Arabs, whereby it was agreed as follows:—

"I, Shaik Sultan bin Sugger, Chief of the Joasmee tribe, with a view to strengthen the bonds of friendship existing between me and the British Government, do hereby engage to prohibit the exportation of slaves from the coasts of Africa and elsewhere on board of my vessels and those belonging to my subjects or dependents, such prohibition to take effect from the 1st day of Mohurrum A. H. 1264 (or 10th December A. D. 1847).

"And I do further consent that whenever the cruizers of the British Government fall in with any of my vessels, or those belonging to my subjects or dependents, suspected of being engaged in the slave-trade, they may detain and search them; and in case of their finding that any of the vessels aforesaid have violated this engagement, by the exportation of slaves from the coasts of Africa or elsewhere, upon any pretext whatsoever, they (the Government cruisers) shall seize and confiscate the same."

* Repealed.

And whereas on the said thirtieth day of April, one thousand eight hundred and forty-seven, an engagement was also concluded between Major S. Hennell, the Resident in the Persian Gulf, on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and Muktoom bin Buttye, Shaik of Debaye, whereby it was agreed as follows:—

"I, Muktoom bin Buttye, Shaik of Debaye, with the view to strengthen the bonds of friendship existing between me and the British Government, do hereby engage to prohibit the exportation of slaves from the coasts of Africa and elsewhere on board of my vessels and those belonging to my subjects or dependants, such prohibition to take effect from the 1st day of Mohurrum A. H. 1264 (or 10th December A. D. 1847).

"And I do further consent that whenever the cruisers of the British Government fall in with any of my vessels, or those belonging to my subjects or dependants, suspected of being engaged in the slave-trade, they may detain and search them and in case of their finding that any of the vessels aforesaid have violated this engagement, by the exportation of slaves from the coasts of Africa or elsewhere, upon any pretext whatsoever, they (the Government cruisers) shall seize and confiscate the same."

And whereas on the first day of May, in the said year one thousand eight hundred and forty-seven, an engagement was also concluded between Major S. Hennell on behalf of Her Majesty and Abdool Azeez bin Rashid, Shaik Egman, whereby it was agreed as follows:—

"I, Abdool Azeez bin Rashid, Shaik of Egman, with the view to strengthen the bonds of friendship existing between me and the British Government, do hereby engage to prohibit the exportation of slaves from the coast of Africa and elsewhere on board of my vessels and those belonging to my subjects or dependants, such prohibition to take effect from the last day Mohurrum, A. H. 1264 (or 10th December A. D. 1847).

"And I do further consent that whenever the cruisers of the British Government fall in with any of my vessels, or those belonging to my subjects or dependants suspected of being engaged in the slave-trade, they may detain and search them; and in case of their finding that any of the vessels aforesaid have violated this engagement, by the exportation of slaves from the coasts of Africa or elsewhere, upon any pretext whatsoever, they (the Government cruisers) shall seize and confiscate the same."

And whereas on the said first day of May, an engagement was concluded by the said Major S. Hennell on behalf of Her Majesty and Shaik Abdullah bin Rashid, Shaik of Amulgavine, whereby it was agreed as follows:—

"I, Abdullah bin Rashid, Shaik of Amulgavine, with a view to strengthen the bonds of friendship existing between me and the British Government, do hereby engage to prohibit the exportation of slaves from the coasts of Africa and elsewhere on board of my vessels and those belonging to my

subjects or dependants, such prohibition to take effect from the 1st day of Mohorrum A. H. 1264 (or 10th December A. D. 1847).

"And I do further consent that whenever the cruisers of the British Government fall in with any of my vessels, or those belonging to my subjects or dependants, suspected of being engaged in the slave-trade, they may detain and search them; and in case of their finding that any of the vessels aforesaid have violated this engagement, by the exportation of slaves from the coasts of Africa or elsewhere, upon any pretext whatsoever, they (the Government cruisers) shall seize and confiscate the same."

And whereas on the third day of May, in the said year one thousand eight hundred and forty-seven, an engagement was concluded by the said Major S. Hennell on behalf of Her Majesty and Shaik Saeed bin Tahnoon, Chief of Aboothabee, whereby it was agreed as follows:—

"I, Saeed bin Tahnoon, Shaik of the Bin Yas, Chief of Aboothabee, with a view to strengthen the bonds of friendship existing between me and the British Government, do hereby engage to prohibit the exportation of slaves from the coasts of Africa and elsewhere on board of my vessels and those belonging to my subjects or dependents, such prohibition to take effect from the 1st day of Mohorrum A. H. 1264 (or 10th December 1847).

"And I do further consent that whenever the cruisers of the British Government fall in with any of my vessels, or those belonging to my subjects or dependents, suspected of being engaged in the slave-trade, they may detain and search them; and in case of their finding that any of the vessels aforesaid have violated this engagement, by the exportation of slaves from the coasts of Africa or elsewhere, upon any pretext whatsoever, they (the Government cruisers) shall seize and confiscate the same."

And whereas on the eighth day of May, in the said year one thousand eight hundred and forty-seven, an engagement was concluded by the said Major S. Hennell on behalf of Her Majesty and Shaik Mahomed bin Khuleefa bin Suleman, Chief of Bahrein, whereby it was agreed as follows:—

"I, Mahomed bin Khuleefa bin Suleman, Chief of Bahrein, with the view to strengthen the bonds of friendship existing between me and the British Government, do hereby engage to prohibit the exportation of slaves from the coasts of Africa and elsewhere on board of my vessels and those belonging to my subjects or dependants, such prohibition to take effect from the 1st day of Mohurrum A. H. 1264 (or 10th December A. D. 1847).

"And I do further consent that whenever the cruisers of the British Government fall in with any of my vessels, or those belonging to my subjects or dependants, suspected of being engaged in the slave trade, they may detain and search them; and in case of their finding that any of the vessels aforesaid have violated this engagement, by the exportation of slaves from the coasts of Africa or elsewhere, upon any pretext whatsoever, they (the Government cruisers) shall seize and confiscate the same."

And whereas it is expedient that effectual provision should be made for carrying into execution the provisions of the said several agreements, 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, that it shall be lawful for the Commanders and other officers of Her Majesty's ships of war, or of the East India Company, to visit and detain in any seas any vessel belonging to either of the said respective Chiefs, Shaikh Sultan bin Sugger, Chief of the Joasmee tribe, Muktoom bin Buttye, Shaik of Debaye, Abdool Azeez bin Rashid, Shaik of Egman, Abdullah bin Rashid, Shaik of Amulgavine, Saeed bin Tahnoon, Shaik of the Bin Yas, Chief of Aboothabee, Mahomed bin Khuleefa bin Suleman, Chief of Bahrein, or to any of their subjects or dependants, which shall upon reasonable grounds be suspected of being engaged in the traffic in slaves or having been fitted out for that purpose and to send or carry away such vessels together with its masters, sailors, passengers, slaves, and cargo, for the purpose of such vessels being brought to adjudication as hereinafter mentioned.

Officers Commanding ships of Her Majesty, as well as those of the East India Company, authorised to visit vessels belonging to the before mentioned Chiefs, or to any of their subjects or dependants.

II. And be it enacted that it shall be lawful for the High Court of Admiralty of England, and for all Courts of Vice-Admiralty in any dominions of Her Majesty, beyond the seas, including those Courts of Vice-Admiralty within the territories under the Government of the East India Company, to take cognizance of and try any such vessel which shall be detained or captured for the violation of the said agreements, and to condemn any such vessels to Her Majesty, and adjudged as to the slaves found therein, in like manner and under such and the like rules and regulations as are contained in any Act or Acts of Parliament in force in relation to the suppression of the slave-trade by British-owned ships as fully as if all the powers and provisions contained in such Acts were re-enacted in this Act as to such High Court of Admiralty or Courts of Vice-Admiralty.

The trial of vessels engaged in the slave trade.

III. And be it enacted that every person who shall wilfully and corruptly give false evidence in any examination or deposition had or affidavit taken in any proceeding under the said engagements of this Act shall be deemed guilty of perjury, and being thereof convicted shall be subject and liable to all the punishments, pains and penalties to which persons convicted of wilful and corrupt perjury are liable; and every such person may be tried for any such perjury, either in the place where the offence was committed, or in any colony or settlement of Her Majesty near thereto in which there is a Court of competent jurisdiction to try any such offence, or in Her Majesty's Court of Queen's Bench in England, and that in case of any prosecution for such offence in Her Majesty's said Court of Queen's Bench, the venue may be laid in the County of Middlesex,

Persons giving false evidence deemed guilty of perjury.

IV. And be it enacted that the pendency of any suit or proceeding instituted for the condemnation or restitution of any ship or cargo, or slaves taken, seized, or detained by virtue of the said agreements, or the final adjudication, condemnation, or judgment or determination, thereupon may be pleaded in bar or given in evidence under the general issue and shall be deemed in any Court whatever to be a complete bar in any action, suit, or proceeding, whether instituted by any person or persons for the recovery of any such ship, vessel, or cargo, or of any damage, or for any injury sustained thereby or by the persons on board the same, in consequence of any capture, seizure, or detention or anything done under, in pursuance of, the provisions of the said agreements.

Pendency of suits to be a bar to any proceedings instituted for the recovery of the vessels detained.

V. And be it enacted that any ship or vessel which shall be condemned as aforesaid may be taken into Her Majesty's service, upon payment of such sum as the Lord High Admiral or the Lords Commissioners of the Admiralty shall deem a proper price for the same, or if not so taken shall be broken up and demolished, and the materials thereof shall be publicly sold in separate parts, and the proceeds thereof shall be paid to such person or persons as the Commissioners of Her Majesty's Treasury may appoint to receive the same.

Vessels condemned to be sold for Her Majesty's service or broken up.

VI. And be it enacted that where any ship or vessel employed or engaged in such illicit traffic in slaves, in violation of the said agreements, shall be seized by any ship or vessel belonging to Her Majesty or the East India Company and afterwards condemned, there shall be paid to be captors the net proceeds to which Her Majesty is entitled, the same to be distributed in the same manner hereinafter directed for the distribution of bounties on slaves taken on board the said vessels.

Captors of vessels shall after the same are condemned, be entitled to the proceeds belonging to Her Majesty.

VII. And be it enacted that there shall be paid to the Commander, Officers, and crews of Her Majesty's ships, or the Commander, Officers, and crews of the ships of the East India Company, a bounty of five pounds for every man, woman, and child slave seized and found on board any ship or vessel taken and condemned in pursuance of the provisions of the said agreement and of this Act, such bounty to be issued and paid by order from the Commissioners of Her Majesty's Treasury, and to be distributed to and amongst the captors aforesaid in such manner and proportions as Her Majesty shall think fit to order by any Order in Council made, or to be made, or by any proclamation, for that purpose.

Bounty for slaves captured.

VIII. And be it enacted that where any ship or vessel which shall have been seized and condemned under the provisions of the said agreements shall have been or shall be demolished, and the materials thereof publicly sold in separate parts, as well as her cargo, there shall

Bounty on tonnage of slave ships captured and demolished.

be paid to the Commanders, Officers, and crews of Her Majesty's ships, or of those of the East India Company, in addition to the amount of the proceeds of such sale as hereinbefore mentioned, a further bounty on the tonnage of such ship or vessel at the rate of thirty shilling for every ton of such tonnage.

Where no slaves are on board a ship seized and condemned an additional bounty to be paid.

IX. And be it enacted that where any ship or vessel having no slaves on board shall have been seized and condemned under the provisions of the said agreements, there shall be paid to the Commanders, Officers, and crews of Her Majesty's ships or those of the East India Company an additional bounty upon the tonnage of such ship or vessel at the rate of four pounds for every ton; and the tonnage of all such vessels shall be ascertained according to the mode of ascertaining the admeasurement of British vessels, either by the principal officer of the customs at the port where the vessels may be at the time of condemnation, or in default thereof by the best evidence which can be obtained: provided always that in every case in which any ship or vessel shall be seized with slaves on board in which the bounty calculated upon the number of slaves shall be less than the bounty calculated upon the tonnage, the Commanders of Her Majesty's ships or of those of the East India Company making the seizure may elect to take the bounty calculated according to tonnage, instead of the bounty which would be payable upon the number of slaves on board.

Bounties to be paid out of the Consolidated Fund.

X. And be it enacted that all bounties payable under this Act shall be paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland to the Commanders, Officers, and crews of Her Majesty's ships and of the ships of the East India Company, and such bounties shall be issued and paid by order from the Commissioners of Her Majesty's Treasury.

Bounties not liable to payment of fees.

XI. And be it enacted that the said bounty, as also all bounties payable under any of the Acts for the abolition or suppression of the slave-trade, shall not hereafter be charged with Treasury fees or Exchequer fees of any description.

Proof of tonnage.

XII. Provided always, and be it enacted, that in order to entitle the captors to receive the said bounty money the tonnage of the ship or vessel so seized and condemned shall be proved to the Commissioners of Her Majesty's Treasury by producing a copy, duly certified, of the sentence or decree of condemnation, or by such documentary or other evidence as they may deem satisfactory.

Copy of sentence of condemnation to be produced to the Commissioners of the Treasury.

XIII. Provided always, and be it enacted, that in order to entitle the captors to receive the said bounty money on slaves, the number of men, women, and children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's

Treasury by producing a copy, duly certified, of the sentence, or decree of condemnation, and also a certificate under the hand of the proper Officer or Officers, Military or Civil, who may be appointed to receive such slaves.

One moiety of the bounty only to be paid in certain cases.

XIV. And be it enacted that where any slaves or persons treated as slaves shall be seized on board any ship or vessel, taken and condemned in pursuance of the said agreements and of this Act, but who shall not have been delivered over in consequence of death, sickness, or other inevitable circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their discretion it shall seem meet, to direct payment of one moiety of the bounty which would have been due in each case respectively if the said slaves had been delivered over.

Parties claiming benefit under this Act may resort to the Court of Admiralty.

XV. Provided also, and be it enacted, that any party or parties claiming any benefit by way of bounty under the provisions of this Act, or of any share of the proceeds of any vessel confiscated in pursuance of the provisions of the aforesaid agreements, may resort to the High Court of Admiralty for the purpose of obtaining the judgment of the said Court in that behalf, and that it shall be lawful for the Judge of the said High Court of Admiralty to determine thereon, and also to hear and determine any question of joint capture which may arise upon any seizure made in pursuance of this Act, and also to enforce any decrees or sentences of the said Vice-Admiralty Courts relating to any such seizure.

Regulations and penalties respecting Prize Agents accounts extended to bounties, &c., under this Act.

XVI. And be it enacted that all the provisions, rules, regulations, forfeitures, and penalties respecting the delivery by Prize Agents of accounts for examination, and the distribution of prize money and the accounting for and paying over the proceeds of price and the precentage due thereon to Greenwich Hospital, shall be extended to all bounties and proceeds to be distributed, under the provisions of this Act, to the officers and crews of any of Her Majesty's ships and vessels of war.

Commissioners of the Treasury may order payment of costs awarded for vessels detained, but not condemned.

XVII. And be it enacted, that where any ship or vessel belonging in whole or in part to the before-mentioned Chiefs, or their subjects or dependents, shall have been detained and brought to adjudication by any Officers of Her Majesty the Queen of Great Britain and Ireland or of those of the East India Company, and the said ships shall be restored by sentence of the Court, it shall be lawful for the Commissioners of Her Majesty's Treasury, by warrant signed by any two or more of them, to direct payment to be made out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland of any costs or damages which may be duly awarded, provided always that nothing herein contained shall exempt such officer from his liability to make good the payment so made, when lawfully

called upon either by the parties interested therein or by order of the said Commissioners of Her Majesty's Treasury.

The Commissioners of the Treasury may repay to the seizor of any vessel not condemend the expenses incurred by him.

XVIII. And be it enacted that when any seizure shall be made by any of the Commanders, Officers, and crews of Her Majesty's ships, or of those of the East India Company, and judgment shall be given against the seizor, or when such seizure shall be relinquished by him, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their discretion it shall seem meet, by warrant signed by any two or more of them, to direct payment to be made out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland of such costs and expenses as the seizor may have incurred in respect of such seizure, or any proportional part thereof.

INSTRUCTIONS OF THE GOVERNMENT OF INDIA RELATIVE TO THE SLAVE TRADE.

The Treaty mentions vessels the property of the Imaum as well as of his subjects, but the Statute only vessels of his subjects. The instructions, however, may stand as here headed.

(Sd.) A. S. LEMESSURIER,
A. G.

Vessels belonging to the Imaum of Muscat or to any of his subjects belonging to either of the following respective Arabian Chiefs in the Persian Gulf, *viz.*—

1.—Shaik Sultan bin Suggur, Shaik of Ras-ool-kheimah and Shargah in the Persian Gulf, Chief of the Joasmee tribe of Arabs.

2.—Muktoom bin Buttye, Shaik of Debaye.

3.—Abdool Azeez bin Rashid, Shaik of Ejman.

4.—Abdulla bin Rashid, Shaik of Amulgavine.

5.—Saeed bin Tahnoon, Shaik of the Beni Yas, Chief of Aboothabee.

6.—Mahomed bin Khuleefa bin Suloman, Chief of Bahrein, or to any of their subjects or dependants.

INSTRUCTIONS.

To the Commanders of the Honourable East India Company's ships for carrying into execution the provisions of the Act of XI and XII, Vic., Cap. 128, entitled an Act for carrying into effect the agreement between Her Majesty and the Imaum of Muscat for the more effectual suppression of the slave-trade, also for carrying into execution the provisions of the Act of XII and XIII, Vic., Cap. 84, entitled an Act for carrying into effect engagements between Her Majesty and certain Arabian Chiefs in the Persian Gulf for

the more effectual suppression of the slave-trade, copies of both of which Acts are hereto annexed.

I. You are required to make yourselves fully acquainted with the different provisions of these Acts of Parliament and to guide yourselves accordingly by them in all your acts when you meet or fall in with any vessels belonging to the Imaum of Muscat, or any of his subjects, or with any vessel belonging to any or either of the Arabian Chiefs therein respectively named, or any of their subjects or dependants engaged in the slave-trade, or fitted out for the purpose contrary to the provisions of these Acts.

II. Your attention is to be directed to the third article of the agreement with the Imaum, dated 2nd October 1845, as set out in the Act of XI and XII, Vic., Cap. 128.

III. And also to the provisions of the first section of these Acts, which empower the Commanders of the ships of war of the East India Company to visit vessels belonging to the subjects of the Imaum, within the limits therein specified, and also to visit vessels belonging to the Chiefs, or the subjects or dependants of the Chiefs, named in Act XII and XIII, Vic., Cap. 84, suspected of being engaged in the slave-trade.

IV. You will *visit* and *detain* in any seas, except within the limits exempted by the terms of the third article of the said agreement (contained in Act XI and XII, Vic., Cap. 128), *any merchant vessel belonging to the subjects of the Imaum of Muscat which shall upon reasonable grounds be suspected of being engaged* in the export of slaves from the African dominions of the Imaum of Muscat, or the importation of slaves from any part of Africa into his possessions in Asia excepting such only as are engaged in the transport of slaves from one port to another of his own dominions in Africa, between the port of Lamoo to the north and its dependencies, the northern limits of which is the north point of Khyhoo Island in 1°57′ south latitude, and the port of Keelwa to the south and its dependencies, the southern limit of which is the Sonya Manara or Pagoda point in 9°2′ south latitude, including the Islands of Zanzibar, Pemba and Monfia, *or any vessel fitted out for that purpose*, and to send or carry away such vessels, together with its masters, sailors, passengers, slaves, and cargo, for the purpose of such vessel being brought to adjudication as in the Act of XI and XII, Vic., mentioned.

V. You will visit and detain in any seas any vessel belonging to either of the said respective Chiefs, Shaik Sultan bin Suggur, Chief of the Joasmee tribe, Muktoom bin Buttye, Shaik of Debaye, Abdool Azeez bin Rashid, Shaik of Egman, Abdullah bin Rashid, Shaik of Amulgavine, Saeed bin Tahnoon, Shaik of the Beni Yas, Chief of Aboothabee, Mahomed bin Khuleefa bin Suleman, Chief of Bahrein, or to any of their subjects or dependents, which shall upon reasonable grounds be suspected of being engaged in the traffic in slaves or having been fitted out for that purpose, and to send or carry away such vessel, together with its masters, sailors, passengers, slaves, and cargo, for the purpose of such vessel being brought to adjudication, as in the Act of XII and XIII, Vic., mentioned.

VI. On detaining any vessel visited by you under the aforesaid provisions of either of the said two Acts and of these instructions, you will take possession of the ship's papers, making a list thereof according to Form No. 1, and certifying the same by your signature.

VII. You will also draw out a declaration according to Form No. 2 stating the circumstances attending the capture, and mentioning the date when and in the place where it was made, and you will certify the same by your signature.

VIII. In sending or carrying away such vessel with its masters, sailors, passengers, slaves, and cargo for the purpose of adjudication, you will do so without delay, and send or carry her with them to the nearest port or place where a British Court of Vice-Admiralty may be established, and on your arrival at such port or place you shall duly report your arrival and deliver up to the proper authorities there the vessel, with its master, sailors, passengers, slaves, and cargo, to be dealt with according to law, and you shall abide such further instructions on the subject as shall be given you.

IX. The Officer in charge of the slave vessel is at the same time of delivering up the vessel to the proper authorities to deliver also the ship's papers and certificates thereof and the captor's declaration of capture.

X. The circumstances attending the seizure of a vessel under either of these Acts of Parliament must be fully reported to the Officer under whose orders you are serving, and a duplicate of the report must be sent at the earliest opportunity to the Commander-in-Chief of the Indian Navy at Bombay.

Given under my hand at Bombay this day of 1850.

Commodore,
Commander-in-Chief, I. N.

Form No. I.

Certificate containing a list of papers to be made out in duplicate, one copy to be delivered to the Master placed in charge of a detained vessel as soon as possible after seizure, the other to be delivered to be kept with a view to its production in the Court before which the vessel is taken for adjudication.

I, the undersigned holding the rank of in the Indian Navy, and Commanding the Honourable Company's ship do hereby certify that on the day of being in the latitude and longitude of Greenwich, seize the whereof is Tindal, and that she had on board at time of capture slaves, namely—

Males
Females.

If no slaves be on board, state the fact.

Total.

I further certify that the papers which I have numbered I to inclusive are the whole of the documents, letters, and writings seized on board, which are hereunder specified and described, namely,—

Here specify and describe No. 1
the papers found on board „ 2
according to number „ 3, &c.

Signed by me the day of 1850.

Commanding H. C. Ship.

Form No. 2.

Declaration to be made by the **Commander** of the **Honourable Company's Ship** at the time of the seizure and delivered to the Court before which the vessel is taken for adjudication.

I, the undersigned holding the rank of in the Indian Navy, and Commanding the Honourable Company's Ship duly authorized by the Act* of Parliament for the suppression of the slave-trade as therein provided, do hereby declare that on the day of being in latitude and longitude of Greenwich, I seized the whereof is Tindal, for having violated the said and I further declare that the vessel had on board at the time of seizure a crew of persons passengers and slaves as follows :—

Males.
Females.

Total.

Here insert any particulars worthy of notice, as to the state in which the vessel was found, and any facts as to the circumstances or causes of seizure.

And I do also declare that I found this vessel in the following state :—

Given under my hand this day of 1850.

Commanding H. C. Ship.

Approved by the Most Noble the Governor-General of India on the 17th July 1850.

* If the seizure be under the Act of XI and XII, Vic., Cap. 128, insert it; if under XII an XIII, Vic., Cap 84, state it accordingly.

OMAN.

APPENDIX No. XLVII—*Page 189.*

11 and 12 Vic., Cap. CXXVIII.

An Act for carrying into effect the Agreement between HER MAJESTY and the IMAUM of MUSCAT for the more effectual suppression of the SLAVE TRADE, dated the 15th September 1848.

Whereas on the second day of October, in the year of our Lord one thousand eight hundred and forty-five, an agreement was concluded and signed at Zanzibar between Captain Atkins Hamerton, of Her Majesty's Royal Navy, on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Highness Seid Saeed Bin Sultan, the Imaum of Muscat, whereby it was agreed as follows:—

ARTICLE 1.

His Highness the Sultan of Muscat hereby engages to prohibit, under the severest penalties, the export of slaves from his African dominions, and to issue orders to his officers to prevent and suppress such trade.

ARTICLE 2.

His Highness the Sultan of Muscat further engages to prohibit, under the severest penalties, the importation of slaves from any part of Africa into his possessions in Asia, and to use his utmost influence with all the Chiefs of Arabia, the Red Sea, and the Persian Gulf, in like manner to prevent the introduction of slaves from Africa into their respective territories.

ARTICLE 3.

