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A COLLECTION OF
TREATIES, ENGAGEMENTS AND SANADS

RELATING TO INDIA AND NEIGHBOURING COUNTRIES

COMPILED BY

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

UNDER SECRETARY TO THE GOVERNMENT OF INDIA
IN THE FOREIGN DEPARTMENT

VOL. XIII

CONTAINING

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Revised and continued up to the end of 1930 under the authority of the Government of India.

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relating to

Persia.

THE first European power to enter into relations with Persia was the Republic of Venice, which sent a successful mission in 1464. In 1507 the Portuguese under Albuquerque seized the Island of Ormaz. In 1561 Turkey concluded a treaty with Persia: and in the same year Sir Anthony Jenkinson visited the court of Shah Tamasp I as the Envoy of Queen Elizabeth, but met with a cold reception.

About forty years later an adventurous Englishman, Sir Anthony Sherley, visited Persia. Shah Abbas the Great appointed him as his Envoy to establish an alliance with the Christian monarchs of Europe for the destruction of the Turks: and gave him a grant* permitting all Christian merchants to trade freely with Persia. English, French and Dutch factories were established at Gamrun, the name of which was changed by the Shah to Bandar Abbas. In 1622 the Portuguese were expelled from Ormaz with the help of the English, then at war with

---

* *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 for all Christian marchants to rapaire and trafique in and through our dominions without disturbances or molestations of any duke, prince, gouernor, or captaine, or any, of whatsoeuer office or qualitie, of ours; but that all merchandize that they shall bring shall be so priuileged, that none of any dignitie or authoritie shall haue power to looke unto it, neyther to make inquisitions after, or 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 merchant 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 requie 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

Portugal, their assistance being obtained by the Shah by the promise* of half the plunder, and half the future customs of Gamrun and Ormaz. These promises were not kept.

Russia and Spain sent Envoys to the Persian Court in 1618, and France in 1625: and an English Envoy, Sir Dodmore Cotton, arrived some time between 1620 and 1628 to establish commercial relations between Great Britain and Persia; but his negotiations failed.

Shah Abbas died in 1628. Under the weak rule of his successors the Turks severed from the Persian Empire some of the best of the western provinces: the Arab ruler of Muscat possessed himself of the islands in the Persian Gulf: and the Abdali Afghans made themselves independent in Herat, and the Ghilzais in Kandahar. In 1639 Shah Safi IV signed a treaty with Turkey which delimited afresh the frontiers of Azerbaijan and Baghdad. Under it Djessan and Badravi were ceded to Turkey, Baghdad and Basra became Turkish, the Arabs of the Chaab tribe were declared independent, and the Jaf tribe was divided.

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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 dominions 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.

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* *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).

"*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."

Persia concluded treaties with France in 1708* and 1715†, with Turkey in 1718 and 1722, and a commercial treaty ‡ with Russia in 1715.

In 1722 Isfahan was besieged by Mahmud of Kandahar, and Shah Husain formally resigned his crown; though his son Tamasp assumed the title of King and implored the assistance of Peter the Great. The Czar captured Darband and Baku and concluded a treaty with Tamasp, who ceded all the Persian possessions on the Caspian Sea on condition that the Czar expelled the Afghans and placed him on the throne. Tamasp also entered into negotiations with the Turks, with the same object; but, regardless of his pretensions, Russia in 1724 avoided war with Turkey by agreeing to the cession to her of certain Persian provinces: and in 1725 Turkey and Russia concluded a treaty by which they partitioned Persia among themselves.

Mahmud died in 1725 and was succeeded by his cousin Ashraf. In 1727 Turkey, though defeated by Ashraf, forced him to cede § the Persian provinces which she had occupied, and in return acknowledged him as Shah. In the same year Nadir Kuli Khan was placed in command of Tamasp's army: and in 1730 the Afghans were expelled, Ashraf was killed, and Shah Tamasp was restored. He died in 1732 and was succeeded by his infant son Abbas III, who died three or four years later, when the Safavian dynasty came to an end and Nadir Kuli Khan ascended the throne with the title of Nadir Shah.

Russia restored to Persia, by treaty, in 1729 the provinces of Astarabad and Mazanderan: in 1732 (Treaty of Rasht) Larijan, Gilan and the Persian provinces as far as the Araxes: and in 1735 (Treaty of Gandja) Baku and Darband with their provinces, and retired behind the river Terek.¶

Under Nadir Shah the Persian empire recovered for a time its former glory. He not only recovered the provinces conquered by the Turks

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* Traité de Commerce, 31 articles, daté Redieb 1120 (Septembre 1708) traduit per 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 J. Thierry, Evreux, 1866.*)

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

Quatre articles séparés du Traité précédent, même date.

Commandement du Roi de Perse, faire 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.

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

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 the capital of the Moghuls over 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 delimited anew.

In 1746 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 this was followed in 1747 by another treaty‡ under which certain parts of Iraq and Azerbaijan were ceded to Turkey.

Nadir Shah was murdered in 1747: and within a few years the mighty empire which he had re-created was dismembered. Ahmad Shah 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 even than those of Nadir Shah. All that was left to Shah Rukh, the blinded grandson of Nadir Shah, was the province of Khorasan. This was guaranteed in his independent possession by Ahmad Shah, but was soon broken up into a number of independent principalities. The southern and western provinces of Lar, Fars, Iraq, Azerbaijan and Mazanderan 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, who was a just and enlightened ruler, was at pains to extend and encourage commerce. The English, who had with difficulty maintained their factory at Gamrun till 1761, abandoned it in that year in consequence of the oppression of the provincial Governor of Lar. In 1763 they obtained from Karim Khan a Farman (No. I) for a factory at Bushire and the trade of the Persian Gulf, and from his nephew Jafar Khan in 1788 a Farman (No. II) for unrestricted trade throughout Persia.

Karim Khan died in 1779 after a vigorous rule of twenty-six years. His death was the signal for fresh revolutions marked by atrocious cruelties, in the course of which the four surviving sons of Karim Khan were savagely mutilated. At length in 1795 Agha Muhammad Khan of the Qajar tribe ascended the throne. He was scarcely established in power when he found himself involved in a war with Russia over Georgia which, taking advantage of the distracted state of Persia, had in 1783

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* Appendix No. II.

† Appendix No. III.

‡ Appendix No. IV.

transferred its allegiance to Catherine II. Resolved to punish the Georgians for their defection, he marched upon the country in 1795 with a rapidity which prevented them from receiving support from Russia, and ordered a general massacre of the inhabitants, sparing the young and beautiful, who were carried into captivity. Persia was instantly invaded by a Russian army. It soon gained important successes and was advancing on Tehran, when its progress was stopped by the death of the Empress in 1796.

In 1796 the French Republic sent a mission to establish commercial relations and unite Persia with the Porte against Russia. The mission failed.

In 1797 Agha Muhammad Khan, one of the most prudent and able kings who ever ruled in Persia, was murdered. He was succeeded by his nephew, Fateh Ali Khan. During his reign began that closer connection between the British Government and Persia which had its origins 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 attended the invasions of India by Nadir Shah and Ahmad Shah Abdali, it was believed that the plains of India were exposed to the ravaging of any ambitious ruler in Afghanistan. In 1796 Zaman Shah, grandson of Ahmad Shah Abdali, advanced to Lahore with the professed purpose of restoring the house of Timur from the domination of the Mahrattas. Disturbances in his own dominions recalled him in 1797; but his invasion and rumours of his 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. By the terms of the Political Treaty (No. III) the Shah engaged to lay waste the country of the Afghans should they 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 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, 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, 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 conclude a commercial treaty, afterwards ratified at Finkenstein. He was followed by General Gardanne's mission, the object of which was to secure an offensive and defensive alliance.

The Shah bitterly resented the interpretation which the British Government put upon the Treaty of 1801 and their refusal to give him assistance against Russia, in consideration of which he had offered 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 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 on the English, to invade India by way of Afghanistan, and to permit a French army to invade India through his territories. These negotiations, frustrated by the peace concluded at Tilsit between Napoleon and the Czar Alexander, 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 by the Indian Government to the Mirs of Sind, Ranjit Singh, and the Court of Kabul, and Sir John Malcolm was again accredited as Envoy to Persia. Unfortunately, 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 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 Harford to conduct the negotiations at Tehran; but the paramount importance of recovering a footing in Persia was to overrule all other considerations, and Sir John 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, Sir John concluded that there was no hope of a friendly alliance. He therefore abruptly quitted the country, proceeded to Calcutta and 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 of Sir John either being obliged to leave without attaining his object, or 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 therefore found no difficulty in concluding a preliminary Treaty (No. V). By this treaty, concluded in March 1809, all treaties contracted by the Shah with European powers were annulled; he engaged to prevent the passage of European armies through his dominions 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 in March 1812; but some of the stipulations were altered in England, and it was not till 1814 that the terms of the treaty were finally adjusted (No. VII). The preamble of this Treaty of Adjustment provided for the subsequent conclusion of a commercial treaty: and the British representatives, Messrs. Ellis and Morier, addressed an official note to the Shah proposing that commerce should remain on the footing of the Commercial Treaty of 1801 (No. III). This proposal was not accepted, the Persian Government maintaining that the Commercial Treaty of 1801 had been abrogated by the Treaty of 1814: and no steps were taken to conclude a new one. The only security enjoyed by British merchants in Persia was that afforded by the general friendly relations of Great Britain with Persia: except a Farman of 1823 (No. VIII) abolishing export duty on horses, and another of

* 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 latter treaty cannot be fully understood without comparison with it.

1836 (No. X) permitting them to trade on payment of the same duties as Russian merchants.

Throughout the long reign of Fateh Ali Shah the Persian Empire enjoyed rest from internal revolution, but suffered severely from protracted war with Russia. 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 settled by commissioners.

In 1823 an Agreement† (Treaty of Erzerum) was concluded between Persia and Turkey, confirming the Treaty of 1746 (Appendix No. III) and adding fresh articles regarding commerce, pilgrims and nomad tribes.

For some years after the conclusion of the Treaty of Gulistan, there was nominal peace between Persia and Russia; but many difficulties and disputes arose in the adjustment of the boundary. 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, and 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 dispute might have been adjusted by negotiation—a decision of course unsatisfactory to the Shah, 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 in February 1828, by which the Persian Government ceded to Russia the provinces of Erivan and Nakshivan, and agreed to pay an indemnity for the expenses of the war.

On the conclusion of the negotiations, opportunity was taken by the British Envoy to purchase the abrogation (No. IX) 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, the 6th and 7th articles also were virtually abrogated.

* Appendix No. V.
† Appendix No. VI.
‡ Appendix No. VII.

After the pacification of Europe in 1815, and the removal of those dangers which had given 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 considered it 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 he believed, moreover, that the operations, which the Indian Government undertook in 1819 against the pirates in the Persian Gulf, would have ended in aggressions on his government but for the control of the English ministry. So little care was taken to cultivate relations with Persia after the peace of Turkmanchai and the abrogation of the subsidy agreement of 1814, to which the Shah agreed only under the pressure of pecuniary embarrassments caused by the payment of the indemnity to Russia, that the influence of the British Government at Tehran declined before that of Russia. For some years the Shah 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 his expectations; and when, 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 to that of Russia. The negotiations were protracted till 1837, but led to no result.

Fateh Ali Shah died in 1834. By the influence of Russia and England, his grandson Muhammad Shah was placed on the throne, notwithstanding the opposition of many princes of the blood royal. In the same year an understanding, subsequently acknowledged to be in force by interchange of notes in 1838, 1873 and 1874, was arrived at by Great Britain and Russia, with regard to the maintenance of the integrity and independence of Persia.

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. By the Treaty of Gulistan (Appendix No. V) she had renounced all right to have ships of war on the Caspian Sea, and she was compelled to beg for the help of Russian ships to put down the marauders. Once, however, in possession of the Island of Cherken, whence she could

check the raiders, she notified the Russian Government that their help was no longer required. A Russian squadron was nevertheless sent in 1842 to the Island of Ashurada, occupied by the Russians in 1838, and a naval station was built there to overawe the Turkmans. In 1921 the Russians renounced their claim to this island under Article 3 of the Treaty* concluded with Persia in that year.

The reconquest of Afghanistan had always been a favourite dream of the Qajar dynasty, who conceived that their rights of sovereignty over it 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 an indirect means of establishing their own influence as far as the Indus. Fateh Ali Shah projected two unsuccessful expeditions against Afghanistan.

Muhammad Shah, ever a friend of Russia and an enemy to British interests, revived the project and with a large force laid siege to Herat in November 1837. He 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 such marked discourtesy, that the Envoy lowered his flag and declared 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 dependent of the Shah of Persia, but maintained himself in real independence.

In 1839 a Farman (No. XI) 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 another (No. XII) for the same purpose in the following year.

The unsatisfactory conditions of British trade in Persia were at last remedied in 1841 by the conclusion of a Commercial Treaty (No. XIII) which put the trade of Great Britain and Persia on most favoured nation footing, and provided for the establishment of commercial agencies in the two countries. In 1844 a Farman (No. XIV) prescribed the procedure

* Appendix No. XXV.

to be followed for the protection of merchants in cases of bankruptcy and insolvency.

In 1842 Persia concluded a " perpetual " treaty with Spain*, under which Spanish subjects were granted certain extra-territorial privileges.

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 1845 French merchandise was put on most favoured nation footing. In 1847 a commercial treaty with France was signed, but in 1849 the Persian Government formally refused to ratify it.

In 1847 the Persian and Turkish Governments entered into Articles of Agreement‡ confirming the Treaty of Erzerum (Appendix No. VI) and undertaking to appoint Commissioners to demarcate the boundary.

Muhammad Shah died in 1848 and was succeeded by his eldest son Nasir-ud-Din.

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

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

Yar Muhammad Khan of Herat died in 1851, and was succeeded by his son Saiyid Muhammad Khan. Feeling himself insecure in power and threatened by the Amir of Kabul and by Kohandil Khan from Kandahar, Saiyid 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. In 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

* Appendix No. VIII.
† Appendix No. IX.
‡ Appendix No. X.

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 eventually led to a 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 took up the post. 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. An official notification was issued by the Persian Government justifying their proceedings, and making certain insinuations against the British Envoy. In the meantime Muhammad Yusuf, grandson of Firoz, one of the brothers of Shah Shuja, had put Saiyid Muhammad Khan 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 the 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.

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 British 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 at one time Persian troops were massed on the Turkish frontier.

In 1855 Persia concluded a "perpetual" treaty of friendship and commerce with France †, under which special extra-territorial privileges were granted to French subjects in Persia.

* 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.

† Appendix No. XI.

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

The disorganized state of the border districts of Persia and Turkey had 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 of Erzerum of 1823 (Appendix No. VI) 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 of the Articles of Agreement signed at Erzerum in 1847 (Appendix No. X). 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 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.

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* Appendix No. XII.

† Appendix No. XIII.

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 conquests 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 Kerman. 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 Gwattur in 1863, addressing threatening 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 Gwattur, and the threatening attitude adopted by him during that and the following year towards Kech 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 Kech 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 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 in September 1871. A request was subsequently preferred by the Persian Government that the small district of Kuhak, lying below the Jalk and Kalagan sub-divisions of the Dizak district, 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 Kuhak; but no opinion was expressed as to the position of the Persian frontier. Kuhak was occupied by Persian troops in May 1874. (*See* Baluchistan, Vol. XI.)

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 was fixed as the limit to the delay in transport.

In 1871 the border disputes between Persia and Turkey 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 the provisions of the Articles of Agreement signed at Erzerum in 1847 (Appendix No. X): and that delegates on the part of England and Russia should be present to assist those of Persia and Turkey in coming to a complete understanding; but owing to the dilatoriness of the Porte the commission never met.

In 1873 Persia concluded a commercial treaty† with Germany, and in 1875 two conventions with Turkey: the first‡ having reference to the import of salt and tobacco, and the second§ regulating the position of the subjects of the two powers in their respective States.

In 1876 troubles were renewed on the Turko-Persian frontier at Khoi and Zohab, which were claimed both by Turkey and Persia; they continued in the following year and resulted in the presentation by the Persian Government of their grievances against the Porte, which were: —*first*, the continued occupation by Turkey of Kotaur (Kutur), seized by Darvesh Pasha in 1849 when on his way to join the frontier commission at Baghdad, and, in spite of the repeated protests of the Persian Government, still held by the Porte, and also of Banzargan, Deiri, Mahmudi, Akhorak, 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 delimiting the frontier. In the same year the island of Shahleh in the Persian Gulf, 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 or occupied by Persian troops pending the final settlement of the respective claims to it.

* 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.

‡ Appendix No. XV.

§ Appendix No. XVI.

In 1878 Persia and Turkey settled a special tobacco tariff * renewable every ten years: and signed an agreement † respecting sanitary regulations to be observed by Persian pilgrims.

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 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 1878 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, and continued their advance in the following year. 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 admitting 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; but in 1881 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‡ by which the Russo-Persian frontier from the Caspian Sea to Baba Durmaz was defined, although the actual demarcation 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, was cancelled.

In 1880 a protocol 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 1882 a second slave-trade Convention (No. XIX) was signed between Great Britain and Persia, abrogating the Convention of 1851, giving British cruisers the right to search Persian vessels, and making

* Appendix No. XVII.
† Appendix No. XVIII.
‡ Appendix No. XIX.

arrangements respecting the disposal of slaves found and the punishment of the slavers.

In 1882 the Russian Minister at Tehran informed the Persian Government that, as Persia had not asserted her sovereignty over the Tekke 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 1881, concluded an agreement with the Tekkes of Merv by which mutual protection was guaranteed to the subjects of both parties, and Russian agents, to the exclusion of all others, were 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 the same year representations were made by the Porte that, in violation of the protocol of 1869, an armed Persian force of 500 horsemen had 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 Erzerum Agreement of 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 pretensions of Persia.

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 was 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 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. The frontier in the Khanikin district is now (1930) that demarcated by the 1913 Frontier Commission.

In 1888 the New Oriental Bank Corporation opened branches at Tehran and in other Persian towns.

In the same year the Shah issued a proclamation* promising protection of their property to all his subjects: and the Persian Government announced, in a circular †, the opening of the Karun River to the merchant shipping of all nations.

In 1885 the cultivation by Persians of certain lands at Hashtadan on the Hari Rud frontier led to a protest from the Government of Afghanistan, the Amir claiming the lands in question as part of his dominions. The British Government offered (by virtue of the 6th article of the Treaty of Paris of 1857) to act as arbitrator between the two countries in the question at issue. The offer was accepted and General MacLean 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 in 1891.

In 1889 the Persian Government at length agreed to the appointment of foreign Consuls at Meshed, and the Russian and British Governments at once named Consuls-General there.

In 1890, owing to the rivalry existing between the British and Russian Governments regarding railways, the Shah made an agreement § with the Russian Government that no railways should be built in Persia during the next ten years.

Nasir-ud-Din Shah was murdered in 1896, and was succeeded by his second son Muzaffar-ud-Din.

In 1901 Persia concluded a commercial treaty¶ with Russia, by which a detailed tariff was substituted for the flat rate of 5 per cent. that had been in force since 1828, under Article 3 of the Separate Compact annexed to the Treaty of Turkmanchai (Appendix No. VII).

In 1903 Persia concluded a Commercial Convention (No. XX) with Great Britain. This also included a detailed tariff.

In 1906 Muzaffar-ud-Din Shah granted a Constitution. He died in 1907 and was succeeded by his son Mohammed Ali Shah who in 1909 was succeeded by his infant son, Ahmed Mirza. On the 31st August 1907, the British and Russian Governments signed a Convention (No. XXI) which, while affirming the independence and integrity of Persia, divided the country into three "zones of influence"—a Russian zone in the North, a British zone in the South, and a neutral zone in the centre; and on the 11th September a Joint Note (No. XXII) was addressed to the Persian Government by the British and Russian Legations, informing them of the conclusion of the Convention.

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* Appendix No. XX.
† Appendix No. XXI.
‡ Appendix No. XXII.
§ Appendix No. XXIII.
¶ Appendix No. XXIV.

In 1913 a Protocol (No. XXIII) relating to the Turco-Persian frontier was signed by the representatives of Great Britain, Russia, Persia and Turkey: and in 1914 the frontier was delimited by a commission which included representatives of the four countries. The commission completed its proceedings shortly before the entry of Turkey into the Great War. Since the War, however, the Turks have occupied a strip of territory on the Persian north-west frontier which the Persians claim under the ruling of the Frontier Commission. An Agreement providing for the appointment of a mixed Commission to revise on the spot the frontier at Kotaur and certain other disputed points; and for the establishment of a Permanent Mixed Frontier Commission, and general collaboration between the respective frontier officials was signed on 9th April 1929; but the actual delimitation of the frontier at the points in dispute is still unfinished (1930).

The Anglo-Russian Convention had caused great resentment throughout the country: and the outbreak of the Great War found Persia in a hostile mood towards both Russia and Great Britain. This feeling was intensified when, in order to forestall a Russian plan to make Northern Persia a base of operations against Turkey, Turkish forces were obliged to violate Persian neutrality. By the beginning of 1915 the Turkish troops had reached Tabriz and devastated the rich districts around Urumia. Increasing unrest and anarchy followed throughout the country, where German and Austrian influences were soon at work. In July 1915 Herr Wassmuss was able to organise a tribal attack on Bushire, necessitating its occupation by British troops. The Allied Consuls and colonies were forced to evacuate Kermanshah in April 1915, and Isfahan in September 1915: and the situation in the Capital itself was only retrieved by the landing of a large Russian force at Enzeli and their advance to within a few miles of Tehran. The Persian nationalists thereupon escaped to Kum, and it was with difficulty that the Shah was prevented from following them. Meanwhile the whole of Southern Persia had risen in support of the Central Powers: and by the end of 1915 British Consuls and colonies remained only in Bushire and Southern Arabistan. In 1916 the position was redeemed to some extent by the advance of Russian troops towards Kermanshah, and by the recruitment in the South of local levies which eventually became the South Persia Rifles. By 1917 the Russians had reached Isfahan, and the South Persia Rifles had occupied Shiraz. In March the fall of Baghdad caused the Turkish forces to melt away; but the ensuing revolution in Russia flung the whole responsibility for maintaining order in Persia upon the British forces. The situation was at the same time complicated by the creation of an organisation in Tehran under the title of "The Committee of Punishment", and the consequent hesitation of any Anglophil politician to accept the dangers of office. By the end of

1917, as a result of the Bolshevik revolution, all Russian troops were withdrawn, the Jangalis had risen in Gilan, and the Turks were again advancing on Tabriz. It was therefore decided early in 1918 to send a British force from Mesopotamia to protect Tehran, and this force successively occupied Kermanshah, Hamadan, Kasvin, Resht and Enzeli. Meanwhile, however, anti-British feeling had increased throughout the country: and it was only when the final victory in Palestine and on the Western front had enabled Vossuq-ud-Dauleh to form a definitely friendly cabinet that some sort of order was restored. In 1919 Vossuq-ud-Dauleh concluded an Anglo-Persian Agreement (No. XXIV), under which Great Britain agreed to lend Persia expert advisers and to grant a loan of £2,000,000 for the execution of the necessary reforms. Persian opinion was not at the moment unfavourable to this Agreement: and, had it at once been submitted to the Majlis, it would probably have been ratified. Unfortunately however Vossuq delayed until the forces of opposition were organised and the Bolsheviks and Jangalis had again occupied Gilan. In June 1920 Vossuq resigned and was succeeded by Mushir-ud-Dauleh, who also failed to present the Anglo-Persian Agreement to the Majlis. The withdrawal of British troops from Persia at the end of 1920 left the Persian Government with no alternative but to come to terms with the Soviet. A Russo-Persian Treaty * was signed in February 1921. In the same month Reza Khan with 3,000 Cossacks entered Tehran from Kasvin. A Cabinet crisis ensued, increasing the prevailing uncertainty: and the knowledge, that all British troops would be withdrawn as soon as the roads were open, finally eliminated all possibility of the Anglo-Persian Agreement being carried into effect. Mushir-ud-Dauleh resigned, and Zia-ud-Din, who had joined Reza Khan's *coup d'état*, was appointed Prime Minister. His first act was to denounce the Anglo-Persian Agreement and to arrest all supposed supporters of it; but his subsequent projects of reform quickly antagonised all vested interests, and in May 1921 he was forced to resign and to leave Persia.

In 1920 Persia acceded to the Covenant of the League of Nations.

In the same year an Agreement (No. XXV) was concluded between Great Britain and Persia, modifying the Commercial Convention of 1903 (No. XX).

In June 1921 a treaty † of friendship was concluded between Persia and Afghanistan. In December the Persian Foreign Minister and the Russian Plenipotentiary exchanged notes regarding the interpretation of certain articles of the Treaty of February 1921 (*see* Appendix No. XXV).

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* Appendix No. XXV.

† Appendix No. XXVI.

In 1922 an Agreement for the closing of foreign Post Offices in Persia was concluded between British India and Iraq on the one part and Persia on the other: and in accordance with Article 3 of this Agreement two Subsidiary Agreements—one for the exchange of Money Orders and the other for the exchange of Value Payable Articles between Persia and British India—were also concluded with Persia. These three Agreements were, however, never ratified.

The South Persia Rifles were disbanded in 1921, and no British officers or officials remained in Persia at the close of that year. Reza Khan (who had been given the title of Serdar Sepah) thereupon took up with great energy the reform of the army; and in 1923 assumed the office of Prime Minister and virtual dictator. In November 1923 Ahmed Shah, overshadowed by his powerful Prime Minister, left for Paris: and his departure at this critical period finally cost him his throne. Reza Khan's foreign policy aimed at maintaining friendly relations with both Russia and Great Britain, while at the same time cultivating close relations with America and with the American Financial Mission to Persia, which, under the leadership of Doctor Millspaugh, had arrived in Tehran in the autumn of 1922. During the whole of 1924 Reza Khan retained the office of Prime Minister, and Ahmed Shah remained in Paris. In the spring Reza Khan organised a republican movement; but it proved abortive, and this failure momentarily deprived him of his popularity and prestige. In the latter part of the summer, however, a signal opportunity was given him to recover his influence. The Shaikh of Mohammerah defied the Central Government: and Reza Khan advanced upon Khuzistan, obtained the Shaikh's submission, and granted him in return a free pardon. This pardon was subsequently repudiated, and the Shaikh was arrested and brought to Tehran, where he is still (December 1930) under detention. On his return from Khuzistan, Reza Khan was restored once more to his former position of dominance: and on the 31st October 1925 the Majlis voted the deposition of the Qajar dynasty and entrusted Reza Khan Pahlavi with the "Headship of the State". On the 12th December the Constituent Assembly met, and offered Reza Khan the throne of Persia: and he was crowned Shah on the 25th April 1926.

In 1923 a Postal Convention* was concluded between Persia and Russia, in accordance with Article 21 of the Russo-Persian Treaty of February 1921 (Appendix No. XXV).

In 1927 Persia concluded a treaty of Guarantee and Neutrality with Turkey.†

In 1927 Persia concluded a treaty of Guarantee and Neutrality with Russia.‡

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* Appendix No. XXVII.
† Appendix No. XXVIII.
‡ Appendix No. XXIX.

In June 1928 Persia concluded two Protocols—one with Afghanistan* and the other with Turkey—as supplements to the Perso-Afghan Treaty of 1927 and the Turco-Persian Treaty of 1926, respectively. They provided that in the event of one of the contracting Parties being subjected to hostile action by one or more Powers the other would use all its efforts to solve the question at issue by peaceful means and that, if in spite of this, war was inevitable, both the contracting Parties would study the situation carefully in a spirit of cordiality, unanimity and good-will and evolve some solution in conformity with their interests and appropriate to the situation.

In 1928 those foreign Powers who had formerly enjoyed extra territorial jurisdiction agreed to abandon that right and to make fresh treaties with Persia on equal terms. Such treaties have already been made between Persia and Germany, Czechoslovakia, Denmark, Belgium, Egypt, Sweden, France, Hejaz, Holland and Italy. Persia has also adhered to the Kellog Pact and to the Litvinoff Pact.

In the same year a Tariff Autonomy Treaty† (No. XXVI) was concluded between Great Britan and Persia: and at the same time the Persian Government promulgated a new customs tariff.‡

In the beginning of 1928 His Majesty's Government entered into negotiations with Persia for the conclusion of a general treaty to regulate the various questions outstanding between the two Governments and also of a Commercial Treaty, but no conclusion has so far been reached.

In 1930 Persia acceded to the Optional Clause of the Statute of the Permanent Court of International Justice with certain reservations contained in a Declaration¶ made at the time of her accession to the Clause.

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* *See* Afghanistan, Appendix No. XIII.

† Not yet ratified.

‡ Appendix No. XXX.

¶ The Imperial Government of Persia recognises as compulsory *ipso facto* and without special agreement in relation to any other State accepting the same obligation, that is to say on condition of reciprocity, the jurisdiction of the Permanent Court of International Justice, in accordance with Article 36, paragraph 2 of the Statute of the Court, in any disputes arising after the ratification of the present declaration with regard to situations or facts relating directly or indirectly to the application of Treaties or Conventions accepted by Persia and subsequent to the ratification of this declaration, with the exception of:—

(*a*) disputes relating to the territorial status of Persia, including those concerning the rights of sovereignty of Persia over its Islands and Ports;

(*b*) disputes in regard to which the Parties have agreed or shall agree to have recourse to some other method of peaceful settlement;

(*c*) disputes with regard to questions which, by international law, fall exclusively within the jurisdiction of Persia.

However, the Imperial Government of Persia reserves the right to require that proceedings in the Court shall be suspended in respect of any dispute which has been submitted to the Council of the League of Nations.

The present declaration is made for a period of six years. At the expiration of that period it shall continue to bear its full effects until notification is given of its abrogation.

Geneva, October 2, 1930.

HUSSEIN ALA.

Foreign Concessions in Persia.—The first important concession was that for the Caspian Sea fisheries, first granted about 1867 to M. Lianozon, a Russian subject. The concession was frequently renewed, until the Persian Government cancelled it in 1919 on the ground of non-payment of royalties during the latter part of the Great War. These fisheries were mentioned in the Perso-Russian Treaty of 1921, and formed the subject of negotiation during 1924 and 1925. The Russian Government contended that, under the original concession, they had the right to exploit them, and they remained in physical occupation of them pending the result of the negotiations. In October 1927 the Persian Government ratified an agreement by which the Fisheries were to be exploited by a Russo-Persian association on a 50-50 basis.

For the telegraph concession granted in 1868 to Messrs. Siemens (The Indo-European Telegraph Company) see the Telegraphs section, *infra.* Until 1919 the Company was under Russian protection, but came under British protection in that year.

The famous Reuter Concession, which had been granted in 1872 and cancelled in 1873, was remodelled and signed in January 1889 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. The Imperial Bank of Persia's concession was modified in May 1930, when the Bank ceded its right of note issue in exchange for a lump sum of two hundred thousand pounds with effect from the 21st March 1931.

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 Mazanderan, which was granted to Hajji Amini Zarb (Muhammad Hassan)—have these concessions been taken up. After the conclusion of the Perso-Russian " anti-railway " Agreement of 1890 (Appendix No. XXIII) two minor railway concessions were granted in 1891, with the consent of the Russian and British Governments, to a Belgian and a French subject respectively; but both have since lapsed. A line from Julfa to Tabriz was constructed by a Russian Company in 1916 and eventually handed over by the Soviet Government under the terms of the 1921 Treaty: in the same year (1916) a concession was granted to a Russian Company for the construction of a line from Pireh-bazaar to Resht, which has since been

completed and opened to traffic. It was only after the War that the question of a trunk line was seriously taken in hand. In 1925 the Majlis authorised the Government to levy a so-called monopoly surcharge on sugar and tea imports, the proceeds of which, amounting to approximately six million tomans (£1,200,000) a year, have since been paid into a railway fund. American railway experts were subsequently engaged, and in 1927 the Majlis passed a Bill for the construction of a railroad from Khor Musa or Mohammerah in the South to Bandar-i-Gaz in the North by way of Hamadan and Tehran. It was at first intended that the Government should build this line on its own account; but contracts for the total survey and the construction of important sections of the railroad at either end were subsequently awarded to an American-German syndicate. Difficulties between the syndicate and the Persian Government led in May 1930 to the cancellation of these contracts, but a fresh contract was granted later in the year for the completion of the Northern Section of the line by the German group interested in the earlier contract.

In 1890 the concession for a carriage road from Tehran to the south of Persia was purchased by the Imperial Bank of Persia: and in 1898 the Bank secured the concession for a road from Kum to Isfahan on the same terms. The entire concession, which includes the construction and working of the road from Tehran to Kum and Isfahan, 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 Isfahan, was eventually transferred by the Bank to the Persian Transport Company. 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. 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 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 naphtha and coal situated on each side of the road to a distance of 40 miles. In 1903 a concession for a road from Astara to Ardabil was granted, but the Company went bankrupt and the road was taken over by the Persian Government. A Company has since been formed to work this concession; but so far it has limited its activities to the Capital.

In 1890 the Persian Government created a tobacco monopoly, the concession for which was granted to a British Company, the Imperial Tobacco Corporation. The monopoly and the concession were both cancelled in 1892, and compensation was paid to the Corporation.

In 1890 Jacques Poliakoff of St. Petersburg obtained a concession for a loan bank and " Mont de Piété ". Some years later the bank, which had practically become an agency of the Russian State Bank, changed its title to " Banque d'Escompte." By the Russo-Persian Treaty of 1921 this Bank became the property of the Persian Government. It has now been replaced by the newly formed National Bank. A law governing the creation of an Agricultural Bank was passed at the end of 1930.

In 1895 the French Government obtained a concession granting them in perpetuity the exclusive right of searching for objects of antiquarian interest in Persia. This concession has now been annulled by common consent.

In 1899 a mining concession in the district of Karadagh in the province of Azerbaijan was granted to Russian capitalists for 70 years. The mines are said to contain coal, copper and lead.

In 1901 Mr. William Knox D'Arcy secured an exclusive concession for the exploitation of natural gas, petroleum, asphalt and ozokerite throughout the Persian Empire, with the exception of the five provinces of Gilan, Mazanderan, Khorasan, Astarabad and Azerbaijan. This concession was for 60 years and covered an area of 500,000 square miles. In 1909 a Company, known as the Anglo-Persian Oil Company, was formed to take over and operate the concession.

Telegraphs.

Persian Gulf Submarine Cable and Khanikin-Bushire Line. In 1861 proposals were made for a Convention between the Indian and Persian Governments for the construction of a telegraph line from the Turkish frontier through Persia to Bandar Abbas, to connect with a line from England to India: but in 1862 the Persian Government declined the terms offered. The route through Persia was therefore abandoned, and the Turkish and Indian lines were connected by a submarine cable in the Persian Gulf. After the failure of the negotiations of 1862, the Shah decided on constructing an alternative line at his own cost from Khanikin through Tehran, Isfahan and Shiraz to meet the other line at Bushire: and for this purpose he concluded an Engagement (No. XXVII) in 1863 to place the construction and working of the line for a time under the superintendence of a British 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.

In 1863 a treaty was signed between Turkey and Persia, establishing a line of telegraph between the two countries with the point of junction at Khanikin. On account of the uncertainty of the exact frontier line,

two further conventions in regard to their respective telegraph lines were concluded between Persia and Turkey in 1863 and 1864.*

Khanikin-Bushire 2nd Line. By a Convention (No. XXVIII) executed at Tehran in 1865, the Persian Government agreed to the erection of another wire on the Bushire and Khanikin line, to be used for international messages only, the necessary materials to be provided by the British Government and paid for in five yearly instalments. It was further agreed that the establishment 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 for the cost of their establishment. As the receipts did not amount to this sum in any one year, the cost of establishments and maintenance, Rs. 1,20,000, fell entirely on the British Government. In 1868, however, the Persian Government granted† a 25-year concession to Messrs. Siemens for the construction and management of a telegraph line between Julfa and Tehran: and in 1869, by a "treaty"‡ concluded with Mr. George Siemens on behalf of the Indo-European Telegraph Company, they added a concession for the erection and working of a telegraph line between Shiraz and Bandar Abbas, to expire on the 1st January 1905, and extended the term of the Julfa-Tehran concession to the same date. These agreements included arrangements by which the British Government were relieved of a portion of the charges on the Khanikin-Bushire line. Under these arrangements the Company agreed to pay the Persian Government a fixed annual subsidy of 12,000 tomans in lieu of the 30,000 tomans formerly credited to Persia by the British Government; to deduct from this subsidy an annual instalment of one twenty-fourth of the debt due by Persia to the British Government on account of the cost of construction; and to pay that sum to the British Government. It was agreed that, until that debt was liquidated or so long as the British Government held the concession of the line, the Company should also pay them a moiety of the surplus in excess of the subsidy of 12,000 tomans a year. It was further agreed that, if the Convention of 1865 was not renewed to the British Government, the Company were to have the concession. But in the case of its renewal they were to receive from the Persian Government (Article 1 of "Treaty" of 24th May 1869, Appendix No. XXXII) two-thirds of the receipts accruing from the international messages sent on the whole line

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

† Appendix No. XXXI.

‡ Appendix No. XXXII.

from Bushire to Julfa, the remaining one-third already belonging to the Company by virtue of Article 9 of the Concession of 1868 (Appendix No. XXXI).

Gwattur Line. In 1868 a Convention (No. XXIX) was concluded, by which, in order to provide against any accident to the Persian Gulf cable, it was agreed that, in consideration of an annual payment of 3,000 tomans, the British Government should construct and work a line of telegraph between Gwattur and a point between Jask and Bandar Abbas. As originally drawn, this Convention expired in 1888; but, by mutual declarations made in 1887 (*see* annexure to No. XXIX), it was prolonged till 1905; in 1892 it was again prolonged till 1925; while under the Agreement of 1913 (No. XXXV) it was again prolonged up to 1945.

Khanikin-Bushire 3rd Line. The telegraph Convention of 1865 (No. XXVIII) expired in 1872, when it was renewed (No. XXX) for a period of three months, after which a fresh Convention (No. XXXI) for the construction of a third wire was signed. In this Convention the British Government formally agreed to abide by the arrangement made by the Persian Government with the Indo-European Telegraph Company regarding the revenue derived from the Indo-European traffic. The Persian Government, in consideration of a fixed annual payment of 2,000 tomans, ceded to the British Government, for a period of three years, the entire Persian terminal tax on international messages originating or terminating in Persia. After the expiry of three years the Persian Government were left the option of either accepting an annual payment calculated on the basis of two-thirds of the average terminal receipts, or of claiming two-thirds of the receipts from all *bonâ fide* messages. In consequence of certain outrages and damage caused to the line, it was also provided that the British employees should be placed under the special protection of the local authorities, and that the expense of repairing wilful damage to the line should be borne by the Persian Government. In 1887 the Government of India waived their claim to the yearly contribution payable under Article 10 of the Convention: and in the same year the term of the Convention which, as originally drawn, would have expired in 1895, was prolonged till 1905 by mutual declarations (*see* annexure to No. XXXI). In 1892 it was continued for a further period of twenty years while under the Agreement of 1913 (No. XXXV) it was again prolonged up to 1945.

In 1915-16 the section of line between Shiraz and Bushire, maintained by the Indo-European Telegraph Department under the 1872 Convention, was considerably damaged and partially demolished by rebel tribesmen. It was decided not to claim from the Persians the cost of reconstruction.

Chikishliar-Astarabad Line. In 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 Convention to hold good for one year and the portion of the line constructed in Persian territory to be handed over to the Persian Government after completion. In 1881 a further Convention† was signed permitting Russian employees to work the line: Persia was to receive 30 centimes a word on messages from Julfa to stations east of the Caspian, and 60 centimes a word on messages to places south of Tehran, one-tenth of the sum received to be set apart for repairing the line. The Convention was to remain in force so long as the Russian Government desired to maintain telegraphic communication with their military authorities in the provinces to the east of the Caspian Sea.

Julfa-Tehran, Shiraz-Bandar Abbas and Tehran-Bushire Lines. In 1882 an Agreement‡ was arranged between the Persian Government and the Indo-European Telegraph Company under which, with certain modifications, the 1868 and 1869 concessions to the Company (Appendices Nos. XXXI and XXXII) were renewed to the 31st January 1905. In 1882 a Convention, to last three years, was concluded between Turkey and Persia to open the route by Bask Kala Dilman, though at the same time maintaining the Khanikin route.

Tehran-Meshed Line. In 1886 the line from Tehran to Meshed, the property of the Persian Government and erected about 1867, was taken over and maintained by the Indo-European Telegraph Department, but no formal Convention was concluded. From the time the line was taken over until the 31st March 1918 the Government of India allotted a sum of twenty thousand rupees annually towards its maintenance: from the 1st April 1918 this was increased to forty thousand rupees. This line was handed back to the Persian Telegraph Administration in 1928 and the Department ceased to work it.

In 1887 an Agreement (No. XXXII) was signed, fixing the territorial limits of the telegraph station at Jask and certain other details.

In 1891 an Agreement§ was arranged between the Shah and the Indo-European Telegraph Company extending the period of the Agreements of 1868, 1869 and 1882 (Appendices Nos. XXXI, XXXII and XXXV) up to the 1st January 1925.

Central Persia Line. In 1901, with a view to securing uninterrupted communication between Europe and India, it was agreed by a Convention (No. XXXIII) between the British and Persian Governments that, in

* Appendix No. XXXIII.
† Appendix No. XXXIV.
‡ Appendix No. XXXV.
§ Appendix No. XXXVI.

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 Kerman. This line, generally known as the " Central Persia Line ", was opened for traffic in 1907, when it was leased to the Indo-European Telegraph Department at an annual rental of four per cent. on the capital cost of its construction. Three-quarters of the total annual rental was retained by the Indo-European Telegraph Department against the advance made for the construction of the line, which the Persian Government hoped to liquidate by the financial year 1940-41 after which date the full rental of four per cent. would be payable to Persia. Under Article 10 of the Convention it was agreed that the Persian Government were to be provided with an additional wire along the existing line between Tehran and Kashan: but, when this line was examined, it was found that another line of posts would be necessitated. The Persian Minister of Telegraphs accordingly authorised the construction of a second line from Tehran to Kashan on which three wires were erected, one for the use of the Persian Government and two for the Indo-European Telegraph Department. The cost of this Tehran to Kashan line was included in the account for the construction of the Central Persia Line presented to the Persian Government, and its lease was due to expire at the same time as that of the section from Baluchistan to Kashan.

The Central Persia Line as originally constructed crossed the frontier between Persian and British Baluchistan at Dorai, and was connected with Robat in British Baluchistan. In 1918, however, as a war measure, the line was diverted from Dorai to Duzdap to meet a railway telegraph line from Mirjawa to Duzdap. These sections were for some time under the control of the Indian Posts and Telegraphs Department; but in 1924 and 1925 respectively they were placed under the control of the Indo-European Telegraph Department.

Sistan-Meshed Line. The telegraph line from Sistan to Meshed was constructed in 1902-03 by the Persian Telegraph Administration with the assistance of the Russian Government, who in 1906 assumed the maintenance and control of this line. During the Great War, however, its control passed to British troops, and on their withdrawal to the Indian Telegraph Administration. In 1924 it was handed over to the Persian Government, who promised to pay 40 per cent. of the expenses incurred by the British Government, in two yearly instalments.

Henjam-Bandar Abbas Line. In 1905 an Agreement (No. XXXIV) was concluded between Great Britain and Persia for the construction of a line of telegraph to connect the Indo-European Telegraph Department's station at Henjam with Bandar Abbas across the island of Qishm, at a cost not exceeding Rs. 75,000: and payment was guaranteed by the Persian Government. On completion and when the cost of con-

struction had been paid, the line was to be handed over to the Persian Government. The work was completed in December 1905; but, owing to the attitude of the local authorities, the cable was not connected with the Persian Telegraph Office at Bandar Abbas till three years later, while eight months more elapsed before the office was opened for international traffic. The bill in connection with the construction of this line was not settled, and the Indo-European Telegraph Department continued to maintain the line. In 1924 the Persian Government agreed to pay off the debt for the cost of construction *plus* half the cost of maintenance incurred by the Indo-European Telegraph Department up to the 31st March 1923, in twenty-one yearly instalments, and to settle annually half the cost of the annual maintenance charges subsequent to the 31st March 1923. The first instalment was settled through the annual account for 1923-24.

Tehran-Khanikin Line. In 1906 an Agreement* was concluded between the Indo-European Telegraph Company and the Persian Government, under which the Company was allowed to make an arrangement with the British Government for taking over the Tehran-Khanikin telegraph line which formed the subject of the Convention of 1865 (No. XXVIII) between the British and Persian Governments. The position of the Indo-European Telegraph Department with regard to the section of line from Tehran to Khanikin is also defined in Article 16 of the Convention of 1872 (No. XXXI) between the British and Persian Governments.

In 1906 another Agreement† was concluded between the Indo-European Telegraph Company and the Persian Government, whereby the concession held by the Company was prolonged for twenty years from the 1st February 1925. When this agreement was made, the Company advanced the Persian Government £40,000, repayable in instalments with interest. A clause in the agreement provided that, in the event of the Persian Government not settling up certain accounts with the Company within a prescribed time, the Company would have the right to collect telegram charges direct from the public. By the Persian Government's failure to settle accounts regularly, this right was acquired by the Company in 1911.

The total debt of the Persian Government to the Indo-European Telegraph Company was liquidated in 1925.

Borasjun-Ahwaz-Mohammerah and Ahwaz-Dizful Lines. In 1913 an Agreement (No. XXXV) for the reconstruction of the Arabistan Telegraph lines, namely Borasjun-Ahwaz-Mohammerah and Ahwaz-Dizful, was concluded between the British and Persian Governments

* Appendix No. XXXVII.
† Appendix No. XXXVIII.

The British Government agreed to pay the Persian Government a sum of £5,000 towards the cost of construction, and £300 a year from the date of the commencement of the work up to 1945, towards the maintenance of these lines: the maintenance to remain in the hands of the Indo-European Telegraph Department officials up to 1945. In return for these financial considerations the Persian Government agreed that the period of the Telegraph Conventions of 1868, 1872 and 1901 (Nos. XXIX, XXXI and XXXIII) should be extended to the 1st January 1945*.

During 1915-1916 the section of the line from Borasjun to Bandar Rig was practically demolished by rebel tribesmen, and remained interrupted until the middle of 1920, when communication with the main Tehran-Bushire line was re-established by connecting Bandar Rig with Bushire by way of Ahmedy. The total cost of constructing this latter section, and of erecting an extra wire on the main Tehran-Bushire line from Ahmedy to Bushire, was borne by the Persian Government.

Sistan-Koh-i-Malik Siah Line. In 1914 the construction of a telegraph line, connecting Sistan with the Central Persia Line at a point near Koh-i-Malik Siah, was authorised by the Persian Government pending the conclusion of an agreement with the British Government. The Agreement (No. XXXVI) was signed and ratified in 1916. Under Article 2 the total cost of the line, less £2,500, is repayable by the Persian Government in thirty years, the Indo-European Telegraph Department being responsible for the control and the cost of maintenance. It was also agreed that, after the control of the line had passed to the Persian Government, it would not be handed over to any Foreign Government or Company, but that it might be handed back to the Indo-European Telegraph Department by special arrangement agreeable to the parties concerned. In 1916 a second wire was added to this line in accordance with the terms of Article 3 of the Agreement.

Bandar Abbas-Kerman and Baft-Saidabad Lines. In 1913 the question of the Indo-European Telegraph Department constructing a line of telegraphs between Bandar Abbas and Kerman on behalf of the Persian Government was considered. Early in 1916 a project for the construction of a line to connect Kerman, Bandar Abbas, Lingeh and Jask was discussed between the Director, Indo-European Telegraph Department, and the Persian Minister of Telegraphs; but no definite agreement was arrived at. In August it was decided that the work on the line from Bandar Abbas to Kermán should be started as soon as possible and that it was unnecessary to await an agreement with the Persian Government.

* The terms of the Agreement provided that it should be submitted for approval to the Majlis save in the case of Article 3, by which the concessions were prolonged till 1945 and which was sanctioned by the Cabinet and specifically excepted from the number of Articles to be submitted for Majlis' approval. Those Articles have not in fact ever been submitted to or ratified by the Majlis.

The line was completed in 1917 and in the same year a branch temporary line was constructed from Baft to Saidabad (Sirjan). An agreement was signed in 1920 by the Persian Minister of Telegraphs and the Director, Indo-European Telegraph Department, covering the construction of lines from Kerman to Bandar-Abbas, from Bandar-Abbas to Jask, and from Bandar-Abbas to Lingeh, together with a branch temporary line from Baft to Saidabad, but the agreement was never ratified. In 1921, the proposal to construct the lines from Bandar-Abbas to Jask and to Lingeh was abandoned, and a revised draft agreement omitting all mention of these was drafted in 1923; but was still under discussion on the date of the withdrawal from Persia of the Indo-European Telegraph Department.

In 1923 a Telegraph Convention* was concluded between Persia and Russia, in accordance with Article 21 of the Russo-Persian Treaty of February 1921 (Appendix No. XXV).

In October 1930 His Majesty's Government informed the Persian Government that the whole of the Indo-European Telegraph Department organisation except the Cable Stations in the Persian Gulf and the Persian section of the Jask-Gwattur line would be withdrawn from Persia on the 1st March 1931. This decision had been taken in connection with the negotiations then proceeding for the conclusion of a general treaty, and in response to the repeatedly expressed wishes of the Persian Government; the six months' notice provided for in the Department's concessions was not, therefore, given.

An Agreement setting out the conditions subject to which the withdrawal of the Department was arranged with the Persian Government is under discussion with that Government.

The Indo-European Telegraph Company, which for several years had been working at a loss, decided to withdraw at the same time, and so informed the Persian Government in December 1930.

Sistan.

The rival claims of Persia and Afghanistan to sovereignty over Sistan were for many years productive of disputes which more than once threatened a rupture of friendly relations between the two States. Sistan 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, Sistan 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 later still on Herat and Kandahar alternately. Although no interference was exercised by Persia in the internal administration of Sistan,

* Appendix No. XXXIX.

the dissensions among the Barakzai 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 Sistan, 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 Sistan 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 Sistan, and the other Chiefs. In return for these subsidies the Chiefs undertook to prevent Baluch raiders from entering Persian territory. In 1858 Ali Khan was assassinated by his nephew, Taj Muhammad, who eventually expressed his willingness to continue his predecessor's engagements with Persia.

The sovereignty of Persia over Sistan 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 (No. XVIII) on the ground of the alleged intention of Dost Muhammad Khan to require the submission of Sistan. In 1863 Persia, again apprehensive of an invasion of Sistan 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 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 Sistan 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 Sistan, 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 Sistan 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 Sistan 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 Sistan 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 Sistan, 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; and 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 early in 1872, and the opinion of General Goldsmid, the British Commissioner, was delivered in the following August (*see* Part II, Afghanistan). 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 Sistan 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 and retained the post until his death in 1891. He was succeeded by his eldest son Ali Akbar Khan with the title of Hashmat-ul-Mulk (subsequently altered to Hisam-ud-Daulah) as Governor of Sistan, while the Governorship of the Kainat was given to the younger son Ismail Khan with the title of Shaukat-ul-Mulk. The Governorship of Sistan and the Kainat thus became separate and have remained so ever since. All appointments to the Governorships have however hitherto remained in the same family.

The establishment by Russia of a Consulate in Sistan in 1899 was followed in 1900 by the appointment of a British Consul in Sistan and Kain with a view to the promotion of trade *viâ* the newly-opened Nushki-Sistan route, and the improvement of British relations with the local Persian authorities.

In 1902, owing to strained relations between Persia and Afghanistan regarding the boundary in Sistan and the division of the water of the Helmand river, the Persian Government applied to the British Govern-

ment for arbitration under Article VI of the Treaty of 1857, and Colonel McMahon was appointed His Majesty's arbitrator. His award as regards the boundary was accepted by both Governments in 1905. The water award was not accepted in its entirety by the Afghan Government, and was altogether rejected by the Persians on the ground that they were more favourably treated under the Goldsmid award of 1873. This latter award still governs the distribution of the water of the Helmand river.

No events of any particular importance occurred in Sistan between 1905 and 1915; but in the latter year British forces operating from Baluchistan entered Persian territory in order to intercept armed parties of Germans, Austrians and Turks from crossing into Afghanistan: and a cordon of troops was established from Nushki to the Russian frontier near Askhabad. In connection with these operations the Sarhad district of Persian Baluchistan was temporarily occupied in 1916 by a British force, and its turbulent tribal chiefs reduced to order.

In 1918 the Spezand-Nushki branch of the North Western Railway, which had been pushed westwards across the desert as part of the line of communications of the East Persia Cordon Field Force, entered Persian territory at Mirjawa and in 1919 was carried to Duzdap, 54 miles on the Persian side of the frontier. The Persian section of the line was closed down in July 1931 and it is no longer operated beyond Nok Kundi.

With the exception of small detachments for the safety of the railway, which were removed in 1924 when the Sarhad was vacated, all British troops in Persia were withdrawn in 1921.

Persian Baluchistan and Kerman.

A British Consul was first sent to Kerman in 1894, but the Consulate was not formally established till 1902.

In 1896 and 1897 Persian Baluchistan remained in a very disturbed condition. Robbery and murder were rife and the unrest culminated in the murder of Mr. Graves, a Superintendent of the Indo-European Telegraph line, at his camp on the Rapch river. Enquiry proved that the murder was committed by Kerwani tribesmen, and the Darya Begi, Governor-General of Bushire, with the co-operation of the Resident, eventually succeeded in bringing to justice several of the gang responsible for the outrage.

In 1897 the quantity of arms being smuggled into Afghanistan *vid* the Makran coast attracted the serious attention of the Government of India. A Naval blockade was eventually established, and by the end of 1909 the traffic had been considerably reduced. A small Field Force, sent to Makran in 1911 to deal with the arms traffic on land, attacked and defeated Mir Barkat who had established himself as Chief of the Biyaban district in 1908.

In 1902 Lt.-Colonel Showers with a small mixed force joined the Governor-General of Kerman who was accompanied by Persian troops, in order to inflict punishment upon certain Nusherwanis who had raided Kuntdar and other places in British territory, and to recover compensation for the damage inflicted in these raids. The expedition was entirely successful; but no arrangements were made for the permanent pacification of the country.

In 1903 a Commercial Mission composed of private persons, but organized with the Government of India's support, visited South Eastern Persia, travelling *viâ* Bandar Abbas, Kerman, Yezd, Shiraz and Bushire, with the object of studying openings for British trade; and in 1913 a Geological Survey was made of some of the most promising geological areas. Neither of these parties discovered anything likely to increase the prosperity of the Province.

In 1912-13 Railway survey parties surveyed railway routes between Karachi and Kerman. Nothing came of the project.

During 1914 the Great War had no effect upon Kerman. In 1915 however German agents, taking advantage of disorder in the outlying districts and the political ferment in the town, succeeded in intimidating the Governor-General: and the whole British community, including the Consul, had to leave Kerman in December. In 1916 order was restored by the South Persia Rifles, under the command of Brigadier-General Sir Percy Sykes. The South Persia Rifles were disbanded in October 1921.

In the spring of 1908 Mir Bahram Khan, Baranzai, of Dizak, an upstart Wazir of the Buzurgzada Hakim of Jalk and Dizak, succeeded in ejecting the Persian Governor from Bampur, where he soon established himself. In September 1915 he raided British territory to within 8 miles of Gwattur, but was ultimately driven out by the Nazim of Makran. Early in 1916 German agents extended their activities to the Sarhad and endeavoured to raise the tribes there against the British. General Dyer was despatched with a small force, and Major Keyes was sent from the South to pacify the tribes on the borders of Makran, where the recent murder of Hughes, Commandant of the Makran Levy Corps, and his Adjutant, Horst, had shewn the gravity of the situation. These measures, and the formation of the Sarhad Levy Corps, led to the restoration of order. The Corps was disbanded in 1924.

Mir Bahram Khan of Bampur died in 1921 and was succeeded by Mir Dost Mohamed Khan who, though ready formally to acknowledge the suzerainty of the Shah in order to avoid being interfered with, was in effect the independent ruler of Persian Baluchistan (there having been no Persian Governor of Bampur since 1908) till the autumn of 1928. In September of that year a proclamation was issued depriving Dost

Mohamed Khan of the Governorship of Baluchistan, and in October a concerted attack was begun on Bampur, which was occupied in November. Dost Mohamed Khan fled to Sarbaz and, after prolonged negotiations, sued for pardon, which was granted in February 1929 on condition that he should come to Tehran and tender his submission in person to the Shah. This he did in April, and was well received by the Shah, but was kept in honourable captivity from which he escaped in November. He was recaptured in December and taken to Tehran; where, in January 1930, he was tried, found guilty and executed for the murder of the Persian policemen in charge of him at the time of his escape.

The safety of the Indo-European Telegraph Department line from the British border to Jask was provided for by the payment of subsidies to the local Baluch chiefs. In the unsettled conditions caused by the Great War, however, they were unable to control one Khair Mohamed, an Afghan of Sirhingi known locally as the Khalifah. In 1915 this individual attacked the outposts at Jask and Chahbar, destroying the telegraph lines. He was repulsed and the lines were repaired; but early in 1916 he again did extensive damage to the line: and, in view of the importance of communication with Mesopotamia, a cable was laid between Jask and Chahbar as an alternative to the land line.

In March 1924 the control of the tribes of the Sarhad district of Persian Baluchistan (who had enjoyed subsidies paid by the British Government subsequent to the occupation of the country in 1915-1916) was formally surrendered to the Persian Government, who undertook to continue the payments hitherto made by the British authorities. The Persians, however, failed to keep this undertaking: and disturbances broke out in the Sarhad during the summer of 1925 and again in 1926, owing partly to the high handed methods of certain of the military officials and partly to discontent due to non-receipt of the subsidies. The disturbances were quelled, without serious fighting, after further assurances had been given by the Persian Government.

In 1926 Consular charge of the Sarhad was transferred from the Kerman to the Sistan Consulate.

In 1927 a Soviet Consul was appointed to Sistan.

Besides the Treaties, Agreements, etc., mentioned in the Narrative of Persia the following are lists of (*a*) Multilateral Treaties to which Persia is a party, (*b*) Bi-lateral Treaties, etc., concluded by her since 1920 with foreign States and (*c*) some of the more important Multilateral Treaties signed, but not so far ratified, by her.

(*a*) *Multilateral Treaties to which Persia is a party.*

Sanitary Convention	Jan. 17, 1912	Ratified Oct. 7, 1920.
Control of Trade in Arms. (Convention and Protocol).	Sept. 10, 1919	Ratified Mar. 27, 1926.
Air Navigation	Oct. 13, 1919	Acceded Apl. 9, 1920.
Permanent Court Statute (Protocol of Signature).	Dec. 16, 1920	Ratified Apl. 25, 1931.
Freedom of Transit	Apl. 20, 1921	Ratified June 29, 1931.
Air Navigation (Protocol amending Art. 5)	Oct. 27, 1922	Ratified July 8, 1925.
Air Navigation (Amendment to Art. 34).	June 30, 1923	Ratified Nov. 10, 1925.
Simplification of Customs Formalities	Nov. 3, 1923	Acceeded May 28, 1925.
Asphyxiating gases in Warfare	June 17, 1925	Acceeded July 4, 1929.
International Radio-telegraph Convention.	Nov. 25, 1927	Ratified Feb. 7, 1930.
Universal Postal Convention.	June 28, 1929	Ratified Feb. 11, 1931.
Insured Letters and Boxes	June 28, 1929	Ratified Feb. 11, 1931.
Parcel Post.	June 28, 1929	Ratified Feb. 11, 1931.
Money Order	June 28, 1929	Ratified Feb. 11, 1931.
Revision of Statute of Permanent Court (Protocol).	Sept. 14, 1929	Ratified Apl. 25, 1931.
Accession of U. S. A. to Protocol of signature of Statute of Permanent Court.	Sept. 14, 1929	Ratified Apl. 25, 1931.

(*b*) *Bi-lateral Treaties concluded by Persia since 1920.*

Afghanistan	Notes	Persian obligations as member of League of Nations.	Dec. 21-28, 1927.
	Protocol	Extradition	June 15, 1928.
	Notes	Frontier affairs	June 25-26, 1928.
Austria	Agreement and Notes.	Provisional settlement of relations, commerce, etc. (extended periodically by exchanges of notes).	June 17, 1928.
Belgium	Convention	Establishment (Residence)	May 9, 1929.
	Treaty Protocol	Friendship	May 23, 1929.
Belgium (and Luxemburg).	Agreement	Provisional settlement of relations, commerce, etc. *Modus vivendi.*	May 15, 1928.
	Convention Protocol Notes	Commerce and Navigation (supersedes provisional agreement of May 15, 1928).	May 9, 1929.
China	Treaty	Friendship	June 1, 1920.

Czechoslovakia	Agreement	Provisional agreement Commerce, etc.	June 17, 1928.
	Convention, Protocol, Notes	Commerce and Navigation (supersedes provisional arrangement of June 17, 1928).	Apl. 30, 1929.
	Treaty	Friendship	Oct. 29, 1930.
	Convention	Establishment (Residence)	Oct. 29, 1930.
Denmark	Agreement	Provisional, Friendship and Commerce.	Sept. 8, 1928.
Egypt	Treaty, Protocol	Friendship and Establishment	Nov. 28, 1928.
	Agreement	Provisional Commercial	June 17, 1930.
France	Agreement, Notes	Provisional Commerce, etc.	May 11, 1928.
Germany	Notes	Provisional settlement of relations, commerce, etc.	May 13, 1928.
	Treaty, Protocol	Friendship	Feb. 17, 1929.
	Convention, Protocol	Residence	Feb. 17, 1929.
	Convention, Protocol	Commerce and Navigation	Jan. 11, 1931.
	Notes	(Supersedes provisional arrangement of May 13, 1928).	
	Convention	Protection of patents, industrial designs, copy-right, etc.	Feb. 24, 1930.
Hejaz	Treaty	Friendship	Aug. 23, 1929.
Hungary	Notes	Provisional settlement of commercial relations, etc. (Extended periodically by exchanges of notes).	June 19, 1929.
Iraq	Notes	Provisional commercial arrangements.	May 23 & June 6. 1928.
	Notes	Provisional settlement of relations, commerce, etc. (Extended periodically by exchanges of notes).	Aug. 11, 1929.
Italy	Notes	Provisional settlement of relations, commerce etc. (Extended periodically by exchanges of notes).	June 25, July 11, July 24, 1928.
Japan	Notes	Provisional settlement of relations, commerce, etc.	Mar. 30, 1929.
Netherlands	Notes	Provisional settlement of relations, friendship commerce, etc.	June 20, 1928.
	Treaty, Protocol	Friendship	Mar. 12, 1930.
Norway	Notes	Provisional settlement of relations, commerce, etc. (Extended by subsequent exchanges of notes).	Nov. 19-21, 1928.

Poland	Treaty	Friendship	Mar. 19, 1927.
	Convention	Commerce and Navigation	Mar. 19, 1927.
	Protocol	Substitution of new Art. VI (tariffs) to Convention of March 19, 1927.	Apl. 14, 1928.
	Notes	Interpretation of Treaty of Friendship of March 19, 1927.	Apl. 14, 1928.
	Notes	Agreement additional to commercial Convention of March 19, 1927.	Nov. 4, 1930.
Soviet Union	Treaty	Commerce	July 3, 1924.
	Agreement, Protocol, Notes	Fisheries on Persian shores of Caspian.	Oct. 1, 1927.
	Agreement	Provisional Trade arrangements (expired on September 30, 1929).	Oct. 1, 1927.
	Convention	Customs (replaced by Convention of March 10, 1929).	Oct. 1, 1927.
	Protocol	Aerial Postal Services	Nov. 23, 1927.
	Convention, Protocol	Custom	Mar. 10, 1929.
	Agreement, Protocol	Parcel Post	Aug. 2, 1929.
Sweden	Notes	Provisional settlement of relations, commerce, etc.	July 30, Aug. 9, 1928.
	Agreement	Commercial *modus vivendi*, pending entry into force of Commercial Treaty.	May 10, 1929.
	Treaty, Notes	Establishment, commerce and navigation.	May 10, 1929.
	Treaty, Protocol	Friendship	May 27, 1929.
Switzerland	Notes	Provisional settlement of relations, commerce, etc.	May 28, Aug. 28, 1928.
United States of America.	Notes	Provisional settlement of relations, commerce.	May 14, 1928.

(c) *List of more important multilateral treaties in force, which have been signed, but not yet ratified by Persia.*

Opium Convention	January 23, 1912.
Permanent Court Statute (Optional Clause)	December 16, 1920.
Traffic in Women and Children, Convention	September 30, 1921.
Covenant of League of Nations Protocol to amend Article 26	October 5, 1921.
Obscene Publications, Convention	September 12, 1923.
Opium Convention and Protocol	February 19, 1925.
Sanitary Convention	June 21, 1926.
Slavery Convention	September 25, 1926.

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 seize 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 Cofias, 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 fulfilled 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 Fuzullah.

Seal of Mirza Yusoof.

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

* The corresponding date of the Christian era is 29th December 1800.
† Metaphorically, Angels.

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 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 1.

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.

JOHN MALCOLM, *Envoy*.

SEAL of HAJEE IBRAHIM KHAN.

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 possessing 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 enjoined 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 Fuzullah.

Seal of Mirza Yosuf.

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

* Literally, one in whom confidence is placed.

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 1.

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 persons 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 owners 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.

John Malcolm, *Envoy.*

Seal of Hajee Ibrahim Khan.

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.

JOHN MALCOLM, *Envoy.*

SEAL of HAJEE IBRAHIM KHAN.

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 Moatemmed-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 definitive 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 oi 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 quanity 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 thousand two hundred and twenty-four.

MAHOMED SHEFFEE.

MAHOMED HOSSEIN.

HARFORD JONES.

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	219
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.

MOHAMMED SHEFFEE. MOHAMMED HOSSEIN. GORE OUSELEY.

On the English leaf.

GORE OUSELEY. MOHAMMAD 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, after 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 betwen 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 (200,000) 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.

JAMES MORIER. ISASI.

ABDUL WAHAB. MOHAMMED SHEFFEE.

HENRY ELLIS.

No. VIII.

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.

SEAL of HIS MAJESTY FUTTEH ALI SHAH

Dated Zilkad 1238, corresponding with July and August 1823.

No. IX.

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 (200,000) 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 200,000 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 200,000 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 goodwill 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. X.

FIRMAN of the SHAH of PERSIA,—1836.

SEAL OF MOHAMMED 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 merchandize 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 Heqira 1252, May A.D. 1836.

Witnesses' Seals follow.

No. XI.

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 Hagg, 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 treatment will be shown.

Rejjeb 5, 1255 (15th September 1839).

THE SHAH.

[See amended Firman of April 1840.]

No XII.

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 that 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. XIII.

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 words (of the Mission) do not occur in the Persian copy from which this was translated.

† Shall not be molested or punished without the permission and knowledge of the English Minister.

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 merchandize 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.

JOHN MCNEILL.

Sealed by MIRZA ABUL HOSSEIN KHAN,

Minister for Foreign Affairs.

No. XIV.

TRANSLATION of a FIRMAN relating to BANKRUPTCIES, issued by the PERSIAN GOVERNMENT for the protection of BRITISH MERCHANTS at the instance of COLONEL SHEIL, 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 Sheil, 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, accordingly these commercial regulations, which have been arranged between the ministers of the Persian Government and His Excellency Colonel Sheil, 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, etc. (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 dufturs 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 in 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 ياچق 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 fraudulent 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. 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 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 is 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.

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 much pleased, 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.

(*Translation.*)

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

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

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

TRANSLATION of a FIRMAN issued by HIS MAJESTY the SHAH to HOSSEIN KHAN, GOVERNOR of FARS,—1848.

To the high in rank, the pillar of nobility, etc., etc., Hossein Khan, the Controller of State Affairs and Governor of Fars, who has been exalted and supported by the distinguished favours of His Majesty, etc., etc., 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

* Thus in the original.

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, etc., etc., towards the high in rank, the sincere well-wisher of the State, the chosen among Christian nobles, etc., etc., 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.

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, Chargé 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, etc., etc., 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 SHEIL 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 the 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.

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

* 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.

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 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.

(*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 Governor 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.

(*Translation.*)

FIRMAN of the SHAH to SYED MAHOMED KHAN, RULER of HERAT,—January 29th, 1853.

Let the high in rank, etc., 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.

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 Afghan 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 brilliant success.

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

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 languages, 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 between 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 "Khootbeh", 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 by 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 ratifications 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 and 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 engage 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.

COWLEY.

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 Sadr 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.

COWLEY.

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 back 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 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 it 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:—

ARTICLE 1.

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.

* From "State Papers," Vol. 73, page 31.

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 81), by which the Agreement entered into by Great Britain and Persia in August 1851 (page 76) 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.

RONALD F. THOMSON,

MIRZA SAEED KHAN.

No. XX.

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'Etat, 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.

* Signed in the French and Persian languages.

† No. XVIII.

‡ See Notes of February 12 and 13 *infra*.

Les produits Persans exportés en destination du Royaume-Uni payeront les droits de douane à leur entrée dans ce Royaume conformément au 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 produits y dénommés.

Les marchandises Britanniques et Persanes pourront, aux conditions du présent Arrangement, être librement exportées de l'un dans l'autre des deux Etats sour la réserve bien entendu des interdictions ou prohibitions déjà établies ou à établis 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 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 de 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.

* See Notes of February 13 and 14 *infra*.

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 Réglement 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 aucuns 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 à 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.

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* See Note of February 13 *infra*.

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.

ARTHUR H. HARDINGE.

J. NAUS.

The seal and signature of the Atta Bek Azam were affixed to the Persian text.

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.

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 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 les 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 dénommées, 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."		
	7. Eaux minérales naturelles ou artificielles	Les 10 bouteilles	0 0 10
6	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.		
	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	....	Exempts.
	(*d*) Amidon et autres fécules non alimentaires	Le batman	0 1 0

* See Notes of February 12 and 13 *infra*.

No.	Désignation des Marchandises.	Unité.	Droits.
	Denrées et conserves alimentaires (*suite*)—		
	4. Céréales alimentaires et leur dérivés (*suite*)—		T. kr. ch.
	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 comestibles, y compris l'orge perlé et les gruaux de toute espèce . .	....	Exempts.
	(*f*) Macaroni, 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, pots, 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	....		Exempts.
12. Œufs de volailles	....		Exempts.
13. Poissons—			
(*a*) Frais, secs, salés, ou fumés	....		Exempts.
(*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 recipients analogues, ou qui sont revêtus d'emballages spéciaux en plomb, en papier, etc., acquittent les droits d'après le poids brut.			
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	....		Exempts.
(*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 employées 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."			

No.	Désignation des Marchandises.	Unité.	Droits.
			T. kr. ch.
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 . .	0 0 8
	(*b*) Caoutchouc préparé en plaques, feuilles, ou fils	„ . .	0 3 0
	(*c*) Galoches et autres chaussures en caoutchouc	Les douze paires .	0 6 0
	(*d*) Toiles cirées de toute espèce	Le batman . .	0 2 0
	(*e*) Tous autres ouvrages en caoutchouc à l'exception des objets d'habillement spécialement dénommés, des jouets et des articles de fantaisie	„ . .	1 0 0
	2. Toutes autres gommes	....	Exempts.
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.
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	....	Exempts.
19	Matières minérales—		
	(A) Métaux—		
	1. Fer et ses applications—		
	(*a*) Minérals 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 fronte de fer, en fer, ou en acier	Le batman . .	0 0 7

No.	Désignation des Marchandises.	Unité.	Droits.
	Matières minérales (*suite*)—		T. kr. ch.
	(A) Métaux (*suite*)—		
	1. Fer et ses applications (*suite*)—		
	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. Etain, 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—	....	Exempts.
	(*a*) Minerais d'or, d'argent, ou de platine	Valeur . . .	5 pour cent.
	(*b*) Or, argent, et platine, en lingots		
	(*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—	....	Exempts.
	(*a*) Minerais non dénommés		
	(*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, 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.		
	(B) Pierres et leurs applications—	....	Exempts.
	1. Pierres brutes		
	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	....	Exempts.
20	Matières textiles, et leurs applications—	....	Exempts.
	1. Coton brut		
	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.		

No.	Désignation des Marchandises.	Unité.	Droits.
			T. kr. ch.
	Matières textiles, etc. (*suite*)—		
	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 compris les 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 tissu 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
14. Tissus de jute et d'autres filaments végétaux, à l'exception des velours et des peluches .	„ . .	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 5 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.		

No.	Désignation des Marchandises.	Unité.	Droits.
			T. kr. ch.
	Matières textiles, etc. (*suite*)—		
	20. Tissus de soie (*suite*)—		
	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 et les chiffons	Les 10 batmans	0 3 0 Exempts.
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 toue espèce, recouverts de tissus ou de cuir . . .	Les 10 batmans .	1 5 0
	(*b*) Tous autres meubles	„ „ . .	0 5 0

No.	Désignation des Marchandises.	Unité.	Droits.
	Mobilier et articles d'ameublement (*suite*)—		T. kr. ch.
	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
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, initials, 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	Le batman . .	0 4 0
	Cette rubrique comprend notamment les images, gravures, estampes, etc., en feuillets détachés ou en cahiers reliés ou brochés.		
	Remarque.—L'admission à l'entrée des journaux, revues, livres, et gravures reste soumise au contrôle du Gouvernement.		
33	Poudres à tirer	....	Prohibées.
	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.		
	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.

No.	Désignation des Marchandises.	Unité.	Droits.
			T. kr. ch.
35	Résines et bitumes	....	Exempts.
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
	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 20 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. I. 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 faiences, 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 paniers, canastres, ou autres emballages en cuit 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 example, 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 plustôt 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) —Importation 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. Race 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 ½ 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	....	Exempts.
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	....	Exempts.
22	Laines et poils, non peignés, non filés, en suint ou lavés, non teints, peignures de laines non teintes.	Le poud . .	0 30

Nos. d'Ordre.	Désignation des Marchandises de Provenance Persane.	Unité.	Droits.
			Rs. kop.
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
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	,, . . .	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

No.	Désignation des Marchandises.	Unité.	Droits.
			T. kr. ch.
7	Opium	Le batman . .	5 0 0
	Remarque.—Ce droit pourra être abaissé par le Gouvernement Persan jusqu'à 2 tomans.		
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	....	Exempts.

Fait double, en Français et en Persan, à Téhéran, le 9 Février, 1903, et le 11 Zilkadeh de l'an 1320 de l'Hégire.

ARTHUR H. HARDINGE.

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.

*Appendix No. XXIV.

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*) Que 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 a 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 aussitôt 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 speciale 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 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.

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* No. XVIII †Appendix No. VII. ‡Appendix No. XXIV.

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.

No. XXI.

Anglo-Russian Convention, regarding Persia, Afghanistan and Tibet, —1907.

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty the Emperor of all the Russias, animated by the sincere desire to settle by mutual agreement different questions concerning the interests of their States on the Continent of Asia, have determined to conclude Agreements destined to prevent all cause of misunderstanding between Great Britain and Russia in regard to the questions referred to, and have nominated for this purpose their respective Plenipotentiaries, to wit:

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, the Right Honourable Sir Arthur Nicolson His Majesty's Ambassador Extraordinary and Plenipotentiary to His Majesty the Emperor of all the Russias;

His Majesty the Emperor of all the Russias, the Master of his Court Alexander Iswolsky, Minister for Foreign Affairs;

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

Arrangement concerning Persia.

The Governments of Great Britain and Russia having mutually engaged to respect the integrity and independence of Persia, and sincerely desiring the preservation of order throughout that country and its peaceful development, as well as the permanent establishment of equal advantages for the trade and industry of all other nations ;

Considering that each of them has, for geographical and economic reasons, a special interest in the maintenance of peace and order in certain provinces of Persia adjoining, or in the neighbourhood of the Russian frontier on the one hand, and the frontiers of Afghanistan and Baluchistan on the other hand ; and being desirous of avoiding all cause of conflict between their respective interests in the above mentioned Provinces of Persia ;

Have agreed on the following terms :—

Article 1.

Great Britain engages not to seek for herself, and not to support in favour of British subjects, or in favour of the subjects of third Powers, any Concession of a political or commercial nature—such as Concessions for railways, banks, telegraphs, roads, transport, insurance, etc.—beyond a line starting from Kasr-i-Shirin, passing through Isfahan, Yezd, Kakhk, and ending at a point on the Persian frontier at the intersection of the Russian and Afghan frontiers, and not to oppose, directly or indirectly, demands for similar Concessions in this region which are supported by the Russian Government. It is understood that the abovementioned places are included in the region in which Great Britain engages not to seek the Concessions referred to.

Article 2.

Russia, on her part, engages not to seek for herself and not to support, in favour of Russian subjects, or in favour of the subjects of third Powers, any Concessions of a political or commercial nature—such as Concessions for railways, banks, telegraphs, roads, transport, insurance, etc.—beyond a line going from the Afghan frontier by way of Gazik, Birjand, Kerman and ending at Bunder Abbas, and not to oppose directly or indirectly, demands for similar Concessions in this region which are supported by the British Government. It is understood that the abovementioned places are included in the region in which Russia engages not to seek the Concessions referred to.

Article 3.

Russia, on her part, engages not to oppose, without previous arrangement with Great Britain, the grant of any Concessions whatever to British subjects

in the regions of Persia situated between the lines mentioned in Articles 1 and 2.

Great Britain undertakes a similar engagement as regards the grant of Concessions to Russian subjects in the same regions of Persia.

All Concessions existing at present in the regions indicated in Articles 1 and 2 are maintained.

ARTICLE 4.

It is understood that the revenues of all the Persian customs, with the exception of those of Farsistan and of the Persian Gulf, revenues guaranteeing the amortization and the interest of the loans concluded by the Government of the Shah with the "Banque d'Escompte et des Prêts de Perse" up to the date of the signature of the present Arrangement, shall be devoted to the same purpose as in the past.

It is equally understood that the revenues of the Persian customs of Farsistan and of the Persian Gulf, as well as those of the fisheries on the Persian shore of the Caspian Sea and those of the Posts and Telegraphs, shall be devoted, as in the past, to the service of the loans concluded by the Government of the Shah with the Imperial Bank of Persia up to the date of the signature of the present Arrangement.

ARTICLE 5.

In the event of irregularities occurring in the amortization or the payment of the interest of the Persian loans concluded with the "Banque d'Escompte et des Prêts de Perse" and with the Imperial Bank of Persia up to the date of the signature of the present Arrangement, and in the event of necessity arising for Russia to establish control over the sources of revenue guaranteeing the regular service of the loans concluded with the first-named bank, and situated in the region mentioned in Article 2 of the present Arrangement, or for Great Britain to establish control over the sources of revenue guaranteeing the regular service of the loans concluded with the second-named bank and situated in the region mentioned in Article 1 of the present Arrangement, the British and Russian Governments undertake to enter beforehand into a friendly exchange of ideas with a view to determine, in agreement with each other, the measures of control in question and to avoid all interference which would not be in conformity with the principles governing the present Arrangement.

CONVENTION CONCERNING AFGHANISTAN.

The High Contracting Parties, in order to ensure perfect security on their respective frontiers in Central Asia and to maintain in these regions a solid and lasting peace, have concluded the following convention:—

ARTICLE 1.

His Britannic Majesty's Government declare that they have no intention of changing the political status of Afghanistan.

His Britannic Majesty's Government further engage to exercise their influence in Afghanistan only in a pacific sense, and they will not themselves take, nor encourage Afghanistan to take, any measures threatening Russia.

The Russian Government, on their part, declare that they recognise Afghanistan as outside the sphere of Russian influence, and they engage that all their political relations with Afghanistan shall be conducted through the intermediary of His Britannic Majesty's Government; they further engage not to send any Agents into Afghanistan.

ARTICLE 2.

The Government of His Britannic Majesty having declared in the Treaty signed at Kabul on the 21st March 1905, that they recognise the agreement and the engagements concluded with the late Ameer Abdur Rahman, and that they have no intention of interfering in the internal government of Afghan territory, Great Britain engages neither to annex nor to occupy in contravention of that Treaty any portion of Afghanistan or to interfere in the internal administration of the country, provided that the Ameer fulfils the engagements already contracted by him towards His Britannic Majesty's Government under the abovementioned Treaty.

ARTICLE 3.

The Russian and Afghan authorities specially designated for the purpose on the frontier in the frontier provinces, may establish direct relations with each other for the settlement of local questions of a non-political character.

ARTICLE 4.

His Britannic Majesty's Government and the Russian Government affirm their adherence to the principle of equality of commercial opportunity in Afghanistan, and they agree that any facilities which may have been, or shall be hereafter obtained for British and British-Indian trade and traders, shall be equally enjoyed by Russian trade and traders. Should the progress of trade establish the necessity for Commercial Agents, the two Governments will agree as to what measures shall be taken, due regard, of course, being had to the Ameer's sovereign rights.

ARTICLE 5.

The present arrangements will only come into force when His Britannic Majesty's Government shall have notified to the Russian Government the consent of the Ameer to the terms stipulated above.

ARRANGEMENT CONCERNING THIBET.

The Governments of Great Britain and Russia recognising the suzerain rights of China in Thibet, and considering the fact that Great Britain, by reason of her

geographical position, has a special interest in the maintenance of the *status quo* in the external relations of Thibet, have made the following arrangement:—

ARTICLE 1.

The two High Contracting Parties engage to respect the territorial integrity of Thibet and to abstain from all interference in the internal administration.

ARTICLE 2.

In conformity with the admitted principle of the suzerainty of China over Thibet, Great Britain and Russia engage not to enter into negotiations with Thibet except through the intermediary of the Chinese Government. This engagement does not exclude the direct relations between British Commercial Agents and the Thibetan authorities provided for in Article V of the Convention between Great Britain and Thibet of the 7th September 1904, and confirmed by the Convention between Great Britain and China of the 27th April 1906; nor does it modify the engagements entered into by Great Britain and China in Article I of the said Convention of 1906.

It is clearly understood that Budhists, subjects of Great Britain or of Russia, may enter into direct relations on strictly religious matters with the Dalai Lama and the other representatives of Budhism in Thibet; the Governments of Great Britain and Russia engage, as far as they are concerned, not to allow those relations to infringe the stipulations of the present engagement.

ARTICLE 3.

The British and Russian Governments respectively engage not to send Representatives to Lhassa.

ARTICLE 4.

The two High Contracting Parties engage neither to seek nor to obtain, whether for themselves or their subjects, any Concessions for railways, roads, telegraphs, and mines, or other rights in Thibet.

ARTICLE 5.

The two Governments agree that no part of the revenues of Thibet, whether in kind or in cash, shall be pledged or assigned to Great Britain or Russia or to any of their subjects.

Annex to the Arrangement between Great Britain and Russia concerning Thibet.

Great Britain reaffirms the Declaration, signed by His Excellency the Viceroy and Governor-General of India and appended to the ratification of the Convention of the 7th September 1904, to the effect that the occupation of the Chumbi Valley

by British forces shall cease after the payment of three annual instalments of the indemnity of 25,00,000 rupees, provided that the trade marts mentioned in Article II of that Convention have been effectively opened for three years, and that in the meantime the Thibetan authorities have faithfully complied in all respects with the terms of the said Convention of 1904. It is clearly understood that if the occupation of the Chumbi Valley by the British forces has, for any reason, not been terminated at the time anticipated in the above Declaration, the British and Russian Governments will enter upon a friendly exchange of views on this subject.

The present Convention shall be ratified, and the ratifications exchanged at St. Petersburgh as soon as possible.

In witness whereof the respective Plenipotentiaries have signed the present Convention and affixed thereto their seals.

Done in duplicate at St. Petersburgh, the 18th (31st) August 1907.

A. NICOLSON.

ISWOLSKY.

(Ratifications exchanged on 23rd September 1907.)

(TRANSLATION).

St. Petersburgh, August 18 (31), 1907.

M. le Ministre,

With reference to the Arrangement regarding Thibet, signed to-day, I have the honour to make the following Declaration to Your Excellency :—

" His Britannic Majesty's Government think it desirable, so far as they are concerned, not to allow, unless by a previous agreement with the Russian Government, for a period of three years from the date of the present communication, the entry into Thibet of any scientific mission whatever, on condition that a like assurance is given on the part of the Imperial Russian Government.

" His Britannic Majesty's Government propose, moreover, to approach the Chinese Government with a view to induce them to accept a similar obligation for a corresponding period ; the Russian Government will, as a matter of course, take similar action.

" At the expiration of the term of three years above mentioned His Britannic Majesty's Government will, if necessary, consult with the Russian Government as to the desirability of any ulterior measures with regard to scientific expeditions to Thibet."

I have, etc.,

A. NICOLSON.

(TRANSLATION.)

St. Petersburgh, August 18 (31), 1907.

M. l'Ambassadeur,

In reply to Your Excellency's note of even date, I have the honour to declare that the Imperial Russian Government think it desirable, so far as they are concerned, not to allow, unless by a previous agreement with the British Government, for a period of three years from the date of the present communication, the entry into Thibet of any scientific mission whatever.

Like the British Government, the Imperial Government propose to approach the Chinese Government with a view to induce them to accept a similar obligation for a corresponding period.

It is understood that at the expiration of the term of three years the two Governments will, if necessary, consult with each other as to the desirability of any ulterior measures with regard to scientific expeditions to Thibet.

I have, etc.,

ISWOLSKY.

No. XXII.

TRANSLATION OF A JOINT NOTE ADDRESSED BY THE BRITISH AND RUSSIAN LEGATIONS TO THE PERSIAN GOVERNMENT.

September 11th, 1907.

The Governments of Great Britain and Russia, desiring to avoid any cause of conflict between their respective interests in certain regions in Persia contiguous to, or in the immediate neighbourhood of the frontiers of Afghanistan and Baluchistan, on the one hand, and of the Russian frontier, on the other hand, have signed a friendly agreement on the subject.

In that agreement the two Governments mutually agree to the strict integrity and independence of Persia and testify that they sincerely desire the pacific development of that country as well as the permanent establishment of equal advantages for the commerce and industry of all other nations. Each of the two States further engages, in case the Persian Government grants concessions to foreigners, not to seek concessions adjoining, or in the neighbourhood of, the frontiers of the other. In order to prevent misunderstandings in future and to avoid creating an order of things which might place the Persian Government in an embarrassing situation in any respect whatever, the above-mentioned regions are clearly defined in the arrangements. In mentioning the revenues which are

affected to the loans concluded by the Persian Government with the Discount and Loan Bank and the Imperial Bank of Persia, the Russian and British Governments recognise that these revenues will be in future affected to the same purpose as in the past and the two Governments equally engage in the case of irregularities in the amortization or in the payment of interest on the above-mentioned loan to enter on a friendly exchange of views in order to determine by common agreement the measures which in conformity with the law of Nations, it would be necessary to take in order to safeguard the interests of the creditors and to avoid all interference which would not be in conformity with the principles of that arrangement.

In signing that arrangement the two States have not for a moment lost sight of the fundamental principle of absolute respect of the integrity and independence of Persia. The arrangement has no other object than that of avoiding any cause of misunderstanding between the contracting parties on the ground of Persian affairs. The Government of the Shah will convince itself that the agreement arrived at between Russia and Great Britain can but contribute in the most efficacious manner to the security of the prosperity and the ultimate development of Persia.

No. XXIII.

PROTOCOLE RELATIF Á LA DÈLIMITATION TURCO-PERSANE, SIGNÈ Á CONSTANTINOPLE LE 4 (17) NOVEMBRE, 1913.

LES soussignés, son Excellence Sir Louis Mallet, Ambassadeur extraordinaire et plénipotentiaire de Sa Majesté britannique auprès de Sa Majesté le Sultan, son Excellence Mirza Mahomoud Khan Kadjar Ehtéchamos-Saltaneh, Ambassadeur extraordinaire et plénipotentiaire de Sa Majesté le Schah de Perse auprès de Sa Majesté le Sultan, son Excellence M. Michel de Giers, Ambassadeur extraordinaire et plénipotentiaire de Sa Majesté l'Empereur de Russie auprès de Sa Majesté le Sultan, son Altesse le Prince Said Halim Pacha, Grand Vézir et Ministre des Affaires Etrangères de l'Empire ottoman, se sont réunis dans le but de consigner au présent protocole l'arrangement au sujet de la frontière turco-persane intervenu entre leurs Gouvernements respectifs.

Ils ont commencé par récapituler la marche que les récentes négociations engagées entre eux ont suivie jusqu'à ce jour.

La Commission mixte prévue par l'article 1er du protocole signé à Téhéran entre l'Ambassade Impériale ottomane et le Ministre des Affaires Etrangères de Perse en vue d'arrêter les bases des pourparlers relatifs à la délimitation de la frontière turco-persane, a tenu dix-huit séances, dont la première a eu lieu le 12 (25) mars et la dernière le 9 (22) août, 1912.

Le 9 (22) août, 1912, l'Ambassade Impériale de Russie à Constantinople a adressé à la Sublime Porte, *sub* No. 264, une note déclarant que "le Gouvernement Impérial estime qu'on ne saurait revenir assez sur la nécessité de la mise à

exécution sans délai des stipulations explicites du Traité d'Erzeroum qui se ramènent au rétablissement du *statu quo* de 1848."

L'Ambassade Impériale a fait parvenir en même temps au Gouvernement Impérial ottoman un mémorandum exposant en détail le tracé de la frontière, conforme aux stipulations des traités en vigueur.

Le Gouvernement Impérial ottoman a répondu à cette communication par une note en date du 18 (31) mars, 1913, *sub* No. 30469/47. Il a déclaré que " la Sublime Porte désireuse de satisfaire au désir exprimé par le Gouvernement Impérial de Russie en écartant toute cause de divergence dans ses rapports cordiaux avec lui, et voulant, d'autre part, témoigner au Governement persan son entière bonne foi dans la contestation existant à ce sujet entre les deux pays, a décidé d'accorder son adhésion au tracé mentionné dans la note et le mémorandum précités de l'Ambassade de Sa Majesté l'Empereur de Russie pour la délimitation de la partie septentrionale de la frontière turco-persane depuis Serdar Boulak jusqu'à Bané, c'est-à-dire jusqu'à la hauteur de la 36° parallèle de latitude."

Toutefois, le Gouvernement Impérial ottoman a suggéré quelques modifications à la ligne proposée dans le mémorandum annexé à la note de l'Ambassade Impériale de Russie en date du 9 (22) août, 1912, *sub* No. 264.

