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THE

MAP OF AFRICA BY TREATY,

BY THE LATE SIR E. HERTSLET, K.C.B.

THIRD EDITION :

IN THREE VOLUMES AND A COLLECTION OF MAPS.

Revised and completed to the end of 1908, by R. W. BRANT, LIBRARIAN and KEEPER
OF THE PAPERS, and H. L. SHERWOOD, of the FOREIGN OFFICE.

Vol. II. Nos. 95 to 259.

ABYSSINIA TO GREAT BRITAIN AND FRANCE.

LONDON :

PRINTED FOR HIS MAJESTY'S STATIONERY OFFICE,
BY HARRISON AND SONS, ST. MARTIN'S LANE,
PRINTERS IN ORDINARY TO HIS MAJESTY.

And to be purchased either directly or through any Bookseller, from
WYMAN AND SONS, LTD., FETTER LANE, E.C.; and
32, ABINGDON STREET, WESTMINSTER, S.W.; or
OLIVER AND BOYD, TWEEDDALE COURT, EDINBURGH; or
E. PONSONBY, 116, GRAFTON STREET, DUBLIN.

1909.

Price (with Vols. I and III and Collection of Maps) Three Pounds.

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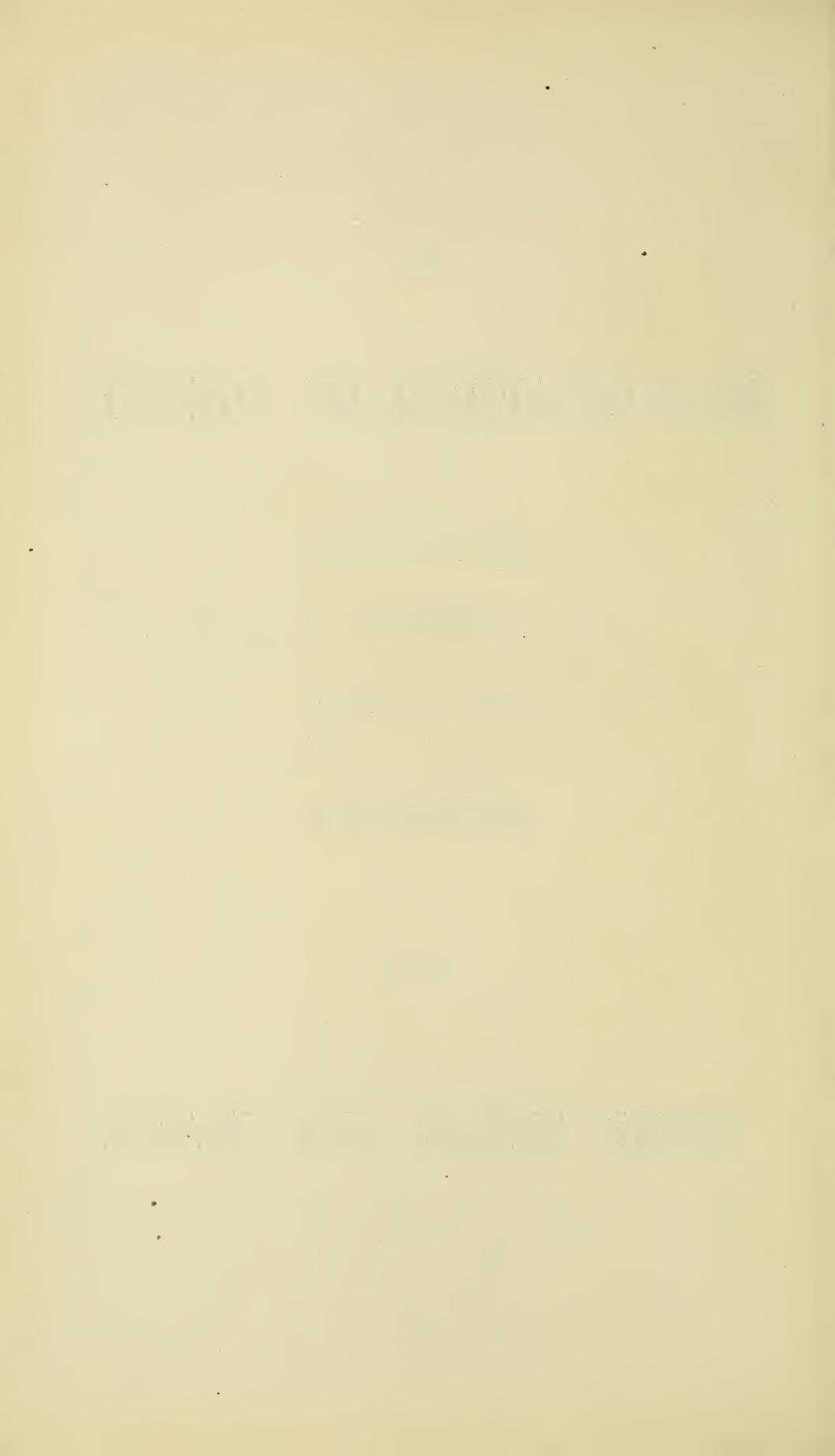
MAP OF AFRICA BY TREATY.

PART II.

ABYSSINIA

TO

GREAT BRITAIN AND FRANCE.



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SCOTT & BOWEN

ABYSSINIA, &c.

ABYSSINIA, &c.

LIST OF TREATIES, &c.

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* See Declaration of 13th December, 1906, annexed to Agreement of that date between Great Britain, France, and Italy respecting Abyssinia as to communication by Italian Government of its frontier Treaties with Lugh, Raheita, and the Danakils.

Abyssinia and France.

No. 95.—*CONVENTION between France and Abyssinia, relative to the Frontier of the French Coastal Zone. Signed at Adis Ababa, 20th March, 1897.**

Entre Sa Majesté Ménélik II, Roi de Rois d’Ethiopie, et Monsieur Lagarde, Ministre Plénipotentiaire, Représentant du Gouvernement de la République Française, Officier de la Légion d’Honneur, Grand-Croix de l’Ordre Impérial d’Ethiopie, il a été convenu ce qui suit :

La frontière de la zone côtière conservée par la France comme possession ou protectorat direct sera indiquée par une ligne partant de la frontière Franco-Anglaise à Djalelo, passant à Rahalé, Gobad, Airoli, le bord du lac Abbé, Mergada, le bord du lac Alli, et, de là, remontant par Daimuli et Adghéno Marci, puis gagnant Doumeirah par Etaga en côtoyant Raheitah.

(Voir Carte de Chaurand, 1894.)

Il reste bien entendu qu’aucune Puissance étrangère ne pourra se prévaloir de cet arrangement pour s’immiscer, sous quelque forme et quelque prétexte que ce soit dans les régions situées au delà de la zone côtière française.

Le lac Assal étant l’héritage de l’Empire d’Ethiopie, il est convenu qu’on ne défendra jamais de prendre dans ce Lac le sel destiné à l’Ethiopie et que l’arrangement qui a été fait avec une Compagnie au sujet du Lac Assal reste intact.

Ecrit à Addis Abeba le 12 Mégabit, 1889 (20 Mars, 1897).

(L.S.) LAGARDE.

(L.S.) MENELIK.

Note.—For Agreements between France and Danakils, Somalis, &c., see France (East Africa), p. 625.

Abyssinia, &c., and Great Britain.

No. 96.—*TREATY. Great Britain and Shoa, Efat, and the Galla. 16th November, 1841.*

ON the 16th November, 1841, a Treaty of Friendship and Commerce was concluded between Great Britain and His Majesty Sehala Selassie, “King of Shoa, Efat, and the Galla,” and his lineal successors; but no boundaries were defined in this Treaty, and it is no longer in force.†

* Referred to in Art. I of the Agreement, between Great Britain, France and Italy, respecting Abyssinia, of the 13th December, 1906, p. 436.

† H.T., vol. vii, p. 966. S.P., vol. xxix, p. 156.

No. 97.—TREATY. *Great Britain and Abyssinia. 2nd November, 1849.*

ON the 2nd November, 1849,* a Treaty of Friendship and Commerce was concluded between Great Britain and the King of Abyssinia and his successors. The boundaries of Abyssinia were not defined, and the Treaty was terminated by the war between this country and Abyssinia in 1868, which resulted in the death of King Theodore.

No. 98.—TREATY. *Great Britain, Ethiopia, and Egypt. Signed at Adowa, 3rd June, 1884.*

ON the 3rd June, 1884,† a Treaty was concluded between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, His Majesty Johannis Negoosa Negust of Ethiopia and its Dependencies, and His Highness the Khedive of Egypt, for the settlement of differences between Egypt and Abyssinia.

The following is an epitome of its provisions :—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and His Majesty Johannis, made by the Almighty King of Sion, Negoosa Negust of Ethiopia and its Dependencies, and His Highness Mahomed Tewfik, Khedive of Egypt, being desirous of settling the differences which exist between the said Johannis, Negoosa Negust of Ethiopia and Mahomed Tewfik, Khedive of Egypt, and of establishing an everlasting peace between them, have agreed to conclude a Treaty for this purpose, which shall be binding on themselves, their heirs, and successors ; and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, having appointed as her Representative Rear-Admiral Sir William Hewett, Commander-in-Chief of Her Majesty's ships of war in the East Indies, and His Majesty the Negoosa Negust of Ethiopia, acting on his own behalf, and His Highness the Khedive of Egypt, having appointed as his Representative His Excellency Mason Bey, Governor of Massowah, they have agreed upon and concluded the following Articles :—

Art. I.—*Free Transit for all Goods through Massowah to and from Abyssinia.*

Restoration of Bogos to Ethiopia.

Art. II.—On and after the 1st day of September, 1884, corresponding to the 8th day of Maskarram, 1877, the country called Bogos shall be restored to His Majesty the Negoosa Negust ;‡ and when the troops of His Highness the Khedive shall have left the garrisons of Kassala, Amedib, and Sanhit, the buildings in the Bogos country, which now belong to His Highness the Khedive, together with all the stores and

* H.T., vol. ix, p. 1. S.P., vol. xxxvii, p. 4.

† H.T., vol. xvii, p. 2.

‡ Bogos was handed over to Abyssinia, 12th September, 1884.

[Frontiers. Somali Coast Protectorate.]

munitions of war which shall then remain in the said buildings, shall be delivered to and become the property of His Majesty the Negoosa Negust.

Art. III.—*Withdrawal of Troops of Khedive from Kassala, Amedib, and Sanhit.*

Art. IV.—*Appointment of Aboonas for Ethiopia by the Negoosa Negust.*

Art. V.—*Extradition of Criminals.*

Differences between the Negoosa Negust and the Khedive to be referred to Her Britannic Majesty.

Art. VI.—His Majesty the Negoosa Negust agrees to refer all differences with His Highness the Khedive which may arise, after the signing of this Treaty to Her Britannic Majesty for settlement.

Art. VII.—*Ratifications.**

(King's Seal.)

(L.S.) W. HEWETT.

(L.S.) MASON.

Adowa, 3rd June, 1884.

No. 99.—*TREATY between Great Britain and Ethiopia (Frontiers of British Protectorate on Somali Coast). Signed by the Emperor Menelek II, and by Her Majesty's Envoy, at Adis Abbaba, 14th May, 1897.*

[Ratified by the Queen, 28th July, 1897.]†

[English version.‡]

HER Majesty Victoria, by the grace of God, Queen of Great Britain and Ireland, Empress of India, and His Majesty Menelek II, by the grace of God, King of Kings of Ethiopia, being desirous of strengthening and rendering more effective and profitable the ancient friendship which has existed between their respective kingdoms ;

Her Majesty Queen Victoria having appointed as her Special Envoy and Representative to His Majesty the Emperor Menelek II, James Rennell Rodd, Esq., Companion of the Most Distinguished Order of St. Michael and St. George, whose full powers have been found in due and proper form, and His Majesty the Emperor Menelek, negotiating in his own name as King of Kings of Ethiopia, they have agreed upon and do conclude the following Articles, which shall be binding on themselves, their heirs, and successors :—

Art. I.—*Freedom of Intercourse.*

* Ratified by Her Majesty on the 4th July, 1884, and by the Khedive of Egypt on the 25th September, 1884.

† See Art. VI.

‡ The Amharic version signed by King Menelek appeared in the left column of the original Treaty. For French translation see p. 426.

[Frontiers. Somali Coast Protectorate.]

Art. II.—The frontiers of the British Protectorate on the Somali Coast recognized by the Emperor Menelek shall be determined subsequently by exchange of notes between James Rennell Rodd, Esq., as Representative of Her Majesty the Queen, and Ras Maconen, as Representative of His Majesty the Emperor Menelek, at Harrar.* These notes shall be annexed to the present Treaty, of which they will form an integral part, so soon as they have received the approval of the High Contracting Parties, pending which the *status quo* shall be maintained.

Art. III.—*Caravan Route between Zeyla and Harrar to remain open.*

Art. IV.—*Most-favoured-nation Treatment. Ethiopian State material to pass through port of Zeyla free of duty.*

Art. V.—*Transit of Arms, &c.*

Art. VI.—His Majesty the Emperor Menelek II, King of Kings of Ethiopia, engages himself towards the Government of Her Britannic Majesty to do all in his power to prevent the passage through his dominions of arms and ammunition to the Mahdists, whom he declares to be the enemies of his Empire.

The present Treaty shall come into force as soon as its ratification by Her Britannic Majesty shall have been notified to the Emperor of Ethiopia,† but it is understood that the prescriptions of Art. VI shall be put into force from the date of its signature.

In faith of which His Majesty Menelek II, King of Kings of Ethiopia, in his own name, and James Rennell Rodd, Esq., on behalf of Her Majesty Victoria, Queen of Great Britain and Ireland, Empress of India, have signed the present Treaty, in duplicate, written in the English and Amharic languages identically, both texts being considered as official,‡ and have thereto affixed their seals.

Done at Adis Abbaba, the 14th day of May, 1897.

(L.S.) JAMES RENNELL RODD.
(Seal of His Majesty the Emperor Menelek II.)

Annexes to Treaty signed at Adis Abbaba on the 14th May, 1897, by His Majesty the Emperor Menelek, and by Mr. James Rennell Rodd.

Annex 1.

Mr. Rodd to the Emperor Menelek.

Your Majesty,

Adis Abbaba, 14th May, 1897.

WITH reference to Art. II of the Treaty which we are to sign to-day, I am instructed by my Government, in the event of a possible occupation by Ethiopia of territories inhabited by tribes who have formerly

* See Annex 3, p. 428

† The ratification was notified to the Emperor Menelek on 30th August, 1897. See p. 430.

‡ See Annex 2, p. 426, as to French translation of text.

[Frontiers. Somali Coast Protectorate.]

accepted and enjoyed British protection in the districts excluded from the limits of the British Protectorate on the Somali Coast, as recognized by your Majesty, to bring to your knowledge the desire of Her Majesty the Queen to receive from your Majesty an assurance that it will be your special care that these tribes receive equitable treatment, and are thus no losers by this transfer of suzerainty.

In expressing the hope that your Majesty will enable me to give this assurance, I have, &c.

RENNELL RODD.

(Traduction.)

Votre Majesté,

Adis Abbaba, le 14 Mai, 1897.

ME référant à l'Article II du Traité qui sera signé entre nous aujourd'hui, je suis chargé par mon Gouvernement de porter à la connaissance de votre Majesté, dans le cas où l'Éthiopie entrera éventuellement en occupation de territoires habités par les tribus qu'avaient antérieurement accepté et joui de la protection Britannique dans les régions exclues de la limite reconnue par votre Majesté comme frontière du Protectorat Britannique sur la Côte des Somalis, le désir de Sa Majesté la Reine de recevoir une assurance de la part de votre Majesté qu'elle s'occupera tout spécialement à pourvoir que ces tribus seront traitées équitablement, afin qu'ils ne perdent rien par ce transfèrement de suzeraineté.

En exprimant l'espoir que votre Majesté me permettra de donner cette assurance, j'ai, &c.

RENNELL RODD.

The Emperor Menelek to Mr. Rodd.

(Translation.)

The Conquering Lion of the Tribe of Judah, Menelek II, by the grace of God, King of Kings of Ethiopia, to Mr. Rennell Rodd, Envoy of the Kingdom of England.

Peace be unto you.

YOUR letter, written in Genbot 1899, respecting the Somalis, has reached me. With regard to the question you have put to me, I give you the assurance that the Somalis who may by boundary arrangements become subjects of Ethiopia shall be well treated and have orderly government.

Written at Adis Abbaba, the 6th Genbot, 1889 (14th May, 1897.)

(Seal of His Majesty the Emperor Menelek II.)

[Frontiers. Somali Coast Protectorate.]

Annex 2.

The Emperor Menelek to Mr. Rodd.

(Translation.)

From Menelek II, by the grace of God, King of Kings of Ethiopia,
Conquering Lion of the tribe of Judah.

May this reach James Rennell Rodd.

Peace be unto you.

WITH reference to the Treaty which we have written in the Amharic and English languages at Adis Abbaba, as I have no interpreter with me who understands the English language well enough to compare the English and Amharic versions, if by any possibility in the future there should ever be found any misunderstanding between the Amharic and English versions in any of the Articles of this Treaty, let this translation, which is written in the French language, and which I enclose in this letter, be the witness between us, and if you accept this proposal, send me word of your acceptance by letter.

Dated 7th Genbot, 1899 (14th May, 1897).

(Seal of His Majesty the Emperor Menelek II.)

Inclosure in above Letter.

(Traduction.)

SA Majesté Victoria, par la grâce de Dieu Reine de la Grande-Bretagne et d'Irlande, Impératrice des Indes, et Sa Majesté Ménélek II, Roi des Rois d'Éthiopie, désireux de fortifier et de rendre plus efficace et avantageuse l'ancienne amitié qui existe entre les deux Royaumes :

Sa Majesté la Reine Victoria ayant nommé comme son Envoyé Extraordinaire et Représentant auprès de Sa Majesté l'Empereur Ménélek, James Rennell Rodd, Esquire, Compagnon de l'Honorable Ordre de Saint-Michel et Saint-Georges, dont les pleins pouvoirs ont été reconnus en bonne et due forme ; et

Sa Majesté l'Empereur Ménélek, agissant en son propre nom comme Roi des Rois d'Éthiopie ;

Se sont accordés sur, et ont conclu, les Articles qui suivent, par lesquels ils s'engagent eux-mêmes, ainsi que leurs héritiers et successeurs :—

Art. II.—Les frontières du Protectorat Britannique sur la Côte des Somalis, reconnues par Sa Majesté l'Empereur Ménélek, seront réglées ultérieurement par échange de notes entre James Rennell Rodd, Esquire, comme Représentant de Sa Majesté la Reine, et Ras Meconen, comme Représentant de Sa Majesté l'Empereur Ménélek au Harrar. Ces notes seront annexées au présent Traité, dont elles formeront partie intégrale sitôt qu'elles ont été approuvées par les Hautes Parties Contractantes. En attendant, le *statu quo* sera maintenu.

* * * * *

Art. VI.—Sa Majesté Ménélek II, Roi des Rois d'Éthiopie, s'engage,

[Frontiers. Somali Coast Protectorate.]

vis-à-vis du Gouvernement Britannique, à empêcher de son mieux le passage à travers de son Empire des armes et munitions aux Mahdistes, qu'il déclare ennemis de son Empire.

Le présent Traité entrera en vigueur sitôt que la ratification de Sa Majesté Britannique sera notifiée à Sa Majesté l'Empereur d'Éthiopie, mais il est entendu que les prescriptions de l'Article VI seront mises en exécution à partir du jour de sa signature.

En foi de quoi Sa Majesté Ménélek II, Roi des Rois d'Éthiopie, en son propre nom, et Rennell Rodd, Esquire, pour Sa Majesté Victoria, Reine de la Grande-Bretagne et d'Irlande, Impératrice des Indes, ont signés le présent Traité, fait en deux exemplaires, écrit en Anglais et en Amharique identiquement, les deux textes étant considérés comme officiels, et y ont affixé leurs sceaux.

Fait à Adis Abbaba, le 14 Mai, 1897.

(Seal of His Majesty the Emperor Menelek II.)

Mr. Rodd to the Emperor Menelek.

Your Majesty,

Adis Abbaba, 14th May, 1897.

I HAVE the honour to acknowledge the receipt of your Majesty's letter inclosing the French translation of the Treaty which we are to sign this day in English and Amharic, and I agree, on behalf of my Government, to the proposal of your Majesty, that, in case a divergency of opinion should arise hereafter as to the correct interpretation to be given either to the English or Amharic text, the French translation, which has been agreed to on both sides as adequate, should be accepted as furnishing a solution of the matter under dispute.

In recording this assurance, I have, &c.

RENNELL RODD.

(Traduction.)

Votre Majesté,

Adis Abbaba, le 14 Mai, 1897.

J'AI l'honneur d'accuser réception de la lettre de votre Majesté m'envoyant la traduction Française du Traité qui sera signé entre nous aujourd'hui en Anglais et en Amharique, et j'accepte, au nom de mon Gouvernement, la proposition de votre Majesté, que, dans le cas où il y aura à l'avenir divergence d'opinion sur l'interprétation correcte à donner ou au texte Anglais ou au texte Amharique, la version Française, qui a été adoptée de part et d'autre comme suffisante, sera acceptée comme interprétant la matière en dispute.

En donnant cette assurance à votre Majesté, j'ai, &c.

RENNELL RODD.

Annex 3.

Mr. Rodd to Ras Makunan.

Peace be unto you.

Harrar, 4th June, 1897 (28 Genbot, 1889).

AFTER friendly discussion with your Excellency, I have understood that His Majesty the Emperor of Ethiopia will recognize as frontier of the British Protectorate on the Somali Coast the line which, starting from the sea at the point fixed in the Agreement between Great Britain and France on the 9th February, 1888 (**No. 225**), opposite the wells of Hadou, follows the caravan-road, described in that Agreement, through Abbassouen till it reaches the hill of Somadou. From this point on the road the line is traced by the Saw mountains and the hill of Egu to Moga Medir; from Moga Medir it is traced by Eylinta Kaddo to Arran Arrhe, near the intersection of latitude 44° east of Greenwich with longitude 9° north. From this point a straight line is drawn to the intersection of 47° east of Greenwich with 8° north. From here the line will follow the frontier laid down in the Anglo-Italian Protocol of the 5th May, 1894 (**No. 290**) until it reaches the sea.

The tribes occupying either side of the line shall have the right to use the grazing grounds on the other side, but during their migrations it is understood that they shall be subject to the jurisdiction of the territorial authority. Free access to the nearest wells is equally reserved to the tribes occupying either side of the line.

This understanding, in accordance with Art. II of the Treaty signed on the 14th May, 1897 (7th Genbot, 1889), by His Majesty the Emperor Menelek and Mr. Rennell Rodd, at Adis Abbaba, must be approved by the two High Contracting Parties.

I have, &c.

RENNELL RODD.

(Traduction.)

(Salut.)

Harrar, le 4 Juin, 1897 (28 Genbot, 1889.)

APRÈS discussion amicale avec votre Excellence, j'ai compris que Sa Majesté l'Empereur d'Éthiopie reconnaîtra comme frontière du Protectorat Britannique sur la Côte des Somalis la ligne qui, partant de la mer à l'endroit fixé par l'accord entre la Grande-Bretagne et la France en Février, 1888 (**No. 225**), vis-à-vis les puits d'Hadou, suit la route des caravanes, tracé dans cet accord, qui passe par Abbassouen, jusqu'à la colline de Somadou. A partir de ce point sur la route la ligne est tracée par les montagnes de Saw et la colline d'Egu jusqu'à Mogar Medir; à partir de Mogar Medir elle est tracée en ligne droite par Eylinta Kaddo jusqu'à Arran Arrhe, près de l'intersection de 44 degrés est de Greenwich et 9 degrés nord. De ce point une ligne droite sera tracée jusqu'à l'intersection de 47 degrés est de Greenwich et 8 degrés nord. A partir d'ici la ligne suivra le tracé de la frontière indiqué par le Protocole Anglo-Italien du 5 Mai 1894 (**No. 290**), jusqu'à la mer.

Les tribus habitant chaque côté de la ligne auront le droit de fréquenter les pâturages d'un côté ainsi que de l'autre, mais il est entendu que pendant leurs migrations ils seront soumises à la juridiction de l'autorité territoriale. Un accès libre aux puits les plus proches est réservé également aux habitants de chaque côté de la ligne.

Cet accord, conformément à l'Article II du Traité signé le 14 Mai, 1897 (7 Genbot, 1889), par Sa Majesté l'Empereur Ménélék et Mr. Rennell Rodd à Adis Abbaba, doit être approuvé par les deux Hautes Parties Contractantes.

J'ai, &c.

RENNELL RODD.

Ras Makunan to Mr. Rodd.

(Translation.)

Sent from Ras Makunan, Governor of Harrar and its dependencies :
May this reach the Honourable Mr. Rennell Rodd, Envoy of the British Kingdom.

I INFORM you to-day that, after long friendly discussion, the boundary of the British Somali Protectorate upon which we have agreed is as follows :—

Starting from the sea-shore opposite the wells of Hadou (as on which the French and the English Governments agreed in February 1888) (No. 225), it follows the caravan-road by Abbassouen till Mount Somadou ; from Mount Somadou to Mount Saw ; from Mount Saw to Mount Egu : from Mount Egu to Moga Medir ; starting from Moga Medir, it goes in a direct line to Eylinta Kaddo and Arran Arrhe on 44° east of Greenwich and 9° north, and again in a direct line until 47° east and 8° north. After this the boundary follows the line on which the English and Italians agreed on the 5th May, 1894 (No. 290), until the sea.

The subjects of both the Contracting Parties are at liberty to cross their frontiers and graze their cattle, but these people, in every place where they go, must obey the Governor of the country in which they are, and the wells which are in the neighbourhood shall remain open for the two parties.

These two letters on which we have agreed, according to Art. II of the Treaty of His Majesty the Emperor of Ethiopia and Mr. Rennell Rodd of the 7th Genbot, 1889 (14th May, 1897), the two Sovereigns having seen them, if they approve them, shall be sealed again (ratified).

Written at Harrar, the 28th Genbot, 1889 (4th June, 1897).

RAS MAKUNAN.

RATIFICATION OF TREATY.

*Mr. Rodd to the Emperor Menelek II.**Cairo, 30th August, 1897.*

From Mr. Rennell Rodd, Special Envoy of Her Majesty Queen Victoria, to His Majesty Menelek II, by the grace of God, King of Kings of Ethiopia.

Peace be unto your Majesty.

I HAVE the honour to announce that The Queen, my gracious Sovereign, has been pleased to approve and ratify the Treaty which I had the honour to sign with your Majesty on the 14th May last.

Her Majesty has also been pleased to approve of the arrangement which, in accordance with the terms of Art. II of the Treaty, was agreed upon between Ras Makunan, as Representative of your Majesty, and myself by exchange of notes relative to the frontier of the British Protectorate in the Somali Coast; and it is presumed by Her Majesty's Government that your Majesty has also approved of it, as they have received no notification to the contrary.

The notes exchanged have accordingly been annexed to the Treaty which has received ratification, signifying Her Majesty's approval of all these documents.

I have now the honour to return herewith the copy of the Treaty intrusted to me by your Majesty, with its ratification in due form.

When I shall have received from your Majesty a letter signifying that this Treaty, thus ratified and approved, has come safely to your Majesty's hands, it will be made public by the Government of the Queen, that all her subjects may observe and abide by it, and that it may strengthen the ties of friendship between our countries, and increase the feelings of esteem and good-will towards your Majesty which the reception of the British Mission in Ethiopia has awakened in my country.

I pray that your Majesty's life and health may long be preserved, and that your people may have peace and prosperity.

RENNELE RODD.

The Emperor Menelek to The Queen.

(Translation.)

Menelek II, Elect of God, King of Kings of Ethiopia, to Her Most Gracious Majesty Queen Victoria, Queen of Great Britain and Ireland, and Empress of India, Upholder and Keeper of the Christian Religion.

May peace be unto you.

YOUR Majesty's letters of the 28th Hamlé (3rd August) and 22nd (23rd) Mascarem (1st (2nd) October), 1897, and the Treaty with the Great Seal, dated the 28th Hamlé (3rd August), 1897, have reached me, and We received it with joy. The Treaty of Peace which is now

[Frontiers. Soudan, Ethiopia, Eritrea.]

between your Government and our Government, We hope it will ever increase in firmness and last for ever.

We ask God to give your Majesty health, and to your kingdom quietness and peace.

Written at Adis Abbaba, the 8th December, 1897, A.D.

(Seal of His Majesty the Emperor Menelek II.)

No. 100.—*TREATIES between Great Britain and Ethiopia, and between Great Britain, Italy, and Ethiopia, relative to the Frontiers between the Soudan, Ethiopia, and Eritrea. Signed at Adis Ababa, 15th May, 1902.*

(Signed also in the Amharic text.)

[Ratifications delivered at Adis Ababa, 28th October, 1902.]

His Majesty Edward VII by the Grace of God, King of the United Kingdom of Great Britain and Ireland, and of the British Dominions beyond the Seas, Emperor of India, and His Majesty Menelek II, by the Grace of God, King of Kings of Ethiopia, being animated with the desire to confirm the friendly relations between the two Powers, and to settle the frontier between the Soudan and Ethiopia, and His Majesty King Edward, having appointed as his Plenipotentiary Lieutenant-Colonel John Lane Harrington, a Commander of the Royal Victorian Order, His Majesty's Agent at the Court of His Majesty Menelek II, King of Kings of Ethiopia, whose full powers have been found in due and proper form, and His Majesty the Emperor Menelek, negotiating in his own name as King of Kings of Ethiopia, they have agreed upon and do conclude the following Articles, which shall be binding on themselves, their heirs, and successors :—

Frontier between Soudan and Ethiopia.

Art. I.—The frontier between the Soudan and Ethiopia agreed on between the two Governments shall be : the line which is marked in red on the map annexed* to this Treaty in duplicate, and traced from Khor Um Hagar to Gallabat, to the Blue Nile, Baro, Pibor, and Akobo Rivers to Melile, thence to the intersection of the 6th degree of north latitude with the 35th degree longitude east of Greenwich.

Boundary to be Delimited and Marked on the Ground.

Art. II.—The boundary, as defined in Art. I, shall be delimited and marked on the ground by a Joint Boundary Commission, which shall be nominated by the two High Contracting Parties, who shall notify the same to their subjects after delimitation.

* See map (No. 2 in Atlas or Pouch) showing frontier as actually demarcated. Annexed to Description of the Frontier, p. 434.

Construction of Works on Blue Nile, Lake Tsana, and Sobat.

Art III.—His Majesty the Emperor Menelek II, King of Kings of Ethiopia, engages himself towards the Government of His Britannic Majesty not to construct, or allow to be constructed, any work across the Blue Nile, Lake Tsana, or the Sobat which would arrest the flow of their waters into the Nile except in agreement with His Britannic Majesty's Government and the Government of the Soudan.

Lease to Soudan of Territory on Baro River as Commercial Station.

Art. IV.—His Majesty the Emperor Menelek, King of Kings of Ethiopia, engages himself to allow His Britannic Majesty's Government and the Government of the Soudan to select in the neighbourhood of Itang,* on the Baro River, a block of territory having a river frontage of not more than 2,000 metres, in area not exceeding 40 hectares, which shall be leased to the Government of the Soudan, to be administered and occupied as a commercial station, so long as the Soudan is under the Anglo-Egyptian Government. It is agreed between the two High Contracting Parties that the territory so leased shall not be used for any political or military purpose.

Railway to connect Soudan with Uganda.

Art. V.—His Majesty the Emperor Menelek, King of Kings of Ethiopia, grants His Britannic Majesty's Government and the Government of the Soudan the right to construct a railway through Abyssinian territory to connect the Soudan with Uganda.

A route for the railway will be settled by mutual agreement between the two High Contracting Parties.

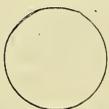
The present Treaty shall come into force as soon as its ratification by His Britannic Majesty shall have been notified to the Emperor of Ethiopia.

In faith of which His Majesty Menelek II, King of Kings of Ethiopia, in his own name, and Lieutenant-Colonel John Lane Harrington, on behalf of His Majesty King Edward VII, King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Sea, Emperor of India, have signed the present Treaty, in duplicate, written in the English and Amharic languages, identically, both texts being official, and have thereto affixed their seals.

Done at Adis Ababa, the 15th day of May, 1902.

(L.S.) JOHN LANE HARRINGTON,

Lieutenant-Colonel.



(Seal of His Majesty the Emperor Menelek II.)

* Itang having been found unsuitable, the present commercial station at Gambela was substituted for it.

Note.

Annex to the Treaty of 10th July, 1900 (**No. 125**), regarding the frontier between Ethiopia and Eritrea, and the Treaty of 15th May, 1902, regarding the frontier between the Soudan and Ethiopia.

His Majesty the Emperor of Ethiopia, Menelek II, Major Ciccodicola, Italian Minister in Ethiopia, and Lieutenant-Colonel Harrington, His Britannic Majesty's Agent in Ethiopia, have mutually agreed that :—

Frontier between Ethiopia and Eritrea.

Art. I.—The frontier Treaty between Ethiopia and Eritrea, previously determined by the line Tomat-Todluc, is mutually modified in the following manner :—

Commencing from the junction of the Khor Um Hagar with the Setit, the new frontier follows this river to its junction with the Maïeteb, following the latter's course so as to leave Mount Ala Tacura to Eritrea, and joins the Mareb at its junction with the Mai Ambessa.

The line from the junction of the Setit and Maïeteb to the junction of the Mareb and Mai Ambessa shall be delimited by Italian and Ethiopian delegates, so that the Canama tribe belong to Eritrea.

Frontier between Soudan and Eritrea.

Art. II.—The frontier between the Soudan and Eritrea, instead of that delimited by the English and Italian delegates by the Convention of the 16th April, 1901 (**No. 343**), shall be the line which, from Sabderat, is traced via Abu Jamal to the junction of the Khor Um Hagar with the Setit.

The present Agreement shall come into force as soon as its ratification by the British and Italian Governments shall have been notified to the Emperor of Ethiopia.

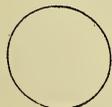
In faith of which His Majesty the Emperor of Ethiopia, Menelek II, in his own name and that of his successors ; Major Ciccodicola, in the name of His Majesty Victor Emmanuel III, King of Italy, and his successors ; and Lieutenant-Colonel Harrington, in the name of His Majesty Edward VII, King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and his successors, have signed the present Note in triplicate, written in the Italian, English, and Amharic languages identically, all texts being official, and have thereto affixed their seals.

Done at Adis Ababa, this 15th day of May, 1902.

(L.S.) JOHN LANE HARRINGTON,
Lieutenant-Colonel.

(L.S.) MAGGIORE FEDERICO CICCODICOLA.

(Seal of His Majesty the Emperor Menelek II.)



[See General Map facing p. 1116.]

No. 101.—*GENERAL DESCRIPTION of the Soudan-Abyssinian Frontier* as demarcated by the Boundary Commissioner. 27th June, 1903.*

SOUDAN-ABYSSINIAN FRONTIER.

General Description.†

THE boundary between Abyssinia and the Soudan commences at the junction of the K. Royan with the R. Setit, and thence runs in a straight line to B. No. 1 at Galaat-el-Zeraf. Thence to No. 2 at the point where the road from Nogara to Abu Gulud reaches the Khor Seraf Hammad.

Thence along the above road to B. No. 3 on the right bank of the Bahr-el-Salaam (or Angareb), the road to belong equally to both countries.

From No. 3 to B. No. 4 on the left bank of the above river.

Thence to No. 5 on the east end of J. Luban.

Thence to No. 6 on the road from Abu Siteib to Gadabi, close to the north-east foot of J. Hembirt.

Thence along the above road to B. No. 7 at the K. El Dom.

Thence across that Khor and along the Gadabi road to B. No. 8 on the K. Shein. Between B. No. 6 and B. No. 8 the road and all the Khor down stream of No. 7 shall belong entirely to the Soudan.

From B. No. 8 in a straight line to the summit of J. Nahut.

Thence to the summit of J. Abu Takia.

Thence to B. No. 9 on the R. Atbara, opposite the mouth of the K. Abnakheir.

Thence up the thalweg of that stream to B. No. 10.

Thence to No. 11 on J. Magbara.

Thence to No. 12 on J. Wad-el-Mek.

Thence to J. Sheliteit.

From the summit of J. Sheliteit to B. No. 13 on the road passing between that hill and J. Jaafra.

Thence through the summits of J. Jaafra, J. Wad Khamis, and J. Wad Soghar, which form the watershed between the K. Taia and K. Andeioqa, to B. No. 14 on the summit of J. Dagalish.

From J. Dagalish the boundary runs in a straight line towards Jebel Halawa and the point where it reaches the Rahad is marked by B. No. 15.

SECT. II.—*River Rahad to the Blue Nile.*

General Description.

From Beacon No. 15 the boundary follows the thalweg of the Rahad as far as Beacon No. 16, thence it runs in a straight line towards the summit of J. Halawa, till it meets a circle drawn from the latter point with a radius of 3 kilom. It follows the eastern arc of this circle, leaving J. Halawa to the Soudan, till it meets a straight line drawn

* See Art. I of Treaty between Great Britain and Abyssinia of 15th May, 1902, p. 431.

† See Diagram Map facing p. 436, and Map No. 2 in Atlas (or Pouch).

[Frontiers. Soudan and Ethiopia.]

from the summit of J. Halawa to the summit of J. Um Doga. It follows this line till it meets a circle of 3 kilom. radius drawn from the summit of the latter. It follows the eastern arc of this circle, leaving J. Um Doga to the Soudan, till it meets a straight line drawn from the summit of J. Um Doga to the summit of the north-easternmost of the El Mutan hills, which shall hereunder be called J. El Mutan. It follows this line till it meets a circle of 3 kilom. radius drawn from the latter summit.

It follows the eastern arc of the circle, leaving the El Mutan hills to the Soudan, till it meets a straight line drawn from J. El Mutan to B. No. 17 on summit J. Um Idla.

It follows this line to B. No. 17.

From the summit of J. Um Idla it runs to B. No. 19, on the summit of J. Magnun. Beacon No. 18 marks where it crosses the R. Dinder.

From B. No. 19 the boundary runs to B. No. 20, on J. Wiz Wiz.

Thence it runs in a straight line to the summit of the Abu Nubia rocks, but, where the Khor Abu Nubia passes to the south of this line, it will form the boundary.

From the Abu Nubia rocks, the boundary runs to the summit of J. Hargwanga, thence to the summit of J. Safos, thence to the summit of J. Menchelung, thence to the summit of J. Shola, thence to B. No. 21 on K. Bumbode, thence along the thalweg of that khor to its junction with the Blue Nile at Beacon No. 22.

SEC. III.—*The Blue Nile to the South.**General Description.*

From the mouth of the Khor Bumbode the thalweg of the Blue Nile is the frontier to the mouth of the K. Amilir, which is marked by Beacon No. 23.

Thence it runs in a straight line to the summit of J. Kako, and thence in a straight line to Beacon No. 24 on the J. Fardokha ridge.

Thence it runs due east to the watershed bounding the K. Sumba valley, and follows this watershed to the summit of J. Belesagdo. Thence it runs to Beacon No. 25 on the summit of J. Belangashe.

Thence to the summit of J. Nyants.

Thence along the watershed on the south side of the K. Ambamesa valley and along the ridge formed by the Dursheish hills till it reaches K. Tumat at Beacon No. 26, just opposite the mouth of the K. Durin.

Thence it follows the thalweg of the K. Tumat to Beacon No. 27.

Thence it runs direct to Beacon No. 28 on top of J. Gezan.

Thence direct to Beacon No. 29 on summit of J. Farbau (west).

Thence direct to summit of J. Kashangaru. Thence to the southern summit of J. Gambela. Thence to Beacon No. 30, on the hill of Gamendu. Thence to Beacon No. 31 where the Kurmuk-Keili Road crosses a khor. Thence along the thalweg of this khor (which with others becomes the K. Kashaga) to Beacon No. 32 which is made where the road from Kurmuk to Jerok crosses it. Thence the boundary will run

[Agreement. Great Britain, France, and Italy.]

towards the summit of J. Jerok till it meets the arc of a circle with a radius of 3 kilom. from that summit. Thence it follows this arc to J. Widil leaving J. Jerok in Soudan territory. From the northern summit of J. Widil the boundary runs to the eastern summit of J. Holesh and thence to Beacon No. 33 where the Dulkirin Road crosses the Khor Zalan.

Thence it follows this road to Beacon No. 34 at the Khor Gaza (or Arahad).

Thence in a straight line to the highest point of J. Uss, thence to Beacon No. 35 on the summit of J. Gogot.

Thence to Beacon No. 36 at the junction of the K. Sirokoli and K. Yabus (Ya'a).

Thence to the summit of J. Kusha, thence to Beacon No. 37 on the summit of J. Manga.

Thence to highest point of the Gemi (or Gewe) Mountain.

Thence due south to the K. Garre.

The boundary then follows the thalweg of the K. Garre to its junction with the River Baro.

Thence down the thalweg of the River Baro to its junction with the River Pibor.

Thence up the thalweg of the Pibor to its junction with the River Akobo and thence up the thalweg of that river to a point to be hereafter fixed in the neighbourhood of Melile.

C. W. GWYNN, *Major,*
Boundary Commissioner.

27th June, 1903.

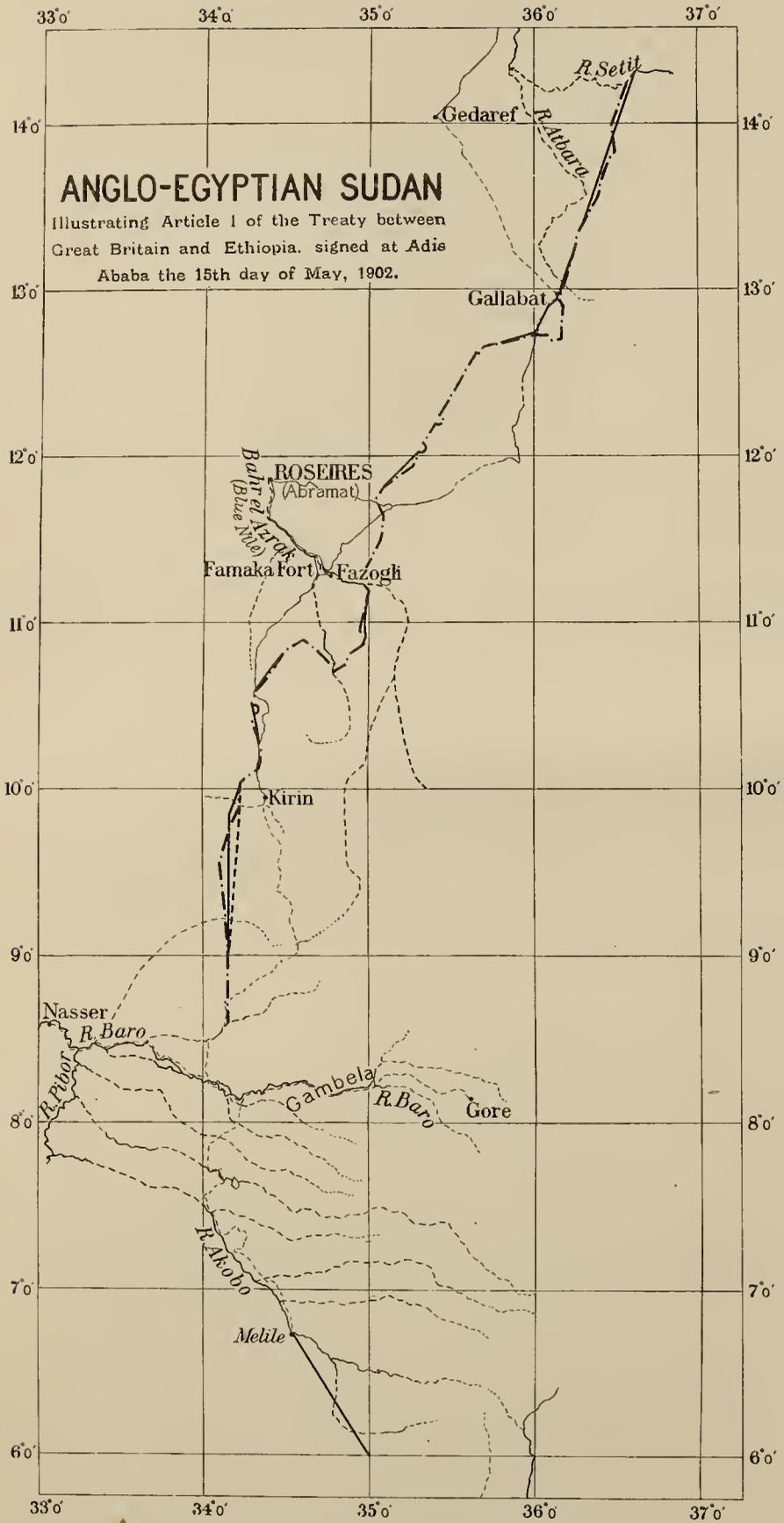
No. 102.—*AGREEMENT between Great Britain, France, and Italy, respecting Abyssinia.* Signed at London, 13th December, 1906.*

L'INTÉRÊT commun de la France, de la Grande-Bretagne et de l'Italie étant de maintenir intacte l'intégrité de l'Éthiopie, de prévenir toute espèce de trouble dans les conditions politiques de l'Empire Éthiopien, d'arriver à une entente commune en ce qui concerne leur conduite en cas d'un changement de situation qui pourrait se produire en Éthiopie, et de pourvoir à ce que, de l'action des trois États, en protégeant leurs intérêts respectifs, tant dans les possessions Britanniques, Françaises, et Italiennes avoisinant l'Éthiopie qu'en Éthiopie même, il ne résulte pas de dommages préjudiciables aux intérêts de l'une quelconque des trois Puissances, la France, la Grande-Bretagne, et l'Italie donnent leur agrément à l'Arrangement suivant :—

Maintenance of Statu Quo in Ethiopia.

Art. I.—La France, la Grande-Bretagne, et l'Italie sont d'accord pour maintenir le *statu quo* politique et territorial en Éthiopie tel qu'il

* For English translation, see p. 440.



Scale of map (No 2) in Atlas or Pouch 16 miles to 1/014 inches

Ordnance Survey, Southampton

[Integrity of Ethiopia.]

est déterminé par l'état des affaires actuellement existant et les Arrangements suivants :—

(a) Les Protocoles Anglo-Italiens des 24 Mars (No. 288) et 15 Avril, 1891 (No. 289), et du 5 Mai, 1894 (No. 290), et les Arrangements subséquents qui les ont modifiés, y compris les réserves formulées par le Gouvernement Française à ce sujet en 1894 et 1895 ;

(b) La Convention Anglo-Éthiopienne du 14 Mai, 1897 (No. 99), et ses annexes ;

(c) Le Traité Italo-Éthiopien du 10 Juillet, 1900 (No. 125) ;

(d) Le Traité Anglo-Éthiopien du 15 Mai, 1902 (No. 100) ;

(e) La note annexée au Traité précité du 15 Mai, 1902 ;

(f) La Convention du 11 Mars, 1862, entre la France et les Danna-kils (No. 181) ;

(g) L'Arrangement Franco-Anglais des 2-9 Février, 1888 (No. 225) ;

(h) Les Protocoles Franco-Italiens du 24 Janvier, 1900 (No. 200), et du 10 Juillet, 1901 (No. 201), pour la délimitation des possessions Italiennes et Françaises dans le littoral de la Mer Rouge et le Golfe d'Aden ;

(j) La Convention Franco-Éthiopienne pour les frontières du 20 Mars, 1897 (No. 95).

Il est entendu que les diverses Conventions mentionnées dans le présent Article ne portent aucune atteinte aux droits souverains de l'Empereur d'Abyssinie et ne modifient en rien les rapports entre les trois Puissances et l'Empire Éthiopien tels qu'ils sont stipulés dans le présent Arrangement.*

Grant of Concessions.

Art. II.—Pour les demandes de concessions agricoles, commerciales et industrielles en Éthiopie, les trois Puissances donneront pour instructions à leurs Représentants d'agir de telle sorte que les concessions qui seront accordées dans l'intérêt d'un des trois États ne nuisent pas aux intérêts des deux autres.

Non-intervention in Internal Affairs.

Art. III.—Si des compétitions ou des changements intérieurs se produisaient en Éthiopie, les Représentants de la France, de la Grande-Bretagne, et de l'Italie observeraient une attitude de neutralité s'abstenant de toute intervention dans les affaires du pays et se bornant, à exercer telle action qui serait, d'un commun accord, considérée comme nécessaire pour la protection des Légations, des vies et des propriétés des étrangers, et des intérêts communs des trois Puissances.

En tous cas, aucun des trois Gouvernements n'interviendrait d'une manière et dans une mesure quelconques qu'après entente avec les deux autres.

Maintenance of Integrity of Ethiopia.

Art. IV.—Dans le cas où les événements viendraient à troubler le *statu quo* prévu par l'Art. I, la France, la Grande-Bretagne, et l'Italie feront tous leurs efforts pour maintenir l'intégrité de l'Éthiopie. En

* See also Italian Declaration, p. 440, as to communication of Italian Treaties with Lugh, Raheita, and the Danakils.

[Jibuti Railway.]

tous cas, se basant sur les Accords énumérés au dit Article, elles se concerteraient pour sauvegarder :—

(a) Les intérêts de la Grande-Bretagne et de l'Égypte dans le bassin du Nil, et plus spécialement en ce qui concerne la réglementation des eaux de ce fleuve et de ses affluents (la considération qui leur est due étant donnée aux intérêts locaux) sous réserve des intérêts Italiens mentionnés au paragraphe (b) ;

(b) Les intérêts de l'Italie en Éthiopie par rapport à l'Érythrée et au Somaliland (y compris le Benadir), et plus spécialement en ce qui concerne l'arrière-pays de ses possessions et l'union territoriale entre elles à l'ouest d'Addis Abeba ;

(c) Et les intérêts Français en Éthiopie par rapport au Protectorat Français de la Côte des Somalis à l'arrière-pays de ce Protectorat et à la zone nécessaire pour la construction et le trafic du Chemin de Fer de Djibouti à Addis Abeba.

Railway Concessions.

Art. V.—Le Gouvernement Français communique aux Gouvernements Britannique et Italien :—

1. L'acte de concession du Chemin de Fer Franco-Éthiopien du 9 Mars, 1894 (**No. 126**) ;

2. Une communication de l'Empereur Ménélik en date du 8 Août 1904, dont la traduction est annexée au présent Accord, et qui invite la Compagnie concessionnaire à construire le second tronçon de Diré Daoua à Addis Abeba.

Jibuti Railway.

Art. VI.—Les trois Gouvernements sont d'accord pour que le Chemin de Fer de Djibouti soit prolongé de Diré Daoua à Addis Abeba, avec embranchement éventuel vers Harrar, soit par la Compagnie du Chemin de Fer Éthiopien en vertu des Actes énumérés à l'Article précédent, soit par toute autre Compagnie privée Française qui lui serait substituée avec l'agrément du Gouvernement Français, à la condition que les nationaux des trois pays jouiront pour les questions de commerce et de transit d'un traitement absolument égal à la fois sur le chemin de fer et dans le port de Djibouti. Les marchandises ne seront passibles d'aucun droit fiscal de transit au profit de la Colonie ou du Trésor Français.

Art. VII.—Le Gouvernement Français prêtera son concours pour qu'un Anglais, un Italien, et un Représentant de l'Empereur d'Abysinie fassent partie du Conseil d'Administration de la ou des Compagnies Françaises qui seront chargées de l'exécution et de l'exploitation du Chemin de Fer de Djibouti à Addis Abeba. Il est stipulé par réciprocité que les Gouvernements Anglais et Italien prêteront leurs concours pour qu'un poste d'Administrateur soit également assuré dans les mêmes conditions à un Français, dans toute Société Anglaise ou Italienne qui aurait été formée ou se formerait pour la construction ou l'exploitation de chemins de fer allant d'un point quelconque en

[Railway. British Somaliland to Soudan.]

Abyssinie à un point quelconque des territoires voisins Anglais ou Italiens. De même, il est entendu que les nationaux des trois pays jouiront pour les questions de commerce et de transit d'un traitement absolument égal à la fois sur les chemins de fer qui seraient construits par des Sociétés Anglaises ou Italiennes et dans les ports Anglais ou Italiens d'où partiraient ces chemins de fer. Les marchandises ne seront passibles d'aucun droit fiscal de transit au profit des Colonies ou des Trésors Anglais et Italien.

Les trois Puissances Signataires sont d'accord pour étendre aux nationaux de tous les autres pays le bénéfice des dispositions des Arts. VI et VII relatives à l'égalité de traitement en matière de commerce et de transit.

Art. VIII.—Le Gouvernement Français s'abstiendra de toute intervention en ce qui concerne la concession précédemment accordée au delà d'Addis Abeba.

Railway west of Adis Abeba to be carried out under auspices of Great Britain.

Art. IX.—Les trois Gouvernements sont d'accord pour que toute construction de chemin de fer en Abyssinie à l'ouest d'Addis Abeba soit, dans la mesure où un concours étranger est nécessaire, exécutée sous les auspices de l'Angleterre. De même, les trois Gouvernements sont d'accord pour que toute construction de chemin de fer en Éthiopie reliant le Benadir à l'Érythrée à l'ouest d'Addis Abeba soit, dans la mesure où un concours étranger est nécessaire, exécutée sous les auspices de l'Italie.

Railway from British Somaliland through Ethiopia to Soudan.

Le Gouvernement Britannique se réserve le droit de se servir, le cas échéant, de l'autorisation accordée par l'Empereur Ménélik à la date du 28 Août, 1904, de construire un chemin de fer du Somaliland Britannique à travers l'Éthiopie jusqu'à la frontière Soudanaise, à la condition, toutefois, de s'entendre au préalable avec les Gouvernements Français et Italien, les trois Gouvernements s'interdisant de construire sans entente préalable aucune ligne pénétrant en territoire Abyssin ou devant se raccorder aux lignes Abyssines, et de nature à faire concurrence directe à celles qui seront établies sous les auspices de l'une d'elles.

Art. X.—Les Représentants des trois Puissances se tiendront réciproquement complètement informés et coopéreront pour la protection de leurs intérêts respectifs. Dans le cas où les Représentants Anglais, Français, et Italiens ne pourraient pas se mettre d'accord, ils en référeront à leurs Gouvernements respectifs et suspendraient en attendant toute action.

Art. XI.—En dehors des Arrangements énumérés à l'Art. I et à l'Art. V de la présente Convention, aucun Accord conclu par l'une quelconque des Puissances Contractantes en ce qui concerne la région

[Agreement. Great Britain, France, and Italy.]

Éthiopienne ne sera opposable aux autres Puissances Signataires du présent Arrangement.

Fait à Londres, le 13 Décembre, 1906.

(L.S.) E. GREY.

(L.S.) PAUL CAMBON.

(L.S.) A. DE SAN GIULIANO.

Annexe.

Traduction de la Lettre Impériale du 8 Août, 1904, autorisant la Compagnie du Chemin de Fer à entreprendre la Construction de la Ligne de Diré Daoua à Addis Abeba.

LION, vainqueur de la tribu de Judas, Ménélik II, élu du Seigneur, Roi des Rois d'Éthiopie, à M. le Ministre Plénipotentiaire du Gouvernement Français à Addis Abeba.

Salut !

Afin que la Compagnie du Chemin de Fer ne perde pas de temps inutilement, je vous informe qu'il est de ma volonté qu'elle entreprenne vite les travaux de la ligne de Diré Daoua à Addis Abeba. Seulement pour les contrats, nous nous entendrons dans la suite avec la Compagnie du Chemin de Fer.

Écrit le 2 Naassé de l'an de grâce 1896 (ère Abyssine), en la ville d'Addis Abeba (le 8 Août, 1904).

DECLARATION signed at London, 13th December, 1906.

LE Ministre des Affaires Étrangères d'Italie fait observer que l'Italie a des Traités avec le Sultan de Lugh, le Sultan de Raheita, et les Dannakils regardant des questions de frontière. Ces Traités devant faire l'objet d'une négociation avec le Gouvernement Éthiopien, il est impossible de les comprendre dans l'énumération de l'Art. I, mais le Gouvernement Italien se réserve de les communiquer à l'Angleterre et à la France après l'issue des négociations.

Le Ministre des Affaires Étrangères d'Angleterre et l'Ambassadeur de France donnent acte au Ministre des Affaires Étrangères d'Italie de cette déclaration.

Londres, le 13 Décembre, 1906.

E. GREY.

PAUL CAMBON.

A. DE SAN GIULIANO.

(Translation.)

It being the common interest of France, Great Britain, and Italy to maintain intact the integrity of Ethiopia, to provide for every

[Maintenance of Status Quo.]

kind of disturbance in the political conditions of the Ethiopian Empire, to come to a mutual understanding in regard to their attitude in the event of any change in the situation arising in Ethiopia, and to prevent the action of the three States in protecting their respective interests, both in the British, French, and Italian possessions bordering on Ethiopia and in Ethiopia itself, resulting in injury to the interests of any of them, the Government of the French Republic, the Government of his Britannic Majesty, and the Government of Italy have assented to the following Agreement :—

Maintenance of Status Quo in Ethiopia.

Art. I.—France, Great Britain, and Italy shall co-operate in maintaining the political and territorial *status quo* in Ethiopia as determined by the state of affairs at present existing, and by the following Agreements—

(a) The Anglo-Italian Protocols of the 24th March (**No. 288**) and 15th April, 1891 (**No. 289**), and of 5th May, 1894 (**No. 290**), and the subsequent Agreements modifying them, including the reserves formulated by the French Government in 1894 and 1895 ;

(b) The Anglo-Ethiopian Convention of 14th May, 1897 (**No. 99**), and its annexes ;

(c) The Italo-Ethiopian Treaty of 10th July, 1900 (**No. 125**) ;

(d) The Anglo-Ethiopian Treaty of 15th May, 1902 (**No. 100**) ;

(e) The note annexed to the above-mentioned Treaty of 15th May, 1902 ;

(f) The Convention of 11th March, 1862, between France and the Dannakils (**No. 181**) ;

(g) The Anglo-French Agreement of 2nd-9th February, 1888 (**No. 225**) ;

(h) The Franco-Italian Protocols of 24th January, 1900 (**No. 200**), and 10th July, 1901 (**No. 201**), for the delimitation of the French and Italian possessions on the littoral of the Red Sea and the Gulf of Aden ;

(j) The Franco-Ethiopian Frontier Convention of 20th March, 1897 (**No. 95**).

It is understood that the various Conventions mentioned in this Article do not in any way infringe the sovereign rights of the Emperor of Abyssinia, and in no respect modify the relations between the three Powers and the Ethiopian Empire as stipulated in the present Agreement.*

Grant of Concessions.

Art. II.—As regards demands for agricultural, commercial, and industrial concessions in Ethiopia, the three Powers undertake to instruct their Representatives to act in such a way that concessions which may be accorded in the interest of one of the three States may not be injurious to the interests of the two others.

* See also Italian Declaration, p. 444, as to communication of Italian Treaties with Lugh, Raheita, and the Danakils.

[Integrity of Ethiopia.]

Non-intervention in Internal Affairs.

Art. III.—In the event of rivalries or internal changes in Ethiopia, the Representatives of France, Great Britain, and Italy shall observe a neutral attitude, abstaining from all intervention in the internal affairs of the country, and confining themselves to such action as may be, by common consent, considered necessary for the protection of the Legations, of the lives and property of foreigners, and of the common interests of the three Powers. In no case shall one of the three Governments interfere in any manner whatsoever, except in agreement with the other two.

Maintenance of Integrity of Ethiopia.

Art. IV.—In the event of the *status quo* laid down in Art. I being disturbed, France, Great Britain, and Italy shall make every effort to preserve the integrity of Ethiopia. In any case, they shall concert together, on the basis of the Agreements enumerated in the above-mentioned Article, in order to safeguard :—

(a) The interests of Great Britain and Egypt in the Nile Basin, more especially as regards the regulation of the waters of that river and its tributaries (due consideration being paid to local interests), without prejudice to Italian interests mentioned in paragraph (b) ;

(b) The interests of Italy in Ethiopia as regards Erythræa and Somaliland (including the Benadir), more especially with reference to the hinterland of her possessions and the territorial connection between them to the west of Adis Abeba ;

(c) The interests of France in Ethiopia as regards the French Protectorate on the Somali Coast, the hinterland of this Protectorate and the zone necessary for the construction and working of the railway from Jibuti to Adis Abeba.

Railway Concessions.

Art. V.—The French Government communicates to the British and Italian Governments—

(1) The Concession of the Franco-Ethiopian Railway of 9th March, 1894 (**No. 126**) ;

(2) A communication from the Emperor Menelek dated 8th August, 1904, the translation of which is annexed to the present Agreement, inviting the Company to whom the above Concession was granted to construct the second section of the line from Diré Dawa to Adis Abeba ;

Jibuti Railway.

Art. VI.—The three Governments agree that the Jibuti Railway shall be prolonged from Diré Dawa to Adis Abeba, with a branch line to Harrar eventually, either by the Ethiopian Railway Company in virtue of the deeds enumerated in the preceding Article, or by any other private French Company which may be substituted therefor, with the consent of the French Government, on condition that the nationals of the three countries shall enjoy in all matters of trade and transit absolute

[Railways.]

equality of treatment on the railway and in the port of Jibuti. Goods shall not be subject to any fiscal transit duty levied for the benefit of the French Colony or Treasury.

Art. VII.—The French Government will endeavour to arrange that an English, an Italian, and an Abyssinian Representative shall be appointed to the Board of the French Company or Companies which may be intrusted with the construction and working of the railway from Jibuti to Adis Abeba. The British and Italian Governments will reciprocally endeavour to arrange that a French Director shall in like manner and on the same conditions be appointed to the Board of any English or Italian Company which has been or may be formed for the construction or working of railways running from any point in Abyssinia to any point in the adjoining English or Italian territory. It is likewise agreed that the nationals of the three countries shall, enjoy in all matters of trade and transit absolute equality of treatment both on the railways which may be constructed by English or Italian Companies, and in the English or Italian ports from which these railways may start. Goods shall not be subject to any fiscal transit duty levied for the benefit of the British or Italian Colonies or Treasuries.

The three Signatory Powers agree to extend to the nationals of all other countries the benefit of the provisions of Arts. VI and VII relating to equality of treatment as regards trade and transit.

Art. VIII.—The French Government will abstain from all interference as regards the Concession previously granted beyond Adis Abeba.

Railway west of Adis Abeba to be carried out under auspices of Great Britain.

Art. IX.—The three Governments are agreed that all railway construction in Abyssinia west of Adis Abeba shall, in so far as foreign assistance is required, be carried out under the auspices of Great Britain. The three Governments are also agreed that all construction of railways in Ethiopia, joining the Benadir to Erythræa to the west of Adis Abeba, shall, in so far as foreign assistance is required, be carried out under the auspices of Italy.

Railway from British Somaliland through Ethiopia to Soudan.

The Government of His Britannic Majesty reserve to themselves the right, in case of need, to make use of the authorization, granted by the Emperor Menelek on the 28th August, 1904, to construct a railway from British Somaliland through Ethiopia to the Soudanese frontier, on condition, however, that they previously come to an agreement with the French and Italian Governments, the three Governments undertaking not to construct without previous agreement any line entering Abyssinian territory or intended to join the Abyssinian lines, which would compete directly with those established under the auspices of any one of them.

Art. X.—The Representatives of the three Powers will keep each other fully informed, and will co-operate for the protection of their

[Railway to Adis Abeba.]

respective interests. In the event of the British, French, and Italian Representatives being unable to agree, they will refer to their respective Governments, suspending all action meanwhile.

Art. XI.—Beyond the Agreements enumerated in Arts. I and V of the present Convention, no Agreement concluded by any one of the Contracting Powers concerning Ethiopia shall affect the other Signatory Powers of the present Agreement.

Done at London, 13th December, 1906.

E. GREY.

PAUL CAMBON.

A. DE SAN GIULIANO.

Annex.

Translation of the Imperial Letter of 8th August, 1904, authorizing the Railway Company to undertake the Construction of the Line from Diré Daoua to Adis Abeba.

The Lion, conqueror of the tribe of Judah, Menelek II, elect of the Lord, King of Kings of Ethiopia, to the French Minister Plenipotentiary at Adis Abeba,

Greeting!

In order that the Railway Company may lose no time unnecessarily, I inform you that it is my will that it forthwith commence work on the line from Diré Daoua to Adis Abeba.

As regards the terms of the contract, however, we shall come to an arrangement later with the Railway Company.

Written the 2nd Naassé, in the year of grace 1896 (Abyssinian style), in the city of Adis Abeba (the 8th August, 1904).

DECLARATION signed at London, 13th December, 1906.

THE Italian Minister for Foreign Affairs states that Italy has Treaties with the Sultan of Lugh, the Sultan of Raheita, and the Danakils respecting frontier questions. Inasmuch as these Treaties must form the subject of negotiations with the Abyssinian Government, it is not possible to include them in the list contained in Art. I, but the Italian Government reserves to itself the right to communicate them to Great Britain and France after the termination of the negotiations.

His Majesty's Secretary of State for Foreign Affairs and the French Ambassador take note of the declaration made by the Italian Minister for Foreign Affairs.

London, 13th December, 1906.

E. GREY.

PAUL CAMBON.

A. DE SAN GIULIANO.

No. 103.—*AGREEMENT between Great Britain and Ethiopia relative to the Frontiers between British East Africa, Uganda and Ethiopia. Signed at Adis Abeba, 6th December, 1907.**

Frontier.

THE frontier between British East Africa, Uganda, and Ethiopia, agreed on between the two Governments, shall be—

The line which is marked in red on the maps annexed to this Treaty in duplicate,† which line, starting from the junction of the River Dawa with the River Ganale, follows the thalweg of the River Dawa to Ursulli, and from that point follows the tribal limits between the Gurré and the Borana to Gebel Kuffolé; from Gebel Kuffolé the line passes through the summits of the following hills: Roka, Churré Moyele, Burrolé, El Dimtu, Furroli, Dugga Kakulla, Burchuma, Afur. From there the line goes to the creek at the south end of Lake Stefanie, thence due west to Lake Rudolf, thence north-west across Lake Rudolf to the point of the peninsula east of Sanderson Gulf, thence along the west shore of that peninsula to the mouth, or marshes at the mouth of the River Kibish (River Sacchi), thence along the thalweg of this river to latitude $5^{\circ} 25'$ north; from there due west to a point $35^{\circ} 15'$ longitude east of Greenwich, thence the line follows this degrees of longitude to its intersection with latitude $5^{\circ} 40'$ north, and runs from there to the intersection of the 6° north latitude with the 35° of longitude east of Greenwich.

Grazing, and Access to Wells. Tribes occupying either side of the Line.

The tribes occupying either side of the line shall have the right to use the grazing grounds on the other side as in the past, but during their migrations it is understood that they shall be subject to the jurisdiction of the territorial authority. Free access to the nearest wells is equally accorded to the tribes occupying either side of the line.

Commissioners to delimit Line of Frontier.

Both Governments shall send Commissioners, who shall, in concert, delimit the exact line of the frontier which is above described, and which is marked, pending such delimitation, with a red line upon the accompanying maps.

Frontier. Borana and Gurré Tribes.

While they are there they shall settle the frontier of the Borana with the Gurré in concert with the heads of those tribes and in accordance with their customs.

The above Treaty is written in duplicate, one copy being in the

* Signed also in Amharic.

† See Diagram Maps facing p. 446 and Maps Nos. 3 and 4 in Atlas (or Pouch).

[Danakils and Italy.]

hands of the British Government and the other copy being in the hands of the Ethiopian Government.

T. B. HOHLER,

His Britannic Majesty's Chargé d'Affaires.

Adis Abeba, 6th December, 1907.

(The Amharic text of this Agreement bears the Seal of the Emperor Menelek II.)

Abyssinia, Danakils, &c., and Italy.

No. 104.—*TREATY. Sardinia and Ethiopia. 10th February, 1859.**

ON the 10th February, 1859, a Commercial Treaty was concluded between His Majesty the King of Sardinia, &c., and the Desesmach Negussié, "King in Ethiopia." No boundaries were defined in this Treaty and it was only to remain in force for 10 years.

No. 105.—*CONVENTION with Hassan-ben-Ahmed, Ibrahim-ben Ahmed, Sultans of Assab. Sale to Joseph Sapeto of Territory comprised between Mount Ganga and Cape Lumah. Assab, 15th November, 1869.†*

No. 106.—*CONVENTION with Sultans Abdallah Sciahim, Hassan-ben-Ahmad and Ibrahim-ben-Ahmad. Sale of Territory between Ras Lumah and the arm of the Sea called Alala and Mount Ganga. Assab, 11th March, 1870.†*

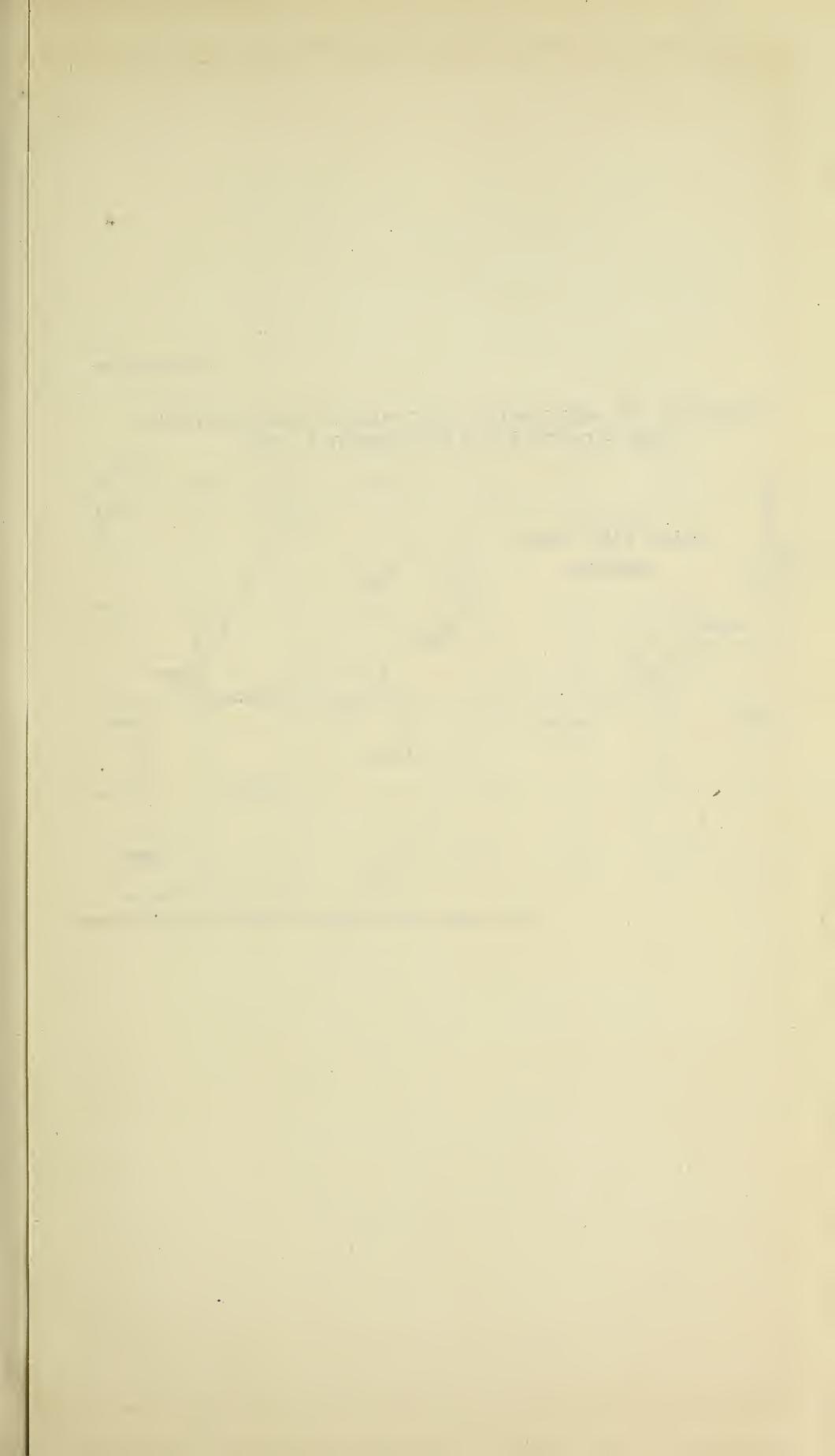
No. 107.—*CONVENTION between Danakil Chiefs and Rubattino Company for the Cession of the Island of Sennabor and the Continental region between Ras Darmab and Ras Lumah. Assab, 15th May, 1880.†*

[Accepted by the Danakil Chief Abdallah Sciahim by Declaration signed at Assab, 5th November, 1880.]

[The rights derived from these Conventions were transferred to the Italian Government by the Rubattino Company under a Convention signed at Rome on the 10th March, 1882.]†

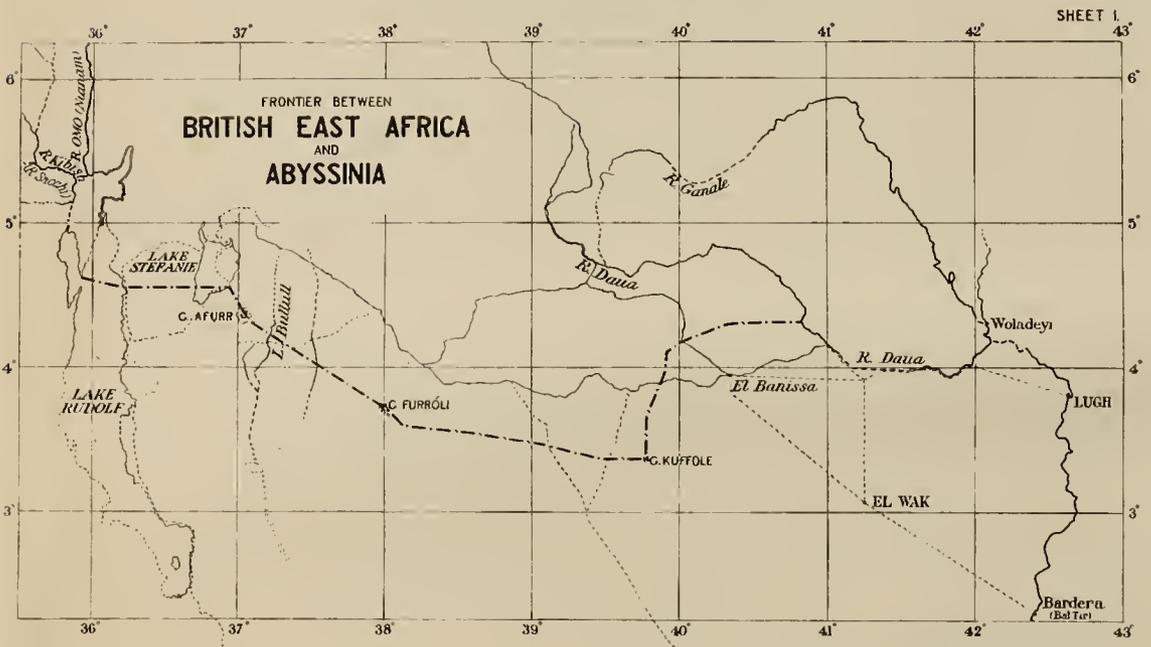
* Italian Green Book, 1890, p. 10.

† The full text of these documents is given in the Collection of Treaties, Conventions, &c., relating to Africa, published by the Italian Government at Rome in 1906.



To face page 446.

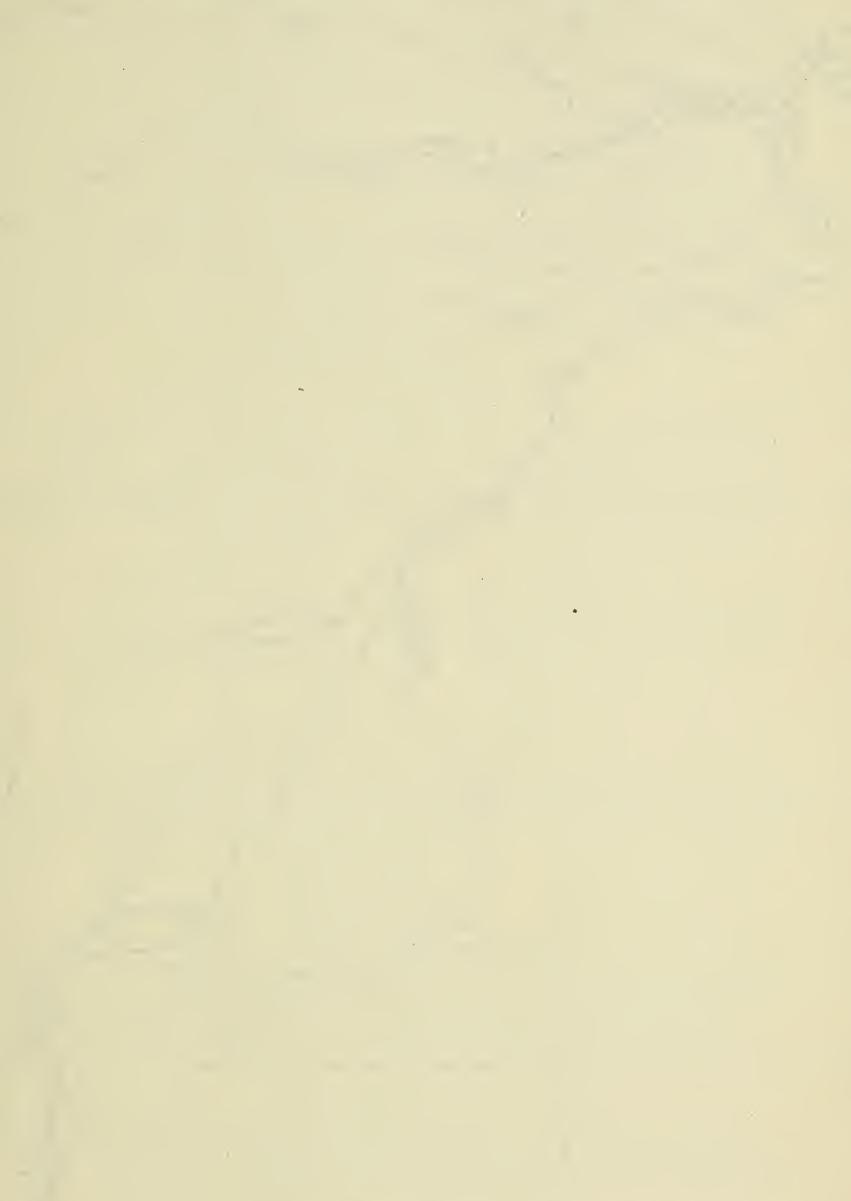
ANNEXED TO AGREEMENT BETWEEN GREAT BRITAIN
AND ETHIOPIA ON DECEMBER 6, 1907.



Ordnance Survey, Southampton.

Scale of map (No 3) in Atlas or Pouch 16 miles to 10 1/4 inches

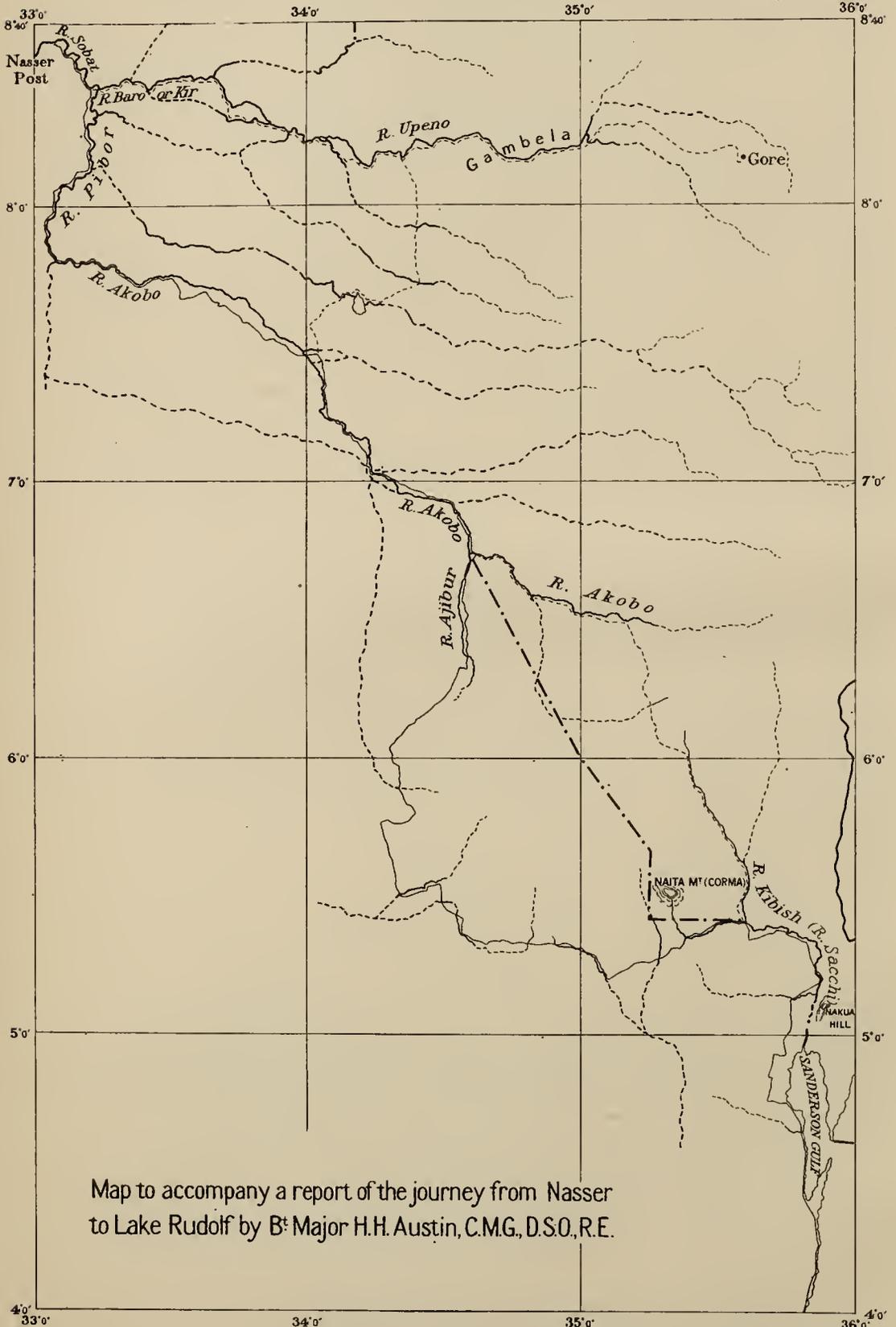
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ANNEXED TO AGREEMENT BETWEEN GREAT BRITAIN
AND ETHIOPIA OF DECEMBER 6, 1907.

SHEET 2.



Map to accompany a report of the journey from Nasser
to Lake Rudolf by B^t Major H.H. Austin, C.M.G., D.S.O., R.E.

Scale of map (No 4) in Atlas or Pouch 16 miles to 1 1/4 inches

No. 108.—*DECLARATION between Danakil Chiefs and Rubattino Company for the Cession of Territory of Bar Assoli and locality of Behtah, to the north of Assab. Assab, 15th May, 1880.**

[See also List of Treaties with Native Chiefs, Italy and Africa (East Coast), page 1086, 8th and 15th October and 3rd November, 1890.]

No. 109.—*CONVENTION between Berehan Dini, Sultan of Raheita, and the Rubattino Company for the Cession of the Islands of Omm-el-Buchar, Ras-er-Raml, and the Darmachie Group. Raheita, 30th December, 1879.**

No. 110.—*CONVENTION between Berehan-ben-Mohamed, Sultan of Raheita, and the Rubattino Company for the Cession of the Islands in Assab Bay and off the Coast between Ras Lumah and Ras Sintyar, together with a trace of Land on the Coast. Sheikh Duran, 15th March, 1880.**

[The rights derived from these two Conventions were transferred to the Italian Government by the Rubattino Company under a Convention signed at Rome on the 10th March, 1882.]*

No. 111.—*CONVENTION between Berehan-ben-Mohamed, Sultan of Raheita, and the Rubattino Company. Protection, &c. Dumeirah, 20th September, 1880.**

Note.

[The delimitation of the French and Italian possessions starting from Ras Dameirah was settled by Protocols signed at Rome on the 24th January, 1900, and 10th July, 1901, see pages 663 and 664.]

No. 112.—*TREATY between the Italian Government and the Sultan of Assab, Mohamed Hanfari, Chief of the Danakils. Signed at Kadeli Gubo, 15th March, 1883.†*

(Approved by the King of Shoa, 22nd May, 1883.)

(Translation.)

Art. I.—*Peace and Friendship between the Italian Authorities in Assab and the Sultan Hanfari and his Dependents.*

* The full text of these documents is given in the Collection of Treaties, Conventions, &c., relating to Africa, published by the Italian Government at Rome in 1906.

† Italian Green Book, 1890, p. 127. S.P., vol. lxxiv, p. 695.

[Cession to Italy of Aussa.]

Art. II.—*Appointment of Representatives.*

Art. III.—*Safety guaranteed to Italian Caravans passing between Assab, Aussa, in the Kingdom of Shoa, and the Sea Coast.*

Art. IV.—*Freedom from Duties and Tributes of all Italian Caravans coming from or going to Assab.*

Cession to Italy of part of Abla (Aussa).

Art. V.—The Sultan Mohamed Hanfari cedes to the Government of His Majesty the King of Italy the use of the territory of Abla (Aussa) on that part of the territory of Aussa suited for cultivation, there to establish an Italian commercial station.

Art. VI.—*All Religions to be equally protected.*

Art. VII.—*Freedom to Italians to travel in all the Territories under the Dependency of the Sultan Mahomed Hanfari. Protection of Dependents by the Italian Consular Authorities.*

Italian Protection of Safety of the Danakil Coast.

Art. VIII.—The men-of-war of His Majesty the King of Italy will protect on the sea-coast the safety of the Danakil littoral.¹

Art. IX.—*Convention to be submitted for the Approval of the King of Shoa, and to be ratified at Shoa by an Italian Representative.*

Art. X.—*Convention to be signed in three Languages.*

(Seal of Sultan Mahomed Hanfari.)

Kadeli Gubo, 15th March, 1883.

(Seal of the King of Shoa.)

Ankober, 22nd May, 1883.

P. ANTONELLI.

No. 113.—*TREATY between Shoa and Italy. Ankober, 21st May, 1883.**

(Translation.)

Art. I.—*Peace and Friendship between the King of Italy and the King of Shoa.*

Art. II.—*Appointment of Diplomatic and Consular Officers.*

Art. III.—*Liberty of Commerce.*

Art. IV.—*National Treatment in Commerce, Agriculture, and Manufacture.*

Art. V.—*Religious Worship and Teaching. No other religion to be taught in Shoa except the Christian professed by the King.*

Art. VI.—*Disposal of Effects of Deceased Subjects of both Nations dying in the Territory of the other.*

Art. VII.—*Facilities for travelling in Shoa.*

Art. VIII.—*Export and Import Duties. Ad valorem duty of 5 per cent. on Italian Merchandize.*

* Italian Green Book, 1890, p. 128.

[Intercourse, &c., Shoa and Assab.]

Commercial Intercourse between Shoa and Assab.

Art. IX.—The two Contracting Parties shall do all in their power to establish frequent and safe commercial intercourse between the States of His Majesty the King of Shoa and the Colony of Assab.

Italy will watch over the security of the sea and the Colony. Shoa, on its side, shall provide by all its means for the safety of the roads in the interior, and for the transport of the caravans from and to the sea, and His Majesty the King of Shoa will encourage the dispatch of caravans from Shoa to the sea towards the port of Assab.

Art. X.—*Free Transit for Italians from one Country to another. Protection of Roads against Danakils and Somalis.*

Treatment by Italy of Natives of Shoa in Assab. Right to build Houses, &c.

Art. XI.—His Majesty the King of Italy will freely grant to the natives of Shoa, who may arrive in Assab, a place where they may encamp or even build houses or huts, during the whole time that they may abide there.

Italian Consular Jurisdiction. Settlement of Disputes between Italians in Shoa, between Italians and Natives, and between Italians and Foreigners.

Art. XII.—The Government of Shoa shall never interfere in disputes between Italians, which shall be always and exclusively decided by the Italian Consul or his deputy.

On the other hand, the Italian Consular authority shall never interfere in the disputes between subjects of His Majesty the King of Shoa, which shall always be settled by the authority of the country.

Suits between Italians and subjects of His Majesty the King of Shoa shall be decided by the Italian Consul or his deputy, assisted by a Judge of the country.

Suits between Italians and foreigners shall be decided in Shoa by the Consul of the party summoned, or, in default of the Consular authority of the State, by the Italian Consul.

Transmission of Letters, &c., from King of Shoa to European Governments through Italian Consuls. Italian Protection of Subjects of Shoa in Foreign Countries.

Art. XIII.—It shall be in the power of His Majesty the King of Shoa to avail himself of the Italian Consular authority or of the Royal Commissioner in Assab for all letters or communications which he may wish to have forwarded to the Governments in Europe where such authorities are accredited. The subjects of His Majesty the King of Shoa may in the same way claim the protection of these authorities, both on the coast and in the various countries they may frequent.

Art. XIV.—*Most-Favoured-Nation Treatment to Permanent Trade Establishments, &c.*

[Massowah, Danakils & Italy.]

Art. XV.—*Differences between Italian Government and Government of Shoa to be settled by Arbitration.*

Art. XVI.—*Italian and Shoa Texts of Treaty to be of equal Validity.*

Art. XVII.—*Revision of present Treaty after 10 years, by giving 12 months' notice.*

Art. XVIII.—*Exchange of Ratifications.*

(Seal of King Menelik.)

Ankober, 21st May, 1883.

PIETRO ANTONELLI.

No. 114.—*PROCLAMATION. Italian Occupation of Massowah. 3rd February, 1885.**

(Translation.)

To the Population of Massowah :

THE Italian Government, in accord with the English and Egyptian, and without doubt also with the Abyssinian, have ordered me to take possession of the Fort of Massowah this day, and to hoist the Italian flag by the side of the Egyptian.

By this occupation our troops will protect you ; and we are ready to pay for all we want. We shall respect your customs and religion.

No obstacle shall be put by me to your trade ; on the contrary, all my exertions shall aim at facilitating it, and I can assure you of the friendship of my Government.

We beg then that you will consider us as friends, and carry on your ordinary business and feel in perfect security.

A. CAIMI, *Rear-Admiral.*

3rd February, 1885.

No. 115.—*CONVENTION between the Sultan of Aussa (Danakils) and Italy. 7th July. 1887.†*

(Translation.)

THE 15th day of the month of Shawall of the year 1304 of the Hegira (that is the 7th of July, 1887), between the Sultan Mohamed Anfari and Count Antonelli, as Envoy of the Royal Italian Government, the following was agreed upon :—

Art. I.—*Abolition of the Traffic in Slaves. 1,500 "talleri" a year to be paid by Italy to Sultan Mohamed Anfari.*

* A Proclamation to the same effect was issued by the King of Italy on the 10th February, 1885.

† Italian Green Book, 1890, p. 270.

[Assab-Aussa-Shoa Road. Danakil Coast.]

Art. II.—*Caravan road to be constructed from Assab to Mount Musalli. Well to be sunk at Mount Mussalli.*

(Stamp of the Sultan of Aussa.)

(L.S.) PIETRO ANTONELLI,
Envoy of the Royal Italian Government.

No. 116.—*CONVENTION between the Sultan of Aussa (Danakils) and Italy. 10th August, 1887.**

Convention between Sultan Anfari of Aussa and the Royal Civil Commissioner of Assab for the opening of the Assab-Aussa-Shoa Road.

(Translation.)

Assab, 10th August, 1887.

H.H. Mohamed Anfari, Head of the Danakils, agrees with the Royal Civil Commissioner of Assab to the following :—

1. *Assab-Aussa-Shoa Road opened to Traffic.*
2. 18,000 “talleri” to be paid to Sultan Anfari by Italy in four years.

Administration of Justice by Italy.

3. The Administration of Justice belongs to the Italian authorities on the territory of Beilul and Gubbi, from Ras Dermah to Ras Rakma, and from the sea coast to Torni (10 miles from the coast).

4. The inhabitants remain in possession of their goods.

5. *Liberty to Italians to construct Wells, Roads, and Houses.*

(Stamp of the Sultan of Aussa.)

(L.S.) L. DE SIMONE.

No. 117.—*TREATY. Shoa and Italy. 20th October, 1887.†*

ON the 20th October, 1887, a Treaty of Alliance was concluded between H.M. the King of Italy and H.M. Menelik II, “King of Shoa, Kaffa, and the Galla Country.” By this Treaty, Italy promised not to annex any of King Menelik’s territory.

* Italian Green Book, 1890, p. 273.

† Italian Green Book, 1890, p. 270.

No. 118.—*NOTIFICATION. Italian Protectorate over Zula. 2nd August, 1888.*

M. Catalani to the Marquis of Salisbury.—(Received 4th August.)

(Translation.)

London, 2nd August 1888.

My Lord,

IN consequence of the repeated requests of the people of Zula,* which is situated to the south of Massowah and which has remained up to this time under the Egyptian flag although occupied by irregular Italian troops the Italian flag has just been hoisted in this place by a detachment of Marines and the Italian Protectorate has been solemnly established there and proclaimed in the name of the King's Government.

In conformity with the instructions which I have received from H.E. Signor Crispi according to Art. XXXIV of the General Act of the Berlin Conference, of the 26th February, 1885 (**No. 128**), I have the honour to notify this fact to your Excellency, and I have recourse to your usual kindness in requesting you to be so good as to take note of it.

I have, &c.,

T CATALANI.

The Marquis of Salisbury to M. Catalani.

Foreign Office, 7th August, 1888.

M. le Chargé d'Affaires,

I HAVE the honour to acknowledge the receipt of your note of the 2nd instant, in which you inform me that the Italian flag has been hoisted at Zula, and that it has formally been declared to be under the Protectorate of the Italian Government.

I have, &c.,

SALISBURY.

No. 119.—*TREATY of Friendship and Commerce between the Government of His Majesty the King of Italy and the Sultan Mohamed, Son of Anfari, Sultan of Aussa and Head of all the Danakils. Adélé Gubó, 9th December, 1888.*

(Translation.)

THE Government of His Majesty the King of Italy and the Sultan Mohamed, son of the Sultan Anfari, Head of all the Danakils, being desirous of uniting in one the various Conventions concluded between them on the 15th March, 1883 (**No. 112**), the 7th July, 1887 (**No. 115**), and the 10th August, 1887 (**No. 116**), and with the intention of rendering the Assab-Aussa-Shoa road perpetually free and open; and the

* See No. 3 of List of Treaties, p. 1086.

[Italian Sovereignty. Danakil Coast.]

Government of His Majesty the King of Italy having named as his Representative Count Peter Antonelli, and the Sultan of Aussa acting in his own name, have agreed to the following Articles :—

Art. I.—*Peace and Friendship.*

*Protection of Caravans. Italian Ships of War to protect Danakil Coast.**

Art. II.—The Sultan Mohamed Anfari guarantees the security of the Assab-Aussa-Shoa road to all caravans coming from or going to Assab.

The ships of war of His Majesty the King of Italy will watch over the safety of the Danakil coast.

Italian Sovereignty over Danakil Coast.

Art. III.—The Sultan Mohamed Anfari recognizes the whole of the Danakil coast from Amfila to Ras Dumeira as an Italian possession.†

Art. IV.—*Appointment of Diplomatic Representative.*

Prevention of any other than Italians from occupying Aussa.

Art. V.—In case any other Power should attempt to occupy Aussa or any part in it, or its Dependencies, the Sultan Mohamed Anfari shall oppose it, and shall raise the Italian flag, declaring that his own States with all their dependencies are under Italian protection.‡

Art. VI.—*Construction of Camel Road from Assab to Aussa.*

Art. VII.—*Slave Trade.*

Art. VIII.—*Immunity of Caravans from Taxation and Customs Dues.*

Art. IX.—*Prices for Camel Hire.*

Art. X.—*Remuneration of Couriers between Assab and Shoa.*

Art. XI.—*Payment of Italian Subsidy to Sultan Anfari.*

Concession of Gambo Kona to Italy.

Art. XII.—The Sultan Mahomed Anfari gives up to the Italian Government the use of the territory of Gambo Kona to establish a commercial station there, and a place for victualling caravans to or from Assab.

Art. XIII.—*Annual Remuneration to Sultan for Protection of Caravans.*

Art. XIV.—*Exchange of Ratifications.*

PIETRO ANTONELLI.

(Seal of the Sultan of Aussa.)

Adelé Gubó (Aussa), 9th December, 1888.

* Italian Green Book, 1890, p. 376.

† See Map facing p. 454.

‡ See Notification of the 6th December, 1889, p. 458.

No. 120.—*TREATY. Ethiopia and Italy. 2nd May, 1889.**

(Translation.)

His Majesty Humbert I, King of Italy, and His Majesty Menelek II, King of Kings of Ethiopia, in order to render profitable and secure the peace between the two Kingdoms of Italy and Ethiopia, have decided to conclude a Treaty of Friendship and Commerce :

And His Majesty the King of Italy, having sent as his Representative and Envoy Extraordinary to His Majesty King Menelek Count Antonelli, &c., whose powers have been duly recognized, and His Majesty King Menelek, negotiating in his own name as King of Kings of Ethiopia, have concluded and do conclude the following Articles :—

Art. I.—*Perpetual Peace and Friendship.*

Art. II.—*Appointment of Diplomatic and Consular Officers.*

Boundary between Italy and Ethiopia.

Art. III.†—In order to remove any doubt as to the limits of the territory over which the two Contracting Parties exercise sovereign rights, a Special Commission, composed of two Italian and two Ethiopian Delegates, shall trace with permanent landmarks a boundary-line, the leading features of which shall be as follows :—

(a.) The boundary between Italy and Ethiopia shall follow the high table-land.

(b.) Starting from the country of Afrafali, the villages of Halai, Soganeiti, and Asmara shall be within the Italian boundary.

(c.) Adi Nefas and Adi Johannes, in the direction of the Bogos tribe, shall be within the Italian boundary.

(d.) From Adi Johannes the boundary between Italy and Ethiopia shall be marked by a straight line running east and west.

Convent of Debra Bizen.

Art. IV.—The Convent of Debra Bizen, with all its property, shall remain in the possession of the Ethiopian Government, who shall not, however, be able to make use of it for military purposes.

Art. V.—*Customs Dues payable by Caravans. 8 per cent. ad valorem.*

Freedom of Commerce in Arms and Ammunition through Massowah for King Menelek.

Art. VI.—Commerce in arms and ammunition to and from Ethiopia shall be free to pass through Massowah only for King Menelek, who will be bound to make a regular application to that effect to the Italian authorities, furnished with the Royal seal.

The caravans, arms, and ammunition will travel under the protection and with the escort of Italian soldiers as far as the Ethiopian frontier.

Art. VII.—*Freedom of Travel and Commerce. Armed Men prohibited from crossing Frontier to intimidate or molest Inhabitants.*

* Ratified 29th September, 1889. This Treaty was, however, annulled by Art. II of Treaty of the 26th October, 1896, p. 459.

† See also Art. III of Additional Convention of 1st October, 1889, p. 456.

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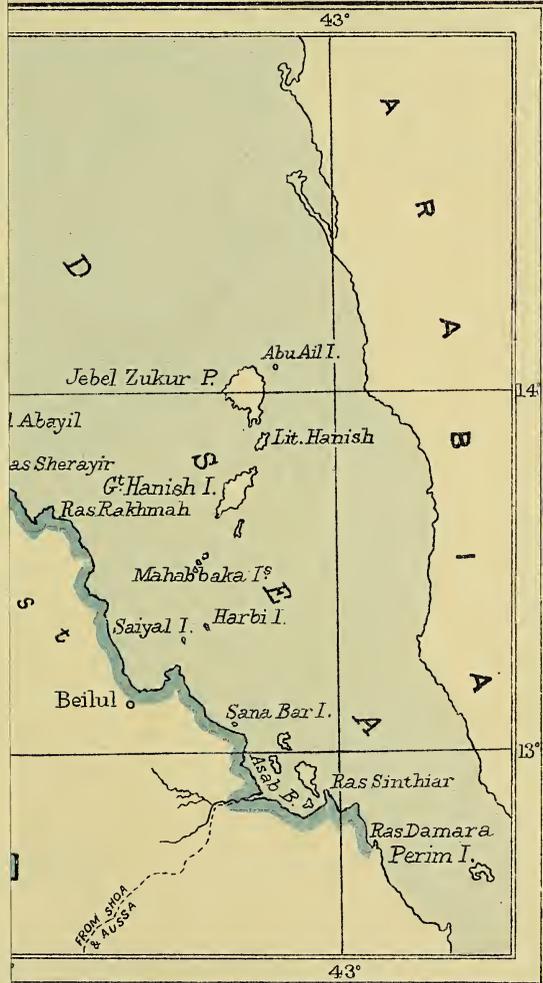
S ON THE DANAKIL COAST

ING TO

Y AND THE SULTAN OF AUSSA

F
1888.

TREATY OF THE 9TH DEC^R, 1888.



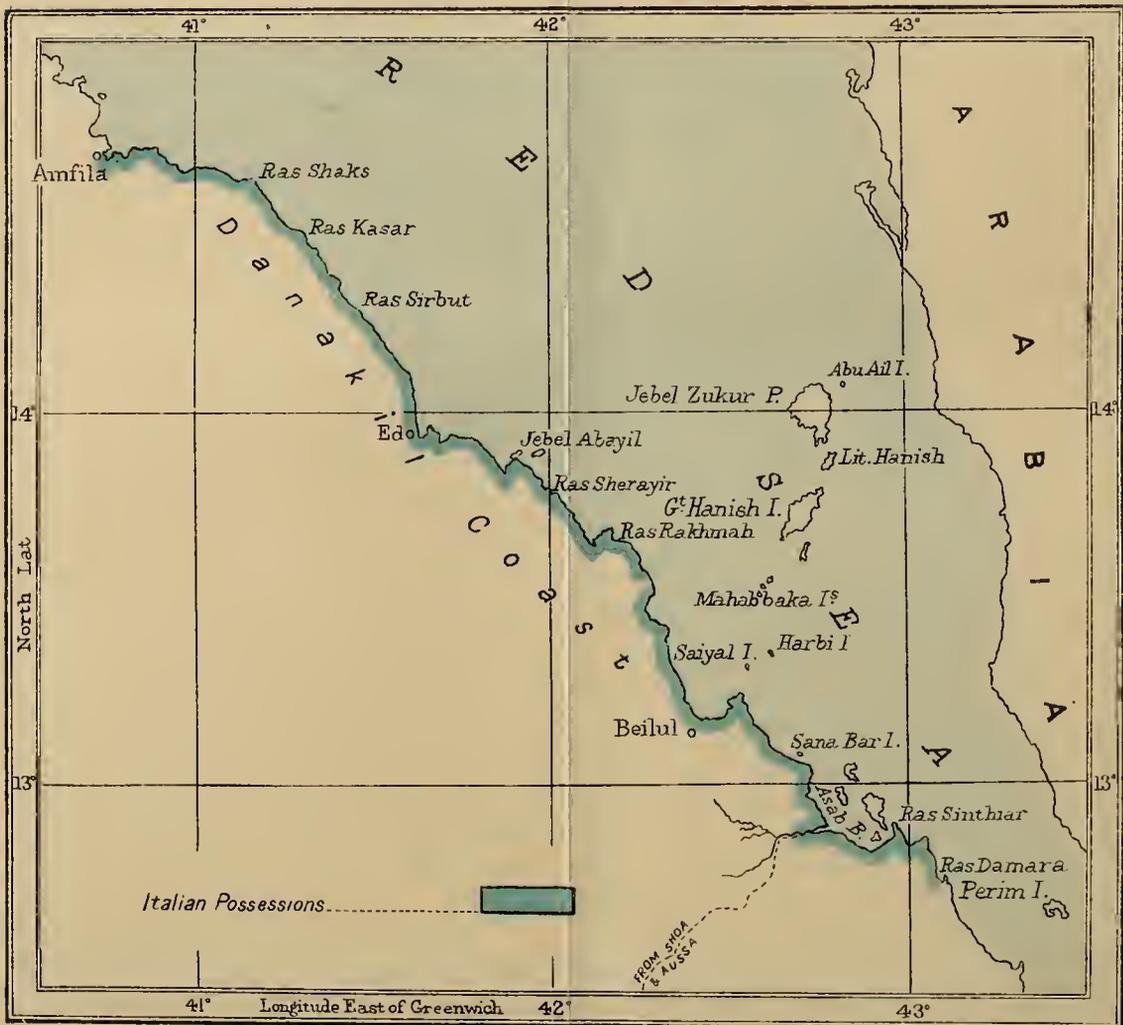
Ordnance Survey, Southampton.

inch = 38 Stat. Miles.

0 30 40 50 MILES

Map Shewing
THE ITALIAN POSSESSIONS ON THE DANAKIL COAST
ACCORDING TO
THE TREATY BETWEEN ITALY AND THE SULTAN OF AUSSA
OF
9th Dec^r 1888.

NO MAP WAS ATTACHED TO THE TREATY OF THE 9th DEC^r, 1888.



Ordnance Survey, Southampton.

Scale: 2,407,680 or 1 inch = 38 Stat. Miles
10 5 0 10 20 30 40 50 MILES

[Boundaries, &c. Preferential Treatment.]

Art. VIII.—*Freedom of Commerce with Natives in Italy and Ethiopia.*

Art. IX.—*Religious Liberty guaranteed.*

Art. X.—*Jurisdiction. Disputes and Lawsuits between Italians in Ethiopia to be settled by Italian Authorities at Massowah or their Delegates. Disputes between Italian and Ethiopians to be settled by Italian Authorities at Massowah, or by Italian and Ethiopian Delegates.*

Art. XI.—*Disposal of Effects of Italians dying in Ethiopia and of Ethiopians dying in Italy.*

Art. XII.—*Jurisdiction. Italians accused of a Crime to be judged by the Italian Authorities at Massowah. Ethiopians accused of a Crime committed in Italian Territory to be tried by Ethiopian Authorities.*

[Altered by Art. IX of Additional Convention of 1st October, 1889.

No. 121.]

Art. XIII.—*Extradition of Criminals.*

Art. XIV.—*Prevention of Slave Trade. No Caravan of Slaves to be allowed to pass through King Menelek's Territories.*

Art. XV.—*Validity of Treaty in the whole of the Empire.*

Art. XVI.—*Power of either Party to modify Treaty after 5 years, on giving a year's notice. Concessions of Territory to be unalterable.*

Negotiations of Ethiopia with Foreign Powers to be made through Italian Government.

Art. XVII.—*His Majesty the King of Kings of Ethiopia consents to avail himself of the Italian Government for any negotiations which he may enter into with the other Powers or Governments* (*per tutte le trattazioni di affari che avesse con altre potenze o governi*).*

Preferential Treatment to Italians in Ethiopia in regard to the establishment of Houses of Commerce or Manufactures.

Art. XVIII.—*If at any time His Majesty the King of Ethiopia should have the intention of granting special privileges to subjects of a third State in regard to the establishment of houses of commerce or manufactures in Ethiopia, he shall always give preference, when all other conditions are equal, to Italians.*

Art. XIX.—*Both Italian and Amharic Texts of Treaty to be considered Official, and of the same authority.*

Ratification of Treaty.

Art. XX.—*The present Treaty shall be ratified.†*

In faith of which Count Pietro Antonelli, in the name of His Majesty the King of Italy, and His Majesty Menelek, King of Kings of Ethiopia, in his own name, have signed and sealed the present Treaty in the encampment of Ucciali, on the 25th Mazzia, 1881, corresponding to the 2nd May, 1889.

For His Majesty the King of Italy,

(L.S.) PIETRO ANTONELLI.

(Imperial Seal of Ethiopia.)

* Notified to British Government, 12th October, 1889, p. 457.

† Ratified by the King of Italy, 29th September, 1889.

No. 121.—*ADDITIONAL CONVENTION to Treaty between Italy and Ethiopia of 2nd May, 1889. Naples, 1st October, 1889.**

In the name of the Most Holy Trinity.

(Translation.)

His Majesty the King of Italy and His Majesty the Emperor of Ethiopia, being desirous of concluding a Convention in addition to the Treaty of Friendship and Commerce signed at the Camp of Ucciali on the 2nd May, 1889 (25 Mazzia, 1881, of the Ethiopian Calendar) (No. 120), have named as their Plenipotentiaries :

His Majesty the King of Italy, Cavaliere Francesco Crispi, President of the Council of Ministers, and his Minister Secretary of State *ad interim* for Foreign Affairs ; and

His Majesty the Emperor of Ethiopia, the Degiasmac Makonnen, his Ambassador to His Majesty the King of Italy ; who, furnished with full powers, have agreed as follows :

Recognition by Italy of King Menelek as Emperor of Ethiopia.

Art. I.—The King of Italy recognizes King Menelek as Emperor of Ethiopia.

Recognition by King Menelek of Italian Possessions in the Red Sea.

Art. II.—King Menelek recognizes the sovereignty of the King of Italy in the Colonies which go under the name of Italian possessions in the Red Sea.

Rectification of respective Possessions.

Art. III.—In virtue of the preceding Articles, a rectification of the territories shall be made, taking as a basis the actual state of possession, by the means of Delegates who shall be nominated by the King of Italy and by the Emperor of Ethiopia, according to the terms of Article III of the Treaty of the 2nd May, 1889 (25 Mazzia, 1881). (No. 120.)†

Art. IV.—*Coinage to be struck in Italy for currency in Ethiopia.*

Art. V.—*Loan of 4,000,000 Lire to be contracted by Emperor of Ethiopia with an Italian Bank, under guarantee of Italian Government, on security of receipts of Harrar Custom House.‡*

Art. VI.—*Right of Italy to take over Administration of the Harrar Custom House in event of non-repayment of the Loan regularly.*

* Italian Green Book, 1890, 2nd Series, p. 19.

† A detailed Boundary Agreement was signed on the 6th February, 1891. See Italian Green Book, "Missione Antonelli in Ethiopia," 14th April, 1891, p. 101. This Agreement, however, never came into force.

‡ On the 26th October, 1889, a Convention was concluded between the Italian Government, the Government of the Emperor of Ethiopia, and the National Bank of the Kingdom of Italy, respecting the grant of a loan of 2,000,000 lire (80,000*l.*) by the National Bank of Italy to the Government of the Emperor of Abyssinia ; and on the same day another Convention was signed between the Italian Government and the National Bank of Italy for guaranteeing the said loan, subject to the approval of the same by the Italian Legislature. The Convention was approved by Italian Law of the 16th July, 1890.

[Italian Protectorate of Aussa. Danakils.]

Art. VII.—*Half of Loan to be paid in Silver and the remainder to be deposited in Italy to meet purchases by Ethiopia in Italy.*

Art. VIII.—*Application of Customs Duties referred to in Article V to all Caravans passing over Ethiopian Roads.*

Italian Jurisdiction.

Art. IX.—*The Ethiopians who commit a crime on Italian territory will always be judged by Italian authorities.**

Art. X.—*Application of Convention to all Territory within King Menelek's dominions.*

Art. XI.—*Convention to be ratified.†*

[The Treaty of the 2nd May, 1889, to which the above was an Additional Convention, was annulled by the Treaty of the 26th October, 1896. See Art. II, p. 459.]

No. 122.—*ITALIAN NOTIFICATION. Conduct by Italy of Ethiopian Foreign Affairs. 12th October, 1889.*

M. Catalani to the Marquis of Salisbury.

(Translation.)

My Lord, 20, Grosvenor Square, 12th October, 1889.

UNDER Article XVII of the perpetual Treaty between Italy and Ethiopia, signed by His Majesty King Menelek on the 2nd May, 1889 (**No. 120**), and ratified by His Majesty the King of Italy on the 29th September last, it is provided that "His Majesty the King of Ethiopia consents to avail himself of the Government of His Majesty the King of Italy for the conduct of all matters which he may have with other Powers or Governments."‡

In virtue of the instructions which I have received from his Excellency Signor Crispi, I have the honour to notify the above-mentioned stipulation to your Excellency in pursuance of Article 34 of the General Act of the Conference of Berlin of February, 1885 (**No. 128**).

Accept, &c.,

T. CATALANI.

* See also Art. XII of Treaty of 2nd May, 1889, p. 455.

† Ratified by the King of Kings, Menelek, at Makallé, on the 25th February, 1890.

‡ The Treaty of 2nd May, 1889, was, however, annulled by Art. II of the Treaty of the 26th October, 1896. See p. 459.

[Italian Protectorate. Aussa.]

No. 123.—*ITALIAN NOTIFICATION. Italian Protectorate over Aussa (Danakils). 6th December, 1889.*

(1.) *Count Tornielli to the Marquis of Salisbury.*

(Translation.)

My Lord,

London, 6th December, 1889.

I AM instructed by my Government to make to that of Her Britannic Majesty the following communication :—

Article V of the Treaty concluded between Italy and the Sultan of Aussa, Head of the Danakils (**No. 119**), is worded thus : “ In case any other Power should attempt to occupy Aussa, or any part within its territory or Dependencies, the Sultan shall oppose it ; and is bound to raise the Italian flag, declaring that his own States and their Dependencies are under Italian protection.”

I am informed by my Government that this notification has been simultaneously made to all the States who have signed the “ Acte Général ” of the Conference of Berlin (**No. 128**).

I have, &c.,

G. TORNIELLI.

(2.) *The Marquis of Salisbury to Count Tornielli.*

M. l'Ambassadeur,

Foreign Office, 16th December, 1889.

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 6th instant, notifying to Her Majesty's Government, in accordance with the provisions of Article 34 of the General Act of the Conference at Berlin of the 26th February, 1885 (**No. 128**), that an Italian Protectorate has been established over the Sultanate of Aussa and its Dependencies.

I have, &c.,

SALISBURY.

No. 124.—*TREATY. Italy and Abyssinia. Signed at Adis Ababa, 26th October, 1896.*

Au nom de la Très-Sainte Trinité.

SA Majesté Humbert I, Roi d'Italie, et Sa Majesté Ménilek II, Empereur d'Éthiopie, désireux de mettre fin à la guerre et de faire revivre leur ancienne amitié, ont stipulé le Traité suivant :—

Pour conclure ce Traité, Sa Majesté le Roi d'Italie a délégué, comme son Envoyé Plénipotentiaire, le Major Docteur César Nerazzini, Chevalier des Saints-Maurice et Lazare, Officier de la Couronne d'Italie. Les pleins pouvoirs du Major Nerazzini ayant été reconnus en bonne et due forme, son Excellence le Major Nerazzini, au nom de Sa Majesté le Roi d'Italie, et Sa Majesté Ménilek II, Empereur d'Éthiopie et des

[Frontier. Ethiopia and Eritrea.]

pays Galla en son propre nom, ont convenu et conclu les Articles suivants—

Art. I.—*End of State of War. Perpetual Peace and Friendship.*

Art. II.—*Treaty of 2nd May, 1889 (No. 120), annulled.*

Art. III.—*Recognition by Italy of Ethiopia as a Sovereign and Independent State.*

Frontiers.

Art. IV.—Les deux Puissances Contractantes n'ayant pu se mettre d'accord sur la question des frontières, et désireuses cependant de conclure la paix sans délai et d'assurer ainsi à leurs pays les bienfaits de la paix, il a été convenu que dans le délai d'un an, à dater de ce jour, des Délégués de confiance de Sa Majesté le Roi d'Italie et de Sa Majesté l'Empereur d'Éthiopie établiront, par une entente amicale, les frontières définitives. Jusqu'à ce que ces frontières aient été ainsi fixées, les deux Parties Contractantes conviennent d'observer le *statu quo ante*, s'interdisant strictement de part et d'autre de franchir la frontière provisoire, déterminée par le cours des Rivières Mareb, Belessa, et Mouna.*

Non-cession of Territory by Italy to any other Power.

Art. V.—Jusqu'à ce que le Gouvernement Italien et le Gouvernement Éthiopien aient d'un commun accord fixé leurs frontières définitives, le Gouvernement Italien s'engage à ne faire de cession quelconque de territoire à aucune autre Puissance. Au cas où il voudrait abandonner de sa propre volonté une partie du territoire qu'il détient, il en ferait remise à l'Éthiopie.

Art. VI.—*Commercial Agreements to be concluded.*

Art. VII.—*Treaty to be brought to notice of other Powers.*

Art. VIII.—*Ratification of Treaty.*

Le présent Traité devra être ratifié par le Gouvernement Italien dans le délai de trois mois à dater de ce jour.†

Art. IX.—Le présent Traité de Paix conclu ce jour sera écrit en Amharinga et en Français, les deux textes absolument conformes, et fait en deux exemplaires, signés des deux Parties, dont un restera entre les mains de Sa Majesté le Roi d'Italie et l'autre entre les mains de Sa Majesté l'Empereur d'Éthiopie.

Étant bien d'accord sur les termes de ce Traité, Sa Majesté Ménilek II, Empereur d'Éthiopie, en son propre nom, et son Excellence le Major Docteur Nerazzini, au nom de Sa Majesté le Roi d'Italie, l'ont approuvé et revêtu de leurs sceaux.

Fait à Adis Abbaba, le 17 Tekemt, 1889 (correspondant au 26 Octobre, 1896).

(L.S.) Maggiore CESARE NERAZZINI,

*Inviato Plenipotenziario di Sua
Maestà il Rè d'Italia.*

(Sigillo di Sua Maestà l'Imperatore Menilek II.)

* See Treaty of 10th July, 1900, p. 460, and Conventions of 16th May, 1908, pp. 1223 and 1225.

† Ratified by the King of Italy, 1st January, 1897.

No. 125.—*TREATY between Italy and Ethiopia, for the Delimitation of the Frontier between Eritrea and Ethiopia. Signed at Adis Ababa, 10th July, 1900.**

(Ratified by the King of Italy, 13th April, 1901.)

(Translation.)

In the name of the Holy Trinity.

His Majesty Humbert I, King of Italy, and His Majesty Menelek II, King of Kings of Ethiopia ; in the desire to regulate the question of the frontier between the Colony of Eritrea and Ethiopia which has remained open since the conclusion of the Treaty of Peace of Addis Ababa of the 26th October, 1896† (17 Tekemt, 1889), have agreed on and concluded the following Convention :—

Art. I.—The line Tomat-Todluc-Mareb-Belesa-Muna, traced on the map annexed, is recognized by the two Contracting Parties as the boundary between Eritrea and Ethiopia.

Art. II.—The Italian Government binds itself not to cede or sell to any other Power the territory comprised between the line Tomat, Todluc, Mareb-Mai, Ambessa-Mai, Feccia-Mai, Maretta-Mai, Ha-Mahio, Piano galline Faraone,‡ and the line Tomat, Todluc, Mareb, Belesa, Muna, left by His Majesty Menelek II, King of Kings of Ethiopia, to Italy.

His Majesty Menelek II, King of Kings of Ethiopia, in his own name, for himself and for his successors, and Captain Federico Ciccodicola, in the name of His Majesty Humbert I, King of Italy, for himself and his successors, in mutual agreement, have written this convention, in the Italian and Amharic languages, both to be considered official save that in case of error in writing the Emperor Menelek will rely on the Amharic version, and in witness of their approval have sealed it with their seals.

Written in the city of Addis Ababa, the 10th July, 1900 (3 Hamlié, 1892, year of Pardon).

(Seal of the Emperor Menelek.)

(L.S.) CAPITANO FEDERICO CICCODICOLA,
*Representative of His Majesty the King
of Italy in Ethiopia.*

[See Map No. 5 in Atlas (or pouch), and Map facing p. 1116.]

NOTE.—See also Convention of 16th May, 1908, p. 1225, for continuation of the line of frontier on the Danakil Coast (Southern Eritrea).

* Modified by Agreement between Great Britain, Italy and Ethiopia of 15th May, 1902, p. 433.

† See p. 458.

‡ This was the line proposed by the Emperor Menelek to Major Nerazzini in 1897.

No. 126.—*CONCESSION by the Emperor of Ethiopia to the Imperial Ethiopian Railway Company for the Construction and Working of a Railway from Jibuti to Harrar. Adis Ababa, 9th March, 1894.*

(Traduction.)

Art. I.—Sa Majesté Ménélik II, Roi des Rois d’Ethiopie, accorde à M. Alfred Ilg, ingénieur, l’autorisation de constituer sous le nom de “ Compagnie impériale des chemins de fer d’Ethiopie ” une compagnie ayant pour objet la construction et l’exploitation d’un chemin de fer allant de Djibouti à Harrar, de Harrar à Entotto, et d’Entotto au Kaffa et au Nil Blanc.

Art. II.—Toutes ces lignes en ce qui touche soit les études, soit les travaux à entreprendre, soit les conditions diverses de construction, seront divisées en trois sections : la première de Djibouti à Harrar, la deuxième de Harrar à Entotto, la troisième d’Entotto au Kaffa et au Nil Blanc. La présente convention ne concerne que la ligne qui s’étendra de Djibouti jusqu’à Harrar.

Art. III.—La présente concession du chemin de fer aura une durée de quatre-vingt-dix-neuf ans, à partir du jour où les travaux seront terminés et où l’exploitation aura commencé, et cette stipulation s’appliquera, à chacune des sections. En conséquence, il est convenu qu’aucune autre compagnie de chemin de fer ne sera autorisée à construire de lignes concurrentes partant soit des bords de l’Océan Indien, soit des bords de la mer Rouge jusqu’en Ethiopie, soit de l’Ethiopie au Nil Blanc.

Art. IV.—Si la compagnie qui aura entrepris ce chemin de fer n’a pas commencé les travaux de la ligne de Djibouti à Harrar dans le délai de deux ans à dater de cette présente convention, sa concession sera annulée.

Art. V.—A partir du commencement de l’exploitation jusqu’à l’expiration de la concession, la compagnie devra entretenir le matériel du chemin de fer en bon état ; sauf le cas de force majeure, elle ne pourra pas interrompre le service.

Art. VI.—La compagnie du chemin de fer établira le long de cette ligne, et à ses frais, un fil télégraphique et elle entretiendra les employés nécessaires à son fonctionnement. Le télégraphe construit par la compagnie sera à la disposition du Gouvernement éthiopien pour toutes les dépêches du service de l’Etat ; les dépêches des particuliers seront également reçues moyennant un prix qui sera ultérieurement fixé.

Si le premier fil devient insuffisant la compagnie en établira un second et à ses frais.

Le télégraphe sera établi partout où parviendra le chemin de fer.

Art. VII.—La compagnie ne pourra charger des troupes ou du matériel de guerre, pour les faire entrer ou sortir du pays, sans une lettre du Roi des Rois d’Ethiopie ; si elle acceptait de tels transports sans un ordre, elle devrait abandonner le chemin de fer au Gouvernement éthiopien. Les troupes et le matériel de guerre du Gouvernement

éthiopien seront transportés moyennant un tarif à établir d'un commun accord entre la compagnie et le Gouvernement éthiopien. Les prix pour l'Empereur seront moindres que pour toute autre personne. En temps de guerre les troupes et le matériel de guerre seront transportés gratuitement.

Art. VIII.—Pour les marchandises appartenant aux particuliers, la compagnie fixera elle même ses tarifs, cependant ces tarifs ne pourront être supérieurs aux prix actuels de transport mais plutôt inférieurs.

Art. IX.—Les droits de douane perçus à Harrar pour le compte de Sa Majesté n'étant jusqu'à ce jour que de 5 pour cent et ne dépassant 1,000,000 de francs, afin de faciliter la construction du chemin de fer et d'assurer l'intérêt des capitaux engagés, Sa Majesté le Roi des Rois d'Ethiopie accorde à la compagnie l'autorisation de percevoir un droit de 10 pour cent. sur toutes les marchandises montant ou descendant. Mais ce droit dont il est question dans le présent Art. IX, sera réduit à 5 pour cent lorsque les bénéfices nets de la compagnie auront atteint 2,500,000 fr. Lorsque ces bénéfices atteindront 3,000,000 de francs, le droit sera complètement supprimé. Au cas où le bénéfice net de la compagnie dépasserait annuellement 3,000,000 de francs le surplus serait partagé par moitié entre la compagnie et le Gouvernement éthiopien.

Art. X.—Sa Majesté le Roi des Rois d'Ethiopie donnera l'ordre que toutes les marchandises payant des frais de transport, partant de Harrar ou venant de Djibouti soient désormais transportées par le chemin de fer. Dans toute localité où pourraient arriver des marchandises, des douaniers du Gouvernement chargés de la surveillance, prélèveront le droit sur place.

Art. XI.—Sa Majesté le Roi des Rois d'Ethiopie concède à la compagnie les terrains nécessaires à l'établissement du chemin de fer, sur tout le parcours de la ligne avec les forêts, les mines et les eaux qu'ils contiennent, lesquels terrains seront mesurés et délimités ; la zone prise ainsi sur les terrains inoccupés sera de 1,000 mètres.

Art. XII.—Sa Majesté le Roi des Rois d'Ethiopie fera garder contre toute atteinte le chemin de fer et les aménagements de la voie ; à cet effet les soldats préposés à cette garde ainsi que leurs approvisionnements seront transportés gratuitement.

Art. XIII.—Sa Majesté le Roi des Rois d'Ethiopie ne prélèvera aucun droit de douane sur les matériaux et l'outillage que la compagnie importera pour ses travaux, soit du pays même, soit de l'étranger ; tant que le chemin de fer sera entre les mains de la compagnie, tout ce qui sera nécessaire au chemin de fer ainsi qu'il vient d'être dit, soit charbon de terre, soit toute autre marchandise importée par la compagnie seront exempts de droits de douane.

Art. XIV.—A la fin de cette concession le chemin de fer, ses dépendances ainsi que le matériel fixe, deviendront la propriété du Gouvernement éthiopien sans indemnité. Pour le matériel roulant et les approvisionnements le Gouvernement éthiopien n'en prendra possession que moyennant payement.

[Wallaga Mining Concession.]

Art. XV.—La compagnie qui entreprendra la construction du chemin de fer donnera à Sa Majesté Ménélich II pour cette présente concession une somme de 100,000 thalers. Mais Sa Majesté recevra pour le montant de cette somme des actions émises par la compagnie.

Addis-Abeba, le 1 magabit, 1886 (9 Mars, 1894).

(Sceau de l'Empereur.)

Note.

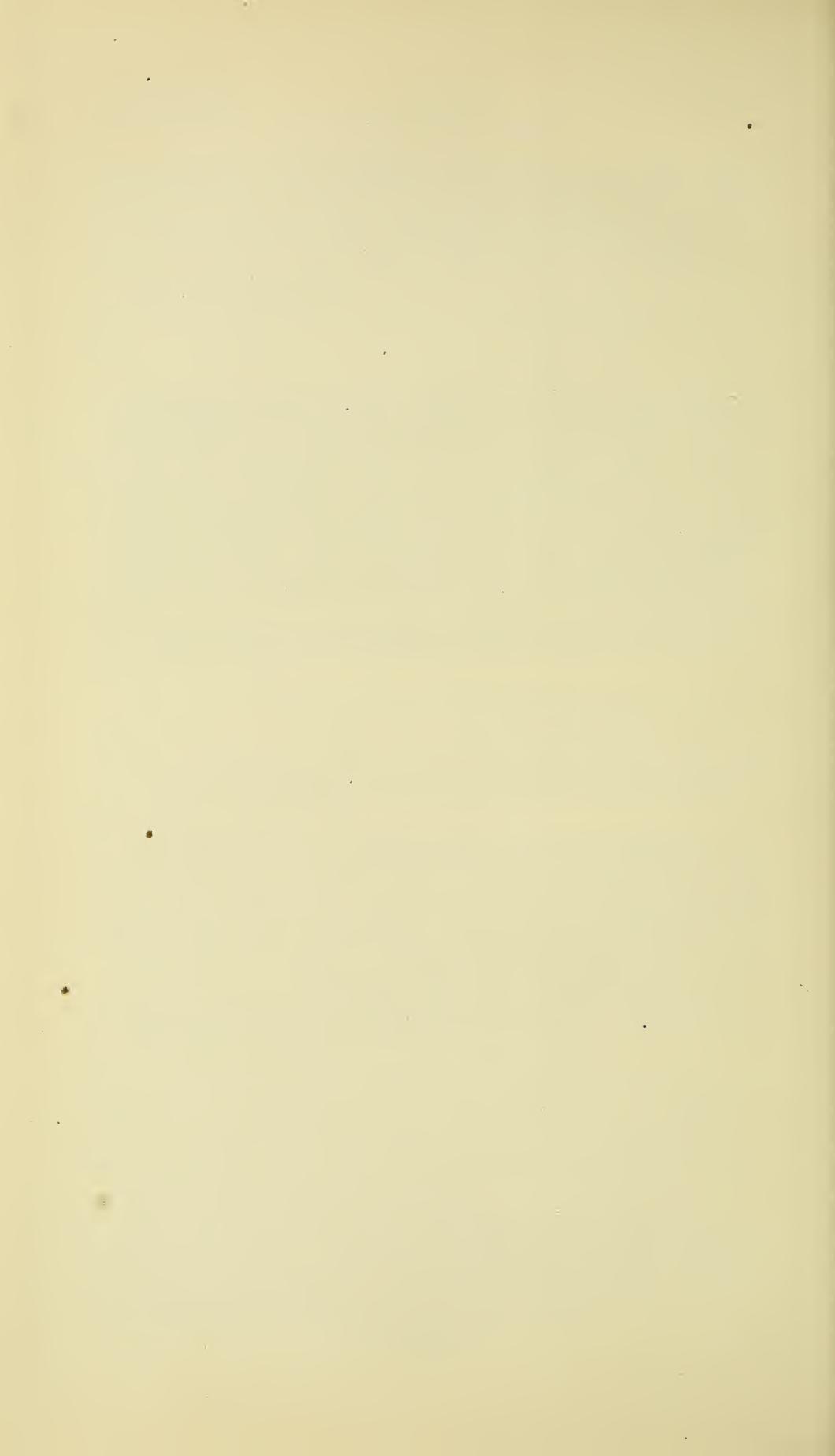
An authorization was granted to Messrs. Ilg and Chefneux by despatch dated 27th April, 1896, from the French Minister for the Colonies to construct on the territory of the French Somali Coast the railway conceded to them by the above Act. This authorization was transferred to the Imperial Ethiopian Railway Company by Convention signed at Paris by the Governor of the French Somali Coast and the President of the Council of Administration of the Company on the 6th February, 1902, under which the Protectorate agreed to pay the Company an annual subvention of 500,000 francs for 50 years from 1st July, 1902.

The Convention was approved by French Law of 6th April, 1902.