His Highness the Sultan of Muscat grants to the ships of Her Majesty's Navy, as well as those of the East India Company, permission to seize and confiscate any vessels the property of His Highness or of his subjects carrying on slave trade, excepting such only as are engaged in the transport of slaves from one port to another of his own dominions in Africa, between the port of Lamoo to the north and its dependencies, the northern limit of which is the north point of Knyhoo Island in 1°57′ south latitude, and the port of Keelwa to the south and its dependencies, the southern limit of which is the Songa Manara or Pagoda Point in 9°2′ south latitude including the Islands of Zanzibar, Pemba, and Monfea.

ARTICLE 4.

This agreement to commence and have effect from the first day of January one thousand eight hundred and forty-seven of the year of Christ,

and the fifteenth day of the month of Mohurrum one thousand two hundred and sixty-three of the Hegira.

Done at Zanzibar this second day of October, one thousand eight hundred and forty-five of the year of Christ, and twenty-ninth day of Ramzan, one thousand two hundred and sixty-one of the Hegira.

(Sd.) SEID SAEED BIN SULTAN,
Imaum of Muscat.

(Sd.) ATKINS HAMERTON, *Captain,*
On behalf of Her Majesty the Queen of Great Britain and Ireland, Her Heirs and Successors.

And whereas it is expedient and necessary that effectual provision should be made for carrying into execution the provisions of the said agreement: 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, that it shall be lawful for the Commander and other officers of Her Majesty's ships of war or of the East India Company to visit and detain in any seas, except within the limits exempted by the terms of the third Article of the said agreement, any merchant vessel belonging to the subjects of the Imaum of Muscat which shall, upon reasonable grounds, be suspected of being engaged in the export of slaves from the African dominions of the Imaum of Muscat, or the importation of slaves from any part of Africa into his possessions in Asia, excepting such only as are engaged in the transport of slaves from one port to another of his own dominions in Africa, between the port of Lamoo to the north and its dependencies, the northern limit of which is the north point of Knyhoo Island in 1°57′ south latitude, and the port of Keelwa to the south and its dependencies, the southern limit of which is the Songa Manara or Pagoda Point in 9°2′ south latitude, including the Islands of Zanzibar, Pemba, and Monfea or any vessel fitted out for that purpose, and to send or carry away such vessel, together with its masters, sailors, passengers, slaves and cargo, for the purpose of such vessel being brought to adjudication as hereinafter mentioned.

Power to Commanders of ships of war and of the East India Company to visit vessels belonging to subjects of the Imaum of Muscat, within certain limits, suspected of being engaged in the slave trade.

2. And be it enacted, that it shall be lawful for the High Court of Admiralty of England, and for all Courts of Vice-Admiralty in any dominions of Her Majesty beyond the seas, including those Courts

As to the trial of vessels engaged in the slave trade.

of Vice-Admiralty within the territories under the Government of the East India Company, to take cognisance of and try any such vessel which shall be detained or captured for the violation of the said agreement, and to condemn any such vessel to Her Majesty and adjudge as to the slaves found therein in like manner, and under such and the like rules and regulations, as are contained in any Act or Acts of Parliament in force in relation to the suppression of the slave trade by British owned ships, as fully as if all the powers and provisions contained in such Acts were re-enacted in this Act as to such High Court of Admiralty or Courts of Vice-Admiralty.

Persons giving false evidence deemed guilty of perjury.

3. And be it enacted, that every person who shall wilfully and corruptly give false evidence in any examination or deposition had or affidavit taken in any proceeding under the said agreement or under this Act shall be deemed guilty of perjury, and being thereof convicted shall be subject and liable to all the punishments, pains, and penalties to which persons of wilful and corrupt perjury are liable; and every such person may be tried for any such perjury either in the place where the offence was committed, or in any colony or settlement of Her Majesty near thereto in which there is a Court of competent jurisdiction to try any such offence, or in Her Majesty's Court of Queen's Bench in England; and that in case of any prosecution for such offence in Her Majesty's said Court of Queen's Bench, the venue may be laid in the County of Middlesex.

Pendency of suits to be a bar to any proceedings instituted for the recovery of the vessels detained.

4. And be it enacted, that the dependency of any suit or proceeding instituted for the condemnation or restitution of any ship or cargo or slaves, taken, seized or detained by virtue of the said agreement, or the final adjudication, condemnation, or judgment or determination thereupon, may be pleaded in bar or given in evidence under the general issue, and shall be deemed in any Court whatever to be a complete bar in any action, suit, or proceeding, whether instituted by any person or persons for the recovery of any such ship, vessel, or cargo, or of any damage or for any injury sustained thereby or by the persons on board the same, in consequence of any capture, seizure or detention, or anything done under, or in pursuance of, the provisions of the said agreement.

Vessels condemned to be sold for Her Majesty's service or broken up.

5. And be it enacted, that any ship or vessel which shall be condemned as aforesaid may be taken into Her Majesty's service upon payment of such sum as the Lord High Admiral, or the Lords Commissioners of the Admiralty, shall deem a proper price for the same, or, if not so taken, shall be broken up and demolished, and the materials thereof shall be publicly sold in separate parts, and the proceeds thereof shall be paid to such person or persons as the Commissioners of Her Majesty's Treasury may appoint to receive the same.

Captors of vessels shall, after the same are condemned, be entitled to the proceeds belonging to Her Majesty.

6. And be it enacted, that where any ship or vessel employed or engaged in such illicit traffic in slaves in violation of the said agreement, shall be seized by any ship or vessel belonging to Her Majesty or the East India Company and afterwards condemned, there shall be paid to the captors the net proceeds to which Her Majesty is entitled, the same to be distributed in the manner hereinafter directed for the distribution of bounties on slaves taken on board the said vessels.

A bounty of £5 for every slave found on board of vessels seized and condemned.

7. And be it enacted, that there shall be paid to the Commander, officers, and crews of Her Majesty's ships, or the Commander, officers, and crews of the ships of the East India Company, a bounty of five pounds for every man, woman, and child slave seized and found on board any ship or vessel, taken and condemned in pursuance of the provisions of the said agreement and of this Act; such bounty to be issued and paid by order from the Commissioners of Her Majesty's Treasury, and to be distributed to and amongst the captors aforesaid in such manner and proportions as Her Majesty shall think fit to order by any order in Council, made or to be made, or by any proclamation for that purpose.

A bounty to be paid on tonnage of slave ships captured and demolished.

8. And be it enacted, that where any ship or vessel which shall have been seized and condemned under the provisions of the said agreement shall have been or shall be demolished, and the materials thereof publicly sold in separate parts, as well as her cargo, there shall be paid to the Commanders, officers, and crews of Her Majesty's ships, or of those of the East India Company, in addition to the amount of the proceeds of such sale as hereinbefore mentioned, a further bounty on the tonnage of such ship or vessel at the rate of thirty shillings for every ton of such tonnage.

Where no slaves are on board a ship seized and condemned, an additional bounty to be paid on tonnage.

9. And be it enacted, that where any ship or vessel having no slaves on board shall have been seized and condemned under the provisions of the said agreement there shall be paid to the Commanders, officers, and crews of Her Majesty's ships, or those of the East India Company, an additional bounty upon the tonnage of such ship or vessel at the rate of four pounds for every ton, and the tonnage of all such vessels shall be ascertained according to the mode of ascertaining the admeasurement of British vessels, either by the principal officer of the Customs at the port where the vessel may be at the time of condemnation, or in default thereof by the best evidence which can be obtained: provided always that in every case in which any ship or vessel shall be seized with slaves on board in which the bounty calculated upon the number of slaves shall be less than the bounty calculated upon the tonnage, the Commanders of Her Majesty's ships, or of those of the East India Company making the seizure, may elect to take the bounty

calculated according to tonnage, instead of the bounty which would be payable upon the number of slaves on board.

Bounties to be paid out of the Consolidated Fund.

10. And be it enacted, that all bounties payable under this Act shall be paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland to the Commanders, officers, and crews of Her Majesty's ships, and of the ships of the East India Company, and such bounties shall be issued and paid by order from the Commissioners of Her Majesty's Treasury.

Bounties not liable to payment of fees.

11. And be it enacted, that the said bounty, as also all bounties payable under any of the Acts for the abolition or suppression of the slave-trade, shall not hereafter be charged with Treasury fees or Exchequer fees of any description.

Captors entitled to bounty to give proof of tonnage.

12. Provided always, and be it enacted, that in order to entitle the captors to receive the said bounty-money, the tonnage of the ship or vessel so seized and condemned shall be proved to the Commissioners of Her Majesty's Treasury by producing a copy, duly certified, of the sentence or decree of condemnation, or by such documentary or other evidence as they may deem satisfactory.

Copy of sentence of condemnation to be produced to the Treasury.

13. Provided always, and be it enacted, that in order to entitle the captors to receive the said bounty-money on slaves, the number of men, women and children, so taken, delivered over, and condemned, shall be proved to the Commissioners of Her Majesty's Treasury by producing a copy, duly certified, of the sentence or decree of condemnation, and also a certificate under the hand of the proper officer or officers, Military or Civil, who may be appointed to receive such slaves.

In certain cases Treasury may order one moiety of the bounty to be paid.

14. And be it enacted, that where any slaves, or persons treated as slaves, shall be seized on board any ship or vessel taken and condemned in pursuance of the said agreement and of this Act, but who shall not have been delivered over in consequence of death, sickness, or other inevitable circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their discretion it shall seem meet, to direct payment of one moiety of the bounty which would have been due in each case, respectively, if the said slaves had been delivered over.

Parties claiming benefit under this Act may resort to the Court of Admiralty.

15. Provided also, and be it enacted, that any party or parties claiming any benefit by way of bounty under the provisions of this Act, or of any share of the proceeds of any vessel confiscated in pursuance of the provisions of the aforesaid agreement, may resort to the High Court of Admiralty for the purpose of obtaining the judgment of the said Court in that behalf, and that it shall be lawful for the judge of the said High Court of Admiralty to determine thereon; and also to hear and determine any question of joint capture which may arise upon any seizure made in

pursuance of this Act; and also to enforce any decrees or sentences of the said Vice-Admiralty Courts relating to any such seizure.

Regulations and penalties to which Prize Agents are liable extended to bounties, etc., under this Act.

16. And be it enacted, that all the provisions, rules, regulations, forfeitures, and penalties respecting the delivery by Prize Agents of accounts for examination and the distribution of prize money, and the accounting for and paying over the proceeds of prize and the percentage due thereon to Greenwich Hospital, shall be extended to all bounties and proceeds to be distributed under the provisions of this Act to the officers and crews of any of Her Majesty's ships and vessels of war.

Treasury may order payment of costs awarded for vessels detained but not condemned.

17. And be it enacted, that where any ship or vessel belonging in whole or in part to subjects of the Imaum of Muscat shall have been detained and brought to adjudication by any officers of Her Majesty the Queen of Great Britain and Ireland, or of those of the East India Company, and the said ship shall be restored by sentence of the Court, it shall be lawful for the Commissioners of Her Majesty's Treasury, by warrant signed by any three or more of them, to direct payment to be made out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland of any cost or damages which may be duly awarded; provided always that nothing herein contained shall exempt such officer from his liability to make good the payments so made when lawfully called upon, either by the parties interested therein, or by order of the said Commissioners of Her Majesty's Treasury.

Treasury may repay to the seizor of any vessel not condemned the expenses incurred by him.

18. And be it enacted, that when any seizure shall be made by any of the Commanders, officers, and crews of Her Majesty's ships, or of those of the East India Company, and judgment shall be given against the seizure, or when such seizure shall be relinquished by him it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their discretion it shall seem meet, by warrant signed by any three or more of them, to direct payment to be made out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland of such costs and expenses as the seizor may have incurred in respect of such seizure or any proportional part thereof.

APPENDIX NO. XLVIII.—*Page 191.*

TREATY of AMITY and COMMERCE between the UNITED STATES of AMERICA and HIS MAJESTY SYUD SUEED BIN SULTAN, of MASKAT, and his DEPENDENCIES.

ARTICLE 1.

There shall be a perpetual peace between the United States of America and His Majesty Syud Sueed Bin Sultan, of Maskat, and his Dependencies

ARTICLE 2.

The citizens of the United States shall have free liberty to enter all the ports of His Majesty Syud Sueed Bin Sultan, with their cargoes, of whatever kind the said cargoes may consist, and they shall have liberty to sell the same to any of the subjects of the Sultan, or others who may wish to purchase the same or to barter the same for any produce or manufactures of the kingdom or other articles that may be found there. No price shall be fixed by the Sultan or his officers on the articles to be sold by the merchants of the United States, or the merchandize they may wish to buy; but the trade shall be free on both sides to sell or buy, or exchange, on the terms and for the prices the owners may think fit; and whenever the said citizens of the United States may think fit to depart, they shall be at liberty to do so; and if any officer of the Sultan shall contravene this Article he shall be severely punished. It is understood and agreed, however, that the articles of the muskets, powder, and ball can only be sold to the Government in the Island of Zanzibar, but in all other ports of the Sultan the said munitions of war may be freely sold without any restriction whatever to the highest bidder.

ARTICLE 3.

Vessels of the United States entering any port within the Sultan's dominions shall pay no more than five per cent. duties on the cargo landed, and this shall be in full consideration of all import and export duties, tonnage, license to trade, pilotage, anchorage, or any other charge whatever. Nor shall any charge be paid on that part of the cargo which shall remain on board unsold and re-exported. Nor shall any charge whatever be paid on any vessel of the United States which may enter any of the ports of His Majesty for the purpose of refitting, or for refreshments, or to inquire the state of the market.

ARTICLE 4.

That American citizens shall pay no other duties on export or import tonnage, license to trade, or other charge whatsoever, than the nation the most favoured shall pay.

ARTICLE 5.

If any vessel of the United States shall suffer shipwreck on any part of the Sultan's dominions, the persons escaping from the wreck shall be taken care of and hospitably entertained at the expense of the Sultan, until they shall find an opportunity to be returned to their country, for the Sultan can never receive any remuneration whatever for rendering succour to the distressed, and the property saved from such wreck shall be carefully preserved and delivered to the owner, or the Consul of the United States, or to any authorised agent.

ARTICLE 6.

The citizens of the United States resorting to the ports of the Sultan for the purpose of trade shall have leave to land and reside in the said ports without paying any tax on importation whatever for such liberty other than the general duties on imports which the most favoured nation shall pay.

ARTICLE 7.

If any citizens of the United States, or their vessels or other property, shall be taken by pirates, and brought within the dominions of the Sultan, the persons shall be set at liberty and the property restored to the owner, if he be present, or to the American Consul, or to any authorised agent.

ARTICLE 8.

Vessels belonging to the subjects of the Sultan which may resort to any port in the United States shall pay no other or higher rate of duties or other charges, than the nation the most favoured shall pay.

ARTICLE 9.

The President of the United States may appoint Consuls to reside in the ports of the Sultan where the principal commerce shall be carried on, which Consuls shall be the exclusive judges of all disputes on suits wherein American citizens shall be engaged with each other; they shall have power to receive the property of any American citizen dying within the kingdom, and to send the same to his heirs, first paying all his debts due to the subjects of the Sultan. The said Consuls shall not be arrested, nor shall their property be seized, nor shall any of their household be arrested, but their persons and their property and their houses shall be inviolate. Should any Consul, however, commit any offence against the laws of the kingdom, complaint shall be made to the President, who will immediately displace him.

Concluded, signed, and sealed at the Royal Palace in the city of Maskat, in the Kingdom of Oman, the 21st day of September, in the year one thousand eight hundred and thirty-three of the Christian era, and the fifty-seventh year of the Independence of the United States of America (corresponding to the sixth day of the Moon, called Jumadee-ul-Awul, in the year of the Hijree, one thousand two hundred and forty-nine).

(Sd.) EDMUND ROBERTS.

Whereas the undersigned, Edmund Roberts, a citizen of the United States of America, and a resident of Portsmouth in the State of New Hampshire, being duly appointed a Special Agent by Letters Patent under the signature of the President, and seal of the United States of America

bearing date at the City of Washington, the twenty-sixth day of January, Anno Domini one thousand eight hundred and thirty-two, for negotiating and concluding a Treaty of Amity and Commerce between the United States of America and His Majesty Syud Sueed Bin, Sultan of Maskat: now know ye that I, Edmund Roberts, Special Agent as aforesaid, do conclude the foregoing Treaty of Amity and Commerce, and every Article and clause therein contained, reserving the same nevertheless for the final ratification of the President of the United States of America, by and with the advice and consent of the Senate of the United States.

Done at the Royal Palace in the City of Maskat in the Kingdom of Oman, on the 21st day of September, in the year of our Lord 1833, and of the Independence of the United States of America the fifty-seventh, corresponding to the 6th day of the Moon, called Jumadee-ul Awul, in the year Allijra (Hijree) 1249.

(Sd.) EDMUND ROBERTS.

APPENDIX No. XLIX.—*Page 191.*

TREATY of COMMERCE concluded between HIS HIGHNESS the IMAM of MASKAT and the KING of the FRENCH on the 17th November 1844, and finally ratified on the 4th February 1846.

PREAMBLE.—The King of the French and HIS HIGHNESS SYUD SUEED BIN SULTAN, the Sultan of Maskat and other places, being desirous to confirm and strengthen the good understanding which subsists between them, and to promote the commercial intercourse between their respective countries, and having come to the determination of entering into a Treaty of Commerce and Amity, the former has appointed as his Plenipotentiary Monsieur Romain Desfosses, Captain in the Navy and Chief of Bourbon and Madagascar, and the latter has resolved personally to carry on negotiations with the said Plenipotentiary. The Plenipotentiary of the King of the French having respresented to His Highness the Imam and Sultan of Maskat that he was vested with the requisite powers has concluded the following Articles with HIS HIGHNESS SUEED SYUD BIN SULTAN:—

ARTICLE 1.

There shall always be good understanding and friendship between the King of the French, his heirs and successors, and His Highness Syud Sueed bin Sultan, the Sultan of Maskat, his heirs and successors, as also between their respective subjects.

ARTICLE 2.

The subjects of Syud Sueed bin Sultan, the Sultan of Maskat, shall be at liberty to enter, reside in, trade with, and pass with their merchandize

through, France ; and the French shall, in like manner, have similar liberty with regard to the territories of Syud Sueed bin Sultan, the Sultan of Maskat. The subjects of both the Governments shall have all the privileges which are or may be conceded by the respective Governments to the subjects of the most favoured nations.

ARTICLE 3.

The French shall be at liberty to purchase, sell or rent land houses or warehouses, in the dominions of Syud Sueed bin Sultan, the Sultan of Maskat. The houses, warehouses, or other premises occupied by the French, or by persons in their service, shall not be forcibly entered without the permission of the French Consul. They shall not be prevented from leaving the dominions of Syud Sueed bin Sultan whenever they wish to do so.

ARTICLE 4.

The subjects of Syud Sueed bin Sultan, the Sultan of Maskat, actually in the service of the French, shall enjoy the same privileges which are granted to the French themselves; but if such subjects of His Highness shall be convicted of any crime or infraction of the law, they shall be discharged by the French, and delivered over to the authorities of the place.

ARTICLE 5.

The two high contracting parties acknowledge reciprocally the right of appointing Consuls to reside in each other's dominions, wherever the interests of commerce may require the presence of such officers ; and such Consuls shall at all times be placed in the country in which they reside on the footing of the Consuls of the most favoured nations. Each of the high contracting parties further agrees to permit his own subjects to be appointed to Consular offices by the other contracting party, provided always that the persons so appointed shall not begin to act without the previous approbation of the sovereign whose subjects they may be. The public functionaries of either Government, residing in the dominions of the other, shall enjoy the same privileges, immunities, and exemptions which are enjoyed within the same dominions by similar public functionaries of other countries. The French Consul shall be at liberty to hoist the French flag over his house.

ARTICLE 6.

The authorities of the Sultan of Maskat shall not interfere in disputes between the French, or between the French and the subjects of other Christian nations. When differences arise between a subject of the Sultan of Maskat and a Frenchman, if the former be the complainant, the cause shall be heard by the French Consul ; but if a Frenchman be the complainant against any of the subjects of the Sultan at Maskat, or against any

Mahomedans, then the cause shall be decided by the authorities of the Sultan of Maskat, or by his deputy : but in such case the cause shall not be decided, except in the presence of the French Consul, or his deputy, who, shall attend at the Court. In causes between a Frenchman and a subject of the Sultan of Maskat the evidence of a man proved to have given false testimony on a former occasion shall not be received. A cause to be decided by the French Consul shall be tried in the presence of the Sultan of Maskat, or a person acting for him.

ARTICLE 7.

The property of a French subject who may die in any part of the dominions of the Sultan of Maskat, or of a subject of the Sultan of Maskat who may die in any part of the French dominions, shall be delivered over to the executor or administrator of the deceased, or, in default of such executor or administrator, to the respective Consuls of the contracting parties.

ARTICLE 8.

If a Frenchman shall become bankrupt in the dominions of the Sultan of Maskat, the French Consul shall take possession of all the property of such bankrupt, and shall give it up to the creditors of the bankrupt to be divided among them. This having been done, the bankrupt shall be entitled to a full discharge from his creditors, and he shall not at any time afterwards be required to make up the deficiency, nor shall any property he may afterwards acquire be considered liable for that purpose. But the French Consul shall use his endeavours to obtain for the benefit of the creditors all the property of the bankrupt. It shall also be incumbent upon the Consul to ascertain that everything possessed by the bankrupt at the time when he became insolvent has been given up.

ARTICLE 9.

If a subject of the Sultan of Maskat owes a debt to a Frenchman, the Sultan or his deputies shall urge the former to pay the claim of the latter. In like manner, the French Consul shall enjoin a Frenchman to pay a debt due by him to a subject of the Sultan of Maskat.

ARTICLE 10.

No duty exceeding five per cent. shall be levied on goods imported by French vessels into the dominions of Syud Sueed bin Sultan, the Sultan of Maskat. If a vessel of other nations imports any goods into the territories of the Sultan of Maskat, and pays less duty than five per cent., the same duty only shall be levied on similar goods imported by a French vessel into the said territories. A French vessel after she has paid the duty of five per cent., shall not be subject to any other charges, such as anchorage, pilotages,

etc., nor shall any charge be made on that part of the cargo which may remain on board a French vessel; but if the vessel shall go to another part of the dominions of the Sultan of Maskat, duty shall be levied at five per cent. The abovementioned duty having once been paid, the goods may be sold, by wholesale or retail, without paying any further duty. No charge whatever shall be made on French vessels which may enter any of the ports of the Sultan of Maskat for the purpose of refitting, or for refreshments, or to inquire about the state of the market; and they shall enjoy the same privileges which are enjoyed (by the vessels) of the most favoured nations.

ARTICLE 11.

No vessel shall be prohibited from importing into, or exporting from, the territories of the Sultan of Maskat any kind of merchandise. The trade shall be perfectly free in the said territories, subject to the above-mentioned duty and to no other. The French shall be at liberty to buy and sell from whomsoever and to whomsoever they choose; but they shall not trade in the articles of ivory and gum copal on that part of the East Coast of Africa from the port of Tongate, situated in 5½ degrees of south latitude, to the port of Culva, lying in 9 degrees south of the equator, both ports inclusive. But if the English or Americans, or any other Christian nation, should carry on this trade, the French shall, in like manner, be at liberty to do so.

ARTICLE 12.

If any disputes should arise in the dominions of the Sultan of Maskat as to the value of goods which shall be imported by French merchants, and on which the duty of five per cent. is to be levied, the Custom Master, or other person acting on the part of the Sultan of Maskat, shall, when practicable, receive one-twentieth part of the goods, and the merchant shall then be subject to no further demand on account of customs on the remaining goods in any part of the dominions of the Sultan of Maskat to which he may transport them. But if the Custom Master should object to levy the duty in the manner aforesaid, by taking one-twentieth part 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 Custom Master, and the other by the merchant, who shall make a valuation of the goods; and if they 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.

ARTICLE 13

It shall not be lawful for any French merchant to expose his goods for sale for the space of three days after the arrival of such goods, unless the

Custom Master and the merchant shall have agreed as to the value of such goods. If the Custom Master shall not within three days have accepted one of the two modes proposed for ascertaining the value of the goods, the authorities on the part of the Sultan of Maskat, on an intimation being made to them on the subject, shall compel the Custom Master to choose one of the two modes for the levy of the duty.

ARTICLE 14.

If it shall happen that either the King of the French or the Sultan of Maskat should be at war with another country, the subjects of the King of the French and the subjects of the Sultan of Maskat shall nevertheless be allowed to trade with, and to take to, such country, merchandise of every description, except warlike stores, but they shall not be allowed to enter any port or place actually blockaded or besieged.

ARTICLE 15.

Should a vessel under the French flag enter a port in the dominions of the Sultan of Maskat in distress, the local authorities at such port shall afford all necessary aid to enable the vessel to refit and to prosecute her voyage; and if any such vessel should be wrecked on the coasts of the dominions of the Sultan of Maskat, the authorities on the part of the Sultan of Maskat shall render all the assistance in their power to recover and deliver over to the owner, or the Consul, the property that may be saved from such wreck. The same assistance and protection shall be afforded to vessels of the dominions of the Sultan of Maskat, and property saved therefrom under similar circumstances, in the ports and on the coasts of the French dominions.