Le Gouvernement Impérial ottoman a en outre annexé à sa note " une notice explicative de la situation des limites du Zohab et de l'arrangement qu'elle pourrait accepter pour arriver à une entente définitive et équitable avec le Gouvernement persan dans cette partie de la frontière."

L'Ambassade Impériale de Russie a répondu par une note en date du 28 mars (10 Avril), 1913, *sub* No. 78. Elle a pris acte de la déclaration " par laquelle le Gouvernement Impérial ottoman reconnaît pour principe de la délimitation du tronçon Ararat-Bané le sens précis de l'article 3 du Traité de 1848 dit d'Erzeroum, tel qu'il se trouve exposé dans la note du 9 (22) août, 1912, *sub* No. 264." Quant aux modifications proposées par la Sublime Porte, l'Ambassade Impériale a déclaré, tout en faisant une réserve sur la question d'Egri-tchai, qu'elle ne saurait assez insister sur la nécessité de n'apporter aucune modification à la ligne établie dans sa note du 9 (22) août, 1912."

Pour la question du Zohab, l'Ambassade Impériale de Russie, tout en se réservant de présenter ses observations détaillées sur cette frontière, a émis " son opinion sur l'ensemble du projet ottoman qui ne lui semble pas garantir suffisamment pour l'avenir le maintien de l'ordre et de la paix sur les frontières.

Le 20 avril (3 mai), 1913, les Ambassades de Russie et de Grande-Bretagne ont adressé une note identique à son Altesse le Prince Said Halim Pacha, accompagnée d'un mémorandum résumant le point de vue sur la délimitation du Zohab et des régions situées au sud de ce district.

Cet échange de notes a été suivi par des pourparlers entre leurs Excellences M. de Giers et Sir Gerard Lowther, d'une part, et feu son Altesse Mahomoud Chefket Pacha, de l'autre. Le résultat de ces pourparlers a été relaté dans un aide-mémoire présenté par son Excellence l'Ambassadeur de Russie à son Altesse

le Grand Vézir le 6 juin, 1913, et dans la note de la Sublime Porte adressé le 26 juin (9 juillet), 1913, *sub* No. 34553/95, à l'Ambassade de Russie, et le 12 juillet, 1913, à l'Ambassade de la Grande-Bretagne.

Le 29 juillet, 1913, une " déclaration " a été signé à Londres par Sir Edward Grey et son Altesse Ibrahim Hakky Pacha concernant le tracé de la ligne frontiére méridionale entre la Perse et la Turquie.

L'Ambassade Impériale de Russie a ensuite tenu à récapituler les principes de délimitation établis dans la correspondence au sujet de la frontière turco-persane. Elle a adressé à cet effet à la Sublime Porte une note en date du 5 (18) août, 1913, *sub* No. 166. Une note identique a été adressé à la Sublime Porte par l'Ambassade de la Grande-Bretagne à la même date.

La Sublime Porte a répondu à ces communications par des notes identiques datées du 23 septembre, 1913, *sub* No. 37063/113.

A la suite des négociations subséquentes les quatre plénipotentiaires de la Grande-Bretagne, de la Perse, de la Russie et de la Turquie sont tombés d'accord sur les dispositions suivantes :

ARTICLE 1.

Il est convenu que la frontière entre la Perse et la Turquie sera tracée comme suit :

La frontière au nord partira du bornage No. XXXVII de la frontière turco-russe, se trouvant près de Serdar Boulak sur la crête entre le Grand et le Petit Ararat. Elle descendra ensuite vers le sud par les crêtes, laissant du côté persan la vallée de Dambat, la localité de Sarnytch et le système des eaux de Yarym-Kaya qui prend sa source au sud de la montagne d'Ayoubeg. La frontière laisse ensuite à la Perse la localité de Boulak-bachi et suit toujours la plus haute crête dont l'extrémité sud se trouve à peu près à 44° 22′ longitude et 39° 28′ latitude. Puis, contournant du côté ouest le marais qui s'étend à l'ouest de Yarym-Kaya, la frontière traverse le courant de Sary-Sou, passe entre les villages Guirdé-baran (turc) et Bazyrgan (persan) et montant sur la crête à l'ouest de Bazyrgan, suit le partage des eaux marqué par les crêtes de Saranli, Zendouli, Guir-Kélime, Kanly-baba, Guédouki-Khaziné et Dévédji.

Après Dévédji la ligne traversera la vallée d'Egri-tchai à l'endroit qui sera désigné par la Commission de Délimitation en conformité du *statu quo* en laissant à la Perse les villages de Nado et Nifto.

L'appartenance du village de Kyzyl-Kaya (Bellasor) sera établie après examen de la situation géographique dudit village, le versant ouest du partage des eaux de cette région devant appartenir à la Turquie et le versant est à la Perse.

Dans le cas ou le tracé définitif de la frontière laisserait en dehors du territoire ottoman une section de la route qui passe près de Kyzyl-kaya et qui relie le district de Bayazid à la province de Van, il est entendu que le Gouvernement persan accodera libre passage par cette section de la route à la Poste Impériale ottomane, aux voyageurs et aux marchandises, exception faite des troupes et des convois militarires.

La frontière remontera ensuite sur les crêtes du partage des eaux : Kyzyl-Ziaret, Sarytchimène, Doumanlu, Kara-bourga, colline entre les bassins d'Avrytchai (persan) et de Djelli-gōl (turc), Avdal-daschi, Reschkan, colline entre Akhourek et Tavra Bevra-begzadan, Gevri-Mahine, Khydyr-baba, Avristan.

Pour le Kotour le protocole du 15 (28) juillet, 1880, dit de Sary Kamiche, sera appliqué de la sorte que le village de Kevlik restera à la Turquie et les villages de Bilédjik, Razi, Gharatil (Haratil), les deux Djellik et Panamérik resteront à la Perse. La frontière suivant les crêtes de Mir-Omar montera sur la montagne de Sourava et, laissant Khanyga du côté turc, passera par le partage des eaux formé par le col de Borouch-Khouran, la montagne de Haravil, Béléko, Schinétal, Sardoul, Goulambi, Kepper, Bergaband, Peri-Khan, Iskender, Avéne et Kotoul. La vallée de Bajiraga reste à la Turquie, les villages de Sartyk et Séro à la Perse, et la frontière passe de l'extrémité méridionale de Kotour sur la crête s'élevant à l'ouest du village persan de Béhik et suivant les sommets de Séri-Baydost rejoint la crête du mont Zont.

A partir du mont Zont la frontière suit tout le temps le partage des eaux entre les districts persans de Tergever, Decht et Mergever et le sandjak turc de Hakkiari, notamment, les crêtes de Schivé-Schischali, Tchil-Tchovri, Tchel-Berdir, Kouna-Koter, Kazi-beg, Avoukh, Mai-Hélané, les montagnes à l'ouest de Binar et Dalamper ; puis laissant du côté persan le bassin des eaux se déversant par Ouchnou au lac d'Ouroumie y compris les sources de la rivière de Gadyr dites Abi-séri-gadyr (dont la vallée est située au sud de Dalamper et à l'est du mont Guirdé), elle aboutit au col de Kélé-Chine.

Au sud de Kélé-Chine la frontière laisse du côté persan le bassin de Lavène, y compris la vallée de Tchoumi-Guéli (située à l'est de Zerdé-guel et au sud-ouest de Spi-rez) et du côté turc les eaux de Révandouz, et passe par les sommets et les cols suivants : Siah-Kuh, Zerde-Guel, Boz, Barzine, Ser-schiva, Kévi-Khodji-Ibrahim. De là, la frontière continue à suivre vers le sud la chaîne magistrale de Kandil, laissant du côté persan les bassins des affluents de Kialou du côté droit ; les ruisseaux de Pourdanan, Khydyrava et Talkhatan.

Il est entendu que les tribus turques qui ont l'habitude de passer l'été dans les dites vallées aux sources de Gadyr et de Lavène resteront en jouissance de leurs pâturages aux mêmes conditions que par le passé.

Etant arrivée au sommet de Séri-Kélé-Kéline, la ligne passe sur Zinvi-Djasousan et le col de Bamine, et traverse la rivière de Vezné près du pont de Pourde-Berdan. La Commission de Délimitation aura à se prononcer sur le sort du village de Schénié, sur la base du principe général de *statu quo*.

Après Pourde-Berdan la frontière monte sur les chaînes de Foka-baba-kyr. Berde-spian, Berde-Aboul-Fath, le col de Kani-resch. Elle suit ensuite le partage des eaux formé par Lagav-Ghird, Donléri, le col de Khan-Ahmed et l'extrémité sud de Tépé-Salos. Ainsi, la frontière passe entre les villages de Kandol (turc) et Kesch-keschiva et Mazynava (persan) et atteint le courant de la rivière de Kialou (le Petit Zab).

Ayant rejoint le courant de Kialou, la frontière le suit en amont, laissant du côté persan la rive droite (l'Alani-adjem) et du côté turc la rive gauche de cette rivière. Arrivée à l'embouchure de la rivière de Khilé-resch (affluent de Kialou du côté gauche), la frontière remonte en amont le courant de cette eau, laissant du côté persan les villages d'Alot, Kivero, etc., et du côté turc le district d'Alani-Mavout. A l'extrémité sud-ouest du mont Balou la frontière quitte le courant de Khilé-resch, et montant sur l'extrémité nord-ouest de la chaîne de Sourkew, s'étendant au sud de la rivière de Khilé-resch, passe par les crêtes de Sourkew, laissant du côté turc les districts de Siwel et de Schivé-Kel.

Arrivée au point astronomique de Sourkew presque à la hauteur de 35° 49′ latitude, la frontière passe dans la direction du village Tchampar-aw, dont le sort sera statué par la Commission de Délimitation sur la base du principe accepté de *statu quo*. La ligne monte ensuite sur la chaîne des montagnes qui forment la frontière entre le district persan de Bané et le district turc Kyzyldja ; Galasch, Berdi-Ketchel, Poucht-Hangajal, Dou-béra, Parajal et Spi-Kani après quoi elle atteint le col de Now-Khouvan. De là, en suivant toujours le partage des eaux, la frontière tourne vers le sud et puis à l'ouest, passant par les sommets de Voul-Gouza, Pouchti-Schehidan, Hazar-Mal, Bali-Keder, Kélé-Melaik et Kouhi-Kocé-rescha, séparant le district turc de Térétoul du district persan de Mérivan.

De là, la frontière suit en aval le courant du ruisseau de Khalil-Abad jusqu'à sa confluence avec Tchami-Kyzyldja, puis suit en amount cette dern ère rivière jusqu'à l'embouchure de son affluent gauche coulant du village de Bnava-Souta, remonte ce ruisseau de Bnava-Souta et par les cols de Kéli-Navé-Sar et Kéli-Piran atteint le col de Sourène, connu à ce qu'il paraît sous le nom de Tchigan (ou Tchakan).

La grande chaîne d'Avroman s'étendant dans la direction nord-ouest-sud-est forme ensuite la frontière entre la Perse et le district ottoman Schehrisor. Arrivée au pic de Kémadjar (sud-est de Kala-Selm et nord-ouest de Schéri Avroman), la frontière continue à suivre la crête magistrale jusqu'à sa ramification du côté ouest, s'élevant au nord de la vallée de Déré-Vouli laissant du côté persan le village de Khan-Guermela et de Nowsoud. Pour le reste de la frontière jusqu'au Sirvan la Commission—à titre exceptionnel—délimitera le terrain en prenant en considération les changements qui ont pu s'y produire à partir de l'année 1848 jusqu'à l'année 1905.

Au sud de Sirvan la frontière commence près de l'embouchure du Tchami-Zimkan, passe par la montagne de Beyzel (Bezel) et descend au cours d'eau de Tchémi-Zérischk. Ensuite, en suivant la ligne du partage des eaux entre ce dernier cours d'eau et la rivière qui, prenant sa source dans le Bend-Bémo, porte d'après la carte identique le nom de Pouchti-Ghé av (Arkhevendou) monte au sommet de Bend-Bémo.

Après avoir suivi la crête de Bamou (Bémo), la frontière arrivée au défilé de Derbendi-Déhoul (Derbendi-Hour) suit le cours de la rivière de Zenguéné (Abbasan) jusqu'au point le plus rapproché du sommet de Chevaldir (point astronomique) et situé en aval du village de Mamychan. Elle montera sur ce sommet

et passera ensuite par les crêtes des collines partageant les eaux des plaines de Tilékou et de Serkalé, puis par les chaînes de Khouli-Baghan, de Djebel-Ali Beg, de Bender-Tchok-Tchermik, de Sengler et d'Asenguéran jusqu'au point dans le défilé de Tengui-Hammam situé vis-à-vis de l'extrémité nord des montagnes de Karawiz.

De là, là frontière suivra le cours de la rivière de Kourétou jusqu'au village de ce nom. Le sort du village de Kourétou sera décidé pour la Commission de Délimitation sur la base de la nationalité de ses habitants. De là, la frontière passe par le chemin entre les villages de Kourétou et de Kouch-Kourrek, ensuite le long des crêtes de monts Kischka et Ak-Dag, puis laissant Kala-Sebzi à la Perse, elle se dirige vers le sud jusqu'au poste ottoman de Kanibez. De là elle suit le cours de la rivière d'Elvend en amont jusqu'au point distant d'un quart d'heure en aval de son confluent avec le cours d'eau de Guilan ; à partir de ce point elle va rejoindre le Naft-Sou en contournant l'Ab-Bakhchan suivant le tracé convenu avec feu Mahmoud Chefket Pacha et indiqué sommairement sur la carte annexée à la note de l'Ambassade Impériale de Russie en date du 5 (18) août, 1913, et en laissant à la Turquie le Naft-Mukataasy. De là, la ligne frontière suivant le Naft-Deressi, arrivée au point où la route de Kassri-Chirine coupe ce cours d'eau et se prolonge ensuite le long des monts Varboulend, Konérigh-Keleschouvan et Djébel-Guérébi (la prolongation de la chaîne de Djébéli-Hamrine).

La Commission de Délimitation élaborera un arrangement spécial pour la répartition des eaux de Guenguir (Soumar) entre les parties intéressées.

La partie de la frontière entre Mendeli et le point septentrional du tracé indiqué dans la déclaration faite à Londres le 29 juillet (Schouaib), entre Hakky Pacha et Sir E. Grey n'ayant pas encore fait l'objet d'une délibération détaillée, les soussignés laissent l'établissement de ladite partie de la frontière à la Commission de Délimitation.

En ce qui concerne la délimitation depuis la région de Haouizé jusqu'à la mer, la ligne frontière part de l'endroit nommé Oumm-Chir, où le Khor-el-Douvel se sépare de Khor-el-Azem. Oumm-Chir est situé à l'est de la jonction du Khor-el-Muhaisin avec le Khor-el-Azem à 9 milles au nord-ouest de Bisaitin, endroit qui se trouve à la latitude 31° 43′ 29″. A partir d'Oumm-Chir, la ligne se dirige vers le sud-ouest et atteint la longitude 45° * à l'extrémité méridionale d'un petit lac, connu aussi par le nom d'Azem et situé dans le Khor-el-Azem à quelque distance au nord-ouest de Chouaib. De ce point la ligne continue vers le sud le long du marécage jusqu'à la latitude 31°, qu'elle suit directement vers l'est jusqu'à un point au nord-est de Kouchk-i-Basra, de facon à laisser cette localité en territoire ottoman. De ce point la ligne va au sud jusqu'au canal de Khaïyin à un point qui se trouve entre le Nahr-Diaidji et de Nahr-Abou'l-Arabid ; elle suit le *medium filum aquae* du canal Khaïyin jusqu'au point où celui-ci rejoint le Chatt-el-Arab, à l'embouchure du Nahr-Nazaïlé. De ce point la frontière suit le cours

* This should read 47° 45′ (see map—not reproduced).

du Chatt-el-Arab jusqu'à la mer, en laissant sous la souveraineté ottomane le fleuve et toutes les îles qui s'y trouvent aux conditions et avec les exceptions suivantes :

(*a*) Appartiennent à la Perse : (1) l'île de Mouhalla et les deux îles qui se trouvent entre celle-ci et la rive gauche du Chatt-el-Arab (rive persane d'Abadan) ; (2) les quatre îles entre Chetaït et Maaouiyé et les deux îles devant Mankouhi qui sont toutes des dépendances de l'île d'Abadan ; (3) tout îlot actuellement existant ou inexistant qui pourrait se former et qui serait relié par les eaux basses à l'île d'Abadan ou à la terre ferme persane en aval du Nahr-Nazaïlé.

(*b*) Le port moderne et l'ancrage de Mouhammera, en amont et en aval de la jonction du fleuve Karoun avec le Chatt-el-Arab, continueront à se trouver sous la juridiction persane en conformité du Traité d'Erzeroum, sans que cela puisse infirmer le droit d'usage ottoman de cette partie du fleuve, et sans que la juridiction persane puisse s'étendre aux parties du fleuve restant en dehors de l'ancrage.

(*c*) Aucune atteinte ne sera portée aux droits, us et coutumes existants en ce qui concerne la pêche sur le rivage persan du Chatt-el-Arab, le mot " rivage " comprenant aussi les terres réunies à la côte par les eaux basses.

(*d*) La juridiction ottomane ne pourra pas s'étendre sur les parties de la côte persane qui pourront être temporairement couvertes d'eau par la marée ou par d'autres causes accidentelles. La juridiction persane de son côté ne pourra pas s'exercer sur des terres qui seront temporairement ou accidentellement découvertes en excédant le niveau normal des eaux basses.

(*e*) Le Cheikh de Mouhammera continuera à jouir en conformité des lois ottomanes de ses droits de propriété existant en territoire ottoman.

La ligne frontière établie dans cette déclaration est indiquée en rouge sur la carte ci-annexée.

Les parties de la frontière non détaillées dans le tracé susmentionné seront etablies sur la base du principe du *statu quo*, conformément aux stipulations de l'article 3 du Traité d'Erzeroum.

ARTICLE 2.

La ligne de la frontière sera tracée sur les lieux par une Commission de Délimitation composée des Commissaires des quatre Gouvernements.

Chaque Gouvernement sera représenté dans cette Commission par un commissaire et un commissaire-adjoint. Ce dernier remplacera le commissaire, en cas de besoin, au sein de la Commission.

ARTICLE 3.

La Commission de Délimitation devra se conformer dans l'accomplissement de la tâche qui lui a été dévolue :

1. Aux dispositions du présent protocole ;

2. Au Règlement intérieur de la Commission de Délimitation en annexe (A) au présent protocole.

ARTICLE 4.

Dans le cas de divergence d'opinion dans la Commission sur le tracé de teiie ou autre partie de la frontière les commissaires ottoman et persan présenteront dans les quarante-huit heures un exposé par écrit de leurs points de vue respectifs aux commissaires russe et britannique lesquels, réunis en séance privée, statueront sur les questions en litige et communiqueront leur décision à leurs collègues ottoman et persan. Cette décision sera insérée dans le procès-verbal de la séance plénière et sera reconnue comme obligatoire pour tous les quatre Gouvernements.

ARTICLE 5.

Dès qu'une partie de la frontière aura été délimitée, cette partie sera considérée comme fixée définitivement et ne sera susceptible ni d'examen ultérieur ni de révision.

ARTICLE 6.

A mesure de l'avancement des travaux de délimitation, les Gouvernements ottoman et persan auront le droit d'établir des postes sur la frontière.

ARTICLE 7.

Il est entendu que a concession octroyée par la convention du 28 mai, 1901 (le 9 séfer, 1319, de l'hégire), par le Gouvernement de Sa Majesté Impériale le Schah de Perse à William Knox D'Arcy et actuellement exploitée, en conformité des dispositions de l'article 9 de la dite convention, par l' " Anglo-Persian Oil Company, (Limited) " ayant son siège principal à Winchester House, Londres (convention ci-après désignée " la convention " dans l'annexe (B) du présent protocole) reste en pleine force et vigueur dans toute l'étendue des territoires transférés par la Perse à la Turquie en vertu des dispositions du présent protocole et de son annexe (B).

ARTICLE 8.

Les Gouvernements ottoman et persan distribueront parmi leurs fonctionnaires sur la frontière un nombre suffisant de copies de la carte de délimitation élaborée par la Commission, ainsi que de traductions de la déclaration prévue dans l'article 15 du Règlement intérieur de la Commission. Il est cependant entendu que seul le texte francais fera foi.

LOUIS MALLET.

EHTECHAMOS-SALTANEH MAHMOUD.

MICHEL DE GIERS.

SAID HALIM.

Annexe (A).

Règlement interieur de la Commission de Delimitation de la Frontière turco-persane.

Article 1.

Les quatre commissaires jouiront exactement des mêmes droits et des mêmes prérogatives, quel que soit leur rang personnel.

Les commissaires présideront à tour de rôle les séances de la Commission.

Le même principe de parfaite égalité sera appliqué tant aux rapports entre eux des commissaires-adjoints que des autres membres des Commissions remplissant des fonctions similaires.

Article 2.

La carte identique originale communiquée en 1869-70 aux Gouvernements ottoman et persan servira de base topographique pour la délimitation.

Article 3.

En cas de maladie ou pour toute autre raison, chaque commissaire pourra se faire représenter au sein de la Commission par son adjoint. Dans ce cas l'adjoint jouira de tous les droits appartenant au commissaire qu'il représente.

Article 4.

La langue officielle de la Commission sera la langue francaise.

Article 5.

La Commission se réunira une fois par semaine, ou plus souvent en cas de necessité, pour constater les résultats des travaux de délimitation exécutés sur les lieux.

Il sera tenu un procès-verbal de chaque séance. Ce procès-verbal sera lu au début de la séance suivante et après avoir été dûment approuvé par les commissaires sera signé par eux. Ces procès-verbaux contiendront la description détaillée de chaque borne ainsi que de la frontière.

La ligne frontière, au fur et à mesure qu'elle sera définitivement arrêtée, sera tracée sur la carte identique, qui sera parafée par chacun des commissaires.

Article 6.

La Commission fera les arrangements nécessaires pour les travaux du secrétariat qui sera chargé de la rédaction des procès-verbaux et de tout autre travail que la Commission trouvera utile de lui confier. Les membres du secrétariat assisteront aux réunions de la Commission.

ARTICLE 7.

Copies des procès-verbaux seront transmises en temps utile par les commissaires à leurs Gouvernements respectifs.

ARTICLE 8.

Le caractère des bornes à ériger sera arrêté par la Commission ; les frais de leur érection seront à la charge des Gouvernements ottoman et persan par moitiés. Les frais de construction seront approximativement fixés pour chaque étape par la Commission ; la somme désignée sera ensuite versée par moitiés par les commissaires ottoman et persan et sera dépensée sous le contrôle des Sous- Commissions prévues dans l'article 9. La Commission tiendra une comptabilité en vue de la répartition finale des frais entre les deux Gouvernements.

ARTICLE 9.

Au fur et à mesure de la fixation définitive de la position des bornes, la Commission nommera une Sous-Commission pour en surveiller l'érection. Cette Sous-Commission sera composée de deux membres au moins, pris soit parmi les commissaires soit parmi les membres du personnel. La Sous-Commission soumettra à la Commission un compte rendu détaillé de son travail aussitôt que faire se pourra.

Ce rapport sera inséré aux procès-verbaux de la Commission.

La Sous-Commission pourra être nommée à titre permanent.

ARTICLE 10.

En cas de besoin, d'autres Sous-Commissions spéciales pourront être formées par la Commission dans les conditions susmentionnées et sous la réserve de l'approbation de leur travail par les quatre commissaires en séance plénière.

ARTICLE 11.

Dans les cas où les commissaires jugeront utile de renforcer leurs escortes personnelles, le commissaire ottoman ou persan, selon les cas, se chargera de faire les démarches nécessaires auprès de l'autorité locale.

Chaque commissaire, avec son escorte personnelle, aura libre passage de la frontière.

ARTICLE 12.

La Commission réglera ses déplacements d'un commun accord. Chaque commissaire pourra cependant choisir l'emplacement de son propre camp, à condition toutefois de se conformer autant que possible aux mouvements de la Commission.

ARTICLE 13.

La Commission aura le droit d'ajourner temporairement la délimitation d'une partie de la frontière pour des raisons de climat ou autres. La décision à cet effet sera prise à la majorité des voix.

ARTICLE 14.

Aussitôt que possible après l'achèvement final des travaux de la Commission des copies de la carte mentionnée dans l'article 2, signées par tous les commissaires, seront préparées et distribuées comme suit: à chacun des Gouvernements représentés à la Commission, une copie; à l'Ambassade de Turquie et aux Ministres de Russie et l'Angleterre à Téhéran, une copie à chacun; aux Ambassadeurs de la Grande-Bretagne, de Perse et de Russie à Constantinople, une copie à chacun.

ARTICLE 15.

En fournissant aux quatre Puissances la carte de la frontière susmentionnée, les commissaires soumettront en même temps une déclaration donnant une description détaillée de la frontière; cette description suivra textuellement celle des procès-verbaux de la Commission et portera les signatures des quatre commissaires.

LOUIS MALLET.
EHTECHAMOS-SALTANEH MAHMOUD.
MICHEL DE GIERS.
SAID HALIM.

ANNEXURE (B).

Le Gouvernement Impérial ottoman et le Gouvernement de Sa Majesté Impériale le Schah de Perse, désireux de pourvoir au maintien et à l'exécution intégrale dans les territoires transférés par la Perse à la Turquie des divers droits et obligations créés par la concession octroyée à l'"Anglo-Persian Oil Company (Limited)" par le Gouvernement Impérial persan en vertu de la convention du 28 mai, 1901 (9 séfer, 1319, de l'hégire), sont convenus de ce qui suit:

(*a*) La Sublime Porte déclare reconnaître la concession comme maintenue en pleine force et validité dans les territoires transférés et que la concession, accordée par l'article 1[er] de la convention, constitue un monopole absolu et exclusif dans la limite des droits acquis par la concession dans toute l'étendue des territoires transférés; aucune concession de même nature propre à léser ou porter préjudice aux droits et privilèges de l'"Anglo-Persian Oil Company (Limited)" ne sera octroyée à quelque individu, société ou association que ce soit.

(*b*) Tous les droits, privilèges, franchises et autres avantages accordés à l'"Anglo-Persian Oil Company (Limited)" par le Gouvernement Impérial persan en vertu de la convention ou dont celle-ci jouit actuellement lui seront respectés et maintenus par la Sublime Porte dans les territoires transférés en stricte conformité des dispositions de la convention.

(*c*) Sauf les cas prévus aux alinéas (*d*) et (*e*) du présent article, le Gouvernement Impérial ottoman jouira dans les territoires transférés en stricte conformité

des dispositions de la convention de tous les droits, privilèges et avantages réservés ou acquis au Gouvernement Impérial persan en vertu de la convention.

(*d*) L'" Anglo-Persian Oil Company (Limited)," ayant versé au Gouvernement Impérial persan conformément à l'article 10 de la convention des deux sommes y mentionnées, à savoir £20,000 en espèces et £20,000 en actions entièrement libérées, la Sublime Porte ne pourra rien rèclamer à l'" Anglo-Persian Oil Company (Limited) " de ce chef.

(*e*) Le Gouvernement Impérial persan n'aura droit à aucun versement de l' " Anglo-Persian Oil Company (Limited)," en vertu de la dernière phrase de l'article 10 de la convention, du chef des bénéfices résultant de l'exploitation de la concession dans les territoires transférés. La redevance à payer en vertu de cette phrase du chef de cette exploitation sera versée par la compagnie au Gouvernement Impérial ottoman, et le Gouvernement Impérial persan n'aura rien à reclamer à la compagnie ou à la Turquie du chef de ces bénéfices.

(*f*) Afin d'assurer l'exécution effective des articles de la convention relatifs à l'installation des " pipe-lines," la Sublime Porte reconnaît que ces articles assurent à l'" Anglo-Persian Oil Company (Limited)," le droit d'executer cette installation dans les territoires de la Turquie de façon à relier les gisements pétrolifères dans les territoires transférés avec un point proprement situé pour faciliter l'exportation par le Golfe Persique des produits de la compagnie. Ce point sera déterminé par un accord à intervenir entre le Gouvernement Impérial ottomen et l'" Anglo-Persian Oil Company (Limited) " aussitôt que possible après la signature du présent traité.

(*g*) La Sublime Porte reconnaît que les dispositions de l'article 9 de la convention comportent la formation facultative, en conformité des stipulations de cet article, d'une nouvelle société, pour l'exploitation de la concession dans les territoires transférés et que dans le cas de la création éventuelle de pareille société celle-ci sera chargée de toutes les obligations et jouira de tous les droits et privilèges de l'" Anglo-Persian Oil Company (Limited)," à laquelle elle se trouvera ainsi pleinement et entièrement substituée.

(*h*) Tout différend ou question, de quelque nature que ce soit, qui pourrait surgir entre le Gouvernement Impérial ottoman et l'" Anglo-Persian Oil Company (Limited) " sera soumis à deux arbitres à Constantinople, dont l'un sera nommé par chacune des parties et à un tiers arbitre qui sera désigné par les arbitres avant de procéder à l'arbitrage. La décision des arbitres où, dans le cas où ces derniers ne tomberaient pas d'accord, celle du tiers arbitre, sera concluante.

(*i*) Le Gouvernement Impérial persan se charge d'obtenir l'adhésion de l' " Anglo-Persian Oil Company (Limited) " aux dispositions de cet article. Le moyen de signifier cette adhésion à la Sublime Porte sera arrêté ultérieurement de commun accord.

LOUIS MALLET.
EHTECHAMOS-SALTANEH MAHMOUD.
MICHEL DE GIERS.
SAID HALIM.

Le 4 (17) novembre, 1913.

No. XXIV.

Agreement between His Britannic Majesty's Government and the Persian Government. Signed at Tehran, August 9, 1919.

No. 1.

Agreement between the Governments of Great Britain and Persia.

Preamble: In virtue of the close ties of friendship which have existed between the two Governments in the past, and in the conviction that it is in the essential and mutual interests of both in future that these ties should be cemented, and that the progress and prosperity of Persia should be promoted to the utmost, it is hereby agreed between the Persian Government on the one hand and His Britannic Majesty's Minister, acting on behalf of his Government, on the other, as follows:—

(1) The British Government reiterate, in the most categorical manner, the undertakings which they have repeatedly given in the past to respect absolutely the independence and integrity of Persia.

(2) The British Government will supply, at the cost of the Persian Government, the services of whatever expert advisers may, after consultation between the two Governments, be considered necessary for the several departments of the Persian Administration. These advisers shall be engaged on contracts and endowed with adequate powers, the nature of which shall be the matter of agreement between the Persian Government and the advisers.

(3) The British Government will supply, at the cost of the Persian Government, such officers and such munitions and equipment of modern type as may be adjudged necessary by a joint commission of military experts, British and Persian, which shall assemble forthwith for the purpose of estimating the needs of Persia in respect of the formation of a uniform force which the Persian Government proposes to create for the establishment and preservation of order in the country and on its frontiers.

(4) For the purpose of financing the reforms indicated in clauses 2 and 3 of this agreement, the British Government offer to provide or arrange a substantial loan for the Persian Government, for which adequate security shall be sought by the two Governments in consultation in the revenues of the customs or other sources of income at the disposal of the Persian Government. Pending the completion of negotiations for such a loan the British Government will supply on account of it such funds as may be necessary for initiating the said reforms.

(5) The British Government, fully recognising the urgent need which exists for the improvement of communications in Persia, with a view both to the extension of trade and the prevention of famine, are prepared to co-operate with the Persian Government for the encouragement of Anglo-Persian enterprise in this direction, both by means of railway construction and other forms of transport; subject always to the examination of the problems by experts which may be most necessary, practicable and profitable.

(6) The two Governments agree to the appointment forthwith of a joint Committee of experts for the examination and revision of the existing Customs Tariff with a view to its reconstruction on a basis calculated to accord with the legitimate interests of the country and to promote its prosperity.

No. 2.

Agreement relating to loan of £2,000,000, at 7 per cent., redeemable in twenty years.

Preamble: Contract between the British Government and the Persian Government with reference to an agreement concluded this day between the said Governments. It is agreed as follows:—

Article 1.—The British Government grant a loan of £2,000,000 sterling to the Persian Government, to be paid to the Persian Government as required in such instalments and at such dates as may be indicated by the Persian Government after the British Financial Adviser shall have taken up the duties of his office at Tehran, as provided for in the aforesaid agreement.

Article 2.—The Persian Government undertakes to pay interest monthly at the rate of 7 per cent. per annum upon sums advanced in accordance with article 1 up to 20th March 1921, and thereafter to pay monthly such amount as will suffice to liquidate the principal sum and interest thereon at 7 per cent. per annum in twenty years.

Article 3.—All the revenues and customs receipts assigned in virtue of the contract of the 8th May 1911*, for the repayment of the loan of £1,250,000 are assigned for the repayment of the present loan with continuity of all conditions stipulated in the said contract, and with priority over all debts other than the 1911 loan and subsequent advances made by the British Government. In case of insufficiency of the receipts indicated above the Persian Government undertakes to make good the necessary sums from other resources, and for this purpose the Persian Government hereby assigns to the service of the present loan, and of the other advances above-mentioned, in priority and with continuity of conditions stipulated in the aforesaid contract, the customs receipts of all other regions, in so far as these receipts are or shall be at its disposal.

Article 4.—The Persian Government will have the right of repayment of the present loan at any date out of the proceeds of any British loan which it may contract for.

Signed at Tehran, August 9, 1919.

**Article 5 of Contract between the Persian Government and the Imperial Bank of Persia relating to the Persian Government five per cent. loan of £1,250,000 of May 8, 1911.*

5. The Imperial Government of Persia especially assigns to the service of the loan, and as a first charge thereon, subject only to prior charges amounting to

£15,714 1*s.* 10*d.* per annum for three years, and £30,278 12*s.* 7*d.* per annum from the year 1913 to the year 1928, the full net customs receipts of every description which the Government now is, or at any time hereafter may be, entitled to collect and receive at all ports and places in the Persian Gulf, including Bushire, Bunder Abbas, Lingah, Mohammerah and Ahwaz, which receipts are hereby made payable to the bank, and the Imperial Government of Persia hereby engages forthwith after receipt thereof to pay to the bank all such customs receipts as aforesaid without deduction other than for actual expenses of administration of the customs of the said ports disbursed prior to the date of such payment :—

(*a*) The Imperial Government of Persia undertakes that throughout the continuance of the loan all sums collected by the Customs Administration shall be paid to the bank at the ports of collection, or at its nearest branch, week by week for meeting the prior charges referred to above and for the service of the loan, and an account of such receipts shall be submitted to the Persian Government by the bank at the end of each month.

(*b*) The bank shall, out of the moneys so collected, pay the prior charges above-mentioned, and the interest and sinking fund of the loan, and shall hold the surplus at the disposal of the Imperial Government of Persia.

(*c*) The bank undertakes, out of the moneys so received, to pay on behalf of the Imperial Government of Persia the half-yearly coupons in London, and supervise the working of the sinking fund and service of the loan free of charges connected with the same.

(*d*) In the event of the customs receipts of the above-mentioned ports for any three months falling short of the amount required for the prior charges and the service of the loan, either for interest or amortisation, the Imperial Government of Persia binds itself to make good such deficiency from other sources of Government revenue, and further, should receipts from these sources fall below the amount required as above, the Persian Government hereby assigns for this purpose the revenue derived from the receipts of the telegraphs—this assignment to constitute a second charge on the said telegraph receipts up to the year 1928, after which the telegraph receipts will be free.

No. 3.

SIR P. COX to HIS HIGHNESS VOSSUQ-ED-DOWLEH.

British Legation,

TEHRAN ;

9th August, 1919.

Your Highness,

I trust Your Highness has been able, during your successful direction of affairs of the Persian State, to convince yourself that His Britannic Majesty's Govern-

ment have always endeavoured to support to the utmost the efforts of Your Highness's cabinet on the one hand to restore order and security in the interior of the country, and on the other to maintain a policy of close co-operation between the Persian and British Governments.

As further evidence of the good-will by which the Cabinet of London is inspired, I am now authorised to inform Your Highness that, in the event of the agreement regarding projects of reforms which your Government contemplates introducing in Persia being concluded, His Britannic Majesty's Government will be prepared in due course to co-operate with the Persian Government with a view to the realisation of the following desiderata :—

(1) The revision of the treaties actually in force between the two Powers.

(2) The claim of Persia to compensation for material damage suffered at the hands of other belligerents.

(3) The rectification of the frontier of Persia at the points where it is agreed upon by the parties to be justifiable.

The precise manner, time and means to be chosen for pursuing these aims shall be discussed, as soon as practicable, by the two Governments.

I have, etc.,

P. Z. Cox.

No. 4.

SIR P. COX to HIS HIGHNESS VOSSUQ-ED-DOWLEH.

British Legation,

TEHRAN ;

9th August 1919.

Your Highness,

With reference to the second desideratum indicated in my previous letter of to-day's date, it is understood and agreed between the two Governments reciprocally that, on the one hand, His Majesty's Government will not claim from the Government of His Majesty the Shah the cost of the maintenance of British troops which His Majesty's Government were obliged to send to Persia owing to Persia's want of power to defend her neutrality, and that on the other hand the Persian Government will not claim from the British Government an indemnity for any damage which may have been caused by the said troops during their presence in Persian territory.

It is to be understood, however, that this agreement of the two parties does not in any way affect the claims of individuals and private institutions, which will be dealt with independently.

A note from Your Highness informing me that you accept this position on behalf of the Persian Government will suffice to record the agreement of the two Governments on this subject.

I have, etc.,

P. Z. Cox.

No. 5.

Teheran, le 10 Août 1919.

Monsieur le Ministre,

Comme suite à votre lettre du 9 août 1919 concernant le second desiderata du Gouvernement Persan mentionné dans votre première lettre de même date et ayant trait aux dépenses d'expédition et du maintien des troupes britanniques en Perse ainsi qu'aux dommages causés par la présence de ces troupes sur le territoire persan, j'ai l'honneur de faire connâitre à Votre Excellence que mon Gouvernement accepte à ce sujet la manière de voir du Gouvernement de Sa Majesté Britannique.

Il reste dès lors entendu que les deux Gouvernements de Sa Majesté Britannique et de Sa Majesté le Chah renoncent à leurs revendications respectives pour les frais du maintien des troupes en Perse et pour les dommages causés par celles-ci durant leur séjour sur le territoire persan.

Il est également entendusque l'arrangement précité ne comprend pas les dommages d'ordre privé lesquel devront faire l'objet d'une réglementation indépendante.

Veuillez agréer, Monsieur le Ministre, l'assurance de ma haute considération.

Vossugh-ed-Dowleh.

Son Excellence,

Sir Percy Cox,

Ministre de Sa Majesté Britannique en Perse.

No. XXV.

AGREEMENT (Exchange of Notes) between GREAT BRITAIN and PERSIA modifying the COMMERCIAL CONVENTION, signed at Tehran, February 9, 1903—Tehran, March 21, 1920.

(No. 1)—His Highness Vossough-ed-Dowleh to Sir Percy Cox.

Téhéran, le 21 mars 1920.

EXCELLENCE,

J'ai l'honneur d'informer votre Excellence que j'ai reçu un exemplaire du rapport à l'unanimitè de la Commission mixte, nommée par les Gouvernements britannique et persan, conformément à l'article VI de l'Accord du 9 août 1919. Votre Excellence a sans doute aussi reçu ce rapport, dont une copie se trouve toutefois annexée, pour référence, à la présente note.

Le Gouvernement impérial persan m'autorise à vous informer qu'il accepte les recommandations formulées par la Commission mixte et propose que la période indiquée au paragraphe 13 de l'Accord soit de cinq années. Je serai heureux d'apprendre de votre Excellence que le Gouvernement de Sa Majesté britannique accepte également ces recommandations.

Veuillez, &c.

VOSSOUGH-ED-DOWLEH

(No. 2)—Sir Percy Cox to His Highness Vossough-ed-Dowleh.

Légation britannique, Téhéran,
le 21 mars 1920.

ALTESSE,

J'ai l'honneur d'accuser réception de la note en date de ce jour par laquelle votre Altesse veut bien me transmettre copie du rapport de la Commission mixte, nommée conformément à l'article VI de l'Accord du 9 août 1919 entre les Gouvernements persan et britannique, et me signifier l'acceptation par le Gouvernement impérial persan des recommandations de ladite Commission mixte.

Le Gouvernement de Sa Majesté britannique m'autorise à déclarer qu'il accepte également les recommandations de la Commission mixte, et convient que la période indiquée au paragraphe 13 soit de cinq années.

Je saisis, &c.,

P. Z. Cox

Rapport de la Commission mixte nommée en vertu de l'Article 6 de l'Accord anglo-persan du 9 Août 1919.

Ayant adopté à l'unanimité l'accord ci-joint, la Commission mixte a l'honneur de le soumettre à l'approbation des Gouvernements des Hautes Parties contractantes. La Commission se permet, en outre, d'exprimer l'avis que, dans le cas où ses recommandations seraient approuvées, elles devraient entrer en vigueur à partir du 22 mars 1920 (le No Ruz persan), a condition que les contrats qui auront déjà été passés soient soumis au régime énoncé dans la note 4 préfixée au tarif.

Les Délégués britanniques :

H. LLEWELLYN SMITH.

A. C. MCWATTERS.

C. R. WATKINS.

Les Délégués persans :

AKBAR.

DR. EMIR AALAM.

J. HEYNSSENS.

Le 9 mars 1920.

ACCORD.

1. En vue de prévenir des doutes quant à la signification et à la portée de la Convention commerciale anglo-persane du 9 février 1903, et d'adapter certaines de ses dispositions aux nouvelles circonstances, il est convenu ce qui suit :

Lorsque, dans la convention du 9 février 1903 ou dans le présent accord, il est fait mention de l'Empire britannique ou de marchandises britanniques, ces termes doivent être interprétés comme étant applicables aux territoires se trouvant sous la protection ou sous l'administration britannique, et aux marchandises originaires de ces territoires.

2. Les mots " sujets britanniques " dans l'article 1er de la convention ne devront pas être interprétés de façon que les marchandises britanniques importées en Perse par les ressortissants d'un autre pays—persans ou autres—soient éventuellement imposées d'un droit plus élevé que ceux fixés par le tarif annexé à la convention.

3. Les mots " colonie britannique " dans le second paragraphe de l'article 2 de la convention (qui reconnaît à toute colonie britannique ayant un tarif douanier spécial la faculté de retirer sa participation à la convention, à condition de perdre le traitement de la nation la plus favorisée en Perse) doivent être interprétés

comme comprenant toute partie de l'Empire britannique (autre que le Royaume-Uni) qui possède un régime douanier distinct.

4. Le droit au traitement de la nation la plus favorisée, dont jouissent réciproquement les sujets et le commerce des deux Etats contractants sous le régime de la convention, doit être interprété comme s'étendant au traitement de leurs navires et bateaux qui continueront, d'ailleurs, de jouir d'un traitement égal à celui accordé aux navires et bateaux nationaux en tout ce qui concerne le commerce et la navigation, y compris les facilités et les charges de toutes sortes dans les ports et rades.

5. Chacun des Etats contractants accordera des facilités de transit aux marchandises originaires de ou destinées à l'autre Etat. Il est entendu que ni l'un ni l'autre Etat n'est tenu d'accorder de telles facilités aux marchandises originaires de territoires dans lesquels des facilités similaires ou analogues sont refusées aux marchandises en transit de ou vers cet Etat. Le Gouvernement persan élaborera un règlement douanier pour donner effet à cette disposition.

6. Au cas où un produit persan serait soumis à un droit d'accise, ce droit ne sera pas perçu sur les marchandises similaires importées, d'origine britannique; mais en cas d'établissement et de perception générale en Perse d'un droit d'accise, sur le tabac, l'opium, les alcools ou le sel, dont le taux excéderait le droit d'entrée applicable aux produits similaires, le Gouvernement persan sera qualifié, sans attendre la date de la prochaine révision du tarif, pour augmenter le droit d'entrée d'un montant non supérieur à la différence, à condition qu'en cas de diminution ou de suppression du droit d'accise le taux du droit d'entrée sera réduit dans la même mesure.

7. Le terme " produits du sol " dans l'article 3 de la convention doit être interprété comme comprenant les denrées alimentaires et les matières d'industrie. Par conséquent, les mots " ou les matières d'industrie " devront être ajoutés à la fin du susdit article. Il est entendu qu'aucune prohibition ne pourra être appliquée, sauf en vertu d'un ordre ou décret exprès du Gouvernement.

8. Il est reconnu que la concurrence déloyale telle que l'emploi de fausses marques sur les marchandises porterait atteinte au droit du traitement de la nation la plus favorisée que la convention confère au commerce des Etats contractants. En conséquence, le Gouvernement persan prendra les mesures nécessaires en vue d'une réglementation de l'emploi des marques de fabrique et de commerce, par laquelle les produits importés seront protégés contre la concurrence déloyale des marchandises portant des marques de fabrique contrefaites ou de fausses marques ou de fausses indications d'origine. Un règlement pour l'application de ces mesures sera élaboré par le Gouvernement persan et approuvé dans la même forme que le règlement douanier.

Il est entendu que le bénéfice de cette protection ne sera pas étendu aux produits de territoires dans lesquels une protection semblable ou analogue n'est pas accordée aux produits persans.

9. Les tarifs d'importation et d'exportation reproduits en première annexe du présent accord seront substitués aux tarifs A et C annexés à la convention. Le règlement douanier élaboré en exécution de l'article 5 de la convention sera modifié conformément à la seconde annexe du présent accord. Il est reconnu que tous les termes de la convention et de ses annexes se référant au tarif B sont devenus caducs par suite du changement des circonstances.

10. En vue de faciliter l'exécution de l'article 5 de la convention, il est convenu qu'une somme annuelle égale à 5 pour cent du produit net total des droits de douane (pour autant que ces revenus ne soient pas déjà engagés) sera affectée, pendant chacune des cinq premières années, et ensuite aussi longtemps que nécessaire, et en vertu du règlement qui doit être approuvé conformément aux dispositions de l'article 5, au paiement des dépenses de travaux permanents, pour l'amélioration des moyens dont disposent les douanes et le commerce dans les ports persans et dans les bureaux persans de douane aux frontières de terre, y compris les moyens suffisants, pratiques et rapides pour le chargement et le déchargement des navires, et le débarquement, la visite douanière, et l'emmagasinage des marchandises ainsi que leur délivrance aux destinataires. Le règlement énoncera les conditions de fixation de taxes raisonnables à percevoir par l'administration des douanes, pour l'usage desdites facilités (lesquelles taxes n'excéderont pas ce qui est suffisant pour couvrir les dépenses d'entretien ainsi que les intérêts et l'amortissement du coût original des travaux) et prévoira l'affectation exclusive des recettes de ces taxes à ces divers objets.

11. Il est convenu que le Gouvernement persan tâchera immédiatement d'élaborer et de mettre en vigueur les mesures nécessaires pour établir le système monétaire du pays sur une meilleure base et pour stabiliser le change.

Entre-temps, les effets de l'article 6 de la convention de 1903 et de l'article 3 des observations additionnelles y annexées seront suspendus pendant une période n'excédant pas deux ans.

A défaut d'application pendant cette période d'une mesure de réforme monétaire acceptable pour les deux parties, la situation sera remise à l'étude par les Etats contractants. Il est, cependant, entendu que si la valeur du kran par rapport à l'or vient à diminuer au point que le revenu des douanes menace d'être insuffisant pour garantir les emprunts extérieurs, le Gouvernement persan pourra (et, s'il en est requis par le Gouvernement de Sa Majesté britannique, devra), moyennant préavis d'au moins trois mois, augmenter tous les droits de douane spécifiques du pourcentage uniforme nécessaire pour pourvoir aux besoins de la situation.

12. Il est convenu que, dans les six mois après l'expiration d'une période de cinq ans à partir de la date du présent et de chaque période quinquennale subséquente, chacun des deux Gouvernements pourra, par avis donné par l'un à l'autre, requérir la réunion, dans un délai de six mois, d'une commission mixte d'experts représentant les deux Hautes Parties contractantes, à l'effet de reviser de commun accord les tarifs annexés à la convention ou le règlement douanier afin de les adapter aux nouvelles circonstances.

13. Les dispositions de la convention et du présent accord (à l'exception des tarifs et du règlement douanier dont la revision périodique est prévue au paragraphe précédent) resteront en vigueur jusqu'à l'expiration d'une période de douze mois à partir de la date à laquelle l'une ou l'autre des parties aura donné avis de son intention d'y mettre fin. Il est, cependant, entendu qu'un tel avis ne pourra être donné qu'après l'expiration d'un délai à déterminer immédiatement par une échange de notes entre les Hautes Parties contractantes.

14. Les paragraphes qui précédent se rapportent exclusivement à la signification et à la portée de la convention du 9 février 1903, concernant les relations commerciales et douanières des deux Hautes Parties contractantes, et ne préjudicient en rien à la question du statut légal ou juridique des ressortissants des pays qui ont été placés sous la protection ou sous l'administration britanniques depuis 1914.

ANNEXE I.

Tarifs des Droits d'Entrée et de Sortie.

Tarifs des Droits d'Entrée.

NOTES.

1. L'importation des marchandises marquées d'un astérisque (*) n'est actuellement permise que par les bureaux de douanes d'Enzéli, Mechédissar, Badjguiran, Meched, Nassirabad, Deuzbad, Bender Abbas, Lingah, Bouchire, Mohammerah, Ahwaz, Gourétou, Kermanchah, Djeulfa, Khoy, Ourmiah et Tauris, sauf par autorisation spéciale de l'Administration des Douanes.

2. La perception de la surtaxe temporaire d'un kran par batman sur le sucre et de 0·50 par batman sur les sirops et mélasses [voir note au tarif des droits d'entrée No. 13 (15)] est une mesure de circonstances autorisée dans le but de donner le temps nécessaire pour le développement d'autres sources de revenus, spécialement l'impôt foncier.

La surtaxe, qui est en supplément aux droits d'entrée spécifiés au tarif, sera prélevée également sur le sucre et les sirops et mélasses importés ou produits en Perse. Le taux de la surtaxe sera réduit aussitôt que possible et sera supprimé dès que d'autres sources convenables de revenus auront été trouvées pour la remplacer. La surtaxe ne pourra continuer à être perçue après le 22 mars 1922, sans consentement mutuel des Parties contractantes de la Convention anglo-persane de 1903.

3. La perception du droit d'entrée sur les œufs de vers à soie (voir tarif des droits d'entrée No. 26) est subordonnée au maintien par l'Administration des Douanes d'une organisation efficace pour l'examen bactériologique et pour le contrôle des œufs importés, à chaque bureau de douane par où l'importation est permise.

4. Pour ce qui concerne les marchandises vendues avant le 22 mars 1920 suivant contrat en vertu duquel elles sont livrables en Perse franco de droits de douane, ces derniers étant compris dans le prix de vente, ou sans spécification concernant le paiement des droits de douane pour celles qui en étaient exemptes, il a été convenu ce qui suit :

(*a*) Si ces marchandises étaient antérieurement exemptes de droits d'entrée et sont soumises à des droits d'après le tarif nouveau, ou si les droits nouveaux sont supérieurs aux droits anciens, le vendeur pourra majorer le montant de sa facture de la différence qu'il aura eu à débourser et l'acheteur sera tenu d'accepter cette majoration et pourra être contraint de l'acquitter par tous moyens de droit.

(*b*) Si les droits nouveaux sont inférieurs aux droits anciens ou si une marchandise antérieurement imposée est admise en exemption de droits en vertu du nouveau tarif, l'acheteur sera fondé à déduire la différence du montant de la facture et le vendeur sera tenu d'accepter cette diminution.

Droits d'Entrée.

No. du Tarif.	Désignation des Marchandises.	Unité.	Droit.†
1	* Alcools et liquides alcooliques :		
	1. Parfumeries alcooliques, y compris le vinaigre de toilette.	ad val.	25 pour cent.
	2. Liqueurs et cordiaux de toute espèce . .	batman brut.	12,00
	3. Eaux de vie de toute espèce, y compris le whiskey, le rhum, le cognac, le gin, le vodka, l'arac et les produits similaires.	id.	8,00
	4. Vins mousseux	id.	8,00
	5. Vins de dessert tels que porto, madère, sherry et vermouth, apéritifs et vins médicinaux.	id.	6,00
	6. Vin de table non mousseux	id.	3,00
	7. Bière, cidre et boissons fermentées non spécifiées.	id.	0,50
	8. Alcools dénaturés rendus impropres à la consommation humaine d'une façon effective et permanente.	id.	0,50
2	Allumettes	batman	1,50
3	Amidon et fécules non alimentaires :		
	1. Amidon	id.	1,00
	2. Fécules non alimentaires	id.	0,50
4	Animaux vivants de toute espèce	..	exempts.
5	* Armes et accessoires, y compris les pièces détachées :		
	1. Fusils de chasse, carabines de salon et armes blanches et leurs pièces détachées.	ad val.	25 pour cent.
	2. Autres armes à feu et pièces détachées (importation soumise à une autorisation spéciale du Gouvernement).	id.	50 pour cent.

† In krans and cents unless otherwise stated.

No. du Tarif.	Désignation des Marchandises.	Unité.	Droit.†
6	Bois :		
	1. Bois de chauffage	..	exempts.
	2. Autres bois non ouvrés, y compris les bois sciés ou refendus, les billets et les traverses.	ad val.	8 pour cent.
	3. Bois ouvrés autres que ceux spécialement tarifés.	id.	10 pour cent.
7	Bougies et chandelles de toute espèce, y compris les torches et les mèches.	batman	1,00
8	* Caoutchouc et gutta-percha et leurs applications :		
	1. Bruts	..	exempts.
	2. Préparés, en plaques, feuilles ou fils . .	batman	3,00
	3. Galoches	id.	5,00
	4. Tous autres ouvrages, y compris les bandages sans valves ni revêtements métalliques pour cycles ou voitures.	ad val.	12 pour cent.
	NOTE.—Les chaussures en caoutchouc et tissu dont le tissu constitue la partie principale en valeur sont rangées parmi les habillements.		
9	Charbon de terre et de bois, coke et tourbe .	..	exempts.
10	Cendres et scories	..	id.
11	Ciment :		
	Y compris les briques en ciment et les objets en ciment.	100 batmans	5,00
12	Cire brute	batman	0,50
13	Denrées et conservés alimentaires autres que boissons :		
	1. Beurres et autres graisses comestibles, y compris la margarine et les beurres végétaux :		
	(*a*) Frais ou salés	id.	0,50
	(*b*) En petites boîtes ou autres récipients analogues.	batman brut.	1,00
	(*c*) Toute autre espèce	batman	0,50
	NOTE.—Par petites boîtes, il faut entendre celles dont le poids, contenant et contenu, ne dépasse pas un batman.		
	Denrées et conservés, etc. (*suite*) :		
	2. Cacao de toute espèce, y compris le chocolat :		
	(*a*) Cacao en fèves, pelures et déchets . .	id.	1,00
	(*b*) Cacao en poudre, sucré ou non sucré .	id.	3,00
	(*c*) Chocolats et chocolats à la crème . .	id.	3,00
	3. Café :		
	(*a*) Non torréfié	id.	2,00
	(*b*) Torréfié, moulu ou non moulu, pur ou mélangé de chicorée ou d'autres substances.	id.	3,00
	NOTE.—Le café importé en petits paquets, en boîtes en carton ou en fer blanc ou autres récipients analogues, acquitte les droits d'après le poids brut.		
	4. Céréales et leurs dérivés :		
	(*a*) Riz	id.	0,15
	(*b*) Froment, orge, avoine et autres céréales alimentaires non dénommées.	id.	0,05
	(*c*) Malt	id.	0,10
	(*d*) Farines comestibles	id.	0,10
	(*e*) Macaroni et patês alimentaires . .	id.	1,00

† In krans and cents unless otherwise stated.

No. du Tarif.	Désignation des Marchandises.	Unité.	Droit.†
	Denrées et conservés, etc. (*suite*) :		
	4. Céréales et leurs dérivés :		
	(*f*) Biscuits, pain d'épices et pâtisseries de toute espèce :		
	(i) Biscuits de mer et de chiens . .	..	exempts.
	(ii) Tous autres	batman brut.	1,00
	NOTE.—Les biscuits contenant plus de 40 pour cent de sucré sont classés parmi les confiseries.		
	(*g*) Pain	..	exempt.
	5. Chicorée :		
	(*a*) Racines vertes	batman	0,10
	(*b*) Torréfiée, moulue ou séchée . . .	id.	0,50
	6. Fromages :		
	(*a*) Communs et mous	id	0,50
	(*b*) Tous autres, y compris les fromages mous emballés séparément.	id.	1,50
	7. Fruits et baies, frais ou secs ; et conserves, y compris les confitures, les gelées, les pâtes de fruits, les marmelades, les fruits confits, les jus et sirops de fruits, en boîtes, pots, bouteilles ou autres récipients similaires.		
	NOTE 1.—Les jus et sirops de fruits contenant plus de 5 pour cent d'alcool pur et les fruits conservés à l'alcool sont rangés parmi les eaux de vie.		
	NOTE 2.—Les citrons séchés rentrent dans la catégorie des épices non dénommées.		
	8. Huiles végétales :		
	(*a*) Huiles de table, y compris l'huile d'olives .	batman brut.	2,00
	(*b*) Toutes autres à l'exception de celles rangées parmi les produits médicinaux, les drogues ou la parfumerie.	id.	0,50
	9. Lait et crème :		
	(*a*) Frais ou simplement stérilisés . . .	..	exempts.
	(*b*) Conservés en boîtes, bouteilles ou autres récipients similaires sucrés ou non sucrés.	batman brut.	1,00
	10. Légumes de toute espèce :		
	(*a*) Frais	..	exempts.
	(*b*) Séchés	ad val.	5 pour cent.
	(*c*) Conservés en boîtes, pots, bouteilles ou autres récipients analogues.	batman brut.	1,50
	11. Miel	batman	1,00
	12. Œufs de volaille ou de gibier . . .	..	exempts.
	13. Poissons :		
	(*a*) Frais, séchés, salés ou fumés . . .	..	exempts.
	(*b*) Conservés :		
	(i) En boîtes, pots, bouteilles ou autres récipients analogues.	batman brut.	1,50
	(ii) Autrement emballés . . .	id.	0,50
	(*c*) Caviar	id.	5,00
	14. Sel :		
	(*a*) Non raffiné	10 batmans	0,30
	(*b*) Blanc, raffiné :		
	(i) En boîtes, bouteilles et autres récipients analogues.	batman brut.	0,20
	(ii) Autrement emballés . . .	id.	0,10
	15. Sucres et confiseries de toute espèce :		
	(*a*) Sirops et mélasses provenant du raffinage ou de la fabrication du sucre.	batman	0,50

† In krans and cents unless otherwise stated.

No. du Tarif.	Désignation des Marchandises.	Unité.	Droit. †
	Denrées et conservés, etc. (*suite*) :		
	15. Sucres et confiseries de toute espèce :		
	(*b*) Sucres raffinés ou non raffinés :		
	(i) En cristaux ou en poudre, y compris les cassonades.	batman	0,75
	(ii) En cubes ou en pains et les sucres candis.	id.	1,00
	Par mesure transitoire, tous les sucres importés seront soumis à une surtaxe temporaire, fixée à 1 kran par batman pour ceux repris au littera (*b*) et à 0,50 kran par batman pour les sirops et mélasses, en plus des droits spécifiés au tarif.		
	NOTE.—Le cas échéant, cette surtaxe sera appliquée également à tous les sucres, sirops et mélasses fabriqués en Perse.		
	(*c*) Confiseries, y compris les bonbons et autres sucreries préparés sans cacao.	batman	3,00
	16. Thés :		
	(*a*) Thés blancs	id.	6,00
	(*b*) Tous autres thés	id.	4,00
	17. Viandes et gibier :		
	(*a*) Frais	..	exempts.
	(*b*) Tous autres :		
	(i) Salés, séchés ou fumés . . .	batman	1,20
	(ii) Conservés, y compris les extraits de viandes en boîtes, pots, bouteilles ou autres récipients analogues.	batman brut.	1,50
14	Drilles et chiffons	..	exempts.
15	* Drogueries :		
	1. Saccharine et produits saccharinés . .	batman	500,00
	2. Toutes autres	ad val.	12 pour cent.
	NOTE.—L'importation de la morphine et de la saccharine n'est permise que par autorisation spéciale du Gouvernement pour l'usage des docteurs et des pharmaciens diplômés.		
16	* Échantillons commerciaux, sans valeur intrinsèque, y compris les échantillons de tissus ne dépassant pas 30 centimètres de longueur sur toute la largeur du tissu et les échantillons sur cartes ou carnets.	..	exempts.
17	Engrais organiques	..	exempts.
	NOTE.—Pour les engrais chimiques voir la rubrique " Produits chimiques ".		
18	Épiceries :		
	1. Poivre, curry, piments et moutarde . .	batman	1,00
	2. Toutes autres, y compris les épices préparées, les sauces, la vanille, le safran, les truffes, les citrons séchés et les épiceries non dénommées.	ad val.	15 pour cent.
19	* Habillements :		
	Habillements de toute espèce, y compris la lingerie de lit et de corps, la bonneterie, les chapeaux et les casquettes, les gants, les écharpes, les châles (sauf ceux spécialement repris au tarif), les foulards, les manchons, les boas et articles similaires, les parapluies et les parasols, les plumes préparées pour la parure et en général tous les articles d'habillement non spécialement tarifés.	id.	15 pour cent.
20	Huiles animales, non compris les huiles médicinales.	batman brut.	0,50

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No. du Tarif.	Désignation des Marchandises.	Unité.	Droit.†
21	Huiles minérales, non compris les huiles médicinales :		
	1. Huiles lourdes destinées exclusivement au chauffage et au graissage :		
	(*a*) En vrac	batman	0,05
	(*b*) En futs où bidons	id.	0,10
	2. Goudron minéral	id.	0,25
	3. Toutes autres huiles minérales :		
	(*a*) En vrac	id.	0,15
	(*b*) En boîtes, bidons, barils ou autres récipients analogues.	id.	0,20
22	* Instruments de musique de toute espèce, y compris les parties détachées.	ad val.	15 pour cent.
23	* Instruments scientifiques de toute espèce, y compris les parties détachées.	id.	10 pour cent.
24	Levures et levains :		
	1. En boîtes, paquets ou autres récipients analogues.	batman brut.	2,00
	2. Autrement emballés	id.	1,00
25	Machines et outils, à l'exception des moteurs pour la locomotion aérienne, les automobiles et les canots automobiles :		
	1. Outils manuels	ad val.	10 pour cent.
	2. Machines et mécaniques (mues par force mécanique, animale ou manuelle), y compris les machines agricoles, les outils mécaniques et les locomotives, et leurs parties détachées ainsi que les chaudières et les générateurs.	id.	8 pour cent.
26	Matières animales brutes non spécialement dénommées :		
	1. Œufs de vers à soie en boîtes de 30 gr. ou moins.	boîte.	1,00
	2. Toutes autres	ad val.	10 pour cent.
	NOTE 1.—Les œufs de vers à soie importés autrement qu'en boîtes ou importés en boîtes contenant plus de 30 gr. acquittent le droit sur la base d'un kran par 30 gr. de poids net.		
	NOTE 2.—Les œufs de vers à soie ne peuvent être importés que par les bureaux de douane où le Gouvernement a installé un service de contrôle bactériologique. Actuellement ce service ne fonctionne qu'à Enzéli. Les revenus de ce droit seront exclusivement consacrés au développement et à l'amélioration de l'industries sériciole.		
27	Matières minérales brutes non spécialement dénommées, y compris le plâtre, la chaux, la terre réfractaire et le gypse, à l'exclusion du ciment.	id.	5 pour cent.
28	* Matières textiles et leurs applications :		
	1. Matières textiles brutes, non compris les textiles minéraux :		
	(*a*) Coton, laine, poils, chanvre, jute, lin bruts, soie en cocons et autres matières textiles brutes non dénommées.	..	exempts.
	(*b*) Soie grège	batman	4,00
	(*c*) Bourre et déchets de soie . . .	id.	2,00
	2. Fils :		
	(*a*) De coton, de laine, de poils, de lin et d'autres filaments non dénommés, et leurs composés.	id.	1,00

† In krans and cents unless otherwise stated.

No. du Tarif.	Désignation des Marchandises.	Unité.	Droit.†
	Matières textiles, etc. :		
	2. Fils :		
	(*b*) De chanvre ou de jute	batman	0,50
	(*c*) De soie pure	id.	8,00
	(*d*) De bourre de soie	id.	4,00
	(*e*) De coton mélangé de bourre de soie . .	id.	2,00
	(*f*) De coton mélangé d'asbeste . . .	id.	1,00
	(*g*) Fils d'argent ou d'or faux et fils recouverts d'argent ou d'or fin ou faux.	ad val.	15 pour cent.
	(*h*) Les fils préparés pour la couture, la broderie et autres travaux manuels, en écheveaux, en pelotes, en bobines, cartes ou cartons ou tubes, excepté ceux repris au littera (*g*) ci-dessus.	id.	10 pour cent.
	3. Tissus :		
	(*a*) Sans distinction des matières entrant dans leur composition :		
	(i) Feutre et tissus feutrés . . .	id.	10 pour cent.
	(ii) Carpettes et tapis de pied de toute espèce.	id.	25 pour cent.
	(iii) Dentelles de toute espèce, excepté les guipures mécaniques pour ameublement.	id.	20 pour cent.
	(iv) Broderies et tissus brodés, y compris ceux brodés de matières différentes.	id.	15 pour cent.
	(v) Tissus non spécialement dénommés, y compris les tapis de table, les tissus tricotés, les tresses, les lacets, les rubans, etc., et les tissus caoutchoutés, la passementerie, les tissus anti-septiques et en général tous les tissus de matières non spécialement dénommés.	id.	10 pour cent.
	(*b*) De coton pur :		
	(i) Tissus de toute espèce simples ou façonnés, non spécialement dénommés, écrus ou blanchis, teints ou imprimés ou fabriqués avec des fils teints.	batman	2,40
	(ii) Velours et peluches frappés . .	id.	5,00
	(iii) Velours et peluches tous autres .	id.	4,00
	(iv) Tulles non brodes	id.	6,00
	(v) Guipures mecaniqués pour ameublement.	id.	4,00
	(vi) Mouchoirs simples ou à la pièce, adjourés ou non.	id.	5,00
	(vii) Linge de table confectionné . .	id.	3,00
	(*c*) De laine pure :		
	(i) Tissus de toute espèce non spécialement tarifés.	id.	10,00
	(ii) Couvertures bordées ou munies de franges ou non.	id.	8,00
	(iii) Velours et peluches, y compris les imitations d'Astrakhan et produits similaires.	id.	12,00
	(iv) Châles d'Orient	ad val.	10 pour cent.

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No. du Tarif.	Désignation des Marchandises.	Unité.	Droit.†
	Matières textiles, etc. :		
	3. Tissus :		
	(*d*) De lin pur :		
	(i) Tissus de toute espèce non spécialement tarifés.	batman	4,00
	(ii) Velours et peluches . . .	id.	6,00
	(iii) Lingerie de table confectionnée .	ad val.	10 pour cent.
	(iv) Batistes, linons et mouchoirs de poche	id.	15 pour cent.
	(*e*) De soie artificielle pure, tissus de toute espèce non spécialement tarifés.	batman	15,00 ou ad val. 10 pour cent au choix de l'importateur.
	(*f*) De chanvre, de jute ou d'autres filaments végétaux, y compris la ramie et l'alpha :		
	(i) Tissus de toute espèce non spécialement tarifés.	id.	1,50
	(ii) Tissus communs, écrus, pour emballages, y compris les sacs.	id.	0,50
	(*g*) De soie naturelle pure :		
	(i) Tissus de toute espèce non spécialement tarifés.	id.	30,00
	(ii) Peluches et velours . . .	id.	50,00
	(iii) Tissus pailletés d'or ou d'argent ou brochés de fils d'or ou d'argent fin ou faux.	id.	60,00
	(iv) Tissus autrement pailletés ou broches	id.	40,00
	(v) Tulles et gazes non brodés . .	id.	50,00
	(*h*) De bourre de soie :		
	Tissus de toute espèce non spécialement tarifés.	id.	15,00
	(*j*) De coton et de laine mélangés :		
	(i) Ne contenant pas plus de 10 pour cent de laine.	id.	3,00
	(ii) Contenant 10 pour cent de laine et moins de 50 pour cent :		
	(*a*) Tissus de toute espèce non spécialement tarifés.	id.	5,00
	(*b*) Velours et peluches, y compris les imitations d'Astrakhan et produits similaires.	id.	7,00
	(iii) Contenant 50 pour cent de laine ou plus :		
	(*a*) Tissus de toute espèce non spécialement tarifés.	id.	6,00
	(*b*) Velours et peluches, y compris les imitations d'Astrakhan et produits similaires.	id.	8,00
	(*k*) De coton mélangé de lin ou d'autres filaments végétaux :		
	(i) Tissus de toute espèce non spécialement tarifés.	id.	3,00
	(ii) Façonnés, y compris le linge de table	id.	5,00
	(*l*) De coton, mélangé de soie artificielle :		
	Tissus de toute espèce non spécialement tarifés.	id.	8,00 ou ad val. 10 pour cent au choix de l'importateur.

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No. du Tarif.	Désignation des Marchandises.	Unité.	Droit.†
	Matières textiles, etc. :		
	3. Tissus :		
	(*m*) De coton mélangé de soie naturelle .	10 pour cent et moins de 25 pour cent de soie.	25 pour cent jusqu'a 90 pour cent de soie.
	(i) Tissus de toute espèce non spécialement tarifés.	batman 10,00	batman 17,00
	(ii) Tissus pailletés ou brochés de fils d'or ou d'argent fin ou faux.	id. 25,00	id. 35,00
	(iii) Tulles non brodés	id. 20,00	id. 30,00
	(iv) Peluches et velours . . .	id. 20,00	id. 30,00
	(*n*) De coton mélangé de bourre de soie : Tissus de toute espèce non spécialement tarifés.	batman	7,50
	NOTE.—Les tissus contenant plus de 90 pour cent de soie naturelle ou artificielle ou de bourre de soie sont classes parmi les tissus de soie naturelle ou artificielle ou de bourre de soie pure. Ceux contenant moins de 10 pour cent acquittent le droit afférent aux tissus de coton plus 50 pour cent de ce droit.		
	(*o*) De laine ou de lin mélangé de soie naturelle ou artificielle ou de bourre de soie : Tissus de toute espèce non spécialement tarifés.	ad val.	10 pour cent.
	NOTE 1.—La classification des tissus mélangés sera déterminée d'après les poids respectifs des différentes matières entrant dans leur composition totale.		
	NOTE 2.—Les tissus brochés d'autres matières sont considérés comme tissus mélangés.		
	(*p*) Toiles cirées et huilées de toute espèce, y compris les tissus recouverts d'une couche de gomme ou de résine ou de toute autre substance à base d'huile, ainsi que les tissus imprégnés d'huile ou de créosote, à l'exclusion des tissus recouverts de caoutchouc.	id.	10 pour cent.
	4. Cordes, cordages et ficelles, y compris les filets de pêche et les échelles de cordes.	batman	0,60
29	* Mercerie, jouets et quincaillerie de toute espèce non spécialement tarifés.	ad val.	15 pour cent.
30	* Meubles et articles d'ameublement de toute espèce non spécialement tarifés.	id.	15 pour cent.
31	Minerais, métaux et leurs applications :		
	1. Minerais de toute espèce	..	exempts.
	2. Métaux de toute espèce, en lingots, barres, billettes, tôles, plaques, feuilles, bandes, baguettes ou fils, y compris les vieux métaux et la mitraille ; l'acier et le fer de construction, les rails, le matériel de chemin de fer, les tuyaux, les clous, les vis, les rivets, les rondelles, les boulons, les écrous et les pointes.	ad val.	8 pour cent
	3. Monnaies :		
	(i) En or ou en argent, ayant cours légal dans leur pays d'émission.	..	exemptes.
	(ii) En cuivre, en nickel et autres métaux non précieux.	..	prohibées.

† In krans and cents unless otherwise stated.

No. du Tarif.	Désignation des Marchandises.	Unité.	Droit.†
	Minerais, métaux et leurs applications :		
	4. Ouvrages en métal de toute espèce (y compris la bijouterie de toute espèce) non spécialement repris sous une autre rubrique du tarif.	ad val.	15 pour cent.
32	* Montres et boîtes de montres de toute espèce, émaillées ou non :		
	1. En or, platine ou argent	id.	15 pour cent.
	2. Toutes autres	pièce	3,00
	3. Mouvements importés séparément, y compris les pièces détachés.	ad val.	15 pour cent.
33	Navires, bateaux et barques, et leurs parties détachées :		
	1. Canots à moteur	id.	10 pour cent.
	2. Tous autres	..	exempts.
34	Objets d'art et de collection, non destinés à la vente, y compris les antiquités, les timbres-poste et les tableaux à la main non encadrés.	..	exempts.
35	* Opium	batman	60,00
36	Papiers et leurs applications :		
	1. Pâtes à papier	id.	0,10
	2. Papiers de toute espèce et leurs applications (y compris les cahiers et les livres de comptes) non spécialement tarifés.	ad val.	12 pour cent.
37	* Parfumeries, autres que les savons parfumés et les parfumeries alcooliques.	id.	20 pour cent.
38	* Peaux et leurs applications :		
	1. Peaux brutes, séchées ou salées . . .	id.	10 pour cent.
	2. Peaux préparées :		
	(*a*) Pour pelleteries	id.	15 pour cent.
	(*b*) Peaux tannées, corroyées ou mégissées.	batman	1,50
	(*c*) Peaux teintes	id.	3,00
	(*d*) Peaux vernies, laquées, chamoisées ou maroquinées.	id.	4,00
	3. Ouvrages de toute espèce en cuir . .	ad val.	15 pour cent.
39	Pierres, y compris les pierres précieuses et les perles :		
	1. Pierres précieuses, et perles ouvrées ou non .	id.	5 pour cent.
	2. Pierres ordinaires non ouvrées, y compris les pierres equarries et les paves.	id.	5 pour cent.
	3. Pierres ordinaires, sciées, polies ou sculptées, y compris les ouvrages en pierre, en albâtre, etc., à l'exclusion des vases, statues, etc., destinés à l'ornementation des habitations, qui rentrent dans la catégorie des meubles.	batman	0,25
	4. Ardoises pour toitures	100 batmans	2,00
	5. Amiante, asbeste et mica bruts . . .	ad val.	5 pour cent.
	6. Amiante, asbeste et mica en plaques ou feuilles et leurs applications.	id.	12 pour cent.
40	* Poteries de toute espèce, sans ornements en métal ou en bois, et a l'exclusion des articles achevés servant a l'ornementation ou à l'ameublement des lieux habités :		
	1. Briques et tuiles, tuyaux de drainage, pots à fleurs et articles similaires en terre cuite.	id.	5 pour cent.
	2. Faience et porcelaine de toute espèce et toutes autres espèces de poteries non spécialement tarifées.	id.	15 pour cent.

† In krans and cents unless otherwise stated.

No. du Tarif.	Désignation des Marchandises.	Unité.	Droit.†
41	*Poudres et explosives :		
	1. Munitions pour fusils de chasse et carabines de salon, y compris les amorces et capsules à poudre fulminante.	ad val.	20 pour cent.
	2. Munitions pour fusile de guerre, revolvers ou pistolets (soumis à une autorisation spéciale du Gouvernement pour toute quantité excédant 500 pièces).	id.	25 pour cent.
	3. Fusées et détonateurs pour mines et autres explosifs pour usages miniers ou industriels (soumis a une autorisation spéciale du Gouvernement).	id.	8 pour cent.
	4. Feux d'artifice	id.	15 pour cent.
	5. Toutes autres espèces	..	Prohibées.
42	*Produits chimiques :		
	1. Sels de soude, chlorure de chaux et engrais chimiques.	batman	0,15
	2. Tous autres	ad val.	10 pour cent.
43	*Produits typographiques et lithographiques :		
	1. Journaux, publications périodiques, livres, musique, cartes marines ou géographiques, plans, imprimés, gravures et estampes non encadrées, catalogues et réclames de commerce.	..	exempts.
	2. Tous autres	ad val.	12 pour cent.
	NOTE.—La libre importation des journaux, des publications périodiques, des livres, des imprimés, des gravures et des estampes est soumise au contrôle gouvernemental.		
44	Récoltes et fourrages, y compris les céréales en herbe et en gerbes, la paille ou la paille hachée, la luzerne et le foin.	..	exempts.
45	Résines et bitumes bruts, à l'exception du caoutchouc et des huiles minérales.	ad val.	5 pour cent.
46	*Savons :		
	1. Parfumés	ad val.	20 pour cent.
	2. Tous autres	id.	10 pour cent.
47	Tabacs :		
	1. Non fabriqués en feuilles ou concassés .	batman	8,00
	2. Fabriqués :		
	(*a*) Cigarettes :		
	(i) Importées en petites boîtes .	batman brut.	25,00
	(ii) Toutes autres . . .	id.	15,00
	(*b*) Cigares	ad val.	30 pour cent.
	(*c*) Tous autres tabacs fabriqués . .	id.	25 pour cent.
48	Teintures, couleurs et vernis :		
	1. Teintures et couleurs chimiques de toute espèce, à l'exception des teintures chimiques dont l'entrée est prohibée (voir Note 1).	id.	15 pour cent.

† In krans and cents unless otherwise stated.

No. du Tarif.	Désignation des Marchandises.	Unité.	Droit.†
	Teintures, couleurs et vernis :		
	2. Vernis :		
	(*a*) Préparés à l'alcool	batman brut.	5,00
	(*b*) Tous autres	id.	3,00
	NOTE 1.—L'Administration des Douanes, conformément à l'avis de son expert chimiste, préparera et tiendra à jour une liste des couleurs chimiques qu'elle aura reconnues posséder les qualités de fixité requises pour la teinture des tapis, ou qui sont inutilisables dans la fabrication des tapis. L'importation des autres couleurs chimiques est prohibée jusqu'à disposition contraire.		
	NOTE 2.—En vue du contrôle à exercer sur l'importation, la vente et l'emploi des couleurs chimiques, l'Administration des Douanes peut faire un règlement prescrivant les dimensions et la nature des emballages dans lesquels les diverses catégories de ces couleurs peuvent être importées et indiquant les bureaux de douane par lesquels leur importation peut être effectuée.		
49	Végétaux et substances végétales non spécialement tarifés, y compris les plantes vivantes, les fleurs et feuilles non sterilisées, les grains et graines non alimentaires, le houblon et les tour teaux.	..	exempts.
50	*Verreries :		
	1. Verres de vitrage ordinaires :		
	(*a*) Mesurant moins de 50 centimètres carrés.	batman	0,25
	(*b*) Mesurant 50 centimètres carrés ou plus	id.	0,40
	2. Bouteilles vides ou remplies de matières non imposables :		
	(*a*) En verre vert commun . . .	id.	0,05
	(*b*) En verre blanc ou coloré . . .	id.	0,10
	(*c*) Bouteilles à limonade et autres bouteilles similaires en verre épais.	id.	0,15
	3. Tous autres verres ou verreries . . .	ad val.	12 pour cent.
	NOTE.—Les glaces et miroirs encadrés ou montés sur pied ou support sont rangés parmi les meubles.		
51	*Voitures et véhicules de toute espèce (excepté les navires et bateaux) et leurs parties détachées :		
	1. Les charrettes et autres véhicules de transport, y compris les camions et les tapissières, à moteur ou non, les voitures de chemin de fer ou de tramways et les omnibus à plus de six places.	id.	5 pour cent.
	2. Tous autres, y compris les bicycles et tricycles, les automobiles, les motocyclettes et les side-cars.	id.	15 pour cent.
	3. Accessoires et parties détachées de toute espèce non spécialement tarifés, importés séparément.	id.	12 pour cent
52	Tous autres articles non spécialement repris au tarif.	id.	15 pour cent.

† In krans and cents unless otherwise stated.

Tarifs des Droits de Sortie.

NOTES.

1. Le droit de sortie sur la laine [voir tarif d'exportation No. 5 (1)] ne peut être perçu jusqu'au moment où le règlement spécial de transit prévu au paragraphe 40(*a*) du Règlement légal des Douanes, tel qu'il à été modifié par le présent arrangement, sera entré en vigueur, àfin de permettre aux laines d'origine etrangère de passer en transit par la Perse en exemption dudit droit.

2. Pendant la période de deux années, à l'expiration de laquelle le droit de sortie, sur les tapis teints de couleurs dont l'importation est prohibée, sera élevé de 6 pour cent à 25 pour cent *ad valorem* [voir note du tarif d'exportation No. 5(3)], l'Administration des Douanes prendra les mesures nécessaires pour préparer un personnel suffisant de vérificateurs expérimentés, possédant les connaissances techniques des couleurs pour les principaux bureaux de douane par où les tapis sont exportés.

No. du Tarif.	Désignation des Marchandises.	Unité.	Droit.†
1	Animaux vivants :		
	1. Anes . . . . . Tête	1	10,00
	2. Chameaux . . . . . „	1	50,00
	3. Chevaux et juments . . . . „	1	30,00
	4. Poulains . . . . . „	1	30,00
	5. Mulets . . . . . „	1	40,00
	6. Race bovine . . . . . „	1	10,00
	7. Race ovine et caprine . . . „	1	1,00
	8. Volaille de basse-cour	ad val.	10 pour cent.
	9. Gibier à plumes ou à poils	id.	10 pour cent.
	10. Tous autres animaux	..	exempts.
	NOTE.—L'exportation des animaux de la race bovine, ovine ou caprine, de la volaille et du gibier est prohibée, sauf exception à consentir par le Gouvernement. En cas d'exportation autorisée, les droits ci-dessus sont applicables.		
2	Armes et accessoires, y compris leurs pièces détachées, a l'exception des fusils de chasse et des carabines de salon. NOTE.—L'exportation des pistolets de poche et des revolvers peut être permise sur autorisation spéciale du chef local des douanes, à raison d'une arme par voyageur.	..	prohibés.
3	Bois : Bois de toute espèce, y compris les bois de construction et d'ébénisteries sciés, les billes, traverses et douves pour tonneaux, à l'exclusion des bois ouvrés. NOTE.—Le bois qui paie une taxe forestière à l'exportation est exempt des droits de sortie, à moins que ceux-ci soient plus élevés que la taxe forestière, cas dans lequel la différence est acquittée.	ad val.	5 pour cent.

† In krans and cents unless otherwise stated.

No. du Tarif.	Désignation des Marchandises.	Unité.	Droit.†
4	Denrées et conserves alimentaires autres que boissons :		
	1. Beurre et autres graisses comestibles, emballés ou non.	batman	1,00
	2. Grains alimentaires, y compris le froment, le riz, l'avoine, l'orge et autres céréales alimentaires non spécifiées, le malt et les farines comestibles.	10 batmans	1,00
	3. Œufs de volaille ou de gibier . . .	100 pièces	0,75
	4. Poissons :		
	(*a*) Frais, séchés ou salés . . .	10 batmans	1,00
	(*b*) Conservés :		
	(i) Emballés en boîtes soudées, bouteilles, etc.	..	exempts.
	(ii) Autrement emballés . . .	10 batmans brut.	1,00
	(*c*) Caviar	batman	5,00
	5. Sel	id.	0,05
5	Matières textiles et leurs applications :		
	1. Laine brute	id.	0,50
	NOTE.—L'imposition du droit sur la laine brute est subordonnée aux conditions de la note (1) placée en tête du tarif.		
	2. Soie en cocons, frais ou séchés . . .	id.	1,50
	3. Tapis dans la teinture desquels une couleur quelconque autre que celles pouvant être importées légalement à été employée.	ad val.	25 pour cent.
	NOTE.—Par mesure transitoire et pour donner le temps nécessaire pour l'exportation des tapis déjà fabriqués avant la date de la mise en vigueur du présent tarif, le droit de sortie sera perçu sur la base actuelle de 6 pour cent jusqu'au 22 mars 1922.		
6	Objets d'art et de collection autres que les antiquités provenant des fouilles.	..	exempts.
	NOTE.—L'exportation des antiquités provenant des fouilles est prohibée, sauf par autorisation spéciale du Ministère de l'Instruction publique.		
7	Opium	batman	20,00
8	Peaux brutes :		
	Peaux d'agneaux pour fourrures ne mesurant pas plus de 55 centimètres du cou à la naissance de la queue.	pièce	2,50
9	Perles fines non montées, y compris les perles simplement enfilées.	ad val.	5 pour cent.
10	Poudres et explosifs, à l'exception des capsules et des amorces pour armes portatives, des feux d'artifice et des cartouches chargées pour fusils de chasse et carabines de salon.	..	prohibés.
	NOTE.—L'exportation des cartouches pour pistolets de poche et pour revolvers peut être permise sur autorisation spéciale du chef local de la douane, à raison de 100 pièces par voyageur.		
11	Tabacs :		
	1. Non fabriqués	batman	1,00
	2. Fabriqués	id.	3,00
12	Toutes autre marchandises	..	exempts.

† In krans and cents unless otherwise stated.

No. XXVI.

TARIFF AUTONOMY TREATY between the UNITED KINGDOM and PERSIA,—1928.

TREATY between HIS MAJESTY in respect of the UNITED KINGDOM and INDIA and HIS IMPERIAL MAJESTY the SHAH of PERSIA in regard to the TARIFF AUTONOMY of PERSIA, with the Notes attached thereto,—1928.

Tehran, May 10, 1928.

Traité entre le Royaume-Uni et la Perse relatif à l'Autonomie douanière de la Perse.

Sa Majesté le Roi de Grande-Bretagne, d'Irelande et des Territoires britanniques au delà des Mers, Empereur des Indes, et Sa Majesté impériale le Schah de Perse.

Désireux de faciliter et d'étendre encore davantage le trafic et commerce de leurs pays respectifs et de régler au moyen d'un nouveau traité les relations commerciales entre la Grande-Bretagne et l'Irlande du Nord, les Indes et tels autres territoires sous la souveraineté, la protection ou l'autorité de Sa Majesté britannique qu'elle pourrait désirer voir liés par ce traité, d'une part, et la Perse, d'autre part,

Ont résolu de conclure un traité à cet effet et ont désigné pour leurs plénipotentiaires :

Sa Majesté le Roi de Grande-Bretagne, d'Irelande et des Territoires britanniques au delà des Mers, Empereur des Indes :

Pour la Grande-Bretagne et l'Irlande du Nord et toutes les parties de l'Empire britannique qui ne sont pas membres individuels de la Société des Nations :

Sir Robert Henry Clive, K.C.M.G., son Envoyé extraordinaire et Ministre plénipotentiaire à Téhéran ;

Pour les Indes :

Sir Robert Henry Clive, K.C.M.G., son Envoyé extraordinaire et Ministre plénipotentiaire à Téhéran ;

Sa Majesté impériale le Schah de Perse :

Fatoullah Khan Pakrevan, Gérant de son Ministère des Affaires étrangères ;

Lesquels, s'étant communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus de ce qui suit :

ARTICLE 1ER.

Sa Majesté britannique, reconnaissant l'importance pour la Perse de la pleine autonomie en toutes matières relatives aux droits de douane et étant désireuse, en considération des relations d'amitié entre les Gouvernements des hautes parties contractantes, de faciliter la réalisation des désire de Sa Majesté impériale le Schah de Perse à cet égard, convient d'abroger toutes les dispositions des traités existant

entre les hautes parties contractantes qui limitent de quelque façon que ce soit le droit de la Perse d'établir en pleine autonomie le tarif des douanes persan.

ARTICLE 2.

Pendant la durée du présent traité et sous la condition d'une parfaite réciprocité, les marchandises produites ou manufacturées en quelque partie que ce soit des territoires de Sa Majesté britannique auxquels s'applique le présent traité ne seront frappées à leur entrée en Perse, d'aucun droit de douane, coefficient, surtaxe ou taxe d'entrée quelconque, autres ou plus élevés que les droits, coefficients, surtaxes ou taxes d'entrée minima prélevés sur les marchandises similaires importées de tout autre pays étranger quel qu'il soit.

De même, pendant la durée du présent traité et sous la condition d'une parfaite réciprocité, les marchandises produites ou manufacturées en quelque partie que ce soit de l'Empire de Perse à destination d'une partie quelconque des territoires de Sa Majesté britannique auxquels s'applique le présent traité ne seront frappées à leur sortie de Perse d'aucun droit de douane, coefficient, surtaxe ou taxe de sortie autres ou plus elévés que les droits, coefficients, surtaxes ou taxes de sortie minima prélevés sur les marchandises similaires exportées à destination de tout autre pays étranger quel qu'il soit.

La Perse, ayant établi en vertu de son autonomie douanière un tarif légal unique (comportant un maximum et un minimum) qui sera mis en vigueur sur toutes ses frontières et appliqué pour une durée déterminée aux pays avec lesquels elle s'est liée par un traité ou convention, s'engage à ce que les marchandises produites ou manufacturées dans une partie quelconque des territoires de Sa Majesté britannique auxquels ce traité s'applique bénéficieront, à leur entrée en Perse et pour durée du présent traité, des taux minima du tarif autonome persan en vigueur.

Sa Majesté britannique, pour sa part, s'engage à ce que les marchandises produites ou manufacturées en Perse bénéficieront à leur entrée, dans une partie quelconque de ses territoires auxquels ce traité s'applique, du tarif minimum qui serait alors accordé à la nation la plus favorisée.

Il reste entendu que, si la Perse pendant le cours de ce traité venait à réduire sur quelqu'une de ses frontières un ou plusieurs des taux minima prévus par ce tarif, ces réductions seront automatiquement applicables aux marchandises produites ou manufacturées dans les territoires de Sa Majesté britannique auxquels ce traité s'applique, arrivant par n'importe quelle frontière.

ARTICLE 3.

Les marchandises produites ou manufacturées sur les territoires auxquels ce traité s'applique appartenant à l'une des deux hautes parties contractantes et régulièrement importées dans les territoires de l'autre haute partie contractante

auxquels ce traité s'applique, ayant dûment acquitté les droits et taxes dont les lois du pays prévoient le paiement à l'entrée sur les marchandises d'origine étrangère, ne seront sous aucun rapport soumises ensuite à des taxes ou impôts intérieurs autres que ceux dont sont frappés les articles semblables d'origine locale ou importés de tout autre pays étranger quel qu'il soit.