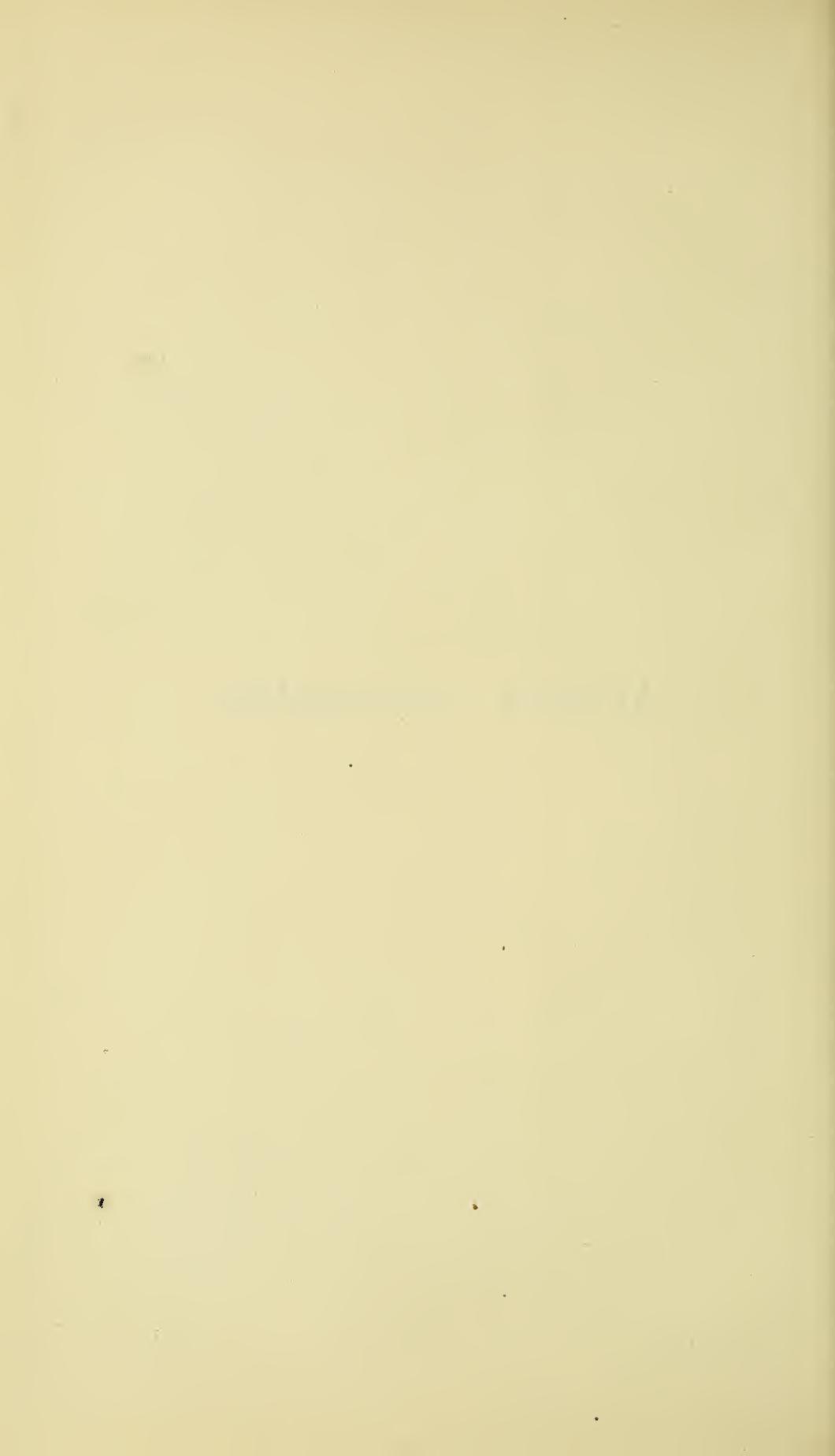
No. 127.—*CONCESSION granted by the Emperor of Ethiopia to the Wallaga Mining Company. Adis Ababa, 25th December, 1899.*

A **CONCESSION** was granted by the Emperor of Ethiopia, dated Adis Ababa, 25th December, 1899, to Mr. Alfred Ilg and the Company he was about to form, giving exclusive permission to mine for gold, silver, and other products in Nedjo, in the province of Wallaga, and in the surrounding country for a distance of 20 kilometres, for a period of 50 years, on the understanding that natives should not be prohibited from producing gold as they had already always done.

On the basis of this Concession the " Société Anonyme des mines d'or du Wallaga " was constituted in Antwerp on the 30th April, 1901.



AFRICA (GENERAL).



AFRICA (GENERAL).

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—	¹³ / ₂₄ Sept., 1901. Notes. <u>Great Britain and Germany.</u> Demand for revision of Agreement of 22nd December, 1890. Import Duties, Eastern Zone. Congo Basin 520
—	3 Nov., 1906. International Convention. Liquor Traffic in Africa. Note. 538

[Berlin Act. Trade and Civilization. Rivers Congo, Niger, &c. Slave Trade by Sea and Land. Occupation of Territory on Coasts, &c.]

No. 128.—*GENERAL ACT of the Conference of Berlin, relative to the Development of Trade and Civilization in Africa ; the free Navigation of the Rivers Congo, Niger, &c. ; the Suppression of the Slave Trade by Sea and Land ; the occupation of Territory on the African Coasts, &c. Signed at Berlin, 26th February, 1885.**

(Translation.)

In the Name of Almighty God.

Preamble.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India ; His Majesty the German Emperor, King of Prussia ; His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary ; His Majesty the King of the Belgians ; His Majesty the King of Denmark ; His Majesty the King of Spain ; the President of the United States of America ; the President of the French Republic ; His Majesty the King of Italy ; His Majesty the King of the Netherlands, Grand Duke of Luxemburg, &c. ; His Majesty the King of Portugal and the Algarves, &c. ; His Majesty the Emperor of all the Russias ; His Majesty the King of Sweden and Norway, &c. ; and His Majesty the Emperor of the Ottomans, wishing, in a spirit of good and mutual accord, to regulate the conditions most favourable to the development of trade and civilization in certain regions of Africa, and to assure to all nations the advantages of free navigation on the two chief rivers of Africa flowing into the Atlantic Ocean ; being desirous, on the other hand, to obviate the misunderstanding and disputes which might in future arise from new acts of occupation (“prises de possession”) on the coast of Africa ; and concerned, at the same time, as to the means of furthering the moral and material well-being of the native populations, have resolved, on the invitation addressed to them by the Imperial Government of Germany, in agreement with the Government of the French Republic, to meet for those purposes in Conference at Berlin, and have appointed as their Plenipotentiaries, to wit :—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Sir Edward Baldwin Malet, her Ambassador Extraordinary and Plenipotentiary at the Court of His Majesty the German Emperor, King of Prussia ;

His Majesty the German Emperor, King of Prussia, Otho, Prince von Bismarck, his President of the Prussian Council of Ministers, Chancellor of the Empire ; Paul, Count von Hatzfeldt, his Minister of State and Secretary of State for Foreign Affairs ; Auguste Busch, his Acting Privy Councillor of Legation and Under-Secretary of State for Foreign Affairs ; and Henri von Kusserow, Privy Councillor of Legation in the Department for Foreign Affairs ;

* For Protocols of Conferences, see S.P., vol. lxxv, p. 1178, and vol. lxxvi, p. 1021. See also Brussels Act of 2nd July, 1890, p. 488, and Declaration of same date respecting Import Duties, p. 517.

[Berlin Act. Trade and Civilization. Rivers Congo, Niger, &c. Slave Trade by Sea and Land. Occupation of Territory on Coasts, &c.]

His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary, Emeric, Count Széchényi de Sarvari Felső-Vidék, Chamberlain and Acting Privy Councillor, his Ambassador Extraordinary and Plenipotentiary at the Court of His Majesty the German Emperor, King of Prussia ;

His Majesty the King of the Belgians, Gabriel Auguste Count van der Straten-Ponthoz, Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the German Emperor, King of Prussia ; and Auguste Baron Lambermont, Minister of State, Envoy Extraordinary and Minister Plenipotentiary ;

His Majesty the King of Denmark, Émile de Vind, Chamberlain, his Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the German Emperor, King of Prussia ;

His Majesty the King of Spain, Don Francisco Merry y Colom, Count Benomar, his Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the German Emperor, King of Prussia ;

The President of the United States of America, John A. Kasson, Envoy Extraordinary and Minister Plenipotentiary of the United States of America at the Court of His Majesty the German Emperor, King of Prussia, and Henry S. Sandford, ex-Minister ;

The President of the French Republic, Alphonse, Baron de Courcel, Ambassador Extraordinary and Plenipotentiary of France at the Court of His Majesty the German Emperor King of Prussia ;

His Majesty the King of Italy, Edward, Count de Launay, his Ambassador Extraordinary and Plenipotentiary at the Court of His Majesty the German Emperor, King of Prussia ;

His Majesty the King of the Netherlands, Grand Duke of Luxemburg, Frederick Philippe, Jonkheer van der Hoeven his Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the German Emperor, King of Prussia ;

His Majesty the King of Portugal and the Algarves, &c., Da Serra Gomes, Marquis de Penafiel, Peer of the Realm, his Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the German Emperor, King of Prussia, and Antoine de Serpa Pimentel, Councillor of State and Peer of the Realm ;

His Majesty the Emperor of All the Russias, Pierre, Count Kapnist, Privy Councillor, his Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the King of the Netherlands ;

His Majesty the King of Sweden and Norway, &c., Gillis, Baron Bilt, Lieutenant-General, his Envoy Extraordinary and Minister Plenipotentiary at the Court of His Majesty the German Emperor, King of Prussia ;

His Majesty the Emperor of the Ottomans, Méhémed Saïd Pasha, Vizir and High Dignitary, his Envoy Extraordinary and Plenipotentiary at the Court of His Majesty the German Emperor, King of Prussia ;

Who, being provided with full powers, which have been found in good and due form, have successively discussed and adopted :—

[Berlin Act. Freedom of Trade. Slave Trade by Sea or Land, &c.]

Freedom of Trade in Basin of the Congo, &c.

1. A Declaration relative to freedom of trade in the basin of the Congo, its embouchures and circumjacent regions, with other provisions connected therewith. (See p. 471.)

Slave Trade by Sea or Land.

2. A Declaration relative to the slave trade, and the operations by sea or land which furnish slaves to that trade. (See p. 474.)

Neutrality of Territories comprised in the Conventional Basin of the Congo.

3. A Declaration relative to the neutrality of the territories comprised in the Conventional basin of the Congo. (See p. 474.)

Navigation of the Congo, &c.

4. An Act of Navigation for the Congo, which, while having regard to local circumstances, extends to this river, its affluents, and the waters in its system ("eaux qui leur sont assimilées"), the general principles enunciated in Articles CVIII to CXVI of the Final Act of the Congress of Vienna,* and intended to regulate, as between the Signatory Powers of that Act, the free navigation of the waterways separating or traversing several States—these said principles having since then been applied by agreement to certain rivers of Europe and America, but especially to the Danube with the modifications stipulated by the Treaties of Paris (1856) † of Berlin (1878) ‡ and of London (1871 and 1883).§ (See p. 475.)

Navigation of the Niger.

5. An Act of Navigation for the Niger, which, while likewise having regard to local circumstances, extends to this river and its affluents the same principles as set forth in Articles CVIII to CXVI, of the Final Act of the Congress of Vienna. (See p. 481.)

Future Occupations on the Coast of Africa.

6. A Declaration introducing into international relations certain uniform rules with reference to future occupations on the coast of the African Continent. (See p. 484.)

And deeming it expedient that all these several documents should be combined in one single instrument, they (the Signatory Powers) have collected them into one General Act, composed of the following Articles :—

* See "Map of Europe by Treaty," vol. i, p. 75.
 † " " " " " " vol. ii, p. 1275.
 ‡ " " " " " " vol. iv, p. 2729.
 § " " " " " " vol. iii, p. 1919 and vol. iv, p. 3104.

CHAPTER I.—DECLARATION RELATIVE TO FREEDOM OF TRADE IN THE
BASIN OF THE CONGO, ITS MOUTHS AND CIRCUMJACENT REGIONS,
WITH OTHER PROVISIONS CONNECTED THEREWITH.

Freedom of Trade to all Nations.

Art. I.—The trade of all nations shall enjoy complete freedom :—

Basin of the Congo Defined.

1. In all the regions forming the basin of the Congo and its outlets. This basin is bounded by the watersheds (or mountain ridges) of the adjacent basins, namely, in particular, those of the Niari, the Ogowé, the Schari, and the Nile on the north ; by the eastern watershed line of the affluents of Lake Tanganyika on the east ; and by the watersheds of the basins of the Zambesi and the Logé on the south. It therefore comprises all the regions watered by the Congo and its affluents, including Lake Tanganyika, with its eastern tributaries.

*Maritime Zone Defined.**

2. In the maritime zone extending along the Atlantic Ocean from the parallel situated in 2° 30' of South Latitude to the mouth of the Logé.

Northern Boundary.

The northern boundary will follow the parallel situated in 2° 30' from the coast to the point where it meets the geographical basin of the Congo, avoiding the basin of the Ogowé, to which the provisions of the present Act do not apply.

Southern Boundary.

The southern boundary will follow the course of the Logé to its source, and thence pass eastwards till it joins the geographical basin of the Congo.

Eastern Boundary.

3. In the zone stretching eastwards from the Congo Basin as above defined, to the Indian Ocean from 5 degrees of North Latitude to the mouth of the Zambesi in the south, from which point the line of demarcation will ascend the Zambesi to 5 miles above its confluence with the Shiré, and then follow the watershed between the affluents of Lake Nyassa and those of the Zambesi, till at last it reaches the watershed between the waters of the Zambesi and the Congo.

Free Trade Principles applied to Signatory Powers, and to such Independent States as may approve the same.

It is expressly recognized that in extending the principle of free trade to this eastern zone, the Conference Powers only undertake engagements for themselves, and that in the territories belonging to an

* See also Brussels Act of 2nd July, 1890, Art. XXI, p. 499 (Slave Trade).

[Berlin Act. Freedom of Trade. Basin of the Congo, &c.]

independent Sovereign State this principle shall only be applicable in so far as it is approved by such State. But the Powers agree to use their good offices with the Governments established on the African shore of the Indian Ocean for the purpose of obtaining such approval, and in any case of securing the most favourable conditions to the transit (traffic) of all nations. (See also Art. XV p. 477.)

Free Access of all Flags to Coast-line.

Art. II.—All flags, without distinction of nationality, shall have free access to the whole of the coast-line of the territories above enumerated.

Navigation of Rivers ; of Congo and its Affluents, and Lakes, Ports, and Canals.

To the rivers there running into the sea to all the waters of the Congo and its affluents, including the lakes, and to all the ports situate on the banks of these waters, as well as to all canals which may in future be constructed with intent to unite, the watercourses or lakes within the entire area of the territories described in Article I.

Transport, Coasting Trade, and Boat Traffic.

Those trading under such flags may engage in all sorts of transport, and carry on the coasting trade by sea and river, as well as boat traffic, on the same footing as if they were subjects.

No Taxes to be levied on Wares Imported (with slight exceptions).

Art. III.—Wares, of whatever origin, imported into these regions, under whatsoever flag, by sea or river, or overland, shall be subject to no other taxes than such as may be levied as fair compensation for expenditure in the interests of trade, and which for this reason must be equally borne by the subjects themselves and by foreigners of all nationalities.

Differential Duties forbidden.

All differential dues on vessels, as well as on merchandize are forbidden.

No Import or Transit Duties to be levied on Merchandize.

Art. IV.—Merchandize imported into these regions shall remain free from import and transit dues.

Question to be reconsidered after 20 years.

The Powers reserve to themselves to determine after the lapse of 20 years whether this freedom of import shall be retained or not.*

* See also Brussels Act of 2nd July, 1890, p. 488, and Agreement between Great Britain, Germany, and Italy of 22nd December, 1890, p. 518.

[Berlin Act. Freedom of Trade. Basin of the Congo, &c.]

No Monopolies or Favours to be granted.

Art. V.—No Power which exercises or shall exercise sovereign rights in the above-mentioned regions shall be allowed to grant therein a monopoly or favour of any kind in matters of trade.

Protection of Persons and Property, movable and immovable Possessions ; Professions.

Foreigners, without distinction, shall enjoy therein with regard to the protection of their persons and effects, the acquisition and transmission of their movable and real property and with regard to the exercise of their professions, the same treatment and the same rights as nationals.

Art. VI.—*Provisions relative to Protection of the Natives, of Missionaries and Travellers, as well as relative to Religious Liberty.*

Preservation and Improvement of Native Tribes ; Slavery, and the Slave Trade.

All the Powers exercising sovereign rights or influence in the aforesaid territories bind themselves to watch over the preservation of the native tribes, and to care for the improvement of the conditions of their moral and material well-being, and to help in suppressing slavery, and especially the slave trade.

Religious and other Institutions. Civilization of Natives.

They shall, without distinction of creed or nation, protect and favour all religions, scientific, or charitable institutions, and undertakings created and organized for the above ends, or which aim at instructing the natives and bringing home to them the blessings of civilization.

Protection of Missionaries, Scientists, and Explorers.

Christian missionaries, scientists and explorers, with their followers, property, and collections, shall likewise be the objects of especial protection.

Religious Toleration.

Freedom of conscience and religious toleration are expressly guaranteed to the natives, no less than to subjects and to foreigners.

Public Worship.

The free and public exercise of all forms of Divine worship, and the right to build edifices for religious purposes, and to organize religious missions belonging to all creeds, shall not be limited or fettered in any way whatsoever.

Art. VII.—*Postal Régime.*

Postal Union.

The Convention of the Universal Postal Union, as revised at Paris the 1st June, 1878,* shall be applied to the Conventional basin of the Congo.

* S.P., vol. lxix, p. 210. H.T., vol. xiv, p. 1007.

[Berlin Act. Slave Trade. Neutrality. Basin of the Congo, &c.]

The Powers who therein do or shall exercise rights of sovereignty or Protectorate engage, as soon as circumstances permit them, to take the measures necessary for the carrying out of the preceding provision.

Art. VIII.—*Right of Surveillance vested in the International Navigation Commission of the Congo.*

Surveillance of International Navigation Commission of the Congo in territories where no Power shall exercise rights of Sovereignty or Protectorate.

In all parts of the territory had in view by the present Declaration, where no Power shall exercise rights of sovereignty or Protectorate, the International Navigation Commission of the Congo, instituted in virtue of Article XVII, shall be charged with supervising the application of the principles proclaimed and perpetuated (“consacrés”) by this Declaration.

In all cases of difference arising relative to the application of the principles established by the present Declaration, the Governments concerned may agree to appeal to the good offices of the International Commission by submitting to it an examination of the facts which shall have occasioned these differences.

CHAP. II.—DECLARATION RELATIVE TO THE SLAVE TRADE.

Suppression of the Slave Trade by Land and Sea ; and of Slave Markets.

Art. IX.—Seeing that trading in slaves is forbidden in conformity with the principles of international law as recognized by the Signatory Powers, and seeing also that the operations, which, by sea or land, furnish slaves to trade, ought likewise to be regarded as forbidden, the Powers which do or shall exercise sovereign rights or influence in the territories forming the Conventional basin of the Congo declare that these territories may not serve as a market or means of transit for the trade in slaves, of whatever race they may be. Each of the Powers binds itself to employ all the means at its disposal for putting an end to this trade and for punishing those who engage in it.

CHAP. III.—DECLARATION RELATIVE TO THE NEUTRALITY OF THE TERRITORIES COMPRISED IN THE CONVENTIONAL BASIN OF THE CONGO.

Neutrality of Territories and Territorial Waters.

Art. X.—In order to give a new guarantee of security to trade and industry, and to encourage, by the maintenance of peace, the development of civilization in the countries mentioned in Article I, and placed under the free trade system, the High Signatory Parties to the present Act, and those who shall hereafter adopt it, bind themselves to respect the neutrality of the territories, or portions of territories, belonging to the said countries, comprising therein the territorial waters, so long as the Powers which exercise or shall exercise the rights

[Berlin Act. Navigation of the Congo.]

of sovereignty or Protectorate over those territories, using their option of proclaiming themselves neutral, shall fulfil the duties which neutrality requires.

Hostilities not to extend to Neutralized States.

Art. XI.—In case a Power exercising rights of sovereignty or Protectorate in the countries mentioned in Article I, and placed under the free trade system, shall be involved in a war then the High Signatory Parties to the present Act, and those who shall hereafter adopt it, bind themselves to lend their good offices in order that the territories belonging to this Power and comprised in the Conventional free trade zone shall, by the common consent of this Power and of the other belligerent or belligerents, be placed during the war under the rule of neutrality, and considered as belonging to a non-belligerent State, the belligerents thenceforth abstaining from extending hostilities to the territories thus neutralized, and from using them as a base for warlike operations.

Serious Disagreements between Signatory Powers to be referred to Mediation.

Art. XII.—In case a serious disagreement originating on the subject of, or in the limits of, the territories mentioned in Article I, and placed under the free trade system, shall arise between any Signatory Powers of the present Act, or the Powers which may become parties to it, these Powers bind themselves, before appealing to arms, to have recourse to the mediation of one or more of the friendly Powers.

Or to Arbitration.

In a similar case the same Powers reserve to themselves the option of having recourse to arbitration.

CHAP. IV.—ACT OF NAVIGATION FOR THE CONGO.

The Congo and its Branches open to the Merchant Vessels of all Nations.

Art. XIII.—The navigation of the Congo, without excepting any of its branches or outlets, is, and shall remain, free for the merchant ships of all nations equally, whether carrying cargo or ballast, for the transport of goods or passengers. It shall be regulated by the provisions of this Act of Navigation, and by the Rules to be made in pursuance thereof.

Equality of Treatment to all Nations ; Coasting Trade ; Boat Traffic.

In the exercise of this navigation the subjects and flags of all nations shall in all respects be treated on a footing of perfect equality, not only for the direct navigation from the open sea to the inland ports of the Congo and *vice versâ*, but also for the great and small coasting trade, and for boat traffic on the course of the river.

[Berlin Act. Navigation of the Congo.]

Privileges ; Riverain and non-Riverain States ; Companies, Corporations, and Private Persons.

Consequently, on all the course and mouths of the Congo there will be no distinction made between the subjects of Riverain States and those of non-Riverain States, and no exclusive privilege of navigation will be conceded to Companies, Corporations, or private persons whatsoever.

International Law.

These provisions are recognized by the Signatory Powers as becoming henceforth a part of international law.

Congo. No Restrictions or Obligations to be imposed.

Art. XIV.—The navigation of the Congo shall not be subject to any restriction or obligation which is not expressly stipulated by the present Act.

No Landing or other Dues.

It shall not be exposed to any landing dues, to any station or depôt tax, or to any charge for breaking bulk, or for compulsory entry into port.

No Transit Dues on Ships or Goods.

In all the extent of the Congo the ships and goods in process of transit on the river shall be submitted to no transit dues, whatever their starting-place or destination.

No Maritime or River Tolls to be levied (with certain exceptions).

There shall be levied no maritime or river toll based on the mere fact of navigation, nor any tax on goods aboard of ships. There shall only be levied taxes or duties having the character of an equivalent for services rendered to navigation itself, to wit :—

Harbour Dues on Wharves, &c.

1. Harbour dues on certain local establishments, such as wharves, warehouses, &c., if actually used.

The Tariff of such dues shall be framed according to the cost of constructing and maintaining the said local establishments ; and it will be applied without regard to whence vessels come or what they are loaded with.

Pilot Dues.

2. Pilot dues for those stretches of the river where it may be necessary to establish properly-qualified pilots.

The Tariff of these dues shall be fixed and calculated in proportion to the service rendered.

Lighthouse and such like Dues.

3. Charges raised to cover technical and administrative expenses incurred in the general interest of navigation, including lighthouse, beacon, and buoy duties.

[Berlin Act. Navigation of the Congo.]

The last-mentioned dues shall be based on the tonnage of vessels as shown by the ship's papers, and in accordance with the Rules adopted on the Lower Danube.

No Differential Duties to be levied.

The Tariffs by which the various dues and taxes enumerated in the three preceding paragraphs shall be levied, shall not involve any differential treatment and shall be officially published at each port.

Power reserved of revising Tariffs after 5 years.

The Powers reserve to themselves to consider, after the lapse of 5 years,* whether it may be necessary to revise, by common accord, the above-mentioned Tariffs.

Congo. Affluents of the Congo.

Art. XV.—The affluents of the Congo shall in all respects be subject to the same rules as the river of which they are tributaries.

Streams, Lakes, and Canals.

And the same rules shall apply to the streams and rivers as well as the lakes and canals in the territories defined in paragraphs 2 and 3 of Article I (p. 471).

At the same time the powers of the International Commission of the Congo will not extend to the said rivers, streams, lakes, and canals, unless with the assent of the States under whose Sovereignty they are placed. It is well understood, also, that with regard to the territories mentioned in paragraph 3 of Article I (p. 471), the consent of the Sovereign States owning these territories is reserved.

Roads, Railways, or lateral Canals open to all Nations.

Art. XVI.—The roads, railways, or lateral canals which may be constructed with the special object of obviating the innavigability or correcting the imperfection of the river route on certain sections of the course of the Congo, its affluents, and other water-ways placed under a similar system, as laid down in Article XV, shall be considered in their quality of means of communication as dependencies of this river, and as equally open to the traffic of all nations.

Tolls.

And, as on the river itself, so there shall be collected on these roads, railways, and canals only tolls calculated on the cost of construction, maintenance, and management, and on the profits due to the promoters.

As regards the Tariff of these tolls, strangers and the natives of the respective territories shall be treated on a footing of perfect equality.

* See Tariff, 22nd December, 1890, p. 518.

[Berlin Act. Navigation of the Congo.]

International Navigation Commission of the Congo.

Art. XVII.—There is instituted an International Commission, charged with the execution of the provisions of the present Act of Navigation.

Each Power to be Represented by One Delegate with One Vote only.

The Signatory Powers of this Act, as well as those who may subsequently adhere to it, may always be represented on the said Commission, each by one Delegate. But no Delegate shall have more than one vote at his disposal even in the case of his representing several Governments.

Payment of Delegates, Agents and Employés.

This Delegate will be directly paid by his Government. As for the various agents and employés of the International Commission, their remuneration shall be charged to the amount of the dues collected in conformity with paragraphs 2 and 3 of Article XIV.

The particulars of the said remuneration, as well as the number, grade, and powers of the agents and employés, shall be entered in the Returns to be sent yearly to the Governments represented on the International Commission.

Congo. Inviolability of Members and Agents their Offices and Archives.

Art. XVIII.—The members of the International Commission, as well as its appointed agents, are invested with the privilege of inviolability in the exercise of their functions. The same guarantee shall apply to the offices and archives of the Commission.

Congo. Constitution of the Commission.

Art. XIX.—The International Commission for the Navigation of the Congo shall be constituted as soon as five of the Signatory Powers of the present General Act shall have appointed their Delegates.

Nomination of Delegates to be notified to German Government.

And pending the Constitution of the Commission the nomination of these Delegates shall be notified to the Imperial Government of Germany, which will see to it that the necessary steps are taken to summon the meeting of the Commission.

Navigation, River Police, Pilot, and Quarantine Rules.

The Commission will at once draw up navigation, river police, pilot, and quarantine Rules.

These Rules as well as the Tariffs to be framed by the Commission, shall, before coming into force, be submitted for approval to the Powers represented on the Commission. The Powers interested will have to communicate their views with as little delay as possible.

[Berlin Act. Navigation of the Congo.]

Infringement of Rules.

Any infringements of these Rules will be checked by the agents of the International Commission wherever it exercises direct authority, and elsewhere by the Riverain Power.

In the case of an abuse of power, or of an act of injustice, on the part of any agent or employé of the International Commission, the individual who considers himself to be aggrieved in his person or rights may apply to the Consular Agent of his country. The latter will examine his complaint, and if he finds it *primâ facie* reasonable, he will then be entitled to bring it before the Commission. At his instance then, the Commission, represented by at least three of its members, shall, in conjunction with him, inquire into the conduct of its agent or employé. Should the Consular Agent look upon the decision of the Commission as raising questions of law ("objections de droit"), he will report on the subject to his Government, which may then have recourse to the Powers represented on the Commission, and invite them to agree as to the instructions to be given to the Commission.

Art. XX.—The International Commission of the Congo, charged in terms of Article XVII with the execution of the present Act of Navigation, shall in particular have power—

Works necessary to assure Navigability of the Congo.

1. To decide what works are necessary to assure the navigability of the Congo in accordance with the needs of international trade.

On those sections of the river where no Power exercises sovereign rights, the International Commission will itself take the necessary measures for assuring the navigability of the river.

On those sections of the river held by a Sovereign Power the International Commission will concert its action ("s'entendra") with the riparian authorities.

Pilot Tariff and Navigation Dues.

2. To fix the pilot tariff and that of the general navigation dues as provided for by paragraphs 2 and 3 of Article XIV.

The Tariffs mentioned in the first paragraph of Article XIV shall be framed by the territorial authorities within the limits prescribed in the said Article.

The levying of the various dues shall be seen to by the international or territorial authorities on whose behalf they are established.

Administration of Revenue.

3. To administer the revenue arising from the application of the preceding paragraph (2).

Quarantine Establishment.

4. To superintend the quarantine establishment created in virtue of Article XXIV.

[Berlin Act. Navigation of the Congo.]

Appointment of Officials and Employés.

5. To appoint officials for the general service of navigation, and also its own proper employés.

Sub-Inspectors.

It will be for the territorial authorities to appoint Sub-Inspectors on sections of the river occupied by a Power, and for the International Commission to do so on the other sections.

The Riverain Power will notify to the International Commission the appointment of Sub-Inspectors, and this Power will undertake the payment of their salaries.

In the exercise of its functions, as above defined and limited the International Commission will be independent of the territorial authorities.

Congo. Employment of War Vessels by Navigation Commission.

Art. XXI.—In the accomplishment of its task the International Commission may, if need be, have recourse to the war vessels of the Signatory Powers of this Act, and of those who may in future accede to it, under reserve, however, of the instructions which may be given to the Commanders of these vessels by their respective Governments.

Congo. War Vessels Exempt from Navigation Dues.

Art. XXII.—The war vessels of the Signatory Powers of this Act that may enter the Congo are exempt from payment of the navigation dues provided for in paragraph 3 of Article XIV.

Otherwise liable to Payment of Pilot and Harbour Dues.

But unless their intervention has been called for by the International Commission or its agents, in terms of the preceding Article, they shall be liable to the payment of the pilot or harbour dues which may eventually be established.

Congo. Loans for Technical and Administrative Expenses.

Art. XXIII.—With the view of providing for the technical and administrative expenses which it may incur, the International Commission created by Article XVII may, in its own name, negotiate loans to be exclusively guaranteed by the revenues raised by the said Commission.

The decisions of the Commission dealing with the conclusion of a loan must be come to by a majority of two-thirds. It is understood that the Governments represented on the Commission shall not in any case be held as assuming any guarantee, or as contracting any engagement or joint liability “(solidarité”) with respect to the said loans unless under special Conventions concluded by them to this effect.

The revenue yielded by the dues specified in paragraph 3 of Article XIV shall bear, as a first charge, the payment of the interest and sinking fund of the said loans, according to agreement with the lenders.

[Berlin Act. Navigation of the Niger.]

Quarantine Establishment at Mouth of the Congo.

Art. XXIV.—At the mouth of the Congo there shall be founded, either on the initiative of the Riverain Powers, or by the intervention of the International Commission, a quarantine establishment for the control of vessels passing out of as well as into the river.

Sanitary Control over Vessels.

Later on the Powers will decide whether and on what conditions a sanitary control shall be exercised over vessels engaged in the navigation of the river itself.

Congo. Freedom of Navigation of the Congo and Territorial Waters during War.

Art. XXV.—The provisions of the present Act of Navigation shall remain in force in time of war. Consequently all nations, whether neutral or belligerent, shall be always free, for the purposes of trade, to navigate the Congo, its branches, affluents, and mouths, as well as the territorial waters fronting the embouchure of the river.

Roads, Railways, Lakes, and Canals included.

Traffic will similarly remain free, despite a state of war, on the roads, railways, lakes, and canals mentioned in Articles XV and XVI.

Transport of Contraband of War excepted.

There will be no exception to this principle, except in so far as concerns the transport of articles intended for a belligerent, and in virtue of the law of nations regarded as contraband of war.

Neutrality of Works and Establishments.

All the works and establishments created in pursuance of the present Act, especially the tax-collecting offices and their treasuries, as well as the permanent service staff of these establishments, shall enjoy the benefits of neutrality (“placés sous le régime de la neutralité”), and shall, therefore, be respected and protected by belligerents.

CHAP. V.—ACT OF NAVIGATION FOR THE NIGER.

The Niger and its Branches open to the Merchant Vessels of all Nations.

Art. XXVI.*—The navigation of the Niger, without excepting any of its branches and outlets, is and shall remain entirely free for the merchant ships of all nations equally, whether with cargo or in ballast, for the transportation of goods and passengers. It shall be regulated by the provision of this Act of Navigation, and by the Rules to be made in pursuance of this Act.

* See Agreement, Great Britain and Germany, 15th November, 1893, Art. VI, p. 915.

[Berlin Act. Navigation of the Niger.]

Niger. Equality of Treatment to all Nations ; Coasting Trade ; Boat Traffic.

In the exercise of this navigation the subjects and flags of all nations shall be treated, in all circumstances, on a footing of perfect equality, not only for the direct navigation from the open sea to the inland ports of the Niger, and *vice versâ*, but for the great and small coasting trade, and for boat trade on the course of the river.

Privileges : Riverain and non-Riverain States ; Companies, Corporations, and Private Persons.

Consequently, on all the course and mouths of the Niger there will be no distinction made between the subjects of the Riverain States and those of non-Riverain States ; and no exclusive privilege of navigation will be conceded to companies, corporations, or private persons.

International Law.

These provisions are recognised by the Signatory Powers as forming henceforth a part of international law.

No Restrictions or Obligations to be imposed on Navigation.

Art. XXVII.*—The navigation of the Niger shall not be subject to any restriction or obligation based merely on the fact of navigation.

No Landing or other Dues to be imposed.

It shall not be exposed to any obligation in regard to landing-station or depôt, or for breaking bulk, or for compulsory entry into port.

No Transit Dues on Ships or Goods to be levied.

In all the extent of the Niger the ships and goods in process of transit on the river shall be submitted to no transit dues, whatever their starting place or destination.

No Maritime or River Tolls to be levied (with certain exceptions).

No maritime or river toll shall be levied or based on the sole fact of navigation, nor any tax on goods on board of ships. There shall only be collected taxes or duties which shall be an equivalent for services rendered to navigation itself.

No Differential Duties to be levied.

The Tariff of these taxes or duties shall not warrant any differential treatment.

Affluents of the Niger.

Art. XXVIII.*—The affluents of the Niger shall be in all respects subject to the same rules as the river of which they are tributaries.

* See Agreement, Great Britain and Germany, 15th November, 1893, Art. VI, p. 915.

Niger. Roads, Railways, or lateral Canals open to all Nations.

Art. XXIX.*—The roads, railways, or lateral canals which may be constructed with the special object of obviating the innavigability or correcting the imperfections of the river route on certain sections of the Niger, its affluents, branches, and outlets, shall be considered, in their quality of means of communication, as dependencies of this river, and as equally open to the traffic of all nations.

Tolls.

And, as on the river itself, so there shall be collected on these roads, railways, and canals, only tolls calculated on the cost of construction, maintenance, and management, and on the profits due to the promoters.

As regards the Tariff of these tolls, strangers and the natives of the respective territories shall be treated on a footing of perfect equality.

British Engagements. Waters of the Niger and its Affluents, &c., under British Sovereignty or Protection, to be subject to the principles above described.

Art. XXX.*—Great Britain undertakes to apply the principles of freedom of navigation enunciated in Articles XXVI, XXVII, XXVIII, and XXIX on so much of the waters of the Niger, its affluents, branches, and outlets, as are or may be under her sovereignty or protection.

Rules of Navigation to be established.

The rules which she may establish for the safety and control of navigation shall be drawn up in a way to facilitate, as far as possible, the circulation of merchant ships.

Great Britain not restricted from making any Rules not contrary to above Engagements.

It is understood that nothing in these obligations shall be interpreted as hindering Great Britain from making any Rules of Navigation whatever which shall not be contrary to the spirit of these engagements.

Foreign Merchants and all Trading Nationalities to be protected the same as British Subjects.

Great Britain undertakes to protect foreign merchants and all the trading nationalities on all those portions of the Niger which are or may be under her sovereignty or protection as if they were her own subjects: provided always that such merchants conform to the rules which are or shall be made in virtue of the foregoing.

* See Agreement, Great Britain and Germany, 15th November, 1893, Art. VI, p. 915.

[Berlin Act. Navigation of the Niger.]

Niger. French Engagements, with regard to Waters of the River, &c., under her Sovereignty or Protection.

Art. XXXI.—France accepts, under the same reservations, and in identical terms, the obligations undertaken in the preceding articles in respect of so much of the waters of the Niger, its affluents, branches, and outlets, as are or may be under her sovereignty or protection.

Engagements of the other Signatory Powers.

Art. XXXII.—Each of the other Signatory Powers binds itself in the same way in case it should ever exercise in the future rights of sovereignty or protection over any portion of the waters of the Niger, branches, or outlets.

Freedom of Navigation of the Niger and Territorial Waters during War.

Art. XXXIII.*—The arrangements of the present Act of Navigation will remain in force in time of war. Consequently, the navigation of all neutral or belligerent nations will be in all time free for the usages of commerce on the Niger, its branches, its affluents, its mouths, and outlets, as well as on the territorial waters opposite the mouths and outlets of that river.

Roads, Railways, and Canals included.

The traffic will remain equally free in spite of a state of war on the roads, railways, and canals mentioned in Article XXIX.

Transport of Contraband of War excepted.

There will be an exception to this principle only in that which relates to the transport of articles destined for a belligerent, and considered, in virtue of the law of nations, as articles contraband of war.

CHAP. VI.—DECLARATION RELATIVE TO THE ESSENTIAL CONDITIONS TO BE OBSERVED IN ORDER THAT NEW OCCUPATIONS ON THE COASTS OF THE AFRICAN CONTINENT MAY BE HELD TO BE EFFECTIVE.

Notifications of Acquisitions and Protectorates on Coasts of African Continent.

Art. XXXIV.†—Any Power which henceforth takes possession of a tract of land on the coasts of the African Continent outside of its present possessions, or which, being hitherto without such possessions, shall acquire them, as well as the Power which assumes a Protectorate there, shall accompany the respective act with a notification thereof, addressed to the other Signatory Powers of the present Act, in order to enable them, if need be, to make good any claims of their own:

* See Agreement, Great Britain and Germany, 15th November, 1893, Art. VI, p. 915.

† See Return, p. 487.

[Berlin Act. General Dispositions.]

Establishment of authority in Territories occupied on Coasts. Protection of existing Rights. Freedom of Trade and Transit.

Art. XXXV.—The Signatory Powers of the present Act recognize the obligation to insure the establishment of authority in regions occupied by them on the coasts of the African Continent sufficient to protect existing rights, and, as the case may be, freedom of trade and of transit under the conditions agreed upon.

CHAP. VII.—GENERAL DISPOSITIONS.

Reservation as to Modifications.

Art. XXXVI.—The Signatory Powers of the present General Act reserve to themselves to introduce into it subsequently, and by common accord, such modifications and improvements as experience may show to be expedient.*

Liberty of other Powers to adhere to Act.

Art. XXXVII.—The Powers who have not signed the present General Act shall be free to adhere to its provisions by a separate instrument.†

Adhesions to be notified to all the Powers.

The adhesion of each Power shall be notified in diplomatic form to the Government of the German Empire, and by it in turn to all the other Signatory or adhering Powers.

Acceptance of all Obligations and Admission to all Advantages.

Such adhesion shall carry with it full acceptance of all the obligations, as well as admission to all the advantages, stipulated for by the present General Act.

General Act to be Ratified.

Art. XXXVIII.—The present General Act shall be ratified with as little delay as possible, the same in no case to exceed a year.‡

It will come into force for each Power from the date of its ratification by that Power.

Meanwhile, the Signatory Powers of the present General Act bind themselves not to take any steps contrary to its provisions.

Each Power will address its ratification to the Government of the German Empire, by which notice of the fact will be given to all the other Signatory Powers of the present Act.

Where Ratifications are to be deposited.

The ratifications of all the Powers will be deposited in the archives of the Government of the German Empire. When all the ratifications shall have been sent in, there will be drawn up a Deposit Act, in the

* Zanzibar acceded, with a reservation, on the 8th November, 1886. (See Zanzibar, p. 314; but see Circular to Powers of 22nd June, 1892, p. 312.)

† See Brussels Act of 2nd July, 1890, p. 488.

‡ Ratifications exchanged between all the Signatory Powers (except the United States), at Berlin, 19th April, 1886. See p. 486.

[Berlin Act. Ratifications.]

shape of a Protocol, to be signed by the Representatives of all the Powers which have taken part in the Conference of Berlin, and of which a certified copy will be sent to each of those Powers.

In testimony whereof the several Plenipotentiaries have signed the present General Act and have affixed thereto their seals.

Done at Berlin, the 26th day of February, 1885.

[Here follow the signatures.]

No. 129.—*PROTOCOL. Ratifications of General Act of Berlin Conference of 26th February, 1885. Berlin, 19th April, 1886.*

Ratifications (with the exception of the United States of America) deposited at the Berlin Foreign Office.

(Translation.)

All the Powers who took part in the Conference of Berlin having, with the exception of the United States of America,* ratified the General Act of that Conference, signed at Berlin on the 26th February, 1885, and having delivered their ratifications to the Government of the German Empire, which has deposited them in the Imperial archives, and has so informed the other Signatory Powers, the Undersigned, authorized to this effect by their respective Governments, have met together at the Berlin Foreign Office to draw up the Act of Deposit of these ratifications, in the manner agreed upon by Article XXXVIII of the said General Act.

Count Bismarck explained in a few words the object of the meeting to which he had invited the Representatives of the Powers who had ratified the General Act of the 26th February, 1885. He read Article XXXVIII of the General Act, and observed that the delay provided for by the first paragraph of the said Article had been prolonged, by common consent, at the request of the Government of Austria-Hungary.

Count Bismarck having then formally declared that the General Act had not been ratified by the Government of the United States of America, recalled to mind that this eventuality had been foreseen at the time of the deliberations of the Conference of Berlin, as shown in Annex No. 3 to the Protocol No. 9, and particularly in the extract of the Protocol of the sitting of the Conference of the 31st January, 1885, which forms Annex No. 6 to the said Annex No. 3. He consequently expressed the opinion that the United States of America enter into the category of Powers who may adhere later to the stipulations of the General Act, in the manner and to the effect determined by Article XXXVII of that Act; all the stipulations contained in the General Act would, however, remain in full force and vigour among all the other Signatory Powers of the said Act, and would bind them reciprocally by virtue of their respective ratifications.

The Representatives of Austria-Hungary, Belgium, Denmark,

* See United States Ratification of the General Act of the Brussels Conference of 2nd July, 1890, p. 521

[Berlin Act. Ratifications.]

Spain, France, Great Britain, Italy, Holland, Portugal, Russia, Sweden and Norway, and Turkey having declared that they concurred in this view, and that they were authorized to complete, under the conditions explained by Count Bismarck, the formality provided for in Article XXXVIII of the General Act, the ratifications were produced, and after being examined and found in good and due form, Count Bismarck declared that the documents would, in conformity with the conditions of Article XXXVIII, remain deposited in the archives of the Government of the German Empire.

The other members of the meeting took formal note of this deposit.

In witness whereof the present Protocol has been drawn up, a certified copy of which shall be communicated by the Government of the German Empire to each of the other Powers who have ratified the General Act of the 26th February, 1885.

Done at Berlin, read, and approved on the 19th April, 1886.

[Here follow the signatures.]

RETURN to an Address of the Honourable the House of Commons, dated
11th June, 1888, for :—

“Return showing what Notifications have been addressed to the Signatory Powers of the General Act of the Berlin Conference, as provided by Article XXXIV, since the signing of the Act in February, 1885; what are the Territories to which those Notifications relate; and in how many instances possession has been taken, or a Protectorate assumed, without objection being made by any of the Signatory Powers.”

Name of Territory.	Date of Notification.	By what Power notified.	Date of taking possession or of establishing Protectorate.	If any objection offered.
Niger Districts and Oil Rivers	11 June, 1885	Great Britain	5 June, 1885, (Notification in “London Gazette”)	No.
Ouatchis (between Grand Popo and Dahomey)	20 Aug., 1885	France	10 June, 1885 (Treaty)	No.
Dahomey (sea-coast)*	21 Jan., 1886.	Portugal	5 Aug., 1885 (Treaty)	No.
Zululand (bounded on the south and south-west by the Colony of Natal, on the west and north-west by the New Republic, on the north by Amatongaland, and on the east by the Indian Ocean)	8 July, 1887	Great Britain	14 May, 1887	No.
Somali Coast	20 July, 1887	Great Britain	At various dates between July 1884 and January, 1886	No.

* Portugal withdrew her Protectorate over the sea-coast of Dahomey on the 22nd December, 1887. See France (Dahomey), p. 626.

[Brussels Act. African Slave Trade, &c.]

No. 130.—*GENERAL ACT of the Brussels Conference relative to the African Slave Trade, &c. Signed at Brussels, 2nd July, 1890.**

[See also General Act, signed at Berlin, 26th February, 1885 (p. 468).]

(Translation.)

General Act of the Brussels Conference. 2nd July, 1890.

In the name of God Almighty.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India ;

His Majesty the German Emperor, King of Prussia, in the name of the German Empire ;

His Majesty the Emperor of Austria, King of Bohemia, &c., and Apostolic King of Hungary ;

His Majesty the King of the Belgians ;

His Majesty the King of Denmark ;

His Majesty the King of Spain, and in His name Her Majesty the Queen Regent of the Kingdom ;

His Majesty the King-Sovereign of the Independent State of the Congo ;

The President of the United States of America ;

The President of the French Republic :

His Majesty the King of Italy ;

His Majesty the King of the Netherlands, Grand Duke of Luxemburg, &c. ;

His Majesty the Shah of Persia ;†

His Majesty the King of Portugal and the Algarves, &c. ;

His Majesty the Emperor of All the Russias ;

His Majesty the King of Sweden and Norway, &c. ;

His Majesty the Emperor of the Ottomans ; and

His Highness the Sultan of Zanzibar ;

Equally animated by the firm intention of putting an end to the crimes and devastations engendered by the traffic in African slaves, of effectively protecting the aboriginal populations of Africa, and of assuring to that vast continent the benefits of peace and civilization ;

Wishing to give a fresh sanction to the decisions already taken in the same sense and at different periods by the Powers ; to complete the results obtained by them ; and to draw up a collection of measures guaranteeing the accomplishment of the work which is the object of their common solicitude ;

Have resolved, on the invitation addressed to them by the Government of His Majesty the King of the Belgians, in agreement with the Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, to assemble with this

* Signed in the French Language. For Protocols of Conferences, see Par. Pap., "Africa, No. 8 (1890)."

† Persia acceded, 3rd July, 1890. Ethiopia acceded, 16th September, 1890. Liberia acceded, 7th—25th August, 1892 ; and the Orange Free State acceded, 10th February, 1896.

object a Conference at Brussels, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Lord Vivian, Peer of the United Kingdom, her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ; and Sir John Kirk ;

His Majesty the German Emperor, King of Prussia, in the name of the German Empire, M. Frédéric-Jean, Comte d'Alvensleben, his Chamberlain and Privy Councillor, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ; and M. Guillaume Göhring, his Privy Councillor of Legation, Consul-General of the Empire of Germany at Amsterdam ;

His Majesty the Emperor of Austria, King of Bohemia, and Apostolic King of Hungary, Rodolphe, Count Khevenhüller-Metsch, his Chamberlain, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ;

His Majesty the King of the Belgians, Auguste, Baron Lambemont, his Minister of State, his Envoy Extraordinary and Minister Plenipotentiary ; and M. Émile Banning, Director-General of the Ministry of Foreign Affairs of Belgium ;

His Majesty the King of Denmark, M. Frédéric-George Schack de Brockdorff, Consul-General of Denmark at Antwerp ;

His Majesty the King of Spain, and in his name Her Majesty the Queen-Regent of the Kingdom, Don José Gutierrez de Aguëra, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ;

His Majesty the Sovereign-King of the Congo Free State, M. Edmond van Eetvelde, Administrator-General of the Department of Foreign Affairs of the Congo Free State ; and M. Auguste van Maldeghe, Councillor of the Court of Cassation of Belgium ;

The President of the United States of America, Mr. Edwin H. Terrell, Envoy Extraordinary and Minister Plenipotentiary of the United States of America to His Majesty the King of the Belgians ; and Mr. Henry Shelton Sanford ;

The President of the French Republic, M. Albert Bourée, Envoy Extraordinary and Minister Plenipotentiary of the French Republic to His Majesty the King of the Belgians ; and M. George Cogordan, Minister Plenipotentiary, Chief of the Cabinet of the Ministry of Foreign Affairs of France ;

His Majesty the King of Italy, M. François de Renzis, Baron de Montanaro, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ; and M. Thomas Catalani, his Envoy Extraordinary and Minister Plenipotentiary ;

His Majesty the King of the Netherlands, Grand Duke of Luxemburg, Louis, Baron Gericke de Herwynen, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ;

His Imperial Majesty the Shah of Persia, General Nazare Aga, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ;

[Brussels Act. African Slave Trade, &c.]

His Majesty the King of Portugal and the Algarves, M. Henrique de Macedo Pereira Coutinho, Member of his Council, Peer of the Realm, Minister and Honorary Secretary of State, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ;

His Majesty the Emperor of All the Russias, Léon, Prince Ouroussoff, Master of his Court, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ; and M. Frédéric de Martens, his Councillor of State, Permanent Member of the Council of the Ministry of Foreign Affairs of Russia ;

His Majesty the King of Sweden and Norway, M. Charles de Burenstam, his Chamberlain, his Minister Plenipotentiary to His Majesty the King of the Belgians, and to His Majesty the King of the Netherlands ;

His Majesty the Emperor of the Ottomans, Etienne Carathéodory Efendi, High Dignitary of his Empire, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians.

His Highness the Sultan of Zanzibar, Sir John Kirk ; and M. Guillaume Göhring,

Who, furnished with full powers which have been found in good and due form, have adopted the following provisions :—

CHAP. I.—SLAVE TRADE COUNTRIES. MEASURES TO BE TAKEN IN PLACES OF ORIGIN.

Art. I.—The Powers declare that the most effective means for counteracting the Slave Trade in the interior of Africa are the following :—

Organisation of Administrative, Judicial, Religious, and Military Services.

1. Progressive organization of the administrative, judicial, religious, and military services in the African territories placed under the sovereignty or protectorate of civilized nations.

Fortified Stations in the Interior. Man-hunts.

2. The gradual establishment in the interior, by the responsible Power in each territory, of strongly occupied stations, in such a way as to make their protective or repressive action effectively felt in the territories devastated by man-hunts.

Roads and Railways.

3. The construction of roads, and in particular of railways, connecting the advanced stations with the coast, and permitting easy access to the inland waters, and to the upper reaches of streams and rivers which are broken by rapids and cataracts, so as to substitute economical and speedy means of transport for the present means of portage by men,

[Brussels Act. African Slave Trade, &c.]

Steam-boats on inland Waters and on Lakes. Fortified Posts on Banks.

4. Establishment of steam-boats on the inland navigable waters and on the lakes, supported by fortified posts established on the banks.

Telegraph Lines.

5. Establishment of telegraphic lines assuring the communication of the posts and stations with the coast and with the administrative centres.

Expeditions and Flying Columns.

6. Organization of expeditions and flying columns to keep up the communication of the stations with each other and with the coast, to support repressive action, and to assure the security of roadways.

Fire Arms and Ammunition.

7. Restriction of the importation of fire-arms, at least of modern pattern, and of ammunition, throughout the entire extent of the territories infected by the slave trade.

Posts, Stations, and Cruizers, in Inland Waters.

Art. II. The stations, the cruizers organized by each Power in its inland waters, and the posts which serve as ports for them shall, independently of their principal task, which is to prevent the capture of slaves and intercept the routes of the Slave Trade, have the following subsidiary duties :—

Protection to Natives.

1. To serve as a base and, if necessary, as a place of refuge for the native populations placed under the sovereignty or the protectorate of the State to which the station belongs, for the independent populations, and temporarily for all others in case of imminent danger ; to place the populations of the first of these categories in a position to co-operate for their own defence ;

Arbitration in Intestine Wars.

To diminish intestine wars between tribes by means of arbitration ;

Agricultural Works and Industrial Arts.

To initiate them in agricultural works and in the industrial arts so as to increase their welfare ;

Barbarous Customs. Cannibalism. Human Sacrifices.

To raise them to civilization and bring about the extinction of barbarous customs, such as cannibalism and human sacrifices,

Commercial Undertakings.

2. To give aid and protection to commercial undertakings ;

Contracts of Service with Natives.

To watch over their legality, especially by controlling contracts of service with natives ;

Permanent Centres. Commercial Establishments, &c.

And to lead up to the foundation of permanent centres of cultivation and of commercial establishments.

Protection of Missions.

3. To protect, without distinction of creed, the missions which are already or may hereafter be established.

Sanitary Service. Assistance, &c., to Explorers.

4. To provide for the sanitary service, and to grant hospitality and help to explorers and to all who take part in Africa in the work of repressing the Slave Trade.

Repression of the Slave Trade. Engagements of each Power.

Art. III.—The Powers exercising sovereignty or protectorate in Africa, in order to confirm and to give greater precision to their former declarations, undertake to proceed gradually, as circumstances permit, either by the means above indicated, or by any other means which they may consider suitable, with the repression of the Slave Trade ; each State in its respective Possessions and under its own direction. Whenever they consider it possible they will lend their good offices to the Powers which, with a purely humanitarian object, may be engaged in Africa upon a similar mission.

Engagements of Powers may be delegated to Chartered Companies, but Powers remain responsible.

Art. IV.—The powers exercising sovereignty or protectorate in Africa may, however, delegate to Chartered Companies all or a portion of the engagements which they assume in virtue of Article III. They remain, nevertheless, directly responsible for the engagements which they contract by the present General Act, and guarantee the execution thereof.

National Associations and Private Enterprises.

The Powers promise to receive, aid, and protect national associations and enterprises due to private initiative, which may wish to cooperate in their Possessions in the repression of the Slave Trade, subject to their receiving previous authorization, which is revocable at any time ; subject also to their being directed and controlled, and to the exclusion of any exercise of rights of sovereignty.

*Penal Laws to be enacted:—against Offences against the Person, Man-hunts, Mutilation of Adults and Male Infants, Capture of Slaves by Violence.**

Art. V.—The Contracting Powers undertake, unless this has already been provided for by laws in accordance with the spirit of the present Article, to enact or propose to their respective Legislatures, in the course of one year at latest from the date of the signature of the present General Act, a Law applying, on the one hand, the provisions of their penal laws concerning grave offences against the person, to the organizers and abettors of man-hunts, to perpetrators of the mutilation of adults and male infants, and to all persons who may take part in the capture of slaves by violence ;

Also against Offences against Individual Liberty, to Carriers, Transporters, and Dealers in Slaves.

And, on the other hand, the provisions relating to offences against individual liberty, to carriers, transporters, and dealers in slaves.

Accomplices and Accessories.

Accomplices and accessories of the different categories of slave captors and dealers above specified shall be punished with penalties proportionate to those incurred by the principals.

Arrest and Trial of Guilty Persons.

Guilty persons who may have escaped from the jurisdiction of the authorities of the country where the crimes or offences have been committed, shall be arrested either on communication of the incriminatory evidence by the authorities who have ascertained the violation of the law, or on production of any other proof of guilt by the Power on whose territory they may have been discovered, and shall, without other formality, be held at the disposal of the tribunals competent to try them.

Laws, &c., of each Country to be communicated to the Powers.

The Powers will communicate to each other with the least possible delay the Laws or Decrees already in existence or promulgated in execution of the present Article.

Liberated Slaves.

Art. VI.—Slaves liberated in consequence of the stoppage or dispersal of a convoy in the interior of the continent, shall be sent back, if circumstances permit, to their country of origin ; if not, the local authorities shall help them as much as possible to obtain means of subsistence, and, if they desire it, to settle on the spot.

* See also Art. XIX, p. 498.

[Brussels Act. African Slave Trade, &c.]

Fugitive Slaves. Reception in Official Camps and Stations, or on Government Vessels on Lakes and Rivers.

Art. VII.—Any fugitive slave claiming on the continent the protection of the Signatory Powers shall obtain it, and shall be received in the camps and stations officially established by them, or on board Government vessels plying on the lakes and rivers.

Private Stations or Vessels not to grant Asylum without permission.

Private stations and vessels are only permitted to exercise the right of asylum subject to the previous sanction of the State.

Importation of Fire-arms and Ammunition prohibited within defined Zone, except in certain Cases, and under certain Conditions.

Art. VIII.—The experience of all nations who have intercourse with Africa having shown the pernicious and preponderating part played by fire-arms in Slave Trade operations, as well as in intestine wars between native tribes; and this same experience having clearly proved that the preservation of the African populations, whose existence it is the express wish of the Powers to safeguard, is a radical impossibility if restrictive measures against the trade in fire-arms and ammunition are not established; the Powers decide, in so far as the present state of their frontiers permits, that the importation of fire-arms, and especially of rifles and improved weapons, as well as of powder, balls, and cartridges, is, except in the cases and under the conditions provided for in the following Article, prohibited in the territories comprised between the 20th parallel of north latitude and the 22nd parallel of south latitude, and extending westward to the Atlantic Ocean, and eastward to the Indian Ocean and its dependencies, comprising the islands adjacent to the coast as far as 100 nautical miles from the shore.* (See also Article XC, p. 514 (Spirituous Liquors).)

Fire-arms and Ammunition. Exceptional Cases in which they may be imported, and under what Conditions.

Art. IX.—The introduction of fire-arms and ammunition, when there shall be occasion to authorize it in the Possessions of the Signatory Powers which exercise rights of sovereignty or of protectorate in Africa, shall be regulated in the following manner in the zone laid down in Article VIII, unless identical or more rigorous regulations have been already applied:—

Deposit of Arms (and Gunpowder, see next page) in Warehouses.

All imported fire-arms shall be deposited, at the cost, risk, and peril of the importers, in a public warehouse placed under the control of the Administration of the State.

* See General Map of Africa (Map No. 1 in Atlas, or Pouch).

[Brussels Act. African Slave Trade, &c.]

As to their Withdrawal.

No withdrawal of fire-arms or imported ammunition shall take place from such warehouses without the previous authorization of the Administration. This authorization shall, except in cases hereinafter specified, be refused for the withdrawal of all arms of precision, such as rifles, magazine-guns, or breech-loaders, whether whole or in detached pieces, their cartridges, caps, or other ammunition intended for them.

Private Warehouses under needful Guarantees.

At the seaports the respective Governments may permit the establishment of private warehouses, under conditions affording the needful guarantees; but only for ordinary powder and flint-lock guns, and to the exclusion of improved arms and their ammunition.

Individual Exceptions. Weapons carried by Travellers for Personal Defence.

Besides the measures directly taken by Governments for the arming of the public force and the organization of their defence, individual exceptions shall be admitted for persons affording sufficient guarantees that the arm and ammunition delivered to them will not be given, assigned, or sold to third persons, and for travellers provided with a declaration of their Government stating that the weapon and ammunition are destined exclusively for their personal defence.

Licences to bear Arms.

In the cases provided for in the preceding paragraph all arms shall be registered and marked by the authorities appointed for the control, who shall deliver to the persons in question licences to bear arms, indicating the name of the bearer and showing the stamp with which the arm is marked. These licences are revocable in case of proved abuse, and will be issued for five years only, but may be renewed.

Gunpowder.

The rule above set forth as to warehousing shall also apply to gunpowder.

Withdrawal of Flint-lock Unrifled Guns and Trade Powder.

Only flint-lock unrifled guns and common gunpowder, called trade powder ("poudres de traite"), can be withdrawn from the warehouses for purposes of sale. At each withdrawal of arms and ammunition of this kind for sale, the local authorities shall determine the regions in which these arms and ammunition may be sold.

Slave Trade Regions excepted.

The regions infected by the Slave Trade shall always be excluded.

Lists to be kept of Arms and Ammunition withdrawn, and how disposed of.

Persons authorized to take arms or powder out of the warehouses shall present to the Administration every six months detailed lists indicating the destinations of the said fire-arms and powder sold, as well as the quantities still remaining in store.

Importation, Sale, and Transport of Fire-arms and Ammunition required by Authorities of an Inland State.

Art. X.—The Governments shall take all measures they may deem necessary to ensure as complete a fulfilment as possible of the provisions respecting the importation, sale, and transport of fire-arms and ammunition, as well as to prevent either the entry or exit thereof by their inland frontiers, or the conveyance thereof to regions where the Slave Trade exists.

The authorization of transit within the limits of the zone specified by Article VIII cannot be withheld when the arms and ammunition are to pass across the territory of a Signatory or adherent Power in the occupation of the coast, towards inland territories placed under the sovereignty or protectorate of another Signatory or adherent Power, unless this latter Power have direct access to the sea through its own territory. Nor, if this access be completely interrupted, can the authorization of transit be withheld.

Declaration to be made.

Any demand for transit must be accompanied by a declaration emanating from the Government of the Power having the inland Possessions, and certifying that the said arms and ammunition are not destined for sale, but are for the use of the authorities of such Power, or of the military forces necessary for the protection of the missionary or commercial stations, or of persons mentioned by name in the declaration.

Rights reserved of Territorial Power on the Coast.

Nevertheless, the territorial Power of the coast retains the right to stop, exceptionally and provisionally, the transit of arms of precision and ammunition across its territory, if, in consequence of inland disturbances or other serious danger, there is ground for fearing that the dispatch of arms and ammunition might compromise its own safety.

Information as to Traffic in Fire-arms and Ammunition to be communicated by the Powers to each other.

Art. XI.—The Powers shall communicate to each other information relating to the traffic in fire-arms and ammunition, the licences granted, and the measures of repression in force in their respective territories.

Arms and Ammunition. Penal Laws to be passed on the Subject.

Art. XII.—The Powers undertake to adopt or to propose to their respective Legislatures the measures necessary to insure that those who infringe the prohibitions laid down in Articles VIII and IX, and their accomplices, shall, besides the seizures and confiscation of the prohibited arms and ammunition, be punished either by fine or by imprisonment, or by both penalties together, in proportion to the importance of the offence, and in accordance with the gravity of each case.

*Fire-arms and Ammunition to be prevented from crossing Inland Frontiers of European Possessions into Regions of the Zone.**

Art. XIII.—The Signatory Powers who have Possessions in Africa in contact with the zone specified in Article VIII, bind themselves to take the necessary measures for preventing the introduction of fire-arms and ammunition across their inland frontiers into the regions of the said zone, at least that of improved arms and cartridges.

Duration of System for 12 years, and afterwards from two years to two years, unless revised.

Art. XIV.—The system established under Articles VIII to XIII inclusive shall remain in force for twelve years. In case none of the Contracting Parties shall have notified, twelve months before the expiration of this period, their intention of putting an end to it, nor shall have demanded its revision, it shall continue to remain obligatory for two more years, and shall thus continue in force from two years to two years.

CHAP. II.—CARAVAN ROUTES AND LAND TRANSPORT OF SLAVES.

Watching Routes of Slave-dealers; Stopping and Pursuit of Convoys on the March.

Art. XV.—Independently of the repressive or protective action which they exercise in the centres of the Slave Trade, the stations, cruizers, and posts, the establishment of which is provided for in Article II, and all other stations established or recognized according to the terms of Article IV by each Government in its possessions, will furthermore have the mission of watching, so far as circumstances permit, and in proportion to the progress of their administrative organization, the routes on their territory followed by the slave-dealers, of stopping the convoys on the march, and of pursuing them wherever they can legally take action.

* See General Map of Africa, Map No. 1 in Atlas, or Pouch.

[Brussels Act. African Slave Trade, &c.]

Establishment of Posts near Passage or Terminal Points on the Coast, and at Points of Intersection of Principal Caravan Routes crossing Zone.

Art. XVI.—In the regions of the coast known to serve habitually as places of passage or terminal points for Slave Traffic coming from the interior, as well as at the points of intersection of the principal caravan routes crossing the zone contiguous to the coast already subject to the influence of the Sovereign or Protecting Powers, posts shall be established, under the conditions and with the reservations mentioned in Article III, by the authorities responsible for such territories, with the purpose of intercepting the convoys and liberating the slaves.

Prevention of Sale or Shipment of Slaves, and Stoppage of Man-hunters and Slave-dealers.

Art. XVII.—A strict supervision shall be organized by the local authorities at the ports and in the countries adjacent to the coast, with the view of preventing the sale and shipment of slaves brought from the interior, as well as the formation and departure for the interior of bands of man-hunters and slave-dealers.

Inspection of Caravans.

Caravans arriving at the coast or its vicinity, as well as those arriving in the interior at a locality occupied by the authorities of the territorial Power, shall, on arrival, be submitted to a minute inspection as to the persons composing them.

Individuals may be liberated on certain Conditions.

Any individual ascertained to have been captured or carried off by force or mutilated, either in his native country or on the way, shall be liberated.

Liberated Slaves.

Art. XVIII.—In the Possessions of each of the Contracting Powers the Administration shall have the duty of protecting liberated slaves, of repatriating them if possible, of procuring for them means of subsistence, and in particular of providing for the education and support of abandoned children.

Application of Penal Arrangements.

Art. XIX.—The penal arrangements provided for in Article V (p. 493) shall be made applicable to all crimes or offences committed in the course of operations for the transport of and traffic in slaves on land, whenever proved.

Any person having incurred a penalty in consequence of an offence provided for by the present General Act, shall be under the obligation of providing security before he is allowed to undertake any commercial operation in countries where the Slave Trade is carried on.

CHAP. III.—REPRESSION OF THE SLAVE TRADE BY SEA.

§ 1. *General Provisions.**Repression of the Slave Trade in the Maritime Zone.*

Art. XX.—The Signatory Powers acknowledge the opportuneness of taking steps in common for the more effective repression of the Slave Trade in the maritime zone in which it still exists.

*Definition of Maritime Zone.**

Art. XXI.†—This zone extends, on the one hand, between the coasts of the Indian Ocean (those of the Persian Gulf and of the Red Sea included) from Beloochistan to Point Tangalane (Quilimane), and, on the other hand, a conventional line which first follows the meridian of Tangalane till it meets the 26th degree of south latitude; is then merged in this parallel, then passes round the Island of Madagascar by the east, keeping 20 miles off the east and north shore, till it crosses the meridian of Cape Amber. From this point the limit of the zone is determined by an oblique line which extends to the coast of Beloochistan, passing 20 miles off Cape Ras-el-Had.‡

Right of Search, Visit, and Detention of Vessels at Sea.

Art. XXII.†—The Signatory Powers of the Present General Act, between whom there are special Conventions for the suppression of the Slave Trade, have agreed to restrict to the above-mentioned zone the clauses of these Conventions concerning the reciprocal right of visit, search, and detention (“droit de visite, de recherche, et de saisie”) of vessels at sea. (See also Article XXIII.)

Right Limited to Vessels of less than 500 tons burthen.

Art. XXIII.†—The same Powers have also agreed to limit the above-mentioned right to vessels of less than 500 tons burthen.

Stipulation may be Revised.

This stipulation shall be revised as soon as experience shall have shown the necessity of such revision.

Confirmation of Slave Trade Treaties between Contracting Powers to General Act.

Art. XXIV.—All other provisions of the Conventions concluded between the aforesaid Powers, for the suppression of Slave Trade, remain in force in so far as they are not modified by the present General Act. (See also Article XCVI, p. 516.)

* See also Berlin Act, 26th February, 1885, Art. I, p. 471 (Congo Basin).

† See Protocols. Ratifications, 2nd July, 1891, 2nd January, 1892, 2nd February, 1892, and 30th March, 1892, pp. 520 to 528. French Reservations, p. 524.

‡ See General Map of Africa, Map No. 1 in Atlas, or Pouch.

[Brussels Act. Slave Trade by Sea.]

Fraudulent Use of Flag. Stoppage by Powers of Transport of Slaves on Vessels authorized to use their Flag.

Art. XXV.—The Signatory Powers undertake to adopt effective measures for preventing the usurpation of their flag, and putting a stop to the transport of slaves on vessels authorized to fly their colours.

Rapid Exchange of Information respecting Slave Trade Operations.

Art. XXVI.—The Signatory Powers undertake to adopt all measures necessary for facilitating the rapid exchange of information calculated to bring about the discovery of persons taking part in Slave Trade operations. (See also Article LXXIII, p. 510.)

International Bureau to be established at Zanzibar.

Art. XXVII.—At least one International Bureau shall be created ; it shall be established at Zanzibar. The High Contracting Parties undertake to forward to it all the documents specified in Article XLI (p. 503), as well as information of all kinds likely to assist in the suppression of the Slave Trade.

Freedom of Fugitive Slaves on board Ships of War.

Art. XXVIII.—Any slave who may have taken refuge on board a ship of war flying the flag of one of the Signatory Powers, shall be immediately and definitively freed ; such freedom, however, shall not withdraw him from the competent jurisdiction, if he has committed a crime or offence at common law.

Right of Slaves detained against their will on board a Native Vessel to claim their Liberty.

Art. XXIX.—Every slave detained against his wish on board a native vessel shall have the right to claim his liberty.

His freedom may be declared by any Agent of one of the Signatory Powers on whom the General Act confers the right of ascertaining the status of persons on board such vessels ; such freedom, however, shall not withdraw him from the competent jurisdiction if he has committed a crime or offence at common law.

§ II. *Regulation concerning the Use of the Flag and Supervision by Cruizers.*1. *Rules respecting the Grant of the Flag to Native Vessels ; and respecting Crew Lists and Manifests of Black Passengers.**Supervision over Native Vessels.*

Art. XXX.*—The Signatory Powers undertake to exercise a strict supervision over the native vessels authorized to fly their flag in the zone indicated in Article XXI, and over the commercial operations carried on by such vessels.

* See also Article XLI, p. 503.

[Brussels Act. Slave Trade by Sea.]

Meaning of term "Native Vessel."

Art. XXXI.—The term "native vessel" applies to vessels fulfilling one of the two following conditions :—

1. It must present the outward appearance of native build or rig.
2. It must be manned by a crew of whom the captain and the majority of the seamen belong by origin to a country having a sea-coast on the Indian Ocean, the Red Sea, or the Persian Gulf.

Conditions on which any of the Treaty Powers shall authorize Native Vessels to fly their Flag.

Art. XXXII.—Authority to fly the flag of one of the said Powers shall in future only be granted to such native vessels as shall satisfy all the three following conditions :—

1. Their fitters-out or owners must be either subjects of or persons protected by the Power whose flag they claim to fly.
2. They must furnish proof that they possess real estate situated in the district of the authority to whom their application is addressed, or to supply a solvent security as a guarantee for any fines to which they may eventually become liable.
3. Such fitters-out or owners, as well as the captain of the vessel, must furnish proof that they enjoy a good reputation, and especially that they have never been condemned for acts of Slave Trade.

Authority to be renewed yearly, and may be suspended or withdrawn.

Art. XXXIII.—The authorization, when granted, shall be renewed every year. It can at any time be suspended or withdrawn by the authorities of the Power whose colours the vessel flies.

Other Precautions to be taken.

Art. XXXIV.—The deed of authorization shall bear the indications necessary to establish the identity of the vessel. The captain shall have the custody of it. The name of the native vessel and the indication of its tonnage shall be inlaid and painted in Latin characters on the stern ; and the initial or initials of the name of the port of registry, as well as the registration number in the series of numbers of that port, shall be printed in black on the sails.

Crew List. Provisions.

Art. XXXV.—A crew list shall be issued to the captain of the vessel at the port of departure by the authorities of the Power whose colours it flies. It shall be renewed each time the vessel is fitted out, or, at latest, at the end of a year, and in conformity with the following provisions :—

1. The list shall be *visé* at the moment of departure by the authority who has issued it.
2. No negro can be engaged as a seaman on a vessel without having been previously questioned by the authority of the Power whose colours

[Brussels Act. Slave Trade by Sea.]

it flies, or, failing such authority, by the territorial authority, with a view to establish that he has contracted a free engagement.

3. Such authority shall see that the proportion of seamen and boys is not out of proportion to the tonnage or rig of the vessels.

4. The authority who shall have interrogated the men before their departure shall inscribe them on the crew list, in which they shall be mentioned, with a short description of each of them against his name.

5. In order the more effectively to prevent any substitution, the seamen may, moreover, be provided with a distinctive mark. (See also Article XXXIX, p. 503.)

Embarkation of Negro Passengers.

Art. XXXVI.—If the captain of a vessel should desire to embark negro passengers, he shall make declaration thereof to the authority of the Power whose colours he flies, or, failing such authority, to the territorial authority. The passengers shall be interrogated, and after it has been ascertained that they embark of their own free will, they shall be inscribed in a special manifest, bearing the description of each of them against the name, and indicating especially sex and height. Negro children shall not be admitted as passengers unless they are accompanied by their relations, or by persons whose respectability is well known. On departure the passenger manifest shall be *visé* by the aforesaid authority after it has been called over. If there are no passengers on board, this shall be specially mentioned on the crew list. (See also Article XXXIX, p. 503.)

Negro Passengers. Forms to be observed by the Captain of a Vessel on arrival at any Port of Call or Destination.

Art. XXXVII.—On arrival at any port of call or of destination, the captain of the vessel shall show to the authority of the Power whose flag he flies, or, failing such authority, to the territorial authority, the crew list, and, if need be, the passenger manifests previously delivered. Such authority shall check the passengers arrived at their destination or stopping at a port of call, and shall mention their landing in the manifest. On departure the said authority shall affix a fresh *visa* to the list and to the manifest, and shall call over the passengers. (See also Article XXXIX, p. 503.)

Landing of Negro Passengers.

Art. XXXVIII.—On the African coast and on the adjacent islands no negro passenger shall be shipped on board a native vessel, except in localities where there is a resident authority belonging to one of the Signatory Powers.

Throughout the zone mentioned in Article XXI no negro passenger shall be landed from a native vessel, except at a place in which there is a resident authority belonging to one of the High Contracting Powers, and unless such authority is present at the landing.

Case of *force majeure* which may have caused an infraction of these provisions shall be examined by the authority of the Power whose colours the vessel flies, or, failing such authority, by the territorial authority of the port at which the inculpated vessel puts in. (See also Article XXXIX.)

Exceptions to the above :—

Partially decked Vessels with not more than 10 Men.

Art. XXXIX.—The provisions of Articles XXXV, XXXVI, XXXVII, and XXXVIII are not applicable to vessels only partially decked, having a maximum crew of 10 men, and satisfying one of the two following conditions :—

Fishing Vessels. Territorial Waters.

1. That it is exclusively employed in fishing within territorial waters.

Small Coasting Traders.

2. That it is occupied in the small coasting trade between different ports of the same territorial Powers and never goes further than 5 miles from the coast.

*Special Licences to be granted.**

These different boats shall receive, according to circumstances, from the territorial or Consular authority, a special licence, renewable every year, and revocable under the conditions provided for in Article XL, and the uniform model of which, annexed to the present General Act, shall be communicated to the International Information Office.

Licences to be withdrawn in certain Cases.

Art. XL.—All acts or attempted acts of slave trade legally brought home to the captain, fitter-out, or owner of a vessel authorized to fly the flag of one of the Signatory Powers, or holding the licence provided for in Article XXXIX, shall entail the immediate withdrawal of the said authorization or licence.

Penalties for Offences.

All offences against the provisions of Section 2 of Chapter III shall in addition be punished by the penalties enacted by special Laws and Ordinances of each of the Contracting Powers.

Forms of Documents to be deposited at International Information Office.

Art. XLI.—The Signatory Powers undertake to deposit at the International Information Office specimen forms of the following documents :—

1. Licences to fly the flag ;
2. Crew list ;
3. Manifest of negro passengers.

* See p. 517.

These documents, the tenour of which may vary according to the different Regulations of each country, shall compulsorily contain the following particulars, drawn up in an European language :—

Authorization to fly the Flag.

1. As regards the authorization to fly the flag :
 - (a.) The name, tonnage, rig, and principal dimensions of the vessel ;
 - (b.) The register number and the signal letter of the port of registry ;
 - (c.) The date of obtaining the licence, and the office held by the person who has issued it.

The Crew List.

2. As regards the crew list :
 - (a.) The name of the vessel, of the captain, and of the fitter-out or owner ;
 - (b.) The tonnage of the vessel ;
 - (c.) The register number and the port of registry of the vessel, its destination, and the particulars specified in Article XXV.

Manifest of Negro Passengers.

3. As regards the manifest of negro passengers :

The name of the vessel which conveys them, and the particulars indicated in Article XXXVI for the proper identification of the passengers.

The Signatory Powers shall take the necessary measures in order that the territorial authorities or their Consuls may send to the said office certified copies of all authorizations to fly their flag, as soon as such authorizations shall have been granted, as well as notice of the withdrawal of any such authorization.

The provisions of the present Article only concern the papers intended for native vessels.

2. *Detention of Suspected Vessels.*

Verification of Ship's Papers of Suspected Vessels.

Art. XLII.*—When the officers in command of vessels of war of any of the Signatory Powers have reason to believe that a vessel of less than 500 tons burthen, found in the above-mentioned zone, is engaged in the Slave Trade, or is guilty of the fraudulent use of a flag, they may proceed to the verification of the ship's papers.

Jurisdiction in Territorial Waters.

The present Article does not imply any change in the present state of things as regards jurisdiction in territorial waters.

* See Protocols. Ratifications, 2nd July, 1891, 2nd January, 1892, 2nd February, 1892, and 30th March, 1892, pp. 520 to 528. French Reservations, p. 524.

[Brussels Act. Slave Trade by Sea.]

Conduct of Naval Officer on board Suspected Vessel.

Art. XLIII.*—With this object, a boat, commanded by a naval officer in uniform, may be sent on board the suspected vessel after it has been hailed to give notice of such intention.

The officer sent on board the vessel detained shall act with all possible consideration and moderation.

Verification of Ship's Papers. Examination of Documents.

Art. XLIV.*—The verification of the ship's papers shall consist in the examination of the following documents:—

1. As regards native vessels, the papers mentioned in Article XLI.

2. As regards other vessels, the documents required by the different Treaties or Conventions remaining in force.

The verification of the ship's papers only authorizes the muster of the crew and passengers in the cases and under the conditions provided for in the following Article.

Investigation of the Cargo or Search.

Art. XLV.*—Investigation of the cargo or search can only take place with respect to a vessel navigating under the flag of one of the Powers which have concluded, or may conclude, special Conventions as mentioned in Article XXII, and in accordance with the provisions of such Conventions.

Detained Vessels. Forms to be observed.

Art. XLVI.*—Before quitting the detained vessel, the officer shall draw up a Minute according to the forms and in the language of the country to which he belongs.

This Minute shall be dated and signed by the officer, and shall relate the facts.

The captain of the detained vessel, as well as the witnesses, shall have the right to cause to be added to the Minute any explanations they may think expedient.

Detained Vessels. Report to be made to Government.

Art. XLVII.*—The Commander of a man-of-war who may have detained a vessel under a foreign flag shall in all cases make a Report thereon to his own Government, and state the grounds upon which he acted.

Detained Vessels. Copy of Report to be sent to International Information Office.

Art. XLVIII.*—A summary of this Report, as well as a copy of, the Minute drawn up by the officer sent on board the detained vessel, shall be sent as soon as possible to the International Information Office which shall communicate the same to the nearest Consular or territorial

* See Protocols. Ratifications, 2nd July, 1891, 2nd January, 1892, 2nd February, 1892, and 30th March, 1892, pp. 520 to 528. French Reservations, p. 524.

authority of the Power whose flag was used by the vessel in question. Duplicates of these documents shall be kept in the archives of the office.

Vessels detained on Suspicion. Where to be taken to.

Art. XLIX.*—If, in carrying out the supervision provided for in the preceding Articles, the officer in command of the cruiser is convinced that an act of Slave Trade has been committed on board during the passage, or that irrefutable proofs exist against the captain, or fitter-out, to justify a charge of fraudulent use of the flag, of fraud, or of participation in the Slave Trade, he shall take the detained vessel to the nearest port of the zone where there is a competent authority of the Power whose flag has been used.

Appointment in Zone of territorial or Consular Authorities or Delegates.

Each Signatory Power undertakes to appoint in the zone territorial or Consular authorities, or Special Delegates competent to act in the above-mentioned cases; and to notify such appointments to the International Information Office.

Suspected Vessels to be handed over to Cruiser of their own Nation.

The suspected vessel can also be handed over to a cruiser of its own nation, if the latter consents to take charge of it.

3. *Examination and Trial of Vessels seized.*

Investigation by Competent Authority.

Art. L.*—The authority referred to in the preceding Article, to whom the detained vessel has been handed over shall proceed to make a full investigation, according to the laws and rules of his country, in the presence of an officer belonging to the foreign cruiser.

Fraudulent Use of Flag.

Art. LI.*—If it is proved by the inquiry that the flag has been fraudulently used, the detained vessel shall remain at the disposal of its captor.

Slaves on board for Sale or other Slave Trade Offence.

Art. LII.*—If the examination shows an act of Slave Trade, made clear by the presence on board of slaves destined for sale, or by any other Slave Trade offence provided for by special Convention, the vessel and cargo shall remain sequestered in charge of the authority who has directed the inquiry.

Disposal of Captain, Crew, and Slaves.

The captain and crew shall be handed over to the Tribunals fixed by Articles LIV and LVI. The slaves shall be set at liberty as soon as judgment has been delivered.

* See Protocols. Ratifications, 2nd July, 1891, 2nd January, 1892, 2nd February, 1892, and 30th March, 1892, pp. 520 to 528. French Reservations, p. 524.

Liberated Slaves.

In the cases provided for by this Article, liberated slaves shall be disposed of in accordance with the special Conventions concluded, or which may be concluded, between the Signatory Powers. In default of such Conventions, the said slaves may be handed over to the local authority to be sent back, if possible, to their country of origin ; if not, such authority shall help them so far as possible to obtain means of subsistence, and, if they desire it, to settle on the spot.

Vessel illegally detained.

Art. LIII.*—If it should be proved by the inquiry that the vessel has been illegally detained, a right will accrue to an indemnity in proportion to the damages suffered by the vessel being taken out of its course. The amount of this indemnity shall be fixed by the authority which has directed the inquiry.

Appeal to Tribunals.

Art. LIV.*—In case the officer of the capturing vessel should not accept the conclusions of the inquiry carried on in his presence the matter shall, as a matter of course, be handed over to the Tribunal of the nation under whose flag the captured vessel sailed.

No exception shall be made to this rule unless the disagreement arises in respect of the amount of the indemnity provided for in Article LIII, when it shall be fixed by arbitration, as specified in the following Article.

Appointment of Arbitrators and Umpire.

Art. LV.*—The capturing officer and the authority which has directed the inquiry, shall each appoint an Arbitrator within 48 hours ; and the two Arbitrators shall have 24 hours to choose an Umpire. The Arbitrators shall, as far as possible, be chosen from among the Diplomatic, Consular, or Judicial officers of the Signatory Powers. Natives in the pay of the Contracting Governments are formally excluded. The decision shall be taken by majority of votes, and shall be considered final. If the Court of Arbitration is not constituted within the time indicated, the procedure in respect of indemnity and damages shall be in accordance with the provisions of Article LVIII, paragraph 2.

Tribunal to be referred to of Nation whose Colours have been used.

Art. LVI.*—Cases shall be referred with the least possible delay to the Tribunal of the nation whose colours have been used by the accused. Nevertheless, Consuls or any other authority of the same nation as the accused specially commissioned to that effect may be authorized by their Government to deliver judgment instead and in the place of the Tribunals.

* See Protocols. Ratifications, 2nd July, 1891, 2nd January, 1892, 2nd February, 1892, and 30th March, 1892, pp. 520 to 528. French Reservations, p. 524.

[Brussels Act. Slave Trade by Sea.]

Procedure and Judgment.

Art. LVII.*—The procedure and judgment in regard to offences against the provisions of Chapter III shall always take place in as summary a manner as is permitted by the Laws and Regulations in force in the territories subject to the authority of the Signatory Powers.

Execution of Judgments.

Art. LVIII.*—Any judgment of the national Tribunal or of the authorities referred to in Article LVI, declaring that the detained vessel did not carry on Slave Trade shall be immediately executed, and the vessel shall be entirely free to continue its course.

In such cases the captain or fitter-out of a vessel detained without legitimate ground of suspicion, or which has been subjected to annoyance, shall have the right of claiming damages, the amount of which shall be fixed by agreement between the Governments directly interested, or by arbitration, and shall be paid within a period of six months from the date of the judgment acquitting the captured vessel.

Condemnation of Vessel. Lawful Prize.

Art. LIX.*—In case of condemnation, the sequestered vessel shall be declared a lawful prize for the benefit of the captor.

Punishment of Captain, Crew, and others.

The captain, crew, and all other persons found guilty shall be punished according to the gravity of the crimes or offences committed by them, and in accordance with Article V.

Special and other Tribunals.

Art. LX.*—The provisions of Articles L to LIX do not affect in any way the jurisdiction or procedure of existing special Tribunals, or of those which may hereafter be formed to take cognizance of Slave Trade offences.

Instructions to Naval Commanders.

Art. LXI.*—The High Contracting Parties undertake to make known to each other reciprocally the instructions which they may give to the commanders of their men-of-war navigating the seas of the zone referred to, for carrying out the provisions of Chapter III.

CHAP. IV.—COUNTRIES TO WHICH SLAVES ARE SENT, THE INSTITUTIONS OF WHICH RECOGNIZE THE EXISTENCE OF DOMESTIC SLAVERY.

Importation, Transit, and Exit, and Traffic in Slaves to be prohibited.

Art. LXII.—The Contracting Powers whose institutions recognize the existence of domestic slavery, and whose Possessions, whether in

* See Protocols. Ratifications, 2nd July, 1891, 2nd January, 1892, 2nd February, 1892, and 30th March, 1892, pp. 520 to 528. French Reservations, p. 524.

or out of Africa, consequently serve, in spite of the vigilance of the authorities, as places of destination for African slaves, engage to prohibit the importation, transit, and exit, as well as traffic in slaves. They shall organize the most active and the strictest supervision at all places where the arrival, transit, or exit of African slaves takes place.

Liberated Slaves.

Art. LXIII.—Slaves liberated under the provisions of the preceding Article shall, if circumstances permit, be sent back to the country from whence they came. In all cases they shall receive letters of freedom from the competent authorities, and shall be entitled to their protection and assistance for the purpose of obtaining means of subsistence.

Fugitive Slaves.

Art. LXIV.—Every fugitive slave arriving at the frontier of any of the Powers mentioned in Article LXII shall be considered free, and shall have the right to claim letters of freedom from the competent authorities.

Sales, &c., null and void.

Art. LXV.—Any sale or transaction to which the slaves referred to in Articles LXIII and LXIV may have been subjected through circumstances of any kind whatsoever shall be considered as null and void.

Slaves on board Native Vessels.

Art. LXVI.—Native vessels flying the flag of one of the countries mentioned in Article LXII, if there is any indication that they are employed in Slave Trade operations, shall be subjected by the local authorities in the ports they frequent to a strict verification of their crew and passengers, both on arrival and departure. Should African slaves be on board, judicial proceedings shall be taken against the vessel and against all persons who may be implicated. Slaves found on board shall receive letters of freedom through the authorities who effected the seizure of the vessels.

Penal Provisions.

Art. LXVII.—Penal provisions in harmony with those provided for by Article V shall be issued against persons importing, transporting, and trading in African slaves, against the mutilators of children or of male adults, and those who traffic in them, as well as against their associates and accomplices.

Ottoman Law against Negro Slave Trade.

Art. LXVIII.—The Signatory Powers recognize the great importance of the Law respecting the prohibition of the Negro Slave Trade sanctioned by His Majesty the Emperor of the Ottomans on the 4th (16th) December, 1889 (22 Rebi-ul-Akhir, 1307),* and they

* See Turkey, p. 1197.

are assured that an active supervision will be organized by the Ottoman authorities, especially on the west coast of Arabia and on the routes which place this coast in communication with the other possessions of His Imperial Majesty in Asia.

Persian Supervision in its Territorial Waters, Inland Routes, &c.

Art. LXXIX.—His Majesty the Shah of Persia consents to organize an active supervision in the territorial waters, and on those portions of the coast of the Persian Gulf and Gulf of Oman which are under his sovereignty, and over the inland routes which serve for the transport of slaves. The Magistrates and other authorities shall receive the necessary powers for this purpose.

Steps to be taken by Sultan of Zanzibar.

Art. LXX.—His Highness the Sultan of Zanzibar consents to give his most effective support for the repression of crimes and offences committed by traders in African slaves on land as well as at sea. The Tribunals created for this purpose in the Sultanate of Zanzibar shall strictly apply to the penal provisions mentioned in Article V.

Establishment of a Liberation Office in Zanzibar.

In order the better to ensure the freedom of liberated slaves, both in virtue of the provisions of the present General Act and of the Decrees issued in this matter by His Highness and his predecessors, a Liberation Office shall be established at Zanzibar.

Diplomatic, Consular, and Naval Assistance to Local Authorities.

Art. LXXI.—Diplomatic and Consular Agents and naval officers of the Contracting Powers shall, within the limits of existing Conventions, give their assistance to the local authorities in order to assist in repressing the Slave Trade where it still exists.

Presence at Slave trading Trials.

They shall be entitled to be present at trials for slave trading brought about at their instance, without, however, being entitled to take part in the deliberations.

Liberation Offices.

Art. LXXII.—Liberation offices, or institutions in lieu thereof, shall be organized by the Administrations of the countries to which African slaves are sent, for the purposes specified in Article XVIII.

Periodical Exchange of Statistical Data.

Art. LXXIII.—The Signatory Powers having undertaken to communicate to each other all information useful for the repression of the Slave Trade,* the Governments whom the present Chapter concerns

* See Article XXVI, p. 500.

[Brussels Act. Slave Trade by Sea.]

shall periodically exchange with the other Governments statistical data relating to slaves detained and liberated, as well as the legislative and administrative measures taken for suppressing the Slave Trade.

CHAP. V.—INSTITUTIONS INTENDED TO INSURE THE EXECUTION OF
THE GENERAL ACT.

§ I. *The International Maritime Office.*

Institution at Zanzibar. Representatives.

Art. LXXIV.—In accordance with the provisions of Article XXVII, an International Office is instituted at Zanzibar, in which each of the Signatory Powers may be represented by a Delegate.

Constitution. Regulations.

Art. LXXV.—The Office shall be constituted as soon as three Powers have appointed their Representatives.

It shall draw up Regulations fixing the mode of exercising its functions. These Regulations shall immediately be submitted for the approval of those Signatory Powers who shall have notified their intention of being represented in the Office, and who shall come to a decision with regard to them with the least possible delay.

Expenses.

Art. LXXVI.—The expenses of this institution shall be divided in equal parts among the Signatory Powers mentioned in the preceding Article.

Object. Centralization of Documents and Information. Repression of the Slave Trade in the Maritime Zone.

Art. LXXVII.—The object of the Office at Zanzibar shall be to centralize all documents and information of a nature to facilitate the repression of the Slave Trade in the maritime zone. For this purpose the Signatory Powers undertake to forward to it within the shortest possible time :—

1. The documents specified in Article XLI.
2. Summaries of the Reports and copies of the Minutes referred to in Article XLVIII.
3. The list of territorial or Consular authorities and Special Delegates competent to take action as regards detained vessels, according to the terms of Article XLIX.
4. Copies of Judgments and Decrees of Condemnation delivered in accordance with Article XVIII.
5. All information likely to lead to the discovery of persons engaged in the Slave Trade in the above-mentioned zone.

Archives accessible to Naval Officers and others.

Art. LXXVIII.—The archives of the Office shall always be open to naval officers of the Signatory Powers authorized to act within the

limits of the zone defined in Article XXI as well as to the territorial or judicial authorities, and to Consuls specially appointed by their Governments.

Translations of Documents.

The Office shall supply to foreign officers and agents authorized to consult its archives translations in a European language of documents written in an Oriental language. It shall make the communications provided for in Article XLVIII.

Auxiliary Offices.

Art. LXXIX.—Auxiliary Offices in communication with the Office at Zanzibar may be established in certain parts of the zone, on agreement beforehand between the interested Powers.

They shall be composed of Delegates of such Powers, and established in conformity with Articles LXXV, LXXVI, and LXXVIII.

Documents and Information, where to be forwarded.

The documents and information specified in Article LXXVII, so far as they relate to the part of the zone specially concerned, shall be sent to them direct by the territorial and Consular authorities of the region in question, without prejudice to the communication to the Zanzibar Office provided for by the same Article.

Annual Reports to be prepared.

Art. LXXX.—The Office at Zanzibar shall draw up within the two first months of every year, a Report upon its own operations, and those of the auxiliary Offices, during the past year.

§ II. *Exchange between the respective Governments of Documents and Information relating to the Slave Trade.**

International Communications.

Art. LXXXI.—The Powers shall communicate to each other to the fullest extent, and with the least delay which they shall consider possible—

Laws and Regulations.

1. The text of the Laws and administrative Regulations, whether already existing, or enacted in application of the clauses of the present General Act.

Statistical Information.

2. Statistical information concerning the Slave Trade, slaves detained and liberated, and the traffic in arms, ammunition, and spirituous liquors.

* See “ Documents relatifs à la répression de la Traite des Esclaves, publiés en exécution des Article LXXXI, et suivans de l’Acte Général de Bruxelles, 1892,” issued by the Brussels Office, respecting the Slave Trade at Zanzibar. A copy of the volume containing these documents was placed in the Library of each House of Parliament.

[Brussels Act. Slave Trade by Sea.]

Central Office at Brussels.

Art. LXXXII.—The exchange of these documents and information shall be centralized in a special office attached to the Foreign Office in Brussels.

Information to be supplied by Office at Zanzibar.

Art. LXXXIII.—The Office at Zanzibar shall forward to it every year the report mentioned in Article LXXX upon its operations during the past year, and upon those of the auxiliary offices which may have been established in accordance with Article LXXIX.

Information to be published and communicated to the Powers.

Art. LXXXIV.—The documents and information shall be collected and published, periodically, and addressed to all the Signatory Powers. This publication shall be accompanied every year by an analytical table of the legislative, administrative, and statistical documents mentioned in Articles LXXXI and LXXXIII.

Expenses to be shared by Signatory Powers.

Art. LXXXV.—The office expenses and the expenditure incurred for correspondence, translation, and printing shall be shared by all the Signatory Powers, and shall be recovered through the Foreign Office at Brussels.

§ III. *Protection of Liberated Slaves.**Establishment of Offices or Institutions.*

Art. LXXXVI.—The Signatory Powers, having recognized the duty of protecting liberated slaves in their respective possessions, undertake to establish, if they should not already exist in the ports of the zone determined by Article XXI and in such parts of their said Possessions as may be places for the capture, passage, and arrival of African slaves, as many Offices or institutions as they may deem sufficient, the business of which will specially consist in freeing and protecting the slaves in accordance with the provisions of Articles VI, XVIII, LII, LXIII, and LXVI.

Letters of Freedom. Registers.

Art. LXXXVII.—Such Offices, or the authorities charged with this service, shall deliver letters of freedom, and keep a register thereof.

Liberation of Slaves and Punishment of Offenders.

On receiving notice of an act of Slave Trade or of illegal detention, or at the instance of the slaves themselves, the said Offices or authorities shall exercise all necessary diligence to insure the liberation of the slaves and the punishment of the offenders.

[Brussels Act. Traffic in Spirituous Liquors.]

Legal Procedure against Slaves accused of Crime.

The delivery of letters of freedom should in no case be delayed if the slave be accused of a crime or offence against common law. But after the delivery of the said letters, the ordinary legal procedure shall take its course.

Refuges for Women. Education of Children.

Art. LXXXVIII.—The Signatory Power shall encourage the foundation in their Possessions of establishments of refuge for women and of education for liberated children.

Access of Free Slaves to Offices.

Art. LXXXIX.—Freed slaves shall always be able to resort to the Offices to be protected in the enjoyment of their liberty.

Punishment for depriving Liberated Slaves of their Letters of Freedom or of their Liberty.

Whoever shall have used fraud or violence to deprive a liberated slave of his letters of freedom or of his liberty shall be considered as a slave-dealer.

CHAP. VI.—RESTRICTIVE MEASURES CONCERNING THE TRAFFIC IN SPIRITUOUS LIQUORS.

Zone within which Articles of Act respecting Spirituous Liquors shall apply.

Art. XC.—Justly anxious respecting the moral and material consequences which the abuse of spirituous liquors entails on the native populations the Signatory Powers have agreed to apply the provisions of Articles XCI, XCII, and XCIII within a zone extending from the 20th degree north latitude to the 22nd degree south latitude, and bounded by the Atlantic Ocean on the west, and on the east by the Indian Ocean and its dependencies comprising the islands adjacent to the shore up to 100 marine miles from the coast.* (See also Art. VIII.)

Importation of Distilled Liquors prohibited.

Art. XCI.†—In the regions of this zone where it shall be ascertained that, either on account of religious belief or from other motives, the use of distilled liquors does not exist or has not been developed, the Powers shall prohibit their importation.

Manufacture of Distilled Liquors to be also prohibited.

The manufacture therein of distilled liquors shall equally be prohibited.

* See General Map of Africa, Map No. 1 in Atlas, or Pouch.

† See Notification of 18th June, 1892, respecting Witu, &c., Nyassaland, and Niger Protectorate, p. 364.

[Brussels Act. Traffic in Spirituous Liquors.]

Limits of Zones to be notified to the Powers.

Each Power shall determine the limits of the zone of prohibition of alcoholic liquors in its Possessions or Protectorates, and shall be bound to notify the limits thereof to the other Powers within the space of six months.

Cases in which Prohibition can be suspended.

The above prohibition can only be suspended in the case of limited quantities destined for the consumption of the non-native population, and imported under the system and conditions determined by each Government.

Import Duties on Spirituous Liquors to be Levied by neighbouring States.

Art. XCII.—The Powers having Possessions or exercising Protectorates in the regions of the zone which are not placed under the system of prohibition, and into which spirituous liquors are at present either freely imported or pay an import duty of less than 15 fr. per hectolitre up to 50 degrees centigrade, undertake to levy on these spirituous liquors an import duty of 15 fr. per hectolitre up to 50 degrees centigrade for the three years next after the present General Act comes into force. At the expiration of this period the duty may be increased to 25 fr. for a fresh period of three years. At the end of the sixth year it shall be submitted to revision, taking as a basis the average results produced by these Tariffs, for the purpose of then fixing, if possible, a minimum duty throughout the whole extent of the zone where the system of prohibition referred to in Article XCI should not be in force.*

The Powers retain the right of maintaining and increasing the duties beyond the minimum fixed by the present article in those regions where they already possess that right.

Art. XCIII.—Distilled liquors manufactured in the regions referred to in Article XCII, and intended for inland consumption, shall be subject to an excise duty.

This excise duty, the collection of which the Powers undertake to insure as far as possible, shall not be lower than the minimum import duty fixed by Art. XCII.

Art. XCIV.—The Signatory Powers which have possessions in Africa contiguous to the zone specified in Article XC undertake to adopt the necessary measures for preventing the introduction of spirituous liquors into the territories of the said zone across their inland frontiers.

Art. XCV.—The Powers shall communicate to each other, through the Office at Brussels, and according to the terms of Chap. V, information relating to the traffic in spirituous liquors within their respective territories.

* See Convention signed at Brussels on the 8th June, 1899, p. 528.

CHAP. VII.—FINAL PROVISIONS.

Repeal of all Stipulations of Conventions opposed to this Act.

Art. XCVI.—The present General Act repeals all contrary stipulations of Conventions previously concluded between the Signatory Powers. (See also Art. XXIV, p. 499.)

Modifications or Improvement of Act.

Art. XCVII.—The Signatory Powers, without prejudice to the stipulations contained in Articles XIV, XXIII, and XCII, reserve the right of introducing into the present General Act later on, and by common agreement, such modifications or improvements as experience may prove to be useful.

*Permission to other Powers to accede, subject to Conditions.**

Art. XCVIII.—Powers who have not signed the present General Act shall be allowed to adhere to it.

The Signatory Powers reserve the right to impose the conditions which they may deem necessary on such adhesion.

If no conditions should be stipulated, adhesion implies full acceptance of all the obligations and full admission to all the advantages stipulated by the present General Act.

The Powers shall concert among themselves as to the steps to be taken to procure the adhesion of States whose co-operation may be necessary or useful in order to insure the complete execution of the General Act.

Adhesion shall be effected by a separate Act. It shall be notified through the Diplomatic channel to the Government of His Majesty the King of the Belgians, and by that Government to all the Signatory and adherent States.

Ratifications.†

Art. XCIX.—The present General Act shall be ratified within a period which shall be as short as possible, and which shall not in any case exceed one year.

Each Power shall address its ratifications to the Government of His Majesty the King of the Belgians, which shall give notice thereof to all the other Signatory Powers of the present General Act.

The ratifications of all the Powers shall remain deposited in the archives of the Kingdom of Belgium.

As soon as all the ratifications have been produced, or at latest one year after the signature of the present General Act, their deposit shall be recorded in a Protocol which shall be signed by the representatives of all the Powers which have ratified.

A certified copy of this Protocol shall be forwarded to all the Powers interested.

* See footnote, p. 488.

† See Protocols. Ratifications, 2nd July, 1891; 2nd January, 1892; 2nd February, 1892, and 30th March, 1892, pp. 520 to 528. French Reservations, p. 524.

[Brussels Act. Import Duties.]

Commencement of Act.

Art. C.—The present General Act shall come into force in all the Possessions of the Contracting Powers on the 60th day after the date of the Protocol of Deposit provided for in the preceding Article.*

In witness whereof the respective Plenipotentiaries have signed the present General Act, and have thereto affixed their seals.

Done at Brussels the 2nd day of the month of July, 1890.

[Here follow the Signatures.]

Coasting Trade.

Annex to Article XXXIX.

Form of Licence to ply the Coasting Trade on the East Coast of Africa, in conformity with Article XXXIX, p. 503.

DECLARATION *respecting Import Duties.* 2nd July, 1890.

The Powers assembled in Conference at Brussels, who have ratified the General Act of Berlin of the 26th February, 1885 (**No. 128**), or who have acceded thereto,

After having drawn up and signed in concert, in the General Act of this day, a collection of measures intended to put an end to the Negro Slave Trade by land as well as by sea, and to improve the moral and material conditions of existence of the native races,

Taking into consideration that the execution of the provisions which they have adopted with this object imposes on some of them who have Possessions or Protectorates in the conventional basin of the Congo obligations which absolutely demand new resources to meet them.

Have agreed to make the following Declaration :—

Duties on Imports not to exceed 10 per cent. ad valorem.†

The Signatory or adhering Powers who have Possessions or Protectorates in the said conventional basin of the Congo are authorized, so far as they require any authority for the purpose, to establish therein duties upon imported goods, the scale of which shall not exceed a rate equivalent to 10 per cent. *ad valorem* at the port of entry.

Spirituous Liquors excepted.

Always excepting spirituou liquors, which are regulated by the provisions of Chapter VI of the General Act of this day (Articles XC—XCV, pp. 514, 515).

After the signature of the said General Act, negotiations shall be opened between the Powers who have ratified the General Act of Berlin or who have adhered to it, in order to draw up, within the maximum

* Came into force April 2, 1892.

† See Agreement, 22nd December, 1890, p. 518; and British Notification to Treaty Powers, respecting Zanzibar, 22nd June, 1892, p. 312.

[Tariff. Eastern Zone. Congo Basin.]

limit of 10 per cent. *ad valorem*, the conditions of the Customs system to be established in the conventional basin of the Congo :—

Nevertheless, it is understood :—

No Differential Treatment or Transit Duties to be established.

1. That no differential treatment or transit duty shall be established ;

Customs Formalities.

2. That in applying the Customs system which may be agreed, each Power will undertake to simplify formalities as much as possible, and to facilitate trade operations ;

Duration of Arrangement for 15 Years.

3. That the arrangement resulting from the proposed negotiations shall remain in force for 15 years from the signature of the present Declaration.*

Position of Affairs at Expiration of that Period.

At the expiration of this period, and failing a fresh Agreement, the Contracting Powers shall return to the conditions provided for by Article IV of the General Act of Berlin† (**No. 128**), retaining the power of imposing duties up to a maximum of 10 per cent. upon goods imported into the conventional basin of the Congo.

Ratifications.

The ratifications of the present Declaration shall be exchanged at the same time as those of the General Act of this day.

In witness whereof the undersigned Plenipotentiaries have drawn up the present Declaration, and have affixed thereto their seals.

Done at Brussels, the 2nd day of the month of July, 1890.

[Here follow the Signatures.]

No. 131.—*AGREEMENT between the Delegates of Great Britain, Germany, and Italy, respecting the Tariff of the Eastern Zone of the Conventional Basin of the Congo. Signed at Brussels, 22nd December, 1890.*

(Translation.)

THE Undersigned, Sir John Kirk and Mr. M. Gosselin, Delegates of Great Britain ; M. le Comte d'Alvensleben and M. W. Göhring, Delegates of Germany ; M. le Baron de Renzis and M. A. Bardi, Delegates of Italy, duly authorized to that effect by their respective Governments. in accordance with the provisions of the Declaration signed at Brussels the 2nd July, 1890 (p. 517), as well as of the General Act of the Conference of the same date (**No. 130**), have agreed to

* Till 2nd July, 1905.

† Page 472.

[Tariff. Eastern Zone. Congo Basin.]

modify in the following manner, within the limits of the eastern zone of the conventional basin of the Congo, Article IV of the General Act of the Berlin Conference of 1885 (**No. 128**), in accordance with the conditions specified in the said Declaration :—

1. Great Britain, Germany, and Italy, in the territories under their influence situated in the eastern zone of the conventional basin of the Congo, and which are subject to Article IV of the General Act of Berlin (**No. 128**, p. 472), shall have the right to levy duties on goods imported into such territories either by land or by water, in accordance with the Customs Regulations actually in force under the Treaties with Zanzibar, which provide for an import duty of 5 per cent. *ad valorem*.*

Arms and Ammunition.

2. Arms and ammunition introduced in accordance with the special provisions of the General Act of Brussels (**No. 130**) may, however, be charged with the import duty, not exceeding the rate of 10 per cent. *ad valorem*, provided that the Treaties containing contrary stipulations are modified, and that circumstances permit of it.

Import Duty on Alcohols.

3. The import duty to be levied on alcohols shall be regulated in accordance with the provisions of Chapter VI of the General Act of Brussels.

Certain Goods to be Admitted Free of Duty.

4. The following goods shall be admitted free of duty, viz. : agricultural machines and instruments, as well as all materials intended for the construction and maintenance of roads, tramways, and railways, and, generally speaking, all means of transport.

Duration of Agreement.

5. The present Agreement shall come into force at the same time as the Acts signed at Brussels the 2nd July, 1890 (**No. 130**). It shall remain in force for a period of five years, and continue in operation for five more years, and so on for periods of five years, unless one or other of the three Powers demands its revision six months before the expiration of the quinquennial period.†

In witness whereof the Undersigned Delegates have drawn up the present Act.

Done at Brussels, the 22nd day of the month of December, 1890.

JOHN KIRK.
MARTIN GOSSELIN.
ALVENSLEBEN.
GÖHRING.
F. DE RENZIS.
A. BARDI.

* See also British Notification to Treaty Powers respecting Zanzibar of 22nd June, 1892, p. 312.

† See Note, p. 520.

[Brussels Act. Ratifications.]

Note.—The British Government, by Notes addressed to the German Government, 13th September, 1901, and the Italian Government, 24th September, 1901, signified its desire for the revision of the Agreement of the 22nd December, 1890, the object of giving such notice being that the Agreement might not be considered as tacitly prolonged upon the expiration of its second quinquennial period. By this means the British Protectorates in the Congo Basin (East Africa Protectorate, Uganda, and Zanzibar) were brought under the Customs arrangements of the Brussels Act (**No. 130**) and its accompanying Declaration (2nd July, 1890, p. 517).

No. 132.—*PROTOCOL of a Meeting held at the Foreign Office at Brussels, respecting the Ratifications of the General Act of the Brussels Conference. 2nd July, 1891.*

(Translation.)

Present :

[Here appear the names of the Representatives.]

Ratifications.

THE Undersigned met at the Foreign Office at Brussels, in order to proceed to the execution of Article XCIX of the General Act of the Brussels Conference (**No. 130**).

Production, Examination, and Deposit of Ratifications of certain Powers. (Germany, Belgium, Denmark, Spain, Congo, Great Britain, Italy, Netherlands, Persia, Sweden and Norway, and Zanzibar.)

Baron Lambertmont, one of the Representatives of Belgium, read the said Article and the penultimate paragraph of the Declaration. He announced to the meeting that the Government of His Majesty the King of the Belgians had received the ratifications of His Majesty the Emperor of Germany King of Prussia ; of His Majesty the King of the Belgians ; of His Majesty the King of Denmark ; of His Majesty the King of Spain, and in his name of Her Majesty the Queen-Regent ; of His Majesty the Sovereign of the Independent State of the Congo ; of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India ; of His Majesty the King of Italy ; of Her Majesty the Queen of the Netherlands, and in her name Her Majesty the Queen-Regent ; of His Majesty the Shah of Persia ; of His Majesty the King of Sweden and Norway ; and of His Highness the Sultan of Zanzibar.

The said ratifications were produced, examined, and found in good and due form. These documents, in conformity with the provisions of Article XCIX, will remain deposited in the archives of the Belgian Government.

The Representatives of the above-mentioned Powers acknowledged to the Representatives of Belgium the fact of deposit.

[Brussels Act. Ratifications. Austria-Hungary, Turkey, Russia, United States, France.]

*Austria-Hungary.**

His Excellency Count Khevenhüller-Metsch declared that His Majesty the Emperor of Austria-Hungary, his august Sovereign, had signed the ratification of the General Act (No. 130) and of the Declaration of the 2nd July, 1890 (p. 517), that they have been dispatched, and will be, on their arrival in a day or two, deposited at the Belgian Foreign Office.

*Turkey.**

His Excellency Carathéodory Effendi declared that His Majesty the Emperor of the Ottomans, his august Sovereign, had also signed his ratifications, and that it has been dispatched. His Excellency recalled attention to the reserve which his Government had made on the subject of the use of Turkish characters in the case provided for in Article XXXIV of the General Act, a reserve which had been brought to the notice of all the Signatory Governments, and had encountered no objection.

The Representatives of the Powers took note of their Excellencies' declarations.

*Russia.**

His Excellency Prince Ouroussoff declared that His Majesty the Emperor of all the Russias, his august Sovereign, had signed the ratification, but his Excellency considered that it was proper to defer its deposit until the moment when the execution of the General Act should be definitely assured.

United States.†

His Excellency Mr. Terrell declared that he was not officially authorized to speak at this meeting, being without instructions on the subject from his Government. He was present merely in response to the courteous invitation he had received.

Nevertheless, he thought he might say that the question of the ratification of the Brussels General Act was still before the Senate of the United States, which was not then in Session, but which would meet towards the beginning of the month of December next.

His Excellency added unofficially, and merely for the information of the Representatives of the Powers, that the Government of the United States wishing to show the profound interest taken by them in the success of this great work, had concluded an arrangement with the Congo State with the express object of rendering possible the ratification of the Brussels General Act (No. 128) by the other Signatory Powers.

*France.**

The following letter was then read, addressed by his Excellency the Minister of the French Republic at Brussels to the Belgian Minister for Foreign Affairs :—

* See also Protocol, 2nd January, 1892, p. 523.

† See Protocol, 2nd February, 1892, p. 526.

[Brussels Act. Ratification. Portugal.]

“ Prince,

“ *Brussels, 1st July, 1891.*

“ I have the honour to confirm to your Excellency the information which I gave *viva voce* yesterday to Baron Lambertmont; after a prolonged discussion occupying the sittings of the 24th and 25th of last month, the French Chamber of Deputies decided to suspend the authorization to ratify the General Act and the Declaration of Brussels of the 2nd July, as well as of the Protocol of the 9th February last. His Majesty's Government must be aware of the part which the Cabinet had taken in this grave debate, and it has certainly been from no want of effort on their part that the conclusion was not entirely different. Your Excellency is further aware that the considerations which weighed with the Chamber were derived from the nature of the measures to be taken for the repression of the traffic at sea.

“ It is unnecessary to state that in view of this decision we find ourselves with much regret to be unable to ratify the arrangements prepared by the Conference within the prescribed period, that is to say, by the 2nd instant.

“ Under these circumstances my Government does not consider that my presence will be necessary at the meeting to which your Excellency did me the honour to invite me, and in which all of my colleagues who will attend have either already received their ratifications, or are able to announce that they will shortly receive them.

“ I avail, &c.,

“ A. BOUREE.”

*Portugal.**

Baron Lambertmont stated that the Chargé d'Affaires of Portugal at Brussels had announced to the Belgian Government that the Parliamentary Commission, in view of the Resolution of the French Chamber, had decided, on its part, to suspend the vote upon the law approving the General Act of Brussels.

The Portuguese Government had thought itself obliged to conform to the opinion of the Parliamentary Commission; and, whilst affirming their humanitarian sentiments and good-will, had decided that under present circumstances they had no occasion to be represented at the meeting of the 2nd July.

In view of the situation created by the documents and declarations above set forth, and animated by a sincere desire that an unanimous understanding amongst the Powers should be reached, the meeting decided that the delay fixed by Article XCIX of the General Act for the deposit of ratifications should be prolonged to a date to be fixed by common agreement, as soon as the Powers whose Representatives are not present, or have not the necessary authority, shall have made known their adhesion to this prolongation.

The present Protocol to be open to them for this purpose for a period of 10 days.

The meeting before separating expressed the desire that the Government of His Majesty the King of the Belgians would ask for

* See Protocol, 30th March, 1892, p. 528.

[Brussels Act. Ratifications. Austria-Hungary, Russia, Turkey.]

and receive the adhesions mentioned in the preceding paragraph, and when they should have been received, to act as intermediary to bring about an understanding between the Powers as to the duration of the period of prolongation.

The Belgian Representatives promised to refer this wish to their Government, and did not doubt that it would be favourably received.

In witness whereof the present Protocol was drawn up, of which a certified copy will be sent by the Government of His Majesty the King of the Belgians to each of the other Powers who have ratified the General Act (**No. 130**) and the Declaration of the 2nd July, 1890 (p. 517).

[Here follow the Signatures.]

No. 133.—*PROTOCOL of a Meeting held at Brussels, in the Foreign Office, respecting the Exchange of Ratifications of the General Act of the Brussels Conference. 2nd January, 1892.*

(Translation.)

Present :

[Here appear the names of the Representatives.]

Ratifications.

THE Undersigned met together at the Foreign Office at Brussels, in conformity with Article XCIX of the General Act of the 2nd July, 1890 (**No. 130**), and in execution of the Protocol of the 2nd July, 1891 (**No. 132**), in order to draw up the record of the deposit of the ratifications of those of the Signatory Powers who did not accomplish that formality at the meeting of the 2nd July, 1891.

*Austria-Hungary.**

His Excellency Count Khevenhüller-Metsch informed the meeting that the ratification by His Imperial and Royal Apostolic Majesty of the General Act (**No. 130**) and of the Declaration of the 2nd July, 1890 (p. 517), was deposited at the Belgian Foreign Office on the 3rd July, 1891.

*Russia.**

His Excellency Prince Ouroussoff deposited the ratification by His Majesty the Emperor of All the Russias of the General Act (**No. 130**) and of the Declaration of the 2nd July, 1890 (p. 517).

*Turkey.**

His Excellency Carathéodory Effendi deposited the ratification by His Majesty the Emperor of the Ottomans of the General Act (**No. 130**) and of the Declaration of the 2nd July, 1890 (p. 517).

* See also p. 525.

[Brussels Act. Ratification. France.]

His Excellency declared, in accordance with a communication which has been made known to the Signatory Powers without encountering objection on their part, that the Imperial Ottoman Government interprets Article XXXIV of the General Act (**No. 130**) in the sense that the inscriptions prescribed by that Article shall be made in the case of Ottoman vessels, in Turkish characters and figures. Nevertheless the Sublime Porte does not object to a translation in Latin characters being added to inscriptions in Turkish characters.

Note is taken of the declaration of the Minister of Turkey.

Note is also taken of the deposit of the ratifications of their respective Sovereigns by the Ministers of Austria-Hungary, of Russia, and of Turkey.*

France.†

His Excellency M. Bourée deposited the ratification by the President of the French Republic of the General Act (**No. 130**) and of the Declaration of the 2nd July, 1890 (p. 517).

His Excellency declared that the President of the Republic, in his ratification of the General Act of Brussels, has provisionally reserved, for an ulterior understanding, Articles XXI, XXII, and XXIII (p. 499), and Articles XLII to LXI (pp. 504 to 508).

The Representatives of the Powers take note of the deposit by the Minister of France of the ratification by the President of the French Republic, and of the exception concerning Articles XXI, XXII, and XXIII, and Articles XLII to LXI.

Binding nature of General Act, wholly or partially, as ratified by different Powers.

It is understood that the Powers who have ratified the General Act (**No. 130**) in its entirety recognize that they are reciprocally bound to each other in regard to all of its Articles.

It is likewise understood that such Powers are only bound to the Power who has ratified partially, in the measure of the obligations undertaken by the latter Power.

Finally, it is well understood that, in regard to the Power who has ratified partially the matters to which Articles XLII to LXI relate shall continue, until an ulterior understanding be arrived at, to be governed by the stipulations and arrangements now in force.

Application of General Act to certain French Possessions.

Baron Lambermont, one of the Belgian Representatives, then communicated to the Assembly the following letter, which had been addressed to the Belgian Minister for Foreign Affairs by his Excellency the Minister of France :—

* See also p. 525.]

† See also p. 521.]

[Brussels Act. Ratifications. Netherlands, Austria-Hungary, France, Russia, Turkey.]

“ *French Legation in Belgium,*
“ *Brussels, 31st December, 1891.*

“ Prince,

“ In a Note Verbale dated the 18th instant, handed that day by Baron Beyens to the Minister for Foreign Affairs of France, the Belgian Government called the attention of the Government of the Republic to the conditions under which Articles XXX to XLI of the General Act of the Conference of Brussels (**No. 130**) might be applied in certain French Possessions. These articles relate to the grant of the flag to native vessels, to the crew list, and to the manifest of negro passengers. Whilst recognizing the importance of these articles and recalling that they were due to the initiative of France, the Government of King Leopold had called attention to the fact that they were only applicable in the ports of the zone established by Article XXI which is reserved by France. He therefore requested that the Representative of the Republic at Brussels might be authorized to make known the intentions of the Cabinet of Paris on this point.

Obock. Madagascar. Comoros.

“ By Order of my Government, and in accordance with the desire expressed in the above-mentioned note, I have the honour to inform your Excellency that the dispositions contained in Articles XXX to XLI of the General Act of Brussels (**No. 130**) will be spontaneously applied by the Government of the Republic in the territory of Obock, and, according to necessity in the Island of Madagascar and the Comoros.

“ Accept, &c.,
“ A. BOURÉE.

“ *His Excellency the Prince de Chimay,*
“ *Minister for Foreign Affairs, &c.*”

Netherlands.

His Excellency Baron Gericke de Herwynen declared in the name of his Government that, in signing the Protocol of this day, he must observe that the Constitutional arrangements of the Netherlands require that the Protocol should receive the approbation of the States-General. It not having been possible to obtain such approbation before the 2nd January, the Government of the Queen Regent proposes to take the necessary steps on the meeting of the Chambers.*

Note is taken of the Netherlands Minister's Declaration.

Austria-Hungary, France, Russia, and Turkey.

The ratifications of His Majesty the Emperor of Austria-Hungary, of the President of the French Republic, of His Majesty the Emperor

* Approved 1st April, 1892.

[Brussels Act. Ratifications. Portugal, United States.]

of all the Russias, and of His Majesty the Emperor of the Ottomans, were examined, and found in good and due form. These documents, in accordance with the provisions of Article XCIX, will remain deposited, together with the ratifications deposited on the 2nd July, 1891, in the archives of the Belgian Government.

The Representatives of the Powers acknowledged to the Belgian Representatives the fact of this deposit.

Portugal.

His Excellency M. d'Antas declared that circumstances not having permitted the Portuguese Chambers to pronounce upon the General Act (**No. 130**) and the Declaration of the 2nd July, 1890 (p. 517), he is instructed by his Government to request that the Protocol remain open for the deposit of the ratifications of His Most Faithful Majesty until the 22nd February, 1892.

The Assembly assented to the period of prorogation requested by the Minister of Portugal.*

In witness whereof the present Protocol has been drawn up, a certified copy whereof will be transmitted by the Government of His Majesty the King of the Belgians to each of the other Signatory Powers of the General Act (**No. 130**) and the Declaration of the 2nd July, 1890 (p. 517).

Done at Brussels, the 2nd January, 1892.

[Here follow the Signatures.]

No. 134.—*PROTOCOL recording the Ratification by the United States of America of the General Act of Brussels of 2nd July, 1890. Signed at Brussels, 2nd February, 1892.*

(Translation.)

Ratifications. United States.

On the 2nd February, 1892, in conformity with Article XCIX of the General Act of the 2nd July, 1890 (**No. 130**), and with the unanimous decision of the Signatory Powers prolonging till the 2nd February, 1892, in favour of the United States, the period fixed by the said Article XCIX, the Undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States of America, deposited in the hands of the Belgian Minister for Foreign Affairs the Ratification by the President of the United States of the said General Act.

At his Excellency's request the following Resolution, whereby the Senate of the United States consented to the Ratification of the President, was inserted in the present Protocol :—

“ Resolved (two-thirds of the Senators present concurring therein),

* See Protocol, 30th March, 1892, p. 528.

[Brussels Act. Ratification. United States.]

“That the Senate advise and consent to the ratification of the General Act signed at Brussels on the 2nd July, 1890 (No. 130), by the Plenipotentiaries of the United States and other Powers, for the suppression of the African Slave Trade, and for other purposes.

“Resolved further: That the Senate advise and consent to the acceptance of the partial ratification of the said General Act on the part of the French Republic, and to the stipulations relative thereto, as set forth in the Protocol signed at Brussels on the 2nd January, 1892 (No. 133).

“Resolved further, as a part of this act of ratification: That the United States of America, having neither Possessions nor Protectorates in Africa, hereby disclaims any intention in ratifying this Treaty, to indicate any interest whatsoever in the Possessions or Protectorates established or claimed on that Continent by the other Powers, or any approval of the wisdom, expediency, or lawfulness thereof, and does not join in any expressions in the said General Act which might be construed as such a declaration or acknowledgment; and, for this reason, that it is desirable that a copy of this Resolution be inserted in the Protocol to be drawn up at the time of the exchange of the ratifications of this Treaty on the part of the United States.”

The above Resolution of the Senate of the United States having been textually communicated in advance by the Government of Belgium to all the Signatory Powers of the General Act, the latter have assented to its insertion in the present Protocol, which shall remain annexed to the Protocol of the 2nd January, 1892.

An official notification to this effect was made to the United States Minister.

The Ratification of the President of the United States having been found in good and due form, notification of its deposit was made to his Excellency Mr. Edwin H. Terrell. It will be retained in the archives of the Belgian Foreign Office.

On proceeding to the signature of the present Protocol, the Minister for Foreign Affairs of His Majesty the King of the Belgians announced that the Representative of Russia, in his note expressing the assent of his Government, expressed the opinion that it was desirable that, in the Protocol, a French translation should accompany the English text of the Resolution of the Senate of the United States of America, and that, in any case, the absence of such translation should not form a precedent.

A certified copy of the present Protocol will be sent by the Belgian Government to the Signatory Powers of the General Act.

Done at Brussels, the 2nd February, 1892.

PRINCE DE CHIMAY, *Minister*
for Foreign Affairs.

EDWIN H. TERRELL, *Envoy Extraordinary*
and Minister Plenipotentiary of the
United States of America.

[Brussels Act. Ratification. Portugal.]

No. 135.—*PROTOCOL recording the Ratification by Portugal of the General Act of Brussels of 2nd July, 1890, and of the Declaration of the same date. Signed at Brussels, 30th March, 1892.*

(Translation.)

Ratifications. Portugal.

On the 30th March, 1892, in conformity with Article XCIX of the General Act of the 2nd July, 1890 (**No. 130**), and with the unanimous decision of the Powers, prolonging till the 2nd April, 1892, in favour of Portugal, the period fixed by the same Article XCIX, the Undersigned, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Portugal and the Algarves, deposited in the hands of the Belgian Minister of Finance, Minister for Foreign Affairs *ad interim*, the ratification by his Sovereign of the said General Act (**No. 130**) and of the Declaration of the same date annexed thereto (p. 517).

The ratification having been found in good and due form, notification of its deposit was made to his Excellency M. d'Antas. It will be retained in the archives of the Belgian Foreign Office, in conformity with Article XCIX of the General Act.

A certified copy of the present Protocol will be sent by the Belgian Government to the Signatory Powers of the General Act.

Done at Brussels, the 30th March, 1892.

A. BEERNAERT, *the Belgian Minister of Finance,
Minister for Foreign Affairs ad interim.*

M. D'ANTAS, *the Envoy Extraordinary and Minister
Plenipotentiary of His Majesty the King of Portugal
and the Algarves.*

No. 136.—*INTERNATIONAL CONVENTION respecting the Liquor Traffic in Africa. Signed at Brussels, 8th June, 1899.*

[Ratifications deposited at Brussels, 8th and 19th June, 1900.]

(Translation.)

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India; His Majesty the German Emperor, King of Prussia, in the name of the German Empire; His Majesty the King of the Belgians; His Majesty the King of Spain, and in his name Her Majesty the Queen-Regent of the Kingdom; His Majesty the King-Sovereign of the Independent State of the Congo; the President of the French Republic; His Majesty the King of Italy; Her Majesty the Queen of the Netherlands; His Majesty the King of

[Brussels Convention. Liquor Traffic.]

Portugal and of the Algarves, &c. ; His Majesty the Emperor of All the Russias ; His Majesty the King of Sweden and Norway, &c. ; and His Majesty the Emperor of the Ottomans ;*

Wishing to provide for the execution of Art. XCII of the General Act of Brussels (No. 130), which prescribes the revision of the Regulations on the importation of spirituous liquors into certain regions of Africa ;

Have resolved to assemble a Conference for the purpose at Brussels, and have named as their Plenipotentiaries that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, Sir Francis Plunkett, her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ; and Mr. H. Farnall, of the Foreign Office ;

His Majesty the German Emperor, King of Prussia, in the name of the German Empire, M. Frederic-Jean, Count of Alvensleben, his Chamberlain and Privy Councillor, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ; and M. Guillaume Göhring, his Councillor of Legation ;

His Majesty the King of the Belgians, M. Auguste, Baron Lambertmont, his Minister of State, his Envoy Extraordinary and Minister Plenipotentiary ; and M. Auguste van Maldeghem, Councillor of the Court of Cassation of Belgium ;

His Majesty the King of Spain, and in his name Her Majesty the Queen-Regent of the Kingdom, M. W. Ramirez de Villa-Urrutia, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ;

His Majesty the King-Sovereign of the Independent State of the Congo, M. Paul de Smet de Naeyer, his Minister of State, Member of the Chamber of Representatives of Belgium ; and M. Hubert Droogmans, Secretary-General of the Finance Department of the Independent State of the Congo ;

The President of the French Republic, M. A. Gérard, Envoy Extraordinary and Minister Plenipotentiary of the French Republic to His Majesty the King of the Belgians.

His Majesty the King of Italy, M. R. Cantagalli, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ;

Her Majesty the Queen of the Netherlands, Jonkheer Rudulphe de Pestel, her Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ;

His Majesty the King of Portugal and the Algarves, M. Antoine-Marie, Count of Tovar, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ;

His Majesty the Emperor of All the Russias, M. N. de Giers, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ;

His Majesty the King of Sweden and Norway, M. Auguste-L.-

* Austria-Hungary, Denmark, Liberia, Persia, and the United States acceded subsequently. See Protocol of 8th June, 1900, p. 531.

Fersen, Count Gyldenstolpe, his Minister Plenipotentiary to His Majesty the King of the Belgians ;

His Majesty the Emperor of the Ottomans, Etienne Carathéodory Effendi, High Dignitary of his Empire, his Envoy Extraordinary and Minister Plenipotentiary to His Majesty the King of the Belgians ;

Who, furnished with powers in good and due form, have adopted the following provisions :—

Increase of Import Duties throughout the Zone.

Art. I.—From the coming into force of the present Convention, the import duty on spirituous liquors, as that duty is regulated by the General Act of Brussels, shall be raised, throughout the zone where there does not exist the system of total prohibition provided by Art. XCI of the said General Act, to the rate of 70 fr. the hectolitre at 50 degrees centigrade, for a period of six years.*

It may, exceptionally, be at the rate of 60 fr. only the hectolitre at 50 degrees centigrade in the Colony of Togo and in that of Dahomey.

The import duty shall be augmented proportionally for each degree above 50 degrees centigrade ; it may be diminished proportionally for each degree below 50 degrees centigrade.

At the end of the above-mentioned period of six years, the import duty shall be submitted to revision, taking as a basis the results produced by the preceding rate.

The Powers retain the right of maintaining and increasing the duty beyond the minimum fixed by the present Article in the regions where they now possess that right.

Excise Duties.

Art. II.—In accordance with Art. XCIII of the General Act of Brussels, distilled drinks made in the regions mentioned in Art. XCII of the said General Act, and intended for consumption, shall pay an excise duty.

This excise duty, the collection of which the Powers undertake to insure as far as possible, shall not be lower than the minimum import duty fixed by Art. I of the present Convention.

Accession of Signatory Powers of Brussels Act.

Art. III.—It is understood that the Powers who signed the General Act of Brussels, or who have acceded to it, and who are not represented at the present Conference, preserve the right of acceding to the present Convention.†

Ratification.

Art. IV.‡—The present Convention shall be ratified within the shortest possible period, and such period shall not in any case exceed one year.

* Raised to 100 fr. the hectolitre, by International Convention signed at Brussels, November 3rd, 1906. Eritrea to retain the rate of 70 fr., the surplus being represented by the total of the other duties of that Colony. Convention to remain in force for 10 years.

† See footnote, p. 529.

‡ See Protocols of 8th and 19th June, 1900, pp. 531 and 534.