ARTICLE 16.

If any person not belonging to the Christian nations shall steal any article from a French vessel, and take it to the dominions of the Sultan of Maskat, it shall be recovered from the robber and delivered over to the Consul.

ARTICLE 17.

The French shall be at liberty to hire or erect houses and warehouses at Zanzibar or anywhere else.

ARTICLE 18.

Any engagements which may have been entered into previously to this are null and void, and are not to be acted upon or attended to.

ARTICLE 19.

The present convention shall be ratified, and the ratifications thereof shall be exchanged, at Maskat or Zanzibar, as soon as possible, and within the space of fifteen months from the date hereof.

Dated the 6th Zilkad, Hijree 1260 (corresponding with the 17th November 1844 A.D.)

(True translation.)

(Sd.) W. ESCOMBE,

Secy. to Govt.

MEMORANDUM.

On the 4th February 1846, the ratifications of the foregoing Treaty were exchanged between His Highness the Imam of Maskat and Commodore Monsieur Romain Desfossés, on the part of the King of the French. Previous to the exchange of the ratifications, His Highness requested from Commodore Monsieur Desfossés* an explanation of the precise meaning of Article XVII of the Treaty, who replied that the said Article was considered as having reference to matters simply and purely of a commercial nature. The exchange of ratifications then took place, His Highness the Imam previously affixing thereto the following declarations :—

**Vide* letter from Captain Hamerton to the Bombay Government, dated the 13th February 1846.

Declarations written by His Highness the Imam on the foregoing Treaty.

That is correct, that whatsoever is written in Arabic letters (in the Arabic language) in the agreement is binding on us.

The writing of the humble Fukeer with his own hand.

(Sd.) SYUD BIN SULTAN.

(True translation.)

(Sd.) ATKINS HAMERTON.

APPENDIX No. L.—*Page 198.*

At the Court at Windsor, the 4th day of November 1867.

PRESENT:

The Queen's Most Excellent Majesty in Council.

Whereas by an Act of Parliament made and passed in the Session of Parliament holden on the 6th and 7th years of Her Majesty's reign, 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," it is amongst 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 Her Majesty hath power and jurisdiction in the dominions of His Majesty the Sultan of Muscat and its dependencies.

And whereas it is expedient to make provision for the due and effectual exercise of such power and jurisdiction.

1. 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, in order, and it is hereby ordered, that Her Majesty's Consuls appointed to reside in the dominions of the Sultan of Muscat shall have full power and authority to carry into effect and to enforce by the means and in the manner hereinafter mentioned and provided, the observance of the stipulations of any Treaty or Convention, or of any Regulations appended to any Treaty or Convention now existing, or which may hereafter be made between Her Majesty, her heirs and successors, and the Sultan of Muscat, his heirs and successors; and to make and to enforce by fine or imprisonment, or both, Rules and Regulations for the observance of the stipulation of any such Treaty or Convention and for the peace, order, and good Government of Her Majesty's subjects being within the dominions of the Sultan of Muscat, his heirs and successors.

2. And it is further ordered that a copy of all such Rules and Regulations made by the said Consul shall forthwith be affixed, and kept affixed and exhibited in some conspicuous place in the public office of the said Consul, and that printed copies of the said Rules and Regulations shall, as soon as possible, be provided by the said Consul, and sold at a price not exceeding one dollar for each copy; and for the purpose of convicting any person offending against the said Rules and Regulations and for all other purposes

of law whatsoever, a printed copy of the said Rules and Regulations, certified under the hand of the said Consul to be a true copy thereof, shall be taken as conclusive evidence of such Rules and Regulations, and all things therein respectively contained; and no penalty shall be incurred or shall be enforced for the breach of any such Rules and Regulations to be hereafter made, until the same shall have been so affixed and exhibited for one calendar month in the public office of the Consul. Provided always that any such Rule and Regulation made by Her Majesty's Consul, and to be enforced by a penalty shall, before the first day on which the same shall be so affixed or exhibited, be transmitted to Her Majesty's Principal Secretary of State for Foreign Affairs for allowance or disallowance; and if any such Rule and Regulation shall be disallowed by Her Majesty's Principal Secretary of State for Foreign Affairs, the same shall cease to have effect from the receipt by the Consul of such disallowance; nevertheless the Consul shall not be liable to be proceeded against in any of Her Majesty's Courts in regard to any act done by him under such Rule and Regulation previously to the receipt of its disallowance by such Consul.

3. And it is further ordered that it shall be lawful for Her Majesty's Consul as aforesaid, upon information or upon the complaint of any person that a British subject has violated any of the stipulations of any Treaty or Convention, or of any Regulations appended to any Treaty or Convention, between Her Majesty and the Sultan of Muscat, or has disregarded or infringed any of the Rules and Regulations for the observance of the stipulations of any such Treaty or Convention, affixed and exhibited according to the provisions of the next preceding Article of this order, to summon before him the accused person, and to receive evidence and to examine witnesses on oath as to the guilt or innocence of such person in regard to the offence laid to his charge, and to award such penalty of fine or imprisonment against any person convicted of an offence against any such Treaty or Convention, or appended Regulations, or against the said Rules and Regulations, as may be specified therein respectively; and any charge against a British subject for a breach of any such Treaty or Convention, or appended Regulations, or for a breach of such Rules and Regulations for the observance of any such Treaty, shall be heard and determined by the Consul without assessors: Provided always, that in no case shall the penalty to be incurred by a breach of such Rules and Regulations exceed 500 dollars, or three calendar months' imprisonment.

4. And it is further ordered that any charge against a British subject for a breach of Rules and Regulations other than those relating to the observance of Treaties shall, in like manner, be heard and determined by Her Majesty's Consul; and in all cases in which the penalty shall not exceed 200 dollars, or one calendar month's imprisonment, the Consul shall hear and determine the charge summarily without the aid of assessors; but where a penalty attached to a breach of the Rules and Regulations other than those relating to the observance of Treaties shall amount to more than 200 dollars or to imprisonment for more than one calendar month, the Consul, before

he shall proceed to hear the charge, shall summon two disinterested British subjects of good repute to sit with him as assessors, which assessors, however, shall have no authority to decide on the innocence or guilt of the person charged, or on the amount of fine or imprisonment to be awarded to him on conviction, but it shall rest with the Consul to decide on the guilt or innocence on the person charged and on the amount of fine or imprisonment to be awarded to him: Provided always, that in no case shall the penalty to be attached to a breach of Rules and Regulations other than those for the observance of Treaties exceed 500 dollars, or three calendar months' imprisonment; and provided further, that, in the event of the said assessors, or either of them, dissenting from the conviction of the party charged, or from the penalty of fine or imprisonment awarded to him by the Consul, the Consul shall take note of such dissent with the grounds thereof, and shall require good and sufficient security for the appearance of the person convicted at a future time, in order to undergo his sentence or receive his discharge; and in default of such security being given, it shall be lawful for the Consul to cause the person to be detained in custody until such security is given.

5. And it is further ordered that if any person who shall have committed or been charged with any breach of or offence against any such Treaty or Convention, or any such Rules and Regulations as aforesaid, shall escape or remove from the Consular District within which the fact was committed, and shall be found within another Consular District, it shall be lawful for the Consul within which district such person shall be so found, to proceed against him in the same manner as if the fact had been committed within such district.

6. And it is further ordered that all suits, disputes, differences and causes of litigation of a civil nature, arising between British subjects within the dominions of the Sultan of Muscat, shall be heard and determined by Her Majesty's Consul, who shall be the sole judge and arbiter thereof respectively; subject nevertheless to an appeal against the decision of the Consul therein, to the High Court of Bombay, in cases where the sum or matter at issue is of the amount or value of 200 dollars or upwards: Provided always, that the party intending so to appeal against the decision of the said Consul shall, within fifteen days after the determination of the case by the Consul by himself, or his agent, give to the Consul notice in writing of his appeal to the said High Court of Bombay; whereupon the Consul shall, as speedily as possible, transmit to the said High Court all the documents which were produced before him in the case, and none other, together with a statement of the evidence taken before him in the case and of the grounds on which his decision was formed, and shall forthwith notify to the several parties the transmission of the said proceedings to the said High Court: Provided also that it shall be lawful for the Consul to require from any person so appearing to the said High Court reasonable security to consist in part of one or two sufficient sureties to be approved by the Consul, that such person so applying will duly prosecute his appeal, and will abide by

the decision to be given therein by the said High Court, and that in such case appeal shall fail, he will answer and satisfy all costs, loss, and damages sustained by the other party by reason of such appeal.

7. And it is further ordered that it shall be lawful for Her Majesty's Consul to summon not less than two, and not more than four, disinterested British subjects of good repute to sit with him as assessors at the hearing of any suit, dispute, difference, or cause of litigation whatever of a civil nature brought before him for decision, and in case the sum sought to be recovered shall exceed 500 dollars, such suit shall not be heard by the Consul without assessors, if within a reasonable time such assessors can be procured; but the assessors aforesaid shall have no authority to decide on the merits of such suits, but in the event of such assessors, or any of them dissenting from the decision of the Consul, the Consul shall enter the fact of such dissent and the grounds thereof in the minutes of the proceedings, and in case of appeal shall transmit the same to the High Court of Bombay, together with the documents relating to the suit.

8. And it is further ordered, that it shall be lawful for Her Majesty's Consul to enforce his decision in favour of or against a British subject in a civil suit, dispute, difference, or cause of litigation by distress and sale or imprisonment, in like manner as a decision of the High Court of Bombay in a civil suit is enforced within the same.

9. And it is further ordered that in case of an appeal to the High Court of Bombay from the decision of Her Majesty's Consul, it shall be lawful for the said High Court upon such forms as to costs and otherwise as it shall think proper to admit any further legal evidence, besides that adduced before the Consul on its being established to the satisfaction of the said High Court by oath or 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, or where, under the circumstances of the case, it shall appear to the said High Court that further evidence ought to be received.

10. And it is further ordered that Her Majesty's Consul shall have power in any civil suit, dispute, difference, or cause of litigation to examine on oath, or in such form and with such ceremonies as the witness may declare to be binding on his conscience any witness who may appear before him and shall have power, on the application of any party in such suit, to issue a compulsory order for the attendance of any person being a British subject who may be competent to give evidence in such suit; and any British subject who shall have been duly served with any such compulsory older, and with a reasonable notice of the day of hearing of such suit, and upon his expenses of appearing as a witness having been paid, or tendered to him by the party at whose application he shall have been ordered to attend shall, on his wilful default to appear as a witness at the hearing of such suit, be punished with a fine not exceeding 100 dollars, or with imprisonment for a period not exceeding thirty days at the discretion of the said Consul.

11. Every witness, being a British subject, so examined on oath, whether before the Consul, or before a Kadi, or other officer of the Muscat Government duly authorised to act judicially, who shall in any such examination give wilfully false testimony, may be convicted of and punished for the crime of wilful and corrupt perjury.

12. And it is further ordered that it shall be lawful for Her Majesty's Consul to promote the settlement of any civil suit, dispute, difference, or cause of litigation by amicable agreement between the parties, and with the consent of the several parties, to refer the decision of a suit or contention to one or more arbitrators, and to take security from the parties that they will be bound by the result of such arbitration, and the award of such arbitrator or arbitrators shall be, to all intents and purposes, deemed and taken to be a judgment or sentence of Her Majesty's Consul in such civil suit, dispute, difference, or cause of litigation, and shall be entered and recorded as such, and shall have the like effect and operation, and shall be enforced accordingly, and shall be final and conclusive to all intents and purposes, and shall not be open to appeal, unless the same shall, within a reasonable time, have been ordered by the Consul to be set aside, on the ground that it is not final, or is defective, or that the arbitrator or arbitrators have exceeded their authority, or have been guilty of misconduct in the matter.

13. And it is further ordered that it shall be lawful for Her Majesty's Consul to cause to be apprehended and brought before him any British subject who may be charged with having committed any crime or offence within the dominions of the Sultan of Muscat, and such Consul shall thereupon proceed with all convenient speed to inquire of the same, and for such purpose shall have power to examine on oath, or in such form and with such ceremony as the witness shall declare to be binding on his conscience any witness who may appear before him to prove the charge; and also shall have power to compel any person being a British subject, who may be competent to give evidence as to the guilt or innocence of the party so charged to appear and give evidence, and to punish the wilful default of any such person to appear and give evidence, after reasonable notice of the day of the hearing of such charge, by fine or imprisonment in like manner as is provided in Article 10 of this Order, and shall examine every such witness in the presence and hearing of the party accused, and shall afford the party accused all reasonable facility for cross-examining such witness and shall cause the deposition of every such witness to be reduced to writing, and the same to be read over, and, if necessary, explained to the party accused, together with any other evidence that may have been urged against him during the course of the inquiry, and shall require such accused party to defend himself against the charge brought against him, and, if necessary, advise him of the legal effect of any voluntary confession, and shall take the evidence of any witness, whom the accused party may tender to be examined in his defence; and every witness, being British subject so examined as aforesaid, who shall upon any such occasion give wilfully false testimony, may be convicted of and punished for the crime of wilful

and corrupt perjury; and when the case has been fully inquired into, and the innocence or guilt of the person accused has been established to the satisfaction of the Consul, the Consul, as the case may be, shall either discharge the party accused from custody if satisfied of his innocence, or proceed to pass sentence on him if satisfied of his guilt; and it shall be lawful for the Consul having inquired of, tried, and determined, in the manner aforesaid any charge which may be brought before him, to award for the party convicted any amount of punishment not exceeding imprisonment for one calendar month, or a fine of 200 dollars.

14. And it is further ordered that if the crime or offence whereof any person being a British subject may be accused before Her Majesty's Consul as aforesaid shall appear to such Consul to be of such a nature as, if proved, would not be adequately punished by the infliction of such punishment as aforesaid, it shall be lawful for such Consul to summon not less than two, or not more than four, disinterested British subjects of good repute to sit with him as assessors for inquiring of, trying, and determining the charges against such person; and the Consul when he shall try any such charge with the assistance of assessors as aforesaid shall, if he is himself convinced of the guilt of the party accused, have power to award any amount of punishment not exceeding imprisonment for twelve calendar months, or a fine of 1,000 dollars; and the assessors aforesaid shall have no authority to decide on the innocence or guilt of the party accused, or on the amount of punishment to be awarded to him on conviction, but in the event of the said assessors, or any of them dissenting from the conviction of, or from the amount of punishment awarded to, the accused party, the assessors or assessor so dissenting shall be authorised to record in the minutes of the proccedings the grounds on which they and he may so dissent, and the Consul shall forthwith report to the High Court at Bombay the fact of such dissent, and of its having been so recorded in the minutes of the proceedings, and shall, as soon as possible, lay before the said Court copies of the whole of the depositions and proceedings with the dissent of the assessor or assessors recorded therein, and it shall be lawful thereupon for the Court, by warrant under seal addressed to the Consul, to confirm or vary, or remit altogether, as to the Court may seem fit, the sentence and punishment awarded to the party accused, and such Consul shall give immediate effect to the injunction of any such warrant: Provided always, that in any case in which the assessor or assessors shall dissent from the conviction of, or from the amount of punishment awarded to the accused party, it shall be lawful for Her Majesty's Consul to take good and sufficient bail from the accused party to appear and undergo the punishment awarded to him, provided the same or any portion thereof be confirmed by the Court, which punishment so confirmed shall commence and take effect from the day on which the decision of the Court shall be notified to the party accused.

15. And in order more effectually to repress crimes and offences on the part of British subjects within the dominions of the Sultan of Muscat, it is further ordered that it shall and may be lawful for Her Majesty's Consul to

cause any British subject, who shall have been twice convicted before him of any crime or offence and punished for the same, and who, after execution of the sentence of the Consul, on any second conviction shall not be able to find good and sufficient security to the satisfaction of the Consul for his future good behaviour, or who having been deported under any sentence shall during such sentence return, to be sent out of the dominions of the Sultan of Muscat; and to this end the Consul shall have power and authority, as soon as may be practicable after execution of the sentence on such second conviction, to send any such twice convicted party or any person so returning as aforesaid to Bombay, and in the meantime to detain such party in custody until a suitable opportunity for sending him out of the dominions of the Sultan of Muscat shall present itself; and any person so to be sent out of the said dominions as aforesaid shall be embarked in custody on board of one of Her Majesty's vessels of war, or if there shall be no such vessel available for such purpose, then on board any British vessel bound to Bombay; and it shall be lawful for the Commander of any of Her Majesty's ships of war, or of any British vessel bound to Bombay, to receive any such person as aforesaid under a warrant from the Consul to him addressed, and thereupon to convey such person in custody to Bombay as aforesaid, in the same manner as if he were a distressed British subject, unless he shall be willing and able himself to defray the expenses of his passage.

16. And it is further ordered that in any case in which any British subject shall be accused before Her Majesty's Consul of the crime of arson or house-breaking, or cutting and maiming, or stabbing or wounding, or of any assault endangering life, or of wilfully causing any bodily injury dangerous to life, or of wilful or corrupt perjury, or of engaging in or being accessory to the purchase or sale of slaves or of having slaves illegally in his possession, the proceedings before the Consul shall be carried on with the aid of assessors convened in the manner aforesaid; and it shall be lawful for the Consul, if to him it shall seem fit, to cause any person convicted before him of any of the crimes aforesaid, over and above any fine or imprisonment which may be awarded to such person, to be sent out of the dominions of the Sultan of Muscat for such time as to him shall seem meet, in the manner pointed out in the next preceding Article of this Order, notwithstanding the crime laid to the charge of such person may be the first of which he has been convicted before the Consul.

17. And it is further ordered that it shall be lawful for Her Majesty's Consul, within the dominions of the Sultan of Muscat, upon information laid before him by one or more credible witnesses, that there is reasonable ground to apprehend that any British subject is about to commit a breach of the public peace, to cause such British subject to be brought before him, and to require such British subject to give sufficient security to keep the peace, and, in the event of any British subject being convicted of and punished for a breach of the peace, to cause such British subject, after he shall have undergone the punishment which may have been awarded to him by the Consul, to find security for his good behaviour; and in the event of any British

subject who may be required as aforesaid to give sufficient security to keep the peace. or to find security for the good behaviour, being unable or wilfully omitting to do so, then and in any such case it shall be lawful for Her Majesty's Consul to send such British subject out of the dominions of the Sultan of Muscat in the manner pointed out in Article 15 of this Order.

18. And it is further ordered that in all cases in which a British subject shall have been sent out of the dominions of the Sultan of Muscat, as provided in the three next preceding Articles of this Order, the Consul sending him out shall forthwith report such act of deportation, with the grounds of his decision thereon, to the High Court of Bombay.

19. And it is further ordered that it shall be lawful for Her Majesty's Consul to cause to be apprehended and brought before him any British subject, who may be charged with smuggling or importing into the dominions of the said Sultan any goods whereon any duty shall be charged or payable to the said Sultan with the intent to evade the payment of such duty, or any goods the importation whereof shall be prohibited; and such Consul shall thereupon proceed with all convenient speed to inquire into the same on oath or solemn affirmation, and to hear the witnesses on both sides with like powers and in like manner in all respects as is provided by Article 10 of this Order. And it shall be lawful for the Consul, having inquired into and heard the said charge, to determine the same, and if he shall find the party guilty, if the charge against him shall be of importing into the said dominions prohibited goods, then to award him to pay a fine not exceeding treble the value of the said goods at the current price of the day; and if the charge shall be of smuggling or importing goods with intent to evade the payment of duty as aforesaid, then to award him to pay a fine not exceeding treble the amount of the duties leviable thereon, and in case of non-payment of any such fine or fines to award him to be imprisoned for a period not exceeding three months; or it shall be lawful for such Consul, without awarding the payment of any fine, to award that such party shall be imprisoned for a period not exceeding six months in such place as he shall appoint. Provided always that no British subject charged only with importing prohibited goods shall be apprehended, unless and until he shall have had one week's notice to appear and answer the charge, and shall have refused, failed, or omitted so to appear.

20. And it is further ordered that in case of common assault, it shall be lawful for the Consul before whom the complaint is made to promote reconciliation between the parties, and to suffer compensation and amends to be made, and the proceedings thereby to be finally stayed.

21. And it is further ordered that a minute of the proceedings in every case heard and determined before the Consul, in pursuance of this order, shall be carefully drawn up and be signed by the Consul, and shall, in cases where the assessors are present, be open for the inspection of such assessors and for their signature if they therein shall concur; and every such minute, together with the depositions of the witnesses, shall be preserved in the public office of the said Consul.

22. And it is further ordered that, save and except as regards offences committed by British subjects against the stipulations of any Treaty between Her Majesty and the Sultan of Muscat, or against any Rules and Regulations for the observance of the stipulations of any such Treaty or Convention, duly affixed and exhibited according to the provisions of Article 2 of this Order, or against any Rules and Regulations for the peace, order and good government of Her Majesty's subjects being within the dominions of the Sultan of Muscat, no act done by a British subject within the dominions of the said Sultan shall, by Her Majesty's Consul, be deemed and taken to be a crime of misdemeanour or offence rendering the person committing it amenable to punishment, which, if done within any part of Her Majesty's dominions, would not by a Court of Justice having criminal jurisdiction in Her Majesty's dominions have been deemed and taken to be a crime of misdemeanour or offence rendering the person committing it amenable to punishment, and Her Majesty is pleased to appoint, by and with the advice of Her Privy Council, Her Majesty's territory of Bombay as the place where crimes and offences committed by British subjects within the dominions of the Sultan of Muscat, which it may be expedient shall be inquired of, tried, determined, and punished within Her Majesty's dominions, shall be so inquired of, tried, determined and punished; and Her Majesty's Consul, resident in Muscat, shall have authority to cause any British subject charged with the commission of any crime or offence, the cognizance whereof may at any time appertain to him, to be sent for trial at Her Majesty's said territory of Bombay.

23. And it is further ordered that it shall be lawful for Her Majesty's Consul to cause any British subject charged with the commission of any crime or offence, the cognizance whereof may at any time appertain to him, to be sent in any of Her Majesty's ships of war, or in any British vessel, to Her Majesty's territory of Bombay, for trial before the High Court of the said territory; and it shall be lawful for the Commander of any of Her Majesty's ships of war, or of any British vessel, to receive any such person on board with a warrant from the said Consul addressed to the Chief Magistrate of Police of the said territory, and thereupon to keep and detain in lawful custody and to convey him in custody to Bombay, and on his arrival there to deliver him, with the said warrant, into the custody of the said Chief Magistrate of Police, or other officer within the said territory lawfully acting as such, who on receipt of the said warrant, and of the party therein named, shall be authorised to commit, and shall commit, such party so sent for trial to the common gaol of the said territory; and it shall be lawful for the keeper of the said common gaol to cause such party to be detained in safe and proper custody, and to be produced upon the order of said High Court, and the High Court at the Sessions to be holden next after such committal shall proceed to hear and determine the charge against such party, and to punish him for the same, if found guilty, in the same manner as if the crime with which he may be charged has been committed within Her Majesty's said territory of Bombay.

24. And it is further ordered that Her Majesty's Consul on any occasion of sending a prisoner to Bombay for trial shall observe the provisions made with regard to prisoners sent for trial to a British Colony in an Act passed in the sixth and seventh years of Her Majesty's reign, 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."

25. And it is further ordered that the High Court of Bombay shall have and may 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 part of the dominions of the Sultan of Muscat: provided always that the said High Court shall not be bound, unless in a fit case it shall 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 Articles of this Order, any suit of a civil nature between British subjects, or to stay the proceedings of the Consul in any such matter.

26. And it is further ordered that all fines and penalties imposed under this Order may be levied by distress and seizure and sale of ships and of goods and chattels; and no bill of sale, mortgage, or transfer of property made by a party accused after his apprehension, or with a view to securing such party against any crime or offence committed or to be committed by him, or against the consequences thereof, shall avail to defeat any of the provisions of this Order.

27. And it is further ordered that it shall be lawful for Her Majesty's Consul from time to time to establish rules of practice to be observed in proceedings before him, and to make regulations for defraying the expenses of witnesses in such proceedings and the cost of criminal prosecutions, and also to establish rates and scales of fees to be taken in regard to civil suits heard and determined before the said Consul; and it shall be lawful for the said Consul to enforce by seizure and sale of goods, or, if there be no sufficient goods, by imprisonment, the payment of such established fees, and of such costs or expenses as may be adjudged against the parties or any of them: Provided always that a table specifying the rates of fees to be so taken shall be affixed and kept exhibited in the public office of the said Consul.

28. And it is further ordered that all fees, penalties, fines and forfeitures levied under this Order, save and except such penalties as may by Treaty be payable to the Sultan of Muscat, shall be paid to the public account, and shall be applied in diminution of the public expenditure on account of Her Majesty's Consulate in Muscat: provided always that in the event of any of the Muscat authorities declining to receive fines payable to the Government of Muscat as aforesaid, the same shall be paid to the public account, and applied in the manner last mentioned.