ARTICLE 4.

Sa Majesté britannique, en ce qui concerne ses territoires auxquels ce traité s'applique, et Sa Majesté impériale le Schah de Perse, étant tous deux désireux d'encourager la liberté du commerce et d'éviter toute entrave à leurs relations commerciales réciproques qui résulterait de restrictions ou de prohibitions sur les importations ou les exportations, s'engagent à ne pas prendre de mesures de restriction ou de prohibition qui viseraient les produits des territoires de l'autre, à l'exception des catégories suivantes de prohibitions et de restrictions qui ne seront pas interdites, à la condition toutefois qu'elles ne soient pas appliquées de manière à constituer un moyen de discrimination arbitraire entre les pays étrangers où existent les mêmes conditions, ni de manière à constituer une restriction déguisée des échanges internationaux :

1. Prohibitions ou restrictions relatives à la sécurité publique ;
2. Prohibitions ou restrictions édictées pour des raisons morales ou humanitaires ;
3. Prohibitions ou restrictions concernant le trafic des armes, des munitions et des matériels de guerre, ou, dans des circonstances exceptionnelles, de tous autres approvisionnements de guerre ;
4. Prohibitions ou restrictions édictées en vue de protéger la santé publique ou d'assurer la protection des animaux ou des plantes contre les maladies, les insectes et les parasites nuisibles ;
5. Prohibitions ou restrictions à l'exportation ayant pour but la protection du patrimoine national artistique, historique ou archéologique ;
6. Prohibitions ou restrictions applicables à l'or, à l'argent, aux espéces, au papier-monnaie et aux titres ;
7. Prohibitions ou restrictions ayant pour but d'étendre aux produits étrangers el régime établi à l'intérieur de pays, en ce qui concerne la production, le commerce, le transport et la consommation des produits nationaux similaires ;
8. Prohibitions ou restrictions appliquées à des produits qui font ou feront, à l'intérieur de pays, en ce qui concerne la production ou le commerce, l'object de monopoles d'Etat ou de monopoles exercés sous le contrôle de l'Etat.

En outre, rien ne pourra porter atteinte au droit des deux hautes parties contractantes de prendre des mesures de prohibition ou de restriction à l'importation ou à l'exportation pour sauvegarder, dans des circonstances extraordinaires et anormales, les intérêts vitaux du pays.

Si des mesures de cette nature sont prises, elles devront être appliquées de telle manière qu'il n'en résulte aucune discrimination arbitraire au détriment de l'autre haute partie contractante.

Leur durée devra être limitée à la durée des motifs ou des circonstances qui les ont fait naître.

Néanmoins, il est convenu entre les deux hautes parties contractantes que les dispositions du présent article ne doivent pas être invoquées par rapport à toute prohibition ou restriction à l'importation ou à l'exportation qui ne serait pas contraire aux dispositions de la Convention internationale pour l'Abolition de Prohibitions et de Restrictions à l'Importation et à l'Exportation, signée à Genève, le 8 novembre 1927.

ARTICLE 5.

Il est convenu que la valeur de la marchandise à déclarer pour le calcul des droits de douane lors de l'importation en Perse, dans les cas où le tarif prescrit des droits ad valorem, est égale au prix courant de ladite marchandise dans son lieu d'origine ou de fabrication, plus les frais d'emballage, de vente, d'assurance, de commission et de transport, ainsi que tous autres frais nécessaires pour l'importation de la marchandise jusqu'au lieu de dédouanement.

Cette valeur ne peut en aucun cas être inférieure au prix de gros des marchandises similaires dans le lieu de l'importation et au moment de l'importation, déduction faite de 10 pour cent ainsi que d'une somme correspondante aux droits et taxes que les produits de cette catégorie paient à l'entrée.

Lorsque la valeur des marchandises est originellement exprimée en monnaie étrangère, celle-ci est convertie en la monnaie du pays où les marchandises sont importées d'après le dernier cours des banques locales avant le dépôt de la déclaration à la douane.

ARTICLE 6.

Le présent traité sera ratifié et les instruments de ratification seront échangés à Téhéran aussitôt que possible. Il entrera en vigueur immédiatement après ratification et restera en vigueur pendant une période de huit ans depuis la date de sa mise en vigueur.

Dans le cas où aucune des deux hautes parties contractantes n'aurait notifié à l'autre, six mois avant l'expiration du terme indiqué, son intention de mettre fin au présent traité, il restera en vigueur jusqu'à l'expiration d'une période de six mois depuis la date à laquelle l'une des deux hautes parties contractantes l'aura dénoncé.

Le présent traité est rédigé en deux exemplaires, en persan et en anglais, en attendant le texte français sur lequelles deux hautes parties contractantes tomberont d'accord le plus tôt possible et qui fera foi.

En foi de quoi les plénipotentiaires respectifs ont signé le présent traité et y ont apposé leurs sceaux.

Fait à Téhéran, le 10 Mai, 1928.

R. H. CLIVE.
F. PAKREVAN.

Protocole additionnel à l'article 2.

Il est convenu que les taux minima du tarif autonome persan stipulés à l'article 2 du Traité relatif à l'Autonomie douanière de la Perse sont les taux minima du tarif autonome approuvé par la loi du Medjliss en date du 13 ordibehecht 1307 (3 Mai, 1928).*

Mais si les taux, accordes à la nation la plus favorisée et en vigueur au moment de la signature du présent traité, venaient à être augmentés sur une partie quelconque des territoires de Sa Majesté britannique auxquels le présent traité s'applique, quant aux principaux articles de l'exportation persane, parmi lesquels toutefois il n'y aura pas lieu de tenir compte de l'huile minérale et ses dérivés, la Perse aura le droit d'augmenter son tarif quant aux principaux articles importés du territoire ou des territoires en question.

Il reste entendu qu'en ce cas l'augmentation résultant du changement des taux du tarif persan ne pourrait dépasser l'augmentation résultant du changement du tarif du territoire ou des territoires en question.

En foi de quoi les plénipotentiaires respectifs ont signé le présent protocole et y ont apposé leurs seceaux.

Fait à Téhéran, le 10 Mai, 1928.

R. H. CLIVE.
F. PAKREVAN.

Exchange of Notes regarding the entry into force of the Treaty.

(i)

Sir R. Clive to Acting Persian Minister for Foreign Affairs.

Téhéran, le 10 Mai, 1928.

MONSIEUR LE GÉRANT,

J'ai l'honneur de faire savoir à Votre Excellence que, dans le cas où Elle, voulait bien me confirmer qu'il n'y a pas lieu de soumettre à l'approbation préalable du Mejlis le Traité d'Autonomie Tarifaire signé par nous aujourd'hui, mon Gouvernement serait disposé à le voir entrer en vigueur à titre temporaire dès demain en attendant l'échange des ratifications qui se fera aussitôt que pourra.

* *See* Appendix No. XXIX.

Le Gouvernement de Sa Majesté Britannique estime toutefois que les marchandises expédiées à destination directe de la Perse avant l'application du nouveau tarif et originaires de quelque partie que ce soit des territoires auxquels ce traité s'applique, ne doivent pas être soumises à des droits de douane plus élevés que ceux qu'ont subis jusqu'ici les marchandises similaires de la même provenance.

Je vous prie, Monsieur le Gérant, de bien vouloir me confirmer par écrit que ces vues sont conformes, comme je le souhaite, à celles du Gouvernement Persan.

Je saisis, etc.

R. H. CLIVE.

(ii)

Acting Persian Minister for Foreign Affairs to Sir R. Clive.

Téhéran, le 10 Mai, 1928.

MONSIEUR LE MINISTRE,

En réponse à Votre lettre en date d'aujourd'hui, j'ai l'honneur de confirmer à Votre Excellence le plein accord du Gouvernement Impérial au sujet de l'entrée en vigueur à titre temporaire, dès demain, du Traité d'Autonomie Tarifaire que nous avons signé aujourd'hui en attendant l'échange des ratifications qui se fera aussitôt que pourra.

Il est exact qu'en vertu de la loi du 13 Ordibehecht 1307 (3 mai 1928) le Gouvernement est autorisé à appliquer ce traité sans qu'il y ait nécessité de le soumettre à l'approbation préalable du Mejlis.

D'autre part le Gouvernement Persan s'engage à ne pas frapper les marchandises originaires de quelque partie que ce soit des territoires auxquels le présent traité s'applique, et expédiées à destination directe de la Perse avant l'entrée en vigueur du nouveau tarif, de droits de douane plus élevés que ceux qu'ont subis jusqu'ici les marchandises similaires de la même provenance.

Veuillez agréer, etc.

F. PAKREVAN.

Exchange of Notes regarding the Maintenance in Force of Provisions of Existing Treaties.

(i)

Sir R. Clive to Acting Persian Minister for Foreign Affairs.

Téhéran, le 10 Mai, 1928.

MONSIEUR LE GÉRANT,

Me référant aux stipulations du traité signé aujourd'hui entre Sa Majesté Britannique et Sa Majesté Impériale le Shah de Perse, j'ai l'honneur de vous exposer ce qui suit et vous prie de bien vouloir me le confirmer :—

Alors que le traité signé aujourd'hui entre Sa Majesté Britannique et Sa Majesté Impériale le Shah de Perse ne remplace que les stipulations des traités exis-

tants entre Elles qui limitaient de toute manière le droit de la Perse de décider de son tarif en pleine autonomie, le Gouvernement de Sa Majesté Britannique en Grande Bretagne et le Gouvernement Impérial de Perse ont la ferme intention de poursuivre derechef la révision de celles des stipulations dans les traités existants qui n'auraient pas été modifiées par le traité signé aujourd'hui, dans le but de conclure dans un delai d'un an un traité complet de commerce et de navigation susceptible de mettre leurs relations en harmonie avec les circonstances du moment.

Il est dès lors convenu que jusqu'à la conclusion de ce traité et conformément aux dispositions du paragraphe 2 de ma lettre en date d'aujourd'hui, les principes énoncés à l'Article 9 du Traité Anglo-Persan de 1857 et relatifs au traitement de la nation la plus favorisée seront maintenus comme présentement, et que les navires et bateaux des Hautes Parties Contractantes continueront à jouir de ce traitement de la nation la plus favorisée et du même traitement que les navires et bateaux nationaux en tout ce qui touche au commerce et la navigation y compris les facilités et les charges de toutes sortes dans les ports et rades.

Je saisis, etc.

R. H. CLIVE.

(ii)

Acting Persian Minister for Foreign Affairs to Sir R. Clive.

Téhéran, le 10 Mai, 1928.

MONSIEUR LE MINISTRE,

En réponse à Votre lettre en date du 10 Mai 1928, j'ai l'honneur de vous confirmer qu'en considération de ce que le traité signé aujourd'hui entre Sa Majesté Impériale le Schah de Perse et Sa Majesté Britannique ne remplace que les stipulations des traités existants entre Elles qui limitaient de toute manière le droit de la Perse à décider de son tarif en pleine autonomie et de ce que le Gouvernement de Sa Majesté Britannique en Grande-Bretagne et le Gouvernement Impérial de Perse ont la ferme intention de poursuivre derechef la révision de celles des stipulations des traités existants qui n'auraient pas été modifiées par le traité signé aujourd'hui et de conclure ainsi dans le délai d'un an un traité de commerce et de navigation susceptible de mettre leurs relations en harmonie avec les circonstances du moment.

Il est convenu que jusqu'à la conclusion de ce traité et conformément aux dispositions du paragraph 2 de votre lettre en date d'aujourd'hui, les principes énoncés à l'Article 9 du Traité Anglo-Persan de 1857 et relatifs au traitement de la nation la plus favorisée seront maintenus comme présentement, et que les navires et bateaux des Hautes Parties Contractantes continueront à jouir de ce traitement de la nation la plus favorisée et du même traitement que les

navires et bateaux nationaux en tout ce qui touche au commerce et la navigation y compris les facilités et les charges de toutes sortes dans les ports et rades.

Veuillez agréer, etc.

F. PAKREVAN.

Notes regarding the Commercial Relations between the Self-Governing Dominions and Persia.

(i)

Sir R. Clive to Acting Persian Minister for Foreign Affairs.

Téhéran, le 10 Mai, 1928.

MONSIEUR LE GÉRANT,

J'ai l'honneur d'assurer Votre Excellence au nom des Gouvernements du Canada, de l'Australie, de la Nouvelle Zélande, de l'Union de l'Afrique du Sud et de l'Etat libre d'Irlande que Sa Majesté Britannique renonce, à dater de l'entrée en vigueur du traité signé d'aujourd'hui entre elle et Sa Majesté impériale le Shah de Perse, au droit de ces Gouvernements de bénéficier des stipulations des traités qui limitent de quelque façon que ce soit le droit de la Perse à son autonomie douanière.

Il est entendu que Sa Majesté Britannique réserve le droit, pour chacun des Etats susmentionnés, de dénoncer séparément le présent traité à la date de son expiration.

Je saisis, etc.

R. H. CLIVE.

(ii)

Acting Persian Minister for Foreign Affairs to Sir R. Clive.

Téhéran, le 10 Mai, 1928.

MONSIEUR LE MINISTRE,

Je prends acte par les présentes de la renonciation par Sa Majesté Britannique, dès l'entrée en vigueur du traité signé aujourd'hui entre Sa Majesté Impériale le Shah et Elle, au droit des Etats mentionnés dans votre lettre, en date du 10 Mai courant, de bénéficier des stipulations des traités qui limitent de quelque façon que ce soit le droit de la Perse à son autonomie douanière.

Je prends également acte que Sa Majesté Britannique réserve le droit, pour chacun de ces Etats susmentionnés, de dénoncer séparément le present traité à la date de son expiration.

J'ai l'honneur d'assurer Votre Excellence, au nom du Gouvernement Impérial de Perse, qu'il ne sera pas accordé en Perse aux marchandises produites ou manufacturées dans le Canada, l'Australie, la Nouvelle Zélande, l'Union de l'Afrique

du Sud et l'Etat libre d'Irlande, ou dans les territoires placés sous leur autorité ou juridiction, un traitement moins favorable que celui accordé aux marchandises produites ou manufacturées dans tout autre pays étranger, tant que les marchandises produites ou manufacturées en Perse jouiront dans l'Etat ou territoire intéressé d'un traitement non moins favorable que celui accordé aux marchandises produites ou manufacturées dans tout autre pays étranger.

Veuillez agréer, etc.

F. PAKREVAN.

(iii)

Sir R. Clive to Acting Persian Minister for Foreign Affairs.

Téhéran, le 10 Mai, 1928.

MONSIEUR LE GÉRANT,

Je prends acte par les présentes de l'assurance du Gouvernement Impérial de Perse contenue dans votre lettre en date d'aujourd'hui qu'il ne sera pas accordé en Perse aux marchandises produites ou manufacturées dans le Canada, l'Australie, la Nouvelle Zélande, l'Union de l'Afrique du Sud et l'Etat libre d'Irlande ou dans les territoires placés sous leur autorité ou juridiction un traitement moins favorable que celui accordé aux marchandises produites ou manufacturées dans tout autre pays étranger, tant que les marchandises produites ou manufacturées en Perse jouiront dans l'Etat ou territoire intéressé d'un traitement non moins favorable que celui accordé aux marchandises produites ou manufacturées dans tout autre pays étranger.

Je saisis, etc.

R. H. CLIVE.

Exchange of Notes regarding Imperial Airways (Limited).

(i)

Sir R. Clive to Acting Persian Minister for Foreign Affairs.

Téhéran le 10 Mai, 1928.

MONSIEUR LE GÉRANT,

Il est de la connaissance de Votre Excellence que la question d'une communication rapide entre la Grande Bretagne et les Indes est une affaire d'intérêt spécial, non seulement au Gouvernement de Sa Majesté Britannique en Grande Bretagne mais aussi au gouvernement des Indes.

La compagnie d'aviation impériale a déjà établi un service hebdomadaire du Caire à Bassorah et est très désireuse de prolonger ce service jusqu'aux Indes.

J'aime à espérer donc que le Gouvernement Impérial, reconnaissant le but purement commercial de cette compagnie dans son désir d'avoir la permission de survoler la côte persane du Golfe, donnera une considération favorable à cette proposition qui permettra à la compagnie de prolonger son service jusqu'aux Indes par voie de la côte persane.

Je saisis, etc.

R. H. CLIVE.

(ii)

Acting Persian Minister for Foreign Affairs to Sir R. Clive.

Téhéran, le 10 Mai, 1928.

MONSIEUR LE MINISTRE,

Le Gouvernement Persan, ayant l'intention de créer les aérodromes gouvernementaux où l'atterrissage des avions étrangers survolant le territoire persan, sous certaines conditions serait également autorisé, et n'ayant aucune raison spéciale de refuser cette autorisation dans les conditions prescrites, aux avions de la Compagnie Impériale d'aviation, est prêt d'entrer en pourparlers avec le représentant de la dite Compagnie afin de pouvoir trouver un terrain d'entente relative aux conditions d'atterrissage des avions de la dite Compagnie sur les aérodromes gouvernementaux pour une période à determiner.

Veuillez agréer, etc.

F. PAKREVAN.

Notes regarding the Position of British Nationals in Persia after the Abolition of the Capitulations.

(i)

Acting Persian Minister for Foreign Affairs to Sir R. Clive.

Téhéran, le 10 Mai, 1928.

MONSIEUR LE MINISTRE,

En réponse aux demandes adressées et au moment de la réalisation de sa résolution d'abolir le régime connu sous le nom de régime capitulaire, le Gouvernement Impérial de Perse, animé du désir de dissiper les inquiétudes qui pourraient naître chez les ressortissants britanniques séjournant en Perse, en raison de la nouveauté du régime qui leur sera désormais appliqué, et désireux de mettre par votre intermédiaire vos ressortissants au courant des dispositions prises par la législation et le Gouvernement Persan à leur égard, vous addresse, pour que vous en puissiez transmettre la teneur à Vos ressortissants la présente décision.

Il est inutile de vous dire que le Gouvernement Persan lui-même, qui a pour intérêt et qui tient à coeur de procurer le plus de garanties possibles aux citoyens

persans et d'avoir à cet effect un appareil judiciaire dont le fonctionnement approche autant que possible de la perfection, a accompli des réformes très appréciables quant au personnel et aux lois judiciaires.

Sans parler des lois qui sont connues de tout le monde, actuellement la possession de connaissances en matière de droit équivalant à celles que consacre le diplôme de licencié en droit, est une condition obligatoire pour l'entrée dans la carrière judiciaire.

Quant à la situation des ressortissants britanniques en Perse, découlant des prescriptions des lois persanes, les dispositions suivantes prises par le Gouvernement Persan, leur seront appliquées à dater du 10 Mai 1928.

1. Sur la base d'une parfaite réciprocité, ils seront admis et traités sur le territoire persan conformément aux règles et pratiques du droit commun international, y jouiront de la plus entière protection des lois et des autorités territoriales et y bénéficieront du même traitement que les nationaux.

2. En tout procés civil ou commercial où une des parties est un ressortissant britannique, seule la preuve écrite sera admise.

En tout procès, même criminel, les jugements seront rédigés par écrit et contiendront les considérants de droit et de fait sur lesquels ils se fondent.

Les intéressés au procès ou les personnes autorisées de leur part auront droit à obtenir copie des témoignages et du jugement, sous condition d'acquitter les taxes règlementaires.

En matière criminelle, le témoignage oral étant un mode normal de preuve, les intérêts des inculpés restent sauvegardés par les articles 215 et 216 du code pénal frappant le faux témoignage.

3. A l'exclusion de toute autre juridiction, seuls les cours et tribunaux relevant du Ministère de la Justice seront compétents dans le cas où une des parties est de nationalité britannique.

Seuls les tribunaux criminels relevant du Ministère de la Justice pourront en général prononcer des peines d'emprisonnement contre les ressortissants britanniques.

Toutefois, dans le cas d'une proclamation d'état de siège, lorsque l'instruction d'un procès reviendra à un tribunal spécialement formé, ce tribunal pourra aussi connaître des cas où un ressortissant britannique sera prévenu.

De plus en matière fiscale et en général dans une contestation entre une administration et un ressortissant britannique relative à une matière purement administrative, les tribunaux administratifs conservent leur compétence.

4. Les ressortissants britanniques ne seront en tout cas justiciables que des tribunaux laiques et les lois laiques leur seront seules applicables.

5. Les tribunaux de simple police ne seront compétents que dans les affaires de minime importance et pour des faits n'entraînant qu'une amende légère.

Ils nepourront prononcer des peines d'emprisonnement sauf le cas où les ressortissants britanniques demanderaient eux-mêmes de convertir en emprisonne-

ment la peine d'amende qui aura été prononcée contre eux. Conformément à la loi les tribunaux de simple police ne pourront jamais prononcer un emprisonnement de plus d'une semaine. Il est bien entendu qu'ils ne sont pas autorisés de prononcer des peines corporelles.

6. Un ressortissant britannique arrêté en flagrant délit pour un fait qualifié délit ou crime ne pourra être conservé en prison plus de 24 heures sans être amené devant l'autorité judiciaire compétente.

En dehors des cas de flagrant délit, aucun ressortissant britannique ne sera arrêté ou incarcéré sans un ordre émanant de l'autorité judiciaire compétente.

Ni la maison privée ni la maison de commerce d'un ressortissant britannique ne sera forcée ou perquisitionnée sans un mandat provenant de l'autorité judiciaire compétente avec des garanties à déterminer ultérieurement contre les abus.

7. Les ressortissants britanniques arrêtés et mis en prison auront le droit, conformément aux règlements des prisons, de communiquer avec leurs consuls les plus proches et les consuls ou leurs représentants auront, en se conformant aux règlements des prisons, la permission de les visiter. Les autorités gouvernementales transmettront de suite à l'adresse telles demandes de communiquer avec eux.

8. Le Gouvernement Impérial a pris en vue une généreuse règlementation en ce qui concerne la mise en liberté sous caution, qui sera de rigueur dans tous les cas, excepté en cas de crime (le crime tel qu'il est défini par le Code pénal).

La somme demandée comme cautionnement sera raisonnablement proportionnée au degré de l'infraction.

Lorsqu'une personne condamnée se pourvoira en appel, les mêmes facilités de liberté sous caution mentionnées cidessus lui seront accordées jusqu'à ce que le jugement d'appel ait été rendu.

9. Selon la loi persane, les audiences relatives au procès en général et sauf dans des cas exceptionnels, étant publiques, les intéressés au procès et au sort des parties en cause ont, donc, le droit d'y assister, sauf dans des cas exceptionnels, en tant que spectateurs, sans aucun droit toutefois de se mêler aux débâts.

10. En matière pénale, l'inculpé est absolument libre de choisir son ou ses défenseurs qui peuvent être choisis même parmi ses compatriotes.

11. Le Gouvernement Impérial a décidé d'améliorer les conditions des prisons afin que ces dernières soient plus conformes aux usages modernes et une somme d'argent suffisante pour l'aménagement des prisons en Perse remplissant les conditions hygiéniques nécessaires est déjà votée.

En attendant, les ressortissants britanniques qui seront condamnés à un emprisonnement de plus d'un mois—l'emprisonnement d'un mois ou moins étant convertissable en une peine d'amende—sur leur demande seront transférés dans une prison remplissant les conditions hygiéniques nécessaires.

12. La Grande Bretagne accordant aux ressortissants persans dans l'Empire britannique et les territoires appartenant à Sa Majesté Britannique en matière de statut personnel le traitement de la nation la plus favorisée, il est entendu

entre la Perse et la Grande Bretange qu'en matière de statut peronnel c'est-à-dire pour toutes les questions concernant le mariage et la communauté conjugale, le divorce, la séparation de corps, la dot, la paternité, la filiation, l'adoption, la capacité des personnes, la majorité, la tutelle, la curatelle, l'interdiction; en matière mobilière, le droit de succession testamentaire, ou à l'intestat, partage et liquidation; et, en général, le droit de famille, seuls seront compétents vis-à-vis des ressortissants britanniques non-musulmans établis ou se trouvant en Perse leurs tribunaux nationaux. Quant aux ressortissants britanniques de la religion musulmane en matière de statut personnel les prescriptions des lois religieuses musulmanes, conformément aux codes persans, leur seront appliquées, en attendant que cette question soit definitivement règlée.

La présente disposition ne porte pas atteinte aux attributions spéciales des consuls en matière d'état civil d'après le droit international ou les accords particuliers qui pourront intervenir, non plus qu'aux droits des tribunaux persans de requérir et recevoir les preuves relatives aux questions reconnues ci-dessus comme étant de la compétence des tribunaux nationaux des parties en cause.

Par dérogation à l'alinéa 1er, les tribunaux persans pourront également être compétents dans les questions visées au dit alinéa, si les parties en cause se soumettent par écrit à la juridiction de ces tribunaux, lesquels statueront d'après la loi nationale des parties.

13. En matière d'impôt les ressortissants britanniques seront traités sur un pied d'égalité avec les ressortissants persans et ne seront pas astreints à acquitter à quelque titre que ce soit des impôts, taxes ou autres redevances fiscales auxquels ne seront pas astreints les ressortissants persans.

14. En matière judiciaire tous les jugements rendus par les anciens tribunaux même s'ils n'ont pas été mis à éxecution sont considérés comme définitivement réglés et ne seront en aucun cas susceptibles d'un nouvel examen; de même tout jugement définitif rendu par les anciens tribunaux est reconnu exécutoire. En somme, tous les procès achevés sous le régime judiciaire ancien sont considérés comme définitivement réglés et ne sont en aucun cas susceptibles d'être ouverts à nouveau.

Les procès non achevés au Tribunal du Ministère des Affaires Étrangères et aux tribunaux des Gouverneurs des Provinces seront achevés devant ces tribunaux à moins que la partie de nationalité étrangère demande avant la clôture des débats, à transférer le litige aux tribunaux judiciaires.

Le délai accordé par le Gouvernement Impérial pour achever les procès non achevés devant les dits tribunaux est au plus tard jusqu'au 10 mai 1929.

15. Toute question relative à la caution judicatum solvi, à l'exécution du jugement, à la communication des actes judiciaires et extra-judiciaires, aux commissions rogatoires, aux condamnations aux frais et dépens, à l'assistance judiciaire gratuite et à la contrainte par corps sont réservées à des conventions spéciales à établir entre la Perse et la Grande Bretagne.

ment la peine d'amende qui aura été prononcée contre eux. Conformément à la loi les tribunaux de simple police ne pourront jamais prononcer un emprisonnement de plus d'une semaine. Il est bien entendu qu'ils ne sont pas autorisés de prononcer des peines corporelles.

6. Un ressortissant britannique arrêté en flagrant délit pour un fait qualifié délit ou crime ne pourra être conservé en prison plus de 24 heures sans être amené devant l'autorité judiciaire compétente.

En dehors des cas de flagrant délit, aucun ressortissant britannique ne sera arrêté ou incarcéré sans un ordre émanant de l'autorité judiciaire compétente.

Ni la maison privée ni la maison de commerce d'un ressortissant britannique ne sera forcée ou perquisitionnée sans un mandat provenant de l'autorité judiciaire compétente avec des garanties à déterminer ultérieurement contre les abus.

7. Les ressortissants britanniques arrêtés et mis en prison auront le droit, conformément aux règlements des prisons, de communiquer avec leurs consuls les plus proches et les consuls ou leurs représentants auront, en se conformant aux *règlements des prisons*, la permission de les visiter. Les autorités gouvernement les transmettront de suite à l'adresse telles demandes de communiquer avec eux.

8. Le Gouvernement Impérial a pris en vue une gènèreuse règlementation en ce qui concerne la mise en liberté sous caution, qui sera de rigueur dans tous les cas, excepté en cas de crime (le crime tel qu'il est défini par le Code pénal).

La somme demandée comme cautionnement sera raisonnablement proportionnée au degré de l'infraction.

Lorsqu'une personne condamnée se pourvoira en appel, les mêmes facilités de liberté sous caution mentionnées cidessus lui seront accordées jusqu'à ce que le jugement d'appel ait été rendu.

9. Selon la loi persane, les audiences relatives au procès en général et sauf dans des cas exceptionnels, étant publiques, les intéressés au procès et au sort des parties en cause ont, donc, le droit d'y assister, sauf dans des cas exceptionnels, en tant que spectateurs, sans aucun droit toutefois de se mêler aux débats.

10. En matière pénale, l'inculpé est absolument libre de choisir son ou ses défenseurs qui peuvent être choisis même parmi ses compatriotes.

11. Le Gouvernement Impérial a décidé d'améliorer les conditions des prisons afin que ces dernières soient plus conformes aux usages modernes et une somme d'argent suffisante pour l'aménagement des prisons en Perse remplissant les conditions hygiéniques nécessaires est déjà votée.

En attendant, les ressortissants britanniques qui seront condamnés à un emprisonnement de plus d'un mois—l'emprisonnement d'un mois ou moins étant convertissable en une peine d'amende—sur leur demande seront transférés dans une prison remplissant les conditions hygiéniques nécessaires.

12. La Grande Bretagne accordant aux ressortissants persans dans l'Empire britannique et les territoires appartenant à Sa Majesté Britannique en matière de statut personnel le traitement de la nation la plus favorisée, il est entendu

entre la Perse et la Grande Bretange qu'en matière de statut peronnel c'est-à-dire pour toutes les questions concernant le mariage et la communauté conjugale, le divorce, la séparation de corps, la dot, la paternité, la filiation, l'adoption, la capacité des personnes, la majorité, la tutelle, la curatelle, l'interdiction : en matière mobilière, le droit de succession testamentaire, ou à l'intestat, partage et liquidation ; et, en général, le droit de famille, seuls seront compétents vis-à-vis des ressortissants britanniques non-musulmans établis ou se trouvant en Perse leurs tribunaux nationaux. Quant aux ressortissants britanniques de la religion musulmane en matière de statut personnel les prescriptions des lois religieuses musulmanes, conformément aux codes persans, leur seront appliquées, en attendant que cette question soit definitivement règlée.

La présente disposition ne porte pas atteinte aux attributions spéciales des consuls en matière d'état civil d'après le droit international ou les accords particuliers qui pourront intervenir, non plus qu'aux droits des tribunaux persans de requérir et recevoir les preuves relatives aux questions reconnues ci-dessus comme étant de la compétence des tribunaux nationaux des parties en cause.

16. Selon la loi persane tous compromis et clauses compromissoires en matière civile ou commerciale étant permis et les décisions arbitrales ainsi rendues étant exécutoires sur l'ordre du Président du Tribunal de 1ère instance qui est tenu de donner cet ordre sauf dans les cas où la décision arbitrale serait contraire à l'ordre public, il est évident que les ressortissants britanniques jouiront entièrement de cette disposition légale.

17. Pour sauvegarder provisoirement des créances de droit civil, on ne pourra ni arrêter ni soumettre à des limitations de liberté individuelle les ressortissants britanniques sauf dans les cas où l'exécution à opérer sur les avoirs appartenant aux débiteurs et se trouvant en Perse sembleraient courir un danger sérieux venant de la part du débiteur et où elle ne pourrait être sauvegardée par aucun autre moyen.

18. En ce qui concerne les biens et droits de nature immobilière, il reste entendu que les ressortissants britanniques sur le territoire persan sont autorisés à acquérir, occuper ou posséder les immeubles nécessaires à leur habitation et à l'exercice de leur commerce et industrie.

Veuillez agréer, etc.

F. Pakrevan.

(ii)

Sir R. Clive to Acting Persian Minister for Foreign Affairs.

Téhéran, le 10 Mai, 1928.

Monsieur le Gérant,

Me référant à la note de Votre Excellence en date du 21 Ordibehesht 1306 (le 12 Mai 1927) j'ai l'honneur de vous informer que mon gouvernement a donné une considération sympathique aux désirs exprimés par le Gouvernement Impérial pour la résiliation des privilèges capitulaires dont jusqu'ici les ressortissants britanniques ont bénéficié.

Je prends acte des mesures judiciaires dont Votre Excellence a bien voulu me faire part dans votre lettre du 10 Mai et vous informe que mon Gouvernement compte absolument sur le fait que le Gouvernement Impérial assurera sous le nouveau régime complète et adéquate protection aux ressortissants britanriques ainsi qu'à leurs droits et à leurs propriétés.

Je prends note que le Gouvernement Impérial accorde un délai d'une année au Tribunal du Ministère des Affaires Étrangères et aux tribunaux des Gouverneurs pour que les affaires inachevées dans ces tribunaux y soient-achevées. Je viens donc prier le Gouvernement Impérial de bien vouloir accorder le même délai aux tribunaux consulaires britanniques à fin que ces derniers puissent achever les affaires entre les ressortissants britanniques qu'ils n'ont pas pu conclure jusqu'aujourd'hui.

Je saisis, etc.

R. H. Clive.

(iii)

Acting Persian Minister for Foreign Affairs to Sir R. Clive.

Téhéran, le 10 Mai, 1928.

MONSIEUR LE MINISTRE,

J'ai l'honneur de vous accuser reception de votre lettre en date du 10 Mai courant.

Le Gouvernement de Sa Majesté Britannique pourra être assuré que le nouveau régime judiciaire en Perse pourvoiera une protection complète dans tous les sens aux ressortissants de l'Empire Britannique.

En conformité avec le désir que vous m'avez exprimé au nom de votre Gouvernement, le Gouvernement Impérial accorde aux tribunaux consulaires britanniques un délai d'une année afin que les affaires des ressortissants britanniques qui y restent inachevées aujourd'hui puissent y être conclues.

Je saisis, etc.

F. PAKREVAN.

Exchange of Notes regarding British Missionary Work.

(i)

Sir R. Clive to Acting Persian Minister for Foreign Affairs.

Téhéran, le 10 Mai, 1928.

MONSIEUR LE GÉRANT,

Il me serait très agréable de recevoir de Votre Excellence une assurance de la part du Gouvernement Impérial que les Missionnaires Britanniques en Perse seront autorisés à remplir comme par le passé leurs œuvres de bienfaisance et d'instruction.

Je saisis, etc.

R. H. CLIVE.

(ii)

Acting Persian Minister for Foreign Affairs to Sir R. Clive.

Téhéran, le 10 Mai, 1928.

MONSIEUR LE MINISTRE,

En réponse à votre demande relative aux Missionnaires Britanniques, j'ai l'honneur de vous informer qu'ils seront autorisés de remplir leurs œuvres de bienfaisance et d'instruction à condition de ne porter atteinte ni à l'ordre public ni aux lois et règlements persans.

Veuillez agréer, etc.

F. PAKREVAN.

Note to Acting Persian Minister for Foreign Affairs recording the position with regard to an Error in the Dominions Notes of May 10.

Sir R. Clive to M. Pakrevan.

Tehran, November 30, 1928.

(No. 306).

M. LE GÉRANT,

Under instructions from His Majesty's Government in Great Britain, I have the honour to draw Your Excellency's attention to an error which appears in the notes annexed to the Anglo-Persian Tariff Autonomy Treaty of the 10th May last. This error has already on several occasions formed the subject of discussion with His Highness the Minister of Court, and it is now the wish of my Government to put on record the fact that a certain passage in the notes mentioned above has been wrongly drafted, and to explain what it had been intended to say.

2. The passage in question occurs twice, firstly in paragraph 2 of my first note regarding the position of the self-governing Dominions of Canada, the Commonwealth of Australia, New Zealand, the Union of South Africa and the Irish Free State in relation to the Tariff Autonomy Treaty, and secondly in paragraph 2 of your Excellency's reply. The original wording of this paragraph, in the form to which His Majesty's Government in the Dominions had agreed, ran as follows:—

"It is understood that His Britannic Majesty retains the right in respect of each of the Dominions mentioned above of withdrawing separately from the existing treaties between His Majesty and the Shah of Persia."

The object of this provision was to ensure that the Dominions retained for the future the right which they already possessed under article 2 of the Anglo-Persian Commercial Convention of 1903, and paragraph 3 of the Anglo-Persian Commercial Agreement of 1920, of withdrawing from participation in those instruments.

3. Owing to a misunderstanding due to the extreme haste with which the negotiations for the treaty had to be conducted, this paragraph in the notes as actually signed ran as follows:—

"Il est entendu que Sa Majesté britannique réserve le droit, pour chacun des États susmentionnés, de dénoncer séparément le présent traité à la date de son expiration."

It is evident that this wording in no way represents the intentions of His Majesty's Governments. It is, indeed, meaningless, for the treaty itself was not signed on behalf of the Dominions and does not apply to them; it is not possible for His Britannic Majesty to reserve the right to denounce a treaty on behalf of parts of his territories to which that treaty does not apply, nor is it reasonable to refer to the possibility of denouncing something at the date of its expiry when there is nothing to denounce.

4. My Government understand from His Highness the Minister of Court that the Persian Government are not disposed to agree to the rectification of the error

by a withdrawal of the notes as signed and their replacement by new notes containing paragraph 2 in the form originally proposed by His Majesty's Government. In these circumstances they think it necessary to place the true position on record.

I avail, etc.

R. H. CLIVE.

Protocole authentifiant le Texte francais du Traité relatif à l'Autonomie douanière de la Perse, signé le 10 mai 1928.

Les soussignés, à ce dûment autorisés, sont convenus, au nom de Sa Majesté britannique, d'une part, et de Sa Majesté impériale le Schah de Perse, d'autre part, que le texte ci-après est le texte français du Traité relatif à l'autonomie doaunière de la Perse, entre Sa Majesté britannique et Sa Majesté impériale le Schah de Perse, signé le 10 mai 1928 à Téhéran. Ce texte français est celui qui à l'article 6 dudit traité est déclaré faire foi.

(*Here follows the French text of the treaty.*)

En foi de quoi les plénipotentiaires respectifs ont signé le présent protocole authentifiant le texte français du Traité relatif à l'autonomie douanière de la Perse et y ont apposé leurs sceaux.

Fait à Téhéran, le 17 avril 1930 (le 28 Farvardine 1309 solaire).

R. H. CLIVE.

M. FARZINE.

No. XXVII.

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 agree 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 offices 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. XXVIII.

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 Excellency 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 1.

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 toBushire 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 4 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 versa*.

ARTICLE 9.

For every message of twenty words or less from Khannikeen to Bushire, or *vice versa*, 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 conven-

tion 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 Con-

stantinople, 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 convention 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. XXIX.

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):

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

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

C. ALISON. 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.

A. NICHOLSON,
H. B. M.'s Chargéd'Affaires.

YAHIA KHAN,
Mushir-ed-Dowleh,
Minister for Foreign Affairs.

No. XXX.

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. XXXI.

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 1, the appropriation of the existing first and second wires for local and international messages shall remain as at present, *viz.*, as regulated by Article 8 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 6.

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 prevailing 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 8.

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.

MIRZA SYUD KHAN. ROLD. F. THOMSON.

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

It is hereby agreed between 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.

A. NICHOLSON,
H. B. M.'s Chargé d'Affaires.

YAHIA KHAN,
Mushir-ed-Dowleh.
Minister for Foreign Affairs.

No. XXXII.

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.

A. NICHOLSON.

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 H., 1304.

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.

B. T. FFINCH,

Director, Persian Gulf Section,

The 14th June 1888. *Indian Government Telegraph Department.*

No. XXXIII.

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 the Royal Portrait of His PRESENT MAJESTY MUZUFFEREDDIN 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 submarine 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 4, 5 and 6 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 8 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 II and IV 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.

ARTHUR H. HARDINGE.

NASRULLAH.

No. XXXIV.

AGREEMENT respecting construction of Telegraph line from HENJAM to BUNDER ABBAS,—1905.

His Excellency the Mushir-ed-Dowleh, Minister for Foreign Affairs of His Imperial Majesty the Shah of Persia, and Sir Arthur Hardinge, K.C.B., His Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at Tehran, representing the Indo-European Telegraph Department of the Government of India, on the other part duly authorised thereto by their respective Governments, have concluded the following Agreement :—

1. The Persian Government having resolved to construct a line of telegraph to connect the Indo-European Telegraph station at Henjam with Bunder Abbas across Kishm, and His Majesty's Government having authorised the Indo-European Telegraph Department to provide the engineers and materials necessary for the

construction, it is agreed that two European engineers with the necessary employés and labourers shall be temporarily placed by the Department for the purpose at the disposal of the Persian Government, and that the telegraph ship belonging to the Department shall, as soon as the season permits, lay the two submarine ends between Henjam and Bunder Abbas respectively, and after completing the work they shall return.

2. As soon as the line is complete and the cost of materials and charges of the engineers and telegraph ship have been paid, the line shall be handed over to the Persian Ministry of Telegraphs. The Persian Government shall also have a telegraph office built at Henjam at their own cost, and appoint Persian telegraphists. The Bunder Abbas line shall be connected with the Persian telegraph office at Henjam and all messages for abroad which are received from Bunder Abbas, and which are to be communicated by the English telegraph office at Henjam, shall be received by the Persian telegraph office and immediately transmitted to the English telegraph office.

3. The charges to be made by the Indo-European Department for the services of the Engineers and telegraph ship shall not exceed Rs. 75,000, and the payment of the above sum is guaranteed by the Persian Government.

4. The declaration of the Persian Government that it will not employ foreign, *i.e.*, non-Persian, subjects in the working of the line shall not be held to preclude it from employing at the usual charges such subjects in the service of the Indo-European Telegraph Department for any repairs to the submarine cables or other works which may be necessary in connection with the maintenance and upkeep of the line, nor from allowing at the Bunder Abbas office a British signaller to deal with State messages sent on behalf of the British Government to and from its Consulate at Bunder Abbas, should the British Government desire it.

Done in duplicate at Tehran on the 13th day of May in the year 1905 equivalent to the 8th day of Rebbi-ul-Avvel in the year 1323 A. H.

ARTHUR H. HARDINGE.

MUSHIR-ED-DOWLEH.

No. XXXV.

NOTE addressed to CHIEF DIRECTOR of TELEGRAPH DEPARTMENT of BRITISH GOVERNMENT,—1913.

(*Translation.*)

In reply to your letters on the subject of repairs to the Arabistan line and substitution of iron poles for wooden ones, I have the honour to inform you that as the Convention referring to this line, dated the 28th Jemadi-ul-Ewel, 1327, which

contained ten articles, had to be approved by the Medjliss, and acted on accordingly, and as yet the said agreement has not received the approval of the Medjliss in order to avoid any further delay in the repair of the said line, and that the work be completed in the winter or next spring, I submitted my proposals, together with such amendments which I considered necessary in the articles of the agreement of 1327, to the Cabinet Ministers of the Persian Government. In accordance with the approval of the said respected representatives and this official letter it is permitted that the Indo-European Telegraph Department, without delay, will take action to renew and continue the Arabistan line with iron standards according to the following agreement, so that the work may be completed by the end of the coming spring.

When the Medjliss will be again assembled the agreement of the year 1327, with the amendments I have made in certain articles with the approval of the Cabinet Ministers of the Persian Government, and which are enumerated in this document, will be submitted to the Medjliss, with the exception of article 3, which refers to the extension of the three former conventions, and which is now sanctioned: the remaining articles of the agreement in review are to be submitted to the Medjliss for approval, and the Persian Government will harmonise with the Indo-European Telegraph Department accordingly. It is evident that as long as the Medjliss is not assembled the Ministry of Telegraphs will work with the Indo-European Telegraph Department according to the articles of this agreement, which has received the formal approval of the Cabinet Ministers of the Persian Government.

AGREEMENT between GREAT BRITAIN and PERSIA extending the concessions of the former for a period of 20 years from 31st January 1925 in return for their assistance in reconstructing the system of Telegraph lines in PERSIAN ARABISTAN,—1913.

ARTICLE 1.

In order to improve telegraphic communication between Borasjun and Mohammerah and between Borasjun and Dizful it is agreed that from the date of the signature of this agreement, under the direction and supervision of the Chief Director of the Telegraph Department of the Exalted British Government, a line with iron standards will be erected from Borasjun to Ahwaz, and from Ahwaz to Mohammerah, and from Ahwaz to Dizful; the said lines will be connected with the Shiraz and Bushire lines in order that telegraphic communications of the Arabistan line may be carried out with Tehran and Bushire.

ARTICLE 2.

The British Government agrees to pay, gratis, the cost of the erection of the above-mentioned line, inclusive of iron poles, wire, insulators, etc., up to the amount of £5,000, as well as an annual sum of £300, for the maintenance of the above-

mentioned line from the date of the commencement of the said work up to the year 1945 A.D.

After the completion of the said construction, and when the total expenditure is known, the sum of £5,000 will be deducted from the total expenditure, together with £300 per annum, which is due by the British Government, as mentioned in this same article, and will go towards the capital account, and whatever balance still remains outstanding will, with the approval of the Ministry of the Persian Telegraphs, be due by the Persian Government to the British Government, and is to be paid by the former Government to the latter up to the year 1945 A.D.

ARTICLE 3.

In return for the expenditure mentioned in Article 2 which the British Government pays, gratis, for the construction and maintenance of the said line, the Persian Government agrees that the period of the following agreements shall be extended and remain in force up to the 1st January 1945 A.D., *viz.*, the Telegraph Convention of the 2nd April 1868 A.D.; the Telegraph Convention of the 2nd December 1372 A.D.; the Telegraph Convention of the 16th August 1901 A.D.

ARTICLE 4.

The salaries of the telegraph clerks and other employés, such as gholams, ferrashes, inspector, battery men, cost of instrument and rent of telegraph offices, is to be defrayed by the Persian Telegraph Administration.

ARTICLE 5.

In order to ensure the proper and continual working of the above-mentioned lines the Director of the Telegraph Department of the exalted British Government will appoint an inspector, with the approval of the Ministry of the Persian Telegraphs, for the maintenance and safeguard of the line up to 1945 A.D. The gholams who are to safeguard the line, and who are Persian subjects, are to be under the orders of the said inspector, and the pay and allowance of the inspector will be fixed by the Ministry of Telegraphs in consultation with the Director of the Telegraph Department of the exalted British Government prior to the commencement of the work.

ARTICLE 6.

The Persian Government, *i.e.*, Minister of Telegraphs, has to appoint a Persian clerk at all the principal stations for all time to be conversant in foreign languages to deal with international traffic.

ARTICLE 7.

The Persian Government agrees not to appoint in the telegraphoffices of the above-mentioned lines, without the consent of the Director of the Telegraph

Department of the British Government, any individual except Persian subjects or any employé of the Indo-European Telegraph Department.

ARTICLE 8.

It is agreed that up to 1945, should the Persian Government wish to extend the Arabistan lines to any other points, and in case they should be in need of foreign assistance, that assistance must be requested from the British Government.

ARTICLE 9.

One month prior to the construction of the line the Indo-European Telegraph Department is to ask the Minister of Telegraphs for a representative, who has to accompany the inspector from the beginning of the construction work up to its completion, and all the expenditure which is to be incurred on the construction of the line is to be disbursed with the knowledge of the said representative.

ARTICLE 10.

During the construction of the above-mentioned line, it is to be noticed that the new line is to run through all the existing stations, and the line material which is at present available on the existing line, after connecting one station with another, will be dismantled, collected, and handed over to the representative of the Persian Government.

MOSHTESHAR-ED-DOWLEH.

The Ministry of Posts, Telegraphs,

Tehran, 4th January 1913. *Public Works and Commerce.*

No. XXXVI.

AGREEMENT between GREAT BRITAIN and PERSIA respecting the construction of a Telegraph line connecting SEISTAN with the CENTRAL PERSIA line at a point near MALEK SIAH KUH in PERSIAN TERRITORY,—1916.

Whereas on the 17th of Shaval 1332, according to an official note addressed by the Ministry of Foreign Affairs to the British Legation, the extension of a telegraph line from Seistan to Kuh-i-Malek Siah was authorised, and as in the above-mentioned note this authorisation was made subject to an agreement to be concluded with the representative of the Ministry of Posts and Telegraphs, the following articles are hereby agreed upon :—

ARTICLE 1.

The line shall connect Seistan with Malek Siah Kuh at a point near the Perso-Baluch frontier where the Persian Telegraph Administration may open an office,

the wire being led into the Persian Telegraph Offices, the Persian signallers being free to transmit local traffic.

ARTICLE 2.

The Persian Government reserve to themselves the right to liquidate the cost of the line, less £2,500, by payment extending over 30 years, and to assume control of the line at that date if the liquidation be complete.

ARTICLE 3.

Should it become necessary at any future date to add a second wire to the line the Indo-European Telegraph Department can do so at its own expense, and in 1945 this wire too will become the property of the Persian Government under the proviso of Article 9, and revenue derived from work on this wire will be treated according to the terms of Article 7 of this Agreement.

ARTICLE 4.

None but Persian subjects or employés of the Indo-European Telegraph Department shall be employed on the Seistan Line or in the offices.

ARTICLE 5.

The Indo-European Telegraph Department shall be responsible for the control and the cost of the maintenance of this line, including repairs and renewals, control and payment of the Gholams, and in return for this, the Persian Government agrees to allow messages to and from the British Consul, Seistan, being passed free of charge up to an extent of £150 per annum.

ARTICLE 6.

The salary of the British Inspector and clerks of the Indo-European Telegraph Department employed on this line will be paid by that Department.

ARTICLE 7.

The revenue derived from the local traffic messages originating at one Persian station and terminating at another Persian station, shall belong entirely to the Persian Government.

As regards International messages originating or terminating in Persia, the Persian Government shall receive two-thirds of all *bonâ fide* terminal messages, and as regards transit messages—as this line is merely an alternative one — the arrangement already made as detailed in Article 8 of 1872 Convention will be applied.

ARTICLE 8.

The line from Meshed to Seistan being merely a single wire line it is understood that this route can only be used for international transit traffic, within such limits

as will not interfere with the ordinary traffic of that line and only when the communication on the two existing routes between Persia and India is totally interrupted; whenever the Director of the Indo-European Telegraph Department requires to use the Seistan Line as a route for the transit of the international traffic, the permission of the Minister of Posts and Telegraphs must be obtained.

ARTICLE 9.

After the control of the line has passed into the hands of the Persian Government, it shall not be handed over to any foreign Government or any Company, but it can again be handed to the Indo-European Telegraph Department by special arrangement agreeable to the parties concerned.

ARTICLE 10.

The Persian Government reserve to themselves the right to build an office at the frontier, but pending the construction of such office, messages originating at one Persian station and terminating at another Persian station and passing over this line through Robat, will be treated as local messages.

ARTICLE 11.

A Completion Report giving an account of the expenses incurred in constructing the line shall be submitted to the Minister of Posts and Telegraphs as early as possible for his acceptance and signature, and from the total expenditure a sum of £2,500, referred to in Article 2, shall be deducted.

This Agreement consisting of eleven Articles was approved by the Cabinet Ministers on the 19th of Houtte Taveshgan-il 1334, equal to the 9th of March 1916 A.D.

The stipulations of this Agreement will take effect from the 17th of November 1914 A.D., equal to the 15th of Aghrab 1332, when the extension of the line was completed.

SARDARE MANSOOR,
Ministry of Posts and Telegraphs.
W. KING WOOD,
Director, Persian Section,
Indo-European Telegraph Department.

His Highness Sahram-ed-Dowleh, Minister for Foreign Affairs, etc., etc., etc., and Sir Charles M. Marling, K.C.M.G., C.B., His Britannic Majesty's Minister, etc., etc., etc., at Tehran, being duly authorised by their respective Governments, have ratified the above-mentioned Agreement.

Done in duplicate, at Tehran, on the twelfth day of July, nineteen hundred and sixteen.

CHARLES M. MARLING.
AKBAR.

PART II.

Treaties and Engagements

relating to

Afghanistan.

AT the beginning of the nineteenth century the Durani empire, extending from Herat to Kashmir and from Balkh to Sind, which had been built up by Ahmad Shah Abdali, remained undivided in the hands of his grandson Zaman Shah. Having incurred the enmity of the powerful Barakzai tribe, Zaman Shah was deposed and blinded by his half-brother Mahmud, who was supported by Fateh Khan and the Barakzai. He eventually died a pensioner of the British Government at Ludhiana. In 1803 Shah Mahmud was driven out by Shuja-ul-Mulk, the younger brother of Zaman Shah; and Shah Shuja was still in possession of the undivided empire of Ahmad Shah at the time of Mr. Elphinstone's mission in 1808.

This mission was sent for the purpose of concerting with Shah Shuja the means of mutual defence against the threatened invasion of Afghanistan and India by the French in confederacy with the Persians. The mission was well received at Peshawar by Shah Shuja, and resulted in the conclusion of a Treaty of alliance (No. I) in 1809. It was understood that the stipulations of the second article rendered it incumbent on the British Government to assist Shah Shuja only in the event of an attack by the French and Persians for the purpose of fulfilling the terms of their confederacy, but not if Persia alone should invade Afghanistan without such a purpose, or in consequence of former enmity or recent disputes.

Mr. Elphinstone had scarcely left Peshawar when news was received that Kabul had been occupied by Shah Mahmud with the aid of Fateh Khan. In 1816, after wandering about for some years, the sport of fortune, now a captive in Kashmir, now the prisoner of Ranjit Singh at Lahore, Shah Shuja found an asylum in British territory at Ludhiana.

In the meantime Fateh Khan Barakzai, who was the chief support of Shah Mahmud's power, incurred his jealousy, and was blinded and

slain. The death of Fateh Khan roused the vengeance of the Barakzai clan. Dost Muhammad Khan, one of the youngest of the twenty brothers of Fateh Khan, was foremost in avenging his murder. Shah Mahmud was driven from all his dominions except Herat, and the whole of Afghanistan was parcelled out among the Barakzai brothers. In the confusion consequent on this revolution Balkh was seized by the Chief of Bokhara, the Derajat by Ranjit Singh, and the outlying province of Sind assumed independence. In the partition of Afghanistan, Ghazni fell to the share of Dost Muhammad, but he soon established his supremacy at Kabul also, and thus became the most powerful of the Barakzai Sardars. His half-brother, Kohandil Khan, ruled conjointly with his brothers in virtual independence at Kandahar, while other districts had fallen to other sons of Paindah Khan Barakzai.

Shah Kamran, the son of Mahmud, managed to maintain a precarious footing at Herat. He was the last remaining representative of the Sadozai princes in Afghanistan. Kamran was cruel and dissipated, and entirely ruled by his minister, Yar Muhammad Khan Alakozai.

Shah Shuja had still a strong party in Kabul, and never lost hope of recovering his kingdom. With this view he concluded a treaty with Ranjit Singh in 1833, marched through Sind, where he defeated the Amir, and advanced on Kandahar, which he temporarily occupied. Here, however, he was signally defeated by Dost Muhammad, and again fled to his asylum at Ludhiana. During the distractions which followed on these events, Ranjit Singh possessed himself of the valley of Peshawar. Roused by the aggressions of the Sikhs, Dost Muhammad resolved on declaring a religious war on them. He assumed the title of Amir-ul-Muminin and called on all true followers of Muhammad to join in his expedition. With an immense army he advanced to the Peshawar valley; but Ranjit Singh sowed treason in the camp, and the army melted away. Thus Peshawar was lost to the Amir.

It had long been the policy of the British Government to raise a barrier in Persia to the invasion of India by France or Russia from the west, and no means had been spared to increase the influence of the British at the court of Tehran. By her conquests in the north, however, resulting in the treaty* of Turkmanchai in 1828, Russia was enabled to obtain an ascendancy in Persia, which she employed to encourage the claims of the Shah to sovereignty over Herat and western Afghanistan.

In November 1837 Muhammad Shah, King of Persia, laid siege to Herat, in pursuance of his ambitious policy for the re-conquest of Afghanistan. It was on this occasion that Herat sustained the memorable ten months' siege, and all the efforts of the Shah to capture it, aided by the advice and direction of Russian officers, were defeated.

* See Part I. Persia—Appendix No. VII.

When the Persian army appeared before Herat, Dost Muhammad Khan was not disinclined to welcome a power from which he expected support in his designs against the Sikhs and in his attempts to recover Peshawar.

Meanwhile Lord Auckland had sent a mission to Kabul under Captain Burnes. The mission was professedly a commercial one, but had also in view the checking of the advance of Persia and the establishment of peace between the Amir and Ranjit Singh. Dost Muhammad, however, was unable to obtain from the envoy the assurance, which he hoped for, of the good offices of the British Government in procuring the restoration of Peshawar; and he therefore turned to the Russians, from whom he hoped to obtain greater advantages than from an English alliance.

To check these aggressive measures on the part of Persia and Russia, the British Government of India determined to interpose a friendly power in Afghanistan between their frontier and Persia, by re-establishing the Sadozai dynasty at Kabul and maintaining the independence of Herat as a separate State. It was believed that Shah Shuja would be welcomed by a powerful party in Kabul, to whom the Barakzai rule was odious. The restoration of the exiled monarch was resolved on, and with this object the tripartite treaty of June 1838 (*see* Punjab, Volume I) between the British Government, Ranjit Singh and Shah Shuja was executed. In May 1839 Shah Shuja was crowned at Kandahar, and shortly afterwards Dost Muhammad surrendered and was carried a prisoner into India. The welcome, however, which was expected for Shah Shuja from the people was not given. He was supported entirely by British bayonets. Insurrections soon broke out, which ended in the destruction of the small British force at Kabul and the murder of Shah Shuja. These disasters were retrieved by Generals Pollock and Nott who, with avenging armies, forced their way, the one by the Khyber Pass, and the other from Kandahar by Ghazni, to Kabul. Having vindicated the honour of the British arms, the British army evacuated Afghanistan. Dost Muhammad was released and permitted to return to Kabul, and the Afghans were left to form any government they might choose.

The tripartite treaty between the British Government, Ranjit Singh and Shah Shuja contained a clause guaranteeing the integrity of Herat; and, on the entry of the British troops into Afghanistan, Eldred Pottinger, through whose military talents and energy the efforts of the Shah of Persia to take Herat had been defeated, was appointed Political Agent. Yar Muhammad, however, chafed under the restrictions which the British mission placed on his tyranny, more particularly on his traffic in slaves. He made secret overtures to Persia and to the Kandahar Sardars, who had taken refuge in Persia, for a league to expel Shah Shuja and the British from Kabul. Another Agent, Major D'Arcy Todd, was sent to Herat in 1839 under instructions from the envoy at Kabul to negotiate an alliance with Shah Kamran. In June 1839

Articles (No. II) were given to Yar Muhammad, acknowledging him as Minister of Herat and the channel of all communications with Shah Kamran; and in August a Treaty (No. III) of perpetual peace and friendship was concluded, the terms of which were that the British Government should abstain from interference in the internal administration of Herat, and assist Kamran with money and officers against all foreign encroachment; and that Kamran should prohibit the sale of his subjects into slavery; should refrain from entering into hostilities or political correspondence with any foreign power except with the consent of the British Government, to whose arbitration all disputes with Shah Shuja were to be referred; should employ no Europeans except subjects of Great Britain; and should facilitate trade.

Within a few weeks after the treaty was signed Yar Muhammad was detected in renewed intrigues, offering to put Herat under the protection of Persia, and urging the Shah to join in a league for the expulsion of the English from Afghanistan. His insolent treatment of the mission compelled Major Todd to withdraw, and to suspend the subsidy of Rs. 25,000 a month which was being paid to Herat. The envoy at Kabul earnestly urged the advance of a force to punish the Wazir for his treachery; but this did not meet Lord Auckland's views, who disavowed Major Todd's proceedings. Shortly afterwards the disasters occurred at Kabul which ended in the evacuation of Afghanistan. No sooner was Yar Muhammad relieved of all apprehension of the interference of the British Government than he strangled his sovereign, Shah Kamran, usurped the government of Herat, and professed himself a dependent of Persia. This was in 1842.

During the second Punjab war Dost Muhammad descended from Kabul and re-occupied the Peshawar valley; but, after the final overthrow of the Sikhs at the battle of Gujrat, he retreated beyond the Khyber on the approach of the British troops. For several years thereafter there was no intercourse between the British Government and the Amir; but the Amir did not cease to incite the hill tribes on the Peshawar frontier to annoy the British Government by perpetual hostilities. In 1850 he added Balkh to his dominions. Yar Muhammad, whose policy it was to maintain himself in real independence while soothing the Shah of Persia by empty acknowledgments of allegiance, died in 1851 and was succeeded by his son Saiyid Muhammad Khan.

In 1854 Dost Muhammad Khan, finding himself weakened by the antagonism of his brothers in Kandahar, and by the interference of Persia, deputed his son, Ghulam Haidar Khan, to Peshawar, where, in March 1855, a Treaty (No. IV) was concluded, stipulating that there should be peace between the British Government and the Amir; that each should respect the territories of the other; and that the friends and

enemies of the British Government should be the friends and enemies of Kabul.

After the treaty had been concluded and signed, Ghulam Haidar Khan intimated that it was the intention of his father's government to send troops to occupy Dawar in the Tochi. This valley, together with other lands, cis and trans-Indus, had been relinquished by Shah Shuja to the Sikh Government; and, after the annexation of the Punjab, the British Government had a right to such tracts. But the right had never been asserted, and the Governor-General consented to the Amir's occupying Dawar on his own behalf. This, however, was never done.

Saiyid Muhammad Khan of Herat was deposed in 1855 by Muhammad Yusaf, grandnephew of Shah Zaman, Shah Shuja and Shah Mahmud. Thus the Sadozai family was once more restored at Herat. At this time Dost Muhammad, having quarrelled with his brothers, took possession of Kalat-i-Ghilzai, and soon afterwards, in January 1856, of Kandahar. His ambition, however, was directed to the reduction of Herat, which he had always considered to be an integral part of the Afghan dominions. Dreading the advance of Dost Muhammad, Muhammad Yusaf threw himself on the support of Persia, declared himself to be a vassal of the Shah, and offered to issue coin and have prayers read in the Shah's name. He invited the assistance of a Persian army; but, when it advanced, found himself threatened both from east and west with the loss of his independence. Accordingly he hoisted the British flag at Herat and declared himself a subject of the British Government. This proceeding was repudiated by Lord Canning in the name of the Queen's Government, as a presumptuous and dishonest act. Muhammad Yusaf was soon after deposed by a faction in Herat headed by Isa Khan, and sent a prisoner to the Persian camp. The aggression of Persia on Herat, coupled with the insults which had been offered to the British mission at Tehran, led to the declaration of war between England and Persia in 1856. Measures were immediately taken to subsidise Dost Muhammad, who had consulted the British Government, and to encourage him to advance against the Persians. The result was the conclusion of an Agreement (No. V) in January 1857, confirming the treaty of 1855. Stipulations were made for the payment of a subsidy by the British Government to the Amir to enable him to strengthen his frontier, and for the deputation of British officers to Kandahar during the continuance of the Persian war, to see that the subsidy was appropriated to the object in view, as well as for the residence at Kabul and Peshawar respectively of a native envoy of the British and Kabul Governments.

Assistance in money was also sent to Isa Khan at Herat; but, before it reached him, he had been compelled to surrender to the Persians, who took possession of the city in October 1856 and created him Wazir of the Province on behalf of the Shah. He was murdered within a few weeks by a party of Persian soldiers.

By the treaty* of Paris concluded between England and Persia in 1857, the Persians were required to evacuate Herat. Before they withdrew they installed Sultan Ahmad Khan, better known by the name of Sultan Jan, as ruler of Herat, and the British Government did not refuse to recognise him as *de facto* ruler. This Chief was a nephew and son-in-law of Dost Muhammad. On the occupation of Kandahar by the Amir he had fled to Persia, where he was well received. He was supposed to be unfriendly to the British Government; and, although relieved of the presence of a Persian army, he observed all the outward forms of dependence on the Shah. In consequence of a quarrel with Muhammad Sharif Khan, the Governor of Farrah, who was one of Dost Muhammad's sons, Sultan Jan made an expedition against Farrah, which surrendered to him in March 1862. The Amir of Kabul immediately collected his forces to revenge this aggression. He re-took Farrah in June, and in July laid siege to Herat. After a siege of ten months, during which Sultan Jan died, the Amir took Herat by storm in May 1863. Having thus restored the western boundary of the Sadozai dominions, Dost Muhammad died in the following June. He was succeeded in the government of Kabul by his third son Sher Ali Khan, who placed his own third son Muhammad Yakub Khan in charge of Herat, and marched towards Kabul.

A struggle for power at once arose among the numerous sons left by Dost Muhammad Khan. Early in 1864 Amir Sher Ali, who had previously been recognised by the British Government, sent an envoy to India to negotiate a new treaty, to apply for aid in warlike materials, and to obtain the recognition of his eldest son Muhammad Ali Khan as heir-apparent. It was held that no new treaty was necessary, as the one concluded with Dost Muhammad Khan was still in force; and the envoy returned to Kabul without waiting for an answer to the other requests.

Meanwhile, civil war in Afghanistan continued. Sher Ali, whose eldest son Muhammad Ali Khan was killed in the course of it, held his own until 1866, when he was defeated by Abdur Rahman Khan, son of Muhammad Afzal Khan the eldest son of Dost Muhammad, and fled to Herat. Muhammad Afzal Khan, who had been imprisoned at Ghazni by Sher Ali, was released and proclaimed Amir. Throughout these events the British Government maintained a policy of strict neutrality: no aid was given to any party, and the Afghans were left to settle their own quarrels.

Muhammad Afzal Khan having thus become *de facto* ruler of Kabul and Kandahar, was recognised as such by the British Government, which also declared, in pursuance of the policy of neutrality, its determination

* See Part I, Persia, No. XVIII.

to acknowledge Sher Ali Khan as ruler of Herat as long as he maintained himself there and preserved his friendship for the British Government.

Muhammad Afzal Khan died in 1867, and was succeeded by his brother Muhammad Azim Khan, second son of Dost Muhammad, who was recognised as Amir of Kabul and Kandahar by the British Government.

Not disheartened by frequent reverses, Sher Ali busied himself in preparations to renew the struggle. In April 1868 Kandahar fell to the forces of his son Muhammad Yakub Khan. Later on Sher Ali himself marched on Kabul; Muhammad Azim, deserted by his troops, fled to Turkistan, and Sher Ali entered Kabul in triumph in September 1868.

The British Government regarded with satisfaction the re-establishment of a consolidated administration in Afghanistan; and, in order to strengthen the Amir's authority and enable him to meet the more pressing demands on the exhausted revenues of the country, practical assistance in the shape of a gift of six lakhs of rupees and 6,000 stand of arms was afforded to him.

In the meantime Muhammad Azim and Abdur Rahman had collected their forces and marched from Turkistan on Kabul. A decisive engagement took place at Tinah Khan in January 1869, which resulted in a complete victory for the Amir. His opponents fled to the Waziri hills and finally reached Persia. Muhammad Azim Khan died on his way to Tehran in October 1869.

Immediately after his restoration to power, Sher Ali had expressed a wish to have an interview with the Viceroy, Sir John Lawrence. The troubles in Turkistan prevented for a time the fulfilment of this intention; but, on the defeat of Muhammad Azim Khan, the proposal was renewed and an interview between the Amir and the Earl of Mayo, Sir John Lawrence's successor, took place at Ambala in March 1869.

The Amir was informed on this occasion that, while the British Government had no desire to interfere in the internal affairs of Kabul, yet they would view with severe displeasure any attempt on the part of the Amir's rivals to disturb his position and re-kindle civil war. The Amir returned to Kabul in April 1869, taking with him as a further present from the British Government a sum of six lakhs of rupees and two batteries of artillery.

For many years the title to the possession of Sistan had been in dispute between Persia and Afghanistan, and Persia had more than once invited the interference of the British Government, notably so at the time of Amir Dost Muhammad Khan's recovery of Herat in 1863. At that juncture the British Government were not prepared to interfere: and the Persian Government were informed that it must be left to both parties to make good their possession by force of arms. As Persia was

bound by Article 6 of the Treaty of 1857 (*see* Part I, Persia, No. XVIII) not to take up arms against Afghanistan without first inviting the friendly offices of the British Government, the effect of this refusal to interfere was to authorise an appeal to arms. Since then the Persians had occupied a considerable portion of Sistan. Consequently disturbances and raids on both sides of the border took place, which were most injurious to the prosperity of the country and to the subjects of both the claimants inhabiting the neighbouring provinces. At length both Governments agreed to refer the question of the sovereignty and boundaries of the whole of Sistan on both sides of the river Helmand to the arbitration of the British Government, on the understanding that both ancient right and recent possession were to be taken into consideration. It was also agreed that the final decision of the British Government should be binding on both parties.

Accordingly, in the spring of 1872, commissioners on behalf of the parties concerned and the British Government assembled in Sistan, examined the lands in dispute, and heard the evidence produced on both sides. An award* was finally pronounced by Major-General Goldsmid, the chief of the mission, which, after some demur, was eventually accepted by Persia and Afghanistan and confirmed by the British Government (*see* Part I, Persia).

From this period the relations between Amir Sher Ali and the British Government became gradually more and more cold and constrained. In the course of 1878 matters came to a crisis. In July of that year a Russian mission was honourably received in Kabul. The Government of India thought it necessary to insist upon a similar reception being accorded to a British mission, and preparations were accordingly made for the despatch of a party of British and Indian officers of rank; but on the 21st September 1878, by the Amir's orders, his officers at Ali Masjid refused to allow the British envoy to travel through the Khyber Pass.

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* The substance of General Goldsmid's arbitral award is as follows:—

That Sistan proper, by which is meant the tract of country which the Hamun on three of its sides and the Helmand on the fourth cause to resemble an island, should be included by a special boundary line within the limits of Persia; that Persia should not possess land on the right of the Helmand; that the fort of Nad Ali should be evacuated by Persian garrisons, and the banks of the Helmand above the Kohak bund given up to Afghanistan; that the main bed of the Helmand below Kohak should be the eastern boundary of Persian Sistan; and that the line of frontier to the hills south of the Sistan desert should be so drawn as to include within the Afghan limits all cultivation on both banks of the river from the bund upwards, the Malik Siah Koh on the chain of hills separating the Sistan from the Kirman desert appearing to be a fitting point; that north of Sistan the southern limit of the Naizar should be the frontier towards Lash Jawain; that Persia should not cross the Hamun in that direction, her possession being clearly defined by a line to be drawn from the Naizar to the Koh Siah hill near Bandan; finally, that no works were to be carried out on either side calculated to interfere with the requisite supply of water for irrigation on both banks of the Helmand.

In spite of this public affront it was still deemed desirable, before proceeding to extremities, to give Sher Ali a *locus pœnitentiæ*. An ultimatum was accordingly addressed to him, threatening him with war unless, by the 20th November, he signified his willingness to comply with the demands of the British Government. No answer having been received by the prescribed date, British troops crossed the frontier on the 21st November by three main lines of advance, *viâ* Kandahar, the Kurram and the Khyber.

The Afghans were everywhere defeated, the principal action of the campaign being fought at the Paiwar Kotal on the 2nd December. Shortly after this engagement Sher Ali, with the remaining members of the Russian mission, fled from his capital towards Turkistan, leaving his son Yakub Khan as regent at Kabul.

Communications passed between Yakub and the British officers, but the British troops continued to advance till, towards the end of January 1879, they were in military occupation of a great part of Afghanistan.

News having been received that Sher Ali had died at Mazar-i-Sharif in February 1879, negotiations were opened with Yakub Khan, which ended in the Treaty of Gandamak (No. VI), signed in May. This provided, amongst other things, that the districts of Kurram, Sibi and Pishin should be assigned districts, and should remain under British administration, any surplus of revenue over expenditure being handed over to the Amir. It was also arranged that the British Government should retain the control of the Khyber and Michni passes, and of all relations with the independent tribes inhabiting the territory directly connected with those passes.

Article 4 of the treaty further provided for the residence at Kabul of a British Agent; and Sir Louis Cavagnari, accompanied by British officers and a suitable escort, was appointed to this post. He held it till the lamentable outbreak of the 3rd September 1879, when he and nearly all the Residency staff and establishment were massacred by the mutinous regiments in the Amir's service.

The British forces were once more put in motion to avenge this outrage, and before the close of October were again in military occupation of a great part of Afghanistan. Yakub Khan having voluntarily abdicated after this signal proof of his inability to control his own rebellious subjects, the British Government undertook the task of establishing some stable administration in the country. Yakub Khan asked to be sent to India: and in December 1879 he left Kabul. He was first sent to Meerut, and thence to Dehra Dun, where he resided until his death in 1923.

After full consideration it was deemed advisable to erect Kandahar and its dependencies into a separate principality, of which Sardar Sher

Ali, a Barakzai of Kandahar, was recognised as the Wali or Chief. No special arrangements were necessary for Herat, where Ayub Khan, brother of the *ex*-Amir Yakub Khan, and Governor of that province during his short reign, still maintained himself in power. It was determined to retain Kabul itself temporarily under direct British administration, until its future government could be settled on some basis which should have a reasonable prospect of finality.

In the spring of 1880 Abdur Rahman Khan, who had long been a refugee in Russian territory, made his appearance, with a considerable body of followers, in Afghan Turkistan, where he was cordially welcomed by the leading Chiefs, and succeeded in establishing his authority on the northern side of the Hindu Kush. He had a few adherents of note in Afghanistan proper, more especially in Kohistan: and, from his known character and reputation for ability, there seemed reason to believe that he might, with the countenance of the British Government, be able to establish himself more firmly on the throne of Kabul than any of the other possible candidates. Negotiations were accordingly entered into with him: and, though he made at first some attempts to raise the country and to assert his position as Amir of Afghanistan in his own right, he readily accepted the position offered to him by the Government of India, namely that of Amir of Kabul, the Kandahar province being severed from Kabul and made into a separate principality. Matters having been satisfactorily settled, he was formally recognised as Amir at a Darbar held at Kabul on the 22nd July 1880. On the 31st July and the following day a conference was held at Zimma, at which the wishes and intentions of the British Government were fully explained to him. No formal treaty was drawn up, but it was understood that he was to be assisted with arms and money by the Government of India to such an extent as might appear to them to be necessary; that he was to be recognised by them as Amir of Kabul and its dependencies; that he might take such measures as he pleased to bring Herat under his control, but was not to interfere with the Wali of Kandahar; that Pishin, Sibi and Kurram were to be no longer regarded as part of Afghanistan; that the British Government were to control the Michni and Khyber passes and all relations with the independent hill tribes in the territory directly attached thereto; and that the foreign relations of Kabul were henceforth to be conducted subject to the approval of the Government of India. No mention was made at the time of Khost; but, at the Amir's request, he was allowed a few months later to take possession of the district.

The Amir arrived at Kabul on the 11th August 1880: and the same day, after a cordial farewell interview between him and the chief British officials, the last of the British troops evacuated Kabul and returned direct to Peshawar by the Khyber route. A strong division had started a few days previously to march through Ghazni and Kalat-i-Ghilzai to

Kandahar, which was at this time invested by Ayub Khan with an army from Herat.

Ayub, after much vacillation and prolonged preparation, had started from Herat in the preceding June with the intention of annexing Kandahar to his own principality. On the 27th July he met and defeated at Maiwand a British force which had been sent out to check his further progress. As he advanced on Kandahar he was joined by large numbers of tribesmen, and the garrison of that city was shut up within the walls, till the arrival, on the 31st of August, of the relieving force under General Roberts, who, on the following day, attacked and completely defeated Ayub Khan. The Sardar fled across the Helmand to Herat, whither it was not thought necessary to follow him.

The course of events had made it quite clear that the Wali, Sher Ali, could not hope to maintain himself at Kandahar without the assistance of British troops, whom it was impossible to keep there for an indefinite period. He was accordingly allowed, at his own request, to retire to British India on a pension: and the Government of India offered the Kandahar province to Amir Abdur Rahman. He was not at first ready to accept the offer, urging want of arms, ammunition and transport: but eventually arrangements were made in accordance with which, in April 1881, the city was finally evacuated by British troops, and formally made over to a governor deputed from Kabul.

During the following summer Kandahar became temporarily subject to Ayub Khan, who again advanced from Herat, and succeeded for the time in expelling the Amir's deputy. In September 1881 he was once more defeated by a force from Kabul, who followed up their success by advancing on Herat, and occupying it after dispersing Ayub's army. Ayub Khan himself fled to Persia, where he remained under surveillance until the summer of 1887, when he escaped from Tehran, and made his way to the Afghan frontier. He was, however, prevented from crossing the border by the prompt action taken by the Amir's authorities in Herat. After undergoing great hardship in the Persian desert, he eventually surrendered to General MacLean in November 1887, and was sent to India, with a very large following, in the ensuing January. He undertook to live in India and never to do anything contrary to the wishes of the British Government, who provided him and his principal followers with liberal pensions. He was sent first to Rawalpindi, and later to Lahore, where he resided till his death in 1914.

In 1883 Amir Abdur Rahman Khan received an annual subsidy of twelve lakhs of rupees from the Government of India.

In April 1885 the Amir visited India and met the Viceroy, Lord Dufferin, at Rawalpindi, where general assurances of friendship and good-will were exchanged.

One of the most important events in the reign of Amir Abdur Rahman Khan was the delimitation of the north-western frontier of Afghanistan. As far back as 1869, in the reign of Amir Sher Ali Khan, negotiations for the purpose of defining the frontier had been begun between the British and Russian Governments. The proposals of the British Government were met by counter-proposals by the Russian Government: and eventually, in 1872, the British Ambassador at St. Petersburg, under instructions from Earl Granville, submitted to the Russian Government the following statement of the territories which the British Government considered as fully belonging to Afghanistan:—

(1) Badakshan with its dependent district of Wakhan from the Sarikul (Wood's Lake) on the east to the junction of the Kokcha river with the Oxus (or Penjah) forming the northern boundary of this Afghan province throughout its entire extent.

(2) Afghan Turkistan, comprising the districts of Kunduz, Khulm and Balkh, the northern boundary of which would be the line of the Oxus from the junction of the Kokcha river to the post of Khoja Saleh inclusive, on the highroad from Bokhara to Balkh. Nothing to be claimed by the Afghan Amir on the left bank of the Oxus below Khoja Saleh.

(3) The internal districts of Akcha, Sar-i-pul, Maimana, Shibarghan and Andkhui, the latter of which would be the extreme Afghan frontier possession to the north-west, the desert beyond belonging to independent tribes of Turcomans.

(4) The Western Afghan frontier between the dependencies of Herat and those of the Persian Province of Khorasan was well known and need not be defined.

Prince Gortchakoff, on behalf of his Government, questioned whether the Amir exercised actual sovereignty over Wakhan and Badakhshan. In regard to the north-western boundary he stated that the Russian information threw doubt upon the Afghan possession of Akcha, Sar-i-pul, Maimana, Shibarghan and Andkhui; but added that, if the English Government adhered to its opinion as to the expediency of including these places in Afghan territory, Russia would be disposed, as far as this portion of the boundary was concerned, to accept the line laid down by the British Government.

In January 1873 the British Government again represented the grounds on which they based their contention: and this elicited a reply from Prince Gortchakoff that while, according to Russian views, Badakhshan and Wakhan still enjoyed a certain degree of independence, yet, as it was not desired to attach too great an importance to this detail, "we do not refuse to accept the line of boundary laid down by England".

This somewhat vague settlement, historically known as the Clarendon-Gortchakoff Agreement of 1872-73, was concluded without any reference to the Amir.

During the next seven or eight years, the Russian Government continued to advance slowly but unceasingly from the Caspian in the direction of Merv, and frequent reports were received of their occupation of that place. Accordingly, in February 1882, Earl Granville suggested the demarcation of the Russo-Persian frontier from Baba Durmaz to the point where the Russian frontier meets that of Afghanistan in the vicinity of the Hari Rud, and threw out a suggestion that something might be done with regard to the adjacent Afghan frontier, certain details of which had been left unsettled by the Clarendon-Gortchakoff Agreement. Numerous communications passed between the two Governments, but without decisive result, until in February 1884, while the question was still under consideration, official information was received that the Merv Turkmans had made their submission to Russia, and that the Czar had determined to accept them as his subjects. Upon this a memorandum was despatched to the British Ambassador at St. Petersburg for communication to the Russian Government, in which it was observed that the occupation of Merv seemed entirely inconsistent with the hitherto uniform assurances of the Russian Government that they had no intention of occupying the place.

In their reply (March 1884), the Russian Government, after explaining their action in this connection, added that, if the British Government should find it useful and practicable to complete the arrangements previously concluded between the two Governments by a more exact definition of the countries separating the Russian possessions from Afghanistan, Russia could only repeat its proposal of 1882, to continue from Khoja Saleh westward the line of demarcation agreed upon in 1872-73.

The British Government accepted this proposal (April 1884) and suggested the appointment of a joint commission, to begin operations in the ensuing autumn.

Considerable correspondence ensued as to the point from which the commission should begin its labours; the basis of the delimitation; and the principles upon which the instructions to the commission should be framed. Eventually it was arranged that General Sir Peter Lumsden, the British commissioner, and General Zelenoi, the Russian commissioner, should meet at Sarakhs about the 13th October 1884.

Sir Peter Lumsden duly arrived from England on the frontier, and joined his escort which had been sent to meet him from India. But it now appeared that there were difficulties in the way of the demarcation. First, news was received that the Russian commissioner was ill and unable to start, and then the Russian Government took exception to

Sarakhs as the place of meeting, suggesting Pul-i-Khatun or some other spot south of Sarakhs. Next, a proposal was put forward that a zone should be agreed upon between the two Governments, within which the commissioners should be instructed to limit their explorations.

Meantime winter was coming on apace, and the Russians had already advanced on and occupied Pul-i-Khatun on the Hari Rud and Pul-i-Khishti on the Murghab. Shortly before this, Afghan troops had occupied Panjdeh, and the Russian Ambassador had called the very serious attention of the British Government to the fact.

The British commission had (December 1884) settled down in winter quarters at Bala Murghab, and the Russians intimated that there would be still further delay in the arrival of their commissioner. The question of the zone of enquiry was still being discussed in England, when, in March 1885, a Russian force attacked and defeated a considerable Afghan force at Pul-i-Khishti near Panjdeh. The British commission, which was camped a few miles from the scene of conflict, immediately retired to Tirpul on the Hari Rud. At this critical moment, the Amir was in India on his visit to the Viceroy at Rawalpindi. War was averted, and negotiations were resumed in London. Sir Peter Lumsden was summoned to England to help in the negotiations there, and the charge of the mission devolved upon Colonel Sir West Ridgeway. It was not, however, until the following September that final arrangements (No. VII) for the demarcation were agreed to between the two Governments.

Two months later the joint commission met as arranged at Zulfikar. The work of demarcation was started immediately, and good progress had been made when a severe winter drove both parties into winter quarters shortly after Christmas.

Work was resumed in March 1886: and in June the frontier was definitely fixed and pillars were constructed from Zulfikar on the Hari Rud to the meridian of Dukchi, a group of wells north of Andkhui and within 40 miles of the Oxus.

Unfortunately the joint commission found it impossibe to come to an agreement as to the spot at which the frontier line should enter the cultivated tracts in the vicinity of the river, or actually meet the river. It is true that all the old papers bearing on the subject had spoken of Khoja Saleh being the frontier; but no place on the river could now be found which both sides would admit to be the Khoja Saleh of the agreement of 1872-73. Accordingly, the commission dissolved itself at Khamiab at the beginning of September 1886, and the British party returned to India *viâ* Kabul, where they were honourably entertained by the Amir for about a week.

The frontier line agreed to up to Dukchi is described in a Protocol (No. VIII) signed by the joint commissioners at Khamiab in September 1886.

In the following year Sir West Ridgeway was deputed to St. Petersburg to resume negotiations for the completion of the unsettled part of the boundary. Eventually a settlement was arrived at by mutual concessions. Afghanistan restored to the Sarik Turkmans most of the land of which they had been deprived between the Khushk and Murghab rivers, and Russia withdrew her claims to all the districts then in possession of the Afghans on the Oxus, and to the wells and pastures necessary for the prosperity of the Uzbegs of Afghan Turkistan.

The final protocol (No. IX), embodying this settlement, was signed in July 1887.

In January 1888 Majors Yate and Peacocke completed the demarcation of the revised portion of the frontier between the Khushk and the Murghab and between Dukchi and the Oxus. A description of the line of pillars is given in an Appendix.*

While the British commission was in the vicinity of Herat a local dispute regarding the boundary between Persia and Afghanistan in the Hashtadan valley was brought to notice. The locality, which is not far from Kuhsan, was visited and the conflicting claims were mapped. After protracted correspondence, both the Shah and the Amir consented to refer the question to the decision of the Viceroy upon the report of Major-General MacLean, the Agent to the Governor-General for Khorasan. General MacLean proposed a compromise which was accepted by both sides and duly carried into effect by demarcation on the spot during the months of March, April and May 1891. The synopsis of boundary pillars demarcating the line as finally determined is given as an Appendix.†

In the autumn of 1888 the Amir's cousin Muhammad Ishak Khan, Governor of Turkistan, after having for several years evaded accepting repeated invitations to Kabul, threw off his allegiance, proclaimed himself Amir and marched on Kabul with the whole of the Turkistan army. He was, however, completely defeated by the Amir's forces at Ghaznighak near Haibak in September 1888. Sardar Ishak Khan fled to Samarkand, where he was granted a small allowance by the Russian Government.

Complaints having been made by the Russian Government in 1891 and 1892 about the irrigation by the Afghans of lands on the left bank of the Kushk, by canals taking off from that stream, in contravention of the terms of the Afghan Boundary Commission Protocol of July 1887, the Government of India addressed the Amir of Afghanistan in the

* Appendix No. I.
† Appendix No. II.

matter. He denied having authorised his subjects to depart in any way from the terms of the protocol of 1887: and suggested a joint enquiry to ascertain which side had perpetrated a breach of the agreement. The British Government thereupon addressed the Russian Government, proposing a joint enquiry on the spot by a Russian and Afghan representative and a British officer. The Russian Government agreed to the proposal on the condition that immediate effect should be given to the commission's award in the presence of the commissioners. Lieutenant-Colonel C. E. Yate was deputed to the Kushk valley as British commissioner. The Russian Government appointed M. Ignatiew as its commissioner. These commissioners along with the Amir's representative held a local enquiry. The proceedings of the joint commission were recorded in six protocols. The first protocol* recorded the result of the inspection of the locality by the joint commissioners, and the sixth protocol (No. X) recorded the settlement arrived at by the joint commissioners. Effect was given on the spot to the decision of the joint commission.

In 1893 Lord Lansdowne sent his Foreign Secretary, Sir Mortimer Durand, on a mission to Kabul. For some time past communications had been going on between the British and Russian Governments regarding the British and Russian spheres of influence on the Pamirs, and about the Clarendon-Gortchakoff agreement of 1872-73, making the river Oxus the north-eastern boundary of Afghanistan up to Lake Victoria (Sarikul). This boundary had been fixed at the time of the agreement on insufficient information: and it had subsequently been discovered that Shighnan and Roshan, portions of which lie to the north of the Oxus, formed part of Badakshan, a province belonging to the Amir of Afghanistan, while the district of Darwaz, the greater portion of which lies to the south of the river, was tributary to Bokhara. Russia had, however, claimed the literal fulfilment of the agreement of 1872-73: and, in order to explain clearly to the Amir the terms of this agreement, and the extent of the Russian claim, which involved Afghan withdrawal from trans-Oxus Shighnan and Roshan, it had become necessary to depute a British officer to Kabul. Sir Mortimer Durand was informed by the Government of India that the settlement of this question was to be his primary duty; but he was instructed at the same time to endeavour to come to an amicable understanding in regard to the Indo-Afghan frontier, about which the Amir had at various times had differences of opinion with the Government of India. Sir Mortimer Durand's negotiations with the Amir resulted in the conclusion of two Agreements (Nos. XI and XII) both dated the 12th November 1893. By one of these agreements the Amir bound himself to abandon all districts then held by him to the north of the upper Oxus, on condition of his receiving in exchange all the districts not then held by him

* Appendix No. III.

to the south of this part of the river. By the other agreement a thoroughly friendly understanding was arrived at as regards the Indo-Afghan frontier. The Amir retained Asmar and was given the Birmal valley. Also, to mark their sense of the friendly spirit in which the Amir had entered into the negotiations, the Government of India raised his subsidy to eighteen lakhs of rupees a year, granted him full permission to import munitions of war, and promised him some help in this respect as a gift. On the other hand, the Amir agreed that the eastern and southern frontiers of his dominions, from Wakhan to the Persian border, should follow the line shown in the map attached to the agreement, and that he would at no time exercise interference in Swat, Bajaur, or Chitral. His Highness also relinquished his claim to Chagai.

Besides the two above agreements the Amir received from Sir Mortimer Durand a letter, dated the 11th November 1893 (No. XIII), informing him that the assurance given to him by the British Government in regard to his territory, when he had come to the throne in 1880, remained still in force and was applicable to any territory which might come into his possession in consequence of his agreement with the British Government regarding the upper Oxus frontier.

The work of demarcation of the Indo-Afghan frontier as defined in the agreement of November 1893 was divided into sections, and was carried out for the most part by joint commissions during the years 1894-1896, the only portion of the frontier remaining undemarcated being a small section in the vicinity of the Mohmand country and the Khyber. The Afghan-Waziristan boundary from Domandi to Laram was demarcated by British officers at the special request of the Amir.

The Agreement regarding the Afghan-Kurram frontier was concluded (No. XIV) in November 1894: an Agreement concluded in April 1895 (No. XV) defined the boundary line from the Hindu Kush to the neighbourhood of Nawa Kotal: and the Afghan-Baluch boundary from Domandi to the Persian border was demarcated (No. XVI) in 1894 and 1895.

In 1894 the Hon. G. N. Curzon (afterwards Lord Curzon of Kedleston) visited Kabul on the invitation of the Amir, and spent a fortnight there as the Amir's guest. He was permitted by the Amir to visit Kandahar and to return to India *viâ* New Chaman.

In 1895 the Amir deputed his second son, Shahzada Nasrulla Khan, to pay his respects to Her Majesty the Queen-Empress, the Amir's own state of health having prevented him from undertaking a journey to England in person.

In March 1895, after prolonged negotiations, Notes (Nos. XVII and XVIII) were exchanged between the British and Russian Governments

concluding an agreement in regard to the spheres of influence of Great Britain and Russia on the Pamirs, and the demarcation of the boundary line by a joint commission composed of British and Russian delegates. The Amir, being informed by the Government of India of the terms of the agreement, expressed his pleasure at the settlement.