[Ratification. Brussels Convention. Liquor Traffic.]

Each Power shall address its ratification to the Government of His Majesty the King of the Belgians, which shall give notice thereof to all the other Powers signatory of the present Convention. The ratifications of all the Powers shall be deposited in the archives of the Kingdom of Belgium.

As soon as all the ratifications have been produced, or at latest one year after the signature of the present Convention, their deposit shall be recorded in a Protocol which shall be signed by the Representatives of all the Powers who shall have ratified.

A certified copy of this Protocol shall be addressed to all the Powers interested.

Date of coming into force.

Art. V.—The present Convention shall come into force in all the possessions of the Contracting Powers situated in the zone defined by Art. XC of the General Act of Brussels (p. 514), on the thirtieth day after the date of the preparation of the Protocol of Deposit mentioned in the preceding Article.

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

Done at Brussels, the eighth day of the month of June, eighteen hundred and ninety-nine.

F. R. PLUNKETT.
H. FARNALL.
ALVENSLEBEN.
GÖHRING.
Baron LAMBERMONT.
A. VAN MALDEGHEM.
W. R. DE VILLA-URRUTIA.
P. DE SMET DE NAEYER.
H. DROGMANS.
A. GÉRARD.
CANTAGALLI.
R. DE PESTEL.
Comte DE TOVAR.
N. DE GIERS.
AUG. F. GYLDENSTOLPE.
ÉT. CARATHÉODORY.

Protocol of the Sitting held at Brussels, at the Department of Foreign Affairs, on the 8th June, 1900, in accordance with Art. IV of the Convention of the 8th June, 1899, for the Revision of the Regulations governing the Liquor Traffic in Africa. (Ratification of Convention.)

(Translation.)

Present :

For Germany :

His Excellency Count Alvensleben, German Minister at Brussels.

For Belgium :

Baron Lambertmont, Minister of State.

M. van Maldeghem, Councillor at the Court of Cassation.

[Ratification. Brussels Convention. Liquor Traffic.]

For Spain :

His Excellency M. de Villa-Urrutia, Spanish Minister at Brussels.

For the Independent State of the Congo :

Count de Smet de Naeyer, Minister of State.

M. Droogmans, Secretary-General of the Department of Finance of the Independent State of the Congo.

For France :

His Excellency M. Gérard, French Minister at Brussels.

For Great Britain :

His Excellency the Honourable Sir F. R. Plunkett, British Minister at Brussels.

For Italy :

His Excellency M. Cantagalli, Italian Minister at Brussels.

For the Netherlands :

His Excellency M. le Jonkheer de Pestel, Netherland Minister at Brussels.

For Portugal :

His Excellency the Count de Tovar, Portuguese Minister at Brussels.

For Russia :

His Excellency M. de Giers, Russian Minister at Brussels.

For Sweden and Norway :

Baron Beck Friis, Swedish and Norwegian Chargé d'Affaires at Brussels.

For Turkey :

His Excellency Carathéodory Effendi, Turkish Minister at Brussels.

THE Undersigned assembled at the Ministry for Foreign Affairs, at Brussels, in order to proceed to the execution of Art. IV of the Convention of the 8th June, 1899, for the revision of the Regulations governing the liquor traffic in Africa.

Baron Lambertmont, one of the Belgian Representatives, reads the above-mentioned Article. He informs the Assembly that the Government of His Majesty the King of the Belgians has received the instruments of ratification of His Majesty the German Emperor, King of Prussia, of His Majesty the King of the Belgians, of His Majesty the King of Spain and in his name, of Her Majesty the Queen-Regent, of His Majesty the King-Sovereign of the Independent State of the Congo, of the President of the French Republic, of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, of His Majesty the King of Italy, of Her Majesty the Queen of the Netherlands, of His Majesty the Emperor of All the Russias, of His Majesty the King of Sweden and Norway.

The said ratifications are produced, and, after examination, are found in good and due form. These documents, in conformity with the provisions of Art. IV, will remain deposited in the archives of the Kingdom of Belgium.

The Representatives of the above-mentioned Powers notify this deposit to Baron Lambertmont.

His Excellency the Count de Tovar states that, the Portuguese

[Ratification. Brussels Convention. Liquor Traffic.]

Chambers having only passed the Convention a few days since, the dispatch of the ratifications of his Government has undergone some delay. He consequently requests that the Protocol may remain open for the deposit of the ratifications of His Most Faithful Majesty.*

His Excellency Carathéodory Effendi states that the ratifications of His Majesty the Emperor of the Ottomans would, upon their arrival, be deposited at the Belgian Ministry for Foreign Affairs. It is equally understood that the Protocol shall remain open to him.

The Assembly, following the precedents established at the time of the ratifications of the General Act of the 2nd July, 1890, assents to the delay demanded by the Portuguese and Turkish Ministers.

Baron Lambertmont then points out that, by the terms of Arts. III of the Convention, the Powers who have signed the Brussels General Act, or who have acceded thereto, and who have not taken part in the Conference of last year, have preserved the right of acceding to the said Convention. He informs the Assembly that, availing themselves of the right accorded to them by that Article, Austria-Hungary, Denmark, the United States of America, subject to the approval of the Senate, the Republic of Liberia, and Persia, have notified their accession to the Government of the King.

In faith of which the present Protocol has been drawn up, a certified copy of which shall be transmitted by the Government of His Majesty the King of the Belgians to each of the other Powers signatory of the Convention of the 8th June, 1899.

Done at Brussels, the 8th June, 1900.

ALVENSLEBEN.
 Baron LAMBERMONT.
 A. VAN MALDEGHEM.
 W. R. DE VILLA-URRUTIA.
 Comte DE SMET DE NAEYER.
 H. DROOGMANS.
 A. GÉRARD.
 F. R. PLUNKETT.
 R. CANTAGALLI.
 R. DE PESTEL.
 Comte DE TOVAR.
 N. DE GIERS.
 JOACHIM BECK FRIIS.
 ÉT. CARATHÉODORY.

* See Protocol of 19th June, 1900, p. 534.

No. 137.—*PROTOCOL recording the deposit of the Ratifications of His Majesty the King of Portugal and the Algarves of the Convention of 8th June, 1899, for the revision of the Regulations governing the Liquor Traffic in Africa. Brussels, 19th June, 1900.*

(Translation.)

ON the 19th June, 1900, in conformity with Art. IV of the Convention of the 8th June, 1899 (**No. 136**), for the revision of the Regulations governing the liquor traffic in Africa, the undersigned Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of Portugal and the Algarves, has deposited in the hands of the Belgian Minister for Foreign Affairs the ratification of his Sovereign of the said Convention.

The ratifications having been found to be in good and due form, his Excellency the Count de Tovar is formally notified of their deposit. They will be kept in the archives of the Belgian Minister of Foreign Affairs, in conformity with Art. IV of the Convention (p. 530).

One certified copy of the present Protocol will be addressed by the Belgian Government to the Powers signatory of the Convention.

Done at Brussels, the 19th June, 1900.

Comte DE TOVAR,
*Envoy Extraordinary and Minister
Plenipotentiary of His Majesty the
King of Portugal and the Algarves.*
P. DE FAVEREAU,
Belgian Minister for Foreign Affairs.

**AFRICA (CENTRAL) TO COMORO
ISLANDS.**

AFRICA, CENTRAL.

See Nyasaland Protectorate, p. 285. Congo, Belgian, p. 541.

AFRICA, EAST.

See British East Africa, p. 293. Congo, p. 541. France (Comoro Islands), p. 626. German East Africa Company, p. 679. Germany, p. 679. Italy, p. 1983. Madagascar, p. 627. Portugal, p. 1157.

AFRICA, NORTH.

See Egypt, p. 613, France (Algeria), p. 625, Morocco, p. 1145, Spain, p. 1161, and Tunis, p. 1183.

AFRICA, NORTH-WEST.

In June, 1879, Mr. Donald Mackenzie communicated to the Foreign Office a copy of a Treaty which he had concluded at Tarfah (Terfaya) on the 19th April, 1879, with the Sheikh Mohammed Bairook of Aghamèen, by which that Sheikh ceded to him that portion of Tarfah (Terfaya) extending from Cape Juby (on the north-west coast of Africa, in about latitude 28° north) to the next promontory southward (to be hereafter called Stafford Point), together with the reef or reefs situated between the said Cape Juby and Stafford Point which forms the port to be hereafter known as Port Victoria, with the territory extending from the sea-shore inland to the distance of 2 English miles, as indicated on a plan which was annexed. An Agreement was, however, signed between the British and Moorish Governments on the 13th March, 1895, for the purchase by Morocco of the property of the North-West Africa Company in Terfaya (Cape Juby). (*See* p. 970.)

See also Morocco, p. 1145, and Spain, p. 1161.

AFRICA, SOUTH.

See British South Africa, p. 157.

AFRICA, SOUTH-WEST.

See British South Africa, p. 157. Germany, p. 679. Portugal, p. 1157.

AFRICA, WEST.

See British West Africa, p. 1. Denmark, p. 607. France, p. 625. Germany, p. 679. Liberia, p. 1129. Portugal, p. 1157. Spain, p. 1161.

ALGERIA.

See France, p. 625, and Morocco, p. 1145.

ASSAB.

See Abyssinia, &c., and Italy, p. 420.

AUSSA.

See Abyssinia, &c., and Italy, p. 420.

AUSTRIA-HUNGARY.

The Emperor of Austria, King of Hungary, has no Possessions or Protectorates in Africa, but His Majesty was a Signatory Party to the Berlin Act of 26th February, 1885 (**No. 128**), and to the Brussels Act of 2nd July, 1890 (**No. 130**). Austria-Hungary also concluded Treaties with the Congo Free State (Belgian Congo), p. 541, and with Zanzibar, p. 298.

BASUTOLAND.

See British South Africa, p. 183.

BECHUANALAND.

See British South Africa, p. 159.

BECHUANALAND PROTECTORATE.

See British South Africa, p. 189.

BELGIUM.

On the 16th December, 1884, a Convention was concluded between Her Britannic Majesty and the King of the Belgians, acting as founder of, and in the name of, the International Association of the Congo, by which the British Government recognized the flag of the International Association of the Congo, and of the Free States under its administration, as the flag of a friendly Government. *See* Congo, Belgian, p. 573.

His Majesty the King of the Belgians was one of the Signatory Powers to the Berlin Act of 26th February, 1885 (**No. 128**), and, as King of the Belgians, and, as King Sovereign of the Independent State of the Congo, His Majesty signed the Brussels Act of 2nd July, 1890 (**No. 130**). *See* also Congo, Belgian, p. 541.

COMORO ISLANDS.

See France (Comoro Islands), p. 626.

CONGO, BELGIAN.

CONGO, BELGIAN.

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* This Treaty was withdrawn.

† The date fixed was 15th November, 1908.

CONGO, BELGIAN.

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—	„	2nd July, 1890.	“Brussels Act.” See Africa (General).	
175	Sweden and Norway	10th Feb., 1885.	Convention. Recognition of Association, &c.	601
—	„	26th Feb., 1885.	“Berlin Act.” See Africa (General).	
—	„	2nd July, 1890.	“Brussels Act.” See Africa (General).	
—	Turkey	26th Feb., 1885.	“Berlin Act.” See Africa (General).	
—	„	2nd July, 1890.	“Brussels Act.” See Africa (General).	
176	United States....	22nd Apr., 1884.	Declaration. Recognition of Association, &c.	602
—	„ ...	2nd July, 1890.	“Brussels Act.” See Africa (General).	
—	Zanzibar.....	8th Nov., 1886.	“Accession. Berlin Act.” See Zanzibar.	
—	„	2nd July, 1890.	“Brussels Act.” See Africa (General).	

* The Treaty of the 9th January, 1895, for the Cession of the Congo State to Belgium was withdrawn, but a fresh Treaty was signed on the 28th November, 1907 (No. 142), under which these Arrangements were renewed. (See No. 382).

[Austria-Hungary and Congo.]

No. 138.—*DECLARATIONS exchanged between the Austro-Hungarian Government and the International Association of the Congo. Berlin, 24th December, 1884.*

*No Import or Transit Dues to be levied on Articles of Commerce or Merchandise.**

Art. I.—[Same as Article I of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Right of Austro-Hungarian Subjects to establish themselves in Territories of the Association. Protection of Life and Property. Religious Liberty. Rights of Navigation, Commerce, and Industry. Right to buy, sell, and hire Lands, Houses, &c. National and Most Favoured Nation Treatment. Coasting Trade.

Art. II.—[Same as Article II of Convention with Great Britain of 16th December, 1884 (**No. 162**).]

General Most-favoured-nation Treatment.

Art. III.—[Same as Article III of Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Appointment of Consuls. Consular Jurisdiction, Rights, and Privileges.

It is understood that Austria-Hungary shall enjoy, in regard to the nomination of Consuls, their functions and Consular jurisdiction, all the rights and privileges which may be granted to any other State.

Above Engagements extended to any Territory ceded by the Association.

Art. IV.—[Same as Article IV of Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Austro-Hungarian Recognition of Flag of the Association.

Art. V.—Austria-Hungary, taking cognizance of the above engagements and sympathizing with the humane aims of the Association,† recognizes its flag—a blue flag with a gold star in the centre—as that of a friendly State.

Done at Berlin, the 24th December, 1884.

STRAUCH.
SZÉCHNYI.

* See Berlin Act, 26th February, 1885, p. 468, and Brussels Act, 2nd July, 1890, p. 488.

† On the 23rd February, 1885, it was announced to the Berlin Conference that the name of the "International Association of the Congo" had been changed to that of the "Independent State of the Congo." See also Notification of August 1, 1885, p. 551.

No. 139.—*DECLARATIONS* exchanged between the Belgian Government and the International Association of the Congo. Berlin, 23rd February, 1885.

Declaration of the Association.

The International Association of the Congo declares by these presents that, by Treaties concluded with the legitimate Sovereigns in the basin of the Congo and its tributaries,* vast territories have been ceded to it with all the rights of sovereignty, with a view to the creation of a free and independent State ;

Frontiers, &c.

That Conventions mark off the frontiers of the territories of the Association from those of France (**No. 152**) and Portugal (**No. 169**), and that the frontiers of the Association are shown on the annexed map :†

Flag of the Association.

That the said Association has adopted as the flag of the State administered by it a blue flag with a golden star in the centre ;

No Duties to be levied on Goods or Products imported or carried round the Cataracts.

That the said Association has resolved not to levy any Customs duties on goods or products imported into its territories or carried by the road which has been made round the cataracts of the Congo ; this resolution has been adopted to assist commerce to penetrate into Equatorial Africa ;

Right of Foreigners to buy, sell, and lease Houses.

That it insures foreigners who may establish themselves in its territories the right of buying, selling, or leasing lands and buildings therein situated, of establishing commercial houses, and carrying on trade under the sole condition of obeying the law.

General Most-favoured-nation Treatment.

It engages, moreover, never to grant the citizens of one nation any privilege whatever without immediately extending it to the citizens of all other nations.

Prevention of the Slave Trade.

And to do all in its power to prevent the Slave Trade.

In testimony of which the President of the Association, acting in its behalf, has hereunto affixed his seal and signature.

Berlin, the 23rd day of February, 1885.

STRAUCH.

* For List of Treaties, see p. 553.

† This Map was not published with the Declaration ; but see General Map, facing p. 604.

[Eventual Annexation of Congo Free State to Belgium.]

*Declaration of the Belgian Government.**Recognition of Association and its Flag.*

The Belgian Government takes note of the declarations of the International Association of the Congo, and by these presents recognizes the Association within the limits indicated by it, and recognizes its flag as on an equality with that of a friendly State.

In testimony of which the Undersigned, being duly authorized thereto, have hereunto affixed their seal and signature.

Berlin, the 23rd day of February, 1885.

Comte AUGUSTE VAN DER STRATEN-
PONTHOZ.
Baron LAMBERMONT.

No. 140.—*CONVENTION providing for a Loan by Belgium to the Congo Free State, and for the eventual Annexation of the State to Belgium. Signed at Brussels, 3rd July, 1890.**

ENTRE l'État Belge, représenté par M. A. Beernaert, Ministre des Finances, agissant sous réserve de l'approbation de la Législature, et l'État Indépendant du Congo, représenté par M. E. van Eetvelde, Administrateur-Général du Département des Affaires Étrangères, à ce autorisé par le Roi-Souverain, est intervenue la Convention suivante :—

Art. I.—L'État Belge s'engage à avancer, à titre de prêt, à l'État Indépendant du Congo une somme de 25,000,000 fr., et ce savoir : 5,000,000 fr. aussitôt après l'approbation de la Législature, et 2,000,000 fr. par an, pendant 10 ans, à partir de ce premier versement.

Pendant ces 10 années les sommes ainsi prêtées ne seront point productives d'intérêts.

Art. II.—Six mois après l'expiration du prédit terme de 10 ans, l'État Belge pourra, s'il le juge bon, s'annexer l'État Indépendant du Congo avec tous les biens, droits, et avantages attachés à la souveraineté de cet État, tels qu'ils ont été reconnus et fixés, notamment par l'Acte Général de Berlin du 26 Février, 1885 (**No. 128**), et par l'Acte Général de Bruxelles et la Déclaration du 2 Juillet, 1890 (**No. 130**); mais aussi à charge de reprendre les obligations du dit État envers les tiers, le Roi-Souverain refusant expressément toute indemnité du chef des sacrifices personnels qu'il s'est imposés.

Une Loi réglera le régime spécial sous lequel les territoires du Congo seront alors placés.

Art. III.—Dès à présent, l'État Belge recevra de l'État Indépendant du Congo, tels renseignements qu'il jugera désirables sur la situation économique, commerciale, et financière de celui-ci. Il pourra notam-

* Approved by Belgian Law of 4th August, 1890.

[Cession of Congo State to Belgium.]

ment demander communication des Budgets de recettes et de dépenses, et des relevés de la douane quant aux entrées et aux sorties.

Ces renseignements ne doivent avoir d'autre but que d'éclairer le Gouvernement Belge, et celui-ci ne s'immiscera en aucune manière dans l'Administration de l'État Indépendant du Congo, qui continuera à n'être rattaché à la Belgique que par l'union personnelle des deux couronnes.

Toutefois, l'État du Congo s'engage à ne contracter désormais aucun nouvel emprunt sans l'assentiment du Gouvernement Belge.

Art. IV.*—Si, au terme prédit, la Belgique décidait de ne pas accepter l'annexion de l'État du Congo, la somme de 25,000,000 fr. prêtée, inscrite au grand-livre de sa dette, ne deviendrait exigible qu'après un nouveau terme de 10 ans, mais elle serait, entre-temps, productive d'un intérêt annuel de 3½ pour cent., payable par semestre, et même avant ce terme l'État Indépendant du Congo devrait affecter à des remboursements partiels toutes les sommes à provenir de cessions de terres ou de mines domaniales.

Fait en double, à Bruxelles, le 3 Juillet, 1890.

(L.S.) A. BEERNAERT.

(L.S.) E. VAN EETVELDE.

No. 141.—*TREATY for the Cession of the Congo Free State to Belgium.*
Signed at Brussels, 9th January, 1895.

[Submitted to Belgian Chamber of Deputies for approval, 13th February, 1895, but withdrawn. A fresh Treaty, with the same object, and in almost the same terms, was signed at Brussels on the 28th November, 1907, and presented to the Legislative Chambers for approval. (See **No. 142.**)]

THE King-Sovereign of the Congo having made known, in his letter of the 5th August, 1889, to the Belgian Minister of Finance, that if it suited Belgium to enter into, before the allotted time, closer relations with her Congo Possessions, His Majesty would not hesitate to place them at her disposal; and the two High Contracting Parties having agreed to carry out this Cession at once;

The following Treaty has been concluded between the State of Belgium, represented by Count de Merode Westerloo, Minister for Foreign Affairs, M. de Burlet, Minister of the Interior and of Public Instruction, and M. de Smet de Naeyer, Minister of Finance, acting subject to the approval of the Legislature,

And the Congo Free State, represented by M. E. Van Eetvelde, Secretary of State of the said Free State:

Art. I.—His Majesty the King-Sovereign declares that he cedes

* See Note on p. 547, as to maintenance of right of annexation by Belgium of the Congo Free State and renunciation of reimbursement of Loan.

[Cession of Congo State to Belgium.]

from the present time to Belgium the Sovereignty of the territories constituting the Congo Free State with all the rights and obligations attached thereto, and the State of Belgium declares that she accepts this cession.

Art. II.—The Cession comprises all real and moveable property (mobilier) of the Free State, and especially :

1. The ownership of all the land belonging to her public or private domain, subject to the obligations and duties indicated in Annex A to the present Convention.

2. The Shares and Founders' Shares (Parts de Fondateurs) which have been allotted to her in the formation of the Railway Company, as well as all shares or shares of interest (Parts d'Interêts) which have been allotted to her in the arrangements mentioned in Annex A.

3. All houses, buildings, settlements, plantations, and other property whatsoever, established or acquired by the Government of the Free State, moveable objects of every kind, and cattle which she may possess, her ships and boats with their gear, as well as her military stores.

4. The Ivory, india-rubber, and other African produce which are actually the property of the Free State, as well as the provisions and other goods belonging to her.

Art. III.—On the other hand, the Cession comprises all the liabilities and all the financial engagements of the Free State, as set forth in detail in Annex B.

Art. IV.—The date on which Belgium shall assume the exercise of her right of sovereignty over the territories mentioned in Article I shall be determined by a Royal Decree.

The moneys received and the expenses incurred by the Free State, on and after the 1st January, 1895, shall belong to Belgium.

In faith of which, the respective Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

Done in duplicate at Brussels, on the 9th January, 1895.

(L.S.) COUNT DE MERODE DE WESTERLOO.

(L.S.) J. DE BURLET.

(L.S.) P. DE SMET DE NAEYER.

(L.S.) EDM. VAN EETVELDE.

[Here follow Annexes A and B.]

Note.

The right of annexation by Belgium of the Congo State was maintained by the Belgian Law of the 10th August, 1901, which runs as follows :—

“ **Art. I.**—Voulant conserver la faculté qu'elle tient du Roi-Souverain d'annexer l'État indépendant du Congo, la Belgique renonce, quant à présent, au remboursement des sommes prêtées au dit État, en exécution de la Convention du 3 juillet 1890 (No. 140), approuvée par la Loi du 4 août suivant, et en vertu de la Loi du 29 juin 1895, ainsi qu'à la déduction des intérêts sur les mêmes sommes.

[Cession of Congo State to Belgium.]

“ Les obligations financières contractées par l'État indépendant à raison des actes précités ne reprendraient leurs cours que dans le cas et à partir du moment où la Belgique renoncerait à la faculté d'annexion susvisée.”

No. 142.—*TREATY for the Cession of the Independent State of the Congo to Belgium. Signed at Brussels, 28th November, 1907.**

LE Roi-Souverain du Congo ayant fait connaître, dans Sa lettre du 5 août 1889 à M. le Ministre des Finances de Belgique, que, s'il convenait à la Belgique de contracter, avant le terme prévu, des liens plus étroits avec Ses possessions du Congo, Sa Majesté n'hésiterait pas à les mettre à sa disposition ; et les deux Hautes Parties s'étant trouvées d'accord pour réaliser dès à présent cette cession,

Le Traité suivant a été conclu entre l'État Belge, représenté par M. Julien Davignon, Ministre des Affaires Étrangères, M. Jules de Trooz, Ministre de l'Intérieur, M. Jules Renkin, Ministre de la Justice, M. Julien Liebaert, Ministre des Finances, le Baron Descamps, Ministre des Sciences et des Arts, M. Armand Hubert, Ministre de l'Industrie et du Travail, M. Auguste Delbeke, Ministre des Travaux Publics, M. Georges Helleputte, Ministre des Chemins de Fer, Postes, et Télégraphes, chargé provisoirement du portefeuille de l'Agriculture, et le Lieutenant Général Joseph Hellebaut, Ministre de la Guerre, agissant sous réserve de l'approbation de la Législature,

Et l'État Indépendant du Congo, représenté par le Chevalier de Cuvelier, Secrétaire Général du Département des Affaires Étrangères, M. Hubert Droogmans, Secrétaire Général du Département des Finances, et M. Charles Liebrechts, Secrétaire Général du Département de l'Intérieur.

Art. I.—Sa Majesté le Roi-Souverain déclare céder à la Belgique la souveraineté des territoires composant l'État Indépendant du Congo avec tous les droits et obligations qui y sont attachés. L'État Belge

* Approved by Belgian Law of 18th October, 1908, as follows :—

LÉOPOLD II, ROI DES BELGES,

A tous présents et à venir, Salut.

Les Chambres ont adopté et Nous sanctionnons ce qui suit :

Article unique.

Est approuvé le Traité de cession ci-annexé, conclu le 28 novembre 1907, entre la Belgique et l'État Indépendant du Congo.

Promulguons la présente Loi, ordonnons qu'elle soit revêtue de Sceau de l'État et publiée par le “Moniteur.”

Donné à Laeken, le 18 Octobre 1908.

LÉOPOLD.

Par le Roi :

[Signatures of Minister for Foreign Affairs and the other Ministers of State.]

A Law was promulgated on the same day providing for the Government of Belgian Congo.

[Cession of Congo State to Belgium.]

déclare accepter cette cession, reprendre et faire siennes les obligations de l'État Indépendant du Congo, telles qu'elles sont détaillées à l'annexe A, et s'engage à respecter les fondations existantes au Congo, ainsi que les droits acquis légalement reconnus à des tiers, indigènes et non indigènes.

Art. II.—La cession comprend tout l'avoir immobilier et mobilier de l'État Indépendant, et notamment :—

1. La propriété de toutes les terres appartenant à son domaine public ou privé, sous réserve des dispositions et obligations indiquées dans l'annexe A de la présente Convention ;

2. Toutes actions, obligations, parts de fondateur ou d'intérêt dont il est fait mention à l'annexe B ;

3. Tous les bâtiments, constructions, installations, plantations et appropriations quelconques établis ou acquis en Afrique et en Belgique par le Gouvernement de l'État Indépendant, les objets mobiliers de toute nature et le bétail qu'il y possède ; ainsi que ses bateaux et embarcations avec leur matériel, et son matériel d'armement militaire, tels que repris à l'annexe B, Nos. 2 et 4 ;

4. L'ivoire, le caoutchouc et les autres produits Africains qui sont la propriété de l'État Indépendant, de même que les objets d'approvisionnement et autres marchandises lui appartenant, tels que repris à l'annexe B, Nos. 1 et 3.

Art. III.—D'autre part, la cession comprend tout le passif et tous les engagements financiers de l'État Indépendant, tels qu'ils sont détaillés dans l'annexe C.

Art. IV.—La date à laquelle la Belgique assumera l'exercice de son droit de souveraineté sur les territoires visés à l'Art. I sera déterminée par Arrêté royal.*

Les recettes faites et les dépenses effectuées par l'État Indépendant à partir du 1^{er} Janvier 1908 seront au compte de la Belgique.

En foi de quoi les plénipotentiaires respectifs ont signé le présent Traité et y ont apposé leur cachet.

Fait en double expédition à Bruxelles, le 28 Novembre 1907.

(L.S.) J. DAVIGNON.

(L.S.) J. DE TROOZ.

(L.S.) J. RENKIN.

(L.S.) J. LIEBAERT.

(L.S.) BARON DESCAMPS.

(L.S.) ARM. HUBERT.

(L.S.) A. DELBEKE.

(L.S.) G. HELLEPUTTE.

(L.S.) GÉNÉRAL HELLEBAUT.

(L.S.) CHR. DE CUVELIER.

(L.S.) H. DROOGMANS.

(L.S.) LIEBRECHTS.

[ANNEXES A, B, C.]

* The 15th November, 1908, was the date fixed by Arrêté Royal of 4th November, 1908.

[Accession. Berlin Act, 1885.]

ARRANGEMENT PROVISOIRE.

A. A partir du 1^{er} janvier 1908, aucune dépense ne sera effectuée par l'État Indépendant du Congo sans que notification en soit donnée au Ministre des Finances de Belgique. Celui-ci sera tenu au courant de toutes les opérations de la comptabilité.

B. A partir de la même date, les dépenses effectuées par l'État Indépendant du Congo et les recettes encaissées par lui le seront pour le compte de la Belgique, sous réserve de l'adoption par les Chambres du projet de loi relatif à la reprise du Congo.

Bruxelles, le 28 novembre 1907.

Pour la Belgique :

J. DAVIGNON.

J. DE TROOZ.

J. RENKIN.

Pour l'État du Congo :

CHR. DE CUVELIER.

H. DROOGMANS.

LIEBRECHTS.

No. 143.—*ACCESSION of the International Association of the Congo to the General Act of the Berlin Conference of 26th February, 1885. Berlin, 26th February, 1885.**

(Translation.)

Full Powers conferred on Colonel Strauch.

“ We, Leopold II, King of the Belgians, acting as the founder of the International Association of the Congo, give by these presents full powers to M. Strauch, President of this Association, to sign the Act of Adhesion to the General Treaty adopted by the Conference of Berlin.

(L.S.) “ LEOPOLD.

“ *Brussels, 15th February, 1885.*”

Act of Adhesion of the International Association of the Congo to the General Act of the Conference of Berlin dated the 26th February, 1885 (No. 128).

The International Association of the Congo, in virtue of Art. XXXVII of the General Act of the Conference of Berlin, hereby notifies its adhesion to the provisions of the aforesaid General Act.

In witness thereof the President of the International Association of the Congo has signed this Declaration and has affixed thereto his seal.

Done at Berlin the 26th day of February, 1885.

(L.S.) COLONEL STRAUCH.

* Communication read at the final sitting of the Berlin Conference on the Affairs of Africa.

[Formation of the Independent State of the Congo.]

No. 144.—*NOTIFICATION by the King of the Belgians to the Queen of Great Britain relative to the formation of the Independent State of the Congo, the assumption of the title of Sovereign of the Independent State of the Congo, and the exclusively personal union between Belgium and the Congo. Ostend, 1st August, 1885.*

Madame ma Sœur,

LE Gouvernement de Votre Majesté a bien voulu reconnaître le pavillon de l'Association Internationale du Congo comme celui d'un État ami. Lors de la signature de l'acte général de la Conférence de Berlin, le président et les membres de cette haute Assemblée ont, en recevant l'adhésion de l'Association à l'œuvre de la Conférence, manifesté leurs sympathies pour son entreprise. Aujourd'hui que la position de l'Association est fixée au point de vue international, que sa constitution territoriale est établie et que sa mission a reçu des précieux encouragements, je suis en mesure de porter à la connaissance de Votre Majesté et de son Gouvernement que les possessions de l'Association Internationale du Congo formeront désormais l'État indépendant du Congo. J'ai, en même temps, l'honneur d'informer Votre Majesté et son Gouvernement, qu'autorisé par les Chambres législatives belges à devenir le Chef du nouvel État, j'ai pris, d'accord avec l'Association, le titre de Souverain de l'État indépendant du Congo. L'union entre la Belgique et cet État sera exclusivement personnelle. Le nouvel État, j'en ai la ferme confiance, répondra à l'attente des Puissances qui ont en quelque sorte salué à l'avance son entrée dans la famille des nations.

Je m'efforcerai de le guider dans cette voie et j'ose espérer que Votre Majesté et son Gouvernement voudront bien faciliter ma tâche en faisant un favorable accueil à la présente notification.

LÉOPOLD.

Ostende, 1 août 1885.

EDM. VAN BËTVELDE,
Administrateur Général du département des Affaires Étrangères de l'État Indépendant du Congo.

Note.—A similar notification was addressed to the Heads of all the Powers signatories of the General Act of Berlin (**No. 128**).

No. 145.—*CIRCULAR of the Administrator-General of the Department of Foreign Affairs of the Independent State of the Congo, declaring the Neutrality of that State, within its Limits as defined by Treaties. Brussels, 1st August, 1885.**

(Translation.)

Neutrality.

THE Undersigned, Administrator-General of the Department of Foreign Affairs of the Independent State of the Congo, is charged by the King, Sovereign of this State, to make known to his Excellency the Marquis of Salisbury, Secretary of State for Foreign Affairs in London, that in conformity with Article X of the General Act of the Berlin Conference (**No. 128**), the Independent State of the Congo declares by these presents that it shall be perpetually neutral, and that it claims the advantages guaranteed by Chapter III of the same Act, at the same time assuming the duties which neutrality carries with it. The state (condition) of neutrality shall apply to the territory of the Independent State of the Congo comprised within the limits resulting from the successive Treaties concluded by the International Association with Germany (**No. 160**), France (**No. 152**), and Portugal (**No. 169**), Treaties notified to the Berlin Conference and annexed to its Protocols, and which are thus determined,† namely:—

To the North.

A straight line starting from the Atlantic Ocean and joining the mouth of the river which flows into the sea to the south of Cabinda Bay, near Ponta Vermelha, at Cabo-Iambo;

The parallel of this latter point prolonged as far as its intersection by the meridian of the confluence of the Culacalla with the Luculla;

The meridian thus determined until it meets the River Luculla;

The course of the Luculla to its confluence with the Chiloango (Luango Luce);

The River Chiloango, from the mouth of the Luculla to its most northern source;

The watershed between the Niadi-Quillou and the Congo as far as the meridian of Manyanga;

A line to be determined which, while following as much as possible a natural division of the land, terminates between the station of Manyanga and the cataract of Ntombo-Mataka, at a point situated on the navigable portion of the river;

The Congo as far as Stanley Pool;

The median line of Stanley Pool;

The Congo from a point to be determined above the River Likona-Nkundja.

A line to be determined from this point to the 17th degree of

* See also Declaration of December 28, 1894, p. 557.

† See Map facing p. 604.

[Congo. Neutrality, Limits.]

longitude east of Greenwich, following as much as possible the watershed of the Licona-Nkundja Basin ;

The 17th degree of longitude east of Greenwich until it meets the 4th parallel of north latitude ;

The 4th parallel of north latitude until it meets the 30th degree of longitude east of Greenwich.

To the East.

The 30th degree of longitude east of Greenwich up to 1° 20' of south latitude ;

A straight line drawn from the intersection of the 30th degree of longitude by the parallel of 1° 20' of south latitude as far as the northern extremity of Lake Tanganyka ;

The median line of Lake Tanganyka ;

A straight line drawn from Lake Tanganyka to Lake Moero by 8° 30' south latitude.

The median line of Lake Moero ;

The watercourse which unites Lake Moero with Lake Bangweolo.*

The western shore of Lake Bangweolo.*

To the South.

A line drawn from the southern extremity of Lake Bangweolo until it meets the 24th degree of longitude east of Greenwich, and following the watershed between the Congo and the Zambesi ;

The watershed of the basin of the Kassai between the 12th and 6th parallels of south latitude ;

The 6th parallel of latitude to its intersection by the Quango ;

The course of the Quango until it meets the parallel of Nokki ;

The parallel of Nokki until it meets the meridian which passes through the mouth of the River Uango-Uango ;

The course of the Congo from the confluence of the River Uango-Uango to the sea.

To the West.

The Atlantic Ocean between the mouth of the Congo and the river which flows into the sea to the south of Cabinda Bay near Ponta Vermelha.

EDM. VAN EETVELDE.

Brussels, 1st August, 1885.

LIST OF TREATIES (CONTRACTS) *between the Belgian Expedition to the Upper Congo and Native Chiefs, 1882—1884.*

20 Oct., 1882.	Laufountchou and Kindokki.	Cession. Villages and Districts. Land between the Rivers Nsoundon and Ntombé to their confluents, and the road leading from the village of Laufountchou of Lutélé to that of Kimbanda.
29 Oct., 1882.	Selo	Cession. Sovereignty. Villages and District.
6 Jan., 1883.	Palla Balla	Cession. District.

* See Agreement, Great Britain and Congo Free State, 12th May, 1894, p. 578.

[Congo. Administrative Districts.]

1 Apr., 1884.	M'Boma (King Né Pereira).	Cession. Sovereign Rights. Villages and Lands. Seugne (Manilombi), Sara Ora, and Chinquella Goma (Capitos), Luçala, Emboche (Manilombi), N'Boch.
19 Apr., 1884.	M'Boma (King Né Corado).	Cession. Sovereign Rights. Villages and Lands. M'Banza, Chianda, Dimbo, Chincorda, N'Sança, Lutélé, Maktandan, Jouco Dekeli (Capita), Sacra N'Jouka (Manilombi).
19 Apr., 1884.	Moinda (Nelambé Zoulau).	Cession. Sovereign Rights. Seven Villages (not named).
19 Apr., 1884.	Palla Balla	Meaning of term "Cession of Territory" in Treaty of 6th January, 1883. "Suzerainty" not "Purchase of Soil."
19 Apr., 1884.	M'Boma (King Né Canha or Né Pereira).	Cession. Sovereign Rights. Towns and Lands. N'Bonza, M'Comboa, Caia M'Boma, N'Bouvalle (Monilombi), Louvongo, N'Souni, Mahunda (Capita).
20 Apr., 1884.	Moinda (Nelambé Zoulau).	Cession. Bank of the Congo bordering his States on the South. (Land acquired by Foreign Houses excepted.)

No. 146.—*DECREE of the King of the Belgians, Sovereign of the Congo Free State, defining the Administrative Districts of the State of the Congo. Ostend, 1st August, 1888.*

(Translation.)

LEOPOLD II, King of the Belgians, Sovereign of the Independent State of the Congo,

To all present and to come, greeting :

Having re-examined our Decree of the 16th April, 1887,* considering that it is necessary to determine the limits of the Administrative Districts of the State ;

On the proposition of our Council of Administrators-General,

We have decreed and do now decree :—

Art. I.—The territory of the Independent State of the Congo is divided into eleven districts, administered by a Commissioner, assisted by one or several Assistants.

Art. II.—The limits of the districts are fixed as follows :—

1. *District of Banana.*

The western boundary of the State and its northern boundary as far as the meridian passing through the western extremity of Malella Creek ; then that meridian and the southern boundary of the State.

2. *The District of Boma.*

The district of Banana ; the southern boundary of the State as far as the confluence of the River Ango-Ango ; the meridian passing through this confluence ; the northern boundary of the State.

* For Decree on the Organization of the local Government and Powers of the Governor-General see "Bulletin Officiel d'Etat Indépendant du Congo," 1887, p. 49.

[Congo. Administrative Districts.]

3. *The District of Matadi.*

The district of Boma ; the southern boundary of the State until it meets the Loufou ; the Loufou to its confluence with the Congo ; the Congo as far as its confluence with the River Ntombe above Issanghila ; the River Ntombe ; then the northern boundary of the State.

4. *The District of Cataracts.*

The district of Matadi ; the southern boundary of the State as far as Inkissi ; the Inkissi as far as its confluence with the Congo ; the boundary of the French Congo.

5. *The District of Stanley Pool.*

The district of Cataracts ; the southern frontier of the State as far as Quango ; the Quango as far as its confluence with Kassai ; the Kassai as far as Kwa-mouth and the boundary of the French Congo.

6. *District of Kassai.*

The district of Stanley Pool ; the 17th meridian east of Greenwich ; the western and northern crest of the basin of Lake Leopold II ; the crest of the River Ikatta as far as the meridian 23° east of Greenwich ; this meridian and the southern boundary of the State.

7. *District of the Equator.*

The districts of Kassai and Stanley Pool ; the Congo as far as the 1st degree of north latitude ; then a line following first the 1st parallel of north latitude and then the northern and eastern watersheds of the Rivers Lopori and Loulongo as far as the Equator ; the Equator ; then towards the south a line to be determined terminating at the 3rd parallel of south latitude ; this parallel.

8. *District of Oubandji and Ouellé.*

The district of the Equator ; the Oubandji and the northern boundary of the State ; then the 23rd meridian east of Greenwich.

9. *District of Arouwimi and Ouellé.*

The eastern and northern boundaries of the State ; the 23rd meridian east of Greenwich as far as the eastern crest of the basin of the Lopori and of the Loulongo ; this crest until it meets the Equator ; the Equator ; then towards the north a direction to be fixed terminating at a line to be subsequently determined in the basin of the Arouwimi.

10. *District of Stanley Falls.*

The district of Arouwimi and Ouellé ; that of the Equator ; a line to be determined, starting from the 3rd parallel of south latitude, terminating at a parallel to be subsequently fixed towards the 5th parallel of south latitude ; this parallel and the eastern boundary of the State.

[Sovereign Rights of the King of the Belgians over the Congo State to pass to Belgium on his death.]

11. *District of Loualaba.*

The districts of Kassai, Equator, and Stanley Falls; the eastern, southern, and western boundaries of the State.

[12. *District of Eastern Kwango*, added 10th June, 189). See p. 557.]

Art. III.—The limits of the districts can only be altered by us.

The Governor-General can, however, when he thinks it fit, temporarily modify the territorial spheres of the District Commissioners.

Art. IV.—Our Administrator-General of the Department of the Interior is charged with the execution of the present decree.

Given at Ostend, 1st August, 1888.

LEOPOLD.

By the King-Sovereign :

For the Administrator-General of the Department of the Interior, the Administrator-General of the Department for Foreign Affairs,

EDM. VAN EETVELDE.

No. 147.—*WILL of King Leopold disposing in favour of Belgium, after his death, of his Sovereign Rights over the Independent State of the Congo and of all the property, rights and privileges inherent in such Sovereignty. Brussels, 2nd August, 1889.*

Nous Léopold II, Roi des Belges, Souverain de l'Etat Indépendant du Congo :

Voulant assurer à notre patrie bien aimée les fruits de l'œuvre que, depuis de longues années, Nous poursuivons dans le Continent Africain, avec le concours généreux et dévoué de beaucoup de Belges ;

Convaincu de contribuer ainsi à assurer à la Belgique, si elle le veut, les débouchés indispensables à son commerce et à son industrie et d'ouvrir à l'activité de ses enfants des voies nouvelles ;

Déclarons, par les présentes, léguer et transmettre, après notre mort, à la Belgique, tous nos droits souverains sur l'Etat Indépendant du Congo, tels qu'ils ont été reconnus par les Déclarations, Conventions et Traités intervenus depuis 1884, entre les Puissances Étrangères, d'une part, l'Association Internationale du Congo et l'Etat Indépendant du Congo, d'autre part, ainsi que tous biens, droits et avantages attachés à cette souveraineté.

En attendant que la Législature Belge se soit prononcée sur l'acceptation de mes dispositions prédites, la souveraineté sera exercée collectivement par le Conseil des trois administrateurs de l'Etat Indépendant du Congo et par le Gouverneur Général.

Fait à Bruxelles, le 2 août 1889.

LÉOPOLD.

[Eastern Kwango. Administrative District.]

No. 148.—*DECREE of the King of the Belgians, Sovereign of the Congo Free State, creating an additional Administrative District of the Congo (Eastern Kwango).** Brussels, 10th June, 1890.

(Translation.)

(Extract.)

Preamble.

TAKING into consideration the request of many Chiefs of the country, and the Treaty of 14th February, 1885, between the International Association of the Congo and Portugal (**No. 169**);

On the proposition of our Council of Administrators-General,
We have decreed and do now decree :

District of Eastern Kwango.

Art. I.—A 12th district which shall bear the name of “ District of the Eastern Kwango ” is created. This district shall extend between the Kwango and the districts of Kassai and Lualaba.

Art. II.—*Appointment of Commissioner.*

LEOPOLD.

Brussels, 10th June, 1890.

No. 149.—*DECLARATION of the Neutrality of the Congo Free State.* Brussels, 28th December, 1894.†

[Notified to the British Government, 11th January, 1895.]

(Translation.)

THE rule of neutrality which formed the subject of the Declaration notified on the 1st August, 1885 (**No. 145**), to the Signatory Powers of the General Act of the Berlin Conference (**No. 128**) shall henceforth apply to the territory of the State delimited as follows, in consequence of the Protocol of the 29th April, 1887 (**No. 156**), and of the Arrangement of the 14th August, 1894, concluded with the French Republic (**No. 157**), of the Conventions concluded on the 25th May, 1891 (**Nos. 170 and 171**); and of the Declarations signed on the 24th March, 1894 (**No. 172**), with the Government of His Most Faithful Majesty, and of the Arrangement concluded on the 12th May, 1894 (**No. 163**), with the British Government :—

To the North.

A straight line, 950 metres long, starting from a point on the beach of the Atlantic Ocean 300 metres to the north of the principal house

* See also Decree of 1st August, 1888, p. 554.

† Laid before the Belgian Chamber of Representatives, 13th February, 1885, with other documents, when submitting for its approval the Treaty of Cession concluded 9th January, 1895, between Belgium and the Independent State of the Congo (p. 546). The Treaty of Cession was subsequently withdrawn, but a fresh Treaty was signed on the 28th November, 1907 (p. 548).

of the Dutch factory at Lunga, a point, the latitude of which is $5^{\circ} 47' 14'' 31$ S., and joining, in a south-easterly direction, the mouth of the rivulet Lunga, which flows into the lagoon of the same name ;

The course of the rivulet Lunga, as far as Mallongo Pool—the villages of Congo, N'Conde, Jema, &c., remaining to the Congo Free State—those of Cabo-Lombo, M'Venho, Jabe, Ganzy, Taly, Spita-Gagandjime, N'Goio, M'To, Fortalisa, Sokki, &c., to Portugal ;

The courses of the Rivers Venzo and Lulofe, as far as the source of the latter on the slope of Mount Nime-Tchiamia, the geographical bearings of this source being $5^{\circ} 44' 19'' 60$ S. lat., $12^{\circ} 17' 25'' 28$ long. E. of Greenwich ;

The parallel of this source, as far as its intersection with the meridian of the confluence of the Luculla with the river called by some N'Zenze, and by others Culla-Calla, the bearings of this confluence being $5^{\circ} 10' 49'' 30$ S. lat., $12^{\circ} 32' 06'' 60$ long. E. of Greenwich.

The meridian, thus determined, until it meets the River Luculla ;

The course of the Luculla as far as its confluence with the Chilongo (Loango-Luce) ;

The River Chilongo, from the mouth of the Luculla as far as its northernmost source ;

The watershed of the Niadi-Kuilou and of the Congo, as far as the meridian of Manyanga ;

A line to be determined which, following as far as possible a natural division of the land, shall terminate between the station of Manyanga and the cataract of Ntombo-Mataka, to a point situated on the navigable portion of the river ;*

The Congo as far as Stanley Pool ;

The median line of Stanley Pool ;

The Congo as far as its confluence with the Oubanghi ;

* It was stated in a foot-note to the original Declaration that this line had been partially determined, as follows :

Le fond du ravin dont la communication avec le Congo est située à environ 440 mètres et au sud 43° est par rapport au mât de pavillon du poste de l'État Indépendant du Congo à Manyanga ;

Le prolongement de ce ravin, jusqu'à sa rencontre avec le chemin allant du poste de Manyanga au village de N'Sonso ;

Ce chemin, jusqu'à sa rencontre avec le Loufou ;

La Loufou, en descendant le courant sur un parcours d'environ 400 mètres ;

Une ligne se dirigeant vers le nord, laissant à l'ouest les villages de N'Sonso et allant rejoindre le chemin de Manyanga ;

Ce chemin, jusqu'à sa rencontre avec le premier ruisseau affluent de la Rivière N'timbo ;

Ce ruisseau, jusqu'à son confluent avec la dite Rivière N'timbo ;

Cette rivière, jusqu'à sa source la plus occidentale ;

Une ligne sinueuse remontant vers le nord, jusqu'au bord au Plateau de Konyanga, et suivant ensuite une ligne de partage des eaux, jusqu'à sa rencontre avec le bassin de la Louaïa, au nord et à l'ouest du village de Koumbi ;

Une ligne se dirigeant sur le coude de la Louaïa, près du village de Kiloubou ;

La Rivière Louaïa, jusqu'au village de Kaonga ;

La ligne ainsi déterminée, laisse à l'ouest, c'est-à-dire sur le territoire de l'État Indépendant du Congo, les villages de N'Sonso, Massangui, N'Sanga, Kinkendo, et Kintombo ; et à l'est, c'est-à-dire sur le territoire de la France, le groupe de N'Tombo, le village de N'Somé, le marché de Manyanga, les villages de Kinsonia, Bondo, Konyanga, le marché de Konso, les villages de Mbango, Banza-Baka, Kiloubou, et Kaonga.

[Neutrality. Congo State.]

The thalweg of the Oubanghi as far as the confluence of the M'Bomou with the Ouellé ;

The thalweg of the M'Bomou up to its source ;

A straight line meeting the watershed of the Congo and Nile Basins.*

To the North East.

The watershed of the Nile and Congo up to its intersection by the meridian 30° E. of Greenwich (27° 40' Paris) ;

The extension of this watershed until its second intersection by the aforesaid meridian 30° E. of Greenwich.

To the East.

The 30th degree of long. E. of Greenwich up to 1° 20' of S. lat. ;

A straight line drawn from the intersection of the 30th degree of E. long. with the parallel 1° 20' S. lat. to the northern extremity of Lake Tanganika ;

The median line of Lake Tanganika ;

A line running straight to the extremity of Cape Akalunga, on Lake Tanganika, situated on the northernmost point of Cameron Bay, by about 8° 15' S. lat., to the right bank of the River Luapula, at the point where the river leaves Lake Moëro ;†

From this point, a line drawn straight to the mouth of the River Luapula in Lake Moëro ; this line, moreover, deviates towards the south of the lake so as to leave the island of Kilwa to Great Britain ;

The thalweg of the Luapula up to the point where this river leaves Lake Bangweolo ;

The meridian in a southerly direction, passing through this point to the watershed of the Congo and Zambesi.

To the South.

The watershed of the Congo and Zambesi to the source of the affluent of the Kassai which rises in Lake Dilolo ;

The course of this affluent from its source to its mouth ;

The thalweg of the Kassai as far as the parallel 7° 17' S. lat. ;

The parallel 7° 17' S. lat. to its intersection by the thalweg of the Chikapa ;

The thalweg of the River Chikapa to its intersection by the parallel 6° 55' S. lat. ;

The parallel 6° 55' S. lat. to its intersection by the thalweg of the Lovua ;

The thalweg of the Lovua to its intersection by the 7th degree of S. lat. ;

* Note to original Declaration :

Les termes de "M'Bomou" et "sources du M'Bomou" se rapportent aux indications contenues dans la carte de Juaker (Gotha, Justus Perthes, 1888).

† See Agreement, Great Britain and Congo State, 12th May, 1894. Art. I (b), p. 578.

The 7th degree of S. lat. to its intersection by the thalweg of the Loangué ;

The thalweg of the Loangué to its confluence with the Kangulungu or Kama Bomba ;

The thalweg of the Kangulungu to its intersection by the parallel of the confluence of the Kwilu and the Luita (about 7° 34' S. lat.) ;

This parallel as far as the confluence of the Kwilu and the Luita ;

The thalweg of the Luita from the junction of its waters with the Kwilu to the 8th degree of S. lat. ;

The 8th degree of S. lat. as far as its intersection by the thalweg of the Kwengo ;

The thalweg of the Kwengo to its intersection by the parallel 7° 55' S. lat. ;

The parallel 7° 55' of S. lat. as far as the thalweg of the Lucaïa ;

The thalweg of the Lucaïa as far as the 8th degree of S. lat. ;

The 8th degree of S. lat. as far as the thalweg of the Kamanguna, the river through whose waters the River Lué enters the N'Kombo ;

The thalweg of the Kamanguna, and of the N'Komba, to its junction with the Uövo ;

The thalweg of the Uövo as far as its mouth in the Wamba ;

The thalweg of the Wamba from the mouth of the Uövo to its intersection by the parallel of the point of junction of the Komba and Lola (8' west of the Wamba, and at about 8° 5' 40" S. lat.) ;

The thalweg of the channel along which the waters of the Lola flow to its intersection by the thalweg of the Tungila ;

The thalweg of the Tungila to its mouth in the Kwango (about 80° 7' 40" S. lat.) ;

The thalweg of the Kwango until it meets the parallel passing through the residence at Nokki ;

The parallel passing through the residence at Nokki (5° 52' 10" 14 S. lat., 13° 28' 25" 25 long. E. of Greenwich), from the Kwango to a point determined on this parallel, 2,000 metres to the east of the left bank of the Congo ;

A straight line joining this point with the point of intersection of the left bank of the Congo by the parallel which runs 100 metres to the north of the principal house of the factory of Domingos de Souza, at Nokki ;

This parallel as far as its intersection by the median line of the navigation channel generally used by ships drawing a large amount of water ;

This median line, as far as the mouth of the Congo River, which line actually leaves to the right, notably, amongst others, the river islands named Bulambemba, Mateba, and Princes Isles, which are comprised between this line and the right bank of the river, and to the left notably, amongst others, the river islands known by the names of Bulicoco and Sacran Abaca Islands, which are comprised between this line and the left bank of the river.

[Denmark, Congo.]

To the West.

The Atlantic Ocean between the point where the aforesaid median line terminates at the sea and the point situated 300 metres to the north of the principal house of the Dutch factory at Lunga.

Brussels, 28th December, 1894.

No. 150.—*CONVENTION between Denmark and the International Association of the Congo. Berlin, 23rd February, 1885.*

Danish Recognition of Flag of Association.

Art. I.—The Royal Danish Government recognizes the flag of the International Association of the Congo—a blue flag with a gold star in the centre—as the flag of a friendly State

*No Import or Transit Duties to be levied.**

Art. II.—[To same purport as Article I of Treaty with Great Britain of 16th December, 1884 (**No. 162**).]

Right of Danish Subjects to establish themselves in Territories of the Association. National and Most-favoured-nation Treatment. Protection of Persons and Property, Religion, Navigation, Commerce, and Industry. Right to buy, sell, and hire Lands, Houses, and Mines. Forests and Coasting Trade.

Art. III.—[Same as Article II of Treaty with Great Britain of 16th December, 1884 (**No. 162**).]

General Most-favoured-nation Treatment.

Art. IV.—[To same purport as Article III of Treaty with Great Britain of 16th December, 1884 (**No. 162**).]

Appointment of Consuls. Consular Jurisdiction. Most-favoured-nation Treatment.

Art. V.—It is understood that Denmark will enjoy as regards the nomination of Consuls, their functions and Consular jurisdiction, all the rights and privileges which are or may be granted to any other State.

Above Engagements to extend to any Cession of Territory made by the Association.

Art. VI.—In case of the Association ceding any portion of the territory now or hereafter under its Government, the engagements contracted by the Association under this Convention shall be mentioned

* See also "Berlin Act," 26th February, 1885, p. 468; and "Brussels Act," 2nd July, 1890, p. 488.

[French Right of Pre-emption.]

in the Act of Cession and binding on the concessionnaire. Those engagements, and the rights accorded by the Association to Denmark and Danish subjects, shall continue to be in vigour after every cession made to any new occupant of any portion of the said territory.

Art. VII.—*Convention to be ratified.* Execution of Convention from Date of Exchange of Ratifications.*

Done at Berlin, the 23rd February, 1885.

STRAUCH.
DE VIND.

No. 151.—*EXCHANGE OF NOTES between the Congo Free State and France, respecting the right of Pre-emption of France over the Territory of the Congo Free State. April, May, 1884.†*

(1) *The President of the International Association of the Congo to the French Minister for Foreign Affairs.*

(Translation.)

M. le Ministre,

Brussels, 23rd April, 1884.

THE International Association of the Congo, in the name of the Stations and Free Territories which it has founded in the region of the Congo and in the Valley of Niadi-Quillou, formally declares that it will not cede them to any Power, except in virtue of special Conventions, which may be concluded between France and the Association, for fixing the limits and conditions of their respective action. Nevertheless, the Association, being desirous of giving a fresh proof of its friendly feeling towards France, engages to give her the right of preference if, through unforeseen circumstances, the Association were compelled to sell its Possessions.

STRAUCH.

M. Jules Ferry.

(2) *M. Jules Ferry, President of the Council, Minister for Foreign Affairs, to M. Strauch, President of the International Association of the Congo, at Brussels.*

(Translation.)

Sir,

Paris, 24th April, 1884.

I have the honour to acknowledge the receipt of your letter of the 23rd instant, in which you, as President of the International Association convey to me the assurances and guarantees destined to consolidate our relations of friendship and amity (bon voisinage) in the Congo region.

* Ratified 15th August, 1885.

† "Documents Diplomatiques. Affaires du Congo, 1884—1887." "Documents Diplomatiques." 2nd Series. Oct.—Dec., 1884, vol. xii. See also Exchange of Notes, April, 1887, p. 567. Claim not submitted to Signatory Powers. Hansard, vol. xxv, 4th Series, p. 1082, 14th June, 1894. See also Arrangement between Belgium and France of 5th February, 1895, p. 570.

[French Right of Pre-emption.]

I take note, with great satisfaction, of these declarations, and, in return, I have the honour to acquaint you that the French Government undertakes to respect the stations and free territories of the Association, and to place no obstacle to the exercise of its rights.

JULES FERRY.

(Translation.)

(3) *M. Jules Ferry, President of the Council, Minister for Foreign Affairs, to the Ambassadors of the French Republic at Berlin, London, Vienna, St. Petersburg, Madrid, Constantinople, Berne, and Rome ; to the Ministers of the French Republic at Copenhagen, Stockholm, Belgrade, Bucharest, Athens, Washington, Tangier, Tôkiô, Tehrân ; and to the Chargés d'Affaires of the French Republic at Munich, the Hague, and Peking.*

Paris, 31st May, 1884.

THE President of the International Association of the Congo addressed to me, on the 23rd of April last, a letter, of which I have the honour of sending you herewith a copy ; you will also find annexed hereto copy of the answer which I returned to his communication.

This correspondence sets forth the agreement concluded with us by the International Association, and according to the terms of which the Society engages to cede to no other Power than France the territories and stations established by her in the Congo region and in the Valley of Niadi-Quillou. We promise, in return, to respect the stations and territories of the Association, and to place no obstacle to the exercise of its rights.

The understanding, thus arrived at, shall have for its immediate effect to facilitate the operations of the Commissioner of the French Government in West Africa. It protects, for the future, the work pursued in these regions by the Government of the Republic against the Intervention of a third Power who might take the place of the Association ; from this twofold point of view I did not hesitate to give my consent to it. I desired to acquaint you with the nature and object of these arrangements ; there is, moreover, no objection to your alluding to the foregoing information in your interviews.

JULES FERRY.

No. 152.—*CONVENTION between the Government of the French Republic and the International Association of the Congo. Paris, 5th February, 1885.*

(Translation.)

Extension to France of Privileges conceded to other Countries.

Art. I.—The International Association of the Congo hereby declares that it extends to France the privileges it has conceded to the United States of America, the German Empire, England, Italy, Austria-Hungary, the Netherlands, and Spain, in virtue of the Conventions which it concluded with those Powers respectively on the 22nd April (**No. 176**), 8th November (**No. 160**), 16th (**Nos. 161 and 162**), 19th (**No. 166**), 24th (**No. 138**), 27th December, 1884 (**No. 168**), and 7th January, 1885 (**No. 174**), the text of which is annexed to the present Convention.

General Most-favoured-nation Treatment.

Art. II.—[To same purport as Article III of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Frontiers between the Possessions of France and those of the Association.

Art. III.*—The Government of the French Republic and the Association adopt as frontiers between their Possessions :

The River Chiloango from the ocean† to its northernmost source ;

The water-parting of the waters of the Niadi Quilloo and the Congo as far as beyond the meridian of Manyanga ;

A line to be settled, which, following as far as possible some natural division of the land, shall end between the station of Manyanga and the cataract of the Ntombo Mataka, at a point situated on the navigable portion of the River ;

The Congo up to Stanley Pool ;

The centre of Stanley Pool ;

The Congo up to a point to be settled above the River LiconaNkundja ;

A line to be settled from that point to the 17th degree of longitude east of Greenwich, following as closely as possible the water-parting of the basin of the LiconaNkundja, which is part of the French Possessions ;‡

The 17th degree of longitude east of Greenwich.

Appointment of Boundary Commissioners.

Art. IV.—A Commission, composed of an equal number on each side of Representatives of the two Parties, shall be intrusted with the

* See Protocol (Manyanga Region), 22nd November, 1885, p. 566, and Protocol (Oubangi Region), 29th April, 1887, p. 568.

† See Convention between Portugal and the Association, 14th February, 1885, p. 591 ; and Convention between France and Portugal, 12th May, 1886, Article II. p. 674.

‡ See Protocol, 29th April, 1887, p. 568.

[France and Congo. Private Stations and Properties.]

duty of marking out on the spot a frontier line in conformity with the preceding stipulations.

Settlement of Differences.

In case of a difference of opinion the question shall be settled by Delegates who shall be named by the International Commission of the Congo.

Conditional Recognition by France of Neutrality of the Territories of the Association South of the Chiloango.

Art. V.*—Subject to the arrangements to be made between the International Association of the Congo and Portugal as to the territories situated to the south of the Chiloango, the Government of the French Republic is disposed to recognize the neutrality of the Possessions of the International Association comprised within the frontiers marked on the annexed map,† conditionally upon discussing and regulating the conditions of such neutrality in common with the other Powers represented at the Berlin Conference.

French Recognition of Flag of the Association.

Art. VI.—The Government of the French Republic recognizes the flag of the International Association of the Congo—a blue flag with a golden star in the centre—as the flag of a friendly Government.

Done at Paris, the 5th February, 1885.

(L.S.) JULES FERRY.

(L.S.) COMTE PAUL DE BORCHGRAVE D'ALTENA.

[This Convention was ratified on the 12th March, 1885.]

No. 153.—*ADDITIONAL CONVENTION between France and the International Association of the Congo. Paris, 5th February, 1885.‡*

(Translation.)

Cession of Private Stations and Properties by Association to France.

Sole Article.—The International Association of the Congo cedes to France the stations and properties which she privately possesses in the territories which, in consequence of the delimitation agreed to by the Convention of this date, shall be found to belong to France.

Steps shall be taken so that the transfer may take place as soon as possible.

* See Protocol, 29th April, 1887, p. 568.

† This Map was not published with the Convention; but see Map facing p. 604.

‡ See also Protocol, 22nd November, 1885, p. 566.

[France and Congo. Manyanga Region.]

Appointment of Commissioners to estimate value.

A Commission composed of Delegates of the Contracting Parties, in equal number on both sides, shall be charged with making an estimate of each of the stations.

The estimates thus drawn up shall serve as a basis to determine equitably the sum to be paid by the Government of the French Republic to the Association for the said cession.

Done at Paris, on the 5th February, 1885.

(L.S.) JULES FERRY.

(L.S.) COUNT P. DE BORCHGRAVE D'ALTENA.

No. 154.—*PROTOCOL defining the Boundaries between the Congo Free State and the French Possessions in the Region of Manyanga. Manyanga, 22nd November, 1885.*

(Translation.)

THE Government of the French Republic, and the Congo State, in conformity with the provisions of the Convention signed at Paris on the 5th February, 1885 (**No. 152**), have deputed to proceed with the demarcation of the Boundaries of the Government of the Republic and those of the said State: the Government of the French Republic, M. Charles Rouvier, Lieutenant of the Navy, &c., and the Congo State, M. Juhlin-Dannfelt, Max, Lieutenant of Infantry in the Swedish Army, Chief of the Manyanga Division, who, after having communicated to each other their powers, have agreed upon the following stipulations:—

The Boundary between the French Possessions and the Possessions of the Congo Free State, towards Manyanga,* shall be fixed in conformity with the map annexed hereto,† and which is as follows:—

The bottom of the ravine whose communication with the Congo is situated at about 440 metres, and to the south 43 degrees east of the Flagstaff of the station of the Congo Free State at Manyanga [*sic* in original];

The extension of this ravine until it meets the path leading from the station of Manyanga to the village of Nsonso;

This path until it reaches the Loufou;

The Loufou, descending the current for a distance of about 400 metres;

A line drawn northwards leaving the villages of Nsonso to the west, and rejoining the path of Manyanga;

This path until it meets the first stream, an affluent of the River Ntimbo;

This stream until its confluence with the said Ntimbo;

This river as far as its westernmost source;

A curved line going northwards as far as the plateau of Konyanga,

* See Convention, 5th February, 1885, p. 564.

† See Map facing p. 568.

[French Right of Pre-emption.]

and then following the watershed until it meets the basin of the Louaïa to the north, and to the west of the village of Koumbi ;

A line drawn to the bend of the Louaïa, near the village of Kilombou ;

The River Louaïa as far as the village of Kaonga.

The line thus determined leaves to the west, that is to say, on the Territory of the Congo Free State, the villages of Nsonso, Massangni, Nsanga, Kinkendo, and Kintombo, and to the east, that is to say, on French Territory, the cluster of habitations at Ntombo, the village of Nsome, the market of Manyanga, the villages of Kinsonia, Bondo, Konyanga, the market of Konso, the villages of Mbango, Banza-Baka, Kiloumbou, and Kaonga.

The difficulty of obtaining information beyond the line thus determined has not admitted of the further prolongation of the Boundary line.

In faith of which the respective Plenipotentiaries have signed the present Convention.

Done at Manyanga, the 22nd November, 1885.

M. JUHLIN-DANFELT.
CH. ROUVIER.

No. 155.—*EXCHANGE OF NOTES between the Congo Free State and France, respecting the right of Pre-emption of France over the Territory of the Congo Free State. 22nd, 29th April, 1887.**

(Translation.)

(1) *M. van Eetvelde, Administrator-General of the Foreign Affairs of the Congo Free State, to M. Bourée, French Minister at Brussels.*

Brussels, 22nd April, 1887.

THE International African Association, when it concluded the Arrangement of 1884 with the Government of the French Republic (**No. 151**), which was confirmed by the letter of the 5th February, 1885, did not intend, and could not have intended, that in the event of the sale of its Possessions, the right of preference recognized to France before all other Powers could be opposed to that of Belgium, of which King Leopold was sovereign ; but it is evident that the Congo State could not cede these same Possessions to Belgium without imposing on her the obligation of recognizing the right of preference of France in event of she herself subsequently selling them.

This explanation takes nothing from nor adds anything to the above-mentioned documents ; far from being in opposition to them, it only establishes their meaning. I am authorized to add that this is the meaning which was attached to them by the august founder of the International African Association when he sanctioned them.

VAN EETVELDE.

* From " Documents Diplomatiques. Affaires du Congo," 1884—1887.

[France and Congo. Oubangi Region.]

(Translation.)

(2) *M. Bourée, French Minister at Brussels, to M. van Eetvelde, Administrator-General of the Foreign Affairs of the Congo Free State.*

Brussels, 29th April, 1887.

On the 22nd April you did me the honour of writing me a letter which had for its object to establish the fact that the International African Association, when it concluded with the French Government the Arrangement of 1884 (**No. 151**), which was confirmed by the letter of 5th February, 1885, did not intend, in the event of its selling its Possessions, that the right of preference recognized to France before all the other Powers could be opposed to Belgium, of which King Leopold was sovereign. You, moreover, add that it was evident that the Congo State could not cede these same Possessions to Belgium without imposing on her the recognition of the right of preference of France in the event of she herself selling them.

On the other hand, you call attention to the fact that this explanation takes nothing from nor adds anything to the above-mentioned documents; that far from being in opposition to them, it only establishes their meaning, and that such is the meaning attached to them by the august founder of the International African Association when he sanctioned them.

In acknowledging the receipt of this communication, I am authorized to say that I take note, in the name of the Government of the Republic, of the interpretation which they contain and which you set forth as having always been the one which you attached to the Convention of 1884 (**No. 151**), in so far as this interpretation is not contrary to pre-existing international engagements.

BOURÉE.

No. 156.—*PROTOCOL defining the Boundaries between the Congo Free State and the French Possessions in the Oubangi Region. Brussels, 29th April, 1887.*

(Translation.)

The Government of the Congo Free State and the Government of the French Republic, after examining the work of the Commissioners, who had been charged to execute on the spot as far as possible the tracing of the Boundaries between their respective Possessions, have agreed to admit the following provisions as definitively settling the execution of the last paragraphs of Article III of the Convention of 5th February, 1885 (**No. 152**);

Boundary in the Oubangi Region.

From its confluence with the Congo the Thalweg of the Oubangi shall form the Boundary until its intersection by the 4th parallel of north latitude.

d to
ONGO AND FRANCE,
ber 1885.

To face page 568

*Itineraire de la Reconnaissance faite au Nord de
Manyanga pour servir à la détermination de la
frontière entre la France et l'Etat indépendant
du Congo.*

— Echelle = 1:190,000 —

enga °

nda Kigenga °

Riv. ---

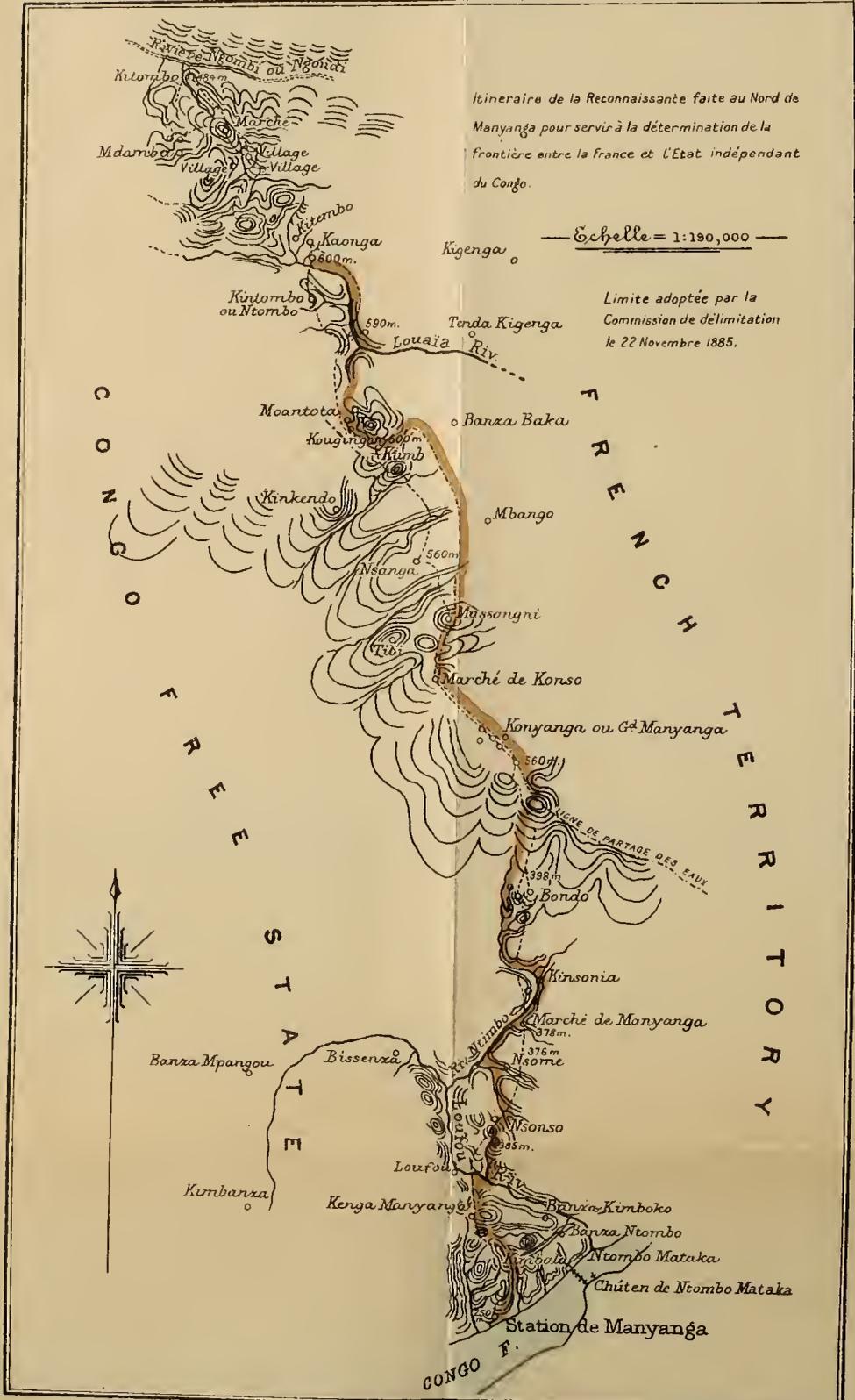
Banza Baka

*Limite adoptée par la
Commission de délimitation
le 22 Novembre 1885.*

F
R
E

Map Annexed to
PROTOCOL BETWEEN CONGO AND FRANCE,
of 22nd November 1885.

To face page 568



[France and Congo. Boundaries.]

Congo Free State not to exercise Political Action on right bank of the Oubangi ; nor France on left bank.

The Congo Free State promises the Government of the French Republic not to exercise any political action on the right bank of the Oubangi, to the north of the 4th parallel. The Government of the French Republic promises, on her side, not to exercise any political action on the left bank of the Oubangi to the north of the same parallel, the Thalweg forming in both cases the separation.

Limits of Northern Boundary.

In no case shall the northern Boundary of the Congo State descend below the 4th parallel of north latitude, which is the limit already assigned to it by Article V of the Convention of 5th February, 1885 (No. 152).

The two Governments have agreed to record these provisions in the present Protocol.

In faith of which the Undersigned, duly authorized, have signed it, and have affixed their seals.

Done at Brussels, the 29th April, 1887.

The Administrator General of Foreign Affairs of the Congo Free State,	The Envoy Extraordinary and Minister Plenipotentiary of the French Republic at Brussels,
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(L.S.) EDM. VAN EETVELDE.

(L.S.) A. BOURÉE.

No. 157.—BOUNDARY AGREEMENT between France and the Congo Free State. 14th August, 1894.

(Translation.)

The undersigned, Gabriel Hanotaux, Minister for Foreign Affairs of the French Republic, &c. ; Jacques Haussmann, Director of Political and Commercial Affairs at the Colonial Office, &c. ; Joseph Devolder, ex-Minister of Justice and ex-Minister of the Interior and Education of His Majesty the King of the Belgians, Vice-President of the Supreme Council of the Congo Free State, &c. ; and Baron Constant Goffinet, &c. ; Plenipotentiaries of the French Republic and of the Congo Free State, deputed to prepare an agreement relative to the boundaries of the respective possessions of the two States and to settle the other questions pending between them, have agreed upon the following provisions :—

*Boundary between the Congo Free State and French Congo.
Oubanghi, &c.*

Art. I.—The frontier between the Congo Free State and the colony of French Congo, after following the thalweg of the Oubanghi up to the confluence of the Mbomou* and of Ouelle [or Welle], shall be

* The terms "Mbomou" and "Source of the Mbomou," have reference to the indications contained in Junker's map (Gotha, Justus Perthes, 1888).

[French Right of Pre-emption. Congo State.]

constituted as follows:—(1) The thalweg of the Mbomou up to its source. (2) A straight line joining the watershed between the Congo and Nile basins. From this point the frontier of the Free State is constituted by the said watershed up to its intersection with longitude 30° East of Greenwich (27° 40' E., Paris).

Art. II.—*French Right of Police over the Waters of the Mbomou.*

Renunciation by Free State of Occupation or Influence over certain Districts. Watershed of Congo and Nile Basins, &c.

Art. IV.—The Free State binds herself to renounce all occupation, and to exercise in the future no political influence west or north of a line thus determined:—Longitude 30° E. of Greenwich (27° 40' E., Paris), starting from its intersection of the watershed of the Congo and Nile basins, up to the point where it meets the parallel 5° 30', and then along that parallel to the Nile.

Art. V.—*Ratifications to be exchanged within Three Months.*

Art. VI.—In token of which the Plenipotentiaries have drawn up the present arrangement and affixed their signatures.

Given at Paris in duplicate, August 14, 1894.

G. HANOTAUX.
J. HAUSSMANN.
J. DEVOLDER.
BARON GOFFINET.

[Approved by the Government of the French Republic, by Law of 21st December, 1894.]

No. 158.—*ARRANGEMENT entered into between the Belgian Government and France, respecting the French right of pre-emption over the Territories of the Congo State. Signed at Paris, 5th February, 1895.*

(Translation.)

WHEREAS by virtue of notes exchanged ^{23rd}/_{24th} April, 1884 (**No. 151**), between M. Strauch, President of the International Association of the Congo, and M. J. Ferry, President of the Council and Minister for Foreign Affairs of the French Republic, a right of preference (*préférence*) was secured to France in the event of the Association being some day induced to dispose of its possessions; and whereas this right of preference was maintained when the Independent State of the Congo replaced the International Association (**No. 155**);

Whereas, in view of the transfer to Belgium of the possessions of the Independent State of the Congo, by virtue of the Treaty of Cession of 9th January, 1895 (page 546), the Belgian Government will take over the obligation (*se trouvera substitué à l'obligation*) contracted in this respect by the Government of the said State;

[Belgium and France. Possessions in Stanley-Pool.]

The Undersigned have agreed upon the following dispositions that shall regulate henceforth the French right of preference with respect to the Belgian Colony of the Congo.

Art. I.—The Belgian Government recognizes a right of preference to France over its Congolese Possessions in case of alienation of the same for a consideration, either in whole or in part.

Every exchange of Congolese territories with a Foreign Power, every concession, every leasing of the said territories, in whole or in part, to a Foreign Power, or to a foreign Company invested with rights of sovereignty, shall equally be made subject to the French right of preference, and shall consequently form the object of a preliminary negotiation between the Belgian Government and the Government of the French Republic.

Art. II.—The Belgian Government declares that it will never cede gratuitously the whole or any part of the said possessions.

Art. III.—The dispositions provided for by the above Articles apply to the whole of the territories of the Belgian Congo.

In testimony whereof the undersigned have drawn up the present arrangement, to which they have affixed their seals.

Done in duplicate, at Paris, 5th February, 1895.

(L.S.) BOU D'ANETHAN.

(L.S.) G. HANOTAUX.

[This Arrangement was submitted to the Belgian Chamber of Deputies for approval, on the 13th February, 1895, with the Treaty for the cession of the Congo State to Belgium of the 9th January, 1895 (p. 546). The Treaty was subsequently withdrawn, but a fresh Treaty was signed on the 28th November, 1907 (p. 548), under which this Arrangement was renewed. See No. 382, p. 1226.]

No. 159.—*DECLARATION exchanged between Belgium and France, relative to the Limits of their respective Possessions in Stanley-Pool. Paris, 5th February, 1895.**

(Translation.)

Stanley-Pool.

THE Belgian Government and the Government of the French Republic agree to adopt as limits of their respective possessions in Stanley-Pool :

Island of Bamou.

The median line of Stanley-Pool up to the point of contact of this line with the island of Bamou, the southern shore of this island up to its eastern extremity, then the median line of Stanley-Pool.

* The Treaty of 9th January, 1895 (p. 546), for the cession of the Congo State to Belgium was withdrawn, but a fresh Treaty was signed on the 28th November, 1907 (p. 548), under which this Declaration, with a slight addition relating to the neutrality of the territory of Bamou, was renewed. (See No. 382, p. 1226.)

[Germany and Congo.]

The island of Bamou, the waters and islets inclosed between the island of Bamou and the northern shore of Stanley-Pool shall belong to France; the waters and islets inclosed between the island of Bamou and the southern shore of Stanley-Pool shall belong to Belgium.

Military establishments shall not be created in the island of Bamou.

In testimony whereof the undersigned have drawn up the present Declaration, to which they have affixed their seals.

Done in duplicate, at Paris, 5th February, 1895.

(L.S.) BON D'ANETHAN.

(L.S.) G. HANOTAUX.

No. 160.—*CONVENTION between the German Empire and the International Association of the Congo. Berlin, 8th November, 1884.**

(Translation.)

No Import or Transit Duties to be levied.

Art. I.—The International Association of the Congo engages not to levy any duty on articles or merchandize imported directly or in transit into its present or future possessions in the basins of the Congo and the Niadi-Kwilu, or into its possessions situated on the Atlantic Ocean. This exemption from duties especially applies to merchandize and articles of commerce which are carried by the roads made round the cataracts of the Congo.

Right of German Subjects to establish themselves in Territories of the Association. Protection of Person and Property. Religion, Navigation, Trade, and Manufactures. National and Most-favoured-nation Treatment. Right to buy, sell, and hire houses, &c. Coasting Trade.

Art. II.—[To same purport as Article II of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

General Most-favoured-nation Treatment.

Art. III.—[To same purport as Article III of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Above Engagement to extend to any Cession of Territory by the Association.

Art. IV.—In the event of the cession of the present or future territory of the Association, or of any part of it, the obligations contracted by the Association towards the German Empire shall be transferred to the occupier. These obligations and the rights granted by the Association to the German Empire and its subjects shall remain in force after every cession as far as regards each new occupier.

* See also Berlin Act, 26th February, 1885, p. 468, and Brussels Act, 2nd July, 1890, p. 488.

[Great Britain and Congo.]

German recognition of Flag of the Association.

Art. V.—The German Empire recognizes the flag of the Association—a blue flag with a golden star in the centre—as that of a friendly State.

German recognition of Frontiers of Congo State.

Art. VI.—The German Empire is ready on its part to recognize the frontiers of the territory of the Association and of the new State which is to be created, as they are shown in the annexed map.*

Ratifications.

Art. VII.—This Convention shall be ratified and the ratifications shall be exchanged with the least possible delay.†

This Convention shall come into force immediately after the exchange of the ratifications.

Done at Berlin, the 8th November, 1884.

Count v. BRANDENBOURG.
STRAUCH.

No. 161.—*DECLARATIONS exchanged between the Government of Her Britannic Majesty and the International Association of the Congo. Berlin, 16th December, 1884.‡*

Declaration of the Association.

THE International Association of the Congo, founded by His Majesty the King of the Belgians, for the purpose of promoting the civilization and commerce of Africa, and for other humane and benevolent purposes, hereby declares as follows :—

Treaties with States in basins of the Congo and the Niadi-Kwilu, &c.

1. That by Treaties with the legitimate Sovereigns in the basins of the Congo and of the Niadi-Kwilu, and in adjacent territories upon the Atlantic, there has been added to it territory for the use and benefit of Free States established, and being established, in the said basins and adjacent territories.

Administration of Interests vested in the Association.

2. That by virtue of the said Treaties, the administration of the interests of the said Free States is vested in the Association.

Flag.

3. That the Association has adopted as its standard, and that of the said Free States, a blue flag with a golden star in the centre.

* This Map was not published with the Convention, but see Map facing p. 604.

† Ratified 27th November, 1884.

‡ Ratified 9th May, 1885. See also Convention of same date, p. 575.

[Great Britain and Congo.]

*No Customs duties to be levied on Imports.**

4. That with a view of enabling commerce to penetrate into Equatorial Africa, the Association and the said Free States have resolved to levy no customs duties upon goods or articles of merchandize imported directly into their territories or brought by the route which has been constructed around the cataracts of the Congo.

Religious Liberty. Rights of Navigation, Commerce, and Industry.

5. That the Association and the said Free States guarantee to foreigners established in their territories the free exercise of their religion, the rights of navigation, commerce, and industry ;

Right to Buy, Sell, Let and Hire Lands, Houses, Mines, and Forests.

And the right of buying, selling, letting, and hiring lands, buildings, mines, and forests, on the sole condition that they shall obey the laws.

Prevention of the Slave Trade and Suppression of Slavery.

6. That the Association and the said Free States will do all in their power to prevent the Slave Trade and to suppress Slavery.

Done at Berlin, the 16th December, 1884.

(On behalf of the Association),

STRAUCH.

*Declaration of Her Britannic Majesty's Government.**British recognition of Flag of the Association.*

The Government of Her Britannic Majesty declare their sympathy with, and approval of, the humane and benevolent purposes of the Association, and hereby recognize the flag of the Association, and of the Free States under its administration, as the flag of a friendly Government.

(On behalf of Her Majesty's Government),

EDWARD B. MALET.

* See also Berlin Act, 26th February, 1885, p. 468, and Brussels Act, 2nd July, 1890, p. 488.

No. 162.—*CONVENTION between Her Britannic Majesty's Government and the International Association of the Congo. Berlin, 16th December, 1884.**

WHEREAS the Government of Her Britannic Majesty have recognized the flag of the International Association of the Congo, and of the Free States under its administration, as the flag of a friendly Government. (No. 161.)

And whereas it is expedient to regulate and define the rights of British subjects in the territories of the said Free States, and to provide for the exercise of civil and criminal jurisdiction over them, in manner hereinafter mentioned, until sufficient provision shall have been made by the Association for the administration of justice among foreigners. It is hereby agreed as follows :—

No Import or Transit Duties to be levied.†

Art. I.—The International Association of the Congo undertakes not to levy any duty, import or transit, on articles or merchandize imported by British subjects into the said territories, or into any territory which may hereafter come under its government. This freedom from custom-house duties shall extend to merchandize and articles of commerce which shall be transported along the roads or canals constructed, or to be constructed, around the cataracts of the Congo.

Right of British Subjects to establish themselves in Territories of the Association.

Art. II.—British subjects shall have at all times the right of sojourning and of establishing themselves within the territories which are or shall be under the government of the said Association.

Protection of Persons and Property, Religion, Navigation, Commerce, and Industry. Most-favoured-nation Treatment.

They shall enjoy the same protection which is accorded to the subjects or citizens of the most favoured nation in all matters which regard their persons, their property, the free exercise of their religion, and the rights of navigation, commerce, and industry.

Right to Buy, Sell, Let, or Hire Lands, Houses, Mines, and Forests. Coasting Trade.

Especially they shall have the right of buying, of selling, of letting and of hiring lands and buildings, mines, and forests, situated within the said territories, and of founding houses of commerce, and of carrying on commerce and a coasting trade under the British flag.

* See also Declarations of same date, p. 573.

† See also Berlin Act, 26th February, 1885, p. 468, and Brussels Act, 2nd July, 1890, p. 488.

General Most-favoured-nation Treatment.

Art. III.—The Association engages itself not to accord any advantages whatsoever to the subjects of any other nation without the same advantages being extended to British subjects.

Appointment of Consuls.

Art. IV.—Her Majesty the Queen of Great Britain and Ireland may appoint Consuls or other Consular officers to reside at ports or stations within the said territories, and the Association engages itself to protect them.

British Consular Jurisdiction ; Civil and Criminal.

Art. V.—Every British Consul or Consular officer within the said territories, who shall be thereunto duly authorized by Her Britannic Majesty's Government, may hold a Consular Court for the district assigned to him, and shall exercise sole and exclusive jurisdiction, both civil and criminal, over the persons and property of British subjects within the same, in accordance with British law.

Laws of Free States to be observed by British Subjects.

Art. VI.—Nothing in the last preceding Article contained shall be deemed to relieve any British subject from the obligation to observe the laws of the said Free States applicable to foreigners ;

Infractions of Laws by British Subjects justiciable by British Consular Court.

But any infraction thereof by a British subject shall be justiciable only by a British Consular Court.

Offences against Person or Property of British Subjects by Subjects of Free States punishable by Laws of Free States.

Art. VII.—Inhabitants of the said territories who are subject to the government of the Association, if they shall commit any wrong against the person or property of a British subject, shall be arrested and punished by the authorities of the Association according to the laws of the said Free States.

Administration of Justice.

Justice shall be equitably and impartially administered on both sides.

Jurisdiction in Civil Cases.

Art. VIII.—A British subject, having reason to complain against an inhabitant of the said territories, who is subject to the government of the Association, must proceed to the British Consulate, and there state his grievance. The Consul shall inquire into the merits of the case, and do his utmost to arrange it amicably. In like manner, if

any such inhabitant of the said territories shall have reason to complain against a British subject, the British Consul shall no less listen to his complaint and endeavour to settle it in a friendly manner.

Settlement of Disputes.

If disputes take place of such a nature that the Consul cannot arrange them amicably, then he shall request the assistance of the authorities of the Association to examine into the merits of the case and decide it equitably.

Recovery of Debts.

Art. IX.—Should any inhabitant of the said territories, who is subject to the government of the Association, fail to discharge any debt incurred to a British subject, the authorities of the Association will do their utmost to bring him to justice, and to enforce recovery of the said debt; and should any British subject fail to discharge a debt incurred by him to any such inhabitant, the British authorities will in like manner do their utmost to bring him to justice, and to enforce recovery of the debt. No British Consul nor any authority of the Association is to be held responsible for the payment of any debt contracted either by a British subject, or by any inhabitant of the said territories, who is subject to the government of the Association.

Above Engagements to apply also to any Cession of Territory.

Art. X.—In case of the Association being desirous to cede any portion of the territory now or hereafter under its government, it shall not cede it otherwise than as subject to all the engagements contracted by the Association under this Convention. Those engagements, and the rights thereby accorded to British subjects, shall continue to be in vigour after every cession made to any new occupant of any portion of the said territory.

Ratifications.

This Convention shall be ratified, and the ratifications shall be exchanged with the least possible delay.* It shall come into operation immediately upon the exchange of ratifications.

Done at Berlin, the 16th December, 1884.

EDWARD MALET.
STRAUCH.

* Ratifications exchanged at Brussels, 9th May, 1885.

No. 163.—*AGREEMENT between Great Britain and His Majesty King Leopold II, Sovereign of the Independent State of the Congo, relating to the Spheres of Influence of Great Britain and the Independent State of the Congo in East and Central Africa. Signed at Brussels, 12th May, 1894.**

THE Undersigned, the Honourable Sir Francis Richard Plunkett, a Knight Grand Cross of the most distinguished Order of St. Michael and St. George, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to the King of the Belgians, on behalf of the British Government, and M. van Eetvelde, Officer of the Order of Leopold, Grand Cross of the Orders of St. Gregory the Great, of Christ of Portugal, and of the African Redemption, &c., Secretary of State of the Interior of the Independent State of the Congo, on behalf of the Government of the Independent State of the Congo, duly authorized by their respective Governments, have agreed as follows :

His Majesty the King of the Belgians, Sovereign of the Independent State of the Congo, having recognized the British sphere of influence, as laid down in the Anglo-German Agreement of the 1st July, 1890 (**No. 270**), Great Britain undertakes to give to His Majesty a lease of territories in the western basin of the Nile, under the conditions specified in the following Articles :

Boundary. North of German Sphere. Watersheds between the Nile and the Congo.

Art. I.—(a.) It is agreed that the sphere of influence of the Independent Congo State shall be limited to the north of the German sphere in East Africa by a frontier following the 30th meridian east of Greenwich up to its intersection by the watershed between the Nile and the Congo, and thence following this watershed in a northerly and north-westerly direction.†

Boundary. North of the Zambesi. Luapula River. Lake Moero to Lake Bangweolo.

(b.) The frontier between the Independent Congo State and the British sphere to the north of the Zambesi shall follow a line running direct from the extremity of Cape Akalunga on Lake Tanganika, situated at the northernmost point of Cameron Bay at about 8° 15' south latitude, to the right bank of the River Luapula, where this river issues from Lake Moero. The line shall then be drawn directly to the entrance of the river into the lake, being, however, deflected towards the south of the lake so as to give the Island of Kilwa to Great Britain. It shall then follow the "thalweg" of the Luapula up to its issue from Lake Bangweolo. Thence it shall run southwards

* Modified by Agreement of 9th May, 1906, p. 584.

† See also Art. II of Agreement of 9th May, 1906, p. 585.

[Great Britain and Congo. Spheres of Influence.]

along the meridian of longitude of the point where the river leaves the lake to the watershed between the Congo and Zambesi, which it shall follow until it reaches the Portuguese frontier.

Lease of certain Territories by Great Britain to the Congo State. West Shore of Lake Albert and Watershed between the Nile and the Congo.

Art. II.*—Great Britain grants a lease to His Majesty King Leopold II, Sovereign of the Independent Congo State, of the territories hereinafter defined, to be by him occupied and administered on the conditions and for the period of time hereafter laid down.

Boundaries.

The territories shall be bounded by a line starting from a point situated on the west shore of Lake Albert, immediately to the south of Mahagi, to the nearest point of the frontier defined in paragraph (a) of the preceding Article. Thence it shall follow the watershed between the Congo and the Nile up to the 25th meridian east of Greenwich, and that meridian up to its intersection by the 10th parallel north, whence it shall run along that parallel directly to a point to be determined to the north of Fashoda. Thence it shall follow the "thalweg" of the Nile southward to Lake Albert, and the western shore of Lake Albert to the point above indicated south of Mahagi.

This lease shall remain in force during the reign of His Majesty Leopold II, Sovereign of the Independent Congo State.

Nevertheless, at the expiration of His Majesty's reign, it shall remain fully in force as far as concerns all the portion of the territories above mentioned situated to the west of the 30th meridian east of Greenwich, as well as a strip of 25 kilom. in breadth, to be delimited by common consent, stretching from the watershed between the Nile and the Congo up to the western shore of Lake Albert, and including the port of Mahagi.

This extended lease shall be continued so long as the Congo territories as an Independent State or as a Belgian Colony remain under the sovereignty of His Majesty and His Majesty's successors.

Flag.

Throughout the continuance of the lease there shall be used a special flag in the leased territories.

Lease of Territory by Congo State to Great Britain between Lake Tanganika and Lake Albert Edward.

[Art. III.†]—The Independent Congo State grants under lease to Great Britain, to be administered when occupied, under the conditions and for a period hereafter determined, a strip of territory 25 kilom. in breadth, extending from the most northerly port on

* The lease granted by this Article was annulled, except as regards the Lado Enclave and 25 kilometre strip, by Agreement of 9th May, 1906, p. 584.

† This Article was withdrawn by a Declaration, signed 22nd June, 1894. See p. 584.

[Great Britain and Congo. Spheres of Influence.]

Lake Tanganika, which is included in it, to the most southerly point of Lake Albert Edward.

This lease will have similar duration to that which applies to the territories to the west of the 30th meridian east of Greenwich.]

Self-Denying Declaration.

Art. IV.—His Majesty King Leopold II, Sovereign of the Independent Congo State, recognizes that he neither has nor seeks to acquire any political rights in the territories ceded to him under lease in the Nile Basin other than those which are in conformity with the present Agreement.

Similarly, Great Britain recognizes that she neither has, nor seeks to acquire, any political rights in the strip of territory granted to her on lease between Lake Tanganika and Lake Albert Edward other than those which are in conformity with the present Agreement.

Telegraphic Communication.

Art. V.—The Independent Congo State authorizes the construction through its territories by Great Britain, or by any Company duly authorized by the British Government, of a line of telegraph connecting the British territories in South Africa with the British sphere of influence on the Nile. The Government of the Congo State shall have facilities for connecting this line with its own telegraphic system.

This authorization shall not confer on Great Britain or any Company, person or persons, delegated to construct the telegraph line, any rights of police or administration within the territory of the Congo State.

Equality of Treatment in Territories Leased.

Art. VI.—In the territories under lease in this Agreement the subjects of each of the Contracting Parties shall reciprocally enjoy equal rights and immunities, and shall not be subjected to any differential treatment of any kind.

In witness whereof the Undersigned have signed the present Agreement, and have affixed thereto the seal of their arms.

Done in duplicate, at Brussels, this 12th day of May, 1894.

(L.S.) FRANCIS RICHARD PLUNKETT.

(L.S.) EDM. VAN EETVELDE.

*Claims of Turkey and Egypt in Basin of the Upper Nile not Ignored.**

(1.) *Sir F. Plunkett to M. van Eetvelde.*

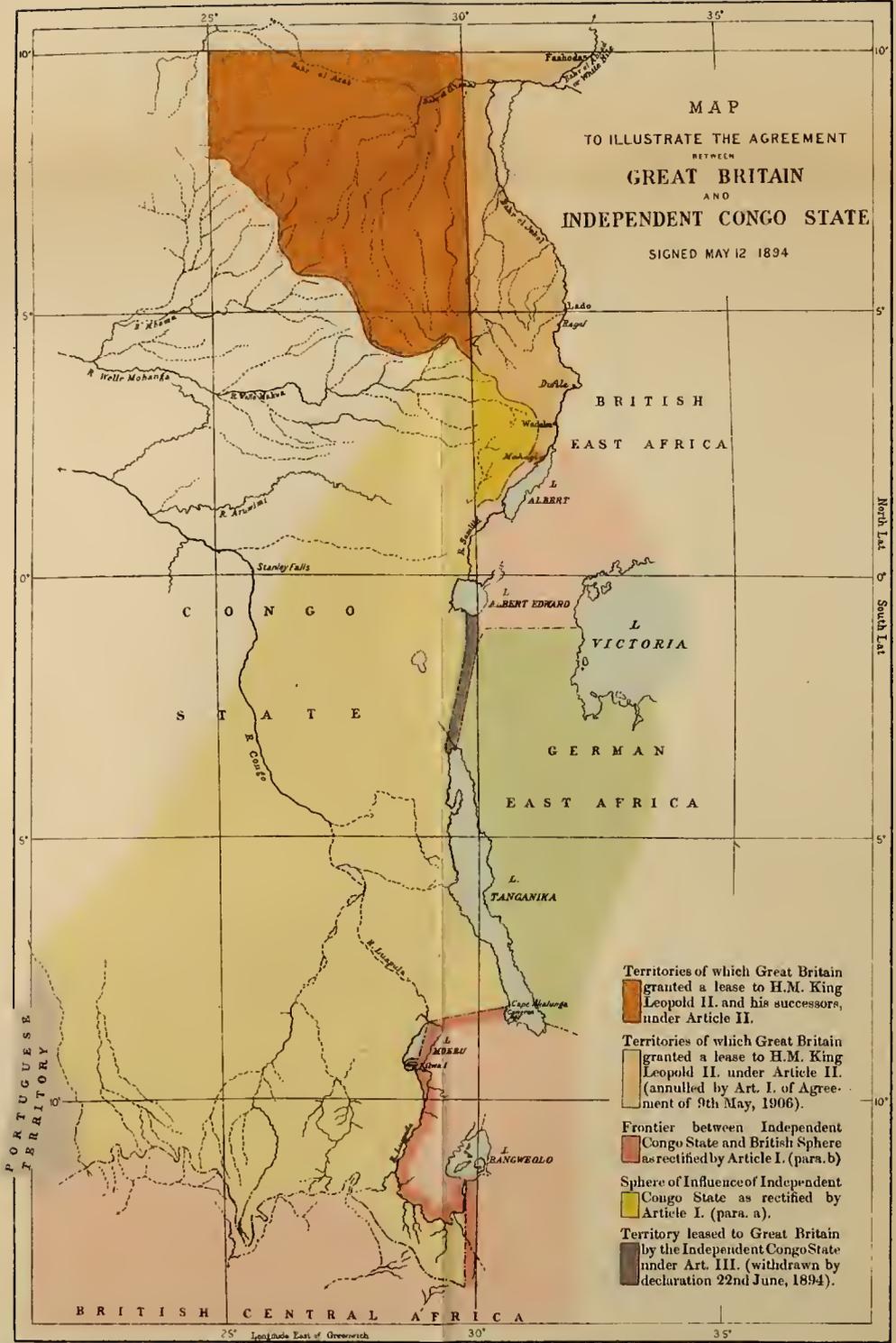
British Legation, Brussels,

M. le Secrétaire d'État,

May 12, 1894.

THE Earl of Kimberley, in authorizing me to sign the Agreement of this day's date for a lease of certain territories in the British sphere

* See also Explanatory Despatch of 23rd May, 1894, p. 582.



Reduced from Map of Intell. Div. W.O. No. 1038, May 1894

Scale: 1/4,256,000 or 1 Inch to 225 Miles
100 50 0 200 300 MILES

Ordnance Survey Office, Southampton.

[Great Britain and Congo. Spheres of Influence.]

of influence in East Africa to His Majesty King Leopold II, has directed me to record the assurance that the parties to the Agreement do not ignore the claims of Turkey and Egypt in the basin of the Upper Nile.

I avail, &c.,
F. R. PLUNKETT.

(2.) *M. van Eetvelde to Sir F. Plunkett.*

(Translation.)

Brussels,

May 12, 1894.

Sir,

IN signing, on behalf of His Majesty Leopold II, the Agreement of this day's date, for a lease of certain territories in the British sphere of influence in East Africa, I reciprocate the assurance that the parties to the Agreement do not ignore the claims of Turkey and Egypt in the basin of the Upper Nile.

I avail, &c.,
EDM. VAN EETVELDE.

Recruitment of Soldiers by British Authorities.

(3.) *M. van Eetvelde to Sir F. Plunkett.*

(Translation.)

M. le Ministre,

Brussels, May 12, 1894.

IN the course of the discussions to which the Convention of to-day between the Independent State of the Congo and Great Britain has given rise, I have had occasion to declare to you that the State of the Congo engages to authorize, in case of need, such recruitment of soldiers as the Agents duly commissioned for that purpose by the British authorities may wish to effect in the territories situated between the 30th meridian and Lake Albert.

I have the honour to confirm this engagement, and I seize, &c.

EDM. VAN EETVELDE.

Recruitment in British Colonies on West Coast of Africa for service in Western Basin of the Nile.

(4.) *Sir F. Plunkett to M. van Eetvelde.*

British Legation, Brussels,

May 12, 1894.

M. le Secrétaire d'État,

IN accordance with the wish which you have expressed, I have to convey to your Excellency the assurance, on the part of the Earl of Kimberley, that his Lordship will be ready to recommend to Her Majesty's Secretary of State for the Colonies that facilities shall be given, so far as it may be found to be practicable, for recruitment, under suitable conditions, in the British Colonies on the West Coast

[Great Britain and Congo. Spheres of Influence.]

of Africa, to facilitate the prompt and complete occupation by His Majesty King Leopold II of the territories in the western basin of the Nile comprised in the lease contained in the Agreement of this day's date.

I avail, &c.

F. R. PLUNKETT.

*Explanatory Despatch relating to the above Agreement between Great Britain and the Congo State, of 12th May, 1894.**

British Sphere of Influence. Uganda, &c.

The Earl of Kimberley to Mr. Hardinge.

Sir,

Foreign Office, May 23, 1894.

WHEN Her Majesty's Government decided upon assuming the Protectorate of Uganda, it became incumbent on them to consider the position of Great Britain as regards that part of the British sphere described in the Anglo-German Agreement as the western watershed of the Nile. It was understood that in 1890 arrangements were made between the Administrator of the Congo Free State and the late Sir W. Mackinnon, under which the East Africa Company agreed to waive in favour of the Free State any powers which it might acquire in the territory so described as a Chartered Company administering in the British sphere with the sanction of the Crown. The documents recording whatever arrangements may have been concluded were not officially communicated to, nor sanctioned by Her Majesty's Government, and obviously could not have validity without that sanction. The Free State Administration, however, appears to have considered that, in virtue of these arrangements, it was justified in sending exploring parties into the territory affected by them. The expeditions are believed to have travelled over a considerable portion of the territory, and it appears that their leaders made Treaties and established posts.

Her Majesty's Minister at Brussels was from time to time directed to point out that, though Her Majesty's Government had no accurate information as to the destination and proceedings of these expeditions, the territory thus explored was well known to be included in the British sphere of influence.

Her Majesty's Government, in examining this situation in connection with the Protectorate of Uganda, desired, in order to put an end to all controversy as to these proceedings, to arrive at an arrangement which would be satisfactory to both parties. They could not fail to recognize the sacrifices which had been made in endeavouring to open up the country by His Majesty the King of the Belgians, whose efforts to promote the civilization of Africa have commanded their warm sympathy.

* Par. Pap., "Africa, No. 4 (1894)."

Claims of Egypt and Turkey to Equatorial Provinces.

On approaching His Majesty they found him fully disposed to enter into an arrangement which, while enabling him to continue the work he had commenced, would record his recognition of the position of Great Britain in her sphere, and of such claims as Egypt, and through her, Turkey, may have to the Equatorial Provinces whose administration was abandoned owing to the evacuation of the Soudan.

I enclose copy of an Agreement by which His Majesty having recognized, on behalf of the Congo State, the British sphere of influence as laid down in the Anglo-German Agreement of 1890 (**No. 270**), received from Great Britain leases of the territory specified in the Agreement under certain conditions.

Her Majesty's Government are satisfied that, under the Agreement, this portion of the British sphere will be administered in a spirit in full accordance with the requirements of civilization, and of the Acts of Berlin and Brussels (**Nos. 128** and **130**).

The Agreement also effects certain frontier rectifications with the Congo Free State, which remove causes of possible local friction, and adds to the delimitations already concluded with Italy on the north (**Nos. 288, 289**) and Germany on the south (**No. 270**), delimitation between the British sphere and the conterminous Power on the west.

Finally, Article III provides for the lease to Great Britain of a port at the northern end of Lake Tanganyika.* As the southern end of the lake is within the British sphere in Central Africa, this concession will materially facilitate communication between the two British spheres. In order to secure access to this port, the lease has been obtained of a road passing through the Free State territory, connecting Lake Albert Edward, the eastern shore of which is in the British sphere, with the leased port. The navigation of Lake Tanganyika being declared to be free by the IInd Article of the Act of Berlin of 1885 (**No. 128**), this arrangement secures to British trade uninterrupted communication, the value of which is completed by the guarantees as to freedom of transit recorded in the IVth Article of the Berlin Act (**No. 128**), and the VIIIth Article of the Anglo-German Agreement of 1890 (**No. 270**).

A map is annexed showing the effect of the Agreement.†

I have, &c.,

KIMBERLEY.

* This Article was withdrawn by a Declaration, signed 22nd June, 1894. See p. 584.

† Map not printed, but see Map facing p. 580.

[Great Britain and Congo. Territory between Lake Tanganyika and Lake Albert Edward. Lado Enclave.]

No. 164.—*DECLARATION between Great Britain and the Congo Free State, withdrawing Art. III of the Agreement of 12th May, 1894, respecting the Territory between Lake Tanganyika and Lake Albert Edward. Brussels, 22nd June, 1894.*

Declaration.

In compliance with the request made by His Majesty the King of the Belgians, Sovereign of the Independent State of the Congo, that the Government of Her Britannic Majesty will consent to the withdrawal of Art. III of the Agreement of the 12th May, 1894 (**No. 163**), the Undersigned, duly authorized by their respective Governments, agree that the said Article be withdrawn.

Done, in duplicate, at Brussels, the 22nd day of June, 1894.

F. R. PLUNKETT.

EDMOND VAN EETVELDE.

No. 165.—*AGREEMENT between Great Britain and the Independent State of the Congo, modifying the Agreement signed at Brussels, 12th May, 1894. Signed at London, 9th May, 1906.*

Agreement between His Majesty Edward VII, King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, and His Majesty King Leopold II, Sovereign of the Independent State of the Congo, modifying the Agreement signed at Brussels on the 12th May, 1894.

THE Undersigned, the Right Honourable Sir Edward Grey, a Baronet of the United Kingdom, a Member of Parliament, His Britannic Majesty's Principal Secretary of State for Foreign Affairs, on behalf of His Britannic Majesty; and Baron van Eetvelde, Commander of the Order of Leopold, a Minister of State of the Independent State of the Congo, on behalf of His Majesty King Leopold II, Sovereign of the Independent State of the Congo, duly authorized thereto by their respective Sovereigns, have agreed as follows:—

Lease to Congo State under Art. II of Agreement of 1894 annulled. Lado Enclave.

Art. I.—The lease of the territories granted by Great Britain to His Majesty King Leopold II, Sovereign of the Independent State of the Congo, by Art. II of the Agreement signed at Brussels on the 12th May, 1894 (**No. 163**), is hereby annulled. No claims shall be put forward by either Party in connection with this lease, or with any right derived therefrom. His Majesty King Leopold shall, however, continue during his reign to occupy, on the same conditions as at present the territory now held by him, and known as the Lado Enclave. Within six months of the termination of His Majesty's occupation the

[Great Britain and Congo. Boundary. Congo and Soudan.]

Enclave shall be handed over to the Soudanese Government. Officials shall be appointed by the Soudanese and Congo State Governments to assess the value of such houses, stores, and other material improvements as may, by common agreement, be handed over with the Enclave, the amount agreed upon being paid to the Congo State by the Soudanese Government. The Enclave comprises the territory bounded by a line drawn from a point situated on the west shore of Lake Albert, immediately to the south of Mahagi, to the nearest point of the watershed between the Nile and Congo basins; thence the boundary follows that watershed up to its intersection from the north with the 30th meridian east of Greenwich, and that meridian up to its intersection with the parallel $5^{\circ} 30'$ of north latitude, whence it runs along that parallel to the Nile; thence it follows the Nile southward to Lake Albert and the western shore of Lake Albert down to the point above indicated south of Mahagi.

Boundary Congo State and Anglo-Egyptian Soudan. Lease to Congo State of 25 kilometres strip to Mahagi.

Art. II.—The boundary between the Independent State of the Congo on the one hand and the Anglo-Egyptian Soudan on the other, starting from the point of intersection from the south of the meridian of 30° longitude east of Greenwich with the watershed between the Nile and the Congo, shall follow the line of that watershed in a general north-westerly direction until it reaches the frontier between the Independent State of the Congo and French Congo.*

Nevertheless, the strip of territory 25 kilometres in breadth stretching from the watershed between the Nile and the Congo up to the western shore of Lake Albert and including the port of Mahagi, of which a lease was granted to the Independent State of the Congo by Art. II of the Agreement of the 12th May, 1894, shall continue in the possession of that State on the conditions laid down in that Article.

Waters of Semliki or Isango River not to be diminished.

Art. III.—The Government of the Independent State of the Congo undertake not to construct, or allow to be constructed, any work on or near the Semliki or Isango River, which would diminish the volume of water entering Lake Albert, except in agreement with the Soudanese Government.

Concession for Railway from Congo Frontier to Lado.

Art. IV.—A Concession shall be given, in terms to be agreed upon between the Soudanese and Congo State Governments, to an Anglo-Belgian Company for the construction and working of a railway from the frontier of the Independent State of the Congo to the navigable channel of the Nile, near Lado, it being understood that, when His Majesty's occupation of the Enclave determines, this railway shall

* See Agreement between France and the Congo Free State of 14th August, 1894, p. 569.

be wholly subject to the jurisdiction of the Soudanese Government. The actual direction of the line will be determined jointly by the Soudanese and Congo State Governments.

In order to provide the capital expenditure required for the construction of this railway, the Egyptian Government undertake to guarantee a rate of interest of 3 per cent. on a sum which is not to exceed 800,000*l.*

Open Ports at Terminus of Railway.

Art. V.—A port open to general commerce, with suitable provision for the storing and transhipment of merchandize, shall be established at the terminus of the railway. When His Majesty's occupation of the Enclave determines, a Congolese or Belgian Company shall be permitted to possess a commercial depôt and quays on the Nile at this port. Such depôt and quays shall, however, in no case lead to the acquisition of extra-territorial rights, and all individuals in, or connected with, them in the Soudan, shall be wholly subject to Soudanese Laws and Regulations.

Congolese and Belgian Vessels may navigate Upper Nile.

Art. VI.—Trading vessels flying the Congolese or Belgian flag shall have the right of navigating and trading on the waters of the Upper Nile, no distinction as regards trading facilities being made between them and British or Egyptian trading vessels, but such vessels shall in no case acquire extra-territorial rights, and shall be wholly subject to Soudanese Laws and Regulations.

Transit through Soudanese or Egyptian Territory.

Art. VII.—Persons and merchandize passing through Soudanese or Egyptian territory from the Congo State, or going to it, will, for purposes of transit or transport on the Nile, or on the Soudanese or Egyptian railway systems, be treated similarly to Egyptian or British persons and merchandize coming from or going to British Possessions.

Disputes to be submitted to Arbitration.

Art. VIII.—All disputes which may occur hereafter in connection with the limits of the frontiers of the Independent State of the Congo, including the boundary laid down in the first paragraph of Art. II of the present Agreement, shall, in the event of the Parties not being able to come to an amicable understanding, be submitted to the arbitration of The Hague Tribunal, whose decision shall be binding on both Parties, it being, however, understood that this clause can, in no way whatever, be applied to any questions regarding the lease mentioned in Art. II of the Agreement signed at Brussels on the 12th May, 1894, and in Art. I of the present Agreement.

Done in duplicate, at London, the 9th day of May, 1906.

(L.S.) EDWARD GREY.

(L.S.) BARON VAN EETVELDE.

No. 166.—*CONVENTION between Italy and the International Association of the Congo. Berlin, 19th December, 1884.*

No Import or Transit Duties to be levied in the basins of the Congo or of the Niadi Kwilu.

Art. I.—[To same purport as Art. I of the Convention with Great Britain, 16th December, 1884 (**No. 162**).]

Right of Italian Subjects to establish themselves in Territories of the Association. Protection of Persons and Property. Religion. Rights of Navigation, Commerce, and Industry. National and Most-favoured-nation Treatment. Right to buy, sell, and hire Lands, Houses, Mines, and Forests.

Art. II.—[Same as Art. II of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

General Most-favoured-nation Treatment.

Art. III.—[To same purport as Art. III of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Appointment of Consuls.

Art. IV.—His Majesty the King of Italy may appoint Consuls or other Consular officers to reside at ports or stations within the said territories, and the Association engages itself to protect them there.

Italian Consular Jurisdiction.

Art. V.—[Same as Art. V of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Laws of Free States to be observed by Italian Subjects. Infractions justiciable by Italian Consular Court.

Art. VI.—[Same as Art. VI of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Offences against Person or Property of Italian Subjects by Subjects of Free States, punishable by Laws of Free States. Administration of Justice.

Art. VII.—[Same as Art. VII of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Jurisdiction in Civil Cases. Settlement of Disputes.

Art. VIII.—[Same as Art. VIII of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

[Liberia and Congo.]

Recovery of Debts.

Art. IX.—[To same as Art. IX of the Convention with Great Britain of 16th December, 1884 (No. 162).]

Above Engagements to apply also to any Cessions of Territory.

Art. X.—[Same purport as Art. X of the Convention with Great Britain of 16th December, 1884 (No. 162).]

Prevention of the Slave Trade and Suppression of Slavery.

Art. XI.—The Association and the Free States undertake to do all in their power to prevent the Slave Trade and suppress Slavery.

Italian Recognition of Flag of the Association.

Art. XII.—The Italian Government, sympathizing with and approving the humanizing and civilizing aim of the Association, recognizes the flag of the Association and of the Free States placed under its government—a blue flag with a gold star in the centre—as the flag of a friendly Government.

Art. XIII.—*Convention to be ratified. Ratifications to be exchanged as soon as possible.**

Art. XIV.—*Operation of Convention on exchange of Ratifications.*
Done at Berlin, the 19th December, 1884.

STRAUCH.
LAUNAY.

No. 167.—*TREATY between Liberia and the Congo Free State.*
15th December, 1891.

[Ratifications exchanged 22nd August, 1893.]

Art. I.—*Friendship.*

Art. II.—*Freedom of Commerce. Both Parties reserve Right of Concessions to Companies or Individuals for working of Natural Products. Equal Rights with Nationals as regards Personal Property and Succession Duties. Most-favoured Treatment as regards all other Rights or Privileges to Foreigners.*

Art. III.—*Shipping Dues, Tonnage, &c., same as on Nationals.*

Art. IV.—*Exemption from Tonnage Dues, and Most-favoured-nation Treatment respecting Clearance Dues in certain cases.*

Art. V.—*Protection of Vessels and Officers. Reciprocity in Cases of Shipwrecks.*

Art. VI.—*Recognition of Corporations.*

Art. VII.—*National or Most-favoured-nation Treatment in regard to Property, Restrictions or Taxes.*

* Ratified 14th June, 1885.

[Netherlands and Congo.]

Art. VIII.—*Freedom of Religion.*

Art. IX.—*Most-favoured-nation Treatment as regards Privileges, &c., of Consular Agents.*

Art. X.—*National or Most-favoured-nation Treatment respecting Importation, Bondage, Transit, and Exportation of Goods.*

Art. XI.—*Equal Treatment as regards above.*

Art. XII.—*Right to any Favour respecting Customs or Trade granted to a Third Power, on similar Conditions.*

Art. XIII.—*Will submit Differences to Tribunal of Arbitration.*

Art. XIV.—*Extradition Treaty to be concluded. Most-favoured-nation Treatment in the meanwhile.*

Art. XV.—*Right to take Employment in the Territory of the other.*

Art. XVI.—*Reciprocity in Slave Trade Suppression.*

No. 168.—*CONVENTION between the Netherland Government and the International Association of the Congo. Brussels, 27th December, 1884.*

(Translation.)

No Import or Transit Duties to be levied.

Art. I.—[Same as Art. I of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Right of Netherland Subjects to establish themselves in Territories of the Association. Protection of Persons and Property. Navigation, Commerce, and Industry. National and Most-favoured-nation Treatment. Right to buy, sell, let, or hire Lands, Houses, Mines, and Forests. Coasting Trade.

Art. II.—[Same as Art. II of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

General Most-favoured-nation Treatment.

Art. III.—[Same as Art. III of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Appointment of Consuls.

Art. IV.—[Same as Art. IV of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Netherland Consular Jurisdiction. Civil and Criminal.

Art. V.—Until a form of judicial procedure has been organized in the Free States of the Congo, and such organization has been notified by the Association, every Dutch Consul or Consular officer within the said territories, who shall be thereunto duly authorized by the Government of His Majesty the King of the Netherlands, may hold a Consular

[Netherlands and Congo.]

Court for the district assigned to him, and shall exercise sole and exclusive jurisdiction, both civil and criminal, over the persons and property of Dutch subjects within the same, in accordance with Dutch law.

Laws of Free States to be observed by Netherland Subjects. Infractions justiciable by Netherland Consular Court.

Art. VI.—[Same as Art. VI of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Offences against Person or Property of Netherland Subjects by Subjects of Free States, punishable by Laws of Free States. Administration of Justice.

Art. VII.—[Same as Art. VII of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Jurisdiction in Civil Cases. Settlement of Disputes.

Art. VIII.—[Same as Art. VIII of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Recovery of Debts.

Art. IX.—[Same as Art. IX of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Above Engagements to apply also to any Cessions of Territory.

Art. X.—[To same purport as Art. X of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Prevention of Slave Trade and Suppression of Slavery.

Art. XI.—[Same as § 6 of the Declaration with Great Britain of 16th December, 1884 (**No. 161**).]

Netherland recognition of Flag of the Association.

Art. XII.—The Government of the Netherlands, sympathizing with the humanizing and civilizing aims of the Association, recognizes the flag of the Association and of the Free States placed under its administration—a blue flag with a gold star in the centre—as the flag of a friendly Government.

*Convention to be ratified and Ratifications exchanged as soon as possible. Execution of Convention from date of Exchange of Ratifications.**

Done at Brussels, the 27th December, 1884.

STRAUCH.
L. GERICKE.

* Ratified 15th January, 1885.

No. 169.—*CONVENTION between Portugal and the International Association of the Congo; respecting Boundaries, &c. Berlin, 14th February, 1885.*

(Translation.)

Art. I.—The International Association of the Congo hereby declares that it extends to Portugal the privileges it has conceded to the United States of America, the German Empire, England, Italy, Austria-Hungary, the Netherlands, Spain, France, and the United Kingdoms of Sweden and Norway, in virtue of the Conventions which it concluded with the Powers respectively on the 22nd April (**No. 176**), 8th November (**No. 160**), 16th, 19th, 24th, and 27th December (**Nos. 161, 162, 166, 138 and 168**), 1884, 7th January (**No. 174**), and 5th and 10th February (**Nos. 152 and 175**), 1885, certified copies of which the Association engages to transmit to the Government of his Most Faithful Majesty.

General Most-favoured-nation Treatment.

Art. II.—[To same purport as Art. III of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

*Frontiers between Portuguese Possessions and those of the Association.
Enclave of Cabinda.*

Art. III.—The International Association of the Congo and His Most Faithful Majesty the King of Portugal and the Algarves adopt the following frontiers between their possessions in West Africa, namely:—

To the north of the River Congo (Zaire) the right frontier joining the mouth of the river which empties itself into the Atlantic Ocean, to the south of the Bay of Kabinda, near Ponta Vermelha, at Cabo-Lombo;

The parallel of this latter point prolonged till it intersects the meridian of the junction of the Culacalla with the Luculla;

The meridian thus fixed until it meets the River Luculla;

The course of the Luculla to its junction with the Chiloango (Luango Luce);

The course of the Congo (Zaire) from its mouth to its junction with the little River Uango-Uango;

The meridian which passes by the mouth of the little River Uango-Uango between the Dutch and Portuguese factories, so as to leave the latter in Portuguese territory, till this meridian touches the parallel of Nokki;

The parallel of Nokki till the point where it intersects the River Kuango (Cuango);

From this point, in a southerly direction, the course of the Kuango (Cuango).

[Altered by Convention of 25th May, 1891. (**No. 171**).]

[Portugal and Congo. Lunda Region.]

Art. IV.—*A Boundary Commission to be appointed. In case of a Difference of Opinion, Question to be settled by Delegates.*

[See Convention, 25th May, 1891 (No. 171).]

Conditional Recognition by Portugal of Neutrality of Possessions of Association.

Art. V.—His Most Faithful Majesty the King of Portugal and the Algarves is inclined to recognize the neutrality of the possessions of the International Association of the Congo conditionally upon discussing and regulating the conditions of such neutrality in common with the other Powers represented at the Berlin Conference (No. 128).

Portuguese Recognition of Flag of Association.

Art. VI.—His Most Faithful Majesty the King of Portugal and the Algarves recognizes the Flag of the International Association of the Congo, a blue flag with a golden star in the centre, as the flag of a friendly Government.

Art. VII.—*Convention to be ratified.**

Berlin, 14th day of February, 1885.

STRAUCH.

MARQUIS DE PENAFIEL.

ALPH. DE COURCEL.

No. 170.—*TREATY between Portugal and the Independent State of the Congo, respecting the Delimitation of their respective Spheres of Sovereignty and Influence in the Region of Lunda. Lisbon, 25th May, 1891.*

(Translation.)

His Majesty the King of Portugal and the Algarves and His Majesty the King Sovereign of the Independent State of the Congo, animated with the desire to draw more closely, through good neighbourly relations and perfect harmony, the bonds of friendship which exist between the two countries, have determined to draw up for this purpose a special Treaty for the delimitation of their spheres of Sovereignty (Souveraineté) and influence respectively in the region of Lunda, and have named the following as their Plenipotentiaries :—

[Here follow the names of the Plenipotentiaries.]

Delimitation between the Possessions of Portugal and those of the Congo Free State in the region of Lunda.

Art. I.—In the region of Lunda, the Possessions of His Majesty the King of Portugal and the Algarves, and His Majesty the King of

* Ratified 14th August, 1885.

[Portugal and Congo. Lunda Region.]

the Belgians, Sovereign of the Independent State of the Congo, are defined in the following manner :—

1. By the *Thalweg* of the course of the Cuango, from the 6th degree of south latitude to the 8th degree ;

By the 8th parallel to its intersection by the River Kuilu ;

By the course of the Kuilu in a northerly direction, as far as the 7th degree of south latitude.

By the 7th parallel as far as the River Cassai.

2. It is agreed that the definitive tracing of the line of demarcation of the Territories comprised between the 7th and the 8th parallels of south latitude from the Cuango to the Cassai, shall be executed later on, taking into account the configuration of the land and the limits of the Native States.

1. The States of Maxinge (Capenda) and Cassassa, the northern frontier of which runs along the 8th parallel from the right bank of the Cuango to the course of the Kuilu, the State of Amacundo (Caungula), which has for its western limit the right bank of the latter stream, and which extends to the 7th parallel, as well as the State of Mataba (Ambinge), which extends towards the same latitude, and terminates on the left bank of the Cassai, shall remain under the Sovereignty of His Majesty the King of Portugal and the Algarves.

2. The States of Mussuco (Cambongo) and Anzovo, the southern frontier of which runs along the 8th parallel from the Cuango to Kuilu and the States of Cassongo (Muene Puto), Tupeinde (Muata Cumbana), and Turuba (Maï Munene) shall remain subject to the Sovereignty of His Majesty the King Sovereign of the Independent State of the Congo.

3. By the *Thalweg* of the Cassai from the point where this river meets the line of demarcation, mentioned in the preceding paragraph, to the mouth of that one of its affluents which originates in Lake Dilolo, and by the course of this affluent as far as its source.

The region to the west of the Cassai shall belong to Portugal ; the region to the east to the Independent State of the Congo.

4. By the watershed dividing the waters of the Zaïre and those of the Zambesi, as far as its intersection by the 24th meridian east of Greenwich.

Art. II.—*Boundary Commission to be Appointed.*

Art. III.—*Mutual Protection of Persons and Property of respective Subjects.*

Art. IV.—*Reference to Arbitration of Disputes arising out of present Treaty.*

Art. V.—*Treaty to be ratified. Ratifications to be exchanged at Lisbon.**

Done at Lisbon, the 25th May, 1891.

(L.S.) CARLOS ROMA DU BORAGE.

(L.S.) E. DE GRELLE ROGIER.

[See also Declaration of 24th March, 1894 (No. 172).]

* Ratifications exchanged at Lisbon 1st August, 1891.

No. 171.—*CONVENTION between the Independent State of the Congo and Portugal, for the Settlement of certain difficulties with regard to their Frontiers in the Lower Congo. Brussels, 25th May, 1891.*

(Translation.)

His Majesty the King-Sovereign of the Independent State of the Congo and His Most Faithful Majesty the King of Portugal and the Algarves, being convinced on the one hand of the great utility, as much in the interest of the two States as in that of the work of civilization and progress in Africa, of assuring for themselves an easier, a more cordial, and therefore a more efficacious co-operation in the realization of their humanitarian and civilizing designs; and animated, on the other hand, with an equal desire to draw closer the friendly relations existing between the two States, have decided to appoint Plenipotentiaries, furnished with the necessary powers, to discuss, conclude, and sign a Convention for the settlement in a friendly and direct manner of certain differences and difficulties which have arisen on the occasion of the work of delimitation foreseen in Article IV of the Convention concluded at Berlin on the 14th February, 1885 (**No. 169**), between Portugal and the International Association of the Congo; and have appointed in this capacity and for this purpose.

[Here follow the names of the Plenipotentiaries.]

Boundary between Portuguese Possessions and those of the Free State of the Congo.

Art. I.—His Majesty the King-Sovereign of the Independent State of the Congo and His Most Faithful Majesty the King of Portugal and the Algarves adopt, partly with a view to rectifying and partly with a view to determining more precisely the Boundaries of their Possessions or adjacent Territories in West Africa, laid down in the 2nd, 3rd, 4th, 5th, 6th, 7th, and 8th (last but one) paragraphs of Art. III of the Convention concluded at Berlin between Portugal and the International Association of the Congo of the 14th February, 1885 (**No. 169**), the delimitations laid down in the two following articles, numbered II and III.

*Enclave of Cabinda.**

Art. II.—The portion of the Boundary laid down in the 2nd, 3rd, 4th, and 5th paragraphs of Art. III, of the above-mentioned Convention of the 14th February, 1885 (**No. 169**), is replaced by the broken line described as follows:—

A straight line joining a point taken on the beach, 300 metres to the north of the principal house of the Dutch Factory of Lunga, at the mouth of the Rivulet Lunga in the lagoon of the same name.

The course of the Rivulet Lunga, as far as Mallongo Pool, the villages of Congo, N'Conde, Jema, &c., remaining to the Independent State of the Congo, and those of Cabo, Lombo, M'Veinho, Jabe, Ganzv,

* See Map facing page 596.

[Portugal and Congo. Boundaries. Lower Congo.]

Taly, Spita Gagandjime, N'goio, M'To, Fortaleza, Sokki, &c., to Portugal.

The courses of the Rivers Venzo and Lulofe, as far as the source of the latter on the slope of Mount Nime-Tchiama ;

The parallel of this source, as far as its intersection by the meridian of the confluence of the Luculla and the river called by some N'Zenze, and by others Culla-Calla ;

The meridian thus determined until it meets the River Luculla ;

The course of the Luculla, as far as its confluence with the Chiloango (Luango-Luce).

Lower Congo and Nokki.

Art. III.—The partial definition of Boundaries laid down in the 6th, 7th, and 8th paragraphs of Article III of the above-mentioned Convention of the 14th February, 1885 (No. 169), is interpreted, defined and rectified in the following terms :—

In the River Congo (Zaire) and from its mouth to the parallel, passing 100 metres to the north of the principal house of the Domingos de Souza at Nokki, the line separating the waters belonging respectively to the two States shall be the middle line of the channel of navigation generally followed by vessels drawing a large amount of water, which line actually leaves to the right, and comprises between it and the right bank of the river, notably and amongst others, the fluvial islands named Bulanbamba, Mateba, and Princes Isles ; and leaves on its left and comprises between it and the left bank of the river, notably and amongst others, the fluvial islands known by the names of Bulicoco and Sacra Ambaca Isles, and from the intersection of this median line by the above-mentioned parallel, this same parallel as far as its intersection by the left bank of the river ;

At Nokki the Boundary shall follow a straight line, joining this latter point on the left bank of the Congo (Zaire) to another point taken 2,000 metres to the east of the same bank on the parallel passing by the foundations of the house of the Nokki Residency, which is actually in course of construction ;

From this latter point the Boundary shall follow this same parallel of the Nokki Residency as far as its intersection by the River Kuango (Cuango.)

All the fluvial islands of the Congo (Zaire), mentioned by name or not in the body of the present article, but situated as a matter of fact, some between the median line of the actual channel of navigation and the right bank of the river, the other islands situated between this same line and the left bank, belong, definitively and independently of all eventual displacement of the channel, the former to the Independent State of the Congo, and the latter to Portugal.

Art. IV.—*Fiscal Arrangements.*

Art. V.—*Status quo to be maintained pending marking out of new Boundary Line on the spot.*

Art. VI.—*Reference to Arbitration of any Disputes arising out of the present Convention.*

[Portugal and Congo. Boundary. Lunda Region.]

Art. VII.—*Convention to be Ratified. Ratifications to be Exchanged within Three Months.**

Done in duplicate at Brussels, the 25th day of the month of May, 1891.

(L.S.) EDM. VAN. EETVELDE.

(L.S.) DE MACEDO.

On the 9th February, 1891, an Agreement was signed between the Congo Free State and Portugal providing for a Conventional Importation Tariff in their respective Dominions in the basin of the Congo ; but it was replaced by an Agreement which was signed on the 8th April, 1892, respecting Customs Duties in the Western Congo.

No. 172.—*DECLARATION. Portugal and Congo. Approval of Report of Boundary Commissioners of 26th June, 1893. Lunda Region. Brussels, 24th March, 1894.*

(Translation.)

DECLARATION signed at Brussels, 24th March, 1894, conveying the approval by the Governments of the Independent State of the Congo and of His Most Faithful Majesty of the tracing of the frontier executed by their Commissioners in the region of Lunda, in execution of the Convention concluded at Lisbon 25th May, 1891 (**No. 170**).

Declaration.

