



SUPPLEMENT
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Despatch from the Secretary of State.

Colonial Secretary's Office,
Wellington, 28th January, 1876.

THE following Despatch, with its enclosure, from Her Majesty's Principal Secretary of State for the Colonies, is published for general information.

CHARLES C. BOWEN,
(in the absence of the Colonial Secretary).

CIRCULAR.

Downing Street, 2nd November, 1875.

SIR,—I have the honour to transmit to you, for publication in the colony under your Government, a copy of a General Convention between the Governments of Great Britain and Tunis, signed on the 9th of July last.

I have, &c.,
CARNARVON.

The Officer Administering the Government
of New Zealand.

GENERAL CONVENTION BETWEEN THE GOVERNMENTS OF GREAT BRITAIN AND OF TUNIS.

*Signed in the English and Arabic Languages,
July 19, 1875.*

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Most Serene Highness Mohammed Essaddock Bey, Lord of the Regency of Tunis, being desirous to maintain and improve the relations of friendship and commerce which have long subsisted between them and between British and Tunisian subjects, have resolved to proceed to a revision and improvement of the Treaties subsisting between the respective countries, in consequence of which the following stipulations have been entered into and concluded between His Most Serene Highness the Bey, and Richard Wood, Esquire, Companion of the Most Honorable Order of the Bath, Her Majesty's Agent and Consul-General, duly authorized to that effect.

ARTICLE I.

Her Majesty the Queen of the United Kingdom of

Great Britain and Ireland may appoint, besides her Political Agent, such Consuls, Vice-Consuls, and Consular Agents in the Regency of Tunis as she may deem necessary; and such Consuls, Vice-Consuls, and Consular Agents shall be at liberty to reside in any of the seaports or cities of His Highness the Bey, which they or the British Government may choose and find most convenient for the affairs and service of Her Majesty, and for the assistance of her subjects.

ARTICLE II.

Every mark of honor and respect shall at all times be paid, and every privilege and immunity allowed, to Her Majesty's Agent and Consul-General accredited to His Highness the Bey, which is paid or allowed to the Representative of any other nation whatsoever; and respect and honor shall be shown to the British Consuls, Vice-Consuls, and Consular Agents who shall reside in the Regency of Tunis. Their houses and families shall be safe and protected. No one shall interfere with them, or commit any act of oppression or disrespect towards them, either by word or deed; and if any one should do so, the Tunisian authorities shall take immediate measures for the punishment of the offender. The British Consuls, Vice-Consuls, and Consular Agents shall, moreover, continue to enjoy, in the most ample sense, all the privileges and immunities which are now or may be hereafter accorded to the Consuls, Vice-Consuls, and Consular Agents of the most favoured nation.

ARTICLE III.

The British Agent and Consul-General shall be at liberty to choose his own interpreters, brokers, guards, and servants, either from among the natives or others. His interpreters, brokers, guards, and servants shall be exempt from the conscription, and from payment of any poll-tax, forced contribution, or other similar or corresponding charge. In like manner, the Consuls, Vice-Consuls, and Consular Agents residing at the Tunisian ports, under the orders of the said Agent and Consul-General, shall be at liberty to choose, that is to say, the Consuls, each one interpreter, one broker, two guards, and three servants; the Vice-Consuls and Consular

Agents, each one interpreter, one broker, and one guard, and two servants, not being in the military service, who shall likewise be exempt from the conscription, from the payment of any poll-tax, forced contribution, or other similar or corresponding charge. No prohibition nor tax shall be put upon the provisions, furniture, or any other articles which may come to the said Agent and Consul-General, Consuls, or Vice-Consuls, for their own use and for the use of their families, upon their delivering to the Officer of the Customs a note under their hand, specifying the number of articles which they shall require to be passed on that ground, but this privilege shall only be accorded to Consular Officers who are not engaged in trade. If the service of their Sovereign should require their attendance in their own country, no impediment shall be offered to their departure, and no hindrance shall be offered either to themselves or their servants, or in regard to their property, but they shall be at liberty to go and come, respected and honored. If they should depute another person to act for them in their absence, they shall not be prevented in any way from so doing, nor shall the deputy be prevented from acting in that capacity.