The settlement arrived at by the joint commission as regards the boundary was recorded in ten protocols. A synopsis of the pillars erected by this settlement is given as an Appendix.*

The Amir was furnished by the Government of India with copies of the map signed by General Gerard and General Povalo-Scheikovski, the joint commissioners, together with a description† of the demarcated line showing the boundary of Afghanistan in the direction of Wakhan and the Pamirs.

In accordance with the terms of the Anglo-Russian agreement of March 1895, Bokhara evacuated cis-Oxus Darwaz in October 1896. The Amir had retired from trans-Oxus Shighnan and Roshan in 1894

By the agreement arrived at by the Pamir Boundary Commission eastern Wakhan was formally acknowledged by Russia as forming part of the territories of the Amir of Afghanistan. To enable the Amir to carry on properly the administration of this strip of country, the Government of India granted him an additional subsidy of Rs. 50,000 a year, with effect from the 1st March 1897.

In 1896 an Agreement (No. XIX) was concluded regarding the Baluch-Afghan boundary westward from Chaman to the Persian border.

Abdur Rahman died in October 1901 and was succeeded by his eldest son Habibulla, whose succession was undisputed.

Towards the end of the life of Abdur Rahman, land and water disputes between the Persians and Afghans in Sistan began to cause anxiety. The boundary defined by Sir Frederick Goldsmid's award in 1872 was mainly based on natural features, and for a long distance was declared to follow the course of the river Helmand and the margin of the lagoon into which that river poured its waters. During the succeeding thirty years the Helmand had changed its bed to the west, and the lagoon had assumed a new position. Disputes had from time to time arisen; but till 1901 they had yielded to local settlement. In 1902, however, the position had become acute, and the Persian Government invoked the good offices of the British Government under the Treaty of 1857 (*see* Part I, Persia, No. XVIII). The Amir agreed to arbitration by the British Government, and Colonel McMahon was nominated as British commissioner. The mission started from Quetta in January

* Appendix No. IV.
† Appendix No. V.

1903 and arrived on the Sistan border in the following month, having been joined on the way by the Afghan commissioner; and in March Colonel McMahon entered Persian Sistan and came into direct communication with the Persian commissioners. Meanwhile the survey of the whole disputed area was being pushed on, and in November Colonel McMahon formally delivered his boundary award to the Persian and Afghan commissioners. Some delay ensued; but eventually the award was accepted by the Afghan and Persian Governments, and the line from Koh-i-Malik Siah to the Siah Koh was demarcated by pillars along its entire length at the end of December 1904. In February 1905 Colonel McMahon formally delivered to the Persian and Afghan commissioners the final maps and arbitral statements (No. XX) relating to the Sistan boundary, as also the detailed list of the boundary pillars showing the position and nature of each pillar.

In November 1904 Mr. L. W. Dane, Foreign Secretary to the Government of India, was sent on a mission to Kabul. Mr. Dane reached Kabul on the 12th December, and on the 21st March 1905 concluded, on behalf of the British Government, a Treaty (No. XXI) with the Amir Habibulla Khan, continuing the agreements which had existed between the British Government and Abdur Rahman Khan.

In December 1904 Amir Habibulla Khan deputed his eldest son, Sardar Inayatulla Khan, to India to pay a visit to the Viceroy. Lord Curzon received the Sardar at Calcutta, and he returned to Kabul in January 1905.

The full investigations which had been made during his long stay in Sistan had enabled Colonel McMahon to mature his views regarding the irrigation rights of both Persia and Afghanistan: and, the boundary question having been settled, he called upon the Persian and Afghan commissioners to submit statements of their cases in respect of these rights and, after consideration of their respective representations, he delivered his water award in April 1905 (No. XXII). The Amir accepted the arbitral decision with one reservation; but, up to the end of 1930, the Persian Government had still not notified its acceptance.

From the 2nd January to the 7th March 1907, the Amir visited India. On his arrival, with a suite of 1,100 men, he was accorded a salute of 31 guns, and in a telegram of welcome from King Edward he was for the first time addressed as "His Majesty".

An Anglo-Russian Convention, relating to Persia, Afghanistan and Tibet, was signed at St. Petersburg in August 1907, and ratified in the following month (*see* Part I, Persia, No. XXI). As regards Afghanistan, His Majesty's Government disclaimed any intention of altering the political status or (subject to the observance of the Treaty of 1905) of interfering in the administration, or annexing any territory, of Afghanistan, and engaged to use her influence in Afghanistan in no manner

threatening to Russia. Russia, on her part, recognised Afghanistan as outside her sphere of influence. The final article stipulated the consent of the Amir to the terms of the Convention as a condition precedent to its enforcement of the arrangements. Such consent was, however, never obtained.

In the summer of 1909 the Amir suggested the appointment of a Joint Commission for the settlement of various differences between the frontier subjects of the two Governments. A settlement, by way of cancellation and set-off on tribal lines, of the great majority of outstanding cases was effected in October. Most of the cases settled related to the Kurram border, the amount due, on balance, being found to be Rs. 2,685 in favour of the Afghans. This sum was paid by the Government of India.

The outbreak of the Great War, and particularly the entry of Turkey into the conflict, placed the Amir in a difficult position. No efforts were spared by the Central Powers to bring Afghanistan into the War. In spite of the formation of a preventive military cordon in East Persia, a German-Turkish mission succeeded in reaching Kabul in October 1915. The Amir summoned a meeting of representatives from all parts of the country, delivered a strong speech in favour of peace and friendship with the British, and succeeded in keeping his country neutral throughout the Great War. As a token of appreciation of his attitude his subsidy was increased in 1916 by rupees two lakhs a year, making the total rupees twenty and a half lakhs.

In February 1919 Amir Habibulla, feeling that the time had come when he might claim the reward of steadfastness throughout the war, and vindicate his policy to his people, wrote to the Viceroy, demanding written recognition by the Peace Conference of Afghanistan's " absolute liberty, freedom of action, and perpetual independence ".

On the night of the 19th/20th February 1919 Amir Habibulla was murdered at his shooting camp at Qala-i-gush in the Laghman Valley. His brother Sardar Nasrulla was at Jalalabad at the time. He immediately proclaimed himself Amir, Inayatulla, the heir apparent, who was also in Jalalabad, making no attempt to establish his own claim.

In Kabul Sardar Amanulla, the 27 year old son of Habibulla by the Ulya Hazrat, took possession of the citadel. Conciliating the army by promises of increased pay, and disarming opposition by the boldness of his act, he ordered the arrest of Nasrulla on the charge of having murdered Habibulla, and on the 28th February was proclaimed King of Afghanistan in the presence of all civil and military officials in Kabul.

Amanulla's first act on taking over the reins of Government was to proclaim the independence of Afghanistan both in internal and in external affairs. For this purpose he desptached special messengers to Russia, Turkey, Bokhara and Khiva. On the 3rd March he wrote to

the Viceroy, intimating his succession, and emphasising that, in seeking friendship, he did so on behalf of " our independent and free government of Afghanistan ".

On the 13th April the Amir held a Durbar at which Nasrulla Khan was convicted of having instigated the murder of Habibulla, and was sentenced to imprisonment for life. He died in jail in 1920. A Colonel, held to be actual murderer, was executed, and other persons were awarded imprisonment. These sentences did not, however, satisfy either the public or the army, who doubted whether guilt had been correctly imputed, and resented the action taken against Nasrulla.

Confronted with a situation of much difficulty, the Amir summoned the tribal leaders to Kabul, despatched emissaries, money and ammunition to the frontier tribes, established touch with revolutionaries in India, and declared a Holy War against the British. Afghan forces were despatched towards the end of April to Dacca, Khost and Kandahar, and acts of war took place in the neighbourhood of Landi Khana on the 3rd and 4th May. On the 5th May orders were issued for the mobilisation of the field army in India.

On the 13th May British troops occupied Dacca, where on the 17th May the Afghans suffered considerable casualties and the loss of five Krupp guns. In Chitral they were driven out of Arnawai on the 23rd May with a loss of four guns. The Royal Air Force bombarded Jalalabad on the 19th and 20th May and both Jalalabad and Kabul on the 24th May. On the 27th May a British force occupied Spin Baldak, on the Chaman front, after bombardment. On the same date General Nadir Khan invested Thal, but was compelled to retire on the 1st June. When, on the 28th May, a letter was received from the Amir, ascribing the outbreak of war to a misunderstanding, and suggesting an armistice, considerable successes had already been gained by British arms in the field, discounted however by the defection of the Khyber Rifles, and by evacuations, followed by desertions of a majority of the Militias, in Waziristan and the Tochi.

The Viceroy, Lord Chelmsford, replied to the Amir in a letter which refuted the Amir's version of the causes of the war, stated the terms on which an armistice would be granted, and named Rawalpindi as the venue for a peace conference.

On the 8th August 1919, the delegates, chief of whom were Sir Hamilton Grant and Shahghassi Ali Ahmad Khan, signed the Treaty of Rawalpindi (No. XXIII) whereby peace was established, the previous subsidy, and all arrears of subsidy, were forfeited, and the privilege of importing arms *viâ* India was withdrawn; but prospects were extended of further treaty negotiations after an interval of six months. The Afghan Government further agreed to accept the Indo-Afghan

frontier which had been accepted by Amir Habibulla, and to the demarcation of a small area in the Khyber where the first aggressions had taken place during the recent war.

Annexed to the treaty, but not published with it at the time, was a letter (annexure to No. XXIII) admitting the independence of Afghanistan in her foreign relations.

Between August 23rd and September 2nd demarcation in the vicinity of Torkham was completed* as contemplated in the Rawalpindi Peace Treaty.

On the 10th September 1919 the Amir addressed letters to the Viceroy intimating his pleasure at the restoration of peace; to Sir Hamilton Grant, suggesting a treaty for the establishment and perpetuation of friendship; and, in formal terms, to His Majesty the King. In another letter of the 5th November, addressed to Sir Hamilton Grant as Chief Commissioner of the North-West Frontier Province, the Amir proposed an Indo-Afghan Frontier Conference for the discussion and settlement of the whole frontier problem.

The Afghan Treaty delegates, headed by Sirdar-i-Ala Mahmud Beg Tarzi, father-in-law of Amir Amanulla, reached Mussoorie on the 14th April 1920. Four meetings with the British delegates, chief of whom was Mr. H. R. C. Dobbs, Foreign Secretary to the Government of India, had been held by the 24th April when the Conference was suspended on account of acts of Afghan aggression on the Chaman, Kurram and Chitral frontiers. On the adjustment of these matters, further meetings took place between the 7th June and 24th July, on which date the Afghan delegates returned to Kabul, taking with them an *aide memoire* which indicated the terms on which negotiations might be continued with a view to the conclusion of a Treaty of Friendship.

On the 6th October 1920 the Amir addressed the Viceroy, inviting to Kabul "trustworthy representatives invested with power to conclude a treaty". The Viceroy accepted this invitation, and on the 7th January 1921 a British Mission, headed by Sir Henry Dobbs, arrived at Kabul. Meanwhile Sirdar Muhammad Wali Khan, who in October 1919 had arrived in Moscow with a Mission the object of which was to establish touch with the chief countries of the world, had been well received by Lenin. Afghan Consuls had been appointed to Tehran and Meshed, Afghan Envoys had been established at Andijan, Tashkent and Bokhara, and Suritz had been appointed as Consul of the Union of Soviet Socialist Republics at Kabul. Suritz in Kabul and Muhammad Wali Khan in Moscow had initiated conversations with the view to the conclusion of a Russo-Afghan Treaty,† which was eventually signed on the 28th Febru-

* Appendix No. VI.
† Appendix No. VII.

ary 1921, at Moscow; where, on the following day, Muhammad Wali Khan also signed a Treaty of alliance* between Turkey and Afghanistan. In June of the same year a Treaty was concluded between Persia and Afghanistan (*see* Part I, Persia, Appendix No. XXVI).

The Russo-Afghan Treaty was ratified by the Amir at Kabul on the 14th August 1921, and its terms were communicated to Sir Henry Dobbs on the 3rd September. Under the terms of this Treaty both parties engaged themselves not to enter into any military or political arrangement with a third power which would be detrimental to the other party. Provision was made for the establishment of seven consulates in Russian territory, of which five were to be in Russian Central Asia, and for Russian Consulates at Herat, Maimana, Mazar-i-Sharif, Kandahar and Ghazni. Goods imported into Afghanistan from Russian territory would not be taxed. The independence of Khiva and Bokhara was acknowledged by both parties. The Russians offered to hold a plebiscite in Panjdeh to determine whether this area should belong to Russia or to Afghanistan. A yearly subsidy of one million gold roubles was also promised by Russia, who undertook to build a telegraph line from Kushk to Kabul *viâ* Herat and Kandahar.

On the 16th July 1921 M. Raskolnikov arrived at Kabul as first Russian Minister.

After many vicissitudes the Amir signified his acceptance of the Treaty on which the British and Afghan delegates had been working since the spring: and, at an official meeting on the 22nd November 1921, Sir Henry Dobbs and Sirdar-i-Ala Mahmud Beg Tarzi signed the Anglo-Afghan Treaty (No. XXIV). Ratifications of the Treaty were exchanged at Kabul on the 6th February 1922.

This Treaty, after certifying mutual internal and external independence, and corroborating the existing Indo-Afghan frontier, provided for the establishment of British and Afghan Legations at Kabul and in London, with British Consulates at Kandahar and Jalalabad, an Afghan Consulate-General at the Headquarters of the Government of India, Afghan Consulates at Calcutta, Karachi and Bombay, and Afghan Trade Agents at Pehawar, Quetta and Parachinar; for trade and postal facilities, including a rebate of Indian customs on goods imported to India for re-export to Afghanistan; for the subsequent discussion of a trade convention; and for the giving of prior information of any military operations of major importance which might appear necessary for the maintenance of order among the frontier tribes. The Treaty was to continue in force for 3 years, and thereafter subject to one year's notice of denunciation by either party. Schedule I annexed to the Treaty provided for a small concession of territory to the Afghan

* Appendix No. VIII.

Government in the neighbourhood of Torkham, thereby altering the line demarcated under Article 5 of the Peace Treaty of 1919. Schedule II provided for matters of detail connected with Legations and Consulates. Added to the Treaty, and published with it, were four letters dealing more particularly with the import of munitions; excluding Russian Consulates and representatives from the territories of Jalalabad, Ghazni and Kandahar; and declaring the goodwill of the British Government towards all frontier tribes.

The Treaty had hardly been signed when Sir Henry Dobbs learned that, contrary to an undertaking which had been given to him when the realignment of the Torkham boundary had been under discussion, the Afghans were still in possession of Arnawai in Chitral, which had been occupied during the period of the armistice of 1919. On November 29th the Amir gave orders for the withdrawal of all Afghan troops from Arnawai and for its restoration to Chitral; and on the 4th December Sir Henry Dobbs, on his way to Peshawar, carried out the realignment of the boundary at Torkham.

Compliance with the Amir's order for the evacuation of Arnawai was delayed till the 17th January, when Arnawai itself was handed back to the Chitral representative. The "lands known as Dokalin" which were also claimed by the Mehtar of Chitral, as forming part of Arnawai, were not restored, and remained in Afghan possession till 1929. The questions of title to these lands, and the delimitation of the frontier, left unsettled by the Udny Agreement of the 9th April 1895 (No. XV), are still (1930) under negotiation with the Afghan Government.

Shortly after the conclusion of the Treaty His Majesty the King, in an exchange of complimentary messages with the Amir, accorded to the latter the style of "His Majesty".

In April 1922, in accordance with the terms of the Treaty, British and Afghan Legations were established in Kabul and London respectively, the first Ministers being Lieutenant-Colonel F. H. Humphrys and Sirdar Abdul Hadi Khan. British Consulates were instituted at Jalalabad and Kandahar in August 1922. The Afghan Consulate-General, and the Afghan Consulates in India, were inaugurated in the same year.

The Anglo-Afghan Trade Convention (No. XXV) relating to goods in transit through India, foreshadowed in the Treaty, was, after protracted discussion, signed in June 1923.

During 1923 and 1924 outrages committed by Afghan subjects in British territory at Barshor and Spinchilla, the murder by Afghan subjects of two British officers near Landi Kotal, and certain other matters necessitated the detention at Bombay, in accordance with the terms of the Treaty of 1921, of arms consigned from abroad to the

Afghan Government. By the middle of March 1924, however, the Afghan Government had given sufficient proof of their friendliness to permit of the passage of the arms.

Shortly after, the Amir was confronted with the necessity of quelling the Khost rebellion which lasted from March 1924 to February 1925, among the principal causes being the growing discontent in the provinces fostered by the introduction of the "*hasht nafri*" system of conscription in the army, the attempt to introduce a general system of female education, and the sudden promulgation of the new Administrative Code (Nizamnama). In March rumours of trouble in Khost were reported. By the middle of April the whole of the Southern Province was involved and from then onwards the Afghan Government were mainly occupied in an endeavour to localise the outbreak and prevent it spreading to the Ghilzai tribes. The army at the outset suffered a series of reverses at the hands of the tribal rebels. The latter, emboldened by success and encouraged by the arrival from India of a figure-head in the person of one Abdul Karim, a bastard son of the ex-Amir Yakub Khan, who had succeeded in escaping from surveillance in India, had by the end of July cut the main communication between Kabul and the South and were within 25 miles of the capital. Emissaries were despatched to raise the Hazaras and the tribes of the Eastern Province; regular troops were withdrawn to defend the city, and on the 11th August war was officially declared against the Mangals of Khost. This vigorous action, coupled with the arrival in Kabul of two British aeroplanes, purchased by the Afghan Government, turned the tide, and by the beginning of September negotiations had been opened by the rebel leaders. The ensuing five months witnessed the gradual break up of the rebel forces. The Ghilzais, who had never been seriously involved, were quickly detached; early in October the Mangals of Khost made terms, and in December the Zadran leaders, who had till then harboured Abdul Karim, were induced to come into Kabul to negotiate terms with the Amir. Abdul Karim fled to India where he was quickly arrested, and the arrival in Kabul under escort of his chief supporter, the Lame Mulla, on the 30th January 1925, marks the close of the rebellion.

The state of Afghanistan at the close of the rebellion was sufficiently serious. The financial resources of the State were exhausted, the internal disunion of the races inhabiting the country had been demonstrated, a check had been given to the Amir's schemes for moral and educational progress, and a steady deterioration was apparent in the administration of the provinces. The occasion was one which demanded the Ruler's whole attention in an endeavour to regain lost ground, but for the next eighteen months his attentions were diverted by a series of incidents which endangered his relations with Italy, Germany and Russia succes-

sively. Between 1921 and 1923 he had entered into diplomatic relations with Italy (June 1921), France* (Agreement April 1922, Archæological Convention, September 1922†) and Belgium (February 1923). The entry of Afghanistan into the comity of nations had opened its doors to an influx of foreigners engaged for the most part by the Afghan Government to carry out the Amir's programme for the moral and material advancement of his country. In May 1925 the execution of an Italian for causing the death of an Afghan subject, and in November 1925 the arrest and detention of a German subject on a similar charge, led to temporary crises between Afghanistan and the two countries concerned. The latter event, though it eventually led to the recall of the German representative, did not however prevent the conclusion of a Treaty of Friendship with Germany in March 1926.

In December 1925 a detachment of Russian troops occupied the Island of Urta Tagai on the Oxus, regarding which there had been a long-standing dispute between the two Governments. The affair caused some excitement in Kabul, but turned out to be merely a frontier incident for which the Soviet Government made as speedy amends as possible. On the 31st August 1926 a " Pact of neutrality and non-aggression‡" between the Soviet and Afghan Governments was signed at Paghman.

The multilateral international engagements which Afghanistan has signed or to which she is a party, so far as is known, are the following :—

Convention for the Amelioration of the Condition of the Wounded and Sick of Armies in the Field (Red Cross Convention), 1906.

Universal Postal Convention, 1924.

International Treaty for the Renunciation of War as an Instrument of National Policy (Kellog Pact), 1928.

International Sanitary Convention, 1926.

Multilateral Treaty regulating the Status of Spitzbergen, 1920.

In June 1926 the British Legation was informed that the Amir would in future be styled Padshah : and an announcement by the Afghan Legation in London was published in " *The Times* " to the effect that Amanulla would be known as His Majesty the King of Afghanistan. Recognition of the title was accorded by His Majesty's Government.

In 1927 King Amanulla, accompanied by the Queen, visited Mazar, Kandahar and Khost, none of which he had previously visited.

In September 1927 the King announced his intention of visiting those countries with which he had established diplomatic relations. Leaving the Kingdom in the charge of Sardar Muhammad Wali Khan,

* Appendix No. IX.
† Appendix No. X.
‡ Appendix No. XI.

as Regent and Foreign Minister, the King, accompanied by the Queen and other members of the Royal family, left Kandahar early in December, and travelled as the guest of the Government of India *viâ* Chaman, Quetta and Karachi, to Bombay and on to Port Said. A meeting between the King and the Viceroy, Lord Irwin, was unfortunately prevented by the sudden illness of the latter at Bombay. After visiting Egypt, Italy, France, Belgium, Germany and Switzerland, King Amanulla and Queen Souriya were met at Dover by the Prince of Wales on the 13th March 1928, and were State guests at Buckingham Palace for three days, official banquets being held also at the Foreign Office and the Guildhall. After the conclusion of the official visit, the King visited Windsor, Oxford, Sandhurst, and many industrial centres, and was present at naval, military and air force exercises. Leaving England on the 5th April, he returned to Germany for an operation on his throat: and proceeded thence to Poland, Russia, Turkey and Persia, crossing the Meshed-Herat frontier on the 22nd June and arriving in Kabul on the 2nd July.

Shortly before leaving Afghanistan he had concluded a treaty for the establishment of diplomatic relations with Poland (November 1927), and an Air Agreement with Russia (November 1927*). He also concluded a Treaty of Friendship and Security with Persia (November 1927†).

In March 1928 an Agreement‡ was concluded between the aerial departments of the Afghan and Russian Governments regarding the details necessary to the operation of the Russo-Afghan Air Agreement of 1927.

In the course of his tour the following ten additional treaties, pacts and protocols were concluded:—

Letto-Afghan (February 1928);
Swiss-Afghan (February 1928);
Japano-Afghan (April 1928);
Egypto-Afghan (May 1928)§;
Turco-Afghan (May 1928)¶;
Perso-Afghan (June 1928)‖
Perso-Afghan (Extradition) (June 1928)**;
Perso-Afghan (Frontier Commission) (June 1928)††;
Finno-Afghan (July 1928);
Liberian-Afghan (1928);

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* Appendix No. XII.
† Appendix No. XIII.
‡ Appendix No. XIV.
§ Appendix No. XV.
¶ Appendix No. XVI.
‖ Appendix No. XIII (Additional Protocol).
** *See* Part I, Persia, Appendix No. XXVI (Protocol).
†† Appendix No. XVII.

Negotiations were also announced to be taking place at this time with a number of other countries including China and the Hejaz.

During his absence the country had remained entirely peaceful. His visits to the various capitals of Europe had been followed with interest by his people, and, particularly among the intelligentsia of Kabul, considerable satisfaction was evinced at the warmth of his reception, and at the favourable impression he appeared to have created.

The return of the Royal party was welcomed by the people of Afghanistan, but there was a feeling of suspense throughout the country and symptoms of doubt and unrest began to show themselves among the powerful conservative and clerical elements of the population.

After two months spent in retirement at Paghman, the King launched his programme of reforms. On the occasion of the annual Festival of Independence in September 1928 he placed before the assembled Great Council of 1,000 delegates from all parts of the country proposals which included the emancipation of women, the suppression of the influence of the Mullahs, universal education and a general system of modernisation in trade, communications and the army. In subsequent public addresses the King developed these principles and drew attention to the fact that he had established treaty relations with many countries.

The King's proposals were received with almost universal dissatisfaction throughout the country, his programme for the emancipation of women, and his measures directed against the interests of the Mullahs being particularly unpopular among the conservative and fanatical elements on his Eastern and Southern frontiers.

In November 1928 the Shinwaris broke out into open rebellion, attacked outlying garrisons, and brought to a standstill all traffic between Jalalabad and Dakka. The revolt spread and in the middle of December an attack on Kabul was made by a brigand leader from Koh-i-daman named Bacha-i-Saqao. His first attack was repulsed after severe fighting and he retired to collect further strength. The King attempted to conciliate his people by an offer to cancel his more repugnant measures of reform. His troops, however, were unsuccessful in resisting a fresh attack by Bacha-i-Saqao, who by the 13th January was once more on the outskirts of Kabul. On the 14th King Amanullah abdicated in favour of his brother Muin-us-Saltanat Sirdar Inayatulla Khan, who, however, himself abdicated three days later and found his way *viâ* India to join his brother at Kandahar. A few days later Bacha-i-Saqao proclaimed himself Amir with the style of Habibulla Ghazi, and simultaneously Amanulla Khan at Kandahar revoked his abdication, and busied himself in collecting an army to regain the throne.

On the 24th and 25th February the British, French and Italian Legations were closed, the Ministers and their staffs being evacuated by

air to India. British Consular Officers at Jalalabad and Kandahar were also withdrawn.

On the 22nd May Amanulla Khan, who had advanced with his forces as far as Kelat-i-Ghilzai, encountered strong opposition and, abandoning the struggle, crossed the Afghan border at Chaman on the 23rd *en route* for Italy.

The departure of Amanulla Khan left Kandahar at the mercy of Habibulla whose forces entered it a few days later, while one of his Generals advancing from Mazar-i-Sharif, had in the previous month captured Herat. During the latter operation, however, Ghulam Nabi Afghan Ambassador in Moscow, acting in the interests of Amanulla Khan, recovered Mazar-i-Sharif and advanced towards the Hindu Kush, while Sirdar Nadir Khan, who had entered Khost in March from India, menaced the Kabul Government from the South. The summer was spent by Nadir Khan in attempts to raise the tribes of the Southern Province against Habibulla and early in October 1929, after eight months of indecisive struggle, he entered Kabul. His forces which captured the city under the command of his brother Shah Wali Khan included a contingent of Wazir tribesmen. On the 15th October Nadir Khan was accepted as King by his following and the peple of Kabul and on the 1st November Habibulla, who had been captured at Jabal-us-Siraj, was executed with his leading officials.

On the 7th November intimation was received from Kabul that King Nadir Shah had nominated his bother, His Highness General Shah Wali Khan, as his representative in London and on the 15th November His Majesty's Government formally recognised the new Afghan Government. On the 20th December a British Minister Mr. R. R. Maconachie was appointed to Kabul which he reached with his staff on the 11th May 1930.

On the 6th May Notes (No. XXVI) were exchanged between His Majesty's Government and the Afghan Minister in London reaffirming the Anglo-Afghan Treaty of 1921 (No. XXIV) and the Trade Convention of 1923 (No. XXV). It is believed that certain of the treaties concluded with other countries by the Government of *ex*-King Amanulla have also been reaffirmed, and in November 1930 a Treaty of Friendship between Afghanistan and Japan was signed in London.

The first tasks confronting King Nadir Shah on his accession were the consolidating of his position and restoration of order in the country. In the north the situation was obscure, while the attitude of the Governor of Herat, who had been appointed by Habibulla, was uncertain. In the south Kandahar, which had been captured for the King in October 1929 by a mixed force of Achakzais and other Duranis, acknowledged his accession, but the Ghilzais and tribes of the Southern Province seemed

unwilling to give up the independence which they had enjoyed during the recent anarchy. Two serious revolts, by the Shinwaris in February and by the people of Koh-i-daman in July 1930, were successfully overcome, but financial and other difficulties remained. At the end of September 1930 His Majesty's Government, with a view to assisting towards the reconstruction of Afghanistan and the restoration of stable conditions after the recent civil wars, made a gift of 10,000 rifles and ammunition and a loan of £100,000, which was followed a few months later by a further loan of £75,000.

In September 1930 the first " Great Assembly " of King Nadir Shah's reign met at Kabul. Resolutions were passed in favour of a democratic monarchy with Nadir Shah as King, and of forfeiture of *ex*-King Amanulla Khan's property in Afghanistan. By the middle of October the nomad Ghilzais, whose attitude during the summer had caused some anxiety, had moved down to India and the first anniversary of the King's entry into Kabul was celebrated in an atmosphere of comparative peace. Only on his northern borders, where a Basmachi outlaw, Ibrahim Beg, had for some months been raiding on both sides of the Oxus with a considerable following, was there any cause for immediate anxiety. In December he despatched his brother, General Shah Mahmud, the War Minister, with a considerable force to deal with this outlaw and establish his authority in the Northern Provinces.

No. I.

TRANSLATION of the TREATY with the KING of CABOOL, ratified on the 17th June 1809.

Whereas in consequence of the confederacy with the State of Persia, projected by the French for the purpose of invading the dominions of His Majesty the King of the Dooranees, and ultimately those of the British Government in India, the Hon'ble Mountstuart Elphinstone was despatched to the Court of His Majesty in quality of Envoy Plenipotentiary on the part of the Right Hon'ble Lord Minto, Governor-General, exercising the supreme authority over all affairs, civil, political, and military in the British possessions in the East Indies, for the purpose of concerting with His Majesty's Ministers the means of mutual defence against the expected invasion of the French and Persians, and whereas the said Ambassador having had the honor of being presented to His Majesty, and of explaining the friendly and beneficial object of his mission, His Majesty, sensible of the advantages of alliance and co-operation between the two States, for the purpose above described, directed his Ministers to confer with the Hon'ble Mountstuart Elphinstone and consulting the welfare of both States to conclude a friendly alliance, and certain Articles of Treaty having accordingly been agreed to between His Majesty's Ministers and the British Ambassador, and confirmed by the Royal Signet, a copy of the Treaty so framed has been transmitted by the Ambassador for the ratification of the Governor-General, who consenting to the stipulations therein contained without variation, a copy of those Articles as hereunder written is now returned, duly ratified by the seal and signature of the Governor-General and the signatures of the Members of the British Government in India, and the obligations upon both Governments both now and for ever shall be exclusively regulated and determined by the tenor of those Articles, which are as follows :—

ARTICLE 1ST.

As the French and Persians have entered into a confederacy against the State of Cabool, if they should wish to pass through the King's dominions, the servants of the Heavenly Throne shall prevent their passage, and exerting themselves to the extent of their power in making war on them and repelling them, shall not permit them to cross into British India.

ARTICLE 2ND.

If the French and Persians in pursuance of their confederacy should advance towards the King of Cabool's country in a hostile manner, the British State, endeavouring heartily to repel them, shall hold themselves liable to afford the expenses necessary for the above-mentioned service to the extent of their ability. While the confederacy between the French and Persians continues in force, these Articles shall be in force and be acted on by both parties.

ARTICLE 3RD.

Friendship and union shall continue for ever between these two States, the veil of separation shall be lifted up from between them, and they shall in no manner interfere in each other's countries, and the King of Cabool shall permit no individual of the French to enter his territories.

The faithful servants of both States having agreed to this Treaty, the conditions of confirmation and ratification have been performed, and this document has been sealed and signed by the Right Hon'ble the Governor-General and the Honorable the Members of the Supreme British Government in India, this 17th day of June 1809, answering to the 1224 of the Hijree.

No. II.

TRANSLATION of a MEMORANDUM of certain wishes and expectations of VIZIER YAR MAHOMED KHAN agreed to at CANDAHAR, on the 9th of June 1839, between MAJOR TODD, with the sanction of the ENVOY and MINISTER at the COURT of HIS MAJESTY SHAH SUJA-OOL-MOOLK, on the part of the RIGHT HONORABLE the GOVERNOR-GENERAL, and NUJEEB OOLLAH KHAN, ENVOY from HERAT, on the part OF VIZIER YAR MAHOMED KHAN.

ARTICLE 1.

That the high in rank, etc., Yar Mahomed Khan, vizier of His Majesty Shah Kamran of Herat, shall henceforth be recognised as the vakeel or medium of communication between the British and Herat authorities, and whoever shall disregard the vizier's authority in this respect shall be considered as having acted contrary to the laws of friendship and the Treaty of amity.

ARTICLE 2.

Whatever sums may be expended at Herat by the British Government in restoring the prosperity of the country or for other purposes shall be paid in the first instance to the vizier Yar Mahomed Khan, who engages not to disburse the sum except in the presence, or with the consent and advice, of the British Political Officer at Herat.

ARTICLE 3.

The vizier engages not to act in any matter contrary to the wishes and advice of the British Political Officer at Herat, and will be guided in all that concerns the welfare of the two States by the counsel of the above-mentioned officer; and should the British Agent interfere in the affairs of Herat without the knowledge and consent of the vizier, he shall be considered as endeavouring to disturb the friendship between the two States.

ARTICLE 4.

That the British Agent at Herat shall not, without the consent of the vizier entertain as servants a greater number than one hundred of the people of Afghanistan, and of these hundred persons there shall be none of the vizier's relations, unless permission to entertain them be obtained from Yar Mahomed.

ARTICLE 5.

As the government of Herat is vested in the person and descendants of Shah Kamran, so is the office of vizier recognized in the person and descendants of Yar Mahomed Khan as long as they shall be worthy of the trust; and, in the event of their being unfit for the office, a subsistence shall be provided for them by the British Government to place them above want and distress.

No. III.

TREATY of FRIENDSHIP and ALLIANCE between the HONOURABLE EAST INDIA COMPANY and HIS MAJESTY SHAH KAMRAN of HERAT, concluded on the thirteenth day of August 1839, corresponding with the second day of Jemmadee-oos-sani 1255 A.H., by MAJOR E. D'ARCY TODD, ENVOY from the GOVERNOR-GENERAL of INDIA on the one part, and HIS MAJESTY SHAH KAMRAN for HIMSELF, his HEIRS and SUCCESSORS, on the other.

ARTICLE 1.

There shall be perpetual peace and friendship between the British Government and His Majesty Shah Kamran, his heirs and successors.

ARTICLE 2.

The British Government recognises the government of Herat, as at present constituted, as being vested in His Majesty Shah Kamran, his heirs and successors, and the British Government engages not to interfere in any way with the internal administration of His Majesty's dominions.

ARTICLE 3.

With a view to strengthen and perpetuate the concord subsisting between the British Government and Shah Kamran, an accredited British Agent shall always reside at the Court of His Majesty; in like manner, should His Majesty see fit, he will depute an accredited Agent to reside at the Durbar of the Governor-General.

ARTICLE 4.

The British Government undertakes to provide His Majesty Shah Kamran with loans of money, with officers, and with all other means that may be found necessary for the protection of His Majesty's person and country, and to assist in the defence of His Majesty's right and interests against all foreign encroachment to the utmost of its ability.

ARTICLE 5.

With a view to enable the British Government efficiently to fulfil the obligation contained in the preceding Article, and to obviate all just ground of complaint on the part of other powers, His Majesty Shah Kamran agrees to prohibit for ever the practice of kidnapping or seizing human beings for the purpose of selling them into slavery by any of His Majesty's subjects; and should there be any persons now in a state of bondage within the limits of His Majesty's authority, who may have been enslaved in the manner above-mentioned, His Majesty engages to exert his utmost endeavours to procure the liberation of such persons.

ARTICLE 6.

His Majesty Shah Kamran engages to co-operate with the British Government and with His Majesty Shah Suja-ool-moolk to the utmost of his ability in preserving the integrity of their respective dominions against the encroachment of all foreign powers, but at the same time His Majesty Shah Kamran binds himself to refrain from entering into hostilities with any foreign power without the advice and consent of the British Government and His Majesty Shah Suja-ool-moolk.

ARTICLE 7.

His Majesty Shah Kamran agrees on his part that, should any dispute arise between himself and His Majesty Shah Suja-ool-moolk as to the boundaries of their respective territories or with regard to any other matter, the said dispute shall be referred to the arbitration and decision of the British Government, and the British Government further undertakes to use its best endeavours for the accommodation of all subsisting differences or of such as may hereafter arise between His Majesty Shah Kamran and other powers.

ARTICLE 8.

His Majesty Shah Kamran agrees to refrain from entering into any correspondence with foreign powers without the knowledge and consent of the British representative residing at his Court.

ARTICLE 9.

In acknowledgment of the steady support and friendship of the British Government, whose interests are identical with those of the Afghan nation, His Majesty Shah Kamran will never take individuals of any European nation (Ahli Furung) other than those belonging to Great Britain (Inglees) into his service, nor will he permit such Europeans to reside in his country.

ARTICLE 10.

His Majesty Shah Kamran will remove all unnecessary obstacles to the freedom of commerce, and will adopt such arrangements for increasing the facilities of traders as may appear to His Majesty, with the counsel of the British representative at his Court, to be expedient.

ARTICLE 11.

The above ten Articles shall remain always in force so long as the sovereignty ot Herat is vested in the family of Shah Kamran.

Done and concluded at Herat the day and year above written.

SEAL OF SHAH KAMRAN.

E. D'ARCY TODD,

Envoy to Herat.

Ratified by the Governor-General of India on 16th March 1840.

No. IV.

TREATY between the BRITISH GOVERNMENT and HIS HIGHNESS AMEER DOST MOHUMMUD KHAN, WALEE of CABOOL and of those countries of AFGHANISTAN now in his possession; concluded on the part of the BRITISH GOVERNMENT by JOHN LAWRENCE, ESQUIRE, CHIEF COMMISSIONER of the PUNJAB in virtue of full powers vested in him by the MOST NOBLE JAMES ANDREW, MARQUIS of DALHOUSIE, KT., &C., GOVERNOR GENERAL of INDIA; and on the part of the AMEER of CABOOL, DOST MOHUMMUD KHAN by SIRDAR GHOLAM HYDUR KHAN, in virtue of full authority granted to him by HIS HIGHNESS, —1855.

ARTICLE 1ST.

Between the Honorable East India Company and His Highness Ameer Dost Mohummud Khan, Walee of Cabool and of those countries of Afghanistan now in his possession, and the heirs of the said Ameer, there shall be perpetual peace and friendship.

ARTICLE 2ND.

The Honorable East India Company engages to respect those territories of Afghanistan now in His Highness's possession, and never to interfere therein.

ARTICLE 3RD.

His Highness Ameer Dost Mohummud Khan, Walee of Cabool and of those countries of Afghanistan now in his possession, engages on his own part, and on the part of his heirs, to respect the territories of the Honorable East India Company, and never to interfere therein; and to be the friend of the friends and enemy of the enemies of the Honorable East India Company.

Done at Peshawur this 30th day of March one thousand eight hundred and fifty-five, corresponding with the eleventh day of Rujjub, one thousand two hundred and seventy-one Hijree.

JOHN LAWRENCE,
Chief Commissioner of the Punjab.

SEAL OF GHOLAM HYDUR,
Heir-apparent.

As the representative of Ameer Dost Mohummud Khan, and in person on his own account as heir-apparent.

Ratified by the Most Noble the Governor-General at Ootakamund, this first day of May, one thousand eight hundred and fifty-five.

DALHOUSIE.

By order of the Most Noble the Governor-General.

G. F. EDMONSTONE,
Secy. to the Govt. of India, with the Governor-General.

No. V.

ARTICLES of AGREEMENT made at PESHAWUR on the 26th January 1857 (corresponding with Jumadee-ool-Awul, 29th A.H. 1273), between AMEER DOST MOHUMMUD KHAN, RULER of CABOOL and of those countries of AFGHANISTAN now in his possession, on his own part, and SIR JOHN LAWRENCE, K.C.B., CHIEF COMMISSIONER of the PUNJAB, and LIEUTENANT-COLONEL H. B. EDWARDES, C.B., COMMISSIONER of PESHAWUR on the part of the HONORABLE EAST INDIA COMPANY, under the authority of the RIGHT HONORABLE CHARLES JOHN, VISCOUNT CANNING, GOVERNOR-GENERAL of INDIA in COUNCIL.

1. Whereas the Shah of Persia contrary to his engagement with the British Government, has taken possession of Herat, and has manifested an intention to interfere in the present possessions of Ameer Dost Mohummud Khan, and there is now war between the British and Persian Governments, therefore the Honorable East India Company, to aid Ameer Dost Mohummud Khan, to defend and maintain his present possessions in Balkh, Cabool, and Candahar against Persia, hereby agrees out of friendship to give the said Ameer one lakh of Company's Rupees monthly during the war with Persia on the following conditions :—

2. The Ameer shall keep his present number of Cavalry and Artillery, and shall maintain not less than 18,000 Infantry, of which 13,000 shall be Regulars divided into 13 Regiments.

3. The Ameer is to make his own arrangements for receiving the money at the British treasuries and conveying it through his own country.

4. British Officers, with suitable native establishments and orderlies, shall be deputed, at the pleasure of the British Government, to Cabool or Candahar, or Balkh, or all three places, or wherever an Afghan army be assembled to act against the Persians. It will be their duty to see generally that the subsidy granted to the Ameer be devoted to the military purposes for which it is given, and to keep their own Government informed of all affairs. They will have nothing to do with the payment of the troops, or advising the Cabool Government ; and they will not interfere in any way in the internal administration of the country. The Ameer will be responsible for their safety and honorable treatment, while in his country, and for keeping them acquainted with all military and political matters connected with the war.

5. The Ameer of Cabool shall appoint and maintain a Vakeel at Peshawur.

6. The subsidy of one lakh per mensem shall cease from the date on which peace is made between the British and Persian Governments, or at any previous time at the will and pleasure of the Governor-General of India.

7. Whenever the subsidy shall cease the British officers shall be withdrawn from the Ameer's country; but at the pleasure of the British Government, a Vakeel, not a European Officer, shall remain at Cabool on the part of the British Government, and one at Peshawur on the part of the Government of Cabool.

8. The Ameer shall furnish a sufficient escort for the British officers from the British border when going to the Ameer's country, and to the British border when returning.

9. The subsidy shall commence from 1st January 1857, and be payable at the British treasury one month in arrears.

10. The five lakhs of Rupees which have been already sent to the Ameer (three to Candahar and two to Cabool), will not be counted in this Agreement. They are a free and separate gift from the Honorable East India Company. But the sixth lakh now in the hands of the mahajuns of Cabool, which was sent for another purpose, will be one of the instalments under this Agreement.

11. This Agreement in no way supersedes the Treaty made at Peshawur on 30th March 1855 (corresponding with the 11th of Rujjub 1271), by which the Ameer of Cabool engaged to be the friend of the friends and enemy of the enemies of the Honorable East India Company; and the Ameer of Cabool, in the spirit of that Treaty, agrees to communicate to the British Government any overtures he may receive from Persia or the allies of Persia during the war, or while there is friendship between the Cabool and British Governments.

12. In consideration of the friendship existing between the British Government and Ameer Dost Mohummud Khan, the British Government engages to overlook the past hostilities of all the tribes of Afghanistan, and on no account to visit them with punishment.

13. Whereas the Ameer has expressed a wish to have 4,000 muskets given him in addition to the 4,000 already given, it is agreed that 4,000 muskets shall be sent by the British Government to Tull, whence the Ameer's people will convey them with their own carriage.

JOHN LAWRENCE,
Chief Commissioner.

HERBERT B. EDWARDES,
Commissioner of the Peshawur Division.

No. VI.

TREATY between the BRITISH GOVERNMENT and HIS HIGHNESS MUHAMMAD YAKUB KHAN, AMIR of AFGHANISTAN and its DEPENDENCIES, concluded at GANDAMAK on the 26th May 1879, by HIS HIGHNESS THE AMIR MUHAMMAD YAKUB KHAN on his own part, and on the part of the BRITISH GOVERNMENT by MAJOR P. L. N. CAVAGNARI, C.S.I., POLITICAL OFFICER on SPECIAL DUTY, in virtue of full powers vested in him by the RIGHT HONORABLE EDWARD ROBERT LYTTON BULWER-LYTTON, BARON LYTTON of KNEBWORTH, and a BARONET, GRAND MASTER of the MOST EXALTED ORDER of the STAR OF INDIA, KNIGHT GRAND CROSS of the MOST HONORABLE ORDER of the BATH, GRAND MASTER of the ORDER of the INDIAN EMPIRE, VICEROY and GOVERNOR-GENERAL of INDIA.

The following Articles of a Treaty for the restoration of peace and amicable relations have been agreed upon between the British Government and His Highness Muhammad Yakub Khan, Amir of Afghanistan and its dependencies :—

ARTICLE 1.

From the day of the exchange of the ratifications of the present Treaty there shall be perpetual peace and friendship between the British Government on the one part and His Highness the Amir of Afghanistan and its dependencies, and his successors, on the other.

ARTICLE 2.

His Highness the Amir of Afghanistan and its dependencies engages, on the exchange of the ratifications of this Treaty, to publish a full and complete amnesty, absolving all his subjects from any responsibility for intercourse with the British Forces during the war, and to guarantee and protect all persons of whatever degree from any punishment or molestation on that account.

ARTICLE 3.

His Highness the Amir of Afghanistan and its dependencies agrees to conduct his relations with Foreign States, in accordance with the advice and wishes of the British Government. His Highness the Amir will enter into no engagements with Foreign States, and will not take up arms against any Foreign State except with the concurrence of the British Government. On these conditions, the British Government will support the Amir against any foreign aggression with money, arms, or troops, to be employed in whatsoever manner the British Government may judge best for this purpose. Should British troops at any time enter Afghanistan for the purpose of repelling foreign aggression, they will return to their stations in British territory as soon as the object for which they entered has been accomplished.

ARTICLE 4.

With a view to the maintenance of the direct and intimate relations now established between the British Government and His Highness the Amir of Afghanistan and for the better protection of the frontiers of His Highness's dominions, it is agreed that a British Representative shall reside at Kabul, with a suitable escort in a place of residence appropriate to his rank and dignity. It is also agreed that the British Government shall have the right to depute British Agents with suitable escorts to the Afghan frontiers, whensoever this may be considered necessary by the British Government in the interests of both States, on the occurrence of any important external fact. His Highness the Amir of Afghanistan may on his part depute an Agent to reside at the Court of His Excellency the Viceroy and Governor-General of India, and at such other places in British India as may be similarly agreed upon.

ARTICLE 5.

His Highness the Amir of Afghanistan and its dependencies guarantees the personal safety and honorable treatment of British Agents within his jurisdiction; and the British Government on its part undertakes that its Agents shall never in any way interfere with the internal administration of His Highness's dominions.

ARTICLE 6.

His Highness the Amir of Afghanistan and its dependencies undertakes, on behalf of himself and his successors, to offer no impediment to British subjects peacefully trading within his dominions so long as they do so with the permission of the British Government, and in accordance with such arrangements as may be mutually agreed upon from time to time between the two Governments.

ARTICLE 7.

In order that the passage of trade between the territories of the British Government and of His Highness the Amir of Afghanistan may be open and uninterrupted, His Highness the Amir of Afghanistan agrees to use his best endeavours to ensure the protection of traders and to facilitate the transit of goods along the well-known customary roads of Afghanistan. These roads shall be improved and maintained in such manner as the two Governments may decide to be most expedient for the general convenience of traffic, and under such financial arrangements as may be mutually determined upon between them. The arrangements made for the maintenance and security of the aforesaid roads, for the settlement of the duties to be levied upon merchandize carried over these roads, and for the general protection and development of trade with, and through the dominions of His Highness, will be stated in a separate Commercial Treaty, to be concluded within one year, due regard being given to the state of the country.

ARTICLE 8.

With a view to facilitate communications between the allied Governments and to aid and develop intercourse and commercial relations between the two countries, it is hereby agreed that a line of telegraph from Kurram to Kabul shall be constructed by, and at the cost of the British Government, and the Amir of Afghanistan hereby undertakes to provide for the proper protection of this telegraph line.

ARTICLE 9.

In consideration of the renewal of a friendly alliance between the two States which has been attested and secured by the foregoing Articles, the British Government restores to His Highness the Amir of Afghanistan and its dependencies the towns of Kandahar and Jellalabad, with all the territory now in possession of the British armies, excepting the districts of Kurram, Pishin, and Sibi. His Highness the Amir of Afghanistan and its dependencies agrees on his part that the districts of Kurram and Pishin and Sibi, according to the limits defined in the schedule annexed,* shall remain under the protection and administrative control of the British Government: that is to say, the aforesaid districts shall be treated as assigned districts, and shall not be considered as permanently severed from the limits of the Afghan kingdom. The revenues of these districts after deducting the charges of civil administration shall be paid to His Highness the Amir.

The British Government will retain in its own hands the control of the Khyber and Michni Passes, which lie between the Peshawur and Jellalabad Districts, and of all relations with the independent tribes of the territory directly connected with these Passes.

ARTICLE 10.

For the further support of His Highness the Amir in the recovery and maintenance of his legitimate authority, and in consideration of the efficient fulfilment in their entirety of the engagements stipulated by the foregoing Articles, the British Government agrees to pay to His Highness the Amir and to his successors an annual subsidy of six lakhs of Rupees.

Done at Gandamak, this 26th day of May 1879, corresponding with the 4th day of the month of Jamadi-us-sani 1296, A.H.

N. CAVAGNARI, *Major,*
Polit. Officer on Special Duty.

AMIR MUHAMMAD YAKUB KHAN.

LYTTON.

This Treaty was ratified by His Excellency the Viceroy and Governor-General of India, at Simla, on Friday, this 30th day of May 1879.

A. C. LYALL,
Secy. to the Govt. of India, Foreign Dept.

* Not reproduced.

No. VII.

PROTOCOLE.—1885.

Les Soussignés, le Marquis de Salisbury, Chevalier du Très Noble Order de la Jarretière, Principal Secrétaire d'Etat pour les Affaires Etrangères de Sa Majesté Britannique, etc., etc., et Son Excellence M. Georges de Staal, Ambassadeur Extraordinaire et Plénipotentiaire de Sa Majesté l'Empereur de Toutes les Russies près Sa Majesté Britannique, etc., etc., se sont réunis dans le but de consigner au présent Protocole l'arrangement suivant intervenu entre Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande et Sa Majesté l'Empereur de Toutes les Russies :—

I.—Il est convenu que la frontière Afghane entre l'Héri-Roud et l'Oxus sera tracée comme suit—

La frontière partira du Héri-Roud à 2 verstes environ en aval de la tour de Zulfagar et suivra jusqu'au point *K* le tracé indiqué en rouge sur la Carte No. 1 annexée au Protocole, de manière à ne pas se rapprocher à une distance moindre de 3,000 pieds Anglais de l'arête de l'escarpement du défilé occidental (y compris l'arête marqué *LMN* de la branche nord du même défilé). A partir du point *K* le tracé suivra la crête des hauteurs bordant au nord le second défilé, qu'il coupera un peu à l'ouest de sa bifurcation à une distance d'environ 850 sagènes du point où convergent les routes d'Adam-Ulan, Kungroueli, et d'Ak-Robat. Plus loin, le tracé continuera à suivre la crête des hauteurs jusqu'au point *P* marqué sur la Carte No. 2 attachée au Protocole. Il prendra ensuite une direction sud-est à peu près parallèle à la route d'Ak-Robat, passera entre les lacs salés marqués *Q* et *R* se trouvant au sud d'Ak-Robat et au nord de Sonné-Kehriz et laissant Sonne-Kehriz aux Afghans, se dirigera sur Islim, où la frontière passera sur la rive droite du Egri-Guenk en laissant Islim en dehors du territoire Afghan. Le tracé suivra ensuite les crêtes des collines qui bordent la rive droite de Egri Guenk et laissera Tchéméni-Bid en dehors de la frontière Afghane. Il suivra de la même manière la crête des collines qui bordent la rive droit du Kouschk jusqu'à Hanzi Khan. De Hanzi Khan le tracé suivra une ligne presque droite jusqu'à un point sur le Mourghab au nord de Meroutchak, fixé de manière à laisser à la Russie les terres cultivées par les Saryks et leurs pâturages.

Appliquant ce même principe aux Turcomans sujets de la Russie et aux sujets de l'Emir de l'Afghanistan, la frontière à l'est du Mourghab suivra une ligne au nord de la Vallée de Kaissor, et à l'ouest de la Vallée du Sangalak (Abi-Andkoi) et en laissant Andkoi à l'est rejoindra Khodja-Saleh sur l'Oxus.

La délimitation des pâturages appartenant aux peuplades respectives sera abandonnée aux Commissaires. Dans le cas où ceux-ci ne parviendraient pas à s'entendre, cette délimitation sera réglée par les deux Cabinets sur la base des cartes dressées et signées par les Commissaires.

Pour plus ample clarté, les principaux points de la ligne frontière sont marqués sur les cartes annexées au présent Protocole.

2. Il est convenu que des Commissaires seront nommés de suite par les Gouvernements de Sa Majesté la Reine du Royaume Uni de la Grande-Bretagne et d'Irlande, et Sa Majesté l'Empereur de Toutes les Russies, qui procéderont à examiner et à tracer sur les lieux les détails de la frontière Afghane fixée par l'Article précédent. Un Commissaire sera nommé par Sa Majesté la Reine, et un par Sa Majesté l'Empereur. Les escortes de la Commission sont fixées à 100 hommes au plus de chaque côté, et aucune augmentation ne pourra être admise sauf entente entre les Commissaires. Les Commissaires se réuniront à Zulfagar dans un délai de deux mois à partir de la date de la signature du présent protocole, et procéderont immédiatement au tracé de la frontière conformément aux stipulations qui précèdent.

Il est entendu que la délimitation sera commencée de Zulfagar, et que, aussitôt que les Commissaires se seront réunis, et auront commencé leurs travaux, la neutralisation de Penjdé sera limitée au district compris entre une ligne au nord allant de Bendi-Nadiri à Burdj-Nraz Khan, et une ligne au sud allant de Meroutchak à Hanzi Khan, les postes Russes et Afghans sur le Mourghab étant respectivement à Bendi-Nadiri et à Meroutchak. Les Commissaires devront terminer leurs travaux aussi vite que possible.

3. Il est entendu qu'en traçant cette frontière et en se conformant autant que possible à la description de cette ligne dans le présent Protocole, ainsi qu'aux points marqués sur les cartes ci-annexées, les dits Commissaires tiendront dûment compte des localités et des nécessités, et du bien-être des populations locales.

4. A mesure de l'avancement des travaux de délimitation, les parties respectives auront le droit d'établir des postes sur la frontière.

5. Il est convenu que, quand les dites Commissaires auront complété leurs travaux, des cartes seront dressées, signées, et communiquées par eux à leurs Gouvernements respectifs.

En foi de quoi, les Soussignés, dûment autorisés à cet effet, ont signé le présent Protocole, et y ont apposé le sceau de leurs armes.

Fait à Londres le 10 Septembre 1885.

SALISBURY.

STAAL.

No. VIII.

PROTOCOL No. 15.

SITTING HELD AT KHAMIAB, the $\frac{1st}{18th}$ September 1886.

Present:

On behalf of Great Britain—

COLONEL RIDGEWAY.

MAJOR DURAND.

On behalf of Russia—

COLONEL KUHLBERG.

CAPITAINE GUEDEONOFF.

M. P. LESSAR.

Protocol No. 14 was read and adopted.

Colonel Ridgeway then read a copy of a telegram from the Secretary of State for Foreign Affairs received on the 3rd September, informing him of the conclusion of an agreement between the English and Russian Governments for the recall of the two Commissions.

He proposed to annex this document to the present protocol.

Colonel Kuhlberg acknowledged having received a similar despatch with the exception of the last phrase regarding the *status quo*.

It was then decided that the synopsis of the boundary marks constructed by the Commission, prepared by Major Holdich, and sent to Colonel Kuhlberg on the 3rd August, should be annexed to the protocol.

Colonel Kuhlberg speaking about the four last pillars regarding which a discussion had taken place at the last sitting, said that Major Holdich had corrected his first calculations, and it was found that these four marks were more to the north than had been at first supposed. The Oi-Kul, for example, is a verst to the north of the position originally marked on the map. Colonel Ridgeway referred the matter to Major Holdich, who replied that there was nothing absolutely final in this, inasmuch as the computations had not been verified. It was not impossible that the first position assigned to Oi-Kul was the better. He added that the position of the last mark near Imam Nazur had not been changed. Colonel Kuhlberg proposed to reconsider the last part of the frontier from Chichli.

Colonel Ridgeway replied that in his opinion this question should be considered by the two Governments. Colonel Kuhlberg thought that in this case the two Commissioners should not sign the maps any further than Chichli, but Colonel Ridgeway preferred to leave the maps without any signature, if they could not be signed up to Dakchi, the two Governments having in his opinion confirmed the frontier as far as that place.

Colonel Ridgeway then proposed to attach to the protocol copies of the maps surveyed by Captains Kontratenko and Peacocke in the valleys of the Kushk and Kaahan, in accordance with the agreement reported in protocol No. 4. Colonel Kuhlberg having given his assent, Colonel Ridgeway remarked that since the month of April, Captains Peacocke and Guédeonoff had not been able to agree as to the extent of the land which should be ceded by Afghanistan for the construction of an embankment at Meruchak (regarding the construction of which an agreement had been arrived at on certain conditions reported in protocols Nos. 4 and 5) and the question had not been decided.

It was thereupon agreed that the land to be ceded for the head of an embankment on the right bank of the Murghab should not exceed 150 yards in length by 75 yards in breadth.

Colonel Ridgeway made it known that he had received a report concerning the destruction of certain boundary marks in the valley of Meruchak owing to recent inundations.

It was arranged that Colonel Tarkanoff should be asked by Colonel Kuhlberg to co-operate with Mr. Merk, who would shortly be at Meruchak, for the reconstruction of these marks.

Colonel Ridgeway, in regretting that in conjunction with his colleague he had not been able to entirely finish the work they had undertaken, could not allow the Commission to adjourn without expressing his sincere pleasure at the maintenance of cordial relations between the two Commissions in spite of the difference of opinion which had arisen upon several claims. He could only think that this was in a great measure due to the courtesy of Colonel Kuhlberg and his colleagues. He wished to add that the Russian topographical officers had had beyond comparison the most difficult part of the survey work, and he hoped that Colonel Kuhlberg would be good enough to thank them from him in expressing to them his gratitude for the admirable execution of their difficult work.

Colonel Kuhlberg thanked his colleague and said that the English topographical officers having undertaken the triangulation as well as a considerable portion of the survey, had had in his opinion their full share of the work.

The present protocol having been corrected and read was then formally adopted, and the labours of the Commission were declared at an end.

P. KUHLBERG.

J. RIDGEWAY.

E. L. DURAND.

No. IX.

[TRANSLATION.]

DEMARCATION of the NORTH-WEST FRONTIER of AFGHANISTAN.

PROTOCOL No. 4.

Sitting held at St. Petersburgh, 10th (22nd) July 1887.

The Privy Councillor Zinoview and Colonel Sir West Ridgeway, having met with the object of coming to a definite understanding as to the terms of an arrangement for the solution of the difficulties which arose on the occasion of the demarcation of the Afghan frontier on the left bank of the Amou-Daria began by recapitulating the course which the negotiations between them had taken up to the present time.

As appears from the previous protocols, the Cabinet of London was of opinion that the arrangement arrived at in 1873 between the two Governments had for its object to confirm the rights of the Amir of Afghanistan over all the districts of which Shere Ali Khan was in possession at that time, and that on this basis the district of Khamiab, which in accordance with the information obtained on the spot, had been incorporated in Afghanistan long before the date of the arrangement in question, should also remain subject to the authority of the Amir Abdurrahman Khan. The Imperial Government of Russia could not adopt this view, and taking as a basis the text of the arrangement of 1873, they affirmed that the present state of things on the left bank of the Amou-Daria could not be considered as invalidating the rights of Bokhara resulting from that arrangement.

The Imperial Government considered it still less possible to sacrifice those rights, since, in consequence of the demarcation carried out in accordance with the terms of the Protocol of London of the 29th August (10th September) 1885, the Sarik Turkomans of the Penjdeh Oasis had been dispossessed of the lands which they had previously held, and those lands had been included in the territory of Afghanistan.

Having regard to this difference of opinion, and being desirous of proving their respect for the letter itself of the arrangement concluded between the two Governments, the Cabinet of Her Britannic Majesty has authorised Sir West Ridgeway to propose a frontier, which, starting from Dukchi, the point to which the demarcation had already been carried out, would terminate at the Amou-Daria, in the neighbourhood of Islim. After a detailed examination obtained by their Commissioner on the spot, the British Cabinet had arrived at the conclusion that Islim answered in every respect to the frontier point of Khodja-Saleh, of which mention is made in the correspondence relative to the arrangement.

This proposal was likewise unacceptable to the Imperial Cabinet of Russia, who, looking at the question from a totally different point of view, maintained that, in view of the differences of opinion which had arisen between the respective Commissioners when discussing the bearing of the local information, the identity of the geographical names could alone serve as the basis for an equitable

demarcation, that the Serai Khodja-Saleh, situated in the vicinity of the Ziaret known under the same name, should be considered as the extreme point of the Afghan possessions on the Amou-Daria, and that the frontier should be drawn immediately below the Serai in question.

In the opinion of the Cabinet of Her Britannic Majesty a demarcation carried out under these conditions would be likely to entail serious inconvenience, especially having regard to the fact that the canals used for the irrigation of the territory lying between Khodja-Saleh and Islim take their rise in the neighbourhood of Kilif, a circumstance which could not fail to be the source of continual disputes between the populations on either side of the frontier. In order to obviate these objections, the Cabinet of Her Britannic Majesty considered it preferable to give up the attempt to come to an understanding as to a fresh frontier on the left bank of the Amou-Daria, and to authorise Sir W. Ridgeway to offer to the Imperial Russian Government in exchange for the territory which they claimed on the left bank of Amou-Daria, compensation on another part of the frontier. This compensation related to the territory of which the Sarik Turkomans of Penjdeh as explained above had been dispossessed in consequence of the tracing of the frontier in conformity with the provisions contained in the Protocol of London of the 29th August (10th September) 1885.

This proposal having received the adhesion of the Imperial Russian Government, M. Zinoview and Sir West Ridgeway have agreed on the following provisions :—

1.

The frontier, the description of which is contained in the Annex to the present Protocol under the letter (A) and which is included between the pillars No. 1 and No. 19 and the pillars No. 36 and No. 65, is considered as definitely settled. The trigonometrical points on the portion of the frontier line described above and included between pillars No. 19 and No. 36 are likewise admitted as definitive; the description of this part of the frontier, as well as that of the part to the eastward of the pillar No. 65, may be completed after the demarcation.

The synopsis of pillars attached to Protocol No. 15, dated the 1st (13th) September 1886, is admitted to be correct and definitive as regards pillars No. 1 to No. 19, and No. 36 to No. 65 ; it will be completed subsequently by the synopsis of the pillars from No. 20 to No. 35 and by that of the pillars to the east of No. 65.

2.

Leaving pillar No. 19, the frontier shall follow a straight line up to the summit of the hill marked 2,740 on map No. 1 annexed to the present protocol. This point, where pillar No. 20 shall be placed, is known under the denomination of " trigonometrical station of Kara Tepe " (latitude 35° 17′ 49″, longitude 62° 15′ 17″). Further on the line shall descend the crest of the hills, being directed from this point towards the confluence of the Kushk and the Moghur pillar No. 21 shall be placed on a point of this crest or of its slope, so as to be seen from the

confluence above mentioned. A straight line shall connect No. 21 with No. 22 placed in the valley of Kushk on the left bank of the river, 900 feet to the north of the confluence of the Kushk and the Moghur (about 6,300 feet from Masari Shah Alam, indicated on map No. 2 annexed to the protocol).

Leaving pillar No. 22 the line shall ascend the thalweg of the Kushk to pillar No. 23, placed 2,700 feet above the head of the new canal on the right bank, of which the water-supply is situated about 6,000 feet to the north-north-east of the Ziaret of Chahil-Dukhter. From pillar No. 23 a straight line shall be traced to the point marked 2,925 on map No. 3 annexed to the present protocol (latitude 35° 16′ 53″, longitude 62° 27′ 57″, pillar No. 24) whence the frontier shall follow the line of the water-parting passing through the following points: the point 3,017 (Bandi Akhamar, latitude 35° 14′ 21″, longitude 62° 25′ 48″, pillar No. 26), the point 3,198 (latitude 35° 14′ 30″, longitude 62° 41′ 0″, pillar No. 27) and the point Kalari 2 (latitude 35° 18′ 21″, longitude 62° 47′ 18″) and shall run on to the point marked No. 29 on map No. 4 annexed to the present protocol. The frontier shall cross the valley of the River Kashan in a straight line between pillars No. 29 and No. 30 (trigonometrical station of Tori Scheikh, latitude 35° 24′ 51″, longitude 62° 59′ 43″) and shall follow the line of the water-parting of Sanicha to the point (pillar No. 31 of map No. 3), where it meets the line of the water-parting of the Kashan and the Murghab, shall pass on to this latter and shall follow it up to the trigonometrical station of the Kashan (latitude 35° 38′ 13″, longitude 63° 6′ 4″, pillar No. 32). From this station a straight line shall be traced to a point on the Murghab (pillar No. 35, situated 700 feet above the canal-head of the canal Yaki-Yuz (or Yaki-Yangi). Further on, the frontier descending the thalweg of the Murghab, shall join pillar No. 36 of the frontier demarcated in 1885-86.

To the east of pillar No. 65 the frontier shall follow the line marked A, B, C, D, on map No. 8 annexed to the present protocol, the point A being situated at a distance of 3,500 feet south of the wells of Imam Nazar; the point B being near Kara-Tepe Khurd-Kak, which remains to the Afghans; the point C about midway between the east and west wells of Katabadji; and, lastly, the point D about midway between the wells Ali Kadim and the wells marked Chahi. The wells of Imam Nazar, Kara-Tepe-Khurd, West Katabadji, and Ali Kadim remain outside of Afghan territory. From the point D a straight line shall be traced as far as the commencement of the local frontier demarcated between Bosagha and Khamiab, which shall continue to serve as frontier between the two villages, with the single reservation that the canals of Bosagha along all their course, that is to say, as far as Konili (point H) shall be included in Russian territory. In other words, the present demarcation will confirm the existing rights of the two parties on the banks of the Amou-Daria, that is to say, that the inhabitants of Khamiab shall retain all their lands and all their pastures, including those which are east of the local frontier marked E, F, G, on maps Nos. 9 and 10 annexed to the Protocol. On the other hand, the inhabitants of Bosagha shall retain the exclusive enjoyment of their canals as far as Konili, with the right of repairing and supply-

ing them in accordance with the customs in force in regard to those of Khamiab, when the waters of the Amou-Daria are too low to supply directly the canal-heads of Konili. The officers who shall be charged to execute on the spot the provisions of the present Protocol between the above-named pillars shall be bound to place a sufficient number of intermediate pillars, taking advantage for this purpose as much as possible of the salient points.

3.

The clause in Protocol No. 4 of the 14th (26th) December 1885, prohibiting the Afghans from making use of the irrigating canals in the Kushk Valley below Chahil Dukhter which were not in use at that time, remains in force, but it is understood that this clause can only be applied to the canals supplied by the Kushk. The Afghans shall not have the right to make use of the waters of the Kushk for their agricultural works north of Chahil Dukhter; but the waters of the Moghur belong exclusively to them, and they may carry out any works they may think necessary in order to make use of them.

4.

The clauses in Protocols No. 4 of the 14th (26th) December 1885, and No. 15 of the 1st (13th) September 1886, relative to the construction of a dam on the Murghab, remain in force. M. Zinoview having expressed the wish that the obligation imposed on the Amir of Afghanistan to give up for this purpose a tract of land on the right bank of the Murghab under the conditions stipulated in the said protocols, should be extended to the whole course of the river below the canal-head of Yaki-Yuz, Colonel Ridgeway is of opinion that the necessary steps to obtain the assent of the Amir might delay the conclusion of the present arrangement; but he is nevertheless convinced that the assent of the Amir to the cession, under the same conditions, of a tract of land on the right bank can be obtained without difficulty, if later on the Imperial Government should inform Her Britannic Majesty's Government of their intention of proceeding to the construction of a dam above the canal-head of Bendi-Nadiri.

5.

The British Government will communicate without delay to the Amir of Afghanistan the arrangements herein agreed upon, and the Imperial Government of Russia will enter into possession of the territory adjudged to them by the present protocol from the 1st (13th) October of the present year.

6.

The frontier agreed upon shall be locally demarcated by a Mixed Commission, according to the signed maps. In case the work of demarcation should be delayed the line traced on the maps shall nevertheless be considered binding by the two Governments.

W. RIDGEWAY.

J. ZINOVIEW.

[TRANSLATION.]

ANNEX TO PROTOCOL No. 4.

(A)

DESCRIPTION of the AFGHAN FRONTIER between the HERI-RUD and the OXUS (AMOU-DARIA).

The frontier begins on the right bank of the Heri-Rud at a point marked on the map by pillar No. 1 about 8,500 feet distant from a small tower situated on a mound at the entrance of the Zulficar Pass. Pillar No. 2 is placed on the top of the neighbouring rock which commands pillar No. 1. From pillar No. 2, the frontier turns to the north for a distance of about half a mile as far as pillar No. 3, which is situated on an eminence at the western extremity of a detached portion of the cliff. From thence the frontier runs in a straight line towards the top of a steep hill about a mile and a half distant in an east-north-easterly direction and reaches pillar No. 4, placed on a low mound in the plain. Beyond this pillar the frontier, taking a more easterly direction, runs for a distance of 4 miles as far as pillar No. 5, placed on an eminence, and well in view of the second line of heights on the northern side of a natural cavity in the rock. From this point the frontier runs in a south-easterly direction along the crest of the second line of heights as far as pillar No. 6, placed on the ridge of the northern cliff of the eastern defile, at a distance of about a mile from the centre of the defile. Pillar No. 7 is placed below pillar No. 6 near the road in the middle of the pass, and pillar No. 8 is on the top of the southern cliff facing pillar No. 6. The frontier then descends the crest of the second line of heights in a southerly direction, and crosses the path leading to Karez-Elias and Abi-Charmi at a point about 2¼ miles distant from the bifurcation of the four roads converging at the eastern extremity of the defile of Zulficar. Pillar No. 9 is placed to the east of the path on a small rock which overhangs it. From this pillar the frontier gradually ascends the line of water-parting as far as the highest summit of the range of Deugli-Dagh, marked by pillar No. 10. At the eastern extremity of this range stands pillar No. 11. At a distance of about 9½ miles in a south-easterly direction are three low hills. On the middle one is placed pillar No. 12. Again turning somewhat to the east the frontier runs towards pillar No. 13, placed beside the road about half-way between Ak-Robat and Sumbakarez, and thence to pillar No. 14, situated at a distance of 2½ miles to the east on the top of a hill.

Pillar No. 15 is about 9 miles from Ak-Robat, on the road leading to An-Rohak, from thence the frontier runs in a straight line towards pillar No. 16, placed on the more easterly and the higher of the two mounds of Koscha-Tehinguia, 5½ miles north of An-Rohak. At about the same distance to the north-west of the spring of Islim, stands pillar No. 17 placed on a flat-topped hill; on the side of the road

between An-Rohak and Islim, on a gentle slope, is placed pillar No. 18 about 3 miles west of Islim, on the southern side of the stream. Pillar No. 19 is placed on the rounded crest of a small chain of heights 3 miles south of Islim.

From pillar No. 36 placed on the right bank of the Murghab, about 3 miles north of Meruchak Fort, on a height commanding the river, the frontier runs eastwards towards pillar No. 38, passing by pillar No. 37, which is situated on the road leading from the valley of Meruchak along the Galla-Chasma Chor.

Pillar No. 38 is placed on an elevated point of the "Chul" at about 11 miles from the velley of Meruchak. The frontier from thence continues in an east-north-easterly direction towards pillar No. 39, situated about a mile south-east of the spring of Khwaja-Gongourdak; after that in a straight line and with north-easterly direction towards pillar No. 40 on an elevated point of the "Chul," from thence east-north-east towards pillar No. 41, situated on a height about 12 miles north of Kilawali; further on the frontier follows an east-north-easterly direction towards pillar No. 42, placed on a height 2 miles west of the Pakana-Shor, and continues in the same direction as far as pillar No. 43. From this pillar the frontier runs in a south-easterly direction towards pillar No. 44, placed on the most elevated point of the watershed between the basins of the Kara-Baba and the Kaissar, known by the name of Bel-i-Parandas. Following this line in a northerly direction the frontier reaches pillar No. 45 situated about 3 miles south-west of the well of Beshdara. From thence it follows in a north-easterly direction a branch of the watershed, and arrives at pillar No. 46, situated at a distance of more than a mile to the south-west of the well of Beshdara. It runs from thence in an easterly direction irregularly towards pillar No. 47, situated about 4½ miles from the point where the road from Khwaja-Gachai and Kassawa-Kala crosses the Shor-Egri. From thence the frontier runs to the north-east along a secondary watershed towards pillar No. 48, and follows the same line as far as pillar No. 49 which is placed at the highest point of the watershed north of the Shor-Egri, and about 6 miles to the west of the confluence of the Shor-Gandabulak and the Shor-Egri. From thence the frontier runs in a straight line to the north-east, crossing the Shor-Gandabulak at pillar No. 50, which is placed on a hill with two peaks, rising from the line of water-parting between the Shor-Gandabulak and the Shor-Tara-Kui. Following the same direction it reaches Shor-Tara-Kui, where pillar No. 51 is placed near the road from Jalaiour on the Kaissar to Jalgun-Koudouk and Kara-Baba. The frontier passes thence in a north-easterly direction to pillar No. 52 at a point a mile to the north of the well of Alini. From this pillar the frontier runs north-north-east towards pillar No. 54 crossing the Daulatabad-Hazara-Koudouk road near pillar No. 53. Pillar No. 54 is placed on the highest point of a group of sandy hills 2 miles north of the well of Katar-Koudouk; from thence the line of the frontier runs for about 10 miles with a slight inclination to the north-north-west towards pillar No. 55, placed on a mound at the end of a chain of hills which extends between the depression of Kui-Sarai and that in which the well of Khwaja-Ahmad is situated. From this pillar the frontier runs in a straight line northwards for a mile and a quarter towards pillar No. 56, which is situated on a natural elevation a few feet south of the road bet-

ween Jalanguir and Meruchak, from thence it proceeds to pillar No. 57, 2¼ miles to the north-north-west, and situated on the top of the heights which form the northern limit of the depression of Kui-Sarai. From this point the frontier runs to the north-north-east towards pillar No. 58, placed on one of the sandy mounds of the heights which command the plain extending to the west of Andkhoi; the frontier then turns rather more to the east towards pillar No. 59, placed on a low sandy hill about 2¼ miles to the east-south-east of the wells of Sari Mat. It next reaches in a north-north-westerly direction, pillar No. 60, placed between the wells of Chichli and Gokchah, about a quarter of a mile to the west of the wells of Chichli. Leaving Gokchah to Russia, and Chichli to Afghanistan, the frontier runs in a straight line to pillar No. 61, placed 300 feet to the east of the road which leads from Andkhoi to Sechanchi; thence, following the same direction, it reaches pillar No. 62, placed on a well-defined sandy mound known by the name of Madali-Koum; the frontier line then reaches in an east-north-easterly direction pillar No. 63, placed to the north of Oikul, an elliptically shaped valley 3,600 feet in length, and at the bottom of which are situated two "Kaks" or basins of fresh water, which remain within Afghan territory. Turning then in an east-south-easterly direction the frontier reaches in a straight line pillar No. 64, placed on a sandy hill known by the name of Gichi-Kumi, and continues in a north-easterly direction as far as pillar No. 65, placed on the high road between Andkhoi and Dugchi and Karki, at a point 4¼ miles to the south of Dugchi and 2¾ miles to the north of Sultan Robat.

No. X.

[TRANSLATION.]

PROTOCOL No. 6.

COMMISSION appointed to enquire into on the spot and settle the question of the alleged infractions, which may have been committed by either side, of the stipulations relating to the waters of the KUSHK, and contained in PROTOCOL No. 4 signed at ST. PETERSBURG on the $\frac{10th}{22nd}$ July 1887, by the delegates of RUSSIA and GREAT BRITAIN for the delimitation of the NORTH-WEST FRONTIER of AFGHANISTAN.

Meeting held at the camp of the British Commissioner at Chahil Dukhteran on the $\frac{22nd\ August}{3rd\ September}$ 1893.

There were present on the part of Great Britain—

LIEUTENANT-COLONEL C. E. YATE, C.S.I., C.M.G.

LIEUTENANT THE HONORABLE H. D. NAPIER.

On the part of Russia—

COLLEGIATE CONSEILLER V. IGNATIEW.

LIEUTENANT-COLONEL L. ARTAMANOW of the General Staff.

SARHANG MAHMUD KHAN, the Representative of His Highness the Amir of Afghanistan, was also present.

The Russian and British Commissioners after having thoroughly examined* the question of the canals existing at present on the left (Afghan) bank of the Kushk between Karatappa and Chahil Dukhteran, enumerated in Protocol No. 1 of the Commission, and marked on the map annexed to it, and taking as a basis the stipulations of Clause III of Protocol 4 of 1887, and Captains Peacocke and Kontratenko's map, Annex. No. II to this latter Protocol, have come to an agreement on the following arrangements :—

* The details of this examination are recorded in the preceding Protocols of the Commission.

I.

All the irrigation canals in use at present on the left (Afghan) bank of the Kushk between Karatappa and Chahil Dukhteran, namely, the canals—

(1) Karatappa Kalan, marked by the letters B. I. on the map attached to Protocol No. 1 of the Commission.

(2) Chapgul, marked by the letter C on the same map.

(3) Khwajah Jir, marked by the letter D.

(4) The branches of the Pul-i-Khishti and Chahil Dukhteran canals marked by the letters E and F which irrigate the Afghan lands north of the parallel of latitude of the Chahil Dukhteran Frontier Pillar No. 23, also marked on the said map, constitute an infraction of the stipulations of Clause III of Protocol No. 4 of $\frac{10th}{22nd}$ July 1887, and consequently should be definitely closed.

The British Commissioner will immediately take the necessary measures to execute this arrangement.

II.

The mill canal, marked by the letter A on the map attached to Protocol No. 1 of the Commission, not being used for irrigation, does not constitute an infraction of the stipulations of Clause III of Protocol No. 4 of 1887, but as it is at present longer than is necessary, it should be shortened to the minimum length required by local conditions, and the water of this canal cannot be used for irrigation under any pretext. The British Commissioner will take the necessary measures in order that these arrangements may be carried out.

III.

In order to elucidate and complete Clause III of Protocol No. 4 of $\frac{10th}{22nd}$ July 1887, the Commissioners have established that the Afghans shall not be able to take off water from the river Kushk, north of the ruins of the Chahil Dukhteran bridge (Pul-i-Khishti), for irrigation by means of either new or disused or closed canals, the Afghans shall not have the right to carry on, below the parallel of Chahil Dukhteran Frontier Pillar No. 23, for irrigation, the branches of the canals which take off from the Kushk south of the ruins of the Chahil Dukhteran bridge (Pul-i-Khishti), but they shall have the right to make use of the said branches to irrigate their cultivation as far as the parallel of the Chahil Dukhteran Frontier Pillar No. 23.

The Afghans shall also have the right to the free use for irrigation or any other purpose of the waters of springs which exist on the left bank of the Kushk between the hills and the river to the south of the Karatappa Frontier Pillar No. 22, up to the points where these springs reach the stream of the river.

To the south of the ruins of the Chahil Dukhteran bridge (Pul-i-Khishti) the Afghans have full rights to all the water of the Kushk and shall not be subject to any restriction whatever.

IV.

The want of water in the Kushk, no matter from whatever cause arising, provided that the Afghans maintain the stipulations of Clause III of Protocol No. 4 of $\frac{10th}{22nd}$ July 1887, and the arrangements above set forth cannot give cause for further claims on the part of the Russian authorities.

CHAS. E. YATE, *Lieut.-Col.* V. IGNATIEW.

H. D. NAPIER, *Lieut.* L. ARTAMONOFF.

SEAL OF MAHMUD KHAN.

No. XI.

AGREEMENT between HIS HIGHNESS AMIR ABDUR RAHMAN KHAN, G.C.S.I., AMIR of AFGHANISTAN and its DEPENDENCIES, on the one part, and SIR HENRY MORTIMER DURAND, K.C.I.E., C.S.I., FOREIGN SECRETARY to the GOVERNMENT of INDIA, representing the GOVERNMENT of INDIA on the other part, —1893.

Whereas the British Government has represented to His Highness the Amir that the Russian Government presses for the literal fulfilment of the Agreement of 1873 between Russia and England by which it was decided that the river Oxus should form the northern boundary of Afghanistan from Lake Victoria (Wood's Lake) or Sarikul on the east to the junction of the Kokcha with the Oxus, and whereas the British Government considers itself bound to abide by the terms

of this agreement, if the Russian Government equally abides by them, His Highness Amir Abdur Rahman Khan, G.C.S.I., Amir of Afghanistan and its Dependencies, wishing to show his friendship to the British Government and his readiness to accept their advice in matters affecting his relations with Foreign Powers, hereby agrees that he will evacuate all the districts held by him to the north of this portion of the Oxus on the clear understanding that all the districts lying to the south of this portion of the Oxus and not now in his possession, be handed over to him in exchange. And Sir Henry Mortimer Durand, K.C.I.E., C.S.I., Foreign Secretary to the Government of India, hereby declares on the part of the British Government that the transfer to His Highness the Amir of the said districts lying to the south of the Oxus is an essential part of this transaction, and undertakes that arrangements will be made with the Russian Government to carry out the transfer of the said lands to the north and south of the Oxus.

H. M. DURAND.

AMIR ABDUR RAHMAN KHAN.

KABUL:
12th November 1893.

12th November 1893=(*2nd Jamadi-ul-awul 1311*).

No. XII.

AGREEMENT between HIS HIGHNESS AMIR ABDUR RAHMAN KHAN, G.C.S.I., AMIR of AFGHANISTAN and its DEPENDENCIES on the one part, and SIR HENRY MORTIMER DURAND, K.C.I.E., C.S.I., FOREIGN SECRETARY to the GOVERNMENT of INDIA, representing the GOVERNMENT of INDIA on the other part, —1893.

Whereas certain questions have arisen regarding the frontier of Afghanistan on the side of India, and whereas both His Highness the Amir and the Government of India are desirous of settling these questions by a friendly understanding, and of fixing the limit of their respective spheres of influence, so that for the future there may be no difference of opinion on the subject between the allied Governments, it is hereby agreed as follows:—

(1) The eastern and southern frontier of His Highness's dominions, from Wakhan to the Persian border, shall follow the line shown in the map* attached to this agreement.

(2) The Government of India will at no time exercise interference in the territories lying beyond this line on the side of Afghanistan, and His Highness the Amir will at no time exercise interference in the territories lying beyond this line on the side of India.

(3) The British Government thus agrees to His Highness the Amir retaining Asmar and the valley above it, as far as Chanak. His Highness agrees on the other hand that he will at no time exercise interference in Swat, Bajaur or Chitral

* Not reproduced.

including the Arnawai or Bashgal valley. The British Government also agrees to leave to His Highness the Birmal tract as shown in the detailed map already given to His Highness, who relinquishes his claim to the rest of the Waziri country and Dawar. HisHighness also relinquishes his claim to Chageh.

(4) The frontier line will hereafter be laid down in detail and demarcated wherever this may be practicable and desirable by Joint British and Afghan Commissioners, whose object will be to arrive by mutual understanding at a boundary which shall adhere with the greatest possible exactness to the line shown in the map* attached to this agreement, having due regard to the existing local rights of villages adjoining the frontier.

(5) With reference to the question of Chaman, the Amir withdraws his objection to the new British Cantonment and concedes to the British Government the rights purchased by him in the Sirkai Tilerai water. At this part of the frontier, the line will be drawn as follows :—

From the crest of the Khwaja Amran range near the Psha Kotal, which remains in British territory, the line will run in such a direction as to leave Murgha Chaman and the Sharobo spring to Afghanistan, and to pass half way between the New Chaman Fort and the Afghan outpost known locally as Lashkar Dand. The line will then pass half way between the railway station and the hill known as the Mian Baldak, and, turning southwards, will rejoin the Khwaja Amran range, leaving the Gwasha Post in British territory, and the road to Shorawak to the west and south of Gwasha in Afghanistan. The British Government will not exercise any interference within half a mile of the road.

(6) The above articles of agreement are regarded by the Government of India and His Highness the Amir of Afghanistan as a full and satisfactory settlement of all the principal differences of opinion which have arisen between them in regard to the frontier; and both the Government of India and His Highness the Amir undertake that any differences of detail such as those which will have to be considered hereafter by the officers appointed to demarcate the boundary line, shall be settled in a friendly spirit, so as to remove for the future as far as possible all causes of doubt and misunderstanding between the two Governments.

(7) Being fully satisfied of His Highness's good will to the British Government, and wishing to see Afghanistan independent and strong, the Government of India will raise no objection to the purchase and import by His Highness of munitions of war, and they will themselves grant him some help in this respect. Further, in order to mark their sense of the friendly spirit in which His Highness the Amir has entered into these negotiations, the Government of India undertake to increase by the sum of six lakhs of rupees a year the subsidy of twelve lakhs now granted to His Highness.

H. M. DURAND.

AMIR ABDUR RAHMAN KHAN.

KABUL;

12th November 1893.

* Not reproduced.

No. XIII.

LETTER from SIR MORTIMER DURAND, K.C.I.E., C.S.I., to HIS HIGHNESS AMIR ABDUR RAHMAN KHAN, G.C.S.I., AMIR of AFGHANISTAN and its DEPENDENCIES, dated KABUL, the 11th November 1893.

After compliments.—When Your Highness came to the throne of Afghanistan, Sir Lepel Griffin was instructed to give you the assurance that, if any Foreign Power should attempt to interfere in Afghanistan, and if such interference should lead to unprovoked aggression on the dominions of Your Highness, in that event the British Government would be prepared to aid you to such extent and in such manner as might appear to the British Government necessary in repelling it, provided that Your Highness followed unreservedly the advice of the British Government in regard to your external relations.

I have the honour to inform Your Highness that this assurance remains in force, and that it is applicable with regard to any territory which may come into your possession in consequence of the agreement which you have made with me to-day in the matter of the Oxus frontier.

It is the desire of the British Government that such portion of the northern frontier of Afghanistan as has not yet been marked out should now be clearly defined; when this has been done, the whole of Your Highness's frontier towards the side of Russia will be equally free from doubt and equally secure.

No. XIV.

AGREEMENT by SHIRINDIL KHAN as attested by MR. DONALD regarding the AFGHAN-KURRAM FRONTIER,—1894.

The division of the frontier of the two allied States, *i.e.*, the God-granted Kingdom of Afghanistan and the illustrious Government of India, between the Jajis and Turis, Khostis and Turis and Khostis and Waziris from Sikaram Sar to the Laram peak according to the map which was prepared at the Capital, Kabul, on the 2nd Jamadi-ul-awal 1311 H., corresponding to 12th November 1893, on the occasion of the visit of the Mission to His Highness the Amir, has been made as follows:—

The line of boundary starts from the Sikaram peak and descends along the Azghanni watershed and thence runs along the watershed to Bargawi. From Bargawi it runs along the watershed (of) Gabzan Sar to the Peiwar Kotal and these watersheds separate the waters (drainage) of Hariob and Kurram. From the Peiwar Kotal (the boundary line) runs along the same watershed to Manri Kandao and reaches Kimatai Kotal. From Kimatai Kotal (it runs) along the watershed of the spur of the hill north and east between Istia and Kurram and (through) Margho Kandao, Mandatti Kandao, Dre Drang, Sparo Gawi, Bar Tangi Sar, Bahlol Sar and Kharpachu Sar near the Istia Nullah. From these it descends from the above-mentioned watershed and joins the Istia Nullah, and in this way goes along the above-mentioned ravine till it (reaches) the (limits) of the culturable lands

of the Istia Jajis. (Then) it leaves the above-mentioned ravine and running between the pastures of Jajis and Turis it passes to the western end of the Tewza hillock. (Thence) it (runs) between the culturable lands of the people of Pathan and Kharlachi, and reaches the Lora which it follows, and passing through Lora Khula it runs between the culturable lands of the people of Pathan and Kharlachi, and on crossing the Kurram River it runs between the culturable lands of the afore said people to Sulimani Chowki on the hill near the south (bank) of Kurram. (Thence) ascending the Shon watershed and from there along the watershed of the same hill which separates the drainage of Shpol and Dozegar and Kurram and passing through Zer Kamar, Babkai Sar and Inzar Kandao and Tabibulla Kandao it ascends the summit of Mount Khwaja Khidr, generally known as Khwaja Khurm. From there it runs along the watershed of the hill which makes the water parting of China, Kot, etc., on the Jaji Maidan side and Kurram—it passes through Saide Kotanra and reaches Cherai Kandao. From Cherai Kandao it runs along the watershed of the above-mentioned hill till it reaches the Manz Darwazgai Pass and from Manz Darwazgai (it runs) along the watershed of the hill which makes the water parting between the Manz Darwazgai and Istar Darwazgai ravines it reaches the Chapra Sar watershed. Near Shua Darga it descends from Chapra Sar through Niazo Ghundi or Dorani Mela Sar and along the watershed of Bando Raga to the point of junction of the Shua Darga and Manz Darwazgai ravines—and crossing the above-mentioned ravines by the Lakka Tiga road it follows the above-mentioned road to the watershed of the Ninawar Khwar and Jaji Maidan (ravine) which it ascends to the Walli Hill. It descends along the watershed of the above-mentioned hill to Tirwa Watkai. Thence it crosses the Jaji Maidan ravine to Tirwa Watkai, the second, and circling round the Malli Khel Turi graveyard which is left to Kurram, it joins the foot of the Turkomanzai (spur). It (passes) through the limits of the pastures of Zerpan to Zere Sar, Shamshad Sar in a straight line to Dawe Sar, *i.e.*, to the east of Koh-i-Naryag Sar. From there it runs along the watershed of the hill that divides the water of Khost from that of Kurram and passes through Ghwanda Cherai, Shaona Kandao, Manjarra Kandao, Khost and Kurram Kandao and Guldin Sar. Thence it ascends along the watershed to Shobakghar, *i.e.*, the Inzar Mountain. It goes along the watershed of the above-mentioned hill and thence along the watershed of Shua Algad Sar to Batoi Kandao and along the watershed it passes through Istar Dar till it reaches the point of meeting of the watersheds of Kurram and Khost and Hassan Khels. Thence it runs along the watershed of the hill between Karangai and the country of the Hassan Khel Wazirs and passing through Manjarra Sar and Andarpaia Kandao it descends along the watershed to Tarlai Tangi and (then) crossing the Kaitu stream it ascends along the watershed of the hill which divides the drainage of the Laram ravine from that of the Gorambai and Goreshta (nullahs). It passes through Ucha Laram Sar and Bezo Sar till it joins on to the Laram peak shown in the map. *Ends.*

I, Sardar Shirindil Khan, Naib Salar-i-Mulki, and I, J. Donald, who have been (respectively) appointed by His Highness the Amir and the illustrious Government of India for the settlement of the details of the above-mentioned frontier, have

determined, fixed and marked out as above with mutual understanding the above-mentioned boundary line from the aforesaid Sikaram Sar to the aforesaid Laram peak on the 22nd Jamadi-ul-awal 1312 H., corresponding to the 21st of November 1894 (and declare) it correct. *Ends.*

Further, it is written that the details of the above-mentioned demarcation are entered in detail on a separate map which accompanies this record. *Ends.*

KOTKAI:
The 21st November 1894.