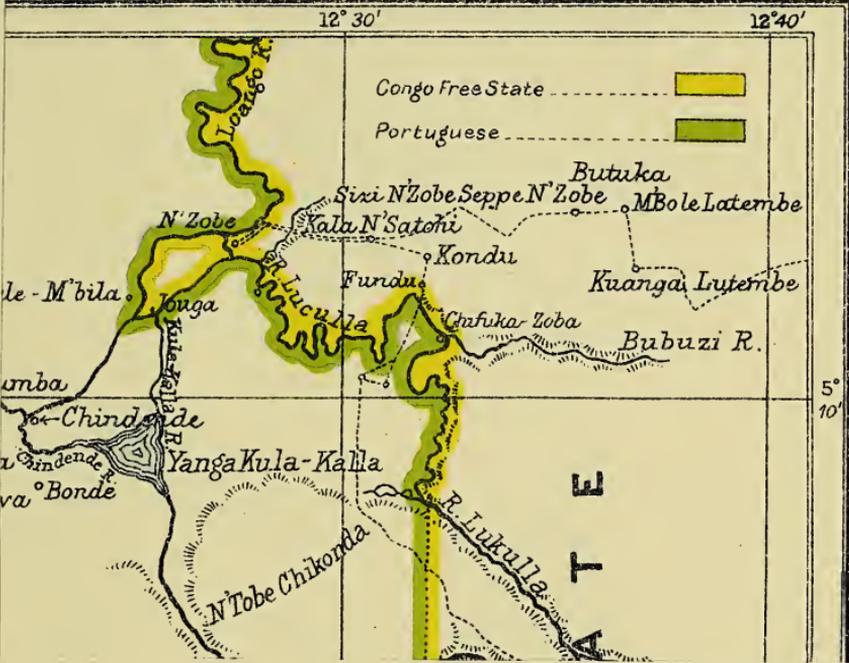
The Governments of the Independent State of the Congo and of His Most Faithful Majesty, having received the report of the delimitation works carried out on the spot by the Commissioners charged by them, in the terms of Article II of the Convention signed at Lisbon, 25th May, 1891 (**No. 170**), to execute the tracing of the boundary in accordance with Article I of the above-mentioned Convention, and having taken cognizance of the procès-verbal of the 26th June, 1893, signed, subject to ratification, at Loanda, have decided to approve and ratify respectively this procès-verbal of the 26th June, 1893, in the following terms :—

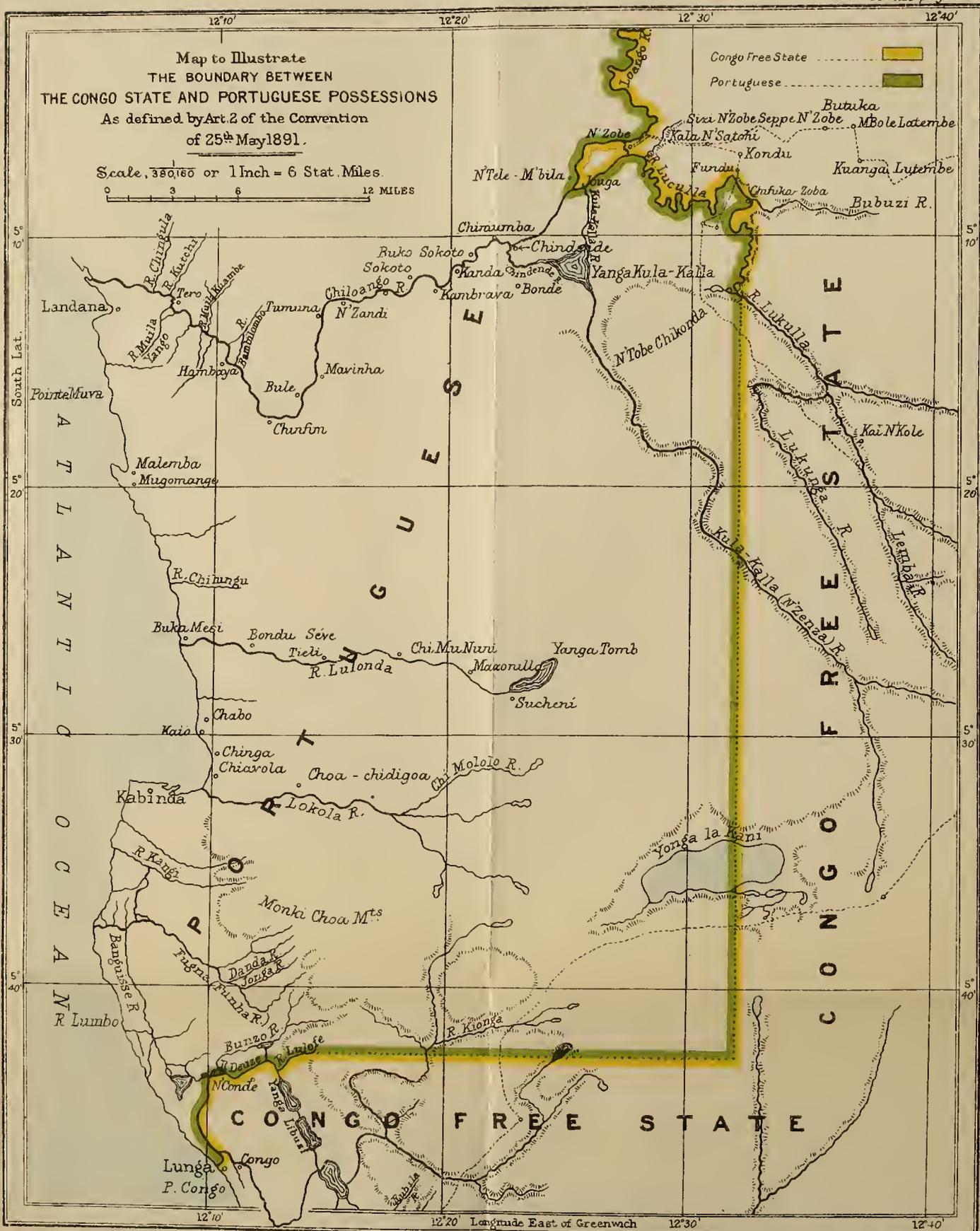
The year eighteen hundred and ninety-three, the twenty-sixth day of the month of June,

We, George Grenfell, missionary of the English Baptist Mission, and Jayme Lobo de Brito Godins, Governor-General *ad interim* of the province of Angola ;

Having exchanged our diplomas, found in good and due form, giving us full powers as Royal Commissioners for the Independent State of the Congo and for Portugal to execute conjointly the tracing of the boundary in the region of Lunda, while complying with the stipulations laid down in Articles I and II of the Convention of Lisbon of the 25th May, 1891 (**No. 170**) ; the Royal Commissioner for Portugal having in addition the right of transferring wholly or in part the

* Ratifications exchanged at Lisbon 1st August, 1891.





Note, - This map is taken from one published in the Portuguese White Book for 1891. It is stated to have no official character, & in certain details it cannot be reconciled with the wording of the convention of 25.5.91

[Portugal and Congo. Boundary. Lunda Region.]

powers which have been conferred upon him, which faculty he has made use of by delegating his powers to Simão-Candido Sarmento, Lieutenant Graduate of the Portuguese Army, in so far as they relate to the works on the spot.

Having taken cognizance of the annexed *procès-verbaux* of the five sittings, which are signed by the aforesaid George Grenfell, Royal Commissioner, and Lieutenant Simão-Candido Sarmento, delegate of the Royal Portuguese Commissioner for the works on the spot, and also by the Captain in command of the public force of the Independent State of the Congo, Florent Gorin, Royal Commissioner for the technical works, we decide to adopt *ad referendum* the tracing of the boundary, set forth in the present Act, which shall not be signed by the aforesaid Captain in command, Florent Gorin, who happens to be absent, which fact shall not lessen the value of the present document, in that it is the transcription of the boundaries that the above-mentioned Captain in command, Florent Gorin, has approved, which are mentioned in the five *procès-verbaux* aforesaid.

Following the thalweg of the Kwango (Cuango) from the 8th parallel as far as its confluence with the Tungila (Utunguila) $8^{\circ} 7' 40''$ south latitude approx. ; the thalweg of the Tungila (Utunguila) as far as its intersection with the canal through which pass the waters of the Lola ; the thalweg of the same canal as far as its junction with the Komba, 8' west of the Wamba (Uhamba), and $8^{\circ} 5' 4''$ south latitude approx. ; for want of a natural boundary, the frontier as far as the thalweg of the Wamba (Uhamba) shall be marked out by the line due east, passing through the aforesaid point of junction (Komba and Lola).

The thalweg of the Wamba (Uhamba) from the parallel of the point of junction between the Komba (Comba) and the Lola, as far as its confluence with the Uövo (Nuovo) ; the thalweg of the Uövo (Nuovo) as far as its junction with the N'Kombo (Combo) ; the thalweg of the N'Kombo and of the Kamanguna (Camanguna) (or the river by which the waters of the river Lué flow into the N'Kombo), as far as the 8th degree south latitude. From this point the boundary shall be the 8th parallel, as far as the thalweg of the Lucaïa, then the thalweg of this river (Lukaï) as far as $7^{\circ} 55'$ south latitude ; the parallel from this point ($7^{\circ} 55'$ south latitude) as far as the Kwengo (Cuengo) ; from this point the thalweg of the Kwengo (Cuengo), as far as the 8th degree ; from thence a parallel as far as the river Luita ; the thalweg of the Luita as far as its junction with the Kivilu (Cuilu). From thence ($7^{\circ} 34'$ south latitude approx.) the parallel as far as the thalweg of the Kama Bomba (Camabomba) or Kangulungu (Congulungu) ; the thalweg of the Kangulungu as far as the junction of its waters with the Loangué, and the thalweg of the Loangué as far as 7° south latitude. From the intersection of the thalweg of the Loangué and of the 7th degree, following this parallel as far as its intersection with the thalweg of the Lovua ; the thalweg of the Lovua as far as $6^{\circ} 55'$ south latitude. From this point ($6^{\circ} 55'$ south latitude) the boundary shall be marked out by the parallel as far as its intersection with the thalweg of the

[Russia and Congo.]

Chikapa (Chicapa); the thalweg of this river (Chicapa) as far as 7° 17' south latitude; from this point (7° 17' south latitude) the parallel as far as the thalweg of the Kassai (Cassai).

Done at Loanda, in duplicate original, the twenty-sixth day of the month of June of the year Eighteen hundred and ninety-three.

For the Independent State of the Congo,
GEORGE GRENFELL,

For Portugal,
JAYME LOBO DE BRITO GODINS.

To this effect the undersigned, His Excellency Count de Grelle-Rogier, Secretary of State for Foreign Affairs of the Independent State of the Congo, and His Excellency Monsieur M. Martins d'Antas, Envoy Extraordinary and Minister Plenipotentiary of His Most Faithful Majesty, duly authorized, have embodied in the present declaration the ratification by their respective Governments of the preceding Act, the said ratification to come into full and entire force on the date of the thirty-first of March, Eighteen hundred and ninety-four.

In witness whereof the undersigned have drawn up the present declaration, which they have signed in duplicate, and to which they have affixed their seals.

Done at Brussels, the twenty-fourth day of the month of March, Eighteen hundred and ninety-four.

The Plenipotentiary of His Majesty, the Sovereign King
of the Independent State of the Congo,
(L.S.) C^{TE} DE GRELLE-ROGIER.

The Plenipotentiary of His Most Faithful Majesty,
(L.S.) MIGUEL MARTINS D'ANTAS.

No. 173.—*CONVENTION between the Russian Empire and the International Association of the Congo. Brussels, 5th February, 1885.*

No Import or Transit Duties to be levied.

Art. I.—[Same as Article I of Convention with Great Britain of 16th December, 1884 (No. 162).]

Right of Russian Subjects to establish themselves in Territories of the Association. Protection of Persons and Property. Religious Liberty. Rights of Navigation, Commerce, and Industry. National and Most-favoured-nation treatment. Right to buy, sell, let, and hire Lands, Houses, Mines, and Forests.

Art. II.—[Same as Article II of Convention with Great Britain of 16th December, 1884 (No. 162).]

General Most-favoured-nation treatment.

Art. III.—[Same as Article III of Convention with Great Britain of 16th December, 1884 (No. 162).]

Appointment of Consuls. Russian Consular Jurisdiction.

Art. IV.—It is understood that Russia shall enjoy, as regards the nomination of Consuls, their functions and Consular jurisdiction, all the rights and privileges which may be accorded to any other State.

Agreement to include any Cessions of Territory made by the Association.

Art. V.—[To same purport as Article X of Convention with Great Britain of 16th December, 1884 (No. 162).]

Russian recognition of Flag of Association.

Art. VI.—[To same purport as Declaration with Great Britain of 16th December, 1884 (No. 161).]

Done at Brussels, the 5th February, 1885.

COMTE BLOUDOFF.
BARON BEYENS.

No. 174.—CONVENTION between Spain and the International Association of the Congo. Brussels, 7th January, 1885.

No Import or Transit Duties to be levied.

Art. I.—[To same purport as Article I of the Convention with Great Britain of 16th December, 1884 (No. 162).]

Right of Spanish Subjects to establish themselves in Territories of the Association. Protection of Persons and Property. Religious Liberty. Rights of Navigation, Commerce, and Industry. National and Most-favoured-nation treatment. Right to buy, sell, let, and hire Lands, Houses, Mines, and Forests.

Art. II.—[Same as Article II of the Convention with Great Britain of 16th December, 1884 (No. 162).]

General Most-favoured-nation treatment.

Art. III.—[Same as Article III of the Convention with Great Britain of 16th December, 1884 (No. 162).]

Appointment of Consuls.

Art. IV.—[Same as Article IV of the Convention with Great Britain of 16th December, 1884 (No. 162).]

[Spain and Congo.]

Spanish Consular Jurisdiction.

Art. V.—[To same purport as Article V of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Laws of Free States to be observed by Spanish Subjects.

Art. VI.—[Same as Article VI of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Offences against Person or Property of Spanish Subjects by Subjects of Free States punishable by Laws of the Free States.

Art. VII.—[Same as Article VII of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Jurisdiction in Civil Cases. Settlement of Disputes.

Art. VIII.—[Same as Article VIII of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Recovery of Debts.

Art. IX.—[Same as Article IX of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Above Engagements to apply also to any Territory ceded by the Association.

Art. X.—[Same as Article X of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Prevention of the Slave Trade and suppression of Slavery.

Art. XI.—[Same as § 6 of the Declaration with Great Britain of 16th December, 1884 (**No. 161**).]

Spanish recognition of Flag of the Association.

Art. XII.—[Same as British Declaration of 16th December, 1884 (**No. 161**).]

Convention to be ratified and Ratifications to be exchanged as expeditiously as possible.

Art. XIII.—*Execution of Convention from date of exchange of Ratifications.**

[Same as Article X of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Done at Brussels, the 7th January, 1885.

COMTE PAUL DE BORCHGRAVE D'ALTENA.
RAFAEL MERRY DEL VAL.

* Ratified 16th April, 1885.

[Sweden and Norway and Congo.]

No. 175.—*CONVENTION between the United Kingdoms of Sweden and Norway and the International Association of the Congo. Berlin, 10th February, 1885.*

Recognition by Sweden and Norway of Flag of the Association.

Art. I.—[To same purport as British Declaration of 16th December, 1884 (**No. 161**).]

No Import or Transit Duties to be levied.

Art. II.—[Same as Article I of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Right of Swedish and Norwegian Subjects to establish themselves in the Territories of the Association. Protection of Persons and Property. Religious Liberty. Rights of Navigation, Commerce, and Industry. National and Most-favoured-nation treatment. Right to buy, sell, let, and hire Lands, Houses, Mines, and Forests.

Art. III.—[Same as Article II of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

General Most-favoured-nation treatment.

Art. IV.—[Same as Article III of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Appointment of Consuls.

Art. V.—[Same as Article IV of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Swedish and Norwegian Consular Jurisdiction.

Art. VI.—[To same purport as Article V of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Laws of the Free State to be observed. Infractions justiciable by Swedish and Norwegian Consular Court.

Art. VII.—[Same as Article VI of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Offences against Person or Property of Swedish and Norwegian Subjects by Subjects of Free States punishable by Laws of the Free States. Administration of Justice.

Art. VIII.—[Same as Article VII of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

Jurisdiction in Civil Cases. Settlement of Disputes.

Art. IX.—[Same as Article VIII of the Convention with Great Britain of 16th December, 1884 (**No. 162**).]

[United States and Congo.]

Recovery of Debts.

Art. X.—[Same as Article IX of the Convention with Great Britain of 16th December, 1884 (No. 162).]

Prevention of the Slave Trade. Suppression of Slavery.

Art. XI.—[Same as § 6 of the Declaration with Great Britain of 16th December, 1884 (No. 161).]

Above Engagements to apply equally to any Territories ceded by the Association.

Art. XII.—[To same purport as Article X of the Convention with Great Britain of 16th December, 1884 (No. 162).]

Ratifications.

Art. XIII.—This Convention shall be ratified, and the ratifications shall be exchanged with the least possible delay.*

It shall come into operation immediately upon the exchange of ratifications.

Done at Berlin, the 10th day of February, 1885.

STRAUCH.
BILDT.

[Turkey was a Signatory Party to the Berlin Act, of 26th February, 1885, No. 128, p. 468, and to the Brussels Act, of 2nd July, 1890, No. 130, p. 488.]

No. 176.—*DECLARATIONS exchanged between the United States of America and the International Association of the Congo. Washington, 22nd April, 1884.*

Declaration of the Association.

The International Association of the Congo hereby declares that by Treaties with the legitimate Sovereigns in the basins of the Congo and of the Niadi-Kialum and in adjacent territories upon the Atlantic there has been ceded to it territory for the use and benefit of Free States established and being established under the care and supervision of the said Association in the said basins and adjacent territories, to which cession the said Free States of right succeed.

Flag.

That the said International Association has adopted for itself and for the said Free States, as their standard the flag of the International African Association, being a blue flag with a golden star in the centre.

* Ratified 11th May, 1885.

[United States and Congo.]

*No Import Duties to be levied.**

That the said Association and the said States have resolved to levy no Custom House duties upon goods or articles or merchandize imported into their territories or brought by the route which has been constructed around the Congo cataracts ; this they have done with the view of enabling commerce to penetrate into Equatorial Africa.

Right to Buy, Sell, or Lease Lands and Buildings.

That they guarantee to foreigners settling in their territories the right to purchase, sell, or lease lands and buildings situated therein ; to establish commercial houses, and to carry on trade upon the sole condition that they shall obey the laws.

Most-favoured-nation Treatment.

They pledge themselves, moreover, never to grant to the citizens of one nation any advantages without immediately extending the same to the citizens of all other nations ;

The Slave Trade.

And to do all in their power to prevent the Slave Trade.

In testimony whereof Henry S. Sanford, duly empowered therefor by the said Association, acting for itself and for the said Free States, has hereunto set his hand and affixed his seal this 22nd day of April, 1884, in the city of Washington.

(L.S.) H. S. SANFORD.

DECLARATION OF THE UNITED STATES.

Recognition of Flag of the Association.

Frederick T. Frelinghuysen, Secretary of State, duly empowered therefor by the President of the United States of America, and pursuant to the advice and consent of the Senate, heretofore given, acknowledges the receipt of the foregoing Notification from the International Association of the Congo, and declares that, in harmony with the traditional policy of the United States, which enjoins a proper regard for the commercial interests of their citizens, while at the same time avoiding interference with controversies between other Powers as well as alliances with foreign nations, the Government of the United States announces its sympathy with and approval of the humane and benevolent purposes of the International Association of the Congo, administering, as it does, the interests of the Free States there established, and will

* See also Berlin Act, 26th February, 1885, p. 468, and Brussels Act, 2nd July, 1890, p. 488.

22 April, 1884.]

CONGO, BELGIAN.

[No. 176

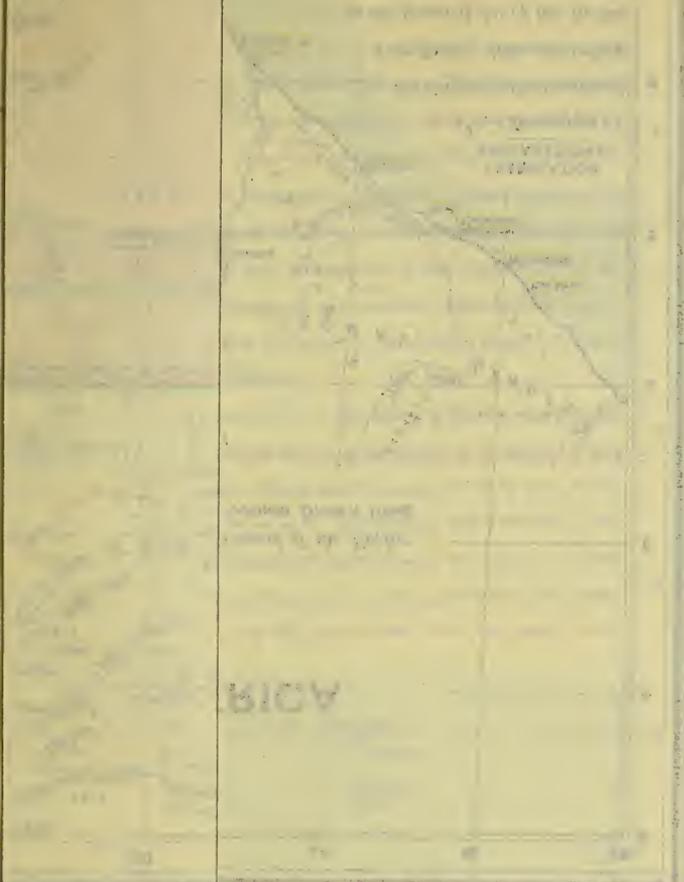
[United States and Congo.]

order the officers of the United States, both on land and sea, to recognize the flag of the International African Association as the flag of a friendly Government.

In testimony whereof he has hereunto set his hand and affixed his seal this 22nd day of April, A.D. 1884, in the city of Washington.

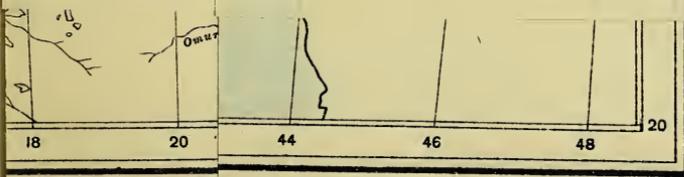
(L.S.) FREDERICK T. FRELINGHUYSEN.

[See also Berlin Act, 26th February, 1885, p. 468, and Brussels Act, 2nd July, 1890, p. 488.]

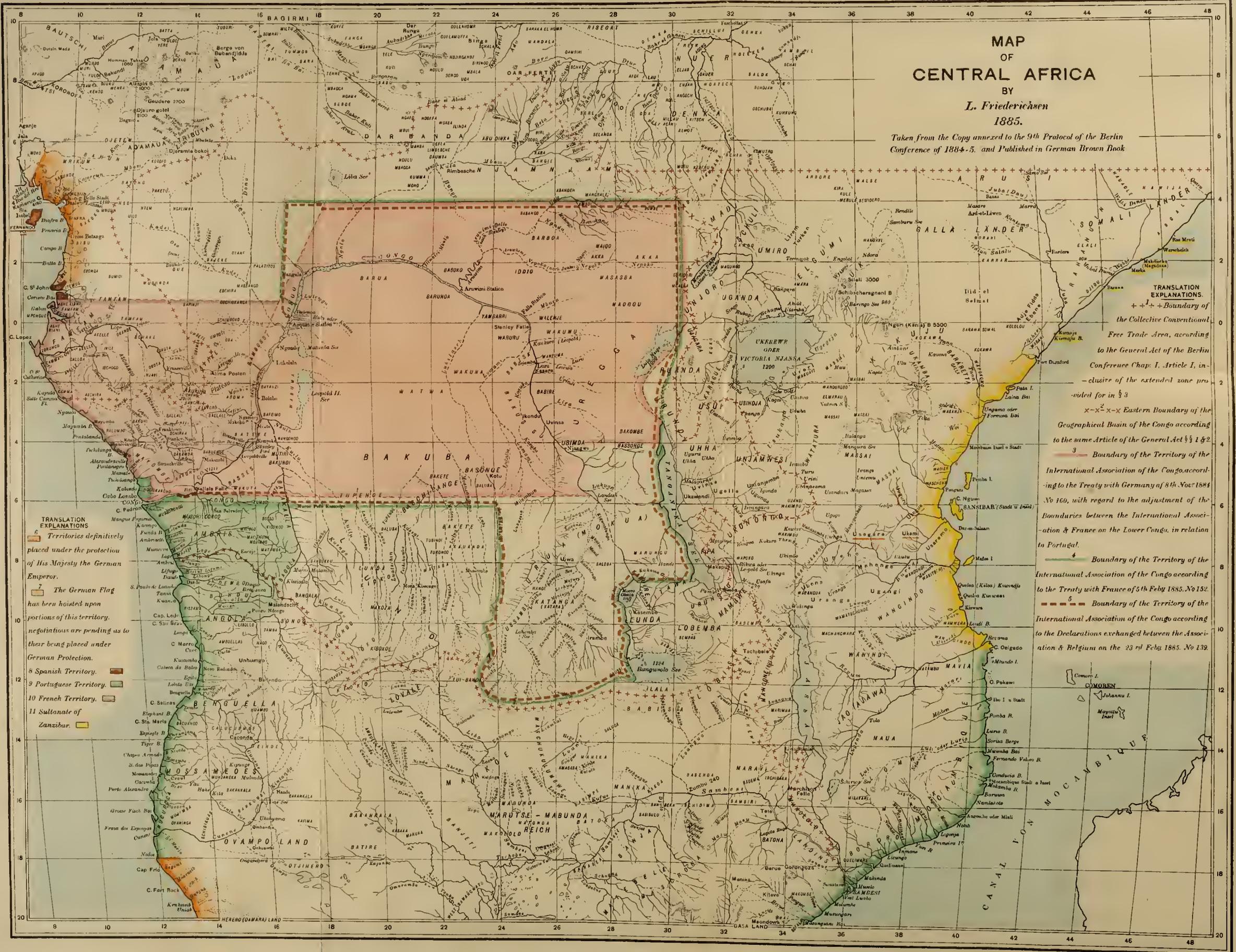


ADIR

THE PHOTOGRAPHIC SURVEY BY TREVIA BOWERS 1882



Prepared and Printed at the Ordnance Survey Office, Southampton, 1909.



MAP
OF
CENTRAL AFRICA
BY
L. Friederichsen
1885.

Taken from the Copy annexed to the 9th Protocol of the Berlin Conference of 1884-5, and Published in German Brown Book

TRANSLATION EXPLANATIONS.
+ + + Boundary of the Collective Conventional Free Trade Area, according to the General Act of the Berlin Conference Chap. I, Article I, in-closure of the extended zone pro-vided for in § 3
x-x-x-x Eastern Boundary of the Geographical Basin of the Congo according to the same Article of the General Act § 1 § 2.
3 Boundary of the Territory of the International Association of the Congo, according to the Treaty with Germany of 8th Nov 1884 No 160, with regard to the adjustment of the Boundaries between the International Association & France on the Lower Congo, in relation to Portugal.
4 Boundary of the Territory of the Congo according to the Treaty with France of 5th Feb 1885, No 152.
5 Boundary of the Territory of the International Association of the Congo according to the Declarations exchanged between the Association & Belgium on the 23rd Feb 1885, No 139.

TRANSLATION EXPLANATIONS
6 Territories definitively placed under the protection of His Majesty the German Emperor.
7 The German Flag has been hoisted upon portions of this territory, negotiations are pending as to their being placed under German Protection.
8 Spanish Territory.
9 Portuguese Territory.
10 French Territory.
11 Sultanate of Zanzibar.

DENMARK.

DENMARK.

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—	26 Feb., 1885.	“Berlin Act.”.... See Africa (General).	
—	2 July, 1890.	“Brussels Act.” See Africa (General).	

DENMARK AND CONGO

See Congo and Denmark.

No. 177.—*Notes on DENMARK. Danish Forts and Possessions on the Gold Coast.*

Denmark has no longer any Possessions in Africa, but she was one of the Signatory Powers to the Berlin Act of 26th February, 1885 (**No. 128**), as well as to the Brussels Act of 2nd July, 1890 (**No. 130**); she has also entered into Treaty Arrangements with the Congo Free State (**No. 150**).

By a Convention dated 17th August, 1850,* the Danish forts and Possessions on the Gold Coast were ceded to Her Britannic Majesty for the sum of 10,000*l*.

The following are extracts from that Convention :—

Preamble.

“ His Majesty the King of Denmark having offered to cede to Her Majesty the Queen of the United Kingdom of Great Britain and Ireland all the forts and Possessions belonging to the Crown of Denmark, situated on that part of the coast of Africa which is called the Gold Coast, or the Coast of Guinea, and Her Britannic Majesty having resolved to accept that offer, their said Majesties have named as their Plenipotentiaries to conclude a Convention for carrying such cession into effect, that is to say :”

[Here follow the names of the Plenipotentiaries.]

Cession of Danish Forts and Territorial Rights on the Gold Coast or Coast of Guinea.

“ **Art. I.**—In consideration of the sum of £10,000 sterling, to be paid by Her Majesty the Queen of the United Kingdom of Great Britain and Ireland to His Majesty the King of Denmark, on the exchange of the ratifications of the present Convention,† His Danish Majesty cedes to Her Britannic Majesty, to be possessed by Her Britannic Majesty, her heirs and successors, in full property and Sovereignty, all the forts belonging to the Crown of Denmark, which are situated on that part of the Coast of Africa called the Gold Coast or the Coast of Guinea, and which comprise Fort Christiansborg,‡ Fort Augustaborg,§ Fort Fredensborg,|| Fort Kongensteen,¶ and Fort Prindsensteen,** with their appurtenances and all the guns and stores contained therein, together with all other Possessions, property, and territorial rights whatever belonging to His Danish Majesty on the said coast.”

* H.T., vol. ix, p. 236.

† Ratifications exchanged at London, 11th September, 1850.

‡ Fort Christiansborg (Accra).

§ Fort Augustaborg (Adda).

|| Fort Fredensborg (Fingo).

¶ Fort Kongensteen.

** Fort Prindsensteen (Quetta).

[Danish Forts, &c. Gold Coast.]

The exact extent of the Possessions thus ceded was not at that time clearly defined; but, on the 9th May, 1887, the Kings and Chiefs of the country of Aquamoo signed a Declaration acknowledging that they and their country formed part of the Protectorate of Her Majesty the Queen of Great Britain and Ireland on the Gold Coast, and that they were subject to the jurisdiction and authority of Her Majesty, and declaring that they had that belief inasmuch as their country of old enjoyed similar protection from His Majesty the King of Denmark, who, they said, they understood had ceded his right and title to their country to the British Crown in 1850.

EGYPT (AND SOUDAN).

EGYPT (AND SOUDAN).

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For Agreements, &c., relating to the frontier between Egypt and Italian Possessions (Anglo-Egyptian Soudan and Eritrea), see Italy and Egypt.

For Agreements, &c., relating to the frontier between the Anglo-Egyptian Soudan and Abyssinia, see Abyssinia.

EGYPT AND TURKEY.

(See Turkey and Egypt.)

No. 178.—*Notes on the Boundaries of EGYPT.* 1840—1908.

On the 15th July, 1840, a Convention was concluded between Great Britain, Austria, Prussia, Russia, and Turkey for the pacification of the Levant, by which it was agreed that the administration of the Pashalik of Egypt should be granted to Mehemet Ali and his descendants.*

On the 13th February, 1841, a Firman was addressed by the Sultan, Abdul Medjed, to Mehemet Ali, Pasha of Egypt, in which the boundaries of Egypt were thus defined :—

“I grant unto thee the Government of Egypt within its ancient boundaries, such as they are to be found in the map which is sent unto thee by my Grand Vizir now in office, with a seal affixed to it.”†

This map was not published with the Firman, nor is a copy of it now forthcoming, but in the *Pro-Memoriâ* which accompanied a note addressed by Fakhri Pasha, then Egyptian Minister of Justice, to the Italian Agent and Consul-General at Cairo (M. de Martino), in July, 1881,‡ it was said that in the Firman of 13th February, 1841, the frontiers of the Egyptian territory on the West Coast of the Red Sea were limited to the Bay of Roway, in 21° 5' north latitude.

On the same day (13th February, 1841) another Firman was issued by the Sultan, conferring upon Mehemet Ali the Government of the Provinces of Nubia, Dafûr, Kordofan, and Sennaar, with their Dependencies beyond the limits of Egypt;§ but the boundaries of those Provinces were not defined.

Massowah, Suakin, &c.

In May, 1865, another Firman was issued by the Sultan Abdul Aziz, assigning to Ismail Pasha, then Viceroy of Egypt, the administration of the ports of Massowah and Suakin, in conjunction with the Mudirate of Taka;|| and in another Firman from the Sultan, dated 27th May, 1866, (12 Moharem, 1283), modifying the order of succession and granting further privileges to the Viceroy, it was said, “I have determined that, henceforth, the Government of Egypt, with the territories which are annexed to it, and its Dependencies, with the Kaïmakamates of Suakin and Massowah, shall be transmitted to the eldest of thy male children, and in the same manner to the eldest sons of thy successors.”¶ (See also SOMALILAND PROTECTORATE, p. 407.)

In 1870 an Egyptian Governor was appointed over the Coast from Suez to Cape Guardafui.

In the *Pro-Memoriâ* which accompanied the Note from Fakhri Pasha to the Italian Agent and Consul-General at Cairo, of July, 1881, already referred to, it was stated that this Firman comprised all the

* S.P., vol. xxviii, p. 342.

† S.P., vol. lix, p. 571.

‡ Parl. Paper, “Egypt, No. 15 (1882),” p. 53.

§ “Législation Ottomane,” Part II, p. 136. See also Agreement, Great Britain and Germany, 15th November, 1893, Art. IV, p. 914.

|| H.T., vol. xv, p. 141.

¶ S.P., vol. lvi, p. 1167; H.T., vol. xiv, p. 1025.

[Somali Coast. Egyptian Jurisdiction.]

west coast of the Red Sea, from the Bay of Roway as far as the Straits of Babel Mandeb.

On the 8th June, 1873 (13 Reibul Akhur, 1290),* another Firman was issued by Sultan Abdul Aziz to the Khedive of Egypt, in which it was stated that the Egyptian succession extended to "the Khedivate of Egypt and its Dependencies, with the Kaïmakamates of Suakin and Massowah and their Dependencies."

Somali Coast.

On the 7th September, 1877,† an Agreement was entered into between the British and Egyptian Governments for the conditional recognition by Her Majesty's Government of His Highness's jurisdiction, under the Suzerainty of the Sublime Porte, over the Somali Coast as far as Ras Hafoun. It contained the following stipulations relating to territorial Possessions :—

Egyptian Jurisdiction over Somali Coast. Bulhar and Berbera, Free Ports.

"Art. I.—Subject to the stipulations contained in Article V of this Agreement, the Government of His Highness the Khedive engages that from the date of the coming into force of the present Convention, and of the consequent formal recognition by Her Majesty's Government of His Highness' jurisdiction over the Somali Coast, Bulhar and Berbera shall be declared free ports (if steps to this effect have not already been taken).

No Monopolies to be granted nor Impediments offered to Trade. Customs Dues at Tajoura,‡ Zeila, and other ports. British Subjects, Commerce, and Navigation. Most-favoured-nation Treatment.

Non-cession of Somali Territory to any Foreign Power.

Art. II.—His Highness the Khedive engages for himself and his successors that no portion of the territory, to be thus formally incorporated with Egypt under his hereditary rule, shall ever be ceded to any foreign Power.

Art. III.—*Appointment of British Consular Agents. Privileges, &c. Most-favoured-nation Treatment. Exclusion of Egyptians and Natives from such Offices.*

Art. IV.—*Suppression of the Slave Trade, and maintenance of Order.*

Assurance to be given by the Sultan as to non-cession of any portion of the Somali Coast to any Foreign Power.

Art. V.—The present Agreement shall definitively come into operation so soon as His Imperial Majesty the Sultan shall have given a

* H.T., vol. xiv, p. 1029.

† H.T., vol. xviii, p. 359. S.P., vol. lxxv, p. 1176. This Agreement was included in a collection of Conventions and other documents relating to the suppression of the Slave Trade, published at Cairo in 1880. See Parl. Paper, "Slave Trade," No. 1 (1886).

‡ See France (East Africa), p. 625.

[Eastern Soudan. Massowah, Suakin, &c.]

formal assurance to Her Majesty's Government that no portion of the territory of the Somali Coast, a territory which, together with all other countries incorporated with Egypt and forming an integral part of the Empire, shall be recognized by His Imperial Majesty as a dependency of Egypt, shall more than any other portion of Egypt, or of the countries placed under His Highness' hereditary rule, be ceded on any pretence whatever to any foreign Power.*

Non-cession by the Khedive of Egypt of his Rights and Privileges to others.

On the 2nd August, 1879,† another Firman was issued by Sultan Abdul Hamid II to the Khedive of Egypt (Tewfik Pasha), confirming the privileges which had already been granted to His Highness and to former Viceroys, and conceding others "within the ancient limits and comprising the territories annexed thereto."

In this Firman it was declared that the Khedive could not, under any pretext or motive whatever, hand over to others, either wholly or in part, any of the privileges granted to Egypt, and entrusted to him, and which were an emanation of the prerogatives inherent to the Sovereign power; nor any part of the territory. In an official Note addressed on the same day by Sawas Pasha to Her Majesty's Ambassador at Constantinople, it was explained that this passage in the Firman only related to the rights, privileges, and prerogatives which had been previously and personally granted to the Khedive of Egypt.

Eastern Soudan. Massowah, Suakin, &c.

On the 30th November, 1881,‡ an Egyptian Decree was issued constituting the Eastern Soudan, comprising the Moudiriats of Taka, the Governorships of Suakin and of Massowah, Senhit, and Kalabat, with their Dependencies, including the Bedouins of El Dabaïna, a separate Governorship, independent of the Governor-Generalship of the Soudan, the Governorship of the Coasts of the Red Sea being attached ("rattaché") thereto.

On the 2nd December, 1883, the Commander of H.M.S. "Ranger" informed the Governor-General of Eastern Soudan that he had received information that Her Majesty's Government had decided to maintain Egyptian authority at Suakin, Massowah, and the Red Sea Ports.§

Suakin.

On the 6th February, 1884, the British Government announced its intention of protecting Suakin.

* This assurance was not given by the Sultan. The Agreement of 1877, which was never carried into effect, came to an end on the abandonment by Egypt of the Somali Coast in 1884 (see p. 617).

† H.T., vol. xv, p. 581.

‡ S.P., vol. lxxii, p. 589.

§ S.P., vol. lxxv, pp. 669—806, and vol. lxxvi, pp. 685—720.

[Somali Coast. Soudan. Danakil Coast.]

Abandonment by Egypt of the Somali Coast.

In May, 1884, it was decided that the Egyptian Authorities and troops should be withdrawn from Harrar ; to be followed by the retirement of the Egyptians from the whole of the coast which they had theretofore occupied from the Straits of Bab-el-Mandeb to Ras Hafoun, including the ports of Tajourah, Zeyla, and Berbera.

Khartoum was captured by the Mahdi, 26th January, 1885 (see "State Papers," vol. lxxvi, p. 716) ; and Dongola was evacuated by Egypt 5th July, 1885 (see "State Papers," vol. lxxvi, p. 712).

The Porte had exercised, for a considerable period, rights of sovereignty over the territory between Bab-el-Mandeb and Zeyla, which, though never formally admitted by the British Government, had not been practically disputed ; but the claims of the Sultan to sovereignty over the Somali tribes between Zeyla and Ras Hafoun had been repeatedly denied by Her Majesty's Government, and the Porte had never accepted the condition under which Her Majesty's Government were prepared to admit their sovereignty under the Convention of 7th September, 1877,* between the British Government and the Khedive.

The abandonment of the Somali Coast by the Egyptian Government put an end to the Convention of 7th September, 1877, by which the jurisdiction of Egypt over this coast was conditionally recognized by Great Britain ; but which had never been carried into effect in consequence of the Sultan having failed to comply with the condition contained in one of its Articles.

The Soudan.

In July, 1884, the Egyptian Government determined to abandon the Soudan, when orders were sent to evacuate Kassala, Senhit, Amadib, Galabat, and Girri.

French Possessions.

On the 21st September, 1884, a Treaty was concluded between France and Tajurah, for the cession to France of the territory of the Sultan of Tajurah from Ras Ali to Gubbed Kharab ; and, on the 14th December, of the same year, certain further cessions of territory were made by the Sultan of Tajurah to France. (See FRANCE and AFRICA (EAST COAST), p. 630.)

Italian Occupation of Massowah.

On the 3rd February, 1885, the Italians occupied Massowah. (See ABYSSINIA, p. 450.)

Italian right of Sovereignty over the Danakil Coast.

On the 9th December, 1888, a Treaty was concluded between the King of Italy and the Sultan of Aussa and Head of the Danakils, by which the Sultan recognized the whole of the Danakil Coast from

* Page 615.

[British, French and Italian Rights.]

Amphila to Ras Dumeira as an Italian Possession. (See **ABYSSINIA AND ITALY**, p. 452.)

Anglo-French Boundary Agreement.

On the ^{2nd}/_{9th} February, 1888, an Exchange of Notes took place between the British and French Governments, with regard to their respective rights in the Gulf of Tajoura and on the Somali Coast. (See **GREAT BRITAIN AND FRANCE**, p. 726.)

French Protectorate over Coasts of Gulf of Tajurah, including the Mussa Islands and Islet of Bab.

By this Agreement, the British Government recognized the protectorate of France over the coasts of the Gulf of Tajurah, including the Mussa Islands (over which the British flag had been hoisted in December, 1884*), and the Islet of Bab.

British Protectorate over the Somali Coast.

On the 20th July, 1887, a Notification was issued to the Powers, in pursuance of the General Act of the Conference of Berlin of 26th February 1885 (**No. 128**), that the Somali Coast, from Ras Jiburti to Bunder Ziadeh, had been placed under British Protection. (See **SOMALILAND PROTECTORATE**, p. 410.)

British Jurisdiction over the Somali Coast.

On the 13th December, 1889, an Order in Council† was passed in which it was stated, Section 3 (1), that, subject to certain provisions, it should apply "to the places and territories for the time being comprised in the Protectorate of the Somali Coast, from Ras Jiburti on the South Coast of the entrance to the Bay of Tajoura eastwards, to and including Bunder Ziadeh, on the 49th meridian of longitude east of Greenwich, as notified on the 20th July, 1887." This Order, however, was not put into operation. It was repealed by Order in Council of the 11th January, 1900, other provision having been made for the exercise of British jurisdiction in the Somaliland Protectorate by Order in Council of the 7th October, 1899. (See **SOMALILAND PROTECTORATE**, p. 410.)

Italian Sphere of Influence Inland.

On the 15th April, 1891,§ a Protocol was signed between the British and Italian Governments, recognizing the fact that the Italian sphere of influence inland commenced at Ras Kasar, on the western shore of the Red Sea and extended to the Blue Nile. (See **GREAT BRITAIN AND ITALY**, p. 949.) For Agreements relating to the Frontier between the Italian Colony of Eritrea and the Anglo-Egyptian Soudan, see **ITALY AND EGYPT**, p. 1084.

* S.P., vol. lxxvi, p. 681.

† H.T., vol. xviii, p. 92.

[Boundaries.]

Boundaries of Egypt confirmed.

On the 22nd March, 1892 (27th Chaban, 1309), a new Firman of Investiture was addressed by the Sultan to His Highness the Khedive (Abbas Hilmi), in which the boundaries of Egypt were thus alluded to :—
 “In consequence of the decree of Providence, the Khedive Tewfik Pasha being deceased, the Khedivate of Egypt, within its ancient limits, as indicated in the Imperial Firman, dated 2 Rebi-ul-Akhir, 1257, A.H. (13th February, 1841), as also on the Map annexed to the said Firman, and the territories annexed in conformity with the Imperial Firman, dated 15 Zilhidje, 1281, A.H. (May, 1865), has been conferred on you, in virtue of my Imperial Iradé, dated 7 Djemazi-ul-Akhir, 1309.”

Sinai Peninsula.

It was explained in a telegram addressed by the Grand Vizir to the Khedive, on the 8th April, 1892, that the Sinai Peninsula, that is to say, the territory bounded to the east by a line running in a south-easterly direction from a point a short distance to the east of El-Arish to the head of the Gulf of Akaba, was to be continued to be administered by Egypt.

The fort of Akaba lies to the east of this line.

A complaint was made by the Ottoman Government in January, 1906, of an alleged trespass by Egyptian troops on Ottoman territory near Akaba, and was followed by action by the Turkish troops in preventing the landing of men from an Egyptian coastguard vessel at Taba, an Egyptian port, and the occupation by Turkish troops of other places in Egyptian territory. Negotiations with the Turkish Government proceeded until May, when an exchange of Notes took place on the 14th and 15th of that month for the withdrawal of the Imperial troops from Taba, the delimitation of the Peninsula, and the maintenance of the *status quo* on the basis of the telegram of the 8th April, 1892. (See TURKEY, p. 1199.) On the 1st of October, 1906, an Agreement was signed for the fixing of a separating administrative line between the Vilayet of Hejaz and Governorate of Jerusalem and the Sinai Peninsula. (See TURKEY, p. 1201.)

Basin of the Upper Nile.

On the 12th May, 1894, an Agreement was entered into between the British Government and the Congo Free State respecting East and Central Africa, to which Notes were added declaring that the claims of Turkey and Egypt in the Basin of the Upper Nile were not ignored. (See CONGO AND GREAT BRITAIN, p. 580.)

Soudan. Recovery of Lost Provinces.

As a result of the Anglo-Egyptian military expeditions, 1896–99, the provinces in the Soudan in rebellion against the authority of the Khedive were reconquered. Provision was made for their administration and their extent defined by Agreement between Great Britain and the Government of Egypt, signed at Cairo on 19th January, 1899 (No. 179).

[Soudan. British, French and Italian Spheres.]

Soudan. Spheres of Influence of Great Britain and France.

The spheres of influence of Great Britain and France in the Soudan were defined by Declaration, signed at London on 21st March, 1899. (See GREAT BRITAIN AND FRANCE, p. 796.)

Soudan. Boundaries with Eritrea and Abyssinia.

The frontier between the Anglo-Egyptian Soudan and the Italian Colony of Eritrea was determined by Agreements with Italy of 7th December, 1898 (No. 340), 1st June, 1899 (No. 342), 16th April, 1901 (No. 343), Declaration of 22nd November, 1901 (No. 291), and Treaty of 15th May, 1902 (see ABYSSINIA (No. 100)); and between the Soudan and Abyssinia by Treaty of 15th May, 1902 (No. 100).

British Freedom of Action in Egypt.

On the 8th April, 1904, a Declaration between Great Britain and France was signed by which France agreed not to obstruct the action of Great Britain in Egypt. (See GREAT BRITAIN AND FRANCE, p. 820.)

No. 179.—*AGREEMENT between the British Government and the Government of the Khedive of Egypt, relative to the future Administration of the Soudan. Signed at Cairo, 19th January, 1899.*

WHEREAS certain provinces in the Soudan which were in rebellion against the authority of His Highness the Khedive have now been reconquered by the joint military and financial efforts of Her Britannic Majesty's Government and the Government of His Highness the Khedive;

And whereas it has become necessary to decide upon a system for the administration of, and for the making of, laws for, the said reconquered provinces, under which due allowance may be made for the backward and unsettled condition of large portions thereof, and the varying requirements of different localities;

And whereas it is desired to give effect to the claims which have accrued to Her Britannic Majesty's Government, by right of conquest, to share in the present settlement and future working and development of the said system of administration and legislation;

And whereas it is conceived that for many purposes Wadi Halfa and Suakin may be most effectively administered in conjunction with the reconquered provinces to which they are respectively adjacent;

Now, it is hereby agreed and declared by and between the Undersigned, duly authorized for that purpose, as follows:—

Art. I.—The word "Soudan" in this Agreement means all the territories south of the 22nd parallel of latitude, which—

(1) Have never been evacuated by Egyptian troops since the year 1882; or

(2) Which, having before the late rebellion in the Soudan been administered by the Government of His Highness the Khedive,*

* Under the Imperial Firman of 13th February, 1841. See p. 614.

were temporarily lost to Egypt, and have been reconquered by Her Britannic Majesty's Government and the Egyptian Government, acting in concert ; or

(3) Which may hereafter be reconquered by the two Governments acting in concert.

Art. II.—The British and Egyptian flags shall be used together, both on land and water, throughout the Soudan, except in the town of Suakin, in which locality the Egyptian flag alone shall be used.

Art. III.—The supreme military and civil command in the Soudan shall be vested in one officer, termed the "Governor-General of the Soudan." He shall be appointed by Khedivial Decree on the recommendation of Her Britannic Majesty's Government, and shall be removed only by Khedivial Decree, with the consent of Her Britannic Majesty's Government.

Art. IV.—Laws, as also Orders and Regulations, with the full force of law, for the good government of the Soudan, and for regulating the holding, disposal, and devolution of property of every kind therein situate, may from time to time be made, altered, or abrogated by Proclamation of the Governor-General. Such Laws, Orders, and Regulations may apply to the whole or any named part of the Soudan, and may, either explicitly or by necessary implication, alter or abrogate any existing Law or Regulation.

All such Proclamations shall be forthwith notified to Her Britannic Majesty's Agent and Consul-General in Cairo, and to the President of the Council of Ministers of His Highness the Khedive.

Art. V.—No Egyptian Law, Decree, Ministerial Arrêté, or other enactment hereafter to be made or promulgated, shall apply to the Soudan or any part thereof, save in so far as the same shall be applied by Proclamation of the Governor-General in manner hereinbefore provided.

Art. VI.—In the definition by Proclamation of the conditions under which Europeans, of whatever nationality, shall be at liberty to trade with or reside in the Soudan, or to hold property within its limits, no special privileges shall be accorded to the subjects of any one or more Power.

Art. VII.—Import duties on entering the Soudan shall not be payable on goods coming from Egyptian territory. Such duties may, however, be levied on goods coming from elsewhere than Egyptian territory ; but in the case of goods entering the Soudan at Suakin, or any other port on the Red Sea littoral, they shall not exceed the corresponding duties for the time being leviable on goods entering Egypt from abroad. Duties may be levied on goods leaving the Soudan, at such rates as may from time to time be prescribed by Proclamation.

Art. VIII.*—The jurisdiction of the Mixed Tribunals shall not extend, nor be recognized for any purpose whatsoever, in any part of the Soudan, except in the town of Suakin.

* See Agreement of 10th July, 1899, p. 622.

[Soudan.]

Art. IX.—Until, and save so far as it shall be otherwise determined by Proclamation, the Soudan, with the exception of the town of Suakin, shall be and remain under martial law.

Art. X.—No Consuls, Vice-Consuls, or Consular Agents shall be accredited in respect of, nor allowed to reside in the Soudan, without the previous consent of Her Britannic Majesty's Government.

Art. XI.—The importation of slaves into the Soudan, as also their exportation, is absolutely prohibited. Provision shall be made by Proclamation for the enforcement of this Regulation.

Art. XII.—It is agreed between the two Governments that special attention shall be paid to the enforcement of the Brussels Act of the 2nd July, 1890 (**No. 130**, p. 488), in respect of the import, sale, and manufacture of fire-arms and their munitions, and distilled or spirituous liquors.

Done in Cairo, the 19th January, 1899.

(Signed) CROMER.

BOUTROS GHALI.

No. 180.—*AGREEMENT between the British Government and the Government of the Khedive of Egypt relative to the Inclusion of Suakin in the Agreement of 19th January, 1899 (Administration of the Soudan). Signed at Cairo, 10th July, 1899.*

WHEREAS, under our Agreement made the 19th day of January, 1899,* relative to the future administration of the Soudan, it is provided by Art. VIII that the jurisdiction of the Mixed Tribunals shall not extend nor be recognized for any purpose whatsoever in any part of the Soudan except in the town of Suakin ;

And whereas no Mixed Tribunal has ever been established at Suakin and it has been found to be inexpedient to establish any such Tribunal in that locality, by reason notably of the expense which the adoption of this measure would occasion ;

And whereas grievous injustice is caused to the inhabitants of Suakin by the absence of any local jurisdiction for the settlement of their disputes, and it is expedient that the town of Suakin should be placed upon the same footing as the rest of the Soudan ;

And whereas we have decided to modify our said Agreement accordingly in manner hereinafter appearing :

Now, it is hereby agreed and declared by and between the Under-signed duly authorized for that purpose, as follows :—

Art. I.—Those provisions of our Agreement of the 19th day of January, 1899, by which the town of Suakin was excepted from the general régime established by the said Agreement for the future administration of the Soudan, are hereby abrogated.

Done at Cairo, the 10th July, 1899.

CROMER.

BOUTROS GHALI.

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FRANCE.

FRANCE.

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[Danakils. Cession of Obock, &c., to France.]

No. 181.—*CONVENTION between France and the Danakils, for the Cession of Obock and its Territory to France. Paris, 11th March, 1862.**

(Translation.)

BETWEEN the Minister, Secretary of State for Foreign affairs of His Majesty the Emperor of the French, and Diny-Ahmed-Aboubekr, delegated by Mohammed ben Mohammed, Sultan Diny-Koullon; Emir, Aly-Ibrahim Aboubekr; Chahim, Sultan Loheïta, Chief of the Tribes of the Danakils, Adalys and Debenets, and invested with their Full Powers, it has been concluded and agreed as follows :—

Art. I.—*Peace and Friendship with Danakil Tribes on Coast of Adel.*

Cession of Obock, &c., to France. Ras Aly to Ras Dumeirah.

Art. II.—The Danakil Chiefs, notably Sultan Diny, cede to His Majesty the Emperor, the harbour, roadstead, and anchorage of Obock, situated near Cape Ras Bir, with the plain extending from Ras Aly to the south, as far as Ras Dumeirah to the north.

Price to be paid for Cession.

Art. III.—This cession is made in consideration for the price stipulated and agreed of 10,000 “talaris,” namely, 50,500 francs.

Art. IV.—*Payment to be made in two Instalments.*

Guarantee of Cession by Danakil Chiefs.

Art. V.—This cession is conjointly guaranteed by Danakil Chiefs, namely: Sultan Mohammed ben Mohammed, Sultan Diny-Koullon; Osman, Aly-Ibrahim Aboubekr; Chahim, and by Sultan Loheïta, Chief of the Debenet Tribes, represented by their Envoy, Diny Ahmed-Aboubekr.

Interior Arrangements, Rivers and Forests.

Art. VI.—The above-named Chiefs engage, separately and conjointly, to facilitate by all the means in their power, the relations of the French established at Obock, with the interior of the country by land or water, by ascending the course of the Rivers Anazo and Haouatch.

They cede to them the right of cutting in the forests the wood necessary for their use, and that of availing themselves of the fresh water springs and streams which exist on the coast in proximity to Obock. Reservoirs of water may be established by common consent, at any places where it is deemed necessary, without any demand for indemnity being made for these establishments.

Art. VII.—*Pasturage.*

Art. VIII.—*Salt.*

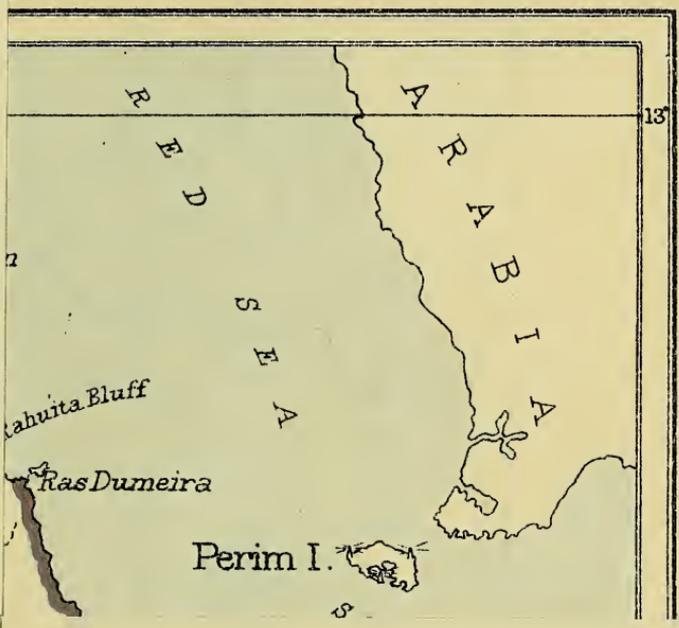
Non-cession of Territory to other Powers.

Art. IX.—The Chiefs of the Danakils and of the other independent tribes on the coast of Adel bind themselves by a formal engagement to

* Signed in Arabic. The French version given by De Clercq is not certified as being an authentic translation. De Clercq, xiv, 513. See also French Notice of 25th December, 1880, p. 629. This Convention was referred to in the Agreement between Great Britain, France and Italy, respecting Abyssinia, of the 13th December, 1906, p. 436.

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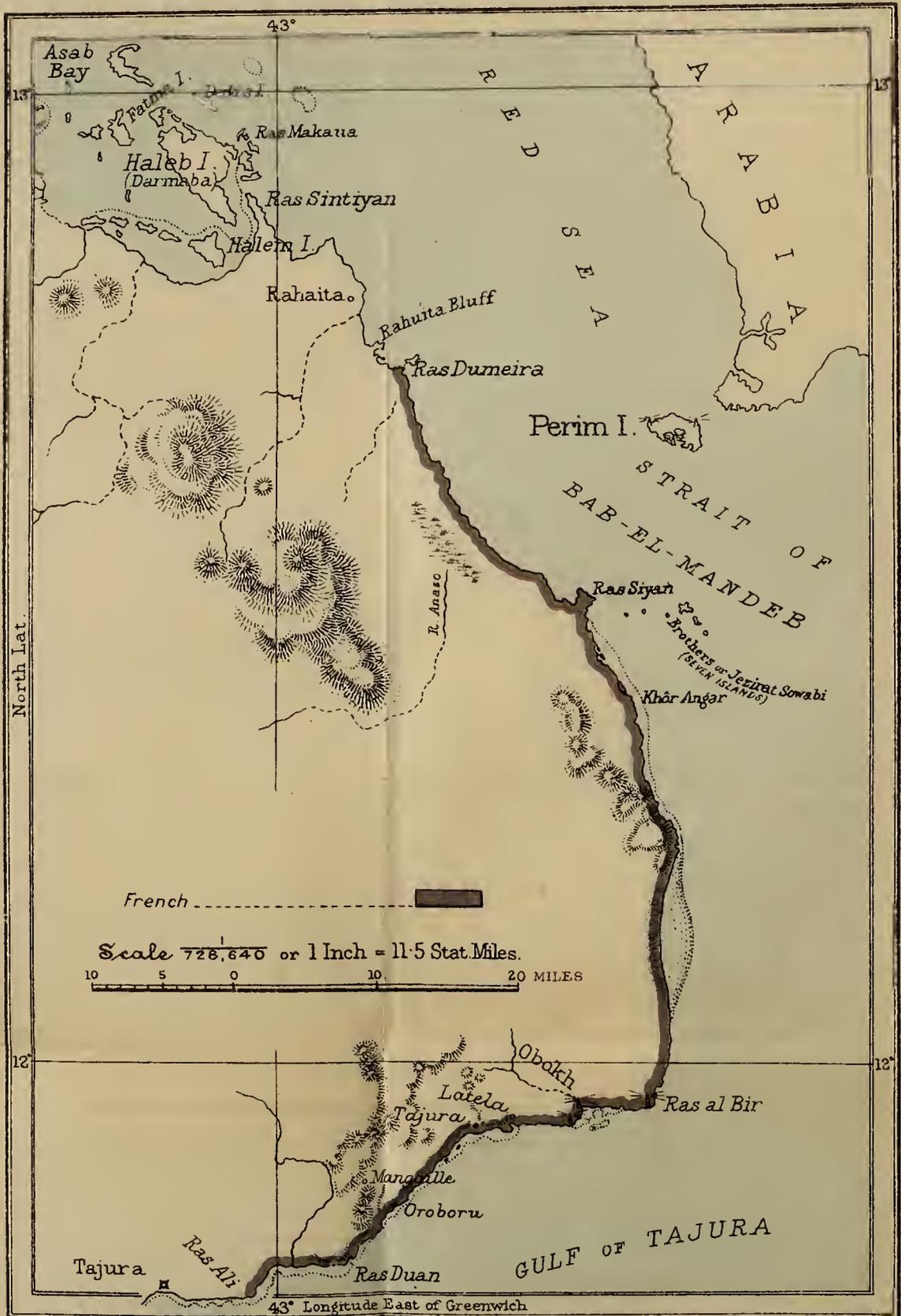
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anakils of 11th March , 1862.
TO THE TREATY OF 11th MARCH, 1862.



Map shewing the position of OBOKH AND SURROUNDING COUNTRY, CEDED TO FRANCE.

By Treaty with the Danakils of 11th March, 1862.

NO MAP WAS ATTACHED TO THE TREATY OF 11th MARCH, 1862.



[French Limits at Obock.]

communicate to the French authorities established at Obock, every proposal for a cession of territory which may be made to them by a Foreign Government. They engage, conjointly and separately, to reject every overture made to them which has not received the assent of the Government of His Majesty the Emperor of the French.

Done at Paris, on the 11th March, of the year of Grace, 1862.

(L.S.) THOUVENEL.

Marks and Seals of

DINY-BEN-SULTAN-MOHAMMED-HUMED, son of the late Sultan Mohammed.

The Vizir MOHAMMED, son of Sultan Hummed.

The Emir EL HADJ ABOUBEKR. IBRAHIM CHAHIM.

*Goubout-Kharab (Gubbed Kharab).**

ADDITIONAL ARTICLE.—In the event of the harbour, roadstead, and anchorage of Obock being acknowledged to be unfit to contain a ship of great tonnage, Diny-Ahmed engages, in the name of Cheikh Aly-Ibrahim Aboubekr-Chahim, and of the Chiefs mentioned in the Treaty, to cede, at the price stipulated in Article III, the harbour roadstead, and anchorage of Goubout-Kharab, or any other, with the territory belonging to it, and under all the conditions inserted in the present Treaty.

Done at Paris, 11th March, 1862.

(L.S.) THOUVENEL.

(L.S.) DINY-BEN-SULTAN-MOHAMMED.

No. 182.—*FRENCH NOTICE respecting limit of French Possessions at Obock.* † 25th December, 1880.

(Translation.)

As demands for concessions of territory at Obock (on the Red Sea (*sic*)) are frequently received by the Department for Marine and Colonies, we think it useful to make known to the public the nature of the replies which are invariably returned to applications of this kind :

The Treaty of 11th March, 1862 (**No. 181**), enacting the cession of this point to France, contains no indication of the limits of our possession, ‡ and we have, moreover, done nothing up to the present time to secure our Sovereignty over this country.

It would, therefore, be impossible to indicate the land capable of being ceded, and still less to delimitate it. Under these circumstances,

* See also Act signed by Sultan of Tajurah, 18th October, 1884, p. 632.

† "Journal Officiel," 25th December, 1880.

‡ At the time this Notice was issued, the Treaty of 11th March, 1862, had not been published by De Clercq. See Tome xiv (1886), p. 513.

[Cession of Tajurah to France.]

the Marine Department is unable to grant concessions. It can do no more than leave to persons who may attempt to found a settlement at Obock, the whole responsibility of choosing the site to be occupied by them, with the reservation that this occupation, essentially precarious and revocable, shall cease on the first demand. It is well understood, however, that no indemnity shall be due to the parties interested, in the event of their being evicted for reasons of public utility or military interest.

No. 183.—*TREATY between France and the Sultan of Gobad. Obock, 9th April, 1884.**

(Translation.)

BETWEEN M. Lagarde (A.M.J.L.), Commandant of Obock, acting in the name of the French Government, and Ohmed Loïtah, acting in his own name, and in the names of the Chiefs under his orders, the following Treaty has been concluded :—

Art. I.—*Friendship with Sultan of Gobad.*

Art. II.—*Protection of French Caravans.*

Art. III.—*Duties on Caravans.*

Art. IV.—*French Travellers may sink Wells.*

Art. V.—*Acquisition of Freehold Property by French.*

Art. VI.—*Settlement of Disputes between French and Natives.*

Art. VII.—*Engagement of Sultan to conclude no Convention, and to Sign no Treaty, without the Consent of the Chief of the Colony of Obock, who shall Countersign any Document of this Nature.*

Art. VIII.—*In case of Dispute, the French Text of Treaty alone to be appealed to.*

Done at Obock, on the 9th April, 1884.

(Seal of Ohmed Loïtah.)
LAGARDE.

No. 184.—*TREATY between France and Tajurah, for the Cession of Tajurah and its Dependencies to France. Obock, 21st September, 1884.†*

[Approved and sanctioned by French Decree of 22nd August, 1885.‡]

(Translation.)

BETWEEN M. Lagarde (A.M.M.J.L.), Commandant of Obock, acting in the name of the French Government, and Hamed-ben-Mohamed, Sultan of Tajurah, who rules from Ras-Ali to Gubbed-Kharab, the following Treaty has been concluded :—

Art. I.—*Friendship.*

* "De Clercq," vol. xiv, p. 348.

† The conclusion of this Treaty was officially notified to the British Government by the French Ambassador in London, on 11th February, 1885.

‡ De Clercq, vol. xiv, p. 418.

[Cession of Tajurah to France.]

Art. II.—Sultan Hamed gives his Country to France in order that she may protect it against all Foreigners.*

Art. III.—French Government not to alter Laws established in Sultan Hamed's country.

Art. IV.—Engagement of Sultan Hamed and his Successors to assist the French in building Houses and purchasing Land.

Art. V.—Engagement of Sultan Hamed to sign no Treaty with any Foreign Powers without the Assent of the Commandant of Obock.

Art. VI.—Monthly Payment of 100 "thalaris" to be made to Sultan Hamed and of 80 "thalaris" to the Vizir.

Art. VII.—In case of Dispute, French Text of Treaty alone to be appealed to.

(Sultan of Tajurah's Seal.)

LAGARDE,

Commandant of Obock.

[Before the conclusion of the above Treaty between France and Tajurah, a Treaty was signed by Captain Robert Moresby, of the Indian Navy, on the part of the Honourable East India Company, and the Sultan of Tajurah, August 19, 1840, which contained the following engagement on the part of the Sultan † :—

"**Art. IV.**—Sultan Mahomed-ben-Mohammed, of Tajowra, engages at all times to respect and regard the friendly advice of any authorized person belonging to the British Government, and agrees not to enter into any other Treaty or Bond with any other European nation or person without, in the first instance, bringing the subject to the notice of the Government authorities at Aden, so that the same may in no ways prove detrimental to his Friends, the English, or their Commerce. In return for these conditions, the British Government will observe the interests of the State of Tajowra, and do all in their power to assist in improving their commercial resources.

"**Art. VII.**—In entering into any Bond or Treaty, or trading with either European or other Powers, Sultan Mahomed-ben-Mohammed engages that no Bond or Treaty shall be acceded to, or acquiesced in, by him which will, either at the present, or at future period, prove detrimental or injurious to the interests of the British, either in political or commercial point of view, and in return for such agreement, the English promise that they will act in no manner which may have an evil tendency towards the State of Tajowra."

A Deed was at the same time signed by the Sultan for the sale of the Island of Mussa to the British Government. ‡ (See also **No. 93**, p. 408.)]

No protest, however, was made by Great Britain against the conclusion of the Treaty between France and Tajurah of 21st September, 1884.

* See Map facing p. 632.

† H.T., vol. xiii, p. 6.

‡ H.T., vol. xiii, p. 7.

[Tajurah and Gobad. Cessions to France. Ras Ali, Gubbed Kharab, &c.
Adaeli to Ambado.]

No. 185.—*ACT signed by the Sultan of Tajurah for the Cession to France of Ras-Ali, Sagallo, and Gubbed Kharab. 18th October, 1884.*

[Approved and sanctioned by French Decree of 22nd August, 1885.*]

(Translation.)

I, Sultan of Tajurah, give to France, in Friendship, Ras Ali, Sagollo, and Rood-Ali (Gubbed Kharab).

(Seal of Sultan Hamed-Ben-Mohamet.)

Witnesses :

(Seal of Sultan Loïtah.)

(Seal of the Vizir.)

LAGARDE,
Commandant of Obock.

BELLANGER,
Commander of the "Seignelay."

No. 186.—*ACT signed by the Sultans of Tajurah and Gobad for the Cession to France of the Territory comprised between Adaeli and Ambado. Obock, 14th December, 1884.†*

[Approved and sanctioned by French Decree of 22nd August, 1885.‡]

(Translation.)

Hamed, Sultan of Tajurah, having given to the French Government his territory as far as the place called Adaeli.

I, Hamed-Laita, do the same thing, and I give to the said Government from Adaeli to Ambado.

Obock, 14th December, 1884.

(Signature and Seal of Hamed, Sultan of Tajurah and of Brahim, Vizir of the same place, who bear witness to the authenticity of the said declaration.)

(Signature and Seal of Hamed-Laita, who certifies to the authenticity of what he has said.)

LA GARDE,
Commandant of Obock.

OGHSLEHAGLER,
Military Interpreter.

* "De Clercq," vol. xiv, p. 423. See also Additional Article to the Treaty between France and the Danakils of 11th March, 1862, p. 629, and Law (12th August, 1885) for the Organization of the Colony of Obock, and the establishment of a French Protectorate over Tajurah and neighbouring territories. "De Clercq," vol. xiv, p. 511.

† See also Treaty with Sultan of Gobad, 2nd January, 1885, p. 633.

‡ "De Clercq," vol. xiv, p. 429.

Shewing

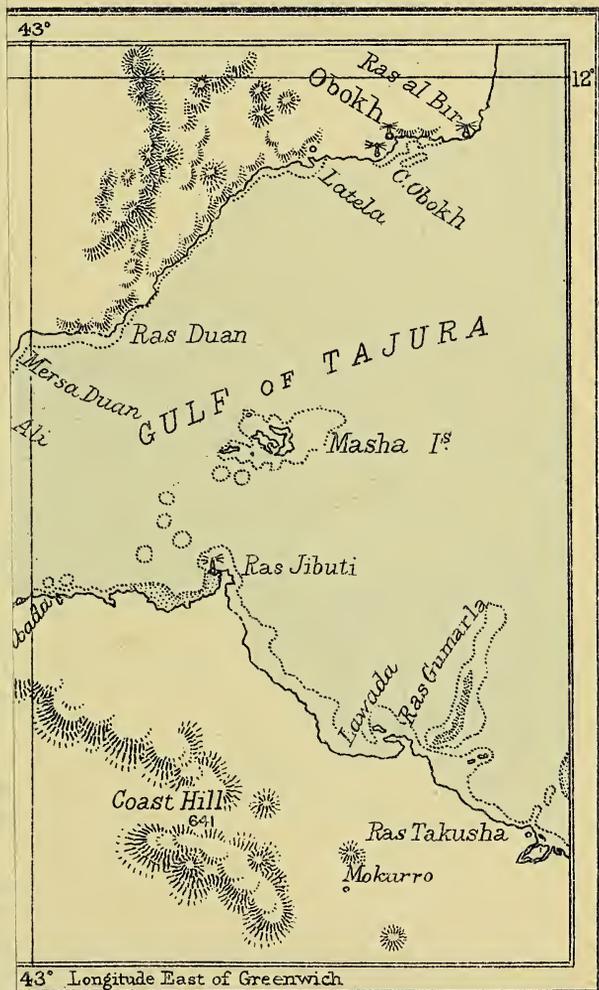
THE GULF OF TAJURA,

AS

DEFINED BY THE TREATY OF

SEPTEMBER 21ST 1884.

THE TREATY OF 21ST SEPTEMBER 1884.



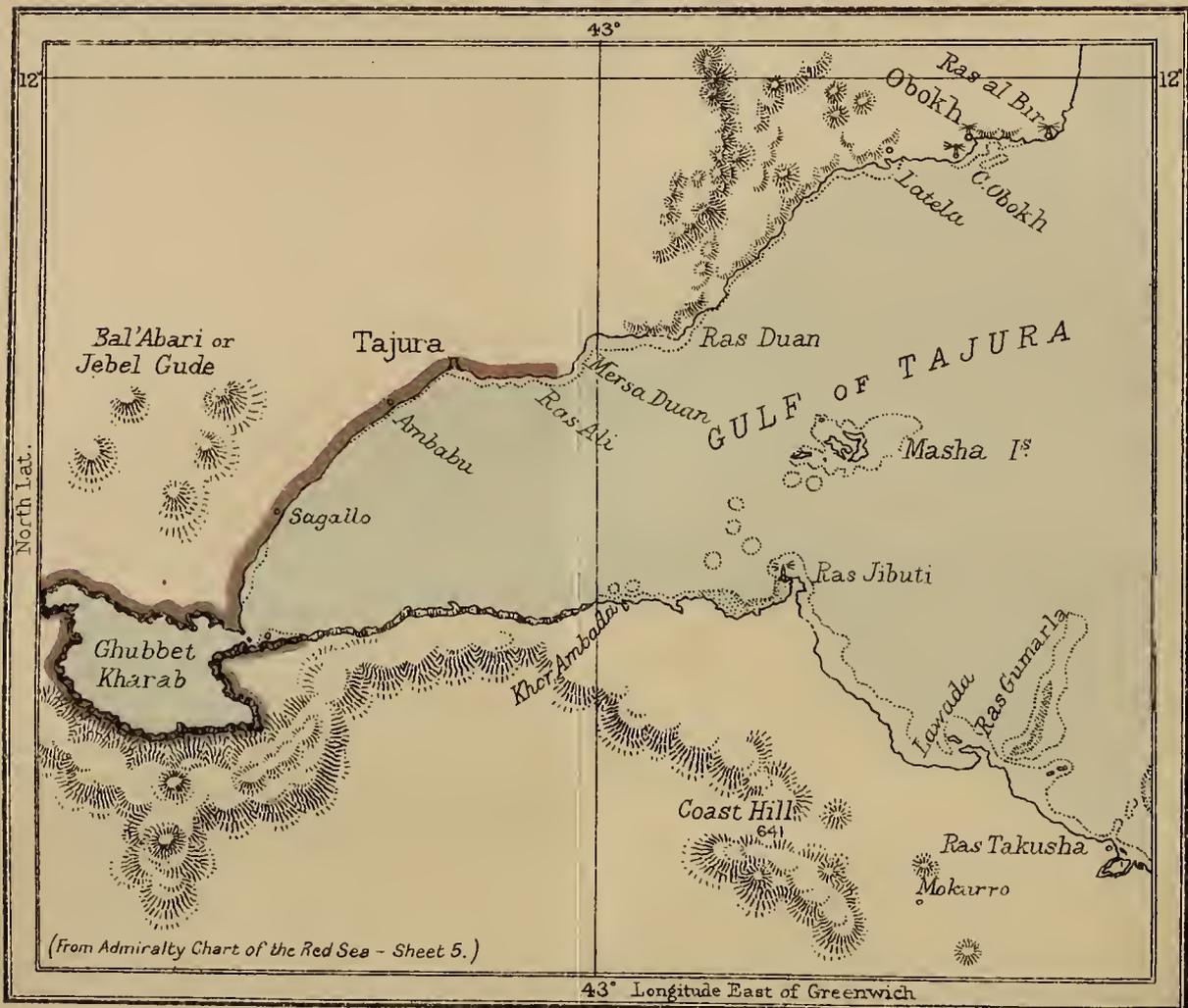
Ordnance Survey, Southampton.

1 Inch = 11.5 Stat. Miles.

10 20 MILES.

Map Shewing
 TERRITORY CEDED TO FRANCE,
 BY
 THE SULTAN OF TAJURA.
 By Treaty of 21st Sep^r 1884.

NO MAP WAS ATTACHED TO THE TREATY OF 21ST SEPTEMBER 1884.



Ordnance Survey, Southampton.

French

Scale $\frac{1}{728,640}$ or 1 Inch = 11.5 Stat. Miles.



[Gobad. Issa Somalis. French Protection.]

No. 187.—*TREATY of Friendship and Protection between France and the Sultan of Gobad. Obock, 2nd January, 1885.**

ENTRE M. Lagarde (A.-M.-J.-L.), Commandant de la Colonie d'Obock, agissant au nom du Gouvernement Français, et Ohmed Loïtah, Sultan indépendant de Gobad, a été conclu le Traité suivant :—

Art. I.—Afin de rendre plus étroits les liens d'amitié qui l'attachent à la France, le Sultan Loïtah déclare faire pour lui et pour ses successeurs don de son pays au Gouvernement de la République.

Art. II.—Le Gouvernement de la République s'engage à protéger le Sultan contre les étrangers.

Art. III.—Le Sultan Loïtah s'engage à ne conclure aucune affaire avec personne sans demander l'avis du représentant du Gouvernement et sans avoir obtenu son assentiment écrit. Cette clause ne s'applique pas aux affaires des Danakils qui sont du ressort du Sultan.

Art. IV.—Si le Gouvernement Français juge utile d'établir une tête de ligne de caravanes au Gubbet Kahrab, le Sultan Loïtah s'engage à prendre en main tout ce qui sera relatif à ces caravanes et à s'entendre avec le représentant du Gouvernement pour leur organisation et leur départ régulier.

Art. V.—En cas de contestation, le texte Français seul fera foi.

Fait à Obock, le 2 janvier, 1885.

LAGARDE, *Commandant d'Obock.*

(*Cachet du Sultan Ohmed Loïtah.*)

No. 188.—*TREATY of Friendship and Protection between France and the Chiefs of the Issa Somalis. Obock, 26th March, 1885.*

ENTRE M. Lagarde, A. M. J. L., Commandant de la Colonie d'Obock, agissant au nom du Gouvernement Français, et les chefs Issas ci-après désignés :—

Absi Handet, Robbé Tonk, Bare Ali, Béder Guédi, Guédi Dagah, Dirané Dedis, Roblé Guélé, Hassen Guédi, Guédi Robbé, Moussa Seïd, Mahéramé Egué, Ouaeïs Gardadoub, Guédi Hersi, Chéré Djilébou, Allalé Ouaeïs, Assobi Bonis, Ouré Baré, Ouaeïs Gouled, Bouhe Derrer, qui commandent sur le territoire situé au Gubbet Kharak et jusqu'au delà d'Ambaddo, près de Zeylah, a été signé le Traité suivant :—

Art. I.—Il y aura désormais, entre la France et les chefs Issas amitié éternelle.

Art. II.—Les chefs Issas donnent leur pays à la France pour qu'elle le protège contre tout étranger.

Art. III.—Le Gouvernement Français s'engage à faciliter le commerce sur la côte et de préférence à Ambaddo.

Art. IV.—Les chefs Issas s'engagent à aider les Français dans toutes les occasions et à signer aucun Traité, ni à conclure aucune Convention, sous peine de nullité, sans l'assentiment du Commandant de la Colonie d'Obock.

Fait à Obock, le 26 Mars, 1885.

LAGARDE, *Commandant de la Colonie.*

(*Signes des chefs Issas.*)

* See also Act of Cession dated 14th December, 1884, p. 632.

[Treaties. Native Chiefs. West Africa.]

No.	Place.	Date.	Subject.	Art.	Where to be found.
37	Jack Country	20 Apr., 1852	French Sovereignty	1	De Clercq xv, 389.
38	Adfoe..... (Trade Town)	22 " "	" "	—	" xv, 390.
39	Mophy (Trade Town)	22 " "	" "	—	" xv, 392.
40	Adjaconty(Trade Town)	22 " "	" "	—	" xv, 392.
41	Leflegny and Csogo	24 " "	" "	—	" xv, 393.
42	Adam or Jack Lahon	25 " "	" "	—	" xv, 393.
43	Tiarrha	7 May, "	" "	—	" xv, 393.
44	Afagon or Great Ivory Town. Afagon Bodou or Adreby	10 " "	" "	—	" xv, 394.
45	Adouin	17 " "	" "	—	" xv, 394.
	(Half Ivory Town)				
46	Comassie	19 " "	" "	—	" xv, 394.
47	Cape Esterias	18 Sept., "	" "	1	" vi, 217.
48	Ebremon	10 Oct., 1853	" "	—	" vi, 385.
49	Jack-Jack	15 " "	" "	—	" vi, 385.
50	Palmas	8 Feb., 1855	Cession of Land for French Factory	1	" vi, 497.
51	Great Elobey	23 Apr., "	French Sovereignty	1	" xv, 396.
52	R. Kitafine or Rio Cassini	25 Mar., 1857	" " " exclusive right of Commerce	1 2	" xv, 397.
53	Trarzas	20 May, 1858	" Sovereignty	1	" vii, 388.
54	Bondou	18 June, "	" Protectorate	1	" vii, 410.
55	Farabana and Niagara (Bambouk)	18 Aug., "	Exclusion of Foreigners French Protectorate	1 3	" vii, 447.
56	Bondou	18 " "	" Sovereignty	1	" vii, 448.
57	Gnoy	19 " "	" "	—	" vii, 448.
58	{ Congnaro } { Souna	9 Jan., 1859	" "	—	" vii, 577.
59	Toro	10 Apr., "	" Protectorate	3	" vii, 584.
60	Fonta	15 Aug., "	" "	1	" vii, 634.
61	Damga	10 Sept., "	" "	1	" vii, 638.
62	N'Lomp	6 Apr., 1860	" Suzerainty	—	" viii, 42.
63	Thiong	5 May, "	" "	—	" viii, 47.
64	Wagaram	6 " "	" "	—	" viii, 47.
65	Cassinol	16 " "	" "	—	" viii, 47.
66	Blio and Baïer	15 June, "	" Sovereignty	—	" viii, 49.
67	Cavour	17 " "	" Suzerainty	—	" viii, 58.
68	Ad-Hadji-Omar	18 Aug., "	" Protection	—	" viii, 80.
69	Elobey	17 Oct., "	" Sovereignty	—	" xv, 451.
			Exclusion of Foreigners	—	
70	Cayor.....	1 Feb., 1861	French Protection	8	" viii, 161.
71	Souna	14 " "	" Sovereignty	1	" viii, 167.
			Exclusion of Foreigners	2	
72	Sine Saloum	8 Mar., "	French Sovereignty	2	Ann. Sénég., 409.
73	Cayor.....	2 Feb., 1862	" "	4	" 408.
74	Cape Lopez, and R. Nazare	1 June, "	" "	1	DeClercq vii, 413.
			Exclusion of Foreigners	2	
75	Forgny	2 Dec., "	French Suzerainty	1	Ann. Sénég., 451.
			Exclusion of Foreigners	—	
76	Toro	26 Mar., 1863	French Sovereignty	1	De Clercq viii, 576.
77	Damga	9 Aug., "	" "	—	" xv, 470.
78	Fouta	10 " "	" "	—	" xv, 471.
79	Toro	1 Sept., "	" "	—	" viii, 613.
80	Cayor.....	4 Dec., "	" Suzerainty	2	" viii, 619.

[Treaties, Native Chiefs, West Africa.]

No.	Place.	Date.	Subject.	Art.	Where to be found.
81	{ Djolof Cayor Sine Baol Saloum }	— Oct., 1864	{ Right of French alone to make set- tlements }	2	Ann. Sénégal., 410.
82	Bagnouls	8 Mar., 1865	French Suzerainty	2	„ 452.
83	Ouonkon	20 „ „	„ „	2	„ 453.
84	Soura	20 „ „	„ „	1	„ 453.
85	Tapelan and Athioune	20 „ „	„ „	1	„ 453.
86	Athioune — Finto	16 Apr., „	„ „	1	„ 455.
87	Yolas	17 „ „	„ „	1	„ 455.
88	Guimbering	30 „ „	„ Sovereignty	2	„ 456.
89	Moreah	22 Nov., „	„ Suzerainty	1	De Clercq ix, 414.
90	Nalous	28 „ „	„ „	1	Ann. Sénégal., 465.
91	„	1 Dec., „	„ Sovereignty	—	„ 466.
92	Forgny	2 „ „	„ Protection	8	„ 457.
			Exclusion of Foreigners	3	
93	Colibanta (Balmadon)	3 Jan., 1866	French Suzerainty	2	„ 454.
94	Landoumas	21 „ „	„ „	1	De Clercq ix, 476.
95	Rio Pungo	15 Feb., „	„ „	1	„ ix, 477.
96	Danger River ...	14 Dec., „	„ Sovereignty	—	„ xv, 348.
97	Moreah	30 „ „	„ Suzerainty	2	„ ix, 682.
98	M'Goumbi and M'Dombai	10 May, 1867	„ „	1	„ xv, 499.
99	Sekiani (Danger River)	17 Oct., „	„ Protectorate	6	„ xv, 534.
100	Camma and Rembo	14 Jan., „	„ Sovereignty		„ x, 21.
101	Beriby	4 Feb., „	„ „	1	„ x, 61.
102	Bilogné	14 „ „	„ Protectorate	—	„ xv, 535.
103	Jack-Jack	2 „ „ 1869	„ Sovereignty	1	„ xv, 535.
104	Half Jack	2 „ „	„ „	1	„ xv, 537.
105	Little Bassam ...	7 „ „	„ „	1	„ xv, 537.
106	Conessi-Amsa ...	15 „ „	„ „	1	„ xv, 537.
107	Ymalais	20 Aug., „	„ „	—	„ xv, 539.
108	Cayor	12 Jan., 1871	„ „	1	„ xii, 481.
109	Benito	14 Mar., 1873	„ „	1	„ xv, 563.
110	Boungé, &c.	23 Aug., „	„ „	—	„ xv, 565.
111	Boungé, &c.	23 „ „ 1874	„ „	—	„ xv, 565.
112	Rio Pongo	15 Feb., 1876	„ Suzerainty	1	Ann. Sénégal., 469.
113	Sine	13 Sept., 1877	„ Protection	1	„ 412.
114	Fouta	24 Oct., „	„ „	3	De Clercq xv, 575.
115	Forrécariah	17 Jan., 1878	„ Suzerainty	1	„ xv, 578.
116	Khasso	26 Sept., „	„ „	—	Ann. Sénégal., 438.
117	Samo	3 Apr., 1879	„ Protectorate	1	De Clercq xv, 607.
118	Cayor	10 Sept., „	„ „	1	„ xii, 481.
119	{ Machadongon Beteadongon Farimboula }	3 Apr., 1880	„ „	1	{ Ann. du Sénégal, 1890-91, 74.
120	Fouladongon ...	16 „ „	„ „	1	„ 79.
121	Haback	21 „ „	„ Suzerainty and Protectorate	1	De Clercq xii, 549.
122	Kita	25 „ „	„ Protectorate	1	„ xvii, 2.
123	„	25 „ „	„ Sovereignty	—	„ xvii, 4.
124	Candiah	20 June, „	„ Suzerainty and Protectorate	1	„ xii, 569.
	Maneah				
	Tombo, &c.				
125	Makoko	10 Sept., „	„ Sovereignty	—	„ xiv, 75.
126	„	3 Oct., „	„ „	—	„ xiv, 76.
127	Gadongon	12 Mar., 1881	„ Protectorate	1	„ xvii, 5.

[Treaties. Native Chiefs. West Africa.]

No.	Place.	Date.	Subject.	Art.	Where to be found.
128	Gomon	15 Mar., 1881	French Protectorate	1	Ann. du Sénég., 1890-91, 75.
129	Bagniakadougon	16 " "	" "	—	De Clercq xvii, 7.
130	Bammako.....	27 Apr., "	" "	1	Ann. du Sénég., 1890-91, 82.
131	Lower Manding	27 " "	" "	1	" 81.
132	Bouré	8 May, "	" "	1	" 83.
134	Fouta	16 " "	" "	1	De Clercq xv, 623.
135	Manding	20 " "	" "	—	" xvii, 9.
136	Fouta Djallon ...	5 July, "	" "	1	" xv, 626.*
137	Beledongon	26 Oct., "	" "	1	" xviii, 251.
138	Sirimana	1 Nov., "	" "	1	" xviii, 253.
139	Killa	3 " "	" "	1	" xviii, 253.
140	Kamana	5 " "	" "	1	" xviii, 254.
141	Makhana	8 " "	" "	1	" xviii, 254.
142	Tambaoura	8 " "	" "	1	" xviii, 254.
143	Niagara and Siri- mana	13 " "	" "	1	" xviii, 255.
144	Gangaran	15 Feb., 1882	" "	1	" xviii, 263.
145	Yocine	18 Mar., "	" Suzerainty	1	" xv, 642.
			Trade exclusively re- served to French	5	
146	Balmadou and Souna	7 Apr., "	French Suzerainty	1	" xv, 643.
			" "	4	
147	Pakao	11 " "	" "	1	" xv, 644.
			" "	5	
148	Bafing	14 Dec., "	" Protectorate	1	" xv, 685.
149	Cayor.....	16 Jan., 1883	" Suzerainty	1	Ann. Sénég., 92.
150	N'Diambour.....	2 Feb., "	" "	1	De Clercq xv, 691.
151	Baol	8 Mar., "	" Protectorate	1	" xv, 693.
152	Loango	12 " "	" " and Suzerainty	1	" xiv, 307.†
153	Baguinta	18 Apr., "	" Sovereignty	1	" xviii, 243.
154	Malimba	19 " "	" "	4	" xiv, 309.‡
			Non-admission of For- eigners	1	
155	Nossombougou...	20 " "	French Protectorate	1	" xviii, 263.
156	Koumi	24 " "	" "	1	" xviii, 265.
157	Banoko	24 " "	" Sovereignty	—	" xv, 697.
158	"	25 " "	" "	—	" xv, 697.
159	Dampa	1 May, "	" Protectorate	1	" xviii, 239.
160	Mourdiari	5 " "	" "	1	" xviii, 241.
161	Dionkoloni	13 " "	" "	1	" xviii, 242.
162	Segala	15 " "	" "	1	" xviii, 242.
163	Doirebougou ...	22 " "	" "	1	" xviii, 243.
164	Nouko	22 " "	" "	1	" xviii, 243.
165	Bramaya	14 June, "	" Suzerainty and Protectorate	1	Ann. Sénég., 478.
166	Negro Point	21 " "	" " "	1	De Clercq xiv, 313.§
167	{ Great Popo, &c. Little Popo Porto Seguro Agwé }	19 July, "	" Protectorate	1	" xv, 702.
168	{ Onlad Ely Onlad Aid }	9 Aug., "	" Sovereignty	3	{ Ann. du Sénég., 1889, 84.
169	Mangonié and Boungé	10 " "	" "	1	De Clercq xv, 703.
170	Boué	10 " "	" "	—	" xv, 703.
171	Central Fouta ...	14 " "	" Protectorate	1	" xviii, 245.

* S.P., vol. lxxv, p. 336.

† S.P., vol. lxxv, p. 340.

‡ S.P., vol. lxxv, p. 553.

§ S.P., vol. lxxv, p. 341.

[Treaties. Native Chiefs. West Africa.]

No.	Place.	Date.	Subject.	Art.	Where to be found.
172	Ignoumba.....	17 Aug., 1883	French Sovereignty	1	De Clercq xv, 704.
173	Ebocko	24 " "	" "	1	" xiv, 314.
174	Cayor.....	28 " "	" "	1	" xv, 705.
175	{ Bangone..... Betimbe..... }	5 Sept., "	{ " Suzerainty and Pro- tectorate }	—	" xv, 707.
176	Ebocko	5 " "	" Sovereignty	—	" xiv, 315.
177	Benito	3 Nov., "	" "	1	" xiv, 315.
178	Firdou	3 " "	" Suzerainty and Protectorate	1	" xviii, 247.
179	Tambaoura	8 " "	" Protectorate	3	" xviii, 249.
180	Benito	9 " "	" Suzerainty.....	—	" xv, 707.
181	"	9 " "	Non-cession of Terri- tory to Foreign Firms	—	" xv, 707.
182	"	10 " "	French Suzerainty	—	" xv, 707.
183	Lcbé	13 " "	" Protectorate	—	" xv, 710.
184	Dambo	15 " "	" "	—	" xv, 711.
185	{ Nionggé..... Tonanjibe Digneba..... }	15 " "	" Suzerainty	—	" xv, 712.
186	Campo	19 " "	" Protectorate	—	" xiv, 316.
187	Marcabougon	24 " "	" "	1	" xviii, 255.
188	Diebedougon	25 " "	" "	1	" xiv, 317.
189	Central Fouta	27 " "	" "	—	Ann. du Sénégal, 1888, 82.
190	Evoune	14 Dec., "	" Sovereignty	—	De Clercq xiv, 319.
191	Batas.....	15 " "	" Protectorate	—	" xv, 716.
192	N'Gové	15 " "	" Suzerainty	—	" xiv, 319.
193	Bapoukons	23 " "	" Sovereignty	—	" xiv, 321.
194	Rio Pongo	23 Jan., 1884	" "	1	" xviii, 257.
195	Bapouakons	25 " "	" Protectorate	—	" xiv, 322.
196	Lakata	26 " "	" Sovereignty	1	" xiv, 322.
197	Nalous	30 " "	" "	6	" xviii, 258.
198	Pt. N'Combe— Bovenja Is.	1 Feb., "	" "	—	" xiv, 323.
199	M'Bini	1 " "	Exclusion of Foreigners French Sovereignty	—	" xv, 723.
200	Coumane	5 " "	" "	—	" xiv, 324.
201	Batta.....	19 Mar., "	" Protectorate	—	" xiv, 338.
202	Akapless	25 " "	" Sovereignty	2	" xvii, 10.
203	Daba	8 Apr., "	" Protectorate	1	" xiv, 340.
204	Niecoma	8 " "	" "	1	" xiv, 342.
205	Diedougon	11 " "	" "	1	" xiv, 352.
206	Domba	14 " "	" "	1	" xiv, 353.
207	Tontoudon	16 " "	" "	1	" xiv, 354.
208	Diako	26 " "	" "	1	" xiv, 364.
209	Dio	27 " "	" "	1	" xiv, 365.
210	Dosamana	27 " "	" "	1	" xiv, 366.
211	Bouosofara	28 " "	" "	1	" xiv, 368.
212	Aandger	31 May, "	" Sovereignty	—	" xv, 723.
213	Bering	3 June, "	" Suzerainty	—	" xvii, 12.
214	Bota-Boudje	6 " "	" Sovereignty	—	" xiv, 380.
215	Andje	6 " "	" Protectorate	—	" xiv, 381.
216	Bapoukons	6 " "	" Sovereignty	—	" xiv, 381.
217	N'Gove	17 July, "	" "	—	" xiv, 320.
218	"	28 " "	" Suzerainty	—	" xiv, 321.
219	Djami	8 Aug., "	" "	1	" xvii, 13.
220	Benito	9 " "	" Sovereignty	—	" xv, 738.
221	Bapoukons	10 " "	" Suzerainty	—	" xiv, 400.
222	Tembonny	21 " "	" Sovereignty	—	" xiv, 405.
223	Noyo, &c.	22 " "	" "	—	" xiv, 408.
224	Ouvinia.....	23 " "	" Suzerainty and Protectorate	—	" xiv, 410.
225	Mooney River	23 " "	" Protectorate	—	" xv, 739.
226	Apoutous	25 " "	" Suzerainty.....	—	" xiv, 415.

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No.	Place.	Date.	Subject.	Art.	Where to be found.
227	Bramaya	3 Sept. 1884	French Suzerainty and Protectorate	1	De Clercq xiv, 416.
228	Megnetana	17 " "	" Protectorate	1	Ann. Sénég., 449.
229	Rio Pongo	25 " "	" Sovereignty	—	De Clercq xiv, 419.
230	Campo	3 Oct., "	" Protectorate	—	" xiv, 419.
231	"	4 " "	" "	—	" xiv, 419.
232	Bata	4 " "	" Suzerainty	—	" xiv, 420.
233	Bapoukons	4 " "	" Sovereignty	—	" xiv, 421.
234	Corisco Bay	10 " "	" "	—	" xiv, 423.
235	Lower Oneme	12 Dec., "	" Protectorate	—	" xvii, 14.
236	Kabitaye	30 Jan., 1885	" Suzerainty	1	" xv, 745.
237	Koba	1 Feb., "	" Sovereignty	1	" xv, 747.
238	Dubreka	1 " "	" "	—	" xv, 746.
239	"	4 " "	" "	—	" xvii, 15.
240	Taboriah	7 " "	" "	—	" xvii, 1.
241	{ Matanga.....	31 Mar., "	" Suzerainty	—	" xv, 781.
	{ Yongo.....				
	{ Tomba				
	{ Miloga				
242	Vidoko	5 Apr., "	" "	—	" xv, 781.
243	{ Siegné	7 " "	" Sovereignty	—	" xv, 782.
	{ Diéké				
244	Rio Nunez	17 " "	—	—	" xvii, 17.
245	Djolof	18 " "	" Suzerainty and Protectorate	1	Ann. Sénég., 422.
246	Nalou Baky	20 " "	—	—	De Clercq xvii, 20.
247	Little Talibouche	21 " "	" Suzerainty	1	" xvii, 20.
248	Great "	24 " "	" "	1	" xvii, 21.
249	Bagas	6 May, "	" "	1	" xvii, 22.
250	Ouatchis*	10 June, "	" Sovereignty	1	" xv, 787.
251	Nyamina	14 Sept., "	" Protectorate	1	" xvii, 23.
252	Ibonquila	28 " "	" Sovereignty	1	" xv, 886.
253	Matoungon	28 " "	" "	1	" xv, 887.
254	N'Gombié	29 " "	" "	—	" xv, 888.
255	Benito	15 Nov., "	" "	—	" xvii, 66.
256	Almamy Samory	28 Mar., 1886	" Boundary	—	" xvii, 340.
257	Muny River	6 Dec., "	" Rights of Anchorage	—	" xvii, 296.
258	Danger River	6 " "	" "	—	" xvii, 296.
259	Dabon	9 " "	" Sovereignty	2	" xvii, 297.
260	Toussa	10 " "	" "	2	" xvii, 298.
261	Bouboury	11 " "	" "	2	" xvii, 299.
262	Ebrie's	13 " "	" "	1	" xvii, 300.
263	Elobey and Corisco	15 " "	—	—	" xvii, 302.
264	Gamon	1 Jan., 1887	" Protectorate	2	" xvii, 304.
265	Diakha	1 " "	" "	2	" xvii, 305.
266	Niéri	4 " "	" "	2	" xvii, 306.
267	Tiali	8 " "	" "	2	" xvii, 308.
268	Kakadian	9 " "	" "	3	" xvii, 309.
269	Borokoné	10 " "	" "	3	" xvii, 311.
270	Bondou	11 " "	" "	2	" xvii, 312.
271	Bambouk	13 " "	" "	2	" xvii, 316.
272	Gnoy	15 " "	" "	4	" xvii, 318.
273	"	15 " "	Submission to France....	1	" xvii, 320.
274	Sirimana	16, 17 Jan., 1887	French Protectorate	1	" xvii, 322.
275	Kamesa.....	19 Jan., 1887	" "	1	" xvii, 323.
276	Badou	22 " "	" "	1	" xvii, 325.
		26 " "	" "		
277	Mocolo	30 " "	" "	1	" xvii, 327.
		2 Feb. }	" "		

* Between Grand Popo and Dahomey. French Protectorate notified to Powers, 20th August, 1885. (See p. 487.)

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No.	Place.	Date.	Subject.	Art.	Where to be found.
278	Tenda	2 Feb., 1887	French Protectorate ...	1	DeClercq xvii, 330.
279	Caniak	2 " "	" Protectorate and Suzerainty	1	" xvii, 331.
280	Bambouk	10 Jan.-5 Feb., 1887	" Protectorate ...	3	" xvii, 314.
281	Bambougou	7 Feb., 1887	" "	1	" xvii, 333.
282	Diebedougou	9 " "	" "	1	" xvii, 334.
283	Fontofa.....	18 " "	" "	1	" xvii, 335.
284	Dinguiray	12 Mar., "	" "	1	" xvii, 336.
285	Ouli	21 " "	" "	1	" xvii, 337.
286	Koullon and Kabelaya	22 " "	" "	1	" xvii, 339.
287	Almany Samory Emir-el-Mumenin	23 Mar., 1887*	" "	2	" xvii, 340.†
288	Sakho	15 Apr., "	" "	—	" xvii, 354.
289	Menien	16 " "	" "	—	" xvii, 354.
290	Sokolo	22 " "	" "	1	" xvii, 355.
291	Trarzas	27 " "	" "	1	Ann. du Sénégal, 1889, 126.
292	Boke	28 " "	" "	—	De Clercq xvii, 359.
293	Bafing (Makhana)	1 May, "	" "	—	" xvii, 360.
294	Segou (Almamy Ahmadou)	12 " "	" "	2	" xvii, 365.‡
295	Lewé	13 " "	" "	1	" xvii, 367.
296	Bettié	13 " "	" "	1	" xvii, 367.
297	Saloum	14 " "	" "	1	" xvii, 369.
	Ripp or Badi-boo				
	Niom				
	Nian				
298	Fauvier	14 " "	" "	1	" xvii, 368.
299	Ouled-Embarek	14 " "	" Support against enemies	1	" xvii, 370.
300	Coddé	15 " "	" Protectorate	1	" xvii, 372.
301	Gambou	17 " "	" "	1	" xvii, 373.
302	Indenié	25 June, "	" "	1	" xvii, 386.
303	Thiakba	28 " "	" Sovereignty	1	" xvii, 389.
304	Alangona	13 July, "	" Protectorate	1	" xvii, 410.
305	Yacasse.....	21 " "	" "	—	" xvii, 412.
306	Cottocron	21 " "	" "	—	" xvii, 412.
307	Youmba	30 Aug., "	" "	1	" xvii, 441.
308	Mobendjellé	5 Sept., "	" "	1	" xvii, 442.
309	Bouanza (Modzaka)	14 " "	" "	—	" xvii, 444.
310	Impfondo	21 " "	" Protectorate and Suzerainty	1	" xvii, 445.
311	Lissongo	4 Oct., "	" "	1	" xvii, 464.
312	Libembe	5 " "	" "	1	" xvii, 465.
313	Mon'Goudon	6 " "	" "	1	" xvii, 467.
314	Bikinda.....	8 " "	" Protectorate	1	" xvii, 468.
315	Cosroë	19 Dec., "	" Sovereignty	—	" xvii, 509.
316	Fouta Djalon	30 Mar., 1888	" Protectorate	1	" xviii, 35.
317	Egbas	11 Apr., "	" "	5	" xviii, 36.

* By this Convention the River Niger (Djaliba) up to Tiguiberri, and the River Bafing or Tankisso, from Tiguiberri to their sources, were declared to serve as the line of demarcation and frontier between the French Possessions in the Soudan, on the one side, and the States of the Almamy Samory, Emir-el-Mumenin, on the other. (See also Convention, 21st February, 1889.)

† S.P., vol. lxxviii, p. 719.

‡ S.P., vol. lxxviii, p. 720.

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No.	Place.	Date.	Subject.	Art.	Where to be found.
318	Kenedougou.....	18 June, 1888	French Protectorate	1	De Clercq xviii, 54.
319	Bougombbo	6 Oct., "	" Suzerainty and Protectorate	1	" xviii, 117.
320	Bobassa	7 " "	" "	1	" xviii, 118.
321	Bokashi.....	8 " "	" "	1	" xviii, 118.
322	Yakodi	8 " "	" "	1	" xviii, 119.
323	Bozolo (Lower)	8 Oct., "	" "	1	" xviii, 119.
324	" (Upper)	9 " "	" "	1	" xviii, 119.
325	Bozangné	11 " "	" "	1	" xviii, 120.
326	Badjongo	11 " "	" "	1	" xviii, 120.
327	Konga	12 " "	" "	1	" xviii, 140.
328	Bodjo	19 " "	" "	1	" xviii, 142.
	(Bagoumba)				
329	Boyelé	21 " "	" "	1	" xviii, 119.
330	N'Goma	22 " "	" "	1	" xviii, 142.
331	Mondjimbo	23 " "	" "	1	" xviii, 142.
332	Bollembé(Upper)	30 " "	" "	1	" xviii, 149.
333	" (Lower)	30 " "	" "	1	" xviii, 151.
334	Longo	4 Nov., "	" "	1	" xviii, 153.
335	Abrou and Bon- dougou	13 " "	" Protectorate	1	" xviii, 153.
336	Kantora	23 Dec., "	" "	1	" xviii, 185.
337	Kong	10 Jan., 1889	" "	1	" xviii, 190.
338	Djimini	26 Jan., "	" "	1	" xviii, 191.
339	Anno	8 Feb., "	" "	1	" xviii, 193.
340	Almany Samory Emir-el- Mumenin*	21 " "	" "	2	" xviii, 197.
341	Tambakka	19 May, "	" "	1	" xviii, 233.
342	Tamisso	24 " "	" "	2	" xviii, 266.
343	Djoloff	3 June, 1890	" "	1	" xviii, 389.
344	Dahomey	3 Oct., "	Recognizing French Protectorate over Porto-Novo	1	" xviii, 399.

* By this Convention, it was declared that the River Niger (Djebba) served as the line of demarcation and frontier between the French Possessions in the Soudan, on the one side, and the States of the Almany Samory Emir-el-Mumenin, on the other.

ALCATRAS ISLANDS.—On the 30th November, 1887, the British Government were officially informed that the Governor of Senegal had, on the 4th of that month, occupied the Alcatras Islands, which group, it was said, was a natural dependency of the Colony of Senegal; and that, as the islands had long been considered as belonging to France, the French Government was not bound to notify their effective occupation to the Signatory Powers of the Berlin Act, and that the fact was only notified to the British Government as an act of courtesy.

By an agreement with the Governor of Senegal, the King of Naloes detached four of his warriors to the Alcatras Islands to guard the French flag; but these black soldiers were entirely forgotten, and, as the islands produced nothing, they were all starved to death as soon as the scanty supply of provisions which had been left with them was exhausted. (*Le Temps*, 20th June, 1888.)

No. 190.—*NOTES on French Possessions in West Africa, 1903—1904.*

By a Decree of the President of the French Republic dated 29th December, 1903* providing for the organisation of the possession of French Congo and Dependencies, it was stated that the possessions in question, placed under the authority of a Commissioner-General, with residence at Brazzaville, includes :—

(1) The colony of the Gaboon, viz. : the maritime region comprised between Spanish Guinea, the Cameroons, and the limits of the Conventional Basin of the Congo ;

(2) Middle-Congo, comprising all the territories limited by the Gaboon and the Cameroons frontier as far as the 7th degree of north latitude, then by that parallel as far as the watershed between the basins of the Shari and Congo and then by the line of that watershed up to, but not including, the basin of the Ombella and the enclave of Bangui ; then by the frontier of the Independent State of the Congo and that of the Portuguese Colony of Cabinda ;

(3) The territory of Ubangi-Shari comprising all the region situated to the north and east of the middle Congo, limited as follows : To the north by the 7th degree of latitude up to the point where that parallel cuts, on the east, the line of the Conventional Basin, then by the latter line as far as the frontier of the Independent State of the Congo ;

(4) The territory of Chad, comprising all the region situated to the north of Ubangi-Shari placed under French influence in virtue of International Conventions and not depending on the Government of French West Africa.

By a Decree of the President of the French Republic dated 18th October, 1904†, providing for the reorganisation of the Government of French West Africa, it was stated that the Government-General includes :—

- (1) The Colony of Senegal ;
- (2) The Colony of French Guinea ;
- (3) The Colony of the Ivory Coast ;
- (4) The Colony of Dahomey ;
- (5) The Colony of Upper Senegal and Niger (including the military territory of the Niger), with capital Bammako ;
- (6) The civil territory of Mauritania.

The seat of the Government-General to be at Dakar.

The Isles de Los, ceded by Great Britain to France under Article VI of the Convention of the 8th April, 1904 (No. 251), were attached to the Government of French West Africa by Decree of the French President, dated 4th July, 1905.

* S. P., vol. xcvi, p. 949.

† S. P., vol. xcvi, p. 967.

No. 191.—NOTES on the French Occupation of Algeria. 1830—1890.

In March, 1830, a French expedition was fitted out against Algiers.

On the 5th July, 1830,* a Convention was signed between the General-in-Chief of the French Army and the Dey of Algiers, which contained the following stipulations :—

(Translation.)

“The Fort of Casaubia and all the other forts belonging to Algiers and the harbour of this city shall be surrendered to the French troops this morning at 10 o'clock (French time).”

* * * * *

“The exchange of this Convention shall be effected before 10 o'clock this morning, and the French troops shall immediately after enter the Fort of Casaubia and successively all the other forts of the town and on the coast.”

A long correspondence passed between the British and French Governments from March to July, 1830, relative to the French expedition against Algiers, when assurances were given that “the expedition was undertaken for the sole purpose of vindicating the national honour, and not with the view of acquisition or conquest.”†

In 1833 war was renewed by the Arab Chief Abd-el-Kader against the French, which was continued off and on until the 30th May, 1837,‡ when Abd-el-Kader was defeated, and the Sovereignty of France recognized. Certain portions of the Provinces of Oran and Algiers were reserved to France, by a Treaty which contained the following Articles :—

(Translation.)

Art. I.—The Emir Abd-el-Kader recognizes the Sovereignty of France in Africa.

Art. II.—France reserves to herself in the *Province of Oran* : § Mostaganem, || Masagran and their territories ; Oran, Arzew ; || plus a territory bounded as follows : to the east, by the River Macta and the marsh out of which it flows ; to the south, a line starting from the above-mentioned marsh passing along the southern shore of Lake Sebgha and extending as far as Wady-Malah (Rio Salado) in the direction of Sidi-Said and from this river to the sea ; so that all the land comprised within this boundary shall be French territory ;

In the *Province of Algiers* : Algiers, Sahel, the Mitidja Plain, bounded on the east by the Wady-Khadra ; on the south, by the first crest of the first chain of the Little Atlas as far as the Chiffa, including Blida and its territory ; on the west by the Chiffa until its junction with the Masafran, and thence in a straight line to the sea,

* S.P., vol. xvii, p. 1198. The French, at this time, maintained that they had possessed La Calle and Bastion de France for more than a century (S.P., vol. xix, p. 947).

† S.P., vol. xix, pp. 942, 961.

‡ S.P., vol. xxvi, p. 1095.

§ Conquered by Spain in 1509, but abandoned in 1792. S.P., vol. xxii, p. 287.

|| Mostaganem and Arzew were occupied by the French in 1833. S.P., vol. xxii, p. 289.

[French Occupation of Algeria.]

including Coleah and its territory; so that all the land within these limits shall be French territory.

Art. III.—The Emir shall govern the Province of Oran, that of Tittery, and the portion of that of Algiers to the west, which is not included in the limits laid down in Art. II.

He shall not be allowed to penetrate into any other part of the Regency.

Art. IV.—*Authority over Musulmans.*

Art. V.—*Religious Freedom.*

Art. VI.—*War Indemnity to be paid by Emir to France.*

Art. VII.—*Purchase of Gunpowder, &c., by Emir.*

Art. VIII.—*Treatment of Kouloughis.*

Art. IX.—*Surrender by France to the Emir of Rachgonn, Tlemeen, Mechonar, and the Cannons formerly in latter Citadel.*

Art. X.—*Liberty of Commerce.*

Art. XI.—*Protection of Persons and Property.*

Art. XII.—*Surrender of Criminals.*

Art. XIII.—*Non-cession by Emir of Coast-line to any Power without Consent of France.*

Art. XIV.—*Commerce only to be carried on in French Ports.*

Art. XV.—*Appointment of French Agents in Emir's Territory.*

On the 28th January, 1842, the following despatch was addressed by the Earl of Aberdeen to Lord Cowley, then British Ambassador at Paris, respecting the French occupation of Algiers.*

MY LORD,

Foreign Office, January 28, 1842.

My attention has been directed to the report in the "Moniteur,"† of a speech delivered in the Chamber of Deputies by M. Guizot, on the 20th instant. On that occasion his Excellency read in the "Tribune" an account of a conversation between the Count de St. Aulaire and myself, which had reference to the French possessions in Africa, and which had been transmitted by the Ambassador to the French Minister.

In this relation, the Count de St. Aulaire observes, "I began by asserting that the security of our African possessions was for us an interest of the highest importance, which he could not allow to give way before any consideration; and Lord Aberdeen, after having listened to me attentively, said, I am very glad to be able to explain myself distinctly to you upon this point. I was Minister in 1830. If I were to go back to that time, I should have much to say; but I take affairs as they are in 1841, and in the state in which they have been left by preceding Cabinets; I therefore look upon your position in Africa as a *fait accompli*, against which I have no further objection to make."

Now, I readily subscribe to the accuracy of this statement, with the exception of the last sentence. I never said that I had now no objection to make to the establishment of the French in Algiers; but

* S.P., vol. xxx, p. 359. For the correspondance which passed between Great Britain and France relating to the French expedition against Algiers in 1830, see S.P., vol. xix, p. 941.

† "Moniteur" of January 20, 1842.

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that I had no observation to make on the subject, and that it was my intention to be silent. The context shows that such was my meaning ; and, in fact, this decision was the result of mature reflection. I felt that, after 10 years of acquiescence, any objections at the present moment would have been misplaced ; and that the course which it would have been impossible for me formerly to have adopted had now become entirely consistent with propriety and duty. It does not follow, however, that objections, although not expressed, may not be entertained.

I have explained to the French Ambassador the misapprehension into which he had fallen, and the erroneous statement which, in consequence, he had made to his Government.

With the same object in view, your Excellency will have the goodness to read this despatch to M. Guizot.

I am, &c.,

H.E. Lord Cowley.

ABERDEEN.

On the 10th September, 1844, a Convention was signed between France and Morocco for the settlement and termination of disputes which had arisen between those two countries ; and in this Convention it was stated (Art. V.) that the delimitation of the frontiers between the possessions of His Majesty the Emperor of the French and those of His Majesty the Emperor of Morocco should remain fixed and agreed to in conformity with the state of affairs recognized by the Maroquine Government at the time when Algeria was under the domination of the Turks ; and that the complete and regular execution of that clause should form the subject of a special Convention. A Treaty was concluded with that object on the 18th March, 1845 (see MOROCCO AND FRANCE, p. 1146).

In December, 1882, a Notification was issued stating that the Province of Mزاب had been annexed to Algeria.

On the 5th August, 1890, a Declaration was signed between Great Britain and France respecting Madagascar and the French sphere of influence south of her Mediterranean possessions (see GREAT BRITAIN AND FRANCE, p. 738).

The Southern Boundary of Algeria has not yet been clearly defined.
For the Boundary between Algeria and Tunis, see TUNIS, p. 1184.

[French Protectorate. Anjouan (Johanna).]

No. 192.—*CONVENTION between France and the Sultan of Anjouan (Johanna). 21st April, 1886.***Preamble.*

Art. I.—His Highness, together with his Council of Ministers, declares that he places the Island of Anjouan under the protection of France. He binds himself never to make a Treaty with any other nation, and to grant no privileges to foreigners without the consent of France.

Art. II.—*Freedom of Residence, Travel, and Trade.*

Art. III.—*Grants of Land to French Business Men.*

Art. IV.—*Differences between French Citizens and Anjouanese to be settled by French Tribunals. (Amended by Convention of 15th October, 1887) (No. 193).*

Art. V.—*Rights of Foreigners already established in the Island reserved, without French Government being Responsible for Execution of previous Deeds and Conventions. Disputes respecting such Deeds, &c., to be referred to the Arbitration of the French Government.*

Art. VI.—*National Treatment of Vessels.*

Art. VII.—*Succession to Throne of Anjouan.*

Art. VIII.—*Subsistence to be provided by Sultan for His Highness' Brother.*

Art. IX.—*Insurgents to be tried as Rebels.*

Art. X.—*Asylum to be refused in French Territory to Anjouan Rebels.*

Art. XI.—*Arms not to be carried by Sultan in any of the Comoro Islands; nor Aid or Assistance to be given to any one without Approval of French Commandant of Mayotte.*

Art. XII.—*Non-existence of an Act between Sultan and any other Power which could vitiate character of present Convention.*

Art. XIII.—*Pledge of Sultan to abolish Slavery in his States.*

Art. XIV.—*Signatures to Present Convention.*

No. 193.—*CONVENTION between France and the Sultan of Anjouan (Johanna). 15th October, 1887.†**Preamble.*

Art. I.—*Convention signed 26th March, 1887, annulled.*

Art. II.—*Confirmation of Convention of 21st April, 1886 (No. 192), with exception of Article II, which is modified.*

Art. III.—*Resident to be accompanied by his Secretaries, Interpreters or other Employés necessary to insure his Service.*

Art. IV.—*Disputes between French Citizens and Anjouanese to be tried and settled by a Court composed of the Resident or his Delegate President, of a French Assessor, and of an Anjouanese Assessor.*

* Communicated by the French Government to the American Minister, at Paris, 21st February, 1888. For French version, see S.P., vol. lxxix, p. 438.

† Communicated by the French Government to the American Minister at Paris, 21st February, 1888. For French version see S.P., vol. lxxix, p. 440.

[Kotonou, Whydah.]

Art. V.—*French School at Montsamondou, to be provided, paid, and kept up by Sultan. Convention to be approved by French Government.*

FRENCH NOTIFICATION of the placing of the Islands of Grand Comoro, Johanna, and Mohilla under French Protection. 26th June, 1886.*

(Translation.)

M. le Comte,

London, 26th June, 1886.

M. de Freycinet has charged me to make known to your Excellency before the text of the Conventions have been officially published, that in virtue of the Treaties of 6th January, 21st and 26th of April last, the islands of Grand Comoro (Grande Comore), Johanna (Anjouan), and Mohilla (Mohili) have been placed under the Protectorate of France.

Although according to the terms of the Act of Berlin (**No. 128**) the regulations laid down by the Conference only expressly refer to the coast of Africa itself, my Government has nevertheless decided, in consequence of the proximity of these islands to the Continent, and by the feeling of courtesy which the Government of Her Majesty will appreciate, to notify to it, without delay, the establishment of our Protectorate over the Archipelago of the Comoros.

Accept, &c.,

WADDINGTON.

The Earl of Rosebery.

NOTE.—A Bill was passed by the French Chamber of Deputies on the 14th of December, 1908, declaring the Islands of Johanna, Mohilla, and Grand Comoro to be French Colonies. It has not yet been published as a Law (January, 1909).

No. 194.—Notes on *DAHOMÉY* (Kotonou, Whydah, Porto Novo, &c.). 1847-1904.

Kotonou. Cession to France of "la plage de Kotonou."

KOTONOU.—Towards the end of the year 1864, the King of Dahomey ceded to France "la plage de Kotonou."†

Cession to France of "le Territoire de Kotonou."

On the 19th May, 1868, a Treaty was signed between France and Dahomey, by which King Gléglé ceded to France "le Territoire de Kotonou," the limits of which were therein defined,‡ and on the 19th April, 1878, another Treaty was signed, by Art. VII of which this concession was confirmed in the following words:—

"**Art. VII.**—In confirmation of the cession already made, H.M. King Gléglé abandons, in full Sovereignty ("en toute propriété") to France, the Territory of Kotonou, with all the rights appertaining to it, without any exception or reserve whatsoever, according to the

* See S.P., vol. lxxvii, p. 940.

† De Clercq, T. 13, p. 366.

‡ " " p. 367.

[Whydah.]

limits herein determined: to the south, by the sea; to the east, by the actual boundary between the two Kingdoms of Porto Novo and Dahomey; to the west, at a distance of 6 kiloms. from the Territory of the Elder Regis, situated at Kotonou on the seashore; to the north, at a distance of 6 kiloms. from the sea, measured perpendicularly in direction of the coast."

Whydah.

WHYDAH.—The Fort of S. João Baptista d' Ayuda (or Whydah) was mentioned in the Portuguese Constitution of 4th April, 1838, as being one of the Colonial Possessions of Portugal.*

On the 8th March, 1847, a Treaty was concluded between Great Britain and Dahomey, by which permission was given to British subjects to hoist the Dahomian flag in conjunction with the British flag over their factories,† which was confirmed by a subsequent Treaty (12th May, 1877).‡

In December, 1851, Commodore Bruce, acting under instructions from Her Majesty's Government, and with the object of suppressing the Slave Trade, formally announced that all the ports and places (except Badagry) situated in the Bight of Benin, from longitude 1° to 4° 30' east of Greenwich (which included the port of Whydah), would be blockaded from the 1st January, 1852.§ On this announcement being publicly made known, the Lieutenant commanding a Portuguese schooner of war on the station claimed, on behalf of his Government, the exception of the port and district of St. John Baptist of Whydah, from the effects of the blockade; but to this application Commander Strange, of Her Majesty's ship "Archer," replied that he was not aware of any territory being claimed by the Portuguese in that neighbourhood. The Portuguese officer, nevertheless, still asserted that there was such a territory; that there had always been a Governor of the fort appointed by the Portuguese authorities; and that, the late Governor being dead, he had brought one from St. Thomas to be installed in the vacancy. Shortly after this the Portuguese flag was displayed from a flagstaff on shore, and a salute of seven guns fired, which was returned by the Portuguese schooner of war.

Commander Strange thereupon referred the matter to the British Vice-Consul at Whydah, Mr. Fraser, who, in answer to certain categorical questions put to him, replied: That there was a "padre, a drummer boy, and one man who occasionally walked about the town in a kind of military costume, with four broad red stripes upon his arm"; and that these people were all blacks.

He also stated that he had received a letter from the King of Dahomey's cha-cha (Signor Isidore de Souza) styling himself "Lieutenant-Colonel, Governor, civil and military, of the district of the Portuguese Fort, John Baptist of Ajudá," and demanding, in the name of the Queen of Portugal, an authentic copy of the document

* S.P., vol. xxvii, p. 759.

† H.T., vol. xii, p. 33.

‡ H.T., vol. xiv, p. 46.

§ S.P., vol. xli, p. 662.

[French and Portuguese Claims.]

forwarded to the King of Dahomey assigning the reasons for establishing the blockade, and thereby stopping legal commerce; to which he (Mr. Fraser) replied "that he was wholly unacquainted with the fact of a Portuguese Governor residing in the place."

Vice-Consul Fraser further stated, in reply to other queries put by Commander Strange:—

That the four individuals above mentioned were the only ones spoken of as being connected with the Portuguese Fort.

That these officials had never, to his knowledge, claimed the said fort and district as Portuguese territory, independent of the King of Dahomey; adding that the Dahomian laws neither gave nor sold land, although they granted permission for its being used for the time being:

That no such claim had ever been, or was ever likely to be, recognized either by the Yervogar of Whydah or by the King of Dahomey; and

That the extent of the territory claimed by Portugal was about half a mile.

But the *French* Government also remonstrated against the blockade of Whydah, as affecting French interests, and addressed an official note to the British Government, explaining the circumstances under which the French fort in the town of Whydah was originally established by the French Government, and how it was afterwards made over to a French merchant named Régis, which circumstance, it was stated, caused the French Government to take a particular interest in the establishment of M. Régis, and to regard it in the light of a possession of France.

To this remonstrance the British Government replied, that it appeared to them that the claim of France to exercise the right of assuming the actual occupation of the French fort at Whydah was not such a claim as would entitle the French Government to object to the blockade of Whydah by an adequate British force; because Her Majesty's Government believed that that Town itself belonged to the King of Dahomey, and that although both Great Britain and France formerly occupied forts there, which were now commercial factories, yet that there existed between those forts and the sea a space of territory of at least a mile in width, belonging to Dahomey.

On the 13th February, 1852, an Anti-Slave Trade engagement was concluded between Commander Forbes and the King of Dahomey, and on the 15th June following the blockade of Whydah was raised.

On the same day a letter was addressed by Commodore Bruce to the King of Dahomey, informing him that Whydah and all the other ports of his Dominions were no longer blockaded.

Commodore Wilmot visited the King of Dahomey at Abomey in December, 1862, and January, 1863, and in one of his reports he gave a description of the country and of its resources.*

With reference to Whydah, he said that there were three forts or factories there, one English, one French, and one Portuguese; that

* S.P., vol. liv, p. 354.

[French Protectorate. Porto Novo.]

the French was in excellent repair, and did great credit to the French gentleman who carried on business there; that the Portuguese fort was then inhabited by missionaries of that nation; and that the English one was the residence of the Wesleyan missionary; but, he added, that no one had any territorial rights in the place, and that the King of Dahomey reigned supreme.

Consul Burton also paid a visit to the King of Dahomey in May and June, 1863, and, as he passed through Whydah, he also gave a full description of the place.

He said it was in a dilapidated and ruinous condition—the 200 Portuguese and Spaniards who were resident there in 1840 having dwindled down to a dozen.

He described the old foreign factories or “forts” as being four in number, and as belonging to the French, Portuguese, English, and Brazilians, and he said they were all in a melancholy condition except the first; but he added that the Mission Apostolique de Dahomey was busily engaged in restoring their quarters; that the Portuguese fort and the Brazilian fort also showed signs of approaching repairs; but he made no allusion to the French or Portuguese possessing any territorial rights in the place.

British Blockade of Whydah, &c.

On the 3rd July, 1876, a Notification was issued by the Commander of the British Naval Force on the West Coast of Africa Station to the effect that “that portion of the sea coast of the Kingdom of Dahomey which was comprised between the meridian of 2° 35' east longitude and the eastern shore of the channel leading into the Whydah Lagoon at Great Popo, on the meridian of 1° 54' east longitude, including the ports of Cutanee or Appi Vista, Godomey or Jackin, and Whydah, was placed in a state of blockade.”*

Establishment, and withdrawal, of Portuguese Protectorate over Coast.

On the 21st January, 1886, the Portuguese Minister in London (M. d'Antas), notified to the British Government that Portugal had, in virtue of a Treaty concluded on the 5th August, 1885, taken the coast line of the Kingdom of Dahomey under her protection; but on the 22nd December, 1887, it was announced that Portugal had withdrawn her Protectorate from over this territory.†

French Protectorate of Porto Novo.

PORTO NOVO.—On the 3rd October, 1890, an Arrangement was concluded between France and Dahomey, by which the King engaged to respect the French Protectorate of the Kingdom of Porto Novo, and to abstain from all incursions on the territories forming part of that Protectorate; at the same time recognizing the right of France to occupy Kotonou indefinitely.

* S.P., vol. lxxvii, p. 530.

† See p. 487.

The French Government, on its part, engaged to take such action, in regard to the King of Porto Novo, as would prevent any legitimate cause of complaint being made in future by the King of Dahomey; and further engaged to pay an annual sum, in no case exceeding 20,000 fr. (in gold or silver), by way of compensation for the occupation of Kotonou.

Disputes, however, shortly afterwards arose between the two countries with regard to the non-fulfilment of the stipulations of this Agreement, and war ensued.

French Blockade of the Slave Coast.

On the 7th June, 1892, a notification appeared in the "London Gazette," to the effect that, for the purpose of preventing the importation of arms and ammunitions of war into Dahomey, the French had blockaded that portion of the Slave Coast which was confined within the following limits (which included Whydah): "the limit of the French and German Possessions of the Popo* (6° 14' 15" of north latitude, and 0° 40' 36" of longitude west of Paris) and the eastern limit of the French Possession of Porto Novo," which, according to the arrangement between England and France of the 10th August, 1889, Art. IV, §1 (**No. 226**), was fixed on the coast by the line of the meridian passing through Ajarra Creek.

French Protectorate of Dahomey.

On the termination of the war, a Proclamation was issued on 3rd December, 1892, announcing that the Kingdom of Dahomey had been placed under the Protectorate of France, with the exception of Whydah and certain other territories, which were declared to be annexed to France within certain defined limits.

The following is a translation of that Proclamation:—

"In the name of the French Republic:

"We, Brigadier-General, Commander-in-Chief of the French Settlements of Benin, Knight Commander of the Legion of Honour.

"In virtue of the powers conferred upon us,

"We declare:

"That King Behanzin Ahy-Djere has been deposed from the throne of Dahomey, and has been banished for ever from this country.

"That the Kingdom of Dahomey is, and remains, placed under the exclusive Protectorate of France, with the exception of the Territories of Whydah, Savi, Avrekete, Godomey, and Abomey-Kalavy, which constituted the ancient Kingdoms of Ajuda and Jacquin, which are annexed to the Possessions of the French Republic. The limits of the annexed Territories are: to the west, the River Aheme; to the north and to the east, the River Savi and the north-east frontiers of the Territory of Abomey-Kalavy; to the south, the Atlantic Ocean."

Done at Porto Novo, 3rd December, 1892.

A. DODDS.

* See Protocol, France and Germany, 24th December, 1885, p. 653.

[French Colony.]

Limits of Whydah.

By a General Order issued on the 6th December, 1892, the limits of the region of Whydah were declared to be: "to the north, the Marsh of Cô; to the east, the western limits of the Territories of Rouinto, Abomey-Kalavy and of Godomey, which are attached to the region of Kotonou; to the south, the Gulf of Benin; to the west, the River Aroh." * * *

Hostilities were, however, resumed in June, 1893; but on the 5th January, 1894, a Declaration was signed by General Dodds, accepting the submission of the Princes, Chiefs, and inhabitants of Dahomey, and placing the country on the left bank of the Ouémé under French Protection.

The Kingdom of Dahomey is now divided into two States, having for their capitals Abomey and Allada.

On the 15th January, 1894, Ago-il-Agbo, son of Gléglé, was named King of Abomey, and on the 29th of the same month the new Sovereign concluded a Treaty with General Dodds recognising the French Protectorate.

On the 4th February, 1894, the new King of Allada, Gi-Gla-Uonon, was installed as Sovereign of the southern portion of the kingdom, and also placed under the Protectorate of France.

On the 22nd June, 1894, a Presidential Decree was published in the "Journal Officiel" organising the coast territory of Dahomey as a French Colony, entitled "Dahomey et dépendances."

By French Decree of the 18th October, 1904, the Colony of Dahomey was included in the Government-General of French West Africa.

For Treaties between Great Britain and France relating to the Delimitation of their respective Territories—Lagos and Dahomey, and Southern Nigeria and Dahomey—See GREAT BRITAIN AND FRANCE.

No. 195.—*PROTOCOL relating to the German and French Possessions on the West African Coast. Berlin, 24th December, 1885.**

(Translation.)

THE Government of His Majesty the German Emperor and the Government of the French Republic having resolved to regulate in a spirit of mutual good intelligence the relations which may arise between them from the extension of their respective rights of Sovereignty or Protectorate upon the West African Coast and in Oceania, the Undersigned, viz. :—

Count von Bismarck Schoenhausen, Under-Secretary of State in the Department of Foreign Affairs ; and

Baron de Courcel, Ambassador Extraordinary and Plenipotentiary of the French Republic at the Court of His Majesty the German Emperor,

to this effect duly authorized, the following stipulations are agreed on :—

Biafra Bay.†

Art. I.—The Government of His Majesty the German Emperor renounces in favour of France all rights of sovereignty or protectorate in the territories which have been acquired to the south of the River Campo, by the subjects of the German Empire, and which have been placed under the protectorate of His Majesty the German Emperor. It engages to abstain from all political action to the south of a line following the said river from its embouchure, to the point where it meets the meridian at 10° of longitude east from Greenwich (7° 40' longitude east from Paris), and, from this point, the parallel of latitude as far as up to its intersection with the meridian situated 15° of longitude east from Greenwich (12° 40' longitude east of Paris).