29. And it is further ordered that Her Majesty's Consul within the dominions of the Sultan of Muscat shall, for and within the said dominions, and for vessels and persons coming within those 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 it is further ordered that it shall be lawful for Her Majesty's Consul to grant probate of will or letters of administration to the intestate estate of any British subject, or any native of a State or place under British protection, who shall die and leave property within the dominions of the Sultan of Muscat; and if such probate or letters of administrations shall not be applied for within thirty days of the death of the deceased person, it shall be lawful for the Consul to administer to the estate of such person, and for so doing to reserve to himself, out of the proceeds of such estate, a commission not exceeding two and a half per cent. on the account thereof.

30. And it is further ordered that a Register shall be kept by Her Majesty's Consul of all British subjects, and of all natives of British protected States in India who may claim British protection, residing within the dominions of the Sultan of Muscat; and that every British subject now residing within such dominions, who shall not have been already enrolled in such consular Register shall, within a reasonable time after the promulgation of this Order, such time to be specified in a notice affixed and publicly exhibited in the Consular Office, apply to the Consul to be enrolled in such register; and every British subject who may arrive within the said dominions (except British subjects borne on the muster roll of any British ship arriving in any port of Muscat) shall, within a reasonable time after his arrival, such time to be specified as aforesaid, also apply to the Consul to be enrolled in such register; and any British subject who shall refuse or neglect to comply to be so enrolled as hereinbefore mentioned and who shall not excuse such refusal or neglect to the satisfaction of the Consul, shall not be entitled to be recognised or protected as a British subject in respect to any suit, dispute, or difficulty in which he may have been or may be engaged or involved within the dominions of the Sultan of Muscat, at any time when he shall not have been or shall not be so enrolled.

31. And it is further ordered that Her Majesty's Consul shall and may exercise all or any of the powers which, by any Act or Acts of the Imperial Parliament for the regulation of merchant seamen, or for the regulation of the mercantile marine, may now, or at any time hereafter, be exercised by any Justice or Justices of the Peace within Her Majesty's dominions.

32. And it is further ordered that nothing in this Order contained shall be deemed or construed to prevent Her Majesty's Consul within the dominions of the Sultan of Muscat, from doing or performing any act whatsoever which British Consuls within any other State in amity with Her Majesty are by law, usage, or sufferance entitled or enabled to do or perform.

33. And it is further ordered that every action or suit brought against Her Majesty's Consul, by reason of anything done under the authority of this Order, shall be commenced within six calendar months next after or doing thereof and not otherwise; and the defendant in every such action of the suit shall be entitled to the benefit of the provisions made with respect

to defendants in actions or suits in the said hereinbefore recited Act of the sixth and seventh years of Her Majesty's reign.

34. And it is further ordered that the word "Consul" in this Order shall include every person duly authorised to act in the aforesaid capacity within the dominions of the Sultan of Muscat; and that in the construction of this Order words importing the singular number shall, if necessary, be understood to include several persons, matters, or things, and words importing the masculine gender, only shall, if necessary, be understood to import the feminine gender, unless there be something in the subject or context repugnant to such construction.

35. And it is further ordered that the provisions of this Order 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 dominions of the Sultan of Muscat. And it is further ordered that this Order shall take effect on and after the first day of December next.

36. And the Right Hon'ble Lord Stanley and the Right Hon'ble Sir Stafford Northcote, Bart., 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.

(Sd.) ARTHUR HELPS.

APPENDIX No. LI.—*Page 199.*

COMMERCIAL DECLARATION between HOLLAND and MASKAT —*27th August 1877.*

Déclaration.—Le gouvernement de Sa Majesté le Roi des Pays-Bas et le Gouvernement de Son Altesse le Sultan de Maskate voulants établir sur des bases stables les rapports de bonne harmonie qui existent entre eux et favoriser le developpement des rélations commerciales entre les deux pays, les soussignés, dûment autorisés à cet effet, ont déclaré ce qui suit:—

1. En considération du traitement de la nation la plus favorisée accordé par la législation du royaume des Pays-Bas et de ses colonies aux sujets et au pavillon de Son Altesse le Sultan de Maskate, les sujets et le pavillon du dit royaume et de ses colonies jouiront également du traitement de la nation la plus favorisée dans les états de Son Altesse le Sultan de Maskate.

2. Les marchandises originaires ou provenant de ces derniers états étant admises dans le royaume des Pays-Bas et ses colonies contre payement des mêmes droits que ceux perçus de produits similaires de la nation étrangère la plus favorisée, ce traitement est reciproquement accordé dans les états

précités aux marchandises originaires ou provenant du royaume des Pays-Bas ou de ses colonies.

3. Les déclarations precédentes concernant l'application réciproque du régime de la nation étrangère la plus favorisée sont également applicables à tout ce qui regarde l'exportation et le transit.

En foi de quoi les soussignés ont signé la présente déclaration en double expédition et y ont apposé le sceau de leurs armes.

Fait à la Haye, le 7 Avril—Maskate, le 27 Août 1877.

(Signé) VANDER DOES DE VILLEBOIS,
Le Ministre des Affaires Etrangères
de Sa Majesté le Roi dess Pays-Bas.

(Signé) TURKI BIN SAID (*in Arabic*).

APPENDIX No. LII.—*Page 205.*

TRANSLATION of a Concession granted by the SULTAN of MASKAT to the SPONGE EXPLORATION SYNDICATE, Limited, LONDON, to fish for Sponges in the territorial waters of OMAN from RAS-UL-HAD to KHASAB—1905.

Let every one who comes across this paper know that the "Sponge Exploration Syndicate" of 39, Luke Street, London, have hired from me permission to produce sponges from my waters from Ras-ul-Had, to Khasab in length, and in breadth, ten miles reckoning from Ras-ul-Had, only, under the following conditions:—

1st Condition.—That the produce should only be theirs as regards sponge, everything else is to be mine.

2nd Condition.—That I am allowed to place an overseer and watchman on the boats (of the Syndicate) and that he is not to be interfered with.

3rd Condition.—That the boats are not to enter into any place where the people are annoyed by the smell of sponge.

4th Condition.—That the persons engaged in the work do not remain in the passage ways of ships.

5th Condition.—That I should be paid 30 rupees for every 24 Muscat maunds of sponge produced, after it dries.

6th Condition—In the event of assistance being desired from me in regard to the despatch of some person in connection with

interference with the employés of the Syndicate (by natives), the Syndicate is to bear all the expense.

7th Condition.—Duty is not payable by the Syndicate upon machinery required for producing sponge.

Upon these conditions I give them permission to produce sponge for a period not exceeding fifteen years.

SOHAR.

APPENDIX No. LIII.—*Page 206.*

16 and 17 Vic., Cap. XVI.

An Act for carrying into effect the engagement between HER MAJESTY aud SYED SYF BIN HAMOOD, the CHIEF of SOHAR, in ARABIA, for the more EFFECTUAL SUPPRESSION of the SLAVE TRADE, dated 9th May 1853.

Whereas on the twenty-second day of May, in the year of our Lord one thousand eight hundred and forty-nine, an engagement was concluded between Major Hennell, the Resident in the Persian Gulf, on behalf of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and Syed Syf Bin Hamood, Chief of Sohar, in Arabia, whereby it was agreed as follows :—

"I, Syed Syf Bin Hamood, Chief of Sohar, with a view to strengthen the bonds of friendship existing between me and the British Government, do hereby engage to prohibit the exportation of slaves from the coasts of Africa and elsewhere on board of my vessels and those belonging to my subjects or dependants, such prohibition to take effect from the twenty-ninth Rujjub one thousand two hundred and sixty-five, or the twenty-first day of June A. D. one thousand eight hundred and forty-nine.

"And I do further consent that whenever the cruizers of the British Government fall in with any of my vessels, or those belonging to my subjects or dependants suspected of being engaged in the slave trade, they may detain and search them, and in case of their finding that any of the vessels aforesaid have violated this engagement, by the exportation of slaves from the coast of Africa or elsewhere, upon any pretext whatever, they (the Government cruizers) shall seize and confiscate the same."

And whereas it is expedient that effectual provision should be made for carrying into execution the provisions of the said agreement, 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—

Power for Commanders of ships of war, etc., to visit, etc., vessels belonging to the Chief of Sohar or of his subjects, suspected of being engaged in the slave trade.

1. That it shall be lawful for the Commanders and other officers of Her Majesty's ships of war, or of the East India Company, to visit and detain, in any seas, any vessel belonging to Syed Syf Bin Hamood, the Chief of Sohar, in Arabia, or to any of his subjects or dependants, which shall upon

reasonable grounds be suspected of being engaged in the traffic in slaves or having been fitted out for that purpose, and to send or carry away such vessels, together with its master, sailors, passengers, slaves and cargo, for the purpose of such vessel being brought to adjudication as hereinafter mentioned.

As to the trial and condemnation of vessels engaged in the slave trade.

2. It shall be lawful for the High Court of Admiralty of England, and for all Courts of Vice-Admiralty in any dominions of Her Majesty beyond the seas, including those Courts of Vice-Admiralty within the territories under the Government of the East India Company, to take cognizance of and try any such vessel which shall be detained or captured for the violation of the said agreement, and to condemn any such vessel to Her Majesty, and adjudge as to the slaves found therein, in like manner, and under such and the like rules and regulations as are contained in any Act or Acts of Parliament in force in relation to the suppression of the slave trade by British owned ships, as fully as if all the powers and provisions contained in such Acts were re-enacted in this Act as to such High Court of Admiralty or Courts of Vice-Admiralty.

Persons giving false evidence deemed guilty of perjury.

In case of prosecution in England, venue may be laid in Middlesex.

3. Every person who shall wilfully and corruptly give false evidence in any examination or deposition had or affidavit taken in and proceeding under the said engagement or this Act shall be deemed guilty of perjury, and being thereof convicted shall be subject and liable to all the punishments, pains and penalties to which persons convicted of wilful and currupt perjury are liable; and every such person may be tried for any such perjury either in the place where the offence was committed, or in any colony or settlement of Her Majesty near thereto in which there is a Court of competent jurisdiction to try any such offence, or in Her Majesty's Court of Queen's Bench in England, and that in case of any prosecution for such offence in Her Majesty's said Court of Queen's Bench, the venue may be laid in the County of Middlesex.

Pendency of suits to be a bar to any proceedings instituted for the recovery of the vessels detained.

4. The pendency of any suit or proceeding instituted for the condemnation or restitution of any ship or cargo, or slaves taken, seized, or detained by virtue of the said agreement or the final adjudication, condemnation, or judgment or determination thereupon, may be pleaded in bar or given in evidence under the general issue, and shall be deemed in any Court whatever to be a complete bar in any action, suit, or proceeding, whether instituted by any person or persons for the recovery of any such ship, vessel, or cargo, or of any damage or for any injury sustained thereby, or by the persons on board the same, in consequence of any capture, seizure or detention, or anything done under or in pursuance of, the provisions of the said agreement.

Vessels condemned to be sold for Her Majesty's service or broken up.

5. Any ship or vessel which shall be condemned as aforesaid may be taken into Her Majesty's service upon payment of such sum as the Lord High Admiral or the Lords Commissioners of the Admiralty shall deem a proper price for the same, or if not so taken, shall be broken up and demolished, and the materials thereof shall be publicly sold in separate parts, and the proceeds thereof shall be paid to such person or persons as the Commissioners of Her Majesty's Treasury may appoint to receive the same.

Captors of vessels shall, after the same are condemned, be entitled to the proceeds belonging to Her Majesty.

6. Where any ship or vessel employed or engaged in such illicit traffic in slaves, in violation of the said agreement, shall be seized by any ship or vessel belonging to Her Majesty or the East India Company and afterwards condemned, there shall be paid to the captors the net proceeds to which Her Majesty is entitled, the same to be distributed in the manner hereinafter directed for the distribution of bounties on slaves taken on board the said vessels.

Payment of bounty for slaves captured.

7. There shall be paid to the Commanders, officers, and crews of Her Majesty's ships, or the Commanders, officers, and crews of the ships of the East India Company, a bounty of five pounds for every man, woman, and child slave seized and found on board any ship or vessel taken and condemned in pursuance of the provisions of the said agreement and of this Act, such bounty to be issued and paid by order from the Commissioners of Her Majesty's Treasury, and to be distributed to and amongst the captors aforesaid in such manner and proportions as Her Majesty shall think fit to order by any Order in Council made or to be made, or by any proclamation for that purpose.

Additional bounty on tonnage of slave ships captured and demolished.

8. Where any ship or vessel which shall have been seized and condemned under the provisions of the said agreement shall have been or shall be demolished, and the materials thereof publicly sold in separate parts, as well as her cargo, there shall be paid to the Commanders, officers, and crews of Her Majesty's ships or of those of the East India Company, in addition to the amount of the proceeds of such sale as hereinbefore mentioned, a further bounty on the tonnage of such ship or vessel at the rate of thirty shillings for every ton of such tonnage.

Where no slaves are on board a ship seized and condemned, an additional bounty on tonnage to be paid.

9. Where any ship or vessel having no slaves on board shall have been seized and condemned under the provisions on the said agreement, there shall be paid to the Commanders, officers, and crews of Her Majesty's ships or those of the East India Company, an additional bounty upon the tonnage of such ship or vessel at the rate of four pounds for every ton; and the tonnage of all such vessels shall be ascertained according to the mode of ascertaining the admeasurement of British vessels, either by the principal officer of the Customs at the port

where the vessel may be at the time of condemnation, or, in default thereof by the best evidence which can be obtained; provided always that in every case in which any ship or vessel shall be seized with slaves on board in which the bounty calculated upon the number of slaves shall be less than the bounty calculated upon the tonnage, the Commander of Her Majesty's ship, or of those of the East India Company, making the seizure, may elect to take the bounty calculated according to tonnage, instead of the bounty which would be payable upon the number of slaves on board.

Bounties to be paid out of the Consolidated Fund.

10. All bounties payable under this Act shall be paid out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland to the Commanders, officers, and crews of Her Majesty's ships and of the East India Company, and such bounties shall be issued and paid by order from the Commissioners of Her Majesty's Treasury.

Proof of tonnage.

11. In order to entitle the captors to receive the said bounty-money the tonnage of the ship or vessel so seized and condemned shall be proved to the Commissioners of Her Majesty's Treasury by producing a copy, duly certified, of the sentence or decree of condemnation, or by such documentary or other evidence as they may deem satisfactory.

Copy of sentence of condemnation to be produced to the Treasury.

12. In order to entitle the captors to receive the said bounty-money on slaves, the number of men, women, and children so taken, delivered over, and condemned shall be proved to the Commissioners of Her Majesty's Treasury by producing a copy, duly certified, of the sentence or decree of condemnation, and also a certificate under the hand of the proper officer or officers, Military or Civil, who may be appointed to receive such slaves.

One moiety of the bounty only to be paid in certain cases.

13. Where any slaves, or persons treated as slaves, shall be seized on board any ship or vessel taken and condemned in pursuance of the said agreement and of this Act, but who shall not have been delivered over in consequence of death, sickness, or other inevitable circumstance, it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their discretion it shall seem meet, to direct payment of one moiety of the bounty which would have been due in each case respectively if the said slaves had been delivered over.

Parties claiming benefit under this Act may resort to the Court of Admiralty.

14. Any party or parties claiming any benefit by way of bounty under the provisions of this Act, or of any share of the proceeds of any vessel confiscated in pursuance of the provisions of the aforesaid agreement, may resort to the High Court of Admiralty for the purpose of obtaining the judgment of the said Court in that behalf; and that it shall be lawful for the Judge of the said High Court of Admiralty to determine thereon; and also to hear and determine any question of joint capture

which may arise upon any seizure made in pursuance of this Act; and also to enforce any decrees or sentences of the said Vice-Admiralty Courts relating to any such seizure.

Regulations and penalties respecting Prize Agents' accounts extended to bounties, etc., under this Act.

15. All the provisions, rules, regulations, forfeitures, and penalties respecting the delivery by Prize Agents of accounts for examination, and the distribution of prize-money, and the accounting for and paying over the proceeds of prize and the percentage due thereon to Greenwich Hospital, shall be extended to all bounties and proceeds to be distributed under the provisions of this Act to the officers and crews of any of Her Majesty's ships and vessels of war.

Treasury may order payment of costs awarded for vessels detained but not condemned.

16. Where any ship or vessel belonging in whole or in part to the before-mentioned Chief or his subjects or dependants shall have been detained and brought to adjudication by any officers of Her Majesty the Queen of Great Britain and Ireland, or of those of the East India Company, and the said ship shall be restored by sentence of the Court it shall be lawful for the Commissioners of Her Majesty's Treasury, by warrant to direct payment to be made out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland of any costs or damages which may be duly awarded: provided always that nothing herein contained shall exempt such officer from his liability to make good the payments so made when lawfully called upon either by the parties interested therein or by order of the said Commissioners of Her Majesty's Treasury.

Treasury may repay to the seizor of any vessel not condemned the expenses incurred by him.

17. When any seizure shall be made by any of the Commanders, officers, and crews of Her Majesty's ships, or of those of the East India Company, and judgment shall be given against the seizor, or when such seizure shall be relinquished by him it shall be lawful for the said Commissioners of Her Majesty's Treasury, if to their discretion it shall seem meet, by warrant, to direct payment to be made out of the Consolidated Fund of the United Kingdom of Great Britan and Ireland of such costs and expenses as the seizor may have incurred in respect of such seizure, or any proportional thereof.

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INDEX.

SUBJECT.	PAGE.
ABAGIR—	
Kurdish inroad at —— . .	24
ABBAS MIRZA, of Persia—	
Death of ——	11
Russian Emperor's recognition of as heir-apparent to the throne of Persia	10
ABDUL AZIZ, Saiyid—	
Allowance granted to —— while in British territory	194
Capture and detention of ——	194
ABDULLA BIN AHMAD, ex-Chief of Bahrein. Intrigues of ——	146
ABDULLA BIN FAISAL, ex-WAHABI AMIR—	
Flight of —— from Turkish Camp	143
Recognition of —— as Imam of the Wahabis of Riadh	144
ABDULLA, WAHABI AMIR—	
Capture and fate of —— at Constantinople	140
ABU DTHABI, in the Persian Gulf—	
Account of the Shaikh of ——	152
African slave trade to be prohibited by the Shaikh of ——	178-179
Agent on the part of the Shaikh of —— to reside at the British Residency in the Persian Gulf	173
Al Odeid. Chief of —— allowed to assert his rights of possession at — .	155
Arms and ammunition. Prohibition of traffic in ——	155 and 185-186
British cruisers empowered to seize vessels belonging to —— engaged in the slave-trade	176
Engagement for the suppression of the slave-trade executed by the Shaikh of ——	158
Extent of the limit in which British cruisers have a right to seize vessels engaged in the slave-trade belonging to ——	177
Fines imposed on the Shaikh of —— for breach of the maritime peace . .	182
Flag to be used by vessels of the Shaikh of ——	172
Foreign powers. Agreement of the Chief of —— promising not to have agreement with any power other than the British; not to admit the agent of any other Government; and not to part with any portion of his territory save to the British	155 and 185
General engagement for the preservation of the peace in the Gulf executed by the Shaikh of ——	172
Maritime peace not to be disturbed by the Shaikh of —— .	182
Maritime truce to be observed for ten years by the Shaikh of ——	179
Outrage on Katar by the Shaikh of ——	147
Perpetual maritime truce subscribed by the Shaikh of —— .	180
Piracy to be suppressed by the Shaikh of —— . . .	172-173
Preliminary engagement concluded with the Shaikh of —— .	170
Register to be kept by vessels of the Shaikh of —— . .	172
Remission of the portion of the fine imposed on the Shaikh of ——	155
Slave-trade engagement of the Shaikh of —— . . .	172
Slave-trade engagement renewed by the Shaikh of —— .	184
Slaves to be surrendered by the Shaikh of —— . . .	158
Somalis' sale to be considered piracy by the Shaikh of —— .	178
Vessels of the Shaikh of —— granted the privileges of trade in British ports	173

Subject.	Page.
Afghanistan—	
British mediation in case of hostilities between Persia and ——	48
British mediation to be exercised in disputes of Persia with ——	78
Persia and ——. Agreement between — regarding the Hashtadan lands	App. xxiii
Persia relinquishes all claims to sovereignty over ——	77
Persia's engagement to assist the British Government in hostilities against ——	56-57
Persia's engagement to desolate —— on Afghan invasion of India	41
Persia's engagement to withdraw her troops from ——	77
Persia's recognition of the independence of ——	77
Persia's unsuccessful expedition against ——	13
Russia's encouragement of Shah's hostile designs on ——	14
Seistan sovereignty claimed by ——	28
Africa—	
Maskat Sultan's agreements for the suppression of the slave-trade in his dominions in ——	189 and 221
African slaves—	
Act of Parliament for the suppression of African slave-trade	App. xlvii
Farrant's (Lieutenant-Colonel) letter to Haji Mirza Aghasi, regarding the importation to Persia of ——	67
Hazi Mirza Aghasi's letter regarding the prohibition for the importation of —— into Persia	68
Shah's engagement prohibiting the importation of —— into Persia	67
Shah's farman to the Governor of Fars prohibiting the importation of —— into Persia	69
Shah's farman to the Governor of Ispahan, regarding the importation of —— into Persia	70
Shah's farman to the Governor of Persian Arabia for the suppression of the importation of —— into Persia	70
See *Maritime Arab Chiefs.*	
African Slave-trade—	
Maritime Arab Chiefs' engagement for the suppression of the ——	178
Agha Muhammad Khan, Shah of Persia. Murder of ——	7
Ajman, in the Persian Gulf—	
Account of the Arab Chiefship of ——	152
African slave-trade to be prohibited by the Shaikh of ——	178
Agent on the part of the Shaikh of —— to reside at the British Residency in the Persian Gulf	173
Arms and ammunition. Prohibition of traffic in —	155 and 185-186
British cruisers empowered to seize vessels belonging to —— engaged in the slave-trade	176
Engagement for the suppression of slave-trade executed by the Shaikh of ——	158
Flag to be used by the vessels of the Shaikh of ——	172
Foreign powers. Agreement of the Chief of —— promising not to have agreement with any power other than the British; not to admit the agent of any other Government; and not to part with any portion of his territory save to the British	155 and 185
General engagement for the preservation of peace in the Gulf executed by the Shaikh of ——	172
Maritime truce engaged to be observed by the Shaikh of ——	179

Subject.	Page.
Ajman, in the Persian Gulf—*concld.*	
Perpetual maritime truce subscribed by the Shaikh of ——	180
Piracy to be suppressed by the Shaikh of ——	172-173
Register to be kept by vessels of the Shaikh of ——	174
Slaves to be surrendered by the Shaikh of ——	158
Slave-trade engagement of the Shaikh of ——	172
Telegraph line and station to be protected by the Shaikh of ——	182
Vessels of the Shaikh of —— granted the privileges of trade in British Ports	173
See *Maritime Arab Tribes* and *Persian Gulf.*	
Akhal District—	
Turkmans of the ——. Russian Campaign against the —	22
Akhal-Khorasan Boundary—	
Convention between Persia and Russia defining the ——.	23, App. xxi
Akhorek—	
Turkish occupation of ——. Persian complaint regarding —	22
Al Hasa, in the Persian Gulf —	
Turks in possession of the Port of ——.	143
See *Maritime Tribes* and *Persian Gulf.*	
Al Katar —	
Abu Dthabi's piratical outrage on ——	147, 155
Account of the Arab tribe of ——	147
Agreement of the Chief of —— not to commit any breach of the maritime peace	183
Bahrein Chief's aggression on ——	147
Bahrein Chief's tribute from ——	148
British Government the referee in all disputes of the Chief of ——	183
Muhammad bin Khalifa. Chief's engagement not to have any connection with —	183
Al Kawasim (El Joasim), in the Persian Gulf —	
Account of the Arab tribe of ——	152
Agreement of the Shaikhs to respect the British flag and property of British subjects	165
British vessels plundered by the ——	152
British vessels to be assisted by the ——	166
Ras-al-Khaima, a branch of the ——	152
Shaikh's overtures	153
Shargah, a branch of the ——	152
Al Odeid—	
Chief of Abu Dthabi allowed to assert his rights of possession at ——	155
America, United States of —	
Maskat Sultan accords the privileges of trade to citizens of the ——	App. xlviii
Maskat Sultan's Treaty relating to commerce with the ——	App. xlviii
Maskat vessels privileged to trade in ports of the ——	App. xlviii
Trade in munitions of war at Zanzibar monopolised by the Sultan of Maskat	App. xlviii
Arabia—	
Arab Principalities in the Persian Gulf—(See under *Persian Gulf*).	
Maskat Sultan's convention for the extension of telegraph lines in ——	29
Shah's farman to the Governor of Persian —— for the suppression of the African slave-trade	70