J. DONALD,
Officer on Special Duty, and British Boundary Commissioner, Indo-Afghan-Kurram Boundary.

No. XV.

AGREEMENT defining the boundary line from the HINDU KUSH to the neighbourhood of NAWA KOTAL, dated CAMP NASHAGAM, the 9th April 1895—13th SHAWAL 1312.

For as much as, under Article (4) of the Convention concluded at Kabul on the 12th November 1893, between His Highness the Amir of Afghanistan and Sir Mortimer Durand on behalf of the Government of India, we, the undersigned have been appointed by our respective Governments for the purpose of demarcating in concert the frontier of His Highness the Amir's dominions on the side of India in this neighbourhood of Chitrar and Bajaur, it is hereby agreed as follows :—

(I) That on the western side of the Kunar river, this frontier will be the further or eastern watershed of the stream which in the idiom of Afghans is notorious and known as the Landai Sin pertaining to the limits of Kafiristan, and which in the Survey map is also written by the name of Bashgal, so that all the country of which the drainage falls into the Kunar river by means of this stream belongs, and will belong, to Afghanistan, and the eastern drainage of this watershed, which does not fall into the Landai Sin stream, pertains to Chitrar.

(II) That on the eastern side of the Kunar river, from the river bank, up to the crest of the main range which forms the watershed between the Kunar river and the country (lit. direction) of Barawal* and Bajaur this frontier follows the southern watershed of the Arnawai stream which falls into the Kunar river close to the village of Arnawai, leaving to Chitrar all the country of which the drainage falls into the Kunar river by means of this stream, while the southern drainage of this last-mentioned watershed, which does not fall into the Arnawai stream, pertains to Afghanistan.

* Baraul of our quarter inch map

R. U[DNY].

(III) That this frontier line, on reaching the crest of the main range which in this neighbourhood forms the watershed between the Kunar river and the country (lit. direction) of Barawal and Bajaur, turns southward along this watershed, which it follows as far as a point in the neighbourhood of the Nawa Kotal,

leaving all the country draining into the Kunar river within the limits of Afghanistan and all the country draining towards Barawal and Bajaur outside the limits of Afghanistan; but beyond the aforesaid point in the neighbourhood of the Nawa Kotal the frontier has not at present been demarcated.

(IV) That on both sides of the Kunar river this frontier, as described in the three preceding articles, for the most part requires no artificial demarcation, because it is a natural boundary following the crests of mountain ranges; but since at present inspection *in situ* is impossible, when the ground is examined on the spot, it is probable that in the places where these mountain ranges abut on the Kunar river from either side, demarcation by pillars for a short distance from the water's edge on both sides of the river will be found desirable for the purpose of separating the boundary of Afghanistan from Arnawai pertaining to Chitrar and the limits of the Kafir country (lit., Kafiristan) of the Landai Sin from Chitrar. In that case these pillars will be erected along the line of the watershed described in the first and second articles of the present agreement, subject to any slight divergencies from this line which may be necessary to protect the local rights of villages adjoining the frontier.

(V) That the frontier pillars, wherever considered desirable will be erected hereafter by an officer of the Government of India and an officer of His Highness the Amir acting in concert.

(VI) That these watersheds forming the frontier agreed upon as described in the first three articles of the present agreement, have been marked by a red line on the survey map attached to this agreement, which, like the agreement itself, has been signed by us both. In three places, *viz.*, (i) for a short distance from either bank of the Kunar river, (ii) in the neighbourhood of the Binshi Kotal, and (iii) in the neighbourhood of the Frepaman Kotal, this red line has been broken up into dots because the exact position of the watershed in these localities has not been ascertained with perfect accuracy; but wherever the watershed may lie the frontier will follow it, subject only to any slight variations from the watershed which may be considered necessary under Article (4) of the present agreement.

(VII) That, since on the map attached to the Convention* the Arnawai stream was drawn on the western side of the river in the place of the Landai Sin of the Kafir country (lit. Kafiristan) which has been decided to pertain to the Afghan Government, and, since after enquiry and inspection of the same it was clearly ascertained by the Survey party that the aforesaid stream is situated on the eastern side of the Kunar river, and falls into the river near the village of Arnawai, and that the drawing of it on the western side (of the river) in the place of the Landai Sin was a mistake, this Arnawai stream has (now) been drawn and marked on the present survey map in its own proper place, and that stream which was drawn in the Convention map on the western side of the river was the Landai Sin stream of the Kafir country (lit. Kafiristan) which has now been decided to pertain to the Government of Afghanistan and to be included in the limits of Afghanistan. Accordingly in the present survey map it has been

* *i.e.*, the Durand Convention.

marked with the name of Landai Sin and has also been written with the name of Bashgal. Moreover, Sao and Nari and Birkot, and the village of Arnawai, were not written on the map attached to the Convention, (but) now in the new Survey map the names of all these four above-mentioned villages have been entered, the village of Arnawai being written on the Chitrar side of the boundary line, and Sao, Nari and Birkot on the side of the Government of Afghanistan.

No. XVI.

JOINT AGREEMENT executed by the JOINT AFGHAN and BRITISH COMMISSIONERS of the INDIAN AFGHAN BOUNDARY COMMISSION,—1895.

We, the undersigned Commissioners, deputed by our respective Governments to demarcate the boundary line between the territories of the Government of India and His Highness the Amir of Afghanistan, westwards, from the junction of the Kundar and Gomal rivers, have arrived at the following mutual agreement regarding that boundary line, in accordance with the maps and instructions furnished to us by our respective Governments.

Clause No. 1.—The boundary line to which we have mutually agreed runs from Domandi, *i.e.*, the junction of the Gomal and Kundar rivers, along the line of the watercourse of the Kundar river as far as the junction of the Kundar and Kundil rivers. It thence runs along the watercourse of the Kundil river, which is here generally known as the Zhizha as far as the junction of the Kundil and Sharan Toi rivers, From the junction of the Gomal and Kundar to the junction of the Kundil and Sharan Toi rivers we consider that it is not only unnecessary but impracticable to erect boundary pillars. The centre of the flowing stream of the Kundar and Kundil rivers forms in itself a well defined and natural boundary, and any boundary pillars erected along this line would be liable to be carried away by floods.

Clause No. 2.—From the junction of the Sharan Toi and Kundil rivers the boundary line, which we have mutually agreed to, follows the centre of the river bed of the Sharan Toi river upwards from its junction with the Kundil about one and a quarter miles to boundary pillar No. I, which has been erected on a rocky knoll on the south bank of the Sharan Toi river. From thence it runs north-west in a straight line to bound the pillar No. 2, which has been built on a prominent peak on the east bank of the river at the lower entrance of the Tangi through which the river issues on to the plain. Thence it runs northward to boundary pillar No. II (1), which is on a conspicuous peak on the west bank of the river at the upper entrance of the same Tangi. Thence it runs in a straight line northwards to boundary pillar No. III, which have been erected on the top of a prominent peak, known as Orzal Ghara, which is situated between the two main branches of the Sharan Toi river, *i.e.*, the Sara Chahan nullah and its branches on the west and the Ghbargai nullah and its branches on the east.

From boundary pillar No. III, *i.e.*, Orzal Ghara, the boundary line runs westwards in a straight line to boundary pillar No. IV on a conspicuous peak of the

Pinakai range, and thence runs north-west in a straight line to boundary pillar No. V, which has been erected on the most northern of a line of high prominent peaks which form the southern branch of the Shahghar range. The line, marked by boundary pillars Nos. III, IV, V, follows approximately the watershed between the Orzal Ghara and Shahghar of the water which drains to the north and east and the water which drains to the south and west.

From boundary pillar No. V, the boundary line then runs south-west following the crest of the line of peaks, which form the southern branch of the Shahghar range. Pillars Nos. V (1), V (2) and VI have been erected on prominent peaks of this line. Pillar No. VI is on the top of the most southern peak of this branch, which here juts out into the Kosaka plain.

From pillar No. VI, the boundary line runs westwards in a straight line to boundary pillar No. VII, which has been erected on a conspicuous knoll situated about 450 yards almost due north of the old Lowana and Taraki fort commonly known as Killa Zara, and about eight hundred and fifty yards from the nearest point of the northern bank of the Tirwah river.

Clause No. 3.—With regard to the boundary line from boundary pillar No. VII, considerable difficulty has been experienced by us at arriving at a settlement owing to the joint ownership by the Shabeh Khel Tarakis and Lowanas of the Tirwah lands. By an ancient settlement of very many years ago, which these two tribes had agreed upon between themselves, the water of the Tirwah canal was divided by agreement into 21 shares, *i.e.*, 21 Shabana roz, as follows, *i.e.*, twelve shares, *i.e.*, twelve Shabana roz, were fixed as the property of the Lowanas and nine shares, *i.e.* nine Shabana roz, as the property of the Shabeh Khel Tarakis. This division of the water still remains in force, and we have jointly agreed that it should remain in force hereafter as before.

As regards the land, the Lowanas and Shabeh Khel Tarakis were not agreed as to the boundary line separating their respective shares, and it has been necessary for us to settle this matter. After some discussion the Lowanas and Shabeh Khel Tarakis agreed to settle their boundary by oath. The joint agreement recorded by them is attached to this agreement. Oath was given by the Lowanas to the Shabeh Khel Taraki maliks, Ghulam Rasul, son of Gul Khan, and Sadik, son of Alam Khan, who, taking the Koran, marked out their boundary, from the point where the Tirwah canal leaves the bank of the Tirwah river near Killa Zara. We have jointly agreed to this settlement of the boundary line thus arrived at, between the Lowanas and Shabeh Khel Tarakis.

We have also jointly agreed to the following matters connected with the other right above named, of the Shabeh Khel Tarakis and Lowanas, *i.e.*, (1) the joint rights to the water of the Tirwah river of the two tribes, Lowanas and Shabeh Khel Tarakis, residing in Tirwah, as far as the head of the water jointly owned by these two tribes, *i.e.*, up to the place which is known by the name of Wruskai Karbore, *i.e.*, the western point of the Karbore hill, above which point the Lowanas and Tarakis have no concern, will be according to the following shares—*viz.*, the Lowanas to have twelve Shabana roz, and the Tarakis nine Shabana roz as hitherto

from ancient times. Both tribes shall be responsible for the clearing of the water canal according to ancient custom and according to the above-mentioned shares. (2) Neither of the parties, *i.e.*, neither Lowanas nor Tarakis, shall, independently of each other, or against the wishes of each other, make a new course any where as far as the point where the old water canal ends in the cultivated land, *i.e.*, the point where boundary pillar No. A. III has been erected, for the old water canal of Tirwah, which passes through the Lowana and Taraki lands. (3) The thoroughfare of both these tribes, *i.e.*, Lowanas and Shabeh Khel Tarakis, through any place where there may be no cultivation, will be allowed in any direction within the Taraki and Lowana boundaries in Tirwah.

We have jointly agreed that the boundary line between the lands of the above two tribes should be the boundary line between the territories of our respective Governments. This boundary line runs as follows:—Starting from boundary pillar No. VII it runs southwards in a straight line about three hundred and eighty yards to a boundary pillar No. A I on the north bank of the Tirwah joint canal opposite Killa Zara, which is situated a few yards away on the other side of the canal. Thence it follows the line of the joint canal as far as boundary pillar No. A II, which has been built on the south bank at the point where present cultivation commences. Thence it runs eastwards along the same joint canal as far as boundary pillar No. A III, which has been built at the point where the existing joint canal ceases. From here it runs eastwards in almost a straight line to a prominent peak on the Ghwaimar hill, where boundary pillar No. A IV has been built. Between boundary pillars A III and A IV five smaller boundary marks A III (1), A III (2), A III (3), A III (4), A III (5) have been made to mark the line of boundary as laid down by the maliks on oath.

From pillar A IV the boundary line runs south-westwards in a straight line to a southern peak of the Ghwaimar hill where a boundary pillar No. A V has been erected. From here it runs westwards in a straight line to a rockly prominence on east bank of the Tirwah river where boundary pillar A VI has been erected. The boundary line then runs upwards along the centre of the bed of the Tirwah river until it arrives opposite to the point at which the Tirwah canal turns off from the bank of the Tirwah river near Killa Zara. At this point boundary pillar No. A VI(1) has been erected on the south bank of the Tirwah river. The boundary line here leaves the river and goes west in a straight line two hundred and eight yards to boundary pillar No. A VI (2) erected on a knoll. From here the boundary line runs in a straight line north-westwards up a spur of the Sraghar hill to boundary pillar No. VIII and thence up the same spur in a straight line to boundary pillar No. IX, which is on the top of the most northern of the high peaks of the Sraghar range. From here the boundary line runs in a straight line west five miles to boundary pillar No. B I erected in the plain and thence in a straight line north-west for two and two-fifth miles to boundary pillar No. B II erected on a small prominent hill. From here the boundary line runs in a straight line to Khizr Chah (well) and from Khizr Chah (well) in a straight line north-westwards to boundary pillar No. XI, which is built on the top of a prominent hill locally

called Roza Khurak. The boundary pillar No. X which should have been built at Khizr Chah (well), has not been erected there owing to the low lying position of the land round Khizr Chah, but has been built outside the British boundary on the top of a prominent hill two hundred and fifty-eight yards north-east of Khizr Chah in order that it may be seen from the boundary pillar on the Sraghar mountain, and that on Roza Khurak. The old karezes and cultivated lands belonging to the Tarakis on the Tirkha nullah and elsewhere between Sraghar and Khizr. Chah are thus left on the north of the boundary line marked by pillars Nos. IX, BI, B II, and the pillar marking Khizr Chah, *i.e.*, No. X, and are, therefore, included in Afghan territory.

We have agreed that the Khizr Chah (well) should be open to all persons whether living in British or Afghan territory.

From boundary pillar No. XI, it runs north-west in a straight line to boundary pillar No. XII, which has been erected on a prominent peak of a southern spur of the Inzlan range.

Clause No. 4.—We have jointly agreed that from boundary pillar No. XII, the boundary line runs south-westwards in a straight line to boundary pillar No. XIII erected on a prominent knoll on the edge of the Surzangal plain. From here it runs south-westwards in a straight line to boundary pillar No. XIV which has been erected on the east bank of the Kand river between the Inzlan and Multani hills. From this point the boundary line follows the centre of the river bed of the Kand river, which forms a well defined natural boundary as far as the junction of the Loe Wuchobai nullah and the Kand river, some two miles east of Rashid Killa. Boundary pillar No. XV has been erected on the east bank of the Loe Wuchobai nullah, at the point where it joins the Kand river.

We have jointly agreed that the Kakars should continue to enjoy, as hitherto, the right of grazing over the tract of land named Man Zakai, situated on the north bank of the Kand river between Rashid Killa and Ata Muhammad Killa.

We have also jointly agreed that the water of the Kand river belongs jointly to the subjects of the British Government and His Highness the Amir of Afghanistan. The Afghan subjects have the right of repairing and maintaining their existing *bands* at Tang Bara, and the two Anizai Wastas and Wand, for the purpose of irrigating their lands on the north bank of the Kand. Should subjects of either the British Government or His Highness the Amir of Afghanistan wish to erect a new *band* in the Kand river, they must first obtain the permission of the district officers, who may be concerned, of both Governments.

Clause No. 5.—We have jointly agreed that from boundary pillar No. XV the boundary line leaves the Kand river and runs along the east bank of the Loe Wuchobai nullah, through boundary pillar No. XV (1), to boundary pillar No. XVI, which has been erected on a small knoll on the east bank of the nullah. From here the boundary line leaves the bank of the Loe Wuchobai nullah and runs in a straight line to boundary pillar No. XVII, which has been built at a distance of three quarters of a mile to the east of the Loe Wuchobai nullah on a prominent

knoll. From here the boundary line runs in a straight line crossing the Loe Wuchobai nullah to boundary pillar No. XVIII, which has been erected on the watershed between the Tanda and Loe Wuchobai nullahs. From No. XVIII, the boundary line runs in a straight line to boundary pillar No. XIX, which has been erected on a prominent peak on the main watershed between the nullahs flowing into the Loe Wuchobai nullah on one side and the nullahs flowing into the Tanda nullah on the other. The boundary line then runs eastwards and then southwards along the crest of this watershed through boundary pillars Nos. XIX (1) and XIX (2) erected on prominent peaks to boundary pillar No. XIX (3), which is also on a prominent peak of the same watershed. From boundary pillar No. XIX (3) the boundary line turns eastwards and runs, as shewn in the map attached, in a straight line through boundary pillar No. XX to boundary pillar No. XXI, which has been erected about a quarter of a mile to the east of the main branch of the Tirkha nullah on the edge of the Pinakai plain. From here the boundary line crosses the western extremity of the Pinakai plain, and runs south-eastwards in a straight line to boundary pillar No. XXII, which has been erected on a prominent peak of the mountain lying between the Alajirgha and Ghazluna nullahs. From thence it runs in a straight line to pillar No. XXIII, erected on a knoll in the plain between the above two nullahs. From here it runs southwards in a straight line to boundary pillar No. XXIV, which has been erected between and at the junction of the Alajirgha and Ghazluna nullahs. From here the boundary line follows the centre of the Psein Lora. Pillars Nos. XXIV (1), XXIV (2), and XXIV (3) have been erected to more clearly mark the course of this river. From boundary pillar XXIV (3), the course of the Psein Lora is naturally clearly defined and further boundary pillars have been considered unnecessary. The boundary line follows the Psein Lora, which, from the junction of the Tokarak river, is known as the Kadanai river, and runs along the centre of the river bed of the Psein Lora and Kadanai for nearly thirty-nine miles to boundary pillar No. XXV, which has been erected on the south bank of the river on a prominent knoll about one mile above the junction of the Loe Ghbargai nullah with the Kadanai river. Here the boundary line turns westwards and leaves the Kadanai river.

We have also jointly agreed on the following matters relating to the portion of the boundary line defined in this clause :—

Firstly, that the rights attaching to the Psein land which is within Afghanistan and close to and to the west of boundary pillars Nos. XVI, XVII, and XVIII of water from the Kakars, who own the right to the water of the Loe Wuchobai nullah above that, will remain as hitherto.

Secondly, that the Kakar Tribe should continue to enjoy the rights of grazing, as hitherto, throughout the country lying between the Kand river, and Loe Wuchobai nullah, and Babakr Chahan and Sam Narai.

Thirdly, that the Pseins should continue to enjoy the right of grazing, as hitherto, in the tract of land commonly known as Psein Dagh, which is situated on the south of the Psein Lora.

Fourthly, that the water of the Psein Lora and Kadanai river belongs jointly to the people residing on both banks of the river.

If any of the subjects of the British or Afghan Governments wish to construct a new water channel leading from the Psein Lora or Kadanai river, they must first obtain the permission of the district officers concerned of both Governments.

Clause No. 6.—We have jointly agreed that the boundary line leaves the Kadanai river at boundary pillar No. XXV, and runs westwards in a straight line to boundary pillar No. XXVI, and thence in a straight line to boundary pillar No. XXVII, and thence in a straight line to boundary pillar No. XXVIII, which has been erected on a conspicuous knoll on the south bank of the Kadanai river. The boundary line turning north-westwards crosses the Kadanai river and ascends the hills on the north of the river in a straight line up the spur which forms the western watershed of the Kalagai nullah to boundary pillar No. XXIX, which has been erected on a conspicuous knoll on that watershed. Thence the line runs in a straight line to boundary pillar No. XXX, which has been erected on the southern watershed of the Kalaka nullah. The boundary line now turns westwards and runs along the crest of the southern watershed of the Kalaka nullah through boundary pillars No. XXXI, XXXII to pillar No. XXXIII. Beyond pillar No. XXXIII the boundary line leaves the watershed of the Kalaka nullah and runs along the crest of the watershed dividing the two Sarghash Luna nullahs through boundary pillars Nos. XXXIV and XXXV.

Here the line crosses the southern Sarghash Luna nullah and runs in a straight line to boundary pillar No. XXXVI, which has been erected on a conspicuous knoll on the south of that nullah. From here again turning westwards the line runs in a straight line to boundary pillar No. XXXVII, which has been erected on the east bank of the Kadanai river. From here crossing the Kadanai river the boundary line runs in a straight line to boundary pillar No. XXXVIII, which has been erected on a conspicuous peak on the south bank of the Kadanai river opposite the junction of the Kadanai river and the Kalaka nullah. At this pillar the boundary line turns south-westwards and runs for about one and three-quarter miles along a well defined watershed through pillar No. XXXIX to pillar No. XL, which has been erected on a conspicuous peak of the Asdabra hills. Then turning north-westwards the boundary line runs along a well defined watershed for about one and a quarter miles through boundary pillars Nos. XLI, XLII to No. XLIII, which has been erected on the south bank of the Kadanai river.

From pillar No. XLIII the boundary line runs along the centre of the river bed of the Kadanai river for about one mile to boundary pillar No. XLIV, which has been erected on a conspicuous knoll on the south bank of the Kadanai river. Thence it runs in a straight line crossing the Kadanai river to boundary pillar No. XLV, erected on a knoll on the north bank of the Kadanai river. Then it ascends the hills on the north of that river in a straight line to boundary pillar No. XLVI, and thence in a straight line to boundary pillar No. XLVII, which has

been erected on a conspicuous peak on the watershed between the Tsah and Minjai nullahs on the west and the Tanga nullah on the east. The boundary line thence follows the crest of this watershed through pillar No. XLVIII to pillar No. XLIX. Thence turning northwards it follows the crest of the watershed of the Tsah nullah to boundary pillar No. L, which is on a conspicuous peak on the crest of the watershed between the nullahs flowing into the Kadanai river on the south and the Salasun river on the north. The boundary line now runs along the crest of this watershed through boundary pillars Nos. LI, LII to pillar No. LIII, which has been erected on a high conspicuous peak commonly known as Manik Suka. From pillar No. LIII the boundary line runs along the crest of the well defined watershed between the Khwara and Shishga and Shahidan nullahs on the south and the nullahs flowing into the Sinzalah nullah on the north, through boundary pillar No. LIV to boundary pillar No. LV. From here the boundary line runs along the crest of the southern watershed of the Loe Manah nullah to the head of the Dori nullahs. It then runs along the crest of the watershed between two of the three Dori nullahs, *i.e.*, the western and middle of the three Dori nullahs through boundary pillars Nos. LVI, LVII and LVIII to the junction of the western and middle Dori nullahs. It then follows the centre of the river bed of this nullah for a short distance to its junction with the Kadanai river.

From here the boundary line crossing the Kadanai river runs in a straight line to boundary pillar No. LIX, erected on a conspicuous knoll on the south of the Kadanai river and to the east of the junction of the Tozana nullah and Kadanai river. It then ascends the hills and runs along the crest of the eastern and southern watershed of the Tozana nullah through boundary pillars Nos. LIX (1) LX, LXI, LXII, to LXIII to pillar No. LXIV.

From here the line runs along the southern watershed of the Wala nullah to pillar No. LXV, which has been erected on a conspicuous peak on the crest of the watershed of the main range, which is the northern continuation of the Khwaja Amran range, and which here separates the drainage flowing into the Kadanai river on the west and into Toba on the east. The boundary line turning southwards follows the crest of this main watershed and runs through boundary pillars Nos. LXVI, LXVII, LXVIII, LXIX, LXX, and LXXI, all erected on conspicuous peaks. The line then continues to run along the crest of the watershed and, passing through pillar No. LXXII, which has been erected on the crest of the Psha Kotal, it runs along the watershed to pillar No. LXXIII, erected on a high conspicuous peak immediately south of that Kotal.

From here the boundary line runs in a straight line which has been marked by pillars Nos. LXXIV, LXXV, LXXVI, LXXVI (1), LXXVII, LXXVIII, erected on conspicuous peaks and knolls to pillar No. LXXIX, which has been erected on a conspicuous peak above the upper Sherobo spring.

From here the boundary line runs in a straight line through pillars Nos. LXXX, LXXXI, LXXXII, LXXXIII, LXXXIV, LXXXV, LXXXVI, LXXXVII,

LXXXVIII to pillar No. LXXXIX, which has been erected on the point half-way between the new Chaman Fort and the Lashkar Dand out-post.

From this point the boundary line runs in a straight line through pillars Nos. XC and XCI to pillar No. XCII, which has been erected at the point half-way between the New Chaman Railway Station and the hill known as Mian Baldak.

With regard to the Sherobo spring, we have jointly agreed that the rain or subterranean water, which now flows down from above or may hereafter do so in the Sherobo nullahs, belongs to the Sultanzai Nurzai residents of Sherobo, and that no one on the part of the British Government will stop this water from above.

Clause No. 7.—Six maps are attached to this agreement to illustrate the position of the boundary line and the boundary pillars defined in each of the above six clauses. This joint agreement, and the maps attached to it, supersede the joint agreements and the maps signed by us at various times previous to this.

A. H. McMAHON,
Captain,
British Commissioner,
Indo-Afghan Boundary Commission,
Baluchistan Section.
February 26th, 1895.

SARDAR GUL MUHAMMAD KHAN,
Deputy Governor,
Afghan Commissioner,
Indo-Afghan Boundary Commission.
30th Shaban, 1312 A.H.
26th February, 1895 A.D.

TRANSLATION of a JOINT AGREEMENT executed by the LOWANAS and TARAKIS with regard to LANDS in TIRWAH.

This day, the 24th of the month of Rabi-ul-Awal, 1312 Hijrah (corresponding with the 25th September 1894), the matter of decision regarding lands situated in Tirwah between the Lowana and the Shabeh Khel Tarakis, inhabitants of Tirwah, was discussed in the presence of Khan Bahadur Hak Nawaz Khan and Abdur Rahman Khan, representatives of the British Commissioner, and Khan Sahib Mansur Khan, appointed on behalf of Sardar Gul Muhammad Khan. After discussion we agreed in this manner that we Lowana maliks, namely, Khan Zaman, Shamak, Garrai Khan and Morad Khan, on our own behalf and on behalf of the rest of the Lowana people appointed Ghulam Rasul and Sadik, the maliks of the Shabeh Khel Tarakis, as absolute agents, that both of them may take up in their hands the holy koran and divide the aforesaid disputed lands. Whatever line of boundary they may fix in those disputed lands between us, the Lowana people and the Shabeh Khel Tarakis, we, both the tribes, accept. If hereafter any one of us of either tribe should infringe this, our decision, all the disputed lands shall belong to that (of the two) tribe which abided by its agreement. These

few lines have therefore been written as agreement and to serve as a bond for the future.

(*Here follow the Signatures.*)

Seal of Khan Zaman, *son of Azak Khan, Lowana Malik.*
Mark of Garrai Khan, *son of Saleh, Lowana Malik.*
Seal of SHAMAK, *son of Azak Khan, Lowana Malik.*
Mark of MORAD KHAN, *son of Omar Khan, Lowana Malik.*
ABDUR RAHMAN,
Extra Assistant Commissioner, Upper Zhob.
HAK NAWAZ KHAN,
Extra Assistant Commissioner.
MANSUR KHAN,
Hakim of Mukur.
Mark of SADIK KHAN, *son of Alam Khan, Taraki Shabeh Khel.*
Seal of GHULAM RASUL KHAN, *son of Gul Khan, Taraki Shabeh Khel.*
Mark of KUDAI RAHM, *son of Ghulam, Taraki Shabeh Khel.*
Seal of MULLA ALWAN, *son of Wahab, Taraki Shabeh Khel.*
Mark of SULTAN MAHMUD, *son of Shah Morad, Taraki Shabeh Khel.*
Mark of SAIDAD, *son of Khalikdad, Taraki Shabeh Khel.*

No. XVII.

The EARL OF KIMBERLEY to M. DE STAAL.

Foreign Office, March 11, 1895.

YOUR EXCELLENCY,

As a result of the negotiations which have taken place between our two Governments in regard to the spheres of influence of Great Britain and Russia in the country to the east of Lake Victoria (Zor Koul), the following points have been agreed upon between us:—

1. The spheres of influence of Great Britain and Russia to the east of Lake Victoria (Zor Koul) shall be divided by a line which, starting from a point on that lake near to its eastern extremity, shall follow the crests of the mountain range running somewhat to the south of the latitude of the lake as far as the Bendersky and Orta-Bel passes.

From thence the line shall run along the same range while it remains to the south of the latitude of the said lake. On reaching that latitude it shall descend a spur of the range towards Kizil Rabat on the Aksu river, if that locality is found not to be north of the latitude of Lake Victoria, and from thence it shall be prolonged in an easterly direction so as to meet the Chinese frontier.

If it should be found that Kizil Rabat is situated to the north of the latitude of Lake Victoria, the line of demarcation shall be drawn to the nearest convenient point on the Aksu river, south of that latitude, and from thence prolonged as aforesaid.

2. The line shall be marked out, and its precise configuration shall be settled by a Joint Commission of a purely technical character, with a military escort not exceeding that which is strictly necessary for its proper protection.

The Commission shall be composed of British and Russian Delegates, with the necessary technical assistance.

Her Britannic Majesty's Government will arrange with the Amir of Afghanistan as to the manner in which His Highness shall be represented on the Commission.

3. The commission shall also be charged to report any facts which can be ascertained on the spot bearing on the situation of the Chinese frontier, with a view to enable the two Governments to come to an agreement with the Chinese Government as to the limits of Chinese territory in the vicinity of the line, in such manner as may be found most convenient.

4. Her Britannic Majesty's Government and the Government of His Majesty the Emperor of Russia engage to abstain from exercising any political influence or control—the former to the north, the latter to the south—of the above line of demarcation.

5. Her Britannic Majesty's Government engage that the territory lying within the British sphere of influence between the Hindu Kush and the line running from the east end of Lake Victoria to the Chinese frontier shall form part of the territory of the Amir of Afghanistan; that it shall not be annexed to Great Britain; and that no military posts or forts shall be established in it.

The execution of this agreement is contingent upon the evacuation by the Amir of Afghanistan of all the territories now occupied by His Highness on the right bank of the Panja, and on the evacuation by the Amir of Bokhara of the portion of Darwaz which lies to the south of the Oxus, in regard to which Her Britannic Majesty's Government and the Government of His Majesty the Emperor of Russia have agreed to use their influence respectively with the two Amirs.

I shall be obliged if, in acknowledging the receipt of this note, Your Excellency will record officially the agreement which we have thus concluded in the name of our respective Governments.

No. XVIII.

M. DE STAAL to the EARL of KIMBERLEY.—(Received March 11.)

Londres, le 27 Février (11 Mars), 1895.

M. le Comte,

J'ai eu l'honneur de recevoir la note que votre Excellence a bien voulu m'adresser en date de ce jour.

Cette communication énumère les dispositions de l'arrangement auquel ont abouti les négociations engagées entre le Gouvernement de l'Empereur, mon auguste Maître, et le Gouvernement de Sa Majesté Britannique, au sujet de la délimitation des sphères d'influence de la Russie et de la Grande-Bretagne dans le région des Pamirs à l'est du Lac Zor-Koul (Victoria).

Etant dûment autorisé à constater l'acceptation par mon Gouvernement du dit arrangement je me fais un devoir d'en réproduire les termes ci-après, savoir :—

1. Les sphères d'influence de la Russie et de la Grande-Bretagne à l'est du Lac Zor-Koul (Victoria) seront séparées par une ligne-frontière, laquelle, partant d'un point sur ce lac près de son extrémité orientale, suivra les crêtes de la chaîne de montagnes qui s'étend un peu au sud du parallèle de ce lac jusqu'aux passes de Bender et d'Orta Bel. De là, la ligne-frontière suivra la dite chaîne de montagnes tant que celle-ci se trouve au sud du parellèle du lac mentionné. En touchant cette latitude la ligne-frontière descendra le contrefort de la chaîne vers Kizil Rabat, situé sur le fleuve Aksu, si toutefois cette localitè ne se trouve pas au nord du parallèle du lac Victoria ; de cet endroit la ligne-frontière se prolongera dans unè direction orientale de manière à aboutir à la frontière Chinoise. S'il est constaté que Kizil Rabat est situé au nord du parallèle du lac Victoria, la ligne de dèmarcation sera tracée jusqu'au point le plus proche et le plus approprié situé sur le fleuve Aksu au sud de la latitude indiquée et de là sera prolongée ainsi qu'il a été dit plus haut.

2. La ligne-frontière sera démarquée et sa configuration précise fixée par une Commission Mixte revêtue d'un caractère purement technique et protégée par une escorte militaire que ne dépassera pas le nombre strictement nécessaire pour sa sécurité. La Commission sera composée de Délégués Russes et Anglais, avec les assistants nécessaires pour la partie technique.

Le Gouvernement de Sa Majesté Britannique s'accordera avec l'Emir d'Afghanistan sur le mode dont les intérêts de Son Altesse seraient représentés dans la Commission.

3. La Commission sera également chargée de rapporter toutes les données qui pourraient être recueillies sur place concernant la direction de la frontière Chinoise, dans le but de faciliter aux deux Gouvernements les moyens d'arriver à un accord avec le Gouvernement Chinois dans les termes qui seront jugés les plus convenables quant aux limites que comprendrait le territoire Chinois aboutissant à la ligne-frontiere Anglo Russe.

This para. has been amended, but there is no material alteration in the sense.

4. Le Gouvernement de Sa Majesté l'Empereur de Russie et le Gouvernement de Sa Majesté Britannique s'engagent à s'abstenir de l'exercice de tout contrôle ou influence politique, le premier au sud, le second au nord, de la dite ligne de demarcation.

5. Le Gouvernement de Sa Majesté Britannique s'engage à ce que le territoire compris dans la sphère d'influence Anglaise entre le Hindou-Kouch et la ligne partant de l'extrémité orientale du lac Victoria et rejoignant la frontière Chinoise, fasse partie des Etats de l'Emir d'Afghanistan, que ce territoire ne soit pas annexé à la Grande-Bretagne, et qu'il n'y sera établi ni postes militaires ni ouvrages fortifiés.

L'exécution du présent arrangement est subordonné à l'évacuation par l'Emir d'Afghanistan de tous les territoires occupés par Son Altesse sur la rive droite du Piandj, et à l'évacuation par l'Emir de Bokhara de la partie du Derwaz située au midi de l'Oxus, les Gouvernements de Sa Majesté l'Empereur de Russie et de Sa Majesté Britannique étant d'accord pour employer à cet effet leur influence respective auprès des deux Emirs.

J'ai. etc.,

STAAL.

No. XIX.

TRANSLATION of JOINT AGREEMENT executed by the JOINT BRITISH and AFGHAN COMMISSIONERS of the INDO-AFGHAN BOUNDARY COMMISSION,—1896.

We, the undersigned, Commissioners, deputed by our respective Governments to demarcate the boundary line between the territories of the Government of India and of His Highness the Amir of Afghanistan, westwards, from new Chaman to the Persian border, have arrived at the following mutual agreement regarding that boundary line :—

Clause No. I.—The boundary line to which we have mutually agreed runs from boundary pillar No. XCII, erected at a point half-way between the new Chaman railway station and the Mian Baldak hill, in a straight line in the direction of the Ghwazha outpost. This line has been marked by boundary pillars Nos. XCII, XCIII, XCIV, XCV, XCVI, XCVII, XCVIII, XCIX, C, CI, CII, CIII, CIV, CV, CVI, CVII, CVIII, CIX, CX, CXI, CXII, CXIII, CXIV to CXIV (1), which has been erected a few yards on the west, *i.e.*, Afghan side of the road commonly known as the Sina Lar which goes from Ghwazha towards Chaman. The boundary line, leaving this road within British territory, runs a few yards at a short distance to the west of, *i.e.*, on the Afghan side of, that road to boundary pillar No. CXV which has been erected at a point at a distance of half a mile on the Chaman side of the Ghwazha outpost. From here the boundary line runs in a straight line to pillar No. CXVI which has been erected at a point half mile due west of the Ghwazha outpost. Thence it runs in a straight line to boundary pillar No. CXVII, which has been erected at a point half mile south of the Ghwazha outpost and ten

yards on the east, *i.e.*, the British side of the road running from Ghwazha to Shorawak.

With regard to the water of the Iskamkanr and Ghwazha nullahs we have jointly agreed that the owners of that water should continue to enjoy the same right to that water as they now do, and the owners of that water whether they be in British or Afghan territory should continue, as hitherto, to enjoy the ownership of that water. No one else should interfere with either water.

Clause No. II.—We have jointly agreed that from boundary pillar No. CXVII the boundary line runs, as shown on the attached map, in a straight line southwards and slightly eastwards about one and a quarter miles to boundary pillar No. CXVIII erected on a small prominent knoll about three quarters of a mile from the road leading from Ghwazha to Shorawak commonly known as the Sila Lar. The boundary line then runs in a straight line southwards and slightly westwards to boundary pillar No. CXIX erected on a small knoll about half a mile to the east of the Sina Lar. It thence runs in a straight line in the same direction to boundary pillar No. CXX erected on a small knoll half a mile from the Sina Lar on the North bank of the Wuchdarra* nullah. From here the boundary line runs in a straight line south-eastwards across the Wuchdarra nullah to boundary pillar No. CXXI erected on a prominent knoll on the south bank of the Wuchdarra nullah on the spur which forms the southern watershed of that nullah. It thence runs in a south-eastward direction up along the crest of the southern watershed of the Wuchdarra nullah and its branches as demarcated by boundary pillars Nos. CXXII, CXXIII, CXXIV, CXXV, CXXVI, CXXVII, CXXVIII, CXXIX, to boundary pillar No. CXXX, which has been erected at the point where the above watershed meets the crest of the main watershed of the Khwaja Amran range. The boundary line now turns southwards and slightly westwards and runs along the crest of the main watershed of the Khwaja Amran range through boundary pillars Nos. CXXXI, CXXXII, CXXXIII, erected on peaks on that crest to boundary pillar No. CXXXIV, erected on a peak of the crest which marks the head of the Inzar and Kargu nullahs which flow into the Shista nullah. The boundary line thence runs down the southern watershed of the Inzar nullah, through boundary pillars Nos. CXXXV, CXXXVI, and CXXXVII, into the bed of the Shista nullah. The boundary line from here follows the centre of the bed of the Shista nullah until its junction with the Lora. It then follows the centre of the watercourse of the Lora for a short distance down the Lora to the junction of the Ghaldarra nullah and the Lora. From here the boundary line leaves the Lora and ascends along the centre of the bed of the Ghaldarra and along the centre of the bed of the middle one of the three main branches of that nullah to a point† on the crest of the watershed of the Sarlat range. Boundary pillar No. CXXXVIII has been erected on this point. The boundary line thence runs in a south and slightly westerly direction for about 22 miles along the crest of the main watershed of the Sarlat range to boundary pillar No. CXXXIX. This watershed is naturally

* Written Wuchadarra in Persian Agreement.

† *Office note.*—This point is on a saddle between two peaks, one N. W. and the other E. S. E. of the pillar. The peaks are away from the actual watershed.

well defined and it has not therefore been considered necessary to demarcate it with boundary pillars. From boundary pillar No. CXXXIX, which has been erected on a peak on the Sarlat watershed half-way between the head of the pass known as the Psha Pass and the head of the pass known as the Ashtarlak or Shutarlak Pass, the boundary line leaves the crest of the Sarlat watershed and runs south-eastwards in a straight line across the upper branches of the Sokhta nullah to boundary pillar No. CXL, which has been erected on a peak of the range which is here commonly known as Yahya Band which forms here the eastern watershed of the Sokhta nullah and its upper branches. From this point the boundary line continues in the same straight line to boundary pillar No. CXLI erected on a prominent peak at the head of the nullahs known as Kuchnai Dasht and Khatonaki. From this point the boundary line continues in the same straight line across the upper branches of the Kurram nullah to boundary pillar No. CXLII erected on a peak on the crest of the watershed which divides the water draining into the Kurram nullah on the west and that draining into Shorarud on the east. This peak is at the head of the Inzargai and the Zalai nullahs. From here the boundary line runs in a south-westerly direction for some 12 miles along the crest of the watershed which divides the water draining to the west into the upper branches of the Kurram and Goari nullahs, and that draining to the east into the Shorarud and Sangbur nullahs as far as boundary pillar No. CXLIII erected on a prominent peak situated on the same watershed at the head of the most eastern of the upper branches of the Tirkashi nullah. From here the boundary line runs in a straight line westwards and slightly southwards, crossing the head of the Tirkashi nullah to boundary pillar No. CXLIII (*a*) erected on a prominent peak commonly known as Dek at the head of the Tirkashi nullah. Continuing in the same straight line the boundary line crosses the head of the Dilshad nullah to boundary pillar No. CXLIII (*b*) erected on a prominent peak at the head of the Karawan Kush and Jori nullahs. From here the boundary line still continues in the same straight line and, crossing the Goari Manda nullah at a point where boundary pillar No. CXLIII (*c*) has been erected, runs to boundary pillar No. CXLIV erected on a prominent peak on the crest of the watershed of the Sarlat range and immediately south of the head of the nullah in which is situated the Mian Haibat Khan Ziarat and which flows eastwards into the Goari Mandah. This peak also happens to be situated exactly on the straight line between boundary pillar No. CXLIII, and a point two miles due south of the top of the low hill close to and south of the Kani well.

Clause No. III.—We have jointly agreed that from boundary pillar No. CXLIV erected on the crest of the main watershed of the Sarlat range, the boundary line runs, as shown in the attached map, in the same straight line westwards and slightly southwards to a point two miles due south of the top of the low hill which is close to and south of the Kani well. At this point boundary pillar No. CLVII has been erected. This straight line has been further marked by the following boundary pillars as shown in the map attached, *i.e.*, boundary pillar No. CXLV, which has been erected at a short distance from boundary pillar No. CXLIV, on a slightly lower ridge of the Sarlat range; boundary pillar No. CXLVI, erected

about two miles further down on the western slopes of the Sarlat; boundary pillar No. CXLVII erected on the north slope of a small prominent isolated hill known as Kambar Koh at the foot of the Sarlat; boundary pillars Nos. CXLVIII, CXLIX, CL, which have been erected on ridges of the sandhills which lie between the foot of the Sarlat range and the Lora river; boundary pillar No. CLI erected in the plain about 1¼ miles due east of the Lora river; boundary pillar No. CLII erected on the west bank of the Lora river; boundary pillar No. CLIII erected about 100 yards north of the Balandwal tower; boundary pillars Nos. CLIV and CLV erected on the plain; and boundary pillar No. CLVI erected at a point about 400 yards south of Partos Nawar, where the boundary line enters the sand-hills of Registan. Beyond this point, as far as boundary pillar No. CLVII, boundary pillars have not been erected owing to the sand. This straight line, from boundary pillar No. CXLIV to boundary pillar No. CLVII, passes about one mile south of the hill known as Jari Mazar, about two miles south of Siah Sang, about 7½ miles south of the Sayd Buzziarat and about 1¼ miles south of the Paprang Band. After entering the sand-hills of Registan at boundary pillar No. CLVI, some 400 yards south of Partos Nawar, the boundary line runs in a straight line through sand-hills to boundary pillar No. CLVII, which, as before mentioned, has been erected at a point two miles due south of the top of the small hill close to and south of the Kani well. From boundary pillar No. CLVII, the boundary line, which we have jointly agreed upon, runs in a straight line westwards and slightly northwards to the Shibian Kotal. This line crosses the north portion of the Lora Hamun. Boundary pillar No. CLVIII has been erected on the line at about 1½ miles north of the Kunzai hill which is situated on the west bank of the Lora Hamun. The boundary line thus passes to the north of the Gazechah wells. Boundary pillars Nos. CLIX and CLX, erected on high prominent peaks, mark where this line crosses the mountains between the Lora Hamun and the Shibian Kotal. Boundary pillar No. CLXI has been erected at the crest of the Shibian Kotal and is on the crest of the watershed dividing the water of the Shand nullah on the north from the water of the Shibian nullah on the south, which flows into the Lora Hamun. From the Shibian Kotal the boundary line, which we have jointly agreed upon, runs westwards, as shown in the attached map, along the south watershed of the Shand nullah to the head of that nullah and thence follows the crest of the main watershed which divides the nullahs which flow northwards through Pasht-i-koh from the Telaran, Mahian, Buznai and other nullahs and their branches which flow southwards. The boundary line follows this well defined watershed as far as the Mazari Kotal to boundary pillar No. CLXII, which has been erected on a peak on the crest of the same watershed just south of the Mazari Kotal. Between the Shibian and Mazari Kotals the watershed which forms the boundary is naturally well defined by a continuous line of high mountains with prominent peaks and it was considered unnecessary to further demarcate it.

Clause No. IV.—We have jointly agreed that the boundary line, from boundary pillar No. CLXII, near Mazari Kotal, runs for about 7½ miles along the same watershed, *i.e.*, that dividing the Mazari, Kushtagan and other nullahs on the south,

from the Barabchah nullah on the north, as shown in the attached map, as far as boundary pillar No. CLXIII, which has been erected on a prominent peak on that watershed. The boundary line then leaves this main watershed and runs north-west for about 3¾ miles along the crest of a spur, which separates the main, *i.e.*, northern branch of the Barabchah nullah, from the southern branches as far as boundary pillar No. CLXIV, which has been erected on a prominent peak at the end of that spur. From here the boundary line runs in a straight line westwards and slightly northwards for about 29 miles to boundary pillar No. CLXXII, which has been erected at a point six miles due south of Robat. Along this straight line, to mark the boundary, boundary pillars Nos. CLXV, CLXVI, CLXVII, CLXVIII, CLXIX, CLXX, CLXXI, have been erected at prominent points, as shown on the attached map.

From boundary pillar No. CLXXII, the boundary line, turning westwards and slightly southwards, runs in a straight line, except for a short distance at Jilijil, as noted below, to a point 12 miles due north of Amir Chah, through boundary pillars Nos. CLXXIII, CLXXIV, CLXXV and CLXXVI, as shown on the map attached. Boundary pillar No. CLXXV is situated on a hill known as Par close to and north of the Chah-i-Marak. Boundary pillar No. CLXXVI is at the foot of the southern slopes of the hill known as Lorai which is on the north bank of the nullah known as Chah-i-Marak nullah. From boundary pillar No. CLXXVI, the boundary line turns due south and runs to a distance of half a mile to the south of the bed of the large nullah in which Soru and Jilijil are situated. The Soru water is thus left on the British side and the Jilijil water on the Afghan side of the boundary line. The line then runs along the sand-hills at a distance of ½ a mile to the south of the bed of the above nullah to a point near Khaisan Lok where the main road from Jilijil to Darband leaves this nullah. Here the boundary line joins and thence runs along the straight line drawn between boundary pillar No. CLXXII and boundary pillar No. CLXXVII erected at a point 12 miles due north of Amir Chah. This line passes through the north slopes of a prominent sand-hill known as Khaisan Lok and passes about 2½ miles south of the top of the Kamarghar hill, about three miles south of the top of Gidan Koh, about 2½ miles south of the top of Harrag hill, about eight miles north of Darband and about seven miles north of the top of the Gharibo hill. Owing to the heavy sand along its course it has not been possible to demarcate the boundary line beyond Soru by boundary pillars.

Clause No. V.—We have jointly agreed that from boundary pillar No. CLXXVII, erected at the point 12 miles due north of Amir Chah, the boundary line runs in a straight line north-west, as shown in the attached map, for about 97 miles to the top of the Koh-i-Malik Siah. As this boundary line runs through sand and desert it has been considered unnecessary to demarcate it for some distance by boundary pillars. It passes about 22 miles north of the Koh-i-Dalil, about 20½ miles north of Drana Koh, about 10 miles north of the Garuk-i-Gori hill, about 16½ miles north of the Kirtaka spring. It passes about 1½ miles south of the most southern point of the God-i-Zirreh, about 8 miles south of the ruins of five old buildings, which are situated in a row a short distance to the south of the Shelag

nullah and commonly known as Gumbaz-i-Shah, about 13 miles south of the Ziarat-i-Shah-i-Mardan and ruins known as Godar-i-Shah on the north bank of the Shelag nullah. Between the point where this boundary line leaves the sand-hills and the top of the Koh-i-Malik Siah the following boundary pillars have been erected on this straight line, as shown in the attached map : *i.e.*, boundary pillars Nos. CLXXVIII, CLXXIX, CLXXX, CLXXXI, and CLXXXII, on the plain ; No. CLXXXIII on a conspicuous ridge of the low hills south of the Robat nullah ; No. CLXXXIV on the south bank of the Robat nullah ; No. CLXXXV on the north bank of the Robat nullah. From there the line crosses the eastern slopes of the Koh-i-Robat and runs up to boundary pillar No. CLXXXVI, which has been erected on the top of the Koh-i-Malik Siah. This line crosses the Robat nullah just above the lower Robat springs and leaves the upper Robat spring some 2½ miles on the south of it.

Clause No. VI.—Five maps are attached to this agreement and illustrate the position of the boundary line and the boundary pillars defined in each of the above five clauses. This joint agreement and the maps attached to it supersede the joint agreement and map signed by us previous to this.

A. H. McMAHON, *Captain,*
British Commissioner, Indo-Afghan
13th May 1896. *Boundary Commission, Baluchistan Section.*

MUHAMMAD UMAR KHAN,
Representative, on the Indo-Afghan Boundary Commission, of His Highness the Amir of Afghanistan ; signed as correct, dated 29th Ziqada, 1313 Hijra.

No. XX.

Dated the 1st February 1905.

From—COLONEL A. H. McMAHON, C.S.I., C.I.E., British Commissioner, Seistan Arbitration Commission,

To—The Persian and Afghan Commissioners.

After compliments.—The boundary line between the territories of your Governments in Seistan has now been demarcated with boundary pillars and I herewith send you the following maps and documents relating to that boundary line for the information of your respective Governments :—

(1) The final arbitral statement regarding demarcation of the boundaries of Seistan. This is written on parchment.

(2) A list containing the necessary details of latitude, longitude, construction, site, etc., of all the boundary pillars from Koh-i-Malik Siah to Siah Koh. This list is in three sheets and is a ferrotype reproduction.

(3) A map on the scale of 1 inch=4 miles, illustrating the whole boundary from Koh-i-Malik Siah to Siah Koh, Bandan. It is in two sheets and is drawn on tracing cloth.

(4) A map on the scale of 1 inch=1 mile in one sheet, illustrating only that portion of the boundary which lies between the point of separation of the Nad Ali channel and the Rud-i-Parian from the Helmund and Tappa-i-Tilai.

The above maps and documents all bear my signature and thoroughly explain the boundary line as now demarcated and will, I hope, prevent any doubts arising regarding it in the future.

I take this opportunity of conveying to you my thanks for the assistance given in the work of demarcation, and to express my sincere hope that the work now completed will prevent further disputes and strengthen the friendship between both parties. *Usual ending.*

Final Arbitral Statement on the Seistan Boundary by COLONEL A. H. MCMAHON, C.S.I., C.I.E., British Commissioner, Seistan Arbitration Commission, dated 1st February 1905.

1. The boundary line between Persia and Afghanistán in Seistan was defined in my arbitral award of November 1903 as follows :—

"The boundary line in Seistan between Afghanistan on the east and Persia on the west should run as follows, *i.e.*, from the Malik Siah Koh in a straight line to the Bandi-i-Kuhak and thence along the bed of the Helmund river to the point of separation* of its two branches, the Rud-i-Parian and Nad Ali channel. From there it should follow the bed of the Nad Ali channel into the Sikhsar and along the bed of Sikhsar to a point near Deh Yar Muhammad where the Sikhsar has been diverted towards the west in the water channel shown on the map which joins the Shela-i-Shamshiri near to Deh Hassan Kharot. The boundary line should follow the left bank of this water channel to the Shela-i-Shamshiri leaving Deh Hassan Kharot on the east. It should then run in a straight line separating the hamlets of Deh Ali Mardan on the west from Deh Ali Jangi on the east to Tappa-i-Tilai; thence in a straight line to the most western of the mounds of Tappa-i-Shaharaki; thence in a straight line to the most western mound of Tappa-i-Kurki; thence in a straight line to Shalghami, and thence in a straight line to Siah Koh, Bandan."

2. The above award having been accepted by both Governments, I have now demarcated the boundary line by boundary pillars in strict accordance with that word. The following remarks will clearly explain the boundary line and the manner in which that line has been demarcated by pillars.

* The word "junction" was used in my original award, and is now replaced by the more correct term "point of separation."

3. The starting point of the boundary line is marked by a boundary pillar on the summit of Malik Siah Koh which was constructed by the Afghan-Baluchistan Boundary Commission in 1896 and is known as Boundary Pillar No. 186 of that Commission.

The latitude and longitude of this and all other Seistan boundary pillars, the position of each with regard to prominent places visible from them, and all necessary particulars of their size and construction are fully stated in the list of boundary pillars attached to this statement.

4. The position of each boundary pillar is also clearly shown in the two maps attached to this.

5. From the top of Malik Siah Koh to the Band-i-Kuhak (also called Band-i-Seistan) the straight line of boundary has been marked by 51 pillars. As these are all in exactly one straight line a further description of each is unnecessary; and it suffices to say that No. 12 is on the south bank of the Shela, No. 36 on the north bank of the Sana rud, and No. 51 on the left bank of the Helmund river where the Rud-i-Seistan leaves that river at the Band-i-Kuhak. Between pillars Nos. 8 and 9 and between Nos. 12 and 13 are 3 and 8 miles respectively of heavy sand through which it was not possible to demarcate the line with pillars.

Besides these 51 pillars there are 16 smaller marks also exactly on the straight line. The positions and particulars of these are stated in the attached list of pillars. They bear the following numbers in that list:—13A, 14A, 15A, 16A, 17A, 18A, 18B, 18C, 21A, 23A, 23B, 25A, 25B, 26A, 32A, 43A, but in order to prevent confusion with boundary pillars they have been shown in the map attached to this only as small black dots without numbers.

6. From the Band-i-Kuhak demarcation with pillars was unnecessary along the course of the Helmund river as far as the point of separation of the Rud-i-Pariun and Nad Ali branches of that river. To mark this point pillar No. 52 has been built at a distance of 94 feet from the left, *i.e.*, Persian bank of the Nad Ali channel, and pillar No. 53 has been built at a distance of 65 feet from the right or Afghan bank of the same channel. The boundary line thence follows the Nad Ali channel. The old ruin of Burj-i-As marks the right bank of that channel near Nad Ali, and pillar No. 54 marks the right bank at the point where the Shela-i-Charakh leaves that channel. From pillar No. 54 the Nad Ali channel is known as the Sikhsar. Pillar No. 55 marks the left bank of the Sikhsar at the point where the Deh Dost Muhammad canal takes off from it, while pillar No. 56 also marks the left bank at the point where the Sikhsar again turns northwards. Pillar No. 57 has been built on a prominent mound called Tappa-i-Sikhsar which is situated at a distance of 240 feet from the right or Afghan bank of the Sikhsar.

Further north, pillar No. 58 which has been built at a distance of 109 feet from the right bank, and pillar No. 59, which is situated 20 feet from the left bank of the Sikhsar stream, mark the point where the boundary line leaves the Sikhsar as defined in my award. Pillar No. 58 is built alongside the site of Deh Yar

Muhammad. That village mentioned in my award has lately been deserted and no longer exists.

7. Further demarcation of the course of the Helmund river and the Nad Ali and the Sikhsar streams is at present impossible owing to the nature of the banks, which are liable to be inundated. Moreover further demarcation appears unnecessary at the present time as the course of the water in those streams clearly marks the boundary. Hereafter should any of those streams dry up by reason of a change in the course of the Helmund, and cease to be water channels, their course can easily be ascertained and demarcated, if necessary, with the aid of the pillars and places above described.

8. From pillar No. 59 the course of the boundary line is demarcated by pillars Nos. 60 and 61 built on the left bank of the water channel which joins the Shela-i-Shamshiri near Deh Hassan Kharot. Pillar No. 62 has been built to mark this point on the south bank of the Shela-i-Shamshiri close to Deh Hassan Kharot. From here the straight line to Tappa-i-Tilai has been marked by pillars Nos. 63, 64, and 65, the last named being built on the top of Tappa-i-Tilai. It is necessary to note here that the villages of Deh Ali Mardan and Deh Ali Jangi mentioned in my award as being on either side of this line have been deserted since my award was delivered and neither of them now exists.

9. To illustrate the boundary line from the point of separation of the Rud-i-Pariun and Nad Ali channels to Tappa-i-Tilai in greater detail than is possible in a map of 4 miles to one inch, a map of 1 mile to 1 inch of that portion of the boundary line is attached to this statement.

10. Pillar No. 66 has been built on the top of the most western of the Sharaki Tappas and the straight line onwards to Tappa-i-Kurki is marked by pillars Nos. 67 and 68, the latter being situated on the top of the most western of the Kurki Tappas. On the straight line between pillar No. 68 and Shalghami, which is marked by pillar No. 70, pillar No. 69 has been built. The land on which pillars Nos. 67 and 69 have been built is generally under water, but as it happened to be dry at the time of demarcation massive masonry pillars have been built at those points which it is hoped will last a long time.

11. From pillar No. 70 at Shalghami, the straight line of boundary to Siah Koh has been marked by 19 pillars, Nos. 71 to 90. Of these pillars some are built in Naizar lands subject to innundation, and every care has been taken to build them strong and massive enough to last a long time. The line from pillar No. 70 to pillar No. 76 passes 600 feet south of the most southern edge of a prominent Tappa called Tappa-i-Kharan, 3,223 feet south of the centre of top of southern face of Tappa-i-Shaghalak, and 1,485 feet south of the highest point of Tappa-i-Musjidak. Between pillars Nos. 76 and 77 the line crosses the open water of the Hamun and demarcation was impossible. Pillar No. 77 is on the west shore of the Hamun, and the line thence ascends the barren and waterless glacis and slopes of the Siah Koh. Pillar No. 90 is on the summit of Siah Koh, which is also known locally as the Nar-i-Ahu.

12. Two maps accompany this statement. One, in two sheets, is on a scale of 1 inch=4 miles and illustrates the whole boundary from Malik Siah Koh to Siah Koh. The other is on a scale of 1 inch=1 mile, and illustrates the boundary between the point of separation of the Rud-i-Pariun and Nad Ali channels of the Helmund and Tappa-i-Tilai only.

It should be noticed that the number of names of villages has been restricted as much as possible in these maps. This is due to the fact that most of the villages in Seistan frequently change not only their names but also their positions. Endeavour has been made to show only such villages as are likely to be permanent.

These maps should be considered as superseding those issued with my award of November 1903.

13. Attached to this statement is a list, already referred to, of all the boundary pillars, giving all necessary particulars of their position, size, construction, etc.

14. All measurements such as inches, feet, yards and miles in this statement and the accompanying list of boundary pillars, are English inches, feet, yards, and miles.

A. H. McMAHON, *Colonel*,
British Commissioner, Seistan Arbitration Commission.

Here follow the maps and complete detailed list of the boundary pillars (Not reproduced.)

No. XXI.

TREATY with AMIR HABIBULLA KHAN continuing the AGREEMENTS which had existed between the BRITISH GOVERNMENT and AMIR ABDUR RAHMAN KHAN, —1905.

HE is GOD. EXTOLLED be HIS PERFECTION!

His Majesty Siraj-ul-millat-wa-ud-din Amir Habibulla Khan, Independent King of the State of Afghanistan and its dependencies, on the one part, and the Honourable Mr. Louis William Dane, C.S.I., Foreign Secretary of the Mighty Government of India and Representative of the Exalted British Government on the other part.

His said Majesty does hereby agree to this that, in the principles and in the matters of subsidiary importance of the treaty regarding internal and external affairs and of the engagements which His Highness, my late father, that is, Zia-ul-millat-wa-ud-din, who has found mercy, may God enlighten his tomb! concluded and acted upon with the Exalted British Government, I also have acted, am acting and will act upon the same agreement and compact, and I will not contravene them in any dealing or in any promise.

The said Honourable Mr. Louis William Dane does hereby agree to this that as to the very agreement and engagement which the Exalted British Government concluded and acted upon with the noble father of His Majesty Siraj-ul-millat-wa-ud-din, that is, His Highness Zia-ul-millat-wa-ud-din, who has found mercy, regarding the internal and external affairs and matters of principle or of subsidiary importance, I confirm them and write that they (the British Government) will not act contrary to those agreements and engagements in any way or at any time.

Made on Tuesday the 14th day of Muharram-ul-Haram of the year 1323 Hijri, corresponding to the 21st day of March of the year 1905 A.D.

(Persian seal of Amir Habibulla Khan)

This is correct. I have sealed and signed.

AMIR HABIBULLA.

LOUIS W. DANE,

Foreign Secretary representing the Government of India.

No. XXII.

ARBITRAL AWARD ON THE SEISTAN WATER QUESTION, DATED THE 10TH APRIL 1905.

Preliminary Remarks.

Paragraph 1.—General Sir Frederick Goldsmid, as Arbitrator between Persia and Afghanistan, was called upon to settle the question of rights to land and water of Persia and Afghanistan in Seistan. He delivered an arbitral award on both points in 1872, which was confirmed by Her Majesty's Secretary of State for Foreign Affairs, and accepted by the Persian and Afghan Governments in 1873.

2. At the time of the above award, the Helmand river had one main distributary channel in Seistan, *i.e.*, the Rud-i-Seistan, at the mouth of which, in order to divert sufficient water into this Rud, was a tamarisk band known as the Band-i-Kohak or Band-i-Seistan. The Helmand river from thence onwards flowed in one channel past Nad Ali and along what is now known as the Sikhsar into the Naizar and Hamun. In 1896 a large flood caused the river to burst out for itself a new main channel, which left the old one near Shahgul and is now known as the Rud-i-Pariun.

3. Various disputes regarding water between Persian and Afghan Seistan, which were caused by changes in the course of canals and in the course of the main

river, have arisen since 1872. My enquiries show that these have, until recently, always been mutually and amicably settled by the responsible officials concerned on both sides, *i.e.*, the Governors of Seistan and Chakhansur. These officials, who thoroughly understood each other's water requirements, have always shown great tact and skill in settling water disputes to the mutual satisfaction of both countries.

4. Unfortunately of recent years, whatever may have been the cause, and whether this was due to the changes in the course of the main stream, or to more strained relations, the amicable settlement of water difficulties has been found to be no longer possible. A series of small, and in themselves unimportant, water questions arose between 1900 and 1902, which, by reason of estranged relations, caused mutual misunderstanding and increased ill-feeling, until matters were brought to a crisis by further disputes arising from abnormal deficiency of water in the Helmand in 1902. This led to the present reference to the arbitration of the British Government.

5. The condition under which the present arbitration has been agreed to by the Governments of Persia and Afghanistan is that the award should be in accordance with the terms of Sir Frederick Goldsmid's award.

6. In framing my award I am, therefore, restricted by the above condition.

7. Sir Frederick Goldsmid's award on the water question was as follows :— "It is to be clearly understood that no works are to be carried out on either side calculated to interfere with the requisite supply of irrigation on both banks of the Helmand." Her Majesty's Secretary of State for Foreign Affairs, in his capacity as the final confirming authority of that award further laid down in 1873, after consulting General Goldsmid, that the above clause should not be understood to apply either to existing canals or to old or disused canals that it may be desired to put in proper repair, nor would it interfere with the excavation of new canals, provided that the requisite supply on both banks is not diminished.

8. The above award is so definite that it is unnecessary to make any attempt to define it further, except on one particular point. This award provides that Persia has a right to a requisite supply of water for irrigation. In order to prevent future misunderstandings, it only remains to define what amount of water fairly represents a requisite supply for Persian requirements.

9. From the careful and exhaustive measurements, observations, and enquiries made by this Mission in Seistan, the following facts have been clearly established :—

(*a*) Seistan suffers more from excess than deficiency of water. Far more loss is caused by damage done to land and crops year after year by floods, than is caused by want of water for irrigation.

(*b*) In only very few exceptional abnormal years of low river has any question of sufficiency of water arisen in Seistan, and then Afghan Seistan has suffered equally with Persian Seistan. Moreover, questions as to the sufficiency of water only prove serious when the spring crop cultivation is concerned, when the river is at its lowest, *i.e.*, between the autumn and spring equinoxes, yet it has been

ascertained that in only 3 out of the past 35 years has there been any serious deficiency of water in Seistan during that season. It is necessary, therefore, first to consider water requirements during the season of spring crops. Any settlement based on the requirements of that season will meet the case of the remainder of the year also.

(*c*) After carefully calculating the normal volume of the Helmand river during the period between the autumn equinox and the spring equinox it has been clearly ascertained that one-third of the water which now reaches Seistan at Bandar-i-Kamal Khan would amply suffice for the proper irrigation of all existing cultivation in Persian Seistan, and also allow of a large future extension of that cultivation. This would leave a requisite supply for all Afghan requirements.

10. I therefore give the following award :—

AWARD.

Clause I.—No irrigation works are to be carried out on either side calculated to interfere with the requisite supply of water for irrigation on both banks of the river but both sides have the right, within their own territories, to maintain existing canals, to open out old or disused canals, and to make new canals, from the Helmand river, provided that the supply of water requisite for irrigation on both sides is not diminished.

Clause II.—The amount of water requisite for irrigation of Persian lands irrigable from and below the Band-i-Kohak is one-third of the whole volume of the Helmand river which enters Seistan.

Seistan, to which Sir Frederick Goldsmid's award applies, comprises all lands on both banks of the Helmand from Bandar-i-Kamal Khan downwards.

Clause III.—Persia is, therefore, entitled to one-third of the whole Helmand River calculated at the point where water is first taken off from it to irrigate lands on either bank situated at or below Bandar-i-Kamal Khan.

Clause IV.—Any irrigation works constructed by Afghanistan to divert water into Seistan lands, as above defined, must allow of at least one-third of the volume of the whole river being available for Persian use at Band-i-Kohak.

Clause V.—To enable both sides to satisfy themselves that this award is being complied with, and at the same time to avoid the necessity of fresh references to the British Government and the expense of special Missions, a British officer of irrigation experience shall be permanently attached to the British Consulate in Seistan. He will be empowered to give an opinion, when required by either party, on any case of doubt or dispute over water questions that may arise. He will, when necessary, take steps to bring the real facts of any case to the notice of the Government concerned. He will be able also to call the attention of either party to any important indications of threatening danger to their water-supply arising from natural causes or their own irrigation works. To enable this officer properly to fulfill the functions of his office, free access shall be given to him by either side to the Helmand river and its branches and the heads of canals leading therefrom.

Clause VI.—The maintenance of the Band-i-Kohak is of great importance to the welfare of Persian Seistan. It is possible that the deepening of the river bed at and below the site of the present band may necessitate moving the band a short distance further up the river. Afghanistan should allow Persia to move this band, if necessary, and grant Persia the right to excavate the short canal required for such new band through Afghan territory to the Rud-i-Seistan.

Similarly, should it become necessary for Afghanistan to move the present Shahgul Band across the Rud-i-Pariun somewhat lower down that stream, Persia should (as has been done before) allow Afghanistan right of way for a canal through Persian territory from that band to the Nad Ali Channel.

Clause VII.—It will be noted that the rights to the Helmand river which her geographical position naturally gives to Afghanistan as owner of the Upper Helmand, have been restricted to the extent stated above in favour of Persia in accordance with Sir Frederick Goldsmid's award. It follows, therefore, that Persia has no right to alienate to any other Power the water rights thus acquired without the consent of Afghanistan.

Clause VIII.—I cannot close this award without a word of warning to both countries concerned. The past history of the Helmand river in Seistan shows that it has always been subject to sudden and important changes in its course, which have from time to time diverted the whole river into a new channel and rendered useless all the then existing canal systems. Such changes are liable to occur in the future, and great care should, therefore, be exercised in the opening out of new canals, or the enlargement of old canals leading from the Helmand. Unless this is done with proper precaution, it may cause the river to divert itself entirely at such points and cause great loss to both countries. This danger applies equally to Afghanistan and Persia.

CAMP KOHAK,
The 10th April 1905.

A. H. MCMAHON, *Colonel,*
British Commissioner,
Seistan Arbitration Commission.

No. XXIII.

TREATY OF PEACE between the Illustrious BRITISH GOVERNMENT and the Independent AFGHAN GOVERNMENT, concluded at Rawalpindi on the 8th August 1919, corresponding to the 11th Ziqada, 1337 Hijra.

The following Articles for the restoration of peace have been agreed upon by the British Government and the Afghan Government :—

ARTICLE 1.

From the date of the signing of this Treaty there shall be peace between the British Government, on the one part, and the Government of Afghanistan on the other.

ARTICLE 2.

In view of the circumstances which have brought about the present war between the British Government and the Government of Afghanistan, the British Government, to mark their displeasure, withdraw the privilege enjoyed by former Amirs of importing arms, ammunition or warlike munitions through India to Afghanistan.

ARTICLE 3.

The arrears of the late Amir's subsidy are furthermore confiscated, and no subsidy is granted to the present Amir.

ARTICLE 4.

At the same time, the British Government are desirous of the re-establishment of the old friendship that has so long existed between Afghanistan and Great Britain, provided they have guarantees that the Afghan Government are, on their part, sincerely anxious to regain the friendship of the British Government. The British Government are prepared, therefore, provided the Afghan Government prove this by their acts and conduct, to receive another Afghan mission after six months for the discussion and settlement of matters of common interest to the two Governments and the re-establishment of the old friendship on a satisfactory basis.

ARTICLE 5.

The Afghan Government accept the Indo-Afghan frontier accepted by the late Amir. They further agree to the early demarcation by a British Commission of the undemarcated portion of the line west of the Khyber, where the recent Afghan aggression took place, and to accept such boundary as the British Commission may lay down. The British troops on this side will remain in their present positions until such demarcation has been effected.

ALI AHMAD KHAN,
Commissary for Home Affairs and Chief of the Peace Delegation of the Afghan Government.

A. H. GRANT,
Foreign Secretary to the Government of India and Chief of the Peace Delegation of the British Government.

ANNEXURE.

No. 7-P.O., dated Rawalpindi, the 8th August 1919.

From—The Chief British Representative, Indo-Afghan Peace Conference,

To—The Chief Afghan Representative.

After compliments.—You asked me for some further assurance that the Peace Treaty which the British Government now offer, contains nothing that interfered with the complete liberty of Afghanistan in internal or external matters.

My friend, if you will read the Treaty carefully you will see that there is no such interference with the liberty of Afghanistan. You have told me that the Afghan Government are unwilling to renew the arrangement whereby the late Amir agreed to follow unreservedly the advice of the British Government in regard to his external relations. I have not, therefore, pressed this matter: and no mention of it is made in the Treaty. Therefore, the said Treaty and this letter leave Afghanistan officially free and independent in its internal and external affairs.

Moreover, this war has cancelled all previous Treaties.—*Usual conclusion.*

No. XXIV.

TREATY between GREAT BRITAIN and AFGHANISTAN establishing Friendly and Commerical Relations.—Kabul, November 22nd, 1921.

(Ratifications exchanged at Kabul, February 6th, 1922.)

The British Government and the Government of Afghanistan, with a view to the establishment of neighbourly relations between them, have agreed to the Articles written hereunder whereto the undersigned duly authorised to that effect have set their seals :—

ARTICLE I.

The British Government and the Government of Afghanistan mutually certify and respect each with regard to the other all rights of internal and external independence.

ARTICLE II.

The two High Contracting Parties mutually accept the Indo-Afghan frontier as accepted by the Afghan Government under Article V of the Tr aty concluded at Rawalpindi on the 8th August, 1919, corresponding to the 11th Ziqada, 1337 Hijra, and also the boundary west of the Khyber laid down by the British Commission in the months of August and September 1919, pursuant to the said Article, and shown on the map * attached to this Treaty by a black chain line; subject only to the re-alignment set forth in Schedule I annexed, which has been agreed upon in order to include within the boundaries of Afghanistan the place known as Tor Kham, and the whole bed of the Kabul River between Shilman Khwala Banda and Palosai and which is shown on the said map * by a red chain line. The British Government agrees that the Afghan authorities shall be permitted to draw water in reasonable quantities through a pipe which shall be provided by the British Government from Landi Khana for the use of Afghan subjects at Tor Kham, and the Government of Afghansitan agrees that British officers and tribesmen

* Not reproduced.

living on the British side of the boundary shall be permitted without let or hindrance to use the aforesaid portion of the Kabul River for purposes of navigation and that all existing rights of irrigation from the aforesaid portion of the river shall be continued to British subjects.

ARTICLE III.

The British Government agrees that a Minister from His Majesty the Amir of Afghanistan shall be received at the Royal Court of London like the Envoys of all other Powers, and to permit the establishment of an Afghan Legation in London, and the Government of Afghanistan likewise agrees to receive in Kabul a Minister from His Britannic Majesty the Emperor of India and to permit the establishment of a British Legation at Kabul.

Each Party shall have the right of appointing a Military Attaché to its Legation.

ARTICLE IV.

The Government of Afghanistan agrees to the establishment of British Consulates at Kandahar and Jalalabad, and the British Government agrees to the establishment of an Afghan Consul-General at the headquarters of the Government of India and three Afghan Consulates at Calcutta, Karachi and Bombay. In the event of the Afghan Government desiring at any time to appoint Consular officers in any British territories other than India a separate agreement shall be drawn up to provide for such appointments if they are approved by the British Government.

ARTICLE V.

The two High Contracting Parties mutually guarantee the personal safety and honourable treatment each of the representatives of the other, whether Minister, Consul-General or Consuls, within their own boundaries, and they agree that the said representatives shall be subject in the discharge of their duties to the provisions set forth in the Second Schedule annexed to this Treaty. The British Government further agrees that the Minister, Consul-General and Consuls of Afghanistan shall, within the territorial limits within which they are permitted to reside or to exercise their functions, notwithstanding the provisions of the said Schedule, receive and enjoy any rights or privileges which are or may hereafter be granted to or enjoyed by the Minister, Consul-General or Consuls of any other Government in the countries in which the places of residence of the said Minister, Consul-General and Consuls of Afghanistan are fixed; and the Government of Afghanistan likewise agrees that the Minister and Consuls of Great Britain shall, within the territorial limits within which they are permitted to reside or to exercise their functions, notwithstanding the provisions of the said Schedule, receive and enjoy any rights or privileges which are or may hereafter be granted to or enjoyed by the Minister or Consuls of any other Government in the countries in which the places of residence of the said Minister and Consuls of Great Britain are fixed.

ARTICLE VI.

As it is for the benefit of the British Government and the Government of Afghanistan that the Government of Afghanistan shall be strong and prosperous, the British Government agrees that whatever quantity of material is required for the strength and welfare of Afghanistan, such as all kinds of factory machinery, engines and materials and instruments for telegraph, telephones, etc., which Afghanistan may be able to buy from Britain or the British Dominions or from other countries of the world, shall ordinarily be imported without let or hindrance by Afghanistan into its own territories from the ports of the British Isles and British India. Similarly the Government of Afghanistan agrees that every kind of goods, the export of which is not against the internal law of the Government of Afghanistan and which may in the judgment of the Government of Afghanistan be in excess of the internal needs and requirements of Afghanistan and is required by the British Government, can be purchased and exported to India with the permission of the Government of Afghanistan. With regard to arms and munitions, the British Government agrees that as long as it is assured that the intentions of the Government of Afghanistan are friendly and that there is no immediate danger to India from such importation in Afghanistan, permission shall be given without let or hindrance for such importation. If, however, the Arms Traffic Convention is hereafter ratified by the Great Powers of the world and comes into force, the right of importation of arms and munitions by the Afghan Government shall be subject to the proviso that the Afghan Government shall first have signed the Arms Traffic Convention, and that such importation shall only be made in accordance with the provisions of that Convention. Should the Arms Traffic Convention not be ratified or lapse, the Government of Afghanistan, subject to the foregoing assurance, can from time to time import into its own territory the arms and munitions mentioned above through the ports of the British Isles and British India.

ARTICLE VII.

No Customs duties shall be levied at British Indian ports on goods imported under the provisions of Article VI on behalf of the Government of Afghanistan, for immediate transport to Afghanistan, provided that a certificate signed by such Afghan authority or representative as may from time to time be determined by the two Governments shall be presented at the time of importation to the chief Customs officer at the port of import setting forth that the goods in question are the property of the Government of Afghanistan and are being sent under its orders to Afghanistan, and showing the description, number and value of the goods in respect of which exemption is claimed; provided, secondly, that the goods are required for the public services of Afghanistan and not for the purposes of any State monopoly or State trade; and provided, thirdly, that the goods are, unless of a clearly distinguishable nature, transported through India in sealed packages, which shall not be opened or sub-divided before their export from India.

And also the British Government agrees to the grant in respect of all trade goods imported into India at British ports for re-export to Afghanistan and ex-

ported to Afghanistan by routes to be agreed upon between the two Governments of a rebate at the time and place of export of the full amount of Customs duty levied upon such goods, provided that such goods shall be transported through India in sealed packages which shall not be opened or sub-divided before their export from India.

And also the British Government declares that it has no present intention of levying Customs duty on goods or livestock of Afghan origin or manufacture, imported by land or by river into India or exported from Afghanistan to other countries of the world through India and the import of which into India is not prohibited by law. In the event, however, of the British Government deciding in the future to levy Customs duties on goods and livestock imported into India by land or by river from neighbouring States, it will, if necessary, levy such duties on imports from Afghanistan; but in that event it agrees that it will not levy higher duties on imports from Afghanistan than those levied on imports from such neighbouring States. Nothing in this Article shall prevent the levy on imports from Afghanistan of the present Khyber tolls and of octroi in any town of India in which octroi is or may be hereafter levied, provided that there shall be no enhancement over the present rate of the Khyber tolls

ARTICLE VIII.

The British Government agrees to the establishment of trade agents by the Afghan Government at Peshawar, Quetta and Parachinar, provided that the personnel and the property of the said agencies shall be subject to the operations of all British laws and Orders and to the jurisdiction of British Courts; and that they shall not be recognised by the British authorities as having any official or special privileged position.

ARTICLE IX.

The trade goods coming to (imported to) Afghanistan under the provisions of Article VII from Europe, etc., can be opened at the railway terminuses at Jamrud, in the Kurram and at Chaman for packing and arranging to suit the capacity of baggage animals without this being the cause of reimposition of Customs duties; and the carrying out of this will be arranged by the trade representatives mentioned in Article XII.

ARTICLE X.

The two High Contracting Parties agree to afford facilities of every description for the exchange of postal matter between their two countries, provided that neither shall be authorised to establish post offices within the territory of the other. In order to give effect to this Article, a separate Postal Convention shall be concluded, for the preparation of which such number of special officers as the Afghan Government may appoint shall meet the officers of the British Government and consult with them.

ARTICLE XI.

The two High Contracting Parties having mutually satisfied themselves each regarding the goodwill of the other and especially regarding their benevolent intentions towards the tribes residing close to their respective boundaries, hereby undertake each to inform the other in future of any military operations of major importance which may appear necessary for the maintenance of order among the frontier tribes residing within their respective spheres, before the commencement of such operations.

ARTICLE XII.

The two High Contracting Parties agree that representatives of the Government of Afghanistan and of the British Government shall be appointed to discuss the conclusion of a Trade Convention, and the Convention shall in the first place be regarding the measures (necessary) for carrying out the purposes mentioned in Article IX of this Treaty. Secondly. (They) shall arrange regarding commercial matters not now mentioned in this Treaty which may appear desirable for the benefit of the two Governments. The trade relations between the two Governments shall continue until the Trade Convention mentioned above comes into force.

ARTICLE XIII.

The two High Contracting Parties agree that the First and Second Schedules attached to this Treaty shall have the same binding force as the Articles contained in this Treaty.

ARTICLE XIV.

The provisions of this Treaty shall come into force from the date of its signature, and shall remain in force for three years from that date. In case neither of the High Contracting Parties should have notified twelve months before the expiration of the said three years the intention to terminate it, it shall remain binding until the expiration of one year from the day on which either of the High Contracting Parties shall have denounced it. This Treaty shall come into force after the signatures of the Missions of the two parties and the two ratified copies of this shall be exchanged in Kabul within two and a half months after the signature.

MAHMUD TARZI,
Chief of the Delegation of the Afghan Government for the conclusion of the Treaty.

HENRY R. C. DOBBS,
Envoy Extraordinary and Chief of the British Mission to Kabul.

Tuesday, 30th Aqrab 1300 Hijra Shamshi (corresponding to 22nd November 1921).

This 22nd day of November 1921.

SCHEDULE I.

(Referred to in Article II.)

In the nulla bed running from Landi Khanna to Painda Khak Post, the Afghan frontier has been advanced approximately 700 yards, and the Tor Kham Ridge, including Shamsa Kandao and Shamsa Kandao Sar, is comprised in Afghan territory. Further, the Afghan frontier has been advanced between the point where the present boundary joins the Kabul River and Palosai from the centre of the river at the right bank.

SCHEDULE II.

Legations and Consulates.

(*a*) The Legations, Consulate-General and Consulates of the two High Contracting Parties shall at no time be used as places of refuge for political or ordinary offenders or as places of assembly for the furtherance of seditious or criminal movements or as magazines of arms.

(*b*) The Minister of His Britannic Majesty at the Court of Kabul shall, together with his family, secretaries, assistants, attachés, and any of his menial or domestic servants or his couriers who are British subjects, be exempt from the civil jurisdiction of the Afghan Government, provided that he shall furnish from time to time to the Afghan Government a list of persons in respect of whom such exemption is claimed and, under a like proviso, the Minister of the Amir to the Royal Court of London to which all the Ambassadors of States are accredited shall, together with his family, secretaries, assistants, attachés and any of his menial or domestic servants or his couriers who are Afghan subjects, be exempt from the civil jurisdiction of Great Britain. If an offence or crime is committed by an Afghan subject against the British Minister or the persons above-mentioned who are attached to the British Legation, the case shall be tried according to the local law by the Courts of Afghanistan within whose jurisdiction the offence is committed, and the same procedure shall be observed *vice versâ* with regard to offences committed in England by British subjects against the Afghan Minister or other persons above-mentioned attached to the Afghan Legation.

(*c*) (1) A Consul-General, Consuls and members of their staffs and households, who are subjects of the State in which they are employed, shall remain subject in all respects to the jurisdiction, laws and regulations of such State.

(2) A Consul-General, Consuls and members of their staffs and households, other than subjects of the State in which they are employed, shall be subject to the jurisdiction of the Courts of such State, in respect of any criminal offence committed against the Government or subjects of such State, provided that no Consul-General, Consul or member of their staff or household shall suffer any

punishment other than fine; provided also that both Governments retain always the right to demand recall from their dominions of any Consul-General, Consul or member of their staff or household.

(3) A Consul-General, Consuls and members of their staffs and households, other than subjects of the State in which they are employed, shall be subject to the jurisdiction of the Courts of the said State in respect of any civil cause of action arising in the territory of the said State, provided that they shall enjoy the customary facilities for the performance of their duties.

(4) The Consul-General of Afghanistan and Consuls shall have a right to defend the interests of themselves or any members of their staffs and households who are subjects of their own Governments in any Court through pleaders or by the presence of one of the Consulate officials, with due regard to local procedure and laws.

(*d*) The Ministers, Consul-General and Consuls of the two High Contracting Parties and the members of their staff and households shall not take any steps or commit any acts injurious to the interests of the Government of the country to which they are accredited.

(*e*) The Ministers, Consul-General and Consuls of the two Governments in either country shall be permitted to purchase or hire on behalf of their Governments residences for themselves and their staff and servants, or sites sufficient and suitable for the erection of such residence and grounds of a convenient size attached, and the respective Governments shall give all possible assistance towards such purchase or hire: provided that the Government of the country to which the Ministers or Consuls are accredited shall, in the event of an Embassy or Consulate being permanently withdrawn, have the right to acquire such residences or lands at a price to be mutually agreed on; and provided that the site purchased or hired shall not exceed 20 jaribs in area.

NOTE.—Each jarib = 60 × 60 yards. English 3,600 square yards.

(*f*) The Ministers, Consul-General and Consuls of the two Governments shall not acquire any immovable property in the country to which they are accredited without the permission of the Government of the said country.

(*g*) Neither of the two High Contracting Parties shall found a mosque, church or temple for the use of the public inside any of its Legations or Consulates, nor shall the Ministers, Consul-General or Consuls of either Government or their secretaries or members of their staffs and households engage in any political agitation or movement within the country to which they are accredited or in which they are residing.

(*h*) The Ministers, Consul-General and Consuls of the two High Contracting Parties shall not grant naturalisation or passports or certificates of nationality or other documents of identity to the subjects of the country in which they are employed in such capacity.

(*i*) The Ministers of the two High Contracting Parties, besides their own wives and children, may have with them not more than thirty-five persons, and a Consul-

General and Consuls, besides their own wives and children, not more than twenty persons. If it becomes necessary to employ in addition subjects of the Government of the country to which they are accredited, Ministers can employ not more than ten persons and Consul-General and Consuls not more than five persons.

(*j*) The Ministers, Consul-General and Consuls of the two High Contracting Parties shall be at liberty to communicate freely with their own Government and with other official representatives of their Government in other countries by post, by telegraph and by wireless telegraphy in cypher or *en clair*, and to receive and despatch sealed bags by courier or post, subject to a limitation in the case of Ministers of 6 lb. per week, and in the case of a Consul-General and Consuls of 4 lb. per week, which shall be exempt from postal charges and examination, and the safe transmission of which shall, in the case of bags sent by post, be guaranteed by the Postal Departments of the two Governments.

(*k*) Each of the two Governments shall exempt from the payment of Customs or other duties all articles imported within its boundaries in reasonable quantities for the personal use of the Minister of the other Government or of his family, provided that a certificate is furnished by the Minister at the time of importation that the articles are intended for such personal use.

APPENDIX.

(No. 1.)

Letter from British Representative to Sardar-i-Ala, the Afghan Foreign Minister.

After compliments.—With reference to the provisions contained in Article VI of the Treaty concluded between the Government of Afghanistan and the British Government regarding the importation of arms and munitions into Afghanistan through India, I have the honour to inform and assure you that, although the British Government has in that Article reserved to itself the right exercised by every nation to stop the transportation to a neighbouring country of arms and munitions, in the event of its not being assured of the friendly intentions of that country, the British Government has no desire to make trifling incidents an excuse for the stoppage of such arms and munitions. It would only be in the event of the Government of Afghanistan showing plainly by its attitude that it had determined on an unfriendly and provocative course of policy towards Great Britain contrary to the neighbourly Treaty above-mentioned that the latter State would exercise the right of stoppage. There is every ground for hope that such a contingency will never arise, in view of the friendly relations which are expected to spring from the Treaty which has now been concluded. (*Usual ending.*)

(No. 2.)

Letter No. 112, from Sardar-i-Ala, the Afghan Foreign Minister, to the British Representative at Kabul.

After compliments.—Regarding the purchase of arms and munitions which the Government of Afghanistan buys for the protection of its rights and welfare, from

the Governments of the world (and) imports to its own territory from the ports of Great Britain and British India, in accordance with Article VI of the Treaty between the two great Governments, I, in order to show the sincere friendship which my Government has with your Government, promise that Afghanistan shall, from time to time before the importation of the arms and munitions at British ports, furnish detailed list of those to the British Minister accredited to the Court of my sacred and great Government, so that the British Government having known and acquainted itself with the list and the number of imported articles should, in accordance with Article VI of the Treaty between the two Governments, afford the necessary facilities. (*Usual ending.*)

Dated, 29th Aqrab, A. H. 1300.

(No. 3.)

Letter No. 111, from Sardar-i-Ala, the Afghan Foreign Minister, to the British Representative at Kabul.

After compliments.—As in Article VII of the Treaty (between) the two great Governments of Britain and Afghanistan, your Government has with great sincerity granted a discriminating exemption from Customs duties on the goods required by my Government and on the trade goods transported to Afghanistan through the ports of Great Britain and British India and has not imposed Customs on goods produced and manufactured in Afghanistan, I therefore also, in consideration of the friendship (between) the two Governments, write that my Government will not give the opportunity of establishing a Consul-General or Consul or representatives of the Russian Government at the positions and territories of Jalalabad, Ghazni and Kandahar, which are contiguous to the frontiers of India. If the Consulates or representatives of the Government of Russia are allowed in the parts mentioned, the Government of Afghanistan shall not have the above-mentioned right of exemption. Of course, the temporary association of the Russian Minister with His Majesty's move to Jalalabad in winter will be an exception. (*Usual ending.*)

Dated, 30th Aqrab, A. H. 1300.

(No. 4.)

Letter from British Representative to Sardar-i-Ala, the Afghan Foreign Minister.

After compliments.—As the conditions of the frontier tribes of the two Governments are of interest to the Government of Afghanistan I inform you that the British Government entertains feelings of good will towards all the frontier tribes and has every intention of treating them generously, provided they abstain from outrages against the inhabitants of India. I hope that this letter will cause you satisfaction. (*Usual ending.*)

No. XXV.

ANGLO-AFGHAN TRADE CONVENTION,—1923.

Whereas in Article XII of the Anglo-Afghan Treaty executed on the 22nd November 1921, A.D. / 30th Aqrab 1300, Hijri Shamsi, the High Contracting Parties agree that Representatives of the two Governments should be appointed to discuss the conclusion of a Trade Convention :—

(*a*) to regulate the measures necessary for carrying out the purposes mentioned in Article IX of that Treaty, and

(*b*) to arrange regarding commercial matters not mentioned in that Treaty, wherefore the two Governments have named as their Representatives :—

British—	*Afghan*—
MAJOR JOHN ALOYSIUS BRETT,	AQA GHULAM MUHAMMAD KHAN, *Minister of Commerce,*
MR. WILLIAM WALKER NIND,	AQA FAIZ MUHAMMAD KHAN, *Assistant Foreign Secretary,*

to consider and discuss the matters above mentioned, and have also empowered them to consider and discuss commercial matters mentioned in Articles of the said Treaty other than Article IX and to conclude a Trade Convention covering all matters which they were authorised to consider and discuss.