The Government of the French Republic renounces all rights and all pretensions which it might claim to exercise over the territories situated to the north of the same line, and engages to abstain from all political action to the north of this line.

Navigation of the River Campo.

Neither of the two Governments shall adopt measures which might interfere with the freedom of commerce and navigation of the subjects of the other Government on the waters of the River Campo, within the portion of the stream which forms the boundary between the two Governments, and of which the use shall be common to the subjects of the two countries.

* See S.P., vol. lxxvi, p. 303. See also Protocol, 4th February, 1894, p. 657, and Convention, 18th April, 1908, p. 1215.

† See Map facing page 654.

[Slave Coast, Porto-Seguro, Little Popo.]

*Slave Coast.***German Protectorate over Togo. Renunciation of French Rights over Porto-Seguro.*

Art. II.—The Government of the French Republic in recognizing the German Protectorate over the territory of Togo, renounces the rights which it might claim to exercise over the territory of Porto-Seguro, in consequence of its relations with King Mensa.

Renunciation of French Rights over Little Popo.

The Government of the French Republic likewise renounces its rights over Little Popo, and recognizes the German Protectorate over this territory.

Protection of Persons and Property of French Citizens at Porto-Seguro and Little Popo.

French traders at Porto-Seguro and Little Popo retain for their persons and property as well as for their commercial operations, until the conclusion of the Customs arrangement provided for below, the benefit of the treatment which they at present enjoy, and shall likewise be entitled to all the advantages and immunities which might be accorded to natives of Germany.

Right of Transport and Exchange of Goods.

Namely, they shall retain the right to transport and exchange their wares freely between their factories or warehouses at Porto-Seguro and Little Popo, and the French territory contiguous, without being subject to the payment of any duty. Reciprocally, the same right shall be guaranteed to German traders.

Customs Regulations.

The German and French Governments, moreover, reserve to themselves discretion to concert measures, after an enquiry has been made upon the spot for attaining a settlement of Customs regulations common to both nations in the territories comprised between the English possessions of the Gold Coast on the west, and Dahomey on the east.†

* Togo was ceded to Germany on the 5th July, 1884 (see p. 693). To the east of Togoland, French territory extended from Aghwey to Grand Popo. The coast between Grand Popo and the French Protectorate of Porto Novo was, at this time, claimed by the King of Dahomey, with Whydah as its capital; but on the 3rd December, 1892, a Proclamation was issued announcing that the kingdom of Dahomey had been placed under the Protectorate of France, with the exception of Whydah and certain other territories which had been assigned to France (See Notes on Dahomey, p. 647. See also Procès-Verbal, 1st February, 1887, p. 655.)

† See Customs Union Convention between Great Britain and Germany, 24th February, 1894, p. 915.

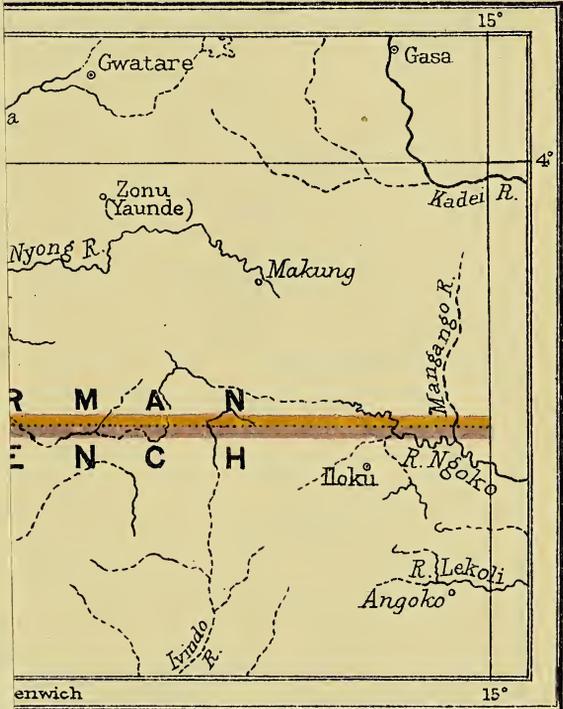
Shewing

BOUNDARIES IN THE BIGHT OF BIAFRA.

AS DEFINED DOWN IN

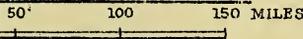
ARTICLE 1 OF THE PROTOCOL

SIGNED AT LONDON
ON THE 11th OF
MAY 1885.



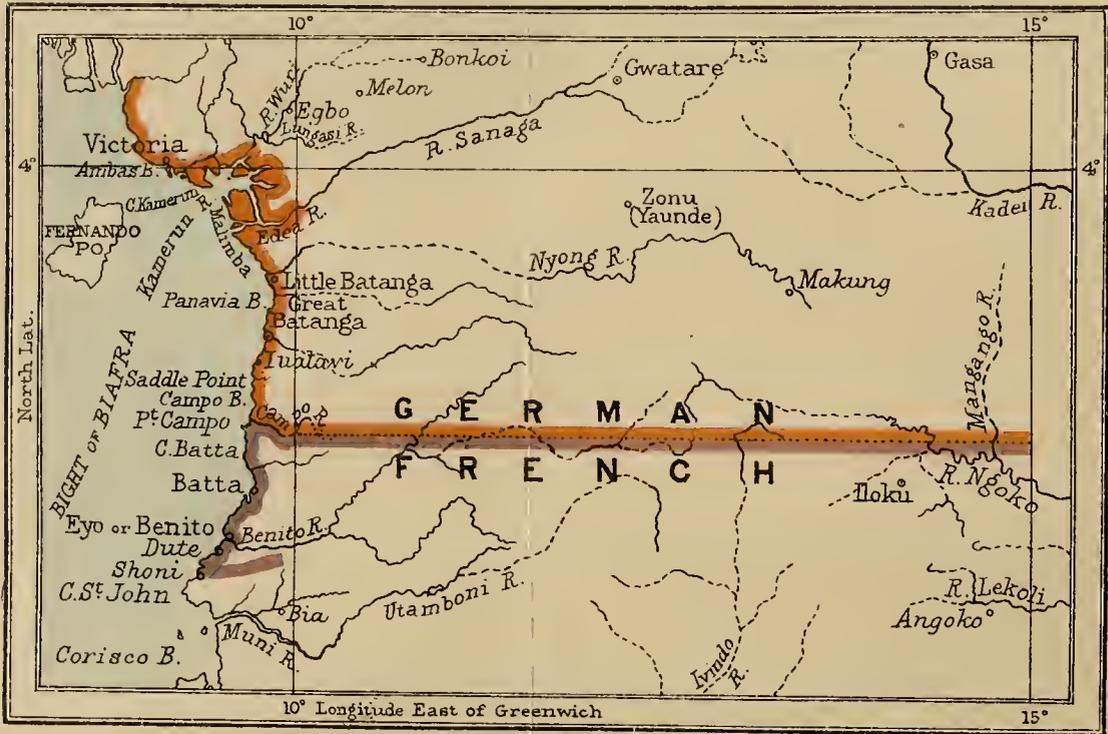
Ordnance Survey, Southampton.

1 Inch = 94.3 Stat. Miles.

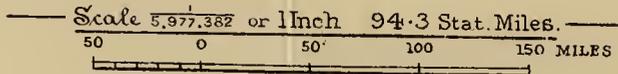


Map Shewing FRENCH & GERMAN POSSESSIONS IN THE BIGHT OF BIAFRA.

AS LAID DOWN IN
ARTICLE I OF THE PROTOCOL
OF
24th Dec^r 1885.



Ordnance Survey, Southampton.



- German 
- French 

*Boundary. Slave Coast. Commissioners to be appointed.**

The boundary between the German territories and the French territories on the Slave Coast shall be determined on the spot by a mixed Commission. The dividing line shall start from a point on the coast to be fixed between the territories of Little Popo and of Agoué. In tracing this line northwards, the boundaries of the native possessions will be taken into account. The German Government engages to abstain from all political action on the east side of the line thus determined. The French Government engages to abstain from all political action on the west side of the same line.

*Coast of Senegambia and the Southern Rivers Districts.**Senegambia and Southern Rivers District. French Rights over Cobra and Kabilai.*

Art. III.—The Government of His Majesty the German Emperor renounces all rights or pretensions which he might claim to exercise over the territories situated between the Rio Nuñez and the Mellacoree, to wit, over Cobra and Kabilai, and recognizes the sovereignty of France over these territories.

Art. IV.—*Oceania.*

Done in duplicate, at Berlin, the 24th December, 1885.

(L.S.) COUNT BISMARCK.

(L.S.) ALPH. DE COURCEL.

No. 196.—*PROCES-VERBAL fixing the delimitation of the French and German Possessions on the Slave Coast. 1st February, 1887.*

In conformity with Article II of the Protocol signed at Berlin, the 24th December, 1885 (**No. 195**), the Undersigned :—

The Lieutenant-Governor of Senegal and its Dependencies, M. Jean Bayol, Knight of the Legion of Honour, Officier d'Academie ; and

The Imperial Commissioner of Togo, M. Ernst Falkenthal,

Appointed by their respective Governments as Delimitation Commissioners, duly authorized for this purpose, after having met upon the spot, have fixed with one accord as the line separating the French and German territories on the Slave Coast, the meridian, which, leaving the coast, passes through the west point of the little island called Bayol Island, situated in the Lagoon, between Agoué and Little Popo, a little to the west of the village of Hillacondji, and continued until it meets the 9th degree of north latitude.

* See Procès-Verbal, 1st February, 1887, on this page.

[Madagascar. Zanzibar. Mafia.]

On this point of Bayol Island, a French post and a German post have been placed under the superintendence of the Mixed Commission.

Two other posts were erected on the banks of the Lagoon, and two others on the shore, in the direction of the frontier line.

Other posts completing the line of separation can be placed by either of the Representatives of the two Protectorates after mutual agreement.

Done in duplicate at Little Popo, the 1st February, 1887.

JEAN BAYOL.

ERNST FALKENTHAL.

The present Procès-Verbal is approved in the name of the Government of the French Republic.

Done at Paris, the 20th April, 1887.

FLOURENS.

Minister for Foreign Affairs.

No. 197.—*EXCHANGE OF NOTES between the French and German Governments respecting the recognition of the French Protectorate over Madagascar, and the German acquisition of the Continental Possessions of the Sultan of Zanzibar and of the Island of Mafia. Berlin, 17th November, 1890.*

(1.)—*M. Herbette, French Ambassador at Berlin, to Baron de Marschall, German Minister for Foreign Affairs.*

(Translation.)

Berlin, 17th November, 1890.

IN the course of certain discussions, which we had together in the month of August last, on the reciprocal relations of Germany and France, on the East Coast of Africa, your Excellency declared that the Imperial Government was disposed to recognize the Protectorate of France over Madagascar with all its consequences.

On my side, I was about to give you, at our interview on the 6th instant, the assurance that the French Government would raise no objection to the acquisition by Germany of the continental portion of the Dominions of the Sultan of Zanzibar, as well as of the Island of Mafia.

It is, moreover, agreed that German subjects in Madagascar, and French subjects in the territories ceded to Germany by the Sultan of Zanzibar, shall enjoy in every respect most-favoured-nation treatment.

With the view of establishing definitively the agreement between the two Governments on these two points, I have the honour to address to your Excellency the present communication, and I beg that you will cause the receipt thereof to be acknowledged to me.

HERBETTE, *Baron.*

[Cameroons and French Congo. Lake Tchad.]

(2.)—*Baron Marschall to M. Herbette.*

(Translation.)

Berlin, 17th November, 1890.

THE undersigned has the honour to acknowledge the receipt to his Excellency the Ambassador Extraordinary and Minister Plenipotentiary of the French Republic, M. Jules Herbette, of the letter which he did him the honour to address to him this day and to make known to him that the Imperial Government adheres to the declarations therein contained. It results from it that the French Republic offer no objection to the acquisition by Germany of the Continental Possessions of the Sultan of Zanzibar and of the Island of Mafia, and that Germany, on her part, recognises the Protectorate of France over Madagascar, with all its consequences.

It is, moreover, expressly agreed that German subjects in Madagascar, and French citizens in the above-mentioned territories, which the Sultan of Zanzibar cedes to Germany, shall enjoy most-favoured-nation treatment.

MARSCHALL.

No. 198.—*PROTOCOL between the French and German Delegates for the Settlement of the Questions pending between the two Countries in the Region comprised between the Colonies of the Cameroons and French Congo; and to fix the Line of Demarcation of their respective Spheres of Influence in the Region of Lake Tchad. Berlin, February 4th, 1894.**

PROTOCOLE.

Les Soussignés :

Docteur Paul Kayser, Conseiller privé actuel de Légation,
Dirigeant les Affaires Coloniales au Département des Affaires
Etrangères ;

Docteur Alexandre Baron de Danckelman, Professeur ;
Jacques Haussmann, Chef de Division au Sous-Secrétariat d'Etat
des Colonies ;

Parfait-Louis Monteil, Chef de Bataillon d'Infanterie de Marine ;
délégués par le Gouvernement de l'Empire Allemand et par le Gouverne-
ment de la République Française à l'effet de préparer un accord destiné
à régler les questions pendantes entre l'Allemagne et la France dans la
région comprise entre les Colonies du Cameroun et du Congo Français
et à établir la ligne de démarcation des zones d'influence respectives
des deux pays dans la région du Lac Tchad, sont convenus des disposi-
tions suivantes :

Art. I.—La frontière entre la Colonie du Cameroun et la Colonie
du Congo Français suivra, à partir de l'intersection du parallèle
formant la frontière avec le méridien 15° Greenwich (12° 40' Paris),

* Confirmed by Convention concluded at Berlin on the 15th March 1894, between the French and German Governments the ratifications of which were exchanged at Berlin on the 10th August, 1894. The Convention and Protocol were, however, abrogated by Convention of 18th April, 1908, p. 1215.

le dit méridien jusqu'à sa rencontre avec la Rivière Ngoko ; le Ngoko jusqu'à sa rencontre avec le parallèle 2° ;* de là, en se dirigeant vers l'Est, ce parallèle jusqu'à sa rencontre avec la Rivière Sangha. Elle suivra ensuite, en remontant vers le Nord, sur une longueur de 30 kilomètres, la Rivière Sangha ; du point qui sera ainsi déterminé sur la Rive droite de la Sangha, une ligne droite aboutissant sur le parallèle de Bania, à soixante-deux minutes (62') à l'Ouest de Bania, de ce point, une ligne droite aboutissant, sur le parallèle de Gaza, à quarante-trois minutes (43') à l'Ouest de Gaza.

De là, la frontière se dirigera en ligne droite vers Koundé, laissant Koundé à l'Est avec une banlieue déterminée à l'Ouest par un arc-de-cercle d'un rayon de 5 kilomètres, partant, au Sud, du point où il sera coupé par la ligne allant à Koundé, et finissant au Nord, à son intersection avec le méridien de Koundé ; de là, la frontière suivra le parallèle de ce point jusqu'à sa rencontre avec le méridien 15° Greenwich (12° 40' Paris).†

Le tracé suivra ensuite le méridien 15° Greenwich (12° 40' Paris) jusqu'à sa rencontre avec le parallèle 8° 30', puis, une ligne droite aboutissant à Lamé, en laissant une banlieue de 5 kilomètres à l'Ouest de ce point ; de Lamé, une ligne droite aboutissant sur la rive gauche du Mayo-Kebbi, à hauteur de Bifara.‡ Du point d'accès à la rive gauche du Mayo-Kebbi, la frontière traversera la rivière et remontera en ligne droite vers le Nord, laissant Bifara à l'Est, jusqu'à sa rencontre du 10° parallèle.—Elle suivra ce parallèle jusqu'à sa rencontre avec le Chari,§ enfin le cours du Chari jusqu'au Lac Tchad.||

Art. II.—Le Gouvernement Allemand et le Gouvernement Français prennent l'engagement réciproque de n'exercer aucune action politique dans les sphères d'influence qu'ils se reconnaissent par la ligne de démarcation déterminée à l'article précédent. Il est convenu par là que chacune des deux Puissances s'interdit de faire des acquisitions territoriales, de conclure des Traités, d'accepter des droits de souveraineté ou de protectorat, de gêner ou de contester l'influence de l'autre Puissance dans la zone qui lui est réservée.

Art. III.—L'Allemagne, en ce qui concerne la partie des eaux de la Bénoué et de ses affluents comprise dans sa sphère d'influence ; la France, en ce qui concerne la partie du Mayo-Kebbi et des autres affluents de la Bénoué comprise dans sa sphère d'influence se reconnaissent respectivement tenues d'appliquer et de faire respecter les dispositions relatives à la liberté de navigation et de commerce énumérées dans les Articles XXVI, XXVII, XXVIII, XXIX, XXXI, XXXII, XXXIII de l'Acte de Berlin du 26 Février 1885 (**No. 128**), de même que les clauses de l'Acte de Bruxelles relatives à l'importation des armes et des spiritueux. (**No. 130.**)

L'Allemagne et la France s'assurent respectivement le bénéfice de ces mêmes dispositions en ce qui concerne la navigation du

* Voir Annexe, § II, p. 659.

† See Annexe, § III, p. 659.

‡ See Annexe, § IV, p. 660.

§ See Annexe, § III, p. 659.

|| See Annexe, § V, p. 660.

[Boundaries. Cameroons, French Congo, and Lake Tchad.]

Chari, du Logone et de leurs affluents et l'importation des armes et des spiritueux dans les bassins de ces rivières.

Art. IV.—Dans les territoires de leurs zones d'influence respectives compris dans les bassins de la Bénoué et de ses affluents, du Chari, du Logone et de leurs affluents, de même que dans les territoires situés au Sud et au Sud-Est du Lac Tchad, les commerçants ou les voyageurs des deux pays seront traités sur le pied d'une parfaite égalité en ce qui concerne l'usage des routes ou autres voies de communication terrestres. Dans ces mêmes territoires, les nationaux des deux pays seront soumis aux mêmes règles et jouiront des mêmes avantages au point de vue des acquisitions et installations nécessaires à l'exercice et au développement de leur commerce et de leur industrie.

Sont exclus de ces dispositions les routes et voies terrestres de communication des bassins côtiers de la Colonie du Cameroun, ou des bassins côtiers de la Colonie du Congo Français non compris dans le bassin conventionnel du Congo tel qu'il a été défini par l'Acte de Berlin. (**No. 128.**)

Ces dispositions, toutefois, s'appliquent à la route Yola, Ngaoundéré, Koundé, Gaza, Bania et vice-versa, telle qu'elle est repérée sur la carte annexée au présent Protocole, alors même qu'elle serait coupée par des affluents des bassins côtiers.

Les tarifs des taxes ou droits qui pourront être établis de part et d'autre ne comporteront, à l'égard des commerçants des deux pays, aucun traitement différentiel.

Art. V.—En foi de quoi les Délégués ont dressé le présent Protocole et y ont apposé leur signature.

Fait à Berlin, en double expédition, le 4 Février 1894.

KAYSER.

HAUSSMANN.

VON DANCKELMAN.

MONTEIL.

ANNEXE.

§ I.—La ligne de démarcation des sphères d'influence respectives des deux Puissances contractantes telle qu'elle est décrite à l'article I^{er} du Protocole du même jour (p. 657) sera conform au tracé porté sur la carte annexée au présent Protocole qui a été établie d'après les données géographiques actuellement connues et admises de part et d'autre.

§ II.—Dans le cas où la rivière Ngoko, à partir de son intersection avec le méridien 15° Greenwich (12° 40' Paris) ne couperait pas le 2° parallèle, la frontière suivrait le Ngoko sur une longueur de 35 kilomètres à l'Est de son intersection avec le méridien 15° Gr. (12° 40' Paris); à partir du point ainsi déterminé à l'Est, elle rejoindrait par une ligne droite l'intersection du 2° parallèle avec la Sangha.

§ III.—S'il venait à être démontré à la suite d'observations nouvelles dument vérifiées, que les positions de Bania, de Gaza ou de Koundé sont erronées, et que, par suite la frontière telle qu'elle est définie par le présent Protocole, se trouve reportée, au regard de l'un de ces trois points, d'une distance supérieure à dix minutes de degré

(10') à l'Ouest du méridien 15° Greenwich (12° 40' Paris), les deux Gouvernements se mettraient d'accord pour procéder à une rectification du tracé, de manière à établir une compensation équivalente au profit de l'Allemagne dans la région en question.

Une rectification du même genre interviendrait, en vue d'établir une compensation au profit de la France, s'il était démontré que l'intersection du parallèle 10° avec le Chari reporte la frontière à une distance de plus de dix minutes (10') à l'Est du point indiqué sur la carte (Longitude 17° 10' Greenwich—14° 50' Paris).

§ IV.—En ce qui concerne le point d'accès au Mayo-Kebbi, il demeure entendu que, quelle que soit la position définitivement reconnue pour ce point, la frontière laissera dans la sphère d'influence française les villages de Bifara et de Lamé.

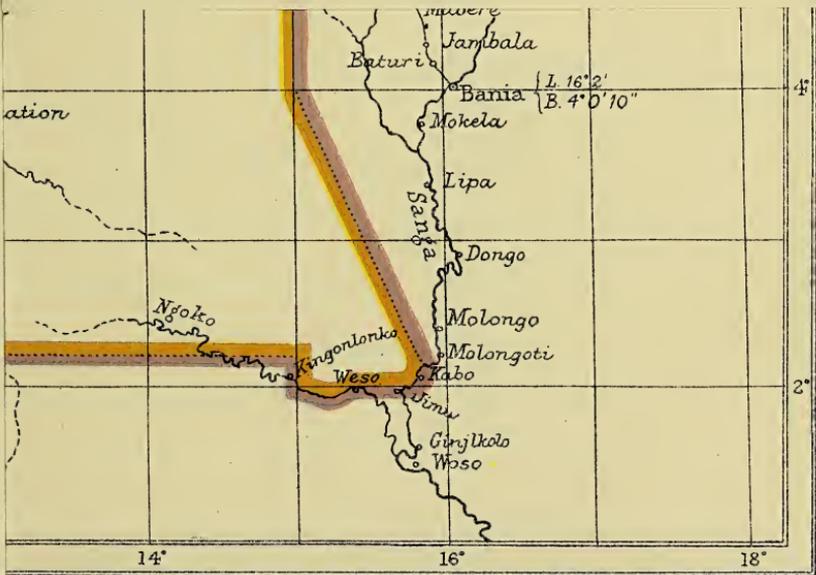
§ V.—Dans le cas où le Chari, depuis Goulfeï jusqu'à son embouchure dans le Tchad, se diviserait en plusieurs bras, la frontière suivrait la principale branche navigable jusqu'à l'entrée dans le Tchad, avec cette réserve que, pour que ce tracé soit définitif, la différence de longitude entre le point ainsi atteint par la frontière sur la Rive Sud du Tchad et Kouka, capitale du Bornou, pris comme point fixe, sera de un degré. Dans le cas où des observations ultérieures, dûment vérifiées, démontreraient que l'écart en longitude entre Kouka et la dite embouchure diffère de cinq minutes de degré (5'), en plus ou en moins, de celui qui vient d'être indiqué, il y aurait lieu, par une entente amiable, de modifier le tracé de cette partie de la frontière de manière que les deux pays conservent, au point de vue de l'accès au Tchad, et des territoires qui leur sont reconnus dans cette région, des avantages équivalents à ceux qui leur sont assurés par le tracé porté sur la carte annexée au présent Protocole.

§ VI.—Toutes les fois que le cours d'un fleuve ou d'une rivière est indiqué comme formant la ligne de démarcation, c'est le thalweg du fleuve ou de la rivière qui est considéré comme frontière.

§ VII.—Les deux Gouvernements admettent qu'il y aura lieu, dans l'avenir, de substituer progressivement aux lignes idéales qui ont servi à déterminer la frontière telle qu'elle est définie par le présent protocole un tracé déterminé par la configuration naturelle du terrain et jalonné par des points exactement reconnus, en ayant soin, dans les accords qui interviendront à cet effet, de ne pas avantager l'une des deux Parties sans compensation équitable pour l'autre.

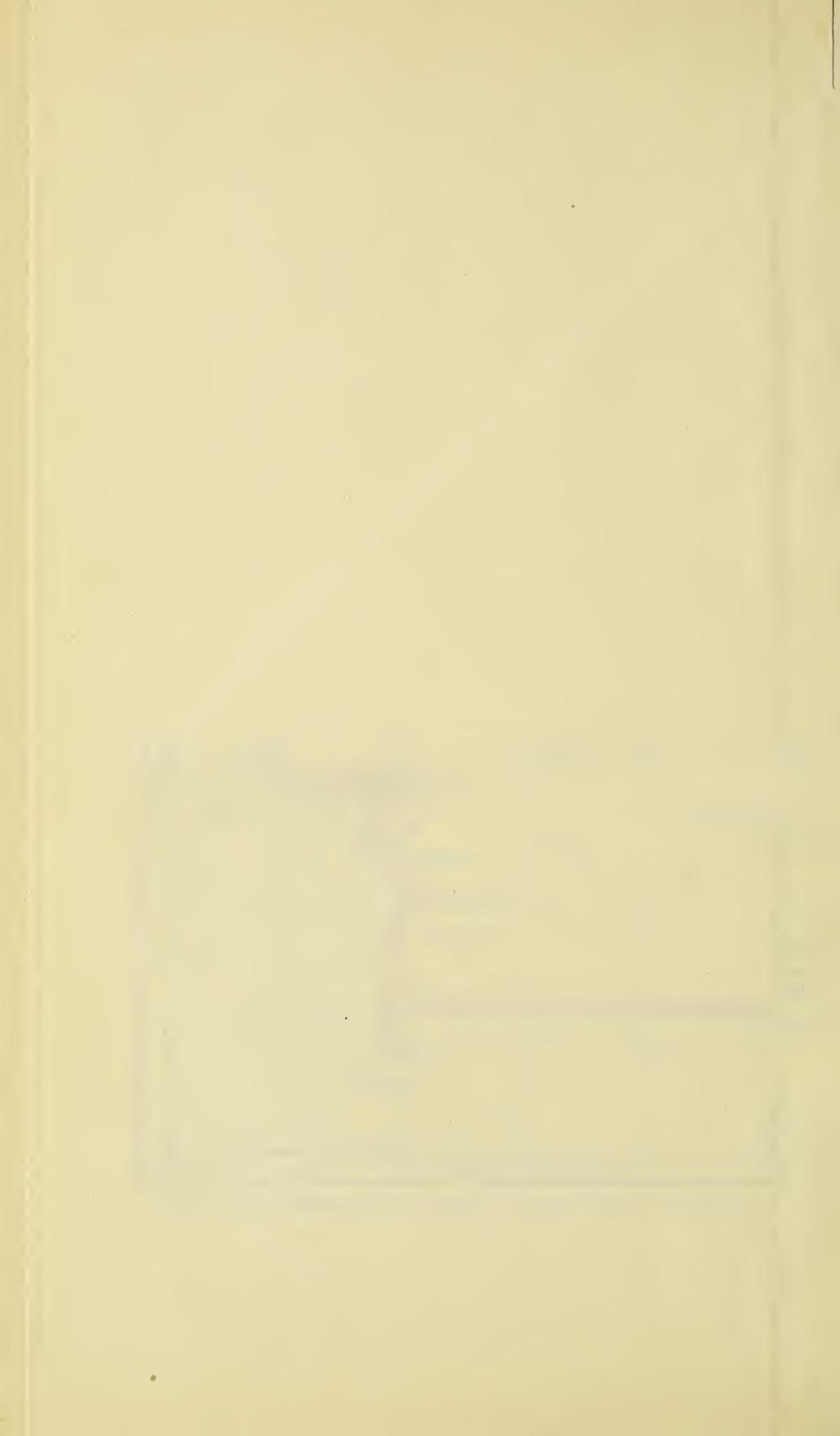
Vu pour être annexé au Protocole du 4 Février, 1894.

[The above Protocol, and the Convention of the 15th March, 1894, confirming it, were abrogated by a New Convention for the Delimitation of the Colonies of French Congo and the Cameroons, signed at Berlin on the 18th April, 1908. See p. 1215.]



from Kiepert's Kolonial Atlas

Ordnance Survey, Southampton.



[Togo, Dahomey and French Soudan.]

No. 199.—*CONVENTION between France and Germany confirming the Protocol of 9th July, 1897, for the Delimitation of the German Possessions of Togo and the French Possessions of Dahomey and the Soudan. Signed at Paris, 23rd July, 1897.*

LE Gouvernement de Sa Majesté l'Empereur d'Allemagne et le Gouvernement de la République Française, ayant résolu, dans un esprit de bonne entente mutuelle, de donner force et vigueur à l'accord préparé par leurs Délégués respectifs pour la délimitation des possessions Allemandes du Togo et des Possessions Françaises du Dahomey et du Soudan, les Soussignés :

Son Excellence M. le Comte de Münster, Ambassadeur de Sa Majesté l'Empereur d'Allemagne, Roi de Prusse, près le Président de la République Française ;

Son Excellence M. Gabriel Hanotaux, Ministre des Affaires Étrangères de la République Française ;

Dûment autorisés à cet effet, confirment le Protocole avec son Annexe dressé à Paris, le 9 de ce mois, et dont la teneur suit :—

Protocole.

Les Soussignés :

Félix de Müller, Conseiller de Légation et Premier Secrétaire de l'Ambassade d'Allemagne à Paris ;

Le Dr. Alfred Zimmermann, Consul Impérial, Chargé des Affaires du Togo à la Section Coloniale du Ministère des Affaires Étrangères ;

Ernst Vohsen, Consul Impérial en Retraite ;

René Lecomte, Secrétaire d'Ambassade de Première Classe, Sous-Directeur Adjoint à la Direction des Affaires Politiques du Ministère des Affaires Étrangères ;

Louis-Gustave Binger, Gouverneur des Colonies, chargé de la Direction des Affaires d'Afrique au Ministère des Colonies ;

Délégués par le Gouvernement de l'Empire Allemand et par le Gouvernement de la République Française à l'effet de préparer un projet de délimitation définitive entre les possessions Allemandes du Togo et les possessions Françaises du Dahomey et du Soudan, sont convenus des dispositions suivantes, qu'ils ont résolu de soumettre à l'agrément de leurs Gouvernements respectifs —

Line of Frontier.

Art. I.—La frontière partira de l'intersection de la côte avec le méridien de l'Ile Bayol, se confondra avec ce méridien jusqu'à la rive sud de la lagune qu'elle suivra jusqu'à une distance de 100 mètres environ au delà de la pointe est de l'Ile Bayol, remontera ensuite directement au nord jusqu'à mi-distance de la rive sud et de la rive nord de la lagune ; puis suivra les sinuosités de la lagune à égale distance des deux rives jusqu'au thalweg du Mono, qu'elle suivra jusqu'au 7° degré de latitude nord.

De l'intersection du thalweg du Mono avec le 7° degré de latitude nord, la frontière rejoindra par ce parallèle le méridien de l'Ile Bayol,

[Togo, Dahomey and French Soudan.]

qui servira de limite jusqu'à son intersection avec le parallèle passant à égale distance de Bassila et de Penesoulou. De ce point, elle gagnera la Rivière Kara suivant une ligne équidistante des chemins de Bassila à Bafilo par Kirikri et de Penesoulou à Séméré par Adeljo, et ensuite des chemins de Sudu à Séméré et d'Aledjo à Séméré, de manière à passer à égale distance de Daboni et d'Aledjo ainsi que de Sudu et d'Aledjo. Elle descendra ensuite le thalweg de la Rivière Kara sur une longueur de 5 kilom. et de ce point remontera en ligne droite vers le nord jusqu'au 10° degré de latitude nord, Séméré devant dans tous les cas rester à la France.

De là, la frontière se dirigera directement sur un point situé à égale distance entre Djé et Gandou, laissant Djé à la France et Gandou à l'Allemagne et gagnera le 11° degré de latitude nord en suivant une ligne parallèle à la route de Sansanné-Mango à Pama et distante de celle-ci de 30 kilom. Elle se prolongera ensuite vers l'ouest sur le 11° degré de latitude nord jusqu'à la Volta blanche de manière à laisser en tout cas Pougno à la France et Koun-Djari à l'Allemagne, puis elle rejoindra par le thalweg de cette rivière le 10° degré de latitude nord qu'elle suivra jusqu'à son intersection avec le méridien 3° 52' ouest de Paris (1° 32' ouest de Greenwich).

Passage of French Troops.

Art. II.—Le Gouvernement Français conservera pour ses troupes et son matériel de guerre le libre passage par la route de Kouandé à la rive droite de la Volta par Sansanné-Mango et Gambaga ainsi que de Kouandé à Pama par Sansanné-Mango, pour une durée de quatre années à partir de la ratification du présent arrangement.

Art. III.—La frontière déterminée par le présent arrangement est inscrite sur la carte ci-annexée.

Appointment of Boundary Commissioners.

Art. IV.—Les deux Gouvernements désigneront des Commissaires qui seront chargés de tracer sur les lieux la ligne de démarcation entre les possessions Allemandes et Françaises en conformité et suivant l'esprit des dispositions générales qui précèdent.

Art. V.—En foi de quoi, les Délégués ont dressé le présent Protocole et y ont apposé leurs signatures.

Fait à Paris, en double expédition, le 9 Juillet, 1897.

F. VON MÜLLER	}	<i>Délégués Allemands.</i>
A. ZIMMERMANN		
ERNST VOHSEN		
RENÉ LECOMTE	}	<i>Délégués Français.</i>
G. BINGER		

La présente Convention sera ratifiée et les ratifications en seront échangées à Paris dans le délai de six mois, ou plus tôt si faire se peut.*

Fait à Paris, le 23 Juillet, 1897, en double exemplaire.

(L.S.) MÜNSTER.

(L.S.) G. HANOTAUX.

* Ratifications exchanged at Paris, 12th January, 1898.

BETWEEN FRANCE AND

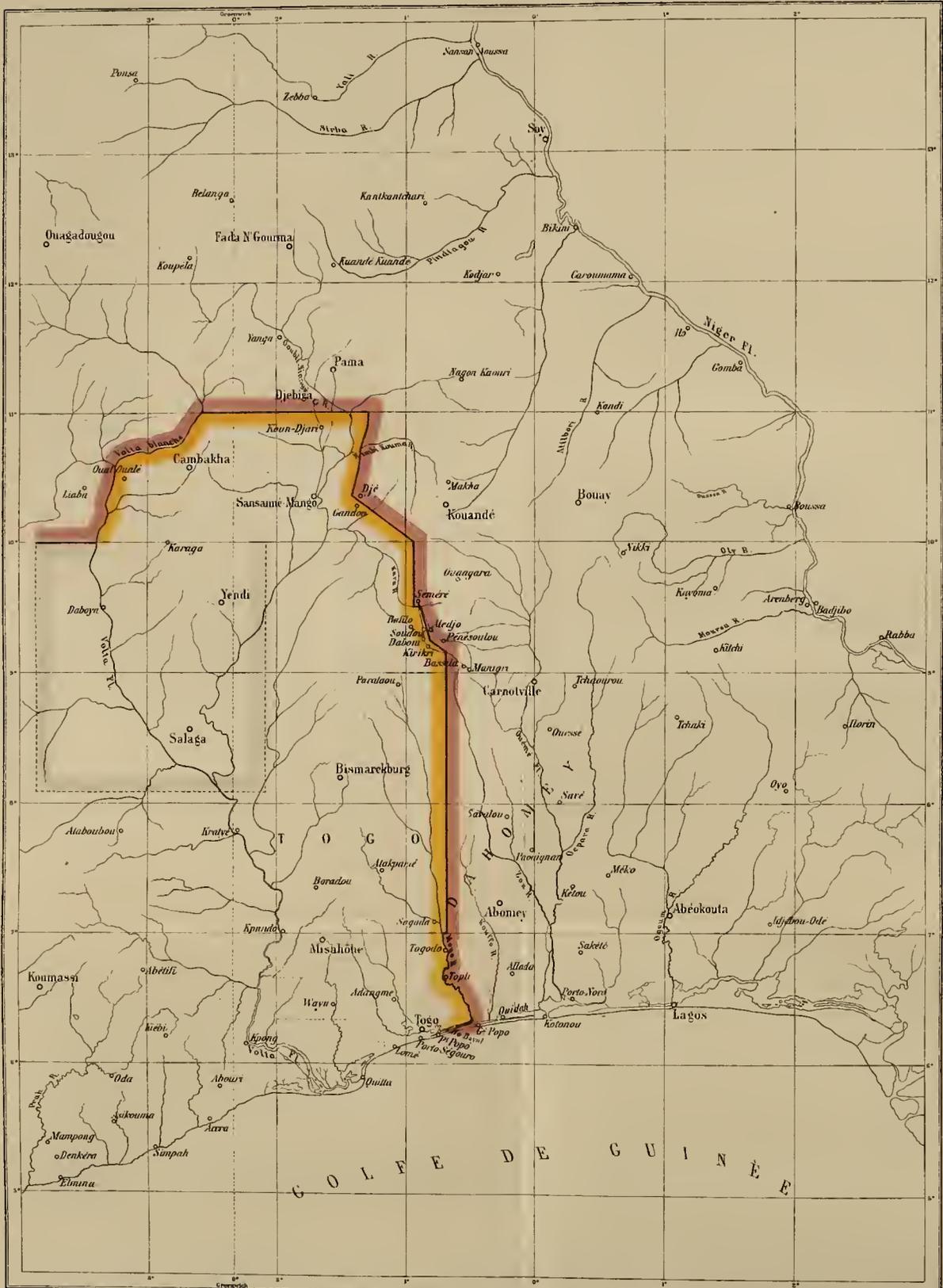
Y 23rd, 1897.

To face Page 662.



MAP ANNEXED TO CONVENTION BETWEEN FRANCE AND GERMANY OF JULY 23rd, 1897.

To face Page 662.



No. 200.—*PROTOCOL for the Delimitation of the French and Italian Possessions in the Coastal Region of the Red Sea and the Gulf of Aden. Signed at Rome, 24th January, 1900.**

LES Gouvernements d'Italie et de France ayant convenu de procéder à la délimitation mutuelle de leurs possessions dans la région côtière de la Mer Rouge et du Golfe d'Aden, les Soussignés, dûment autorisés à cet effet, ont stipulé ce qui suit :—

Art. I.—Les possessions Italiennes et les possessions Françaises sur la côte de la Mer Rouge sont séparées par une ligne ayant son point de départ à l'extrémité du Ras Doumeirah, suivant la ligne de partage des eaux du promontoire de ce nom, et se prolongeant ensuite, dans la direction du sud-ouest, pour atteindre, après un parcours d'environ 60 kilom. depuis Ras Doumeirah, un point à fixer d'après les données suivantes :—

Après avoir pris comme point de repère, sur une ligne suivant, à environ 60 kilom. d'écart, la direction générale de la côte de la Mer Rouge, le point équidistant du littoral Italien d'Assab et du littoral Français de Tadjourah, on fixera, comme point extrême de la ligne de démarcation dont il est question ci-dessus, un point au nord-ouest du point repère, à une distance de 15 à 20 kilom. Le point extrême et la direction de la ligne de démarcation devront, en tout état, laisser du côté Italien les routes caravanières se dirigeant de la côte d'Assab vers l'Aussa.

Art. II.—Des Commissaires spéciaux, délégués à cet effet par les deux Gouvernements, procéderont sur les lieux, d'après les données énoncées à l'Article précédent, à une démarcation effective. En prenant pour point de départ de la frontière le Ras Doumeirah, et en déterminant le tracé de cette frontière, ils feront en sorte que le point extrême de la ligne puisse être facilement identifié par le choix d'un mamelon, d'un rocher, ou d'un autre accident de terrain.

Art. III.—Les deux Gouvernements se réservent de régler plus tard la situation de l'Île Doumeirah et des îlots sans nom adjacents à cette île. En attendant, ils s'engagent à ne les pas occuper, et à s'opposer, le cas échéant, à toute tentative, de la part d'une tierce Puissance, de s'y arroger des droits quelconques.

En foi de quoi, le présent Protocole a été signé en double exemplaire.

Fait à Rome, ce 24 Janvier, 1900.

(L.S.) VISCONTI-VENOSTA, *Ministre des Affaires Étrangères de Sa Majesté le Roi d'Italie.*

(L.S.) C. BARRÈRE, *Ambassadeur de France.*

* See also Protocol of 10th July, 1901, p. 664; also General Map facing p. 1116.

No. 201.—*PROTOCOL for the Delimitation of the French and Italian Possessions in the Coastal Region of the Red Sea and the Gulf of Aden. Signed at Rome, 10th July, 1901.**

La Commission spéciale visée par l'Art. II du Protocole signé à Rome, le 24 Janvier, 1900 (**No. 200**), entre la France et l'Italie, au sujet de la frontière délimitant leurs possessions respectives dans la région côtière de la Mer Rouge et du Golfe d'Aden, ayant achevé, sur les lieux, le travail dont elle avait été chargée, et le dit Protocole devant maintenant être complété d'après les résultats de ce travail, les Soussignés, dûment autorisés à cet effet, ont stipulé ce qui suit :—

La ligne de frontière stipulée par l'Art. I du Protocole du 24 Janvier, 1900, a son point de départ à la pointe extrême du Ras Doumeirah ; elle s'identifie ensuite avec la ligne de partage des eaux du promontoire de ce nom : après quoi, à savoir après le parcours de 1½ kilom., elle se dirige en ligne droite au point, sur le Weima, marqué Bisidiro dans la carte ci-annexée.

A partir de Bisidiro, la ligne se confond avec le thalweg du Weima, en le remontant jusqu'à la localité que la carte ci-annexée dénomme Daddato, cette localité marquant ainsi le point extrême de la délimitation Franco-Italienne établie par le susdit Protocole du 24 Janvier, 1900.

En foi de quoi présent Protocole a été dressé et signé en double exemplaire.

Fait à Rome, le 10 Juillet, 1901.

(L.S.) CAMILLE BARRÈRE, *Ambassadeur de France.*

(L.S.) PRINETTI, *Ministre des Affaires Étrangères de Sa Majesté le Roi d'Italie.*

No. 202.—*LIST of Annexations, &c., by France of Madagascar Territory and Islands. 1750—1860.*

The following Acts of Cession, and of Occupation, of Madagascar Territory and Islands are given or referred to in De Clercq's "Collection of French Treaties" :—

		Vol.	Page.
30 July, 1750.	Act. Cession of Island of Sainte Marie	xv	22
15 Oct., 1818.	Act. Retaking possession of Island of Sainte Marie by France	xv	158
4 Nov., 1818.	Act. Retaking possession of Port of Tintingue and Country between Cape Bellone and the River Azaphe	xv	160
1 Aug., 1819.	Procès-Verbal. Retaking possession of Fort Dauphin	xv	162
11 Nov., 1819.	Act. Retaking possession of the Island and Port of Sainte Luce	xv	164
14 July, 1840.	Act. Cession to France of Territory on West Coast of Madagascar, and of Islands of Nossi Bé and Nossi-Comba	xiv	594
		xv	320
3 Feb., 1841.	Act. Taking possession of Nossi Bé and Nossi-Comba....	xv	320
5 Mar., 1841.	Treaty. Cession of Ankara and dependent Islands	xv	323
↓ June, 1841.	Act. Cession of Nossi-Mitsion (Ankara)	xiv	597

* See General Map facing p. 1116.

[**British Rights and Privileges.**]

		Vol.	Page.
26 Feb., 1859.	Convention. French Protectorate, &c. Chiefs on West Coast of Madagascar	xv	417
10 Aug., 1859.	Convention. French Protectorate. Mahafales.....	xv	428
19 Aug., 1859.	Convention. French Protectorate. Sakalavas of Province of Féhéréna	xv	433
26 Sept., 1859.	Convention. Indemnity, &c. Manouis. Part of Ambongou	xv	438
30 Mar., 1860.	Convention. Indemnity, &c. Ménabé	xv	443
23 Apr., 1860.	Convention. Indemnity, &c., Machicora	xv	448

No. 203.—*TREATY of Peace, Friendship, and Commerce between Great Britain and Madagascar. Signed at Antananarivo, 27th June, 1865.**

[Ratifications exchanged at Antananarivo, 5th July, 1866.]

Preamble.

Art. I.—*Peace, Friendship, and Good Understanding.*

Art. II.—*Right of British Subjects to trade and to rent or lease Houses or Lands.* (See also Art. V.)

Art. III.—*Right of British Subjects to exercise and teach the Christian Religion. Religious Liberty.*

Reception of a British Agent at the Capital of Madagascar, and of Madagascar Agents at the Mauritius, and at London.

Art. IV.—The Queen of Madagascar engages to receive a British Agent at her capital; and Her Britannic Majesty, in like manner, engages to receive at the Mauritius, or at London, an Agent of the Queen of Madagascar.

Appointment of Consuls.

Each Contracting Party may appoint Consuls for the protection of trade to reside in the dominions of the other.

Most-favoured-nation Treatment.

Such Agents and Consuls shall enjoy, in the respective dominions, the same rights and privileges which are or may be there granted to Agents of the same rank of the most favoured nation.

Art. V.†—*Right of British Subjects to purchase, rent, or lease Houses, &c.*

Engagements in service of British Subjects of Natives of Madagascar. Leases, Contracts, &c.

British subjects may freely engage in their service, in any capacity whatever, any native of Madagascar, not a slave or a soldier, who may be free from any previous engagement. Leases, contracts of sale, or purchase of houses or lands in Madagascar, and engagements of

* Signed also in the Malagasy language. H.T., vol. xii, p. 634.

† Amended by Declaration, 16th February, 1883. H.T., vol. xv, p. 1029.

labourers, may be executed by deeds signed before the British Consul and the local authorities. All such engagements, however, are liable to be determined by mutual consent, should the services of persons so engaged be required by the Queen, or on their own application after due notice.

Inviolability of Domicile.

No domiciliary visits shall be made to the establishments, houses, or properties possessed or occupied by British subjects, unless by the consent of the occupants, or in concert with the British Consul. In the absence, however, of any Consular Officer the local authorities may enter, after giving due notice to the occupants, whenever it is certainly known that stolen property or persons escaping from justice are concealed on the premises. No British subjects residing in Madagascar shall have the right of entering the house of any subject of the Queen of Madagascar against the will of the occupant.

Non-importation of Munitions of War.

Art. VI.—Munitions of war shall be imported by the Queen of Madagascar alone into her dominions; but save the said munitions of war, no article whatever shall be prohibited from being imported into the territories of Her Majesty the Queen of Madagascar; nor shall any article whatever be prohibited from being exported therefrom, except munitions of war.

Non-export of Timber and Cows.

And the following articles which are forbidden by the law of Madagascar to be exported, namely, timber and cows.

Art. VII.—*Export Duty not to exceed 10 per cent.*

Art. VIII.—*Tonnage, Harbour, Lighthouse, and other Dues.*

Entrance of British Ships of War into Ports, &c., of Madagascar.

Art. IX.—Her Majesty the Queen of Madagascar engages to permit the ships of war of Her Britannic Majesty freely to enter into the military ports, rivers, and creeks situated within her dominions, and to allow such ships to provide themselves, at a fair and moderate price, with such supplies, stores, and provisions as they may from time to time stand in need of.

Art. X.—*Wrecks.*

Consular Jurisdiction.

Art. XI.—Her Majesty the Queen of Madagascar agrees that in all cases where a British subject shall be accused of any crime committed in any part of her dominions, the person so accused shall be exclusively tried and adjudged by the British Consul, or other officer duly appointed for that purpose by Her Britannic Majesty. But any British subject whom the British Consul, or other officer, shall find to have been guilty of having openly offended against the laws of Madagascar shall be liable to be banished from the country.

In all cases where disputes or differences shall arise within the dominions of the Queen of Madagascar between British subjects and

the subjects of Her Majesty the Queen of Madagascar, Her Britannic Majesty's Consul, or other duly appointed officer, aided by an officer duly authorized by Her Majesty the Queen of Madagascar, shall have power to hear and decide the same.

The Malagasy authorities shall not interfere in differences or disputes between British subjects, or between British subjects and the subjects or citizens of any third Power.

The British authorities shall not interfere in differences or disputes between Malagasy subjects and the subjects or citizens of any third Power in Madagascar.

Art. XII.—*Recovery of Debts.*

Art. XIII.—*Treatment of British Ships of War or Merchant Vessels. Seamen Deserters.*

Art. XIV.—*Property of Deceased Subjects.*

Art. XV.—*Eventual Plunder or Robbery of Vessels or Subjects.*

Suppression of Piracy.

Art. XVI.—Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and Her Majesty the Queen of Madagascar hereby engage to use every means in their power for the suppression of piracy within the seas, straits, and rivers, subject to their respective control or influence; and Her Majesty the Queen of Madagascar engages not to grant either asylum or protection to any persons or vessels engaged in piratical pursuits; and in no case will she permit ships, slaves, or merchandize captured by pirates to be introduced into her dominions, or to be exposed therein for sale.

Permission to British Naval Officers to enter Ports, Rivers, &c., of Madagascar, and to capture Piratical Vessels.

And Her Majesty the Queen of Madagascar concedes to Her Britannic Majesty the right of investing her officers and other duly constituted authorities with the power of entering at all times, with her vessels of war, or other vessels duly empowered, the ports, rivers, and creeks within the dominions of Her Majesty the Queen of Madagascar, in order to capture all vessels engaged in piracy, and to seize and to reserve for the judgment of the proper authorities all persons offending against the two Contracting Parties in this respect.

Abolition of the Trade in Slaves.

Art. XVII.—Her Britannic Majesty and Her Majesty the Queen of Madagascar being greatly desirous of effecting the total abolition of the trade in slaves, Her Majesty the Queen of Madagascar engages to do all in her power to prevent all such traffic on the part of her subjects, and to prohibit all persons residing within her dominions, or subject to her, from countenancing or taking any share in such trade. No persons from beyond the sea shall be landed, purchased, or sold as slaves in any part of Madagascar.

Right of Search.

And Her Majesty the Queen of Madagascar consents that British cruisers shall have the right of searching any Malagasy or Arab vessels suspected of being engaged in the Slave Trade, whether under sail or at anchor in the waters of Madagascar. Her Majesty the Queen of Madagascar further consents that if any such vessels shall prove to be engaged in the Slave Trade, such vessels and their crews shall be dealt with by the cruisers of Her Britannic Majesty as if such persons and their vessels had been engaged in a piratical undertaking.

Art. XVIII.—*Abolition of Trial by the Ordeal of Poison. Prisoners of War.*

Art. XIX.—*Treaty to be ratified.* Power reserved to alter or add to Treaty.*

No. 204.—*TREATY of Peace, Commerce, Consular Jurisdiction, &c., between France and Madagascar. Concluded at Tananarivo, 8th August, 1868.†*

(Translation.)

[Ratifications exchanged at Tananarivo, 29th December, 1868.]

Preamble.

Art. I.—*Peace and Friendship.*

Art. II.—*Right to enter, reside, and travel in respective Countries, subject to Laws. Most-favoured-nation Treatment.*

Art. III.—*Religious Liberty. Right to build Schools and Hospitals. Most-favoured-nation Treatment.*

Protection of Persons and Property of French Citizens.

Art. IV.—The French in Madagascar shall enjoy complete protection for their persons and property. They shall be at liberty, like subjects of the most favoured nation, and when conforming to the laws and regulations of the country, to establish themselves wheresoever they shall judge fit, to take land on lease, to acquire all sorts of property, movable and immovable, and to engage in all commercial and industrial operations which are not prohibited by internal legislation.

They shall be at liberty to engage in their service any Malagasy who is neither a slave nor a soldier, and who is free from all prior engagement. However, if the Queen requires these labourers for her personal service, they shall be at liberty to withdraw after having given previous notice to their employers.

Leases, contracts of sale and purchase, and contracts for the engagement of labourers shall be made by authentic acts in the presence of the French Consul and the magistrates of the country.

* Ratifications exchanged at Antananarivo, 5th July, 1866.

† Promulgated by Decree of the Emperor of the French, 13th March, 1869. S.P., vol. lviii, p. 190.

[*French Consular Jurisdiction, &c.*]*Inviolability of Domicile.*

No one shall enter the establishments or property in the possession or occupation of French subjects without the consent of the occupant, unless by the intervention of the Consul.

Political and Consular Agents.

Art. V.—The High Contracting Parties reciprocally recognize the right of each to maintain a resident Political Agent near the other, and to name Consuls or Consular Agents wherever the exigencies of the service may require. Such Political Agent, Consuls, or Consular Agents, shall enjoy the same rights and prerogatives as may be accorded to Agents of the same rank as the most favoured nation. They shall respectively have the right of hoisting their national flag on their residence.

French Consular Jurisdiction.

Art. VI.—The authorities of Her Majesty the Queen of Madagascar shall not intervene in disputes between French subjects, who shall always and exclusively be within the jurisdiction of the French Consul, nor in differences arising between French and other foreign subjects. The French authorities, on the other hand, shall not interfere in disputes between Malagasies, which shall always be adjudicated by the Malagasy authority.

Suits between French subjects and Malagasies shall be adjudicated by the French Consul, assisted by a Malagasy Judge.

French Law.

Art. VII.—French subjects shall be governed by French law for the repression of all crimes and offences committed by them in Madagascar. Culprits shall be pursued and arrested by the Malagasy authorities, at the instance of the French Consul, to whom they shall be handed over, and who shall see that they are punished conformably to the French laws.

French subjects proved guilty of a crime may be expelled from Madagascar.

Art. VIII.—*Surrender of Criminals.*

Art. IX.—*Rights of French Merchant Vessels, independent of Local Authority. Assistance of Malagasy Authorities for Maintenance of Discipline among Crews of French Merchant Vessels. Seamen Deserters.*

Art. X.—*Recovery of Debts.*

Art. XI.—*Property of Deceased Subjects.*

Art. XII.—*Shipping Dues.*

Art. XIII.—*Ships of War. Most-favoured-Nation Treatment.*

Art. XIV.—*Free Import of Goods, except Munitions of War. Free Export of Goods, except Cows and Timber.*

Art. XV.—*Import Duties not to exceed 10 per cent.*

Art. XVI.—*Export Duties not to exceed 10 per cent.*

Art. XVII.—*Wrecks and Salvage.*

[*Foreign Relations of Madagascar.*]

Art. XVIII.—*Outrages on French Merchant Vessels. Robberies and Thefts on Shore.*

Art. XIX.—*Right of French Ships of War to enter Malagasy Ports, Rivers, and Creeks for Suppression of Piracy.*

Art. XX.—*Suppression of the Slave Trade. Right of French Cruisers to search Malagasy and Arab Vessels suspected of Slave Trading.*

Art. XXI.—*Abolition of Judicial Trial by the Tanghan or other Poison. Prisoners of War.*

Art. XXII.—*Treaty not to be altered except by Mutual Consent.**

Art. XXIII.—*Validity of French Text of Treaty.*

Art. XXIV.—*Exchange of Ratifications.*

No. 205.—*TREATY between the Government of the French Republic and the Government of Her Majesty the Queen of Madagascar. Signed off Tamatave, 17th December, 1885.†*

(Translation.)

THE Government of the French Republic and that of Her Majesty the Queen of Madagascar, being desirous of for ever preventing the recurrence of such difficulties as those which have arisen recently, and wishing to renew their former friendly relations, have resolved to conclude a Convention for that end, and have accordingly nominated as Plenipotentiaries :—

For the French Republic, M. Paul-Émile Miot, Contre-Amiral, Commander-in-Chief of the Naval Division in the Indian Ocean, and M. Salvator Patrimonio, Minister Plenipotentiary :

And for the Government of Her Majesty the Queen of Madagascar, General Digby Willoughby, General Officer in command of the Malagasy troops and Minister Plenipotentiary,

Who, after exchange of their full powers, found in good and due form, have agreed to the following Articles, subject to ratification :—

Representation by France of Foreign Relations of Madagascar.

Art. I.—The Government of the French Republic will represent Madagascar in all its foreign relations.

Malagasies Abroad under French Protection.

The Malagasies abroad will be placed under the protection of France.

French Resident to Preside over Foreign Relations of Madagascar.

Art. II.—A resident representing the Government of the Republic will preside over the foreign relations of Madagascar without interfering in the internal administration of the dominions of Her Majesty the Queen.

* See Treaty, 17th December, 1885, on this page.

† S.P., vol. lxxvi, p. 477. Published in French Yellow Book, February, 1886. See also Par. Pap. "Africa, No. 2 (1886)."

[French control of Foreign Relations of Madagascar.]

French Resident to reside at Antananarivo. Privileges.

Art. III.—He will reside at Antananarivo with a military escort. The Resident will have the right of private and personal audience of the Queen.

Jurisdiction. Disputes between Frenchmen or between Frenchmen and Foreigners.

Art. IV.—The authorities under the Queen will not intervene in disputes between Frenchmen or between Frenchmen and foreigners.

Trial of Actions between Frenchmen and Malagasies.

Actions at law between Frenchmen and Malagasies will be tried by the Resident, assisted by a Malagasy Judge.

Art. V.—Frenchmen will be subject to French law as regards the punishment of all crimes and offences committed by them in Madagascar.

Art. VI.—*Right of Frenchmen to Reside, Travel, and Trade in Queen's Dominions. Real Property, Lands, Leases, &c.*

Art. VII.—*Religious Toleration. Confirmation of Treaty Stipulations of 8th August, 1868. (No. 204).*

Art. VIII.—*10,000,000 Francs to be paid to France by Queen in Settlement of French Claims and for Losses caused by late War.*

Art. IX.—*French Troops to occupy Tamatave until above Payment be made.*

Art. X.—*Limitation of Claims.*

French Defence of Madagascar Territory.

Art. XI.—The Government of the Republic undertakes to lend assistance to the Queen of Madagascar for the defence of her dominions.

Queen to preside over Internal Affairs of Madagascar.

Art. XII.—Her Majesty the Queen of Madagascar will continue as heretofore to preside over the internal administration of the whole island.

Art. XIII.—*No Claim to be made by France for a War Indemnity.*

Art. XIV.—*Supply of French Military Instructors, Engineers, Professors, and Artizan Foremen.*

Sakalavas and Antankares.

Art. XV.—The Government of the Queen expressly undertakes to treat with good will the Sakalavas and Antankares, and to give due weight to information on this subject which may be furnished by the French Government.

Right of France to occupy Bay of Diego-Suarez.

The Government of the Republic reserves to itself the right of occupying the Bay of Diego-Suarez, and of creating there establishments at its convenience.

Art. XVI.—*Amnesty. Removal of Sequestrations.*

[Maintenance of Treaties. French Protectorate. French Treaties.]

Confirmation of existing Treaties between France and Madagascar.

Art. XVII.—The actually existing Treaties and Conventions between the Government of the French Republic and that of the Queen of Madagascar are expressly confirmed in those of their provisions which are not contrary to the present stipulations.*

Art. XVIII.—*Validity of Texts of Treaty.*

Art. XIX.—*Treaty to be ratified.*†

No. 206.—*FRENCH DECLARATION respecting Maintenance of Treaties in Madagascar. 27th December, 1885.*‡

M. de Freycinet to the Representatives of the French Republic at Berlin, Constantinople, London, Madrid, Rome, St. Petersburg, Vienna, and Washington.

(Translation.)

Maintenance of Treaties between Madagascar and Foreign Powers.

(Telegraphic.)

Paris, 27th December, 1885.

You may say, if you are questioned concerning the Treaty which we have just signed with the Hova Plenipotentiaries, that this Treaty, if ratified by the two Governments, changes nothing in the Treaties already existing between the Hova Government and other States. It has, moreover, never entered into our thoughts to place an obstacle by these arrangements to the free development of private interests which might be established in Madagascar, to whatever nationality they may belong.

C. DE FREYCINET.

British Recognition of the French Protectorate over Madagascar.

[ON the 5th August, 1890, a Declaration was signed by the British and French Governments, by which the British Government recognized the Protectorate of France over the Island of Madagascar, with its consequences, especially as regarded the exequaturs of British Consuls and Agents, which, it was agreed, must be applied for through the intermediary of the French Resident-General. It was also agreed that, in Madagascar, the missionaries of Great Britain and France should enjoy complete protection; that religious toleration and liberty for all forms

* See Treaty, 8th August, 1868, p. 668.

† In March 1886, this Treaty, which was communicated to the French Chambers, was laid before Parliament. A circular despatch relating to it, addressed to the French Representatives at the principal Courts, was laid at the same time. Her Majesty's Government subsequently learned that the Treaty had been published in Madagascar with a letter annexed to it signed by the French Plenipotentiaries, but it was understood that the French have never admitted that they were bound by that letter. "Hansard," vol. viii (1893), p. 239.

‡ S.P., vol. lxxvi, p. 477. Laid before Parliament with the foregoing Treaty; in "Africa, No. 2 (1886)."

of worship and religious teaching should be guaranteed ; and that the establishment of the French Protectorate would not affect any rights or immunities enjoyed by British subjects in Madagascar. (See GREAT BRITAIN and FRANCE, p. 738.)]

On the 6th August, 1896, a French law was passed declaring Madagascar and its Dependencies to be a French Colony. (See below.)

No. 207.—*FRENCH LAW declaring Madagascar and its Dependencies to be a French Colony. 6th August, 1896.**

Le Sénat et la Chambre des Députés ont adopté,

Le Président de la République promulgue la Loi dont la teneur suit :—

Article Unique.—Est déclarée Colonie Française l'Île de Madagascar avec les îles qui en dépendent.

La présente Loi, délibérée et adoptée par le Sénat et par la Chambre des Députés, sera exécutée comme loi de l'État.

Fait à Brest, le 6 Août, 1896.

(L.S.) FELIX FAURE.

Par le Président de la République :

ANDRÉ LEBON, *Ministre des Colonies.*

G. HANOTAUX, *Ministre des Affaires Étrangères.*

No. 208.—*CONVENTION between France and Portugal, relative to the Delimitation of their respective Possessions in West Africa. Paris, 12th May, 1886.†*

(Translation.)

HIS Majesty the King of Portugal and the Algarves, and the President of the French Republic, animated by the desire to draw more closely, through good neighbourly relations and perfect harmony, the bonds of friendship which exist between the two countries, have determined to draw up, for this purpose, a special Convention to arrange the delimitation of their respective possessions in West Africa, and have named the following as their Plenipotentiaries :—

His Majesty the King of Portugal and the Algarves, M. João d'Andrade Corvo, his Envoy Extraordinary and Minister Plenipotentiary to the French Republic, &c., and M. Carlos Roma du Bocage, Military Attaché at the Legation at the Court of His Majesty the Emperor of Germany and King of Prussia, &c. ;

The President of the French Republic, M. Girard de Rialle, Minister Plenipotentiary, Chief of the Department of the Archives in the Ministry for Foreign Affairs, &c. ;

* From the "Journal Officiel" of 8th August, 1896.

† S.P., vol. lxxvii, p. 517.

Who, after declaration of their full powers, which were found to be in good and due form, agreed to the following Articles :—

Guinea.

Art. I.—In Guinea, the frontier which shall separate the Portuguese from the French possessions, will follow, in accordance with the tracing upon Map I, which is annexed to the present Convention* :—

In the north, a line which, starting from Cape Roxo, will keep, as far as the nature of the ground will permit, at an equal distance from the Rivers Casamance (Casamansa) and San Domingo de Cacheu (São Domingos de Cacheu) to the point of intersection of $17^{\circ} 30'$ longitude west of Paris† with the parallel $12^{\circ} 40'$ of north latitude between this point and 16° of longitude west of Paris,‡ the frontier shall be merged in the parallel $12^{\circ} 40'$ of north latitude :—

In the east, the frontier will follow the meridian of 16° west§ from the $12^{\circ} 40'$ parallel of north latitude to the $11^{\circ} 40'$ parallel north latitude :—

In the south, the frontier will follow a line starting from the mouth of the River Cajet, which lies between the Island of Catack (which will belong to Portugal) and the Island of Tristão (which will belong to France), and keeping, as far as the nature of the land permits, at an equal distance between the Rio Componi (Tabati) and the Rio Cassini, then between the northern branch of the Rio Componi (Tabati) and at first the southern branch of the Rio Cassini (tributary of the Kacondo), afterwards the Rio Grande, until it reaches the point where the 16th meridian of west longitude cuts the parallel $11^{\circ} 40'$ of north latitude.

Portugal will possess all the islands included between the meridian of Cape Roxo, the coast, and the southern boundary formed by a line following the thalweg of the River Cajet, and afterwards turning towards the south-west across the Passe des Pilots, where it reaches $10^{\circ} 40'$ north latitude, and follows it as far as the meridian of Cape Roxo.

Fouta-Djallon.

Art. II.—His Majesty the King of Portugal and Algarves recognizes the French Protectorate over the territories of Fouta-Djallon, such as it was established by the Treaties concluded in 1881|| between the Government of the French Republic and the Almamys of Fouta-Djallon.

The Government of the French Republic, on its side, binds itself not to attempt to exercise influence within the limits assigned to Portuguese Guinea by Article I of the present Convention. They further bind themselves not to modify the treatment which has always been extended to Portuguese subjects by the Almamys of Fouta-Djallon.

* Not published with the Convention.

† $15^{\circ} 10'$ west of Greenwich.

‡ $13^{\circ} 40'$ west of Greenwich.

§ $13^{\circ} 40'$ west of Greenwich.

|| See S.P., vol. lxxv, pp. 336, 337; also p. 636.

[Congo, Angola and Mozambique.]

Congo.

Art. III.—In the region of the Congo, the frontier of the Portuguese and French possessions will follow, in accordance with the tracing on Map II, annexed to the present Convention,* a line which, starting from the Chamba Point, situated at the confluence of the Loema or Louisa Loango and the Lubinda, will keep, as far as the nature of the land permits, at an equal distance from the two rivers, and from the northernmost source of the River Luali will follow the crest line which separates the basins of the Loema or Louisa Loango and the Chiloango as far as 10° 30' of longitude east of Paris,† when it is merged in this meridian as far as its meeting with the Chiloango, which at this point serves as the frontier between the Portuguese possessions and the Congo Free State.

Each of the High Contracting Parties binds itself not to raise at Chamba Point any works of a nature to impede navigation. In the estuary comprised between Chamba Point and the sea the thalweg will serve as political line of demarcation between the possessions of the High Contracting Parties.

Angola and Mozambique. Territories between.

Art. IV.—The Government of the French Republic recognizes the right of His Most Faithful Majesty to exercise his sovereign and civilizing influence in the territories which separate the Portuguese possessions of Angola and Mozambique; reserving rights already acquired by other Powers,‡ and binds itself on its side to abstain from all occupation there.

Art. V.—*Protection of Life and Property. Commerce and Navigation. Most-favoured-nation Treatment.*

Art. VI.—*State Domains to form subject of Exchanges and Compensations.*

Art. VII.—*Boundary Commission to be appointed.*

Art. VIII.—*Convention to be ratified.*

Paris, May 12th, 1886.

(L.S.) JOAO DE ANDRADE CORVO.

(L.S.) CARLOS ROMA DU BOCAGE.

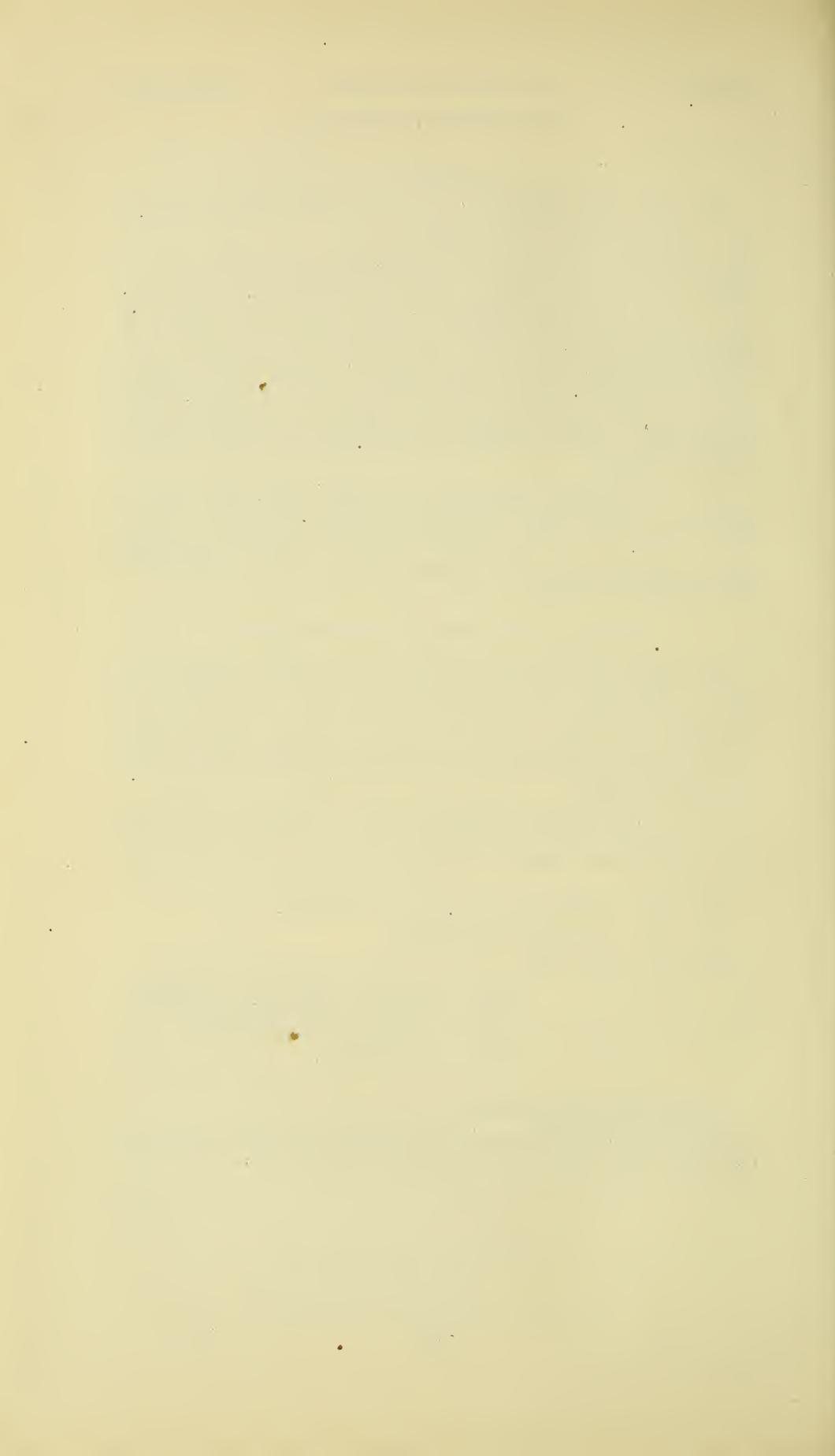
(L.S.) J. GIRARD DE RIALLE.

(L.S.) A. O'NEILL.

* Not published with the Convention.

† 12° 50' east of Greenwich.

‡ The British Government formally protested against Art. IV of this Treaty on the 13th August, 1887, p. 705. (See P.P., "Africa, No. 2, 1890.")



GERMANY.



GERMANY.

LIST OF TREATIES, &c.

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GERMANY AND CONGO.

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216	30 Dec., 1886.	Declaration....	Spheres of Influence in S. W. and S. E. Africa	703
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GERMANY AND ZANZIBAR.

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[Charter. German Colonization Society.]

No. 209.—*CHARTER OF PROTECTION granted to the German Colonization Society, for Certain Acquisitions of Territory made by it on the South East Coast of Africa between the Territory of the Sultan of Zanzibar and Lake Tanganyika. Berlin, 27th February, 1885.**

(Translation.)

HIS Majesty the Emperor has been graciously pleased to address the following Imperial "Charter of Protection" to the Society for German Colonization for their territorial acquisitions in East Africa:—

"We, William, by the Grace of God, German Emperor, King of Prussia, make known and ordain as follows:—

"The present Presidents of the Society for German Colonization, Dr. Karl Peters, and our Chamberlain Felix, Count Behr-Bandelin, having sought our protection for the territorial acquisitions of the Society in East Africa, west of the Empire of the Sultan of Zanzibar, and outside of the suzerainty ('Oberhoheit') of other Powers, and the Treaties lately concluded by the said Dr. Karl Peters with the Rulers of Usagara, Nguru, Useguha, and Ukami in November and December last,* by which these territories have been ceded to him for the German Colonial Society with sovereign rights ('Landeshoheit') over the same, having been laid before us, with the Petition to place these territories under our suzerainty, we hereby declare that we have accepted the suzerainty, and have placed under our Imperial protection the territories in question, reserving to ourselves a right of deciding hereafter respecting any further acquisitions in the same district which may be proved to have been obtained by legal contract by the Society or by their legitimate successors.

"We grant unto the said Society, on the condition that it remains German, and that the members of the Board of Directors or other persons intrusted with its management are subjects of the German Empire, as well as to the legitimate successors of this Society under the same conditions, the authority to exercise all rights arising from the Treaties submitted to us, including that of jurisdiction over both

* S.P., vol. lxxvii, p. 10. Published in German Official Gazette, "Reichsanzeiger," 3rd March, 1885.

List of Treaties concluded by German Colonization Society with Native Chiefs on East Coast of Africa, in November and December, 1884.

		S.P., vol. lxxvii, page
26 Nov., 1884.	Nguru and Usagara.	("National Zeitung," p. 3012)..... 11
29 " "	Msovero (in Usagara),	(" ")..... 12
2 Dec., "	Mukondokwa (in Usagara),	(" ")..... 13

List of Treaties concluded between May and July, 1885. (See p. 686.)

16 May, 1885.	Quafungo	14
17 " "	Mruasi, Bamba, and Makomba.....	15
25 " "	Mlungui, Makuyuni, Tarabande, and S. E. Usambara	16
8 June, "	Kiswani	17
13 " "	Taveta	18
19 " "	Dschaggaland (Chagga), Aruseha, Ugueno, &c.	19
21 " "	Kahé	20
3 July, "	Bondei (Southern portion).....	21

[German Protectorates, East Coast of Africa. Nguru, &c.]

the natives and the subjects of Germany and of other nations established in those territories, or sojourning there for commercial or other purposes, under the superintendence of our Government, subject to further regulations to be issued by us, and supplementary additions to this, our Charter of Protection.

“ In witness whereof we have with our Royal hand executed this Charter of Protection, and have caused it to be sealed with our Imperial seal.

“ Given at Berlin the 27th February, 1885.

“ WILLIAM,

“ V. BISMARCK.”

On the 6th March, 1885, Count Münster informed Earl Granville that the territories mentioned in the above Charter were situated within the extended zone of the conventional basin of the Congo, which was provided for in Chap. I, Art. 1, §3 of the General Act of the Conference of Berlin, (p.471) and to which the Signatory Powers had pledged themselves to apply the provisions of that Act.

No. 210.—*NOTES on German Protectorates in East Africa.* 1884—1890.

On the 6th March, 1885, the German Ambassador in London, officially notified to Earl Granville, as well as to the Sultan of Zanzibar, and to the Powers signatory to the Berlin Conference, that in November and December, 1884, a company of German subjects, under the title of “ The German Colonization Company ” (**No. 209**), had concluded Treaties with certain native chiefs of East Africa, by which they had acquired certain territories and sovereign rights to the west of the Kingdom of the Sultan of Zanzibar, and that, on their petition to the Emperor, an “ Imperial Warrant ” or “ Charter of Protection ” had been granted to them.*

The territories in question were stated to be within the extended zone of the conventional basin of the Congo, which was provided for in Chap. 1, Article I, § 3, of the “ General Act of the Conference of Berlin ” (**No. 128**), and to which the Signatory Powers had pledged themselves to apply the provisions of that Act.

The following is a short account of the Treaties then referred to :—

NGURU.

On the 26th November, 1884, a Declaration and Agreement was signed at Mvomero by the “ Governor ” and Dr. Karl Peters, in which it was stated that Salim-bin-Hamed, who for four years had been First Plenipotentiary of the Sultan of Zanzibar in Nguru, had declared, in the presence of a number of legal witnesses, that the Sultan of Zanzibar

* See p. 681.

[German Protectorates, East Coast of Africa. Usagara, &c.]

did not possess Suzerainty or Protectorate on the Continent of East Africa, and especially not in Nguru or Usagara; that Dr. Peters was his friend, and that he ("the Governor") promised to support the endeavours of the Society for German Colonization as much as he could.*

MISOVERO, IN USAGARA.

On the 29th November, 1884,† a contract was signed by Dr. Karl Peters and the Sultan of Msovero, in which it was declared that Sultan Mangungo thereby ceded all the territory of Msovero belonging to him by inheritance or otherwise, for all time, to Dr. Karl Peters, making over to him at the same time all his rights; and that Dr. Peters, in the name of the Society for German Colonization, undertook to give special attention to Msovero when colonizing Usagara.

Another contract was signed by Sultan Sebegne and Dr. Karl Peters on the same day (29th November, 1884) in which it was recorded that the said Sultan, who declared himself to be the Sultan of the northern half of Msovero, thereby made over all his rights in Msovero to Dr. Peters in the same legal and binding manner as his friend Mangungo; and that Dr. Peters, in the name of the Society for German Colonization, accepted the cession in the same manner as that of the Sultan Mangungo.

MUKONDOKWA, IN USAGARA.

On the 2nd December, 1884,† the Sultana Mbumi, Lady of the Province of Mukondokwa (or Mkondogwa), in Usagara, who declared that she was not and never had been dependent in any way on the Sultan of Zanzibar, signed a Treaty with Dr. Peters, in which she declared that she, with the consent of her people, made over to him as the representative of the Society for German Colonization, her whole territory, with all civil and public rights, for all time and without any condition.

UZEGUHA AND UKAMI.

In forwarding English translations of these Treaties or "Contracts" to Lord Granville, Consul Holmwood said at least two other similar Agreements had been entered into between Dr. Peters and chiefs claiming to rule portions of the adjacent districts of Uzeguha and Ukami.

On receipt of a copy of the German Emperor's "Proclamation," or Imperial Warrant, of 17th February, 1885 (No. 209) the Sultan of Zanzibar telegraphed to the German Emperor (27th April, 1885) protesting against certain territories in Usagara, Nguru, and Ukami being placed under His Majesty's sovereignty and German rule, asserting that the territories were his; that he held military stations there; and that those chiefs who professed to cede sovereign rights to the Agent of the German Colonization Society had no authority to do so, as those places had belonged to the Sultanate of Zanzibar from the time of his fathers.

* Parl. Paper, "Africa, No. 1 (1886)," p. 7.

† Parl. Paper, "Africa, No. 1 (1886)," pp. 6, 7.

Dr. Rohlf, the German Consul-General, however, replied to the Sultan of Zanzibar's protest, and stated that he was instructed by his Government to declare it to be without foundation, as well as the claims put forward therein, and to protest, in the name of the German Emperor, against the "supplementary occupation" on his part of districts which were within the German Protectorate, and which had been acquired by subjects of the Emperor under Treaties with independent Princes, who neither were nor had been in any way dependent on His Highness.

The Sultan of Zanzibar asserted that a station had been held by him for five years at Mamboio, in Usagara, and that two other stations were held by 20 irregulars through chiefs. He also claimed as belonging to Zanzibar the whole coast in an unbroken line from Warsheikh on the north to Tungi Bay on the south as well as territory in the interior, as far as the great Lakes of Tanganika and Nyassa. His Highness, however, in a letter to Prince Bismarck (12th June, 1885) stated that he was disposed to name a Commission and to leave the decision by arbitration as to the places which he claimed to the English and French who, he said, had settled in those parts.*

Troops were despatched by the Sultan to the territory taken under the Protectorate of Germany but they were afterwards recalled.

WITU.

It was then reported that the Germans were negotiating with the Sultan of Witu, and that the Sultan of Zanzibar had sent troops there also. Upon hearing which Count Bismarck asserted (June, 1885), that the Sultan of Witu was quite independent of the Sultan of Zanzibar, and that the latter had no right to interfere with the former.

Mr. J. Haggard, Her Majesty's Vice-Consul at Lamu, visited Witu in August of the preceding year, and in a despatch to Sir J. Kirk (August 25, 1884) gave an account of his visit to the rebel chief Ahmet-bin-Sultan Komloot, commonly called "Simba" (the Lion), who said he resided in the fortified village of Witu, about four days' easy journey to the southward of Lamu. Simba, he said, was formerly King of the Island of Patta, about 15 miles to the northward of Lamu, and that, after many years fighting, he was driven from there, about 15 years previously, by the then Sultan of Zanzibar, who took his island, when Simba fled to *Kau* on the River Ozy, where he settled, and began to collect round him a new tribe in the place of the one which had been annihilated. These people, Mr. Haggard said, were the best known by the name of the "Watoro" or runaways, but that they called themselves "Watu-witu," with the exception of the inhabitants of a few of the more northern villages, who called themselves "Wakengi" or "restless people." Although these people lived not far from the sea, Mr. Haggard said they had but one port open to them, and that was the village of *Kipini*, at the mouth of the River Ozy, the Governor of which place was afraid to deny them entrance. In addition to Witu,

* Parl. Paper, "Africa, No. 1 (1886)," pp. 19, 27.

[German Protectorates, East Coast of Africa. Kilimanjaro.]

Mr. Haggard said there were six principal villages in the vicinity under Simba, the inhabitants of which called themselves "Watua-witu," namely, Hamasi, Mohonda, Hawani, Chauja, Gongoni, and Meminini, and that to the northward there were several more villages whose inhabitants called themselves "Wakenzi," the most important of which were Balana Katana, Bale, and Mtangamakundu. These people he added, were partially independent of Simba, but that he commanded them in most things, and only a few days previously had put some of the headmen in prison for disobeying his orders.

A Memorandum respecting the Sultanate of Witu was communicated by Count Münster to Earl Granville (June 2, 1885), in which it was stated that in the year 1867 Sultan Simba had requested the Prussian Government, through the African traveller, Richard Brenner, to conclude a Treaty of Friendship, and to take him under its protection.

CHAGGA, TAVETA, &C. (KILIMANJARO DISTRICT).

About this time (May, 1885) it was reported that the Sultan of Zanzibar had determined to send a more formal expedition to Chagga and Taveta (in the Kilimanjaro District) to assert his authority and watch over his interest there, and that General J. W. Mathews (afterwards Sir William Mathews) had been placed in command of the expedition, with orders to explain to the Chiefs of Chagga and Taveta the advantages of adhesion to the Sultan of Zanzibar's authority, and to get them to hoist his flag; and finally to proclaim formally that the whole region belonged to Zanzibar.

On the 21st May, 1885, General Mathews reported to the Sultan of Zanzibar that he had hoisted His Highness' flag at Kilima-Kiboma, and that the Chiefs of Chagga had also done so; and he pointed out that Kilima-Kiboma was the Tuta mountain at the commencement of the Masai Plain between Kilima-Kiboma of Tuta and Taveta, where, he said, the Zanzibar flag was also flying.

On the 30th June, 1885, the German Government expressed its consent to the appointment of an impartial Commission to define the true territory of the Sultan of Zanzibar, and at the same time to join the Anglo-French Agreement (of 10th March, 1862, **No. 222**) to respect the independence of Zanzibar, provided His Highness would recognise the German claims to Usagara, &c.; and, eventually (14th August, 1885), the Sultan acceded to the German demand to withdraw his troops, and to acknowledge the German Protectorates in the abstract.

But whilst the question of a delimitation commission was under discussion, Baron Plessen communicated to the Marquis of Salisbury (28th August, 1885) copies of various Treaties, which Dr. Carl Jühlke had concluded in the preceding months of May, June, and July with native chiefs of Taveta, Chagga, and other places in the Kilimanjaro District, by which they ceded their territories to the German East Africa Company, or accepted German protection.*

* S.P., vol. lxxvii, pp. 11-21. Parl. Paper, "Africa, No. 1 (1886)," p. 53.

[German Protectorates, East Coast of Africa. Kilimanjaro.]

The following is a list of those Treaties :—

Kilimanjaro District.

LIST OF TREATIES concluded by Dr. Carl Jühlke representing the German East African Company of Berlin, with native Chiefs in the Kilimanjaro territory (between latitude 5° and 2° 5' South).

16th May, 1885.	Quafungo.	In Bondei district, adjoining Tongwe, "the last possession of the Sultan of Zanzibar."
17th " "	Mruasi, Bamba, and Makombe villages	(which extend as far as Rufa, where the territory bears the name of Quakiniumbi).
25th " "	Mlungui, Makuyuni, Tarabande, &c.,	and south-eastern portion of Usambara.
8th June, "	Kiswani	(extending from Gaga to Uguena).
13th " "	Taveta.	
19th " "	Dschaggaland (Chagga), Aruscha,	Ugueno, &c.
21st " "	Kahé.	
3rd July "	Bondei (southern portion).	Concluded at Habori between Sangarwee and Mruasi or thereabouts.

The Sultan of Zanzibar, however, had raised claims to the same territories, and had notified the fact to the foreign representatives in Zanzibar (27th June, 1885). Before, therefore, the German Government approved the Treaties concluded by Dr. Jühlke, they applied to the British Government to be furnished with copies of any documents which it possessed, showing the prior title of the Sultan to the districts mentioned in the German Treaties. A copy of the Declaration signed by the Sultan and Chiefs of Chagga and Kilimanjaro, in the presence of General Mathews, in which they recognised their loyalty to the Sultan of Zanzibar as their suzerain, was accordingly communicated to the German Government, and it was pointed out that it was dated 30th May, 1885, whereas the Treaty concluded between Dr. Jühlke and the Chiefs of Chagga and Taveta were dated 13th (and 19th) of June, 1885. The German Government were subsequently informed (20th February, 1886) that Mr. H. H. Johnston had, on the 27th September, 1884, concluded a Treaty with the Chiefs of Taveta, without the Sultan of Zanzibar being, directly or indirectly, a party to it, and without being accompanied on his expedition by any officer of the Sultan.*

On the 11th August (1885) the following demands, in the shape of an Ultimatum, were formally made by the German Government on the Sultan of Zanzibar :—That he would withdraw his protest against the Treaties made, to wit "the free and legal Sultans" of the lands of Usagara, Nguru, Usuguha, and Ukami, as also with the Sultan of the district of Witu, and recall the troops and agents in the above-

* Parl. Paper, "Africa, No. 3 (1887)."

[Swahililand, Witu.]

named places; and that he would recognise the German Emperor's Protectorates over those places.

The German Government were, however, officially informed by the British Ambassador at Berlin (27th March, 1886)* that the Church Missionary Society had Settlements in Usagara, one at Mpwapwa, established in 1876, and the other at Maboia, established in 1879, and these the German Government engaged to protect and assist to the best of their ability.

To the German demands the Sultan submitted, in the following terms :—

“ In consequence of the demand which comes to us from His Majesty the German Emperor as an Ultimatum (‘ taklifahiar ’), and indispensable to the commencement of friendly negotiations, we acknowledge the Protectorate of Germany over the lands of Usagara, Nguru, Usuguha, and over the district of Witu, the boundaries whereof shall be hereafter defined; we acknowledge over these said places the Protectorate of His Majesty, and undertake to remove our soldiers, and make this known to our officers who occupy the whole of the places of the coast.”

Negotiations were then continued between Great Britain, France, and Germany, with a view to the appointment of a joint commission for the purpose of enquiring into the claims of the Sultan of Zanzibar to sovereignty over certain territories on the east coast of Africa, and of ascertaining their precise limits. An understanding was eventually arrived at, and on the 17th October, 1885, Colonel H. H. Kitchener, R.E. (now Lord Kitchener of Khartoum), was appointed the British Delimitation Commissioner.

On the 28th May, 1885, a Commercial Treaty was signed between Italy and Zanzibar (No. 55).

On the 20th December, 1885, a Commercial Treaty was signed between Germany and Zanzibar (No. 54).†

On the 30th April, 1886, a Commercial Treaty was signed between Great Britain and Zanzibar (No. 40).‡

On the 9th June, 1886, the Delimitation Commissioners made their Report (No. 261), which was accepted by the British and German Governments by an exchange of Notes on the 29th October and 1st November, 1886 (No. 264), and by the Sultan of Zanzibar on the 4th December, 1886 (No. 265).

Between 1885 and 1887 several Treaties were concluded between two German subjects (the Denhardt Brothers) and the Sultan of Witu and the Sultan of the Somals, for the cession to them of various tracts of lands and islands. The validity of these Treaties was denied by the British East Africa Company at the time of their conclusion. But the following extracts are given from them as showing the extent of the territories which these Chiefs maintained they had a right to cede as belonging to them :—

* Parl. Paper, “ Africa, No. 1 (1886).”

† S.P., vol. lxxvi, p. 247.

‡ S.P., vol. lxxvii, p. 54.

[Witu and Somali.]

WITU AND SOMALI.

On the 5th May, 1885, a deed of sale and cession, including sovereign rights of certain tracts of land on the east coast of Africa, was made by the Sultan of Swahililand (Witu) to a German subject (M. Clemens Denhardt), which contained the following paragraphs :—

Cession of Territory. Kipini to Witu.

“ Paragraph 1. The boundaries of the land thus sold and ceded are formed by the River Osi (Kipini), which is included in the purchase and cession by the Indian Ocean, across the mouth of the Tana, Ras Ngomeni, to the mouth of the Sabaki, by a straight line from the mouth of this river in its latitude to the Mountains of Ukambani, and parallel to these as far as the remotest point of the River Tana, which is included in this purchase and cession, from the village of Hamagi to Munyuui, and by a straight line from this village to Witu.

“ Paragraph 2. By this document we renounce all claims connected with the land as mentioned in above paragraph 1, as well as the rights of sovereignty to it.”

SOMALI.

Cession of Territory. Kismayu to River Juba.

On the 31st July, 1885, a deed of sale and cession, including sovereign rights, was made by the alleged Sultan of the Somalis to a German subject (M. Gustav Denhardt), of the East African coast from Kismayu, along the coast on the Indian Ocean to the River Juba (which was also declared to be included in the sale) to the borders of the Toguti-Somali, seven hours above the town Missir, and in the west to the borders of the Bozani and Bendille Galla, and in the south to the territory of the Sultan Achmet of Witu.

Cession. Island of Manda.

On the 2nd September, 1885, a deed of sale and cession, but reserving sovereign rights of the Island of Manda, was made by the Sultan of Swahililand (Witu) to a German subject (M. Clemens Denhardt). The boundary was described as being :—“ On the north by the canal which separates the mainland from the said island ; in the north-east and east by Manda Bay ; in the south-east and south by the Indian Ocean ; and in the west by the arm of the sea which separates the Islands of Lamu and Manda.”

Further Cessions on the Coast.

On the 2nd December, 1885, a deed of cession, but reserving sovereign rights, was made by the Sultan of Swahililand (Witu) to M. Clemens Denhardt, of territory on the East Coast of Africa, “ extending along the coast of the Indian Ocean from 1° south latitude to 1° 55′ south latitude, and following the respective degrees of latitude to the 41st degree east longitude,” which was stated to form the western boundary.

[German Protectorate. Rivers Umba to Rovuma.]

Further Cessions.

On the 15th February, 1887, a deed of sale and cession, but reserving sovereign rights, was made by the Sultan of Swahiland (Witu) to M. Clemens Denhardt, of certain lands and islands on the East Coast of Africa, the boundaries of which were described as being "formed from the River Mkonumbi and the Indian Ocean between this river and the meer-pillar which has been erected on the mainland near Kiwaihu by the Imperial German Government in January, 1887; further, by straight lines, which run between this meer-pillar and Balawa, Balawa-Katawa, Katawa and Witu, Witu and Fungasombo, Fungasombo and Mkonumbi," as well as "all islands which are situated between Kipini and the Juba."

Farming of Customs of Witu.

On the 1st April, 1887, an Agreement was entered into between the Sultan of Swahiland and M. Clemens Denhardt as to farming the customs of Witu by M. Denhardt for 10 years from the 1st January, 1888. In this Treaty it was said that the right to levy duties referred to the land which had been handed over by the German Government to the Sultan of Swahiland, and in which the German flag had been hoisted by German officers from the 13th to the 20th January, 1887.

On the 1st July, 1887, M. Clemens Denhardt was appointed by the Sultan of Swahiland his Minister for Foreign and Home Affairs in Witu until the year 1902.

German Protectorate over Coast between Rivers Umba and Rovuma.

On the 28th April, 1888, that portion of the African Coast which lies between the Rivers Umba and Rovuma was conceded by the Sultan of Zanzibar to the German East Africa Company. (See p. 695.)

German Protectorate over Coast from Witu to Kismayu.

On the 22nd October, 1889, the following official notification was made of the establishment of a German Protectorate over the East Coast of Africa from Witu to Kismayu :—

Count Hatzfeldt to the Marquis of Salisbury.

(Translation.)

*German Embassy, London,
22nd October, 1889.*

The Undersigned is instructed to state to the Government of Her Britannic Majesty, in pursuance of Article 34 of the General Act of the Berlin Conference (No. 128), that the territory situated on the coast of East Africa between the northern frontier of Witu and the southern frontier of the Sultan of Zanzibar's station of Kismayu, has, in virtue of Treaties concluded with the Sultans and Chiefs thereof, and under

[Witu. Manda and Patta Islands.]

reservation of the properly-acquired rights of third parties, been placed under the protection of His Majesty the Emperor.

The Undersigned, &c.

P. HATZFELDT.

Witu. Manda and Patta Islands.

On the 20th December (1889), the British Government were informed that the German Government maintained the claim of the Sultan of Witu to the Islands of Manda and Patta, and did not recognize the right of the British East Africa Company to take over the administration of these islands, in consequence of the Concession granted to the Company by the Sultan of Zanzibar; but on the 1st July, 1890, an Agreement was entered into between the British and German Governments (**No. 270**) defining their respective spheres of influence in East, West, and South-West Africa, by which, among the others, certain territories lying between the Wanga and Rovuma Rivers, including Chagga and other places in the Kilimanjaro District, Pagani and Dar-es-Salaam, with the exception of the Islands of Zanzibar and Pemba, were recognized as being within the German sphere, and the territories between the Wanga and Juba Rivers, including Mombasa, Witu and the Islands of Manda, Patta, Lamu, &c., as being within the British sphere; and on the 27th and 28th October, 1890, Notes were exchanged between the British and German Governments fixing the indemnity to be paid to the Sultan of Zanzibar as compensation for the permanent cession to Germany of the coast line between the Rivers Umba and Rovuma and of the Island of Mafia. (See p. 907.)

Witu.

On the 19th November, 1890, a notification was issued, announcing that a British Protectorate had been established over Witu and other territories and islands lying off the East African Coast. (See East Africa Protectorate, p. 364.)

[For later Arrangements see EAST AFRICA PROTECTORATE, p. 333; and GREAT BRITAIN AND GERMANY, p. 865.]

[Namaqualand, Damaraland, Angra Pequena, &c.]

No. 211.—*NOTES on German Protectorates on the South-West Coast of Africa. 1884—1892.**Namaqualand, Damaraland, Angra Pequena.*

On the 16th (? 15th) August, 1884, the following Proclamation* was issued announcing that a German Protectorate had been established over the Coast of Namaqualand and Damaraland :—

(Translation.)

His Majesty the German Emperor William I, King of Prussia, has commanded me to proceed to Angra Pequena with His Majesty's two-decked corvette, the "Elisabeth," to place under the direct protection of His Majesty the territory belonging to M. A. Luderitz, on the West Coast of Africa.

The territory of M. A. Luderitz will, according to official communication, be taken to extend from the north bank of the Orange River to the 26° south latitude, 20 geographical miles inland, including the Islands belonging thereto by the Law of Nations.

In carrying out His Majesty's commands I herewith hoist the Imperial German flag, and thus place the above-mentioned territory under the protection and sovereignty of His Majesty the Emperor William I, and call upon all present to give three cheers for His Majesty.

Long live His Majesty the Emperor William I.

SCHERING, *Captain at Sea, and Commandant of His Imperial Majesty's ship "Elisabeth."*

It was stated in an official Note addressed by the German Consul at Cape Town to the Governor of the Cape Colony and High Commissioner, dated 15th August, 1884, that the expression used in this Proclamation, "including the Islands belonging thereto by the Law of Nations," meant and included all the islands within gun-shot distance of the mainland on the coast proclaimed therein, according to the Law of Nations; and further, that the duly acquired and proved rights of third Parties would be respected by the German Government.†

Coast between Cape Frio and the Orange River, except Walfish Bay.

On the 8th September, 1884, Baron Plessen, the German Chargé d'Affaires, called upon Earl Granville, at the Foreign Office, and gave notice to his Lordship, on behalf of the German Government, that the West Coast of Africa from 26° south latitude to Cape Frio, excepting Walfish Bay, had been placed under the protection of the German Empire, and on the 15th October following, it was officially notified by the German Government that a German Protectorate had been established over "the tract of coast land between Cape Frio and the Orange River with the exception of Valvisch (Walfish) Bay."

* S.P., vol. lxxv, p. 546.

† S.P., vol. lxxv, p. 545.

[German Protectorates. Great Namaqualand, Damaraland, Nomansland.]

GREAT NAMAQUALAND.

On the 18th October, 1884, a Treaty was signed between Germany and Bethany by which a German Protectorate was recognized over Great Namaqualand.

German South-West Africa Company.

By a Cabinet Order, dated 13th April, 1885, the German South-West Africa Company had conferred upon it the rights of a corporate body, and acquired, in virtue of Treaties with the native Rulers, the rights of State Sovereignty (mining royalties and rights, with railway and telegraph monopoly).

RED NATION, IN NAMAQUALAND.

On the 2nd September, 1885, a Treaty was signed between Germany and the independent Chief of the Red Nation in Great Namaqualand for the extension of the German Protectorate over that Territory.

BASTARDS OF REHOOTH (GREAT NAMAQUALAND).

On the 15th September, 1885, a Treaty was signed between Germany and the Bastards of Rehooth, in Great Namaqualand, extending the German Protectorate over their territory.

HEREROS. DAMARALAND.

On the 21st October, 1885, a Treaty was signed between Germany and the Head Chief of the Hereros, in Damaraland, extending the German Protectorate over that territory, to which the Chief of Omaruru acceded on the 3rd November, 1885.

British Claims in German Protectorate.

On the 15th July, 1886, a Protocol was signed at Berlin containing the joint communications of the British and German Commissioners for a settlement of certain outstanding British claims in the German Protectorate of South-West Africa. (See GREAT BRITAIN AND GERMANY, p. 877.)

British and German Limits.

On the 1st July, 1890, an Agreement was signed between the British and German Governments, defining their respective spheres of influence in East, West, and South-West Africa. With respect to the South-West Coast, the line of boundary was drawn between the Territory reserved for Germany in Namaqualand, Damaraland, &c., and that reserved for Great Britain in Bechuanaland, Kalahari, &c. (See GREAT BRITAIN AND GERMANY, p. 899.)

NOMANSLAND.

Districts between Herero and Ovomboland.

On the 14th September, 1892, it was notified that a German Protectorate had been established over the district lying between Herero and Ovomboland. The notification ran as follows :—

[German Protectorate. Togoland, Cameroons.]

“The unclaimed district lying between Herero and Ovomboland within the German sphere of interest in South-West Africa, has been placed, with the sanction of His Majesty the Emperor, under the Protectorate of the German Empire.”*

No. 212.—NOTES on German Protectorates on the West Coast of Africa. 1884—1890.

Togoland.

ON the 5th July, 1884, an Agreement was signed between Germany and Togo, by which the territory of the King of Togo, situated on the West Coast of Africa, from the Eastern frontier of Porto Seguro to the Western frontier of Lome or Bay Beach was placed under the Protectorate of Germany.

Cameroons. Togoland. Slave Coast, &c.

On the 12th July, 1884, a German Protectorate was proclaimed over the whole of the Cameroons District, and on the 15th October of the same year†, the following official communication was made by the German Government to the principal Powers of Europe and to the United States Government, notifying the exact extent of territory on the West and South-West Coasts of Africa which had been placed under the protection of the German Empire :—

Baron von Plessen to Earl Granville.

(Translation.)

German Embassy, 15th October, 1884.

“The Government of His Majesty the Emperor, with a view to insure more effectually German commercial interests on the West Coast of Africa, has taken certain districts of this coast under its protection. This has been effected in virtue of Treaties which have been in part concluded by Dr. Nachtigal, the Consul-General dispatched to West Africa, with independent Chiefs, and partly in virtue of applications for protection made by Imperial subjects, who have acquired certain tracts by covenants with independent Chiefs.

“Accordingly, the Togo tract, with the harbours of Lome and Bageida, the districts of Bimbia, with the Isle of Nicol, Cameroons, Malimba, to its northern extremity, Little Batanga, Plantation, and Criby, on the Slave Coast, and the tract of coastland between Cape Frio and the Orange River, with the exception of Valvisch (Walfish) Bay, in South-Western Africa, have been placed under the protection of His Majesty the Emperor. This has been notified by hoisting the Imperial military standard and planting frontier poles, and the engagement at the same time announced that all demonstrable existing rights of third parties are to be respected.”

* “Deutsche-Reichs-Anzeiger,” 14th September, 1892.

† “National Zeitung,” 15th February, 1885. S.P., vol. lxxvi, p. 756.

[German Protectorate. Amba Bay, Little Porto, Porto Seguro, &c.]

Amba Bay, Victoria.

On the 19th July, 1884, a British Notification was issued announcing the assumption of British sovereignty over Amba Bay,* but this territory was transferred to Germany on the 28th March, 1887, since which date it has formed part of the German Protectorate over the Cameroons.

Mahin and Mahin Beach.

On the 29th January, 1885, Mahin was sold by the King of Mahin to a German subject, Herr G. L. Gaiser; and on the 11th March, 1885, a Treaty was signed by the King of Mahin with the German Commissioner and Consul-General for the West Coast of Africa, Dr. Nachtigal, for extending a German Protectorate over Mahin and Mahin Beach, but it was not ratified by the German Emperor; and on the 24th October following, both Mahin and Mahin Beach were ceded to Great Britain. (See NIGERIA, p. 100.)

Bight of Biafra, Slave Coast (Togoland, Little Popo, and Porto Seguro), Senegambia, and Southern Rivers Districts.

On the 24th December, 1885, a Protocol was signed between France and Germany, for defining their respective rights of Sovereignty or Protectorate in the Bight of Biafra, on the Slave Coast (Togoland, Little Popo, and Porto Seguro), on the Coast of Senegambia, and in the Southern Rivers Districts. (See FRANCE AND GERMANY, p. 653.)

British and German Limits.

On the 1st July, 1890, an Agreement was entered into between the British and German Governments defining their respective spheres of influence in East, West, and South-West Africa. With respect to the West Coast, the line of boundary was marked between the British Gold Coast Colony and the German Protectorate of Togo, the Volta Districts, and the Rio del Rey. (For this and later Arrangements, see GREAT BRITAIN AND GERMANY, p. 865.)

* H.T., vol. xvii, p. 57.

[Concession. Zanzibar. German East African Association. Umba to Rovuma.]

No. 213.—*CONCESSION from Sultan of Zanzibar to German East African Association. Zanzibar, 28th April, 1888.**

(Translation.)

HIS Highness Seyyid Khalifa-ben-Said, Sultan of Zanzibar, and the German East African Association, having, with the approbation of His Highness Prince Bismarck, Chancellor of the German Empire, appointed as their Plenipotentiary, Dr. Jur. Gustav Michahelles, Imperial German Consul-General at Zanzibar, have concluded the following Treaty :—

Transfer by Sultan to German East African Association of Administration of all his Territories and Dependencies on the Mrima† and South of the River Umba.

Art. I.—His Highness the Sultan makes over to the German East African Association all the power which he possesses on the mainland on the Mrima, and in all his territories and dependencies south of the Umba River, the whole administration of which he concedes to and places in their hands to be carried out in His Highness' name and under his flag and subject to His Highness' sovereign rights, but it is understood that the Association is to be responsible for all affairs and administration of that part of His Highness' dominions included in this Concession, and that His Highness the Sultan shall not be liable for any expenses connected with the same, nor for any war or "diya" (blood money) or for any claims arising therefrom, none of which His Highness shall be called upon to settle. No other but themselves shall have the right of purchasing public land on the mainland or anywhere in His Highness' territories, possessions, or dependencies within the limits above named, except through them, as is the case now with His Highness. He also grants to the Association the faculty of levying taxes upon the people of the mainland within the limits above named. His Highness further agrees to do all acts and deeds that would be necessary to give full effect to the terms of this Concession, to aid and support the Association with all his authority and force, so as to secure to them the rights and powers hereby granted. It is further agreed upon by the Contracting Parties, that nothing contained in the following Articles of Concession shall in any way infringe or lessen the rights accorded by His Highness to the subjects or citizens of Germany, France, Great Britain, the United States of America, or any other foreign Powers having Treaty relations with His Highness, or the obligations which are or may be imposed upon him by his adhesion to the Berlin General Act (**No. 128**).

Appointment by Association of Commissioners to Administer Districts in above Territory.

Art. II.—His Highness authorizes the Association to appoint in his name and on his behalf Commissioners to administer over any

* S.P., vol. lxxix, p. 326. See also Agreement, 13th January, 1890, p. 702.

† Mainland.

[Concession. Zanzibar. German East African Association.]

districts in His Highness' possessions included in the limit of territories named above, except as hereinafter provided; to appoint such subordinate officers as may be required, to pass laws for the government of districts, to establish Courts of Justice, and generally to adopt such measures as may be necessary for the protection of the districts and interests under their rule. His Highness further authorizes the Association to make Treaties with subordinate or other native Chiefs, such Treaties and engagements to be ratified and confirmed by him in such cases as they are made in the name of His Highness.

Cession of Forts and Public Buildings to Association.

His Highness also agrees to cede to the Association all the rights which he himself possesses over the lands in the whole of his territory on the mainland of Africa within the limits of this Concession, only excepting the private lands and Schambas, and to give the Association all forts and unoccupied public buildings except such buildings as His Highness may wish to retain for his own private use; a schedule of such buildings, plantations, or properties to be drawn up and agreed to between His Highness and the Association. Further, he authorizes them to acquire and regulate the occupation of all lands not yet occupied, to levy and collect local and other taxes, dues, and tolls, to do all these and such other acts as may be necessary for the maintenance and support of such local governments, forces, administration of justice, the making and improvements of roads or water communications or other public works, defensive, or otherwise, and for the liquidation of debts and payment of interest upon capital expended.

Appointment of Judges.

The Judges shall be appointed by the Association subject to the Sultan's approval, but all "Kadis" shall be nominated by His Highness. In aboriginal tracts the law shall be administered by the Association or their officials. The stipends of the Governors and all other officials in the territories occupied and controlled by the Association shall be paid by them.

Right of Association to Trade, Acquire Land, &c.

Art. III.—His Highness grants to the Association the right to trade, to hold property, to erect buildings, and to acquire lands or buildings by purchase or negotiation anywhere within His Highness' territories included in the limits of this Concession with the consent of the proprietors of any such lands and houses.

Regulation of Trade and Navigation of Rivers by Association.

Art. IV.—His Highness grants to the Association special and exclusive privileges and powers to regulate trade and commerce, also the navigation of rivers and lakes and control of fisheries, the making of roads, tramways, railways, canals, and telegraphs, and to levy tolls and dues on the same, also the power to control or prevent the

[Concession. Zanzibar. German East African Association.]

importation of any merchandize, arms, ammuniton of all sorts, intoxicating liquors, or any other goods which, in the opinion of the Association, are detrimental to law, order, and morality, and in whatsoever His Highness is not bound towards the Governments. But it is clearly understood that all exercise of these privileges and powers shall be in conformity with existing Treaties between His Highness and foreign States.

Occupation of Forts and Establishment of Custom Houses by Association.

Art. V.—His Highness authorizes the Association to occupy in his name all forts at the mouth or mouths of any river or rivers or elsewhere in his dominions included in the limits of this Concession, with the right to establish custom-houses and to levy and collect dues on any vessels, goods, &c., arriving at or departing from such port or ports and to take all necessary measures for the persecution of smuggling, subject, in all cases, to the Treaties above named.

Exclusive Working of Mines by Association.

Art. VI.—His Highness grants to the Association the exclusive privilege to search for and work, or to regulate, lease, or assign in any part of His Highness' territories within the limits of this Concession any mines or deposits of lead, coal, iron, copper, tin, gold, silver, precious stones, or any metal or mineral or mineral oils whatever, also the exclusive right to trade in the same free from all taxes and dues excepting such moderate royalty on minerals only not exceeding 5 per cent. on the first value of the article less the working expenses, as may be hereinafter agreed by the Association to be paid to His Highness, also the right to use all forest trees and other woods and materials of any kind whatsoever for the purpose of the works aforesaid and also for trade; but the wood used for building and for burning, commonly know as "borti," may be cut on the mainland by others, as now, by payment of such dues to the Association as they may agree upon, but no such dues shall be required for wood cut for His Highness' use.

Establishment of Bank by Association.

Art. VII.—His Highness grants to the Association the right to establish a bank or banks anywhere in His Highness' territories above mentioned, with the exclusive privilege of issuing notes.

Association to enjoy above Powers and Privileges for fifty years : Reversion to Sultan of Public Works, &c.

Art. VIII.—All the aforesaid powers and privileges to extend over and be available for the purposes and objects of the Association during the whole of the term of fifty years next and dating from the time of this Concession being signed. At the conclusion of the said term all the public works, buildings, &c., shall revert to the Sultan,

his heirs and successors, if desired, at a valuation to be fixed by arbitrators chosen by both parties.

Grant by Sultan to Association of "Régie" or Lease of Customs.

Art. IX.*—His Highness grants to the Association the "Régie," or lease, of the customs of all the ports throughout that part of His Highness' territories above defined for an equal period of time to the other Concessions upon the following terms, namely:—

At the beginning of their administration the Association pay to His Highness an advance of 50,000 rupees in cash, which is to be refunded in equal monthly quotations within the first six months. For the first year the Association hand over to His Highness at the end of every month according to the European reckoning the whole amount of the customs duties levied from the import and export trade in His Highness' territories above defined, after deduction of a certain sum for the expenses incurred by collecting the duties. These expenses are not allowed to exceed the sum of 170,000 rupees in the first year, and if the Association are not able to prove by their books that in fact they expended the above-mentioned sum, they have to pay to His Highness also the difference between their real expenses and the amount of 170,000 rupees.

The only profit the Association shall have in the first year is a commission of 5 per cent. from the net revenues paid to His Highness. After the first year's experience the annual average of the sum to be paid to His Highness by the Association shall be fixed. The Association however, shall have the right at the end of every third year, according to the results of the previous three years as shown by their books, to enter into fresh negotiations with His Highness in order to fix a revised average. His Highness shall be authorized to appoint an officer who can control the revenues made in the custom-houses of all ports included in this Concession.

Further, it is understood that His Highness shall not claim the duty of any part of the trade twice over, and that the Association, therefore, shall be entitled to control the Customs officers of His Highness' at Zanzibar to this effect and to claim a drawback for the amount of any duties which may hereinafter be paid direct to His Highness on any imports to or exports from the ports included in this Concession. The Association further guarantee to pay to His Highness 50 per cent. of the additional net revenue which shall come to them from the customs duties of the ports included in this Concession, and His Highness grants to the Association all rights over the territorial waters in or appertaining to his dominions within the limits of these Concessions, particularly the right to supervise and control the conveyance, transit, landing, and shipment of merchandise and produce within the said waters by means of a coast-guard service both on land and water.

* Altered by Agreement of 13th January, 1890, p. 702.

[Concession. Zanzibar. German East African Association.]

Guarantee by Association to Sultan of Dividend on 20 shares = 10,000l.

Art. X.—In consideration of the foregoing Concessions, powers, and privileges being granted by His Highness, the Association guarantee to His Highness the dividend on the value of 20 shares of 10,000 marks each of the German East African Association, equal to about 10,000l., which Concession shall entitle him to such proportions of the net profits, as shown by the books of the Association after interest at the rate of 8 per cent. shall have been paid upon the shareholders' paid-up capital, as shall attach to the said part of the Association's capital.

Association to enjoy Most-favoured-company Treatment.

Art. XI.—The German East African Association shall enjoy all the rights, privileges, immunities, and advantages as are or hereafter may be enjoyed by or accorded to any other Company or particular person to whom His Highness may have given or may give similar Concessions in any other part of his dominions as those granted by this Treaty to the German East African Association.

Islands of Zanzibar and Pemba and territories north of the Uмба River not included in Concession.

Art. XII.—These Concessions do not relate to His Highness' possessions in the islands of Zanzibar and Pemba, nor to his territories north of the Uмба River ; and it is understood that all public, judicial, or Government powers and functions herein conceded to the Association shall be exercised by them only in the name, and under the authority of the Sultan of Zanzibar.

Concessions and Obligations binding for 50 years.

Art. XIII.—It is hereby agreed by both parties that these Concessions and the corresponding obligations as set forth shall be binding for both parties, their heirs, successors, and assigns, during the term of 50 years for which they have been agreed upon.

Date of Transfer of Customs, &c.

Art. XIV.—His Highness is willing to transfer the customs, lands, and buildings aforesaid to the German East African Association at any date after the 15th August, 1888, which will be convenient to the Association.

Interpretation of Texts of Treaty.

Art. XV.—The present Treaty has been made out in four copies, two of which are written in the English and two in the Arabic language. All those copies have the same sense and meaning. Should, however, differences hereafter arise as to the proper interpretation of the English and Arabic text of one or other of the Treaty stipulations, the English copy shall be considered decisive.

[Zanzibar and German East Africa Company. Custom Houses.]

In faith whereof His Highness Seyyid Khalifa-ben-Said, and Dr. G. Michahelles, have signed this Treaty, and have affixed thereto their seals.

Done at Zanzibar, the 28th day of April, in the year of our Lord 1888, corresponding with the 16th Shaban, 1305, of the Hidjerat.

(L.S.) (Signed in Arabic.)

(L.S.) G. MICHAHELLES.

Note.—The German East African Association formally received charge of the Administration of that portion of the East African Coast line which lies between the Rivers Umba and Rovuma from the Sultan of Zanzibar, on the 16th August, 1888, when the flag of the German East African Company was hoisted at all the principal ports along the coast under a Royal Salute. (S.P., vol. lxxix, p. 343.)

On the 27–28th October, 1890, an exchange of Notes took place between the representatives of Great Britain and Germany at Berlin fixing the indemnity to be paid to the Sultan of Zanzibar as compensation for the permanent cession to Germany of the coast line between the Rivers Umba and Rovuma, and of the Island of Mafia. (See p. 907.)

The acquisition by Germany of these Possessions was recognised by France in Notes exchanged between France and Germany at Berlin on the 17th November, 1890. (See p. 656.)

No. 214.—*DESPATCH containing Agreement between Zanzibar and the German East Africa Company. Handing over of Custom Houses, &c., on Part of the Coast conceded to Germany. 4th June, 1888.*

Colonel Euan-Smith to the Marquis of Salisbury.

MY LORD,

Zanzibar, June 4, 1888.

I HAVE the honour to inform your Lordship that the following measures have been agreed upon between the Sultan and the German East African Company regarding the handing over of custom houses, &c., on that part of the coast which has been conceded to Germany:—

1. That the Walis on the coast from the River Umba to the Rovuma will be at once informed that from the 15th August of this year the Company will take over the collection of the customs, such information to be published in the country.*

2. That His Highness shall appoint a person to accompany the agent of the Company to the mainland, and point out which houses and other public buildings are to be retained for His Highness' special use, and which are to be handed over to the Company.

* See S.P., vol. lxxix, pp. 336, 339, 340, and note above. See also Agreement between Great Britain and Germany of 1st July, 1890, Art. XI, p. 905.

[Zanzibar and German East Africa Company. Custom Houses.]

3. That the Sultan shall indicate the places at which it is necessary that Cadis shall be appointed, and shall recommend suitable persons to fill up these appointments.

4. That His Highness shall appoint a person in order to act as his agent with regard to matters of detail arising in the management of the custom-houses.

One of the Sultan's steamers will leave for Lindi in a fortnight's time with Herr Vohsen and several members of his staff, and with some of the Sultan's officials, for the purpose of taking all preliminary steps towards the accomplishment of the above objects.

I may add that I am sending a notification addressed to all British Indian subjects resident in the places which will now pass under German administration, informing them that their rights and privileges as British subjects will be in no way affected by the change that is about to take place.

I have, &c.,

The Marquis of Salisbury.

C. B. EUAN-SMITH.

*NOTIFICATION addressed to British Indian Subjects resident in places under German Administration on the Mrima Coast. June, 1888.**

[Referred to in preceding Despatch.]

(Translation.)

To all Indian subjects resident on the mainland and others under British protection.

BE it known that from the 16th August next the German East African Company will take over the administration of that part of His Highness the Sultan of Zanzibar's dominions which is known as the Mrima, south of the River Umba.

The officials of that Company will collect the customs, and generally administer the country.

Now this is to inform all British subjects that there is no cause for alarm or disquietude in this new arrangement which the Sultan has concluded with this Company. The status and position of all British subjects will remain unaltered. Their Treaty rights and privileges will not be interfered with in any way. There is nothing to cause them fear. All British subjects are enjoined to assist by every legitimate means in their power the officials of the German Company in rightly and justly administering the country.

C. B. EUAN-SMITH, *Colonel,*
Her Britannic Majesty's Agent and Consul-
General, Zanzibar.

* S.P., vol. lxxix, p. 333.

No. 215.—*SUPPLEMENTARY AGREEMENT between Zanzibar and German East Africa Company. Régie or Lease of Zanzibar Customs Dues to the Association. Signed 13th January, 1890.**

(Translation.)

IN order to settle all differences which have arisen between His Highness the Sultan of Zanzibar and the German East Africa Company in the carrying out of the Treaty of the 28th April, 1888 (answering to 15 Shaaban, 1305) (**No. 213**), and especially in carrying out Article IX, it is agreed between His Highness and the German East Africa Company and their Plenipotentiary, Ernst Vohsen, Director of the Company in Berlin, as follows :—

Article IX of the Treaty is changed and receives the following new meaning, which from this day shall bind the Contracting Parties :

Art. IX.—His Highness grants the Company the Concession (“ Régie ”) or lease of the Customs in all parts of the above-mentioned part of his territories for a period similar to that of the below-mentioned other leases (Concessions), and under the following conditions :—

The Company hands over at the end of each month (European reckoning) the entire receipts collected in the above-mentioned territories for duties on imports and exports ; only a certain sum for the cost of collection to be deducted. This cost must not exceed the sum of 170,000 rupees per annum for the next three years of the Treaty, and if the Company is not in a position to prove by its books that they have actually spent the above-mentioned sum, it has to pay to His Highness also the difference between their actual expenses and the contribution of 170,000 rupees.

On the basis of the net Customs receipts of the first three years collected direct through the Company (that is the year’s receipts less 170,000 rupees), there will, on the 18th August, 1891 (European reckoning), be fixed the average sum to be paid yearly by His Highness the Sultan to the Company. The Company will, however, have the right at the end of every third year, on account of the results obtained, to begin fresh negotiations with His Highness to revise the average payment and fix it afresh. His Highness has the right to place an official, who shall supervise the Customs receipts in the harbours of the territories in question. It is further understood that His Highness may not claim duty a second time on any kind of trade. On behalf of this, it is therefore the right of the Company to exercise a supervision (“ kontrolé ”) over the Customs officials of His Highness in Zanzibar, and to require the refund of all Customs payments which for the future shall be paid direct to His Highness on importation to the ports named in this Treaty, or on exportation from them.

The Company hereby formally foregoes the refund of such taxes as have been levied in Zanzibar by His Highness on goods coming from Europe or foreign countries, and subsequently exported to places under the Company’s rule. The Company further promises

* See note, p. 700.

[South-West and South-East Africa.]

to His Highness 50 per cent. of the further net gains which shall come from the Customs revenue of the ports under discussion. His Highness hands over to the Company all rights in the territorial waters which lie within the above-mentioned boundaries of his dominions, or which belong to them, in particular the authority to supervise and control by land and sea-coast guards the forwarding, the transport, the landing and shipping of goods and products within the said waters.

Done on the 21st Jemadi-al-Awal, 1307, which corresponds to the 13th January, 1890, of the Christian era.

He confirms this,

KHALIFA-BIN-SAID (own handwriting).

ERNST VOHSEN, *Plenipotentiary Extraordinary of the German East Africa Company.*

Note.—By Art. 3 of the Notes exchanged between the British and German Governments on the $\frac{27^{\text{h}}}{28^{\text{th}}}$ October, 1890 (p. 97), it was agreed that as soon as the indemnity to the Sultan of Zanzibar for the permanent cession to Germany of the coast line should be paid the German East Africa Company should withdraw from any interference in the affairs of the Zanzibar custom-house.

No. 216.—*DECLARATION between Germany and Portugal respecting the Limits of their respective Possessions and Spheres of Influence in South-West and South-East Africa. Lisbon, 30th December, 1886.**

(Translation.)

THE Government of His Majesty the German Emperor, and the Government of His Majesty the King of Portugal and the Algarves, animated by the same desire to draw more closely the existing friendly relations between Portugal and Germany, and to gain a firm and secure basis for peaceful co-operation in the opening out of Africa to civilization and commerce, have resolved to establish certain boundaries, within which each of the two Powers shall keep their freedom of action for their colonizing activity.

For this purpose the Undersigned, Henrique de Barros Gomes, State Councillor of His Most Faithful Majesty, and his Secretary of State for Foreign Affairs, and Councillor Richard von Schmidthals, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the Emperor, have, in accordance with their full powers, agreed upon the following Articles :—

Boundary Line between German and Portuguese Possessions in South-West Africa.

Art. I.—The Boundary line which shall separate the Portuguese and German Possessions in South-West Africa follows the course of

* S.P., vol. lxxvii, p. 603.

[South-West and South-East Africa.]

the River Kunene from its mouth to the waterfalls which are formed to the south of the Humbe by the Kunene breaking through the Serra Canna. From this point the line runs along the parallel of latitude to the River Kubango, then along the course of that river to the village of Andara, which is to remain in the German sphere of influence, and from thence in a straight line eastwards to the rapids of Catima,* on the Zambesi.

Boundary Line between German and Portuguese Possessions in South-East Africa.

Art. II.†—The Boundary line which shall separate the Portuguese from the German Possessions in South-East Africa follows the course of the River Rovuma from its mouth to the point where the River M'sinje joins the Rovuma and runs to the westward on the parallel of latitude to the shores of Lake Nyassa.

German Conditional Recognition of Portuguese Right to Territories lying between Angola and Mozambique.

Art. III.—His Majesty the German Emperor recognizes the right of His Majesty the King of Portugal to exercise his influence of sovereignty and civilization in the territories which separate the Portuguese possessions of Angola and Mozambique, without prejudice to the rights which other Powers may have acquired there up to now of exercising their sovereign and civilizing influence.‡

Territories in Portuguese Sphere of Influence to be respected by Germany.

And in accordance with this acknowledgment, binds himself not to make acquisitions of sovereignty in the territories in question, not to accept Protectorates in them, and, finally, not to place there any obstacles to the extension of Portuguese influence.

Territories in German Sphere of Influence to be respected by Portugal.

His Majesty the King of Portugal and the Algarves undertakes identical obligation as regards the territories which under Articles I and II of this Agreement are within the sphere of German action.

Protection of Persons and Property. Acquisition, &c., of Real and Personal Property. Rights of Trade.

Art. IV.—Portuguese subjects in the German Possessions of Africa, and German subjects in the Portuguese Possessions shall enjoy

* By Art. IV of the Anglo-Portuguese Treaty of June 11, 1891, p. 1019, it was agreed that the western line of division separating the British from the Portuguese Sphere of Influence in Central Africa should start from these rapids. The British Line was, however, carried to the River Kwando by Award of Arbitrator of 30th May, 1905. See p. 1074.

† See Exchange of Notes of ^{30th August,} 1894, p. 706, under which the parallel of 10° 40' South latitude from the Sea to the Rovuma was agreed to as the frontier.

‡ See British Protest against Portuguese Claim to these Territories, 13th August, 1887, next page.

[South-West and South-East Africa.]

in respect to the protection of their persons and goods, with the acquisition and transfer of personal and real property, and to the exercise of their industry, the same treatment without any difference whatever, and the same rights as the subjects of the nation exercising sovereignty or protection.

Conclusion of Commercial Agreements.

Art. V.—The Portuguese and Imperial Governments reserve to themselves the right of concluding further Agreements to facilitate commerce and navigation, as well as to regulate the frontier traffic in the African Possessions on both sides.

(L.S.) BARROS GOMES.

(L.S.) SCHMIDTHALS.

Validity of Agreement subject to approval.

ADD. ART.—This Agreement shall come into force and shall be binding for both Powers after having been approved by the Portuguese Cortes, and officially published in both countries.*

Done in duplicate at Lisbon, on the 30th December, 1886.

(L.S.) BARROS GOMES.

(L.S.) SCHMIDTHALS.

BRITISH PROTEST *against Treaties between Portugal and France, and Portugal and Germany.* 13th August, 1887.

Memorandum transmitted by the British Chargé d'Affaires at Lisbon to the Portuguese Minister for Foreign Affairs. 13th August, 1887.

HER Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary at Lisbon did not fail to forward to Her Majesty's Government copies of the documents as presented to the Portuguese Cortes in the form of White Books, recording the result of the recent negotiations carried on by Portugal with Germany (p. 703) and France (p. 673), the object of which was the delimitation of their respective spheres of influence in Central Africa.

Maps were annexed to these papers showing the territory which, as Portugal understands, is allowed by the two countries to be reserved to her enterprise. The immense field so coloured in the Maps comprises the entire region lying between Angola and Mozambique, Matabeleland, and the district of Lake Nyassa, up to the latitude of the Rovuma River.

In the districts to which Portugal thus appears to lay a preferential claim, and in which, except near the sea-coast and on portions of the Zambesi River, there is not a sign of Portuguese jurisdiction or authority, there are countries in which there are British Settlements, and others in which Great Britain takes an exceptional interest. Her Majesty's Government feel, therefore, that it is impossible to pass over without notice the official publication of the Maps.

* Published, with Map (facing p. 706), in Portuguese White Book, 1887.

· [Boundary. East Africa (Cape Delgado).]

Her Majesty's Chargé d'Affaires has consequently the honour to state to his Excellency the Minister for Foreign Affairs of His Most Faithful Majesty, under instructions which he has received from Her Majesty's Principal Secretary of State for Foreign Affairs, that the attention of Her Majesty's Government has been directed to the Maps in question, and that Great Britain considers that it has now been admitted in principle by all the parties to the Act of Berlin that a claim of sovereignty in Africa can only be maintained by real occupation of the territory claimed, and that this doctrine has been practically applied in the recent Zanzibar delimitations. Her Majesty's Chargé d'Affaires is instructed to make a formal protest against any claims not founded on occupation, and to say that Her Majesty's Government cannot recognize Portuguese sovereignty in territory not occupied by her in sufficient strength to enable her to maintain order, protect foreigners, and control the natives.

Her Majesty's Chargé d'Affaires is further directed to state that this protest especially applies to the districts of Lake Nyassa occupied by British traders and missionaries, and to Matabeleland, and to point out that, by the decision of the Delagoa Bay Arbitration (24th July, 1875, p. 996), Portugal is debarred from extending her dominion into any part of Tongaland beyond the limits of 26° 30' south latitude.*

British Legation, Lisbon, August 13, 1887.

No. 217.—*EXCHANGE OF NOTES between Germany and Portugal; for the Delimitation of the Possessions of the two Countries in East Africa (Cape Delgado). Lisbon, 30th August—1st September, 1894.*

The German Minister at Lisbon to the Portuguese Minister for Foreign Affairs.

Monsieur le Ministre,

Lisbonne, le 30 Août, 1894.

J'AI eu l'honneur de recevoir la note du 14 courant par laquelle Votre Excellence a bien voulu porter à ma connaissance, que le Gouvernement de Sa Majesté Très Fidèle, dans le but d'arriver à une fin par rapport à la fixation de la frontière qui devra séparer à l'avenir les possessions portugaises et allemandes dans l'Afrique orientale,† avait décidé d'adopter le *modus procedendi* proposé par l'Allemagne, à savoir, celui d'une entente directe entre les deux Gouvernements.

Votre Excellence a bien voulu ajouter, qu'il était bien entendu, que la ligne de frontière devait être celle que le Portugal avait proposée en 1887, une ligne qui, prenant son origine au Nord du Cap Delgado, se dirigerait en parallèle sur le Rovouma; et pour donner à cette ligne une précision orographique, Votre Excellence avait fait valoir la frontière proposée en 1887 au Délégué du Sultan de Zanzibar par le délégué portugais, M. Capello.

* See also Treaty, Great Britain and Portugal, 11th June, 1891, Art. III, p. 1018.

† See Art. II of Declaration between Germany and Portugal of 30th December, 1886 (p. 704).

LAI D BEFORE THE PORTUGU

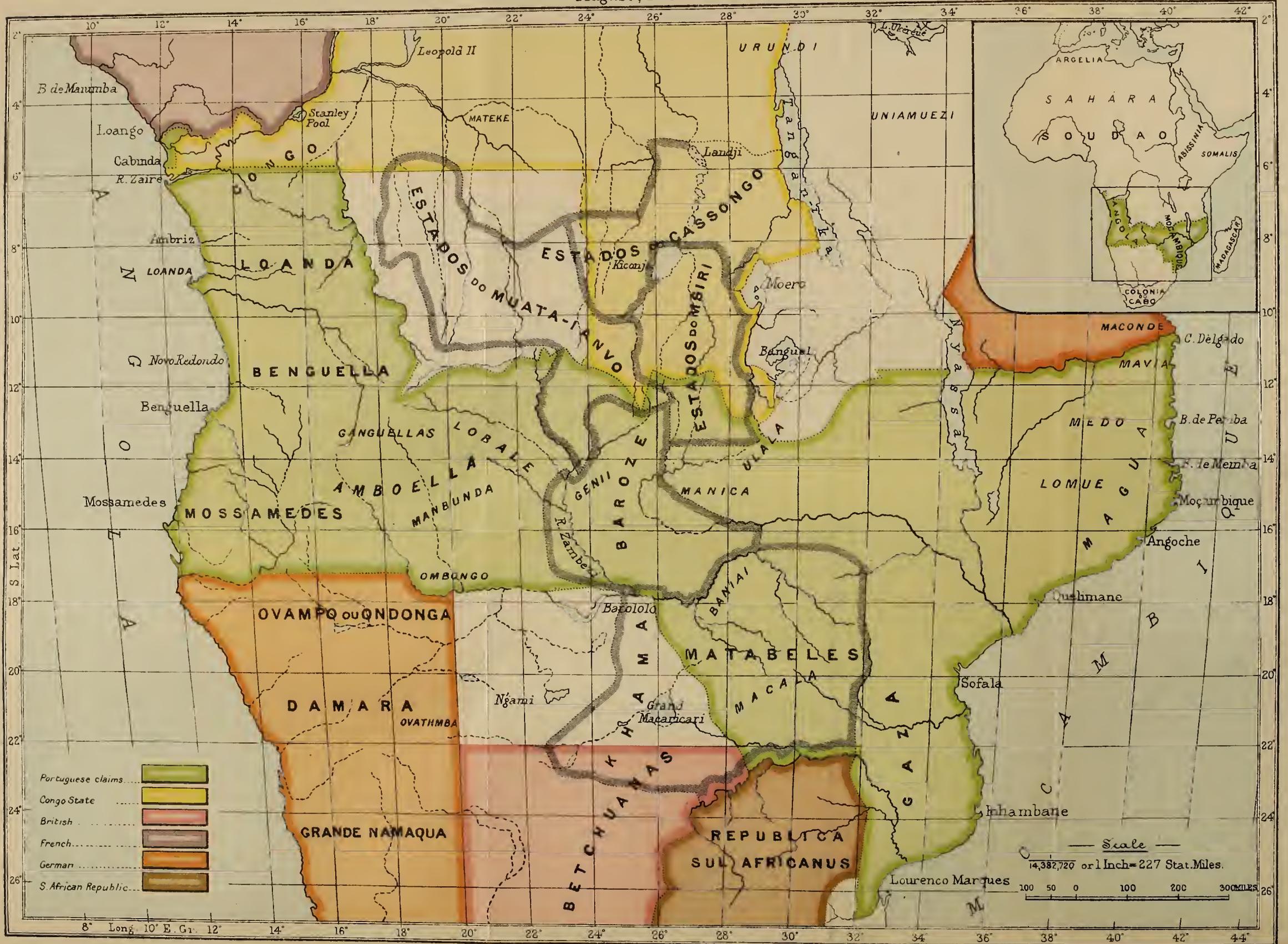
Shewing
TORIES IN AFRICA CLAIMED

August, 1887.