ARTICLE IV.

There shall be reciprocal freedom of commerce between the dominions of Her Majesty the Queen and the Regency of Tunis. British merchants or their agents and brokers shall be permitted to purchase at all places within the Regency, whether for the purposes of internal trade or of exportation, all articles, without any exception whatsoever, being the produce or manufacture of the said Regency; and the purchaser shall be free to remove his goods, when purchased, from one place to another, without any attempt being made on the part of the local Governors to interfere with them.

ARTICLE V.

In accordance with the friendship which has at all times existed between the two Governments, His Highness the Bey engages to protect British subjects who may come to his country either for the purposes of trade or for travelling. They shall be free to travel or to reside in any part of the Regency without hindrance or molestation; and they shall be treated with respect, love, and honor. They shall be exempt from forced military service, whether by land or by sea; from forced loans, and from every extraordinary contribution. Their dwellings and warehouses destined for the purposes of residence and commerce, as well as their property, both real and personal, of every kind, shall be respected, and, in particular, all the stipulations of the Convention concluded between Her Majesty's Government and His Highness the Bey on the 10th of October, 1863, relative to the permission granted to British subjects to hold real property in the Regency of Tunis, are hereby confirmed. And British subjects, vessels, commerce, and navigation shall enjoy, without any restriction or diminution, all the privileges, favours, and immunities which are now or may hereafter be granted to the subjects, vessels, commerce, and navigation of any other nation whatever.

Her Britannic Majesty, on her part, engages to insure to Tunisian subjects, vessels, commerce, and navigation within her dominions, the enjoyment of the same protection and privileges which are or may be enjoyed by the subjects, vessels, commerce, and navigation of the most favoured nation.

ARTICLE VI.

The perfect security which His Highness the Bey accords to the British merchants and subjects who may reside in the Regency extends likewise to the free exercise of the rites of their religion. They shall

be free to erect churches, upon the application of the British Agent and Consul-General to His Highness the Bey, who will grant the necessary permission. The British Cemetery of Saint George, and other burial places, now or hereafter to be established, shall be protected and respected as heretofore.

ARTICLE VII.

His Highness the Bey engages that he will not prohibit the importation into the Regency of any article the produce and manufacture of the dominions and possessions of Her Britannic Majesty, from whatever place arriving, and that the duties to be levied upon such articles of produce or manufacture so imported shall in no case exceed one fixed rate of 8 per cent. *ad valorem*, to be calculated upon the value of such merchandise at the place of landing, or a specific duty, fixed by common consent, equivalent thereto.

Such articles, after paying 8 per cent. import duty, shall not be subject to any other internal charge or impost whatsoever, whether the buyer be a Tunisian or a foreigner. And if such articles should not be sold for consumption in the Regency, but should be re-exported within the space of one year, the Administration of the Customs shall be bound, provided the bales or packages have not been opened, to restore at the time of their re-exportation the duty levied to the merchant, who shall be required first to furnish proofs that the goods so exported have paid the said import duty.

After the expiration of one year the merchant shall be free to re-export his foreign goods without claiming the drawback, and the Custom House shall not levy upon them any duty whatsoever on re-exportation.

Should a British merchant or his agent desire to convey, by sea or by land, from one port or place to another port or place in the Regency of Tunis, goods upon which the *ad valorem* duty above mentioned has been already paid, such goods shall be subject to no further duty, either on their embarkation or disembarkation, provided they be accompanied by a certificate from the Tunisian Administrator of Customs that the duty has been paid.

And it is moreover agreed that no other or higher duties shall be imposed on the importation of any article the produce or manufacture of one of the Contracting Parties into the country of the other, which shall not equally extend to the like articles being the produce or manufacture of any other country.