Now therefore the aforesaid distinguished representatives after meeting in the Capital City of Kabul and perusing and exchanging their credentials, have concluded the following Articles :—

ARTICLE I.

Goods transiting India for export to Afghanistan in respect of which the benefits of Article VI or VII of the Anglo-Afghan Treaty of November 1921 A.D. (Aqrab 1300 Hijri Shamsi) are claimed shall leave India by one or other of the following routes :—

(1) Peshawar-Khyber-Torkham.
(2) Thal-Parachinar-Peiwar.
(3) Chaman-Kila-i-Jadid.

ARTICLE II.

The procedure with regard to the transit of Afghan State goods as defined in Article VII, paragraph (*i*) of the Anglo-Afghan Treaty in respect of which the benefit of that Article is claimed shall be that laid down in Appendix A to this Convention.

ARTICLE III.

The procedure with regard to Afghan trade goods in respect of which the benefits of Article VII, paragraph (*ii*) of the Anglo-Afghan Treaty is claimed shall be that laid down in Appendix B to this Convention.

ARTICLE IV.

The Afghan Government agrees to furnish to the British Minister at Kabul a reasonable number of copies of its Customs Tariff Schedule, and of all orders and notifications introducing any change in that Schedule, or in any other way affecting commerce between Afghanistan and any portion of the British Empire.

Similarly the British Government agrees to furnish to the Afghan Minister in London a reasonable number of copies of similar United Kingdom Tariff Schedules, orders and notifications, and to the Afghan Consul-General with the Government of India a reasonable number of Indian Tariff Schedules, orders and notifications.

ARTICLE V.

This Convention shall be ratified and ratifications shall be exchanged at London within two months of its signature. It shall come into force immediately upon ratification and shall remain in force for the same period as the Anglo-Afghan Treaty executed on the 22nd November 1921, A.D. / 30th Aqrab 1300, Hijri Shamsi.

CONCLUSION.

These five Articles having been stipulated and agreed to in the manner and form preceding, the aforesaid Representatives have agreed to the present Convention, drawn up in two copies, in English and Persian, each of them signed and sealed in their respective languages, each of which shall be of equal force; and have exchanged with each other the proper authenticated instrument.

Done at Kabul the fifth day of June 1923 A.D. (corresponding to the fifteenth Jauza, 1302 Shami Hijri.....).

J. A. BRETT.

GHULAM MUHAMMAD,
Minister of Commerce.

W. W. NIND.

FAIZ MUHAMMAD,
Assistant Foreign Secretary.

APPENDIX A.

Rules for the exemption from Customs duty of goods imported on behalf of the Government of Afghanistan.

The following procedure shall be adopted in giving effect to the Customs concessions granted under Articles VI and VII of the Treaty between the British Government and the Government of Afghanistan in respect of exemption from payment of duty on goods imported at British Indian ports on behalf of the Government of Afghanistan for immediate transport to that country.

Rule 1.—Goods purporting to be the property of the Afghanistan State shall, on arrival at the port of entry in India, be entered and cleared in the manner prescribed under the Sea Customs Act, but such goods shall be exempted from

payment of the duty chargeable under the tariff on production of a request in the attached Form A (in quadruplicate) signed by the Consul for Afghanistan or other agent of the Afghanistan Government, certifying that the goods are the property of the Government of Afghanistan, are required for the public services of Afghanistan and not for the purposes of any State monopoly or State trade and are being sent to Afghanistan under the orders of that Government. The request shall include a description of the nature and quantity of the goods and their value and shall also specify by which of the three authorised routes the goods are intended to be transported, *viz.*—

(1) Peshawar-Khyber-Torkham.

(2) Thal-Parachinar-Peiwar.

(3) Chaman-Kila-i-Jadid.

Rule 2.—In all cases in which free entry is allowed on the strength of such request, the goods shall be brought to the Customs House (or to any place specified by the Collector of Customs) for verification and shall, unless of a clearly distinguishable nature, be sealed with the Customs Seal in the presence of a Custom House officer before transmission.

Rule 3.—The Collector of Customs shall then forward to the British Frontier Customs Officer concerned two copies, and to the Government of India, Commerce Department, one copy of the prescribed Form A duly filled in by the Customs.

Rule 4.—The British Frontier Customs Officer, after examining the goods and being satisfied as to their identity, shall certify on one copy of the Form A sent to him that they have been transported to Afghanistan either in the same condition as when they left the port of entry or after being re-packed and re-sealed and shall return it to the Collector of Customs concerned. He shall forward the other copy to the British Minister at Kabul or such officer as the Minister may name in this behalf.

FORM A.

Consul for Afghanistan's Serial No.————————.

Customs Serial No.————————.

FROM

_____

I have the honour to request that the undermentioned goods imported per S. S.———————— which arrived at———————— on ———————— and which are being cleared by Messrs. ———————— may be admitted without payment of duty. I certify that the goods are the property of the Government of Afghanistan, are required for the public services of Afghanistan and not for the purposes of any State monopoly or State trade and are being sent to Afghanistan under orders of that Government *viâ* ———— ———————— (route). The goods will be presented before the Frontier Customs Officer or official named by him in this behalf for identification before crossing the border.

_____

Consul for Afghanistan (or other duly authorised Agent).

Dated————————.

Serial No.	Marks and Nos.	No. and description of packages.	Dimensions of packages.	Contents.	Value.
					Rs. As.

To be filled in by Customs.

Import General Manifest No.————————.

No. and date of Bill of entry————————.

Identified and all goods, except those of a clearly distinguishable nature, sealed in my presence.

Admit free.

_____ _____

Customs Examiner. *Collector of Customs.*

CUSTOMS HOUSE;

Dated————————*192* .

_____

Certified that the above-mentioned goods have been transported to Afghanistan in the same condition as when they left the port of entry. / after being re-packed and re-sealed.

_____

Frontier Customs Officer.

Dated————————*192* .

APPENDIX B.

Rules for the refund of Indian import duties on trade goods transmitting India to Afghanistan.

I.—Procedure at the Custom House.

Rule 1.—When goods are imported for re-export to Afghanistan, the importer or his agent shall, at the time of entering them at the Custom House—

(*a*) declare that the goods are intended for such re-export ;

(*b*) furnish, in quadruplicate, an invoice of the goods so declared in Form B annexed, specifying therein by which of the three authorised routes the goods are intended to be transported, *viz.*—

(1) Peshawar-Khyber-Torkham,

(2) Thal-Parachinar-Peiwar,

(3) Chaman-Kala-i-Jadid ;

(*c*) pay the duty chargeable under the tariff ;

(*d*) state whether he wishes the refund to be paid at the Custom House or at the nearest frontier Treasury.

Rule 2.—On compliance with the provisions of Rule 1, the goods shall be sealed with the Customs seal and delivered to the owner together with the original copy of the invoice duly checked and completed. At the same time the duplicate and triplicate copies of the invoice shall be forwarded by the Collector of Customs to the Frontier Customs Officer at railhead.

Rule 3.—In order to secure refund of the duty paid under Rule 1 (*c*), the importer or his agent must produce before the Collector of Customs or Officer in charge of the frontier Treasury named by him under Rule 1 (*d*) the original invoice duly endorsed—

(*a*) by the Frontier Customs Officer or Border Examiner to the effect that the goods have crossed the frontier in the presence of an Afghan Government official ;

(*b*) by an Afghan Government official to the effect that the goods have been received for registration and levy of Afghan Customs duty.

Rule 4.—The details of the goods covered by such invoice shall be entered by the Collector of Customs in a separate Register to be maintained for the purpose.

II.—Procedure at the Frontier (Railhead).

Rule 5.—On receipt of the invoices from the Collector of Customs, the Frontier Customs Officer shall retain the duplicate and forward the triplicate copy to the Border Examiner.

Rule 6.—Goods which require re-packing after arrival at railhead must be brought by the owner or his agent to one of the re-packing depôts established at

Peshawar, Thal or Chaman, where the Frontier Customs Officer or his subordinate appointed for the purpose shall check them with the original copy of the invoice and compare the latter with the duplicate copy received from the port of entry. If the seals are intact and the goods correspond with the description in the invoice, the Frontier Customs Officer shall allow the goods to be re-packed and re-sealed under his supervision, shall endorse on each copy of the invoice details of any changes in the number or description of the packages involved by such re-packing, shall return the goods to the owner together with the original copy of the invoice so endorsed, and shall forward the duplicate copy to the Border Examiner after noting the re-packing particulars in a Register to be maintained for the purpose. On receipt of the duplicate, the Border Examiner shall note the re-packing particulars on the reverse of the triplicate copy and return the duplicate.

III.—Procedure at the Frontier (Border).

Rule 7.—Goods which do not require re-packing and goods which have been re-packed in accordance with Rule 6, must be presented for inspection, and examination if necessary, at the time of crossing the Frontier, before the Border Examiner and the official appointed for this purpose by the Afghan Government. If on such inspection the seals affixed at the Custom House or re-packing depôt are intact and the packages correspond with the particulars given in the original and triplicate copies of the invoice, the Border Examiner and the Afghan Government official shall sign the appropriate certificates printed on the face of each copy of the invoice. The original copy of the invoice shall be returned to the owner and the triplicate to the Frontier Customs Officer at railhead. The Frontier Customs Officer shall sign the export certificate on the face of the duplicate invoice and transmit (1) the duplicate copy to the Collector of Customs or the Treasury Officer as the case may be, and (2) the triplicate copy to the Secretary, British Legation, Kabul, or other officer named by the Minister at Kabul in this behalf.

Rule 8.—The officer in charge of the Treasury concerned shall, before making payment of the refund, compare the original copy of the invoice produced by the owner with the duplicate copy received from the Frontier Customs Officer. After payment, he shall retain the original copy and transmit the duplicate to the Collector of Customs, with an endorsement to the effect that payment has been made.

FORM B.

No.———— *Dated*————*192* . Invoice (in quadruplicate) (Original).

Invoice of goods to be transmitted under Customs seal through British India to Afghanistan from————*by*———— viâ————(*route*).

1	2	3	4	5	6	7	8	9	10
Marks and numbers on packages.	Number and description of packages.	Description of goods.	Weight or quantity.*	Value for duty.*	Rate of duty.	Amount of duty.*	Number and date of bill of entry.	Gross weight of packages.	Attestation of British Officer identifying goods on arrival at
				Rs. A. P.		Rs. A. P.		Cwts. qrs. lb.	Certified that the goods mentioned herein have been duly identified, have passed the Frontier at ———— in their original condition (in an altered condition as noted on reverse) and have been handed over to an Afghan Government Official. ———— *British Official.* Certified that the goods mentioned herein have been received for registration and levy of Afghan Customs Duty. ———— *Afghan Government Official.*

* To be entered in words as well as in figures.

~~Certified that~~ the above-mentioned packages have been identified by me and sealed with the Customs seal under my supervision.

$\frac{I}{We}$ do declare the contents of this invoice to be truly stated and request that the refund of duty may be paid at————— ————Treasury.

Examiner, Custom House.

CUSTOM HOUSE,

Assistant Collector of Customs.

Owner————

————192 .

————192 .

Dated ————

Original packages and marks.	Number of new packages.

Certified that the above goods have been re-packed and re-sealed in my presence.

Dated————

Re-packing Depôt.

Frontier Custom Officer.

No. XXVI.

NOTES exchanged between HIS MAJESTY'S GOVERNMENT and the AFGHAN MINISTER in LONDON,—1930.

Mr. Arthur Henderson to His Highness General Shah Wali Khan.

(N. 2823/56/97.)

Foreign Office, 6th May 1930.

YOUR HIGHNESS,

We have agreed that it is desirable, in view of the recent accession to the Afghan Throne of His Majesty King Muhammad Nadir Shah, to reaffirm the validity of the Treaty concluded at Kabul on November 22nd, 1921, with the four Letters annexed thereto and the Trade Convention concluded on June 5th, 1923.

2. I accordingly have the honour to place on record that it is our understanding that these two Treaties continue to have full force and effect.

3. It is understood that the continuance of those facilities in points of detail which were found necessary and allowed in practice by either of the Parties to the Treaty of 1921 in the time of the former King, Amanullah Khan, shall form the subject of friendly arrangement in cases where such arrangement is necessary.

I have, etc.,

ARTHUR HENDERSON.

His Highness General Shah Wali to Mr. Arthur Henderson.

(*Agreed Translation.*)

Afghan Legation, London, 6th May 1930.

SIR,

I have received your note No. N-2823/56/97, dated May 6th, 1930, stating that we have agreed that it is desirable, in view of the recent accession to the Afghan Throne of His Majesty King Muhammad Nadir Shah, to reaffirm the validity of the Treaty concluded at Kabul on November 22nd, 1921, with the four Letters annexed thereto, and of the Trade Convention concluded on June 5th, 1923.

2. I have the honour, in reply, also to place on record that it is our understanding that these two Treaties continue to have full force and effect.

3. It is understood that the continuance of those facilities in points of detail which were found necessary and allowed in practice by either of the Parties to the Treaty of 1921 in the time of the former King, Amanullah Khan, shall form the subject of friendly arrangement in cases where such arrangement is necessary.

I have, etc.,

SHAH WALI.

APPENDICES.

APPENDICES.

PERSIA.

APPENDIX No. I.—[*See page 3.*]

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 Prophéte Mahomet, Bienaimé 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 Prophéte & 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.

* 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., Elle 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., espèrant qu'elle y consentira & ne permettra pas qu'il y soit fait aucun changement.

MEHEMED EMER ESCHREFF KAN.

APPENDIX No. II.—[*See page 4.*]

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 1er 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.—[*See page 4.*]

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 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 Musalmanisme & 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 glorieuse & 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

* Rousset : Vol. 19, page 477.

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 nouvelle 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 *Prœteriit quod prœteriit.* 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 déshonneur pour la Maj. des Hauts Contractans, proposant pour base de ce 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

* Wenck : Vol. 2, page 305.

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 deux sacrées & nobles Villes, le Maître des deux Terres & des deux Mers, le Sultan, Fils du Sultan, le Très-puissant, Très-redoutable, 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 Chargés d'Affaires seront défraïés & raisonnablement entretenus comme les hôtes des Cours où ils résideront, et ' 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 pratiquot anciennement, & se donneront bien de garde de contrevenir 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 *Dèrirmè.*

Customs Dues.

Quand les Marchands des deux Nations auront païé, selon l'exigence des lieux à Doüane des Marchandises qu'ils apporteront dans les Etats respectifs, on ne pourra les molester par aucune autre exaction.

Persian Pilgrims 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 Contractants, sans autre borne que la volonté de l'Être suprême.

Ratification.

Conclusion.—La Paix étant 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.—[*See page* 4.]

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 agrément 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 Famille & 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 acceptass ons le diadême royal ; mais voyant les troubles que les hérésies de Chah Ismail 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 rétérées, 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 fidèles 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 proposés, & 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 les 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'amitié, 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 ayent 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 côté. 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 & salut ! !

[January 1747.]

APPENDIX No. V.—[*See page 8.*]

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 Persians 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 1228 Higira.*

NICHOLAS RITISCHEUF. MIRZA ABUL HUSSEIN KHAN.

APPENDIX No. VI.—[*See page 8.*]

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 1.

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 countries. And on that frontier should the tribes of either side pass the boundaries for a summer or 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 possession 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 the 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 Judica-

ture, 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 capituiations 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 Zekaud 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.

MAHMUD UMMEER RAOOF.

MAHOMED ALI.

APPENDIX No. VII.—[*See page 8.*]

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;

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 l'ordre de St. Vladimir de la troisième classe, de St. Stanislas de Pologne de la 2nde classe,

the Sieur Alexander Obuskoff, 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.

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.

His Majesty the Shah of Persia, as well in his own name as in that 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 3.

Sa Majesté le Schah de Perse tant en son propre nom qu'en celui de ses héritiers et successeurs, céde en toute propriété à l'Empire de Russie le Khanat d'Erivan, tant en decà qu'en delà 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.

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

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

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 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 and 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 disembogue-ment) 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 separat-

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 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 mon tagnes, 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

ing the district of Zouvant from that of Archa, to the limits of Welkidgi, always conformably to the principle laid down 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.

de la cime des dites montagnes, tombera de la sorte en partage à la Russie.

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;—delà 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 nomades et autres qui habitent ces contrées.

ARTICLE 6.

With a view to compensate for the considerable sacrifices which 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.

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 8.

Russian merchant vessels shall enjoy as formerly the right of navi-

ARTICLE 6.

Dans le but de compenser les sacrifices considérables que la guerre 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 pécunniaire. 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.

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.

Les bâtimens marchands Russes jouiront, comme par le passé, du droit

gating in freedom the Caspian Sea, and of landing on its coasts. They shall find in Persia aid and assistance in case of shipwreck. The 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.

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 naufrage. 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.

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 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.

His Majesty the Emperor of all the Russias, and His Majesty the 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 10.

Sa Majesté l'Empereur de toutes les Russies, et Sa Majesté le Schah de 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 11.

All the affairs and demands of their respective subjects, suspended by the event of the war, shall be resumed and settled conformably 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 11

Toutes les affaires et réclamations des sujets respectifs, suspendues 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.

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 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 Jun Khan, et Kerim Khan, cidevant Gouverneur de 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

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 ommissaires, respectivement chargés de les recevoir et d'aviser à leur renvoi ultérieur dans

to their homes. The high contracting parties will 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.

leurs foyers. Les hautes parties contractantes en useront de même à l'égard de tous les prisonniers de guerre, et de tous les sujets Russes et Persans réciproquement tombés en captivité, qui 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'ils se présenteront, ou à mesure qu'ils les reclameront.

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

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 riviere dite Tehan, par le lac d'Oroumiah, par la riviere dite Djikaton, et par la riviere 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

refugees to settle in the Khanats of Karabagh and Nacktchivan, as well as in the portion of the 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 compatriots. 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.

Persans s'établissent, ou restent à demeure, dans les Khanats de Karabaugh et de Nacktchivan, 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 convenu entre les hautes parties contractantes que les sujets respectifs qui 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 from this date to

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 terme d'un an, à dater de ce

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 immovable 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.

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.

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.

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.

Le présent Traité, dressé en deux instruments de la même teneur, 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.

Signed by the Plenipotentiaries of the High Contracting Parties, Camp Turkomanchi, the 21st February 1828.

SEPARATE COMPACT (relative to COMMERCE and the SECURITY of RUSSIAN and PERSIAN SUBJECTS respectively) referred to in Article 10 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 or 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 Etats voisine 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 Etats 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 passed

ARTICLE 2.

Les contrats, lettres de change, cautionnements et autres actes passés par

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.

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, de la 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 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 leur entrée ou à leur 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.

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 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 Etats de la dite Puissance.

ARTICLE 5.

Seeing that, according to the existing usages in Persia, it is difficult for foreign subjects to find houses, warerooms or proper places for the storage of their merchandize to let, it is permitted to Russian subjects in Persia

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 sujets Russes en Perse

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.

non seulement de louer, mais aussi d'acquérir en toute propriété des maisons pour les habiter et des magasins ainsi que des emplacements 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 misdemeanour, and should thereby incur the penalty of the existing

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, qui leur 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 chatîment des lois existantes dans ce cas le Ministre Persan ou le Hakim et, à son défaut

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 action shall be brought and decided only in

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 instruite et jugée qu'au Defter, c'est-a-dire à la chancellerie suprême du Schah à Tabriz ou à Téhéran—également en présence

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.

d'un Drogman de la Mission ou du Consulat de Russie.

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 record or authentic summary of the proceedings, unless the accused should clearly demonstrate

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, Chargé d'Affaires, ou Consul de Sa Majesté Impériale, qui le renverra en Russie pour

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.

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 stipulations 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. VIII.– [*See page 11.*]

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 purpose 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 Victoria 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 possessed 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 experiened 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).

APPENDIX No. IX.—[*See page 11.*]

CONVENTION entre la RUSSIE et la PERSE, pour l'interprétation de L'ARTICLE XIV du TRAITÉ de PAIX de TOURKMANTCHAI (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 dan 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 objects 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'amitié qui les unit, demandent l'un a l'autre des passeports, on ne les refusera 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).

HADJI-MIRZA-AGASSY.

A. MEDEM.

* February 22, 1828, "State Papers," Vol. 15, page 669.

APPENDIX No. X.—[*See page 11.*]

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 above-mentioned 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. XI.—[*See page 12.*]

Traité d'Amitié 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 ;

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

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.

* Bushire. † Tabreez.

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.

Fait en double, en Français et en Persan, le 12 du mois de Juillet, de l'an du Christ, 1855, et le 27 du mois de Chawal de l'Hégire, l'année 1271, à Téhéran.

P. BOUREE.

MIRZA-AGA-KHAN.

APPENDIX No. XII.—[*See page 13.*]

PROTOCOL signed by PERSIAN and TURKISH REPRESENTATIVES 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 respectife.

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 n'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 élevée sans aucune demeuration que

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.

„ the MUSHEER-ED-DOWLAH,
Persian Envoy.

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 marques 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'élever 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 élevées en qui toutes gardent leur effet et vigueur.

Fait le 3 Août 1869.

AALI.

HOUSSEIN.

APPENDIX No. XIII.—[*See page 13.*]

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'Affairs 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. XIX.

APPENDIX No. XIV.—[*See page 15.*]

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 aux Consuls, sur leur demande 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 protéger, 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 continuelle ment 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 sujets des 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 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 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 espéce 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 espéces, effets, ustensiles et autres objets de valeur soient mis sous bonne garde, ainsi que cela se pratique a 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 ou 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 relévera, 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 procés 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 procés qui s'éléveraient entre des Allemands en Perse, seront examinés et jugés par les représentants respectifs prés la Haute Cour d'Iran, ou par les Consuls desquels ils relèveront ou les plus rapprochés de leur domicile, conformément aux lois de leur pays sans que l'autorité locale y puisse opposer le moindre empéchement ou la moindre difficulté.

Les procés, contestations et disputes qui s'elèveraient 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 procés une fois terminés par la sentence du juge compétent, ne pourront plus etre 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'égard de la nation la plus favorisée.

ARTICLE 17.

Le Gouvernement Impérial d'Allemagne s'engage à n'accorder à aucun sujet Persan de lettres de naturalisation, qu'à la condition expresse du 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 grandduché 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 seront 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 signé 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.

HENRI VII, prince DE REUSS.

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 le 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.

DE BISMARCK.

MIRZ HUSSEIN KHAN.

APPENDIX No. XV.—[*See page 15.*]

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 alterations 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 into 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 absorded 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.

MD. RASHID,
Minister for Foreign Affairs of the Turkish Government.

MUSHIN,
Minister Plenipotentiary of the Persian Government at Constantinople.

* Syro-Roman month of March.

APPENDIX No. XVI.—[*See page 15.*]

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 régissent 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 le 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, exempts 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 consulaire, 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 qui 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'égard 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 réglé 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. XVII.—[*See page 16.*]

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.

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. XVIII.—[*See page 16.*]

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. XIX.—[*See page 16.*]

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 $\frac{11th}{23rd}$ 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 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 Zenovief, his Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the Shah ;

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* From "State Papers," Vol. 73, 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 1.

"I have, etc.,

"RONALD F. THOMSON."

Earl Granville.

Who, having exchanged their respective full powers, found in good and due form, have agreed on the following Articles :—

ARTICLE 1.

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 that 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 1 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

*See note, p. lxxi.

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 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 Russian 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.

MIRZA-SAID-KHAN, *Minister,*
Foreign Affairs of Persia.

IVAN ZENOVIEF.

APPENDIX No. XX.—[*See page 18.*]

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 regards 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 th

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 to 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. XXI.—[*See page 18.*]

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. XXII.—[*See page 18.*]

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. 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 Kalla may 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. 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 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 a tacit recognition of their own rights.

‡ It is for the Persians to prove he was not. 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.

C.M.

* Under-ground canals.

† Already submitted to Government of India.

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.

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.

‡ The Afghans will also have a considerable area of arable land at Chahar Kalla, as well as the large tract near the mouth 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.

C.M.

C. S. MACLEAN,

Brigadier-General.

MESHED:

The 9th November 1888.

APPENDIX No. XXIII.—[*See page 18.*]

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 á 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 any 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. XXIV.—[*See page 18.*]

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 Teheran, $\frac{\text{October 27}}{\text{November 9}}$, 1901.

[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.

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

*Appendix VII. †Not reproduced.

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 Persanes pourront, aux conditions du présent arrangement, être librement exportées de l'un dans l'autre des deux Etats sous a 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 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 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 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 vaste 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 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 a 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 le 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 á 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 baisse 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 á 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.

ARGYROPOULO.

GOLOUBEW.

ATABEK-AZAM.

NAUS.

APPENDIX No. XXV.—[*See page 20.*]

TREATY of FRIENDSHIP between PERSIA and the RUSSIAN SOCIALIST FEDERAL SOVIET REPUBLIC, SIGNED at MOSCOW, February 26, 1921.

The Persian Government of the one part, and the Russian Socialist Federal Soviet Republic of the other part, desiring to establish relations of friendship and fraternity between the two nations, have decided to engage in negotiations for this purpose, and have therefore appointed the following Plenipotentiaries :—

For Persia : Ali Gholi Khan Mochaverol-Memalek, and for Russia : O. V. Tchitcherin : who after the verification of their respective powers, have agreed as follows :—

ARTICLE 1.

In order to confirm its declarations regarding Russian policy towards the Persian nation, which formed the subject of correspondence on January 14, 1918 and June 26, 1919, the R. S. F. S. R. formally affirms once again that it definitely renounces the tyrannical policy carried out by the Colonizing Governments of Russia which have been overthrown by the will of the workers and peasants of Russia.

Inspired by this principle, and desiring that the Persian people should be happy and independent and should be able to dispose freely of its patrimony, the Russian Republic declares the whole body of treaties and conventions concluded with Persia by the Tsarist Government, which crushed the rights of the Persian people, to be null and void.

ARTICLE 2.

The R. S. F. S. R. expresses its reprobation of the policy of the Tsarist Governments of Russia, which, on the pretext of ensuring the independence of the peoples of Asia, concluded, without the consent of the latter, treaties with European Powers, the sole object of which was to subjugate those peoples.

This criminal policy, which infringed upon the independence of the countries of Asia and which made the living nations of the East a prey to the cupidity and the tyranny of European robbers, is abandoned unconditionally by Federal Russia.

Federal Russia, therefore, in accordance with the principles laid down in Articles a and 4 of the Treaty, declares its refusal to participate in any action which might destroy or weaken Persian sovereignty. It regards as null and void the whole body of treaties and conventions concluded by the former Russian Government with third parties in respect of Persia or to the detriment of that country.

ARTICLE 3.

The two Contracting Powers agree to accept and respect the Russo-Persian frontiers, as drawn by the Frontier Commission in 1881.

At the same time, in view of the repugnance which the Russian Federal Government feels to enjoying the fruit of the policy of usurpation of the Tsarist Government, it renounces all claim to the Achouradeh Islands and to the other islands on the Astrabad Littoral, and restores to Persia the village of Firouzeh and the adjacent land ceded to Russia in virtue of the Convention of May 28, 1893.

The Persian Government agrees for its part that the Russian Sarakhs, or " old " Sarakhs, and the land adjacent to the Sarakhs River, shall be retained by Russia.

The two High Contracting Parties shall have equal rights of usage over the Atrak River and the other frontier rivers and waterways. In order finally to solve the question of the waterways and all disputes concerning frontiers or territories, a Commission, composed of Russian and Persian representatives, shall be appointed.

ARTICLE 4.

In consideration of the fact that each nation has the right to determine freely its political destiny, each of the two Contracting Parties formally expresses its desire to abstain from any intervention in the internal affairs of the other.

ARTICLE 5.

The two High Contracting Parties undertake

(1) To prohibit the formation or presence within their respective territories of any organizations or groups of persons, irrespective of the name by which they are known, whose object is to engage in acts of hostility against Persia or Russia, or against the Allies of Russia.

They will likewise prohibit the formation of armed troops within their respective tersitories with the aforementioned object.

(2) Not to allow a third Party or any organization, whatever it be called, which is hostile to the other Contracting Party, to import or to convey in transit across their countries material which can be used against the other Party.

(3) To prevent by all means in their power the presence within their territories or within the territories of their Allies of all armies or forces of a third Party in cases in which the presence of such forces would be regarded as a menace to the frontiers, interests or safety of the other Contracting Party.

ARTICLE 6.

If a third Party should attempt to carry out a policy of usurpation by means of armed intervention in Persia, or if such Power should desire to use Persian territory as a base of operations against Russia, or if a Foreign Power should threaten the frontiers of Federal Russia or those of its Allies, and if the Persian Government should not be able to put a stop to such menace after having been once called upon to do so by Russia, Russia shall have the right to advance her troops into the Persian interior for the purpose of carrying out the military operations necessary for its defence. Russia undertakes, however, to withdraw her troops from Persian territory as soon as the danger has been removed.

ARTICLE 7.

The considerations set forth in Article 6 have equal weight in the matter of the security of the Caspian Sea. The two High Contracting Parties therefore have agreed that Federal Russia shall have the right to require the Persian Government to send away foreign subjects, in the event of their taking advantage of their engagement in the Persian navy to undertake hostile action against Russia.

ARTICLE 8.

Federal Russia finally renounces the economic policy pursued in the East by the Tsarist Government, which consisted in lending money to the Persian Government, not with a view to the economic development of the country, but rather for purposes of political subjugation.

Federal Russia accordingly renounces its rights in respect of the loans granted to Persia by the Tsarist Governments. It regards the debts due to it as void, and will not require their repayment. Russia likewise renounces its claims to the resources of Persia which were specified as security for the loans in question.

ARTICLE 9.

In view of the declaration by which it has repudiated the colonial and capitalist policy which occasioned so many misfortunes and was the cause of so much bloodshed, Federal Russia abandons the continuation of the economic undertakings of the Tsarist Government the object of which was the economic subjugation of Persia. Federal Russia therefore cedes to the Persian Government the full ownership of all funds and of all real and other property, which the Russian Discount Bank possesses on Persian territory, and likewise transfers to it all the assets and liabilities of that Bank. The Persian Government nevertheless agrees that in the towns where it has been decided that the Russian Socialist Republic may establish Consulates, and where buildings exist belonging to the Discount Bank, one of these buildings, to be chosen by the Russian Government, shall be placed at the disposal of the Russian Consulate, free of charge.

ARTICLE 10.

The Russian Federal Government, having abandoned the colonial policy, which consisted in the construction of roads and telegraph lines more in order to obtain military influence in other countries than for the purpose of developing their civilizations, and being desirous of providing the Persian people with those means of communication indispensable for the independence and development of any nation, and also in order to compensate the Persian people as far as possible for the losses incurred by the sojourn in its territory of the Tsarist armies, cedes free of charge to the Persian Government the following Russian installations :—

(*a*) The high-roads from Enzeli to Tehran, and from Kazvin to Hamadan, and all land and installations in connection with these roads.

(*b*) The rail-road Djoulfa-Tauris-Sofian Urmiah, with all installations, rolling-stock and accessories.

(*c*) The landing-stages, warehouses, steamships, canals and all means of transport of the lake of Urmiah.

(*d*) All telegraph and telephone lines established in Persia by the Tsarist Government, with all movable and immovable installations and dependencies.

(*e*) The port of Enzeli and the warehouses, with the electrical installation and other buildings.

ARTICLE 11.

In view of the fact that the Treaty of Turkomantchai, concluded on February 10, 1828 (old style), between Persia and Russia, which forbids Persia, under the terms of Article 8, to have vessels in the waters of the Caspian Sea, is abrogated in accordance with the principles set forth in Article 1 of the present Treaty, the two High Contracting Parties shall enjoy equal rights of free navigation on that Sea, under their own flags, as from the date of the signing of the present Treaty.

ARTICLE 12.

The Russian Federal Government, having officially renounced all economic interests obtained by military preponderance, further declares that, apart from the concessions which form the subject of Articles 9 and 10, the other concessions obtained by force by the Tsarist Government and its subjects shall also be regarded as null and void.

In conformity with which the Russian Federal Government restores, as from the date of the signing of the present Treaty, to the Persian Government, as representing the Persian people, all the concessions in question, whether already being worked or not, together with all land taken over in virtue of those concessions.

Of the lands and properties situated in Persia and belonging to the former Tsarist Government, only the premises of the Russian Legation at Tehran and Zergundeh with all movable and immovable appurtenances, as well as all real and other property of the Consulates and Vice-Consulates, shall be retained by Russia. Russia abandons, however, her right to administer the village of Zergundeh, which was assigned by the ex-Government of the Tsar.

ARTICLE 13.

The Persian Government, for its part, promises not to cede to a third Power or to its subjects, the concessions and property restored to Persia by virtue of the present Treaty, and to maintain those rights for the Persian nation.

ARTICLE 14.

The Persian Government, recognizing the importance of the Caspian fisheries for the food supply of Russia, promises to conclude with the Food Service of the

Russian Socialist Federal Soviet Republic immediately upon the expiry of the legal period of these existing engagements, a contract relating to the fisheries, containing appropriate clauses. Furthermore, the Persian Government promises to examine, in agreement with the Government of the Russian Socialist Federal Soviet Republic, the means of at once conveying the produce of the fisheries to the Food Service of Soviet Russia pending the conclusion of the above contract.

ARTICLE 15.

In accordance with the principle of liberty of conscience proclaimed by Soviet Russia, and with a desire to put an end, in Moslem countries, to religious propaganda, the real object of which was to exercise political influence over the masses and thus to satisfy the rapacity of the Tsarist Government, the Government of Soviet Russia declares that the religious settlements established in Persia by the former Tsarist Government are abolished. Soviet Russia will take steps to prevent such missions from being sent to Persia in the future.

Soviet Russia cedes unconditionally to the nation represented by the Persian Government the lands, property and buildings belonging to the orthodox Mission situated at Urmiah together with the other similar establishments. The Persian Government shall use these properties for the construction of schools and other institutions intended for educational purposes.

ARTICLE 16.

By virtue of the communication from Soviet Russia, dated June 25, 1919, with reference to the abolition of consular jurisdictions, it is decided that Russian subjects in Persia and Persian subjects in Russia shall, as from the date of the present Treaty, be placed upon the same footing as the inhabitants of the towns in which they reside ; they shall be subject to the laws of their country of residence, and shall submit their complaints to the local courts.

ARTICLE 17.

Persian subjects in Russia and Russian subjects in Persia shall be exempt from military service and from all military taxation.

ARTICLE 18.

Persian subjects in Russia and Russian subjects in Persia shall, as regards travel within the respective countries, enjoy the rights granted to the most favoured nations other than countries allied to them.

ARTICLE 19.

Within a short period after the signature of the Present Treaty, the two High Contracting Parties shall resume commercial relations. The methods to be adopted for the organization of the import and export of goods, methods of payment, and

customs duties to be levied by the Persian Government on goods originating in Russia, shall be determined, under a commercial convention, by a special commission consisting of representatives of the two High Contracting Parties.

ARTICLE 20.

Each of the two High Contracting Parties grants to the other the right of transit for the transport of goods passing through Persia or Russia and consigned to a third country.

The dues exacted in such cases shall not be higher than those levied on the goods of the most favoured nations other than countries allied to the Russian Socialist Federal Soviet Republic.

ARTICLE 21.

The two High Contracting Parties shall open telegraphic and postal relation between Russia and Persia within the shortest possible period after the signature of the present Treaty.

The conditions of these relations shall be fixed by a postal and telegraphic convention.

ARTICLE 22.

In order to consolidate the good relations between the two neighbouring Powers and to facilitate the realization of the friendly intentions of each country towards the other, each of the High Contracting Parties shall, immediately after the signature of the present Treaty, be represented in the capital of the other by a Plenipotentiary Representative, who shall enjoy the rights of extra-territoriality and other privileges to which diplomatic representatives are entitled by international law and usage and by the regulations and customs of the two countries.

ARTICLE 23.

In order to develop their mutual relations, the two High Contracting Parties shall establish Consulates in places to be determined by common agreement.

The rights and duties of the Consuls shall be fixed by a special agreement to be concluded without delay after the signature of the present Treaty. This agreement shall conform to the provisions in force in the two countries with regard to consular establishments.

ARTICLE 24.

This Treaty shall be ratified within a period of three months. The exchange of ratifications shall take place at Tehran as soon as possible.

ARTICLE 25.

The present Treaty is drawn up in Russian and Persian. Both texts shall be regarded as originals and both shall be authentic.

ARTICLE 26.

The present Treaty shall come into force immediately upon signature.

In faith whereof the undersigned have signed the present Treaty and have affixed their seals thereto.

Done at Moscow, February 26, 1921.

G. TCHITCHERIN.

L. KARAKHAN.

Mochaverol-Memalek.

Single Article.

With reference to the letter* No. 1600, dated the 20th *Qaus* 1300 Shamsi (corresponding to 12th December 1921), from the Plenipotentiary Representative of Soviet Russia to the Minister of Foreign Affairs, Persia, the Mejliss Shura-i-Milli (Persian National Assembly) does hereby authorize the Government to exchange the Treaty of Friendship, concluded between the Representatives of the Exalted Persian Government and the Russian Soviet Republic and comprising 26 Articles and this Supplement.

Dated 23rd Qaus 1300 Shamsi (corresponding to 15th December 1921).

MOTAMIN-UL-MULK,

President, Mejliss Shura-i-Milli.

(National Assembly).

With the help of God, the Exalted—

Having perused the Treaty of Friendship, dated 8th *Hout* 1299 Shamsi (corresponding to the 26th February 1921) concluded between Us and the Soviet Republic of Russia and comprised in 26 Articles, and which has been submitted to Us, after ratification by the Mejliss Shura-i-Milli (Persian National Assembly), with reference to the letter No. 1600,* dated the 20th *Qaus* 1300 Shamsi (corresponding to 12th December 1921), from the Plenipotentiary Representative of Soviet Russia to Our Minister for Foreign Affairs,

Now We, Sultan Ahmad Shah Qajar, King of all the dependencies of Persia, do hereby confirm and ratify it and affix unto it Our Sign Manual and seal it with Our Auspicious Seal.

Done at the Government Castle at Farrukhabad, the 25th Jamadi-ul-ula, 1340 Hijra corresponding to 4th *Dalv* 1300 Shamsi (corresponding to 24th January 1922).

ROYAL SIGN MANUAL

Royal Seal

* Annexure IV

Report of the Committee for Exchange of Ratification of the Treaty concluded at Moscow between the Russian Socialist Federal Soviet Republic and Persia.

We, the undersigned, having met to exchange the Treaty of Concord, concluded between the Russian Socialist Federal Soviet Republic and Persia on the 26th February 1921, and transmitted to us with the signatures of His Majesty the Shah of Persia and Monsieur Schmitdvitch, Vice-President of the Central Executive Committee of All-Russia, and having examined that the mutual ratifications of the aforesaid Treaty conform to each other and have been correctly executed,

Now, we do proceed to exchange them—

In witness whereof the undersigned, having drawn up this Report in two versions, set our seals unto them.

Done at Tehran, the 26th February 1922, corresponding the 7th *Hout* 1300 Shamsi.

HAKIM-UL-MULK.

Seal of Hakim-ul-Mulk.

ANNEX I.

Petrograd,

January 14th, 1918.

Monsieur le Ministre Plénipotentiaire,

In view of the fact that the Persian nation is in doubt with regard to the future of the Anglo-Russian Convention of 1907, I have the honour, in the name of the Government of the Soviet Republic of Russia, to inform you as follows :—

In full conformity with the principles of international policy laid down by the second Session of the All Russian Soviets on the 26th October 1917, the Council of the People's Commissaries hereby declares that the Anglo-Russian Convention, 1907, in view of its inconsistency with the freedom and independence of the Persian nation, is completely and perpetually annulled.

The Council of the People's Commissaries further declares that all conventions concluded prior or subsequently to the aforesaid Convention and which limit or diminish, in any respect whatsoever, the rights of the Persian people in relation to a free and independent existence are null and void. And, with regard to those Russian troops which have not yet returned and are, thereby, a source of trouble to the Persian people, I beg to assure you, Monsieur le Ministre Plénipotentiaire, that this state of affairs is contrary to our intention and is due to the ignorance of a section of the soldiery and the mischievous intentions of the anti-revolutionary elements amongst their officers. The Soviet Government, of its part, will take necessary measures to liberate Persia from the hands of the former Tsarist functionaries and Imperialist Bourgeois, who are equally the enemies of the

Persian and Russian Nations. All Russian subjects who may have been guilty of unlawful actions and violent behaviour towards the Persian population, shall be visited with the full rigours of the Revolutionary Laws.

The Soviet Government will, further, make all possible efforts, on its part, for securing the complete evacuation of Persia by the armies of Turkey and England. I confidently hope that the time is approaching when the nations will compel their Governments to put an end to the miseries suffered by the Persian people, and that the latter itself will (then) be enabled to freely develop its forces within the limits of its own territories.

However it may be, the Council of the People's Commissaries considers itself as entitled to such relations only with the Persian people as are based on (mutual) consent and respect among nations.

TROTSKY,

Commissary for Foreign Affairs.

ANNEX II.

Dated the 26th June 1919.

Monsieur le Ministre,

In his letter No. 137, dated 14th January 1918, published, during the same year in the issue No. 11 of the organ of the Central Executive Committee of the All Russian Council of Workmen, Soldiers and Peasants, the late People's Commissary for Foreign Affairs communicated the principles underlying the policy of Soviet Russia in relation to Persia.

In pursuance of the principles set forth in the above letter, with regard to the perpetual abrogation of all the treaties and conventions which the Soviet (Tsarist ?) Government of Russia had forcibly imposed upon Persia, or which were in antagonism with the real independence and integrity of Persia, or which limited or restricted the free growth and realisation of the wishes of the Persian people concerning the occupied territories and the frontier rivers, the People's Commissariat for Foreign Affairs to the Government of the Russian Socialist Federal Soviet Republic again expresses its full readiness at the present moment to enter into negotiations with the Persian Government for the conclusion of fresh treaties, consular agreements and other compacts, based on the principles of freedom of discussion and mutual respect of the two nations.

Whereas, North Persia has been laid waste by the armies of the former Russian Governments, as well as by the operating military columns of the Turks and English, and the responsibility of this devastation is entirely attributable to the Capitalist Governments of England, Turkey and Tsarist Russia, Soviet Russia, which bears towards Persia, oppressed by the Allied Imperialist Governments, feelings of goodwill, is desirous of indemnifying Persia, in an equitable manner, for the losses incurred by her owing to the Russian parties, and trusts that, relying on the support

of the Persian people, the Persian Government will find means of claiming, also, from the English Imperialist Government compensation for the losses caused by it in Persia.

The Soviet Government, in view of its desire to indemnify the Persian people for the losses incurred by it, declares that :—

(1) All Persian loans owed to the Tsarist Government are null and void.

(2) Russia perpetually abstains from interference of every kind with the revenues of Persia, *e.g.*, the receipts from Customs, Telegraphs, Posts, Land Revenue, etc.

(3) The Caspian Sea, after it has been cleared of the ships of the Imperialist free-booters, the English, will be declared free for navigation by the vessels flying the flag of a free Persia.

(4) The frontiers of Soviet Russia along Persia will be fixed according to the free will of the inhabitants of those frontiers.

(5) All concessions of the Russian Government and those of its subjects are null and void.

(6) The (Russian) Discount Bank of Persia, with all attached grounds, as well as its branches in the country, are declared to be the property of the free Persian people.

(7) The following are restored for enjoyment, and as the property, of the free and independent Persian people :

The line of telegraphs between Meshed and Sistan as well as the telegraph lines, Nahia-Astrabad ; the Chaussée road, Enzeli-Tehran, as well as the other Chaussée roads and buildings connected therewith, constructed by the Russian troops in the course of their sojourn in Persia at the time of the war of 1914-1918 ; the port of Enzeli, with all its organisations, *e.g.*, electric light, workshop, installations, posts, and other instruments, etc. ; the Julfa-Tabriz railway and the branch line to Sufiyan, together with all property, and buildings connected therewith and the like ; similarly all Russian Offices of Post, Telegraphs and Telephones in Persia.

The payment of the claims of the employees and workmen of the aforesaid establishments falls on the Persian people.

(8) The jurisdiction of the former Consuls is completely abolished.

(9) The Orthodox Mission of Urmiah is dissolved.

(10) All Russian subjects, resident in Persia, are liable, equally with the local residents to the payment of all taxes and revenues, provided that these taxes and revenues are according to law and have been instituted for meeting the requirements of the nation.

(11) The Russian Government is ready, conjointly with the Persian Government, to discuss the question relating to the proprietary rights in land of the Russian subjects in Persia, the method of farming and payment of revenues and the like, and to settle it with due regard to the interests of the two peoples.

(12) The Russo-Persian frontier is opened for free travel and transport of goods. Persia is allowed the transit of goods through Russia, with a view to transport from whatever place of whatever things desired.

(13) The Government of Soviet Russia is ready, in co-operation with the Persian Government, to organise the arrangements for the transport of goods in Persia with the help of Russian resources for transportation, *e.g.*, railways, boats and the like.

(14) Russia refrains from participating in any way in the organisation of military forces in Persian territory.

(15) Russia agrees to the cessation of business agencies.

(16) Persia is granted the right of appointing its Consuls in all the towns and points of Soviet Russia, and similarly in Turkistan and Transcaspia and in the Allied States of Bokhara and Khiva.

The People's Commissariat for Foreign Affairs to the Government of Soviet Russia officially communicates the facts specified above, and fully hopes that this step, on the part of Soviet Russia, has opened a new era in the history of the Russo-Persian relations. And the Revolutionary people of Russia sends its fraternal greetings to Persia, and sincerely wishes that the Persian nation will manage to throw away from its feeble shoulders the burden of the oppression and tyranny of the English and other Allied Colonial Governments whose object is completely to strangle helpless Persia.

The Russian people believes that the Persian nation, counting thirty crores* souls, cannot die; and that such a nation, whose past is so great and creditable and the annals of whose civilization contain names of men before whom the whole civilized world justly bows its head in reverence, will, with one powerful effort, wake up from its centuries-old slumber and, brushing aside the tyranny of the mean robbers, enter the Comity of free civilized nations with a view to render new resplendent services for the happiness of mankind.

TCHITCHERIN,

People's Commissary for Foreign Affairs

to the Russian Socialist Federal Soviet Republic.

ANNEX III.

Tehran,

December 12, 1921.

SIR,

The Persian Government and the Mejliss have observed that Articles 5 and 6 of the Treaty concluded between our two countries are worded vaguely; the Mejliss, moreover, desires that the retrocession of Russian concessions to the Persian Government should be made without reserve or condition, and, that Article 20

* Crore in Persian = 500,000.

should be so worded as to allow the Persian Government full powers for the transit of imports and exports. Conversations have taken place with you on these questions, and you have given explanations with regard to Articles 5 and 6 and promises concerning Articles 13 and 20, to the effect that if the Treaty were passed by the Mejliss you would give all the assistance in your power to ensure that the two Articles in question should be revised on the lines desired by the Mejliss and the Persian Government. The Persian Government and the Mejliss are most desirous that friendly relations should be re-established between our two Governments and that the Treaty, which is based upon the most amicable sentiments, should be concluded as soon as possible.

I have, therefore, the honour to request you to give in writing your explanations with regard to the interpretation of Articles 5 and 6, and to repeat the promises of support which you have already given as regards the revision of Articles 13 and 20, in order that the Persian Government may be enabled to secure the passing of the Treaty by the Mejliss.

I also wish to ask you to take the necessary steps to repair the error which has been made in Article 3, in which the word " convention " was written instead of " treaty", as the only treaty which was concluded in 1881 was a frontier delimitation treaty, and this is the treaty referred to in Article 3.

I have the honour to be, Sir, etc.,

MOCHAROS-SALTANEH.

ANNEX IV.

Tehran,

December 12, 1921.

YOUR EXCELLENCY,

In reply to your letter dated 20th day of Ghows, I have the honour to inform you that Articles 5 and 6 are intended to apply only to cases in which preparations have been made for a considerable armed attack upon Russia or the Soviet Republics allied to her, by the partisans of the régime which has been overthrown or by its supporters among those foreign Powers which are in a position to assist the enemies of the Workers' and Peasants' Republics and at the same time to possess themselves, by force or by underhand methods, of part of the Persian territory, thereby establishing a base of operations for any attacks—made either directly or through the counter-revolutionary forces—which they might meditate against Russia or the Soviet Republics allied to her. The Articles referred to are therefore in no sense intended to apply to verbal or written attacks directed against the Soviet Government by the various Persian groups, or even by any Russian émigrés in Persia, in so far as such attacks are generally tolerated as between neighbouring Powers animated by sentiments of mutual friendship.

With regard to Articles 13 and 20, and the small error to which you draw attention in Article 3 with reference to the Convention of 1881, I am in a position to state categorically, as I have always stated, that my Government, whose attitude towards the Persian nation is entirely friendly, has never sought to place any restriction upon the progress and prosperity of Persia. I myself fully share this attitude, and would be prepared, should friendly relations be maintained between the two countries, to promote negotiations with a view to a total or partial revision of these Articles on the lines desired by the Persian Government, as far as the interests of Russia permit.

In view of the preceding statements, I trust that, as you promised me in your letter, your Government and the Mejliss will ratify the Treaty in question as soon as possible.

I have the honour to be, Your Excellency, etc.

ROTSTEIN,

Diplomatic Representative of the
Russian Socialist Federal Soviet Republic.

APPENDIX No. XXVI—[*See page 20*].

TREATY between the EXALTED GOVERNMENTS of AFGHANISTAN and PERSIA Tehran, June 22, 1921.

(Ratifications exchanged at Kabul, September, 7, 1923.)

(Translation.)

In the name of Allah, the Compassionate, the Merciful!

There is no God but Allah, Mohammed is his Prophet!

Hold fast by the rope of Allah all together and be not disunited!

WHEREAS Islamic unity, the ties of race and the bond of good and neighbourly relations between the two States required that friendly intercourse should be consolidated by the conclusion of a Treaty; therefore, in order to carry out this holy purpose, His Majesty the Shah of Persia appointed His Excellency Hajji Mohtashem-es-Sultaneh, the Minister for Foreign Affairs, and His Majesty the Ameer of Afghanistan appointed His Excellency Sardar Abdul Aziz Khan, his Minister Plenipotentiary and accredited Envoy, as their authorised agents, who after exchange of their official credentials, concluded the following Articles:—

ARTICLE I.

From this day henceforth, sincere friendship and good relations will be established between Persia and Afghanistan and the subjects of the two Governments.

ARTICLE II.

The Ambassadors, Ministers Plenipotentiary, Chargés (d'Affaires) and Officers of the High Contracting Parties at the Court of the other will enjoy all the rights and privileges which are ordained and customary according to international law and usage.

ARTICLE III.

The subjects of the two Contracting Governments, whether residing or travelling (in the other's country) will be respected and wholly under the protection of the officials of their own Governments.

ARTICLE IV.

The subjects of the two Contracting Governments, whether residing or travelling in the territory of the other, will be subjected to the laws of such territory. Civil and criminal cases will be heard and decided by the local judicial Courts of Persia and Afghanistan.

Diplomatic and Consular Officers of the High Contracting Parties will have no right of interference in civil and criminal cases in each other's territory, and the internal Courts of the country in which they are staying will be those to which all claims must be referred by the subjects of either Government.

ARTICLE V.

The Two High Contracting Parties will have the right to appoint Consuls General, Consuls, Vice-Consuls, and Consular Agents in the important towns and trading centres of each other's country; but the said officials will not enter upon the duties of their appointments until after the exequaturs of their commissions have been issued according to the custom of the country in which they are staying.

ARTICLE VI.

The subjects of either Government staying in the territory of the other will be exempt from military service and all other duties incumbent only on subjects of the country.

ARTICLE VII.

If a subject of either of the two Contracting Governments commits a crime and absconds to the territory of the other, the officers of his Government will have the right to demand, through diplomatic channels, his extradition, and the local authorities will not fail to give assistance in the matter. Political offenders, however, will be excepted from this arrangement.

ARTICLE VIII.

In order to strengthen friendly relations and to establish trade connections, the two Contracting Parties will, at the first opportunity, conclude such Agreements and Conventions as may be necessary in regard to trade relations, Customs duties, postal and telegraphic exchanges, which will come into force after signature and ratification.

ARTICLE IX.

The outbreak of war between one of the Contracting Parties and a third State will not operate to cause a rupture of the friendly relations of the two parties. The other party will be bound, according to the rules of neutrality, to avoid giving facilities to the enemy.

ARTICLE X.

The Contracting Parties, in order to manifest the friendship and trust existing between the Imperial Government of Persia and the Kingdom of Afghanistan, have decided that all important difficulties and disputes, which they may not be able to settle satisfactorily by negotiation, should be referred to arbitration according to international law and custom. The Contracting Parties engage to carry out the award with all sincerity.

ARTICLE XI.

This Treaty will be drawn up in duplicate in the Persian language.

ARTICLE XII.

The representatives of the two Contracting Parties undertake that within three months of the signature of this Treaty, or, if possible, at an earlier date, all documents necessary for its ratification will be exchanged at Tehran or Kabul. The representatives of the two Contracting Parties have accordingly affixed their signatures and seals to this Treaty.

Dated at Tehran, the 15th Shanwal, 1339, corresponding to the 1st Saratan, 1300 (Shamsi).

MOHTASHEM-ES-SULTANEH,
Minister for Foreign Affairs of the Exalted Government of Persia.

ABDUL AZIZ,
Envoy of the Exalted Government of Afghanistan.

Supplementary Articles.

ARTICLE I.

The meaning of the sentence in Article III of this Treaty, *viz.*, "The subjects of the two Contracting Governments, whether residing or travelling (in the other's country) will be respected and wholly under the protection of the officials of their own Governments", is that the officials of the either Government can, within the scope of the laws of the country in which they reside, refer to the officials of that country, for the arrangement of facilities for their subjects.

ARTICLE II.

The tribes and nomads who have previously emigrated from Afghanistan to Persia (including Barbaris, &c.) will remain Persian subjects as before. The Barbaris who intend to travel to Afghanistan shall not be allowed to enter Afghan territory unless their passports have been visé by the Afghan officials residing in Persia. The frontier tribes, who have their summer quarters in one country and their winter quarters in the other, will be treated as Persian subjects during their stay in Persia, and as Afghan subjects during their stay in Afghanistan. Persons who have come from Afghanistan and settled in Persia previously to the establishment of an Afghan Legation in Tehran will remain Persian subjects as before. Merchants, who have come to Persia from Afghanistan only for purposes of trade and have not settled permanently in Persia, and who are proved by documentary

evidence not to have been treated as Persians by Persian Government Departments, will be recognised as Afghan subjects.

GENERAL MUHAMMED WALI KHAN,
Minister for Foreign Affairs of the Exalted Government of Afghanistan.

NASRULLAH ITELA-UL-MULK,
Minister Plenipotentiary and accredited Envoy of the Exalted Government of Persia at Kabul.

ARTICLE III.

Similarly, the tribes and nomads who have emigrated from Persia to Afghanistan will remain subjects of the Government of the country in which they reside, and will have no right to enter Persia unless their passports have been visé by the Persian representatives. The same treatment, as detailed in supplementary Article II, will be applicable to the tribes and nomads who have previously emigrated from Afghanistan to Persia. Persons who have previously to the establishment of a Persian Legation in Kabul emigrated from Persia to Afghanistan and settled there, will remain Afghan subjects as before.

Merchants, who have gone to Afghanistan from Persia only for purposes of trade, and have not settled there permanently, and who are proved by documentary evidence not to have been treated as Afghans by Afghan Government Departments, will be recognised as Persian subjects.

GENERAL MUHAMMAD WALI KHAN,
Minister for Foreign Affairs of the Exalted Government of Afghanistan.

NASRULLAH ITELA-UL-MULK,
Minister Plenipotentiary and accredited Envoy of the Exalted Government of Persia at Kabul.

In the name of God, Most Holy !

We, the slave of Allah, the toiler in the path of God, Ameer Amanullah, King of the Exalted State of Afghanistan, ratify this friendly Treaty, consisting of twelve Articles and three supplementary Articles, which has been concluded through the authorised representatives of the two exalted Governments on the different dates specified, between us and His Majesty Sultan Ahmed Shah, Kajar, Shah of all territories comprised in Persia, and undertake to carry it out without any alteration.

(Signature of HIS MAJESTY THE GHAZI.)

Dated the 15th Sumbala, 1302, corresponding to Moharrem, 1342 (*sic*).

PROTOCOL relating to EXTRADITION of CRIMINALS and ACCUSED PERSONS, 1928.

In pursuance of Article 7 of the Treaty of Friendship between the Persian and Afghan Governments which was concluded on the 1st of Saratan 1300 (June 22nd, 1921), the Plenipotentiaries of the two Governments have signed the following protocol on the 25th Khordad 1307 (June 15th, 1928), relating to the extradition of criminals.

All ordinary criminals and those who are accused of non-political crimes, who, after committing a crime in one of the two countries have fled to the other country and whose extradition is requested by the party in whose territory the crime was committed, will be handed over.

Request for extradition must be delivered to the Ministry of Foreign Affairs and the summons or the verdict signed by competent legal authorities, must be attached to it.

In the summons or the verdict the crime must be clearly stated and the clause of the law by which the punishment of the crime is fixed must be quoted.

If the accused or the criminal be the subject of the country in which he has taken refuge he will not be extradited and the country in which the crime is committed has the right to notify the other country of the crime and to request the prosecution or punishment of the criminal or the accused in accordance with the laws of the latter's country.

This protocol will be valid for a period of two years. Should neither of the contracting parties annul the protocol at the expiry of that period it will be automatically valid for a further period of two years.

Dated Tehran, 25th Khordad 1307 (June 15th, 1928).

PAKREVAN. GHOLAM SADIGH KHAN.

APPENDIX No. XXVII—[*See page 21*].

Convention postale entre la Perse et la Russie,—1923.

La Perse d'une part, et la République socialiste fédérative des Soviets de Russie d'autre part, animées du désir de contribuer au développement des rapports amicaux et des relations économiques entre les deux pays, ont décidé, conformément à l'article 21 du Traité de Moscou du 26 Février 1921, de stipuler par une convention spéciale les conditions de l'échange postal entre les deux pays, et ont désigné à cet effet pour leurs plénipotentiaires, savoir :

La Perse :

M. S. H. Takizedeh, président de la délégation commerciale de la Perse en Russie ; et

La République socialiste fédérative des Soviets de Russie :

M. L. M. Karakhan, Commissaire-adjoint du Peuple aux Affaires étrangères,

Lesdits plénipotentiaires, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, ont convenu des dispositions suivantes :

Article 1er.

1. Il sera établi entre la Perse et la Russie un échange régulier et périodique de la correspondance ordinaire et recommandée (lettres, cartes postales, papiers d'affaires, imprimés et échantillons de merchandises), originaire de ces deux pays, ainsi que de celle en provenance ou à destination des pays étrangères pour lesquels les pays contractants peuvent servir d'intermédiaires.

2. Cet échange s'effectuera directement par voie de terre par les frontières communes entre les deux pays, et par voie maritime par les paquebots admis à ce service.

Article 2.

1. Chaque Administration des Postes effectue le transport des courriers par voie de terre par ses soins et à ses frais jusqu'au bureau d'échange du pays correspondant.

Toutefois, si les Administrations des Postes des pays contractants reconnaissent, d'un commun accord, qu'il est avantageux de confier à un particulier, à une entreprise ou à une société, le transport des courriers dans les deux directions, les frais du transport susmentionné sont répartis par moitié.

2. Dans les relations par voie maritime chacune des parties contractantes pourra faire transporter les courriers par les paquebots de son pays jusqu'aux bureaux d'échange du pays correspondant ou les confier dans ses ports aux agents des paquebots de ce pays. Dans ce dernier cas la quote-part des Administrations postales dans les frais de transport sera fixée d'après le poids réel établi pour chaque trajet et ne pourra dépasser un franc-or par kilogramme.

Il est entendu que cette façon de procéder ne concerne que les envois de service réciproque et non ceux de transit.

Dans le cas de l'établissement d'un commun accord d'un service postal aérien entre les deux pays, les détails de ce service seront réglés par un arrangement spécial à intervenir entre les Administrations des Postes des deux parties contractantes.

ARTICLE 4.

Les envois contre remboursement et les envois exprès ne sont pas provisoirement admis. Les conditions de l'échange de la correspondance de cette espèce et la date de leur mise en vigueur seront établies, d'un commun accord, par les Administrations des Postes des pays contractants.

ARTICLE 5.

1. Toute la correspondance de service entre les Administrations postales des deux pays ou entre leurs bureaux de poste sera rédigée en langue française.

2. La correspondance relative aux demandes de renseignements sur les envois postaux s'effectuera entre les bureaux d'échange.

ARTICLE 6.

Les taxes applicables aux envois postaux énumérés à l'article 1er seront celles qui sont fixées par la Convention postale universelle en vigueur.

ARTICLE 7.

Les équivalents des taxes applicables dans les services de chaque pays contractant aux envois indiqués à l'article 1er, les points d'échange, l'ordre et la mode de transmission de correspondances, ainsi que tous les détails de service, seront déterminés par un réglement d'exécution élaboré, d'un commun accord, par les soins des Administrations des Postes des pays contractants.

ARTICLE 8.

1. La correspondance de service, ordinaire ou recommandée, relative aux services postal, télégraphique et radiotélégraphique échangée entre les Administrations centrales des Postes et Télégraphes des deux pays, de même que la correspondance du service postal échangée entre les bureaux de poste, sont admises à la franchise de port.

2. Toute autre correspondance quel qu'en soit l'expéditeur ou le destinataire doit être dûment affranchie conformément aux dispositions de la Convention postale universelle en vigueur.

ARTICLE 9.

1. Chaque Administration des Postes acceptera pour l'échange en transit par son territoire, soit à découvert, soit en dépêches closes, la correspondance ordi-

naire et recommandée en provenance ou à destination de tout pays ou localité avec lesquels elle échange directement ou indirectement sa correspondance postale.

2. Les Administrations des Postes chargées de l'expédition des envois susmentionnés toucheront les frais de transit fixés par la Convention postale universelle en vigueur.

ARTICLE 10.

1. En cas de perte d'un envoi recommandé, l'expéditeur a droit à une indemnité de 50 francs-or, l'équivalent de ladite somme est versé à l'ayant droit dans la monnaie du pays où le payement est effectué.

2. Si l'indemnité est payée par l'Administration des Postes d'un pays pour le compte de l'Administration de l'autre pays responsable de la perte, celle-ci devra restituer la somme correspondante au plus tard dans le delai de deux mois après avis du payement.

3. Jusqu'à l'établissement du service des mandats-poste, les payements mentionnés au paragraphe 2 du présent article se feront par l'intermédiaire du représentant diplomatique du pays responsable de la perte résidant dans la capitale de l'autre pays, et sans donner lieu à aucuns frais incombant aux Administrations des Postes des pays créancier ou débiteur.

4. Les Administrations des Postes des pays contractants n'assument pas la responsabilité en cas de perte dans les circonstances de force majeure.

ARTICLE 11.

Dans tous les cas concernant les envois postaux dont il est question dans la présente convention, qui ne sont pas prévus par celle-ci, seront appliquées les stipulations de la Convention postale universelle en vigueur, du protocole final et du réglement d'exécution y annexés.

ARTICLE 12.

La présente convention sera mise à exécution trois mois après la date de sa signature, et demeurera en vigueur aussi longtemps que l'une des parties contractantes n'aura pas notifié à l'autre, une année à l'avance, son intention d'en faire cesser les effets.

ARTICLE 13.

La présente convention sera ratifiée aussitôt que possible, mais pas plus tard que six mois après la date de sa signature.

L'échange des actes de ratification aura lieu à Moscou.

En foi de quoi les plénipotentiaires des pays contractants ont signé la présente convention et y ont apposé leurs sceaux.

Fait en double expédition, à Moscou, le 25 avril 1923.

Declaration.

Au moment de la signature de la Convention postale entre la Perse et la Russie, signée en date de ce jour, les deux parties contractantes déclarent que.

Vu l'union administrative existant dans les affaires postales entre la Fédération des Républiques de la Transcaucasie et la Russie, il est convenu que les stipulations de cette convention seront aussi étendues à ladite fédération, et que, par conséquent, cette dernière, ensemble avec la Russie, seront considérées comme une unité postale et représentées par une seule administration.

En foi de quoi, les plénipotentiaires des pays contractants ont signé la présente déclaration et y ont apposé leurs sceaux.

Fait à Moscou, en double expédition, le 25 avril 1923.

S. H. TAKIZADEH.

L. M. KARAKHAN.

APPENDIX No. XXVIII.—[*See page 21.*]

Traite d'Amitie et de Securite

entre

La Perse et la Turquie.

Préambule.

La Perse

d'une part,

et

La Turquie

d'autre part.

Constatant les mêmes besoins et obligations que le siècle présent impose à leurs Nations respectives,

Et pénétrées de la conviction qu'il y a nécessité pour les deux Etats de resserrer les liens de l'amitié et de la fraternité existant entre eux,

Ont resolu de déterminer les conditions concrètes de leur rapports cordiaux et de conclure à cette fin un traité d'Amitié et de Sécurité.

A cet effet Elles se sont mises d'accord pour fixer la ville de Téhéran comme lieu de négociations et ont designé pour leurs Plénipotentiaires, savoir :

Sa Majeste Imperiale le Schah de Perse :

Son Altesse Mirza Mohammed Ali Khan Foroughi, Président du Conseil des Ministres,

Son Excellence Mirza Davoud Khan Meftah, Gérant du Ministère des Affaires Etrangères,

Le President de la Republique Turque :

Memdouh Chevket Bey, Ambassadeur Extraordinaire et Plénipotentiaire de Turquie en Perse ;

Lesquels, après s'être communiqué leurs pleins pouvoirs reconnus en bonne et due forme ont convenu des dispositions suivantes :

Article 1er.

Il y aura paix inviolable et amitié sincère et perpétuelle entre l'Empire de Perse et la République Turque ainsi qu'entre les Citoyens des deux Etats.

ARTICLE 2.

En cas d'une action militaire dirigée contre l'une des Hautes Parties Contractantes par une ou plusieurs Puissances tierces, l'autre Partie Contractante s'engage à observer la neutralité vis-à-vis de la première.

ARTICLE 3.

Chacune des deux Parties Contractantes s'engage à ne se livrer à aucune agression vis-à-vis de l'autre ni à ne faire partie d'aucune alliance ou entente politique, économique ou financière conclue par une ou plusieurs Puissances tierces et dirigée contre l'autre Partie ou contre la securité militaire et navale de son pays.

Chacune des deux Parties Contractantes s'engage en outre à ne pas participer à n'importe quelle action hostile dirigée par une ou plusieurs Puissances tierces contre l'autre Partie.

ARTICLE 4.

Au cas où une ou plusieurs Puissances tierces procédant aux actes d'hostilité et aux opérations militaires contre l'une des Hautes Parties Contractantes violeraient la neutralité de l'autre Partie en vue d'utiliser son territoire pour des passages des troupes, armes, munitions de guerre ou pour des fournitures de vivres, bestiaux et n'importe quelles choses susceptibles de servir à la guerre ou enfin pour le passage des troupes battant en retraite ; ou en vue d'exciter et de soulever les populations du territoire neutre dans le but de les employer à leurs fins, ou bien d'opérer des reconnaissances militaires sur ledit territoire, cette Partie devra s'opposer par les armes à ces actions pour sauvegarder sa neutralité.

ARTICLE 5.

Les deux Parties Contractantes s'engagent à ne point admettre sur leur territoire la formation ou le séjour d'organisations ou de groupements ayant pour but de troubler la paix et la sécurité de l'autre pays ou de changer son gouvernement ainsi que le séjour des personnes ou de groupements projetant de lutter par propaganda ou par tout autre moyen contre l'autre pays.

ARTICLE 6.

En vue d'assurer la tranquilité et la sécurité des habitants des zones limitrophes les deux Parties Contractantes prendront toutes les mesures nécessaires pour mettre une fin à des actions coupables et agissements pouvant porter atteinte à la paix des deux pays et auxquels se livrent des tribus se trouvant sur les territoires avoisinant les frontières.

Ces mesures seront prises par les Gouvernements respectifs des deux Parties séparément ou d'un commun accord s'ils le jugent nécessaire.

ARTICLE 7.

Les Hautes Parties Contractantes sont tombées d'accord pour réunir à Téhéran leurs Plénipotentiaires dans un délai de six mois au plus tard à dater de la signature du présent Traité, en vue de conclure des conventions commerciales, consulaires, douanières, postales et télégraphiques ainsi que des conventions d'établissement et d'extradition.

ARTICLE 8.

Les Deux Parties Contractantes se sont mises d'accord pour déterminer la procédure à recourir en vue de régler les différends pouvant surgir entre Elles et qui n'auraient pu être résolus par la voie diplomatique ordinaire.

ARTICLE 9.

Il est entendu qu'en dehors des engagements mutuels pris dans le present Traité, chacune des Hautes Parties Contractantes conserve son entière liberté d'action en ce qui concerne des relations avec des tierces Puissances.

ARTICLE 10.

Le présent traité a été redigé en persan, en turc et en français. En cas de divergence, c'est le texte français qui fera foi.

ARTICLE 11.

Le present traité sera soumis, dans le plus bref délai possible, à l'approbation des Assemblées Nationales des deux Etats et les ratifications en seront échangées à Téhéran.

Il entrera en vigueur à partir de la date de sa signature et aura la durée de cinq années. Si le traité n'est pas dénoncé par l'une ou l'autre des Hautes Parties Contractantes six mois avant l'expiration de ladite période de cinq années, il sera considéré comme ayant automatiquement sa durée de validité une année en plus, la dénonciation ne pouvant toujours produire ses effets qu'après l'expiration d'un délai de six mois.

EN FOI DE QUOI, les Plénipotentiaires respectifs ont signé le présent traité et y ont apposé leurs sceaux.

Fait en double à Téhéran, le vingt-deux avril mil neuf cent vingt-six.

PROCES-VERBAL.

Le Jeudi 1er ordibéhecht 1305 (22 avril 1926) la Délégation persane ainsi composée :

Son Altesse Mirza Mohammed Ali Khan Foroughi, Président du Conseil des Ministres, et Son Excellence Mirza Davoud Khan Meftah, Gérant du Ministère des

Affaires Etrangères, Plénipotentiaires; Son Excellence Mirza Fatoullah Khan Pak-Revan, Directeur Général et chef de la deuxième Section politique au ministère des Affaires Etrangères, conseiller; Monsieur Mirza Seyed Nasrollah Khan Entezam-Weziry, membre du Ministère des Affaires Etrangères, secrétaire,

d'une part,

et la Délégation turque ainsi composée:

Son Excellence Mamdouh Chevket Bey, Ambassadeur de la République turque près la Cour d'Iran, plénipotentiaire; Monsieur Hassan Vasfi Bey, Conseiller d'Ambassade, conseiller; Messieurs Vahid Bey, 2ème Secrétaire d'Ambassade et Hassan Noureddine Bey, 3ème Secrétaire d'Ambassade, secrétaires,

d'autre part,

se sont réunis à onze heures et demie chez Son Altesse le Président du Conseil des Ministres pour achever les pourparlers engagés à propos du traité d'amitié et de sécurité entre la Perse et la Turquie.

Son Excellence Mamdouh Chevket Bey prend la parole et propose de confier à Son Altesse Foroughi la présidence de cette réunion. Cette proposition a été acceptée par les deux Délégations. La séance est alors ouverte par Son Altesse Foroughi. Les plénipotentiaires ont présenté et échangé leurs pleins pouvoirs qui ont été trouvés en bonne et due forme.

Son Altesse Foroughi prononce le discours d'ouverture suivant:

" Je constate avec la plus grande joie qu'une époque nouvelle s'ouvre dans les rapports de cordiale amitié et de relations de bon voisinage qui ont existé jusqu'ici entre nos deux peuples. Les gouvernements des deux pays s'étant rendu compte de cette situation, ont décidé que cette conférence aurait lieu et qu'en conséquence serait conclu un traité d'amitié et de sécurité."

Son Excellence l'Ambassadeur a répondu comme suit:

" J'ai l'honneur de Vous faire connaître que le gouvernement de la République turque a la conviction que les relations d'amitié entre les deux pays doivent être établies sur des bases nouvelles et que, dans ce but, doit être conclu un traité d'Amitié et de Sécurité. Je suis convaincu d'autre part que la consolidation des relations d'Amitié et des rapports cordiaux entre nos deux peuples vont leur procurer plus de bien-être et de prospérité. J'accepte donc avec grand plaisir la proposition de Son Altesse Foroughi ayant trait à la continuation des pourparlers pour arriver au résultat voulu: "

Ensuite, le President du Conseil des Ministres propose au nom de la Délégation persane de donner lecture des articles du traité. Monsieur l'Ambassadeur ayant adhéré à cette proposition, on commença la lecture du projet de traité.

Les deux Parties sont tombées d'accord en ce qui concerne les articles 1, 2, 3, et 4.

Dans l'article 5 du texte persan, le mot " zadan " étant mal orthographié, a été corrigé et les Plénipotentiaires des deux Parties ont paraphé la dite correction.

L'article 6 a été accepté par les deux parties.

Au moment de la lecture de l'article 7, le Président du Conseil prononce le discours suivant relatif à l'abolition des capitulations :

" Depuis de nombreuses années il a été établi en Perse un régime capitulaire, qui est excessivement nuisible au pays. Mais notre gouvernement a la ferme volonté de mettre fin à cette situation qui crée toujours des entraves aux efforts du peuple persan dans la voie du progrès et du relèvement auquel il aspire. D'un autre côté, personne n'ignore qu'autrefois les gouvernements persan et turc avaient reconnu sur leurs territoires respectifs aux ressortissants et consuls de l'autre partie des privilèges présentant le caractère de capitulations, les privilèges en question avaient été établis en vertu des traités. Ainsi, le système des capitulations entre les deux pays était basé sur le principe de la réciprocité et reposait sur une convention bilatérale. Tant que le gouvernement turc observait ce principe, le gouvernement persan était dans l'obligation de s'y conformer. Mais étant donné que le gouvernement turc a mis fin aux privilèges découlant du système des capitulations, ce qui prive naturellement de leurs droits les ressortissants persans résidant sur le territoire de la Turquie, le gouvernement persan de son côté ne se considère plus engagé à observer les dites conventions qui n'ont désormais qu'un caractère unilatéral.

Les membres de la Délégation persane ont le ferme espoir que le gouvernement turc non seulement ne fera pas de difficultés à ce que la Perse parvienne à se dégager du système des capitulations, mais qu'en même temps il lui prêtera son concours afin qu'Elle puisse continuer sa marche dans la dite voie et réaliser ses aspirations légitimes. En vertu de ce qui précède, la Délégation persane propose que dans le texte de l'article 7 il soit ajouté " les conventions précitées seront conclues en conformité des règles du droit des gens usitées entre nations se traitant réciproquement sur un pied d'égalité."

Monsieur l'Ambassadeur de Turquie a répondu comme suit : "Je ne vois aucune difficulté à ce que la proposition de Son Altesse Foroughi soit prise en sérieuse considération au cours des pourparlers qui auront lieu très prochainement pour la conclusion des conventions commerciales, consulaires, douanières, etc. Mais je ne juge pas opportun d'entrer à ce sujet dans une longue discussion qui serait déplacée ici. Toutefois pour rassurer la délégation persane des meilleures intentions de mon Gouvernement en tout ce qui concerne les intérêts de la Perse, j'ai résolu de notifier par lettre adressée à Votre Altesse que mon Gouvernement est disposé à observer, au moment de la conclusion des conventions susmentionnées les règles du droit des gens usitées entre nations se traitant réciproquement sur un pied d'égalité."

A la fin de son discours, Monsieur l'Ambassadeur a remis à Son Altesse Foroughi, Président du Conseil des Ministres, la lettre suivante rédigée en français :

A Son Altesse Mirza Mohammad Ali Khan Foroughi, Président du Conseil des Ministres et Président de la Délégation Persane.

Monsieur le Président,

En acquiesçant au désir que vous avez bien voulu exprimer au sujet des conventions prévues à l'article 7 du traité d'Amitié et de Sécurité signé aujourd'hui, j'ai l'honneur d'informer Votre Altesse que mon Gouvernement est disposé à conclure les dites conventions conformément aux régles en usage entre les nations jouissant du droit d'égalité et à reconnaître aux ressortissants des deux pays des droits égaux.

Veuillez agréer, Monsieur le Président, les assurances de ma très haute considération.

Téhéran, le 22 avril 1926.

l'Ambassadeur Extraordinaire et Plénipotentiaire de Turquie à Téhéran : Mamdouh Chevket.

Les articles 7, 8 et 9 ont été lus et adoptés.

Après la lecture de l'article 9, le Président du Conseil a prononcé l'allocation suivante :

" L'Etat persan étant membre de la Société des Nations et étant décide a observer scrupuleusement tous les engagements qui lui incombent de ce fait, je juge opportun d'ajouter un article au présent traité stipulant que le gouvernement persan restera fidèle à toutes les obligations qu'il a vis-à-vis de la Société des Nations."

Monsieur l'Ambassadeur a fait la réponse suivante :

" Le Gouvernement Turc savait déjà que la Perse est membre de la Société des Nations et que, par conséquent elle est tenue d'observer toutes les obligations qui resultent de cette position. Mais je ne vois aucune necessité de faire mention de cette question dans un Traité d'Amitié et de Sécurité tel ceci dont le cadre doit se limiter exclusivement aux dispositions concernant les intérêts réciproques des deux parties contractantes."

Les Plénipotentiaires persans ont déclaré qu'étant donné que les explications de son Excellence Memdouh Chevket Bey seront mentionnées dans le présent procès-verbal relatif au Traité, ils adhérent à ce point de vue.

Les articles 10 et 11 ont été lus et adoptés.

Puis Monsieur l'Ambassadeur a déclaré que la signature du présent traité aura des effets très satisfaisants sur les relations des deux pays et il a félicité au nom de la Délégation turque les membres de la Délégation persane.

Son Altesse le Président du Conseil a remercié au nom de la Délégation persane Son Excellence l'Ambassadeur de Turquie de ses déclarations et a félicité de cette réussite les deux pays.

A la fin, les Plénipotentiaires ont signé les deux exemplaires du traité écrits en persan, turc et français et y ont opposé leurs sceaux

La séance a été levée a une heure.

Après la signature du texte du traité, le présent procès-verbal a été dressé et dans la même séance approuvé et signé par les membres des délégations des deux gouvernements persan et turc.

M. A. Forroughi,

D. Meftah,

Fatoullah Pak-Revan,

Nasrollah Entezam-Weziry.

Mamdouh Chevket Bey,

Vasfi,

Vahid,

Noureddine.

APPENDIX No. XXIX.—[*See page 21.*]

TREATY OF GUARANTEE and NEUTRALITY between PERSIA and RUSSIA,—1927.

LE Comité central exécutif de l'Union des Républiques soviétistes socialistes, et Sa Majesté impériale le Shah de Perse, reconnaissant comme conforme aux intérêts des deux parties contractantes de définir les conditions précises contribuant à la consolidation des relations normales durables et de l'amitié sincère qui les unit, ont nommé comme leurs plénipotentiaires, savoir :

Le Comité central exécutif de l'Union des Républiques soviétistes socialistes : M. Georges Tchitcherin, Commissaire du Peuple pour les Affaires étrangères de l'Union des Républiques soviétistes socialistes, et M. Léon Karakhan, Commissaire-Adjoint pour les Affaires étrangères ;

Sa Majesté impériale le Shah de Perse : Ali Gholi Khan Ansari, Ministre des Affaires étrangères de Perse ;

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des dispositions suivantes :

ARTICLE 1er.

Le traité du 26 février 1921, dont tous les articles et toutes les dispositions restent en vigueur et dont les effets deviennent applicables à tout le territoire de l'Union des Républiques soviétistes socialistes, reste la base des rapports réciproques entre l'Union des R. S. S. et la Perse.

ARTICLE 2.

Chacune des parties contractantes s'engage à s'abstenir de toute attaque et de toutes actions agressives envers l'autre partie et à ne pas introduire ses forces militaires dans le territoire de l'autre partie.

Dans le cas où une des parties contractantes deviendrait l'objet d'une agression de la part d'une ou de plusieurs tierces Puissances, l'autre partie contractante s'engage à observer la neutralité pendant toute la durée du conflit, la partie devenue l'objet de l'agression ne devant point, de sa part, violer cette neutralité, nonobstant des considérations stratégiques, tactiques ou politiques ou les avantages que cela pourrait lui présenter.

ARTICLE 3.

Chacune des parties contractantes s'engage à ne prendre part ni en fait ni en droit à des alliances ou accords d'ordre politique qui seraient dirigés contre la sécurité du territoire ou des eaux de l'autre partie contractante, de même que contre son intégrité, son indépendance ou sa souveraineté.

Chacune des parties contractantes renonce, en outre, à participer à des boycottages et blocus économiques, organisés par des tierces Puissances contre l'une des parties contractantes.

ARTICLE 4.

Vu les obligations établies par les articles 4 et 5 du traité du 26 février 1921, chacune des parties contractantes, ayant l'intention de s'abstenir de toute immixtion dans les affaires intérieurs de l'autre partie et de ne point mener de propagande ou de lutte contre le Gouvernement de l'autre partie, défendra strictement à ses fonctionnaires de pareils actes sur le territoire de l'autre partie.

Si les citoyens d'une des parties contractantes se trouvant sur le territoire de l'autre s'occupaient de propagande ou de lutte prohibées par les autorités de cette dernière partie, le Gouvernement de ce territoire aura le droit de faire cesser l'activité de ces citoyens et de faire usage envers eux des sanctions établies.

Les deux parties s'engagent de même, en vertu des articles ci-dessus indiqués, à ne point soutenir et à ne point admettre sur leurs territoires respectifs la formation ou l'activité : (1) d'organisations ou de groupements, quelle que soit leur dénomination, ayant pour but la lutte contre le Gouvernement de l'autre partie contractante par des moyens de violence, par l'insurrection et par l'attentat ; (2) d'organisations ou de groupements s'arrogeant le rôle du Gouvernement de l'autre pays ou d'une partie de son territoire, ayant également pour but la lutte contre le Gouvernement de l'autre partie contractante par les moyens ci-dessus indiqués, l'atteinte à sa paix et sa sécurité ou un attentat à son intégrité territoriale.

Se basant sur les principes ci-dessus indiqués, les deux parties contractantes s'engagent également à défendre l'enrôlement militaire ainsi que l'importation sur leur territoire de forces armées, d'armes, de munitions et de tout autre matériel de guerre destinés aux organisations ci-dessus indiquées.

ARTICLE 5.

Les deux parties contractantes s'engagent à régler par une procédure pacifique, appropriée aux circonstances, les différends de toute nature survenus entre elles et n'ayant pu être réglés par la voie diplomatique ordinaire.

ARTICLE 6.

En dehors des obligations assumées par les deux parties contractantes en vertu du présent traité, ces deux parties conservent leur entière liberté d'action dans leurs relations internationales.

ARTICLE 7.

Le présent traité est conclu pour la durée de trois ans et doit être approuvé et ratifié dans le plus bref délai par les organes législatifs des deux parties, après quoi il entrera en vigueur.

L'échange des actes de ratification aura lieu à Téhéran un mois après la ratification.

A dater de l'expiration de la durée primitive, le traité sera considéré comme se prolongeant automatiquement pour un an et ainsi de suite d'année en année,

jusqu'à ce qu'une des parties contractantes ait prévenu l'autre de son intention de le dénoncer. En ce cas, le présent traité restera en vigueur pendant six mois après la communication de la part d'une des parties concernant le dénonciation du traité.

ARTICLE 8.

Le présent traité est dressé en langue russe, persane et française, en trois exemplaires authentiques pour chacune des parties contractantes.

Pour l'interprétation, tous les trois textes seront considérés authentiques. En cas de divergence lors de l'interprétation, le texte français fera foi.

En foi de quoi les plénipotentiaires susnommés ont signé le présent traité et y ont apposé leurs sceaux.

Fait à Moscou, le 1er octobre 1927.

Exchange of Notes re-affirming Persia's obligations to the League of Nations.

M. le Commissaire,

Au moment de la signature du Traité de Garantie et de Neutralité signé entre la Perse et l'Union des Républiques soviétistes socialistes en date de ce jour, j'ai l'honneur de vous informer de ce qui suit :

Considérant que le Gouvernement persan est toujours anxieux de faire face exactement à toutes les obligations qu'il a assumées volontairement ;

Qu'il signe le présent traité pour maintenir sincèrement toutes les obligations qui en découlent ;

Et en tant que le Gouvernement persan estime que les obligations ci-dessus mentionnées ne sont pas en contradiction avec les obligations du Gouvernement persan envers la Société des Nations ;

Le Gouvernement persan déclare au Gouvernement de l'Union des Républiques soviétistes socialistes que le Gouvernement persan respectera et exécutera également toutes ses obligations comme membre de la Société des Nations.

Veuillez, etc.

M. le Ministre,

Au nom de mon Gouvernement, j'ai l'honneur de vous faire savoir qu'il a reçu et qu'il a pris acte de votre lettre en date de ce jour, ainsi conçue :

Au moment de la signature du Traité de Garantie et de Neutralité signé entre la Perse et l'Union des Républiques soviétistes socialistes en date de ce jour, j'ai l'honneur de vous informer de ce qui suit :

Considérant que le Gouvernement persan est toujours anxieux de faire face exactement à toutes les obligations qu'il a assumées volontairement ;

Qu'il signe le présent traité pour maintenir sincèrement toutes les obligations qui en découlent ;

Et en tant que le Gouvernement persan estime que les obligations ci-dessus mentionnées ne sont pas en contradiction avec les obligations du Gouvernement persan envers la Société des Nations ;

Le Gouvernement persan déclare au Gouvernement de l'Union des Républiques soviétistes socialistes que le Gouvernement persan respectera et exécutera également toutes ses obligations comme membre de la Société des Nations.

Veuillez, etc.

Protocole I.

M. déclare qu'il est chargé par le Gouvernement de l'Union des Républiques soviétistes socialistes de confirmer, au nom de ce Gouvernement, qu'au moment de la signature du Traité de Garantie et de Neutralité entre l'Union des Républiques soviétistes socialistes et la Perse en date de ce jour le Gouvernement de l'Union n'a pas d'engagements internationaux quelconques contraires audit traité et qu'également pendant toute la durée de ce traité il ne prendra pas de tels engagements.

M. Ali Gholi Khan Ansari, Ministre des Affaires étrangères de Perse, déclare qu'il est chargé par le Gouvernement de Perse de confirmer au nom de ce Gouvernement au moment de la signature du Traité de Garantie et de Neutralité entre la Perse et l'Union des Républiques soviétistes socialistes en date de ce jour que le Gouvernement de Perse n'a pas d'engagements internationaux quelconques contraires audit traité et qu'également pendant toute la durée de ce traité il ne prendra pas de tels engagements.

Protocole II.

Conformément aux dispositions du traité du 26 février 1921, qui reste en vigueur en entier et en toutes ses parties, les engagements prévus à l'article 2 du Traité de Garantie et de Neutralité signé à la date de ce jour entre l'Union des Républiques soviétistes socialistes et la Perse concernant la non-introduction de forces militaires dans le territoire de l'autre partie contractante ne s'appliquent pas aux cas prévus à l'article 6 du traité du 26 février 1921 ainsi qu'aux commentaires donnés à cet article.

APPENDIX No. XXX.—[*See page 22.*]

TARIFS DES DOUANES approuvés par la loi du 13 Ordibehecht 1307,—1928.

OBSERVATIONS.

PRÉLIMINAIRES.

1. Tous les objets, marchandises et denrées, à l'exception de ceux qui en sont spécialement exemptés par les tarifs et Règlements et sans préjudice de ce qui est ou sera stipulé à l'égard de ceux qui sont destinés à être transbordés ou à passer en transit, sont passibles des droits chaque fois qu'ils sont importés ou exportés, à moins qu'il ne soit prouvé à la satisfaction de l'administration des Douanes que ces objets, marchandises ou denrées quelconques, ont déjà acquitté les droits lors d'une précédente importation ou exportation.

2. Les marchandises importées en Perse et qui proviennent d'un pays ayant conclu un traité avec la Perse sont soumises au payement des droits de douane prévus dans ce traité et des taxes légales exigibles.

Pour ce qui concerne les pays qui n'ont pas conclu de traité avec la Perse, les droits sur les marchandises importées de ces pays sont fixés au tarif maximum.

3. En cas de changements aux tarifs, les droits applicables sont ceux existant :

A. Pour les importations, le jour du dépôt de la déclaration générale au premier bureau d'entrée, quelle que soit la destination donnée aux marchandises postérieurement à leur entrée dans le pays.

B. Pour les exportations, le jour du dépôt de la déclaration en détail.

C. Pour les épaves, le jour de la rédaction du procès-verbal de prise de possession par la douane.

4. Outre les droits de douane, il est perçu les droits et taxes ci-après :

A. Droit de chancellerie de 2 krans par déclaration ou requête.

B. Droit de quatre chahis par scellé douanier et de deux chahis par cachet à la cire apposé par la douane sur les marchandises ou colis.

C. Droit de magasinage dû à partir du quatorzième jour après le dépôt du manifeste ou de la lettre de voiture, mais pas avant le cinquième jour après la date de la réception des marchandises par la douane.

Par dix mans et par période de dix jours quand les marchandises sont déposées :

Dans les magasins fermés	4 chahis
Dans les hangars ouverts ou sous bâche	1½ chahi
A ciel ouvert, dans les cours ou enclos	1 chahi
Dans les magasins des entrepôts publics	2 chahis

D. Droit de manipulation suivant tarifs locaux quand il y est procédé par les soins de la douane.

E. Droit pour l'usage des grues de la douane : 1 chahi par cent mans.

F. Droit pour l'usage des quais, chemins de fer, etc., appartenant à la douane, suivant tarifs locaux.

G. Taxe d'ouverture et de surveillance des entrepôts particuliers : cinq krans par jour de travail.

H. Taxe de transbordement :

(1) de bord à bord sans mise à quai : 2½ chahis par colis.

(2) avec mise à quai : 5 chahis par colis sans préjudice de la perception des droits de magasinage, grue et manipulation, s'il y a lieu.