MAP LAID BEFORE THE PORTUGUESE CORTES
 Shewing
 THE TERRITORIES IN AFRICA CLAIMED BY PORTUGAL.
 August, 1887.

To face page 706



Je suis heureux de constater, M. le Ministre, que sous le point de vue matériel de la question nos deux Gouvernements sont parfaitement d'accord, et que, si le Gouvernement de Sa Majesté l'Empereur se voit forcé de remettre à des investigations ultérieures le tracé Capello, la raison n'en est à chercher que dans l'impossibilité dans laquelle se trouve le Gouvernement impérial de contrôler dès à présent ce tracé dans tous ses détails.

C'est pour éviter toute sorte de malentendu et des difficultés ultérieures, qui pourraient surgir de la connaissance imparfaite de l'état orographique des terrains en question, que le Gouvernement Impérial propose au Gouvernement de Sa Majesté Très Fidèle de désigner le parallèle 10° 40' depuis la mer jusqu'au Rovouma, comme la ligne frontière à établir entre les possessions des deux nations, le Cap Delgado restant de cette façon au Portugal, et de se remettre pour l'établissement d'une frontière plus pratique aux travaux orographiques qui pourraient être entrepris à la suite par des commissaires désignés par les deux Gouvernements.

En priant Votre Excellence de vouloir me favoriser aussitôt que faire se pourra, d'une réponse à la présente, je me permets d'ajouter, que, en cas d'une réponse affirmative, l'échange de nos notes serait à considérer comme la finalisation de la présente question, la nouvelle frontière se trouvant de ce fait définitivement établie.

DE BRAY STEINBURG.

A reply to the above in the affirmative was given in Senhor Hinte Ribeiro's note dated 1st September, 1894.

**GREAT BRITAIN AND
FRANCE.**

GREAT BRITAIN AND FRANCE

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[Senegal, Portendic, Gambia, &c.]

No. 218.—*TREATY of Peace between Great Britain and France respecting the Cessions of Territories and Boundary, &c., on the West Coast of Africa. Signed at Versailles, 3rd September, 1783.**

Cession of Senegal, Portendic, &c., to France.

Art. IX.—The King of Great Britain cedes, in full right; and guarantees to His Most Christian Majesty the River Senegal and its Dependencies, with the Forts of St. Louis, Podor, Galam, Arguin,† and Portendic; and His Britannic Majesty restores to France the Island of Gorée, which shall be delivered up in the condition it was in when the conquest of it was made.

Guarantee of British Possession of the River Gambia, &c.

Art. X.—The Most Christian King, on his part, guarantees to the King of Great Britain the possession of Fort James, and of the River Gambia.

Boundary Commissioners to be Appointed.

Art. XI.—For preventing all discussion in that part of the world, the two High Contracting Parties shall, within three months after the exchange of the Ratifications of the present Treaty, name Commissioners, who shall be charged with the settling and fixing of the Boundaries of the respective possessions.

Gum Trade.

As to the Gum Trade, the English shall have the liberty of carrying it on, from the mouth of the River St. John to the Bay and Fort of Portendic inclusively.‡ Provided that they shall not form any permanent settlement, of what nature soever, in the said River St. John, upon the coast, or in the Bay of Portendic.

Access of British and French Subjects to African Coast.

Art. XII.—As to the remainder of the Coast of Africa, the English and French subjects shall continue to resort thereto, according to the usage which has hitherto prevailed.

* Chalmer's Treaties, vol. i, p. 500.

† Ceded by the Netherlands to France, 13th January, 1727. Le Clercq, vol. xv, p. 1.

‡ See Prussian Award, 30th November, 1843, p. 714. See also Convention, 7th March, 1857, p. 716.

[Cession to England of Mauritius, &c.]

No. 219.—*DEFINITIVE TREATY of Peace between Great Britain &c., and France. Signed at Paris, 30th May, 1814.**

Restoration of certain Colonies to France, &c. French Factories, &c., in Africa.

Art. VIII.—His Britannic Majesty, stipulating for himself and his allies, engages to restore to His Most Christian Majesty, within the time which shall be hereafter fixed, the Colonies, Fisheries, Factories, and Establishments of every kind which were possessed by France on the 1st January, 1792, in the Seas and on the Continents of America, AFRICA, and Asia.

Isle of France (Mauritius), Rodrigues, Les Séchelles.

With the exception, however, of the Islands of Tobago and St. Lucia, and of the Isle of France and its Dependencies, especially Rodrigues and Les Séchelles, which several Colonies and Possessions His Most Christian Majesty cedes in full right and sovereignty to His Britannic Majesty, and also the Fortress of St. Domingo, ceded to France by the Treaty of Basle,† and which His Most Christian Majesty restores in right and sovereignty to His Catholic Majesty.

IN 1834 and 1835 war ensued between France and the Trarza Moors, and the measures adopted by the French Government gave rise to numerous Claims on the part of British Merchants engaged in the Gum Trade on that Coast.‡ As no understanding could be arrived at between the British and French Governments with regard to the settlements of those Claims, it was ultimately agreed, by a Declaration signed on the 14th November, 1842,§ to refer the differences which had arisen to the arbitration of the King of Prussia, and the following is a copy of His Majesty's Award.||

No. 220.—*AWARD of the King of Prussia, on the Claims of British Subjects against France, arising out of Measures adopted by the French Authorities in 1834 and 1835, on the Coast of Portendic. Berlin, 30th November, 1843.*

(Translation as laid before Parliament.§)

WE, Frederiek William IV, by the grace of God King of Prussia,

Having accepted the Arbitration which Her Majesty the Queen of Great Britain and Ireland and His Majesty the King of the French committed to our hands, in virtue of a Declaration signed by their respective Plenipotentiaries at Paris on the 14th of November, 1842,

* Confirmed by Art. XI of General Treaty of Paris of 20th November, 1815. See "Map of Europe by Treaty," vol. i, p. 349.

† Concluded between France and Spain, 2nd July, 1795, Art. IX. De Clercq., vol. i, p. 246.

‡ See Treaty, 3rd September, 1783, p. 713.

§ S.P., vol. xxxiv, p. 1064; H.T., vol. viii, p. 992.

|| For French version, see "State Papers," vol. xlii, p. 1377.

[Prussian Award. Portendic Claims.]

in order, by this means, to terminate the difference which has arisen between them on the subject of certain Claims made by British merchants against the French Government, in consequence of the measures adopted by the French authorities in 1834 and 1835 on the Coast of Portendic ;

And having, according to the terms of the said Declaration, to decide, as Arbitrator, upon the question, whether, in consequence of the measures and circumstances which preceded, accompanied or succeeded the establishment and Notification of the Blockade of the Coast of Portendic in 1834 and 1835, a real damage has been unduly occasioned to such or such subjects of Her Britannic Majesty carrying on a regular and lawful traffic upon the said Coast, and whether France is in justice bound to pay such or such class of the said Claimants Indemnifications in proportion to this damage ;

Having, to this end, carefully examined and maturely weighed the contents of the despatches, notes, and other documents which the Envoys Extraordinary and Ministers Plenipotentiary of their said Majesties at our Court have respectively transmitted, under date of the 19th of April last, to our Minister of Foreign Affairs ;

We declare that :—

As to the Claims resulting from the proceedings of the French brig of war “ Le Dunois,” towards the British merchant vessels the “ Governor Temple ” and the “ Industry ” ;

We are of opinion—

That the French Government ought to Indemnify the subjects of Her Britannic Majesty for the losses which they have suffered in consequence of the said proceedings, with the exception, however, of those to which the Claim relates which has been set up relative to the assistant supercargo of the British ship the “ Matchless.”

As to the losses occasioned by the measure to which the British merchant vessel the “ Eliza ” was subjected on the part of the French ships of war which sent her away from Portendic without permitting her first to take on board there the cargo of gum due to her in exchange for goods already delivered to the Moors, sellers of the gum ;

We are of opinion—

That France is equitably bound to pay an Indemnity in proportion to those losses.

As to the other Claims relative to the placing the Coast of Portendic in a state of Blockade by the French Government ;

We are of opinion—

That France ought to Indemnify the Claimants for the damages and losses to which they would not have been exposed if the said Government, when it sent to the Governor of Senegal the order to establish the Blockade, had simultaneously Notified that measure to the British Government ; that France, on the contrary, notwithstanding the omission of such official notification of the Blockade does not owe any Indemnification for the losses incurred in consequence of commercial enterprises in which the Claimants engaged after they had, through other channels, positive knowledge of the formation of the

[Portendic and Albreda.]

Blockade of Portendic, or might, at least have been informed of it in consequence of authentic information in this respect received by the British Government from some British authority in Africa.

With respect to the application of the Award, which we have just delivered, to the individual Claims, as also with respect to the determination of the amount of each of those to which an Indemnification ought to be allowed, these must be performed in conformity with the Declaration of the 14th of November, 1842,* by Commissioners of Liquidation, the one English, the other French, subject to the Arbitration between them in case of need, of an Umpire, whom we shall have to appoint.†

Done in duplicate, and given under our Royal Seal, at Berlin, this 30th day of November, in the year of our Lord 1843.

(L.S.) FREDERICK WILLIAM R.

BULOW.

No. 221.—*CONVENTION between Great Britain and France relative to Portendic and Albreda. Signed at London, 7th March, 1857.‡*

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the Emperor of the French, being desirous to prevent all future cause of misunderstanding with regard to the right of trading at and near Portendic, on the West Coast of Africa, and at Albreda, in the River Gambia, asserted or assumed respectively by the Governments or subjects of Great Britain and France, have resolved to conclude a Convention for that purpose, and have named as their respective Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable George William Frederick, Earl of Clarendon, Baron Hyde of Hindon, a Peer of the United Kingdom, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs; and the Right Honourable Henry Labouchere, a Member of Parliament, Her Britannic Majesty's Principal Secretary of State for the Colonies; and His Majesty the Emperor of the French, the Sieur John Gilbert Victor Fialin, Count of Persigny, his Ambassador to Her Britannic Majesty; who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:—

Surrender of British right to trade from Mouth of St. John River to Portendic.

Art. I.—Her Majesty the Queen of the United Kingdom of Great Britain and Ireland relinquishes the right hitherto enjoyed, under

* S.P., vol. xxxiv, p. 1064; H.T., vol. viii, p. 992.

† The Decisions of the Umpire on this Award were dated Berlin, 20th June, and 3rd Oct., 1844. S.P., vol. xxxiv, pp. 1102, 1105.

‡ Signed in the English and French languages. S.P., vol. xlvii, p. 36.

[Portendic and Albreda.]

Treaty, by the subjects of Her Britannic Majesty, of trading from the mouth of the River St. John to the Bay and Fort of Portendic, inclusively.*

Cession of Albreda to Great Britain.

Art. II.—His Majesty the Emperor of the French cedes to Her Britannic Majesty the French factory or *comptoir* at Albreda, on the north bank of the River Gambia, on the Western Coast of Africa, together with all possessory or other rights whatever appertaining to the said factory.

French Trade on the River Gambia.

Art. III.—Her Britannic Majesty consents that French subjects shall have free access to the River Gambia for the purposes of their commerce.

Right of French Subjects to reside at Bathurst, and elsewhere by permission.

They shall be allowed to reside at the town of Bathurst, and at such other trading station or stations as may hereafter be appointed by Her Britannic Majesty in Council, but not elsewhere ;

Albreda.

Except so far as regards Albreda, where such French subjects as are now resident, and may wish to remain, are authorized so to do by Article IV of the present Convention : conforming themselves, however, to the laws and local regulations which are or may be in force in the British Settlements in the Gambia.

Duties on French Vessels trading in the River Gambia.

French vessels in the River Gambia shall be subject to the same duties, tolls, and regulations as British vessels ; and every article imported or exported in French vessels shall pay the same duty as is or may be imposed upon the like article when imported or exported in British vessels.

French Consular Agent at Bathurst.

The French Government shall be allowed to maintain a Consular Agent at Bathurst ; it being clearly understood that such Consular Agent must first be approved and admitted in the usual manner by the Government of Her Britannic Majesty.

Protection of Persons and Property of French Subjects remaining at Albreda.

Art. IV.—French subjects already settled at Albreda, and who may wish to remain there after the cession to Her Britannic Majesty of the French factory or *comptoir*, shall preserve their property, and the rights attached thereto, and shall be protected and treated in all

* See Treaty, 3rd September, 1783, p. 713.

[Independence of Zanzibar.]

respects in the same manner as all other French subjects in the Possessions of Her Britannic Majesty.

Art. V.—Convention to be ratified.*

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

Done at London, the 7th day of March, in the year of our Lord, 1857.

(L.S.) CLARENDON.

(L.S.) HENRY LABOUCHERE.

(L.S.) F. DE PERSIGNY.

[This Convention was carried into effect by Act of Parliament, 21 and 22 Vict., c. 35. 1858. H. T., vol. x, p. 770.]

No. 222.—DECLARATION *between Great Britain and France, engaging, reciprocally, to respect the Independence of the Sultans of Muscat and Zanzibar.* † Signed at Paris, 10th March, 1862. ‡

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the Emperor of the French, taking into consideration the importance of maintaining the independence of His Highness the Sultan of Muscat and of His Highness the Sultan of Zanzibar, have thought it right to engage reciprocally to respect the independence of these Sovereigns.§

The Undersigned, Her Britannic Majesty's Ambassador Extraordinary and Plenipotentiary at the Court of France, and the Minister Secretary of State for Foreign Affairs of His Majesty the Emperor of the French, being furnished with the necessary powers, hereby declare, in consequence, that their said Majesties take reciprocally that engagement.

In witness whereof, the Undersigned have signed the present Declaration, and have affixed thereto the Seals of their Arms.

Done at Paris, the 10th March, 1862.

(L.S.) COWLEY.

(L.S.) E. THOUVENEL.

* Ratifications exchanged at London, March 25, 1857.

† Signed also in the French language. See S.P., vol. lvii, p. 785.

‡ Acceded to by Germany, 29th October, 1886. See Great Britain and Germany, 29th October—1st November, 1886, p. 882. Modified by Arrangement with France 5th August, 1890, p. 738.

§ See Correspondence, May—August, 1861. S.P., vol. lvi, p. 1396.

[Tunis.]

No. 223.—*NOTES exchanged between the British and French Governments respecting the maintenance of Treaty Rights of Foreign Powers in Tunis. May, 1881.**

(1.) *M. Barthélemy St. Hilaire to Lord Lyons.*

Maintenance of all existing Conventions.

(Extract.)

Paris, 16th May, 1881.

You wish first of all to place on record that I stated to you that the Conventions existing between Tunis and foreign Powers would be maintained and respected. I repeat this assurance to you with greater pleasure because, by a special Article of our Treaty with the Bey,† the French Representative guarantees the execution of all the Conventions of this kind which now exist. It is true that in our recent conversations I spoke to you incidentally of the possibility of a revision of some of these Conventions.

The frankness with which I explained myself to you led me naturally to foresee an occurrence of this kind, for I could not conceal from myself nor conceal from your Excellency the obligations which will devolve by the force of circumstances upon the French Government in consequence of the position which is henceforward assigned to it in Tunis. It is quite evident that, just as the English Government, when it has assumed the responsibility of the administration of foreign countries, has considered that it was bound to alter the existing state of things, and to procure for the populations of which it assumed the guardianship the advantage of a civilized and regular Government, so also France, in whose hands the superintendence of affairs in Tunis is now placed, cannot shirk the duty of inviting that country to share the benefits which our administration has already conferred upon Algeria. But it is no less clear that this work can only be accomplished gradually, and that much time would still be required before Tunis is placed in a position to share a Government similar to that of European nations. In any case, if the improvements which we have in view can only be obtained at the price of certain changes which would affect a state of things assured to-day by Conventions concluded with foreign Powers, our firm resolve is never to proceed with the necessary changes except in agreement with those Powers, and in virtue of a friendly understanding with them.

Confirmation of Rights and Privileges.

The rights and privileges, commercial and otherwise, enumerated in your Excellency's note will therefore be maintained intact so far as they are guaranteed by Treaties until fresh Conventions, fully agreed to, are substituted for the existing arrangements.

* See also Tunis and France, p. 1183. H.T., vol. xviii, pp. 1160—1163.

† S.P., vol. lxxii, p. 248.

[Tunis.]

Creditors on Tunis.

As regards specially the creditors of the Regency, it is certain that the securities which they actually hold will not be in any way impaired, but, on the contrary, we will do our utmost to strengthen them as much as possible.

(2.) *Earl Granville to M. Challemel-Lacour.**

M. l'Ambassadeur,

Foreign Office, 20th May, 1881.

HER Majesty's Government have had under their consideration the notes from M. Barthélemy St. Hilaire on the subject of Tunis, of which copies have been received by Her Majesty's Ambassador at Paris, and have also doubtless been furnished to your Excellency.

In his note of the 14th instant, M. Barthélemy St. Hilaire expresses his sincere satisfaction at the friendly communication which Lord Lyons had made to him on the 10th instant in accordance with my instructions, and states that he is personally happy to think that the explanations which on several occasions he has communicated to his Excellency on the nature and object of the French operations in Tunis have had the effect of causing the enterprise to be regarded in its true light by Her Majesty's Government; and he remarks that the Treaty with Tunis, the substance of which he has communicated to his Excellency, will be readily recognized as in no way affecting the privileges legitimately possessed by other countries.

M. Barthélemy St. Hilaire concludes by expressing the thanks of his Government for the assurances of good-will and courteous offers which Lord Lyons conveyed to him.

Her Majesty's Government are happy to receive and to reciprocate these expressions of friendly feeling. It would be difficult to overrate the importance they attach to the excellent relations which exist between this country and France, the value of which is not confined to the respective nations; but they would be wanting in frankness if they allowed M. Barthélemy St. Hilaire to remain under the impression that the proceedings of the French in Tunis have produced a favourable effect on public opinion in this country.

French Protectorate of Tunis.

Her Majesty's Government do not wish to lay too much stress on the inconsistencies of language in conversation, or on the various reasons which have been given at Paris and at Tunis for French intervention, first as a protection against the alleged designs of the Sultan for the Bey's deposition, and secondly for the punishment of the turbulent frontier tribes. But it can hardly be doubted that the Treaty with Tunis goes far beyond any question of the security of the frontier, and amounts practically to a Protectorate, which they understood to have been disclaimed.

* S.P., vol. lxxiii, p. 495.

[Tunis.]

Maintenance of existing Conventions between Tunis and Foreign Powers.

Her Majesty's Government, however, readily acknowledge the assurance repeated by M. Barthélemy St. Hilaire in his note on the 16th instant that all existing Conventions between Tunis and foreign Powers will be maintained and respected, and this all the more readily because by Article IV of the Treaty with the Bey the French Republic guarantees their execution. Commercial and other rights and privileges will, therefore, remain undisturbed in so far as they are guaranteed by Treaties, unless new Conventions, freely entered into, shall be substituted for the existing arrangements.

Her Majesty's Government take note of this assurance, which they regard as an international engagement, binding upon the French Government in the future.

In order that there may be no misapprehension hereafter, Her Majesty's Government desire explicitly to state that the General Convention of the 19th July, 1875,* between the Governments of Great Britain and Tunis, is and remains in force. This Treaty secures to British subjects, vessels, commerce, and navigation all the privileges, favours, and immunities which might then or thereafter be granted to the subjects, vessels, commerce, and navigation of any other nation whatever. It therefore extends to Great Britain all the advantages conceded by the Bey in other Treaties, including the Treaty between France and Tunis, of the 8th August, 1830,† of which Article VII is as follows :—[“ Les Capitulations faites entre la France et la Porte, de même que les anciens Traités et Conventions passés entre la France et la Régence de Tunis, et nommément le Traité du 15 Novembre, 1824,‡ seront confirmés et continueront à être observés, dans toutes celles de leurs dispositions, auxquelles le présent Acte ne dérogerait pas.”]

Most-favoured-nation Treatment ; Import Duties ; Navigation Dues.

I have to call your Excellency's special attention to the article of the Treaty of 1875 containing the stipulation of most-favoured-nation treatment, as well as to the VIIth Article, by which the Bey engaged not to prohibit the importation into the Regency of any article the produce and manufacture of the British dominions, and that the duties to be levied on such articles should not exceed 8 per cent. *ad valorem*, or an equivalent specific duty fixed by common consent ; and also to the XVIIIth Article, providing for most-favoured-nation treatment in regard to harbour, pilotage, light-house, or quarantine dues.

Financial Commission.

It must not, however, be understood that by specially mentioning these Articles the force of the remaining articles of the Treaty is in

* S.P., vol. lxvi, p. 93.

† S.P., vol. xix, p. 1050.

‡ Treaty originally dated 21st May, 1824, subsequently amended and dated 15th November, 1824. S.P., vol. xiv, p. 712. De Clercq, vol. iii, p. 318.

[Tunis.]

any way to be considered as being in any degree impaired by Article VII of the Treaty of the 12th instant :—

“Le Gouvernement de la République Française et le Gouvernement de Son Altesse Bey de Tunis se réservent de fixer d’un commun accord les bases d’une organisation financière de la Régence, qui soit de nature à assurer le service de la Dette Publique et à garantir les droits des créanciers de la Tunisie.”

If the agreement proposed to be entered into with the Bey is intended to change the constitution of the Financial Commission established by the Bey’s Decree of the 5th July, 1869, after preliminary agreement between the Governments of Great Britain, France, and Italy, and in which British creditors are represented, Her Majesty’s Government think that an opportunity should be given to the creditors of expressing their views on the subjects.

Non-annexation by France of Bizerta or of any other Tunisian Port.

Her Majesty’s Government observe, M. l’Ambassadeur, that M. Barthélemy St. Hilaire repudiates all idea of the annexation by France of the port of Bizerta, or any port whatever of Tunis ; and although he indicates the possibility of encouraging the improvement of the port by private enterprise, he declares that it in no way enters into the projects of the French Government to expend, at the present time, the enormous sums and to commence the immense works necessary for making this position a military port.

Right of British Ships to use Bizerta as a Commercial Port.

I do not think it necessary, M. l’Ambassadeur, to enter into the question of the possible value of Bizerta as a commercial port, further than to observe that if the channel from the sea to the lake is deepened, so as to give access for large vessels, British ships will have, under the Treaty of 1875, a right to use it without being subjected to any higher dues than French or Tunisian vessels.

Her Majesty’s Government feel confident that M. Barthélemy St. Hilaire will appreciate the friendly intentions of Her Majesty’s Government in being thus explicit in their views with regard to the rights of British subjects under existing Treaties, and will accept it as a proof of their earnest desire to prevent any occasion of future misapprehension, and to maintain the good understanding which has so long happily subsisted between the two countries.

I have, &c.,
GRANVILLE.

Note.—On the 15th October, 1889, an Order in Council was passed entitled the “Africa Order in Council, 1889,” but by § 6, Tunis (as well as certain other territories in Africa which were named) was expressly excluded from its local jurisdiction.*

* H.T., vol. xviii, p. 3.

[Territories North of Sierra Leone.]

No. 224.—*CONVENTION between Great Britain and France for the Settlement of Territorial Limits to the North of Sierra Leone. Signed at Paris, June 28, 1882.**

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland and the President of the French Republic, being desirous of settling, in a satisfactory manner, certain questions which have arisen with regard to the extent and limits of the territories occupied or claimed by Great Britain and France respectively in the vicinity of Sierra Leone, on the West Coast of Africa, have, with the view of concluding arrangements for that purpose, named as their respective Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Richard Bickerton Pemell, Viscount Lyons, Her said Majesty's Ambassador Extraordinary and Plenipotentiary to the Government of the French Republic, &c. ; and the President of the French Republic, M. Louis Charles de Saulces de Freycinet, Minister of Foreign Affairs, &c. ; who, after having communicated to each other their respective full powers, found in good and true form, have agreed upon the following Articles :—

Line of Demarcation between British and French Possessions to the North of Sierra Leone.

Art. I.—The line of demarcation between the territories occupied or claimed by Great Britain and France respectively to the north of Sierra Leone, on the West Coast of Africa, shall be drawn between the basins of the Rivers Scarcies and Mellicourie.

The exact position of the said line of demarcation shall be determined by inquiry on the spot, by Commissioners to be appointed for that purpose in the manner provided in Article VII of the present Convention.†

British Control over Scarcies Rivers and French Control over Mellicourie River.

The said line of demarcation shall, however, be drawn in such a manner as to insure to Great Britain the complete control of the Scarcies Rivers and to France the complete control of the Mellicourie River.

Point and Factory of Mahela.

The point and Factory of Mahela and the adjacent water communication shall belong to the nation to which, by the aforesaid inquiry, their possession may be found necessary for the control of the Scarcies Rivers or of the Mellicourie River, as the case may be. If the water communication at Mahela should be found to open into the Mellicourie River as well as into the Scarcies River, the said line of demarcation shall start on the coast from the centre of the stream which joins the

* S.P., vol. lxxvii, p. 1007. See also p. 752.

† See also Arrangement of 10th August, 1889, p. 729, and Annexes, p. 733.

[Territories North of Sierra Leone.]

sea at Mahela, and shall be continued in such manner as to assign to Great Britain the communication with the Scarcies River, and to France the communication with the Mellicourie River.

Island of Yelboyah, &c., to belong to Great Britain.

Art. II.—The Island of Yelboyah, and all islands claimed or possessed by Great Britain on the West Coast of Africa lying to the south of the said line of demarcation as far as the southern limits of the British Colony of Sierra Leone, shall be recognized by France as belonging to Great Britain.

Island of Matacong, &c., to belong to France.

And the Island of Matacong, and all islands claimed or possessed by France on the West Coast of Africa to the north of the said line of demarcation as far as the Rio Nunez, shall be recognized by Great Britain as belonging to France ;

Isles de Los.

With the exception of the Isles de Los, which last-mentioned islands shall continue to belong to Great Britain.*

Withdrawal of British Political Influence.

Art. III.—Her Majesty the Queen of the United Kingdom of Great Britain and Ireland engages to abstain from holding any territory, and from exercising or countenancing the exercise of British political influence in the country lying between the line of demarcation which is to be fixed in accordance with Article I and the Rio Nunez.

Rio Nunez.

It is understood that nothing contained in this Article shall affect any rights which may be possessed by France, on the stream of the Rio Nunez, or to the north of that river.

Withdrawal of French Political Influence.

Art. IV.—The President of the French Republic engages to abstain from holding any territory and from exercising or countenancing the exercise of French political influence in the country lying between the line of demarcation which is to be fixed in accordance with Article I and the northern limit of the Republic of Liberia.

Equality of Treatment of British Subjects and French Citizens in respective Possessions.

Art. V.—British subjects in the French Possessions on the West Coast of Africa, and French citizens in the British Possessions on the

* The Isles de Los, comprising Factory, Crawfords, Jamara, Whites, and Coral Islands which were ceded to Great Britain by the King and Chiefs of the Bago Country on the 6th July, 1818 (see Notes on Sierra Leone, p. 27) ; were ceded by Great Britain to France under Art. VI of the Convention of 8th April, 1904, p. 817.

[Territories North of Sierra Leone.]

West Coast of Africa, shall receive equality of treatment with the citizens or subjects of France and Great Britain respectively as regards the protection of life and property.

Right of British Subjects and French Citizens to hold real Property in respective Possessions.

Art. VI.—The right to hold real property within the British Possessions on the West Coast of Africa shall be accorded to French citizens in the same manner as this right is or may be granted by law to aliens in the United Kingdom of Great Britain and Ireland.

The right to hold real property within the French Possessions on the West Coast of Africa shall be accorded to British subjects in the same manner as this right is or may be granted by law to aliens in France.

Appointment of Boundary Commissioners.

Art. VII.—The Commissioners for determining on the spot the exact position of the line of demarcation provided for in Article I of the present Convention shall be appointed in the following manner, that is to say :—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland shall appoint two Commissioners, and the President of the French Republic shall appoint two Commissioners. The said Commissioners shall meet at Sierra Leone for the purpose of commencing their labours within six months after the ratifications of the present Convention shall have been exchanged, or sooner if possible.

In the event of any question arising upon which the aforesaid Commissioners are not able themselves to come to an agreement, the matter shall be referred for decision to the Governments of the two High Contracting Parties.

Ratifications.

Art. VIII.—The present Convention shall be ratified,* and the ratifications shall be exchanged at Paris, as soon as possible.

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

Done at Paris, the 28th June, 1882.

(L.S.) LYONS.

(L.S.) C. DE FREYCINET.

* The Convention was not formally ratified, but it was accepted by both Powers as a binding arrangement. It was published in the "Journal Officiel" of 28th March, 1883. See p. 752.

No. 225.—*AGREEMENT between the British and French Governments with regard to the Gulf of Tadjourra and the Somali Coast, 2nd 9th February, 1888.**

(1.) *M. Waddington to the Marquis of Salisbury.*

(Translation.)

London, February 2, 1888.

M. le Marquis,

THE Government of the French Republic and the Government of Her Britannic Majesty being desirous of arriving at an agreement with regard to their respective rights in the Gulf of Tadjourra, and on the Somali Coast, I have had the honour to address your Lordship on this subject on several occasions. After a friendly interchange of views we yesterday agreed on the following arrangement :

1. The Protectorates exercised, or to be exercised, by France and Great Britain shall be separated by a straight line starting from a point on the coast situated opposite the wells of Hadou, and leading through the said wells to Abassouen ; from Abassouen the line shall follow the caravan road as far as Bia-Kabouba, and from this latter point it shall follow the caravan route from Zeyla to Harrar, passing by Gildessa. It is expressly agreed that the use of the wells of Hadou shall be common to both parties.

2. The Government of Her Britannic Majesty recognise the Protectorate of France over the coasts of the Gulf of Tadjourra, including the group of the Mushah Islands and the Islet of Bab, situated in the gulf, as well as over the inhabitants, tribes, and fractions of tribes situated to the west of the line above mentioned.

The Government of the French Republic recognise the Protectorate of Great Britain over the coast to the east of the above line as far as Bender Ziadeh,† as well as over the inhabitants, tribes, and fractions of tribes situated to the east of the same line.

3. The two Governments engage to abstain from any action or intervention, the Government of the Republic to the east of the above line, the Government of Her Britannic Majesty to the west of the same line.

4. The two Governments engage not to endeavour to annex Harrar, nor to place it under their Protectorate. In taking this engagement the two Governments do not renounce the right of opposing attempts on the part of any other Power to acquire or assert any rights over Harrar.

5. It is expressly understood that the caravan route from Zeyla to Harrar, by way of Gildessa, shall remain open throughout its extent to the commerce of the two nations as well as to that of the natives.

* See Notes on Somaliland Protectorate (British and French Spheres of Influence), p. 410.

† See Clause 6 of Memorandum in Exchange of Notes between Great Britain and Italy of 19th March, 1907, as to geographical position of Bender Ziadeh, p. 962.

[Gulf of Tadjourra. Somali Coast.]

6. The two Governments engage to take all necessary measures to prevent the slave trade, and the importation of gunpowder and arms in the territories subject to their authority.

7. The Government of Her Britannic Majesty engage to treat with consideration ("bienveillance") those persons, whether chiefs or members of the tribes placed under their Protectorate, who had previously adopted the French Protectorate. The Government of the Republic, on their part, take the same engagement with regard to the persons and tribes placed henceforth under their Protectorate.

I shall be grateful if, in acknowledging the receipt of this note, your Lordship will record officially the Agreement which we have concluded in the names of our respective Governments.

Accept, &c.,

WADDINGTON.

(2.) *The Marquis of Salisbury to M. Waddington.*

Foreign Office, February 9, 1888.

M. l'Ambassadeur,

I have the honour to acknowledge the receipt of your Excellency's note of the 2nd instant, reciting the arrangement upon which we have agreed with regard to the respective rights of Great Britain and France in the Gulf of Tadjourra and on the Somali Coast.

The provisions of this arrangement are as follows :—

1. The Protectorates exercised, or to be exercised, by Great Britain and France shall be separated by a straight line starting from a point on the coast opposite to the wells of Hadou and passing through the said wells to Abassouen; from Abassouen the line shall follow the caravan road as far as Bia-Kabouba, and from this latter point it shall follow the caravan road from Zeyla to Harrar, passing through Gildessa. It is expressly agreed that the use of the wells of Hadou shall be common to both parties.

2. Her Britannic Majesty's Government recognise the Protectorate of France over the coasts of the Gulf of Tadjourra, including the Group of the Mushah Islands and the Islet of Bab, situated in the gulf, as well as over the inhabitants, tribes, and fractions of tribes situated to the west of the line above mentioned.

The Government of the French Republic recognise the Protectorate of Great Britain over the coast to the east of the above line as far as Bender Ziadeh,* as well as over the inhabitants, tribes, and fractions of tribes situated to the east of the same line.

3. The two Governments pledge themselves to abstain from taking any action or exercising any intervention, the Government of the Republic to the east of the above line, Her Britannic Majesty's Government to the west of the same line.

4. The two Governments engage not to endeavour to annex Harrar,

* See Clause 6 of Memorandum in Exchange of Notes between Great Britain and Italy of 19th March, 1907, as to geographical position of Bender Ziadeh, p. 962.

nor to place it under their Protectorate. In taking this engagement the two Governments do not renounce the right of opposing attempts by any other Power to acquire or assert any rights over Harrar.

5. It is expressly agreed that the caravan road from Zeyla to Harrar, by way of Gildessa, shall remain open in its entire extent to the commerce of the two nations, as well as to that of the natives.

6. The two Governments engage to take all necessary measures to prevent the slave trade and the importation of gunpowder and arms in the territories subject to their authority.

7. The Government of Her Britannic Majesty engages to treat with consideration ("bienveillance") those persons, whether chiefs or members of the tribes placed under their Protectorate, who had previously adopted the French Protectorate. The Government of the Republic, on their part, take the same engagement with regard to the persons and tribes henceforth placed under their Protectorate.

I have the honour to state that the arrangement recited in your Excellency's note, of which the above is a textual translation, is accepted by Her Majesty's Government, and will be considered by them as binding upon the two countries from the present date.

In doing so, I will add, for the sake of record, that I understand the third clause of the Agreement to preclude the granting by either party of protection to natives within the Protectorate of the other party; and that I gathered in conversation that your Excellency concurred with me in that opinion.

I have, &c.,

SALISBURY.

Reservation of Rights of the Sultan of Turkey.

(3.) *The Marquis of Salisbury to M. Waddington.*

Foreign Office, February 9, 1888.

M. l'Ambassadeur,

With reference to the note which I have this day addressed to your Excellency, accepting, on behalf of Her Majesty's Government, the arrangement agreed upon between us respecting the British and French Protectorates in the Gulf of Tajourra and on the Somali coast, I think it right to remind your Excellency that I received some months ago a request from the Turkish Ambassador at this Court that in any understanding which might be arrived at on this subject the rights of His Imperial Majesty the Sultan might be respected.

I assured his Excellency, in reply, that the British Government would carefully abstain in the future, as in the past, from any interference with the just rights of the Sultan, and that I was convinced that the Government of the French Republic would act in a similar spirit.

I have, &c.,

SALISBURY.

[Senegambia, North and South of the Gambia, Yarbatenda.]

No. 226.—*ARRANGEMENT concerning the Delimitation of the English and French Possessions on the West Coast of Africa. Signed at Paris, August 10, 1889.**

THE Undersigned, selected by the Government of Her Majesty the Queen of Great Britain and Ireland and by the Government of the French Republic for the purpose of preparing a general understanding with a view to settle all the questions at issue between England and France with regard to their respective possessions on the West Coast of Africa have agreed on the following provisions :—

Senegambia. Line of Demarcation.†

Art. I.—In Senegambia, the frontier line between the English and French possessions shall be established as follows :—

North of the Gambia.

1. To the north of the Gambia (right bank) the line shall start from Jinnak Creek and follow the parallel which, traversing the coast at this point (about 13° 36' north), intersects the Gambia at the great bend it makes towards the north opposite a small island situated at the entrance of Sarmi Creek in the country of Niamera.

Yarbatenda.

From this point the frontier line shall follow the right bank as far as Yarbatenda, at a distance of 10 kilom. from the river.‡

South of the Gambia.

2. To the south (left bank) the line, starting from the mouth of the San Pedro, shall follow the left bank as far as 13° 10' of north latitude. The frontier shall thence follow the parallel which, starting from this point, goes as far as Sandeng (end of the Vintang Creek, English map.)

The line shall then trend upwards in the direction of the Gambia, following the meridian which passes through Sandeng to a distance of 10 kilom. from the river.

The frontier shall then follow the left bank of the river at the same distance of 10 kilom. as far as, and including, Yarbatenda.§

* H.T., vol. xviii, p. 419.

† See Map facing p. 730. See also Annex 2, p. 734; and Procès-Verbal of Delimitation Commissioners, 9th June, 1891, p. 742.

‡ See Annexes, p. 734, and Map facing p. 730.

§ See also Annex 2, p. 734; and Convention, 8th April, 1904, p. 816.

[North of Sierra Leone, Middle and Upper Niger Districts, Gold Coast, Ashantee, Assinee.]

North of Sierra Leone. Line of Demarcation. Mellicourie and Great Scarcies River.

Art. II.*—To the north of Sierra Leone, in accordance with the provisions of the Treaty of 1882 (No. 224),† the line of demarcation, after having divided the basin of the Mellicourie from that of the Great Scarcies, shall pass between Bennah and Tambakka, leaving Talla to England and Tamiisso to France, and shall approach the 10th degree of north latitude, including in the French zone the country of the Houbbous, and in the English zone Soulimaniah and Falabah.

Middle and Upper Niger Districts.

The line shall stop at the intersection of the 13th degree of longitude west of Paris (10° 40' of Greenwich) as marked on the French map, and of the 10th degree of latitude.

Gold Coast. Line of Demarcation. English Frontier.

Art. III.—Sec. 1.‡—On the Gold Coast, the English frontier shall start from the sea coast at Newtown at 1,000 metres to the west of the house occupied in 1884 by the English Commissioners. It shall thence go straight to the Tendo Lagoon. The line shall then follow the left bank of that lagoon and of that of Ahy and the left bank of the River Tanoe or Tendo as far as Nougoua.

Starting from Nougoua, the frontier line shall be fixed in accordance with the various Treaties which have respectively been concluded by the two Governments with the natives. This line shall be prolonged to the 9th degree of north latitude.§

Liberty of English and French Political Action respectively outside Frontier Line. Ashantee, &c.

The French Government shall undertake to allow England full liberty of political action to the east of the frontier line, particularly as regards the Kingdom of the Ashantees: and the English Government shall undertake to allow France full liberty of political action to the west of the frontier line.

Gold Coast.|| Line of Demarcation. French Frontier. Assinee.

The French frontier shall, in like manner, start from the seashore at Newtown at a distance of 1,000 metres to the west of the house

* See also Annex 2, p. 735, Agreement, 26th June, 1891, p. 743, and Agreement, 21st January, 1895, p. 757.

† The Convention of 1882 was not ratified, but it has been accepted by both Powers as a binding arrangement. It was published in the "Journal Officiel" of 28th March, 1883. See p. 752.

‡ See Arrangement, 12th July, 1893, p. 754.

§ For continuation of this line to the northward see Art. I of Anglo-French Convention of 14th June, 1898, p. 785.

|| See Art. V, p. 733, and Arrangement fixing Boundary on the Gold Coast, 12th July, 1893, p. 754.

MAP OF THE RIVER GAMBIA TO ILLUSTRATE ARTICLE I. OF ARRANGEMENT BETWEEN GREAT BRITAIN & FRANCE OF 10TH AUGUST 1889.

To face page 730.



Reduced from Intelligence Department W. O. Map 694.

occupied in 1884 by the English Commissioners. After having reached in a straight line the Tendo Lagoon it shall follow* the right bank of that lagoon and that of Ahy, as well as that of the River Tanoe or Tendo, and terminate at Nougoua, the point at which the two lines of frontier shall unite.

British Custom House at Mouth of the River Tendo.

Sec. 2. In the event of the Gold Coast Government thinking proper to establish a Custom House at the mouth of the River Tendo the French Government will not object to the English authorities requiring from French boats certificates of destination for goods going up the Tendo, in which certificates it shall be specified that the duties payable on goods imported into the French Colony have been paid in full.

Free Navigation on Tendo and Ahy Lagoons and on River Tendo.

The navigation on the Tendo and Ahy Lagoons and on the River Tendo shall be free and open to the boats and inhabitants of the two Protectorates.†

French Custom House at Mouth of the River Tendo.

In the event of the French Government thinking proper to establish a Custom House for the purpose of keeping a similar supervision over the English boats coming from the direction of Apollonia as that exercised over French boats at the mouth of the Tendo, the English Government will raise no objection.

Gold Coast. French adoption of Customs Tariff of Assinee. Duties on Spirituous Liquors.

Sec. 3. The acceptance of the English Government of the above-mentioned lines of frontier remains subject to the adoption by the French Government of a Customs tariff to be established at Assinee, in which the duties upon spirituous liquors shall not be less than 40 fr. the hectolitre for alcohols and trade liquors of less strength than 25 degrees; than 60 fr. the hectolitre for alcohols of 25 to 49 degrees; and 100 fr. the hectolitre for alcohols of 50 degrees and over.

Duties on Tobacco.

Duties upon tobacco in leaf and manufactured shall not be less than 80 centimes the kilogramme.

Duty on Cotton Goods.

Cotton goods shall be liable to a duty of 15 per cent. *ad valorem*.

* "*Approchera*" in the French version.

† See also § 5 of Arrangement of 12th July, 1893, p. 756, relative to the rights of Fishing in the River Tendo; and Exchange of Notes of the 16th June, 1907, p. 861, as to Licences to Dredge in the Neutral Waters of the River Tanoe (Tendo).

[Slave Coast, Kotonou, &c.]

Slave Coast. Demarcation of Spheres of Influence. Porto Novo and Lagos.

Art. IV.—Sec. 1. On the Slave Coast, the line of demarcation between the spheres of influence of the two Powers shall be identical with the meridian which intersects the territory of Porto Novo at the Ajarra Creek, leaving Pokrah or Pokéa to the English Colony of Lagos. It shall follow the above-mentioned meridian as far as the 9th degree of north latitude, where it shall stop.*

Appah to remain to England.

To the south it shall terminate on the sea-shore after having passed through the territory of Appah, the capital of which shall continue to belong to England.†

Free Navigation of the Ajarra and Addo River.

The navigation of the Ajarra and of the River Addo shall be free and open to the inhabitants and boats of both Protectorates.

Slave Coast. Liberty of the French to Trade with the Egbas, &c.

Sec. 2. French traders shall be guaranteed full liberty of trade with such districts as shall not be included in the French sphere of influence, and especially as regards the Egbas.

English Trading Privileges.

English traders shall likewise be guaranteed full liberty of trade with such districts as shall not be included in the English sphere of influence.

Protection to be afforded to Inhabitants of Katanu and French Portion of Appah. Liberty to Emigrate.

Sec. 3. Guarantees shall also be given in favour of the inhabitants of Katanu and of the French portion of the territory of Appah. These inhabitants shall be free to leave the country should they so desire, and those who remain shall be protected by the French authorities against any act of aggression on their persons, their position, or their property on the part of the King of Porto Novo or of his people.

Similar Guarantees to Inhabitants of Pokrah.

Similar guarantees shall be given in favour of the inhabitants of the territory of Pokrah.

British and French Spheres of Action.

Sec. 4. It is furthermore agreed that (1) the English Government shall have full liberty of political action to the east of the frontier line ;

* See Report of Boundary Commissioners, Lagos and Dahomey, 12th October, 1896, p. 780; Art. II of Convention between Great Britain and France of 14th June, 1898, p. 786; and Agreement of 19th October, 1906, p. 849.

† A letter was addressed by the Colonial Secretariat at Lagos to the various foreign Consuls at that place, on the 18th March, 1883, announcing that the British flag had, on the 15th of that month, been hoisted, and British protection extended over the people and territory of Appah.

[Slave Coast. North of Sierra Leone.]

and that (2) the French Government shall have full liberty of political action to the west of the frontier line.

Non-establishment of Custom-House between Pokrah and Addo.

Sec. 5. In consequence of the understanding defined as above, and with a view to obviate any conflict to which the daily relations of the inhabitants of the Porto Novo country with those of Pokrah might give rise if a Custom House were to be established by one or other of the Contracting Parties on the Ajarra Creek, the English and French Delegates agree in recommending to their respective Governments the neutralization, from a Customs point of view, of that portion of the territory of Pokrah which is comprised between the Ajarra Creek and the Addo until such time as a definitive Customs Agreement can be arrived at between the French establishments of Porto Novo and the Colony of Lagos.

*Appointment of Special Boundary Commissioners.**

Art. V.—The two Governments reserve to themselves the right of nominating Special Commissioners of Delimitation to trace upon the spot wherever they may consider it necessary the line of demarcation between the English and French Possessions, in conformity with the general provisions which are set forth above.

In witness whereof the undersigned Delegates have drawn up and signed the present Agreement, subject to the approval of their respective Governments.†

Done at Paris, in duplicate, the 10th day of August, 1889.

EDWIN H. EGERTON.

AUGUSTUS W. L. HEMMING.

A. NISARD.

JEAN BAYOL.

ANNEX 1.‡—*French Route of Communication between Mellacoree (or Mellicourie) and the French Soudan (South of Fouta Djallon)—(North of Sierra Leone).*

The line of demarcation laid down in Article II of the Agreement shall be determined on the spot by English and French Delegates named for that purpose.

It is understood that these Delegates, keeping in view the conclusions of the Commission charged with drawing up the Agreement in question, shall mutually endeavour to find means of assuring to France a route of communication to the south of Fouta Djallon between Mellacoree and the French Soudan, which shall, however, in no way interfere with the possession by England of the road between Kambia and Falabah, which shall in principle be identical with the route followed by Blyden in 1872 to the latter place.

* See] Arrangement, fixing Boundary on the Gold Coast, 12th July, 1893, p. 754.

† See Exchange of Notes, 2nd and 19th November, 1889, p. 736.

‡ See also Agreement of 21st January, 1895, p. 757.

[North and South of the Gambia. Yarbatenda.]

ANNEX 2.

Senegambia. North of the Gambia. Jinnak Creek.

Sec. 1. The expression "Jinnak Creek," as a point of departure of the line of frontier on the north of the Gambia,* shall mean that point of the continent where the Jinnak flows into the sea, as shown on the English map numbered 684.

Sec. 2. The expression "the line shall start from Jinnak Creek and follow the parallel which, traversing the coast at this point (about 13° 36' north), intersects the Gambia at the great bend," &c., shall signify that the frontier line shall follow the parallel from the middle of the channel of the mouth of the Jinnak (which shall be understood as explained in Section 1), till it reaches a point 10 kilom. from the Gambia, as set forth below (Section 3).

Yarbatenda.

Sec. 3. "From this point the frontier line shall follow the right bank as far as Yarbatenda,† at a distance of 10 kilom. from the river," shall signify that from the point where the parallel of the Jinnak Creek (as set forth above) reaches a distance of 10 kilom. from the Gambia, the frontier line shall be drawn in such a way as always to be at an equal distance of 10 kilom. from the nearest point of the bank of the river.

South of Gambia.

Sec. 4. "The line, starting from the mouth of the San Pedro, shall follow the left bank as far as 13° 10' of north latitude." In the event of its being found that neither the San Pedro nor any of its branches meets the parallel 13° 10' of north latitude, the frontier shall follow that parallel from the shore.

Sec. 5. The expression "as far as Sandeng," shall be considered as including Sandeng, within British territory, and in the event of this parallel (13° 10' of north latitude) being found not to touch Vintang Creek then the frontier line would stop at the meridian which passes 1 kilom. east of Sandeng, or if the parallel 13° 10' (north) should be found to meet the Vintang Creek below Sandeng, the expression would be taken to mean that the frontier should follow the left bank of the Creek from the point where it is met by the 13° 10' parallel (north) to the meridian which passes 1 kilom. east of Sandeng.

Yarbatenda.‡

Sec. 6. "Including Yarbatenda" shall be taken to mean that the frontier line shall be drawn round and beyond Yarbatenda, at a radius of 10 kilom. from the centre of the town; § and in the event of its being

* See Art. I., p. 729.

† See also Section 6, on this page.

‡ Modified by Art. V of the Anglo-French Convention of 8th April, 1904 (p. 817), so as to give to France Yarbatenda and the lands and landing-places belonging to that locality.

§ Yarbatenda is not strictly a town but a landing-place. The meaning of the word is "Strangers' Wharf." The so-called "town" consists of the huts of the traders put up during the trading season and deserted during the rains.

[Sierra Leone. Gold Coast.]

found that a circle so drawn would intersect the bend of the river east of Yarbatenda, then the frontier line, from the point where such circle should be found to cut the river, would follow the nearest bank till it meets a fresh intersection of the river (by the circle).

Sec. 7. The English map, "Intelligence Department Map, 684," has been used in defining this part of the frontiers.

Sierra Leone. Mellacoree and Scarcies Rivers.*

Sec. 1. "In accordance with the provisions of the Treaty of 1882, (No. 224) the line of demarcation, after having divided the basin of the Mellacoree from that of the Great Scarcies," shall be taken to mean: in accordance with Article I of the Convention of 1882,† which says, "The said line of demarcation shall be drawn in such a manner as to insure to France the complete control of the Mellacoree River, and to Great Britain the complete control of the Scarcies Rivers. The point and factory of Mahela, as well as the adjacent water communication, shall belong to the nation to which, by the aforesaid inquiry, their possession may be found necessary for the control of the Mellacoree or of the Scarcies Rivers, as the case may be. If the water communication at Mahela should be found to open into the Mellacoree as well as into the Scarcies River, the said line of demarcation shall start on the coast from the centre of the stream which joins the sea at Mahela, and shall be continued in such manner as to assign to Great Britain the communication with the Scarcies River, and to France the communication with the Mellacoree River."

Sec. 2. The expression "the line of demarcation shall pass between Bennah and Tambakka" shall be taken literally, in so far as it is in conformity with the above-mentioned Convention, in order that the complete control of the Scarcies may be assured to Great Britain and that of Mellacoree to France.

In the event of Bennah or Bannah being found to extend into the basin of the Great Scarcies, then this Convention shall be modified in such a way as to make the right bank of the Scarcies itself form the boundary at this part of its course.

Sec. 3. The map which has been consulted is "La Carte des Établissements Français du Sénégal," by M. Monteil, 1886.‡

Gold Coast.§ Assinee.

Sec. 1. As far as regards the frontier line between the sea and Tendo Lagoon, the expression "straight" shall be taken to mean straight towards the true north.

* See also Agreement of 21st January, 1895, p. 757.

† The Convention of 1882 was not ratified, but it has been accepted by both Powers as a binding arrangement. It was published in the "Journal Officiel" of 28th March, 1883. See p. 752.

‡ The full title of this Map is, "Carte des Établissements Français du Sénégal dressée par ordre de M. le Sous-Secrétaire d'État au Ministère de la Marine et des Colonies par M. Monteil, Capitaine d'Infanterie de Marine, Offr. d'Académie, Chef de la Mission Topographique du Haut Sénégal (1884—85), avec la Collaboration de M. Binger, Lieut. d'Infanterie de Marine d'après les documents les plus récents, les travaux des diverses Missions Topographiques et ceux de M. Regnaud de Lannoy de Bissy, Chef de Bataillon du Génie."—Paris, 1886.

§ See Arrangement, fixing Boundary on the Gold Coast, 12th July, 1893, p. 754.

[Approval, West Coast Agreement.]

The “ map showing the towns and villages visited by the Assinee Boundary Commissioners in December, 1883, and January, 1884,” has served for the description of this part of the frontier as far as Nougoua.

Porto Novo.

Sec. 1. “ The meridian which intersects the territory of Porto Novo at the Ajarra Creek ” shall be taken to mean :—

1. (To the north of the Porto Novo Lagoon) the middle of the stream of the Ajarra or Ajera River to the point where the said river ceases to separate the Kingdom of Porto Novo from that of Pokrah, and from thence the meridian thereof as far as the 9th parallel of north latitude.

2. (To the south of the Porto Novo Lagoon) the meridian of the middle of the Ajarra River, where it flows into the Porto Novo Lagoon.

The frontier line has been based in this Convention upon the sketch survey of the inland water communication in the Colony of Lagos, by Harbour-Master Speeding, 1886.

No. 227.—*EXCHANGE OF NOTES recording approval of above Agreement by British and French Governments. 2nd—19th November, 1889.*

(1) *The Earl of Lytton to M. Spuller.*

Paris, November 2, 1889.

The Undersigned, Her Britannic Majesty’s Ambassador Extraordinary and Plenipotentiary, has the honour to notify to the Government of the Republic that Her Majesty’s Government approves the Agreement come to and signed in Paris on the 10th August last (**No. 226**) by the Delegates appointed by the Foreign and Colonial Departments of their respective Governments to prepare a settlement of the questions at issue on the West Coast of Africa between the Government of the French Republic and Her Majesty’s Government.

While announcing the adhesion of his Government to this Agreement (of which a copy in English translation is inclosed herewith), the Undersigned trusts that the Government of the Republic may think fit also to give their assent to the conclusions come to by their Delegates, and that the same friendly spirit which has animated the two Governments in initiating this Agreement may continue to animate the carrying out thereof by their Representatives on the West African Coast and he avails himself of the present opportunity to renew, &c.

LYTTON.

[Approval, West Coast Agreement.]

(2) *M. Waddington to the Marquis of Salisbury.*

(Translation.)

M. le Marquis,

London, November 19, 1889.

ON the occasion of the signature of the Arrangement respecting the delimitation of the English and French possessions on the West Coast of Africa, it was agreed that the terms come to by the Delegates of the two countries should be submitted for the approval of their respective Governments, and that in the event of the latter giving their adhesion, there should be an exchange of Identic Notes.

Her Britannic Majesty's Ambassador at Paris having informed M. Spuller that Her Majesty's Government agreed to the Arrangement in question, I have been instructed by my Government to make a similar communication to your Lordship in the name of the Republic.

I have accordingly the honour to inclose to you herewith a Note addressed to Her Majesty's Government, together with a copy of the Arrangement alluded to above.

I have, &c.,

WADDINGTON.

(3) *M. Waddington to the Marquis of Salisbury.*

(Translation.)

London, November 19, 1889.

THE Undersigned, Ambassador to the French Republic, has the honour to inform the Government of Her Majesty the Queen of Great Britain and Ireland that the Government of the French Republic approves the Agreement come to on the 10th August last by the Foreign and Colonial Departments of their respective Governments on the West Coast of Africa to prepare a settlement of the questions at issue between the Governments of the French Republic and that of the Queen.

In thus communicating the accession of his Government to the Arrangement in question, of which a copy in French is inclosed herewith, the Undersigned expresses the hope that Her Majesty's Government will also see fit to give their assent to the conclusions come to by their Delegates, and that the same friendly spirit by which the two Governments have been animated in everything concerning this Arrangement will continue to prevail during its execution by their Representatives on the West Coast of Africa.

The Undersigned, &c.

WADDINGTON.

[Zanzibar and Pemba.]

No. 228.—*DECLARATION between the British and French Governments with respect to Zanzibar and Pemba. Signed at London, 5th August, 1890.**

Modification of Arrangement of 10th March, 1862. French Recognition of British Protectorate over Islands of Zanzibar and Pemba.

THE Undersigned, duly authorized by Her Britannic Majesty's Government, declares as follows :—

In conformity with the request which has been made by the Government of Her Britannic Majesty, the Government of the French Republic consents to modify the Arrangement of the 10th March, 1862 (**No. 222**), in regard to the Sultan of Zanzibar, and engages, consequently, to recognize the British Protectorate over the Islands of Zanzibar and Pemba as soon as they shall have received notification of the same.†

Protection of Missionaries. Religious Liberty. Freedom of Worship.

In the territories in question, the missionaries of both countries shall enjoy a complete protection. Religious toleration, and liberty for all forms of worship and religious training, shall be guaranteed.

French Rights, &c., not to be affected.‡

It is understood that the establishment of this Protectorate will not affect any rights or immunities enjoyed by French citizens in the territories in question.||

SALISBURY.
WADDINGTON.

London, 5th August, 1890.

No. 229.—*DECLARATION between the British and French Governments, respecting Madagascar and the French Sphere of Influence South of her Mediterranean Possessions. Signed at London, 5th August, 1890.¶*

British Recognition of French Protectorate over Madagascar. British Consular Exequaturs.

THE Undersigned, duly authorized by Her Britannic Majesty's Government, declares as follows :—

* See also Declaration of same date respecting Madagascar on this page.

† See Arrangement between Great Britain and Germany of 29th October—1st November, 1886, p. 882.

‡ See Brussels Act for Suppression of the Slave Trade, &c., 2nd July, 1890, Art. 96, p. 516.

|| See Agreement of $\frac{13th}{18th}$ May, 1904, relative to the suppression of French Consular Jurisdiction in Zanzibar, p. 317.

¶ See also Declaration of same date respecting Zanzibar on this page, and note, p. 672.

[Madagascar. French Sphere of Influence. Saye, on the Niger, to Barruwa, on Lake Tchad.]

I. The Government of Her Britannic Majesty recognizes the Protectorate of France over the Island of Madagascar,* with its consequences, especially as regards the exequaturs of British Consuls and Agents, which must be applied for through the intermediary of the French Resident General.

Missionaries. Religious Liberty, Worship, and Teaching.

In Madagascar the missionaries of both countries shall enjoy complete protection. Religious toleration, and liberty for all forms of worship and religious teaching, shall be guaranteed.

British Rights, &c., not to be affected.

It is understood that the establishment of this Protectorate will not affect any rights or immunities enjoyed by British subjects in that island.†

British Recognition of French Sphere of Influence South of her Mediterranean Possessions. Niger Company. Sokoto.

II. The Government of Her Britannic Majesty recognizes the sphere of influence of France to the south of her Mediterranean Possessions, up to a line from Saye on the Niger, to Barruwa on Lake Tchad, drawn in such manner as to comprise in the sphere of action of the Niger Company all that fairly belongs to the Kingdom of Sokoto; the line to be determined by the Commissioners to be appointed.‡

Boundary Commissioners to be appointed.||

The Government of Her Britannic Majesty engages to appoint immediately two Commissioners to meet at Paris with two Commissioners appointed by the Government of the French Republic, in order to settle the details of the above-mentioned line.¶ But it is expressly understood that even in case the labours of these Commissioners should not result in a complete agreement upon all details of the line, the Agreement between the two Governments as to the general delimitation above set forth shall, nevertheless, remain binding.

The Commissioners will also be intrusted with the task of determining the respective spheres of influences of the two countries in the region which extends to the west and to the south of the Middle and Upper Niger.§

SALISBURY.
WADDINGTON.

London, 5th August, 1890.

* For Treaty between France and Madagascar of 17th December, 1885, see p. 670.

† See Commercial Treaty between Great Britain and Madagascar, 27th June, 1865, H.T., xii, 634; Declaration, 16th February, 1883, H.T., vol. xv, p. 1029; and Agreement, 25th May, 1883, H.T., vol. xv, p. 1032.

‡ See Exchange of Notes between Great Britain and France of $\frac{5th}{6th}$ August, 1890, respecting the Sultan of Turkey's rights in regions on the southern frontier of his Tripolitan dominions, p. 740.

¶ See Agreement, 26th June, 1891, p. 743.

§ Approved by the British and French Governments, 14th September, 1891.

§ See Arrangement, fixing Boundary on the Gold Coast, 12th July, 1893, p. 754.

No. 230.—*NOTES* exchanged between Great Britain and France recording that the Anglo-French Declaration of the 5th August, 1890, relative to their Territories in Africa, do not affect Turkish rights in regions lying on the Southern Frontier of Tripoli. London, 5th and 6th August, 1890.

(1) *The Secretary of State for Foreign Affairs to the French Ambassador in London.*

Monsieur l'Ambassadeur, *Foreign Office, 5th August, 1890.*

IN signing the arrangement of the same date as this note (**No. 229**), I desire to record that it does not affect any rights which His Imperial Majesty the Sultan may have in the regions which lie on the southern frontier of his Tripolitan dominions.

SALISBURY.

M. Waddington.

(2) *The French Ambassador in London to the Secretary of State for Foreign Affairs.*

*Ambassade de France,
Londres, le 6 Août, 1890.*

Monsieur le Marquis,

Je m'empresse de vous accuser réception de votre lettre en date du 5 de ce mois, et de vous confirmer que le Gouvernement de la République est entièrement d'accord avec celui de Sa Majesté la Reine pour respecter scrupuleusement les droits qui peuvent appartenir à Sa Majesté Impériale le Sultan dans les régions situées sur la frontière sud de ses provinces tripolitaines.

Veillez, &c.,

WADDINGTON.

Le Marquis de Salisbury.

The following Note was addressed by the Turkish Government to its Representatives in London and Paris reserving Ottoman rights over the *hinterland* of Tripoli :—

“ 30 Octobre 1890.

“ Votre Excellence sait qu'en signant, le 5 aout dernier, les arrangements intervenus entre eux au sujet de l'Afrique, le Gouvernement Britannique et le Gouvernement Français ont échangé des notes pour constater leur parfait accord de respecter scrupuleusement les droits appartenant à S. M. I. le Sultan au sud des provinces de ses possessions tripolitaines.

“ Cependant, afin de prévenir toute équivoque, le Gouvernement impérial croit devoir déclarer que dans la partie méridionale de la Tripolitaine, du côté du grand Sahara, en dehors des districts de Gadames, de Gath (Rhath), d'Argar (Asdjer) Touareg, de Mourzouk (chef lieu du Fezzan), de Ghatroun, de Tidjerri et de leurs dépendances,

[Turkish Rights. Tripoli Hinterland.]

qui sont tous administrés par les autorités impériales, les droits de l'empire doivent d'après les anciens titres et la doctrine même du *hinterland*, s'entendre sur les territoires compris dans la zone déterminée ci-après. La ligne de cette zone, partant des environs de la frontière méridionale de la Tunisie, du point connu sous le nom de Bin Turki, au nord-est de Berresoh, descend vers Bornou en passant à l'ouest de Gadames et d'Argar Touareg, et en comprenant les oasis de Djebado et d'Agram. Elle passe ensuite entre les limites de Sokoto et de Bornou, pour aboutir à la frontière septentrionale de Cameroun, et suite de là vers l'est la ligne du partage des eaux entre le bassin du Congo et celui du Tchad, de façon à englober les territoires de Bornou, Baghirmi, Ouadaï, Kanem, Ouanianga, Borkou et Tibetsi, laissant ainsi en notre possession la grande route des caravanes qui va de Mourzouk à Kouka par les oasis du Yah, de Kaouar et d'Agadan.

“ Votre Excellence verra, par le tracé de la ligne décrite ci-dessus, que la localité de Barrowa sur le lac Tchad reste dans la sphère d'action du Gouvernement Impérial.

“ Les raisons qui militent en faveur de notre point de vue consistent dans le fait que, la route des caravanes de Mourzouk à Kouka devant nécessairement rester à l'empire, on ne peut laisser en d'autres mains la susdite localité de Barrowa qui se trouve précisément sur la même route de caravanes et non loin de Kouka.

“ Il est vrai que l'Article II de la Déclaration Franco-Anglaise du 5 août semble comprendre Borrowa (sur le lac Tchad) dans la zone d'influence de la France ; mais, outre la double considération que cette localité n'a pas, que nous sachions, appartenu jusqu'ici à une puissance quelconque, et que géographiquement même, ainsi que d'après la doctrine du *hinterland*, au lieu de faire partie de la zone Française elle revient à celle de l'empire pour les raisons plus haut exposées, il y a lieu ne pas perdre de vue que le texte même de l'Article susvisé porte, dans son second alinéa, que la ligne doit être tracée de façon à comprendre dans la zone d'action de la Compagnie du Niger tout ce qui appartient équitablement au royaume de Sokoto. Or, comme le tracé contourne Sokoto sans y toucher, et englobe seulement Bornou, et comme, d'autre part, Bornou est bien en deçà de Sokoto, nous sommes en droit de croire que ce tracé ne pourra pas donner lieu à une objection fondée.

“ Je prie Votre Excellence de vouloir bien notifier par écrit ce qui précède au Gouvernement près duquel Elle est accréditée, afin que, lors de la délimitation de la ligne à déterminer suivant l'Article II susmentionné, il ne soit point empiété sur notre zone d'influence, et tenir mon département au courant des phases futures de cette question et du résultat de ses démarches.

“ SAID.”

No. 231.—*PROCES-VERBAL*, signed by the British and French Commissioners for the delimitation of the Possessions of the two Countries in the Gambia. Bathurst, 9th June, 1891.*

LES Soussignés délégués par le Gouvernement de la République Française et par le Gouvernement de S. M. la Reine de la Grande-Bretagne et d'Irlande pour procéder à la délimitation des possessions Françaises et Anglaises de la Gambie d'après l'arrangement intervenu le 10 Août 1889 (**No. 226**), ont déterminé les frontières ainsi qu'il suit :

1. Au nord de la Gambie la frontière part du pilier érigé le 1^{er} Janvier, 1891, à 20 mètres du bord de la mer au point où aboutit la ligne passant par le milieu de la crique Djinnack par $13^{\circ} 35' 36''$ de latitude nord et par $18^{\circ} 53' 04''$ de longitude ouest (méridien de Paris).

A partir de ce pilier, la frontière suit le parallèle $13^{\circ} 35' 36''$ jusqu' à 10 kilomètres du grand coude de la Gambie où une pyramide de pierres a été érigée le 5 février. Cette pyramide est située à 330 mètres au sud du village de M'Bayen.

La ligne frontière longe ensuite la rive droite de la Gambie à une distance de dix kilomètres.

2. Au sud de la Gambie, la ligne frontière par de l'embouchure de la rivière Aleine (San Pedro), remonte la rive gauche de cette rivière jusqu' à sa rencontre avec la trace du parallèle $13^{\circ} 10'$ de latitude nord. A ce point où le 6 Mars un ronier situé à 37 mètres à l'est de la rivière a été érigé en pilier, la frontière abandonne la rivière pour suivre le parallèle $13^{\circ} 10'$ jusqu' à sa rencontre avec le méridien passant par $18^{\circ} 06' 56''$ à l'ouest de Paris. Au point d'intersection à 780 mètres au sud et à 318 mètres à l'est du village de Kousambou, une pyramide de pierres a été élevée le 20 Avril. A partir de ce point, la frontière suit le méridien $18^{\circ} 06' 56''$, franchit la rivière Vintang, passe à un kilomètre à l'est de Sandeng et s'arrête à dix kilomètres au sud de la Gambie où une nouvelle pyramide de pierres a été élevée le 25 Avril. A partir de cette pyramide, la frontière suit la rive gauche de la Gambie à une distance de 10 kilomètres.

3. Pour la délimitation de la haute Gambie le cours du fleuve a été relevé très exactement et huit points de la frontière, les plus importants, ont ensuite été déterminés.

Ces points sont :—

(1.) Le point où la frontière coupe la Gambie à une distance de 10 kilomètres au N.E. de Yarboutenda. Ce point est déterminé par une planchette indicatrice fixée à un arbre sur la rive gauche du fleuve.

(2.) Le point situé à 10 kilomètres à l'est de Yarboutenda dans la direction du coude du fleuve. Ce point déterminé sur le terrain est situé à 1 kilomètre 500 mètres à l'ouest du coude de la Gambie.

(3.) La frontière a été déterminée sur la route de Soulounda dans le Kantora.

* The line here laid down was modified by the Boundary Commissioners of 1895-96, 1898-99 and 1904-05. See also modifications as regards Yarbata, Art. V of Convention of the 8th April, 1904, p. 817.

[Middle and Upper Niger Districts and Gold Coast.]

(4.) Sur la route de Sine dans le Ouli.

(5.) Sur la rivière de Touba-Couta qui sert de limite entre le Ouli et le Sandougou.

(6.) Sur la rivière Sandougou (Crique Countiao) qui sépare le Niani du Sandougou.

(7.) Au nord de Mac Carthy où une pyramide de pierres a été élevée.

(8.) Au sud de Mac Carthy où un arbre a été marqué.

Pour le détail des lignes frontières, il y a lieu de se reporter aux cartes topographiques qui ont été dressées d'après les travaux faits en commun par les deux Commissions.

Fait en double expédition à Bathurst le 9 Juin 1891.

A. H. KENNEY, *Capt., R.E.*,
British Commissioner.

Commission Française.

C. AUBRY LECOMTE,
Administrateur Colonial.

PINEAU,
Capitaine d'Inf^{ie} de Marine.

[See also Report of Commissioners as to position of Panchang and Niambuntang, dated 8th May, 1893, p. 754.]

No. 232.—*AGREEMENT between Great Britain and France, for the Demarcation of Spheres of Influence in Africa (Middle and Upper Niger Districts and Gold Coast). Signed at Paris, 26th June, 1891.**

(Translation.)

THE Undersigned, Plenipotentiaries charged in execution of the Declarations exchanged at London on the 5th August, 1890 (**No. 229**), between Her Britannic Majesty's Government and the Government of the French Republic to proceed to the laying down a line to delimit the respective spheres of interest of the two countries in the districts south and west of the Middle and Upper Niger, have agreed as follows :—

Middle and Upper Niger.†

The Technical Commissioners, who are to be appointed by the English and French Governments in accordance with Article II of the Arrangement of the 10th August, 1889 (**No. 226**), for the purpose of defining the two spheres, shall, as far as possible, follow, as laid down in the said Arrangement, the line of the meridian 13 west of Paris,‡ starting from the 10th degree of latitude and going southward. In laying down the frontier in general accordance with this meridian,

* Approved by the British and French Governments, 14th September, 1891.

† See also further Agreement of 21st January, 1895, p. 757.

‡ 10° 40' meridian west of Greenwich.

[Gold Coast.]

they shall be authorized if they so agree to take into consideration the nature of the ground and local circumstances, and to deflect the line of demarcation to east or west of the meridian, taking care not to give any advantage to one without allowing equitable compensation to the other. These modifications shall not, however, be considered as definite till they have been ratified by the two Governments.

It is agreed that the frontier-line shall, as much as possible, follow the west of the heights which, according to M. Monteil's map,* border the left bank of the Niger, between the 10th degree and Tembé Counda.

In case, however, the watershed shall not be such as is shown on M. Monteil's map, the Commissioners of the two countries may trace the frontier without regard to it, on the express understanding that both banks of the Niger shall remain in the sphere of French influence.

By the term Niger is understood the Djalibi, and its two principal headstreams, the Fatiko and the Tembé. In the afore-mentioned case the frontier line from the 10th degree to Tembé Counda shall follow at a distance of 10 kilom. the left bank of the Djalibi, the Fatiko, and finally of the Tembé, if necessary, up to its source.

In case the mountain ridge shall be found to be nearer the left bank of the Niger, the frontier shall follow the line of the watershed.

Gold Coast.†

The Technical Commissioners who are nominated by the two Governments in accordance with Article III of the Agreement of the 10th August, 1889 (No. 226), shall be instructed to trace the frontier in accordance with the following indications taken from M. Binger's map‡:—

The line would follow the frontier of Nougoua on the Tanoé, between Sanwi and Broussa, Indenié, and Sahué, leaving Broussa, Aowin, and Sahué to England; the frontier would then intersect the road from Annibilekrou to Cape Coast Castle, midway between Debison and Atiebendekrou, and follow the direct road from Annibilekrou to Bondoukou, by Bodomfil and Dadiasi, at a distance of 10 kilom. to the eastward. It would then pass Bonko, so as to strike the Volta at the spot where that river is intersected by the road from Bandagadi to Kirhindi, and would follow the river as far as the 9th degree of north latitude.

EDWIN HENRY EGERTON.
JOSEPH ARCHER CROWE.
GABRIEL HANOTAUX.
JACQUES HAUSSMANN.

* See note, p. 755.

† See Boundary Arrangement, 12th July, 1893, p. 754; Agreement of 1st February, 1903, p. 803; and Exchange of Notes of $\frac{11\text{th}}{15\text{th}}$ May, 1905, p. 832.

‡ See note, p. 755.

[Ivory Coast.]

No. 233.—*EXCHANGE OF NOTES between the British and French Governments, respecting the Extension of French Territory on the Ivory Coast to the Frontier of Liberia. 1891—1892.**

Baron d'Estournelles to the Marquis of Salisbury.

(Translation.)

My Lord,

London, 26th October, 1891.

I AM directed by the Minister for Foreign Affairs to inform Her Majesty's Government, that, in accordance with various Treaties, most of which confirm previous Treaties† concluded with the Chiefs of the Ivory Coast, all that portion of the coast comprised between Lahou and the Cavally River is placed under the sovereignty or protectorate of France.

I have, therefore the honour in accordance with Article XXXIV of the General Act of the Berlin Conference (**No. 128**), to notify to your Lordship the Treaties in question, which have been ratified by a Decree of the President of the Republic of the 3rd August last, and which are as follows:—

1. Treaty concluded with Coki, King of the territories of Middle Lahou, 30th August, 1890.
2. Treaty concluded with Yéré, King of Fresco, 31st August, 1890.
3. Treaty concluded with Akla, King of Great Drawin, 25th October, 1890.
4. Treaty concluded with Gra, King of Little Lahou, 5th April, 1891.
5. Treaty concluded with Loffcé, King of Kotron, 12th April, 1891.
6. Treaty concluded with Levis, King of Great Trepon or Trepont, 16th April, 1891.
7. Treaty concluded with Toco, King of Trepon, 16th April, 1891.
8. Treaty concluded with the Kings of Great and Little Drawin, Dateko, and Bassa and Akla and Kagé, 21st April, 1891.
9. Treaty concluded with Buggery, King of Sassandra (Saint-André), 22nd April, 1891.
10. Treaty concluded with Mani, King of the country between the Cavally and San Pedro Rivers, 24th April, 1891.
11. Treaty concluded with Kougoua, King of San Pedro, 27th May, 1891.

I have, &c.,

D'ESTOURNELLES DE CONSTANT.

The Marquis of Salisbury to M. Waddington.

M. l'Ambassadeur,

Foreign Office, 10th December, 1891.

I HAVE the honour to acknowledge the receipt of the note of the 26th October from Baron d'Estournelles, stating that he was instructed

* Laid before Parliament in "Africa, No. 7 (1892)." See also Arrangement between France and Liberia, 8th December, 1892, p. 1134.

† France concluded various Treaties with the Chiefs on the Ivory Coast between 1787 and 1868.

[Ivory Coast.]

by the Government of the Republic to notify to Her Majesty's Government that France has assumed the sovereignty or protectorate over that portion of the Ivory Coast lying between Lahou and the River Cavally.

I observe that this notification is made in accordance with the provisions of the XXXIVth Article of the Act of Berlin (**No. 128**), in order to enable Her Majesty's Government to prefer, if they should be in a position to do so, antecedent claims on behalf of Great Britain I have to state that Her Majesty's Government have no objection to offer to the notification on this ground.

I have, &c.,
SALISBURY.

The Marquis of Salisbury to Mr. Egerton.

Sir,

Foreign Office, 10th December, 1891.

I INCLOSE herewith copy of a note, dated the 26th October, in which Baron d'Estournelles notified, in accordance with the XXXIVth Article of the Berlin Act (**No. 128**), the assumption by France of sovereignty or protectorate over the portion of the Ivory Coast lying between Lahou and the Cavally River.

Copy of my reply is also inclosed.*

I should wish you to explain to M. Ribot that, as the notification was made in compliance with the Article cited above, the answer has been framed within the limits of the terms of that Article; but that Her Majesty's Government do not, in so replying, intend to prejudice the controversy respecting the territory between the San Pedro and the Cavally Rivers, understood to be claimed by the Republic of Liberia, which was not a party to the Act of Berlin (**No. 128**).

I have also to request you to state that Her Majesty's Government would be glad to receive an explicit assurance that the territory now annexed will be subject to the engagements as to Tariff contracted in the IIIrd Article of the Anglo-French Agreement of the 10th August, 1889 (**No. 226**), as regards the French possessions on the Gold Coast.

I am, &c.,
SALISBURY.

M. Waddington to the Marquis of Salisbury.

(Translation.)

My Lord,

London, 30th December, 1891.

I HAVE the honour to inform your Lordship that new Treaties of Protectorate have been recently concluded by the Representatives of the Government of the Republic with various Chiefs of the Ivory Coast.

I have therefore the honour, in accordance with Article XXXIV of the General Act of the Berlin Conference (**No. 128**), to notify to

* See p. 745.

[Ivory Coast.]

your Lordship the Treaties in question which have been ratified by a Decree of the President of the Republic of the 6th September, 1891, and which are as follows :—

1. Treaty concluded with Yacabi, King of Little Drewin, 25th April, 1891.
2. Treaty concluded with Samé, King of Roctown, 26th April, 1891.
3. Treaty concluded with Traga, King of Victory and of the villages of Bokiou Douaoudé and Dezah, 27th April, 1891.
4. Treaty concluded with James or Djemma, King of Victory (a village of Woumery), 27th April, 1891.
5. Treaty concluded with the Chiefs Wobery and Meat Bati, of the villages of Douaoudé and Bokiou, 28th April, 1891.
6. Treaty concluded with Blabelay, King of the village of Cavally (left bank, called Bliérow, 5th May, 1891.
7. Treaty concluded with Hyié, King of Great Basha (a village of Boutlé), 7th May, 1891.
8. Treaty concluded with Boba, King of Wappoo, 7th May, 1891.
9. Treaty concluded with Tagui and Guié, Kings of Tahou, 9th May, 1891.

I have, &c.,
WADDINGTON.

Mr. Egerton to the Marquis of Salisbury.

My Lord,

Paris, 6th January, 1892.

ON receipt of your Lordship's despatch of the 10th December last, I mentioned both to M. Ribot and M. Hanotaux that Her Majesty's Government has answered the French notification of the assumption of protectorate over the Ivory Coast between Lahou and the Cavally, within the limits of the terms of the XXXIVth Article of the Berlin Act (**No. 128**), and without prejudging the controversy with the Republic of Liberia respecting the territory between the San Pedro and Cavally Rivers.

This they understood, but M. Hanotaux told me that he had to refer to the Colonial Department for the assurance asked for in your Lordship's despatch, that the territory annexed would be subject to the engagements as to Tariff at Assinie contracted in the IIIrd Article of the Anglo-French Agreement of August, 1889 (**No. 226**). He assumed, as a matter of course, that there would not be two Tariffs in the French Ivory Coast establishments, and would, after reference, inform me.

He to-day told me that he had now learnt from the Colonial Department that the whole question of Tariff for the Ivory Coast, that is to say, from Assinie to the Cavally, was not definitely settled : but where the Custom-houses are established the rates are the same.

I have, &c.,

EDWIN H. EGERTON.

[Ivory Coast.]

*The Marquis of Salisbury to Baron d'Estournelles.*M. le Chargé d'Affaires, *Foreign Office, 11th January, 1892.*

I HAVE the honour to acknowledge, with thanks, the receipt of your note of the 30th ultimo, notifying, in accordance with the XXXIVth Article of the Act of Berlin (**No. 128**), the conclusion of further Treaties by the Representatives of the Government of the Republic with various native Chiefs on the Ivory Coast.

I have to state that Her Majesty's Government have no objection to offer to the notification on the ground of antecedent claims by Great Britain.

I have, &c.,
SALISBURY.

*The Marquis of Salisbury to Mr. Egerton.*Sir, *Foreign Office, 11th January, 1892.*

WITH reference to my despatch of the 10th ultimo, I enclose herewith copy of a note from M. Waddington,* notifying, in accordance with the XXXIVth Article of the Berlin Act (**No. 128**), the conclusion by France of further Treaties with various native Chiefs on the Ivory Coast. Copy of my reply is also enclosed.†

I should wish you to explain to M. Ribot, as in the case of the previous notification respecting which I wrote to you on the 10th ultimo, that as the notification was made in compliance with the Article above cited, the answer has been framed within the limits of the terms of that Article; but that Her Majesty's Government do not intend by their acknowledgment to prejudice the question of the claim of Liberia to the territory between the San Pedro and the Cavally Rivers.

I have, &c.,
SALISBURY.

*The Marquis of Dufferin to the Marquis of Salisbury.*My Lord, *Paris, 30th April, 1892.*

I HAVE the honour to inclose copy of a note from M. Ribot, from which your Lordship will observe that to the west of Grand Lahou, consumption taxes assimilated to those levied between Assinie and Lahou have been established by a notification of the Governor of French Guinea, dated the 8th March last.

I have, &c.,
DUFFERIN AND AVA.

* See p. 746.

† See above.

(Inclosure.)

M. Ribot to the Marquis of Dufferin.

(Translation.)

THE Minister for Foreign Affairs did not fail to inform the Under-Secretary of State for the Colonies of the desire entertained by Her Majesty's Government to obtain exact information with regard to the customs system at present in force in such French establishments as are situated between Assinie and the Liberian frontier.

From the particulars supplied by M. Jamais, it appears that the Tariff fixed by the Decree of the 3rd September, 1889, is still applicable between Assinie and Great Lahou. In regard to the region to the west of that place, a Notice issued on the 8th March last by the Governor of French Guinea established consumption taxes ("droits de consommation"), equal in rate to those levied between Lahou and Assinie and imposed on similar products, either native produce or the product of local industries or introduced from abroad.

M. Ribot loses no time in bringing these facts to the knowledge of his Excellency the English Ambassador, &c.

Paris, 28th April, 1892.

No. 234.—*EXTRACTS from Despatch respecting British and French Boundary Arrangements in West Africa. 30th March, 1892.*

The following extracts are given from a despatch addressed by the Marquis of Salisbury to the Marquis of Dufferin, on the 30th March, 1892, relative to the Treaty arrangements made between Great Britain and France respecting West Africa* :—

"A glance at a map shows the relative position of the possessions of the two countries on the coast. In the north-west those of France preponderate. French possessions, including the Colony of Senegambia and the Rivières du Sud, extending northward nearly to Cape Blanco, stretch southward to the frontier of Sierra Leone, thus covering about 12 degrees of latitude—their continuity being interrupted only by the British Gambia Colony, which is confined to the districts immediately bordering on that river, and by the Portuguese possessions to the south of the Gambia. Besides the Gambia territory, Great Britain possesses only in this quarter that of Sierra Leone—a Colony to which high value is attached, but which has a coast-line inconsiderable when compared with that of France. It covers rather more than 1 degree of latitude.

"On the Gulf of Guinea, after the intervening Republic of Liberia is passed, the relative position of the two countries is reversed. The French flag is first met, as the old Colony of Assinie has lately been extended so as to be conterminous with Liberia.† But from the

* Laid before Parliament, in "Africa, No. 7 (1892)."

† See Arrangement between France and Liberia of 8th December, 1892, p. 1134.

eastern frontier of Assinie no French coast-line is found except the small districts connected with Aghwey and Grand Popo to the west, and with Porto Novo to the east, of Dahomey ; whereas Great Britain holds the thriving Colonies of the Gold Coast and Lagos, and from the borders of the latter exercises protectorate over the mouths of the Niger and the adjacent territory as far as the German Protectorate of the Cameroons.

“ One feature was, originally, common to all these possessions : their frontiers were open in the rear. In most cases, also, their boundaries were ill-defined where they were conterminous, owing to the want of correct surveys, to defective and disputed titles, and to conflicting tribal claims.

“ The colonial policy of Great Britain and France in West Africa has been widely different. France, from her basis on the Senegal coast, has pursued steadily the aim of establishing herself on the Upper Niger and its affluents. This object she has attained by a large and constant expenditure, and by a succession of military expeditions. She has overcome by arms the Almamy Ahmadoo, who ruled to the north of the river, and has connected his territories with the coast by a chain of military posts. She is now at war with the Almamy Samudu, or Samory, who lays claim to vast regions in the interior on the southern affluents of the river, extending southward to the frontiers of Liberia, eastward to the territory of his enemy Tieba, and westward to the confines of the Rivières du Sud and Sierra Leone. Great Britain, on the other hand, has adopted the policy of advance by commercial enterprise. She has not attempted to compete with the military operations of her neighbour.

“ If the policy enjoined by Government and Parliament twenty-five years ago had been obeyed, no addition whatever would have been made to the strips of territory then possessed by Great Britain upon the West African Coast. In 1865 a strong Committee of the House of Commons investigated the subject, and came unanimously to the following Resolution :—

“ ‘ That all further extension of territory or assumption of Government, or new Treaties offering any protection to native tribes, would be inexpedient ; and that the object of our policy should be to encourage in the natives the exercise of those qualities which may render it possible for us more and more to transfer to them the administration of all the Governments, with a view to our ultimate withdrawal from all, except probably Sierra Leone.’ Among the members of the Committee who concurred in this Resolution were Mr. Cardwell, Mr. Chichester Fortescue, Lord Stanley, Mr. Adderley, and Mr. W. E. Forster. Under the guidance of the policy thus laid down, the Imperial Government for a long period made no effort to check the advances accomplished by France, at the cost of much treasure and many lives, in the interior of the country around the head-waters of the Niger, which rises at the back of Sierra Leone ; or to anticipate her in concluding Treaties of Protection with the native Chiefs.

“ The Colonies of the Gambia and Sierra Leone, with limited

revenues barely sufficing for their administrative expenditure, would have been unable to bear any strain in the direction of military expenditure, and the sanction of Parliament was not to be expected for the employment of Imperial resources adequate for the purpose. The punitive expedition to Ashanti of 1873, necessary for the protection of the Gold Coast Colony, has been the sole exception to this pacific policy. Nevertheless, as the upshot of it, the British Government have made substantial progress. While guarding the stability of the old Colonies they have added to them the whole territory of the Oil Rivers, where, by breaking down the restrictive system of the native middlemen, they have given an important impulse to trade, which is evidenced by the growing interest of the Chambers of Commerce; and the spirit and energy of the Royal Niger Company have, without the expenditure of Imperial funds, or the sacrifice of the life of a single British soldier, placed under the protection of the Crown, the whole of the Lower, a great portion of the Central, Niger, and its affluent, the Benué, up to Yola.* The Company has concluded treaties with the powerful Sultan of Sokoto, and with the Sultan of Gandu, whose power extends over vast territories on both sides of the Niger. On the rivers an effective administration has been established, and security is maintained by patrolling steamers and police.

“In 1885 the two Powers undertook engagements under the Act of Berlin (**No. 128**), as having, respectively, control over the Lower and Upper Niger.

“As far back as 1868 frontier difficulties were developing: these, however, affected the coast districts alone; the two countries were not in contact in the remote interior.

“In 1870 negotiations were opened for the settlement of the respective positions of the two countries in Western Africa, on the basis of a mutual exchange of territories, the principle being that French influence and authority should be confined to the north of a certain line, while Great Britain should have a free hand to the south of the same line. The negotiations were suspended by the outbreak of the Franco-German war, but they were renewed in 1876. Definite proposals were at that time formulated, by which the Gambia was to be exchanged for all posts held by France between the Rio Pongas and the Gaboon. This would have been a comprehensive and intelligible arrangement, but so strong a feeling of opposition to any cession of British territory was manifested in Parliament, and by various mercantile bodies, that the Government of the day was unable to press the scheme.

“The difficulties continued and became so acute that it was felt to be necessary to make an effort to compose them. Accordingly, in 1881, Commissioners were appointed on both sides, who met at Paris to arrange the questions at issue.

“From that date various Agreements have been signed, dated the

* See Agreements, Great Britain and Germany, 27th July—2nd August, 1886, p. 880, 15th November, 1893, p. 913, and March 19, 1906, p. 937.

28th June, 1882 (**No. 224**), 10th August, 1889 (**No. 226**), 5th August, 1890 (**No. 229**), and 26th June, 1891 (**No. 232**).

* * * * *

“The objects of the Convention of 1882, as regards demarcation, were limited. They were confined to the endeavour to settle differences within the drainage area of rivers running down to the coast to the north of Sierra Leone, by mutual concessions in regard to rival claims. The result was an arrangement, the effect of which was to insure to England the complete control of the Scarcies, and to France that of the Mellicourie, River.

“The Convention was subject to ratification. This condition was not satisfied owing to the hesitation of the French Chambers, the Committee of the Chamber of Deputies being doubtful whether French interests had been adequately secured. The respective Governments, however, accepted it, after signature, as a completed arrangement, and its stipulations were thenceforth observed on both sides. By this course conflicts, which would otherwise have arisen, were, no doubt, avoided.

“In 1888 it became evident that the Arrangement of 1882 (**No. 224**) was insufficient, and negotiations were commenced which resulted in the Agreement of August, 1889 (**No. 226**). By this Agreement boundaries were settled, and disputed points arranged affecting the Gambia, Sierra Leone, the Gold Coast, and Lagos, the settlement being based on mutual concessions. Provision was made for the appointment of Special Commissions to trace on the spot the boundaries which had been generally defined. A similar provision contained in the 1882 Convention had not hitherto been acted on.

“This Agreement made a new departure in attempting also to close, at one point, an interior frontier. The position of Sierra Leone had become precarious. The great Mussulman Chief Samadu had, in 1883, and subsequently, raided close up to its frontiers, depopulating large districts, and carrying off immense numbers of slaves. Major Festing, sent to visit him in 1888, found the ground strewn with human remains, and the country completely devastated. This Chief has for some time back been in close relation with the French, so far as such a relation can be insured by Treaties. In March, 1886, he placed his territories under the Protectorate of the French Government (**No. 189**), and he renewed that engagement by further Treaties in 1887 (23rd March) (**No. 189**) and 1889 (21st February) (**No. 189**). His failure to observe these treaties is understood to be the cause of the war with France in which he is now (March, 1892) engaged. Her Majesty's Government, impressed by the danger to Sierra Leone, recognized the necessity of preserving to the Colony a sufficient out-work against aggression, and, by the Agreement (**No. 226**), it was stipulated that France, whose Treaty gave her the right to stipulate on behalf of Samadu, should acknowledge as within the British sphere the Provinces of Soulimanieh and Falaba, claimed by him as a dependency, but held by Her Majesty's Government to be independent.

“In 1890 a further important step was taken as regards internal

delimitation. The French Government, noting that the progress of the two countries on the Upper and Lower Niger must, if unchecked, lead to conflicting claims, suggested that a point should be agreed on beyond which neither should pass. This was effected by the 2nd Article of the Declaration of 1890 (**No. 229**), which also laid down a basis for subsequent negotiations for the demarcation of spheres in the region which extends to the west and to the south of the Middle and Upper Niger.

“At the same time it was clear to the two Governments that the Agreement of 1889 (**No. 226**) was inadequate in view of the possibility of collision from the activity of their agents in the interior leading to difficulties as to the security of trade routes to the coast. The line of the Agreement had stopped, behind Sierra Leone, at the junction of the 10th degree of latitude with the 13th degree of longitude west of Paris. Below this lay the Province of Kouranko, claimed, as was Soulimanieh, by Samadu, but likewise declared by Her Majesty’s Government to be independent. This province was, by the Agreement of 1891 (**No. 232**), placed within the British sphere, and the closing up of the interior frontier was completed. By the same Agreement a line was drawn inwards from the Gold Coast, separating the spheres of action of the two countries up to the 9th degree of latitude, the frontier being so placed as to leave Gaman, with which country France had Treaty relations, on the French side, and to place on the British side the region connected with Ashanti.”

Note.—Since the above despatch was written the following Arrangements have been concluded between Great Britain and France:—

Arrangement fixing the boundary between the British and French Possessions on the Gold Coast. 12th July, 1893 (**No. 236**).

Agreement fixing the boundary between the British and French Possessions to the north and east of Sierra Leone. 21st January, 1895 (**No. 237**).

Convention for the delimitation of British and French Possessions in the region of the Niger. 14th June, 1898 (**No. 241**).

Agreement respecting the boundary between Sierra Leone and French Guinea. $\frac{14^{\text{th}}}{16^{\text{th}}}$ June, 1898 (**No. 243**).

Convention respecting Possessions in West and Central Africa. 8th April, 1904 (**No. 251**).

Agreement respecting the boundary between the Gold Coast and the Ivory Coast. $\frac{11^{\text{th}}}{16^{\text{th}}}$ May, 1905 (**No. 255**).

Convention for the delimitation of the frontier between the British and French Possessions east of the Niger. 29th May, 1906 (**No. 256**).

Agreement respecting the Boundary between the Gold Coast and the French Soudan. $\frac{24^{\text{th}} \text{ May,}}{19^{\text{th}} \text{ July,}}$ 1906 (**No. 257**).

Agreement relative to the Frontier between the British and French Possessions from the Gulf of Guinea to the Niger. 19th October, 1906 (**No. 258**).

[Panchang and Niambuntang (Gambia).]

No. 235.—*REPORT of British and French Boundary Commissioners as to the position of Panchang and Niambuntang (Gambia). 8th May, 1893.*

[Under Arrangement of 10th August, 1889 (**No. 226**). See also Procès-Verbal of Boundary Commissioners, 9th June, 1891 (**No. 231**).] (*English Version.*) *Niambuntang, 8th May, 1893.*

POSITIONS were ascertained by chaining and checked by astronomical observations.

Panchang is 10·543 k. from the nearest point on the River Gambia, north of Deer Island.

Niambuntang is 7·840 k. from the nearest ascertained point on the River Gambia, north of Deer Island.

E. LEWIS LANG,
Lieutenant and Commander.

(*French Version.*) *Niani Bantang, le 8 Mai, 1893.*

LES positions ont été déterminées en chaînant et contrôlées par des observations astronomiques.

Pantiang est à 10,543 mètres du point le plus rapproché de la Gambie, au nord de l'Île des Biches.

Niani Bantang est à 7,840 mètres du point le plus rapproché pris sur la Gambie, au nord de l'Île des Biches.

MORIN,
Lieutenant de Vaisseau.

C. ALLEYS,
Administrateur, Saloum.

LIEUT. JARTY,
Commandant Cercle Nioro.

No. 236.—*ARRANGEMENT between Great Britain and France, fixing the Boundary between the British and French Possessions on the Gold Coast. Signed at Paris, 12th July, 1893.**

THE Special Commissioners nominated by the Governments of Great Britain and France, in accordance with Article V of the Agreement of the 10th August, 1889 (**No. 226**), having failed to trace a line of demarcation between the territories of the two Powers on the Gold Coast, in conformity with the general provisions of Article III of the said Agreement, and with the indications of the concluding paragraph of the Agreement of the 26th June, 1891 (**No. 232**), the undersigned Plenipotentiaries, charged in execution of the Declarations exchanged at London on the 5th August, 1890 (**No. 229**),

* The line fixed by this Arrangement was slightly modified by the Agreement arrived at by the Boundary Commissioners, 1st February, 1903, p. 803; subsequently accepted by the two Governments by Notes exchanged on the 11th and 15th May, 1905, p. 832.

[Boundary. Gold Coast.]

between Her Britannic Majesty's Government and the Government of the French Republic, to proceed to delimit the respective spheres of interest of the two countries in the districts south and west of the Middle and Upper Niger, have agreed to fix on the following conditions the line of demarcation between the French and British Possessions on the Gold Coast:—

British Frontier.

1. The British frontier starts from the sea-coast at Newtown, at a distance of 1,000 metres to the west of the house occupied in 1884 by the British Commissioners, thence goes true north to the Tanoe or Tendo Lagoon, follows the south bank of that lagoon to the mouth of the River Tanoe or Tendo (of the four islands near that mouth the two to the south being assigned to Great Britain, and the two to the north to France). The British frontier thence runs along the left bank of the Tanoe or Tendo River as far as the village of Nougoua, which, being on its right bank, Great Britain consents to recognize as belonging to France.

French Frontier.

2. The French frontier starts similarly from the sea-coast at Newtown, at a distance of 1,000 metres to the west of the house occupied in 1884 by the British Commissioners. It thence goes true north to the Tanoe or Tendo Lagoon, and crossing that lagoon, follows its north bank and the north and east banks of the Ehi Lagoon to the mouth of the Tanoe or Tendo River, and continues along the right bank to the village of Nougoua.

British Frontier continued.

3. Thence the British frontier continues to follow the left bank of the Tanoe or Tendo River for a distance of 5 English miles above the present residence of the Chief in the village of Nougoua. At the 5-mile point it crosses the river and becomes the common frontier indicated below.

French Frontier continued.

The French frontier follows similarly for a distance of 5 miles above Nougoua the right bank of the Tanoe or Tendo until it joins the British frontier.

Common Frontier.

4. The common frontier then leaves the River Tanoe and strikes northward to the centre of Ferraferrako Hill. Thence passing 2 miles to the eastward of the villages of Assikasso, Sankaina, Asambosua, and Akuakru, it runs 2 miles to the eastward of the road leading from Suakru to the Boi River, reaching that river 2 miles to the south-eastward of Bamianko, which village belongs to France. Thence it follows the thalweg of the Boi River and the line traced by Captain Binger* (as marked on the annexed map), leaving Edubi with terri-

* *Title of Map.* "Carte du Haut-Niger au Golfe de Guinée par le pays de Kong et le Mossi, levée et dressée de 1887 à 1889, par L. G. Binger, Capitaine d'Infanterie de Marine, par ordre de M. Etienne, Sous-Secrétaire d'Etat des Colonies."

[Boundary. Gold Coast.]

tory extending 1 mile to the north of it to France, until it reaches a point 16,000 metres due east of Yau. Thence it coincides with the line traced by Captain Binger (as marked on the annexed map) to a point 1,000 metres to the south of Aburuferrasi, which village belongs to France. Thence it runs 10 kilom. to the westward of the direct road from Annibilekrou to Bondoukou by Bodomfil and Dadiassi, passes midway between Buko and Adjemrah, runs 10 kilom. to the eastward of the road to Bondoukou *viâ* Sorobango, Tambi, Takhari, and Bandagadi, and reaches the Volta at the spot where that river is intersected by the road from Bandagadi to Kirhindi. Thence it follows the thalweg of the Volta to its intersection by the 9th degree of north latitude.*

Right of Fishing in the Tanoe or Tendo River.

5. It is agreed that the inhabitants of French villages who, previously to the conclusion of this Agreement, enjoyed the right of fishing on the Tanoe or Tendo River, shall continue to enjoy that right subject to local Regulations.†

6. The boundary detailed in this Agreement is marked on the map which is annexed hereto.

7. This Agreement is regarded by the two Governments as completing and interpreting Section 1 of Article III of the Agreement of the 10th August, 1889 (**No. 226**), which concerns the delimitation of the British and French Possessions on the Gold Coast, and the concluding paragraph of the Agreement of the 26th June, 1891 (**No. 232**).

Paris, July 12, 1893.

Le texte Anglais ci-dessus est conforme au texte Français original.

Les Commissaires Britanniques,

E. C. H. PHIPPS.

J. A. CROWE.

Les Commissaires Français,

GABRIEL HANOTAUX.

J. HAUSMANN.

* See also Art. I of Convention of the 14th June, 1898, for continuation of line of frontier northwards, p. 786.

† See Notes exchanged on the 16th and 25th June, 1907, as to dredging in the neutral waters of the River Tanoe, p. 861.



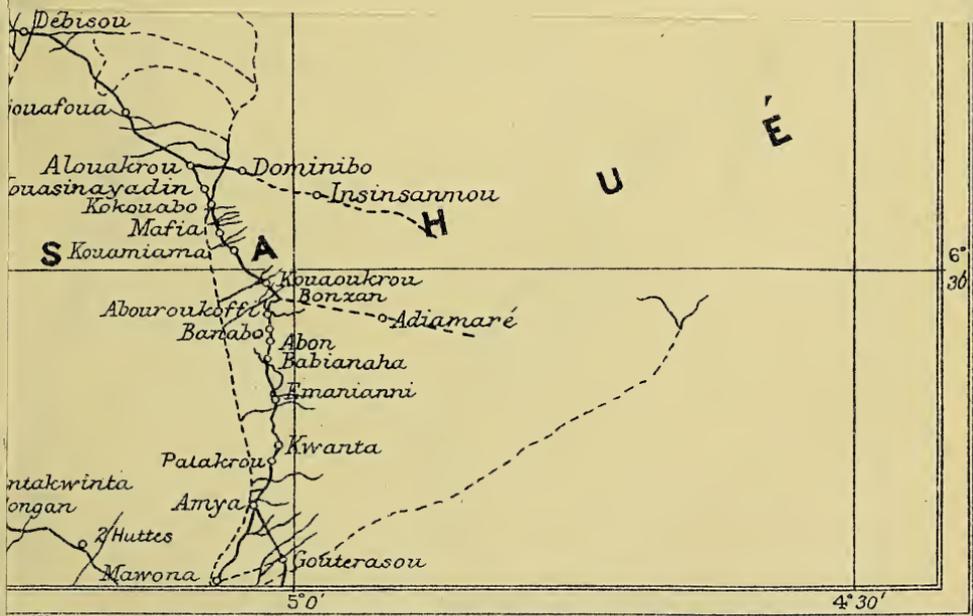
Ordnance Survey, Southampton

Map shewing
BOUNDARY BETWEEN
BRITISH AND FRENCH POSSESSIONS ON THE GOLD COAST.
12th July 1893.

PART I.



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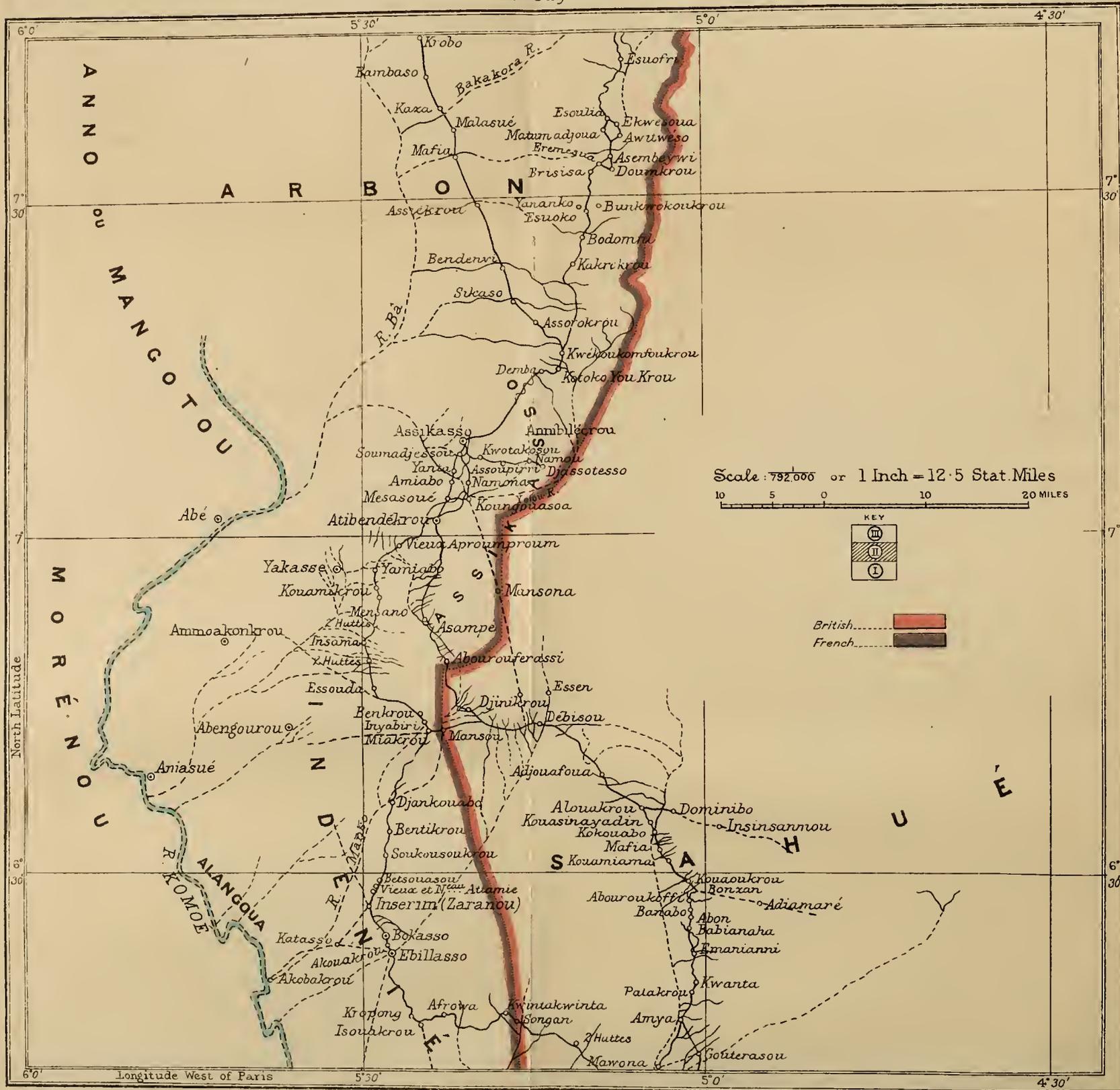


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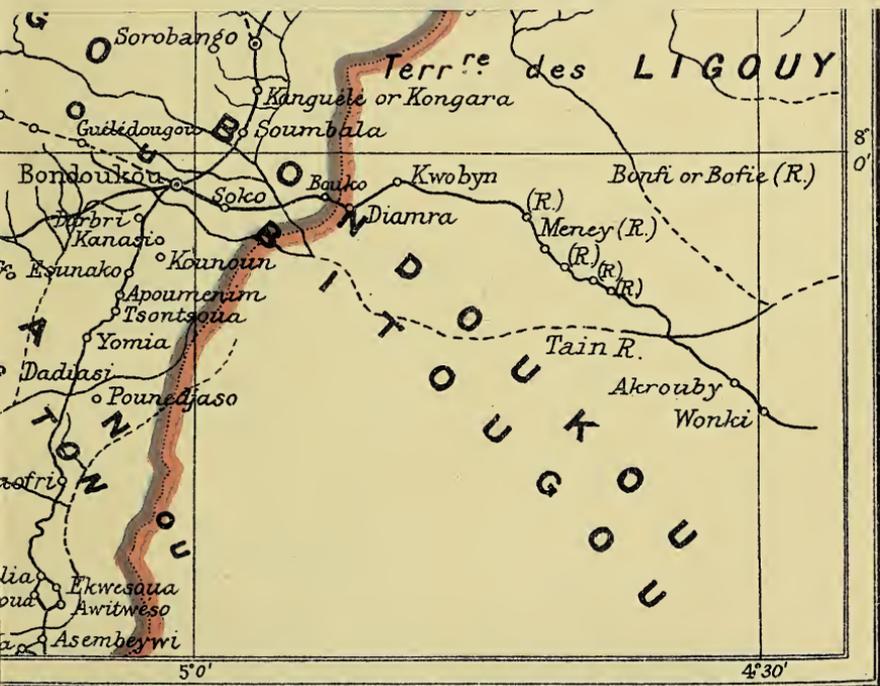
Map shewing
 BOUNDARY BETWEEN
 BRITISH AND FRENCH POSSESSIONS ON THE GOLD COAST.
 12th July 1893.

To face page 756.

PART II.







Ordnance Survey, Southampton.

Map shewing
 BOUNDARY BETWEEN
 BRITISH AND FRENCH POSSESSIONS ON THE GOLD COAST.
 12th July 1893.

To face page 756

PART III.





No. 237.—*AGREEMENT between Great Britain and France, fixing the Boundary between the British and French Possessions to the North and East of Sierra Leone. Signed (in the English and French languages) at Paris, 21st January, 1895.*

English Version.

THE Special Commissioners nominated by the Governments of Great Britain and France, in accordance with Article V of the Agreement of August 10th, 1889 (**No. 226**), having failed to trace a line of demarcation between the territories of the two Powers to the north and east of Sierra Leone, in conformity with the general provisions of Article II of the said Agreement, of its Annex I and of its Annex II (Sierra Leone), and with the indications of the Agreement of June 26th, 1891 (**No. 232**), the undersigned Plenipotentiaries charged, in execution of the Declarations exchanged at London, on August 5th, 1890 (**No. 229**), between Her Britannic Majesty's Government and the Government of the French Republic, to proceed to delimit the respective spheres of interest of the two countries south and west of the Middle and Upper Niger, have agreed to fix the line of demarcation between the above-mentioned territories on the following conditions:—

Art. I.—The boundary starts from a point on the Atlantic coast north-west of the village of Kiragba, where a circle of 500 metres radius, described from the centre of the village, cuts high-water mark.

From this point it proceeds, in a north-easterly direction, parallel to the road leading from Kiragba to Robenia (Roubani), which passes by or near the English villages of Fungala, Robant, Mengeti, Mandimo, Momotimonia, and Kongobutia, at an even distance of 500 metres from the centre of the track, as far as a point half-way between the village of Kongobutia (English) and the village of Digipali (French). From this point it turns to the south-east, and, cutting the road at right angles, reaches a point 500 metres on the south-eastern side, and proceeds parallel to the road, at an even distance of 500 metres, measured as before from the centre of the track, till it reaches a point to the south of the village of Digipali, whence it is drawn directly to the watershed formed by a ridge which, commencing south of the destroyed village of Passinodia, distinctly marks the line of separation between the basin of the Mellakori (Mellacorée) River and that of the Great Skarcies or Kolenté River.

The frontier follows this watershed line, leaving to Great Britain, the villages of Bogolo (N'Bogoli), Musaliya, Lukoiya (Malaguia), Mufuri (Maforé), Tarnenai (Tanéné), Modina (Madina), Oblenia, Oboto, Ballimir, Massini, and Gambiadi; and to France, the villages of Robenia (Roubani), N'Tunga (N'Tugon), Daragli (Daragoué), Kunia, Tombaiya, Heremakuno (Erimakono), Fransiga (Fonsiga) Talansa, Tanganne (Tagani), and Maodea, as far as the point nearest to the source of the Little Mola River; from this point it follows a straight line to the above-mentioned source, follows the course

[Boundary North and East of Sierra Leone.]

of the Little Mola to its junction with the Mola, and then the thalweg of the Mola to its junction with the Great Skarcies or Kolenté.

From this point the frontier follows the right bank of the Great Skarcies (Kolenté) as far as a point situated 500 metres south of the spot where the road leading from Wulia (Ouelia) to Wossu (Ouossou), *viâ* Lucenia, touches the right bank. From this point it crosses the river and follows a line drawn to the south of the above-mentioned road at an even distance of 500 metres, measured from the centre of the track until it meets a straight line connecting the two points mentioned below, namely:—

1. A point on the Kora, 500 metres above the bend of the river, which is situated about 2,500 metres north of the village of Lusenia, or about 5 kilom. up the Kora River, measured along the bank, from its point of junction with the Great Skarcies (Kolenté).

2. A gap in the north-western face of the chain of hills lying in the eastern part of Talla, situated about two English miles (3,200 metres) south of the village of Duyunia (Donia).

From this point of intersection it follows the above-mentioned line eastwards to the centre of the above-mentioned gap, from whence it is drawn straight to a point on the River Kita, situated above and at a distance of 1,500 metres, as the crow flies, from the centre of the village of Lakhata. It then follows the thalweg of the Kita River as far as the confluence of that stream with the Lolo.

From this point of junction it coincides with a line drawn straight to a point on the Little Skarcies or Kaba River, four English miles (6,400 metres) south of the 10th parallel of north latitude; and it then follows the thalweg of the Little Skarcies as far as the said parallel, which then forms the boundary as far as its intersection with the watershed (“*ligne de partage des eaux*”), separating the basin of the Niger on the one hand, from the basins of the Little Skarcies and other rivers, falling westward to the Atlantic Ocean on the other hand.

Finally the frontier follows the aforesaid watershed south-eastward, leaving Kalieri to Great Britain and Herimakuna (Erimakono) to France, until its intersection with the parallel of latitude passing through Teembi-kunda (Tembikounda), that is to say, the source of the Tembiko or Niger.

Art. II.—The boundary defined in this Agreement is marked on the map which is annexed hereto.

Art. III.—This Agreement is regarded by the two Governments as completing and interpreting Article II of the Agreement of 10th August, 1889 (**No. 226**), Annex 1 of the said Agreement, Annex 2 of the said Agreement (heading Sierra Leone), and the Agreement of the 26th June, 1891 (**No. 232**).

Done at Paris, the 21st January, 1895.

(L.S.) E. C. H. PHIPPS.

(L.S.) J. A. CROWE.

(L.S.) GEORGES BENOIT.

(L.S.) J. HAUSSMANN.

[Boundary North and East of Sierra Leone. Tembi-Kunda.]

ANNEX.

*Maps.**

Although the delineation of the line of demarcation on the map annexed to the present Agreement is believed to be generally accurate, it shall not be considered as an absolutely correct representation of that line until it has been confirmed by future surveys.

It is therefore agreed that in the event of Commissioners or local Delegates of the two countries being hereafter appointed to delimit the whole or any portion of the frontier on the ground, they shall be guided by the description of the frontier as set forth in the Agreement. They shall at the same time be permitted to modify the said line of demarcation for the purpose of delineating its direction with greater accuracy, and also to rectify the position of the watersheds, roads, or rivers, as well as that of any of the towns or villages indicated on the map above referred to.

It is, however, understood that any alterations or corrections proposed by common consent of the aforesaid Commissioners or Delegates shall be submitted for the approval of their respective Governments. †

(Translation.)

Tembi-Kunda.(1.) *M. Hanotaux to the Marquis of Dufferin.*

M. l'Ambassadeur,

Paris, 22nd January, 1895.

DURING the course of the recent discussions relative to the delimitation of the French and British possessions to the north and east of Sierra Leone, the Commissioners of the two countries have been led to examine the situation resulting from the Arrangement concluded on the 8th December, 1892 (No. 351, p. 1134), between the Government of the French Republic and the Government of the Republic of Liberia, in so far as the eastern frontier of the British Colony of Sierra Leone is concerned, and they have agreed upon the following declaration:—

“According to the Arrangement concluded on the 8th December, 1892 (No. 351, p. 1134), between the Government of the French Republic and the Government of the Republic of Liberia, the frontier line between the French possessions and the Republic of Liberia is fixed by the parallel of Tembi-kunda until it meets, at the 13th degree of longitude west of Paris, the Anglo-French frontier of Sierra Leone.

“The delimitation of the Anglo-French frontier of Sierra Leone, therefore, terminates at the parallel of Tembi-kunda.

* See Diagram Map facing p. 764, and Map No. 6 in Atlas (or Pouch).

† The frontier from the coast to Tembi-Kunda was surveyed and marked on the ground, December, 1895–May, 1896. See Description of Frontier given in Procès-Verbal signed by the Boundary Commissioners, ^{9th}/_{30th} April, 1896 (p. 765). Accepted by the two Governments by Notes exchanged at Paris, 14th and 16th June, 1898 (p. 794).

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“ At the same time it is necessary to recall that, in virtue of the Notes exchanged on the 2nd December, 1891, and the 4th March, 1892, between M. Ribot and Mr. Egerton, the 13th degree of longitude west of Paris was in any case to constitute the limit of the French Soudanese possessions and the British Colony of Sierra Leone up to the point of the intersection of that meridian with the Anglo-Liberian frontier.

“ It was under such circumstances that the French Government ceded to the Liberian Government certain territories forming part of the French Soudan, situated to the south of the parallel of Tembi-kunda, and to the east of the 13th degree of longitude west of Paris.

“ It is accordingly understood, that from the point of intersection of the watershed separating the basin of the Niger on the one hand from the basins of the rivers flowing westwards to the Atlantic Ocean on the other hand, with the parallel of latitude passing through Tembi-kunda, the frontier of the Colony of Sierra Leone is formed by the said parallel as far as the 13th degree of longitude west of Paris,* and then by that meridian until it meets the Anglo-Liberian frontier.”

I have the honour to inform your Excellency that the Government of the French Republic is disposed to approve the terms of this Declaration, and I shall be obliged if you will be so good as to inform me whether the Government of Her Britannic Majesty also assent to it.

Accept, &c.,

G. HANOTAUX.

Tembi-Kunda.

(2.) *The Marquis of Dufferin to M. Hanotaux.*

M. le Ministre,

Paris, 22nd January, 1895.

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 22nd instant, in which you observe that, during the course of the recent discussions relative to the delimitation of the British and French territories to the north and east of Sierra Leone, the Commissioners of the two countries had been led to examine the situation resulting from the Arrangement concluded on the 8th December, 1892 (**No. 351**), between the Government of the French Republic and the Government of the Republic of Liberia in so far as the eastern frontier of the Colony of Sierra Leone is concerned; and that the Commissioners had agreed upon the following Declaration:—

“ According to the Arrangement concluded on the 8th December, 1892 (**No. 351**), between the Government of the French Republic and the Government of the Republic of Liberia, the frontier line between

* The frontier from Tembi-Kunda eastwards was surveyed and marked in 1900 and 1903. See Procès-Verbaux signed by the Boundary Commissioners on the 12th March, 1903, p. 809; and Notes exchanged at London between the two Governments accepting the line as definitive, 22nd March and 5th April, 1904, p. 815.

[Boundary North and East of Sierra Leone.]

the French possessions and the Republic of Liberia is fixed by the parallel of Tembi-kunda until it meets, at the 13th degree of longitude west of Paris, the Anglo-French frontier of Sierra Leone.

“The delimitation of the Anglo-French frontier of Sierra Leone, therefore, terminates at the parallel of Tembi-kunda.

“At the same time it is necessary to recall that, in virtue of the Notes exchanged on the 2nd December, 1891, and the 4th March, 1892, between Mr. Egerton and M. Ribot, the 13th degree of longitude west of Paris was in any case to constitute the limit of the French Soudanese possessions and the British Colony of Sierra Leone up to the point of the intersection of that meridian with the Anglo-Liberian frontier.

“It was under such circumstances that the French Government ceded to the Liberian Government certain territories forming part of the French Soudan situated to the south of the parallel of Tembi-kunda, and to the east of the 13th degree of longitude west of Paris.

“It is accordingly understood that, from the point of intersection of the watershed separating the basin of the Niger on the one hand from the basins of the rivers flowing westwards to the Atlantic Ocean on the other hand, with the parallel of latitude passing through Tembi-kunda, the frontier of the Colony of Sierra Leone is formed by the said parallel as far as the 13th degree of longitude west of Paris, and then by that meridian until it meets the Anglo-Liberian frontier.”

I have the honour, under instructions from Her Britannic Majesty's Government, to inform your Excellency that Her Majesty's Government is disposed to approve the terms of the declaration as above embodied.

I have, &c.,

DUFFERIN AND AVA.

Use of Open Roads by Traders and Travellers.

(3.) *M. Hanotaux to the Marquis of Dufferin.*

(Translation.)

M. l'Ambassadeur,

Paris, 22nd January, 1895.

DURING the course of the recent discussions relative to the delimitation of the French and British possessions to the north and east of Sierra Leone, the Commissioners of the two countries arrived at an understanding as to the principle of the arrangements intended to regulate the commercial relations between the British Colony of Sierra Leone and the neighbouring French possessions. It was at the same time understood that the conditions of this understanding should form the subject of an exchange of notes immediately after the signature of the Agreement.

In consequence, I have the honour to inform your Excellency

that the Government of the French Republic is disposed to give its assent to the following stipulations :—

1. In the territories dependent on the Colony of Sierra Leone, on the one hand, and in those dependent upon the Colonies of French Guinea (including Fouta Djallon) and of the French Soudan, on the other hand, the traders and travellers belonging to the two countries shall be treated upon a footing of perfect equality in so far as the use of roads and other means of land communication are concerned.

2. The roads crossing the frontier indicated by the Agreement of the 21st January, 1895 (p. 757), between the British Colony of Sierra Leone and the neighbouring French Colonies shall on both sides be open to commerce on payment of such duties and taxes as may be established.

3. The two Governments reciprocally engage not to establish on the land frontier defined by the Agreement of the 21st January, 1895, between their respective Colonies, any duties, either import or export, higher than those which shall be levied on the maritime frontier either of the Colony of Sierra Leone or of the Colony of French Guinea.

The duties on exports shall not in any case exceed 7 per cent. *ad valorem*, calculated according to the official Tables of Valuation of each Colony.

4. Posts at which the duties or taxes on imports and exports, shall be paid shall be established at certain fixed points on the frontier in order that caravans may not be diverted from the roads which they might desire to follow in order to pass from the Colony of Sierra Leone into the neighbouring French Colonies, or *vice versa*.

I shall be obliged to your Excellency if you will be so good as to inform me whether the Government of Her Britannic Majesty are on their part disposed to give their consent to the arrangement in question.

Accept, &c.,

HANOTAUX.

Use of Open Roads by Traders and Travellers.

(4). *The Marquis of Dufferin to M. Hanotaux.*

M. le Ministre,

Paris, 22nd January, 1895.

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 22nd instant, in which you observe that during the course of the recent discussions relative to the delimitation of the British and French possessions to the north and east of Sierra Leone, the Commissioners of the two countries had arrived at an understanding as to the principle of the arrangements intended to regulate the commercial relations between the British Colony of Sierra Leone and the neighbouring French possessions. Your Excellency points out that it was at the same time understood that the conditions of this under-

[Boundary North and East of Sierra Leone.]

standing should form the subject of an exchange of notes immediately after the signature of the Agreement.

In consequence, your Excellency does me the honour of intimating to me that the Government of the Republic is disposed to give its assent to the following stipulations :—

1. In the territories dependent on the Colony of Sierra Leone, on the one hand, and in those dependent upon the Colonies of French Guinea (including Fouta Djallon) and of the French Soudan, on the other hand, the traders and travellers belonging to the two countries shall be treated upon a footing of perfect equality in so far as the use of roads and other means of land communication are concerned.

2. The roads crossing the frontier indicated by the Agreement of the 21st January, 1895 (p. 757), between the British Colony of Sierra Leone and the neighbouring French Colonies shall on both sides be open to commerce on payment of such duties and taxes as may be established.

3. The two Governments reciprocally engage not to establish on the land frontier defined by the Agreement of the 21st January, 1895 (p. 757), between their respective Colonies, any duties, either import or export, higher than those which shall be levied on the maritime frontier either of the Colony of Sierra Leone or of the Colony of French Guinea.

The duties on exports shall not in any case exceed 7 per cent. *ad valorem*, calculated according to the official Tables of Valuation of each Colony.

4. Posts at which the duties or taxes on imports and exports shall be paid shall be established at certain fixed points on the frontier in order that caravans may not be diverted from the roads which they might desire to follow in order to pass from the Colony of Sierra Leone into the neighbouring French Colonies, or *vice versa*.

I am instructed by Her Majesty's Government to express their acceptance of the arrangement above recorded, which they have no doubt will prove beneficial to the trading and commercial interests of the two countries.

I have, &c.,

DUFFERIN AND AVA.

Continued use of Right Bank of Great Skarcies River by Riverain Inhabitants.

(5.) *The Marquis of Dufferin to M. Hanotaux.*

M. le Ministre,

Paris, 22nd January, 1895.

DURING the course of the recent negotiations relative to the delimitation of the British and French territories and possessions situated to the north and east of Sierra Leone, the Commissioners named by the two Powers were led to examine the situation created to the riverain inhabitants of a certain portion of the Great Skarcies by the execution of the Agreement of the 10th August, 1889 (No. 226).

Although by Article I of the Agreement of the 21st January, 1895, the British frontier follows the right bank of the Great Skarcies from a point on the right bank, 500 metres south of the road leading from Wulia to Wossu, *viâ* Lusenia, to the point where that river is joined by the Little Mola, Her Majesty's Government is, nevertheless, disposed to permit the riverain inhabitants dwelling on the right bank within the above-mentioned limits to continue to use the river to the same extent as heretofore.

It is, however, understood that the inhabitants of these villages will be subject to such Laws or Ordinances as may from time to time be promulgated by the authorities of the Colony of Sierra Leone with a view to regulating the navigation of the river or in connection with the control of its waters, due notice of the same being given by the Governor of Sierra Leone to the Governor of French Guinea.

I have, &c.,

DUFFERIN AND AVA.

(6.) *M. Hanotaux to the Marquis of Dufferin.*

(Translation.)

M. l'Ambassadeur,

Paris, 4th February, 1895.

I HAVE received the letter which your Excellency did me the honour to address to me on the 22nd January last, on the subject of the exchange of views which has taken place between the Commissioners of the two countries in the course of the recent negotiations relative to the delimitation of the French and British possessions to the north and east of Sierra Leone, respecting the situation created to the riverain inhabitants of a certain portion of the Great Skarcies by the execution of the Agreement of the 10th August, 1889 (No. 226).

Your Excellency informs me that although by the terms of Article I of the Agreement of the 21st January, 1895, the British frontier follows the right bank of the Great Skarcies from a point situated on the right bank, 500 metres south of the road leading from Wulia to Wossu, *viâ* Lusenia, to the point where the Little Mola flows into that river, Her Majesty's Government is, nevertheless, disposed to permit the inhabitants dwelling in the villages on the right bank within the above-mentioned limits to continue to use the river under the same conditions as heretofore.

It is, however, understood that the inhabitants of these villages will be subject to such Laws and Ordinances as may be promulgated by the authorities of the Colony of Sierra Leone, with a view of regulating the navigation of the river, or the police of its waters, after due notice of the same shall have been given by the Governor of Sierra Leone to the Governor of French Guinea.

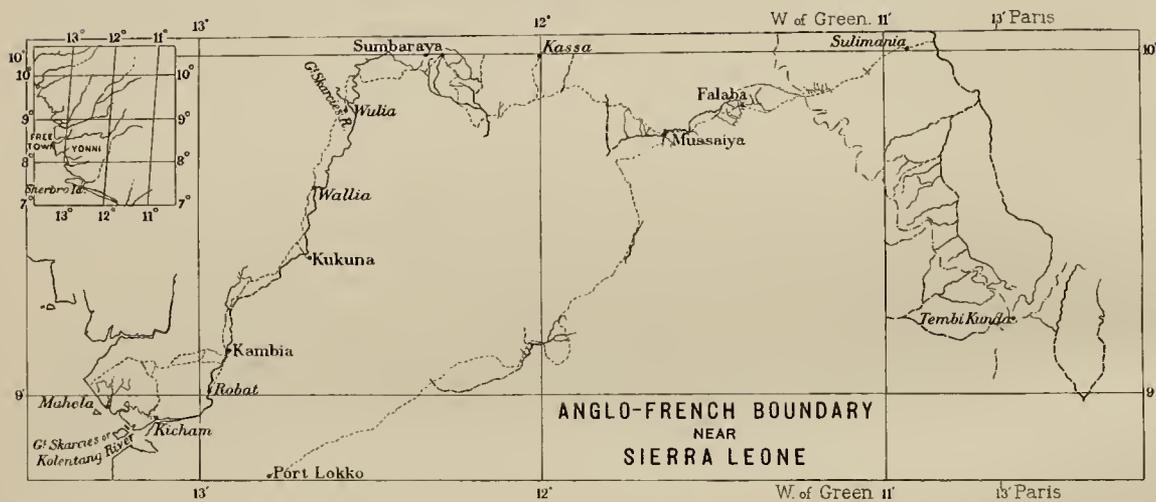
I hasten to thank your Excellency for this communication, which I have not failed to make known to the Minister for the Colonies.

I have, &c.,

G. HANOTAUX,

To face page 764.

ANNEXED TO AGREEMENT BETWEEN GREAT BRITAIN AND
FRANCE OF JANUARY 21, 1895.



Ordnance Survey, Southampton.

Scale of map (No 6) in Atlas or Pouch 8 miles to 1 inch

[West of Lower Niger. Sierra Leone Boundary.]

No. 238.—*DECLARATION between Great Britain and France, with regard to the Kingdom of Siam and other matters (Territories to the West of the Lower Niger, &c.). Signed at London, 15th January, 1896.*

THE Undersigned, duly authorized by their respective Governments, have signed the following Declaration :—

[Arts. I to IV relate to Siam and China.]

Art. V.—The two Governments agree to name Commissioners delegated by each of them, who shall be charged to fix by mutual agreement, after examination of the titles produced on either side, the most equitable delimitation between the British and French possessions in the region situated to the west of the Lower Niger.*

[Art. VI relates to Commercial Arrangements in Tunis.]

Done at London, the 15th January, 1896.

(L.S.) SALISBURY.

(L.S.) ALPH. DE COURCEL.

No. 239.—*PROCÈS-VERBAL signed by the Commissioners for the Demarcation of the Anglo-French Boundary of Sierra Leone. 9th-30th April, 1896.†*

FIRST SECTION.

Description of the Frontier along the Watershed.‡

The boundary commences at beacon No. 1, erected 33 yards to the south of the principal source of the Tembiko (Niger) (Timbiko), 11 yards south of the road from the French village of Farakoro to the village of Konkonante (Kokonanté) and to the English village of Porpor (Popon), on the watershed separating the Niger from the secondary basins, which watershed it follows as far as its intersection with the 10th parallel of north latitude.

Sixty-six beacons have been constructed under the supervision of the two Commissions, at important points of this section, and generally at those points where the frontier is crossed by roads affording communication between French and English territory.

Their numbering and description are annexed to this procès-verbal.

Description of the Boundary.

From beacon No. 1 the boundary passes to the peak which, at a distance of 800 metres in a west-north-westerly direction, commands

* See Report of Commissioners of 12th October 1896, p. 780; Art. II of Protocol of 14th June, 1898, p. 786; and Agreement of 19th October, 1906, p. 849.

† Under the Anglo-French Agreement of 21st January, 1895, p. 757. The boundary as here laid down was accepted by the two Governments by Notes exchanged at Paris on the 14th and 16th June, 1898, p. 794. See Diagram Maps facing p. 778, and Maps Nos. 7 and 8 in Atlas (or Pouch).