ARTICLE VIII.

Vessels navigating under the British flag and vessels navigating under the Tunisian flag shall be free to carry on the coasting trade in the States and Dominions of the Contracting Parties. They shall enjoy the same rights and immunities as are enjoyed by national vessels, and they shall be free either to land a portion of their cargoes, or to embark goods, foreign or native, to complete their cargoes, in each other's ports, without being obliged in each case to procure any special license from the local authorities, or to pay any charges and dues that are not paid by national vessels.

The stipulations of this Article shall however, as regards the colonial coasting trade, be deemed to extend only to the coasting trade of such of the colonial possessions of Her Britannic Majesty as, under the provisions of the Act relating thereto, may have opened their coasting trade to foreign vessels.

ARTICLE IX.

His Highness the Bey formally engages to abolish all monopolies of agricultural produce or of any other article whatsoever, save and except tobacco and salt, and save and except the fisheries, and the tannery of hides of oxen, camels, and horses.

British subjects, however, or their agents, buying or selling salt and tobacco in virtue of licenses or permits for consumption in the Regency of Tunis, shall be subject to the same regulations as the most favoured Tunisian subjects trading in the two articles aforesaid; and, furthermore, they shall be free to compete for, obtain, and exercise the right of fishery, subject to the local laws and regulations.

ARTICLE X.

If British merchants or their agents in the Regency of Tunis should purchase any article of Tunisian produce or manufacture for internal consumption, the said merchants or their agents shall not pay, on the purchase and sale of such articles, any higher duties or charges than are paid, under similar circumstances, by the most favoured class of Tunisians or foreigners engaged in the internal trade of the Regency of Tunis. In like manner Tunisian merchants or their agents in the British dominions shall not pay on the purchase and sale of British produce or manufactures, for internal consumption in the said dominions, higher duties or charges than are paid by British subjects or the most favoured foreigners engaged in the internal trade of the said dominions upon similar articles of produce or manufacture.

ARTICLE XI.

If a British merchant or his agent shall purchase for exportation any article of Tunisian produce or manufacture, either at the place where such article is produced or in its transit from that place to another, upon which article of produce or manufacture the internal taxes known by the names of "Ushr," "Kanoon," and "Mahsoulat," and others, have been already levied, such article of produce or manufacture shall be subject at the port of shipment to the payment of the export duty only, and the notarial fees and charges for measurement established by law.

ARTICLE XII.

In case of any dispute arising between the Custom House and a merchant regarding the value to be put upon any merchandise or goods imported by him into the Regency of Tunis, the merchant shall be free to pay the duty in kind, in the most equitable manner.

Should, however, the merchant be unable or unwilling to make use of the above faculty, the Custom House shall have the right to purchase such merchandise or goods at the price at which the merchant has valued them, with an augmentation of 5 per cent.

But should the foregoing two modes fail to solve the difficulty, His Highness the Bey and Her Majesty's Agent and Consul-General shall each name an arbitrator, being a merchant, and, in case of a divergence of opinion, the two arbitrators shall name an umpire, also a merchant, whose decision shall be final.

ARTICLE XIII.

With a view to the encouragement of agriculture, His Highness the Bey furthermore engages to permit the importation, free of import duty and of every other internal charge, of agricultural implements and machinery, as well as of cattle and animals for the improvement of the native breeds, whenever such agricultural implements, machinery, cattle, and animals are proved to be for private use and not for purposes of trade, in which latter case they shall be subject to the payment of an import duty not exceeding 8 per cent.

ARTICLE XIV.

In case the importation of foreign wheat, barley, and Indian corn should be rendered necessary in consequence of the failure of the crops, in consequence of famine or other causes, which God forbid, such foreign wheat, barley, and Indian corn shall be as heretofore exempt from the payment of any import

duty, and shall be subject only to the payment of 20 karoobs ($7\frac{1}{2}$ d.) per kaffis.