SIR JUNG BAHADUR

Subject.	Page.
Ashurada—	
Russian acquisition of —— in the Bay of Astarabad	
Astarabad—	
Restored to Persia by Russia in 1729	4
Atrak (River)—	
Persia and Russia. The —— fixed as the boundary between — .	16
Persia's declaration that the —— frontier did not include the river to its source	16
Austro Hungary—	
Persia and ——. Conclusion of a Postal Convention between — . .	31
Persia and ——. Treaty of Commerce and Navigation (1857) between —	App. xxz
Azarbaijan—	
Cession by Persia to Turkey of part of the Province of ——	App. iv
B	
Baghdad—	
Frontier tribes, · -. Arrangement regarding —	App. xvii
Turks obtain possession of · in 1639	
Bahrein—	
Abdulla bin Ahmad expelled from ——.	146
Account of the Island of ——	144
African slave-trade to be prohibited by the Shaikh of ——	178
Agent on the part of the Shaikhs of —— to reside at the British Residency in the Persian Gulf	173
Agent to reside at Bushire on the part of the Ruler of—	173
Agreement of Chief of —— regarding his political relations with Foreign Powers	163
Agreement executed in 1880 by Shaikh Isa, Chief of ——	162
Agreement for the exclusion of Muhammad bin Khalifa from the Chiefship of ——	161
Agreement relating to the payment of tribute by the Chief of Al Katar to the Ruler of ——	148
Al bin Ali tribe threaten to invade ——.	150
Ali bin Ahmad (Shaikh) deported to Bombay owing to assault on German and Persian subjects	151
Ali bin Khalifa killed in defending ——	148
Ali bin Khalifa permitted to continue in power at ——	147
Al Katar. —— Shaikh's outrage on —	147
Al Katar Chief's engagement to maintain relations with the Shaikh of —— .	183
Al Katar's tribute to ——	148
Al Katar's unsuccessful attack on ——	147
Al Morra tribe Bedouins commit outrages in —— territory . . .	151
Arms and ammunition. Suppression of the trade in —	151 and 164-165
Atubis, masters of ——	144
British Government to adjust disputes of British subjects and subjects of the Ruler of ——	160
British Naval Squadron detached to —— to exact reparation for piratical outrage	147
British policy towards ——	146
British protection extended to the subjects of the Chief of —— . . .	151
British protection to the Ruler of ——	160
British subjects permitted to reside and trade in ——.	160

BAHREIN—*contd.*
British subjects plundered at the capture of Manama by Muhammad bin Khalifa 148
British vessels open fire on the Arab invaders of —— 150
Chief's independence from Turkish control 150
Coaling Depôts. Foreign Powers not to be permitted to establish — in —— without the consent of the British Government 162
Consular Agencies. Foreign Powers not to be permitted to establish — in —— without the consent of the British Government 162
Convention of peace and friendship concluded with the Chief of —— . . 159
Diplomatic Agencies. Foreign Powers not to be permitted to establish — in —— without the consent of the British Government 162
Duty to be paid by British subjects trading in —— 160
Egyptian claims on —— 145
Egyptian designs on —— 145
Engagement of the Chief of —— for the suppression of the slave-trade . . 158
Engagement of the Shaikhs not to permit the sale of plundered property in —— 157
Flag to be used by vessels of the Shaikh of —— 172
Foreign Powers. Chief of —— not enter into negotiations or make treaties with — without the consent of the British Government . . . . . 150 and 162
Foreign Powers. Chief's agreement not to allow the residence within his territory of the Agent of any other power . . . . . 151 and 164
Foreign Powers. Chief's agreement not to correspond with — other than the British Government . . . . . 151 and 163
Foreign Powers. Chief's agreement not to part with any portion of his territory save to the British Government . . . . . 151 and 164
General engagement for the preservation of the peace in the Gulf executed by the Shaikhs of —— 172
Gray Paul and Company open a trading branch at —— 151
Hamed nominated heir to the Chiefship 149
Indemnity realized from —— 147
Indemnity to be paid for piratical outrage by the Shaikh of —— . . . 162
Indian prisoners to be restored by the Shaikhs of —— 145
Intrigues for the restoration of the exiled family of —— 149
Isa bin Ali bin Khalifa installed as Ruler of —— 149
Khalifa's succession to the Chiefship of —— 146
Manama captured by Muhammad bin Khalifa 148
Manama Fort destroyed by a British Naval Squadron 149
Maritime aggressions not to be committed by the Shaikh of —— . . . 159
Maskat Imam driven out from —— by the Atubis 144-145
Maskat's tribute from —— 145
Mission. American Arabian — in —— 151
Muhammad bin Abdulla captured and imprisoned in British territory . . 149
Muhammad bin Abdulla's assumption of the government of —— . . . 149
Muhammad bin Abdulla's feuds against —— 146
Muhammad bin Khalifa captured and imprisoned in British territory . . 149
Muhammad bin Khalifa deported to Koweit 148
Muhammad bin Khalifa imprisoned by Muhammad bin Abdulla . . . 149
Muhammad bin Khalifa's attack on —— 148
Muhammad bin Khalifa's intrigues at —— 148
Muhammad bin Khalifa's succession to the Chiefship of —— . . . 146
Muhammad bin Khalifa's surrender promised by the Shaikh of —— . . 162
Muharraq captured by Muhammad bin Khalifa 148
Narrative of British relations with the Shaikhs of —— 144

Subject.	Page.
Bahrein—*concld.*	
Pearl fisheries, the wealth of ——	144
Persia's claim to sovereignty over ——, disallowed	145
Piracy to be suppressed by the Shaikhs of ——	173
Plundered property not to be sold in ——	157
Political Agency established at ——	151
Portuguese expelled from —— by the Persians	144
Portuguese possession of the Island of ——	144
Register to be kept by vessels of the Shaikh of ——	172-173
Remission of a portion of the indemnity from the Shaikh of ——	147
Said's failure to capture ——	145
Salman bin Diaij murdered by Bedouin of the Al Morra tribe	151
Slave-trade engagement of the Shaikh of ——	172
Slave-trade to be suppressed by the Shaikh of ——	159
Surrender of the vessels-of-war of the ex-Chief of ——	161-162
Tribute paid to Maskat by the Chief of ——	145
Tribute paid to the Wahabis by the Chief of ——	145
Turkey's claim to treat the people of —— as Turkish subjects within Ottoman territories	151
Turkish authorities evince a disposition to interfere in the affairs of ——	150
Turkish designs on ——	145
Turkish interference in affairs of ——	150
Turkish overtures to the Shaikh of ——	145
Vessels of the Shaikh of —— granted the privileges of trade in British ports	173
Visit of a Viceroy of India (Lord Curzon) to ——	151
Wahabi Amir's attempt to assert authority over ——	141
Wahabi Amir's tribute from ——	145
Wahabi Governor expelled from —— by the Atubis	145
Wahabi ports blockaded by the Shaikh of ——	145
Wonckhaus and Company (German trading firm) open a branch in —— and at Bushire and Lingah	151
Zobara. Protest of the Chief of —— against Turkish occupation of ——	150
Zwemer (Dr. Peter). Mission opened at —— by ——	151
Baku—	
Restored to Persia by Russia in 1735	5
Baluchis of the Derajat Frontier—	
Seistani Chiefs granted subsidies by Persia to prevent raids of ——	28
Baluchistan—	
Persia's pretensions to sovereignty over ——	16
Bampur, in Baluchistan—	
Capture of —— by the Persians	16
Bandar Abbas—	
English ships to enter, free of duty, the Port of ——	3
Gamrun, the former name of ——	2
Lease of —— to the Sultan of Maskat	138 and 197 and App. xlv
Maskat Sultan's engagement for the lease of ——	App. xlv
Maskat's farm of ——	138
Maskat's recovery of ——	187
Persia's lease to Maskat of the Port of ——	138
Persia's resumption of the lease of ——	138-139
Persia's revenues from ——	198
Persian exaction of excessive customs dues at ——	197-198
Telegraphic convention with Persia regarding line between Gwadar, Jask, and ——	82

See also *Gamrun*.

Subject.	Page.
Bank(s)—	
Persia. Branches of the Central —— opened at Tehran and other towns in —	25
Bankruptcies—	
Shah's farman for the protection of British merchants in Persia in regard to ——	62
Banzargan—	
Turkish occupation of ——. Persian complaint regarding —	22
Barcelona—	
Persian Agent to reside at the port of ——	App. xxvi
Bariatinsky, Prince—	
Deputed as Russian Envoy to the Persian Court	3
Bassadore—	
British right to the station of ——	228
Basrah—	
Turks obtain possession of —— in 1639	
Belgium—	
Persia and . Treaty of Friendship and Commerce (1857) between —	App. xxxii
Beniyas, in the Persian Gulf—	
Maritime truce to be observed by the Chief of —— .	179
Telegraph line and station to be protected by the Chief of .	182
See *Maritime Arab Chiefs.*	
Beraimi, in Arabia—	
Azan bin Kais's capture of ——	193
Wahabi Amir's preparations for the capture of —— .	193
Bombay—	
Persian Consul to reside at ——	62
British Cruisers—	
Shah's convention for the detention and search by . . of Persian vessels engaged in the slave-trade	70
British Ports—	
Arab Chiefs granted the privileges of trade in ——	173
British subjects—	
Maskat Sultan's engagement to apprehend —— engaged in the slave-trade	213
Broussa—	
Persian refugee Princes in Turkey to reside at ——	App. xviii
Burma—	
Persia and ——. Treaty of Friendship (1877) between — . . .	App. xl.
Bushire in the Persian Gulf—	
Agreement with Shaikh Sadun for the establishment of an English factory at ——	33
Bahrein Ruler's Agent to reside at ——	162
British colours to be hoisted at the English factory at ——	33
British Resident to reside at ——	61
Construction of a third telegraph wire between Tehran and —— . . .	90
Distressed English vessels driven on shore to be assisted by the Shaikh of ——	34
English deserters to be surrendered by the Shaikh of ——	34
English goods exempt from payment of duty at ——	33

Subject.	Page.
Bushire in the Persian Gulf—*concld.*	
English factory at ——. Land to be granted for building the —	33
European foreigners not to be permitted to settle at ——	33
Goods to be purchased on shore by subjects of the Shaikh of ——	34
Ground to be allotted for garden and burying-ground at ——	33
Jervis (Mr. Benjamin) appointed Resident at ——	35
Karim Khan's grant for the privileges of trade to the English at ——	34
Persian convention for a second telegraph wire between Khanikin and ——	85
Persia's Telegraph engagement for the construction of line from Khanikin to	83
Realization of debts of the English at ——. Arrangement regarding —	33
Religious liberty granted to the English at ——	34
Servants of the English exempt from the jurisdiction of the Shaikh of ——	33
Bussora (Basrah)—	
See under *Basrah*.	
Canning, Earl—	
Maskat Sultan's acceptance of award of —— *in re* Zanzibar-Maskat dispute	226
Maskat-Zanzibar arbitral award of ——	225
Caspian Sea—	
Foreign vessels of war excluded from the ——	App. v and vi
Persian merchant vessels to navigate the —— on the ancient footing	App. v and vi
Russian merchant vessels privileged to navigate the ——	App. v and vi
Russian vessels of war permitted to sail on the ——	App. v and vi
See also under *Persia*.	
Centime—	
Value of a ——	88
Chab Tribe of Arabs—	
Declared in 1639 to be independent	3
Charbar, on the Makran Coast—	
Abdul Aziz's seizure of the port of ——	198
Maskat Rulers. Port of —— possessed by the —	198
Persia's capture and retention of the port of ——	198
Persia's claim to sovereignty over ——	198
Persia's payment of compensation to British subjects for loss of property at ——	198
Chibaktu—	
Turkish occupation of ——. Persian complaint regarding —	22
Constatinople—	
Shiraz Chibouks (pipe-sticks) exempt from duty	App. xvii
Consul(s)—	
French —— appointed at Maskat	191
Maskat Sultan's engagement regarding the appointment of ——	214
United States —— appointed at Maskat	191

Subject.	Page.
Corpses—	
Convention between Persia and Turkey with reference to transportation of to Mesopotamia	20
Cotton, Sir Dodmore—	
Deputation of —— as British Envoy to the Court of Shah Abbas	3
Crimean War—	
Attitude of Persia during the ——	15
Dabai (Debay), in the Persian Gulf—	
Account of the Arab Chiefship of ——	152
Agent on the part of the Shaikh of —— to reside at the British Residency in the Persian Gulf	173
African slave-trade to be prohibited by the Chief of	178
Arms and ammunition. Prohibition of traffic in —	155 and 185
British cruisers empowered to seize vessels belonging to —— engaged in slave-trade	176
Engagement for the suppression of slave-trade executed by the Chief of ——	158
Extent of limit within which British cruisers have the right to seize vessels engaged in the slave-trade belonging to ——	177
Flag to be used by vessels of the Chief of ——	172
Foreign Powers. Agreement of the Chief of —— promising not to have agreement with any Power other than the British; not to admit the agent of any other Government; and not to part with any portion of his territories save to the British	155 and 185
General engagement for the preservation of peace in the Gulf executed by the Chief of ——	172
Maritime truce engaged to be observed by the Chief of ——	179
Perpetual maritime truce subscribed to by the Arab Chief of ——	180
Piracy to be suppressed by the Chief of ——	172-173
Preliminary engagement concluded with the Shaikh of ——	169
Register to be kept by vessels of the Chief of ——	172-173
Slave-trade engagement of the Shaikh of ——	173
Slaves to be surrendered by the Chief of ——	159
Somalis seizure and sale to be considered an act of piracy by the Shaikh of ——	178
Telegraph line and station to be protected by the Chief of ——	182
Vessels of the Shaikh of —— granted the privileges of trade in British ports	173
See *Maritime Arab Tribes.*	
Daghistan—	
Russian conquest of ——	10
Daraghaz—	
Russian occupation of the Atak of ——	23
Darband—	
Restored to Persia by Russia in 1735	5
D'Arcy, Mr. K. W.—	
Petroleum concession in Persia granted to ——	27
Deiri—	
Turkish occupation of ——. Persian complaint regarding ——	22
Delhi—	
Nadir Shah's conquest of ——	5
Zaman Shah's intended expedition to ——	7

Subject.	Page.
Deman, in the Persian Gulf —	
Bombardment of the Fort of —	142
Muhammad bin Abdulla expelled from —	146
Denmark—	
Persia and —. Treaty of Friendship and Commerce (1857) between —	App. xxxiv
De Silva, Don Garcia—	
Deputation of — as Spanish Ambassador to Persia	3
Dhofar—	
Brought under the rule of Maskat	197
See also *Oman*.	
Dizak, in Makran—	
Tribute paid to Persia by Chief of —	16
Djessan—	
Ceded to Turkey by Persia	3
Dutch—	
Maskat Sultan's engagement not to permit the — to form settlements in his dominions	207
Egyptians—	
Daraya, the Wahabi capital, destroyed by the —	140
Faisal, Wahabi Chief, defeated and taken captive by the —	140
Maritime Arab Chief's engagement to resist the attempts of the — to subjugate them	141
Muhammadan shrines in Nejd captured by the —	140
Said's (Saiyid) acknowledgment of the supremacy of the —	140
Turki's explusion of the — from Nejd	140
Wahabi Chief's tribute to the —	140
El Joasim—(See **Al Kawasim**).	
Enjeli—	
See under *Persia*.	
Erivan, in Persia—	
Governor excluded from the privilege of selling his immovable property in —	App. vi
Russia's acquisition of the province of —	10
Erzerum, in Asia Minor—	
Treaty concluded at — between Persia and Turkey	App. xviii
F	
Fars—	
Shah's farman to the Governor of — prohibiting the importation of African slaves	69
Franc—	
Value of a —	
France—	
Commercial Treaty between — and Persia. Conclusion of a — in 1806	8
Commercial Treaty between — and Pe sia signed in 1847, but not ratified	13
Envoy sent from — to Persia in 1625	3
Maskat. Question of the grant of the French flag to — subjects	201
Maskat subjects allowed the privileges of trade in —	App. xlix

Subject.	Page.
France—*concld.*	
Maskat subjects permitted to trade with the nation at war with ——	App. xlix
Maskat Sultan's grant of privileges to Consular Agents, ——	App. xlix
Maskat Sultan's treaty of commerce with ——	App. xlix
Maskat's independence guaranteed by ——	226
Mission sent from —— to Persia in 1796	7
Missions of Mons. Jaubert to the Shah (1806) and General Gardanne sent from —— to Persia	8
Persia and ——. British Government to supply Military Stores in the event of hostilities between —	41
Persia and ——. Treaty of Friendship and Commerce (1855) between —	App. xx viii
Persia's overtures for an alliance with ——	7-8
Treaties between —— and Persia. Conclusion of — in 1708 and 1715	4
Zanzibar's independence guaranteed by ——	226
French—	
Maskat Sultan's engagement not to permit the — to form settlements in his dominions	207
Persia. —— merchandise put on the same footing in — as that of the most favoured nation	13
Persian Monarch's engagement to prevent the settlement of the —— in his dominions	42
Gamrun—	
Causes which led to the withdrawal of the English factory from ——	2
Dutch factories established under the patronage of Shah Abbas at ——	2
English factories established under the patronage of Shah Abbas at ——	2
French factories established under the patronage of Shah Abbas at ——	2
Maskat Imam's permission for the establishment of a factory at ——	208
Name of —— changed to Bandar Abbas	2
See also *Bandar Abbas*.	
Geh, in Baluchistan—	
Tribute paid to Persia by Chief of ——	16
Grok Tapih (Teppe)—	
Russians defeated at —— by the Akhal Turkmans	23
Russian conquest of ——	23
Georgia—	
Russian conquest of ——	10
Germany—	
Persia and ——. Treaty of Commerce (1873) between —	App. xxxviii
Persia to be assisted by —— in the settlement of her disputes with her neighbours	App. xxxviii
Persia's appointment of Agents to reside in ——	App. xxxviii
Persia's Commercial Treaty with ——	App. xxxviii
Gez—	
Russian Hospital established at ——	13
Gilan—	
Restored to Persia by Russia in 1732	5
Gokcha—	
Russian occupation of the district of ——	10

SUBJECT.	PAGE.
GOLDSMID, MAJOR-GENERAL—	
Arbitral opinion of —— on the Perso-Afghan claims to Seistan . . .	29-30
GRAVES, Mr.—	
See under *Persian Baluchistan and Karman.*	
GRAY, PAUL & Co.—	
Bahrein. Trading branch at — opened by ——	151
GREBAIADOFF, MONSIEUR—	
Murder by a Persian mob at Tehran of —— , Russian Minister in Persia . .	11
GREECE—	
Persia and ——. Treaty of Friendship, Commerce and Navigation (1861) between —	App. xxxv
GULISTAN—	
Treaty of —— between Russia and Persia	App. v
GWADAR, in Makran—	
Abdul Aziz's attack on ——	194
Arms and ammunition. Import of — into —— and its dependencies prohibited by the Sultan of Maskat	200
Maskat rulers. Port of —— held by the —	198
Saiyad Salim's attack on ——	194
Telegraph convention with Persia regarding the line between Jask, Bandar Abbas and ——	82
See also under *Oman.*	
H	
HAKIM-UL-MULK—	
Concession for electric light for Persia granted to ——	27
HAMZA MIRZA—	
Commands a Persian expedition against Merv	15
HASTADAN—	
Agreement between Persia and Afghanistan regarding the —— lands	App. xxiii
Dispute between Persia and Afghanistan regarding certain lands at ——	24
HERAT—	
British influence to be exercised for maintaining the independence of —	
British mediation to be exercised in Persia's disputes with —— .	
Death of Yar Muhammad Khan, Ruler of ——	14
Muhammad Khan, Ruler of ——, murdered by Muhammad Yusuf .	15
Muhammad Khan's successsion to the masnad of —— . . .	14
Muhammad Yusuf's usurpation of the government of —— . .	15
Persia not to afford an asylum to criminals from —— . . .	73
Persia relinquishes all sovereignty over ——	77
Persia relinquishes the allegiance of the Ruler of —— . . .	72
Persia's engagement not to send troops to ——	72
Persia's engagement regarding non-interference in the affairs of ——	72
Persia's engagement to release the imprisoned Chiefs of —— . .	72
Persia's engagement to withwraw her troops from —— . . .	77
Persia's farman to the Ruler of ——	74
Persia's recognition of the independence of ——	77
Persia's seige of ——	72
Persian Agent to be withdrawn from ——	72-73
Persian force captures ——	15
Persian force despatched against —— in violation of treaty obligations	15
Persian force despatched towards ——	14
Sadr-i-Azam's (Persian) letter to the Ruler of ——	73
Shah Kamran, Ruler of ——, murdered by his Minister Yar Muhammad	14
Sheil's (Lieut.-Col.) letter to the Ruler of ——	75
Seistan once a dependency of ——	28
HORMUZ—(see ORMAZ).	

Subject.	Page.
I	
Ibrahim Pasha, of Egypt—	
Wahabi capital destroyed by ——	140
Imperial Bank of Persia—	
See under *Persia*.	
India—	
Persian Monarch's engagement to ravage Afghanistan on Afghan invasion of ——	41
Indo-European Telegraph Company-	
Adjustment of the accounts of the ——	App. ix
Agreement between the Shah and the —— prolonging date of termination of the Agreement of 1872 from 1905 to 1925	19
Anglo-Persian lines to be made over to the ——	App. ix
Duration of Persian concessions to the ——	App. ix
Julfa-Tehran line concessions. Duration of —	App. ix
Persia and the ——. Agreement of 1891 between —	App. x
Persia's arrangement with the ——	18-19
Persia's cession of a portion of the receipts of international messages to the —	App. ix
Persia's concessions to the ——	15
Persia's debt for second wire to British Government to be paid by the ——	18
Persia's debt for telegraph materials to British Government to be liquidated by the ——	App. ix
Persia's right to send official messages by the ——	App. ix
Persia's Telegraph concessions to the ——	App. ix
Persia's Telegraph treaty with the ——	App. ix
Shiraz-Bandar Abbas Telegraph concessions. Duration of —	App. ix
Subsidy to be paid to Persia by ——	18
Subsidy to Persia for the Shiraz-Bushire line	App ix
Tariff for messages per ——	App. ix
Tehran-Bushire line concessions. Duration of —	App. ix
Telegraph line between Shiraz and Bandar Abbas to be constructed and maintained by the ——	App. ix
Indo-European Telegraph Department—	
Line from Tehran to Mashad taken over by the——	19
Insolvency—	
Shah's farman for the protection of British merchants in Persia in case of ——	62
Irak—	
Cession by Persia to Turkey of part of the Province of ——	App. iv
Ispahan—	
Shah's farman to the Governor of —— prohibiting the importation of African slaves into Persia	70
Seige of —— by Mahmud of Kandahar	4
Italy—	
Persia and ——. Treaty of Friendship, Commerce and Navigation (1862) between —	App. xxxvi
Persia and ——. Treaty of 1862. Additional articles relating to exportation of Silkworms' eggs and Cocoons	App. xxxvii
Jaaferah Arabs—	
The —— fined for piracy	190

Subject.	Page.
JABAL SHAMMAR—	
Hostilities between Abdulla bin Faisal and the Amir of ——	144
JAF TRIBE—	
Division of the —— between Persia and Turkey	3
JASK—	
Agreement fixing the territorial limits of the Telegraph station at —— and other details	19
Telegraph Convention with Persia regarding a line between Gwadar, Bandar Abbas, and ——	82-83
JAUBERT, MONSIEUR—	
Mission of —— to the Court of Persia	8
JAURAT-AL-KAMRA, in the Persian Gulf—	
Engagement for the preservation of peace in the Gulf executed by the Shaikh of ——	172-173
JENEBETH TRIBE, in the Persian Gulf—	
Outrages committed on British subjects at Sur by the ——	142
Vessels. Confiscation of ——	142
JENKINSON, SIR ANTHONY—	
Visit of —— to the Court of Persia	1
JERVIS, MR. BENJAMIN—	
Appointment of —— as Resident, Bushire	35
JONES, SIR HARFORD—	
Conflicting orders issued to —— while on a mission to the Court of Persia	9
Deputation of —— by the Home Government as Plenipotentiary to the Court of Persia	8
Instructions to —— on deputation to Persia	9
K	
KABUL—	
Nadir Shah's conquest of ——	5
KADKHODA ALI—	
Turkish attack on the Persian village of ——	24
KAIN, in Seistan—	
Alam Khan, Governor of ——	29
Persian Governor of ——, removed	30
Rebellion in —— against the Persian Government	29
KALAT, in Baluchistan—	
Shah's proposals for the settlement of the boundaries between Persia and ——	17
KALAT-I-NADIRI—	
Russian occupation of the Atak of ——	23
KANDAHAR—	
Capture of —— by Ahmad Khan Abdali, of Persia	6
Capture of —— by Nadir Shah, King of Persia	5
Ispahan besieged by Mahmud of ——	4
KARABAGH—	
Russian conquest of ——	10
KARAK, in the Persian Gulf—	
British occupation of the Island of ——	15
Malcolm's (Sir John) proposal for the occupation of ——	9