‡ The French method of spelling names of places, where it differs from the English is given in brackets after the English rendering.

[Sierra Leone Boundary.]

the principal source of the Tembiko (Timbiko). It then follows generally a north-north-east direction, and passes over the two great Sulu peaks (Soullou) and mounts Massakonko and Forea; leaving on the east in French territory the villages of Tembikunda (ruined) (Timbikounda), Kulakoia (Kulakoya), and Nalia :—

On the west in English territory the villages of Suradu (Souadou) and Nerekoro.

West of Nalia the boundary bends towards the north-west, turning again north-north-east, then near the farm village of Fua (Foua) it takes a south-easterly direction to about 1,500 metres (1,640 yards) north-north-west of Nalia, at which point it resumes the general north-north-easterly direction, leaving on the east, within French territory, the villages of Safinian or Sarafinian and Yurukuria (Youroukouria);

On the west, within English territory, the villages of Kulakoia (Kulakoya), Yenankolia, and Sansanbalia (Sansangbala).

From Yurukuria (Youroukouria) it turns north-west as far as the village of Samaindu (Samandou or Samayandou), which it leaves on the west within English territory, taking then a northerly direction as far as the Kola mountain chain, by the easternmost peak of which it passes.

It then takes an easterly direction, turns northwards, resumes the easterly, and finally follows generally a north-westerly direction as far as Mount Bokonko, which dominates, at a distance of 1,500 metres (1,640 yards) on the south-west, the village of Boria or Bogoria; leaving on the east, within French territory, the villages of Farko (farm village), Sirikamaria (farm village), and Dimbasiria (ruined), situated at the source of the Faliko;

On the west, within English territory, the villages of Yaria (farm village) and Dandafarra.

From Mount Bokonko the frontier takes a westerly direction, passing by Mount Niandan; it then turns north, leaving on the east, within French territory, the village of Boria or Bogoria;

On the west, within English territory, that of Massadugu (Massadou or Massadougou).

It then takes an easterly direction, afterwards turning north-north-west as far as within about 1,000 metres (1,097 yards) south-west of the village of Sombadugu (Sombodou) (Sombodougou): leaving on the east, within French territory, the village of Sombadugu (Sombodou) (or Sombodougou); on the west, within English territory, that of Kirimandugu (Kirimindou or Kirimindougou).

It then takes a westerly direction, leaving to the north, within French territory, the village of Kosaba (or Kosso); to the south, within English territory, those of Konkegoro, Kiridugu (Kirdou or Kiridougou), and Fangaia.

It then makes an angle towards the south-west, leaving on the east, within French territory, the head of the Falikotamba, with the farm villages of Falikotamba, then turning north-north-west it leaves to the east, within French territory, the village of Bennikoro.

As far as Mount Keme it runs towards the north-west leaving on the

[Sierra Leone Boundary.]

east, within French territory, the villages of Yeruaia (Yerouaya) (farm village), Konairto (farm village), Farama, Balia (farm village), and Fode Bogoria (Forboria or Fode Bogoria);

On the west, within English territory, the ruined farm village of Yerindo.

From Mount Keme, which dominates at a distance of 800 metres (880 yards) the village of Farama, the frontier takes a northerly direction as far as the source of the Bondolo, leaving on the east, within French territory, the villages of Lanseredugu (Lansérédou or Lansérédougou) and Yebadu (ruined) (Yébadou); on the west, within English territory, the village of Siria.

It then turns eastward, and afterwards sharply to the north-north-west, passing by the western peak of the Konkokuraa (Konkokouroua) mountains, leaving on the east, within French territory, the villages of Nimonmoria (Gnimonmoria) (ruined farm village), Bambaireya (farm village), Kikalia (Kikalaya) (farm village), Siramaia (Siramaya), and Bakunufe (Bakounoufé) (ruined farm village); on the west, within English territory, those of Firaou (Firaoua) (ruined), Karafaia (Karfaya) (ruined), Morifinia, Dugulema (Dougoulema) (ruined), Bonbonkoro (Bongbondo) (farm village), and Kenawa (Kenaoua).

The frontier makes a slight bend to the eastward to turn the head of the Gwiuro (Guiouro), an affluent of the Bandangban, resuming then its north-north-westerly direction as far as within 4,500 metres (4,920 yards) of Mount Bondi, leaving on the east, within French territory, the villages of Kondeya (ruined), Lansanabara (farm village), Kerto (farm village), Songoia Tukoro (Songoya Toukoro); on the west, within English territory, that of Boala Karafaia (Boala Karfaya) (ruined).

It then takes a westerly direction till within about 3,500 metres (3,828 yards) in a north-easterly direction of the ruins of Boala Karafaia (Boala Karfaya), turning again northwards, leaving on the east, within French territory, the village of Konkofiniria; on the west, within English territory, those of Dundunia (Doundounia) (ruined farm village), and Issikimedu (Issikimédou) (farm village).

It then takes a north-westerly direction as far as the village of Berea Futambu (Béréa Fotombo), which it leaves about 1,000 metres (1,090 yards) to the west; leaving on the east, within French territory, the villages of Minamamudia (Minamamoudia), Sakolaia (Sakolaya), Songoia Tintarba (Songoya Tintarba), Silimaia (Silimaya) (ruined), Farmäiria (farm village), Kissitambaia (Kissitambaya), Melibu (Melibou) (ruined), Niamalaia (Niamalaya), and Kobedugu (Kobédougou); on the west, within English territory, the villages of Kombili, Dakolofe (Dagbolofé), Salamaia, Denkeledo, Kabelea (ruined), Bambaia (Bambaya) (farm village), Kambaia (Kambaya), Sandeya (ruined), Dagnini (farm village), Dogonya (Dogounia) (farm village), and Berea Futambu (Béréa Fotombo).

It bends then slightly northwards, leaving on the east, within French territory, the villages of Heremakono, Sambaia (Sambaya) (ruined), Sanaia (Sanaya) (farm village), Siraia (Siraya) (farm village), Sisseya, Tumania (Toumania) (ruined), Tendoia (Tendoya) (ruined), and Niaia

[Sierra Leone Boundary.]

(Niaya) ; on the west, within English territory, the villages of Kobelea (ruined), Kalieri (Kalièré), and Modibaia (farm village).

The boundary ends at the point of intersection of the watershed with the 10th degree of latitude.

This point leaves Kalieri (Kalièré) about 2,800 metres (3,060 yards) to the south, and bearing $200^{\circ} 25'$ magnetic. It is situated on the slope of a knoll.

As a referring mark the Commissions have constructed on the top of this knoll and 40 metres (43 yards) to the north, (*i.e.*, within French territory) an auxiliary beacon bearing the number 1 in the series of those erected in the section following the 10th parallel of north latitude.

The boundary intersects the following roads and paths commencing from the south :—

1. Path from Konkonante to Farakoro (Beacon No. 1).
2. Path from Porpor (Popon) to Farakoro (Beacon No. 3).
3. Road from Nerekoro to Farakoro (Beacon No. 4).
4. Road from Nerekoro to Kulakoia (French) (Kulakoya) (Beacon No. 5).
5. Road from Nerekoro to Nalia (Beacon No. 6).
6. Road from Kulakoia (Koulakoya) (English) to Yenankolia, by the farm village of Fua (Foua) (Beacons Nos. 7 and 8).
7. Road from Kulakoia (Koulakoya) (English) to Nalia (Beacon No. 9).
8. Road from Kulakoia (Koulakoya) (English) to Naila (Beacon No. 10).
9. Road from Kulakoia (Koulakoya) (English) to Yurukuria (Youroukouria) (Beacon No. 11).
10. Road from Samaindu (Samandou or Samayandou) to Yurukuria (Youroukouria) (Beacon No. 12).
11. Path from Samaindu (Samandou or Samayandou) to Farko (farm village) (Beacon No. 14).
12. Path from Dandafarra to Sirikamaria (farm village) (Beacon No. 16).
13. Road from Dandafarra to Furugbeia (Fourougbeia) (Beacon No. 17).
14. Road from Dandafarra to Boria or Bogoria (Beacon No. 18).
15. Road from Massadugu (Massadou or Massadougou) to Boria or Bogoria (Beacon No. 19).
16. Road from Kirimandugu (Kirimindou or Kirimindougou) to Sambadugu (Sombodou or Sombodougou) (Beacon No. 20).
17. Road from Kirimandugu (Kirimindou or Kirimindougou) to Kosso or Kosaba (Beacon No. 21).
18. Road from Kiridugu (Kirdou or Kiridougou) to Kosso or Kosaba (Beacon No. 22).
19. Road from Kiridugu (Kirdou or Kiridougou) to Bennikoro (Beacon No. 23).
20. Road from Fangaiia (Fangaya) to Falikotamba (farm village) (Beacon No. 24).

[Sierra Leone Boundary.]

21. Road from Fangaia (Fangaya) by Fakorea (ruined) to Farama (Beacon No. 25).
22. Path from Yarindo (ruined farm village) to Farama (Beacon No. 26).
23. Farm road from English territory to Farama (Beacon No. 27).
24. Road from Siria to Farama (Beacon No. 28).
25. Path from Firaua (Firaoua) (ruined village) to Lanseredugu (Lansérédou or Lansérédougou) (Beacon No. 29).
26. Path from Firaua (Firaoua) (ruined village) to Bambaireya farm village (Beacon No. 30).
27. Path from Bonbonkoro (Bongbondo) (farm village) to Bambaireya (farm village) (Beacon No. 31).
28. Path from Boala Karafaia (Boala Karfaya) (ruined) to Lansanabara (farm village) and Songoia Tukoro (Songoya Toukoro) (Beacon No. 32).
29. Path from Issikimedu (Issikimédou) to Konkofiniria (Beacon No. 33).
30. Two small farm roads from English territory to Minamamudia (Minamamoudia).
31. Deserted road from Boala Karafaa (Boala Karfaya) (ruined) to Minamamudia (Minamamoudia).
32. Road from Kombili to Songoia Tukoro (Songoya Toukoro) (Beacon No. 34).
33. Road from Kombili to Sakolaia (Sakolaya) (Beacon No. 35).
34. Farm road from English territory to Sakolaia (Sakolaya) (Beacon No. 36).
35. Road from Kombili to Songoia Tintarba (Songoya Tintarba) (Beacon No. 37).
36. Road from Kombili to Songoia Tintarba (Songoya Tintarba) by Farmairia (Beacon No. 38).
37. Road from Bambaia (Bambaya) to Songoia Tintarba (Songoya Tintarba) by Farmairia (Beacon No. 38).
38. Road from Bambaia (Bambaya) to Kissitambaia (Kissitam-baya) (Beacon No. 39).
39. Road from Kambaia (Kambaya) to Baraba (Beacon No. 40).
40. Road from Kambaia (Kambaya) to Baraba (Beacon No. 41).
41. Path from Berea (farm village) to fields in French territory.
42. Road from Berea (farm village) to Gettaia (Guettaya or Gbettaya) (Beacon No. 42).
43. Road from Kambaia (Kambaya) to Gettaia (Guettaya or Gbettaya) by Melibu (Melibou) (ruined) (Beacon No. 43).
44. Path from Dagnini to Gettaia (Guettaya or Gbettaya).
45. Road from Kambaia (Kambaya) to Heremakono (Beacon No. 44).
46. Road from Kambaia (Kambaya) to Niamalaia (Niamalaya) Beacons Nos. 45, 46).
47. Road from Kambaia (Kambaya) to Niamalaia (Niamalaya) by Dagnini (Beacon No. 47).
48. Farm road from English territory to Niamalaia (Niamalaya) (Beacon No. 48).

[Sierra Leone Boundary.]

49. Path from Dogonya (Dogounia) to fields in French territory (Beacon No. 49).

50. Path from Berea Futambu (Béréa Fotombo) to fields in French territory (Beacon No. 50).

51. Road from Berea Futambu (Béréa Fotombo) to Heremakono (Beacons Nos. 51, 52).

52. Road from Berea Futambu (Béréa Fotombo) to Siraia (Siraya) (Beacon No. 53).

53. Road from Berea Futambu (Béréa Fotombo) to Kalieri (Kaliéré) by Sisseya (Beacons Nos. 54 and 56).

54. Road from Sisseya to Kambaia (Kambaya) (farm village) (Beacon No. 55).

55. Path from Kobelea (ruined) to Sisseya (Beacon No. 55).

56. Great road from Simitia (neutral village) to Heremakona (Beacons Nos. 57, 58, 61, 63, 64, 65).

57. Road from Kalieri (Kaliéré) to Niaia (Niaya) (Beacon No. 59).

58. Road from Kalieri (Kaliéré) to a farm in French territory (Beacon No. 60).

59. Road connecting Kalieri (Kaliéré) with the Heremakono-Simitia road (Beacon No. 62).

60. Path from Kalieri (Kaliéré) in the direction of Simitia (Beacon No. 66).

Note.—Between beacons 51 and 52 the section of road A-52 is French. The point A is about half-way between beacons 51 and 52.

The section of road B-58 between beacons 57 and 58 is French. The point B is about half-way between beacons 57 and 58.

Executed in duplicate, Banks of the Kaba, April 9th, 1896.

J. K. TROTTER, *Lieutenant Colonel,*
President of English Commission.

PASSAGA,
President of the French Commission.

SECOND SECTION.

Description of the Boundary along the 10th parallel.

From the intersection of the 10th parallel of north latitude with the watershed between the Niger basin and the basins of waters flowing westwards the boundary follows this parallel as far as its junction with the thalweg of the Kaba.

Twenty-one beacons have been erected by the two Commissions, generally at points where this parallel cuts the roads and important streams of the region.

Their numbering and description are annexed to this procès-verbal.

The boundary leaves to France:—

The road from Sandenia to Bibia, the farm villages of Bibia, Kobaia (Kobaya), Kidoia (Kidoya), Lukhumbu (Loukhombou), in

[Sierra Leone Boundary.]

Sulima country (Soulima); (the path from Kidoia (Kidoya) to Lukhumbu (Loukhombou) lies altogether in French territory); the farm villages of Herako (Hérako, Hérémakono, or Koundimbou), Bandankoto, Mussaia (Moussaya) (which belong to Kambia) in Hure (Houré) country; the village of Yomaia (Yomaya), the little farm village of Kamagwia (Kamaigua); the road from the ford, and that of the rainy season towards Wossu (Ouossou) in Kamuke (Kamouké) country.

To England :—

The villages of Farimbu or Kankusoria (Farimbou or Kankousoria) (farm village), Kabuya (Kabouia), (farm village), Sagoia (Sagoya) (farm village), Makaia (farm village) (in Sulima (Soulima) country), Manda and Fansaran (farm village) in Kamuke (Kamouké) country.

It cuts :—

1. The road from Bibia to Kalieri (Kalière), 50 metres (55 yards) south of Bibia (Beacon No. 2).
2. The great road from Bibia to Simitia a little to the south of the bifurcation of the path from Bibia to Tagania (Beacon No. 3).
3. A path from the little village of Kankuyarea (Kankouyará) or Kankusoria (Kankousoria) to Kobaia (Kobaya) (Beacon No. 4).
4. The great road from Simitia to Tagania (Beacon No. 5).
5. Two paths from Kankusoria (Farimbou or Kankousoria) to Lukhumbu (Loukhombou) (Beacon No. 6).
6. A path from Kabuya (Kabouia) to Lukhumbu (Loukhombou) (Beacon No. 7).
7. A path from Sagoia (Sagoya) (farm village) to some fields in French territory (Beacon No. 8).
8. A road from Sagoia (Sagoya) (farm village) to Tagania (Beacon No. 9).
9. Two hunters' paths east of the Mongo (Beacons Nos. 10 and 11).
10. Two hunters' paths west of the Mongo (Beacon No. 13).
11. A well tracked road running north and south (Beacon No. 14).
12. A well tracked road, 300 metres (330 yards) east of the above road and having also a north and south direction (Beacon No. 15).
13. A farm path to some fields in English territory from Herako (Hérako, Hérémakono or Koundimbou) (Beacon No. 16).
14. The road from Sunghania (Sounguania) to Turela (Touréla) (Beacon No. 17).
15. The road from Telea to Koluma (Beacon No. 18).
16. The road from Manda to Yomaia (Yomaya) (Beacon No. 19).
17. The path from Fansaran (farm village) to Yomaia (Yomaya) (Beacon No. 20).

It leaves on the south the neutral territory of Simitia, claimed by the French Commissioners in conformity with Article III of the Agreement of the 21st January, 1895 (No. 237) and by the English Commissioners in conformity with Art. I of the Agreement of 21st January, 1895. The question of the possession of this territory is left for settlement by the two Governments concerned.*

* The French claim to Simitia was withdrawn on the ratification of the Convention of 14th June, 1898. See Exchange of Notes of 14th and 16th June, 1898, p. 794.

[Sierra Leone Boundary.]

A description of the boundary of the neutral territory of Simitia was signed at Bibia on the 16th of March, 1896, by the Presidents of the two Commissions. This description, as well as the procès-verbal of the Conference held at Bibia on the 15th of March, 1896, is attached to the present procès-verbal.*

Executed in duplicate on the banks of the Kaba, 9th April, 1896.

J. K. TROTTER,

President of English Commission.

PASSAGA,

President of the French Commission.

THIRD SECTION.

- (1.) *Small Skarcies or Kaba to the Lolo.*
- (2.) *Lolo to Great Skarcies or Kolente.*

1. *Small Skarcies or Kaba to Lolo :*

From the point of intersection of the 10th parallel of north latitude with the thalweg of the Small Skarcies or Kaba the boundary follows this thalweg as far as a point situated 4 statute miles (6,400 metres) south of the above parallel, and about 110 yards north of the confluence of the Kukubeakude (Koudoubéakoudé), an affluent of the left bank of the Small Skarcies or Kaba with this river.

From this point the boundary runs in a straight line to the confluence of the River Kita with the Lolo. This line makes an angle of 16° south with the true west (true bearing 254°).

(The magnetic declination allowed by the two Commissions for measuring this angle was 18° 10' west).

Eight beacons have been constructed along this line by the direction of the two Commissions. Their numbering and description are annexed to this procès-verbal.

The boundary leaves :—

1. To France :

The villages of Dunkobia (Dounkobia), Salifuya (Salifouya) (farm village), and Kabelea (farm village).

To England :

The villages of Kolemakha, Lakhata, Fansiga, Yatea, and Kokuta (Kokouta).

It cuts :

1. The road from Kolemakha to Dunkobia (Dounkobia) (Beacon No. 2).
2. The road from Kondita to Dunkobia (Dounkobia) (Beacon No. 3).
3. The road from Kondita to Salifuya (Salifouya) (Beacon No. 4).
4. The road from Yatea, Fansiga, and Lakhata, to Salifuya (Salifouya) (Beacon No. 5).

* Not printed.

[Sierra Leone Boundary.]

5. The road from Yatea and Kokuta (Kokouta) towards Saboia (Sabouya) and the small farm village of Kabelea (Beacon No. 6).

6. A path from Kabelea (farm village) to the Lolo.

2. *Lolo to the Great Scarcies or Kolinte.*

The boundary from the confluence of the Rivers Kita and Lolo follows the thalweg of the River Kita as far as a point situated above and 1,500 metres (1,640 yards) distant, as the crow flies, from the centre of the village of Lakhata.

From this point it follows a straight line, making an angle of 5° with the magnetic west (bearing 275° magnetic), as far as the centre of a vertical rocky escarpment commanding from the south-west the village of Kankuya (Kankouga).

From this rocky escarpment it follows a straight line, making an angle of about 30° south of the magnetic west (240° magnetic), as far as a point situated in the centre of the western edge of the plateau commanding from the south-east the village of Kankuya (Kankouya)

(See procès-verbal of the Conference of 24th April annexed to the present procès-verbal).

From this point the frontier follows a straight line making an angle of 9° with the magnetic west (bearing 279° magnetic), till it meets a line drawn parallel to and 500 metres south of, the centre of the track of the road from Wellia (Ouélia) to Wossu (Ououssou) by Lusenia (Lucénia), Ula (Oula), and Fema.

From this point of intersection of these two lines the boundary follows a line drawn at a distance of 500 metres to the south of the road mentioned above as far as its meeting with the right bank of the Great Skarcies (Grande Scarcie or Kolinté).

Twenty-three beacons have been constructed along this section of the boundary by the two Commissions. Their numbering and description are attached to the present procès-verbal.

The frontier leaves :—

1. To France :

The villages of Yumboya (Youmboya), Yibon (Ngibon) (farm village), Kulukure (Kouloukouré) (farm village), Bokaria, Kondeadi (farm village), Kondea (farm village), Kungsi (Counsi) (farm village), Ferea (farm village), Fansiga (farm village), Kankuya (Kankouya), Dantumaia (Dantoumaya), Gibere (Guibéré) (farm village), Gindigalan (Guindigalan) (farm village), Fodea, Fema (farm village), Ula (Oula), Lusenia (Lucénia) (ruined farm village), and Wendesoria (Ouendesoria) (farm village).

2. To England :

The villages of Lakhata (farm village), Wantankan (Ouantankan) (farm village), Wanyen (Ouanyen) (farm village), Dumbaia (Doubaya), Morea, Kufuru (Koufourou) (farm village), Morikambaia (Morikambaya) (farm village), Kondekure (Kondekouré) (farm village), Kondekure Soribaia (Kondekouré Soribaya) (farm village) Saionia (Sahonia) and Yembedeka = (Yembedara) (ruined).

[Sierra Leone Boundary.]

It cuts :

1. The road from Lakhata to Yumboya (Youmboya).
2. The road from Lakhata to Yibon (Ngibon) and Yumboya (Youmboya).
3. The road from Wantankan (Ouantankan) to Yibon (Ngibon) and Wantankan (Ouantankan) to Bokaria.
4. The road from Dumbaya (Doubaya) to Kondea by Wanyen (Ouanyen).
5. The road from Morea to Kungsi (Counsi) and Kondeadi, and from Dumbaia (Doubaya) to Kungsi (Counsi) and Kondeadi.
6. The road from Kufuru (Koufourou) to Kunkuya (Kankouya).
7. The road from Bindekure (Bindekouré) to Kankuya (Kankouya).
8. A field road from English territory to Dantumaia (Dantoumaya).
9. The road from Kondekure (Kondekouré) to Balifili by Gibere (Guiberé).
10. Another road from Kondekure (Kondekouré) to Balifili by Gibere (Guiberé).
11. The road from Saionia (Sahonia) to Gindigalan (Guindigalan).
12. The road from Kondekouré to Gindigalan (Guindigalan).
13. The road from Kondekure (Kondekouré) and from Saionia (Sahonia) by Mahinfre and Fodea.
14. The road from Fodea to Saionia (Sahonia).
15. The road from Saionia (Sahonia) to Fungudara (Foungoudara) by Fema.
16. The road from Saionia (Sahonia) to Ula (Oula).
17. Another road from Saionia (Sahonia) to Ula (Oula).
18. A road from Saionia (Sahonia) by Yembedeka (Yembedara) to Ula (Oula).
19. A road from Saionia (Sahonia) by Yembedeka (Yembedara) to Ula (Oula) and Lusenia (Lucénia).
20. A road from some cultivation in English territory to the village of Lusenia (Lucénia).
21. A small track to Ferakure (Ferakouré).
22. Two small tracks to the Great Skarcies (Kolinté).

Executed in duplicate on the banks of the Great Skarcies, 30th April, 1896.

J. K. TROTTER,

President of the English Commission.

PASSAGA,

President of the French Commission.

Procès-verbal of the Conference of 24th April.

The French and English Commissioners charged with delimiting on the ground the boundary between the territories of French Guinea and Sierra Leone, having, in accordance with the terms of the Agreement of 21st January, 1895 (**No. 237**), sought for a gap in the north-

[Sierra Leone Boundary.]

west flank of the chain of heights situated in the east of Talla about two miles (3,200 metres) south of the village of Duyunia (Donia).

And having failed to discover, to the south of Duyunia (Donia), in the zone indicated above, either a valley, ravine, defile, or gap in the crest,

Have agreed to accept, on the line of heights which command the village of Dantumaia (Dantoumaya) from the east, two points of reference from which the two lines directed, one on a point situated 500 metres above the bend of the River Kora to the north of Lusenía (Lucénia), and the other on a point on the River Kita, 1,500 metres, as the crow flies, above the centre of the village of Lakhata, are drawn.

The plateáu commanding Dantumaia (Dantoumaya) from the east is situated, as regards its northern face, about 2,900 metres to the south (true) of Duyunia (Donia). Its western flank is a geological fault, *i.e.*, a vertical wall about 400 metres (1,312 feet) above the village of Dantumaia (Dantoumaya).

The north-west flank of the plateau offers also a vertical scarpment, 100 metres (328 feet) high, overlooking from the south the village of Kankuya (Kankouya).

The two points of reference chosen by the two Commissioners are :

1. For the line drawn from the thalweg of the River Kita :

A point on the plateau in the centre of the north-west face.

This point is near a vertical rock of about 15 metres (49 feet) in height.

This rock, which runs for several metres in the form of an escarpment wall parallel to the general direction of the perpendicular face, is known as the " rock of Kankuya " (Kankouya).

2. For the line drawn from the point situated above and at 500 metres distance from the bend of the Kora :

A tree situated in the centre of the western edge of the plateau.

The boundary between these two points of reference is formed by a straight line drawn from the rock of Kankuya (Kankouya) to the centre of the western edge of the plateau.

Executed in duplicate at Dantumaia (Dantoumaya), April 24th, 1896.

J. K. TROTTER,

President of the English Commission.

PASSAGA,

President of the French Commission.

Description of the Fourth Section of the Frontier.

Great Skarcies (Kolinté) and Little Mola to Kiragba.

From Beacon No. 1 on the right bank of the Great Scarcies (Kolinté) situated at the point 500 metres (547 yards) south of the spot where the road from Wellia (Ouélia) to Wossu (Ouossou) by Lusenía (Lucénia) touches the right bank, the boundary follows the right bank of the

[Sierra Leone Boundary.]

Great Skarcies (Kolinté) to its confluence with the Mola, then the thalweg of the Mola, as far as the confluence of the little Mola, thence following the course of Little Mola, to its source, from which point it is drawn in a straight line to the point on the watershed, nearest to this source.

The boundary then follows the watershed between the basins of the Mellakore (Mellacorée) and the Great Skarcies (Kolinté) till it reaches a point 500 metres (547 yards) south of the centre of the village of Digipali (Diguipali).

From thence it takes a south-west direction, parallel to the road from Rubane (Roubané) to Kiragba, which passes through or near to the French villages of Tinketuk (N'Tinékétoúk) and Digipali (Diguipali) and the English villages of Konkobotoia (Konkobotoya), Momotiménia, Mandimoya Minkia, Robanti, Minkiadi, and Fungala (Foungala) at an even distance of 500 metres (547 yards) from the centre of the track, as far as a point half-way between the French village of Digipali (Diguipali) and the English village of Konkobotoia (Konkobotoya).

From this point it turns north-west, cuts the road at right angles, and is drawn to a point 500 metres (547 yards) north-west of the said road, parallel to which it runs at a distance of 500 metres (547 yards) measured as above, as far as a point on the Atlantic coast, north-west of the village of Kiragba (English) determined by the intersection of an arc of 500 metres (547 yards) radius, drawn from the centre of the said village, with the high-water mark.

Eighty-nine beacons have been constructed along this boundary (one of which is numbered 43 (a)). Their numbering and description are annexed to this procès-verbal.

The boundary leaves to France :—

The villages of Bambaia (Bambaya) (farm village), Kalangba (farm village), Katamo (farm village), Minkibanaia (Minkibanaya) (farm village), Bureia (Boureya) (farm village), Lunke (Lounké) (farm village), Moduya (Modouya) (farm village), Pamalap (farm village), Tadi (farm village), Katonko, Tanene, Tagani, Talansan, Furumbia (Fourumbia) (farm village), Fodea (farm village), Fansiga (Fanciga), Heremakono, Lasoya, Sekia, Kunia (Kounia), Daragbe (farm village), the ruins of a farm village about 700 metres (765 yards) north-west of Bogoli (N'bogoli) (English), Koboya (farm village), Tungo (N'toungo), Tambaia (Tambaya) (farm village), Mabantamo (farm village), Tonkoya (ruined), Rubane (Roubané), Monkuru (Moncourou), Tinketuk (N'tinékétoúk) (ruined), Digipali (Diguipali), Morifodea (farm village), Sangbeya (farm village), Kaleiréfori (ruined), and Kaleirenene.

To England :—

The villages of Kaiomena (Kayoména) (farm village), Sebaia (Sebaya) (farm village), Laminaia (Laminaya) (farm village), Yema (farm village), Sallatuk (Sallatouk) (farm village), Kalangba, Bindema (farm village), Balamuya (Balamouya) (farm village), Koboto (farm village), Sorilokoya (farm village), Walibana (Oualibana) (farm village), Kabaia (Kabaya) Maninki, Fonkudera (Fonkoudera), Makomere (farm village), Madine, Tanene (farm village), Mafore, Lokoya, Bereire,

[Sierra Leone Boundary.]

Magbembe, Tambaia (Tambaya), Yemakabaia (Yémakabaya), Makalison, Missilaia (Missilaya) (farm village), Taire, Boesunkaria (Boesoukaria) (farm village, ruined), Kaleire (ruined), Lusenia (Lucenia), Kobeleta, Bogoli (N'bogoli), Bona (N'Bona), Kasori (Kasory), the ruins of a farm village about 765 yards (700 metres) south-south-west of the French village of Rubane (Roubané), Bombo (G'Bombo) (ruined), Surubulumiafori (Souribolomiafori), Dambaia (Dambaya), Maieli (Mayeli), Konkobotoia (Konkobotoya), Momotimena, Undi (Oundi), Minkia, Kaikonki, Kumbakeya (Koumbakeya), Robanti, Bandaia (Bandaya), Mandimo, Timbo, Minkiadi, Fungala (Foungala), and Kiragba.

It cuts :—

1. The road from Kaiomena (Kayoména) to Bambaia (Bambaya) (Beacon No. 2).

2. The road from Kaiomena (Kayoména) to Tabuna (Tabouna) (Beacon No. 4).

3. The road from Kaiomena (Kayoména) to Minkibanaia (Minkibanaya) (Beacon No. 5).

4. The path from Laminaia (Laminaya) to Minkibanaia (Minkibanaya) (Beacon No. 6).

5. The road from Mafari to Pamelāp by Sallatuk (Sallatouk) (Beacon No. 7).

6. The road from Kalangba to Pamelap by Sallatuk (Sallatouk) (Beacon No. 8).

7. The road from Mafari to Kalangba (Beacon No. 9).

8. The same road (Beacon No. 10).

9. The path from Balamuya (Balamouya) to Lunke (Lounké) (Beacon No. 11).

10. The path from Balamuya (Balamouya) to some fields (Beacon No. 12).

11. The road from Mafari to Pamelap (Beacon No. 13).

12. The road from Walibana (Oualibana) to Pamelap (Beacon No. 14).

13. The road from Walibana (Oualibana) to Katonko (Beacon No. 15).

14. A track from Katonko to some fields (Beacon No. 16).

15. The road from Kabaia (Kabaya) to Katonko (Beacon No. 17).

16. A track from Kabaia (Kabaya) to some fields (Beacon No. 18).

17. A track from Fonkudera (Fonkoudéra) to some fields (Beacon No. 19).

18. A track from Fonkudera (Fonkoudéra) to some fields (Beacon No. 20).

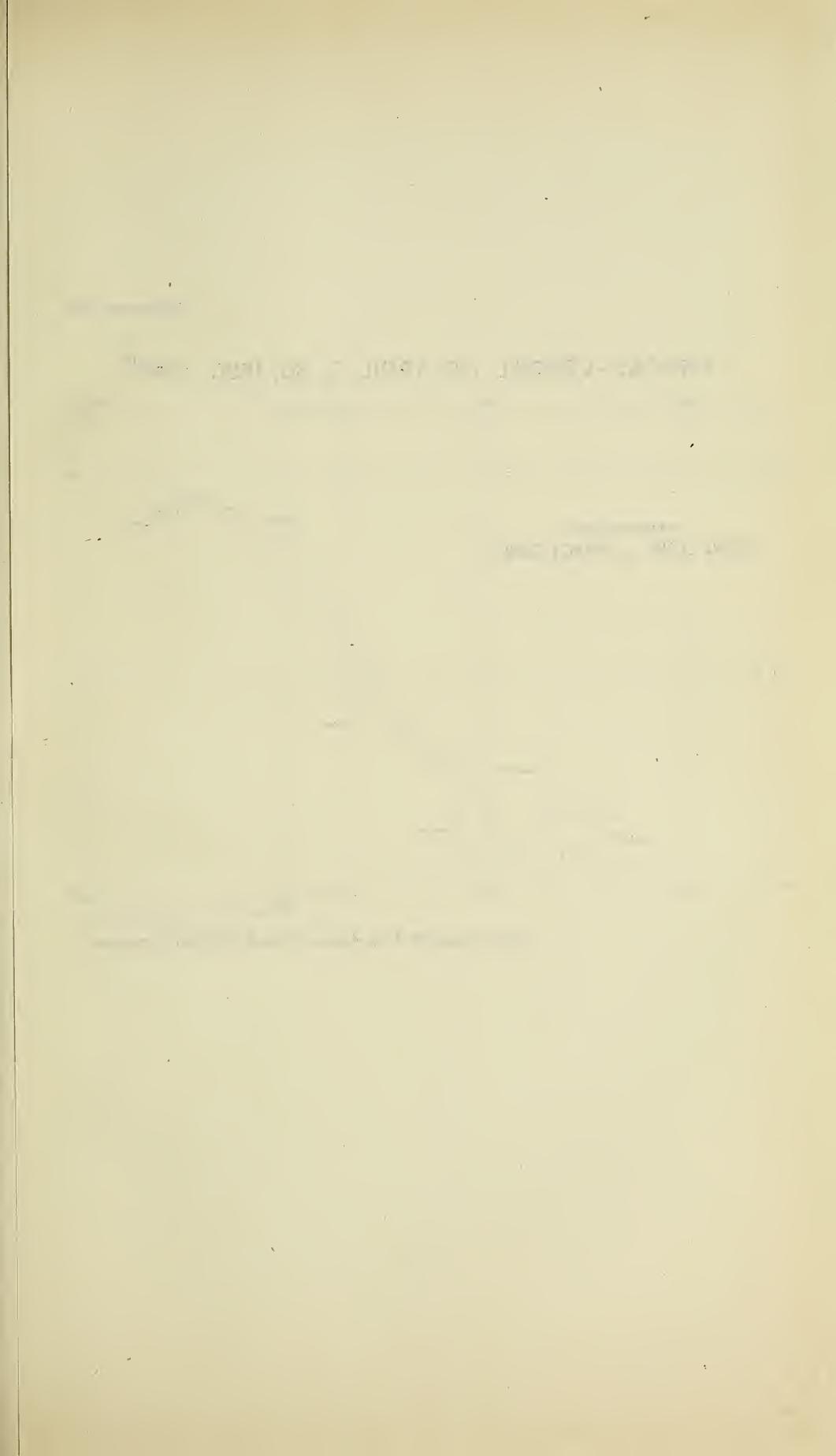
19. The road from Fonkudera (Fonkoudéra) to Tanene (French) (Beacon No. 21).

20. The road from Fonkudera (Fonkoudéra) to Tagani (Beacon No. 22).

21. The road from Makomere to Tagani near the bifurcation of the road from Fonkudera (Fonkoudéra) to Madine (Beacon No. 23).

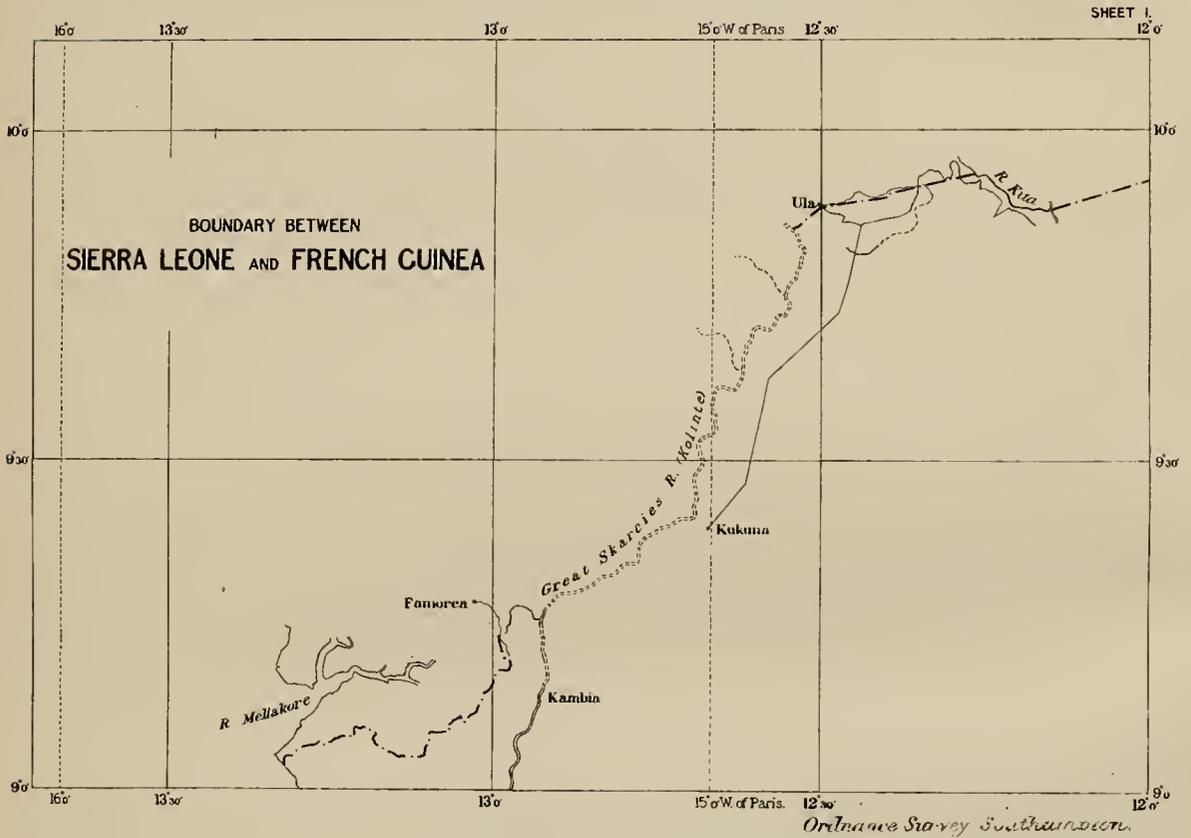
[Sierra Leone Boundary.]

22. A path from Madine to Tagani which joins the road from Fonkudera (Fonkoudéra) to Madine (Beacon No. 24).
23. The road from Madine to Fonkudera (Fonkudéra) near the junction of a field track (Beacon No. 25).
24. The road from Madine to Fonkudera (Fonkudéra), near the junction of a field track (Beacon No. 26).
25. The road from Madine to Talansan (Beacon No. 27).
26. A path from Tanene to some fields (Beacon No. 28).
27. The road from Tanene to Furumbia (Fouroumbia) (Beacon No. 29).
28. The road from Mafore to Fodea (Beacon No. 30).
29. The road from Lokoya to Fodea (Beacon No. 31).
30. The road from Bereire to Fodea (Beacon No. 32).
31. The road from Bereire to Talansan, by Fodea, near the bifurcation of a track to some fields (Beacon No. 33).
32. The road from Bereire to Fodea, near the bifurcation of a road to Talansan (Beacon No. 34).
33. The road from Bereire to Fansiga (Fanciga) (Beacon No. 35).
34. The road from Bereire to Fansiga (Fanciga) near the bifurcation of a field road (Beacon No. 36).
35. A path from Bereire to some fields (Beacon No. 37).
36. The road from Bereire to Konsutanene (Konsoutané) (Beacon No. 38).
37. A path from Bereire to some fields (Beacon No. 39).
38. The road from Bereire to Konsutafori (Konsoutáfori) near the bifurcation of a field road (Beacon No. 40).
39. The road from Bereire to Morekania (Morécania) (Beacon No. 41).
40. The road from Bereire to Morekania (Morécania) near the bifurcation of a road to Heremakono (Beacon No. 42).
41. The road from Bereire to Morekania (Morécania) (Beacon No. 43).
42. The road from Bereire to Morekania (Morécania) near the bifurcation of a road to Magbembe (Beacon No. 43*a*).
43. The road from Magbembe to Heremakomo (Beacon No. 44).
44. A track from Lasoya to some fields (Beacon No. 45).
45. The road from Lasoya to Daragbe, 54 yards north-north-east of the bifurcation of a road to Tambaia (Tambaya) (Beacon No. 46).
46. The road from Lasoya to Daragbe (Beacon No. 47).
47. The road from Tambaia (Tambaya) to Daragbe (Beacon No. 48).
48. The road from Tambaia (Tambaya) to Sekia (Beacon No. 49).
49. The road from Bubuya (Boubouya) to Sekia (Beacon No. 50).
50. A track from Kunia (Kounia) to some fields (Beacon No. 51).
51. A track from Bubuya (Boubouya) to Daragbe (Beacon No. 52).
52. A track from Daragbe to some fields (Beacon No. 53).
53. The road from Missilaya (Missilaya) to Daragbe (Beacon No. 54).
54. A road from Taire which joins the road from Lusenía (Lucénia) to Daragbe (Beacon No. 55).
55. The road from Lusenía (Lucénia) to Daragbe (Beacon No. 56).
56. The road from Kobeleta to Daragbe (Beacon No. 57).



To face page 778.

PROCÈS-VERBAL OF APRIL 9, 30, 1896, MAP^(A)



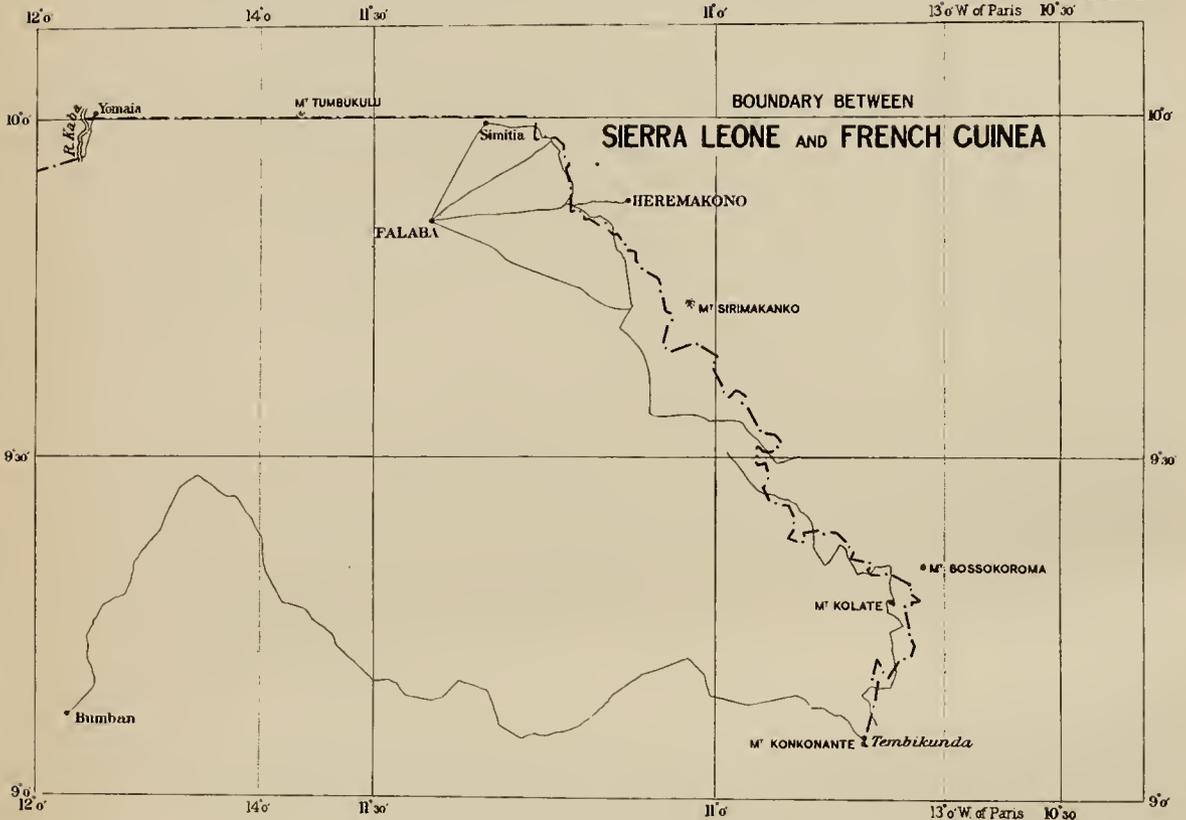
Scale of map (No 7) in Atlas or Pouch 3.156 miles to inch

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To face page 778.

PROCÈS-VERBAL OF APRIL 9, 30, 1896. MAP^(B)

SHEET 2.



Ordnance Survey Southampton

Scale of map (N^o 8) in Atlas or Pouch 3.156 miles to 1 inch

[Sierra Leone Boundary.]

57. A track from Kobeleta which joins the road from Bogoli (N'bogoli) to Daragbe (Beacon No. 58).

58. A path from Koboleta to some fields (Beacon No. 59).

59. The road from Bogoli (N'bogoli) to Daragbe, near the bifurcation of a road to Kobaiya (Kobaya) (Beacon No. 60).

60. The road from Bogoli (N'bogoli) to Mabantamo, near a ruined farm village (French) (Beacon No. 61).

61. The road from Tungo (N'tungo) to Bona (N'bona) by Koboya (Beacon No. 62).

62. A track from Tungo (N'tungo) to some fields (Beacon No. 63).

63. The road from Kaiengissa (Kayenguissa) to Tungo (N'tungo) (Beacon No. 64).

64. The road from Kasori (Kasory) to Tungo (N'tungo) (Beacon No. 65).

65. The road from Kaiengissa (Kayenguissa) which joins the Rubane (Roubané) Tungo (N'tungo) road (Beacon No. 66).

66. The road from Rubane (Roubané) to Tungo (N'tungo) Beacon No. 67).

67. The road from Rubane (Roubané) to Tungo (N'tungo), near the bifurcation of a road from Rubane (Roubané) to a ruined English village (Beacon No. 68).

68. The road from Rubane (Roubané) to Monkuru (Monkourou) (Beacon No. 69).

69. The same road from Rubane (Roubané) to Monkuru (Monkourou) (Beacon No. 70).

70. The road from Digipali (Diguipali) to Monkuru (Monkourou), near the bifurcation of a field road (Beacon No. 71).

71. The road from Digipali (Diguipali) to Rubane (Roubané) (Beacon No. 72).

72. The road from Bombo (Gbombo) to Monkuru (Monkourou) (Beacon No. 73).

73. The road from Dintilipan to Wala (Ouala) (Beacon No. 74).

74. The track from Dintilipan to Tinketuk (N'tinekétouk) by Bombo (Gbombo) (Beacon No. 75).

75. The road from Surubulumia (Souribolomia) to Wala (Ouala) by Tinketuk (N'tinekétouk) (Beacon No. 76).

76. A path from Dintilipan to Tinketuk (N'tinekétouk) by Bombo (Gbombo) (Beacon No. 77).

77. The road from Surubulumiafori (Souribolomiafori) to Tinketuk (N'tinekétouk) (Beacon No. 78).

78. The road from Surubulumia (Souribolomia) to Digipali (Diguipali) (Beacon No. 79).

79. The road to Konkobotoya to Digipali (Diguipali), halfway between these villages (Beacon No. 82).

Executed in duplicate at Wellia, 30th April, 1896.

J. K. TROTTER,

President of the English Commission.

PASSAGA,

President of the French Commission.

No. 240.—*REPORT of the British and French Commissioners for the Delimitation of the Boundary between the Colonies of Lagos and Dahomey.* Paris, 12th October, 1896.†*

IN conformity with the arrangements previously agreed upon between their Excellencies the Governors of Lagos and Dahomey, the two Sections of the Commission met at Badagry, in the Colony of Lagos, on the 31st day of December, 1895.

The Commission consisted of :—

(1.)—*French Section.*

Captain Plé, Commissioner.

Enseigne de Vaisseau Brisson (adjoint).

(2.)—*British Section.*

Mr. F. C. Fuller, Commissioner ;

Mr. A. G. Fowler, Topographer ; and

Dr. Hay, Medical Attendant.

At the outset the two Sections agreed upon the methods to be adopted.

The boundary zone to be traversed being mostly covered with thick bush, and the country being of a flat nature, rendered both the ordinary methods employed impracticable, *i.e.*, triangulation and chaining-out.

It was therefore resolved to proceed as follows :—

To cross the boundary meridian or approach it as often as possible by the use of any paths adjoining it ; to visit all inhabited villages and to fix their position in relation to the boundary meridian, and determine thereby to which of the two Colonies they belong ; besides fixing these positions, to erect pillars, should necessity need them, and should the nature of the country permit of their erection.

To draw up, moreover, the work of the Commission in the shape of itineraries made locally and based on astronomical positions.

On the 2nd January, 1896, the two Sections reached Dopeu (Dopetou), the nearest village to the initial point of the boundary (Point A) referred to in the Agreement of the 10th August, 1889 (**No. 226**), and determined on the spot by the Commission of 1890.

The accompanying maps by Captain Plé and by Mr. Fowler coincide exactly as regards the mutual boundary zone.

The native names appear thereon in both the English and French spelling of them.

These maps clearly show the “ route ” travelled over. The Commission was fortunate enough to follow up roads so closely adjoining the frontier meridian as to be able to substitute them, in many instances and for a considerable distance, in its stead for the settlement of the boundary.

* Signed also in the French language.

† See Article II of Protocol of 14th June, 1898, p. 786.

[Boundary. Lagos and Dahomey.]

Suppressing unnecessary details, the following is a list of towns visited from the initial point up to the 9th parallel, with corresponding dates.

The names given are those of the encampments.

It was from these encampments that we reconnoitred in order to obtain the necessary information for the delimitation of the boundary.

The French spelling of the names is given between parentheses :—

January.

- 2nd. Dopenu (Dopétou).
- 7th. Ilashe (Ilashé).
- 10th. Ifoyin (Ifânhim).
- 11th. Agangan (Igangha).
- 12th. Ohumbe (Ohoumbé).
- 15th. Isale (Issale).
- 18th. Ilimon (Illémon).
- 21st. Ishada (Ichada).
- 22nd. Tobolo (Tobolo).
- 30th. Ketu (Ketou).

February.

- 2nd. Ilikimo (Likimon).
 - 5th. Meko (Meko).
 - 8th. Indanyin (Idanhim).
 - 13th. Yewa (Yeoua).
 - 14th. Afo (Afo).
 - 15th. The banks of the Okpara River, near Jabeta (Djabata).
- Long lunar transit observations.

27th. Shabe (Savé). This bend towards Shabe was necessary owing to the absence of any other northerly road. The road from Jabeta proceeding north by the Okpara River was only opened up afterwards.

March.

- 1st. Garajimo (Gladimou). Banks of the Okpara
- 7th. Kokoro (Kokoro).
- 9th. Kilibo (Kilibo).
- 11th. Okuta-tapa (Ocouta-tacpa).
- 13th. Wogi (Ouogui).
- 13th. Ituko (Itouko). Banks of the Okpara.
- 16th. Igini (Guiny).
- 18th. Worja (Ouoria). Banks of the Okpara.

Taking into consideration that the Okpara River was several times encountered, the Commission concluded (when at the terminal point) that this river did not deviate to any great extent from the meridian under observation, and that considerable advantages would accrue (both as regards the topographical work to be accomplished

[Boundary. Lagos and Dahomey.]

as well as an assurance of sound delimitation) should it be adopted as the mutual boundary between (about) the 8th and 9th parallels of latitude.

The Commission then divided into two parties: the first, composed of Captain Plé, Mr. Fuller, and Dr. Hay, having for its object the accurate tracing out of the course of the Okpara River by following it, on its right bank, in all its windings from Worja down to where it was first crossed near Jabeta.

The second party, composed of Messrs. Fowler and Brisson, having the double object—

(1) Of verifying the astronomical observations already taken; and

(2) Of following up the roads leading towards the boundary meridian and erecting pillars thereon at such points where they intersect it, these points being computed from the nearest fixed position.

The only inhabited towns on the road following a southerly direction along the Okpara River are:—

- Ituko (Itouko).
- Sheni (Séni).
- Shafara (Iloubabagnouki).
- Garajimo (Gladjimou).
- Odeodo (Odeodo).
- Bako (Bako).
- Totojiji (Totoguigui).
- Jabeta (Djabata).

All the above places, with the exception of Ituko, which is on the meridian, lie to the west of the boundary meridian and on the right bank of the Okpara River.

The journey lasted from the 21st March until the 12th April, including a stay at Gini, when the two parties once more united on the banks of the Okpara near Jabeta.

From this point down to the coast the itinerary of the Commission was similar to the one on the northward journey.

The Commission separated on the 1st May.

A list of fixed positions in relation to the boundary accompanies this Report.

Proposals of the Commissioners.

No natural boundaries being mentioned in the terms of the Agreement, the Commission aimed at—

(1) Discovering any which might exist; and

(2) While making use of pillars, striving to substitute them as much as possible (owing to a vegetation the rapid growth of which would quickly obliterate them) by artificial and practical lines, such as roadways, which can be found without fear of errors.

The following outline of the boundary which we propose is based on the two foregoing principles:—

*Description of the Outline of the Boundary.**

The boundary, starting from Point A, ascends the River Iguidi (Igouidi) up to where it is found by the River Igirawun (Igouiraoun), leaving the town of Idiroko to the Colony of Lagos.

From thence it ascends the River Igirawun to a point 200 metres beyond the intersection of the river by the road from Ilashe to Ifoyin.

Ilashe remains in Lagos Colony.

From thence the boundary follows a fictitious line traced 200 metres parallel with a roadway, and leaving the roadway on its left.

This roadway (the first portion of which is the Ilashe-Ifoyin road, starting from the river) runs north from Point B by the following farms :—

Ikotun (Ikotoun).

Idagbon (Ilagbo).

Ilore (Ilore).

Isagbano (Isagbano).

Okeoko (Okéoko).

Igbado (Bado).

Madogan (Ogouissou).

All of which form part of the Colony of Dahomey ; and by Ohumbe (Ohoumbe) and Ibeyun (Ibayan), which belong to Lagos Colony.

From Point B up to the River Amidu (Amidou), the boundary-line runs to the right of the roadway. At this river it crosses to 200 metres to the left of the roadway, following it up to the point where such roadway is intersected by the River Itu (Itou). From thence the boundary follows the course of this river until it meets the River Buru (Bourou). It then follows the River Buru up to a point 200 metres beyond the bridge which spans it on the road from Ilimon.

Isale (Issale) and Ilimon (Illemon) belong to the Colony of Dahomey.

Isuku (Isouko) and Asa (Aso) to the Colony of Lagos.

From thence the boundary-line runs at a distance of 200 metres to the left of and parallel with the roadway, which, passing Ishada (Ichada), Mokofi (Ibokofi), Ibeyan (Ibiyan), and Tobolo (Tobolo) all of which belong to Lagos Colony, cuts the River Iguna (Gauna) exactly on the meridian.

The boundary then follows the meridian up to a point 200 metres south of the road from Ketu to Idofa by Alagbe. From thence the boundary-line runs parallel with the road leading to Idofa viâ Alagbe at a distance of 200 metres on the right of the road as far as the River Yewa (Yéoua).

The boundary-line then ascends the Yewa River up to a point 200 metres below the river's intersection with the road from Idanyin proceeding north ; Idofa (Idofa) and Meko (Méko) belonging to Lagos Colony.

* See Agreement between Great Britain and France of 19th October, 1906, p. 849, for line of Boundary accepted by the two Governments.

[Boundary. Lagos and Dahomey.]

Ilikimo (Likimon), Idanyin (Idanhim), Idjalu (Idjalou), and Iselu (Selou) belonging to the Colony of Dahomey.

From thence the boundary-line runs parallel with, at a distance of 200 metres to the right of it, the above mentioned road up to where the road crosses the Okpara River.

Less than 100 metres from this crossing, on the right bank of the river, a cairn of stones in the shape of a pyramid was erected to distinguish the spot where lunar transit observations were taken.

The boundary-line then follows the thalweg of the Okpara River up to the 9th parallel.

To denote the 9th parallel an ostensible cross* was cut on a large-sized tree, on the right bank of the river, facing the pathway.

Generally speaking, where the boundary-line runs parallel with a roadway, it does so at a distance of 200 metres either to the right or to the left of it.

In all cases where a river is denoted as a frontier, the thalweg of such river will form the boundary-line.

In addition to the above proposals, the Commissioners recommend that both the English and French spelling of native names appear on the printed maps, thus avoiding the possibility of future discussion.

The detailed outline of the boundary has been marked on both maps.

It is with the liveliest satisfaction that the Commissioners, in ending their task, can testify to the complete harmony and cordial relations which did not cease to exist between the two Sections during the work of the Commission.

Paris, the 12th October, 1896.

F. C. FULLER, *British Commissioner.*

JAMES PLÉ, *Capitaine d'Infanterie de Marine,*
Chef de la Section Française.

Localities.	Latitude.	Longitude.					
		Paris.			Greenwich.		
	° / "	° / "	° / "	° / "	° / "	° / "	
Idiroko	6 37 22	0 26 02	2 46 16				
Ilashé.....	6 41 12	0 29 05	2 49 19				
Ifanhim	6 41 28	0 25 15	2 45 29				
Igangha	6 47 10	0 24 52	2 45 06				
Ohoumbé	6 55 27	0 26 50	2 47 04				
Issalé	7 00 36	0 25 15	2 45 29				
Illemon	7 04 20	0 27 44	2 47 58				
Tobolo	7 15 52	0 28 17	2 48 32				
Likimon.....	7 27 07	0 27 49	2 48 02				
Idanhim.....	7 28 12	0 26 11	2 46 25				
Yeoua (ravin)	7 32 37	0 26 26	2 46 40				

* See Report of Commissioners for the delimitation of the Anglo-French boundary in Borgu, on the west of the Niger, 22nd December, 1900, p. 797.

[East and West of Niger.]

Localities.	Latitude.	Longitude.	
		Paris.	Greenwich.
	° ' "	° ' "	° ' "
Afó (ravin)	7 42 48	0 26 05	2 46 19
Oepa (près Djabata)	7 52 28	0 22 08	2 42 22
Borne (sentier de Totoguigui à l'Oepa)	8 07 42	0 26 41	2 46 55
Totoguigui (village)	8 08 42	0 25 50	2 46 04
Oepa (près Gladjimou)	8 16 46	0 25 00	2 45 13
Borne (sentier de Kilibo à l'Oepa)	8 33 00	0 26 41	2 46 55
Oepa (intersection du sentier de Kilibo)	8 33 08	0 27 11	2 47 25
Itoukó	8 52 43	0 26 41	2 46 55
Ouogi	8 53 18	0 23 10	2 43 24
Ouoria	9 05 31	0 25 57	2 46 11

F. C. FULLER.
JAMES PLÉ.

No. 241.—*CONVENTION between Great Britain and France for the Delimitation of their respective Possessions to the West of the Niger, and of their respective Possessions and Spheres of Influence to the East of that River. Signed at Paris, 14th June, 1898.*

[Ratifications exchanged at Paris, 13th June, 1899.]

THE Government of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, and the Government of the French Republic, having agreed, in a spirit of mutual goodwill, to confirm the Protocol with its four Annexes prepared by their respective Delegates for the delimitation of the British Colonies of the Gold Coast, Lagos, and the other British possessions to the west of the Niger, and of the French possessions of the Ivory Coast, Sudan, and Dahomey, as well as for the delimitation of the British and French possessions and the spheres of influence of the two countries to the east of the Niger, the Undersigned, his Excellency the Right Honourable Sir Edmund Monson, Ambassador Extraordinary and Plenipotentiary of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, accredited to the President of the French Republic; and his Excellency M. Gabriel Hanotaux, Minister for Foreign Affairs of the French Republic; duly authorized to this effect, confirm the Protocol with its Annexes, drawn up at Paris the 14th day of June, 1898, the text of which is as follows:—

Protocol.

The Undersigned, Martin Gosselin, Minister Plenipotentiary and Secretary of Her Britannic Majesty's Embassy at Paris; William Everett, a Colonel in Her Britannic Majesty's land forces and an Assistant Adjutant-General in the Intelligence Division of the War

[Gold Coast and Ivory Coast and French Sudan.]

Office; René Lecomte, Minister Plenipotentiary, Assistant Sub-Director in the Department of Political Affairs in the Ministry of Foreign Affairs; Louis Gustave Binger, Colonial Governor, unattached, Director of African Affairs at the Ministry of the Colonies; delegated respectively by the Government of Her Britannic Majesty and by the Government of the French Republic in order to draw up, in conformity with the Declarations exchanged at London on the 5th August, 1890 (No. 229), and the 15th January, 1896 (No. 238), a draft of definitive delimitation between the British Colonies of the Gold Coast, Lagos, and the other British possessions to the west of the Niger, and the French possessions of the Ivory Coast, the Sudan, and Dahomey, and between the British and French possessions and the spheres of influence of the two countries to the east of the Niger, have agreed to the following provisions, which they have resolved to submit for the approval of their respective Governments:—

Frontier between Gold Coast Colony and French Ivory Coast and Sudan.

Art. I.—The frontier separating the British Colony of the Gold Coast from the French Colonies of the Ivory Coast and Sudan shall start from the northern terminal point of the frontier laid down in the Anglo-French Agreement of the 12th July, 1893 (No. 236), viz., the intersection of the thalweg of the Black Volta with the 9th degree of north latitude, and shall follow the thalweg of this river northward up to its intersection with the 11th degree of north latitude. From this point it shall follow this parallel of latitude eastward as far as the river shown on Map No. 1, annexed to the present Protocol, as passing immediately to the east of the villages of Zwaga (Soauga) and Zebilla (Sebilla), and it shall then follow the thalweg of the western branch of this river up stream to its intersection with the parallel of latitude passing through the village of Sapeliga. From this point the frontier shall follow the northern limits of the lands belonging to Sapeliga as far as the River Nuhau (Nouhau), and shall then follow the thalweg of this river up or down stream, as the case may be, to a point situated 2 miles (3,219 metres) eastward of the road which leads from Gambaga to Tenkrûgu (Tingourkou), viâ Bawku (Baukou). Thence it shall rejoin by a straight line the 11th degree of north latitude at the intersection of this parallel with the road which is shown on Map No. 1 as leading from Sansanné-Mango to Pama, viâ Jebigu (Djebiga).*

Frontier between Lagos and Dahomey (West of Lower Niger).

Art. II.—The frontier between the British Colony of Lagos and the French Colony of Dahomey, which was delimited on the ground by the Anglo-French Boundary Commission of 1895, and which is described in the Report signed by the Commissioners of the two nations on the 12th October, 1896 (No. 240), shall henceforward be recognised as the

* This line of boundary was subsequently modified. See detailed description in Exchange of Notes, ^{March 18,} April 25, 1904, p. 822; and subsequent Agreement of 24th May, 19th July, 1906, p. 847.

[Lagos and Dahomey and East of Niger.]

frontier separating the British and French possessions from the sea to the 9th degree of north latitude.

From the point of intersection of the River Oepara with the 9th degree of north latitude, as determined by the said Commissioners, the frontier separating the British and French possessions shall proceed in a northerly direction, and follow a line passing west of the lands belonging to the following places, viz., Tabira, Okuta (Okouta), Boria, Tere, Gbani, Ashigere (Yassikéra), and Dekala.

From the most westerly point of the lands belonging to Dekala the frontier shall be drawn in a northerly direction so as to coincide as far as possible with the line indicated on Map No. 1 annexed to the present Protocol, and shall strike the right bank of the Niger at a point situated 10 miles (16·093 metres) up-stream from the centre of the town of Gere (Guiris) (the port of Ilo), measured as the crow flies.*

Frontier on the River Niger.

Art. III.—From the point specified in Art. II, where the frontier separating the British and French possessions strikes the Niger, viz. a point situated on the right bank of that river, 10 miles (16·093 metres) up-stream from the centre of the town of Gere (Guiris), (the port of Ilo), the frontier shall follow a straight line drawn therefrom at right angles to the right bank as far as its intersection with the median line of the river. It shall then follow the median line of the river, up-stream, as far as its intersection with a line drawn perpendicularly to the left bank from the median line of the mouth of the depression or dry water-course, which, on Map No. 2, annexed to the present Protocol, is called the Dallul Mauri, and is shown thereon as being situated at a distance of about 17 miles (27·359 metres), measured as the crow flies, from a point on the left bank opposite the above-mentioned village of Gere (Guiris).

From this point of intersection the frontier shall follow this perpendicular till it meets the left bank of the river.

Frontier East of the Niger.

Art. IV.†—To the east of the Niger the frontier separating the British and French possessions shall follow the line indicated on Map No. 2, which is annexed to the present Protocol.

Starting from the point on the left bank of the Niger indicated in the previous Article, viz., the median line of the Dallul Mauri, the frontier shall follow this median line until it meets the circumference of a circle drawn from the centre of the town of Sokoto with a radius of 100 miles (160·932 metres). From this point it shall follow the northern arc of this circle as far as its second intersection with the

* See Report of Commissioners of 22nd December, 1900, p. 797, and Anglo-French Agreement of 19th October, 1906, p. 849, defining the line of demarcation accepted by the two Governments.

† A modified line of boundary, in substitution of that fixed by this Article, was laid down in Art. VIII of the Convention of 8th April, 1904, p. 818, and was finally agreed to in the Convention of 29th May, 1906, p. 843.

14th parallel of north latitude. From this second point of intersection it shall follow this parallel eastward for a distance of 70 miles (112·652 metres); then proceed due south until it reaches the parallel of 13° 20' north latitude, then eastward along this parallel for a distance of 250 miles (402·230 metres); then due north until it regains the 14th parallel of north latitude; then eastwards along this parallel as far as its intersection with the meridian passing 35' east of the centre of the town of Kuka, and thence this meridian southward until its intersection with the southern shore of Lake Chad.

The Government of the French Republic recognizes, as falling within the British sphere, the territory to the east of the Niger, comprised within the above-mentioned line, the Anglo-German frontier, and the sea.

The Government of Her Britannic Majesty recognizes, as falling within the French sphere, the northern, eastern, and southern shores of Lake Chad, which are comprised between the point of intersection of the 14th degree of north latitude, with the western shore of the lake and the point of incidence on the shore of the lake of the frontier determined by the Franco-German Convention of the 15th March, 1894 (**No. 198**).

[This Article was completed by Declaration signed at London on 21st March, 1899. See p. 796.]

Art. V.—The frontiers set forth in the present Protocol are indicated on the annexed Maps, which are marked 1 and 2 respectively.

The two Governments undertake to appoint within a year as regards the frontiers west of the Niger, and within two years as regards the frontier east of that river, to count in each case from the date of the exchange of ratifications of the Convention which is to be concluded between them for the purpose of confirming the present Protocol, Commissioners who will be charged with delimiting on the spot the lines of demarcation between the British and French possessions, in conformity and in accordance with the spirit of the stipulations of the present Protocol.*

With respect to the delimitation of the portion of the Niger in the neighbourhood of Ilo and the Dallul Mauri, referred to in Art. III, the Boundary Commissioners shall, in determining on the spot the river frontier, distribute equitably between the two Contracting Powers such islands as may be found to interfere with the delimitation of the river as defined in Art. III.

It is understood between the two Contracting Powers that no subsequent alteration in the position of the median line of the river shall affect the ownership of the islands assigned to each of the two Powers by the *procès-verbal* of the Commissioners, after being duly approved by the two Governments.

* See Report of Commissioners for the delimitation of the Anglo-French Boundary in Borgu, on the west of the Niger, 22nd December, 1900, p. 797; and Agreement relative to the frontier from the Gulf of Guinea to the Niger (Southern Nigeria and Dahomey), 19th October, 1906, p. 849.

[East and West of Niger.]

Treatment of Native Chiefs.

Art. VI.—The two Contracting Powers engage reciprocally to treat with consideration (“bienveillance”) the native Chiefs who, having had Treaties with one of them, shall, in virtue of the present Protocol, come under the sovereignty of the other.

Non-interference in Sphere of other Power.

Art. VII.—Each of the two Contracting Powers undertakes not to exercise any political action in the spheres of the other, as defined by Arts. I, II, III, and IV of the present Protocol.

It is understood by this that each Power will not, in the spheres of the other, make territorial acquisitions, conclude Treaties, accept sovereign rights or Protectorates, nor hinder nor dispute the influence of the other.

Lease of Land to French Government.

Art. VIII.*—Her Britannic Majesty’s Government will grant on lease to the Government of the French Republic, for the objects, and on the conditions specified in the form of lease annexed to the present Protocol, two pieces of ground to be selected by the Government of the French Republic in conjunction with Her Britannic Majesty’s Government, one of which will be situated in a suitable spot on the right bank of the Niger between Leaba and the junction of the River Moussa (Mochi) with the former river, and the other on one of the mouths of the Niger. Each of these pieces of land shall have a river frontage not exceeding 400 metres in length, and shall form a block, the area of which shall not be less than 10 nor more than 50 hectares in extent. The exact boundaries of these pieces of land shall be shown on a plan annexed to each of the leases.

The conditions upon which the transit of merchandize shall be carried on on the Niger, its affluents, its branches and outlets, as well as between the piece of ground between Leaba and the junction of the River Moussa (Mochi) mentioned above, and the point upon the French frontier to be specified by the Government of the French Republic, will form the subject of Regulations, the details of which shall be discussed by the two Governments immediately after the signature of the present Protocol.

Her Britannic Majesty’s Government undertake to give four months’ notice to the French Government of any modification in the Regulations in question, in order to afford to the said French Government the opportunity of laying before the British Government any representations which it may wish to make.

Reciprocal Treatment as regards River Navigation, Commerce, Taxes, &c., for Thirty Years from date of Exchange of Ratifications.

Art. IX.†—Within the limits defined on Map No. 2, which is annexed to the present Protocol, British subjects and British protected persons and French citizens and French protected persons, as far as regards

* See Leases dated Paris, 20th May, 1903, pp. 812 and 814

† See Declaration of 21st March, 1899, p. 796.

[East and West of Niger.]

their persons and goods, and the merchandize the produce or the manufacture of Great Britain and France, their respective Colonies, possessions, and Protectorates, shall enjoy for thirty years from the date of the exchange of the ratifications of the Convention mentioned in Art. V the same treatment in all matters of river navigation, of commerce, and of tariff and fiscal treatment and taxes of all kinds.

Subject to this condition, each of the two Contracting Powers shall be free to fix, in its own territory, and as may appear to it most convenient, the tariff and fiscal treatment and taxes of all kinds.

In case neither of the two Contracting Powers shall have notified twelve months before the expiration of the above-mentioned term of thirty years its intention to put an end to the effects of the present Article, it shall remain in force until the expiration of one year from the day on which either of the Contracting Powers shall have denounced it.

In witness whereof, the undersigned Delegates have drawn up and signed the present Protocol.

Done at Paris, in duplicate, the 14th day of June, in the year of our Lord 1898.

MARTIN GOSSELIN.
WILLIAM EVERETT.
RENÉ LECOMTE.
G. BINGER.

Annexes 1 and 2.

*Maps Nos. 1 and 2.**

Annex 3.

Modification of Conventional Line by Commissioners on the Ground.

Although the delineation of the lines of demarcation on the two maps annexed to the present Protocol are supposed to be generally accurate, it cannot be considered as an absolutely correct representation of those lines until it has been confirmed by new surveys.

It is therefore agreed that the Commissioners or local Delegates of the two countries, hereafter appointed to delimit the whole or part of the frontiers on the ground, shall be guided by the description of the frontier as set forth in the Protocol.

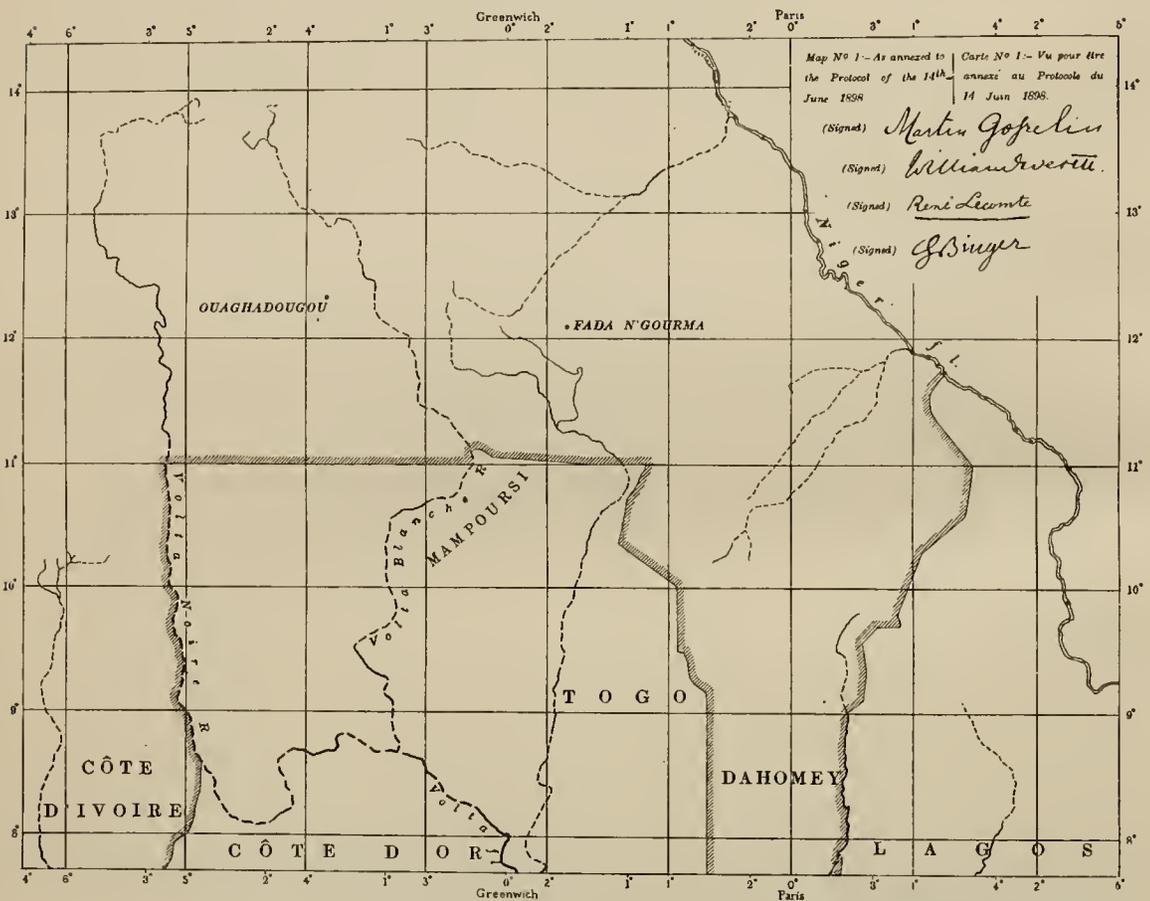
They shall, at the same time, be permitted to modify the said lines of demarcation for the purpose of delineating them with greater accuracy, and also to rectify the position of the watersheds, roads, or rivers, as well as of towns or villages indicated on the maps above referred to.

Any alterations or corrections proposed by common consent by the said Commissioners or Delegates shall be submitted for the approval of their respective Governments.

MARTIN GOSSELIN.
WILLIAM EVERETT.
RENÉ LECOMTE.
G. BINGER.

* See Diagram Maps facing this page, and Maps Nos. 9 and 10 in Atlas (or Pouch).

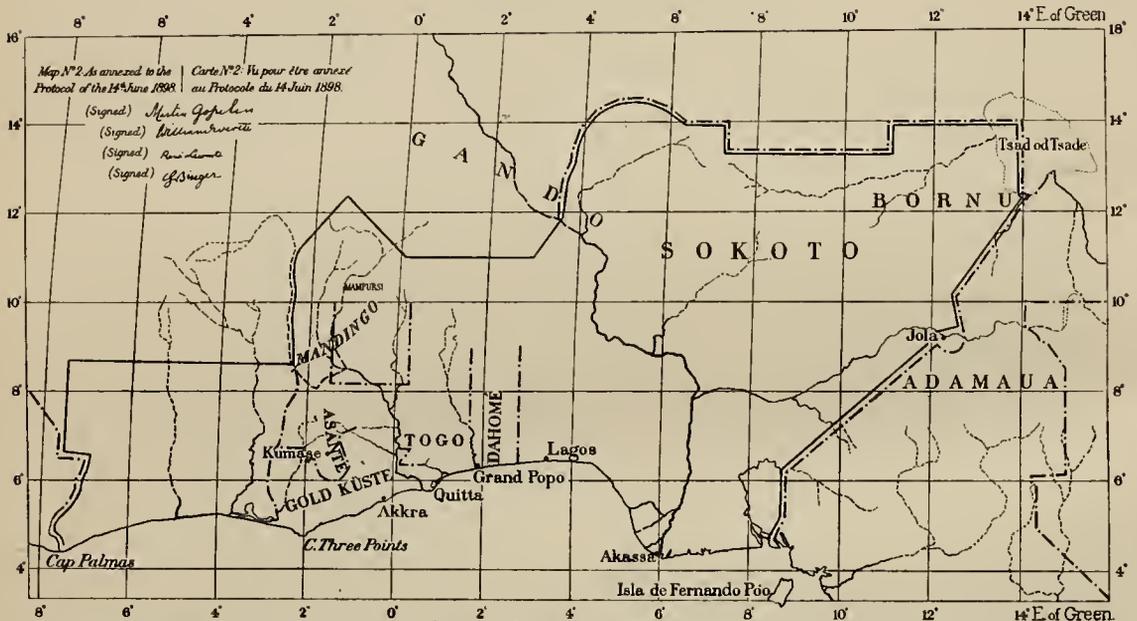
ANGLO-FRENCH BOUNDARY, WEST OF THE NIGER. CONVENTION BETWEEN GREAT BRITAIN AND FRANCE OF JUNE 14, 1898.



Ordnance Survey, Southampton.
Scale of map (No 9) in Atlas or Pouch 37.8 miles to 1.014 inches

To face page 790.

ANGLO-FRENCH BOUNDARY, EAST OF THE NIGER. CONVENTION BETWEEN GREAT BRITAIN AND FRANCE OF JUNE 14, 1898.



Commercial & Fiscal Boundary _____
All other Boundaries shown in colours on 1355 (b) are represented here by - - - - -

Ordnance Survey, Southampton.

[East and West of Niger.]

Annex 4.

Form of Lease.

1. The Government of Her Britannic Majesty grants in lease to the Government of the French Republic the piece of land situated of the Niger River, having a river frontage in length, and forming a block of hectares in extent, the exact boundaries of which are shown on the plan annexed to this lease.

2. The lease shall run for thirty years uninterruptedly, commencing from the , but in case neither of the two Contracting Powers shall have notified twelve months before the expiration of the above-mentioned term of thirty years its intention to put an end to the present lease, it shall remain in force until the expiration of one year from the day on which either of the Contracting Powers shall have denounced it.

3. The said land shall be subject to the laws for the time being in force in the British Protectorate of the Niger districts.

4. A portion of the land so leased, which shall not exceed 10 hectares in extent, shall be used exclusively for the purposes of the landing, storage, and transhipment of goods, and for such purposes as may be considered subsidiary thereto, and the only permanent residents shall be the persons employed in the charge and for the security of such goods, their families, and servants.

5. The Government of the French Republic binds itself—

(a) To fence in that portion of the said land referred to in Art. 4 of this lease (with the exception of the side which faces the River Niger) by a wall, or by a stockade, or by any other sort of continuous fence, which shall not be less in height than 3 metres. There shall be one door only on each of the three side of the fence.

(b) Not to permit on the said portion of land the receipt or exit of any goods in contravention of the British Customs Regulations. Any act in violation of this stipulation shall be considered as evasion of customs duties, and shall be punished accordingly.

(c) Not to sell nor allow the sale of any goods in retail in the said portion of land. The sale of quantities less in weight or measure than 1,000 kilog., 1,000 litres, or 1,000 metres is held to be sale in retail. It is understood that this stipulation shall not apply to goods in transit.

(d) The Government of the French Republic, or its sub-lessees or agents, shall have the right to build on the said portion of land, warehouses, houses for offices, and other buildings necessary for operations of landing, storing, and transhipping goods, and also to construct on that part of the foreshore of the River Niger comprised in the lease, quays, bridges, and docks, and any other works required in connection with the said operations, provided that the designs of all works so to be constructed on the foreshore of the river are furnished to the British authorities for examination, in order to ascertain that these works would not in any way inconvenience the navigation of the river, or be in conflict with the rights of others or with the Customs system.

(e) It is understood that the shipping, landing, and storing of goods on the said portion of land shall be conducted in all respects in accordance with the laws for the time being in force in the British Protectorate of the Niger districts.

6. The Government of the French Republic binds itself to pay annually to Her Majesty's Government, on the 1st January of each year, a rent of 1 fr.

7. The Government of the French Republic shall have the right to sublet the whole or any portion of the land passing under this lease, provided that the sub-lessees shall not use the land for any other purposes than those stipulated in this lease, and that the said Government shall remain responsible to the Government of Her Britannic Majesty for the observance of the stipulations of this lease.

8. The Government of Her Britannic Majesty binds itself to fulfil towards the lessee all duties incumbent upon it as owner of the said land.

9. At the expiration of the term of thirty years specified in Art. 2 of this lease, the French Government, or its sub-lessees, may remain in possession and in the enjoyment for a period of time which, together with the said terms of thirty years, shall not exceed ninety-nine years, of the constructions and installations which shall have been made on the leased land. Nevertheless, the Government of Her Britannic Majesty reserves to itself, on the expiration or determination of the lease, in accordance with the conditions specified in Art. 2, the right of purchasing such constructions and installations at a valuation to be determined by experts who will be appointed by the two Governments, on the understanding that notification of their intention be furnished to the French Government ten months, at latest, before the expiration or determination of the lease. In case of disagreement between them, the experts shall choose a referee, whose decision shall be final.

In calculating the value of the above-mentioned constructions and installations, the experts shall be guided by the following considerations:—

(a) In the event of the lease expiring at the end of the first thirty years, the purchase value of the property to be sold shall be the full market value.

(b) In the event of the lease being determined at any time after thirty years, the value of the property to be sold shall be the full market value less a fraction, whose numerator shall be the number of years the lease has run, minus thirty, and whose denominator shall be sixty-nine.

10. The land comprised in the lease shall be measured and marked out without delay.

11. If a difference of opinion should arise between the two Governments as to the interpretation of the lease, or as to any matter arising in connection therewith, it shall be settled by the arbitration of a juriconsult of third nationality, to be agreed upon by the two Governments.

MARTIN GOSSELIN.
WILLIAM EVERETT.
RENÉ LACOMTE.
G. BINGER.

[East and West of Niger.]

The present Convention shall be ratified, and the ratifications exchanged at Paris within the period of six months,* or sooner if possible.

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

Done in duplicate, at Paris, the 14th June, 1898.

(L.S.) EDMUND MONSON.

(L.S.) G. HANOTAUX.

No. 242.—*NOTES exchanged between Great Britain and France, relating to the simultaneous Evacuation of Territories referred to in the Convention of 14th June, 1898 (No. 241). (Possessions in the region of the Niger.) Paris, 14th June, 1898.*

[Niger.]

Sir E. Monson to M. Hanotaux.

M. le Ministre,

Paris, 14th June, 1898.

WITH reference to the Convention signed this day, and in conformity with instructions received from Her Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to propose to your Excellency, with the object of avoiding difficulties which might arise between the British and French forces now stationed in the districts referred to in the said Convention, that the two Governments should proceed mutually, without prejudice to their respective rights, to the immediate and simultaneous evacuation of the territories which, falling, in virtue of this same Convention, in the sphere of one of the Contracting Parties, should be at the present moment occupied by the troops of the other.

If your Excellency is prepared to accept this proposal, and give me an assurance to this effect, orders will be immediately sent by Her Britannic Majesty's Government that, as far as concerns it, the operation in question should take place without delay.

I have, &c.,

M. Hanotaux.

EDMUND MONSON.

M. Hanotaux to Sir E. Monson.

M. l'Ambassadeur,

Paris, le 14 Juin, 1898.

SE référant à la Convention conclue en date de ce jour, et par une lettre également de ce jour, votre Excellence a bien voulu, suivant les instructions du Gouvernement Britannique, me proposer, en vue d'éviter les difficultés qui pourraient naître entre les troupes Françaises et Anglaises stationnées dans les régions visées par la dite Convention, de procéder, sans préjudice des droits respectifs des deux nations, à l'évacuation immédiate et simultanée des territoires qui, tombant

* Extended to one year by Protocol of 8th December, 1898.

[Sierra Leone Boundary.]

en vertu de cette même Convention dans la sphère de l'une des Parties Contractantes, seraient à l'heure actuelle occupés par les troupes de l'autre.

Votre Excellence ajoutait que si cette proposition était acceptée et que si une assurance dans ce sens était donnée au Gouvernement Britannique, des ordres seraient immédiatement envoyés par ses soins, afin que, pource qui le concerne, l'opération dont il s'agit soit effectuée sans retard.

J'ai l'honneur d'informer votre Excellence que, dans les conditions et sous les réserves spécifiées dans sa communication, le Gouvernement Français adhère à la proposition précitée et que des ordres seront immédiatement donnés afin que les mesures d'exécution qu'elle comporte soient prises sans retard.

Agrérez, &c.,

Sir E. Monson.

G. HANOTAUX.

Protocol Prolonging the Period for the Exchange of Ratifications of the foregoing Convention. Signed at Paris, 8th December, 1898.

THE Undersigned, His Excellency the Right Honourable Sir Edmund Monson, G.C.B., Ambassador Extraordinary and Plenipotentiary of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Empress of India, to the President of the French Republic; and His Excellency M. Delcassé, Minister of Foreign Affairs of the French Republic, duly authorized to this effect, have agreed as follows:—

The delay of six months fixed by the Convention of the 14th June, 1898, for the exchange of the ratifications of the said Convention, is extended by six months and increased to one year.

Done at Paris, in duplicate, this 8th day of December, 1898.

EDMUND MONSON.
DELCASSÉ.

No. 243.—EXCHANGE OF NOTES between the British and French Governments for the definitive Settlement of the Boundary between Sierra Leone and French Guinea (Withdrawal of French Claim to Simitia).* Paris, 14th, 16th, June, 1898.

(1) *The French Minister for Foreign Affairs to the British Ambassador at Paris.*

M. l'Ambassadeur,

Paris, le 14 Juin, 1898.

LA correspondance qui s'est poursuivie au sujet de la question de Simitia a fourni au Gouvernement Français l'occasion d'exposer les considérations pour lesquelles il se croyait fondé à réclamer la possession de ce territoire, dont l'attribution avait été laissée en suspens par la Commission Franco-Anglaise chargée de délimiter la Guinée Française et la Colonie Anglaise de Sierra Leone.

Au cours de la séance du 8 de ce mois de la Commission du Niger, les Délégués Français ont annoncé aux Délégués Britanniques, su vant l'autorisation qui leur en avait été donnée, qu'au cas où un arrangement

* See Procès Verbal of Description of Frontier by the Anglo-French Commissioners, 9th to 30th April, 1896, p. 765.

[Sierra Leone Boundary.]

satisfaisant interviendrait sur les questions qui faisaient l'objet de leurs pourparlers, le Gouvernement de la République n'élèverait dorénavant plus de prétentions sur l'enclave formée par le territoire de Simitia, telle qu'elle a été décrite, avec croquis annexé dans le procès-verbal des opérations de la dite Commission signé le 16 Mars, 1896, à Bibia, par MM. Passaga et Trotter. En conséquence, la frontière suivrait sans interruption le 10° degré de latitude nord, de la borne placée par la dite Commission à 10 mètres à l'est du point d'intersection de ce parallèle de latitude avec la route allant de Bibia à Simitia jusqu'à la borne placée par la Commission à l'intersection du même parallèle, avec une ligne tracée parallèlement à la route de Simitia à Tagania, à une distance de 10 mètres au sud de cette route.

Cette éventualité s'étant réalisée par la conclusion de la Convention en date de ce jour, j'ai l'honneur de confirmer à votre Excellence les assurances ci-dessus mentionnées, étant toutefois entendu que la présente déclaration ne deviendra définitive que lorsque les ratifications de la Convention dont il s'agit auront été régulièrement échangées.

Agréez, &c.,

G. HANOTAUX.

(2.) *The British Ambassador at Paris to the French Minister for Foreign Affairs.*

M. le Ministre,

Paris, June 16, 1898.

IN the note which your Excellency did me the honour to address to me on the 14th instant, you stated that the correspondence which has passed upon the subject of Simitia has furnished the Government of the Republic with an opportunity of explaining the grounds upon which it considered itself justified in claiming the possession of that territory, the allotment of which had been left in suspense by the Anglo-French Commission charged with the delimitation of the French Colony of Guinea and the English Colony of Sierra Leone.

Your Excellency proceeds to state that, in the course of the sitting of the Niger Commission held on the 8th instant, the French Delegates informed their British colleagues, in conformity with an authorization which had been given to them, that, in the event of a satisfactory conclusion being arrived at on the questions which had formed the subject of their discussions, the Government of the Republic would henceforward make no claim over the enclave formed by the territory of Simitia, such as it has been laid down, with the accompanying plan, in the *procès-verbal* of the proceedings of the above-mentioned Commission, signed on the 16th March, 1896, at Bibia by Messrs. Trotter and Passaga. The frontier would consequently follow without interruption the 10th degree of north latitude from the boundary-mark placed by the Commission at 10 mètres to the east of the point of intersection of that parallel of latitude with the road passing from Bibia to Simitia as far as the boundary-mark placed by the Commission at the intersection of the same parallel with a line traced parallel

[Central Africa and Soudan (Congo-Nile Watershed to Tripoli).]

to the road from Simitia to Taganie, at a distance of 10 mètres to the south of that road.

The contemplated eventuality having been realised by the conclusion of the Convention of this day's date [June 14], your Excellency has, in the note under consideration, done me the honour to confirm the assurances of the French Delegates as above stated, it being, however, understood that the declaration thus made will not become definitive until the ratifications of the Convention in question shall have been duly exchanged.*

Having communicated the text of your Excellency's note to the Marquess of Salisbury, I have now the honour to inform you that Her Majesty's Government accepts the foregoing proposal as settling, subject to the ratification of the Convention, the only question at issue between the two Governments in regard to the boundary laid down by Colonel Trotter and M. Passaga.

I have, &c.,

EDMUND MONSON.

No. 244.—*DECLARATION completing the Convention between Great Britain and France of 14th June, 1898 (Spheres of Influence in Central Africa and the Soudan). Signed at London, 21st March, 1899.*

[Ratifications exchanged at Paris, 13th June, 1899.]

THE Undersigned, duly authorized by their Governments, have signed the following Declaration :—

The IVth Article of the Convention of the 14th June, 1898 (**No. 241**), shall be completed by the following provisions, which shall be considered as forming an integral part of it—

1. Her Britannic Majesty's Government engages not to acquire either territory or political influence to the west of the line of frontier defined in the following paragraph, and the Government of the French Republic engages not to acquire either territory or political influence to the east of the same line.

2. The line of frontier shall start from the point where the boundary between the Congo Free State and French territory meets the water-parting between the watershed of the Nile and that of the Congo and its affluents. It shall follow in principle that water-parting up to its intersection with the 11th parallel of north latitude. From this point it shall be drawn as far as the 15th parallel in such manner as to separate, in principle, the Kingdom of Wadai from what constituted in 1882 the Province of Darfur ; but it shall in no case be so drawn as to pass to the west beyond the 21st degree of longitude east of Greenwich (18° 40' east of Paris), or to the east beyond the 23rd degree of longitude east of Greenwich (20° 40' east of Paris).

3. It is understood, in principle, that to the north of the 15th parallel

* The ratifications were exchanged on the 13th June, 1899.

[Boundary West of Niger in Borgu.]

the French zone shall be limited to the north-east and east by a line which shall start from the point of intersection of the Tropic of Cancer with the 16th degree of longitude east of Greenwich (13° 40' east of Paris), shall run thence to the south-east until it meets the 24th degree of longitude east of Greenwich (21° 40' east of Paris), and shall then follow the 24th degree until it meets, to the north of the 15th parallel of latitude, the frontier of Darfur as it shall eventually be fixed.

4. The two Governments engage to appoint Commissioners who shall be charged to delimit on the spot a frontier-line in accordance with the indications given in paragraph 2 of this Declaration. The result of their work shall be submitted for the approbation of their respective Governments.

It is agreed that the provisions of Art. IX of the Convention of the 14th June, 1898 (**No. 241**), shall apply equally to the territories situated to the south of the 14° 20' parallel of north latitude, and to the north of the 5th parallel of north latitude, between the 14° 20' meridian of longitude east of Greenwich (12th degree east of Paris) and the course of the Upper Nile.

Done at London, the 21st March, 1899.

SALISBURY.
PAUL CAMBON.

No. 245.—*REPORT of the British and French Commissioners for the Delimitation of the Boundary in Borgu, on the West of the Niger River. (Southern Nigeria and Dahomey.) Paris, 22nd December, 1900.**

[See Articles II and V of Convention of 14th June, 1898 (**No. 241**).]

Paris, 22nd December, 1900.

THE undersigned, Lang, John Irvine, Companion of the Most Distinguished Order of St. Michael and St. George, Major in the Royal Engineers, and temporary Lieutenant-Colonel, British Commissioner, and

Toutée, Georges, Joseph, Chef d'Escadron d'Artillerie, Breveté d'État-Major, officier de la Legion d'Honneur, Commissaire de la République Française, met to prepare this Report concerning the operations of delimitation of the Anglo-French frontier between the 9th parallel of north latitude and the right bank of the Niger River and to the east of Dahomey.

General Proceedings.

In accordance with the arrangements made in London between the two Commissioners, their meeting took place at Weria (Ouoria), in Dahomey, on the 14th March, 1900.

* Signed also in the French language. See Agreement between Great Britain and France of 19th October, 1906, p. 849, for line of Boundary accepted by the two Governments.

[Boundary West of Niger in Borgu (S. Nigeria and Dahomey).]

The French Commissioner was assisted by MM. Guigues, Lieutenant de Vaisseau, and Haran, Capitaine d'Artillerie, Bréveté d'État-Major.

The British Commissioner was assisted by Second Lieutenant G. W. Denison, of the Royal Engineers.

It was agreed at the outset that the two sections work together, submit a joint report on the termination of the work in the field and prepare maps as nearly in accord as possible.

The method of procedure was next considered. This was determined by the nature of the country to be traversed, which is, for the most part, flat and covered with forests.

To make a triangulation was out of the question, and the method of latitudes and azimuths was impracticable, owing to the absence of commanding points high enough and not too far apart.

It was therefore decided to traverse the paths connecting the villages along the frontier, and to take astronomical observations to serve as a check upon the work.

As the labours of the Commission began at the point where the 9th parallel of north latitude crosses the thalweg of the Okpara (Ocpara River), search was made at this point, but without effect, for the tree marked with an "ostensible cross" by the Lagos-Dahomey Commission of 1896 (**No. 240**). The path to which reference is made in the report of the Commission no longer exists. It is not stated how far the tree stood from the river bank nor the azimuth of the thalweg of the Okpara River at this point. Many trees are blazed by the natives for their own purposes, and the Commissioners came to the conclusion that the cutting had been overgrown in such a way as to obscure its original form, or that the tree had fallen down and had been destroyed.

Outline of the Frontier.

1. The general route followed by the Commission was along the frontier road northwards from Weria to Dekala, the boundary line, as far as Dekala, being defined in the Convention of 1898 (**No. 241**) with reference to the principal villages *en route*.

2. From Dekala to the Niger, the frontier was to be traced as nearly as possible in accordance with the line on Map No. 1 of the Convention of the 14th June, 1898 (**No. 241**). In consequence of the existing maps being somewhat vague, the Commissioners agreed to make separate preliminary surveys of the country, more or less, along the frontier line, as mentioned above, with a view of ascertaining the positions of the towns and villages. These surveys were nearly in accord, and clearly showed the difference in longitude between Dekala and Ilo to be much less than that of the Convention Map.

It was obvious from this altered condition of things that the frontier could not be drawn as represented, and the question at once arose, how and to what extent it might be modified. The Commissioners at length agreed upon the frontier line described further on.

[Boundary West of Niger in Borgu (S. Nigeria and Dahomey).]

Description of the Frontier.

From the point where the thalweg of the Okpara River is cut by the 9th parallel of north latitude, the frontier between the English and French possessions shall follow the thalweg of that river upstream, to the point where it is intersected by a line on the north side of, parallel with, and 1 kilom. from the more southerly of the two existing roads between the villages of Tabira and Weira (Ouoria).

From the intersection of the thalweg of the Ocpara River and the line above mentioned, the frontier shall follow a line parallel with and 1 kilom. from the south road from Tabira to Weria, and on the north side of this road, to a point 5 kilom. from the wall or enceinte of the village of Tabira.

To impress the minds of the natives with the existence of a real frontier between the territories of the two European nations, it was considered desirable to place marks at intervals of about 500 metres along the roads in cases where the frontier runs parallel with such roads. These marks consist of trees blazed and cut down alternately. In the former, the blaze is a rectangular cut facing the road 0·40 metre long, the bottom of which is 1·30 metres above the ground; in the latter, the trees were sawn off at 1·30 metres above the ground.

Similar marks are placed on roads crossed by the frontier line.

From the point above mentioned, namely, 5 kilom. from the wall of Tabira, the frontier shall run in a straight line to a point 5 kilom. from the wall of Tabira on the north road from Tabira to Weria, thence in a straight line to point 4 kilom. from the wall of Tabira on the road from Tabira to Tandou (Tandou), thence in a straight line to a point 5 kilom. from the wall of Tabira on the direct road from Tabira to Kabo; thence in a straight line to a point 5 kilom. from the wall of Tabira and 1 kilom. from the road from Tabira to Kenu (Kénou), measured at right angles to and on the north side of this road.

The frontier shall then run parallel with the direct road from Tabira to Kenu, and at a distance of 1 kilom. from it on the north side, to a point 2,100 metres from the enceinte of the village of Kenu; thence in a straight line to a point 4 kiloms. from the enceinte of Kenu on the Kenu-Kabo road; thence in a straight line to a point $8\frac{1}{2}$ kiloms. from the centre of Okuta (Okouta) on the Okuta-Kabo road; thence along the circumference of a circle of $8\frac{1}{2}$ kiloms. radius, and having the centre of Okuta as centre, to a point 1 kilom. from the direct road from Okuta to Boria, measured at right angles to and on the west side of this road.

The frontier shall then follow a line parallel with and 1 kilom. from the Okuta-Boria road, on the west side, to a point 6 kiloms. from the enceinte of Boria; thence in a straight line to a point 4 kiloms. from the enceinte of Boria on the Boria-Wandou (Ouandou) road.

The description of the frontier between Boria and Yashikira (Yassikéré) as given in the Convention of the 14th June, 1898, having been carefully considered in connection with the relative positions of Boria, Tera (Téré), Gbani, and Yashikira, the main trade route viâ Boria, Siia, Guri, and Yashikira, the fact that Gbani has been destroyed, the

many turnings in the frontier line, if restricted to the terms of the Convention, and the uncertainty in the identification of Tera, the Commissioners, in accordance with the principle adopted by them, that it is undesirable that a main trade route should be cut in more than one point by the international frontier, agreed that the frontier shall run as follows :—

Starting from the point on the Boria Wandu road, 4 kiloms. from Boria, as described above, the frontier shall follow a straight line to a point 4 kiloms. from the enceinte of the village of Siia (Chuya) on the Siia-Sandiru-Digidoru road; thence in a straight line to a point 4 kiloms. from the enceinte of Siia, on the direct Siia-Tera (Tinra) road; thence in a straight line to a point 1 kilom. from the intersection of the Big Shira River and the direct road from Siia to the village of Guri (Goré), measured at right angles to and on the west side of this road.

From the last-mentioned point the frontier shall run parallel with the Siia-Guri road and at a distance of 1 kilom. from it on the west side, to a point 4 kiloms. from the centre of the village of Guri; thence along the circumference of a circle westward, of 4 kiloms. radius, and with the centre of Guri as centre, to a point 1 kilom. from the Guri-Yashikira road, measured at right angles to and on the west side of this road.

The frontier shall then run parallel with and 1 kilom. from the direct road from Guri to Yashikira, on the west side, to a point 8 kiloms. from the centre of Yashikira; thence along the circumference of a circle westward, of 8 kiloms. radius, and having the centre of Yashikira as centre, cutting the roads from Yashikira to Goré and Nikki.

From the point 8 kiloms. from Yashikira on the Yashikira-Nikki road, as described above, the frontier line shall be a tangent to a circle of 4 kiloms. radius, with Grand Bété (Betay) as centre, and on the north-west side. Grand Bété is the larger and more northerly of the two groups of huts called Bété.

From the point where the tangent above mentioned meets the circle drawn with Grand Bété as centre the frontier shall run in a straight line to a point 4 kiloms. from the centre of Grand Bété and 1 kilom. from, and measured at right angles to and on the north-west side of the direct road from Grand Bété to Karanzi (Garoussi).

The frontier then runs parallel with the Grand Bété-Karanzi road on the west side, and distant 1 kilom. from it, to a point 4 kiloms. from the enceinte of the village of Karanzi; thence in a straight line to a point 4 kiloms. from the enceinte of and due west of the village of Karanzi; thence direct to a point 4 kiloms. from the enceinte of Karanzi, and 1 kilom. from the road from Karanzi to Kenumbé (Kenombé) measured at right angles to and on the north-west side of this road.

The frontier then runs parallel with the direct road from Karanzi to Kenumbé to a point 4 kiloms. from the centre of the village of Kenumbé; thence it follows the circumference of a circle, on the west side of Kenumbé, of 4 kiloms. radius, and with the centre of Kenumbé as centre to a point 1 kilom. from the Kenumbé-Bési (Bessi) road, measured at right angles to that road and on the west side of it.

The frontier then runs parallel with the road from Kenumbé to Bessi, and 1 kilom. from it on the west side, to a point 8 kiloms. from the centre of the village of Bési. It then follows the circumference of a circle on the west of Bési of 8 kiloms. radius, and with the centre of Bési as centre to the intersection of this circumference with the road from Bési to Sakamaji.

It then runs in a straight line to a point 12 kiloms. from the enceinte of Dekala to Lu-Daganzi (Lou-Dagansi). From the point of the Dekala-Lu-Daganzi road, 12 kiloms. from Dekala, the frontier runs direct to a point on the road from Dekala to Gaughi (Gaodgi), $3\frac{1}{2}$ kiloms. from the centre of Gaughi. It then follows the circumference of circle, eastward of $3\frac{1}{2}$ kiloms. radius, and with the centre of Gaughi as centre to a point 1 kilom. from the road from Gaughi to Basso, measured at right angles to and on the south side of this road; thence parallel with the Gaughi-Basso road, on the south side, at a distance of 1 kilom., to a point 5 kiloms. from the village of Basso.

From this last-mentioned point the frontier shall follow a tangent to a circle of $3\frac{1}{2}$ kiloms. radius, with the centre of the village of Lusi (Lousi) as centre and passing to the south-west of Lusi, until it intersects a line drawn at right angles to and from the point of bisection of the direct road from Lusi to Babanna. The frontier shall then follow this perpendicular line to the point on the road midway between Lusi and Babanna; thence it shall run in a straight line to a point 5 kiloms. from Lusi and 1 kilom. from the Lusi-Naganzi road on the east side; thence it shall run parallel with the Lusi-Naganzi road at a distance of 1 kilom. on the east side, crossing the Babanna-Naganzi road to a point 4 kiloms. from the centre of the village of Naganzi. It then follows the circumference of a circle eastward of 4 kiloms. radius with the centre of the village of Naganzi as centre. Leaving this circle the frontier shall then follow a tangent common to it and another circle of the same radius with the centre of the village of Kudé (Kouré) as centre, passing to the east of Kudé.

Leaving the tangent above-mentioned, the frontier shall follow the circumference of a circle of 4 kiloms. radius, with the centre of Kudé as centre, to a point 1 kilom. from the Kudé-Kankali (Kankari) road, measured at right angles to it and on the east side;

Thence parallel with and 1 kilom. from the Kudé-Kankali road, on the east side, to a point 5 kiloms. from the centre of Kankali.

The frontier shall then follow eastward the circumference of a circle of 5 kiloms. radius, and with the centre of the village of Kankali as centre, till it meets a tangent common to the last-mentioned circle and another of 4 kiloms. radius with the centre of Gusin Sora (Gouri Saré) as centre; it shall follow this tangent to its intersection with a straight line, which is a common tangent to the circle last mentioned, and another of 5 kiloms. radius with the centre of Daku (Dako) as centre.

Leaving this tangent, the frontier shall follow the circumference of the last-mentioned circle to a point 1 kilom. from the Daku-Samia road, on the east side of that road.

The frontier shall then run parallel with and 1 kilom. from the

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Daku-Samia road, on the east side till it intersects the thalweg of the Wañ River.

From this point the frontier shall follow the thalweg of the Wañ River up-stream to its intersection with a line drawn through a point 3 kiloms. due west from the crossing of the Daku-Samia road and the Wañ River, and through another point on the Ilo-Lugu (Ilo-Lougou) road 37 kiloms. from the enceinte of Ilo, measured along the road.

This line shall then become the frontier from its intersection with the thalweg of the Wañ River to the point where it crosses the Ilo-Lugu road at 37 kiloms. from the enceinte of Ilo.

Two marks are placed on this line, namely, one on the Samia-Lugu road at $5\frac{1}{2}$ kiloms. from Samia, measured *à vol d'oiseau*, and the other at 37 kiloms. from the enceinte of Ilo on the Ilo-Lugu road, measured along the road.

The frontier shall then follow a straight line directed on a point obtained as follows:—From the terminal mark, described below, placed at 16·093 kiloms. from the centre of the village of Giri (Gris) a line is drawn 8 kiloms. long south 23° west (true). The line obtained by joining the southern extremity of this straight line with the point 37 kiloms. from Ilo on the Ilo-Lugu road shall be the frontier, which shall then run in a straight line 8 kiloms. long north 23° east (true), to the terminal mark.

This terminal mark is placed on the right bank of the Niger and on the road from Ilo to Madekale at 16·093 kiloms., *à vol d'oiseau*, from the centre of the village of Giri (port of Ilo) on the Niger.

This mark is composed of a cone of rocks, of about 2 metres diameter at base and about 1·50 metres high, brought from a hill called Terigo, about 100 metres high, and situated about 200 metres on the west side of the road from Lolo to Madekale.

On the summit of this hill a cone of rocks, about 2 metres diameter at base and about 1·50 metres high, is placed, and from which cone the azimuth of the terminal mark on the road was found to be south $57^\circ 48' 53''$ east, and distant 2,258 metres. The distance was ascertained by calculation, a short base being measured.

From the terminal mark on the Ilo-Madekale road the frontier shall run north 30° east (true) to the Niger, the banks of which are somewhat undefined on account of the marshes.

The frontier line has been carefully drawn on the maps of both sections accompanying this Report. If, at any time, a discrepancy between the frontier, as described above, and that marked on the maps is found to exist, the text of this Report shall be held to be correct, the maps being considered as visual explanations of the Report.

The Commissioners have the greatest pleasure in recording that throughout their joint labours the most cordial relations existed between them.

By comparison of the results of their astronomical observations, the Commissioners have agreed upon the geographical positions of the places tabulated below:—

[Gold Coast and Ivory Coast.]

Towns and Villages.	Latitude, North.			Longitudes.					
				East of Paris.			East of Greenwich.		
	°	'	"	°	'	"	°	'	"
Weira (Ouoria).....	9	05	31	0	25	57	2	46	11
Tabira	9	03	20	0	37	50	2	58	04
Kenu (Kénou)	9	06	52	0	49	32	3	09	46
Okuta (Okouta)	9	12	50	0	54	50	3	15	04
Boria	9	25	08	0	54	29	3	14	43
Yashikira (Yassikéré)	9	45	47	1	07	06	3	27	20
Dekala	10	16	47	1	20	46	3	41	00
Babanna (Babana)	10	25	57	1	28	54	3	49	08
Segbana.....	10	55	33	1	21	18	3	41	32
Samia.....	11	09	43	1	22	02	3	42	16
Ilo	11	33	06	1	21	24	3	41	38

Done and signed at Paris this 22nd day of December, 1900.

J. I. LANG,
British Commissioner.
G. TOUTÉE,
French Commissioner.

[For continuation of the line from the Niger to Lake Chad, see Convention of 29th May, 1906, p. 843.]

No. 246.—*AGREEMENT between the British and French Commissioners respecting the Boundary Line of the Western Frontier of the Gold Coast and the Eastern Frontier of the Ivory Coast. Signed at Bonduku, 1st February, 1903.**

THE Undersigned have agreed that the following shall form the boundary between the Gold Coast and the Ivory Coast, from Nugua to the 9th parallel :—

1. From Nugua to follow the thalweg of the Tano River to a point 5 (five) miles from the Chief's house at Nugua, at which point a cement pillar has been erected.

2. Thence in a straight line to the summit of Mount Ferro Ferraco.

3. Thence in a straight line to the point where the River Ahinda crosses for the second time, east of a plantation, the road from Nugua to Jemma.

4. Thence in a straight line to the point where the River Ayenzue first crosses east of a plantation the road from Jemma to Dissu.

5. Thence in a straight line to the point where a small stream cuts the Moisu-Boinsu custom-station road, west of a small hill.

6. Thence in a straight line to the point where the road from Moisu to Mappe crosses the Boin River.

* Under the Arrangement of 12th July, 1893, p. 754, Agreement accepted by the two Governments by Notes exchanged on the 11th and 15th May, 1905, p. 832.

7. Thence the thalweg of the Boin River to a point where it is crossed by a path from Dibi, leading to a mining village south-east of Dibi.

8.*Thence by a straight line to the point where the River Asuble crosses the road from Yakasse to Dibi, viâ Makanu.

9. Thence in a straight line to a point $2\frac{1}{2}$ kilom. north of the point where the Moto River first crosses the road between Boin and Akresi.

10. Thence in a straight line to the point where the River Erbwabo crosses the road Kwensabo to Yakasse.

11. Thence in a straight line to the point where the River Esilesu crosses the road Kwensabo to Dadiassu.

12.* Thence in a straight line to the point where the Andosongan River crosses the road between Adiyakru and Akyekru.

13.* Thence the thalweg of the River Andosongan to the point where it crosses the road from Apronpron to Krokosua.

14. Thence in a straight line nearly westwards to a point where the River Sangan crosses the same road between Ya Akrakru and Bokaso.

15. Thence the thalweg of the River Songan to the point at which it crosses the road from Eblasekru to Krokosua, east of Mim.

16. Thence in a straight line to the point where the River Alokano crosses the road from the French town of Ngwanda to Adjuafua.

17. Thence in a straight line to the point where the River Asuenanti crosses the road from Zugunu to Debisu.

18. Thence the thalweg of the River Asuenanti to its junction with the Manzan River, and follows the thalweg of this latter river to the point where it crosses the road from Niablé to Debisu.

19. Continues along the thalweg of Manzan River to its junction with the Yubansue River.

20. Follows the thalweg of the latter river to the place where it crosses the road from Esenu to Manzanwan (Manzano).

21. Thence in a straight line to the point where the first stream north-west of Anyimakru crosses the road between Esenu and Assikasso.

22. Thence in a straight line to the point where a stream crosses a rubber road about 6 kiloms. south-west of Koginan (Ngra).

23. Thence in a straight line to the point where the River Ngasapé crosses the said rubber road $1\frac{1}{2}$ kilom. south of Koginan (Ngra).

24. Thence in a straight line and an easterly direction, till it reaches a point close by and to the east of the ruins of Wasafokru, where a stream crosses the road from Koginan to Diabakrum.

25. Thence in a straight line to the point where the Ehunenzue River crosses the road from Kumankpatye to Sueyin by South Takikru.

26. Thence in a straight line to the point where the River Adukwasue crosses the road between Tantantankrum and the village of Adukwasue.

27. Thence in a straight line to the point where the Yifo River crosses the road from Kabrantiakrum to North Takikru.

[Gold Coast and Ivory Coast.]

28. Thence in a straight line to a point where the River Ankyurifo crosses the road from North Takikru to Kwasikrum.

29. Thence in a straight line to a point where the Asuekpri River crosses the road from Kramoro to Kwasi-Bentumukrum.

30. Thence in a straight line to a point where the River Ankyurifo crosses the second time in its course the road from Krapakrum to Asorokrum.

31. Thence in a straight line to the point where the River Atuna crosses the road from Atokum to Atuna, passing over the following roads at which beacons have been placed :—

- (a) The road from Denyame to Asunzue-Anafo.
- (b) The road from Kofiakrum to Asunzue-Anafo.
- (c) The road from Atokum to Ndauerim.

32. Thence in a straight line to the point where the River Ba crosses the road between Yabwahini West and Yabwahini East (or Banu), leaving the two villages of Ehuni to France, and crossing the road from Atuna to Tahikrum at a point where a beacon has been placed.

33. Thence in a straight line to a point where a stream crosses the road from Aduyaoko to Zezeghela, about 1 kilom. south of Aduyaoko.

34. Thence in a straight line to a point where the River Ahiresua crosses the road between the village of Ahiresua and Aduyaoko.

35. Thence in a straight line to the summit of Mount Sarampo, crossing the road from Kerebyu to Adamesu at a point where a beacon has been placed.

36. Thence in a straight line to the point where the River Kera crosses the road between Kerebyu and Biama.

37. Thence in a straight line to the summit of Mount Ahuin.

38. Thence in a straight line to the point where a river crosses the road from Kokosua to Zonzomea.

39. Thence in a straight line to the point where the River Sogili crosses the road between Dyokwam and Soko, leaving Kokosua in French territory, and crossing the road from Metin to Febi at a point where a beacon has been placed.

40. Thence by the thalweg of the River Sogili to its junction with the River Tain (or Ting), crossing the road from Soko to Kabri, leaving Kabri in English territory.

41. Thence by the thalweg of the River Tain (or Ting) to its junction with the River Tiam.

42. Thence by the thalweg of River Tiam as far as the point at which it crosses the road from Tisie to Buko at 650 metres from Tisie.

43. Thence in a straight line to the point where the River Yembri crosses the road from Buko to Asafumo.

44. Thence in a straight line to the point situated on the road from Asafumo to Bondakile at a distance of $2\frac{1}{2}$ kiloms. from Asafumo (southern group).

45. Thence in a straight line to a point situated on the road from Asafumo to Dadie at 2 kiloms. 750 metres from Asafumo (central group).

46. Thence in a straight line to the point where the River Diugula crosses the road from Sangiobo to Genene.

47. Thence by the thalweg of the River Diugula to its junction with the River Tomme.

48. Thence by the thalweg of the River Tomme to the point where the latter crosses the road from Genene to Tambi.

49. Thence in a straight line to the point where the River Giatyo crosses the road from Tambi to Zarhauri.

50. Thence in a straight line to the point where the River Deke-deke crosses the road from Zagdala to Kasa.

51. Thence in a straight line to the point situated on the right bank of the Black Volta, where the road from Bandaghadi to Adereso crosses that river at a point where a beacon has been placed.

52. Thence the thalweg of the Black Volta as far as its junction with the 9th parallel of north latitude.

The above is a slight modification of the arrangement made by Great Britain and France, and signed at Paris the 12th July, 1893 (No. 236), and is agreed to and signed at Bonduku, this 1st day of February, 1903, without prejudice to any further small modifications that may be found necessary in order to mark the boundary clearly on the ground.

The Undersigned have agreed that the natives who would not be satisfied by the attribution of their town, either to England or to France, shall be allowed to move to the side of the boundary they may select within a period of one year from the date of the signing of the final Arrangement.

A. E. WATHERSTON, *Major.*

H. B. DES VŒUX, *Captain, R.E.*

G. W. CLOTWORTHY SODEN,
Captain, Royal Munster Fusiliers.

A. DELAFOSSE.

D. BOUVET.

E. LAFORGUE.

ANNEX I.

SUPPLEMENTARY Agreement modifying Arts. 8, 12, and 13 of above Agreement. ^{23rd April,} 11th May, 1903.

THE Undersigned have agreed that, in order to make the boundary line agree with the rectifications made to the map after the signing of the preceding Arrangement, Arts. 8, 12, and 13 shall be modified as follows:—

“8. Thence in a straight line to a point on the road from Makanu or Makun to Dibi, situated about mid-way between those two places, a point determined by the junction of the above-mentioned road with a path leading north-west towards a mining camp named Yebwabo.

“12. Thence in a straight line to the point where the River Andongan (South) crosses the road from Adiyakru to Akyekru.

[Gold Coast and Ivory Coast.]

“ 13. Thence in a straight line to the point where a stream crosses the road from Krokosua to Akyebraiku at a distance of 4 kiloms. 300 metres from the junction of the above-mentioned road with the road from Krokosua to Ya Akrakru and thence in a straight line to a point where the River Andosongan (North) crosses the road from Ya Akrakru to Krokosua.”

These modifications are explained in the Report on the beaconing of the boundary attached to this Arrangement.

Signed at Newtown this 23rd day of April, 1903.

H. B. DES VŒUX, *Captain, R.E.*

A. DELAFOSSE.

D. BOUVET.

E. LAFORGUE.

Signed at Tarkwa this 11th day of May, 1903.

A. E. WATHERSTON, *Major.*

ANNEX II.

REPORT on the Beaconing of the Anglo-French Boundary between the Gold Coast and Ivory Coast. 11th and 23rd April and 11th May, 1903.

THE Undersigned declare that, in accordance with the Arrangement signed at Bonduku on the 1st February, 1903, regarding the frontier from Nugua to the 9th parallel, the beaconing of the said frontier has been carried out as follows:—

[See Memorandum with exchange of Notes of $\frac{11^{\text{th}}}{15^{\text{th}}}$ May, 1905, p. 832.]

The Undersigned further declare:—

(a) That seeing the impossibility of placing the beacons on the thalwegs of rivers, they have been placed on that of the two banks which, on account of its height or situation, has appeared the most suitable for the purpose, but that it nevertheless remains understood that the point of intersection of roads by rivers means the point of intersection of the road by the thalweg of the river.

(b) That in the case of a stream being called by various different names by the natives, or called by a name which does not appear in the Arrangement or in this Report on the beaconing; or again, in the case of the name given to a stream in the Arrangement being given by the natives to some other stream, it is well understood that the only point serving to determine the frontier shall be that where the beacon has been placed.

(c) That when it is stated in the Arrangement that the thalweg of a stream shall serve as frontier as far as its junction with another stream, in case it should be found hereafter that the first stream does not fall directly into the second, it is, nevertheless, well understood that the frontier will follow the thalweg of the first stream as far as its junction

with the river into which it flows, then the thalweg of this latter river as far as its junction with the second stream named in the Arrangement.

(d) That in the case where, in accordance, with the last clause but one of the Arrangement of the 1st February, 1903, the Commissioners have deemed it necessary to make some slight modifications in order to mark the frontier more clearly on the ground, it remains well understood that the point where the beacon has been placed shows the true position of the frontier.

(e) That Art. 8 of the Arrangement has had to be modified in its application. The river named in the Arrangement as the River Asuble not really existing at the place where the Commissioners had decided that the frontier should pass, and being identified with a stream situated further to the north, hitherto called the Ebwenzi River, the beacon has been placed at the point, marked in the map annexed to the Arrangement, a point described in Art. 61 of this Report, instead of being placed on the real River Asuble.

(f) That the Commissioners having learnt when proceeding to beacon that what had hitherto been considered as the single River Andosongan was in reality two different rivers, both flowing towards the south, and both known by the name of Andosongan. Art. 13 of the Arrangement ("thence the thalweg of the River Andosongan as far as the point where it crosses the road from Apronpron to Krokosua") had in effect to be changed to "thence in a straight line to the point where the road from Krokosua to Akyebrakru is crossed by a stream at a distance of 4 kiloms. 300 metres from the junction of the above-mentioned road with the road from Krokosua to Ya Akrakru; thence in a straight line to the point where the River Andosongan (South) crosses the road from Ya Akrakru to Krokosua," a modification described in Arts. 57, 56, and 55 of this Report.

Signed at Jemma, this 11th day of April, 1903.

H. B. DES VŒUX, *Captain, R.E.*

G. W. CLOTWORTHY SODEN,

Captain, Royal Munster Fusiliers.

A. DELAFOSSE.

D. BOUVET.

E. LAFORGUE.

P.S.—The Undersigned, having found that the frontier was not visibly marked on the ground in the neighbourhood of Newtown, certify that a beacon (No. 55) has now been erected on the seashore, and another (No. 54) on the shore of the Tendo Lagoon, in accordance with the Treaty of 1903.

Signed at Newtown, this 23rd day of April, 1903.

H. B. DES VŒUX, *Captain, R.E.*

A. DELAFOSSE.

D. BOUVET.

E. LAFORGUE.

Signed at Tarkwa, this 11th day of May, 1903.

A. E. WATHERSTON, *Major.*

No. 247.—*PROCES-VERBAUX for the Delimitation of the Anglo-French Frontier from Tembé-Counda (Tembikunda) to the 13th degree of Longitude West of Paris.* 12th March, 1903.†*

PROCÈS-VERBAL No. 1.

Détails des Opérations.

Les soussignés A. Lescure Administrateur des Colonies, Commissaire de la République Française et C. E. Birch, Lieutenant d'Infanterie, Commissaire du Gouvernement de Sa Majesté Britannique, après communication des instructions qu'ils ont reçu de leurs Gouvernements respectifs ont d'un commun accord décidé de conduire leurs opérations de la manière suivante :—

Le sentier de Tembikundo-Farakoro ayant dans la partie servant de base une direction générale Ouest-Est, six ordonnées de 500^m ont été élevées dans la direction Nord-Sud sur le dit sentier ; et les extrémités de ces six ordonnées ayant été réunies par des lignes droites (sauf vers la borne origine de Tembikundo où il existe un raccord) l'ensemble de cette ligne brisée représentait donc aussi fidèlement que possible partie du sentier de Tembikundo-Farakoro reporté à 500^m au sud. Le rapport de la mission Gaden-Mackse porte " que la frontière coupe un thalweg se dirigeant vers la Mantilé, et dont l'origine est à quelques mètres au sud des sources de l'Ourlimban, affluent du Tembiko.

" A partir de ce point la frontière se dirige vers le sud en suivant ce thalweg, puis le cours de la Mantilé jusqu'à un point déterminé par l'intersection avec la Mantilé d'une ligne droite partant de la source de la rivière Ouldafo et tracée dans la direction de la vallée supérieure de ce cours d'eau."

Le fait d'avoir déplacé partie du sentier Tembikundo-Farakoro de 500 mètres au sud portant la nouvelle frontière (indiquée sur le plan joint par la borne No. 8) un peu au sud du point d'intersection du thalweg mentionné ci-dessous avec la Mantilé, et d'autre part la borne No. 8 se trouvant dans la prolongement de la vallée supérieure de la rivière Ouldafo la borne No. 8 a donc été directement reliée à la source de l'Ouldafo. D'après les instructions il ne restait donc plus qu'à suivre le cours de l'Ouldafo jusqu'à son point de rencontre avec le méridien 13° Ouest Paris.

Les coordonnées géographiques de la borne origine de Tembikundo calculées par la mission Trotter-Passaga et rapportées au méridien de Paris étant de longitude 13° 7' 14".4 Ouest Paris, latitude 9° 5' Nord, la distance du méridien 13° Ouest Paris mesurée sur le parallèle de la borne de Tembikundo et à partir de cette borne était donc de 13.241.00^m.

Les instruments mis à la disposition des commissaires n'étant pas munis de verres noircis ni de dispositif pour éclairer les fils du reticule et ne permettant pas par conséquent une détermination du 13° Ouest

* 10° 40' meridian west of Greenwich.

† See Agreement of 21st January, 1895, p. 757, and Notes 1 and 2 annexed, pp. 759 and 760.

[Boundary North and East of Sierra Leone. Temb -Counda eastwards.]

Paris par des observations d'astres, il a fallu employer une m thode de cheminement.

Mais vu la distance relativement courte qu'il s'agissait de d limiter cette m thode a fourni n anmoins une solution donnant plus de garantie que l'emploi du transport de l'heure de Paris et surtout si l'on consid re l'erreur relative consid rable qu'aurait donn  toute diff rence sur le temps moyen Paris, une erreur d'une seconde temps donnant une erreur d'environ 458 metres en longitude.

Il s'agissait donc :

Etant donn  un angle droit dont un c t  egal   13.241 metres et partant de la borne origine de Tembikundo repr sentait le parall le de Tembikundo et l'autre c t  repr sentant par suite le m ridien 13  Ouest Paris ils'agissait donc en partant de la borne origine de tracer dans cet angle droit une polygonale (en l'esp ce la nouvelle fronti re) dont l'intersection avec le c t  repr sentant le m ridien 13  Ouest Paris donnait la solution cherch .

Comme v rification tout le travail ex cut  sur le terrain a  t  rapport    l' chelle $\frac{1}{10'000}$  chelle suffisamment grande pour donner toute garantie d'exactitude.

Fait en double exp dition au campement de l'Ouldafo le 12 Mars 1903.

C. E. BIRCH.
A. LESCURE.

PROCÈS-VERBAL No. 2.

Elements determinant la Fronti re.

Partant de la borne origine pos e par la mission Trotter-Passaga* et dont les cordonn es g ographiques sont : Latitude 9  5' Nord, longitude 13  7' 14.4'' Ouest Paris, la ligne droite fronti re d'une longueur de 260.50^m fait avec le m ridien un angle azimutal de 123  18' et se d termine   la borne sommet No. 1.

De la borne No. 1 et faisant avec la ligne pr c dente un angle de 126  39' la ligne droite fronti re d'une longueur de 996^m va jusqu'  la borne sommet No. 2. De la borne No. 2 et faisant avec la ligne pr c dente un angle de 152  56' la ligne droite fronti re d'une longueur de 917^m va jusqu'  la borne sommet No. 3. De la borne No. 3 et faisant avec la ligne pr c dente un angle de 178  9' la ligne droite fronti re d'une longueur de 522.50^m va jusqu'  la borne sommet No. 4. De la borne No. 4 et faisant avec la ligne pr c dente un angle de 152  58' la ligne droite fronti re d'une longueur de 660.50^m va jusqu'  la borne sommet No. 5. De la borne No. 5 et faisant avec la ligne pr c dente un angle de 178  45' la ligne droite fronti re d'une longueur de 627^m va jusqu'  la borne sommet No. 6.

De la borne sommet No. 6 et faisant avec la ligne pr c dente un

* See Proc s-Verbal of $\frac{9^{\text{th}}}{30^{\text{th}}}$ April, 1896, p 765.

[Boundary North and East of Sierra Leone. Temb -Counda eastwards.]

angle de 157° 15' la ligne droite fronti re d'une longueur de 987^m va jusqu'  la borne sommet No. 8.

De la borne No. 8 et faisant avec la ligne pr c dente un angle de 157° 11' la ligne droite fronti re d'une longueur 1,520^m va jusqu'  la borne No. 11 plac    la source d  la rivi re Ouldafo.

De la borne No. 11 la fronti re est d limit e par la rivi re Ouldafo jusqu'  sa rencontre avec le m ridien 13° Ouest Paris d termin e comme il a  t  dit au Proc s Verbal No. 1.

La nouvelle fronti re laisse   gauche et   droite quelques villages de culture insignifiante appartenant aux deux villages fronti res de Farakoro et Manson. Les chefs de ces deux villages ont  t  invit s   pr venir leurs gens que ceux-ci devaient opter pour l'une ou l'autre nationalit  une fois leurs r coltes actuelles termin es.

Fait en double exp dition au campement de l'Ouldafo le 12 Mars 1903.

C. E. BIRCH.

A. LESCURE.

PROC S-VERBAL NO. 3.

Distances Respectives des Bornes.

Les bornes sont constitu es par des cones en pierres s ches de 3^m de diam tre   la base et de 2^m de hauteur.

La borne sommet No. 1 est plac e   260^m [? 260.50^m] de la borne origine de Tembikundo.

La borne sommet No. 2 est plac e   996^m de la borne No. 1.

La borne sommet No. 3 est plac e   917^m de la borne No. 2.

La borne sommet No. 4 est plac e   522.50^m de la borne No. 3.

La borne sommet No. 5 est plac e   660.50^m de la borne No. 4.

La borne sommet No. 6 est plac e   627^m de la borne No. 5.

La borne d'alignement No. 7 est plac e sur la rive gauche de la rivi re Mantile et   528^m de la borne No. 6.

La borne sommet No. 8 est plac e   459^m de la borne No. 7.

La borne d'alignement No. 9 est situ e sur la rive gauche de la rivi re Mantil  et   534^m de la borne No. 8.

La borne d'alignement No. 10 est plac e   626^m de la borne No. 9.

La borne No. 11 situ e   la source m me de l'Ouldafo est plac e   360^m de la borne No. 10.

Une double borne No. 12 a  t  enfin plac e de chaque c t  de l'Ouldafo au point ou cette rivi re coupe le m ridien 13° Ouest Paris.

Fait en double exp dition au Campement de l'Ouldafo le 12 Mars, 1903.

C. E. BIRCH.

A. LESCURE.

Note.—These Proc s-Verbaux were confirmed by the two Governments by Exchange of Notes dated 22nd March and 5th April, 1904. See p. 815. For Plan of Delimitation, see Map No. 11 in Atlas (or Pouch).

[Niger.]

No. 248.—*LEASE by the British Government to the French Government of a Piece of Land situated at the Junction of the Doko with the Niger (Badjibo). Signed at Paris, 20th May, 1903.*

IN execution of Art. VIII of the Convention of the 14th June, 1898 (**No. 241**), the Undersigned :

His Excellency the Right Honourable Sir Edmund Monson, G.C.B., Ambassador to the President of the French Republic of 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 Excellency M. Delcassé, Minister for Foreign Affairs of the French Republic, duly authorized thereto, have agreed as follows :—

1. The Government of His Britannic Majesty grants in lease to the Government of the French Republic a piece of land on the right bank of the Niger River, between Leaba and the junction of the River Moussa (Mochi) with that river, situated at the junction of a stream called the Doko with the Niger, having a river frontage of 400 metres, and forming a block of about 47 hectares in extent, the exact boundaries of which are shown on the plan annexed to this lease.

2. The lease shall run for thirty years uninterruptedly, commencing from the 5th June, 1900 ; but, in case neither of the two Contracting Parties shall have notified twelve months before the expiration of the above-mentioned term of thirty years its intention to put an end to the present lease, it shall remain in force until the expiration of one year from the day on which either of the Contracting Parties shall have denounced it.