(3) pour les marchandises en vrac, les taxes sont respectivement de dix chahis et 1 kran par cent mans.

5. Les droits de douane sont payables au comptant, préalablement à l'enlèvement des marchandises.

Le paiement doit être effectué en monnaie ou en billets de banque ayant cours légal en Perse.

L'unité monétaire est le kran d'argent d'un poids d'un miscal au titre de 900 millièmes d'argent fin.

6. Les marchandises sont le gage des droits et la douane ne peut consentir, en aucun cas, à leur enlèvement avant que ceux-ci, de même que les autres taxes légalement dues, aient été acquittés, ou garantis.

7. L'unité de poids pour les marchandises imposées d'après cette base est le man persan de six cent quarante miscals de Perse, équivalant à 6,54 livres anglaises et à deux kilogrammes neuf cent soixante dix grammes métriques.

Au cas où le Gouvernement Persan viendrait à prendre comme base une unité de poids autre que le man de 2 kilogrammes 970 les droits spécifiques mentionnés aux différents tarifs pourront être proportionellement diminués ou augmentés.

8. Les droits sur les marchandises qui sont indiquées dans les tarifs 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 en modifier la forme sous laquelle elle est habituellement présentée pour la vente en gros ou en détail.

9. A l'égard des marchandises acquittant les droits au poids et pour lesquelles les tarifs n'indiquent pas qu'elles sont imposées d'après le poids brut, les importateurs ou exportateurs doivent 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.

10. La tare légale sur les marchandises au poids est fixée comme suit :

A. Pour les verres de vitrage en caisses, à quarante pour cent du poids brut total :

B. Pour toutes autres marchandises :

1. en caisses ou futailles, à vingt pour cent du poids brut total ;
2. en paniers, canastres ou autres emballages en cuir à huit pour cent du poids brut total ;
3. en nattes, sacs ou autres emballages analogues, à trois 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, par exemple, ceux faits de planchettes à claire voie, etc.

11. Pour tous les produits importés ou exportés en vrac, l'importateur ou l'exportateur doit mentionner le poids net dans la déclaration prescrite.

Quant aux marchandises exemptes de droits, importées ou exportées en colis, il est tenu de déclarer le poids brut des colis. Les agents de l'Administration calculent le poids net en déduisant du poids brut la tare fixée.

12. A l'égard des marchandises imposées d'après la valeur, les importateurs ou exportateurs sont tenus de déclarer par écrit la valeur sur laquelle ils désirent que les droits soient calculés.

13. L'intéressé 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 et formant un assortiment dont la valeur ne dépasse pas mille krans, on peut se borner à déclarer la valeur totale.

14. La valeur à déclarer en douane est celle que les marchandises ont normalement au lieu d'origine ou de fabrication, augmentée des frais d'emballage, d'achat, d'assurance, de commission, de transport et de tous autres nécessaires pour l'importation ou l'exportation jusqu'au lieu de dédouanement.

En ce qui concerne les marchandises importées, cette valeur ne peut, en aucun cas, être inférieure au prix normal de gros des marchandises similaires sur le marché persan local ou le plus voisin au moment de l'importation, déduction faite de 10 % et d'une somme en rapport avec les droits et taxes que les produits de l'espèce supporteraient à l'entrée

Quand la valeur des marchandises est originairement exprimée en monnaies étrangères, celles-ci sont converties en monnaies persanes sur la base du dernier cours des banques locales avant le dépôt de la déclaration.

15. La base devant servir au calcul des droits, c'est-à-dire le poids, la valeur ou le nombre selon le cas, doit toujours, dans la déclaration, être écrite en toutes lettres.

16. Même en ce qui concerne les marchandises imposées au poids ou exemptes de droits, les importateurs ou exportateurs sont tenus de déclarer, d'une façon aussi exacte que possible, la valeur des produits importés ou exportés.

Ils sont de même tenus de déclarer, exactement les pays de provenance ou de destination.

Ces renseignements sont exigés dans l'intérêt du commerce pour l'établissement exact des statistiques commerciales.

17. Les produits monopolisés, c'est-à-dire les sucres et les thés, ne peuvent, jusqu'à disposition contraire, être introduits en Perse que par les bureaux suivants : Mohammareh - Ahwaz - Abadan - Bouchir - Lingah - Bender Abbas - Chahbar - Djask - Dozdab - Kariz - Lotfabad - Bolan - Badjguiran - Bender Guez - Méchedissar - Pahlavi - Astara - Djoulfa - Ghahtakhteh - Khodaferine - Khoy - Lahidjan - Sardachte - Banneh et Kasr Chirine.

Droits d'entrée.

NOTE: „Ex." signifie Exempt
„Pro." „ Prohibé
„Ad Val." „ Ad valorem
„M. " „ Man
„M. B." „ Man brut
„P." „ Pièce

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
	1	AÉRONAUTIQUE					
1		A—Les aérostats, dirigeables ou non, les aéroplanes, hydroplanes, etc.		Ex.		5%	
2		B—Leurs pièces détachées		Ex.		5%	
		NOTE: Pour les moteurs, voir rubrique „ MACHINES", art. 28.					
	2	ALCOOLS:					
3		A—Alcools purs	M. B.	16		24	
4		B—Alcools impropres naturellement ou rendus impropres à la consommation humaine d'une façon effective et permanente et les alcools solidifiés au moyen d'un corps gras	M. B.	1	50	3	
		NOTE: Pour les boissons alcooliques, voir rubrique „ BOISSONS ", article 8.					
	3	ALLUMETTES: non compris les allumettes bougies:					
5		A—En boîtes ne contenant pas plus de 60 allumettes et ne comptant pas plus de 250 boîtes par mân	M. B.	2		4	
6		B—Allumettes autres	M. B.	3		5	
7	4	AMIDON:	M.	1		2	
	5	ANIMAUX VIVANTS DE TOUTE ESPÈCE.					
8		A—Anes				2	
9		B—Chameaux				5	
10/11		C—Chevaux, juments et poulains				2%	
12		D—Mulets				5	
		E—Race Bovine					
13/14		1—Adultes		Ex.		2	
15		2—Veaux de moins d'un an				1	
		F—Race ovine et caprine					
16/17		1—Adultes				0-40	
18		2—Agneaux et chevreaux				2-20	
19		G—Volaille de basse cour				2%	
20		H—Gibier à plumes ou à poils				5%	
21		I—Autres animaux non dénommés				5%	
	6	ARMES ET ACCESSOIRES, Y COMPRIS LES PIÈCES DÉTACHÉES:					
22 et 27/29		A—Fusils de chasse, carabines et pistolets de salon, autres que jouets, et armes blanches et leurs pièces détachées	Ad Val.	10%		20%	
23/26 et 30/32		B—Autres armes à feu et pièces détachées (importation soumise à une autorisation spéciale du Gouvernement)	Ad Val.	50%		Pro.	
	7	BOIS:					
33		A—Bois de chauffage		Ex.		2-100 m.	
34/35		B—Autres bois non ouvrés, y compris les arbres en grume ou non sciés, les perches, les planches, les troncs équarris, les madriers, les poutres, les billes, les traverses, les douvelles, les bois pour bâton, les bois feuillards et la canne filée	Ad Val.	5%		10%	

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
36		C—Bois ouvrés autres que ceux spécialement tarifés, rabotés ou non, les balais communs et les objets en vannerie commune ne rentrant pas dans la catégorie des meubles ou de la mercerie	Ad Val.	8%		15%	
37		D—Bois divers comprenant la sciure de bois, les copeaux, les nervures de palmiers, les osiers, et la paille de bois (fibre de bois mécanique pour emballage), etc.		Ex.		5%	
	8	BOISSONS :					
		A—Boissons alcooliques :					
38		1—Liqueurs fines et cordiaux fins de toute espèce	M. B.	24		54	
		2—Eaux de-vie de toute espèce :					
39		A—Whisky, rhum, cognac de choix, fine champagne, gin, schiedam, kirch et autres produits similaires	M. B.	20		45	
40		B—Vodka, arac et apéritifs et liqueurs de qualité ordinaire et produits similaires	M. B.	20		42	
41		3—Vins mousseux	M. B.	30		60	
42		4—Vins de dessert, tels que porto, madère, sherry, malaga, vermouth et vins apéritifs	M. B.	18		34	50
43		5—Vins de table non mousseux	M. B.	9		22	50
44		6—Bières, cidres et boissons fermentées, y compris l'hydromel	M. B.	1	50	4	50
45		7—Vins médicinaux	M. B.	12		22	50
		B—Boissons autres :					
46		1—Eaux minérales	M. B.	0	25	0	50
47		2—Limonades	M. B.	0	20	0	50
48		3—Eau congelée et soda		Ex.		Ex.	
49		4—Vinaigre de toute espèce	M. B.	1		2	
50	9	BOUGIES, CIERGES ET CHANDELLES DE TOUTE ESPÈCE, Y COMPRIS LES PELOTES, LES TORCHES ET LES MÈCHES	M. B.	1		2	
	10	CAOUTCHOUC, GUTTA PERCHA ET LEURS APPLICATIONS :					
51		A—Caoutchouc brut		Ex.		5%	
52		B—Préparé en plaques, feuilles ou fils	M.	3		6	
53		C—Galoches et bottes en caoutchouc	M.	4		10	
54/55		D—Bandages sans valves ni revêtements métalliques pour voitures et tuyaux en caoutchouc, même recouverts de tissus	M.	5		10	
56		E—Tous autres ouvrages à l'exception des tissus caoutchoutés, des habillements, des jouets, des articles de fantaisie et autres à comprendre dans un autre article du Tarif	Ad Val	12%		25%	
57	11	CENDRES ET SCORIES		Ex.		Ex.	

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
	12	CHARBONS :					
58		A—Charbon de terre, coke et tourbes		Ex.		Ex.	
59		B—Charbon de bois.	100 Ms.	5		10	
60/62	13	CIMENT, Y COMPRIS LES BRIQUES, LES TUILES ET LES OBJETS EN CIMENT	100 Ms.	3		10	
63	14	CIRE BRUTE	M.	2		5	
	15	DENRÉES ET CONSERVES ALIMENTAIRES AUTRES QUE BOISSONS :					
		A—Beurres et autres graisses animales comestibles, y compris la margarine et les beurres végétaux :					
64		1—Frais et salés en emballage de tout genre non hermétique	M.	1		2	
65		2—Conservés en petites boîtes ou autres récipients analogues hermétiquement fermés	M. B.	2		5	
		NOTE : Par petites boîtes, il faut entendre celles dont le poids (contenant et contenu) ne dépasse pas un man.					
		B—Cacao de toute espèce, y compris le chocolat :					
66		1—En fèves, pelures ou déchets	M.	1		1	
67		2—Cacao en poudre, sucré ou non	M.	5		8	
68		3—Chocolat de toute espèce et confiserie à base de cacao	M. B.	15		20	
		C—Café :					
69		1—Café non torréfié	M.	4		7	
70		2—Café torréfié, moulu ou non, pur ou mélangé de chicorée ou d'autres substances	M.	5		10	
		NOTE : Le café, le thé et le cacao, importés en petits paquets, en boîtes en carton ou en fer-blanc ou autres récipients analogues, acquittent le droit d'après le poids brut.					
		D—Céréales et leurs dérivés :					
71/72		1—Riz mondé ou non mondé	M.	0	30	0	50
73/76		2—Froment, orge, avoine et autres céréales alimentaires non dénommées telles que le millet	M.	0	25	0	40
76 bis		3—Malt	M.	0	20	1	
77		4—Farines comestibles	M.	0	20	0	50
78		5—Farines composées, genre Nestlé	M.	1		2	
79		6—Gruaux et orge perlée	M.	0	10	0	30
80		7—Macaroni et pâtes alimentaires	M.	1		2	
81		8—Biscuits, pain d'épice et pâtisserie de toute espèce :					
82		A—Biscuits de mer et de chien		Ex.		Ex.	
83		B—Tous autres	M. B.	1	50	3	
		NOTE : Les biscuits contenant plus de 40% de sucre, sont classés parmi les confiseries.					
		9—Pains		Ex.		0	20

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
		E—Chicorée :					
84		1—Racines vertes		Ex.		Ex.	
85		2—Torréfiée, moulue ou séchée	M. B.	0	50	2	
86		F—Fécules alimentaires telles que sagou, manioc, tapioca, arrow root, fécules de pommes de terre, etc.	M.	0	15	0	30
		G—Fromages :					
87		1—Communs et mous y compris le „ kachk "	M.	0	25	0	40
		2—Fromages conservés :					
88		a—En boîtes	M. B.	3		5	
89		b—Autrement emballés	M.	3		5	
		H—Fruits et baies :					
90/97		1—Frais ou secs	M.	0	25	0	40
98 — 100		2—Conservés, y compris les confitures, les gelées, les pâtes de fruits, les marmelades, les fruits confits, les jus et sirops de fruits en boîtes, pots, bouteilles ou autres récipients similaires	Ad Val.	20%		30%	
		NOTE : Les jus et sirops de fruits contenant plus de 5% d'alcool pur et les fruits conservés à l'alcool sont rangés parmi les eaux-de-vie. Art. 8 A No. 2.					
101		I—Graines alimentaires, c'est-à-dire destinées à la consommation humaine, telles que graines de tournesol, de melon, de pastèque et de courge	M.	0	50	0	70
		K—Huiles végétales :					
102		1—Huile d'olive	M. B.	2		4	
103		2—Autres huiles alimentaires telles que huile d'arachide, de graines de tournesol, huile de sésame, etc.	M. B.	0	50	2	
		NOTE : Les autres huiles végétales, telles que l'huile d'œillette, de coton, de ricin, sont rangées parmi les drogueries, la parfumerie ou les huiles végétales non alimentaires.					
		L—Lait et crème :					
104		1—Frais, y compris le lait caillé		Ex.		Ex.	
105		2—Conservés ou stérilisés, en boîtes, bouteilles ou autres récipients similaires, sucrés ou non sucrés	M. B.	2		3	
		M—Légumes de toute espèce :					
106		1—Frais	M.	Ex.		0	10
107		2—Séchés, tels que pois, lentilles, fèves, haricots, graines d'arachide et d'autres légumineuses à l'état sec	M.	0	30	0	50
108		3—Conservés en boîtes, pots, bouteilles ou autres réceipients analogues	M. B.	3		4	
109		N—Miel	M. B.	3		4	
110		O—Oeufs de volaille ou de gibier	100 P.	1		2	
		P—Poissons					
111		1—Frais		Ex.		0	50
112		2—Poissons salés ou fumés, importés à l'état sec	M.	0	15	0	25

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
		3—Conservés:					
113		a—En boîtes, pots, bouteilles ou autres récipients analogues hermétiquement clos.	M. B.	5		8	
114		b—Autrement emballés	M. B.	1	50	4	
115		4—Caviar	M. B.	10		25	
		Q—Sel:					
116		1—Non raffiné	10 Ms.	0	30	0	50
		2—Blanc raffiné:					
117		a—En boîtes, bouteilles ou autres récipients analogues	M. B.	0	40	1	
118		b—Autrement emballé	M. B.	0	10	0	15
		R—Sucres et confiseries de toute espèce:					
119		1—Glucoses de toute espèce, sirops et mélasses provenant du raffinage ou de la fabrication du sucre	M.	0	75	1	50
		2—Sucres bruts ou raffinés:					
120		a—En cristaux ou en poudre, y compris les cassonades	M.	1	55	2	
121		b—En cubes ou en pains et les sucres candis	M. B.	1	55	2	50
122		3—Confiseries, y compris les bonbons et autres sucreries préparées sans cacao	M. B.	6		8	
		S—Thés:					
123		1—Thé blanc	M.	10		14	
124		2—Tous autres thés	M.	6		12	
		T—Viandes et gibiers:					
125		1—Frais		Ex.		Ex.	
		2—Tous autres:					
126		a—Salés, séchés ou fumés	M.	2		4	
127		b—Conservés en boîtes, pots, bouteilles ou autres récipients analogues, y compris les extraits de viande	M. B.	5		8	
128	16	DRILLES ET CHIFFONS	M.	0	50	Pro.	
		NOTE: Les drilles et chiffons provenant de vêtements ou linges usagés ou souillés sont prohibés.					
	17	DROGUERIES:					
129		A—Saccharine et produits saccharinés	M.	500		Pro.	
130		B—Préparations ou spécialités pharmaceutiques, même à base d'alcool ou de sucre	Ad Val.	20%		40%	
131 to 138		C—Toutes autres, y compris les fécules non alimentaires, les huiles médicinales, les gommes végétales autres que le caoutchouc, les levures et levains, les ouates ordinaires et les ouates antirhumatismales ou pour pansement, ainsi que les tissus antiseptiques	Ad Val.	5%		10%	
		NOTE: L'importation de la morphine, de la cocaïne et de leurs dérivés et de la saccharine n'est permise que par autorisation spéciale du Gouvernement pour usages exclusivement médicaux.					

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF			
				Minim.		Maxim.	
				Krs.	C.	Krs.	C.
139	18	ECHANTILLONS COMMERCIAUX sans valeur intrinsèque, y compris les échantillons de tissus ne dépassant pas 30 centimètres de longueur sur toute la largeur du tissu et les échantillons sur cartes ou carnets					
140	19	EMBALLAGES : Les emballages usuels contenant des marchandises, à l'exception des bouteilles remplies de matières non imposables, sont admis librement et sans déclaration spéciale. Les emballages de fantaisie ou qui ne peuvent être considérés comme emballages usuels suivent séparément la tarification qui leur est propre. Les emballages ayant servi à expédier des marchandises à l'étranger, renvoyés à vide, sont exempts des droits d'entrée pour autant qu'ils ne fassent pas l'objet d'une transaction commerciale Les emballages neufs et ceux ayant servi faisant l'objet d'une transaction commerciale, sont considérés comme marchandises et soumis aux droits fixés au tarif.		Ex.		Ex.	
141	20	ENGRAIS ORGANIQUES NOTE : Pour les engrais chimiques, voir la rubrique des produits chimiques.		Ex.		Ex.	
	21	EPICERIES :					
142		A—Poivre, curry, piment et moutarde	M.	1	50	3	
143 144		B—Toutes autres, y compris les épices préparées, les sauces, la vanille, le safran, les truffes, les citrons séchés et les épiceries non dénommées, telles que la cannelle, les clous de girofle, les feuilles de laurier, les noix de muscade, le cardamone, le cumin, la nigelle, les graines de pavot, etc.	Ad Val	15%		30%	
	22	HABILLEMENTS ET OBJETS CONFECTIONNÉS :					
145 148		A—Habillements de toute espèce confectionnés en tout ou en partie, y compris la lingerie de corps, la bonneterie, les chapeaux et les casquettes, les gants de toute espèce, les écharpes, les châles, sauf ceux spécialement repris au tarif, les foulards, les fichus, les boas et articles similaires les plumes préparées pour la parure et en général tous les articles d'habillement non spécialement dénommés	Ad Val.	25%		50%	

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
		NOTE: Les chaussures autres qu'en cuir ou en caoutchouc ou celles dont la partie dominante n'est pas constituée par du cuir ou caoutchouc, entrent dans la catégorie des habillements de toute espèce.					
		B—objets confectionnés :					
149		1—objets confectionnés, y compris la lingerie de lit, de table et de					
153		toilette, les mouchoirs de poche confectionnés, les parapluies et les parasols, les bâches, les drapeaux, les camails et les caparaçons, les couvertures de lit, de table et de voyage, les dessus de meuble et de clavier en tissus, les fleurs artificielles, les manchons pour becs à gaz, les portières, rideaux et stores confectionnés, etc.	Ad Val.	25%		50%	
154		2—Les " djevals " de toute espèce et les sacs non repris au tarif	Ad Val.	5%		10%	
		REMARQUE: Les objets en tissus repris ci-dessus sont imposés au régime des tissus selon l'espèce, s'ils sont importés à la pièce ou tels qu'ils sortent de l'atelier de tissage, c'est-à-dire sans complément de main d'œuvre.					
155	23	HUILES ANIMALES NON COMPRIS LES HUILES MÉDICINALES	M. B.	0	25	0	50
	24	HUILES MINÉRALES ET LEURS DÉRIVÉS NON COMPRIS LES HUILES MÉDICINALES :					
		A—Huile de naphte brute ou crude oil :					
156		1—En vrac	10 M.	0	30	1	50
157		2—En fûts et bidons	10 M. B.	0	50	2	
		B—Huile de naphte purifiée :					
		1—Pétrole lampant ou kérozine :					
158		a—En vrac	10 M.	0	50	2	
159		b—En fûts et bidons	10 M. B.	0	75	3	
160		2—Essences, telles que benzine et gazoline	M. B.	0	40	0	75
		C—Dérivés :					
161		1—Parafine	M. B.	0	20	0	40
		2—Huiles combustibles genre mazout :					
162		a—En vrac	10 M.	0	30	1	50
163		b—En fûts et bidons	10 M. B.	0	50	1	50
164		3—Huiles de graissage genre Mobil-oil	M. B.	0	20	0	75
165/6		4—Graisses pour machines	M. B.	0	10	0	75
167		5—Résidus de tout genre	M.	0	10	0	30
168		D—Autres huiles minérales purifiées ou non	M. B.	0	20	0	75
169							

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
170		E—Goudron minéral	M. B.	0	20	0	25
171	25	HUILES VÉGÉTALES NON ALIMENTAIRES : Les huiles végétales destinées exclusivement à la lubrification des moteurs ou au graissage à l'exception de celles rangées parmi les produits médicinaux ou la parfumerie	M. B.	0	50	1	
172	26	INSTRUMENTS DE MUSIQUE DE TOUTE ESPÈCE, Y COMPRIS LES PARTIES DÉTACHÉES	Ad Val.	25%		50%	
174							
175	27	INSTRUMENTS SCIENTIFIQUES DE TOUTE ESPÈCE, Y COMPRIS LES PARTIES DÉTACHÉES	Ex.			10%	
	28	MACHINES ET OUTILS :					
176		A—Outils manuels	Ad Val.	6%		10%	
177		B—Machines et mécaniques (mues par force méchanique, animale ou manuelle), y compris les machines agricoles, les outils mécaniques et les locomotives et leurs parties détachées, ainsi que les chaudières, les générateurs et les moteurs industriels :	Ad Val.	6%		10%	
183							
184		C—Moteurs autres comprenant les moteurs pour automobiles, avions, canots, etc.	Ex.			5%	
		REMARQUE : En vertu de la loi du 7 Dalve 1303, les machines industrielles et leurs parties détachées, de même que les machines et instruments agricoles et leurs accessoires, sont exempts du payement des droits de douane jusqu'au 6 Bahman 1313.					
	29	MATIÈRES ANIMALES BRUTES NON SPÉCIALEMENT DÉNOMMÉES :					
185		A—Oeufs de vers-à-soie en boîtes de 30 grammes ou moins	Boîte	1		2	
186		B—Toutes autres y compris les graisses animales non comestibles, à l'exclusion des matières animales textiles.	Ad Val.	5%		10%	
187		NOTE 1. Les œufs de vers-à-soie importés autrement qu'en boîtes, ou importés en boîtes contenant plus de 30 grammes, acquittent le droit sur la base d'un kran par 30 grammes de poids net.					
		NOTE 2. Les œufs de vers-à-soie ne peuvent être importés que par les bureaux des douanes où le Gouvernement a installé un service de contrôle bactériologique.					

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
		NOTE 3. Le Gouvernement se réserve le droit d'établir le monopole de la production et de l'importation des graines de vers-à-soie ou d'augmenter le droit d'entrée fixé.					
	30	MATIÈRES MINÉRALES A L'EXCLUSION DU CIMENT :					
188		A—Brutes, non spécialement dénommées, y compris le soufre non épuré, l'amiante, l'asbeste, le mica, le plâtre, la chaux, l'oxyde de fer, la terre réfractaire, le gypse et le sable	10 Ms.	0	10	0	20
190							
191		B—Ouvrées :					
		Amiante, asbeste, mica en plaques, feuilles et leurs applications, additionnés ou non d'autres matières	Ad Val.	10%		20%	
	31	MATIERES TEXTILES ET LEURS APPLICATIONS :					
		A—Matières textiles brutes :					
192/3 et 201		1—laine, poils et autres matières textiles brutes non dénommées		Ex.		10%	
194/7		2—Coton, chanvre et lin bruts	Ad Val.	15%		25%	
198		3—Soie en cocons	M.	2		5	
199		4—Soie grège	M.	10		30	
200		5—Bourres et déchets de soie	M.	5		5	
		B—Fils :					
202		1—Fils de toute espèce préparés pour la vente en détail, c'est-à-dire en pelotes, en bobines, cartes ou cartons, petits écheveaux ou autres formes de mercerie.	Ad Val.	8%		15%	
		2—Autrement préparés :					
203		a—Fils de coton	M.	1		3	
204		b—Fils de laine	M.	1		5	
205		c—Fils de chanvre et de jute	M.	0	60	1	
206		d—Fils de lin	M.	1		2	
		e—Fils de soie pure :					
207		1—Naturelle	M.	15		25	
208		2—Artificielle	M.	15		40	
209		f—Fils de bourre de soie	M.	8		15	
210		g—Fils de coton mélangé de bourre de soie	M.	3		6	
211		h—Fils de coton mélangé d'asbeste	M.	1		2	
212		i—Fils tous autres	Ad Val.	10%		20%	
213		C—Fils d'argent ou d'or faux ou fin et fils recouverts d'argent ou d'or fin ou faux, même préparés pour la vente au détail	Ad Val.	15%		30%	
214		D—Cordes, cordages et ficelles, y compris les ficelles de pêche et les échelles de corde	M.	0	70	1	50
		E—Tissus :					
		1—Sans distinction de matières entrant dans leur composition :					
215		a—Feutres et tissus feutrés, y compris les ouates en nappes, gommées ou non, et les tissus ouatés	Ad Val.	10%		20%	
		b—Carpettes et tapis de pied de toute espèce :					

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
216		1—En coton pur	Ad Val.	25%		50%	
217		2—Autres qu'en coton pur	Ad Val.	25%		50%	
223							
224		c—Dentelles et guipures de toute espèce à la main ou à la mécanique, y compris les guipures en laize, mais exception faite des guipures mécaniques pour ameublement	Ad Val.	25%		50%	
225		d—Broderies et tissus brodés ou brochés, y compris les tissus paillétés ou garnis d'effets de fantaisie	Ad Val.	20%		40%	
228		e—Tissus non spécialement dénommés, y compris les tissus tricotés, les tresses, les lacets, les rubans, etc. les tissus caoutchoutés, la passementerie et les tissus composés en tout ou en partie de fils d'argent faux ou fin	Ad Val.	15%		30%	
229		f—Tissus de matières non spécialement dénommées tels que nattes, paillassons en fibres végétales ou lisières, en crin, poils, soies de porc, écorce, etc. ainsi que les tissus composés de textiles différents non spécialement repris au Tarif	Ad Val.	10%		20%	
233		2—Tissus de coton pur :					
234		a—Tissus simplement croisés non spécialement dénommés :					
235		1—Ecrus, genre coutil dit " Medkal "	M.	2	40	6	
236		2—Blanchis	M.	2	40	7	
237		3—Teints ou imprimés	M.	2	40	7	
238		4—Fabriqués avec fils teints	M.	3		7	
239		b—Piqués, basins, damassés et façonnés, y compris les tissus composés de coton mercerisé	M.	4		8	
240		c—Tulles, gazes, mousselines et voiles de coton non brodés ou brochés	M.	10		25	
		d—Velours et peluches :					
241		1—Frappés	M.	8		25	
242		2—Tous autres	M.	6		16	
243		e—Guipures mécaniques pour ameublement, même festonnées	M.	10		20	
		3—Tissus de laine pure, y compris les tissus en poils de chèvre, de vigogne, de lama, de chameau, de crin animal etc. :					
244		a—Tissus de toute espèce non spécialement tarifés	Ad Val.	12%		30%	
245		b—Velours et peluches, y compris les imitations d'Astrakhan et produits similaires	M.	30		150	
246		c—Châles d'Orient	Ad Val.	20%		40%	
247		4—Tissus de lin pur de toute espèce :					
		a—Tissus grossiers, ordinaires, unis, écrus et blanchis	M.	1	50	8	

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF			
				Minim.		Maxim.	
				Krs.	C.	Krs.	C.
248		b—Tous autres comprenant notamment les tissus teints ou imprimés, les batistes, linons, toiles damassées pour ameublement, literie, linge de table, etc., à la pièce telles qu'elles sortent de l'atelier de tissage	Ad Val.	15%		30%	
250							
251		5—Tissus de soie artificielle pure de toute espèce non spécialement tarifés	Ad Val.	15%		50%	
		6—Tissus de chanvre, de jute ou d'autres filaments végétaux notamment la ramie et l'alpha :					
252		a—Tissus de toute espèce non spécialement tarifés	M.	1		4	
253		b—Tissus communs, écrus pour emballage, y compris les sacs et les tissus pour emballage composés d'un mélange de lin, de chanvre et de jute	M.	0	40	1	20
		7—Tissus de soie naturelle pure :					
254		a—Tissus genre tussor et tissus composés de fils simplement croisés, c'est-à-dire non façonnés	M.	50		100	
255		b—Tulles, gazes et voiles non brodés et non brochés	M	100		200	
256		c—Tissus de toute espèce non spécialement tarifés, y compris les tissus damassés	M.	60		100	
257							
258		8—Tissus de bourre et déchets de soie de toute espèce non spécialement tarifés	M.	25		75	
		9—Tissus de coton mélangé de laine, y compris les poils :					
259		a—Contenant plus de 3% et pas plus de 10% de laine	M.	4		10	
		b—Contenant plus de 10% et moins de 50% de laine :					
260		1—Tissus de toute espèce non spécialement tarifés	M.	6		16	
261		2—Velours et peluches, y compris les imitations d'Astrakhan et produits similaires	M.	8		25	
		c—contenant 50% de laine ou plus jusqu'à 97% de laine :					
262		1—Tissus de toute espèce non spécialement tarifés	M.	8		20	
263		2—Velours et peluches, y compris les imitations d'Astrakhan et produits similaires	M.	16		30	
		NOTE : Les tissus contenant moins de 3% de laine sont considérés comme tissus de coton pur et ceux contenant plus de 97% de laine sont considérés comme tissus de laine pure.					
		10—Tissus de coton mélangé de lin ou d'autres filaments végétaux :					

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
264		Tissus de toute espèce non spécialement tarifés	M.	3		8	
		11—Tissus de coton mélangé de soie artificielle :					
265		Tissus de toute espèce non spécialement tarifés	Ad Val.	13%		30%	
266		12—Tissus de coton mélangé de soie naturelle :					
267		a—Tissus de toute espèce non spécialement tarifés contenant plus de 10% et moins de 25% de soie	M.	15		30	
268		b—Contenant 25% jusqu'à 90%	M.	25		50	
269		c—Tulles, gazes et voiles non brodés et non brochés	Ad Val.	15%		30%	
270		d—Velours et peluches frappés ou non :					
271		1—Contenant moins de 50% de soie	M.	30		50	
272		2—Contenant 50% de soie et plus	M.	40		75	
		13—Tissus de coton mélangé de bourre ou de déchets de soie :					
273		Tissus de toute espèce non spécialement tarifés	M.	10		20	
274		NOTE : Les tissus contenant plus de 90% de soie naturelle ou artificielle ou de bourre ou de déchets de soie sont classés parmi les tissus de soie naturelle ou artificielle ou de bourre ou de déchets de soie pure. Ceux contenant moins de 10% acquittent le droit afférent aux tissus de coton plus 50% de ce droit.					
		14—Tissus de laine ou de lin mélangé de soie naturelle ou artificielle ou de bourre ou déchets de soie :					
275		Tissus de toute espèce non spécialement tarifés	Ad Val.	10%		25%	
		NOTE : Les tissus de laine ou les tissus de lin mélangé de soie dans lesquels la quantité de soie ne dépasse pas 3% sont considérés comme tissus de laine ou de lin purs.					
		OBSERVATION GÉNÉRALE : La classification des tissus mélangé sera déterminée d'après les poids respectifs des différentes matières entrant dans leur composition totale.					

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
276		15—Toiles cirées et huilées de toute espèce, y compris les tissus recouverts d'une couche de gomme ou de résine ou de toute autre substance à base d'huile, ainsi que les tissus imprégnés d'huile ou de créosote et les cartons bitumінés à l'exclusion des tissus recouverts de caoutchouc	Ad Val.	10%		20%	
	32	MERCERIE, JOUETS ET QUINCAILLERIE :					
277		A—Téléphones, télégraphes et accessoires et machines à écrire et leurs					
278		pièces détachées	Ex.			5%	
279		B—Appareils photographiques et cinématographiques et leurs accessoires, tels que plaques, films, papier sensible, etc., cire à cacheter, articles de lunetterie, liège en planches, en cubes et en bouchons et les ampoules pour éclairage électrique	Ad Val.	5%		10%	
284		C—Agrafes, porte-agrafes, aiguilles, épingles, dés à coudre, boucles					
285		ordinaires, jeux et jouets instructifs, tels que mécanos, alphabets, jeux de construction, etc. et boutons	Ad Val.	10%		20%	
286		D—Coffrets, boîtes en bois ou en métal, encaustiques, pommades,					
293		cirages, etc., articles de bureau, de toilette et de voyage, cannes, lanternes, y compris les lanternes magiques, phonographies, gramophones et accessoires, quincaillerie et articles de ménage et les sonnettes et sonneries	Ad Val.	15%		25%	
294		E—Argenterie de table et articles pour fumeurs	Ad Val.	20%		35%	
295							
296		F—Jeux et jouets autres que ceux dénommés au littera C pierres et perles fausses non montées, paillettes, clinquant, cannetille, oripeaux, etc.	Ad Val.	25%		50%	
297/8		G—Fausse bijouterie	Ad Val.	50%		75%	
299		H—Cartes à jouer	Ad Val.	30% plus 2 krs. par jeu		75%	—2
300		I—Tous autres objets, y compris les allumettes bougies	Ad Val.	15%		30%	
	33	MEUBLES ET ARTICLES D'AMEUBLEMENT DE TOUTE ESPÈCE NON SPÉCIALEMENT TARIFÉS, Y COMPRIS LES VASES AUTRES QU'EN MÉTAUX PRÉCIEUX :					
301		A—Meubles communs en bois ordinaire, ni peints, ni vernis, sans ornements	Ad Val.	15%		25%	

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
302		B—Lampes ordinaires en métal, en verre ou en faïence avec abat-jour mais non décorées ni ornées	Ad Val.	5%		10%	
303		C—Meubles autres, comprenant tous les meubles montés ou non montés, pièces et parties de meubles peints, vernis, laqués, sculptés, marquetés ou ornés de métaux, de glaces, de cuir, de tissus ainsi que les glaces et miroirs encadrés et les lampes autres que celles reprises au littéra B, les vases, candélabres, flambeaux, etc.	Ad Val.	25%		40%	
	34	MINERAIS, MÉTAUX ET LEURS APPLICATIONS :					
304		A—Minerais de toute espèce	Ad Val.	5%		8%	
305 — 312		B—Acier, fonte de fer et fer galvanisé ou non, en lingots, barres, poutrelles, billettes, bandes, baguettes, tôles, plaques, feuilles ou fils, le vieux fer et la mitraille, l'acier, le fer de construction, tels que les charpentes, les ponts, les tanks, les rails, le matériel de chemin de fer, les tuyaux, les clous, les vis, les rivets, les boulons, les écrous, les pointes, les fûts et autres récipients analogues	Ad Val.	5%		10%	
313 — 318		C—Les mêmes en autres métaux	Ad Val.	6%		12%	
		NOTE : Le Gouvernement Persan se réserve le droit d'augmenter le taux de 6% à partir du 1-er Farvardine 1308.					
319		D—Caractères et clichés d'imprimerie		Ex.		5%	
		E—Monnaies :					
320 — 328		1—En or ou en argent ayant cours légal dans leur pays d'émission		Ex.		Ex.	
329 — 330		2—En cuivre, en nickel et autres métaux non précieux		Pro.		Pro.	
331 — 334		F—Bijouterie et orfévrerie en métaux précieux	Ad Val.	25%		50%	
		G—Ouvrages en métal :					
335 — 336		1—Ouvrages en fer, fonte de fer ou acier et en cuivre galvanisés, émaillés ou non, ne rentrant pas dans une autre rubrique du tarif	Ad Val	10%		18%	
337 — 339		2—Ouvrages en autres métaux ne rentrant pas dans une autre rubrique du tarif	Ad Val.	15%		25%	
		NOTE 1 : Les objets composés en partie de fer, fonte de fer ou acier ou de cuivre et en partie d'un ou de plusieurs autres métaux, rentrent dans la catégorie 2.					

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
		NOTE 2: La rubrique G comprend, entre autres, les serrures, les loquets, les cadenas, les espagnolettes, les ornements pour portes et meubles, les anneaux, les clefs pour serrures, les pièces détachées pour lampes, les patères, les charnières, les ressorts pour portes, les enseignes, les poignées, les girouettes, les crochets pour porte-manteaux, les petites chaînes, les treillis métalliques, etc.					
	35	MONTRES ET BOITES DE MONTRES DE TOUTE ESPÈCE, ÉMAILLÉES OU NON:					
340/1		A—En or ou platine, même garnies de pierres précieuses, y compris les montres munies d'un bracelet ou les chronomètres de poche	Ad Val.	25%		50%	
342/5		B—En autres métaux	Ad Val.	10%		25%	
346		C—Mouvements importés séparément, y compris les pièces détachées	Ad Val.	10%		25%	
	36	NAVIRES, BATEAUX, BARQUES ET LEURS PIÈCES DÉTACHÉES:					
347		A—Canots à moteurs électriques ou autres		Ex.		5%	
348		B—Navires et bateaux autres à moteurs ou mus par l'électricité ou la vapeur, quel que soit le combustible employé		Ex.		5%	
349		C—Tous autres, c'est-à-dire bateaux à voiles et autres embarcations		Ex.		5%	
351	37	OBJETS D'ART ET DE COLLECTIONS (HORS DU COMMERCE COURANT) POUR MUSÉES ET AMATEURS, Y COMPRIS LES ANTIQUITÉS, LES TIMBRES-POSTE, LES TABLEAUX ET DESSINS A LA MAIN NON ENCADRÉS ET LES MANUSCRITS		Ex.		Ex.	
352							
353	38	OPIUM		Pro.		Pro.	
	39	PAPIERS ET LEURS APPLICATIONS:					
354		A—pâtes à papier	M.	0	10	0	20
355		B—1—Papiers ordinaires pour impression ou emballage, carton, papier buvard, vieux papiers imprimés faisant l'objet d'une transaction commerciale, papiers et cartons à écrire et enveloppes ordinaires, papier brouillard, papier d'ameublement et de tenture de toute espèce, papier filtre et en général tous papiers autres que ceux dits de fantaisie	Ad Val.	8%		15%	
358							

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
359		2—Papier à écrire et enveloppes de luxe en boîtes ou autrement emballés, avec ou sans chiffres, initiales ou vignettes et papiers dits de fantaisie tels que les papiers marbrés, indiennés, gaufrés, estampés, découpés, etc.	Ad Val.	15%		30%	
360		3—Ouvrages en papier, y compris les livres de comptes et les cahiers simplement lignés	Ad Val.	12%		25%	
	40	PARFUMERIES AUTRES QUE SAVONS PARFUMÉS :					
361		A—Parfumeries alcooliques, y compris les essences de rhum, cognac, etc.	Ad Val.	50%		100%	
362		B—Parfumeries autres, y compris les fards, les essences végétales et les essences artificielles aromatiques	Ad Val.	40%		75%	
	41	PEAUX ET LEURS APPLICATIONS :					
363		A—Peaux brutes séchées ou salées autres que celles reprises sous les § § B et C ci-dessous	M.	0	50	1	50
364/8		B—Peaux brutes d'agneaux	Ad Val.	8%		15%	
369							
373		C—Peaux brutes de renard, martres, etc.	Ad Val.	10%		20%	
		D—Peaux préparées :					
374		1—Pour pelleterie	Ad Val.	15%		25%	
375		2—Tannées, corroyées ou mégissées	M.	4		7	
376		3—Peaux teintes	M.	6		20	
377		4—Peaux vernies, laquées, chamoisées ou maroquinées	M.	10		30	
378		E—Ouvrages de toute espèce en cuir, y compris la maroquinerie,					
381		la cordonnerie et la bourrellerie	Ad Val.	15%		30%	
	42	PIERRES, Y COMPRIS LES PIERRES PRÉCIEUSES ET LES PERLES :					
382		A—Pierres précieuses et perles ouvrées ou non	Ad Val.	25%		50%	
385							
386		B—Pierres ordinaires non ouvrées, y compris les pierres équarries et les pavés		Ex.		Ex.	
387		C—Pierres ordinaires, sciées, polies et sculptées, y compris les ouvrages en pierres, en albâtre, etc. à l'exclusion des vases, statues, etc. destinés à l'ameublement des maisons, qui rentrent dans la catégorie des meubles	Ad Val.	10%		20%	

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
388		D—Ardoises pour toitures, y compris les ardoises artificielles	100 Ms.	2		5	
	43	POTERIES DE TOUTE ESPÈCE A L'EXCLUSION DES ARTICLES ACHEVÉS SERVANT A L'ORNEMENTATION OU A L'AMEUBLEMENT DES LIEUX HABITÉS :					
389		A—Briques et tuiles, tuyaux de drainage, carreaux, pots à fleurs et autres objets en poterie commune, même vernissés ou émaillés	Ad Val.	10%		15%	
390		B—Faïence et porcelaine de toute espèce	Ad Val.	10%		20%	
	44	POUDRES ET EXPLOSIFS :					
391		A—Poudres ordinaires à tirer et poudres pyroxilées NOTE : L'importation des poudres possédant un pouvoir détonnant supérieur à la poudre de chasse ordinaire ou pyroxilée est soumise à l'autorisation spéciale du Gouvernement.	Ad Val.	10%		Pro.	
392		B—Munitions pour fusils de chasse, carabines et pistolets de salon, y compris les amorces et capsules à poudre fulminante	Ad Val.	20%		50%	
393		C—Munitions pour fusils de guerre et revolvers ou pistolets (Importation soumise à une autorisation du Gouvernement)	Ad Val.	25%		Pro.	
394		D—Fusées et détonateurs pour mines et autres explosifs pour usages miniers ou industriels (Importation soumise à une autorisation du Gouvernement)	Ad Val.	8%		Pro.	
395		E—Feux d'artifice	Ad Val.	15%		30%	
396		F—Toutes autres espèces, y compris les munitions d'artillerie, les grenades, etc.		Pro.		Pro.	
	45	PRODUITS CHIMIQUES :					
397		A—Soude calcinée	M.	0	10	0	30
398/9		B—Soude autre et engrais chimiques	M.	0	15	0	25
400		C—Sulfate de cuivre, sulfate de fer, oxyde de zinc, fleur de soufre et soufre raffiné	Ad Val.	5%		10%	
401		D—Tous autres, y compris l'acide acétique liquide ou cristallisé	Ad Val.	10%		30%	
	46	PRODUITS TYPOGRAPHIQUES ET LITHOGRAPHIQUES :					

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
402		A—Journaux, publications périodiques, livres de lecture ou de classe, ouvrages scientifiques, musiques, cartes marines ou géographiques, plans, gravures et estampes non encadrées, catalogues et réclames de maisons de commerce établies à l'étranger s'ils portent l'indication imprimée ou lithographiée de la firme étrangère exclusivement, sans mention d'une autre firme commerciale ou du nom d'un agent quelconque établi en Perse		Ex.		5%	
403		B—Tous autres, y compris les cahiers de classe et les livres de comptes autres que simplement lignés	Ad Val.	12%		25%	
		NOTE: Les livres, journaux, imprimés, images ayant un caractère séditieux ou contraires aux bonnes mœurs, sont interdits à l'importation.					
	47	RÉCOLTES ET FOURRAGES :					
404		A—Céréales en herbes ou en gerbes	M.	0	15	0	15
405		B—Autres, y compris la paille ou la paille hachée, la luzerne et le foin		Ex.		5%	
406	48	RESINES ET BITUMES BRUTS A L'EXCEPTION DES HUILES MINÉRALES ET DE LEURS SOUS-PRODUITS, DES GOMMES ET DU CAOUTCHOUC	Ad Val.	5%		10%	
	49	SAVONS :					
407		A—Parfumés	Ad Val.	25%		50%	
408		B—Tous autres	M.	0	70	1	50
	50	TABACS :					
		A—Tombacs (Tabacs pour narguileh):					
409		1—En feuilles	M.	18		18	
410		2—Concassés	M.	20		25	
		B—Tabacs pour pipe :					
411		1—En feuilles	M.	20		25	
412		2—Concassés ou hachés	M.	24		30	
		C—Tabacs à cigarettes :					
413		1—En feuilles	M.	30		30	
414		2—Hachés ou concassés	M.	40		40	
415		D—Cigarettes	Ad Val.	60%		100%	
416		E—Cigares et cigarillos	Ad Val.	60%		100%	
417		F—Tous autres tabacs fabriqués	Ad Val.	50%		100%	
		NOTE: Les tiges des tabacs repris ci-dessus importées séparément paient les droits prévus pour les tabacs auxquels elles appartiennent. Les succédanés des tabacs sont interdits à l'importation.					
	51	TEINTURES, COULEURS ET VERNIS ;					

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
418		A—Kermez, cochenille ou rouge animal et toutes autres couleurs naturelles à l'exception de l'indigo	Ad Val.	10%		15%	
420							
421		B—Indigo naturel ou synthétique	Ad Val.	15%		25%	
422							
423		C—Toutes autres couleurs synthétiques à l'exception des teintures synthétiques dont l'entrée est prohibée	Ad Val.	20%		40%	
		NOTE : Le Gouvernement se réserve le droit d'augmenter le taux de 20% à partir du 1er Farvardine 1308.					
		D—Vernis :					
424		1—Préparés à l'alcool	M. B.	5		7	
425		2—Tous autres	M. B.	3		7	
		NOTE 1. L'Administration des Douanes, conformément à l'avis de son expert-chimiste, préparera et tiendra constamment à jour une liste des couleurs synthétiques dont l'importation n'est autorisée qu'après avoir été reconnues posséder les qualités de fixité et autres requises pour la teinture des tapis. L'importation des couleurs synthétiques non fixes est prohibée jusqu'à disposition contraire.					
		NOTE 2. En vue du contrôle à exercer sur l'importation, la vente et l'emploi des couleurs synthétiques, l'Administration des Douanes fera un règlement donnant les préceptes de solidité des colorants synthétiques et fixant les conditions auxquelles est soumise leur importation.					
426	52	VÉGÉTAUX ET SUBSTANCES VÉGÉTALES NON SPÉCIALEMENT TARIFÉS, Y COMPRIS LES PLANTES VIVANTES, LES FLEURS ET LES FEUILLES NON STÉRILISÉES, LE HOUBLON, LES ROSEAUX, LES TOURTEAUX, LES GRAINS ET GRAINES TELS QUE GRAINES DE CHANVRE, DE LIN, DE SÉSAME, DE COTON, ETC. C-A-D. NE RENTRANT PAS DANS UNE DES CATÉGORIES SUIVANTES DU TARIF : DENRÉES ALIMENTAIRES, DROGUERIES, EPICERIES OU PARFUMERIES					
431				Ex.		5%	
	53	VERRERIES :					
		A—Verres de vitrage ordinaires non colorés :					

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
432		1—Mesurant moins de 50 décimètres carrés	M.	0	25	1	
433		2—Mesurant 50 décimètres carrés et plus					
		B—Bouteilles, dame-jeannes, bonbonnes, même clissées et flacons vides ou remplis de matières non-imposables :	M,	0	40	1	
434		1—En verre commun	M.	0	20	0	50
435		2—En verre blanc ou coloré	M.	0	25	1	
436		3—Bouteilles à limonade et autres bouteilles similaires en verre épais	M.	0	30	0	50
437		C—Glaces non encadrées de moins de 50 décimètres carrés	Ad Val.	8%		15%	
438		D—Ouvrages en verre avec ou sans ornement et objets en cristal sans ornement, verres de lampes, verres de montres, dalles en verre etc. à l'exclusion des vases et articles de fantaisie	Ad Val.	6%		15%	
439		E—Tous autres verres ou verreries, y compris les glaces non encadrées de plus de 50 décimètres carrés, les verres de vitrage colorés, peints, mats ou gravés, les objets en cristal avec ornements, tels que dessins gravés au burin ou à l'acide, peintures, émaillés, dorure, argenture, ouate de verre etc. à l'exclusion des vases et articles de fantaisie	Ad Val.	10%		25%	
		NOTE 1. Les objets en verre ou en cristal avec support, monture ou garniture en métal précieux, rentrent dans la catégorie de l'orfèvrerie lorsque la valeur du métal travaillé dépasse celle du verre.					
		NOTE 2. Les objets en verre ou en cristal avec support, monture ou garniture en métal non précieux, rentrent dans la catégorie des meubles ou de la mercerie.					
	54	**VOITURES ET VÉHICULES DE TOUTE ESPÈCE (EXCEPTÉ LES VÉHICLES AERIENS ET LES NAVIRES ET BATEAUX) ET LEURS PIÈCES DÉTACHÉES :**					

No. d'ordre général	No. du tarif	DÉSIGNATION DES MARCHANDISES	Unité	TARIF Minim. Krs.	C.	Maxim. Krs.	C.
440 / 443		A—Les charrettes et autres véhicules de transport, y compris les camions, camionnettes et les tapissières à moteur ou non, les wagons et voitures de chemin de fer et tramway et les omnibus à plus de 6 places, quel que soit leur mode de locomotion, et leurs pièces détachées		Ex.		10%	
444		B—Automobiles de tourisme d'une valeur supérieure à 30,000 krans	Ad Val.	10%		25%	
445 / 448		C—Tous autres, y compris les calèches et voitures légères à chevaux, les bicycles et tricycles, les automobiles autres que celles reprises au littera B, les moto-cyclettes et les sidecars		Ex.		10%	
449 / 451		D—Leurs pièces détachées		Ex.		5%	
		NOTE : Pour les moteurs, voir "MACHINES".					
452	55	TOUS AUTRES ARTICLES NON SPÉCIALEMENT REPRIS AU TARIF	Ad Val.	15%		25%	

Droits de Sortie

No. du tarif.	DÉSIGNATION DES MARCHANDISES	Unité	Droits Krs.	Droits C.
1	ANIMAUX VIVANTS :			
	A—Anes	Tête	20	
	B—Chameaux	id.	100	
	C—Chevaux et juments	id.	60	
	D—Poulains	id.	60	
	E—Mulets	id.	80	
	F—Race Bovine :			
	1—Adultes			
	a—Buffles et bufflonnes	id.	30	
	b—Taureaux, bœufs et vaches	id.	20	
	2—Veaux de moins d'un an	id.	5	
	G—Races Ovine et Coprine :			
	1—Adultes :			
	a—Brebis et chèvres	id.	1	
	b—Béliers et boucs	id.	0	50
	2—Agneaux et chevreaux	id.	0	25
	H—Volaille de basse-cour	Ad Val.	5%	
	J—Gibier à plumes et à poils	Ad Val.	5%	
	J—Tous autres animaux	Ad Val.	5%	
2	ARMES ET ACCESSOIRES, Y COMPRIS LEURS PIÈCES DÉTACHÉES, À L'EXCLUSION DES FUSILS DE CHASSE, DES CARABINES ET PISTOLETS DE SALON		Pro.	
	NOTE : L'exportation des pistolets de poche, des revolvers et des armes blanches peut être permise sur autorisation spéciale du chef local des Douanes à raison d'une arme par voyageur.			
3	DENRÉES ET CONSERVES ALIMENTAIRES AUTRES QUE BOISSONS :			
	A—1—Céréales alimentaires comprenant le froment, le riz mondé, l'avoine, l'orge et autres céréales alimentaires non dénommées, telles que le millet, le malt etc.	M.	0	05
	2—Riz non mondé (voir note)	M.	0	10
	NOTE : L'exportation du riz non mondé n'est autorisée que s'il est mélangé à du riz mondé dans une proportion maximum de 20% de riz non mondé pour 80% de riz mondé.			
	B—Farines comestibles	M.	0	10
	C—Oeufs de volaille ou de gibier	100 P.	0	50
	D—Poissons :			
	1—Frais ou congelés	M.	0	10
	2—Salés ou fumés, exportés à l'état sec	M.	0	10
	3—Conservés :			
	a—En boîtes, pots, bouteilles ou autres récipients analogues hermétiquement fermés	M.	0	10
	b—Autrement emballés	M.	0	10
	4—Caviar de toute espèce	M. B.	10	
4	GOMMES SPÉCIALEMENT TARIFÉES :			
	A—Assafoetida	Ad Val.	2%	
	B—Gommes adragantes	Ad Val.	2%	
	C—Autres gommes	Ad Val.	2%	
5	MATIÈRES TEXTILES ET LEURS APPLICATIONS :			
	A—Tapis dans la teinture desquels une couleur quelconque autre que celles pouvant être importées légalement a été employée	Ad Val.	12%	
	NOTE : Le gouvernement Persan se réserve le droit de prohiber l'exportation de ces tapis ou de fixer annuellement le taux du droit de sortie qui leur est applicable.			

No. du tarif.	DÉSIGNATION DES MARCHANDISES	Unité	DROITS	
			Krs.	C.
6	OBJETS D'ART ET DE COLLECTION PROVENANT OU NON DES FOUILLES	Ad Val.	10%	
	NOTE: L'exportation de ces antiquités n'est permise que sur autorisation spéciale du ministère de l'Instruction Publique.			
7	OPIUM	M.	30	
8	PEAUX BRUTES:			
	A—Peaux d'agneaux pour pelleterie ne mesurant pas plus de 55 centimètres du cou à la naissance de la queue:			
	1—Peaux genre d'Astrakhan	Pièce	1	50
	2—Peaux dites de Chiraz	id.	1	
	3—Peaux de Khorassan	id.	0	35
	4—Autres Peaux	id.	0	20
	B—Autres peaux brutes pour pelleterie telles que peaux de martre, de loutre, de renard, de zibeline, de panthère etc.	Ad Val.	5%	
9	PERLES FINES NON MONTÉES, Y COMPRIS LES PERLES SIMPLEMENT ENFILÉES	Ad Val.	20%	
10	TOUTES AUTRES MARCHANDISES		Ex.	

APPENDIX No. XXXI.—[*See page 26.*]

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 of 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 versa*. The grantees, 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 above-mentioned 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 arrangement 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.

APPENDIX No. XXXII.—[*See page 26.*]

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 November 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 Government 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

* No. XXVIII (page 179).

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 millimetres.* 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-Bunder 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.

GEORGE SIEMENS,

MIRZA SAID KHAN,

Minister for Foreign Affairs of the Sublime Persian Government.

APPENDIX No. XXXIII —[*See page 28.*]

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 tele graph 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 transit 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 of 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.

ARTICLE 11.

After the completion of the telegraph line from Chekishler to Astrabad, the Russian Government will make over to that of Persia that part of the said line which shall have been constructed in Persian territory to be its own property.

EDITOR'S NOTE.—Article 7 has been reproduced as it appears in official records. It is evidently incomplete as it does not give the " rights and duties of the Russian Signallers "; the sub-paragraph seems to be a part of a separate article, presumably Article 8, which is not given.

APPENDIX No. XXXIV.—[*See page 28.*]

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 Russian 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 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 $\frac{12}{24}$th 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.

*Appendix No. XXXIII.

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.

JEAN ZINOVIEF.

MIRZA SAIDKHAN.

(30th Sefer 1298 $\frac{31\text{st January}}{12\text{th February}}$ 1881.)

APPENDIX No. XXXV.—[*See page 28.*]

ENGLISH TRANSLATION of the RENEWAL of CONCESSION of 1868 to 31st January 1905. SEALED by PERSIAN FOREIGN OFFICE, TEHERAN, and signed by T. D. NELSON on behalf of TELEGRAPH COMPANY on the 12th August 1882.

The Imperial Persian Government having taken into consideration the request of the Indo-European Telegraph Company, on the prolongation of these Concessions in Persia, the said Concessions are modified and renewed in conformity with the following conditions and clauses :—

ARTICLE 1.

The period of the Concessions of the 11th January 1868 and of the 24th May 1869 are prolonged to 31st January 1905.

ARTICLE 2.

The Persian Government has already, by the Concession of the 24th May 1869, ceded to the actual Concessionnaires, for the period comprised within the 1st of January 1870 and the expiration of the Treaty of the 23rd November 1865, all the rights that this treaty gives and that the renewal of the treaty can yet give on the receipts on the transmitted messages sent on the Teheran-Bushire line, and the English Government has approved of this arrangement to which it adhered by the Treaty of the 2nd December 1872. The cession of these same receipts is prolonged by the present Convention until the 31st January 1905.

ARTICLE 3.

On the expiration of the Treaty of the 2nd December 1872 between the Persian Government and the English Government, the Teheran-Bushire line will be handed back to the Concessionnaires unless the Persian Government concludes within this period with the English Government a new convention respecting this line on the same financial basis, the Concessionnaires will be bound to observe all the conditions of this treaty which are applicable to a company.

ARTICLE 4.

The Concessionnaires have already undertaken to pay to the Persian Government for 25 years (from 1st February 1870 to the 31st January 1895) a rental of 120,000 francs per annum, and in consideration of the prolongation of ten years accorded by the present Concession, the Concessionnaires now consent to pay to the Persian Government an annual sum of 10,000 francs besides the 120,000 francs which is referred to above, this payment to commence from the 31st January 1882 and to continue until the 31st January 1905, being the period of the prolongation stipulated in the above Article No. 1.

ARTICLE 5.

Paragraphs 1, 2, 3, 4, 5, 6, 7, 8 (2 paragraphs), 9 (2 paragraphs), 10 (2 paragraphs), of Article 2 of the Concession of the 24th May 1869 are annulled.

ARTICLE 6.

The final paragraph of Article 11 of the Concession, dated 11th January 1868, is modified as follows :—

In the event of an interruption to the Persian Government wire of more than 24 hours, the Concessionnaires will place one working (good) wire at the disposal of the Persian Government for four hours per diem until the Persian Government wire is restored and this without a right to any compensation.

And in the event of contact between the Persian wire and one of those of the Concessionnaires, the Persian Government will be authorised to make use of one good wire of the Concessionnaires during the said contact and for the period above stipulated in case of interruption.

ARTICLE 7.

The Concessionnaires undertake to lend to the Persian Government, in so far as lies in their power, advice, supervision and assistance for the installation of new offices on the Persian Government line between Teheran and Djoulfa.

But the Concessionnaires have not to bear for this any costs, neither in manual labour, nor in material, nor in apparatus, nor contribute towards the maintenance of the offices so installed.

ARTICLE 8.

From the date of this concession, the Concessionnaires free the Persian Government of all costs of maintenance of its wire between Teheran and Djoulfa, and they will always use all their efforts to restore communication in the event of an interruption of this wire. In return for these services, the Persian Government will obtain, for the Superintendents and Inspectors of the Concessionnaires, every facility to allow them to travel with the greatest promptitude and safety possible.

The Persian Government will immediately consider any complaint made by the Concessionnaires of wilful damage done to the line, and will summarily punish any person guilty of such offence.

ARTICLE 9.

It is understood that from the date of this concession the Concessionnaires will be entitled to one-third of all receipts derived from the Persian proportion of the price of messages emanating on the Persian section of the Concessionnaires' line and exchanged with Europe, the Persian Government reserving to itself the two other thirds of these receipts.

ARTICLE 10.

The accounts relative to the above messages should be communicated to those concerned annually, as is exacted, by the Concession, dated the 11th January 1868, for the other accounts between the Persian Government and the Concessionnaires, and by concession the Concessionnaires will claim no interest on the amounts that may remain due, until the expiration of one year after the submission of the accounts by the Concessionnaires, from which date the Concessionnaires will be entitled to 5 per cent. interest.

ARTICLE 11.

Before the expiration of the present concession (that is to say, before the 1st February 1905) the Concessionnaires and Persian Government should come to some understanding as to the conditions of a new contract for the working of their line, failing which the line from that date will become the property of the Persian Government on the conditions stipulated in the anterior concessions actually in force.

ARTICLE 12.

All the clauses in the Concessions of the 11th January 1868 and 24th May 1869 which are not annulled or modified by this present remain in force.

Done in duplicate at Teheran the 12th August eighteen hundred and eighty-two.

APPENDIX No. XXXVI.—[*See page 28.*]

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 Impérial 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 Russian Legation, said registration, etc., being signed by M. de Butzow, the Russian Minister.

APPENDIX No. XXXVII.—[*See page 30.*]

AGREEMENT between the PERSIAN GOVERNMENT and the INDO-EUROPEAN TELEGRAPH COMPANY,—1906.

Le Gouvernement de Sa Majesté le Schah n'a aucune objection à ce que l'Indo-European Telegraph Company s'entende avec le Gouvernement Britannique pour la reprise éventuelle de la section de Téhéran à la frontière Turque (Kanekine) de la ligne télégraphique qui fait l'objet de la Convention convenue le 23 novembre, 1865, entre le Gouvernement Persan et le Gouvernement Britannique.

Dans le cas où la reprise serait effectuée, les conditions de l'exploitation de la dite section seront réglées par une Convention à conclure entre le Gouvernement Persan et l'Indo-European Telegraph Company.

Ainsi fait en double expédition a Téhéran le 14 Juin, 1906.

SEAL OF ATABEG-I-AZAM.

SEAL OF MUSHIR-ED-DOWLEH.

SEAL OF RUSSIAN LEGATION, certifying authenticity of seals of Atabeg-i-Azam and Mushir-ed-Dowleh.

A. BARANOVSKY.

APPENDIX No. XXXVIII.—[*See page 30.*]

AGREEMENT between the INDO-EUROPEAN TELEGRAPH COMPANY and PERSIAN GOVERNMENT,—1906.

La Compagnie de l'Indo-European Telegraph fait au Gouvernement Impérial Persan l'avance d'une somme de £40,000 à valoir sur les redevances à partir de l'année 1912, conformément aux conditions suivantes :—

La dite avance sera productive d'un intérêt composé de 4 per cent. jusqu'à complete liquidation des obligations actuelles, aprés quoi elle sera productive d'un intérêt simple de 5 per cent.

La Concession est prolongée pour une durée de 20 ans à partir de la date de l'expiration de la Concession actuelle.

Le prix des télégrammes transmis par la Compagnie par ordre de l'Administration des Télégraphes Persans pour compte de particuliers devra lui être soldé mensuellement, et au plus tard dix jours aprés la remise du compte mensuel, compte dont une copie devra être addressée au Premier Ministre. En cas de non-paiement à l'expiration de ce délai de dix jours, la Campagnie devra en aviser officiellement le Premier Ministre ; et si deux mois après la date du dit avis le paiement en retard n'avait pas été effectué par l'Administration des Télégraphes Persans, la Compagnie aura le droit de percevoir dorénavant elle-même et pour toute la durée de la Concession, directement du public, le prix des télégrammes dans toutes les villes où elle possède des offices, sous la réserve toutefois que le Gouvernement aura toujours la faculté, quand il le jugera nécessaire, d'exercer son droit de censure sur tous les télégrammes, tant à la réception qu'à l'expédition.

En ce qui concerne les télégrammes Gouvernementaux remis à la Compagnie à Téhéran le compte en sera adressé tous les trois mois au Premier Ministre et le paiement devra obligatoirement en avoir lieu au plus tard trois mois après la date de la remise du compte trimestriel.

A défaut de paiement à l'expiration de ce délai de trois mois, la Compagnie aura le droit de percevoir elle-même directement les taxes dues pour les télégrammes présentés par le public et de retenir sur ces taxes la part finale revenant au Gouvernement Persan, jusqu'à ce que les frais des télégrammes Gouvernementaux soient complètement acquittés.

Fait en double expédition à Téhéran le 14 Juin, 1906.

SEAL OF ATABEG-I-AZAM.

SEAL OF MUSHIR-ED-DOWLEH.

SEAL OF RUSSIAN LEGATION, with guarantee of the authenticity of the seals of the Atabeg-i-Azam and the Mushir-ed-Dowleh.

A. BARANOVSKY.

APPENDIX No. XXXIX.—[*See page 32.*]

Convention Télégraphique entre la Perse et la Russie,—1923.

La Perse d'une part, et la République socialiste fédérative des Soviets de Russie d'autre part, désirant régler, conformément à l'article 21 du Traité russo-persan de Moscou du 26 février 1921, les relations télégraphiques entre les deux pays et signer dans ce but une convention spéciale, ont nommé pour leurs plénipotentiaires, savoir :

La Perse :

M. S. H. Takizadeh, président de la délégation commerciale de la Perse en Russie ; et

La République socialiste fédérative des Soviets de Russie :

M. L. M. Karakhan, Commissaire-adjoint du Peuple aux Affaires étrangères.

Lesdits plénipotentiaires, après s'être communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, ont convenu des dispositions suivantes :

Article 1er.

Il sera établi un échange régulier de télégrammes entre la Perse et la Russie. A ces fins les deux parties contractantes s'engagent à joindre les réseaux télégraphiques dans les directions suivantes :

1. Krasnovodsk-Tchilichlar-Astrabad,
2. Poltoratsk (ci-devant Askhabad)-Gaoudan-Badjguiran-Meched (deux fils),
3. Artyk-Meched,
4. Sarakhs-Meched,
5. Djoulfa-Tauris, et
6. Astara-Enzeli.

Article 2.

Les deux parties contractantes respecteront le secret des télégrammes échangés entre les deux pays, et les transmettront aussitôt que possible à leur destination.

Article 3.

1. Pour les télégrammes terminaux échangés entre les bureaux télégraphiques des pays contractants sont fixées par mot les taxes élémentaires suivantes :—

(*a*) Pour la correspondance échangée entre la Russie et les localités de la Perse desservies par les lignes appartenant au Gouvernement persan à 65 centimes, dont 30 centimes au profit de la Perse et 35 centimes au profit de la Russie. La liste de ces localités sera transmise par l'Administration télégraphique persane à l'Administration télégraphique russe.

(*b*) Pour les autres localités de la Perse, desservies par les lignes du Département indo-européen à 85 centimes, dont 50 centimes au profit de la Perse et 35 centimes au profit de la Russie.

2. Les taxes élémentaires de transit seront fixées conformément au tableau (B) annexé au Règlement de Service télégraphique international.

3. Les taxes mentionnées ci-dessus aux §§ 1 et 2 peuvent être, d'un commun accord, augmentées ou diminuées dans les cas où des modifications seraient apportées aux dispositions de la Convention internationale télégraphique en vigueur et du règlement y annexé, sous la condition, toutefois, que les deux pays contractants soient signataires de ces actes ou y aient ultérieurement adhéré.

4. Les taxes fixées dans la présente convention peuvent être également modifiées, d'un commun accord, par les Administrations télégraphiques des deux pays, dans le cas où une telle modification sera reconnue nécessaire par les deux parties. Toutefois, une pareille modification ne peut avoir lieu qu'en conformité avec la Constitution de chaque pays.

5. Les taxes mentionnées ci-dessus, lors de leur application aux télégrammes de presse, seront réduites de 50 pour cent dans les relations russo-persanes et d'au moins 50 pour cent dans les autres relations.

ARTICLE 4.

Les télégrammes de service échangés entre les Administrations centrales des Postes et des Télégraphes des pays contractants ou entre les fonctionnaires y autorisés et relatifs aux services télégraphique et postal seront transmis en franchise.

De même seront transmis en franchise tous les télégrammes meteorologiques.

ARTICLE 5.

Tous les télégrammes privés doivent être écrits en caractères latins et dans une des langues suivantes : persane, russe, allemande, anglaise et française.

ARTICLE 6.

Les télégrammes de service, les notes de service accompagnant la transmission des télégrammes, ainsi que toute correspondance officielle entre les Administrations télégraphiques des deux pays, seront rédigés en langue française.

ARTICLE 7.

1. Les comptes mutuels relatifs à l'échange télégraphique seront dressés mensuellement et calculés en francs-or.

2. Les sommes dues résultant de la balance seront payées trimestriellement en francs-or ou en leur équivalent en livres sterling, à l'office créancier, au plus tard dans un délai d'un mois après l'expiration du trimestre respectif.

3. Les erreurs constatées après la vérification des comptes seront relevées dans le compte suivant.

ARTICLE 8.

1. Si dans l'échange entre la Perse et la Russie le télégramme, par la faute du service télégraphique, est parvenu à destination plus tard qu'il ne serait arrivé par la poste ou s'il n'a été remis au destinataire qu'après un délai de cinq jours, la taxe intégrale d'un tel télégramme sera remboursée a l'expéditeur sur sa demande.

2. Le délai indiqué ci-dessus sera réduit de moitié pour les télégrammes d'Etat, les télégrammes urgents et les avis de service taxés.

3. Dans tous les autres cas, en ce qui concerne les détaxes et les remboursements, seront appliquées les dispositions du Règlement de Service télégraphique international.

ARTICLE 9.

Il est reservé aux Administrations télégraphiques des pays contractants le droit d'établir d'un commun accord, dès qu'il sera possible, le service radiotélégraphique dans leurs relations mutuelles, et de fixer, de la même façon, les taxes à percevoir pour les radiotélégrammes. Toutefois, ces taxes ne devront pas dépasser celles qui sont prévues par la Convention internationale en vigueur et par son règlement exécutif.

ARTICLE 10.

Dans tous les cas qui ne sont pas prévus par la présente convention seront appliquées, pour les relations télégraphiques entre les deux pays, les stipulations de la Convention télégraphique internationale en vigueur et du Règlement de Service y annexé.

ARTICLE 11.

La présente convention sera mise à exécution trois mois après la date de sa signature et demeurera en vigueur pendant une année. Si aucune des parties contractantes ne notifie à l'autre trois mois avant l'expiration de ce terme son intention d'en faire cesser les effets, elle demeurera en vigueur pendant une année encore. Il sera procédé de la même façon les années suivantes.

ARTICLE 12.

La présente convention sera ratifiée.

L'echange des actes de ratification aura lieu à Moscou aussitôt que possible, mais pas plus tard que six mois après la date de la signature.

En foi de quoi les plénipotentiaires des pays contractants ont signé la présente convention et y ont apposé leurs sceaux.

Fait en double expédition, à Moscou, le 27 avril 1923.

Déclaration.

Au moment de la signature de la Convention télégraphique entre la Perse et la Russie, signée en date de ce jour, les deux parties contractantes déclarent que :

Vu l'union administrative existant dans les affaires télégraphiques entre la Fédération des Républiques de la Transcaucasie et la Russie, il est convenu que les stipulations de cette convention seront aussi étendues à ladite fédération, et que, par conséquent, cette dernière, ensemble avec la Russie, seront considérées comme une unité télégraphique et représentées par une seule administration.

En foi de quoi, les plénipotentiaires des pays contractants ont signé la présente déclaration et y ont apposé leurs sceaux.

Fait à Moscou, en double expédition, le 27 avril 1923.

APPENDICES.

AFGHANISTAN.

APPENDIX No. I.—[*See page 217.*]

DESCRIPTION of the AFGHAN FRONTIER between the HARI RUD and the OXUS.

Leaving pillar No. 19 the frontier runs east by south in a straight line for some $7\frac{1}{5}$ miles (as measured on the map) to pillar No. 20 which stands on the summit of the high hill, distant about 4 miles to the north by west of the Kara Tepe mound. From pillar No. 20 the line runs in a south-easterly direction to a long round-topped hill at the head of a ravine running down to the Kushk River, and thence along the crest of a ridge in a southerly direction to a point overlooking the valley of the Kushk known as the Ziarat-i-Khwaja Alam Dar, marked by a heap of stones and a grave. Pillar No. 21 stands on the top of this heap of stones. From there the line runs straight down the side of the hill, and straight across the valley to pillar No. 22, on the left or western bank of the Kushk River, at a distance of 300 yards below its junction with the Moghor stream.

Pillar No. 22 stands near the edge of the bank above flood-level, and about 2,600 yards north of the Kara Tepe mound.

From pillar No. 22 the boundary runs up the course of the River Kushk for some $9\frac{4}{5}$ miles (as measured on the map in a direct line) to pillar No. 23 built on the edge of the right or eastern bank of the river, and nearly in the centre of the valley, at a distance of 900 yards from the head of the canal taking off from the river on the right bank at the northern side of Chahil Dukhtaran point below and on the opposite side of the river to the Ziarat-i-Chahil Dukhtaran.

Pillar No. 23 is distant some 275 paces from the mound where the road up the right bank of the river after crossing the Chahil Dukhtaran point debouches again on to the plain. The boundary runs north-eastwards in a straight line from pillar No. 23 for some $14\frac{4}{5}$ miles to pillar No. 24, described hereafter. The intermediate pillars are pillar No. 23A standing 360 paces to the north-east of pillar No. 23, on the top of the bluff forming the eastern edge of the valley, and about 175 paces from the mound on the road-side above mentioned.

Pillar No. 23B, situated on the sky line at a distance of about $1\frac{1}{2}$ miles from No. 23A, on a low flat-topped mound visible from both up and down the Kushk Valley, but not visible directly from No. 23A.

Pillar No. 23C, standing on a ridge of the northern slope of the hill known as the Band-i-Chah-i-Khishti. The pillar is situated on an isolated knoll in the ridge, and some 300 yards to the north of a higher and sharper shoulder of the same ridge. Pillar No. 23B is situated $6\frac{1}{2}$ miles to the south-west, and pillar No. 24 rather more than $5\frac{3}{4}$ miles to the north-east.

Pillar No. 24 stands on the western end of a long, steep, white hill, as seen from the south on a point known as the Ziarat-i-Baba Taghi. This pillar is built on the

mound of stones marking the site of this Ziarat, and to the west of some graves. From this point the boundary turns east by south, and follows the line of the watershed of the Bundi-i-Chingarak Range.

Pillar No. 24A is built just to the north of the footpath running along the summit, where the boundary takes a turn to the south round the head of a steep-sided ravine or hollow running northwards, known as Kham-i-Sabz. Pillar No. 24B stands on the watershed at the south-east angle of the same hollow.

Pillar No. 25 stands on the top of the Kotal above the Chashma-i-Chingarak on the eastern side of the road, and distant about 6¾ miles in a direct line from pillar No. 24.

Pillar No. 26 stands on a high hill with a steep bluff on its northern side covered with pistachio trees, some 1¾ miles from pillar No. 25. The pillar is built on a heap of stones close to some graves known as the Ziarat-i-Chingarak. Thence the line bends slightly southwards again still along the same watershed round the head of a deep hollow with a spring in its south-eastern corner known as the Chashma-i-Gaz, and on to another high point, and thence on to pillar No. 27 on the point beyond that again, a high bluff without name and distant in a direct line from pillar No. 26 rather more than 4¾ miles.

Pillar No. 28 stands on the eastern of two high points about 7½ miles to the north-east of No. 27, and pillar No. 29 about 10¾ miles further on beyond that again in the same direction.

The boundary follows the watershed all the way.

Pillar No. 29 immediately overlooks the Kashan valley, and stands on a shoulder of the hill on the western side of the valley, just below the southern of the two peaks on its summit, and opposite a western bend of the river. Here the boundary leaves the watershed, and runs in a straight line across the Kashan valley in a north-easterly direction for rather more than 3 miles to pillar No. 30 which stands on a heap of stones on a rocky point at the summit of the hills on the eastern side of the valley, and immediately to the west of, and overlooking the mouth of, a precipitous gorge known as the Palang Khwawali.

Between pillars Nos. 29 and 30 two intermediate pillars were erected to mark the line of crossing in the Kashan valley. The first, No. 29A, stands on the left or western bank of the Kashan stream on a bit of high bank between the Kashan and its affluent, the Kalimal, and just above its junction with the latter, at a distance of about ¾ of a mile from the domed reservoir at Tora-Shaikh, and about the same distance from pillar No. 29. Pillar No. 29B stands on the crest of the rocky ridge on the right or eastern side of the valley rather more than a mile from pillar No. 30. From pillar No. 30 the boundary follows the line of the watershed of the Tora-Shaikh Ridge running eastwards for rather more than 5 miles to pillar No. 31, erected on the top of a hill at the point where the line of the watershed between the Kashan and the Murghab rivers joins that of the Tora-Shaikh Ridge. From this point the boundary turns northwards and follows the line of the watershed between the Kashan and the Murghab Rivers for nearly 15 miles

to pillar No. 32. Between Nos. 31 and 32 three intermediate pillars were erected The first, No. 31A, on the northern side of the road which leaves the Kashan valley at Kak-i-Dowlat Beg and runs to Mangan. The pillar stands on the top of the Kotal where the road crosses the watershed, and at a distance of nearly 5 miles from pillar No. 31.

The second, No. 31B, stands on a round-topped high hill, about half a mile to the north of, and visible from, No. 31A. The third, No. 31C, stands on the northern side of the road between Yaki Gachan in the Kashan valley and Tannur Sangi on the Murghab, at the top of the Kotal forming the watershed between the two valleys, and about 3¼ miles from pillar No. 32. Pillar No. 32 stands on the top of a conical hill, the highest hill on the watershed between the Kashan and the Murghab, and just at the point where the watershed divides near the head of the Kul-i-Madir-i-Naib which runs northwards from there down to the Murghab.

From pillar No. 32 the boundary turns in an east-north-east direction and runs in a straight line for a little over 3 miles to pillar No. 33, built on the top of a long high ridge and then on in a straight line for nearly 4 miles, again to pillar No. 34 on the top of the southernmost point of a high flat ridge between Shor Tannur Sangi, and the next Shor on the west and about 1¼ miles from Tannur Sangi itself. From thence the line crosses the Tannur Sangi Shor in a straight line, and runs on for a little more than ¾ of a mile to pillar No. 34A built on the top of a high, rounded knoll on the east side of Tannur Sangi Shor, and between it and the Murghab, and thence on in the same straight line for a little under half a mile to pillar No. 35 built on the left bank of the Murghab, and close to the water's edge 700 feet above the Tannur Sangi ford.

From pillar No. 35 the frontier follows the course of the River Murghab till it joins pillar No. 36 at the northern end of the Maruchak valley.

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DESCRIPTION of the AFGHAN FRONTIER between the HARI RUD and the OXUS.

From pillar No. 65 the boundary runs in a straight line for 2¼ miles in an east by south direction to pillar No. 66, which stands in the open plain close to the west side of the road from Andkui to Imam Nazar at a distance of 3,500 feet to the south of the main well at Imam Nazar. Thence the line runs almost due east for some 9¾ miles to pillar No. 67, placed on the top of a sandy rise 20 yards to the west side of the road leading from Ak Khan Bhai Kak to Tash Kuduk and thence on in the same straight line for another 4½ miles to pillar No. 68 built on the east

side of the road from Shibarghan to Kara Tepe Khurd and Tash Kuduk and 150 yards to the north of the main or southernmost of the two Kara Tepe Khurd Kaks, both of which remain on the Afghan side of the frontier. From pillar No. 68 the frontier turns in a north-easterly direction and runs in a straight line for 5¼ miles to pillar No. 69 on the top of a slight rise 30 yards to the south of the road running from Kara Tepe Kalan to Dunguz Surt and thence on in the same straight line for 4¼ miles to pillar No. 70 built on a fairly high and solid mound among low sand hills half a mile to the east of the main road from Kara Tepe Kalan to Bosagha and exactly midway and in a straight line between the wells of east and west Katabaji, the former of which remains to Afghanistan and the latter to Bokhara. From this point the boundary runs due north in a straight line for nearly 6¾ miles to pillar No. 71 which stands about midway between the wells of Alikadim and Chahi, to the north side of the road between them and close to the point where the road from Alikadim *viâ* Deb Kilah to Khamiab forks from the road to Chahi. The pillar stands on a low rise in the dry water-course that runs past Alikadim westwards towards Dunguz Surt. From here the frontier runs north by east in a straight line for 6¾ miles to pillar No. 72 on a small patch of sound open ground amid sand hills, about half a mile outside the edge of the Khamiab cultivation and thence on in a straight line for half a mile to pillar No. 73, built at the mouth of the road that runs through the cultivation along the Buz Arik canal. The pillar stands at the south-west corner of the compound of Muhammad Wali Sufi's house. From pillar No. 73 the boundary runs for 365 yards up the centre of this road to pillar No. 74 built on the east side of the road at the point where it crosses the Buz Arik canal by a wooden bridge, at the northern end of this bridge and on the western bank of the canal, which here turns off to the west into Bosagha land. From pillar No. 74 the boundary follows the course of the Buz Arik canal for 3 miles through the cultivation to pillar No. 75. The canal throughout this distance belongs entirely to Bosagha, the trees along its left or southern bank belonging to Khamiab and those on its northern bank to Bosagha.

Pillar No. 75 is built on the northern bank of the Buz Arik or Yangi Arik canal at a distance of 15 yards to the east of the wooden bridge over that canal, situated about 200 yards to the north-east of Aral Bai's house and 250 yards north-west of Kara's house. From this point the boundary turns northwards across the canals and river flats and runs pretty well in a straight line to the bank of the river. From pillar No. 75 the line follows a low earthen bank or ridge for 182 yards to pillar No.76 on the top of the southern bank of the Mirza Beg Ibdal canal, and thence for 155 yards further, during which it crosses the Mirza Beg Ibdal the Nikcha, the Shaikh Arik, and the Saligh canals to pillar No.77 built on the northern bank of the Saligh canal 50 yards to the east of the canal crossing east of Juma Bai's house, and at a point marked by the remains of some old canal which has been here cut through obliquely by the Shaikh Arik and Saligh canals. From here the boundary follows the line of the track running from the canal crossing above mentioned in a direction slightly to the east of north across the river flat to pillar No. 78 built on the south bank of a small creek crossed by the track, at a distance of 736 yards from pillar No. 77 and thence on in the same straight line

to pillar No. 79 on the left bank of the Oxus just above flood-level and close to the west side of the track above mentioned.

To mark the fact that under the terms of paragraph II of the St. Petersburg Protocol No. 4 of the $\frac{10th}{22nd}$ July 1887 the canals of Bosagha all along their course, that is to say, as far as Koinli, shall be included in Russian territory, a subsidiary pillar, marked H in the map, was erected at the head of the Buz Arik canal in the Koinli District, close to the river bank and immediately to the south of the present canal-head. A small canal, called Penna Beg, takes off 50 yards to the south of the pillar.

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AFGHANISTAN.

APPENDIX No. II.—[*See page 217.*]

HASHTADAN.—SYNOPSIS OF BOUNDARY MARKS.

No. of pillar.	Description.	Bearings.		Distances.		Remarks.
1	A masonry pillar 6′×3′ at a distance of 34 paces from left bank of Kal-i-Kalla, and 300 paces below point where old canal takes off from right bank. Pillar 1 is plastered with gypsum mortar. Line runs straight to pillar 2.	Pillar 2 . . .	213°	Pillar No. 2 .	3,145 paces or 2,939 yards.	Note.—107 horse paces = 100 yards.
		High point on E. of Darband Pass.	144°			Pillar 1 is 1,020 horse paces from ruins of Darband.
		Centre Darband village.	360°			High hill on E. of Darband Pass marked on Survey Map, Sheet 11, S.-W. North-West Trans-Frontier.
		Pillar 3 . . .	239°			The course of the old canal can be traced from the point where it leaves the bank of the Kal-i-Kalla for a long distance.
		Centre of Kafir kala.	601°			
		Old canal head.	146°			
2	A masonry pillar on top of a rounded conical hill. A narrow neck forming watershed connects it with Karawal hill. At 35° a little ridge of red rocks crops up out of ground at a distance of 40 feet. Pillar 2 overlooks valley of the Kal-i-Kalla. Line to 3 follows watershed.	Karawal hill . .	224°	Pillar „ 3	Could not be measured being in hills.	The Karawal hill is a remarkable conical hill on the west of the Darband Pass.
		Pillar 3 . . .	264°			The mill itself is not visible owing to low hills. It is situated on the left, not the right, bank, at a distance of
		Mill at Darband .	127°			
		High point on E.	102°			
		Pillar 1 . . .	33°		See map.	
		Western tower of Darband ruins.	20°			

							120 paces from the edge. Its distance from the canal is about 2,800 yards and to pillar (1) 300 paces more. The Western Darband tower is on the edge of the right bank of the Kal-i-Kalla.
3	A masonry stone pillar plastered with gypsum on a stony platform forming summit of a double-headed hill, the second highest in the range. The second summit is about 80 yards distant and bears 232°. Both summits about same height and from the plain present the appearance of a V. Line to 4 follows watershed.	Pillar 2 . . . Darband village . High point E. of Darband Pass. Western point of peak 80 paces off. High peak on W. Pillar 1 . . .	Not visible.	83° 50° 94° 232° 293°	Pillar „ 4	Ditto . .	Pillar 2 very indistinct from background of hill; probably 84° would be more accurate. The high peak on W. is the highest point of Sanjiti about ½ mile distant. Shuts out pillar 4 from view.
4	A masonry pillar about 5½′ in height plastered with gypsum; partly brick and partly stone. Pillar 4 is built on a summit of a double-headed rocky eminence on the backbone of the ridge, at the point where the Koh-i-Sartip spur branches off. A deep ravine runs from it on the S.-W. separating Koh-i-Sartip from the watershed and pillar 5. Another ravine runs from its base towards the N.-E. Both ravines drain to the Persian plain. The double-headed hill presents a V-shaped appearance from the Hashtadan side. Line to pillar 5 follows watershed.	Western point of Koh-i-Sartip. Pillar 5 . . . Low hillock 60 paces distant. Highest peak of range about one mile distant.		302° 262° 193° 87°	Pillar „ 4	Ditto . .	Koh-i-Sartip spur branches off from pillar 4 beyond the watershed.

SYNOPSIS OF BOUNDARY MARKS—*contd.*

No. of pillar.	Description.	Bearings.			Distances		Remarks.
5	A brick masonry pillar about 6 feet high and about 3 feet in diameter plastered with gypsum, situated on a level platform on a short ridge which marks a conspicuous depression in the range. The most conspicuous neighbouring feature is a mass of black* rock cropping up out of the ground forming a knob visible from the plains. Line to pillar 6 runs straight	Pillar 4 . . .		82°	Distance to 6 could not be measured being very broken ground, and the greater part of it forming slope of hill.	....	A deep wide ravine or valley springing from pillar 4 runs between Koh-i-Sartip and pillar 5. From a distance Koh-i-Sartip looks as if it formed part of watershed. The pillars from 5 to 10 are really all in a line.
		Western point of Koh-i-Sartip.		57°			
		*Black rock (150 paces off).		139°			
		Low hillock on W. of ravine edge of which is 50 paces from pillar.		258°			
		Pillar 6 . . .	Between	197° and 198°			
		Pillar 3 . . .	(Invisible.)				
6	A masonry brick pillar on a low rising ground on the edge of a ravine. At 100 yards to the east is a knoll about 10 feet higher than the site of the pillar and overlooking a ravine running down to the Kal. Line runs straight to 7.	Pillars 7 and 8 .		198°	To pillar 7 .	960 paces=897 yards.	*On W. of No. 5, ½ mile distant and very conspicuous from plain. Point on which pillar 3 stands is visible, but not pillar 3 itself.
		Pillar 5 . . .	Between	17° and 18°			
		Pillar 4 . . .		57°			
		*Conical hill . .		9°			
		Pillar 3 . . .		75°			
7	A masonry pillar on plain, no remarkable feature in vicinity. Line runs direct to pillar 8, last portion being up slope of hill. Height about 6 feet, diameter about 3 feet, plastered with gypsum.	Pillar 6 . . .		18½°	Pillar 8 .	1,450 paces=1,365 yards.	
		Conical hill . .		14°			
		Pillar 4 . . .		47°			
		Pillar 3 . . .		65°			
		Pillar 8 . . .		200°			
8	A masonry pillar on top of a grassy hill a little out of the line on	Pillar 4 . . .		39°	Pillar 9 .	2,316 paces=2,164 yards.	This pillar is actually 36 paces to west of
		Conical hill . .		16°			

	account of it having been found necessary to choose a better site. No remarkable feature in the vicinity. Pillar 8 is about 5 feet high and 3¼ in. diameter, and is plastered with gypsum. Line runs direct to pillar 9.	Pillar 3 . . . Pillar 7 . . Pillar 9 . . . Pillar 10 . .	54½° 20° 198° 198°			site in order to secure good position. the original site being in a depression.
9	A masonry pillar on a low mound in plain, 6 feet high by about 3¼ in. diameter. No remarkable feature in vicinity. Line runs direct to 10.	Pillar 10 . . Pillar 8 . . . Pillar 4 . . . Koh-i-Sartip . .	198° 18½° 33° 26°	Pillar 10 .	2,045 paces=1,911 yards.	Pillar 3 and conical hill not visible from pillar 9.
10	A masonry pillar on a low remarkable promontory overlooking the Kavir at a distance of about 300 yards from the junction of Nos. 5 and 6 branches of the Shorab. At the point of the promontory is a small low-walled enclosure used by the nomads for prayer. Hence name of Ziarat. The pillar is close to the northern end of the wall. Line to 11 runs straight.	Pillar 4 . . . Pillar 3 . . . E. tower of Pardai. Koh-i-Sartip . . Pillar 5 . . .	30° 39° 292° 23° 18°	Pillar 11 .	1,302 paces=1,217 yards.	Pillar 4 itself not visible from 10, but the point on which it stands is. Pillar 3 itself not visible. Pillar 5 itself not visible, but the point on which it stands is very conspicuous.
11	A masonry pillar on a low mound in the Kavir. It is a little out of the line to avoid soft ground. Line runs direct to pillar 12. Plastered with gypsum.	Pillar 10 . . East tower of Pardai. Pillar 12 . . Hashtadan Mound.	57° 305° 238½° 248°	Pillar 12 .	1,158 paces=1,082 yards.	The pillars from 10 to 15 are almost in a straight line.
12	A masonry pillar on a low mound in Kavir plastered with gypsum. It is placed 5 paces west of proper site to avoid soft ground. Line to 13 runs straight.	Pillar 11 . . East tower of Pardai. Pillar 13 . . Pillar 29 . . Hashtadan Mound .	58½° 319° 237½° 230° 251°	Pillar 13 .	1,109 paces=1,036 yards.	Pillars 1 to 12 inclusive all built by Afghans, and all of one pattern, conical shape.