SUBJECT.	PAGE.
KARBALA, in Arabia—	
Persian pilgrims to · · to be exempt from taxation	App. xvii
KARMAN—	
See under *Persian Baluchistan and Karman.*	
KARUN RIVER—	
Navigation of the —— thrown open to ships of all nations	25
KASARKAND, in Makran—	
Tribute paid to Persia by the Chief of ——	16
KATAR—	
See under *Al Katar.*	
KATIF in the Persian Gulf—	
Highflyer's destruction of a fort in the harbour of ——	142
Relief of —— by the British gun-boat *Vulture* when invested by Bedouins .	143
KAWASIM—	
See under *Al Kawasim.*	
KEIR, SIR W. GRANT—	
Persian Gulf expedition entrusted to ——	153
KEJ, in Baluchistan—	
Bampur Governor's attempt to assert Persia's claim over —— . . .	16
Persian Ministers disclaim intention of asserting Persia's claims to —— . .	16
KHANIKIN—	
Convention for a second telegraph wire between Bushire and —— . . .	85
Telegraph engagement for a line between Bushire and ——	85
KHAZINA—	
Turkish occupation of ——. Persian complaint regarding —	22
KHOI—	
Rival claims of Persia and Turkey to ——	22
KHOJA KALA—	
Russians defeated at —— by the Akhal Turkmans	23
KHORASAN, in Persia—	
Dismemberment of the principality of ——	6
Karim Khan's conquest of certain provinces of ——	6
Shah Rukh, Ruler of Persia, guaranteed the possession of —— by Ahmad Khan Abdali of Afghanistan	
KISHM, in the Pursian Gulf—	
Acquisition by the Sultan of Persia of ——	138
Bandar Abbas recovered from the Shaikh of ——	187-188
Cession to Persia of —— by the Sultan of Maskat	138
Hormuz recovered by Maskat from the Shaikh of ——	187-188
KIRAN, a Persian coin—	
Value of the ——	88
KOHAK—	
Persia's occupation of ——	17
KOTAUR (KUTUR)—	
Anglo-Russian Protocol declares the territory of —— to belong to Persia . .	24
Turkish occupation of ——. Persian complaint regarding—	22
KURDISTAN, in Turkish Arabia—	
Persia not to interfere in the affairs of ——	App. xvii
KURDS—	
Persian territory ravaged by ——	24
KURIA MURIA ISLANDS, in the Arabian Sea—	
Maskat Sultan's deed of cession of the ——	224
LAFT, in the Pursian Gulf—	
Capture of —— by a British naval force	152

Subject.	Page.
LARIJAN—	
Restored to Persia by Russia in 1732 .	5
LIANOZOFF, M.—	
Caspian Sea fisheries granted to —— .	16
LINGAH, in the Persian Gulf—	
Capture of —— by a British naval force	152
LONDON—	
Persian Consul to reside in —— . .	61-62
M	
MADRID—	
Persian Consul to reside in	App xxvi
MAHMUD, Ruler of Kandahar—	
Persian Crown resigned by Shah Husain to —— . .	
MAHMUDI—	
Turkish occupation of ——. Persian complaint regarding—	22
MAKRAN, in Baluchistan—	
Bampur Governor's attempt to assert Persia's claim over —	16
Tribute paid to Persia by Chiefs of —— . . .	16
MALCOLM, CAPTAIN (SIR JOHN)—	
Deputation of —— a second time to Persia . . .	8
Deputation of —— as Envoy to Persia . .	7
Failure of the mission to Persia under —— .	9
Instructions to —— on deputation to Persia .	9
Occupation of Karak proposed by ——. .	9
Persian Monarch's insult to —— . . .	9
MARITIME ARAB CHIEFS of the Persian Gulf—	
See under *Trucial Arab Chiefs of Oman.*	
MARITIME CHIEFS of the Pirate Coast—	
Mutual agreement entered into by the —— regarding the surrender of fraudulent absconders or payment of their liabilities . .	155
MARITIME TRUCE—	
Abu Dthabi Chief fined for breach of the —— .	155
Arab Chiefs' engagement for observing for ten years the	179
Arab Chiefs' perpetual engagement regarding the ——	180
Bahrein Chief guilty of a breach of the —— . .	146
Maskat Chief guilty of breach of the —— . .	192
MASHAD—	
Foreign Consuls. Appointment of — at —— agreed to by the Persian Government	25
MASKAT, in the Gulf of Oman—	
See under *Oman.*	
MATRAH, in Maskat—	
Turki's (Saiyid) capture of ——	192
MAZANDARAN—	
Restored to Persia by Russia in 1729	4
MECCA (Mekka), in Arabia—	
Persian pilgrims to be exempt from taxation at ——	App. xviii
MEDINA, in Arabia—	
Persian pilgrims to be exempt from taxation in ——	App. xviii

Subject.	Page
Merv—	
Persian expedition against the Tekke Turkmans of ——	15
Persians capture —— and lose it again	15-16
Surrender of —— to the Russians	23
Tekke Turkmans of —— declare their allegiance to Persia	22-23
Mingrelia—	
Russian conquest of ——	10
Moayyer-el-Momalek—	
Telephone monopoly in Persia granted to ——	27
Mohammerah, in the Persian Gulf—	
Khazal Khan, Shaikh, Governor of ——	137
Mont de Piété—	
Concession for a —— in Persia sold to a Russian Company	26
Muhammad Bin Abdullah, *ex*-Chief of Bahrein—	
Demam evacuated by ——	142
Peace of the Gulf endangered by the piracies of ——	146
Wahab Amir required to expel —— from Demam	142
Muhammad Shah, son of Abbas Mirza, of Persia —	
Placed on the throne of Persia	11
Muhammad Yusuf, grand-nephew of Shah Shuja—	
Herat government usurped by ——	5

N

Nadir Shah—	
Rule of —— in Persia	
Najaf, in Arabia—	
Pilgrims to —— to be exempt from taxation	App. xvii
Nakshivan—	
Governor excluded from the privilege of selling his immovable property in ——	App. vi
Russia's acquisition of the province of ——	10
Nejd, in Arabia—	
Abdulla bin Faisal's succession to the Chiefship of ——	144
Abdulla bin Sunaiyan's deposal from the government of ——	141
Abdulla bin Sunaiyan's usurpation of the government of ——	141
Arab Chiefs of the Persian Gulf. Overtures of the Sultan of —— to the —	140
Egyptian invasion of ——	140
Egyptians expelled by Turki from ——	140
Egyptians' withdrawal from ——	141
Faisal's resumption of authority in ——	141
Intestine struggle for power in	143
Khalid appointed Governor of ——	141
Khalid's deposal from the government of ——	141
Muhammad bin Rashid Authority of — becomes paramount throughout	144
Saud's accession to power in ——	143
Turki proclaimed Sultan of ——	140
Turkish policy in ——	143
Turkish supremacy not recognized in ——	141
Turks invited by Abdulla bin Faisal ——	143

See *Wahabis*.

SUBJECT.	PAGE.
NETHERLANDS (The)—	
Persia and · Treaty of Friendship and Commerce (1857) between —	App-xxxi
OBAIDULLA SHAIKH—	
Kurdish inroad into Persian territory under · His capture and banishment	24
OJAIR—(see Ai Ojair).	
OLIVIER, MONSIEUR—	
Mission of —— to the Court of Persia	
OMAN—	
Abdul Aziz associated in the Government of Maskat	196
Abdul Aziz granted terms by Saiyid Turki	196
Abdul Aziz's administration opposed in Maskat	196
Abdul Aziz's unsuccessful attempts to overthrow Saiyid Faisal	197
Account of the Arab Chiefs of ——	187
Additional articles relating to the treaty for the suppression of the slave-trade with Maskat	220
African slave-trade. Sultan's engagement for the suppression of the —	221
Agreement concluded by Captain Malcolm with the Imam	208
Agreement for the construction of telegraph lines through the dominions of the Sultan of Maskat	227
Ahmad bin Said elected Imam of Maskat	187
Allowance granted to Ibrahim bin Kais	195
Arms and ammunition seized on the Anglo-Persian Steam Navigation Company's S.S. *Baluchistan*	201
Arms and ammunition. Suppression of the illegal importation of — into Persia and British India	201 and 241-242
Azan bin Kais, a fugitive	193
Azan bin Kais attacked by Saif bin Sulaiman at Matrah	193
Azan bin Kais killed in an engagement at Matrah	193
Azan bin Kais' rebellion and seizure of Maskat	192
Azan bin Kais' rule unpopular at Maskat	193
Bandar Abbas lease held by the rulers of Maskat	197
Bandar Abbas recovered by the Imam of Maskat	18
Bassadore station ceded by the Sultan of —	228
Bedouin garrison imposed terms on Saiyid Turki of Maskat	196
Beraimi captured by Azan bin Kais	193
Beraimi Governor Sideyri assassinated at Shargah	193
British Agent to reside at Maskat	209
British form of declaration of the ratification of the treaty with Maskat	218
British guarantee to respect the independence of Maskat	226
British mediation in dispute between Saiyid Turki and Said bin Khulfan	193
British policy for the preservation of ——	152
British policy towards ——	188
British remonstrance against Wahabi interference in the affairs of ——	141-142
British shipwrecked vessels to be assisted by Maskat	208
British stores exempt from payment of duty in ports of ——	224
British subjects prohibited from possessing slaves in ——	231
British subjects amenable to Political Agent and Consular Court in Maskat	231
British subjects granted the privilege of purchasing landed property in —	214
British subjects plundered by Ibrahim bin Kais	194

Subject.	Page.
Oman—*contd.*	
British subjects to be apprehended for engaging in slave-strade	213
British subjects' disputes. Arrangement for the settlement of —	215
British subjects' property. Arrangement relating to the search of —	214
British vessels exempted from payment of port dues in ——	216
Cable connection between Maskat and the outer world *viâ* Jask	204
Causes which led to confusion in the Asiatic dominions of ——	190
Certificate of the exchange of ratifications of the treaty of 1839 with Maskat	219
Charbar, the possession of the rulers of Maskat	19
Coal depôts held by the British and French Governments in the Makulleh cove of Maskat harbour	201
Coal-fields in the hinterland of Sur. Agreement in respect of a concession for working the —	209 and 242
Coalition formed against Saiyid Turki of Maskat	194
Collisions at sea. British rules and regulations for preventing — assented to by Saiyid Turki	199
Compensation exacted from the Yal Saad for injury to British subjects	195
Consular appointments. Arrangement relating to —	214
Consular jurisdiction exercised in ——	198
Consular privileges. Arrangement regarding —	214
Convention relating to the extension of telegraph lines in Arabia and Makran	229
Copper coins. Issue of Maskat —	200
Customs disputes. Arrangement for the settlement of —	216
Customs management reformed	201
Dhofar. Expedition sent against —	201
Dhofar occupied by Saiyid Turki's troops	197
Distressed vessels. Arrangement regarding assistance to —	217
Distressed vessels exempt from payment of duty on transhipment of cargo in ports of ——	232
Distressed vessels exempted from payment of duty in ports of ——	223-224
Dutch not to be permitted to form settlements in ——	207
Duty leviable on French goods imported into ——	App. xlix
Duty to be levied in ——. Arrangement regarding —	216
Duty to be paid by United States vessels trading in ports of ——	App. xlviii
Engagement mediated between Sohar and Masket	242
Estates of deceased subjects. Arrangement regarding the disposal of —	215
Fahad (Saiyid). Death of — by suicide	200
Faisal (Saiyid) invested with the insignia of a G.C.I.E.	205
Faisal (Saiyid) recognised by the British Government as Sultan of Maskat	197
Faisal's (Saiyid) assumption of power in —— on the death of Saiyid Turki	197
Foreign powers. Agreement of the Sultan not to cede any portion of his dominions to any power other than the British	200 and 240-141
France engages to respect the independence of ——	226
French commercial treaty with the Sultan of Maskat	App. xlix
French Consul appointed in —— in 1881	191
French Consular Agency established in the dominions of the Sultan of Maskat	App. xlix
French flag and French protection. Question of the grant of the — to Omani subjects	201
French mercantile disputes in ——. Arrangement for the settlement of —	App xlix
French not to be permitted to establish factories in ——	207

Subject.	Page.
Oman—*contd.*	
French subjects granted privileges of trade in ——	App. xlix
French subjects permitted to possess landed property in the dominions of the Sultan of Maskat	App. xlix
French Treaty with Maskat. Ratification of the —	App. xlix
French vessels in distress or wrecked in ports of -. Assistance to be rendered to —	App. xlix
French vessels not to be admitted into ports of ——	208
Frenchmen accorded the privileges of trade in ——	App. xlix
Frenchmen permitted to possess house property in ——	App. xlix
Frenchmen permitted to trade with the nation at war with ——	App. xlix
Frenchmen's bankruptcy in ——. Arrangement regarding —	App xlix
Frenchmen's disputes in ——. Arrangement for the adjustment of —	App. xlix
Frenchmen's estates in ——. Arrangement for the disposal of —	App. xlix
Frenchmen's pecuniary liabilities in - Conditions for liquidation of —	App. xlix
Ghafiri and Hinawi dissensions in ——	196
Gwadar Import of arms and ammunition into — and its dependencies prohibited by the Sultan of Maskat	200
Gwadar, the possession of the rulers of ——	198
Hinawi tribes rise in rebellion against the Sultan of ——	200
Holland and Maskat. Exchange of a commercial declaration between —	199
Hormuz recovered by the Imam of Maskat	187-188
Ibrahim bin Kais defeated near Lawa	194
Ibrahim bin Kais' departure from Maskat	194
Ibrahim bin Kais fined for outrage on British subjects in ——	194
Ibrahim bin Kais granted territory by the Sultan of Maskat	194
Ibrahim bin Kais' plunder of British subjects in ——	194
Indemnity from the Sultan for damage to British Indian property	200
Independence of Maskat guaranteed by England and France	226
Indian Navy vessels empowered to seize vessels engaged in slave-trade belonging to Maskat	218
Insolvent British subjects' property. Arrangement regarding disposal of —	215
Intrigues against the rule of Saiyid Turki	194
Jurisdiction over natives of India residing in ——	231
Kais' (Saiyid) designs for usurping the government of ——	187
Kuria Muria Island ceded by the Sultan of Maskat	224
Limit extended for the seizure of vessels belonging to ——engaged in the slave-trade	222
Maskat-Zanzibar dispute. Lord Canning's award on —	225
Masnaah Fort bombarded on Ibrahim bin Kais' refusal to evacuate it	195
Masnaah Fort captured by Ibrahim bin Kais	195
Matrah attacked by Saleh bin Ali El-Harithi	195
Mercantile disputes in ——. Arrangement regarding settlement of —	216
Merchandise. Arrangement regarding the passage of — through the territory of —— during hostilities	217
Metawwah (The) hostile to the rule of Saiyid Turki	196
Native Agent appointed to Maskat	191
Order in Council for the exercise of Consular jurisdiction in ——	App. l
Persians driven out of ——	87

Subject.	Page.
Oman—*contd.*	
Political Agency at Maskat revived	192
Privileges of commerce accorded to British subjects in ——	214
Protection to be afforded to liberated slaves in ——	231
Recovery of debts in ——. Arrangement regarding —	215
Rostak road not to be interrupted or closed by ——	243
Rules for the levy of duty on goods transhipped from vessels in ports of ——	223
Said bin Khulfan Al Khuleli's cruelties and exactions at Maskat	193
Said bin Khulfan's death	193
Said's (Saiyid) succession to the Sultanate of ——	188
Saif bin Sulaiman killed in an engagement at Matrah	193
Saleh bin Ali El-Harithi's terms with Saiyid Turki	195
Salim (Saiyid) captured and imprisoned at Hyderabad in Sind	194-195
Salim (Saiyid) informed of British policy towards ——	191-192
Salim (Saiyid) recognised as ruler of Maskat	192
Salim (Saiyid) suspected of parricide	191
Salim (Saiyid) warned against breach of the maritime peace	192
Salim's (Saiyid) administration distasteful in ——	192
Salim's (Saiyid departure from Maskat	194-195
Salim's (Saiyid) flight from —— into Persian territory	194
Semail captured by Saiyid Turki	196
Shaikiyeh tribe. Failure of an attack of the —— on —— and their punishment	197
Slave markets to be closed in ——	231
Slave-trade engagement concluded with the Sultan of Maskat	209
Slave-trade engagement renewed and confirmed by the Sultan of Maskat	218
Sohar not to commit aggressions on ——	243
Sohar subjects permitted to trade with ——	243
Somalis. Seizure of — considered piracy by the Sultan of Maskat	221
Sponge Exploration Syndicate, London, obtain a concession to fish for sponges in the territorial waters of ——	205 and App. lii
Stolen property to be restored to the French	App. xlix
Succession disputed in Maskat	187
Sulaiman bin Suwailim leads the Dhofar rebellion	201
Sultan's declaration of the ratification of the treaty of 1839	219
Sultan's ratification of the treaty of 1839	220
Sultan's subjects' privileges while in the employ of British subjects	214
Supremacy over Zanzibar claimed by Maskat	191
Sur. Use of French flags by the people of —	201
Taimur (Saiyid), eldest son of the Sultan, present at the Coronation Darbar, Delhi, 1903	204
Telegraph disputes. Arrangement for the Settlement of —	229
Telegraph lines and stations to be protected by the Sultan of Maskat	229
Terms offered to Saiyid Salim and Ibrahim bin Kais	194
Thawaini (Saiyid) assassinated at Sohar	191
Thawaini's (Saiyid) succession to the Sultanate of ——	191
Title of "Imam" refused to Saiyid Said	188
Trade monopolies prohibited in ——	216
Treaty of commerce concluded with the Imam of Maskat	213
Treaty of friendship concluded with the Imam of Maskat	207
Treaty of friendship, commerce and navigation concluded by the Sultan of Maskat in 1891	232
Treaty of friendship, commerce and navigation. Question of revising the —of 1891	199-200
Treaty with the Sultan of Maskat for the abolition of the slave-trade	230
Turki (Saiyid). Public declaration by the British Government of their determination to afford active support to — against his enemies	197

Subject.	Page.
Oman—*concld.*	
Turki (Saiyid) granted an allowance through British mediation from the Sultan of Maskat	192
Turki (Saiyid) made an Honorary G.C S I.	197
Turki (Saiyid) opposed by Ibrahim bin Kais	194
Turki (Saiyid) permitted to proceed to Maskat	193
Turki (Saiyid) recognised as ruler of Maskat	194
Turki's (Saiyid) letter foregoing customs duty on goods transhipped from distressed vessels putting into ports of ——	232
Turki's (Saiyid) retirement from the Sultanate of ——	196
Turki's (Saiyid) return and assumption of the Sultanate of ——	196
Turki's (Saiyid) unsuccessful attack on Maskat	192
United States Consul appointed at Maskat in 1880	191
United States of America. Treaty of commerce between —— and —	App xlviii
United States citizens accorded the privileges of trade in ——	App. xlviii
United States citizen's property captured by pirates. Restoration of —	App. xlviii
United States Consular Agency in ——. Arrangement regarding the establishment of a —	App. xlviii
United States. Conditions regarding sale in —— of munitions of war from the —	App. xlviii
United States vessels shipwrecked in ports of ——. Protection to be afforded to —	App. xlviii
Vessels engaged in the slave-trade. Liability of — to seizure	230
Visit of a Viceroy of India (Lord Curzon) to Maskat	205
Wahabi Amir's engagement to assist the Sultan of Maskat	142
Wahabi Amir's tributory demands on ——	141
Wahabi contests with the Sultan of Maskat	139 and 190
Wahabis gain a footing in ——	188
Wrecks. Arrangement for recovery and delivery of property —	217
Zanzibar ruler's objections to pay the subsidy to Maskat	195
Zanzibar subsidy paid under certain arrangements to Maskat	196
Zanzibar's subsidy to Maskat. Amount of —	225
Ormaz (Hormuz), an island in the Persian Gulf —	
Maskat's cession to Persia of	138
Maskat's recovery of —	187-188
Persia's engagement with the English for the expulsion of the Portuguese from the island of ——	2
Portuguese expelled from the Island of ——	2
Portuguese occupation of the Island of ——	2
Ouseley, Sir Gore—	
Appointment of —— as British Plenipotentiary to the Court of Persia	
Passports—	
Persian and Russian subjects crossing the frontier of each other's territory to be provided with ——	13
Persia—	
Abbas III, nominal King of ——	5
Abbas Mirza recognized as heir to the throne of ——	10

Subject.	Page.
Persia—*contd.*	
Abbas Mirza's bond for the cancellation of the 3rd and 4th Articles of the Treaty of 1814 with ——.	58
Abba's Mirzas ratification of the definite treaty with ——	54
Abdali tribe in Herat independent of ——	3
Account of the ruling dynasty of ——	1
Adjustment of the Accounts of the Indo European Telegraph Company	App. ix
Afghan captives to be liberated by ——	78
Afghan invasion of India. Shah's engagement to desolate Afghanistan on —	41
Afghanistan and ——. Agreement between — regarding the Hashtadan lands	App. xxiii
Afghanistan's independence recognized by ——	77
Afghans expelled from ——	5
Agha Muhammad Khan murdered in 1797	7
Agha Muhammad Khan's elevation to the throne of ——	6
Amnesty to be granted by the Shah to his subjects compromised by the war with England	77
Anglo-Persian Telegraph lines to be made over to Messrs. Siemens & Co.	App ix
Annual payment for terminal messages by the third telegraph wire to ——.	92
Antiquity. French acquire the right of searching for objects of antiquarian interest in ——	26
Argentine Republic. Commercial treaty between —— and the —	32 and App. xlii
Ashurada in the Bay of Astarabad, occupied by the Russians	12
Austro-Hungary and ——. Conclusion of a Postal Convention between —	31
Austro-Hungary and ——. Treaty of Commerce and Navigation (1857) between —	App. xxx
Azarbaijan subjects granted an amnesty by the Shah of ——	App vi
Azarbaijan subjects granted certain privileges by the Shah of ——.	App. vi
Bukhtiari chiefs granted a road concession	26
Baluchistan. Shah's pretensions to dominion in —	16
Bandar Abbas Customs revenue to be divided with the English	2
Bampur captured by ——	16
Bankrupt British merchants in ——. Shah's farman for the protection of—	62
Bariatinsky, Prince, deputed as Russian Envoy to the Court of ——.	3
Belgium and ——. Treaty of Friendship and Commerce (1857) between —	App, xxxii
Boundaries between Kalat and ——. Proposal for the settlement of the —	17
Boundaries delineated between Russia and ——	App v
Boundary between —— and Russia. The Atrak river fixed as the —	16
British aid in subsidy and military stores and troops to the Shah in the event of any European forces invading ——	47-48
British aid refused to the Shah in the war between Russia and —	8
British Envoy's rupture with the Court of ——. Causes which led to —	14
British influence on the decline at the Court of ——	12
British mediation in the event of Afghan hostilities with ——.	48
British merchants permitted to settle and trade in ——	45 and 61
British merchants placed on the same footing as Russian merchants in ——	60
British Mission servants and dependants. Shah's farmans for protection of —	13 and 66-67
British Mission's honourable reception on return to —— in 1857	78-79
British Mission's withdrawal from ——. Causes which led to —	15
British policy towards —— for securing their Indian possessions from invasion	7
British protection to subjects of ——. Arrangement regarding—	78
British subjects exempted from payment of duty on goods exported from ——	59
British subjects permitted to build houses in any part of ——	45
British troops' withdrawal from —— in 1857	77
Burma and ——. Treaty of Friendship (1877) between —	App xl