With the exception of the above three articles, all other foreign provisions, such as rice, lentils, beans, and other pulse known by the appellation of "Hasharesh" (dried vegetables) shall pay an import duty not exceeding 8 per cent., but the importer or his agent shall be free to sell such provisions in retail or in any other manner without the payment of any other charge whatsoever.

ARTICLE XV.

It is understood between the Contracting Parties that the Tunisian Government reserves to itself the faculty and right of issuing a general prohibition against the importation into the Regency of gunpowder, unless Her Majesty's Agent and Consul-General shall think fit to apply for a special license, which license shall, in that case, be granted, provided no valid objection thereto can be alleged.

Gunpowder, when allowed to be imported, shall be subject to a duty not exceeding 8 per cent., and shall be liable to the following regulations:—

1. It shall not be sold by subjects of Her Britannic Majesty in quantities exceeding the quantities prescribed by the local regulations.

2. When a cargo, or a large quantity of gunpowder arrives in a Tunisian port on board a British vessel, such vessel shall be anchored at a particular spot, to be designated by the local authorities, and the gunpowder shall then be conveyed, under the inspection of such authorities, to depots or fitting places, designated by the Government, to which the parties interested shall have access under due regulations.

Gunpowder imported in contravention of the prohibition, or in the absence of the license aforementioned, shall be liable to confiscation, save and except small quantities of gunpowder for sporting reserved for private use, which shall not be subject to the regulations of the present article.

Cannon, arms of war, or military stores, as well as anchors, masts, and chain cables, shall be imported free of duty, provided they are landed at the opened and recognized ports; provided, also, that previous to the landing of cannon the permission of the Government is obtained.

ARTICLE XVI.

The people of the Contracting Parties shall have the right to establish in each other's country, commercial, industrial, and banking companies, co-operative or mutual or shareholding associations, or any other association, whether between and amongst themselves, or between them and Tunisian subjects or subjects of any other Power: provided the object of such companies and associations be lawful, and subject always to the laws of the country in which they shall be established.

It is, however, understood, that no joint stock companies limited, whose capital is made up of nominal shares to bearer, and no anonymous association, shall be established in their respective territories without the authorization of the local Government.

ARTICLE XVII.

British subjects and Tunisian subjects shall be free to exercise in each other's country any art, profession, or industry; to establish manufactories, and factories, and to introduce steam machinery or machinery moved by any other power, without being subjected to any other formality or to the payment of higher or other taxes and imposts than those prescribed by the laws or municipal regulations, or which are paid by natives.

It is understood that the manufactories and their appurtenances, being immovable property, shall be subject to the provisions of the Convention of the 10th October, 1863, relative to the permission granted

to British subjects to hold real property in the Regency of Tunis.

ARTICLE XVIII.

No harbour, pilotage, light-house, or quarantine dues, or other local dues, shall be levied upon British vessels, which are not imposed upon Tunisian vessels or upon the vessels of the most favoured nation.

If a British vessel shall enter a Tunisian port from stress of weather and depart, it shall not be subject to the payment of the aforesaid dues, but shall pay only the fee to the pilot, should a pilot be required. Should such vessel, however, visit a Tunisian port for the purpose of procuring water and of purchasing provisions, it shall pay only a portion, not exceeding half, of the harbour, pilotage, light-house, and quarantine or other local dues payable at the said port.

In like manner Tunisian vessels which shall visit any of the ports of Her Majesty's dominions shall pay only the harbour, quarantine, and other dues which are levied upon British vessels.

ARTICLE XIX.

The captains of merchant vessels having goods on board destined for the Regency of Tunis shall, on their arrival at the port where such goods are to be landed, deposit in the Custom House of such port a true copy of their manifest.

ARTICLE XX.