SYNOPSIS OF BOUNDARY MARKS—*contd.*

No of pillar.	Description.	Bearings.		Distances.		Remarks.
13	A brick masonry pillar minâr-shaped with cap, about 8 feet high and 3 feet in diameter without plaster except on cap. All the Persian pillars except when specially mentioned are built on this pattern. It is placed on a low mound. Line to 14 runs straight.	Pillar 12 . . East tower of Pardai. Pillar 14 . . Pillar 29 . . Hashtadan Mound .	58° 334° 238° 230° 254°	Pillar 14 .	1,171 paces=1,094 yards.	From pillar 13 to pillar 32 built by Persians.
14	A masonry pillar as above on a low mound. Line to 15 runs straight. It is surrounded by soft muddy Kavir.	Pillar 13 . . East tower of Pardai. Pillar 15 . . Pillar 29 . . Hashtadan Mound .	58° 348° or (348¼°) 238° 229° 259°	Pillar 15	1,150 paces=1,075 yards. ...	 Also 259¼° to Hashtadan.
15	A masonry pillar on a mound near edge of Kavir. Line to 16 runs straight.	Pillar 14 . . East tower of Pardai. Pillar 29 . . Pillar 17 . . Pillar 16 . . Karez (40 paces) . Karez (75 paces) . Hashtadan Mound .	58° 360° 228° 278° and 277° 276° 334° 247° 269°	Pillar 16 .	881 paces=823 yards.	On edge of Kavir. A line of Kanats shown in original map runs parallel to the line between 15 and 17.
16	A masonry pillar placed a little out of straight line between 15 and 17 owing to some error on part of mason and Persian Agent.	Pillar 15 . . Pillar 17 . . E. tower of Pardai. Pillar 29 . .	96° 278° or 279° 368° or 369° 224°	Pillar 17 .	1,078 paces=1,008 yards.	

		Pillar 32 . . Koh-i-Safid . . Kanat well at a distance of 170 paces. Hashtadan Mound .	191½° 194° 203° 265°	..	—	Summit of hill on which pillar 32 is built is visible, not the pillar itself, which is too distant to be seen. The Koh-i-Safid is a high white coloured hill being end of a spur which projects to the south of the watershed from which it is separated by a deep valley. From a distance it looks as if a part of watershed.
17	A masonry pillar forming the eastern corner of the deflection round the Hashtadan Mound stipulated for by the Shah. It is 440 yards due E. of a point, 220 yards due N. from the centre of the Hashtadan Mound. Line to 18 runs straight.	Pillar 16 . . Pillar 18 . . Pillar 29 . . Koh-i-Safid . . Pillar 32 . .	98° 212½° 219½° 189° 187°	Pillar 18 .	921 paces=861 yards.	
18	A masonry pillar forming the S. angle of the deflection round the Hashtadan Mound. It is 440 yards due S. of the centre of the mound. Line to 19 runs straight.	Pillar 17 . . Pillar 19 . . Pillar 20 . .	32½° 334° 275°	Pillar 19 .	831 paces=777 yards.	
19	A masonry pillar placed 330 yards due W. of a point 220 yards due N. of the centre of the Hashtadan Mound. Pillar 20 not visible owing to an intervening rise of ground. Line runs straight to pillar 20.	Pillar 18 . . Pillar 29 . .	154° 214°	Pillar 20 .	1,745 paces=1,631 yards.	All the pillars from 19 to 24 are in a straight line.

SYNOPSIS OF BOUNDARY MARKS—*contd.*

No. of pillar.	Description.	Bearings.		Distances.		Remarks.
20	A masonry pillar as above. Pillar 19 not visible.	Pillar 21 . .	253°	Pillar 21 .	1,757 paces= 1,642 yards.	
		Pillar 29 . .	207½°			
		Pillar 18 . .	95°			
		Pillar 19 . .	(Not visible.)			
21	A masonry pillar in open plain. Line runs direct to pillar 22.	Pillar 20 . .	73°	Pillar 22 .	1,635 paces= 1,528 yards.	
		Pillar 22 . .	253°			
		Pillar 29 . .	194½°			
22	A masonry pillar in open plain. Line runs direct to pillar 23.	Pillar 21 . .	73°	Pillar 23 .	1,618 paces= 1,512 yards.	
		Pillar 23 . .	253°			
		Pillar 29 . .	180½°			
23	A masonry pillar in the open plain. Line to 24 runs direct.	Pillar 22 . .	73°	Pillar 24 .	1,981 paces= 1,851 yards.	
		Pillar 24 . .	253°			
		Pillar 29 . .	165°			
24	A masonry pillar in the open plain forming the N.-W. angle of the boundary line. The pillar is placed about 60 paces W. of the stone pillar erected by Lieutenant Galindo to mark the corner. Line runs direct to pillar 25, and crosses road between Karat and Ghorian at 220 paces.	Pillar 23 . .	73°	Pillar 25 .	About 1,132 paces =1,058 yards.	Pillar 24 was at first built about 1,260 paces to the W. Lieutenant Galindo's pillar was destroyed by nomads in 1891. They removed all the stones except the base one, which was too heavy to carry off. My line ran right over it.
		Pillar 25 . .	196°			
		Pillar 29 . .	144°			
25	A masonry pillar in open plain, 70 paces from the head well of a Kanat on account of which this pillar had to be rebuilt. Line to 26 straight.	Pillar 24 . .	16°	Pillar 26 .	929 paces=868 yards.	New S.-W. corner. Pillars 25, 27, 28, and 29 are in one line.
		Palangawa . .	219° or 220°			
		Pillar 29 . .	133°			
		Pillar 26 . .	161°			
		Hashtadan Mound.	69½° or 70°			

23	A masonry pillar in the open plain at a distance of 60 paces from head of a line of Kanats. Line to 27 runs direct.	Pillar 25	341°	Pillar 27	1,095 paces= 1,023 yards.	
		Palangawa	224° or 225°			
		Pillar 29	126½°			
		Pillar 27	107½°			
		Pillar 28	123°			
		Hashtadan Mound.	64°			
27	A masonry pillar in the open plain. Line runs straight to 29.	Hashtadan Mound	58½°	Pillar 28	1,648 paces=1,540 yards.	
		Palangawa	229°			
		Pillar 26	287½°			
		Pillar 29	133°			
		Pillar 28	133°			
28	A masonry pillar in the open plain. Line to 29 runs direct.	Palangawa	238°	To end of plain.	840 paces=785 yards; remainder forms slope of hill forming point of Kadaona.	Last pillar in plain=785 yards.
		Hashtadan Mound	48° or 48½°			
		Pillar 29	133°			
		Pillar 27	313°			
29	A circular stone masonry pillar about 9 feet high on the highest and central point of the bluff called point of Kadaona. This is visible all over the valley. It is on the edge of a long steep slope, facing pillar 28, which forms a great part of the distance between the two pillars. Line to 30 follows watershed.	Hashtadan Mound	38°	Distance	See map. Could not be measured by pacing.	Pillars 24 and 25 not visible owing to distance. Pillars 31 and 32 not visible owing to background of hills from this point. Head of 30 just visible. None of the pillars between 19 and 27 visible.
		Pillar 28	313°			
		Palangawa	247°			
		Pillar 30	112°			
		Pillar 31	Not visible.			
		Pillar 32	Ditto.			
30	An obelisk shaped brick masonry pillar about 9 feet high on a low neck at eastern end of the Kadaona bluff, from which pillar 29 and Hashtadan Mound are just visible. Close by, on the S. side, is an old sheep pen, and on the northern side a low hillock. Line to 31 follows watershed which takes a curve round by the south.	Pillar 29	292°	Ditto	Ditto	On neck connecting Kadaona bluff with Kadaona range. Pillar 30 fixed on survey map by Kadaona point (pillar 29), pillars 31 and 32, and on the Hashtadan Map by its bearings from Hashtadan Mound.
		Hashtadan Mound	33½°			
		Small hillock close by.	51°			
		Pillar 31	134°			
		Pillar 32	138°			

SYNOPSIS OF BOUNDARY MARKS—*contd.*

No. of pillar.	Description.	Bearings.		Distances.		Remarks
31	An obelisk shaped brick masonry pillar about 8 feet high on the S. point of a conical hill on crest of watershed which begins to rise here. To the S. is a ravine with fresh water. Line to 32 follows watershed and is nearly straight.	Pillar 30 . .	314°	Distance .	See map. Could not be measured by pacing.	No. 31 fixed by pillar 32, conical hill, Koh-i-Safid and Kadaona point (pillar 29).
		Pillar 29 . .	312°			
		Pillar 32 . .	152°			
		Conical hill . .	102¾°			
		Hashtadan Mound .	*8½°			*For bearing of Hashtadan from 31, 9½° was also read, but owing to wind uncertain.
		Palangawa . .	267°			
		†Koh-i-Safid . .	177°			†South of watershed about ½ mile off.
32	An obelisk shaped masonry pillar about 9½ feet high standing on a conspicuous point on watershed which from plain looks like a double headed mound on southern head of which pillar stands. From its southern and northern sides run ravines, containing water. To the S., separated by a deep ravine, is the Koh-i-Safid in Persian soil, which at a distance seems joined to the hill on which the pillar is. Pillar 32 visible for a long distance to the W. Line to 33 follows curves of watershed.	Pillar 33 . .	161½°	Ditto .	Ditto . .	No. 32 fixed by pillar 33, conical hill and Koh-i-Safid.
		Conical hill . .	94½°			
		Palangawa . .	271½°			Last day 272°.
		Pillar 31 . .	332°			Ditto 331°.
		Pillar 29 . .	315¾°			Ditto 315°.
		Koh-i-Safid . .	218°			
		Hashtadan . .	5°			Pillar 32 is the last Persian pillar.
		Northern end of spur	13°			Length of spur 195 paces.
33	A masonry pillar minâr shaped on the centre of three rounded knolls which form crest of watershed consisting of high rolling down. A ravine runs from 33 to the S.	Pillar 32 . .	341½°	Ditto .	Ditto . .	Pillars 33 to 39 built by Afghans.
		Pillar 34 .	138½°			Pillar 33 fixed by conical hill, Koh-i-Safid and pillar 34.
		Hashtadan Mound .	360°			
		Conical hill . .	74°			

	and another to the north. Line follows watershed to 34.	Koh-i-Safid (white hill).	324°			
		Southern end of ridge on which pillar is.	251°	..	..	About ½ mile distant.
		Northern knoll at 75 feet distance.	57°			
		Knoll on S. . .	184°			The knoll is 54 feet off and rises a little above level of pillar.
34	A masonry pillar built on a little platform close to a black rock on the crest of the range. From the E this rock looks like a bush. There is a sudden dip to the E. To the N. E. is the Siah Koh. Line follows watershed to 35.	Pillar 33 . .	318½°	Ditto .	Ditto . .	Pillar 34 fixed by Siah Koh, pillar 36 and pillar 35.
		Pillar 32 . .	330°			
		Pillar 35 . .	178°			
		Yal-i-Khar . .	133°			Tirkisht and conical hill invisible.
		Siah Koh . .	41°			Yal-i-Khar too distant to be reliable.
		Hill on which 36 stands.	163½°			Siah Koh is a spur rising to the north of the watershed and is the highest point of Kadaona range.
		Pyramidal hill near Siah Koh.	102½°			Pillar 31 itself not visible.
35	A masonry pillar on a knoll on crest of watershed, not conspicuous; the hills being rolling down. Line follows curves of watershed to 36.	Pillar 34 . .	358°	Ditto .	Ditto . .	Also 130°. Yal-i-Khar a little too distant.
		Pillar 36 . .	159½°			
		Tirkisht hill . .	90°			
		Yal-i-Khar . .	129°			
		Sang-i-Dukhtar .	80°			Pillar 35 fixed by pillar 36, Siah Koh and Tirkisht hill.
		Kashlushi hill . .	199°			
		Siah Koh . .	20°			
		Pyramidal hill .	51°			
		Black rock . .	13°			At 100 paces distance in ravine facing pillar.

Synopsis of Boundary Marks—*concld.*

No. of pillar.	Description.	Bearings.		Distances.		Remarks
36	A masonry pillar on a high knoll without any remarkable feature in vicinity. Line follows curve of watershed to 37. There is a considerable rise to 36.	Pillar 35 . .	339½°	Distance .	See map. Could not be measured by pacing.	Position of pillar 36 fixed by pillar 37, Tirkisht hill, Siah Koh and Kashlushi hill.
		Pillar 37 . .	127°			
		Tirkisht hill . .	69°			
		Yal-i-Khar . .	120°			
		Siah Koh . .	355½°			
		Kashlushi hill .	251°			
37	A masonry pillar on the top of a high hill visible from all directions. This is the true end of the Kadaona range proper. There is a great dip from 37 and 38 to which line follows low watershed.	Pillar 36 . .	307°	Ditto .	Ditto.	
		Pillar 38 . .	148°			
		Pillar 39 . .	142°			
		Yal-i-Khar . .	*116°			*Should be 119.
		Tirkisht hill . .	49°			This is the small conical hill in plain.
		Conical hill . .	†360°			†Formerly in high wind read 362°.
		Kashlushi . .	280°			
38	A masonry pillar on a knoll on the low watershed of rolling hills separating the Tirkisht and Sargardan basin. No remarkable features in the vicinity of pillar. Line runs straight to pillar 39.	Pillar 37 . .	328°	Ditto . .	Ditto.	
		Pillar 39 . .	135½°			
		Tirkisht hill . .	30°			
		Yal-i-Khar . .	98°			
39	A masonry pillar on a flat rocky spur jutting out from the southern end of Yal-i-Khar, and forming the northern head of the Chah Surkh valley. Chah Surkh itself is not visible owing to an intervening spur. On the northern side of the promontory on which 39 is	Pillar 38 . .	315½°	Ditto . .	Ditto.	
		Pillar 37 . .	322°			**Miscellaneous bearings.**
		Tirkisht hill . .	16°			Hashtadan 152° Mound to conical hill.
		Yal-i-Khar . .	67°	...	...	Hashtadan 23° Mound to eastern tower of Pardai.

situated is a ravine, the northern side of which is the prolongation of the Kadaona range, and forms the head of the Tirkisht valley. It is generally known as the Katal Surkh. On the south the promontory is joined by the low watershed running up from the Simtik range, which divides the Chah Surkh and Sargardan drainage. Pillar 39 is just opposite the point of junction. This pillar protects the line of communication between Chah Surkh and Tirkisht, which passes through the bay formed by the Katal Surkh and the pillar promontory.				Hashtadan 218° Mound to pillar 29. Eastern tower 223° Pardai to Hashtadan Mound. Eastern tower 112° Pardai to Ziarat. Hashtadan 233° Mound to Palangawa. or 233½° Tirkisht hill to 309° conical hill. Tirkisht. hill to 179° Yal-i-Khar.

MESHED;
The 6th July 1891.

C. S. MACLEAN, *Major-Genl.*,
A. G.-G. of India & H. B. Majesty's Consul-Genl. for Khorassan & Seistan.

LANSDOWNE,
Viceroy and Governor-Genral of India.

This settlement was ratified by the Viceroy and Governor-General of Iudia at Calcutta on the seventeenth day of December A.D. One thousand eight hundred and ninety-one.

W. J. CUNINGHAM,
Dy. Secy. to the Govt. of India, Foreign Dept.

AFGHANISTAN.

APPENDIX No. III.—[*See page 218.*]

Protocol No. 1.

On the 18th—30th May 1893 the Russian and British Commissioners appointed to hold an enquiry on the spot and to settle the question of the alleged infractions which may have been committed by either side of the stipulations relative to the waters of the Kushk river and contained in Protocol No. 4 signed at St. Petersburg on July 10th—22nd, 1887, by the Russian and British Delegates for the delimitation of the North-Western Frontier of Afghanistan, *viz.* :—

On the part of Russia.—Monsieur V. Ignatiew, Collegiate Councillor and Functionary for the Minister of Foreign Affairs, attached to the Governor of the province of Transcaspia, and

On the part of Great Britain.—Lieutenant-Colonel C. E. Yate, C.S.I., C.M.G., having met near the Afghan post at Kara Tepe proceeded to inspect the canals and cultivated lands on the left (Afghan) bank of the River Kushk between Kara Tepe and Chihal Dukhtar.

The representative of His Highness the Amir of Afghanistan, Muhammad Painda Khan, Hakim of Badghis, took part in this inspection.

Lieutenant-Colonel Artamanow of the General Staff, Assistant to the Russian Commissioner, and Lieutenant the Honourable H. D. Napier, attaché to the English Commissioner, were also present.

The results of the inspection were marked by Captain Nassibiantz of the Corps of Military Topographers attached to the Russian Commission on the map which is annexed to the present Protocol.

The distances and measurements noted in the present Protocol are calculated approximately by the same officer.

The inspection showed the following results :—

1. A canal known as the Mill canal, and marked on the annexed map by the letter A, takes off from the Kushk at a distance of 3 versts and some 350 sagenes or about 2½ miles to the south of Boundary Pillar No. 22 and 1 verst and 230 sagenes or 1,703 yards to the south of the Kara Tepe mound, and flows north along the left bank of the river and passes one ruined mill; from there it flows towards another mill now working, situated at a distance of 2 versts and some 60 sagenes in a straight line from the head of the canal. The water after turning the mill flows back into the river 90 sagenes or about 210 yards below the mill without being used for irrigation at the present time.

Some old branches of this canal bend towards the cultivated lands near the Kara Tepe mound. The Afghan representative maintains that these branches

have never been used for irrigation by the Afghans, and the lands in question are watered by the Kara Tepe Kalan canal. The total length of the Mill canal amounts to 2 versts and 250 sagenes or 1 mile and 1,167 yards.

2. The second canal proceeding up stream is the Kara Tepe Paiyin canal marked on the annexed map by the letter B, at present dry and disused. It formerly took off from the river 4 versts and 280 sagenes or rather more than 3 miles to the south of Boundary Pillar No. 22, and 2 versts and 130 sagenes or about 1 mile and 886 yards from the Kara Tepe mound and 440 sagenes or nearly 1,027 yards from the present head of the first canal, and ran a course of nearly 3 versts or 2 miles to the west of the Kara Tepe mound. The Afghan representative explained that this canal was closed last year by the Amir's orders.

3. The third canal is the Kara Tepe Kalan canal marked on the map by letter B 1. This canal takes off from the Kushk at a distance of 4 versts and about 380 sagenes or 3 miles and 303 yards to the south of Pillar No. 22 and 2 versts and 230 sagenes or 1 mile and 1,120 yards from the Kara Tepe mound. Running in a northerly direction it passes a small Afghan village situated about half a verst lower down and thence flows north-west between the Kara Tepe mound and the hills on the west irrigating some cultivated land on its course. The total length of this canal amounts to nearly 4 versts or about $2\frac{3}{4}$ miles. The area of the lands irrigated by this canal amounts approximately to 72 deciatines or $194\frac{1}{2}$ acres, of which 50 deciatines or 135 acres are at present occupied by the main crop marked on the map in yellow. The Afghan representative stated that there were 22 families of Achakzai Afghans settled at Kara Tepe who cultivate the lands irrigated by this canal.

4. The fourth canal proceeding on up stream is the Chapgul canal shewn on the annexed map by the letter C. This canal, which is dry at the present moment, takes off from the River Kushk at the foot of a scarp on the left bank at a distance of about 1 verst and 470 sagenes or 1 mile and 513 yards from the present head of the Kara Tepe Kalan canal marked B 1, and 4 versts and 170 sagenes or about 2 miles and 1,564 yards from the Kara Tepe mound. According to the explanations given by the Afghans water only enters this canal when the Kushk River is in flood. The Afghan representative stated that this canal ran dry a month ago. The Chapgul canal follows a direction almost due north near the foot of the hills on the left side of the valley for a distance of nearly 3 versts or 2 miles and irrigated during this spring two acres of land. On both sides of the canal are seen here and there traces of last year's cultivation, but the Afghan representative stated that only two families of Alizais were now located near this canal, the remainder having all moved further up the river. The river bed was inspected and found to be quite dry for a distance of nearly 3 versts or 2 miles to the south of the head of the Chapgul canal. The Afghans explain that this peculiarity of the river can be seen also in several places higher up the valley as far as the town of Kushk and maintained that the river is largely fed by springs emanating from the marshes along its banks such as those below the head of the Chihal Dukhtar canal and those near Kara Tepe.

5. The fifth or the Khwajah Jir canal, marked on the annexed map by the letter D, takes off from the Kushk 170 sagenes or about 397 yards to the east of an Afghan village and at a distance of about 6 versts and 100 sagenes or 4 miles and 233 yards above the head of the Chapgul canal and 1 verst and 440 sagenes or about 1 mile and 443 yards to the south of the Ziarat-i-Khwajah Jir called by the Turkomans Kuzganli, and 1 verst and 360 sagenes or 1 mile and 257 yards to the north of the Ziarat i-Chihal Dukhtar. The total length of the canal without counting its branches amounts to nearly 5 versts or 3 miles and 600 yards. From the head for a distance of a little more than two versts the canal flows parallel to and not far from the bed of the river, then near the ruins of Kuzganli it leaves the bed of the river bending westwards about quarter of a verst or some 300 yards, and from there flows northwards irrigating the cultivated lands which are met with here and there, on both sides of the canal, for a distance of about 3 versts. The total area of these lands which are cultivated by Alizai Afghans amounts approximately to 70½ deciatines or 190 acres, of which 62½ deciatines or 168 acres are occupied by the main crop marked on the annexed map in yellow. The Afghan representative stated that there were altogether 38 Alizai families cultivating the land watered by this canal.

6. The sixth canal marked on the annexed map by the letter E is known as the Pul-i-Khishti canal from its taking off from the river close to and below the old ruined brick bridge of that name, at a distance of 230 sagenes or about 537 yards east of the Mound of Chihal Dukhtar and two versts above the head of the Khwajah Jir canal. The head of the Pul-i-Khishti canal was found dry and the Afghan representative stated that this head as well as the Kara Tepe Paiyin canal, marked on the map by the letter B, was closed last year by the Amir's orders. According to the explanations of Muhammad Painda Khan when the complaints of the Russian Authorities against the infractions of Article 3 of Protocol 4 of 10th—22nd July 1887 were communicated to the Amir, His Highness sent an officer from Herat to enquire whether any new canals had been opened on the left bank of the Kushk between Kara Tepe and Chihal Dukhtar, and having received the report that the two canals marked on the map B and E had been opened by the Afghan cultivators three years ago, the Amir ordered them to be immediately closed. The cultivated lands near the Pul-i-Khishti canal are now irrigated by water brought into it by a branch from the Chihal Dukhtar canal and are shewn with the lands watered by the latter. The total length of the Pul-i-Khishti canal amounts to 5 versts or about 3½ miles.

7. To the south of the Ziarat-i-Chihal Dukhtar at a distance of 3,250 yards according to the English map and 3,100 yards above the ruins of Pul-i-Khishti, the seventh canal known as the Chihal Dukhtar canal and marked on the map annexed to the present Protocol by the letter F takes off from the Kushk, and running northwards along the left side of the valley it irrigates some lands situated near an Afghan village to the south of the latitude of Chihal Dukhtar which do not concern the object of the present inspection. Further on the Chihal Dukhtar canal divides into three branches (one of which conducts its waters into the old

bed of the Pul-i-Khishti canal) and irrigates on its way lands to the extent of 2½ versts or about 1⅔ miles to the north of latitude of the ruins of Chihal Dukhtar marked in large letters on the map No. 2 annexed to Protocol No. 4 of 10th—22nd July 1887. The total area of the lands irrigated by the Chihal Dukhtar canal sited to the north of the said parallel of latitude amounts to 146 deciatines or about 395 acres of which 107 deciatines or about 289½ acres are occupied by the main crop marked in yellow on the annexed map. The Afghan representative stated that there were 75 families of Alizais settled along this canal.

8. The total area of the standing corn and the vegetable gardens on the 19th—31st May 1893 (the day upon which the present inspection was concluded) on the left bank of the Kushk between Kara Tepe and Chihal Dukhtar watered by the above-mentioned canal, amounts approximately to 288 deciatines or 779 acres. Of this amount 219 deciatines or 592 acres are occupied by the main crop, called by the Afghans the Safedbarg and harvested about the month of June; and the remainder, *viz.*, 69 deciatines or 187 acres is occupied by vegetable gardens and by the minor crop called by the Afghans the Sabazbarg and harvested during the autumn. The Afghan representative maintains that the lands occupied by the minor crop are only watered when the irrigation of the main crop is concluded.

In some places arable land has been recently ploughed up.

V. IGNATIEW. CHARLES E. YATE, *Lieut.-Col.*

L. ARTAMANOW. H. D. NAPIER, *Lieut.*

PAINDA KHAN.

CHARLES E. YATE, *Lieut.-Col.*,
Her Britannic Majesty's Commissioner.

AFGHANISTAN.

APPENDIX No. IV.—[*See page 220.*]

DESCRIPTION OF THE RUSSO-AFGHAN FRONTIER FROM LAKE VICTORIA TO THE TAGHDUMBASH.

The first pillar has been erected at the eastern extremity of Lake Victoria at a spot which corresponds with a line crossing the centre of the Lake from west to east. From this pillar the frontier line takes a southern direction and, crossing the small gulf of Lake Victoria, proceeds to pillar No. 2 which is situated on the nearest spur of the Nicolas range.

From this latter pillar the line ascends the crest of the above-mentioned spur which it follows to Peak Concord. After passing this peak the frontier line continues to follow the crest of the same spur till it reaches the main crest of the Nicolas range, forming the watershed between Lake Victoria and the Wakhan Darya, or Ab-i-Panja.

From here the frontier line follows the main crest of the Nicolas range running eastward for nearly six miles, and then changing direction to the north-east, and maintaining this general bearing for a distance of about 15 miles to Peak Lobanov-Rostovski.

From this peak the line follows the main crest of the range for about 9½ miles until it reaches the top of the Benderski Pass where pillar No. 3 is erected. From pillar No. 3 the line continues to follow the crest of the range (through Peak Elgin) for about 15 miles to the top of the Jaminishur Pass, whence to the Ortabel Pass, a distance of six miles it follows the same crest. Pillar No. 4 is erected on the Ortabel Pass. Throughout the whole extent of the line from pillar No. 3 to pillar No. 4, the frontier follows the watershed between the Istik and the Aksu.

From pillar No. 4 the line proceeds a little south of east to pillar No. 5, which is situated at a distance of about ⅔rds of a mile, and after continuing this course for nearly 3 miles from the latter pillar, leaves the main crest of the Nicolas range and, descending a spur, joins the bed of the Gunjabai stream. Here pillar No. 6 is erected. The line now follows the western branch of the Gunjabai stream till it joins the river Aksu, on the right bank of which pillar No. 7 is erected. From there the frontier line follows the Aksu to the spot where it receives the waters of the Mihmanyoli and here, on the left bank of the Aksu, is erected pillar No. 8.

The line follows the Mihmanyoli stream for about two miles, when it leaves the bed of the stream and ascends a small knoll situated on the right bank on which pillar No. 9 is constructed. It next proceeds towards Lake Bakhmardin, and, after reaching the lake, follows for about a mile and a half the western arm of the Kachka-su stream which empties itself into the lake. On leaving this arm, and following an east-south-easterly direction, pillar No. 10 is reached at 2·6 miles, and pillar No. 11 at 1·7 miles further in the same direction. Pillar

No. 11 is erected in the Tagharmansu valley at the mouth of a small unnamed stream draining into the Tagharmansu from the east. Following this stream for about a mile, the line passes pillar No. 12 and reaches a spur of a branch of the Mustagh (called Sarikol in the English map) which it follows as far as peak Povalo-Schveikovsky on the Mustagh (or Sarikol) chain which forms the frontier of Chinese territory.

AFGHANISTAN.

APPENDIX No. V.—[*See page 220.*]

A Table of the Latitude and Longitude of the Boundary Pillars erected by the Joint Commission for the delimitation of the Russo-Afghan Frontier on the Pamirs in the year 1895, from Astronomical Observations by Lieutenant-Colonel Zaliessky.

Number of boundary pillars.	Latitude.	Longitude.	Description of the pillars and of the places where they are placed.
Pillar No. 1	37° 26′ 10″ (Astronomical Observation).	43° 26′ 52″	The pillar is erected on an island which rises 30 feet above the level of the lake, and which is situated at the mouth of the river Chang-Kul-Su, which flows into the lake from the east. The pillar is built of cobble stones in the shape of a pyramid, 9 feet high.
Pillar No. 2	37° 24′ 29″ (Topographical Observation).	43° 26′ 35″	The pillar is erected on the northern slope of a spur of the range "Nicholas II," which runs out from the "Peak of Concord" in the direction of the eastern extremity of the Lake Victoria, and is built of cobble stones in the shape of a pyramid, 9 feet high.
Pillar No. 3	37° 22′ 6″ (Astronomical Observation).	43° 54′ 39″	The pillar is erected on a rock which is situated 90 feet to the east of the highest point of the Bendersky Pass, and is built in the shape of a pyramid, 9 feet high, out of fragments of the same rock.
Pillar No. 4	37° 23′ 54″ (Astronomical Observation).	44° 10′ 31″	The pillar is erected on the highest point of the Orta-Bel Pass, and is built of cobble stones in the shape of a pyramid, 9 feet high.
Pillar No. 5	37° 23′ 44″ (Topographical Observation).	44° 11′ 3″	The pillar is erected 2,800 feet to the south-east of Pillar No. 4, on the watershed of the Orta-Bel Ridge, to indicate the direction the frontier should take in its prolongation along the range of "Emperor Nicholas II," and is built of cobble stones in the shape of a pyramid, 9 feet high.
Pillar No. 6	37° 23′ 51″ (Topographical Observation).	44° 15′ 5″	The pillar is erected on a projection of a spur of the range "Nicholas II," which juts out to the bed of the stream Gunji-Bai, at a distance of 3 versts (2 English miles) from its confluence with the river Aksu, and is built of cobble stones in the shape of a pyramid, 9 feet high.

A Table of the Latitude and Longitude of the Boundary Pillars erected by the Joint Commission for the delimitation of the Russo-Afghan Frontier on the Pamirs in the year 1895, from Astronomical Observations by Lieutenant-Colonel Zaliessky—concld.

Number of boundary pillars.	Latitude.	Longitude.	Description of the pillars and of the places where they are placed.
Pillar No. 7	37° 22′ 33″ (Topographical Observation).	44° 15′ 7″	The pillar is erected on the right bank of the river Aksu, opposite the mouth of the stream Gunji-Bai at a distance of 20 feet from the bank of the river named, and is built of cobble stones in the shape of a pyramid, 9 feet high.
Pillar No. 8	37° 24′ 45″ (Astronomical Observation).	44° 22′ 0″	The pillar is erected on the left bank of the river Aksu, opposite the mouth of the eastern branch of the river Mihman-Yuli, 70 feet from the bank of the river, and is built of cobble stones in the shape of a pyramid, 9 feet high.
*Pillar No. 9	37° 22′ 41″ (Topographically fixed).	44° 23′ 10″	The pillar is erected on the elevated side of the valley of the river Mihmanguli, 3 versts (2 English miles) from the confluence of its right branch with the river Aksu, and is built of cobble stones in the shape of a pyramid, 8 feet high.
*Pillar No. 10	37° 21′ 15″ (Topographically fixed).	44° 27′ 5″	The pillar is erected at the extremity of a spur of the Mustagh Range, which juts out from Peak Montagu Gerard and divides the waters of the river Tegermen from the waters of the stream Kashkasu, and is built of cobble stones in the shape of a pyramid, 8 feet high.
*Pillar No. 11	37° 20′ 15″ (Topographically fixed).	44° 25′ 50″	The pillar is erected on the bank of the Tegermen Su 10 versts (6·3 English miles) above the point where the stream Bakhmir flows into it, and is built of cobble stones in the shape of a pyramid, 9 feet high.
*Pillar No. 12	37° 20′ 5″ (Topographically fixed).	44° 24′ 50″	The pillar is erected on an elevation of the left bank of a nameless stream, which flows into the river Tegermen-Su near Pillar No. 11, a verst and a half (1 English mile) from its mouth, and is built of cobble stones in the shape of a pyramid, 8 feet high.

* From sketches of the Russian Topographists.

POVALO-SCHVEIKOVSKY, *Major-Genl.*,
Imperial Commissioner.

AFGHANISTAN.

APPENDIX No. VI.—[*See page 224.*]

DESCRIPTION OF THE BOUNDARY DEMARCATED IN THE VICINITY OF TORKHAM.

The line runs from Tsatsobi Kandao eastward along the crest to Kafirdara Sar, thence North along the crest through peaks* 5,515, 4,805 and 5,197 to a point situated a quarter mile West of Shamshai Kandao, thence East along Tor Kham spur overhanging the road, descending straight to the road at a point opposite hill 2,802, thence North to the summit of hill 2,802, thence in a straight line to ridge 1,100 yards West of Spina Tsuka, thence to a point half a mile North-West of hill 4,260, thence to a peak 1,000 yards West of hill 3,740, thence it drops down into a nulla at a point one mile West of Shilman Ghakhai, thence it follows the nulla-bed running straight into Kabul River midstream, and continues thence midstream down to Palosi.

* See Survey of India Map No. 38 N 4. 1 inch to 1 mile.

AFGHANISTAN.

APPENDIX No. VII.—[*See page 224.*]

AGREEMENT BETWEEN RUSSIA AND AFGHANISTAN,—1921.

With a view to strengthening friendly relations between Russia and Afghanistan and confirming the actual independence of Afghanistan, the Russian Socialist Federated Soviet Republic of the one part and the Sovereign State of Afghanistan of the other part have decided to conclude the present treaty, for which purpose there have been appointed as their plenipotentiaries :—

For the Government of the Russian Socialist Federated Soviet Republic :

GEORGY VASILIEVICH CHICHÉRIN,

LYOV MIHAILOVICH KARAHAN,

and for the Government of the Sovereign State of Afghanistan :

MUHAMMAD WALI KHAN,

MIRZA MUHAMMAD KHAN,

GULYAM SADLIK* KHAN.

The above-named plenipotentiaries, after mutual presentation of their credentials, which were found to be in due and proper form, have agreed as follows :—

I.

The High Contracting Parties, recognising their mutual independence and binding themselves to respect it, now mutually enter into regular diplomatic relations.

II.

The High Contracting Parties bind themselves not to enter into any military or political agreement with a third State which might prejudice one of the Contracting Parties.

III.

The Legations and Consulates of the High Contracting Parties shall mutually and equally enjoy diplomatic privileges in accordance with the uses of International Law.

NOTE I.—There shall be included in that category —

(*a*) The right to hoist the State flag.
(*b*) Personal inviolability of registered members of Legations and Consulates.
(*c*) Inviolability of diplomatic correspondence and of persons fulfilling the duties of couriers with every kind of mutual assistance in these matters.
(*d*) Communication by telephone, wireless and telegraph, in accordance with the privileges of diplomatic representatives.
(*e*) Exterritoriality of premises occupied by Legations and Consulates, but without the right of giving asylum to persons who are officially recognised by their Local Government as having broken the laws of the country.

NOTE II.—The Military Attachés of both Contracting Parties shall be attached to their Legations on the basis of equality as regards the above.

* Ghulam Sadiq. (Tr.)

IV.

The High Contracting Parties mutually agree to the opening of five consulates of the Russian Socialist Federated Soviet Republic on Afghan territory and of seven consulates of Afghanistan on Russian territory, of which five shall be within the boundaries of Russian Central Asia.

NOTE.—In addition to the above, the opening of further consulates and consular points in Russia and Afghanistan shall be arranged in each particular case by special agreement between the High Contracting Parties.

V.

Russian consulates shall be established at Herat, Meimen, Mazar-i-Sharif, Kandahar and Ghazni. Afghan consulates shall be established as follows:—A Consulate-General at Tashkend and consulates at Petrograd, Kazan, Samarkand, Merv and Krasnovodsk.

NOTE.—The manner and time of the actual opening of the Russian consulates in Afghanistan and of the Afghan consulates in Russia shall be defined by special agreement between the two Contracting Parties.

VI.

Russia agrees to the free and untaxed transit through her territory of all kinds of goods purchased by Afghanistan either in Russia herself, through State organisations, or from abroad.

VII.

The High Contracting Parties recognise and accept the freedom of Eastern nations on the basis of independence and in accordance with the general wish of each nation.

VIII.

In confirmation of Clause VII of the present treaty, the High Contracting Parties accept the actual independence and freedom of Bokhara and Khiva, whatever may be the form of their government, in accordance with the wishes of their peoples.

IX.

In fulfilment of and in accordance with the promise of the Russian Socialist Federated Soviet Republic, expressed by Lenin as its head to the Minister Plenipotentiary of the Sovereign State of Afghanistan, Russia agrees to hand over to Afghanistan the frontier districts which belonged to the latter in the last century, observing the principles of justice and self-determination of the population inhabiting the same. The manner in which such self-determination and will of the majority of the regular local population shall be expressed shall be settled by a special treaty between the two States through the intermediary of Plenipotentiaries of both parties.

X.

In order to strengthen friendly relations between the High Contracting Parties, the Government of the Russian Socialist Federated Soviet Republic agrees to give to Afghanistan financial and other assistance.

XI.

The present treaty is drawn up in the Russian and Persian languages; both texts are accounted authentic.

XII.

The present treaty shall come into force upon its ratification by the Governments of the High Contracting Parties. The exchange of ratifications shall take place at Kabul, in witness whereof the Plenipotentiaries of both parties have signed the present treaty and set their seals thereto.

Drawn up in Moscow on the 28th day of February 1921.

SUPPLEMENTAL CLAUSE.

In amplification of Clause X of the present treaty, the Government of the Russian Socialist Federated Soviet Republic gives the following assistance to the Sovereign State of Afghanistan :—

(1) A yearly free subsidy to the extent of one million gold or silver roubles in coin or bullion.

(2) Construction of the Kushk-Herat-Kandahar-Kabul telegraph line.

(3) In addition to this, the Government of the Russian Socialist Federated Soviet Republic expresses its readiness to place at the disposal of the Afghan Government technical and other specialists.

The Government of the Russian Socialist Federated Soviet Republic shall afford this assistance to the Government of the Sovereign State of Afghanistan within two months after the coming into force of the present treaty.

The present supplementary clause shall have the same legal validity as the other clauses of the present treaty.

Moscow, this 28th day of February 1921.

N.B.—The second half of XII appears to consist of the witnessing clause, which should surely have a paragraph to itself. Otherwise, it would only appear to refer to the ratification —(*Translator*).

AFGHANISTAN.

APPENDIX No. VIII.—[*See page 225.*]

TREATY OF ALLIANCE between TURKEY and AFGHANISTAN.—Moscow, March 1, 1921.*

(Ratifications exchanged at Kabul, October 20, 1922.)

(Translation.)

(The blessed clauses which bind together two brother Governments of the East united in faith and interest.)

In the name of God, the Merciful, the Compassionate !

The Turkish and Afghan Governments, convinced that they are bound together by sincere ties of sympathy, are imbued with one desire and one sacred purpose, and each possess the same high moral and material interests, and that the happiness or misfortune of one State will redound to the happiness or misfortune of the other, and recognising that it is no longer possible that they should remain disconnected and isolated as in the past, and that certain historical duties necessarily devolve upon them at this moment, when is seen with infinite thankfulness that an era of awakening and deliverance of the Eastern world has begun.

These two brother States and nations, therefore, observing that as with the members of one body the troubles and afflictions of one of the parties must affect and pain the other, have resolved to transfer their age-long moral unity and natural alliance to the political sphere, to bring about a state of material and official alliance, and, in the name of the future welfare of the whole East, to conclude a Treaty of Alliance as a prelude to future welfare.

For this purpose Delegates have been nominated—

YOUSSOUF KEMAL BEY, Commissioner (Minister) of Economic Affairs ; and DR. REZA NOUR BEY, Commissaire of Public Instruction, Members of the Government, on behalf of the Government of the Grand National Assembly of Turkey ; and

His Highness General MUHAMMAD WALI KHAN, Ambassador Extraordinary on behalf of Afghanistan ;

Who, having communicated their full powers, found to be in due and proper order, have accepted the following Articles :—

ARTICLE I.

The Turkish nation, in possession of an independent existence for such time as God wills, considers it to be a sacred duty to recognise the independence, in

*Signed in the Turkish and Persian languages.

the full significance of the term, of the Afghan nation, to which she is bound with ties of the utmost sincerity and conscientiousness.

ARTICLE II.

The two High Contracting Parties recognise that all Eastern nations possess complete liberty and right of independence, and that each of these nations is free to administer itself by such form of administration as it may particularly desire, and they recognise the independence of the States of Bokhara and Khiva.

ARTICLE III.

Turkey having for centuries given guidance to and rendered distinguished services to Islam, and holding in her hand the standard of the Caliphate, Afghanistan in this connection recognises the leadership of Turkey.

ARTICLE IV.

Each of the High Contracting Parties will consider as directed against herself personally, and will oppose with all the means at her disposal, any attack made against the other by any Imperialistic State in pursuance of the policy of invasion and exploitation of the East.

ARTICLE V.

Each of the Contracting Parties undertakes not to conclude any Treaty or Convention injurious to the interests of the other party or which would be in the interests of a third State with which the other is not on friendly terms, and to give prior notice to the other of the forthcoming conclusion of an Agreement with any nation whatsoever.

ARTICLE VI.

With a view to the regularisation of commercial and economic relations and Consular affairs, the two Contracting Parties will conclude the necessary Conventions separately, and Ambassadors will from henceforth be sent by each to the capital of the other.

ARTICLE VII.

Turkey agrees to help Afghanistan militarily* and to send instructors and officers. These missions of teachers and officers will serve for a minimum period of five years, and on the expiration of that period, if Afghanistan so desires, a new mission of instructors will be sent.

ARTICLE VIII.

This Treaty will be ratified with the least possible delay, and its clauses will be in force from that time.

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*Translator's note.—This appears to be the sense, though the word is apparently misprinted.

ARTICLE IX.

This Treaty has been drawn up at Moscow in duplicate signed and exchanged by the Delegates of the two parties.

This Treaty has been signed on Tuesday, the 1st day of March, 1337 (1921), corresponding with the 21st day of Djumadi-ul-Akhir in the 1339th year of the Hijra.

YOUSSOUF KEMAL.

DR. REZA NOUR.

MUHAMMAD WALI,

Ambassador Extraordinary.

AFGHANISTAN.

APPENDIX No. IX.—[*See page 228.*]

AGREEMENT to facilitate COMMERCIAL RELATIONS between FRANCE and AFGHANISTAN,—Paris, April 28, 1922.

Désireux de faciliter les relations de commerce et d'amitié entre la France et l'Afghanistan, son Excellence M. Raymond Poincaré, Président du Conseil, Ministre des Affaires étrangères de la République française, et son Excellence le Général Mohammed Waly Khan, Ambassadeur extraordinaire de Sa Majesté l'Emir d'Afghanistan, sont convenus des dispositions suivantes :

1. Le Gouvernement français consent à recevoir une mission diplomatique permanente du Gouvernement afghan.

Le Gouvernement afghan consent à recevoir une mission diplomatique permanente du Gouvernement français.

Ces missions jouiront, dans l'un et l'autre pays, d'un traitement égal conforme au droit international public européen.

2. Les missions de l'un et l'autre pays pourront être composées de :—

Un représentant du rang de Ministre plénipotentiaire ;

Un conseiller ;

Un secrétaire ;

Un attaché commercial ;

Un attaché militaire ;

Trois interprètes et fonctionnaires de chancellerie.

3. Les représentants de l'un et de l'autre pays pourront arborer leur pavillon national sur l'immeuble de leur résidence. Ils pourront communiquer, en langage clair et en langage conventionnel, par télégramme et par radiotélégramme, avec leur Gouvernement et ses autres représentants.

4. En attendant la conclusion d'un traité de commerce et d'établissement, les ressortissants de chacun des deux pays jouiront, sur le territoire de l'autre, de la pleine liberté de commerce sous la protection de l'un et l'autre Gouvernements.

Fait à Paris, en deux exemplaires, tant en français qu'en persan, les deux textes faisant foi, le 28 avril 1922.

R. POINCARÉ.

MOHAMMED WALY KHAN.

APPENDIX No. X.—[*See page 228.*]

FRANCO-AFGHAN ARCHAEOLOGICAL CONVENTION,—1922.

Signed at Kabul, September 9th, 1922.

Convention concernant la Concession du Privilège des Fouilles archéologiques en Afghanistan.

ARTICLE 1er.

A raison des relations de sincère amitié qui existent si heureusement entre les deux Gouvernements et du développement tout particulier pris en France par la science, Sa Majesté le Roi d'Afghanistan accorde au Gouvernement de la République française le privilège exclusif de pratiquer des fouilles sur toute l'étendue du territoire afghan.

ARTICLE 2.

Sont exclus de ce privilège tous les lieux saints et vénérés, tels que mosquées, cimetières, etc. Les délégués français chargés des fouilles devront respecter les lois, les habitudes, les coutumes et les mœurs du pays et ne rien faire qui y soit contraire.

ARTICLE 3.

Toutes les dépenses, quelles qu'elles soient, seront à la charge du Gouvernement de la République et le Gouvernement afghan ne s'y associera en aucune façon.

ARTICLE 4.

Dans la Délégation française des Fouilles, de nombre des savants français ne devra pas dépasser la dizaine. Il leur sera adjoint, en nombre égal, des Afghans instruits qui s'occuperont de les aider dans leur tâche et surveilleront avec eux les travaux des fouilles. Les frais de voyage et de séjour des délégués afghans seront à la charge du Gouvernement de Sa Majesté.

ARTICLE 5.

Les délégués français auront le droit de prendre des photographies, dessins et moulages de tous les objets découverts dans les fouilles.

ARTICLE 6.

Si l'on trouve des objets de valeur en or ou en argent ou des bijoux, lesdits objets seront la propriété particulière du Gouvernement afghan. Toutefois, en considération de la peine prise par les délégués français pour exécuter les fouilles, si le Gouvernement de Sa Majesté décide de vendre lesdits objets, ils auront la priorité pour les acheter au prix fixé par le Gouvernement afghan.

ARTICLE 7.

En ce qui concerne les objets en métaux non précieux (cuivre, fer, plomb, etc.) ou en pierre, sculptures, statues ou inscriptions, la moitié de ce qui sera découvert appartiendra au Gouvernement français. Toutefois, si l'on trouve un objet unique, à raison de sa forme ou de sa date, l'original restera la propriété du Gouvernement afghan. Il en sera de même au cas où l'on trouverait plusieurs objets formant un ensemble unique, tels, par exemple, que différentes pièces d'un même service de table, etc.

ARTICLE 8.

Toutes les publications qui seront faites en France au sujet des travaux de la Délégation scientifique française seront offertes, en cinq exemplaires au moins, au Gouvernement afghan.

ARTICLE 9.

Le Gouvernement de la République ne peut céder à aucun autre Gouvernement la concession de fouilles qu'il a ainsi obtenue du Gouvernement de Sa Majesté, ni associer aucun autre Gouvernement à l'exécution de ces fouilles.

ARTICLE 10.

Le Gouvernement de Sa Majesté possède tout droit de contrôle sur l'exécution de la présente convention.

ARTICLE 11.

Le Gouvernement de Sa Majesté se réserve le droit de concéder à des savants étrangers la permission de faire des fouilles sur les sites où la Délégation scientifique française ne travaille pas et n'a pas l'intention de travailler avant l'expiration d'un certain délai, lequel ne saurait excéder cinq ans. Le Gouvernement afghan se concertera à ce sujet avec le Gouvernement français.

ARTICLE 12.

La présente convention est valable pour trente ans et pourra être renouvelée d'un commun accord. Si la Délégation scientifique française venait à suspendre ses travaux (sauf en cas de force majeure) pendant un an et demi, la présente convention se trouverait annulée de plein droit, et le Gouvernement de Sa Majesté reprendrait la liberté de traiter, s'il le jugeait à propos, avec une autre nation.

ARTICLE 13.

La présente convention a été rédigée en deux langues, en persan et en français : l'un et l'autre texte font également autorité.

Fait à Kaboul, le 9 septembre 1922.

Par autorisation de M. le Président du Conseil, Ministre des Affaires étrangères.

A. FOUCHER.

AFGHANISTAN.

APPENDIX No. XI.—[*See page 228.*]

Russo-Afghan Peace Pact,—1926.

Treaty of reciprocal neutrality and non-aggression between the exalted Government of Afghanistan and the Government of the Union of Soviet Socialist Republics with the object of confirming the friendly relations and of strengthening the friendly neighbourly connections which happily, based on the treaty signed in Moscow on the 28th February 1921, subsist between the exalted Governments of Afghanistan and the Union of Soviet Socialist Republics. The said treaty preserves its force in all its parts irrespective of the continuance or cancellation of the present treaty.

The plenipotentiaries of the exalted parties, His Excellency the Minister of Foreign Affairs of the exalted Government of Afghanistan, Aqai Mahmud Beg Khan Tarzi, and His Excellency the Minister plenipotentiary of the Union of Soviet Socialist Republics in Afghanistan, Aqai Leonid Stark, after exchanging their lawful credentials, which were found correct, on the 31st August 1926, at Paghman, framed and signed these articles, the object of which is to strengthen the friendly relations between the two Governments and to ensure permanent peace.

Article 1.

In case of war or military action between one of the contracting parties and one or more third powers, the other contracting party undertakes to observe neutrality towards the first party.

Article 2.

Each of the contracting parties undertakes to abstain from all kinds of aggression against the other, and will not even within the territory under its own occupation take any such steps as may cause political or military injury to the other contracting Government. In particular each of the contracting parties undertakes that it will not join with another State or States in any political or military alliance or union directed against the other contracting party, and similarly it will not join in any boycott or financial and economic blockade directed against the other. In addition to this, should the policy of third party State or States be hostile in its action to either of the contracting parties, the other contracting party undertakes not only to abstain from assisting such hostile policy but also to prevent the said policy and inimical actions and steps within its own territory.

Article 3.

The high contracting parties, each reciprocally recognising the sovereignty and integrity of the other, undertake to abstain from all kinds of armed and un-

armed interference in the internal affairs of the other contracting party and also not to join or assist any other State or States, which may take steps against, or interfere with, the other contracting State.

The contracting parties will not permit any groups or individuals in their own territories to establish or to prosecute activities detrimental to the other contracting party; or to take steps for the subversion of the established government of the other contracting State; or to take any action against the integrity of the territory of the other contracting party; or to (mobilise) or collect armed forces against the other contracting party; and will prevent them from taking action. Similarly the parties will not countenance the transit through their territories of any armed forces, arms, firearms, ammunition, or the supply of any kind of war materials intended (for use) against the other contracting party, and likewise will (take active steps to) prevent the same from passing through its territory.

ARTICLE 4.

The contracting parties agree within four months to enter into discussions to determine principles for the solution of differences which may arise between them, and which cannot be settled through the ordinary diplomatic channels.

ARTICLE 5.

Each of the contracting parties, outside the limits of undertakings, the conditions of which are defined in this treaty, has freedom of action in taking steps to form any kind of relations and any kind of agreement with other States.

ARTICLE 6.

From the date of ratification, which should not be more than three months after it has been signed, this treaty will have the force of law and will remain in force for three years. After the expiration of the said period it will be understood that the treaty continues for a year more automatically unless either of the contracting parties has notified to the other party, six months before the expiration of the period, its desire to terminate the enforcement of this treaty.

ARTICLE 7.

Two copies of this treaty have been written, in Persian and in Russian, and both texts will have equal force.

Done at Paghman on the 31st August 1926, corresponding to the * Sumbala, 1305.

MAHMUD BEG TARZI,
Foreign Minister.

L. H. STARK,
Minister Plenipotentiary of the Union of Soviet Socialist Republics.

* Date of Sumbala not given.

PROTOCOL of the TREATY of reciprocal neutrality and non-aggression contracted between the EXALTED GOVERNMENTS of AFGHANISTAN and the UNION of SOVIET SOCIALIST REPUBLICS.—Paghman, 1305.

PROTOCOL.

The following signatories, who were correctly empowered to sign the treaty of reciprocal neutrality and non-aggression between the Government of the Union of Soviet Socialist Republics and the exalted Government of Afghanistan, by permission of their respective Governments, have exchanged the following statements on the occasion of signing the said treaty.

His Excellency Aqai Leonid Stark, Minister Plenipotentiary in Afghanistan of the Union of Soviet Socialist Republics, states that he has received permission from the Government of the Union of Soviet Socialist Republics to certify in the name of his Government that, on the occasion of signing the above treaty, the Government of the Union of Soviet Socialist Republics, having been faithful to the principles of the treaty of the 28th February 1921, has no agreement with any State or States contrary to the treaty contracted on the 31st August 1926, regarding reciprocal neutrality and non-aggression. Similarly, he states on behalf of his Government that the Government of the Union of Soviet Socialist Republics certifies that, during the whole of the period for which this treaty of reciprocal neutrality and non-aggression remains in force, the said Government will not enter into such treaties or conventions as may be contrary to this treaty of reciprocal neutrality and non-aggression. The Union of Soviet Socialist Republics trusts that the friendly relations between the Governments of the Union of Soviet Socialist Republics and Afghanistan, based on the treaty contracted in Moscow on the 28th February 1921, and on the treaty contracted at Paghman on the 31st August 1926, will invariably increase and will be based on the lofty ideal of general peace.

His Excellency Aqai Mahmud Beg Khan Tarzi, Minister of Foreign Affairs of the exalted Government of Afghanistan, states that he has received permission from the Afghan Government to certify in the name of his Government that, on the occasion of signing the above treaty, the Afghan Government, having been faithful to the principles of the treaty of the 28th February 1921, has no agreement with any State or States contrary to the treaty contracted on the 31st August 1926, regarding reciprocal neutrality and non-aggression. Similarly, he states on behalf of his Government that the Afghan Government certifies that, during the whole of the period for which this treaty of reciprocal neutrality and non-aggression remains in force, the said Government will not enter into such treaties or conventions as may be contrary to this treaty of reciprocal neutrality and non-aggression. The Afghan Government trusts that friendly relations between the Governments of Afghanistan and the Union of Soviet Socialist Republics, based on the treaty contracted in Moscow on the 28th February 1921, and on the treaty contracted at Paghman on the 31st August 1926, will invariably increase and will be based on the lofty ideal of general peace.

In confirmation of the above the following signatories have framed this protocol.

Done at Paghman on the 31st August 1926, in two copies in Russian and in Persian, both texts having equal force. 31st August 1926, corresponding to the 8th Sumbala, 1305.

MAHMUD BEG TARZI,
Foreign Minister.

L. H. STARK,
Minister Plenipotentiary of the Union of Soviet Socialist Republics.

APPENDIX No. XII.—[*See page 229.*]

SOVIET-AFGHAN AGREEMENT regarding KABUL-TASHKENT AIR ROUTE,—1927.

Signed at Kabul, November 28th, 1927.

AGREEMENT between the GOVERNMENT of the U. S. S. R. and the EXALTED GOVERNMENT of AFGHANISTAN regarding a KABUL-TASHKENT AIR ROUTE.

On the 28th November 1927, at Kabul, the Government of the U. S. S. R., through M. Leonid Nikolaievitch Stark, Minister Plenipotentiary of the U. S. S. R. in Afghanistan, of the one part, and the Afghan Government, through M. Ghulam Sadiq Khan, officiating Foreign Minister of the Afghan Government, of the other part, contracted the following Agreement for the purpose of establishing relations for the regulation of postal and passenger aerial traffic between Kabul and Tashkent :—

1. From the machines at their disposal, the Afghan and the U. S. S. R. Governments will each provide ten aeroplanes and necessary personnel for employment on the Kabul-Tashkent air route. Movements of aeroplanes from Tashkent to Kabul shall be regulated by a time table, and flights shall be made twice in each month according to time table, but, whenever necessary, machines will be despatched in addition to the above.

2. The Afghan Government will construct and provide in their territory landing-grounds, aerodromes, equipment and material necessary for the maintenance of the said air route, and undertakes to maintain the same in proper condition.

3. The Government of the U. S. S. R. will construct and provide in thier territory landing-grounds, aerodromes, equipment and material necessary for the maintenance of the said air route, and undertakes to maintain the same in proper condition.

4. The Government of the U. S. S. R. agrees to supply to the headquarters of the Afghan Air Force spare petrol, fuel and lubricating oil for the Kabul-Tashkent air route at the prices at which these are obtainable on the air routes of the U. S. S. R.

5. Personnel supplied for the said air route by the U. S. S. R. will be paid by the Government of the U. S. S. R. In the same manner personnel supplied by the Afghan Government will be paid by the Government of Afghanistan. The Government of Afghanistan and the Government of the U. S. S. R. will introduce to each other the names of their respective pilots and machines serving on this air route.

6. Both parties undertake to maintain stores of fuel, lubricating oil, necessary material and spares sufficient for the equipment of the aeroplanes of both employed on the said air route, and each party agrees to fix beforehand, in accordance with the rates prevailing in their own territory, the price of the necessary material to be supplied to the other party.

7. The Legation of the U. S. S. R. in Kabul and the Afghan Foreign Office will in the month of January make adjustments of accounts and payments due

by one party to the other for the preceding year in respect of fuel, lubricating oil, other material and spares taken or used by the aeroplanes of one party in the territory of the other, and also of all other expenditure incurred in connexion with the said air route.

8. If an aeroplane belonging to one party meets with an accident in the territory of the other party, the latter will repair the aeroplane at the expense of the party to which the aeroplane belongs. The party, in the territory of which the accident has taken place, will take the machine to its workshops. If the machine is repairable and the owner agrees to pay for the repairs, the said machine will be repaired and will be taken by air to the country to which it belongs. If, however, repairs are not practicable, the party in the territory of which the accident has taken place will take and deliver the machine at the border of the territory of the party to which the machine belongs.

9. In their respective territories each party undertakes to render full assistance to the personnel of the air service of the other party, and this more especially in cases of forced landings.

10. Both parties undertake to make arrangements for customs control in both directions.

11. The tariff of fares for passengers and posts between Kabul, Termez and Tashkent will, in accordance with article 14, be fixed by a special Agreement, which Agreement will come into operation not later than the 1st January 1928.

12. Expenditure incurred by either party, for maintaining and looking after the air route and for providing and keeping the ground, equipment and material, and for fuel, lubricating oil, spares, repairs, looking after the machines and entertainment of air personnel, will be borne by that party.

In the same way, income obtained from the use of the aeroplanes supplied by either party will be utilised according to the orders of the party concerned.

13. Passenger and postal charges will be collected in the following manner :—

At Tashkent and Termez by the Central Asia Department (Dubrolet) in case of flights from Tashkent and Termez to Kabul in a U. S. S. R. machine and at Tashkent by the Afghan Consul-General in case of flights in an Afghan machine.

At Kabul through the Legation of the U. S. S. R. and the Headquarters, Afghan Air Force, in case of flights from Kabul to Termez and Tashkent.

14. Details necessary to operation of the Agreement, the preparation and alteration of time-tables, matters connected with the completion of the air route and the location of landing-grounds and the preparation of fare-tables will be undertaken direct between the Dubrolet of the U. S. S. R. and the Headquarters of the Afghan Air Force.

15. This Agreement will have legal force from the date on which it is signed, and flights will commence not later than the 1st January 1928.

16. This Agreement will be acted upon till the 1st January 1929.

17. This Agreement has been drawn up in two copies, in Russian and Persian, both having equal force.

APPENDIX No. XIII.—[*See page 229.*]

TREATY of FRIENDSHIP and SECURITY between PERSIA and AFGHANISTAN.
Signed 27th November 1927.

The Governments of Persia and Afghanistan, having regard to the moral and material ties and relations between them, and the unity of religion and of sentiments by which they are linked, have considered the obligations which the present time imposes upon them from day to day, and with firm conviction have desired to render more evident the ties of friendship and fraternity by which they are united, and to assure and consolidate still further their cordial relations with one another. To which end the two Parties have thought fit to conclude a treaty of friendship and security. The following Plenipotentiaries have been appointed:

BY THE IMPERIAL PERSIAN GOVERNMENT:

His Excellency Mirza Seyed MEHDI KHAN FARROKH, Minister Plenipotentiary and Envoy-Extraordinary of His Majesty the Shah-in-Shah of Persia, and

BY THE ROYAL AFGHAN GOVERNMENT:

His Excellency Sardar Ala GHOLAM SADIGH KHAN, Acting Head of the Ministry of Foreign Affairs,

Who, having communicated their full powers found in good and due form have agreed as follows:

ARTICLE 1.

The Treaty of Saratan 1, 1300, all the clauses and provisions of which remain in force, shall be the basis of relations between Persia and Afghanistan.

ARTICLE 2.

Each of the two Contracting Parties undertakes to refrain from any attack or aggression against the other Party and from encroachment by armed force upon the other's territories.

In the event of one of the two Contracting Parties being the object of aggression on the part of one or more third Powers, the other Party undertakes to observe neutrality throughout the duration of hostilities. The Party which is the object of aggression shall not for his part violate such neutrality, whatever the political, strategic or tactical interests involved.

ARTICLE 3.

Each of the two Contracting Parties undertakes not to participate in hostile action of any kind directed against the other Party by one or more third Powers or to take part in name or in fact in political or military alliances or understandings directed against the independence, security or authority of the other Con-

tracting Party or involving political or military disadvantage to the latter. Similarly, each of the two Parties shall refrain from taking part in blockades or economic boycotts directed against the other Party.

ARTICLE 4.

In the event of one or more third Powers at war with one of the two Contracting Parties violating the neutrality of the other Party, or causing troops, arms or war material to pass through the latter's territory, or seeking to procure recruits, supplies, beasts of burden or necessaries of war in general on such territory, or causing their armies in retreat to pass through such territory, or for their own military purposes encouraging or inciting the population of the neutral Party to rebel, the neutral Party shall be under obligation to prevent such operations by armed force and to safeguard his neutrality.

ARTICLE 5.

The two Contracting Parties agree that within nine months from the exchange of ratifications their plenipotentiaries shall meet at Teheran for the purpose of concluding on a basis of equal treatment commercial, establishment, consular, postal, telegraphic and extradition agreements.

ARTICLE 6.

The two Contracting Parties agree to settle by the means laid down in the Protocol annexed hereto such differences as may arise between them and as it may not have been possible to settle through the ordinary diplomatic channels.

ARTICLE 7.

It is understood that, apart from the obligations which the two Contracting Parties have assumed towards one another, each retains complete freedom of action in his international relations.

ARTICLE 8.

The present treaty is concluded for a period of six years, and shall come into force after ratification by the legislative bodies of the two countries.

In the event of one of the two Contracting Parties not having announced his intention six months before the expiry of the treaty to terminate it, it shall be renewed for periods of one year, until such time as one of the two Parties announces, not less than six months before the close of the year, his intention not to renew it at the close of the year.

After the expiry of the first six years, notice of denunciation given less than six months before the term of the treaty shall be of no effect.

ARTICLE 9.

The present treaty is drawn up in duplicate Persian texts, and the instruments of ratification shall be exchanged at Kabul.

In faith whereof the Plenipotentiaries of the two Parties have signed the present treaty and have thereto affixed their seals.

Azar 6, 1306=Ghovs 6, 1306 (November 27, 1927).

MEHDI FARROKH,
Minister Plenipotentiary and Envoy Extraordinary of His Majesty the Shah-in-Shah of Persia.

GH. SADIGH,
Acting Head of Ministry of Foreign Affairs.

Annexed Protocol.

In virtue of Article 6 of the Treaty of Friendship and Security concluded between Persia and Afghanistan, the two Contracting Parties have agreed in regard to the forms of arbitration procedure as follows. In the event of disputes arising between them which are not settled through diplomatic channels, each of the two Parties shall appoint a statesman of his country. If these two arbitrators are unable to agree between themselves, they shall jointly appoint a statesman of a neutral Power, and the decision of this third arbitrator on the subject of the dispute shall be final.

Azar 6, 1306=Ghovs 6, 1306 (November 27, 1927).

MEHDI FARROKH,
Minister Plenipotentiary and Envoy Extraordinary of His Majesty the Shah-in-Shah of Persia.

GH. SADIGH,
Acting Head of the Ministry of Foreign Affairs.

Notes Annexed to the Treaty of Friendship and Security between Persia and Afghanistan.

No. 847.

Azarmah 29, 1306 (December 20, 1927).

To

The Acting Head of the Ministry of Foreign Affairs.

With regard to the conclusion of the Treaty of Friendship and Security between Persia and Afghanistan, I have the honour to bring the following to Your Excellency's notice:

The Imperial Persian Government, being desirous of fulfilling its obligations and considering that the obligations devolving upon it in virtue of the said treaty are not inconsistent with its obligations towards the League of Nations, hereby informs the Afghan Government that it will likewise respect its obligations as a member of the League of Nations.

I have, etc.,
MEHDI FARROKH.

No. 2691.

Djady 6, 1306 (December 27, 1927).

YOUR EXCELLENCY,

I have the honour to acknowledge receipt of your letter No. 847 of Azar 29, the contents of which I note, relating to the conclusion of the Treaty of Friendship and Security between Afghanistan and Persia, and informing me that the Persian Government does not regard the provisions of the said treaty as being inconsistent with its obligations towards the League of Nations.

MOHAMMED VALI,
Acting Head of the Ministry of Foreign Affairs.

To
His Excellency
Seyed Mehdi Khan Farrokh,
Minister Plenipotentiary of Persia.

PROTOCOL ANNEXED

To the TREATY of FRIENDSHIP and SECURITY of Azar 6, 1306, between PERSIA and AFGHANISTAN,—1928.

Signed at Teheran, June 15, 1928.

His Imperial Majesty the Shah of Persia and His Majesty the King of Afghanistan having regard to the moral and material ties and the relations of friendship and fraternity happily established between Persia and Afghanistan by the Treaty of Friendship of Saratan 1, 1300, and confirmed by the Treaty of Friendship and Security of Azar 6, 1306, and being desirous of consolidating and strengthening those ties, have decided to supplement the said Treaties by the present Protocol, and have for that purpose appointed as their Plenipotentiaries :

HIS IMPERIAL MAJESTY THE SHAH OF PERSIA :

His Excellency Fatoullah Khan Pakrevan, Acting Head of the Ministry of Foreign Affairs ;

HIS MAJESTY THE KING OF AFGHANISTAN:

His Excellency Sardar Aala Gholam Sadigh Khan, Acting Head of the Ministry of Foreign Affairs;

Who, having communicated their full powers, found in good and due form, have agreed on the following provisions:—

ARTICLE 1.

In the event of either of the two countries being the object of hostile action on the part of one or more third Powers, the other Contracting Party shall employ all the means at his disposal for the purpose of obtaining a satisfactory settlement of the situation.

If, in spite of all the efforts thus exerted, war becomes imminent and inevitable, the two Contracting Parties undertake to examine the situation carefully in a spirit of cordiality and reciprocal good will with a view to finding a solution appropriate to the circumstances and in conformity with their higher interests.

ARTICLE 2.

Each of the two Contracting Parties undertakes to contribute to the progress and improvement of both countries and both nations by placing at the disposal of the other Party all the means existing in his own country which may be useful or necessary to that Party, such as material resources, technical experts, etc. The manner in which such assistance shall be given shall be determined in special Conventions between the two Parties.

The two High Contracting Parties also undertake to co-operate in the economic sphere. They agree that the technical experts of both Parties shall, as soon as possible and by common agreement proceed to a careful examination of conditions and means of effecting such economic co-operation in general and more particularly conditions and methods for establishing and improving means of communication between the two countries, namely, the extension and linking up of the road systems of the two countries, and the establishment of postal connections by land and air and of telegraphic and wireless communication, and conditions under which the Parties shall reciprocally grant free transit and liberty to trade throughout their respective territories, and Customs and other facilities and advantages. The provisions thus decided upon shall be put into force after ratification.

ARTICLE 3.

The nationals of either Contracting Party shall, as a general rule, enjoy most-favoured-nation treatment in their respective territories.

The treatment which the two Contracting Parties shall reciprocally grant each other in the commercial, Customs and establishment treaties to be concluded as soon as possible between the two Parties shall not be inferior to the treatment accorded by each Party to any third Power.

ARTICLE 4.

The present Protocol shall enter into force after ratification by the competent authorities of the two countries and shall remain in force until the expiration of the Treaty of Friendship and Security concluded on Azar 6, 1306.

The Plenipotentiaries of the two Parties have signed the present Protocol which supplements the Treaty of Friendship and Security of Azar 6, 1306, in duplicate in Persian.

Teheran, Khordad 25th, 1307 (June 15, 1928).

PAKREVAN.

GHOLAM SADIGH,

Acting Head of the Ministry of Foreign Affairs.

APPENDIX No. XIV.—[*See page 229.*]

AGREEMENT between the AERIAL DEPARTMENT of the UNION of SOVIET SOCIALIST REPUBLICS and the AFGHAN AIR FORCE regarding the KABUL-TASHKENT AIR ROUTE,—1928.*

In order to carry out Article 14 of the Agreement of the Tashkent-Kabul Air Line, concluded between the Afghan Government and the Government of the U. S. S. R., the following agreement was concluded at Kabul on the 7th March 1923, between the Headquarters of the Afghan Air Force and the Aerial Department of the U. S. S. R., which will hereafter be called "Dubrolet" with regard to Tashkent-Kabul Air Line, through the following persons :—

On behalf of the Headquarters of the Afghan Air Force, Mr. Muhammad Ihsan Khan.

On behalf of the Dubrolet of the U. S. S. R., Mr. Charneyakoff.

ARTICLE 1.

In order to carry out the agreement of November 28th, 1927, regarding the Kabul-Tashkent Air Line, the Headquarters of the Afghan Air Force appoint its representative in the Afghan Consulate General at Tashkent and the Dubrolet of the U. S. S. R. appoint its Agent in the U. S. S. R., Legation at Kabul. The said Agents will be responsible for dealing with all matters concerning the Kabul-Tashkent Air Line.

ARTICLE 2.

In completion of article 1 of the agreement of November 28th, 1927, the contracting parties appoint for the service of the Kabul-Tashkent Air Line only those persons who are subjects of the two Governments. In fact those persons who were subjects of another Government and subsequently adopted Afghan nationality cannot be regarded Afghan subjects.

ARTICLE 3.

The Headquarters of the Afghan Air Force agrees to construct and prepare not later than 1st August 1928 landing grounds, each of which will not be less than 500×500 meters, marked with circles and angles for recognition, at the following places :—

1. Haibak.
2. Any convenient place between Haibak and Khanjan.
3. Any convenient place at Khanjan.
4. Any convenient place between Khanjan and Charikar.

The grounds Nos. 2 and 4 should, if possible, be prepared in a central position between the places mentioned.

* Translation of the Persian text published in the *Aman-i-Afghan* (Kabul) of March and April 1928.

ARTICLE 4.

The landing ground at Haibak should be equipped with accessories and material mentioned in list 1, appended to this agreement (not published).

ARTICLE 5.

The Dubrolet of the U. S. S. R. makes over duly prepared and organised landing grounds within the territory of the U. S. S. R. for the air line of Termez, Samsonova, Samarkand and Tashkent.

ARTICLE 6.

In completion of article 4 of the agreement of November 28th, 1927, the Headquarters of the Afghan Air Force and the Dubrolet of the U. S. S. R. agree to keep ready stocks of petrol for fuel and lubricating oil, together with accessories within their respective territories, for each other's aircraft and will issue them to each other according to the prices settled by the parties.

ARTICLE 7.

If the Headquarters of the Afghan Air Force desires, the Dubrolet of the U. S. S. R. will supply accessories, fuel and lubricating oil for the Kabul-Tashkent Air Line at a reasonable price.

ARTICLE 8.

In pursuance of article 5 of the agreement of November 28th, 1927, the following aviators have been appointed by the Headquarters of the Afghan Air Force :—

1. Mr. Kamenski William Fred Renchwich.
2. Mechanic—Mr. Famin Alexander Aiwinwich.

Other men for the line, to the number required, will be appointed later.

The following aviators have been appointed by the Dubrolet of the U. S. S. R. :—

Pilots.	Mr. Soranish Ado Ardaunwich. Mr. Sinoff Michael Saminwich. Mr. Leohinko Victor Gregorywich Mr. Barnoff Nikoloi Actanowich.
Mechanics . . .	Sovinski Watslaff Aiwanwich. Nozonikoff Alexanderwich. Leskoff Yafoof Wasiwich. Penpetkin Eivin Romanwich.
Reserve Pilots . : .	Mr. Sivoff Mavoriky. Mr. Eivanoff Lahtar.
Reserve Mechanics . .	Moralaskin. Zana Makhsaky.

ARTICLE 9.

The Headquarters of the Afghan Air Force agrees to prepare and provide hostels at Mazar and Kabul for the comfort of the airmen of the Dubrolet of the U. S. S. R. attached to the Kabul-Tashkent Air Line.

ARTICLE 10.

It is necessary that the aviators employed on the Kabul-Tashkent Air Line should hold necessary passports with free visas, valid for the period of one year, for entering and leaving the territories of the parties without any limit of flights.

ARTICLE 11.

The profits derived from the reciprocal use of the Tashkent-Kabul Air Line will be shared by the Headquarters of the Afghan Air Force and the Dubrolet of the U. S. S. R. through the Afghan Foreign Office and the U. S. S. R. Legation in Afghanistan.

ARTICLE 12.

In completion of article 7 of the Agreement of November 28th, 1927, the contracting parties agree, in order to facilitate mutual accounts in respect of accessories, fuel and lubricating oil, to settle their accounts quarterly, *i.e.*, on the 1st April, 1st June, 1st October and 1st January.

ARTICLE 13.

In completion of article 8 of the agreement of November 28th, 1927, the Headquarters of the Afghan Air Force agrees that if an aeroplane belonging to the Dubrolet of the U. S. S. R. is damaged within Afghan territory, and if the Dubrolet does not approve the repair of the damaged machine in the Afghan workshops, the said Headquarters will send, at its own cost, the aeroplane to the border of the U. S. S. R. Government. The Dubrolet on its side agrees that if an Afghan aeroplane is damaged within the territory of the U. S. S. R., and if the Headquarters of the Afghan Air Force does not approve the repair of the aeroplane in the workshop of the Dubrolet of the U. S. S. R. at Tashkent the said Dubrolet will send at its own expense the damaged aeroplane to the border of the Afghan Government. The despatch of aeroplanes on both sides will be effected with the least possible delay.

ARTICLE 14.

The fare for passengers is fixed as follows :—

Single fare between Kabul and Tashkent . . .	£27 and 10 shillings English or 260 gold Roubles.
Single fare between Kabul and Termez . . .	£16 and 10 shillings English or 166 gold Roubles.
Single fare between Kabul and Mazar . . .	£14 English or 130 gold Roubles.
Single fare between Mazar and Tashkent . . .	£13 and 15 shillings English or 135 gold Roubles.
Single fare between Mazar and Termez. . . .	£2 and 10 shillings English or 26 gold Roubles.

ARTICLE 15.

The fares for transport of passengers, mail and goods in a Soviet aeroplane at the time of flight from Kabul, will be collected at Kabul by the Agent to the

Dubrolet in the U. S. S. R. Legation in Afghanistan. Similarly, fares for transport of passengers, mail and goods in an Afghan aeroplane at the time of flight from Tashkent will be collected by the Agent of the Headquarters of the Afghan Air Force in the Afghan Consulate General at Tashkent.

ARTICLE 16.

Each passenger is entitled to take with him luggage up to 8 kilograms free. Any luggage in excess of 8 kilograms will be charged as follows :—

One kilogram of luggage—

Between Tashkent and Kabul	8 shillings or 3½ gold Roubles.
Between Termez and Kabul	5 shillings or 2 gold Roubles.
Between Termez and Mazar	1 shilling or 50 Copecks.
Between Mazar and Kabul	3 shillings and 9 pence or 1½ gold Roubles.

One kilogram of Diplomatic mail—

Between Tashkent and Kabul	12 shillings or 5 gold Roubles and 70 Copecks.
Between Termez and Kabul	5 shillings or 2 gold Roubles.

ARTICLE 17.

The following landing grounds have been fixed :—

A. *Within Afghan Territory—*

1. Kabul.
2. Mazar (according to requirements).

B. *Within the territory of the U. S. S. R.—*

1. Tashkent.
2. Termez.

ARTICLE 18.

The time-table of flights of aeroplane has been arranged as follows :—

Departure of Soviet aeroplane from Tashkent . .	28th of each month.
Departure of Afghan aeroplane from Tashkent . .	18th ,, ,,
Arrival of Soviet aeroplane at Termez . . .	28th ,, ,,
Arrival of Afghan aeroplane at Termez . . .	18th ,, ,,
Departure from Termez and arrival at Kabul—	
of Soviet aeroplane	29th ,, ,,
of Afghan aeroplane	19th ,, ,,
Departure from Kabul—	
of Afghan aeroplane	15th ,, ,,
of Soviet aeroplane	1st ,, ,,
Arrival at Termez and Tashkent—	
of Afghan aeroplane	15th ,, ,,
of Soviet aeroplane	1st ,, ,,

If, on any of the days fixed in the time-table, the weather conditions should be unfavourable, the aeroplanes will start on the nearest subsequent day when the conditions appear more favourable. Flights, apart from those in the table, can be carried out provided a two-days notice is given in order that arrangements may be made by the party concerned. If, on the day of departure of an aeroplane there are no passengers, the aeroplane will not postpone its flight but will leave with the mail.

ARTICLE 19.

The contracting parties agree to undertake the responsibility of taking all steps for the protection of aeroplanes during their stay in their respective territories, but if an aeroplane gets damaged by some extraordinary disaster, or by an act of God, the contracting parties will not be held responsible for the same. However, if damage to an aeroplane takes place owing to neglect of the guard over it, an enquiry will be held by a Commission of the parties concerned and compensation up to the damage suffered, will be paid by the party concerned. Similarly, both parties agree to give help and technical assistance as far as possible to each other's aeroplanes during their stay in their respective territories.

ARTICLE 20.

Problems which arise in the course of the running of the line will be decided and settled directly by discussions held at Tashkent between the Agent of the Headquarters of the Afghan Air Force and the Dubrolet of the U. S. S. R., and at Kabul between the Agent of the Dubrolet of the U. S. S. R., and the Headquarters of the Afghan Air Force.

ARTICLE 21.

The control of customs with regard to non-diplomatic persons will be effected according to the rules and regulations of the parties.

ARTICLE 22.

Examination of passports is necessary before an aeroplane starts.

ARTICLE 23.

If an aeroplane postpones its flight and does not start on the due date, telegraphic information must be given by one side to the other. If an aeroplane starts on the appointed day and does not reach its destination, the side concerned will give telegraphic information; and, if an aeroplane does not start on the appointed day but starts the next day, in that case also a telegram will be sent.

ARTICLE 24.

This agreement becomes valid as soon as it is signed.

ARTICLE 25.

This agreement will be valid up to 1st January 1929.

ARTICLE 26.

This agreement has been drawn up in two texts, Russian and Persian, and both texts have equal force.

MUHAMMAD IHSAN KHAN,
Commandant, Afghan Air Force.

Dated 17th Hoot 1306.

JARINANOFF,
Head of the Dubrolet of the U. S. S. R. Government.

Dated 7th March 1928.

APPENDIX No. XV.—[*See page 229.*]

TRAITÉ D'AMITIÉ SA MAJESTÉ LE ROI D'EGYPTE et SA MAJESTÉ LE ROI D'AFGHANISTAN,—1928.

Considérant les rapports historiques et les affinités naturelles qui existent entre l'Egypte et l'Afghanistan et désireux de resserrer les liens d'amitié qui unissent les deux pays et de développer leurs relations cordiales par la conclusion d'un traité d'amitié entre eux ;

Ont nommé pour leurs plénipotentiaires :

SA MAJESTÉ LE ROI D'EGYPTE :

S. E. Wacyf Boutros Ghali Pacha, Ministre des Affaires Etrangères ;

SA MAJESTÉ LE ROI D'AFGHANISTAN :

Walachane Galalat Maab Sirdar Aly Ahmed Khan Tagi Afghan, Gouverneur de Kaboul ;

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenue de ce qui suit :

ARTICLE 1.

Il y aura paix inviolable et sincère amitié perpétuelle entre les Royaumes d'Egypte et d'Afghanistan ainsi qu'entre leurs citoyens.

ARTICLE 2.

Les Hautes Parties contractantes sont d'accord pour établir les relations diplomatiques entre les deux Etats conformément aux principes du droit international. Elles conviennent que les représentants et agents diplomatiques de chacune d'elles recevront, sur le territoire de l'autre et à charge de réciprocité, le traitement concacré par les principes généraux du droit international public.

ARTICLE 3.

Les Hautes Parties contractantes sont d'accord pour conclure entre elles, en temps opportun, des traités économiques et commerciaux.

ARTICLE 4.

Le présent traité est rédigé en arabe et en persan, les deux textes faisant également foi. Il sera ratifié et les ratifications en seront échangées à Kaboul, le plus tot que faire se pourra. Il entrera en vigueur dès l'échange des ratifications.

En foi de quoi les plénipotentiaires ont signé le présent traité et y ont apposé leurs sceaux.

Le Caire, le 10 Zilhedjeh 1346 (10 mai 1928).

(Signature) :
ALI AHMED.

(Signature) :
WACYF BOUTROS GHALI.

APPENDIX No. XVI.—[*See page 229.*]

TURCO-AFGHAN TREATY of FRIENDSHIP and CO-OPERATION,—1928.

Whereas by reason of the harmony of their material and moral relations and their situation and brotherly sentiments, the present age creates daily new common needs for them, Turkey and Afghanistan, inspired by the desire to place on still stronger and more secure bases the friendly, brotherly and true bonds between these two great Powers, as already established by the Treaty concluded by them on the 1st March 1337, have thought it necessary, for the realisation of this aim, to conclude a Treaty of friendly relations and political and economic co-operation, and have appointed as Plenipotentiaries :—

HIS EXCELLENCY THE PRESIDENT OF THE TURKISH REPUBLIC :

His Excellency TEWFIK RUCHDI BEY, Minister of Foreign Affairs for the Turkish Republic ;

HIS MAJESTY THE KING OF AFGHANISTAN :

His Excellency GOULAM SADIK KHAN, Commander-in-Chief and Representative of the Minister of Foreign Affairs for Afghanistan.

Who, having exchanged their powers found in due and proper form, have agreed upon the following Articles which shall regulate the relations between the two countries :—

ARTICLE 1.

Everlasting peace and true and unfailing friendship shall prevail between the Turkish Republic and the Kingdom of Afghanistan as well as the two nations.

ARTICLE 2.

Should one of the Contracting Parties be threatened by one or more other Powers, the other Party undertakes to exert every effort to prevent aggression and despite these efforts, should war become inevitable, the Contracting Parties undertake to consult together earnestly and in a spirit of goodwill on the situation thus created with a view to reaching a solution consistent with the high respective interests of the two governments.

ARTICLE 3.

Each of the Contracting Parties undertakes not to participate in any alliance or agreement whatever, political, military, economic or financial, entered into by one or more foreign States against the other Party. Moreover, each undertakes not to participate in a hostile action directed against the military security of the other Party by one or more Powers.

ARTICLE 4.

The Contracting Parties promise reciprocally mutual help and assistance of every kind with a view to securing, by special Conventions to be concluded, the benefit of the resources pertaining to the one and considered as advantageous and necessary to the other and to help the latter in this respect for the purpose of contributing to the progress and development of the two States and nations.

ARTICLE 5.

The Turkish Republic undertakes to place at the disposal of the Afghan Government the judicial, scientific and military experts for whom Afghanistan might ask, with a view to assist the intellectual and military progress of this country.

ARTICLE 6.

The subjects of the two States shall enjoy reciprocally the most-favoured nation treatment, as regards their mutual commercial relations and conditions of residence, within the territory of either of the two Contracting Countries. The two Contracting Parties shall, however, be free to conclude separately commercial, residential, consular, postal and telegraphic, and extradition conventions.

ARTICLE 7.

Each of the two Contracting Parties shall enjoy full liberty of action in their relations with other States, apart from engagements entered into in pursuance of the present Treaty.

ARTICLE 8.

The present Treaty is drawn up in Turkish and Persian, both texts being authentic.

ARTICLE 9.

The present Treaty shall enter into force from the date of the exchange of the instruments of ratification which shall take place with the least possible delay. The exchange of the ratified texts shall take place at Angora. The provisions of Article 1 of the Treaty shall be valid indefinitely, while those of the other Articles shall be valid for a period of ten years. Should the present Treaty not be denounced by either of the two Parties six months before the date of its expiration, it shall be considered *ipso facto* valid for a further period of one year. Should the Treaty be denounced, it shall cease to be valid six months after it has been denounced.

The delegates of the two Governments having accepted and approved the provisions of the nine Articles above, have signed the present Treaty.

Done at Angora, in duplicate, on the 25th May 1928.

TEWFIK RUCHDI, *Dr.*

GULAM SADIK.

Protocol.

The delegates of the two Powers, who have just signed the Turco-Afghan Treaty of Friendship and Co-operation, of to-day's date, have agreed on the following provisions:

Economic Co-operation has been established between the High Contracting Parties.

The expert, competent, Delegates of the two Contracting Parties shall consult together, with the least possible delay, on the subject of this co-operation and on the study of the means of transport between the two countries and the possible steps to be taken in this respect.

This Protocol has also been signed by the Delegates of the two Contracting Parties as integrant part of the Treaty, on the 25th of May 1928.

TEWFIK RUCHDI, *Dr.*
GULAM SADIK.

APPENDIX No. XVII.—[*See page 229.*]

EXCHANGE of NOTES between the AFGHAN and PERSIAN GOVERNMENTS constituting an AGREEMENT regarding FRONTIER COMMISSIONERS,—1928.

(*I*) *Note addressed by Mirza Fatollah Khan Pakrevan, Administrator of the Persian Ministry of Foreign Affairs, to Sardar Abdolaziz Khan, Envoy Extraordinary and Minister Plenipotentiary of Afghanistan, Teheran.*

No. 4459.

Le 4 Tir, 1307 (June 25th, 1928).

Monsieur le Ministre,

J'ai l'honneur d'informer Votre Excellence que, pour prévenir tout incident qui pourrait survenir sur les frontières Perso-Afghanes et pour que, le cas échéant, de tels incidents soient réglés et liquidés le plus vite possible, le Gouvernement Impérial juge opportun que l'arrangement ci-dessous mentionné soit établi entre nos deux pays pour une durée de deux années :

1° Le Gouvernement Persan et le Gouvernement Afghan nommeront chacun, pour toute l'étendue de leurs frontières communes, trois Commissaires. Ces Commissaires désigneront le lieu de leur résidence, ainsi que le ressort de leur activité, le long de la frontière entre leurs Etats respectifs.

2° Les Commissaires de chacun des deux pays doivent être pris parmi les ressortissants incontestés de ce pays et présentés, préalablement, à l'autre Partie Contractante.

3° Au cas où le Commissaire de l'une des Parties Contractantes agirait à l'égard de l'autre Partie en dehors des limites de sa compétence et contrairement aux attributions à lui prescrites, l'autre Partie aura le droit de demander, en en fournissant les motifs, le remplacement de ce Commissaire.

4° Les Commissaires ci-dessus mentionnés sont tenus de prévenir les agressions et les infractions qui viendraient à être dirigées par des malfaiteurs ou par des habitants de la région frontière contre les habitants du territoire de l'autre Partie avoisinant la frontière, ainsi que les opérations de contrebande. Ils doivent surveiller le maintien de l'ordre sur les frontières.

Les Commissaires des deux Parties Contractantes n'ont pas le droit de s'immiscer dans les questions litigieuses ayant rapport à la fixation des frontières, à des questions diplomatiques et à toutes autres affaires qui sont d'ordre intérieur pour l'autre Partie. Ils n'ont aucun droit de dresser des protocoles relativement à de telles questions.

5° Lorsque des agressions et des infractions seront commises par les habitants du territoire de l'une des Parties Contractantes sur le territoire de l'autre, le Commissaire de la Partie qui en est victime est tenu d'en informer le Commissaire de l'autre Partie du territoire de laquelle provient l'agression. Les deux Commissaires doivent se rendre sur les lieux de l'incident aux fins d'examen et d'enquête.

Le Commissaire du ressort duquel provient l'agression est tenu de faire, dans le plus bref délai possible, les démarches nécessaires en vue de régler et de liquider l'incident.

6° Pour les questions de peu d'importance et présentant un caractère d'urgence, les Commissaires pourront les régler en ayant recours aux autorités locales à condition d'en informer ensuite le Commissaire de l'autre Partie et de préparer et signer de commun accord, un protocole.

La distinction des cas de peu d'importance ou d'urgence se fait, de commun accord, par les Commissaires des deux Parties et tant que l'accord n'est pas intervenu entre eux, il n'est pas permis aux Commissaires des frontières de recourir aux autorités locales.

7° Les Commissaires auront, en cas de besoin, le droit de circuler sur tous les points de la frontière qui leur seront ouverts officiellement dans le ressort de leurs attributions, pour l'exécution de leurs fonctions, avec un laissez-passer officiel délivré par l'autre Partie Contractante pour un délai déterminé.

8° Les Commissaires sont tenus de présenter, aux fins de visa, leur laissez-passer aux autorités frontières de l'autre Partie chaque fois qu'ils traverseront la frontière.

9° Chacune des Hautes Parties Contractantes apportera tous ses efforts à assurer la protection de la personne et des biens des Commissaires de l'autre Partie sur son territoire.

Je saisis cette occasion pour vous renouveler l'assurance de ma considération distinguée.

PAKREVAN.

(*II*) *Note addressed by Sardar Abdolaziz Khan, Envoy Extraordinary and Minister Plenipotentiary of Afghanistan, Teheran, to Mirza Fatollah Khan Pakrevan, Administrator of the Persian Ministry of Foreign Affairs.*

No. 699.

Le 4 Saratan, 1307 (June 25th, 1928).

Monsieur le Gérant,

J'ai l'honneur d'informer Votre Excellence que pour prévenir tout incident qui pourrait survenir sur les frontières Afghano-Persanes et pour que, le cas échéant, de tels incidents soient réglés et liquidés le plus vite possible, le Gouvernement Afghan juge opportun que l'arrangement ci-dessous mentionné soit établi entre nos deux pays pour une durée de deux années :—

[*Here follow Sections 1 to 9 as in Note* (*I*).]

Je saisis cette occasion pour vous renouveler l'assurance de ma considération distinguée.

ABDOLAZIZ.

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