Subject.	Page.
Persia—*contd.*	
Cancellation of the 3rd and 4th Articles of Treaty of 1814 with ——	58
Caspian Sea fisheries granted to M Lianozoff, a Russian subject .	16
Change in British policy towards ——	11
Commercial Agents appointed in ——	61
Commercial Convention and tariff between Great Britain and Persia .	27 and 104
Commercial disputes of the subjects of Spain in · Adjustment of —.	App. xxvi
Commercial privileges granted to the English in ——	44
Commercial relations with ——. Failure of England's attempt to establish— between 1620 and 1628	
Commercial Treaty between —— and France. Conclusion of a — in 1806 .	
Commercial Treaty between —— and France signed in 1847, but not ratified .	13
Commercial Treaty concluded with the Shah of ——	60
Commission to be appointed for the adjustment of pecuniary claims of British subjects in ——	79
Concession for the manufacture of candles, sugar, glass, and plaster lime and for working marble quarries granted to M. Denis	25
Concessions granted to the Indo-European Telegraph Company by —— . .	App. ix
Consular Officers (British). Arrangement regarding recognition and status of ——	79
Consuls to reside in London and Bombay on behalf of ——	61-62
Contribution from —— for the maintenance of the third telegraph wire in ——	93
Convention between —— and Russia explaining the 14th Article of the Treaty of Tarkmanchai	13
Conventions (Telegraph) between —— and Russia signed in 1879 and 1881 .	19-20
Cost to British Government for maintenance of second telegraph wire in —— .	17
Cotton, Sir Dodmore deputed as British Envoy to the Court of Shah Abbas .	3
Crimean War. Attitude of —— during the —	15
Death of Abbas Mirza of —— . .	11
Death of Fateh Ali Shah of —— .	11
Death of Karim Khan of —— . .	6
Death of Mahmud of the Afghan dynasty	4
Death of Muhammad Shah of —— .	14
Death of Shah Abbas of —— . .	3
Defensive Treaty concluded with the Shah of ——	54
Definite Treaty concluded with —— . .	49
Delinquents not to be afforded an asylum in ——	65
Denmark and ——. Treaty of Friendship and Commerce (1887) between — .	App. xxxiv
Discipline of the Shah's troops. Arrangement regarding —	56
Discussions regarding subsidy to ——	10
Disputes with Herat and Afghanistan. British mediation to be exercised for the settlement of —	78
Distraint of a bankrupt's property in ——. Arrangement regarding — . .	65
Division of property of insolvent debtors in ——. Arrangement regarding the —	65
Dizak Chief paid tribute to ——	16
Duration of the convention with the Shah regarding right of British cruisers to search Persian vessels engaged in the slave-trade	71
Duties payable by Turkish merchants in ——	App. xvii
Duty on English goods in —	46
Duty on Russian goods imported to or from —— . . .	App. v
Duty to be paid by British merchants in —— . . .	61
Electric lights for all ——	27
Employés of the English exempt from the jurisdiction of ——	36 and 45

Subject.	Page.
Persia—*contd.*	
Engagement of the Shah prohibiting the importation by sea of African slaves into ——	67
Engagement of the Shah regarding Herat	72
England and Russia, Understanding come to between — in regard to maintenance of the integrity and independence of ——	11
English Agent's status in ——	2
English commercial settlement established in ——.	1
English deserters to be surrendered by the officers of the Government of ——	35
English Government granted the privilege of sending telegraph messages by the Khanikin and Bushire line	83-84
English guaranteed the privileges of trade by Jafar Khan.	37
English not to afford protection to the rebellious subjects of the Shah of ——	36
English permitted to export horses from ——	3
English to have a factory in ——.	36
English to maintain two ships of war in the Gulf	3
Enzeli. Construction of a quay, piers, etc., at —	26
Erivan ceded to Russia by ——	10
European force not to be allowed to enter	55
Exchange of Russian prisoners of war	App v
Execution of sentences on Russian subjects. Arrangement regarding —	App. vi
Farman abolishing the duty on export of horses from ——	59
Farman for the establishment of an English factory at Bushire.	34
Farman from the Shah ratifying the Commercial Treaty with ——.	42
Farman from the Shah ratifying Captain Malcolm's Treaty with ——	38
Farman of Fateh Ali Shah ratifying the Definitive Treaty with ——	54
Farman of Fateh Ali Shah in ratification of the Preliminary Treaty with ——	49
Farman relating to the protection of Bankrupt British merchants in ——	62
Farmans (Shah's) for protection of servants and dependents of the British Mission	13 & 66
Fateh Ali Khan's succession to the sovereignty of ——	7
Foreign European alliance with ——. Shah's declaration annulling —	55
France and ——. Conclusion of treaties between — in 1708 and 1715	4
France and ——. Teaty of Friendship and Commerce (1855) between —.	App. xxviii
French acquire the right of searching for objects of antiquarian interest in —	26
French alliance proposed to be relinquished by the Shah on certain conditions	8
French alliance sought by the Shah of ——	8
French Envoy sent to —— in 1625	3
French Merchandise put on the same footing in —— as that of the most favoured nation	13
French mission to the Court of —— in 1796	
French mission to the Court of —— in 1806	
French to be prevented from forming an ysettlement in ——	41
Frontier aggression. Shah's right to undertake military operations to repress —	78
Frontier tribes' depredations. Arrangement regarding —	App. xvii
Geh Chief paid tribute to ——	16
Georgian provinces wrested by Russia	10
Georgians punished for their disaffection to ——	6-7
German Consul's appointment and residence in ——	App. xxxviii
German Government's good offices to be lent to settle disputes between the Shah and his neighbours	App. xxxviii
Germans granted commercial privileges in ——	App. xxxviii

Subject.	Page.
Persia—*contd.*	
Germany and ——. Treaty of Commerce (1873) between —.	App. xxxviii
Ghilzais of Kandahar declared their independence of ——	3
Goldsmid's (Major-General) definition of the frontiers of ——	17
Greece and ——. Treaty of friendship, Commerce and Navigation (1861) between —	App. xxxv
Gulistan Treaty between Russia and ——	App. v
Herat Agent not to be maintained in ——	72
Herat besieged by ——	14
Herat captured by ——	15
Herat criminals not to be afforded an asylum in	73
Herat declared a dependency of ——	14
Herat ruler's overtures to ——	15
Herati Chiefs to be released by ——	73
Herat's independence recognised by ——	77
Hospitals (Russian) established at Gez	13
Hostilities renewed between Russia and —	10
Hostilities with ——	15
Imperial Bank of ——. Road concession granted to the —	26
Indemnity to Russia	App. vi
Indian Government placed in charge of political relations with ——.	11
Indo-European Telegraph Company. Agreement (1891) between —— and the —	App. x
Indo-European Telegraph Company's arrangement with ——	19
Indo-European Telegraph Company's concessions form ——	19
Indo-European Telegraph Company's engagement to pay the Shah's debt to British Government for telegraph materials	App. ix
Indo-European Telegraph Company's subsidy to ——	18 and App. ix
Indo-European Telegraph Company's Tariff	App. ix
Indo-European Telegraph Company's Treaty with ——	App. ix
Indo-European Telegraph materials exempt from duty in ——	App. ix
Insolvent British merchants in ——. Shah's farman for the protection of —	62
Integrity of ——. Shah's wish for British guarantee regarding —	12
Integrity and independence of ——. Understanding come to between England and Russia in regard to maintenance of the —	11
International Engagements. —— a signatory to certain —	32
Invasion of India Shah's engagement to prevent the —	55
Ismail Shah elected King of ——	6
Ispahan besieged by Mahmud of Kandahar	4
Italy and ——. Additional articles relating to exportation of silkworms' eggs and cocoons	App. xxxvii
Italy and ——. Treaty of Friendship, Commerce and Navigation (1862) between —	App. xxxvi
Jafar Khan's farman granting the privileges of trade to the English in ——	6
Jask Telegraph Station. Territorial limits of the —	19 & 96
Jenkinson's (Sir Anthony) visit to the Court of ——	1
Jones' (Sir Harford) deputation as Plenipotentiary to ——	8
Jones' (Sir Harford) instruction on deputation to ——	9
Kajar dynasty, the present sovereigns of ——	6
Karim Khan's grant for the privileges of trade to the English in ——	34
Karim Khan's usurpation of the sovereignty of ——	6
Karim River. Persian Circular announcing the opening of the —	App. xxiv

Subject.	Page.
Persia—*contd.*	
Kasarkand Chief paid tribute to ——	16
Kej. Ministers disclaim intention of asserting claims to —	16
Kohak added to the frontiers of ——	17
Land to be granted for a burying ground to the English in ——	36
Mahmud of Kandahar succeeded to the sovereignty of ——	4
Makran Chiefs paid tribute to ——	16
Malcolm (Sir John). Insult offered to — in ——	
Malcolm's (Sir John) deputation a second time to ——	
Malcolm's (Sir John) deputation as Envoy to ——	7
Malcolm's (Sir John) instructons on deputation to ——.	9
Malcolm's (Sir John) mission withdrawn from ——	9
Maskat Ruler wrested islands in the Persian Gulf —— form	3
Memein, Sainct, sent as French Envoy to —— in 1625	3
Merchants' losses from theft or robbery in ——. Arrangement regarding —	45
Merv. Expedition sent by —— against the Tekke Turkmans of —	15
Merv. Surrender of —— to the Russians	23
Mexico. Commercial treaty between —— and —.	32 and App. xliii
Military aid to ——. Arrangement regarding —	56
Military stores to be supplied to the Shah on the breaking out of hostilities with France	41
Mining concession granted to Russian capitalists	27
Minto's (Lord) recognition of the preliminary Treaty with ——	9
Motor-car monopoly granted to Sane-ed-Dowlah	27
Muhammad Shah's inimical feelings towards the British Government	14
Muhammad Shah's recognition as Ruler of——	11
Muhammad Shah's Russian proclivities	14
Muhammad Yusuf, Ruler of Herat, made a prisoner by ——	15
Nadir Kuli Khan's services to——	5
Nadir Shah's conquests	5
Nakchivan ceded to Russia by ——	10
Nasir-ud-din's succession to the throne of ——	14
Netherlands and ——. Treaty of Friendship and Commerce (1857) between—.	App. xxxi
Origin of the closer British connection with ——	7
Ormaz ceded by the Imam of Maskat to ——	138
Ouseley (Sir Gore) appointed Plenipotentiary to the Court of ——	9
Paris Telegraph Regulations applicable to second wire in ——.	89
Passport Regulations for slaves residing in ——	71
Payment for Telegraph materials by ——. Arrangement for —	84
Petroleum in ——. Grant of a concession to Mr. W. Knox D'Arcy of London.	27
Pilgrims (Persian). Agreement between Turkey and —— respecting sanitary regulations to be observed by —	23
Places of asylum in ——	65
Preliminary Treaty concluded with the Shah of —— in 1809	46
Principal merchants to have the preference in the purchase of English goods in ——	36
Prisoners of war. Arrangement relating to the liberation of —	77
Privileges accorded to the British in ——	78
Privileges of trade granted to Russian subjects in ——	App. v.
Proclamation (Shah's) respecting protection of the lives and property of Persian subjects	App. xxv
Protocol between Turkey and —— regarding the *status quo* of disputed lands	App. xix
Punishment of fraudulent insolvents in —	64

Subject.	Page.
Persia—*contd.*	
Railway from Tehran to Shah Abdul Azim	25
Ratification of the bond of Mirza Abbas for the abrogation of the 3rd and 4th Articles of the Treaty of 1814 with ——	58
Recovery of debts in ——. Arrangement regarding —	45
Refugees from —— to be refused an asylum in British territory	
Registry of deeds in ——. Arrangement relating to —	
Religious liberty granted to the English in ——	34
Requisition for Telegraph materials. Arrangement regarding to —	84
Road concessions transferred by the Imperial Bank of — to the Persian transport Company	26
Roads. Concessions for the construction of — in	26-27
Russia agrees in 1724 to the cession of certain Persian provinces to Turkey	4
Russia and ——. Agreement between — recognising the river Atrak as forming their mutual boundary	App. viii
Russia and ——. Conclusion of a Commercial Treaty between — in 1715	4
Russia and ——. Confirmation (1881) of all previous Treaties and Conventions between —	App. xxi
Russia and ——. Convention (1881) between — defining the Perso.-Russian boundary east of the Caspian	App. xxi
Russia and —. Convention (1881) between — for the maintenance and working of the Chikishliar-Astarabad Telegraph line	App. xii
Russia and ——. Railway Agreement (1890) between —	App. xiv,
Russia and ——. Telegraph Convention (1879) between — for construction of a Telegraph line from Chikishliar to Astarabad	App. x.
Russia. Commercial treaty between —— and —	32 and App. xli
Russia restores to —— in 1729 the Provinces of Astarabad and Mazandaran	
Russia restores to —— in 1735 Baku and Darband with their Provinces and retires behind the river Terek	
Russia restores to —— the Persian Provinces as far as the Araxes, with Larijan and Gilan, in 1732	5
Russian advance on —— arrested by the good offices of the British Government	10
Russian Ambassador to reside at the capital of —	App. v
Russian conquest of territories in ——	10
Russian deserters from the Army. Arrangement regarding —	App. v
Russian distressed vessels to be assisted in ports of ——	App. v
Russian Emperor's recognition of Abbas Mirza as heir to the throne of	10
Russian Envoy sent to in 1618	3
Russian frontiers towards — described	App vi
Russian help sought by —— against Turkman raiders in Astarabad	12
Russian immigrants. Arrangement regarding —	13
Russian influence ascendant at the Court of ——	12
Russian jurisdiction over mission servants in——	App. vi
Russian mercantile agents to reside in territory of ——	App. v
Russian merchantmen to have the privilege of entering ports in——	App v
Russian merchants to be provided with passports for purposes of trade in —	App. v
Russian Minister (Grebaiadoff) in —— murdered by a Persian mob at Tehran	11
Russian refugees not to be tolerated in ——	App. vi
Russian Representative to reside at the Court of the Shah of ——	App. vi
Russian subjects not amenable to Courts of ——	App. vi
Russian subjects' pecuniary claims. Arrangement regarding —	App. vi
Russian subjects' right to acquire house property in ——	App. vi
Russian subjects' right to sell their immoveable property in ——	App. vi

Subject.	Page.
Persia—*contd.*	
Russian territorial acquisitions in ——	App v & vi
Russian Treaty of Peace with ——	10
Russian war with ——. Cause of the —	6
Russians acquire a concession for working naptha and coal in ——	27
Russians acquire a road concession in ——	27
Russia's encouragement of the Shah's hostile designs on Afganistan	14
Russia's recognition of the heir-apparent to the throne of ——	App. v
Russia's right to appoint Consuls or Commercial Agents in ——	App. v App. vi
Russia's sovereignty over certain acquired territory acknowledged by	App. v
Russo-Persian frontier from the Caspian Sea to Baba Dormaz defined	App. v
Safavian dynasty restored to sovereignty in ——	23
Safavian dynasty's fall on death of Shah Abbas of ——	5
Sale proceeds of the English not to be exported in money from ——	3
Sarbaz Chief paid tribute to ——	36
Secret agreement between —— and Russia fixing the boundary between the two States	16 16
Seistan Chiefs granted subsidies by ——	28
Seistan, once a dependency of ——	28
Seistan, Ruler's alliance with ——	28
Seistan, Ruler's overtures to ——	28
Seistan sovereignty disputed by ——	28
Shah Abbas's grant for Christian people to trade in —	1
Shah Husain resigned the sovereignty of ——	4
Shah's convention for the detention and search of Persian vessels engaged in the slave-trade	70
Shah's engagement not to enter into engagements inimical to the British Government	48
Shah's engagement not to permit the passage of European troops towards India through ——	47
Shah's engagement to assist the British Government in hostilities against the Afghans	56-57
Shah's farman for the abrogation of the 3rd and 4th Articles of the treaty of 1814 with ——	58
Shah's proposals to the French against British interests in ——	8
Sherley (Sir Anthony) obtained grant for Christian people to trade in ——	1
Sherley's (Sir Anthony) arrival and reception at the Court of ——	1
Sherley's (Sir Anthony) deputation as Envoy from —— to Europe	1
Shiraz house restored to the English	36
Siemen's (Messrs) engagement to construct and maintain Telegraph lines between Julfa and Tehran	App ix
Siemen's (Messrs) participation in receipts for international messages	App. ix
Siemen's (Messrs.) Telegraph concessions	App. ix
Siemen's (Messrs) Telegraph concessions. Duration of —	App x
Slave-trade. Convention with —— for suppression of the —	97
Slave-trade. Convention renewed with ——	79
Spanish Commercial Treaties with ——	App. xxvi App. xxvii
Spanish Embassy sent to —— in 1618	3
Sponge Exploration Syndicate of London granted a concession to fish for and exploit sponges in Persian waters	28
Subsidy to be paid to the Shah on foreign invasion of ——	56
Subsidy to the Shah to be paid in advance to ——	56
Sweden and Norway and ——. Treaty of Friendship and Commerce (1857) between —	App. xxxiii

Subject.	Page.
Persia—*contd.*	
Switzerland and ——. Treaty of Friendship and Commerce (1873) between —	App. xxxix
Tamasp recognised as sovereign of —	4
Tamasp's assumption of the sovereignty of —	4
Tamasp's negotiations with Russia and Turkey for the expulsion of the Afghans from ——	4-5
Telegraph accounts. Arrangement regarding the audit of —	84
Telegraph accounts of second wire to be audited monthly	88
Telegraph agreement for the second wire in ——. Duration of the —	89
Telegraph agreement for the second wire renewed with ——	89-90
Telegraph. Construction of a line from Kashan to the Baluchistan frontier *viâ* Yezd and Karman	27 and 100
Telegraph convention for a third wire concluded with ——	90
Telegraph convention for extending and securing communication between Europe and India concluded with the Shah of ——	82
Telegraph convention for the construction of a second wire on the Khanikin and Bushire line	85
Telegraph convention relating to the third wire. Duration of the —	94-95
Telegraph damages. ——'s responsibility regarding —	93
Telegraph debt of ——. Arrangement for liquidation of —	94
Telegraph employés' articles exempt from Customs duty in ——	94
Telegraph employés' disputes. Referee for settlement of —	94
Telegraph engagement with —— for the construction of a line between Khanikin and Bushire	83
Telegraph line through ——. Failure of negotiations for construction of a —	17
Telegraph materials. British Government to supply —— with —	86
Telegraph second wire. Arrangement regarding transfer of — to ——	89
Telegraph subsidy to ——	83
Telephone monopoly granted to a Persian noble	27
Territorial annexations towards Herat or Afghanistan. Shah not to be allowed to make —	77
Territorial limits of the dominions of ——. Arrangement for determining the —	56
Territories of —— partitioned between Russia and the Turks	4
Tilsit Treaty between Napoleon and Emperor Alexander. Designs of —— in India frustrated by the —	8
Tramways in ——	25
Transport and Insurance Company concession granted to Lazar Poliakoff	26
Treaties with other European powers annulled by the Shah of ——	47
Treatment of subjects of —— by the English	36
Treaty of alliance concluded with the Shah of ——.	39
Treaty of Commerce concluded with the Shah of ——	44
Treaty of peace between Russia and ——	10
Treaty of peace concluded with ——	76
Tunis and ——. Conclusion of a Postal Order Convention between —	31
Turkey and ——. Agreement between — for the settlement of the frontier abuses	App. xvii
Turkey and ——. Agreement (1878) between — respecting sanitary regulations to be observed by Persian pilgrims	App. xxii
Turkey and ——. Conclusion of a Treaty between — in 1561	1
Turkey and ——. Conclusion of Treaties in 1718 and 1722 between —	4
Turkey and ——. Conclusion of Treaties between — in 1736, 1746 and 1747	5-5
Turkey and ——. Conclusion of a Treaty between — in 1639	3

Subject.	Page.
PERSIA—*concld.*	
Turkey and ——. Convention between — for regulating the position of the subjects of the two powers in their respective States	22
Turkey and——. Convention between — for regulating the position of their subjects	App. xx
Turkey and ——. Convention between — for the interpretation of the 14th Article of the Treaty of Turkmanchi	App. iv
Turkey and ——. Convention between — with reference to transportation of corpses to Mesopotamia	20
Turkey and ——. Convention establishing transmission of parcels by Post between —	24
Turkey and ——. Convention regulating the Overland Postal arrangements between —	24
Turkey and ——. Special Tariff of duties leviable on Persian grown tobacco imported into Turkey	App. xvi
Turkey and ——Tobacco and Salt Convention (1875) between —! . . .	App. xv
Turkey and ——. Treaty (1863) between — for the establishment of a line of Telegraph between the two countries	App. xiii
Turkey and ——. Treaty of Peace (1727) between —	App. i
Turkey and ——. Treaty of Peace (1736) between —	App ii
Turkey and ——. Treaty of Peace (1746) between —	Ap . iii
Turkey and ——. Treaty of Peace (1747) between —	App. v
Turkey. Customs convention between —— and —	32 and App. xliv
Turkey obtains cession of certain Persian Provinces in 1727	4
Turkey's arrangement regarding refugees with ——	21
Turkey's disputes regarding border raids in ——	21
Turkish arrangement regarding frontier tribes	App. xvii
Turkish buildings not to be erected on disputed lands	App. xix
Turkish Commissioners' agreement for the settlement of pecuniary claims against ——	App. xviii
Turkish Consular appointment in ——	App. xviii
Turkish deserters not to be granted an asylum in ——	App. xvii
Turkish frontier tribes' depredations on ——. Arrangement for preventing	App. xviii
Turkish Minister to reside at the Court of ——	App. xviii
Turkish prisoners of war to be liberated by ——	App. xvii
Turkish subjects' status in ——	App. xx
Turkmanchi Treaty between Russia and ——	App. vi
Turkmans. Heratis to assist —— against the —	72
Turks wrested provinces from ——	3
United States and——. Treaty of Friendship and Commerce (1856) between—	App. xxix
Value of Persian coins	88
Venice, Republic of. Persian relations with the —	1
Yar Muhammad Khan professed dependence on ——	14

Subject.	Page.
Persian Baluchistan and Karman—	
Account of ——	30
Commercial missions' visit to South-Eastern Persia	30
Graves, Mr., murdered by Kerwani tribesmen	30
Slaves. Escape of Rind — to Gwadar	30
Subsidy to the Chief for the protection of the telegraph line in the vicinity of Charbar	30
Persian Gulf—	
Abu Dthabi Shaikh's engagement for the preservation of the peace in the ——	172
Account of the auth orities having sway on the coast of the ——	137
Act of Parliament for giving effect to the slave-trade engagements of the Maritime Chiefs in the ——	App. xlvi
Aggressions by sea. Maritimes Arab Chiefs' engagement regarding —	179
Ajman Shaikh's engagement to preserve the peace in the ——	172
Arab tribes' contention for supremacy in the —	144
Bahrein, a bone of contention to the powers that have held supremacy in the ——	144
Bahrein Shaikhs' engagement to preserve peace in the ——	172
Bandar Abbas, Persian port in the ——	138
British cruisers empowered to seize vessels of the Maritime Chiefs engaged in slave-trade	176
British interference in hostilities by sea of the Arab Chiefs in the ——	154
British policy towards Arab Chiefs in the ——	155
Causes which led to an expedition to the ——	152
Dabai Shaikh's engagement to preserve peace in ——	172
Dashti and Dashtistan inland districts of Bushire	137
Egyptian interference in the ——. British remonstrance against —	139-140
Expedition for the suppression of piracy despatched to the ——	188
Extent of limit within which British cruisers have the right to seize vessels belonging to Maritime Arab Chiefs engaged in the slave-trade	177
Flag to be used by vessels of the Maritime Arab Chiefs in the ——	172
General engagement for the preservation of the peace executed by the Arab Chiefs in the ——	172
Instructions to Commanders of vessels engaged in the suppression of slave-trade in the ——	App. xlvi
Interpretation of Treaty regarding slave-trade with Maritime Arab Chiefs of the ——	153
Jaaferah Arabs fined for piracy	190
Jaurat-al-Kamra Shaikh's engagement to preserve peace in the ——	172
Keir's (Sir W. Grant) expedition to the ——	153
Maritime Arab Chiefs' Agent to reside at the British Residency in the ——	173
Martime Arab Chiefs' vessels granted the privileges of trade in British ports	173
Maritime ports captured in the ——	152
Maritime truce. Causes which led the Arab Chiefs to subscribe to the —	153
Narrative of British relations with the Arab tribes of the ——	139
Perpetual maritime truce subscribed to by the Arab Chiefs of the ——	180
Persia's sway on the northern shores of the ——	137
Piracy renewed in the ——	188
Preliminary engagement concluded with the Maritime Arab Chiefs of the ——	166
Ras-al-Khaima Shaikh's engagement for the preservation of peace in the ——	172
Register to be kept by vessels of Maritime Arab Chiefs in the ——	173
Seaports in the ——	137-138
Shargah Shaikh's engagement to preserve peace in the ——	172
Shinas captured by the British naval Expedition sent to the ——	188
Umm-ul-Gawain Shaikh's general engagement to preserve peace in the	172
Visit of a Viceroy of India (Lord Curzon) to the ——	139