If a British subject be detected in smuggling into the Regency any description of goods, or should be detected in embarking any goods, the produce of Tunis, for which he can exhibit no Custom House permit, such goods shall be confiscated by the Tunisian Treasury, but a report or *procès-verbal* of the alleged contraband must, as soon as the said goods are seized by the authorities, be drawn up and communicated to the British Consular authorities; and no goods can be confiscated as contraband unless the fraud with regard to them shall be duly and legally proved.

It is stipulated that vessels navigating under the British flag shall submit to the regulations of the port; that such vessels, spononaras, boats, and the like craft shall not serve as *dépôts* for merchandize; and that whenever their detention in the Tunisian ports shall exceed eight calendar months, they shall, when required to do so, give satisfactory explanations to the British Consular authority and to the local authorities in regard to the motive of their detention in such ports. Should such explanations be deemed unsatisfactory, the Custom House may, with the consent of Her Majesty's Agent and Consul-General, place a guard on board for the prevention of fraud, the expenses for such guard being at the charge of the vessel.

ARTICLE XXI.

Should British subjects desire to embark in, or discharge goods from, any vessel, they can employ the Tunisian Custom House boats, paying the usual charges for the use of such boats. They are free, however, to discharge their merchandize without using the Custom House boats, in which case they will apprise the administration of the Customs of it in writing, taking care to mention, on the arrival of each steamer or vessel having goods on board to their consignment, that they will be present themselves, or be represented by their agents, to assist at the discharge of said goods. In case of their absence, however, the Custom House will proceed to discharge their goods, rendering itself responsible as heretofore, unless in a case of "force majeure." No sort of claim can be preferred by the consignee against the Custom House on the plea that it had not the right to discharge his goods, seeing that the discharge is made with the sanction of the master of the vessel, and not with that of the Custom House.

Every consignee who discharges his goods after making the demand in writing will provide himself with a Custom-house officer, who will accompany him to the vessel and return with him to the Custom-house. The fee to the Custom House officer shall be paid by the merchant.

ARTICLE XXII.

Whenever the Tunisian Government shall temporarily prohibit the exportation of wheat, barley, cattle, or any other article of native produce, such prohibition shall not come into operation until three months after official notification shall have been given, and shall apply only to the specific article or articles mentioned in the decree enacting the prohibition.

ARTICLE XXIII.

No British subject, nor any person under British protection, shall, in the Regency of Tunis, be made liable to pay a debt due from another person of his nation unless he shall have made himself responsible or guarantee for the debtor by a valid document. Neither shall any British subject be compelled to sell anything to, or to buy anything from, a Tunisian without his own free will. The seller shall be obliged to deliver up to the purchaser only that portion of the goods which he voluntarily sold to him, and the purchaser shall have no claim or right upon the remaining portion of such goods or merchandize.

In like manner, no Tunisian subjects in the Dominions of the Queen of Great Britain shall be made liable to pay a debt due from another person of his nation to a British subject, unless he shall have made himself responsible or guarantee for the debtor by a valid document.

ARTICLE XXIV.

In all criminal cases and complaints where the prosecutor and prisoner are British subjects, and in all civil differences, disputes, or litigation which may occur between British subjects exclusively, the Agent and Consul-General, Consul, or other British authority, shall be sole judge or arbiter. No one shall interfere, but they shall be amenable to the British Consular Courts only.

All civil differences, disputes, or litigations between British subjects and the subjects of any foreign country other than Great Britain, shall be decided solely in the tribunals of the foreign Consuls, according to the usages heretofore established, or which may hereafter be arranged between such Consuls, without the interference of the Tunisian Courts or Government.

ARTICLE XXV.

Disputes and differences arising between a British and a Tunisian subject, whether the British subject is plaintiff or defendant, of a commercial and civil nature (criminal and correctional excepted), shall be settled by His Highness the Bey, or his delegate, in the presence and with the concurrence of the British Consul-General or Consul.

It is likewise agreed that, should any new procedure differing from the above, be adopted and applied at present, or in future, in the treatment of any other nation, the British subjects, without exception, shall be entitled to the enjoyment thereof, whenever Her Majesty's Government shall request it.