Subject.	Page.
Persian Gulf—*concld.*	
Wahabi Chiefs' sway in the ——	140
Wahabi conquests in the ——	188
Ziya Shaikh's general engagement for the preservation of peace in the	172
Persian Vessels—	
Shah's convention for the detention and search of —— engaged in the slave-trade	70
Pilgrims—	
Sanitary regulations to be observed by Persian — Perso-Turkish agreement respecting —	23
Piracy in the Persian Gulf—	
Abu Dthabi Shaikh's engagement to suppress ——	172-173
Ajman Shaikh's engagement to suppress ——	172-173
Bahrein Shaikh's engagement to suppress ——	172-173
Dabai Shaikh's engagement to suppress ——	172-173
Jaurat-al-Kamra Shaikh's engagement to suppress ——	172-173
Maritime Arab Chiefs' engagement to suppress ——	172-173
Ras-al-Khaima Shaikh's engagement to suppress ——	172-173
Shargah Shaikh's engagement to suppress ——	172-173
Umm-ul-Gawain Shaikh's engagement to suppress ——	172-173
Ziya Shaikh's engagement to suppress ——	172-173
Poliakoff, Lazar—	
Concessions for the establishment of a transport and Insurance Company and for the construction of roads, piers and a quay in Persia granted to ——	26
Portuguese—	
Ormaz Island in possession of the ——	2
Persia expels the —— from the Island of Ormaz	2
Postal (Overland) Arrangement—	
Convention regulating the —— between Persia and Turkey	24
Postal Convention(s)—	
Persia and Austro-Hungary. Conclusion of a —— between —	31
Postal Order Convention(s)—	
Persia and Tunis. Conclusion of a —— between —	31
Pottinger, Captain Eldred—	
Herat defended by —— against Persia	14
Railway(s)—	
Concessions granted by the Shah's Government for the construction of —— Persia	25
Perso-Russian —— Agreement of 1890	App. xiv
Ras-ul-Khaima, in the Persian Gulf—	
Account of the Chiefship of ——	152
African slave-trade to be prohibited by the Shaikh of ——	178
Agent on the part of the Shaikh to reside at the Residency in the Persian Gulf	173
British cruisers empowered to seize vessels belonging to —— engaged in slave-trade	177
Capture of —— by a British naval force	152
Engagement for the suppression of slave-trade executed by the Shaikh of ——	158
Extent of limit in which British cruisers have a right to seize vessels engaged in slave-trade belonging to ——	177
Flag to be used by vessels of the Shaikh of ——	172

Subject.	Page.
RAS-UL-KHAIMA, in the Persian Gulf—*concld.*	
Foreign powers. Agreement of the Chief of —— promising not to have agreement with any power other than the British ; not to admit the agent of any other Government; and not to part with any portion of his territory save to the British	155 and 185
General engagement for the preservation of peace in the Gulf executed by the Shaikh of ——	172
Government of —— resumed by the Chief of Shargah	155
Maritime truce agreed to be observed for ten years by the Shaikh of ——	179
Perpetual maritime truce subscribed by the Shaikh of ——	180
Piracy to be suppressed by the Shaikh of ——	172-173
Preliminary engagement concluded with the Shaikh of ——	168
Register to be kept by vessels of the Shaikh of ——	173
Slaves to be surrendered by the Shaikh of ——	159
Slave-trade engagement of the Shaikh of ——	173
Somalis' sale to be considered piracy by the Shaikh of ——	178
Telegraph line and station to be protected by the Shaikh of ——	182
Vessels of the Shaikh of —— granted the privileges of trade in British ports. See *Maritime Arab Chiefs.*	173
REFUGEES—	
Persia's engagement regarding the surrender of ——	57
REUTER, Baron—	
Persia's concessions to ——	25
RIADH—	
Abdulla bin Faisal recognised as Imam of the Wahabis of ——	144
ROADS—	
Persian concession for construction of ——	26-27
ROSTAK—	
Failure of Maskat under Saiyid Faisal to reduce ——	196
RUSSIA—	
Astarabad and Mazandaran restored by —— to Persia in 1729	4
Baku and Darband with their provinces restored by —— to Persia in 1735	5
Boundaries delineated between Persia and ——	App. v
Commercial privileges accorded by the Shah of Persia to ——	App. vi
Concession for working naptha and coal in Persia acquired by the Russians	27
Daghistan acquired by ——	10
Deserters from the Persian Army. Arrangement regarding —	App. v
Duty on Persian merchandise imported to or exported from ——	App. v
England and ——. Understanding come to between — in regard to the maintenance of the integrity and independence of Persia	11
Envoy sent by —— to the Court of Persia in 1618	3
Erivan province acquired by ——	App. vi, 10
Exchange of Persian prisoners of war	App. v
Georgian provinces occupied by ——	10
Gulistan treaty between Persia and ——	App. v
Hostilities renewed between Persia and ——	10
Karabagh acquired by ——	10
Larijan and Gilan and the Persian provinces as far as the Araxes restored by —— to Persia in 1732	5
Mercantile Agents on the part of Persia to reside in the dominions of the Emperor of ——	App. v
Merv. Surrender of — to ——	23
Mingrelia acquired by ——	10
Nakshivan province acquired by ——	App. vi, 10
Persia and ——. Agreement recognising the Atrak as forming the boundary between —	App. viii

SUBJECT.	PAGE.
RUSSIA—*concld.*	
Persia and —. Confirmation in 1881 of all previous Treaties and Conventions .	App. xxi
Persia and ——. Convention (1881) between — defining the boundary between the two countries east of the Caspian	App. xxi
Persia and ——. Convention (1881) respecting the telegraph line from Chikishliar to Astarabad	App. xii
Persia and ——. Railway agreement (1890) between —	App. xiv
Persia and ——. Telegraph Convention (1879) respecting the Chikishliar-Astarabad line	App. xi
Persian Ambassador to reside at the capital of ——	App. v
Persian Consuls or commercial agents' appointment in ——	App. vi
Persian distressed vessels to be assisted in ports of —— .	App. v
Persian frontiers towards —— described . . .	App. vi
Persian immigrants. Arrangement relating to —— .	App. vi
Persian merchantmen privileged to enter harbours in ——	App. v
Persian merchants to be provided with passports for purposes of trade in ——	App. v
Persian Monarch refused British aid in the war with —— . . .	8
Persian refugees not to be permitted to settle in Erivan and Nakshivan .	App. vi
Persian Representative to reside at the Court of ——	App. vi
Persian subjects granted privileges of trade in ——.	App. v
Persian subjects' precuniary claims. Arrangement for the settlement of —	App. vi
Persian subjects' right to dispose of their immoveable property in —— .	App. vi
Persian territory conquered by ——	10
Persia's engagement regarding war indemnity to ——	App. vi
Persia's heir-apparent recognised by ——	App. vi
Persia's indemnity to ——	App. vi
Persia's treaty of peace with ——	10
Perso-Russian frontier from the Caspian Sea to Babá Dormaz defined .	23
Road concession in Persia acquired by the Russians	27
Shirwan acquired by ——	10
Talish acquired by ——	10
Treaty (Commercial) between Persia and —. Conclusion of a — in 1715	4
Treaty of peace between Persia and ——	10
Turkmanchi treaty between Persia and ——	App. vi
Turkmans defeat the Russians at Khoja Kala and Geok Tapih . .	23
See *Persia.*	
S	
SALT—	
Persia and Turkey. Tobacco and —— Convention between — . .	App. xv
SANI-ED-DOWLAH—	
Motor car monopoly in Persia granted to ——	27
SARBAZ, in Persia—	
Tribute paid to Persia by Chief of ——	16
SEISTAN—	
Afghan and Persian raids on the borders of —— . . .	29
Afghanistan's claim to sovereignty over —— . . .	28
British arbitration regarding boundaries of —— . . .	29-30
British policy in regard to Persia asserting her claim over ——	28-29
Causes which led to the diminution of Afghan influence over ——	29
Goldsmid's (General) arbitral award regarding —— . .	29-30
Herat Ruler's suzerainty over ——	28
Persian subsidies to the Chief of ——	28
Persia's acquisitions in ——	29
Persia's dispute regarding sovereignty over —— . . .	28
Shah's acceptance of General Goldsmid's arbitral award on ——	30

Subject.	Page.
Servants—	
British Mission —— in Persia. Shah's farmans granting protection to — .	13
Shahi—	
Value of a ——	88
Shahleh—	
Dispute between Persia and Turkey regarding the Island of —— . . .	22
Shargah, in the Persian Gulf—	
Account of the Arab tribe of ——	152
Agent on the part of the Shaikh of —— to reside at the British Residency in the Persian Gulf	173
Arms and Ammunition. Prohibition of traffic in — . .	155 and 185-186
British flag and property to be respected by the Shaikh of ——	165
British property to be restored by the Shaikh of —— . .	166
British vessels to be assisted and protected by the Shaikh of ——	166
Duties of the Native Agent stationed at —— . . .	155
Flag to be used by the vessels of the Shaikh of —— . .	172
Foreign powers. Agreement of the Chief of —— promising not to have agreement with any power other than the British; not to admit the agent of any other Government; and not to part with any portion of his territory save to the British	155 and 185
General engagement for the preservation of peace in the Gulf executed by the Shaikh of ——	172
Maritime truce to be observed for ten years by the Shaikh of	179
Narrative of British relations with the Shaikh of ——	152
Native Agent stationed at ——	155
Piracy to be suppressed by the Shaikh of —— .	172-173
Preliminary engagement concluded with the Shaikh of	166
Register to be kept by vessels of the Shaikh of ——	173
Slave-trade engagement of the Shaikh of —— .	173
Slave-trade engagement renewed by the Shaikh of ——	184
Telegraph line and station to be protected by the Shaikh of	182
Vessels of the Shaikh of —— granted the privileges of trade in British ports	173

See *Al-Kawasim, Maritime Arab Chiefs, and Persian Gulf.*

Sherket Umimi—	
Persian road concession granted to ——	27
Sherley, Sir Anthony—	
Arrival and reception of —— at the Court of Persia . . .	
Persia's deputation of —— as Envoy to Europe	
Shah Abbas's grant to Christian people to trade in Persia obtained by .	
Shinas, in the Persian Gulf—	
Capture of —— by a British naval force	152 and 188
Shirwan, in Persia—	
Russian conquest of ——	10
Siemens & Co., Messrs.—	
Anglo-Persian Telegraph lines to be made over to —— . . .	App. ix
Duration of Telegraph concessions granted by Persia to —— . .	App. ix
Indo-European messages to be sent by the line to be constructed by ——	App ix
Persia's Telegraph agreement with——	App. ix
Persia's Telegraph concessions to ——	App. ix

Subject.	Page
Sind—	
Nadir Shah's reduction of ——	5
Slave(s)—	
British authorities empowered by the Shah of Persia to take charge of ——	71
British vessels empowered to search Persian vessels for ——	24
Passport Regulation for —— residing in Persia	71
Slave-trade—	
Abu Dthabi Shaikh's engagement for the suppression of ——	158
Abu Dthabi Shaikh's renewed engagement for the suppression of ——	184
Abu Dthabi vessels engaged in ——. British cruisers empowered to seize —	176-177
Act of Parliament for giving effect to the engagements of the maritime Arab Chiefs for the suppression of ——	App. xlvi
Act of Parliament for giving effect to the treaty with the Chief of Sohar for the suppression of ——	App. liii
Ajman Shaikh's engagement for the suppression of ——	158
Ajman vessels engaged in ——. British cruisers empowered to seize —	176-177
Bahrein Shaikh's engagement for the suppression of ——	158
British subjects to be apprehended by the Sultan of Maskat for engaging in ——	213
Convention between England and Persia	24
Dabai Shaikh's engagement for the supperssion of ——	158
Dabai vessels engaged in ——. British cruisers empowered to seize —	176-177
Instructions to Commanders of vessels engaged in the suppression of ——	App. xlvi
Interpretation of treaty with maritime Arab Chiefs relating to ——	153
Indian Navy vessels empowered to seize vessels belonging to Maskat engaged in ——	218 and 222
Limit extended for the seizure of Maskat vessels engaged in ——	222
Limit within which British cruisers have a right to seize Maskat vessels engaged in ——	212
Limit within which British cruisers have a right to seize vessels of maritime Arab Chiefs engaged in ——	177
Maritime Arab Chiefs' engagement for the suppression of ——	158 and
Maskat Sultan's agreement to certain additional articles for the suppression of the ——	172 220
Maskat Sultan's engagement to suppress the ——	209
Maskat Sultan's engagement to suppress the —— in his African dominions	221
Maskat Sultan's renewal of his engagements regarding the ——	218
Maskat Sultan's treaty for the abolition of the ——	230
Maskat vessels engaged in the —— to be confiscated	210
Persia's Convention for suppression of the ——	97
Persia's Convention regarding right of British cruisers to search Persian vessels engaged in the ——. Duration of the —	71
Persia's engagement for the suppression of African ——.	67
Persia's renewal of the Convention regarding ——	79
Ras-ul-Khaima Shaikh's engagement for the suppression of ——	158
Ras-ul-Khaima vessels engaged in ——. British cruisers empowered to seize —	177
Shargah Shaikh's renewal of his engagement for the suppression of ——	184
Sohar Chief's engagement to suppress ——	244
Umm-ul-Gawain Shaikh's engagement for the suppression of ——	158
Sohar—	
Account of ——.	205
Act of Parliament for giving effect to the slave-trade engagement of the Chief of ——	App. liii
British cruisers empowered to seize vessels belonging to —— engaged in the slave-trade	244
Districts assigned to Saiyid Kais	206
Engagement for the suppression of the slave-trade executed by the Chief of ——	244

Subject.	Page.
Sohar—*concld.*	
Engagement mediated between Maskat and ——	242
Hamud bin Azan made a captive by Saiyid Thawaini of Maskat	206
Hamud bin Azan regains his ancestral patrimony in ——	205
Hamud bin Azan's death in captivity	206
Independence acquired by the Chief of ——	205
Kais (Saiyid) defeated by Saiyid Said of Maskat	206
Kais (Saiyid) granted a stipend	206
Kais (Saiyid) killed in an attempt on Maskat	205
Kais's (Saiyid) acquisitions	206
Maskat not to commit aggressions on ——	243
Maskat subjects permitted to trade with ——	243
Saif's (Saiyid) usurpation of the government of ——	206
Slave-trade to be suppressed by the Chief of ——	244
Surrender of —— to Saiyid Turki of Maskat	195
Terms offered to Saiyid Turki	206
Thawaini (Saiyid) murdered at ——	191
Thawaini's (Saiyid) ineffectual attempt on ——	206
Turki (Saiyid). —— besieged by—	195
Turki (Saiyid) seized and imprisoned by Saiyid Thawaini	206
Turki's (Saiyid) succession to the government of ——	206
Turki's (Saiyid) unsuccessful land attack on ——	192
Wahabi aggressions on ——	141
Somalis—	
Maritime Arab Chief's engagement to consider the sale of —— an act of piracy	178
Spain—	
Embassy sent from —— to Persia in 1618	3
Persia's commercial treaties with ——	App. xxvi, App. xxvii
Sur, in Oman—	
British subjects plundered by the Wahabi Lieutenant at ——	142
Capture of the town of —— by the Wahabi Lieutenant	142
See also under *Oman*.	
Sweden and Norway—	
Persia and ——. Treaty of Friendship and Commerce (1857) between ——	App. xxxiii
Switzerland—	
Persia and ——. Treaty of Friendship and Commerce (1873) between ——	App. xxxix
T	
Tabriz—	
British Commercial Agent to reside at ——	61
Consul-General's privileges accorded to British Commercial Agent at ——	61
Talish—	
Russian conquest of ——	10
Tehran—	
British Legation at ——. Shah's farmans granting protection to mission servants	13
British Legation at —— under control of the India Office at different times	15
Telegraph—	
See under *Persia, Oman*, and *Trucial Arab Chiefs of Oman*.	

Subject	Page.
Territorial Acquisitions—	
Russian —— in Persia.	10
Tobacco—	
Concession granted to an English Company for the working and management of all the —— grown in Persia, and withdrawal of the —— monopoly	26
Persia and Turkey. Commercial treaty between —— having reference to the import of ——, with a special tariff	21
Persia and Turkey. Special tariff of duties leviable on Persian-grown —— imported into Turkey	App. xvi
Persia and Turkey. —— and Salt Convention between —	App. xv
Tramway—	
Concession granted to a Belgian Company for a —— in Tehran	25
Trucial Arab Chiefs of Oman—	
Account of the ——	152
Act of Parliament for giving effect to the slave-trade engagement of the ——	App. xlvi
African slave-trade prohibited by the ——	153
Agent on the part of the —— to reside at the British Residency, Persian Gulf	173
Arms and ammunition. Prohibition of traffic in —	155 and 185-186,
British Policy towards the ——	155
Engagement for the suppression of slave-trade executed by the ——	158
Extension of limit in which British cruisers have a right to seize vessels engaged in the slave-trade belonging to ——	177
Flag to be used by vessels of the ——	172
Foreign powers. Agreement of the —— promising not to have agreement with any power other than the British; not to admit the agent of any other Government; and not to part with any portion of their territories save to the British	155 and 185
General engagement executed for the preservation of peace in the Gulf by the ——	172
Interpretation of Articles relating to slave-trade treaty with ——	153
Narrative of British relations with the ——	152
Perpetual truce subscribed by the ——	180
Piracy to be suppressed by the ——	172-173
Preliminary engagement concluded with the ——	166
Register to be kept by vessels of the ——	173
Slave-trade engagement of the ——	173
Telegraphic operations. Engagements of the for preventing interference in —	182
Truce for ten years agreed to by the ——	179
Vessels of the —— granted the privileges of trade in British ports	173
See *Abu-Dhabi, Ajman, Ras-ul-Khaima, Shargah Umm-ul-Gawain and Ziya.*	
Tunis—	
Persia and ——. Conclusion of a Postal Order Convention between ——	App. xxviii
Turkey—	
Agreement between Persia and —— for the settlement of frontier disputes	App. xvii
Cession of certain Persian provinces obtained by —— in 1727	4
Disposal of the effects of deceased Persians in ——. Arrangement regarding —	App. xvii
Duties payable by Persian merchants in ——	App. xvii
Frontier tribes' depredations. Arrangement regarding —	App. xvii
Persia and ——. Agreement between — respecting sanitary regulations to be observed by Persian pilgrims	App. xxii

Subject.	Page.
Turkey—*concld.*	
Persia and ——. Convention between — with reference to transportation of corpses to Mesopotamia	20
Persia and ——. Convention between — for regulating the position of the subjects of the two Powers in thier respective States	22
Persia and ——. Convention between — for interpretation of the 14th Article of the treaty of Turkmanchai	App. iv
Persia and ——. Tobacco and Salt Convention between —	App. xvi
Persia and ——. Treaty (1727) between —	App. i
Persia and ——. Treaty (1863) between — for establishment of a line of Telegraph between the two countries	App. xiii
Persia and ——. Treaty of Peace (1736) between —	App. ii
Persia and ——. Treaty of Peace (1746) between —	App. iii
Persia and ——. Treaty of Peace (1747) between —	App. iv
Persian buildings not to be erected on disputed lands on frontiers of ——	App. xix
Persian Commissioners' agreement for the settlement of pecuniary claims against ——	App. xviii
Persian Consular appointments in ——	App. xviii
Persian deserters not to be granted an asylum in ——	App. xvii
Persian frontier tribes. Arrangement for preventing depredations of ——	App. xviii
Persian Minister to reside at the capital of ——	App. xvii
Persian pilgrims' immunities when visiting shrines in ——	App. xvii
Persian prisoners of war to be liberated by ——	App. xvii
Persian refugee Princes to reside at Broussa	App. xviii
Persia's arrangement regarding frontier tribes	App. xvii
Persia's arrangement with —— regarding refugees	21
Persia's disputes with —— regarding border raids	21
Persia and ——. Special tariff of duties leviable in Persian-grown tobacco imported in Turkey	App. xvi
Protocol between Persia and —— regarding the *status quo* of disputed lands	App. xix
Status of Persians in ——	App. xx
Treaties between Persia and ——. Conclusion of — in 1718 and 1722	4
Treaties between Persia and ——. Conclusion of — in 1736, 1746 and 1747	5
Treaty between Persia and ——. Conclusion of a — in 1561	1
Treaty of Peace between Persia and ——. Conclusion of a — in 1639	
Turkmanchai—	
Conventions explaining the 14th Article of the treaty of ——	13
Persia's indemnity to Russia under the treaty of ——	App. vi
Separate compact relating to commerce referred to in the treaty of ——	App vi
Treaty of —— concluded between Persia and Russia	App. vi
Turkmans—	
Hearatis' assistant to Persia for the punishment of the —	73
Russian help sought by Persia against the ——	12-13
Tekke ——. Persian expedition against the —	15

Subject.	Page.

U

Umm-ul-Gawain—
- Account of the Chiefship of —— 152
- African slave-trade to be prohibited by the Shaikh of —— 178
- Agent on the part of the Shaikh of —— to reside at Bushire, the British Residency in the Persian Gulf 173
- Arms and ammunition Prohibition of traffic in — . . . . . 155 and 185-186
- Engagement for the suppression of slave-trade executed by the Shaikh of —— . 158
- Extent of limit in which British cruisers have a right to seize vessels engaged in the slave-trade belonging to —— 177
- Flag to be used by vessels of the Shaikh of —— 172
- Foreign powers. Agreement of the Chief of —— promising not to have agreement with any power other than the British; not to admit the agent of any other Government; and not to part with any portion of his territory save to the British . . . . . 155 and 185
- General engagement for the preservation of peace in the Gulf executed by the Shaikh of —— 172
- Maritime truce engaged to be observed by the Shaikh of —— 179
- Perpetual maritime truce subscribed by the Shaikh of —— 180
- Piracy to be suppressed by the Shaikh of —— . . 172-173
- Register to be kept by vessels by the Shaikh of —— . 173
- Slaves to be surrendered by the Shaikh of —— . . 159
- Slave-trade engagement of the Shaikh of —— . . 173
- Somalis' sale to be considered piracy by the Shaikh of —— 178
- Telegraph line and station to be protected by the Shaikh of 182
- Vessels of the Shaikh of —— granted the privileges of trade in British ports 173

See *Maritime Arab Chiefs.*

United States of America—
- Persia and the ——. Treaty of Friendship and Commerce (1856) between — . App. xxix

V

Vazneh—
- Persian occupation of lands at ——. Turkish complaint regarding — . . 24

Venice, Republic of —
- Persian relations with the —— 1

Vessels—
- Muskat Sultan's engagement to exempt distressed —— from customs duties . 223 and 232

W

Wahabi (s) of the Persian Gulf —
- Abulla, Chief of the ——, beheaded at Constantinople 140
- Abdulla bin Faisal. Recognition of — as Imam of the —— of Riadh . . 144
- Abdur Rahman released by the Turks 143
- Abdur Rahman's contest continued against the —— . . . 143
- Abdur Rahman's detention as a hostage by the Turks at Baghdad . . . 143
- Account of the —— 139
- Aggressions on Arab tribes not to be committed by the —— Amir . . 156
- Al Kawasim instigated to piracy by the —— 139
- Bahrein. Faisal's attempt on — 141
- British interference against —— aggressions on Maskat 141
- British officials in Persian Gulf enjoined neutrality towards the —— . 140
- British policy towards the —— 139
- British subjects not to be oppressed by the Amir of the —— . . . 156
- Declaration of the Amir regarding British subjects and aggression on Arab Chiefs 156

SUBJECT.	PAGE.
WAHABI(S)—*concld.*	
Doctrines of the ——	139
Egyptians' capture and destruction of the capital of the ——	140
Faisal's succession to the Chiefship of the ——	140
Maskat refused British aid against the ——	139
Maskat territories ravaged by the ——	139
Maskat's tribute to the Chief of the ——	141
Muhammad bin Abdula's explusion demanded of the Amir of the ——	142
Narrative of British relations with the ——	139
Power temporarily broken up of the ——	139
Piracy encouraged by the ——	188
Said's overtures to the British Government	140
Saud bin Faisal's negotiations with the Turks	143
Treaty proposed by the Amir of the ——	140
Tribute exacted from the Sohar Chief by the ——	141
Turki murdered by his nephew Mushari	140
See *Oman and Nejd*	
WAHABIS and the Affairs of Nejd—	
See under *Wahabis.*	
WALINSKY, Lt.-Col.—	
Deputation of —— by Russia to the Court of Persia in 1715	4
X	
Nil.	
YAR MUHAMMAD KHAN, of Herat—	
Persia's supremacy acknowledged by ——	14
ZANZIBAR—	
England and France engage to respect the independence of ——	226
Majid Saiyid appointed ruler of ——	191
Slave-trade to be suppressed by Maskat officials at ——	210
See also under *Zanzibar* in Vol. XIII.	
ZIYA—	
Agent on the part of the Shaikh of —— to reside at the British Residency in the Persian Gulf	173
Flag to be used by vessels of the Chief of ——	172
General engagement for the preservation of peace in the Gulf executed by the Shaikh of ——	172
Piracy to be suppressed by the Shaikh of ——	173
Preliminary engagement executed by the Shaikh of —	171
Register to be kept by vessels of the Shaikh of ——	173
Slave-trade engagement of the Shaikh of ——	173
Vessels of the Shaikh of —— granted the privileges of trade in British ports	173
See *Maritime Arab Chiefs.*	
ZOBARA—	
Turkishtan attention of rebuilding the town of —— on the main land opposite Bahrein	149-150
ZOHAB—	
Rival claims of Persia and Turkey to ——	22
WERNER (Dr. Peter)—	
See under *Bahrein.*	