It is, however, understood that, if Mixed Courts should be at any time established in Tunis with the assent and approval of Her Majesty's Government, in that case all civil and commercial suits and disputes arising between British and Tunisian subjects shall be heard and determined by such Mixed Courts and Tribunals, according to the rules and procedure that may be agreed upon between the contracting parties.

ARTICLE XXVI.

The cognizance of crimes committed by British

subjects in the Tunisian territory, as well as all contraventions of the police and other regulations, shall devolve upon the Consul-General or Consul; and the punishment thereof shall be applied by the said Consul-General or Consul, in concurrence with His Highness the Bey. In case the criminal or offender should escape from the Consular or other prison, the Consul-General or Consul shall not be held responsible in any manner whatsoever.

ARTICLE XXVII.

No quittance or receipt presented by a British subject to a Court, purporting to be a discharge of a debt which he has contracted towards a Tunisian subject, shall be held as a legal and a valid discharge, unless he can show that such quittance or receipt is under the handwriting, seal, or signature of the Tunisian subject, or duly executed by native notaries, and attested by the Cadi or the Governor of the place. And in like manner no quittance or receipt presented by a Tunisian subject, purporting to be a discharge of a debt which he has contracted towards a British subject, shall be held as a legal and valid discharge of his debt, unless he can show that such quittance or discharge is under the handwriting, signature, or mark of the British subject, duly attested by the Consul, or unless the discharge is drawn up by two notaries and attested by the British Consul.

ARTICLE XXVIII.

Should any Tunisian subject be found guilty before the Tunisian Courts of procuring false evidence to the injury or prejudice of a British subject, he shall be severely punished by the Tunisian Government. In like manner, the competent British Consular authorities shall severely punish, according to English law, any British subject who may be convicted of the same offence against a Tunisian subject.

ARTICLE XXIX.

If, at any time, Her Majesty's Agent and Consul-General, Consul, Vice-Consul, or Consular Agent, should require the assistance of soldiers, guards, armed boats, or other aid for the purpose of arresting or transporting any British subject, the Tunisian authorities shall immediately comply with the demand, on payment of the usual fees given on such occasions by Tunisian subjects.

ARTICLE XXX.

If a ship belonging to the Queen of Great Britain, or to any of her subjects, should be wrecked or stranded on any part of the coast of the Regency of Tunis, the Tunisian authorities within whose jurisdiction the accident may occur shall, in accordance with the rules of friendship, respect her and assist her in all her wants. They shall allow and enable the master to take such steps as he may think necessary or desirable, and shall take immediate steps for the protection of her crew and of her cargo, and of any goods, papers, and articles which may be saved from her at the time of the wreck or afterwards; and, moreover, they shall lose no time in informing the nearest British authority of the accident. They shall deliver over to him, without exception or loss, all the cargo, goods, papers, and articles which have been saved and preserved from the wreck, and they shall likewise furnish the master and the crew of the wrecked ship with such victuals and provisions as they may require, for which they shall receive payment. For their friendly aid and services in protecting, saving, preserving, and restoring to the British Consular authorities the goods and contents saved through their exertions from the wrecked vessel, or any portion thereof, they shall be entitled to such an amount of salvage as Her Majesty's Agent and Consul-General and the Chief Tunisian authority on the spot shall judge a fair compensation for their services. The master and crew shall be at liberty to

proceed to any place they please, and at any time they may think proper, without any hindrance.

In like manner, the ships of His Highness the Bey, or of Tunisian subjects, shall be assisted and protected in the dominions of the Queen of Great Britain as though they were British ships, and shall be subject only to the same lawful charges of salvage to which British ships, under similar circumstances, are liable.

ARTICLE XXXI.

Should, however (which God forbid), the crew or any portion of the crew of a wrecked or stranded British vessel be murdered by the natives, or its cargo, or any part of its cargo or contents, be stolen by them, the Tunisian Government binds itself to take the most prompt and energetic measures for seizing the marauders or robbers, in order to proceed to their severe punishment. It, moreover, engages to make the most diligent search for the recovery and restitution of the stolen property; and whatever compensation for the damage done to individuals or to their effects, under similar circumstances, is granted or may hereafter be granted to the subjects of the most favoured nation, or the equivalent of it, shall be also accorded to the subjects of the Queen of Great Britain.

ARTICLE XXXII.

It is agreed and covenanted that if any of the crew of Her Majesty's ships of war or of British merchant vessels, of whatever nationality they may be, borne on the papers of said ships, shall desert within any port in the Regency of Tunis, the authorities of such port or territory shall be bound to give every assistance in their power for the apprehension of such deserters, on the application of the British authority. In like manner, if any of the crew of the ships of His Highness the Bey, or of Tunisian merchant vessels, not being slaves, shall desert in any of the ports or harbours, within the dominions of Her Majesty the Queen of Great Britain, the authorities of such ports or harbours shall give every assistance in their power for the apprehension of such deserters on the application of the Commanding Officer, Captain, or any other Tunisian authority, and no person whatsoever shall protect or harbour such deserters.

ARTICLE XXXIII.

The ships of war belonging to Her Majesty the Queen, and the ships belonging to His Highness the Bey, shall have free liberty to use the ports of each country for washing, cleansing, and repairing any of their defects, and to buy for their use any sort of provisions, alive or dead, or any other necessaries, at the market price, without paying custom to any officer.

And it is moreover agreed that, whenever any of Her Majesty's ships of war shall arrive in the Bay of Tunis, and shall fire a salute of twenty-one guns, the Castle of the Goletta, or the Tunisian ships of war, shall return the same number of guns as the Royal salute to Her Majesty's colours, according to ancient usage.

ARTICLE XXXIV.

The Government of the Queen of the United Kingdom of Great Britain and Ireland, in consideration of the sincere friendship that has at all times existed between Her Majesty and His Highness the Bey, agrees that Tunisian ships and cargoes shall be received at the ports and harbours of the British dominions upon the same footing as British vessels and cargoes.

ARTICLE XXXV.

British vessels arriving in any of the Tunisian ports for the purpose of trade, or by reason of stress of weather, or to repair damages, shall not be compelled to discharge their cargoes or any portion of their cargoes, and they shall not be made to change their destination or to receive any passengers on board unless it be with their own free will, but they shall be respected, and they shall be allowed to depart without

any hindrance. Should they be compelled to land their cargoes, or a portion thereof, in order to effect repairs, they shall also be permitted to re-embark such goods free of any duty or charge whatsoever.

Tunisian vessels shall receive the like friendly treatment in ports and harbours of the British dominions.

ARTICLE XXXVI.

If any British subject should die in any place or territory appertaining to His Highness the Bey, no Governor or other Tunisian officer shall, on any pretence whatsoever, take possession, or dispose of, or interfere with, the goods and property of the deceased, but such goods and property, of whatever description, may be taken possession of by his heirs, or by the British Consular authority, without any hindrance or impediment whatsoever on the part of such Governor or Tunisian officer.

If, however, a British subject should die at a place where there is no British Consul, or whilst travelling, in such a case the Tunisian authorities of the place where he died shall be bound to preserve and protect his goods and effects: they shall make, with the assistance of notaries, a faithful inventory of them, which inventory they shall lose no time in sending to the nearest Governor of a place where an English Consul resides.

Should the deceased British subject leave behind him debts due from him to a native, the Consul-General or his deputy shall assist the creditor in the recovery of his claim upon the estate of the deceased; and, likewise, if the deceased should leave behind debts due to him from Tunisians, the Governor, or those who have such power, shall compel the debtors to pay what is due by them to the Consul-General or his deputy, for the benefit of the estate of the deceased.

ARTICLE XXXVII.

The British Government and His Highness the Bey, moved by sentiments of humanity, and having regard to the free institutions which, under Providence, their respective countries happily enjoy, mutually engage to do all in their power for the suppression of slavery. Whilst, on the one part, the British Government engage not to relax their efforts with friendly powers for the prevention of the barbarous traffic in human beings, and for the emancipation of slaves, His Highness the Bey especially engages, on the other, to cause the Declaration of Moharem, 1262 (23rd January, 1846), abolishing forever slavery in the Regency, to be obeyed and respected, and to use his utmost efforts to discover and punish all persons within his Regency who contravene or act contrary thereto.

ARTICLE XXXVIII.

The British Government and His Highness the Bey engage to do all in their power for the suppression of piracy; and His Highness especially engages to use his utmost efforts to discover and punish all persons on his coasts or within his territory who may be guilty of that crime, and to aid the British Government in so doing.

ARTICLE XXXIX.

Privateering is now and for ever abolished: His Highness the Bey being desirous to maintain inviolable the neutrality of the Regency of Tunis, it has been established and agreed that, in case of war or hostilities, he shall not permit the enemies of Her Majesty the Queen of Great Britain to fit out privateers in the ports of the Regency, or to sail from them to prey upon the ships and commerce of her subjects; and it is moreover established that His Highness shall not permit or tolerate in the Regency of Tunis the sale of any prize whatsoever which shall have belonged or may belong to the belligerents.

The Queen of Great Britain will cause to be ob-

served the same rules of neutrality towards Tunisian ships and subjects in all the seaports of Her Majesty's dominions.

ARTICLE XL.

In order that the two Contracting Parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective people, it is agreed that at any time after the expiration of seven years from the date of the present Convention of Commerce and Navigation, either of the High Contracting Parties shall have the right to call upon the other to enter upon a revision of the same; but until such revision shall have been accomplished by common consent, and a new Convention shall have been concluded and put into operation, the present Convention shall continue and remain in full force and effect.

ARTICLE XLI.

If any doubt should arise with regard to the interpretation or the application of any of the stipulations of the present Convention, it is agreed that in Tunis the interpretation the most favourable to British subjects shall be given, and in Her Majesty's dominions that most favourable to Tunisians. It is not pretended by any of the foregoing articles to stipulate for more than the plain and fair construction of the terms employed, nor to preclude in any manner the Tunisian Government from the exercise of its rights of internal administration where the exercise of those rights does not evidently infringe upon the privileges accorded by the present Convention to British subjects or British commerce.

ARTICLE XLII.

The stipulations of the present Convention shall come into immediate operation, and shall be substituted for the stipulations of all preceding Treaties between Great Britain and Tunis, with the exception of the Convention of the 10th of October, 1863, already referred to in Article XVII. preceding, which is renewed and confirmed.

This Convention has been written in triplicate, consisting in forty-two articles, besides the introduction, and contained in the preceding forty-three pages, to be signed by both parties, and to be executed in the manner explained and clearly set forth in its several provisions, having for object the duration, confirmation, and maintenance of amity between them.

Dated Monday, the sixteenth day of Gumad-el-Thany, 1292 of the Hegira, corresponding to the nineteenth of July, 1875.

(L.S.) RICHARD WOOD.
(L.S.) MUHAMMAD AS-SADIG PASHA,
Bey.

Application for Registration of a Trade Mark.

NOTICE is hereby given, that Messrs. Hart and Buckley, Solicitors, of Wellington, have applied on behalf of Messrs. H. E. AND M. MOSES, of 34, Monkwell Street, in the City of London, to register, under "The Trade Marks Act, 1866," the Trade Mark of which the following is a description, viz.,—

A Crown alone, and two or more Crowns, according to degrees of quality.

Nature of the Article to which it is proposed such Trade Mark shall apply.

For unbleached Calicoes and Molekins in the piece, and Molekin Trousers, and other manufactured Clothing.

AMELIUS M. SMITH,
(for the Registrar of Trade Marks).
Wellington, 28th January, 1876.