3. The said land shall be subject to the laws for the time being in force in the British Protectorate of Northern Nigeria.

4. A portion of the land so leased, which shall not exceed 10 hectares in extent, shall be used exclusively for the purposes of the landing, storage, and transhipment of goods, and for such purposes as may be considered subsidiary thereto, and the only permanent residents shall be the persons employed in the charge and for the security of such goods, with their families and servants.

5. The Government of the French Republic binds itself :

(a) To fence in that portion of the said land referred to in Art. 4 of this lease (with the exception of the side which faces the Niger), by a wall, or by a stockade, or by any other sort of continuous fence, which shall not be less in height than 3 metres ; there shall be one door only on each of the three sides of the fence.

(b) Not to permit on the said portion of land the receipt or exit of any goods in contravention of the Protectorate Customs Regulations. Any act in violation of this stipulation shall be considered as evasion of customs duties, and shall be punished accordingly.

(c) Not to sell nor allow the sale of any goods in retail in the said portion of land. The sale of quantities less in weight or measure than 1,000 kilogr., 1,000 litres, or 1,000 metres shall be considered as sale in retail. It is understood that this stipulation shall not apply to goods in transit.

[Niger.]

(d) The Government of the French Republic, or its sublessees or agents, shall have the right to build on the said portion of land warehouses, houses for offices and any other buildings necessary for the operations of landing, storing and transshipping goods, and also to construct, on that part of the foreshore of the Niger comprised in the lease, quays, bridges, and docks, and any other works required in connection with the said operations, provided that the designs of all works so to be constructed on the foreshore of the river be furnished to the British authorities for examination, in order to ascertain that these works would not in any way inconvenience the navigation of the river or be in conflict with the rights of third parties or with the customs system.

(e) It is understood that the shipping, landing, and storing of goods on the said portion of land shall be conducted in all respects in accordance with the laws for the time being in force in the British Protectorate of Northern Nigeria.

6. The Government of the French Republic binds itself to pay annually to the British Government, on the 1st January of each year, a rent of one franc.

7. The Government of the French Republic shall have the right to sublet all or part of the land the object of the present lease, provided that the sublessees do not use the land for other purposes than those stipulated in the present lease, and that the said Government remain responsible to the Government of His Britannic Majesty for the observance of the stipulations of the present lease.

8. The Government of His Britannic Majesty binds itself to fulfil towards the lessee all obligations incumbent upon it as owner of the said land.

9. At the expiration of the term of thirty years specified in Art. 2 of the present lease, the French Government or its sublessees may remain for a period which, together with the said term of thirty years, shall not exceed ninety-nine years, in possession and enjoyment of the constructions and establishments which shall have been made on the leased land. Nevertheless, the Government of His Britannic Majesty will reserve to itself, on the expiration or determination of the present lease in accordance with the conditions specified in Art. 2, the right of purchasing at a valuation to be determined by experts, who will be appointed by the two Governments, the said constructions and establishments on the understanding that notification of its intention be furnished to the French Government ten months at latest before the expiration or determination of the lease. In case of disagreement between them, the experts shall choose a referee, whose decision shall be final.

In calculating the value of the above-mentioned constructions and establishments, the experts shall be guided by the following considerations :—

(a) In the event of the lease expiring at the end of the first thirty years, the purchase value of the property shall be the full market value.

[Niger.]

(b) In the event of the lease terminating after the term of thirty years, the value to be paid shall be the full market value, less a fraction whose numerator shall be the number of years the lease has run minus thirty, and whose denominator shall be sixty-nine.

10. The land comprised in the lease shall be measured and marked out without delay.

11. In case a difference of opinion should arise between the two Governments as to the interpretation of the lease or as to any matter connected with this lease, the question shall be settled by the arbitration of a juriconsult, of third nationality, named in agreement by the two Governments.

In witness whereof the Undersigned have signed the present lease and have affixed thereto their seals.

Done in duplicate at Paris, the 20th of May, 1903.

(L.S.) EDMUND MONSON.

(L.S.) DELCASSÉ.

[By French Decree of 30th June, 1903, the piece of land leased was placed under the administration of the Governor-General of French West Africa.]

No. 249.—*LEASE by the British Government to the French Government of a Piece of Land situated on the Mouth of the Niger known as the Forcados River. Signed at Paris, 20th May, 1903.*

In execution of Art. VIII of the Convention of the 14th June, 1898 (No. 241), the Undersigned :

His Excellency the Right Honourable Sir Edmund Monson, G.C.B., Ambassador to the President of the French Republic of 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 Excellency M. Delcassé, Minister for Foreign Affairs of the French Republic, duly authorized thereto, have agreed as follows :—

1. The Government of His Britannic Majesty grants in lease to the Government of the French Republic a piece of land situated on the left bank of one of the mouths of the Niger River, known as the Forcados River, having a river frontage of 400 metres, and forming a block of 47 and two-tenths hectares in extent, the exact boundaries of which are shown on the plan annexed to this lease.

2. The lease shall run for thirty years uninterruptedly, commencing from the 28th June, 1900 ; but, in case neither of the two Contracting Parties shall have notified twelve months before the expiration of the above-mentioned term of thirty years its intention to put an end to the present lease, it shall remain in force until the expiration of one year from the day on which either of the Contracting Parties shall have denounced it.

3. The said land shall be subject to the laws for the time being in force in the British Protectorate of Southern Nigeria.

[Sierra Leone and French Guinea. Tembi-Kunda eastwards.]

[Arts. 4 to 11 are similar to the corresponding Articles in the other lease of the same date (No. 248), except that Southern Nigeria is substituted for Northern Nigeria where it occurs.]

In witness whereof the Undersigned have signed the present lease and have affixed thereto their seals.

Done in duplicate at Paris, the 20th of May, 1903.

(L.S.) EDMUND MONSON.

(L.S.) DELCASSÉ.

[By French Decree of 30th June, 1903, the piece of land leased was placed under the administration of the Governor-General of French West Africa.]

No. 250.—EXCHANGE OF NOTES between the British and French Governments relative to the Boundary between Sierra Leone and French Guinea, from Tembi-Kunda to the 13° of Longitude West of Paris.* London, ^{22nd March,}_{5th April,} 1904.†

(1.) *The French Ambassador to the Marquess of Lansdowne.*

Ambassade de France, Londres, le 22 Mars, 1904.

Monsieur le Marquis,

A LA suite d'un accord intervenu entre nos deux Gouvernements la ligne de démarcation entre les possessions de la Guinée Française et la Colonie de Sierra Leone, dans le voisinage de Tembi-Koundo, a été déterminée sur les lieux par des Commissaires désignés à cet effet par les deux Hautes Parties Contractantes.

Ces Commissaires ont consigné le résultat de leurs travaux dans des procès-verbaux établis en langue Française et sur lesquels ils ont apposé conjointement leurs signatures. Ces procès-verbaux sont numérotés de 1 à 3 et datés du 12 Mars, 1903 (No. 247). Les Commissaires ont, en outre, signé d'un commun accord un plan de la delimitation de Tembi-Koundo au méridien 13° Paris,* à l'échelle de 1 : 25,000.

J'ai l'honneur de faire savoir à Votre Seigneurie que mon Gouvernement approuve, pour ce qui le concerne, la limite décrite dans les dits procès-verbaux et portée sur ladite carte avec les bornes qui y sont marquées, et qu'il est prêt, si les vues du Gouvernement de Sa Majesté Britannique concourent avec les siennes, à la considerer comme constituant au présent jour la ligne de démarcation définitive entre la Guinée Française et la Colonie de Sierra Leone.

Veuillez agréer, &c.,

PAUL CAMBON.

Sa Seigneurie, Le Marquis de Lansdowne, &c., &c.

* 10° 40' west of Greenwich.

† See Agreement of 21st January, 1895, p. 757, and Notes 1 and 2 of the 22nd January, 1895, annexed, pp. 759 and 760.

[Sierra Leone and French Guinea. Tembi-Kunda eastwards.]

(2.) *The Marquess of Lansdowne to the French Ambassador.**Foreign Office, 5th April, 1904.*

Your Excellency,

IN your note of the 22nd ultimo you are good enough to draw my attention to the fact that in consequence of an agreement come to between His Majesty's Government and the Government of the Republic the line of demarcation between the possessions of French Guinea and the Colony of Sierra Leone in the neighbourhood of Tembi-Kundo, has been determined locally by Commissioners appointed for that purpose by the two High Contracting Parties.

Your Excellency further reminds me that these Commissioners have recorded the result of their labours in Minutes of Proceedings drawn up in French which they have conjointly signed. These Minutes are numbered 1 to 3 and dated the 12th March, 1903 (No. 247) The Commissioners have further signed by common agreement a plan of the delimitation [of Tembi-Kundo under]* the meridian of 13° Paris on a scale of 1 : 25,000.

Lastly, your Excellency informs me that your Government, so far as they are concerned, accept the boundary described in the said minutes and traced on the said map together with the boundary marks there marked, and that they are ready, in the event of the views of His Majesty's Government concurring with theirs, to consider that boundary as now constituting the line of definitive demarcation between the Colony of Sierra Leone and French Guinea.

I have the honour to inform your Excellency that His Majesty's Government also agree to the line laid down by the Commissioners and accept it as forming the definitive frontier between the two Colonies.

I have, &c.,

LANSDOWNE.

His Excellency Monsieur Cambon, &c., &c.

No. 251.—*CONVENTION between Great Britain and France, respecting Newfoundland, and West and Central Africa. Signed at London, 8th April, 1904.*

[Ratifications exchanged at London, 8th December, 1904.]

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 the President of the French Republic, having resolved to put an end, by a friendly Arrangement, to the difficulties which have arisen in Newfoundland, have decided to conclude a Convention to that effect, and have named as their respective Plenipotentiaries :—

His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of

* Qy. "from Tembi-kundo to."

[West and Central Africa.]

India, the Most Honourable Henry Charles Keith Petty-Fitzmaurice, Marquess of Lansdowne, His Majesty's Principal Secretary of State for Foreign Affairs; and

The President of the French Republic, his Excellency Monsieur Paul Cambon, Ambassador of the French Republic at the Court of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India;

Who, after having communicated to each other their full powers, found in good and due form, have agreed as follows, subject to the approval of their respective Parliaments:—

[Arts. I to III relate to Newfoundland.]

Art. IV.—His Britannic Majesty's Government, recognizing that, in addition to the indemnity referred to in the preceding Article, some territorial compensation is due to France in return for the surrender of her privilege in that part of the Island of Newfoundland referred to in Art. II, agree with the Government of the French Republic to the provisions embodied in the following Articles:—

Frontier between Senegambia and Gambia Colony. Yarbutenda to France.

Art. V.—The present frontier between Senegambia and the English Colony of the Gambia* shall be modified so as to give to France Yarbutenda and the lands and landing-places belonging to that locality.

In the event of the river not being open to maritime navigation up to that point, access shall be assured to the French Government at a point lower down on the River Gambia, which shall be recognized by mutual agreement as being accessible to merchant ships engaged in maritime navigation.

The conditions which shall govern transit on the River Gambia and its tributaries, as well as the method of access to the point that may be reserved to France in accordance with the preceding paragraph, shall form the subject of future agreement between the two Governments.

In any case, it is understood that these conditions shall be at least as favourable as those of the system instituted by application of the General Act of the African Conference of the 26th February, 1885 (**No. 128**), and of the Anglo-French Convention of the 14th June, 1898 (**No. 241**), to the English portion of the basin of the Niger.

Isles de Los ceded to France.

Art. VI.—The group known as the Isles de Los, and situated opposite Konakry, is ceded by His Britannic Majesty to France.†

Art. VII.—*Persons born in the territories ceded to France by Arts. V*

* See Art. I of Arrangement of 10th August, 1889, p. 729; and Procès-Verbal of Delimitation Commissioners of 9th June, 1891, p. 742.

† See Notes on Sierra Leone, p. 27, as regards the British acquisition in 1818 of the Isles de Los; and Art. II of Convention between Great Britain and France of 28th June, 1832, p. 724. The Isles de Los were attached to the Government of French West Africa by Decree of the French President, dated 4th July, 1905.

[West and Central Africa.]

and VI may retain British nationality. Native laws and customs to remain undisturbed. Iles de Los British fishermen enjoy same rights as French with regard to anchorage, sale of fish, and landing and drying of nets.

Frontier East of Niger.

Art. VIII.*—To the east of the Niger the following line shall be substituted for the boundary fixed between the French and British possessions by the Convention of the 14th June, 1898 (No. 241), subject to the modifications which may result from the stipulations introduced in the sixth and seventh paragraphs of the present Article.

Starting from the point on the left bank of the Niger laid down in Art. III of the Convention of the 14th June, 1898, that is to say, the median line of the Dallul Mauri, the frontier shall be drawn along this median line until it meets the circumference of a circle drawn from the town of Sokoto as a centre, with a radius of 160,932 mètres (100 miles). Thence it shall follow the northern arc of this circle to a point situated 5 kilomètres south of the point of intersection of the above-mentioned arc of the circle with the route from Dosso to Matankari viâ Maourédé.

Thence it shall be drawn in a direct line to a point 20 kilomètres north of Konni (Birni-N'Kouni), and then in a direct line to a point 15 kilomètres south of Maradi, and thence shall be continued in a direct line to the point of intersection of the parallel of 13° 20' north latitude with a meridian passing 70 miles to the east of the second intersection of the 14th degree of north latitude and the northern arc of the above-mentioned circle.

Thence the frontier shall follow in an easterly direction the parallel of 13° 20' north latitude until it strikes the left bank of the River Komadugu Waubé (Komadougou Ouobé), the thalweg of which it will then follow to Lake Chad. But, if before meeting this river the frontier attains a distance of 5 kilometres from the caravan route from Zinder to Yo, through Sua Kololua (Soua Kololoua), Adeber, and Kabi, the boundary shall then be traced at a distance of 5 kilomètres to the south of this route until it strikes the left bank of the River Komadugu Waubé (Komadougou Ouobé), it being nevertheless understood that, if the boundary thus drawn should happen to pass through a village, this village, with its lands, shall be assigned to the Government to which would fall the larger portion of the village and its lands. The boundary will then, as before, follow the thalweg of the said river to Lake Chad.

Thence it will follow the degree of latitude passing through the thalweg of the mouth of the said river up to its intersection with the meridian running 35' east of the centre of the town of Kouka, and will then follow this meridian southwards until it intersects the southern shore of Lake Chad.

It is agreed, however, that, when the Commissioners of the two Governments at present engaged in delimiting the line laid down in

* See also Convention of 29th May, 1906, p. 843.

[West and Central Africa.]

Art. IV of the Convention of the 14th June, 1898, return home and can be consulted, the two Governments will be prepared to consider any modifications of the above frontier line which may seem desirable for the purpose of determining the line of demarcation with greater accuracy. In order to avoid the inconvenience to either party which might result from the adoption of a line deviating from recognized and well-established frontiers, it is agreed that in those portions of the projected line where the frontier is not determined by the trade routes, regard shall be had to the present political divisions of the territories so that the tribes belonging to the territories of Tessaoua-Maradi and Zinder shall, as far as possible, be left to France, and those belonging to the territories of the British zone shall, as far as possible, be left to Great Britain.*

Lake Chad.

It is further agreed that, on Lake Chad, the frontier line shall, if necessary, be modified so as to assure to France a communication through open water at all seasons between her possessions on the north-west and those on the south-east of the Lake, and a portion of the surface of the open waters of the Lake at least proportionate to that assigned to her by the map forming Annex 2 of the Convention of the 14th June, 1898.

River Komadugu.

In that portion of the River Komadugu which is common to both parties, the populations on the banks shall have equal rights of fishing.

Art. IX.—The present Convention shall be ratified, and the ratifications shall be exchanged, at London, within eight months, or earlier if possible.

In witness whereof his Excellency the Ambassador of the French Republic at the Court of 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's Principal Secretary of State for Foreign Affairs, duly authorized for that purpose, have signed the present Convention and have affixed thereto their seals.

Done at London, in duplicate, the 8th day of April, 1904.

(L.S.) LANSDOWNE.

(L.S.) PAUL CAMBON.

* See also Convention of 29th May, 1906, p. 843.

[Egypt. Morocco.]

No. 252.—*DECLARATION between Great Britain and France respecting Egypt and Morocco. Signed at London, 8th April, 1904.*

France will not Obstruct Action of Great Britain in Egypt.

Art. I.—His Britannic Majesty's Government declare that they have no intention of altering the political status of Egypt.

The Government of the French Republic, for their part, declare that they will not obstruct the action of Great Britain in that country by asking that a limit of time be fixed for the British occupation or in any other manner, and that they give their assent to the draft Khedivial Decree annexed to the present Arrangement,* containing the guarantees considered necessary for the protection of the interests of the Egyptian bondholders, on the condition that, after its promulgation, it cannot be modified in any way without the consent of the Powers Signatory of the Convention of London of 1885.†

It is agreed that the post of Director-General of Antiquities in Egypt shall continue, as in the past, to be entrusted to a French *savant*.

The French schools in Egypt shall continue to enjoy the same liberty as in the past.

England will not Obstruct France in Morocco.

Art. II.—The Government of the French Republic declare that they have no intention of altering the political status of Morocco.

His Britannic Majesty's Government, for their part, recognize that it appertains to France, more particularly as a Power whose dominions are conterminous for a great distance with those of Morocco, to preserve order in that country, and to provide assistance for the purpose of all administrative, economic, financial, and military reforms which it may require.

They declare that they will not obstruct the action taken by France for this purpose, provided that such action shall leave intact the rights which Great Britain, in virtue of Treaties, Conventions, and usage, enjoys in Morocco, including the right of coasting trade between the ports of Morocco, enjoyed by British vessels since 1901.

French Rights in Egypt to be respected.

Art. III.—His Britannic Majesty's Government, for their part, will respect the rights which France, in virtue of Treaties, Conventions, and usage, enjoys in Egypt, including the right of coasting trade between Egyptian ports accorded to French vessels.

Commercial Liberty in Egypt and Morocco.

Art. IV.—The two Governments, being equally attached to the principle of commercial liberty both in Egypt and Morocco, declare that they will not, in those countries, countenance any inequality either in the imposition of customs duties or other taxes, or of railway transport charges.

* Not printed.

† H.T., vol. xvii, p. 352; S.P., vol. lxxvi, p. 348.

[Egypt. Morocco.]

The trade of both nations with Morocco and with Egypt shall enjoy the same treatment in transit through the French and British possessions in Africa. An Agreement between the two Governments shall settle the conditions of such transit and shall determine the points of entry.

This mutual engagement shall be binding for a period of thirty years. Unless this stipulation is expressly denounced at least one year in advance, the period shall be extended for five years at a time.

Nevertheless, the Government of the French Republic reserve to themselves in Morocco, and His Britannic Majesty's Government reserve to themselves in Egypt, the right to see that the concessions for roads, railways, ports, &c., are only granted on such conditions as will maintain intact the authority of the State over these great undertakings of public interest.

Officials of either Country in Egyptian or Moorish Service.

Art. V.—His Britannic Majesty's Government declare that they will use their influence in order that the French officials now in the Egyptian service may not be placed under conditions less advantageous than those applying to the British officials in the same service.

The Government of the French Republic, for their part, would make no objection to the application of analogous conditions to British officials now in the Moorish service.

Free Passage. Suez Canal.

Art. VI.—In order to insure the free passage of the Suez Canal, His Britannic Majesty's Government declare that they adhere to the stipulations of the Treaty of the 29th October, 1888,* and that they agree to their being put in force. The free passage of the Canal being thus guaranteed, the execution of the last sentence of paragraph 1 as well as of paragraph 2 of Art. VIII of that Treaty will remain in abeyance.

Free Passage. Straits of Gibraltar.

Art. VII.—In order to secure the free passage of the Straits of Gibraltar, the two Governments agree not to permit the erection of any fortifications or strategic works on that portion of the coast of Morocco comprised between, but not including, Melilla and the heights which command the right bank of the River Sebou.

This condition does not, however, apply to the places at present in the occupation of Spain on the Moorish coast of the Mediterranean.

Spanish Interests in Morocco Recognized.

Art. VIII.—The two Governments, inspired by their feeling of sincere friendship for Spain, take into special consideration the interests which that country derives from her geographical position and from her territorial possessions on the Moorish coast of the Mediterranean. In regard to these interests the French Government will come to an understanding with the Spanish Government.

* H.T., vol. xviii, p. 369; S.P., vol. lxxix, p. 18.

The agreement which may be come to on the subject between France and Spain shall be communicated to His Britannic Majesty's Government.*

Diplomatic support in Execution of present Declaration.

Art. IX.—The two Governments agree to afford to one another their diplomatic support, in order to obtain the execution of the clauses of the present Declaration regarding Egypt and Morocco.

In witness whereof his Excellency the Ambassador of the French Republic at the Court of 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's Principal Secretary of State for Foreign Affairs, duly authorized for that purpose, have signed the present Declaration and have affixed thereto their seals.

Done at London, in duplicate, the 8th day of April, 1904.

(L.S.) LANSDOWNE.

(L.S.) PAUL CAMBON.

No. 253.—*EXCHANGE OF NOTES between the British and French Governments defining the Boundary between the Gold Coast and the French Soudan.* † London, ^{18th March,}_{25th April,} 1904.

[This Agreement was completed by the Agreement of ^{24th May}_{19th July,} 1906,
No. 257.]

The Marquess of Lansdowne to M. Cambon.

Foreign Office, London,

18th March, 1904.

Your Excellency,

I HAVE the honour to acknowledge the receipt of your Excellency's note of the 25th ultimo, in which you state that the French Government agree to the description of the Anglo-French boundary between the Gold Coast and the French Soudan, which was embodied in the Memorandum inclosed in my note of the 13th January last, but that they suggest modifications in the wording of Secs. 27 and 35 of Art. I of the Agreement.

His Majesty's Government accept these modifications, and I have the honour to transmit herewith a Memorandum of Articles of Agreement in which the suggestions made in your Excellency's note have been adopted.

As a complete agreement has now been arrived at in this matter, I should be glad to receive from your Excellency a note containing a Memorandum defining the course of the boundary in identical terms, and accompanied by a copy of the map which was annexed to my above-mentioned note.

* See Declaration between France and Spain relative to the integrity of Morocco, 3rd October, 1904, p. 1168.

† See Art. I of Convention of 14th June, 1898, p. 786.

As the matter is of some urgency, I have anticipated the receipt of your reply and have informed His Majesty's Secretary of State for the Colonies that the description of the boundary may now be considered as definitely settled, and I have suggested to him that it should be communicated to the authorities of the Gold Coast, in order that the work of erecting permanent boundary pillars may be commenced without further delay, in consultation with the local French authorities.*

I am, &c.,

LANSDOWNE.

Inclosure.

Memorandum.

I.

Starting from the intersection of the thalweg of the Black Volta with the 11th degree of north latitude, the frontier follows that parallel eastward to its point of intersection, with the meridian passing through the confluence of two streams, which is situated immediately west of Hamela (Hamélé).

2. Then it follows this meridian southward to a distance of 500 metres from the 11th parallel.

3. Then it turns at a right angle to the east as far as a point situated upon the meridian passing 1,200 metres to the east of the bifurcation of the roads from Teitu (Tiétou) to Bora, and from Teitu (Tiétou) to Namora.

4. Then it turns at a right angle to the north as far as the 11th parallel.

5. Then it follows the 11th parallel to a point 1,200 metres west of the intersection of that parallel with the stream which passes between the huts of Perata (Prata).

6. Then it runs southward for 1,000 metres.

7. Then it turns at a right angle and runs eastward for 6 kilom.

8. Then it runs at a right angle northward until it meets the 11th parallel.

9. Then it follows the 11th parallel until it meets the meridian passing 1,000 metres to the west of the confluence of two small streams flowing through the midst of the huts of Uru (Ourou), immediately east of the point at which the road from Uru (Ourou) to Kunu (Kounou) cuts the valley.

10. Then it follows the meridian thus defined for 3 kilom. 500 m.

11. Then it turns eastward at a right angle until it meets the River Sissili (Kolouka).

12. Then it descends the thalweg of that river until it reaches a point 1 kilom. north of the road from Banla (Bannla) to Kayoro, through Zanguona (Zangouona), and Betzambulu (Betzamboulou).

13. Thence it follows a straight line to a point situated 1 kilom.

* For Report of Commissioners on the Beaconing of the Frontier, see p. 827.

east of the point where this road meets the 11th parallel, in such a way as to leave this road entirely within British territory.

14. Then it follows the 11th parallel to its intersection with the stream lying immediately to the west of the road from Paha to Po.

15. Then it runs north for 2 kilom. along the meridian passing through the intersection of that stream with the 11th parallel.

16. Then it turns east at a right angle for 12 kilom.

17. Then it turns south at a right angle for 1 kilom. 100 m. to its intersection with the parallel passing through a small wood at the edge of the villages of Tangassoko and Mayoro.

18. From this point the frontier follows the said parallel for 9 kilom. to its intersection with the meridian passing through a small wood situated west of Tungunu (Toungounou) and about 500 metres south of the 11th parallel.

19. Then, turning south at a right angle, it follows this meridian to a point 800 metres south of the said wood.

20. Then it turns east at a right angle up to its intersection with the large stream coming from Tungunu (Toungounou) and flowing near Kadareh (Kadaré) and Zoko.

21. Then it descends the thalweg of this stream to its confluence with a small affluent coming from the east, and flowing through a plain bordered on the south by several rocky mounds, near a small isolated wood situated not far from the confluence of the same small affluent with two streams, about $10^{\circ} 58'$ north latitude.

22. The frontier passes through this small wood and takes a general direction east-north-east in such a manner as to leave to the north the last huts belonging to the village of Zeko (Zéko), and to the south the huts of the hamlets of Kadareh (Kadaré) and Namoho, as far as a point situated about 500 metres to the east of the road from Namoho to Zeko (Zéko).

23. It then runs north to the 11th parallel in such a manner as to leave to the west the huts of Zeko (Zéko), and to the east, those of Boko and of Namotinga (Namotinga).

24. Then it follows the 11th parallel to its intersection with the thalweg of the Red Volta, making the deviation necessary in order that the most northern huts of Namotinga (Namotinga) may be included in British territory.

25. Then the frontier takes a general southerly direction and follows the thalweg of the Red Volta to its junction with the watercourse which enters the Red Volta at a point due west of Tanbegu (Tambégou).

26. Then it follows this stream upwards to its source, situated approximately north-west of Tanbegu (Tambégou).

27. Then it follows in a general north-easterly direction the watershed, leaving to the east the villages of Tanbegu (Tambégou), Zenlugo (Zennlougou), and Widinaba (Ouidinaba), and to the west and north those of Zerelugu (Zerilougou), Tampezi (Tampézi), and Bingo, to the summit situated west of Bingo and immediately south of the point where the range is cut by the 11th parallel.

28. From here it descends for a distance of about 3 kilom. a small

stream running in a south-easterly direction to its junction with another small stream coming from the north-east, leaving the village of Bingo to the north.

29. Then it ascends the latter stream to a well-marked peak on the 11th parallel, in the range running parallel to the road from Zwaga (Zoaga) to Zebilla (Zébilla).

30. From this point the frontier follows the watershed of this range, and of those which form the continuation of it, at first in a south-easterly direction until it meets the road from Widinaba (Ouidinaba) to Bugareh (Bougaré).

31. Then in an easterly direction as far as a point situated near and to the south of the point where the chain is intersected by the road from Bugareh (Bougaré) to Korogo.

32. Then in a north-easterly direction to the point where the chain is intersected by the 11th parallel, leaving Bugareh (Bougaré) to the west and Korogo to the east.

33. Then in a northerly direction to a point situated about 1 kilom. 700 m. north of the last-mentioned point of intersection.

34. Then in a general east-north-easterly direction until it meets the range lying north-west of Tambugu (Tambigou), following this range to a spur which ends in a small oval-shaped mound, situated between Tambugu (Tambigou) and Dabzuri (Dabzouri), leaving to the north the villages of Songo, Wilogo (Ouilogu), and Dabzuri (Dabzouri), and to the south those of Sonhogo, Baaga, Yalakuluga (Yalakoulouga), and Tambugu (Tambigou).

35. From this point the frontier, following a general northerly direction, and leaving to the west all the huts of Dabzuri (Dabzouri), reaches the point where the road from Ziergureh (Ziergouré) to Yuga (Youga) is crossed by the second of three streams, which are met at distances of 200 metres along the road.

36. Thence the frontier runs towards the north-north-east, to a point situated on the left bank of the River Zari (Ziébé), where that river receives a small affluent, about 350 metres west of Zika.

37. Thence it follows this stream northward, and then, north-eastward, a small range of hills, to the head of a stream running eastward, and flowing into the White Volta near and north-east of Bugula (Bougoula).

38. Then it follows the thalweg of this stream to its junction with the thalweg of the White Volta (local name Morataré or Mortatari).

39. Then it descends the thalweg of the White Volta to its confluence with the River Nuhau (Nouhao) (local name Morobiri or Morbiri).

40. Then it follows the thalweg of the River Nuhau (Nouhao) up stream to its intersection with the path leading from Zan to Yaragatenga.

41.* From this point the frontier runs in a straight line across an uninhabited country covered with bush to the point of intersection of

* Amended by Agreement of ^{24th May} 1906, p. 847.
19th July,

the 11th parallel with the road from Punio (Pounio) to Jebiga (Djébiga) leaving to the north Sanga, Gohogo, Kwabchzwaga (Kouabchizoaga) Chabologo, Naseango, Dabankum (Dabankoum), and to the South Timbu (Timbou) and Nagindi (Naguindi).

II.

The Chief of Lan shall be compensated by His Britannic Majesty's Government and the Chief of Kunu (Kounou) shall be compensated by the Government of the French Republic for the loss of territory caused to them owing to the passage of the frontier-line through their respective territories.

III.

The villages situated in proximity to the frontier shall retain the right to use the arable and pasture lands, springs and watering places which they have heretofore used, even in cases in which such arable and pasture lands, springs and watering places are situated within the territory of the one Power, and the village within the territory of the other.

IV.

Any natives who may not be satisfied with the assignment of their village to one of the two Powers shall have, for the period of one year from the date of the ratification of the beaconing operations, the right to emigrate to the other side of the frontier.

After the expiration of this period the authorities of a village situated near the frontier may in no case exercise their functions beyond the frontier-line determined by the present Agreement, nor may the inhabitants of such villages build huts on the other side of that line.

V.

In order to mark the frontier on the spot the two Governments shall cause beacons or frontier-posts to be placed at intervals along the line defined by the present Agreement.

As far as possible, a beacon or a frontier-post shall be placed at each point where the general direction of the frontier makes an appreciable angle with its preceding direction, as well as at each point where the frontier is crossed by a road or by a stream of any importance.

Any fresh determination of the geographical position of the beacons or frontier-posts, or of other points mentioned in this Agreement shall make no alteration in the frontier itself.

VI.

The beacons and frontier-posts shall be under the joint protection of the British and French Governments. Should it be necessary later to renew a beacon or frontier-post, each Government shall send a Representative to the spot for this purpose.

Should it be necessary later to mark the frontier more precisely by additional beacons, each Government shall send to the spot a Repre-

[Northern Territories, Gold Coast and French Soudan.]

sentative for the purpose ; the position of these new pillars shall be determined by the course of the frontier as defined by the present Agreement.

VII.

The course of the frontier-line is shown generally on the map annexed to Lord Lansdowne's note to M. Cambon of the 13th January, 1904.

M. Cambon to the Marquess of Lansdowne.

*Ambassade de France à Londres,
le 25 Avril, 1904.*

M. le Marquis,

J'AI l'honneur de vous accuser réception de votre note du 18 Mars dernier, constatant que l'entente est définitivement établie entre nos deux Gouvernements en ce qui concerne le tracé de la frontière entre la Côte d'Or et le Soudan, et pour répondre au désir exprimé par votre Seigneurie je lui adresse ci-inclus un Mémoire exactement conforme à celui qu'elle a bien voulu me faire parvenir à ce sujet, ainsi qu'une copie de la carte qui y était annexée.

Je suis chargé en outre de faire savoir à votre Seigneurie que le Gouverneur-Général de l'Afrique Occidentale Française a reçu les instructions nécessaires pour faire procéder sans retard, de concert avec les autorités de la Côte d'Or, à l'exécution des opérations d'abornement.

Veillez, &c.

PAUL CAMBON.

Inclosure.

[French version of Memorandum enclosed in British Note.]

Map.

See maps with Agreement of ^{24th May,}_{19th July,} 1906 (No. 257).

No. 254.—*REPORT of the Commissioners of the Governments of His Britannic Majesty and of the French Republic on the Beaconing of the Frontier between the Northern Territories of the Gold Coast and the Senegambia-Niger.** Leo, 19th October, 1904.

WE, the Undersigned, James O'Kinealy, Captain in the West African Frontier Force, British Commissioner, and Ferdinand Verlaque, Lieutenant in the Colonial Infantry, French Commissioner, have the honour to report that, in compliance with the orders received from our respective Governments, we have proceeded to carry out the beaconing of the frontier line between the British Gold Coast and the French Senegambia-Niger.

* See Exchange of Notes of ^{18th March,}_{25th April,} 1904, p. 822; and Agreement of ^{24th May,}_{19th July,} 1906, p. 847.

[Northern Territories, Gold Coast and French Soudan.]

This line extends from east to west along and about the 11th parallel of north latitude, from German Togoland to the Black Volta, and has been beaconsed in strict accordance with the terms of the Memorandum of Agreement concerning it, with a copy of which we were each supplied.

We have only once departed from the strict observance of the said Memorandum, in that part of its paragraph 41 which refers to the eastern section of the frontier line, commencing at the point situated about $14\frac{1}{2}$ kilom. (9 miles) to the east of the River Nuhau (Nuhao). In fact, it is where the frontier line between the Gold Coast and the German Togoland would probably terminate, and consequently it was impossible for us to go further east.

The maps and the descriptive list, hereby attached, give the positions of the 127 beacons which have been erected, and some details about each of them.

At Bingo, after a long and careful survey of the neighbourhood, we have found that, close to their junction, the two streams mentioned in paragraphs 28 and 29 of the Memorandum for beaconsing differed somewhat from their trace on the map. We have thought it advisable, therefore, to modify on the said map the lower portion of their courses forming the frontier, according to its real direction.

It may also be observed that the points marking the beacons deviate sometimes from the red line representing the frontier on the map, as this line does not always correspond on the ground with the exact application of the terms of the Memorandum.

An indemnity of 100 fr. (4*l.*) has been allotted and paid by us to each of the Chiefs of the villages of Lan and of Kunu (Kounou)—Kunie on the map—in accordance with Art. II of the Memorandum.

The following documents are attached to this Report :—

- (1) A copy of the Memorandum of the Agreement for beaconsing, above mentioned.
- (2) A descriptive list, in duplicate, of the beacons or frontier-posts erected.
- (3) Four maps of the frontier, showing the beacons.*

Done at Leo, in duplicate, the 19th day of October, 1904.

J. O'KINEALY, *British Commissioner.*

VERLAQUE, *French Commissioner.*

Inclosure.

Memorandum of the Agreement for the Beaconsing of the Anglo-French Frontier between the Gold Coast and the Senegambia-Niger.

(See Memorandum enclosed in Exchange of Notes of ^{18th March,} 1904,
_{25th April,}
No. 253).

* See Maps with Agreement of ^{24th May,} 1906 (No. 257).
_{19th July,}

[Northern Territories, Gold Coast and French Soudan.]

Inclosure.

Descriptive List of the Beacons or Frontier-posts erected.

Nos.	Description.
1	A tree 50 metres to the east of the point of intersection of the 11th parallel of north latitude with the Black Volta.
2	A tree 150 metres to the east of the preceding one.
3	A tree at the intersection of the 11th parallel with a path situated at 1,700 metres to the east of the Black Volta.
4	A tree to the east of the path from Wessa (Ouessa) to Kokolobu.
5	A post surrounded by stones at the second point on the 11th parallel mentioned in paragraph 1 of the Memorandum of Agreement.
6	A tree 500 metres to the south of the preceding one.
7	A tree to the west of the road from Hamela to Kokolobu (Kokolobo).
8	A tree to the east of the path from Hamela (Hamélé) to Darhilleh (Dahélé).
9	A tree to the east of the path from Hamela (Hamélé) to Hapa.
10	A tree to the east of the road from Hela to Hapa.
11	A tree to the west of the road from Hela to Bungwon (Banhouan).
12	A post to the east of the path from Teitu (Tiétou) to Bungwon (Banhouan).
13	A tree 30 metres to the east of the path from Teitu (Tiétou) to Blon (Blan).
14	A tree 50 metres to the east of the path from Teitu (Tiétou) to Buli (Bouli).
15	A tree at the angle of the frontier line to the south-east of Teitu (Tiétou).
16	A tree on the 11th parallel 500 metres to the north of the preceding one.
17	A tree to the west of the road from Namora to Teitu (Tiétou).
18	A tree to the east of the road from Namora to Bora.
19	A tree to the west of the path from Namora to Passiaga (Passiéga).
20	A post to the east of the road from Pudiena (Boudiéna) to Weelo (Ouiro).
21	A tree to the east of the path from Pudiena to Wunyessi (Ouniessi).
22	A tree to the west of the road from Pudiena to Fatchio (Fatio).
23	A tree to the west of the road from Butchio (Boutioulu) to Gwal (Goual).
24	A tree to the east of the road from Kwala (Kouala) to Otulu (Otoulou).
25	A tree to the west of the road from Golu (Golou) to Otula (Otoulou).
26	A tree to the east of the road from Golu (Golou) to Tiekura (Tiékoura).
27	A tree to the east of the road from Dietto (Guietto) to Lan.
28	A tree to the east of the path from Lan to Gworima (Gouarima).
29	A tree on the west of the path from Lan to Lingmera (Liginouéra).
30	A tree to the west of the road from Lan to Tientu (Tientou).
31	A tree to the west of the path from Don to Tapanlia (Tapambala).
32	A tree to the east of the path from Don to Katinieh (Katiniey).
33	A tree to the east of the road from Kassana to Don.
34	A tree to the east of the path from Kassana to Taila.
35	A tree to the west of the road from Kougio (Koungia) to Kassana.
36	A tree to the west of the road from Pibieh (Pihieh) (Pibié) to Kassana.
37	A tree 50 metres south of the last house of Pibieh (Pibié) and to the west of the road from Pibieh to Tiuvvella (Tammvella).
38	A tree at the point indicated in paragraph 5 of the Memorandum of Agreement.
39	A post to the south of the preceding one and to east of the road from Perata to Tiuvvella (Tammvéla).
40	A tree 1,000 metres to the south of boundary post No. 38.
41	A post on the east of the path from Perata to Natala (Natalo).
42	A post to the east of the path from Perata to Tanla (Taunla).
43	A tree 6 kiloms. to the east of No. 40.
44	A post on the 11th parallel 1,000 metres to the north of the preceding one.
45	A tree to the west of the road from Pe-en (Pienn) to Kunsala (Kounsala).
46	A tree to the east of the road from Pe-en (Pienn) to Kwapo (Kouapou).
47	A tree at the intersection of the 11th parallel with the meridian mentioned in paragraph 9 of the Memorandum of Agreement.
48	A tree on the same meridian and to the south of the road from Uru (Ourou) to Pe-en (Pienn).
49	A pyramid of stones 3,500 metres to the north of No. 47.
50	A tree to the east of the preceding one and close to the road from Uru (Ourou) to Bussi (Boussi).

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Nos.	Description.
51	A tree at the intersection of the parallel passing through the points 49 and 50 with the road from Banla (Bannla) to Kumbuli (Koumbouli).
52	A tree at the intersection of the above-mentioned parallel with the east bank of the Sissili (Koulouka) River.
53	A tree on the east bank of the said river at the point indicated by paragraph 12 of the Memorandum.
54	A tree at the point indicated by paragraph 13, on the 11th parallel.
55	A tree 60 metres to the west of the road from Kayoro to Sear (Sia).
56	A tree to the west of the road from Sear (Sia) to Penda (Pennda).
57	A tree at the point of the 11th parallel fixed by paragraph 14 of the Memorandum.
58	A tree to the east of the road from Paha to Po.
59	A tree 2 kiloms. to the north of No. 57.
60	A tree to the west of the path from Paha to Nauri (Naouri).
61	A tree to the east of the road from Paha to Kaya.
62	A tree to the west of the road from Burunavio (Bourounairo) to Kaya.
63	A tree at the east end of the parallel through the four preceding ones.
64	A tree 1,100 metres to the south of the preceding one.
65	A tree in the small wood of paragraph 17 of the Memorandum.
66	A tree to the east of the road from Nantugunia (Nantougounia) to Tangassoko.
67	A tree at the point fixed by paragraph 18.
68	A tree to the south of the preceding one and on the western edge of a small wood situated on the 11th parallel.
69	A tree 2,400 metres to the south of No. 67.
70	A post at the point fixed by paragraph 20.
71	A tree on the western bank of the stream and in the wood mentioned in paragraph 21.
72	A tree at the east end of the line separating Zeko on the one side from Kadareh (Kodaré) and Namoho on the other.
73	A tree about 200 metres to the east of the road from Zeko to Namoho between the houses of these two villages.
74	A tree at the point of the 11th parallel indicated in paragraph 23.
75	A tree on the 11th parallel at the commencement of the deviation indicated in paragraph 24.
76	A tree about 850 metres to the north of the preceding one.
77	A tree 2,200 metres to the east of the preceding one.
78	A tree to the south of the preceding one and close to the road from Namotinga to Zigo (Dzigo).
79	A pyramid on the 11th parallel to the south of the preceding one.
80	A tree on the west of the road from Arabeh (Arabé) to Zigo (Dzigo).
81	A tree at the intersection of the 11th parallel with the western bank of the Red Volta.
82	A tree at the point of junction indicated in paragraph 25.
83	A pyramid of stones on a big peak close to the source of the stream of paragraph 26.
84	A pyramid on a peak of the same chain as is mentioned in paragraph 27.
85	A pyramid with a post in the middle on another peak.
86	A pyramid on the col cut by a road from Widinaba (Ouidinaba) to Zerelugu (Zérelougou).
87	A pyramid on a peak of the chain.
88	A pyramid at the point where a road from Widinaba (Ouidinaba) to Zerelugu (Zérelougou) passes over the crest.
89	A pyramid on the crest line of the same range.
90	A pyramid where the road from Widinaba (Ouidinaba) to Zwaga (Zoaga) passes over the crest line.
91	A pyramid on the peak to the west of Bingo indicated in paragraph 27.
92	A post surrounded by stones.
93	A post surrounded by stones.
94	A post at the junction of the first stream of paragraph 28 with another coming from the north.
95	A post between the two branches of the first stream of paragraph 28.
96	A post at the point of junction of the second small stream of paragraph 28 with the eastern branch of the first.

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Nos.	Description.
97	A post surrounded by stones at the intersection of the road from Zwaga (Zoaga) to Zebilla (Sébila) with the second stream above mentioned.
98	A pyramid of stones on the peak of paragraph 29.
99	A pyramid on a peak to the west of the road from Bugareh (Bougouré) to Widinaba.
100	A pyramid on a hillock facing and to the east of the preceding one.
101	A pyramid on the crest line of the chain.
102	A pyramid to the north-east of the preceding one.
103	A pyramid on a big peak to the south-east of the preceding one.
104	A pyramid at the intersection of the 11th parallel with the crest line of the chain.
105	A pyramid on a peak in that section of the range mentioned in paragraph 38.
106	A tree surrounded with stones on the crest line, to the north-east of and close to the preceding peak.
107	A pyramid on the col where it is cut by the road from Songo to Korogo.
108	A pyramid with a post in the middle on a peak to the east of the preceding one.
109	A pyramid of stones on the col to the north of the preceding one.
110	A pyramid on the crest line of the chain, and to the north-east of the preceding one.
111	A tree on the col where cut by the road from Songo to Sonhogo.
112	A pyramid on a peak of the same chain of hills.
113	A pyramid on a peak of the same chain of hills.
114	A pyramid on a peak of the same chain of hills.
115	A pyramid with a post in the middle on the oval-shaped mound of paragraph 34 of the Memorandum.
116	A post 800 metres to the north-east of the preceding one between the huts of Tambugu (Tambigou) and of Dabzuri (Dabzouri).
117	A pyramid with a central post 1 kilom. from the preceding point in a north-west direction.
118	A post at the junction of the two small streams between the huts of Dabzuri (Dabzouri) and Sapelliga (Sapéliga).
119	A post situated to the south of the road from Yuga (Youga) to Ziergureh (Ziergouré) at the point indicated in paragraph 35.
120	A post surrounded by stones at the south of the road from Yuga to Nongo.
121	A post surrounded by stones at the junction of the Zari (Zieré) with its affluent mentioned in paragraph 36.
122	A pyramid on high ground near the source of the above-mentioned affluent.
123	A tree at the junction of the stream mentioned in paragraph 37 with the White Volta.
124	A tree on the east bank of the River Nahau (Nouhao) at the commencement of the line fixed by paragraph 41, and 50 metres to the south of the road from Zan to Yarogatenga.
125	A post at 4,820 metres (3 miles) from the preceding one, and on the same line towards the east.
126	A post at 4,820 metres (3 miles) from the preceding one, and on the same line towards the east.
127	A post situated on the same line at 14,841 metres (9 miles) from No. 124, and to the east of it.

Note.—All the beacons or frontier-posts have been marked with the letters F and E with a chisel and tar.

Done at Leo, in duplicate, the 19th October, 1904.

J. O'KINEALY, *British Commissioner.*

VERLAQUE, *French Commissioner.*

No. 255.—*EXCHANGE OF NOTES between the British and French Governments recording the Agreement arrived at respecting the Frontier between the Gold Coast and the Ivory Coast. London, $\frac{11\text{th}}{15\text{th}}$ May, 1905.**

(1.) *The Marquess of Lansdowne to M. Cambon.*

Your Excellency,

Foreign Office, 11th May, 1905.

I HAVE the honour to acknowledge the receipt of M. Geoffroy's note of the 14th ultimo, inclosing the draft of the French text of the Memorandum defining the course of the frontier between the Gold Coast and the Ivory Coast.

As no further corrections of the text of the English or French versions appear to be necessary, I have the honour to transmit herewith a Memorandum recording the Agreement now arrived at between the two Governments on the subject of this frontier, together with a copy of the map prepared to illustrate its course, and I should be glad to receive from your Excellency a note containing a Memorandum in identical terms, accompanied by a copy of the same map.

I am, &c.,

LANSDOWNE.

Inclosure.

Memorandum recording the Agreement arrived at by the British and French Governments respecting the Frontier between the Gold Coast and the Ivory Coast.

I.

STARTING from the sea-coast at Newtown, at the point fixed by the Arrangement between Great Britain and France of the 12th July, 1893 [No. 236] the British and French frontiers follow the course indicated in that arrangement as far as the point where the Tano River enters the Ehi Lagoon.

2. From this point the common frontier follows the thalweg of the Tano River to a point 5 miles above the Chief's house at Nugua (Nougoua), the distance being measured along the river.

3. Thence it runs in a straight line to the summit of Mount Ferro Ferraco (Farafarako).

4. Thence in a straight line to the point where the River Ahinda crosses for the second time, east of a plantation, the road from Nugua (Nougoua) to Jemma (Djemma).

5. Thence in a straight line to the point where the River Ayenzue (Ainzué) first crosses the road from Jemma (Djemma) to Dissu (Dissou), east of a plantation.

6. Thence in a straight line to the point where a small stream cuts the custom-station road from Moisu (Moua-Sué) to Boinsu (Bouègne-Sou), west of a small hill, continuing in the same straight line to the

* See Arrangement of 12th July, 1893, p. 754; and Agreement between Boundary Commissioners of 1st February, 1903, p. 803.

point where the road from Moisu (Moua-Sué) to Mappede (Mapé) crosses the River Boin (Bouègne).

7. Thence the frontier follows the thalweg of the River Boin (Bouègne) to a point where it is crossed by a path leading from Dibi to a mining village south east of Dibi.

8. Thence it runs in a straight line to a point on the road from Makanu (Makanou) or Makum (Makoum) to Dibi, situated about midway between those two places at the junction of that road with a path leading north-west towards a mining camp named Yebwabo (Yiaboua bo).

9. Thence in a straight line to a point $2\frac{1}{2}$ kilom. north of the point where the River Moto first crosses the road between Boin (Bouègne) and Akresi (Akressi).

10. Thence in a straight line to the point where the River Erbwabo (Ebouabo) crosses the road from Kwensabo (Koué-nzabo) to Yakasse (Yakassé).

11. Thence in a straight line to the point where the River Esilesso (Essilessso) crosses the road from Kwensabo (Koué-nzabo) to Dadiassu (Dadiessou).

12. Thence in a straight line to the point where the River Andosongan (A-ndo-so-ngan) (south) crosses the road between Adiyakru (Adeyakrou) and Akyekru (Akyékrou).

13. Thence in a straight line to the point where a stream crosses the road from Krokosua (Krokossua) to Akyebrakru (Akyébrakrou), at a distance of 4,300 metres from the junction of that road with the road from Krokosua (Krokossua) to Ya Akrakru (Ya-akra-krou), continuing in a straight line to the point where the River Andosongan (A-ndo-so-ngan) (north) crosses the road from Ya Akrakru (Ya-akra-krou) to Krokosua (Krokossua).

14. Thence in a straight line nearly westwards to the point where the River Songan (So-ngan) crosses the continuation of the same road, between Ya Akrakru (Ya-akra-krou) and Bokaso (Bokasso).

15. Thence the frontier follows the thalweg of the River Songan (So-ngan) to the point at which it crosses the road from Eblasekru (Eblassikrou) to Krokosua (Krokossua) east of Menu (Ménou) of Mim.

16. Thence it runs in a straight line to the point where the River Alokānu (Alokānou) crosses the road from the French town of Ngwanda (Ngouanda) to Adjuafua (Aguafoué).

17. Thence in a straight line to the point where the River Asuenanti (Assué-na-nti) crosses the road from Zugunu (Zougounou) to Debissu (Debissou).

18. Thence the frontier follows the thalweg of the River Asuenanti (Assué-na-nti) to its junction with the River Manzan.

19. Thence it follows the thalweg of the River Manzan to its junction with the River Yubansue (Youbansué).

20. Thence it follows the thalweg of the River Yubansue (Youbansué) to the point where it crosses the road from Esenu (Essenou) to Manzanwan (Manzanouan) or Manzano.

21. Thence in a straight line to the point where the first stream

north-west of Anyimakru (Agnimakrou) crosses the road between Esenu) (Essenou) and Assikasso.

22. Thence in a straight line to the point where a stream crosses a rubber road about 6 kiloms. south-west of Koginan (Koguinan) or Aduyaokru (Adouyaokrou) or Ngra.

23. Thence in a straight line to the point where the River Ngasape (Ngassapé) crosses the said rubber road $1\frac{1}{2}$ kiloms. south of Koginan (Koguinan).

24. Thence in a straight line in an easterly direction till it reaches a point near and to the east of the ruins of Wasafokru (Ouassafokrou), where a stream crosses the road from Koginan (Koguinan) to Diabakrum (Diabakrou).

25. Thence in a straight line to the point where the River Ehunenzue (Ehouneuzué) crosses the road from Kumankpatye (Koumankpatyé) to Sueyin (Sueyim) by South Takikru (Takikrou).

26. Thence in a straight line to the point where the River Adukwasue (Adoukouassué) crosses the road from Tantantankrum (Tantantankrou) to the village of Adukwasue (Adoukouas-sué).

27. Thence in a straight line to the point where the River Yifo (Yfo) crosses the road from Kabrantiakrum (Kabrantiakrou) to North Takikru (Takikrou).

28. Thence in a straight line to a point where the River Ankyurifo (A-nkyurifo) crosses the road from North Takikru (Takikrou) to Kwasi-krum (Kouassikrou).

29. Thence in a straight line to a point where the River Asuekpri (Assué-Kpri) crosses the road from Kramoro to Kwasi-Bentumukrum (Kouassi-Bentumoukrou).

30. Thence in a straight line to a point where the River Ankyurifo (A-nkyurifo) crosses the second time in its course the road from Krapakrum (Krapakrou) to Asorokrum (Assorokrou).

31. Thence in a straight line to the point where the River Atuna (Atouna) crosses the road from Atokum (Atokoum) to Atuna (Atouna).

32. Thence in a straight line to the point where the River Ba crosses the road between Yabwahini (Yabouahini) West and Yabwahini (Yabouahini) East, or Banu (Banou), leaving the two villages of Ehuni (Ehouni) to France.

33. Thence in a straight line to a point where a stream crosses the road from Aduyaoko (Adouyaoko) to Zezeghela (Zézéghéla), about 1 kilom. south of Aduyaoko (Adouyaoko).

34. Thence in a straight line to a point where the River Ahiresua (Ahiresua) crosses the road between the village of Ahiresua (Ahiresua) and Aduyaoko (Adouyaoko).

35. Thence in a straight line to the summit of Mount Sarampo.

36. Thence in a straight line to the point where the River Kera (Kéra) crosses the road between Kerebyu (Kérébyou) and Biama.

37. Thence in a straight line to the summit of Mount Ahuin.

38. Thence in a straight line to the point where the River Katapye crosses the road from Kokosua (Kokossua) to Zonzomea (Zo-nzo-myé).

39. Thence in a straight line to the point where the River Sogili

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(Soguili) crosses the road between Dyokwam (Dyokouam) and Soko, leaving Kokosua (Kokossua) in French territory.

40. Thence the frontier follows the thalweg of the River Sogili (Soguili) to its junction with the River Tain (Tin), or Ting, leaving Kabri in British territory.

41. Thence it follows the thalweg of the River Tain (Tin), or Ting, to its junction with the River Tiam.

42. Thence it follows the thalweg of the River Tiam as far as the point at which it crosses the road from Tisie (Tissié) to Buko (Bouko), at 650 metres from Tisie (Tissié).

43. Thence it runs in a straight line to the point where the River Yembri (Yimbri) crosses the road from Buko (Bouko) to Asafumo (Assafoumo).

44. Thence in a straight line to a point situated on the road from Asafumo (Assa-foumo) to Bondakile (Bondakilé), at a distance of 2½ kiloms. from Asafumo (Assafoumo) (southern group).

45. Thence in a straight line to a point situated on the road from Asafumo (Assafoumo) to Dadie (Dadié), at 2,750 metres from Asafumo (Assafoumo) (central group).

46. Thence in a straight line to the point where the River Diugula (Diougou-la) crosses the road from Sangiobo (Sanguiobo) to Genee (Guénééné).

47. Thence it follows the thalweg of the River Diugula (Diougou-la) to its junction with the River Tomme (Tommé).

48. Thence it follows the thalweg of the River Tomme (Tommé) to the point where it crosses the road from Genee (Guénééné) to Tambi.

49. Thence it runs in a straight line to the point where the River Giatyo (Guiaty) crosses the road from Tambi to Zarhauri.

50. Thence in a straight line to the point where the River Dekedeke (Dékédéké) crosses the road from Zaghala to Kasa (Kassa).

51. Thence in a straight line to the point situated on the right bank of the Black Volta, where the road from Bandaghadi to Adereso (Aderesso) crosses that river.

52. Thence the frontier follows the thalweg of the Black Volta as far as its intersection with the 11th parallel of north latitude.

The frontier as above defined has been beaconsed in the following manner by the Joint Anglo-French Commission,* from the point where it leaves the Black Volta on the north to the coast.

1. A pyramid of stones on the right bank of the Black Volta at the point where the road from Bandaghadi to Adereso (Aderesso) crosses that river. (Para. 51 of the foregoing definition.)

2. A concrete beacon in the form of a pyramid, bearing the letter E on the English side and the letter F on the French side, with the date 0 | 3 (1903) below, and the number 1A above, on the left bank of the River Dekedeke (Dékédéké), at the point where that river crosses the road from Zaghala to Kasa (Kassa), facing towards the pyramid erected on the bank of the Volta. (Para. 50.)

3. A beacon, similar to the above, bearing the number 2A, on the

* See Agreement of 1st February, 1903, p. 803.

right bank of the River Giatyo (Guiatyo), at the point where that river crosses the road from Tambi to Zarhauri, facing north. (Para. 49.)

4. A beacon, similar to the above, bearing the number 3A, on the left bank of the River Tomme (Tommé), at the point where that river crosses the road from Genene (Guénéné) to Bokpin, facing towards the preceding beacon. (Para. 48.)

5. A beacon, similar to the above, bearing the number 4A, on the right bank of the River Diugula (Diougou-la), at the point where that river crosses the road from Sangiobo (Sangiobo) to Genene (Guénéné). (Para. 46.)

6. A beacon, similar to the above, bearing the number 5A, 2 kiloms. 750 metres from the summit of the central mound of Fogiene (Foguiéné), central group of Asafumo (Assafoumo), measured along the road from Asafumo (Assafoumo) to Dadie (Dadié). (Para. 45.)

7. A beacon, similar to the above, bearing the number 6A, 2 kiloms. 500 metres from the house of the Chief of Giera (Guiéra), southern group of Asafumo (Assafoumo), measured along the road from Asafumo (Assafoumo) to Bondakile (Bondakilé). (Para. 44.)

8. A beacon, similar to the above, bearing the number 7A, 2 kiloms. 500 metres from the house of the Chief of Giera (Guiéra), measured along the road from Asafumo (Assafoumo) to Diammala. (Para. 44.)

9. A beacon, similar to the above, bearing the number 8A, on the left bank of River Yembri (Yimbri), at the point where that river crosses the road from Asafumo (Assafoumo) to Buko (Bouko). (Para. 43.)

10. A beacon, similar to the above, bearing the number 9A, on the left bank of the river Tiam, at a point situated at 650 metres from Tisie (Tissié) where that river crosses the road from Buko (Bouko) to Tisie (Tissié). (Para. 42.)

11. A beacon, similar to the above, bearing the number 9A, on the right bank of the River Tain (Tin), at the point where that river crosses the road from Buko (Bouko) to Soko. (Para. 41.)

12. A beacon, similar to the above, bearing the number 10A, on the right bank of the River Tain (Tin), at the point where that river crosses the road from Soko to Sikassiko. (Para. 41.)

13. A beacon, similar to the above, bearing the number 1, on the left bank of the River Tain (Tin), at the point where that river crosses the road from Soko to Nyorome (Nyoromé). (Para. 41.)

14. A beacon, similar to the above, bearing the number 2, on the right bank of the River Sogili (Soguili), at the point where that river crosses the road from Soko to Kabri. (Para. 40.)

15. A beacon, similar to the above, bearing the number 3, on the left bank of the River Sogili (Soguili), at the point where that river crosses the road from Dyokwam (Dyokouam) to Soko, on the east side of the road. (Para. 39.)

16. A beacon, similar to the above, bearing the number 4, on the road from Metin (Métine) to Febi (Fébi), at 1 kilom. 900 metres to the east-north-east of the western group of Metin (Métine). (Para. 39.)

17. A beacon, similar to the above, bearing the number 5, on the right bank of the River Katapye (Katapyé), which is the second river

to the south of Kokosua (Kokossua), at the point where that river crosses the road from Kokosua (Kokossua) to Zonzomea (Zo-nzomié). (Para. 38.)

18. A beacon, similar to the above, bearing the number 6, on the road from Zonzomea (Zo-nzomié) to Odumansi (Odoumansi), at 1,050 metres to the west of Zonzomea (Zo-nzomié). (Para. 38.)

19. A beacon, similar to the above bearing the number 7, on the summit of Mount Ahuin. (Para. 37.)

20. A beacon, similar to the above, bearing the number 8 on the left bank of the River Tuiakue (Tuiakué), at the point where that river crosses the road from Odumansi (Odoumansi) to Yaodongo. (Para. 37.)

21. A beacon, similar to the above, bearing the number 9, on the left bank of the River Kera (Kéra), at the point where that river crosses the road from Yaodongo to Kerebyu (Kérébyou) viâ Biama. (Para. 36.)

22. A beacon, similar to the above, bearing the number 10, on the summit of Mount Sarampo. (Para. 35.)

23. A beacon, similar to the above, bearing the number 11, on the road from Kerebyu (Kérébyou) to Bodan (Bodon), at 750 metres to the east of the junction of that road with the road from Kerebyu (Kérébyou) to Aduyaoko (Adouyaoko). (Para. 35.)

24. A beacon, similar to the above, bearing the number 12, on the road from Aduyaoko (Adouyaoko) to Bodan (Bodon), at 500 metres to the east of the junction of that road with the road from Kerebyu (Kérébyou) to Aduyaoko (Adouyaoko). (Para. 35.)

25. A beacon, similar to the above, bearing the number 13, on the right bank of the River Ahiresua (Ahiresua), at the point where that river crosses the road from Ahiresua (Ahiresua) to Aduyaoko (Adouyaoko). (Para. 34.)

26. A beacon, similar to the above, bearing the number 14, on the right bank of the first stream to the south of Aduyaoko (Adouyaoko), at the point where that stream crosses the road from Aduyaoko (Adouyaoko) to Zezeghela (Zézégéla). (Para. 33.)

27. A pyramid, made of three rocks jointed in cement, and bearing on the upper face on the English side the letter E, and on the French side the letter F, with the date 0 — 3, on the road from Kwamdarikrum (Kaouamdarikrou) to Dyabonokrum (Dyabonoukrou), at a distance of 350 metres to the north of the first stream to be met with to the north of Dyabonokrum (Dyabonoukrou). (Para. 33.)

28. A beacon, similar to beacon No. 14, and bearing the number 16, on the left bank of the River Ba, at the point where that river crosses the road from Banu (Banou) or Yabwahini (Yabouhaini), east to Yabwahini (Yabouhaini) West. (Para. 32.)

29. A beacon, similar to the above, bearing the number 17, on the road from Ehuni (Ehouni) South to Atuna (Atouna), at 400 metres from Ehuni (Ehouni) South, at the edge of a plantation. (Para. 32.)

30. A beacon, similar to the above, bearing the number 18, on the left bank of the River Atuna (Atouna), at the point where that river crosses the road from Atuna (Atouna) to Atokum (Atokoum) (Para. 31.)

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31. A beacon, similar to the above, bearing the number 15, on the road from Atokum (Atokoum) to Ndauerim (Ndahuerim), at 200 metres to the east of the junction of that road with the road from Atokum (Atokoum) to Atuna (Atouna). (Para. 31.)

32. A beacon, similar to the above, bearing the number 19, on the road from Kofiakrum (Kofiakrou) to Asunzue Anafo (Assu-nzué-Anafo), at 1 kilom. to the east of Kofiakrum (Kofiakrou). (Para. 31.)

33. A beacon, similar to the above, bearing the number 20, on the right bank of the River Denyame (Denyamé), at the point where that river crosses the road from Denyame (Denyamé) to Asunzue Anafo (Assu-nzué-Anafo). (Para. 31.)

34. A beacon, similar to the above, bearing the number 21, on the right bank of the River Ankyurifo (A-nkyurifo), at the point where it crosses for the second time in its course the road from Krapakrum (Karapakrou) to Asorokrum (Assorokrou), viâ Kwadiodongokrum (Kaouadiodongokrou), at a distance of 4 kiloms. 500 metres to the north of Krapakrum (Karapakrou). (Para. 30.)

35. A beacon, similar to the above, bearing the number 22, on the left bank of the River Asuekpri (Assuekpré), at the point where that river crosses the road from Kramoro to Kwasi-Bentumukrum (Kouassi-Bentumou-krou). (Para. 29.)

36. A beacon, similar to the above, bearing the number 23, on the road from Kwasi-Bentumukrum (Kouassi-Bentumou-krou), to North Takikru (Takikrou), at 1 kilom. to the north of Takikru (Takikrou). (Para. 29.)

37. A beacon similar to the above, bearing the number 24, on the left bank of the River Ankyurifo (A-nkyurifo), at the point where that river crosses the road from North Takikru (Takikrou) to Kwasikrum (Kouassikrou). (Para. 28.)

38. A beacon, similar to the above, bearing the number 25, on the left bank of the River Yifo, at the point where that river crosses the road from North Takikru (Takikrou) to Kabrantiakrum (Kabrantia-krou). (Para. 27.)

39. A beacon, similar to the above, bearing the number 26, on the road from Agiumanekrum (Agiuomanekrou) to Kabrantiakrum (Kabrantia-krou), at 650 metres to the south-east of Agiumanekrum (Agiuomanekrou). (Para. 27.)

40. A beacon, similar to the above, bearing the number 27, on the right bank of the River Adukwasue (Adoukouassoué), at the point where that river crosses the road from Tantantankrum (Tantantan-krou) to Adukwasue (Adoukouassoué). (Para. 26.)

41. A beacon, similar to the above, bearing the number 28, on the right bank of the River Ehunenzue (Ehuné-nzué), at the point where that river crosses the road from South Takikru (Takikrou) to Kumankpatye (Koumankpatyé). (Para. 25.)

42. A beacon, similar to the above, bearing the number 29, on the right bank of a stream which crosses to the east of Wasafokru (Ouassafokrou), the road from Koginan (Koguinan) to Diabakrum (Diabakrou), at the point where that stream crosses the above-named road. (Para. 24.)

43. A beacon, similar to the above, bearing the number 30, on the left bank of the River Ngasape (Ngassapé), at the point where that river crosses the road from Koginan (Koguinan) to Adabakrum (Adabakrou). (Para. 23.)

44. A beacon, similar to the above, bearing the number 31, on a rubber road going from Koginan (Koguinan) to Kotokoso (Kotokosso), at 3 kiloms. 500 metres to the west of the junction of that road with the road from Koginan (Koguinan) to Adabakrum (Adabakrou), and at 600 metres to the north-west of the second encampment to be met with after leaving Koginan (Koguinan). (Para. 23.)

45. A beacon, similar to the above, bearing the number 32, on the same rubber road at a point where that road is crossed by a stream, and on the left bank of the stream, at a distance of about 6 kiloms. 500 metres from Koginan (Koguinan) and Kotokoso (Kotokosso). (Para. 22.)

46. A beacon, similar to the above, bearing the number 33, on the left bank of first stream to be met with to the north of Anylmakrou (Agnimakrou), on the road from Esenu (Essenou) to Assikasso, at the point where that stream crosses for the first time the above-named road at a distance of about 2 kiloms. to the north-north-west of Anyimakrou (Agnimakrou). (Para. 21.)

47. A beacon, similar to the above, bearing the number 34, on the left bank of the River Yubansue (Youbansoué), or Ariofoto (Aongnyfoutou), at the point where that river crosses the road from Manzanwan (Manzanouan) to Esenu (Essenou). (Para. 20.)

48. A beacon, similar to the above, bearing the number 35, on the right bank of the River Manzan, at the point where that river crosses the road from Manzanwan (Manzanouan) to Ngwanda (Nguanda). (Para. 19.)

49. A beacon, similar to the above, bearing the number 36, on the left bank of the River Manzan, at the point where that river crosses the road from Niablé to Debisu (Débissou). (Para. 18.)

50. A beacon, similar to the above, bearing the number 37, on the left bank of the River Asuenanti (Assué-na-nti), at the point where that river crosses the road from Zugunu (Zougounou) to Debisu (Débissou). (Para. 17.)

51. A beacon, similar to the above, bearing the number 38, on the right bank of the River Alokano (Alokanou), at the point where that river crosses the road from the French village of Ngwanda (Nguanda) to Adjuafua (Aguafoué). (Para. 16.)

52. A beacon, similar to the above, bearing the number 39, on the left bank of the River Songan (So-ngan), to the east of Menu (Ménou) or Mim, at the point where that river crosses the road from Eblasekru (Eblassekrou) to Krokosua (Krokossua). (Para. 15.)

53. A beacon, similar to the above, bearing the number 40, on the left bank of the River Songan (So-ngan), at the point where that river crosses the road from Menu (Ménou) or Mim to Ya Akrakru (Ya-akrakrou). (Para. 15.)

54. A beacon, similar to the above, bearing the number 41, on the

right bank of the River Songan (So-ngan), at the point where that river crosses the road from Ya Akrakru (Ya-akra-krou) to Bokaso (Bokasso). (Para. 14.)

55. A beacon, similar to the above, bearing the number 42, on the right bank of the River Andosongan (A-ndo-so-ngan) (north), at the point where that river crosses the road from Ya Akrakru Ya-akra-krou) to Krokosua (Krokossua). (Para. 13.)

56. A beacon, made of concrete, in cylindrical form, with a rounded top, bearing the letter E on the English side and the letter F on the French side, on the right bank of a stream, at the point where that stream crosses the road from Krokosua (Krokossua) to Akyebrakru (Akyébrakrou), at a distance of 4 kiloms. 300 metres from the junction of the above-mentioned road with the road from Krokosua (Krokossua) to Ya Akrakru (Ya-akra-krou). (Para. 13.)

57. A beacon, similar to beacon No. 42, bearing the number 43, on the left bank of the River Andosongan (A-ndo-so-ngan) (south), at a point where that river crosses the road from Adiyakru (Adeyakrou) to Akyekru (Akyékrou). (Para. 12.)

58. A beacon, similar to the above, bearing the number 44, on the left bank of the River Esilesso (Essilessso), at the point where that river crosses the road from Dadiassu (Dadiessou) to Kwensabo (Koué-nzabo). (Para. 11.)

59. A beacon, similar to the above, bearing the number 45, on the left bank of the River Erbwabo (Ebouabo), at the point where that river crosses the road from Kwensabo (Koué-nzabo) to Yakasse (Yakassé). (Paragraph 10.)

60. A beacon, similar to the above, bearing the number 46, at a distance of 2 kiloms. 500 metres to the north of the point where the River Moto crosses for the first time from its source the road from Boin (Bouègne) to Akresi (Akressi), on the right bank of a stream flowing west, and facing towards beacon No. 45, and a beacon, similar to the above, and bearing the number 47, at the same place on the left bank of the same stream, facing beacon No. 48. (Para. 9.)

61. A beacon, similar to the above, bearing the number 48, about half-way between Dibi and Makanu (Makanou), at the point of junction of the road from Dibi to Makanu (Makanou), with a path leading north-west to an encampment named Yebwabo (Yiaboua bo), and to the south of that junction. (Para. 8.)

62. A beacon, similar to the above, bearing the number 49, on the left bank of the River Boin (Bouègne), facing towards beacon No. 48, near to a farming village, and at the point where the River Boin (Bouègne) crosses a path from Dibi, leading to a mining village on the right bank of the river, and to the south-east of Dibi. (Para. 7.)

63. A beacon, similar to the above, and bearing the number 50, on the left bank of the River Boin (Bouègne), at the point where that river crosses the road from Moisu (Moua-Sué) to Mappede (Mapé), and facing towards beacon No. 51. (Para. 6.)

64. A beacon, similar to the above, bearing the number 51, on the road from Moisu (Moua-Sué) to the Boinsu (Bouègne-Sou) custom-

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station, at the point where that road is crossed by a stream, the third to the eastward of Aheramwasue (Ahéramouassué). (Para. 6.)

65. A beacon, similar to the above, bearing the number 52, on the left bank of the River Ayenzue (Aé nzué), at the point where that river crosses for the first time the road from Jemma (Djemma) to Dissu (Dissou). (Para. 5.)

66. A beacon, similar to the above, bearing the number 53, on the left bank of the River Ahinda (Ahi-nda), at the point where that river crosses for the second time to the west of its junction with the road from Nugua (Nougoua) to Ngakin (Ngokin), the road from Nugua (Nougoua) to Jemma (Djemma), a point situated about half-way between Nugua (Nougoua) and Jemma (Djemma). (Para. 4.)

67. A tree situated on the summit of Mount Ferro Ferraco (Farafarako), on which have been carved the letters E on the English side and F on the French side. (Para. 3.)

68. A concrete pyramid on the right bank of the River Tano at a point situated at a distance of 5 miles from the house of the Chief of Nugua (Nougoua), the distance being measured along the river. (Para. 2.)

69. A beacon, bearing the number 54, on the southern shore of the Tendo Lagoon, at a point due north of beacon No. 55.

70. A beacon, bearing the number 55, at a point on the sea-coast 1 kilom. west of the house at Newtown occupied in 1884 by the British Commissioners.

II.

Any fresh determination of the geographical position of the beacons or frontier-posts, or of other points mentioned in this Agreement, shall make no alteration in the frontier itself.

III.

The beacons and frontier-posts shall be under the joint protection of the British and French Governments. Should it be necessary later to renew a beacon or frontier-post, each Government shall send a representative to the spot for this purpose.

Should it be necessary later to mark the frontier more precisely by additional beacons, each Government shall send to the spot a representative for the purpose; the position of these new pillars shall be determined by the course of the frontier as defined by the present Agreement.

IV.

The villages situated in proximity to the frontier shall retain the right to use the arable and pasture lands, springs, and watering places which they have heretofore used, even in cases in which such arable and pasture lands, springs and watering places are situated within the territory of the one Power and the village within the territory of the other.

V.

Any natives who may not be satisfied with the assignment of their village to one of the two Powers shall have, for the period of one year from the 1st April, 1905, the right to emigrate to the other side of the frontier.

After the expiration of this period the authorities of a village situated near the frontier may in no case exercise their functions beyond the frontier line determined by the present Agreement, nor may the inhabitants of such villages build huts on the other side of that line.

VI.

The course of the frontier-line is shown generally on the map annexed to this Agreement. *

(2.) *M. Cambon to the Marquess of Lansdowne.*

*Ambassade de France en Angleterre, Londres,
le 15 Mai, 1905.*

M. le Marquis,

J'AI l'honneur d'accuser réception à votre Seigneurie de la note du 11 de ce mois, par laquelle elle a bien voulu me faire parvenir un Mémorandum constatant l'accord intervenu entre nos deux Gouvernements au sujet de la frontière entre la Côte d'Or et la Côte d'Ivoire, ainsi que la série des cartes reproduisant le tracé de cette frontière.

En réponse à cette communication, je m'empresse de faire parvenir ci-joint à votre Seigneurie un Mémorandum conçu en termes identiques destiné à confirmer l'adhésion de mon Gouvernement à l'accord dont il s'agit. Je joins également à cette note une série paraphée des cartes qui s'y rapportent.

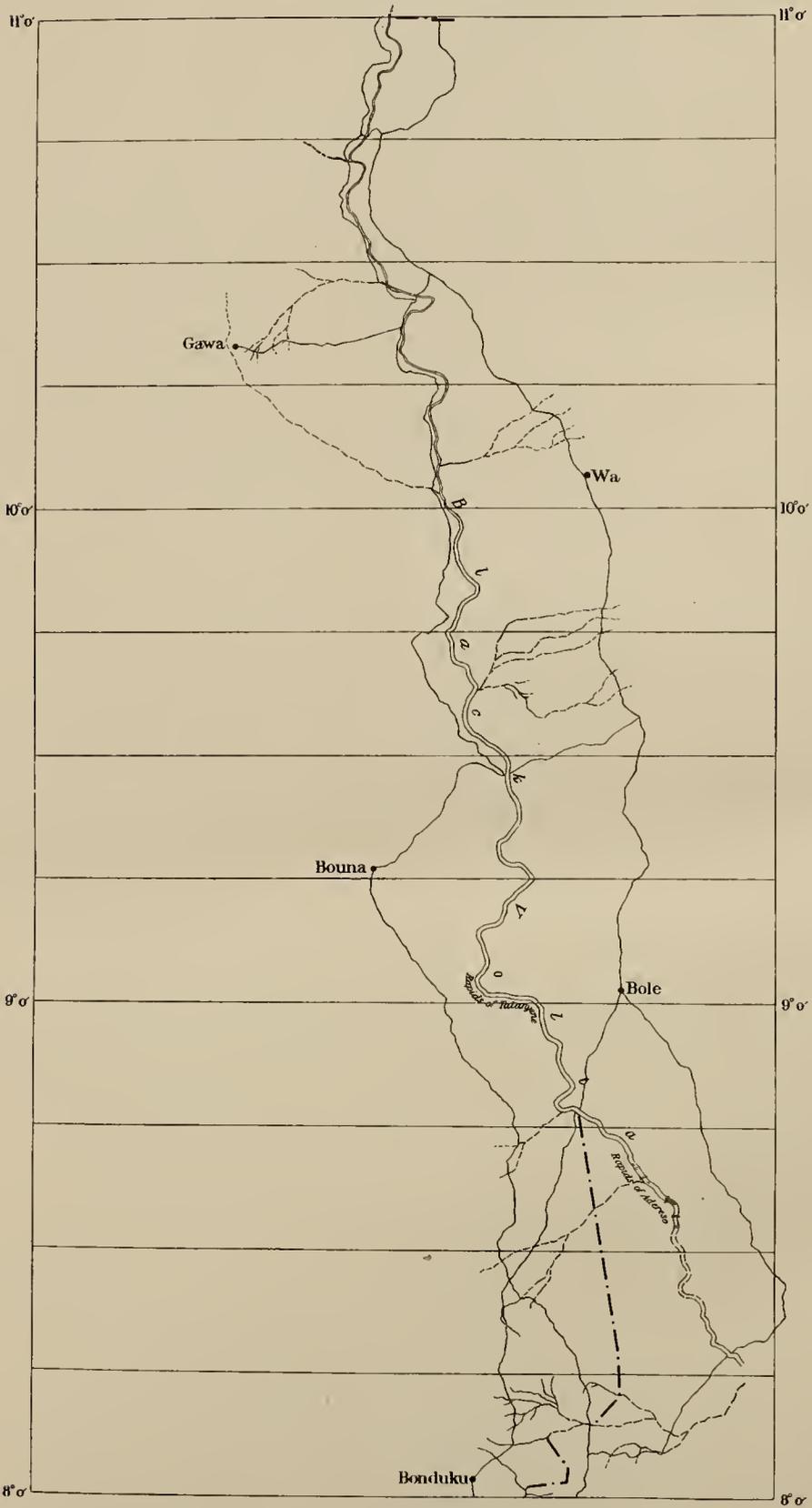
Veillez, &c.,
PAUL CAMBON.

Inclosure.

French version of Memorandum in identic terms.

* See Diagram Maps facing this page, and Maps Nos. 12 to 17 in Atlas (or Pouch).

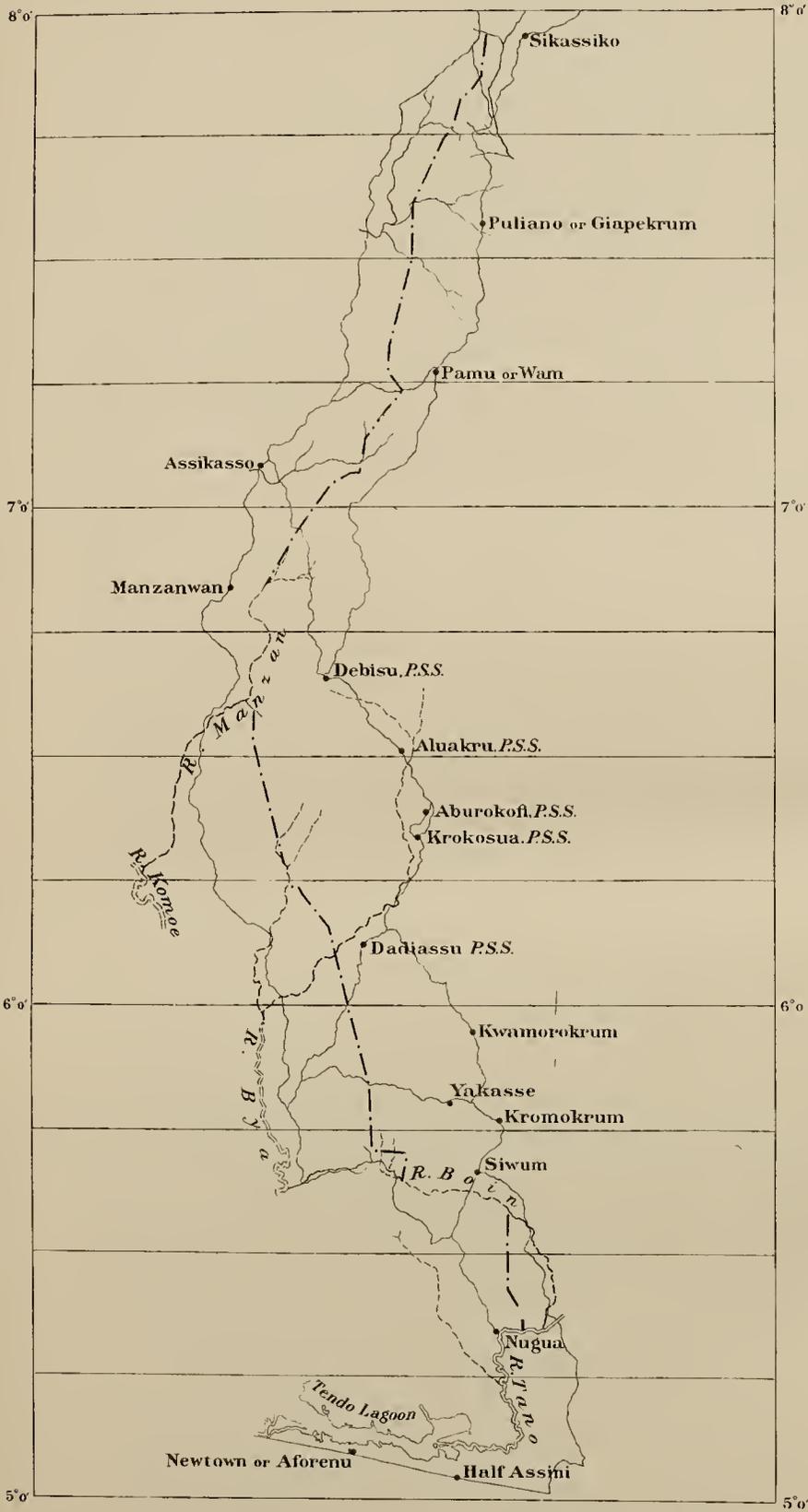
ANGLO-FRENCH AGREEMENT OF MAY 11, 15, 1905.
FRONTIER BETWEEN GOLD COAST & IVORY COAST, MAP (A)



Ordnance Survey, Southampton.

Scale of maps (Nos 12, 13, & 14) in Atlas or Pouch 4 miles to 1/014 inches

ANGLO-FRENCH AGREEMENT OF MAY 11, 15, 1905.
FRONTIER BETWEEN GOLD COAST & IVORY COAST, MAP (B)



Ordnance Survey, Southampton.

Scale of maps (Nos 15, 16, & 17.) in Atlas or Pouch 4 miles to 1/014 inches

No. 256.—*CONVENTION between Great Britain and France, respecting the Delimitation of the Frontier between the British and French Possessions to the East of the Niger. Signed at London, 29th May, 1906.*

[Ratifications exchanged at London, 29th August, 1906.]

THE Government of 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 the Government of the French Republic, having agreed, in a spirit of mutual good-will, to confirm the Protocol with its two Annexes, prepared, in accordance with paragraphs 6 and 7 of Art. VIII of the Convention of the 8th April, 1904 (**No. 251**), by their respective Delegates for the delimitation of the frontier between the British and French possessions to the east of the Niger ;

The Undersigned The Right Honourable Sir Edward Grey, a Baronet of the United Kingdom, a Member of Parliament, His Majesty's Principal Secretary of State for Foreign Affairs ;

And his Excellency Monsieur Paul Cambon, Ambassador of the French Republic at the Court of His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India ;

Duly authorized to this effect, confirm the Protocol with its Annexes, drawn up at London the 9th day of April, 1906, the text of which is as follows :—

Protocol.

The Undersigned, having been commissioned by the Governments of His Britannic Majesty and of the French Republic respectively to submit proposals in accordance with paragraphs 6 and 7 of Art. VIII of the Convention of the 8th April, 1904, for the delimitation of the frontier between the French and British possessions to the east of the Niger, have agreed to the following Arrangement, which they have decided to submit to the approval of their respective Governments :—

Lines of Frontier.

Art. I.—Leaving the last boundary-post erected in 1900 by the Anglo-French Boundary Commission on the road from Ilo to Madekali,* at a distance 16,093 metres (10 miles) from the centre of the village of Guiris (Giri) (Port of Ilo), the frontier crosses the Niger and runs to the valley of the Foga (Dallul Mauri), following straight lines which are determined by five points placed as follows :—

The first on the road from Korkova to Tunuga, at a distance of 5 kilom. from the village of Korkova.

The second on the road from Tunuga to Kangakoe, at a distance of 5 kilom. from the village of Tunuga.

The third on the road from Tunuga to Komba, half-way between these two villages.

* See Report of 22nd December, 1900, p. 797.

The fourth on the road from Komba to Sabunbirni, half-way between these two villages.

The fifth on the road from Komba to Bengu, half-way between these two villages.

Thence the frontier will run first in a north-easterly and then in a northerly direction, so as to pass parallel to and at a distance of 10 kilom. to the east of the road from Bengu to Matankari.

This road is determined by the following points :—

Banna, Yellu, the Well of Angua-n' Iliaso, Bale, Goru, Kisamu, Kuduru, Tullu, Baoda, Makarua, Lokoko, Beibei, Maizari, Dumega, Angua-n-Ouri, Wassadeaki, Bischimi, Kiada (Tiada), Nassarawa, the pool called Tabki-M'budu, Angua-Nana, and Dogunduchi.

The frontier will follow the line thus laid down as far as a point situated 10 kilom. to the east of the cairn already erected on Budu Hill. Thence it will follow a series of straight lines through four points placed as follows :—

The first, 5 kilom. to the west of Kwardana ;

The second, 5 kilom. to the south of that village ;

The third, 5 kilom. to the south of Kwariawa ;

The fourth, 5 kilom. to the south of Bazaga.

From the last-named point it will follow a line drawn parallel to and at a distance of 5 kilom. to the south of the road from Bazaga to Malbaza, which passes through Massalata, Birni n'Konni, Tierassa, and Sarnawa, as far as a point situated 5 kilom. to the south of the village of Malbaza.

The frontier will then run in a series of straight lines :—

(1) To a point half-way between the villages of Chigio and Gida n'Seriki Koma, on the road from Wurnu to Chara.

(2) To a point 5 kilom. to the north of the village of Antudu, situated on the road from Wurnu to Sabon Birni.

(3) To a point 10 kilom. from the centre of Sabon Birni, measured along the road from Sabon Birni to Chara.

(4) To a point 5 kilom. to the north of the village of Gida n'Mai Mai.

(5) To a point half-way between Sabon Birni and Gida n'Karri, on the road from Sabon Birni to Chibiri.

(6) To a point half-way between Sansanne-Aisa to Chibiri, on the road connecting these two places.

The frontier will then pass round the Sultanate of Maradi in a series of straight lines traversing—

(1) A point 10 kilom. to the west of the village of Fiawa.

(2) A point 10 kilom. south of Gida n'Gafey.

(3) A point 10 kilom. south of Kandavai.

It is, however, understood that the frontier thus traced to the south of the Sultanate of Maradi shall not extend south of the parallel of 13° north.

From the last-named point, 10 kilom. to the south of Kandavai, the frontier will be so drawn as to intersect the Maradi-Katsena road at a point situated half-way between Kandavai and Katsena. Continuing thence in a straight line, it will reach first a point situated on

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the Katsena-Tessawa road, equi-distant from the villages of Gida n'Duma, and Yenkeisga; next a point on the Gallo-Raffa road, equi-distant from the wells of Katafa and Gobromaggi, and then a point 5 kilom. to the south-west of the village of Regia Mata. Thence it will follow a line drawn parallel to and 5 kilom. to the south-west of the road from Regia Mata to Zango (on which are placed the villages of Kollema, Garato, Beri Beri, Memaji, Gallu, Danberto, Adamawa, and Gemi), as far as a point situated 7 kilom. to the west of the centre of the village of Zango.

Thence the frontier will be drawn so as to intersect—

- (1) The Zango-Gemi road, half-way between these two places;
- (2) The Zango-Dumbi road, half-way between these two places;

and will then pass—

- (1) 8 kilom. north-east of Sara.
- (2) 13 kilom. north-east of Shadere.
- (3) 10 kilom. north-east of Dasha.
- (4) 8 kilom. north of Baouré.
- (5) 7 kilom. north of Bure.
- (6) 7 kilom. north-east of the last-named place.
- (7) 5 kilom. south of Karagua, of which the latitude is approximately $12^{\circ} 48'$ north, the longitude $9^{\circ} 37'$ east of Greenwich.
- (8) 5 kilom. east of the above-mentioned village of Karagua.
- (9) 5 kilom. west of the centre of the village of Bilangari.

The frontier will then intersect—

- (1) The Machena-Lagwankaka road, half-way between these two places.
- (2) The Komi-Gumshi road, half-way between these two places.
- (3) The Buburaa-Maiori road, half-way between these two places.
- (4) The road from Sunda Sunda to Gurselik, half-way between these two places, and will reach a point situated 5 kilom. to the south of the village of Zumba.

From the last-named point the frontier will follow a line drawn parallel to and 5 kilom. to the south of the road from Gurselik to Adubur, which passes through Zumba and Judkorum, until this line strikes the thalweg of the river Komodugu-Yobe, then it will follow the thalweg of the said river as far as Lake Chad.

From the mouth of the Komodugu-Yobe in Lake Chad the frontier will follow towards the east the parallel of latitude, passing through the thalweg of the mouth of the said river as far as a point situated at a distance 35 kilom. from the centre of the village of Bosso. From this point it will run in a straight line to the point of intersection of the 13th parallel of north latitude with the meridian running $35'$ east of the centre of the town of Kukawa, the meridian mentioned in the Conventions of the 14th June, 1898 (No. 241), and the 8th April, 1904 (No. 251).

Islands of Lake Chad.

Art. II.—It is agreed that the Islands of Lake Chad situated within the line laid down in the last paragraph of Art. I will form an integral

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part of British territory, and that those situated outside that line will form an integral part of the French possessions.

Free Navigation on the Lake.

The two High Contracting Parties agree to guarantee free navigation on the Lake to British subjects and British-protected persons, and to French citizens and French-protected persons, as far as regards their persons and goods.

Art. III.—The frontier set forth in the present Protocol is indicated on the annexed map.*

Boundary Commissioners to be Appointed.

Art. IV.—The two Governments undertake to appoint within a year Commissioners who will be charged with delimiting and marking out on the spot the lines of demarcation between the British and French possessions, in conformity with and in accordance with the spirit of the stipulations of the present Protocol.†

Annex.

Although the delineation of the lines of demarcation shown on the map annexed to the present Protocol is supposed to be generally accurate, it is agreed that the Commissioners hereafter appointed to delimit the frontier on the ground shall be guided by the description of the frontier as set forth in the Protocol.

It shall, however, be permissible for them to modify the said lines of demarcation for the purpose of fixing them with greater accuracy, and to make any indispensable alterations of detail. Alterations or corrections of a more important nature affecting the frontier line must be submitted, by the common consent of the Commissioners, to the approval of their respective Governments.

Inhabitants living near the Frontier may Settle on the other Side.

It is understood that if the inhabitants living near the frontier thus determined should express the wish to cross the frontier in order to settle in the French possessions, or, inversely, in the British possessions, no obstacles will be placed in the way of their so doing, and they shall be granted the necessary time to allow them to gather in all standing crops, and generally to remove all the property of which they are the legitimate owners.

Signed in duplicate, London, the 9th day of April, 1906.

ERIC BARRINGTON.
WILLIAM ERSKINE.
CHARLES STRACHEY.
C. F. CLOSE.
G. R. FRITH.
G. BINGER.
H. DE MANNEVILLE.
J. TILHO.

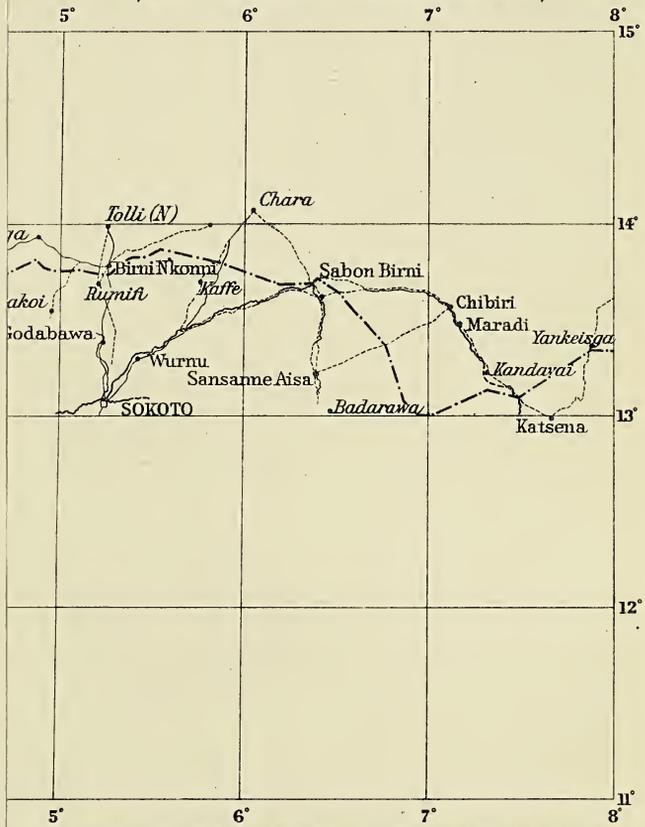
* See Diagram Maps facing this page, and Maps Nos. 18 and 19 in Atlas (or Pouch).

† The Boundary was marked out by the Commissioners of the two Countries, and a Description of the Frontier signed at Kana on the 25th February, 1908. The line is shown on Geographical Section, General Staff Map, No. 2388, Sheets 1 to 9.

To face page 846.

GREAT BRITAIN AND FRANCE
MAY 29, 1906. Sheet 1.

Map annexed to the Protocol of the 9th April, 1906.



Scale of Map (No. 18) in Atlas or Pouch, 16 miles to 1·014 inches.

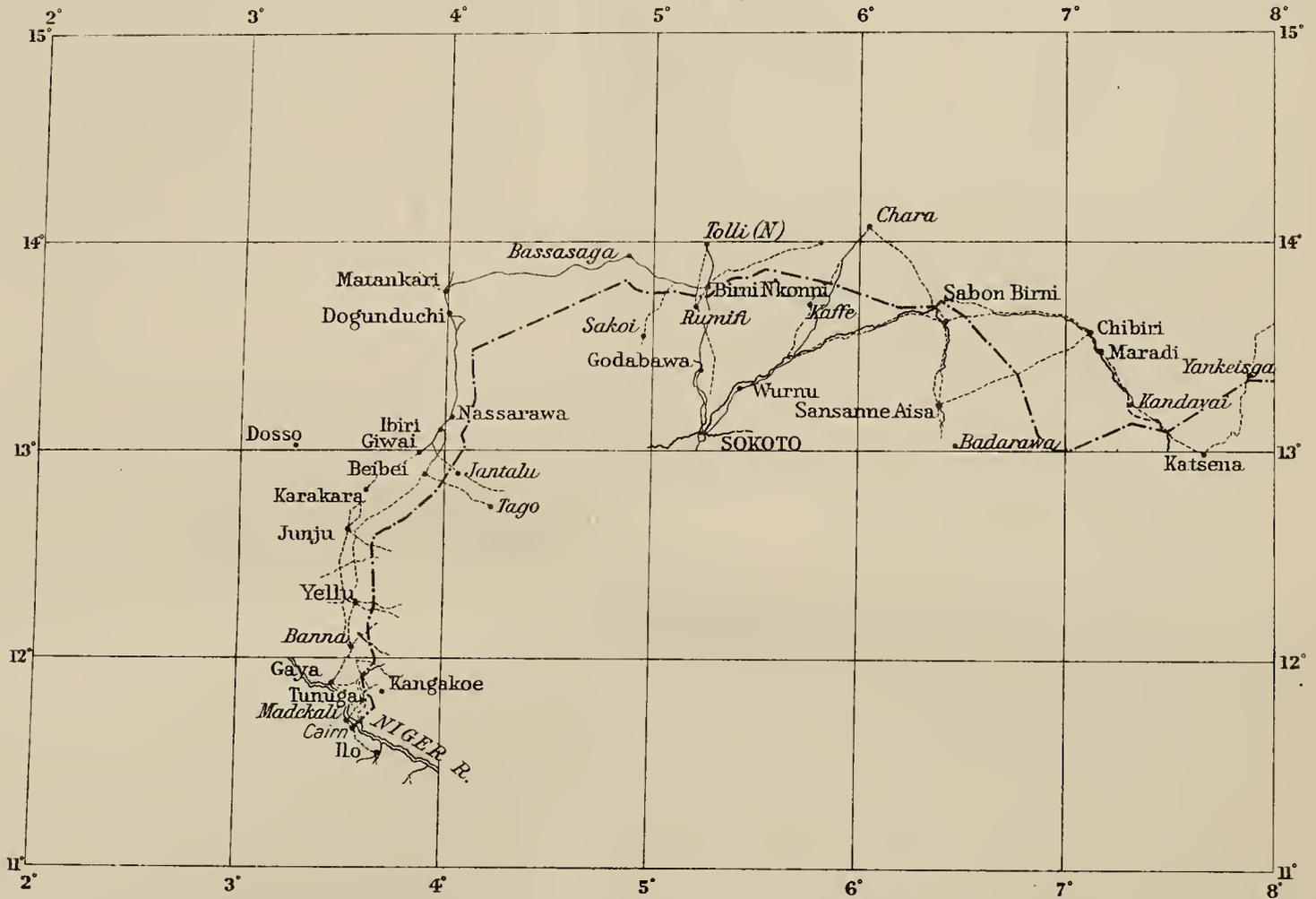
Ordnance Survey, Southampton.

To face page 846.

CONVENTION BETWEEN GREAT BRITAIN AND FRANCE OF MAY 29, 1906.

Sheet 1.

Map annexed to the Protocol of the 9th April, 1906.



Scale of Map (No. 18) in Atlas or Pouch, 16 miles to 1·014 inches.

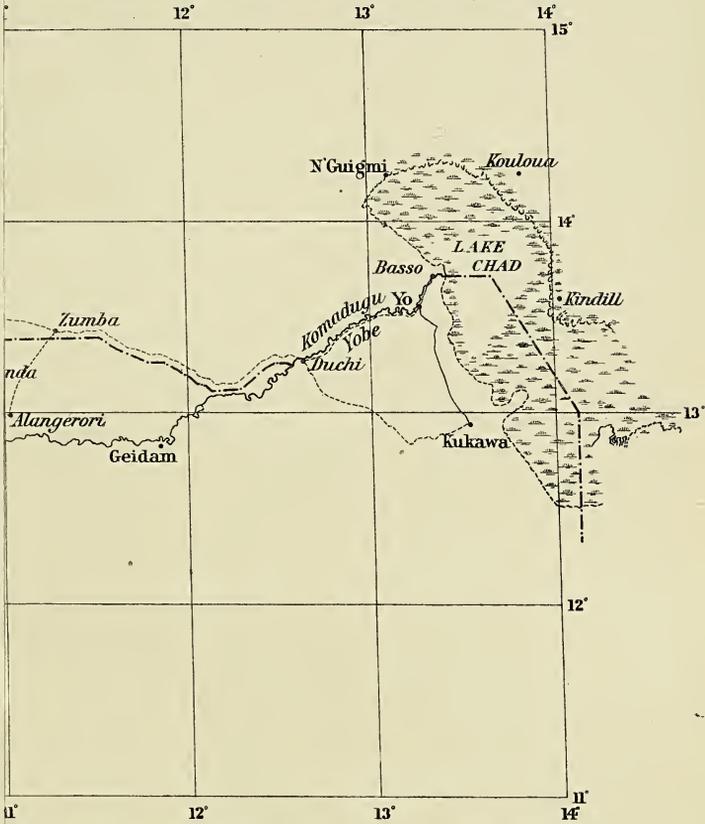
Ordnance Survey, Southampton

To face page 846.

GREAT BRITAIN AND FRANCE
 29, 1906.

Sheet 2.

Map annexed to the Protocol of the 9th April, 1906.



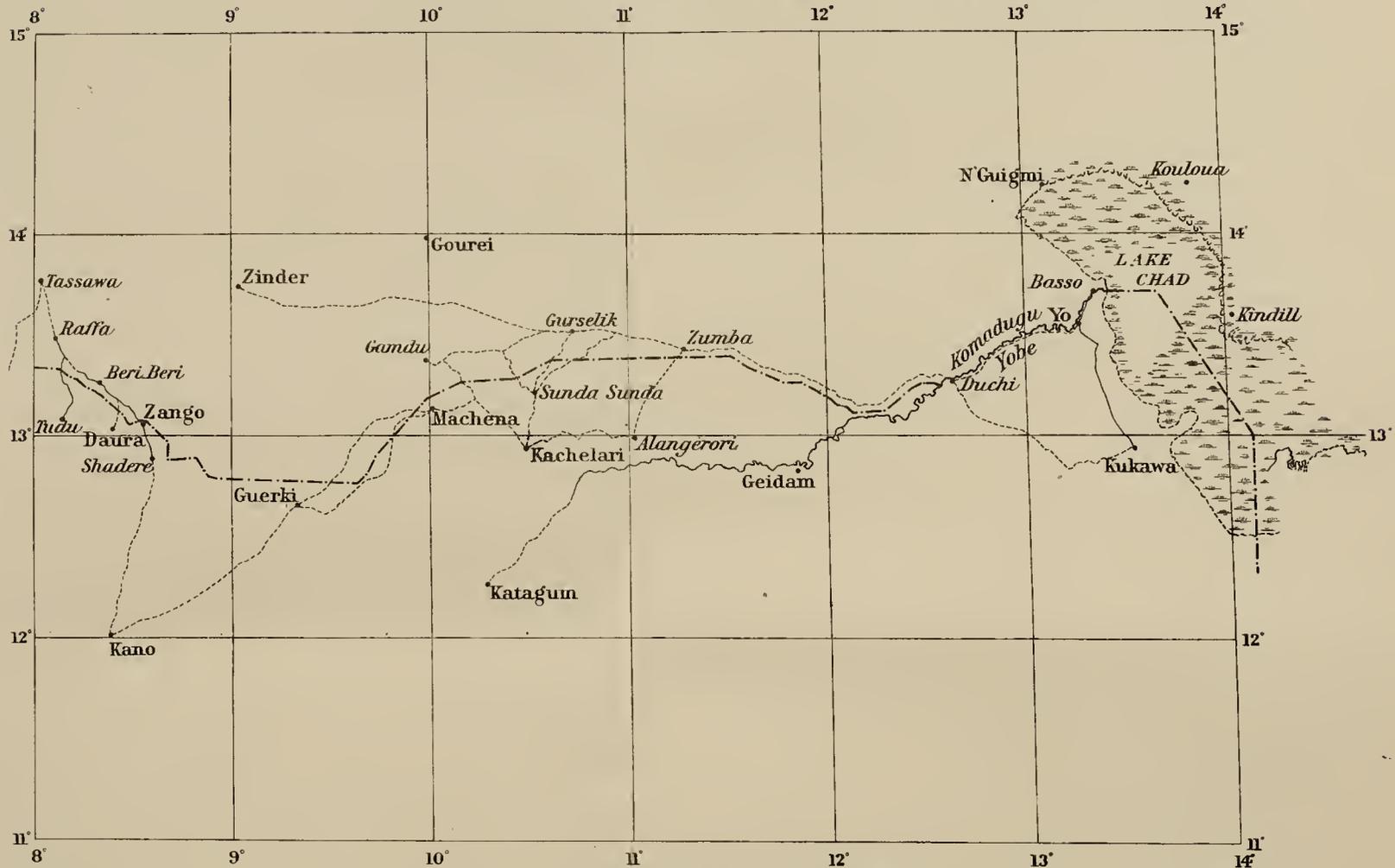
Scale of Map (No. 19) in Atlas or Pouch, 16 miles to 1·014 inches.

Ordnance Survey, Southampton.

CONVENTION BETWEEN GREAT BRITAIN AND FRANCE OF MAY 29, 1906.

Sheet 2.

Map annexed to the Protocol of the 9th April, 1906.



Scale of Map (No. 19) in Atlas or Pouch, 16 miles to 1.014 inches.

Ordnance Survey, Southampton.

[Gold Coast and French Soudan.]

The present Convention shall be ratified, and the ratifications exchanged at London within the period of six months, or sooner if possible.

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

Done in duplicate at London, the 29th May, 1906.

(L.S.) EDWARD GREY.

(L.S.) PAUL CAMBON.

No. 257.—*AGREEMENT between Great Britain and France, relative to the Boundary between the Gold Coast and the French Soudan.*

24th May,
19th July, 1906.

Sir Edward Grey to M. Cambon.

*Foreign Office, London,
24th May, 1906.*

Your Excellency,

In order to supplement the exchange of Notes which took place between your Excellency and my predecessor on the 18th March—25th April, 1904 (**No. 253**), I have the honour to transmit herewith a list of the beacons erected by the Joint Anglo-French Commission in that year along the course of the boundary between the Gold Coast and the French Soudan, together with a map in four sheets illustrating their position, and to state that His Majesty's Government accept the line thus demarcated as the definitive frontier between the British and French possessions concerned.

With the further object of bringing the above-mentioned exchange of Notes into agreement with the actual local circumstances, as now ascertained, it is necessary that sheets (c) and (d) of the map attached to it should be considered as cancelled, and that paragraph 41 of Art. I of the Memorandum defining the boundary should be amended as follows:—

“41. From this point the frontier runs in a straight line across an uninhabited country, covered with bush, in the direction of the point of intersection of the 11th parallel with the road from Punio (Pounio) to Jebiga (Djébiga) until it reaches the northern terminal point of the Anglo-German frontier, where it terminates.”

I have the honour to inform your Excellency that the amendments thus indicated are agreeable to His Majesty's Government. I shall therefore be glad if, in the event of the French Government accepting the proposals contained in this note, you will address a communication to me in similar terms in order to place on record the final agreement thus arrived at.

I have, &c.,

EDWARD GREY.

Inclosure.

List of Beacons or Frontier-posts erected along the Frontier between the Gold Coast and the French Soudan by the Mixed Commission of 1904.

[See List annexed to Report of the Boundary Commissioners dated 19th October, 1904 (No. 254).]

No. 4.

M. Cambon to Sir Edward Grey.

*Ambassade de France à Londres,
le 19 Juillet, 1906.*

M. le Secrétaire d'État,

J'AI l'honneur d'accuser réception à votre Excellence de sa note du 24 Mai, complétant l'échange de notes qui a eu lieu entre votre prédécesseur et moi les 18 Mars-25 Avril, 1904. Pour répondre au désir que vous avez bien voulu m'exprimer, je transmets ci-joint à votre Excellence une liste des bornes érigées en 1904 par la Commission Mixte Anglo-Française le long du tracé de la frontière entre la Côte d'Or et le Soudan Français, avec une carte en quatre feuilles indiquant la position de ces bornes. Ce Mémoire et ces cartes sont identiques à ceux qui accompagnaient votre note du 24 Mai. J'ai en outre l'honneur de faire savoir à votre Excellence que le Gouvernement de la République accepte la ligne ainsi déterminée comme la frontière définitive entre les possessions Françaises et Anglaises dans cette région.

Pour mettre en complet accord la définition de la frontière donnée par les notes échangées en 1904 avec l'état de choses existant sur les lieux, et qui a été aujourd'hui constaté, il est nécessaire de considérer comme annulées les feuilles (c) et (d) de la carte annexée à ces notes et, de plus, de modifier ainsi qu'il suit le texte du paragraphe 41 de l'Art. I du Mémoire donné en la définition de la frontière :—

“ 41. De ce point, la frontière se dirige en ligne droite à travers une région inhabitée et couverte de broussailles dans la direction du point d'intersection du 11 parallèle avec la route de Pounio (Punio) à Djébiga (Jebiga) pour aboutir au point où se termine au nord la frontière Franco-Allemande.”

J'ai l'honneur de faire savoir à votre Excellence que ces amendements sont acceptés par le Gouvernement de la République.

Veillez, &c.,

PAUL CAMBON.

No. 5.

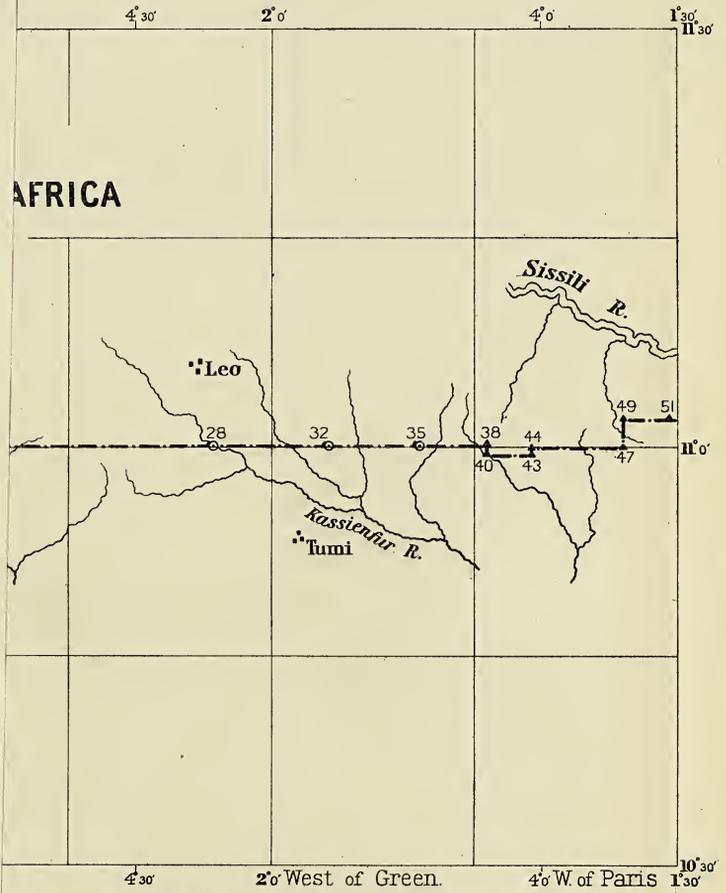
Four Maps annexed illustrating the Positions of the Beacons along the Course of the Boundary between the Gold Coast and the French Soudan (a), (b), (c), (f). See Diagram Maps (a) and (b) facing this page, and Maps Nos. 20 to 23 in Atlas (or Pouch).

To face page 848.

N GREAT BRITAIN AND FRANCE

24, JULY 19, 1906.

Map (a).



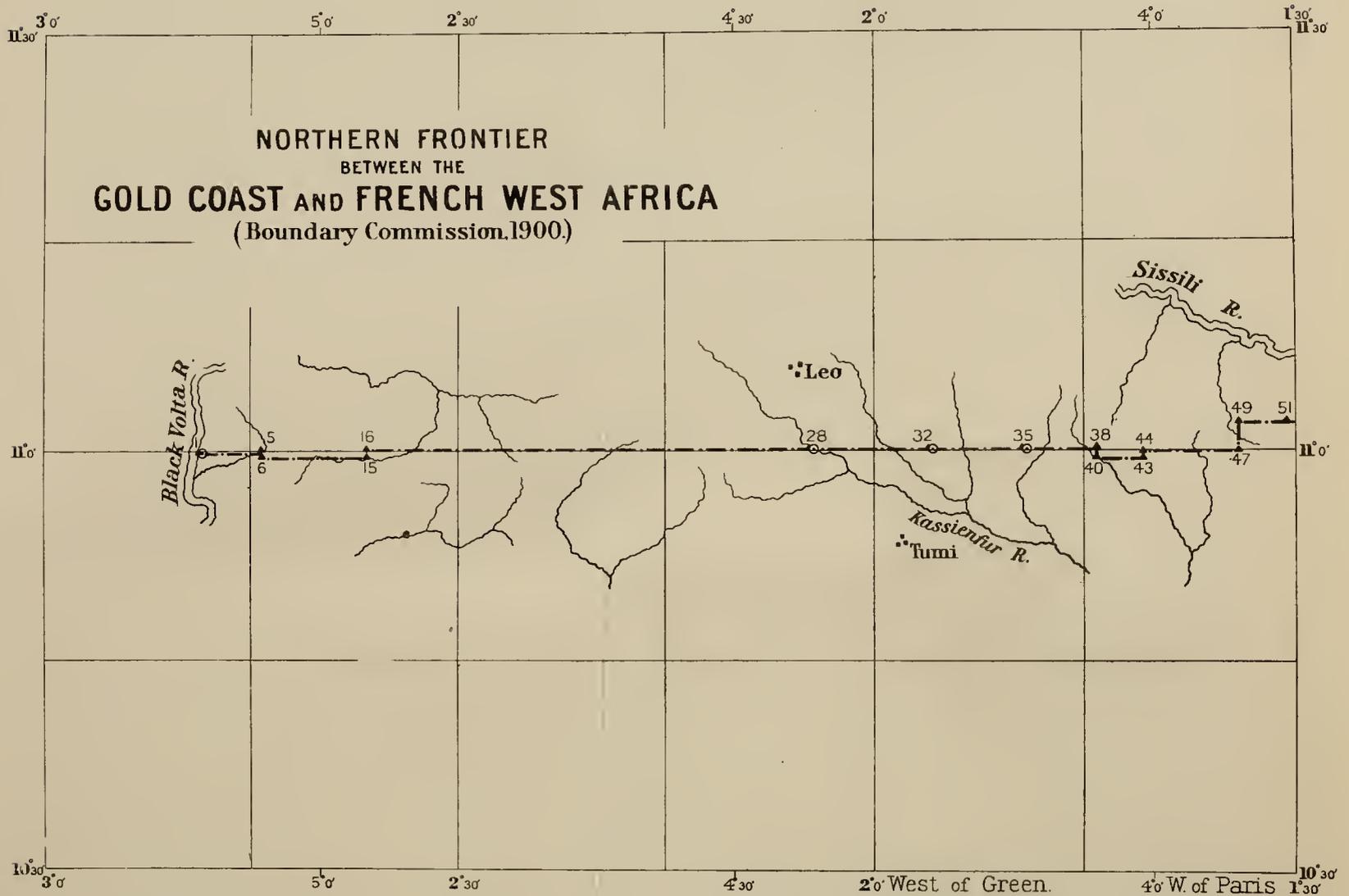
Scale of Map (No. 20) in Atlas or Pouch, 4 miles to 1·014 inches.

Ordnance Survey, Southampton.

To face page 848.

AGREEMENT BETWEEN GREAT BRITAIN AND FRANCE OF MAY 24, JULY 19, 1906.

Map (a).



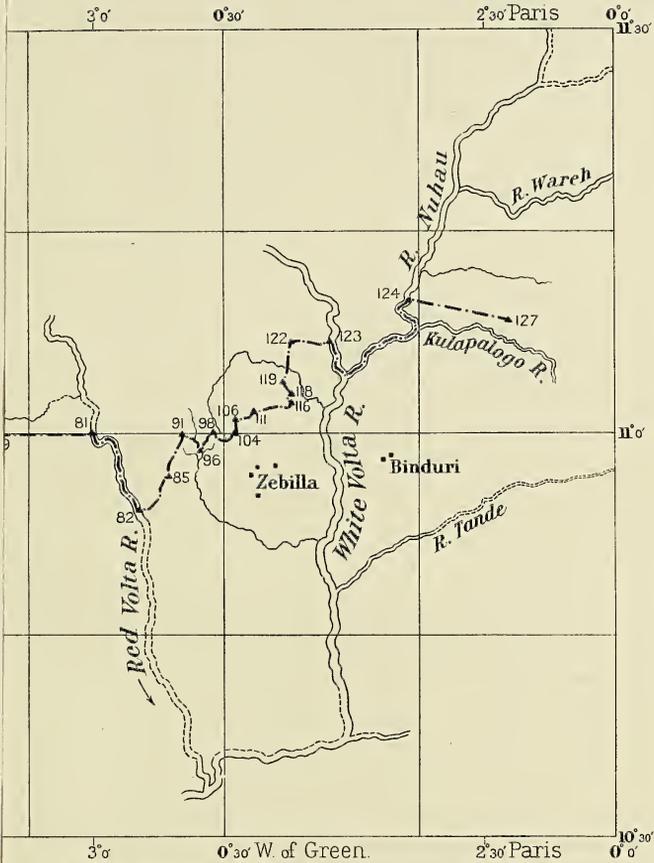
Scale of Map (No. 20) in Atlas or Pouch, 4 miles to 1·014 inches.

Ordnance Survey, Southampton.

To face page 848.

REAT BRITAIN AND FRANCE JULY 19, 1906.

Map (b).



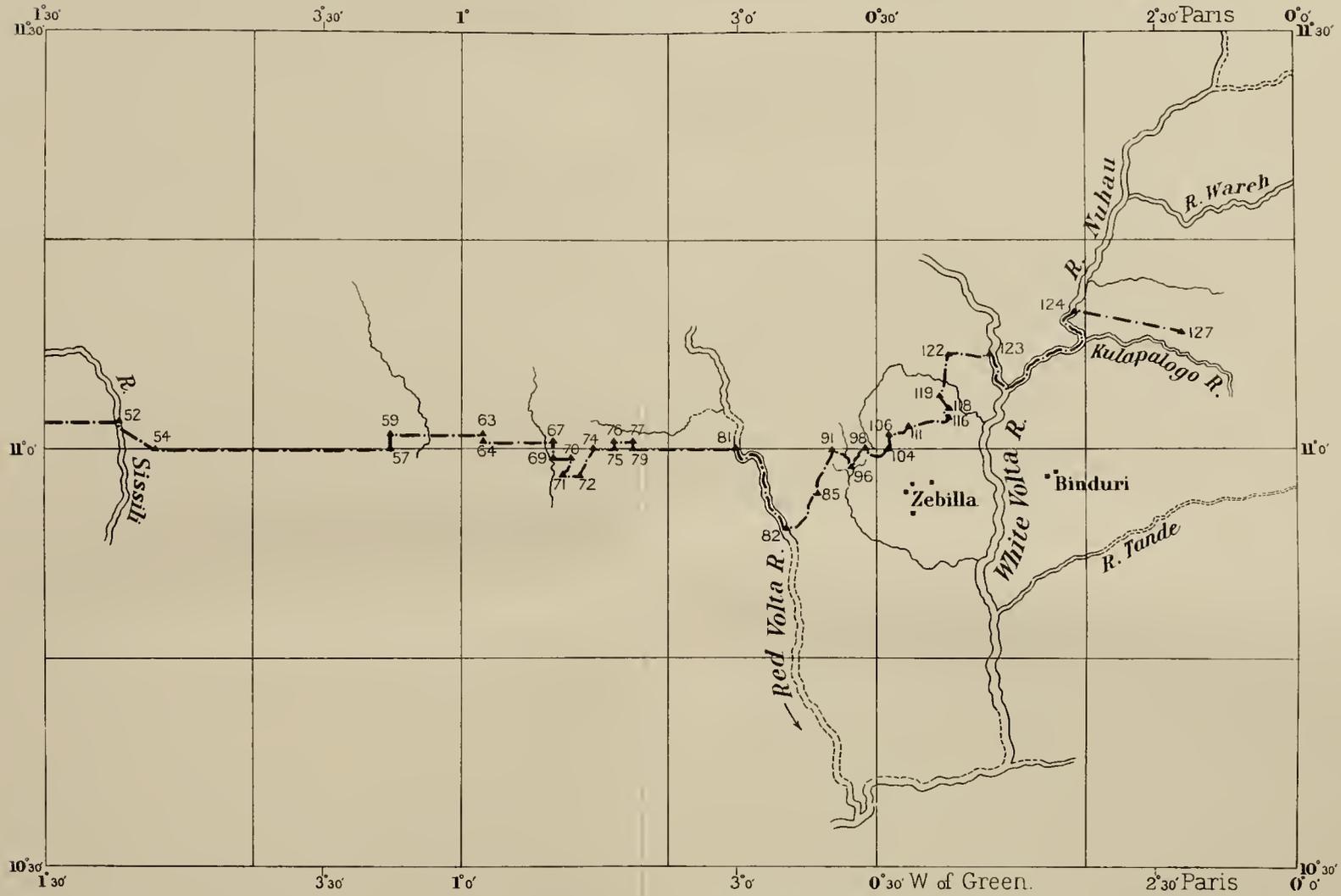
Scale of Map (No. 21) in Atlas or Pouch, 4 miles to 1.014 inches.

Ordnance Survey, Southampton.

To face page 848.

AGREEMENT BETWEEN GREAT BRITAIN AND FRANCE OF MAY 24, JULY 19, 1906.

Map (b).



Scale of Map (No. 21) in Atlas or Pouch, 4 miles to 1·014 inches.

Ordnance Survey, Southampton.

[Gulf of Guinea to Niger (S. Nigeria and Dahomey).]

No. 258.—*AGREEMENT between Great Britain and France, relative to the Frontier between the British and French Possessions from the Gulf of Guinea to the Niger (Southern Nigeria and Dahomey). 19th October, 1906.**

(1) *The French Minister for Foreign Affairs to Sir F. Bertie.*

M. l'Ambassadeur,

Paris, le 19 Octobre, 1906.

A LA suite des communications verbales échangées entre mon Département et votre Ambassade, il a été reconnu que la version Française et la version Anglaise du mémorandum définissant le tracé de la frontière entre les possessions Françaises et Anglaises du golfe de Guinée au Niger présentaient une concordance absolue.

Aucune correction ultérieure ne paraissant désormais nécessaire, j'ai l'honneur d'adresser, ci-joint, à votre Excellence le texte du mémorandum en question constatant l'entente à laquelle sont arrivés les deux Gouvernements au sujet de la dite frontière. Je joins au présent envoi une carte en deux feuilles donnant le tracé de cette délimitation et je serais reconnaissant à votre Excellence de bien vouloir m'adresser une lettre contenant un mémorandum conçu en termes identiques et accompagné d'un exemplaire de la même carte.

LÉON BOURGEOIS.

(Translation.)

M. l'Ambassadeur,

Paris, 19th October, 1906.

As a result of verbal communications exchanged between my Department and your Embassy, it has been ascertained that the French and English versions of the Memorandum defining the line of demarcation between the French and British possessions from the Gulf of Guinea to the Niger are in complete agreement.

Since no further correction appears to be required, I have the honour to transmit herewith to your Excellency the text of the Memorandum in question recording the understanding arrived at by the two Governments with regard to the said frontier. I annex to the present communication a map in two sheets showing the line of demarcation,† and I should be glad if your Excellency would be good enough to address to me a note inclosing a Memorandum drawn up in identical terms and accompanied by a copy of the same map.

LÉON BOURGEOIS.

(2) *Sir F. Bertie to the French Minister for Foreign Affairs.*

M. le Ministre,

Paris, 19th October, 1906.

I HAVE the honour to acknowledge the receipt of your Excellency's note of to-day's date, in which you were so good as to inclose the text

* See Art. IV of Arrangement of 10th August, 1889, p. 732; Declaration of 15th January, 1896, p. 765; and Arts. II and V of Convention of 14th June, 1898, pp. 786, 788.

† See Annex 2, p. 861.

[Gulf of Guinea to Niger (S. Nigeria and Dahomey).]

of a Memorandum recording the understanding arrived at by the Governments of Great Britain and of France in regard to the frontier between British and French possessions from the Gulf of Guinea to the Niger, together with a map in two sheets showing the line of demarcation.

As a result of verbal communications exchanged between this Embassy and the Ministry for Foreign Affairs, it has been ascertained that the English and French versions of the Memorandum defining the line of demarcation between the British and French possessions from the Gulf of Guinea to the Niger are in complete agreement.

Since no further correction seems to be required, I have the honour to transmit to your Excellency herewith the text of the Memorandum in question recording the understanding arrived at by the two Governments with regard to the above-mentioned frontier. I also inclose a map in two sheets showing the line of demarcation.

I have, &c.

FRANCIS BERTIE.

Annex 1.

*Délimitation entre les possessions Françaises et Anglaises du Golfe de Guinée au Niger.**

I.

PARTANT du rivage du golfe de Guinée au point où il est coupé par le méridien passant par le milieu de l'embouchure de la rivière Ajara là où elle se jette dans la lagune de Porto-Novo, la frontière se dirige vers le nord le long de ce méridien jusqu'à ce qu'elle atteigne le milieu de l'embouchure de la rivière Ajara.

2. De là elle suit la ligne droite la plus courte jusqu'au thalweg de la rivière Ajara.

3. De là elle remonte le thalweg de la rivière Ajara dont le cours supérieur est appelé l'Igouidi (Iguidi) jusqu'au ravin entrant dans la rivière par le nord immédiatement à l'ouest d'Idiroko, laissant la ville d'Idiroko à la colonie de Lagos.

I.

STARTING on the coast of the Gulf of Guinea at the point at which it is intersected by the meridian passing through the middle of the mouth of the Ajara River where it flows into the Porto Novo lagoon, the frontier runs north along this meridian until it reaches the middle of the mouth of the River Ajara.

2. Thence it runs in the shortest straight line to the thalweg of the River Ajara.

3. Thence it ascends the thalweg of the River Ajara, its upper course being called the Iguidi (Igouidi), as far as the ravine entering the river from the north immediately to the west of Idiroko, leaving the town of Idiroko to the Colony of Lagos.

* See Reports of Boundary Commissioners, 12th October, 1896 (p. 780) and 22nd December, 1900 (p. 797).

[Gulf of Guinea to Niger (S. Nigeria and Dahomey).]

4. De là elle suit le ravin jusqu'à son extrémité nord.

5. De là elle suit une ligne tracée jusqu'à un point sur le côté nord de la route la plus courte d'Ilashé (Ilashe) à Ikpaboro sur la rive droite (ouest) de la rivière Iguiraoun (Igirawun).

6. De là elle remonte à 200 mètres au nord de la route, puis se dirige vers l'ouest parallèlement à la route à 200 mètres de distance de celle-ci jusqu'à 200 mètres à l'est de la première route bifurquant vers le nord dans la direction d'Ikotoun (Ikotun) et suit ensuite cette route vers le nord jusqu'à Ikotoun (Ikotun) en se maintenant à 200 mètres à l'est de cette route et parallèlement à celle-ci.

7. De là elle suit une route passant par les localités ci-après, jusqu'à la rivière Amidou (Amidu) en restant toujours du même côté et à la même distance de cette route : Ikotoun (Ikotun), Ilagbo (Idagbon), Bado (Igbado), Ogouissou (Modogan), Agangan, continuant jusqu'à la rivière Amidou (Amidu) le long de la route d'Ibayan (Ibeyun). Ikotoun (Ikotun), Ilagbo (Idagbon), Ilore, Isagbano, Okoko, Bado (Iagbdo) et Ogouissou (Modogan) sont en territoire français.

8. Arrivée au thalweg de la rivière Amidou (Amidu) la frontière le suit en amont jusqu'à un point situé à 200 mètres et à l'ouest de la route.

9. De ce point elle se dirige parallèlement à la route qui passe par Ibayan (Ibeyun) et Manjano, restant toujours du même côté de cette route jusqu'à son intersection avec la rivière Ibou (Ibu). Ohoumbe (Ohumbe),

4. Thence it follows the ravine to its northern end.

5. Thence it follows a line drawn to a point on the north side of the shortest road from Ilashe (Ilashé) to Ikpaboro on the right (west) bank of the River Igirawun (Iguiraoun).

6. Thence it runs 200 metres northward from the road, then westward parallel with the road at 200 metres distance until 200 metres east of the first road branching northward to Ikotun (Ikotoun), which road it then follows northward to Ikotun (Ikotoun) at a distance of 200 metres parallel to and eastward of it.

7. Thence it follows a road running through the following places, as far as the River Amidu (Amidou), keeping always on the same side of the road and at the same distance from it : Ikotun (Ikotoun), Idagbon (Ilagbo), Igbado (Bado), Modogan (Ogouissou), Agangan, continuing as far as the River Amidu (Amidou) along the road to Ibeyun (Ibayan). Ikotun (Ikotoun), Idagbon (Ilagbo), Ilore, Isagbano, Okoko, Igbado Bado, and Modogan (Ogouissou) are in French territory.

8. On reaching the thalweg of the River Amidu (Amidou), the frontier follows it up-stream to a point 200 metres from and on the west side of the road.

9. From this point it runs parallel to the road which passes through Ibeyun (Ibayan) and Majano, keeping always on the same side of it, as far as its intersection by the River Ibu (Ibou). Ohumbe (Ohoumbe),

[Gulf of Guinea to Niger (S. Nigeria and Dahomey).]

Ibayan (Ibeyun) et Manjano sont en territoire britannique.

10. De là elle suit le thalweg de la rivière Ibou (Ibu) en aval jusqu'à sa jonction avec la rivière Bourou (Buru), laissant Issale (Isale) en territoire français, et Isouko (Isuku) et Aso (Asa) en territoire britannique.

11. De là elle suit le thalweg de la rivière Bourou (Buru) laissant Illemon (Ilimon) en territoire français, jusqu'à un point à 200 mètres au delà du pont qui franchit cette rivière sur la route venant d'Illemon (Ilimon).

12. De ce point la frontière suit une ligne parallèle à la route et distante de 200 mètres de celle-ci jusqu'à un point auquel, après avoir dépassé Ichada (Ishada), Ibokofi (Mokofi), Ibiyan (Ibeyan) et Tabolo qui sont tous en territoire britannique elle coupe la rivière Gauna (Igunu).

13. De là elle se dirige droit au nord jusqu'à un point à 200 mètres au sud de la route de Ketou (Ketu) à Idofa par Itagbé (Alagbe), cette dernière localité étant en territoire français.

14. De là elle se dirige à l'est parallèlement à cette route jusqu'à la rivière Yéoua (Yewa).

15. De là elle remonte le thalweg de la rivière Yéoua (Yewa) jusqu'à un point à 200 mètres au-dessous de l'intersection de cette rivière avec la route partant d'Idanhim (Idanyin) dans la direction du nord, laissant Idofa et Meko en territoire britannique et Ilikimo (Ilikimo), Idanhim (Idanyin), Idjalou (Ijalu) et Selou (Iselu) en territoire français.

16. De là elle se dirige vers

Ibeyun (Ibayan), and Majano are in British territory.

10. Thence it follows the thalweg of the River Ibu (Ibou) down-stream to its junction with the River Buru (Bourou), leaving Isale (Issale) in French, and Isuku (Isouko) and Asa (Aso) in British territory.

11. Thence it follows the thalweg of the River Buru (Bourou), leaving Ilimon (Illemon) in French territory, to a point 200 metres beyond the bridge which spans that river on the road from Ilimon (Ilimon).

12. From this point the frontier runs parallel to and at a distance of 200 metres from the road to a point at which, after passing Ishada (Ichada), Mokofi (Ibokofi), Ibeyan (Ibiyan) and Tabolo, all of which are in British territory, it cuts the River Igunu (Gauna).

13. Thence it runs due north to a point 200 metres south of the road from Ketu (Kétou) to Idofa by Alagbe (Itagbé), the latter being in French territory.

14. Thence it runs eastward parallel to that road as far as the River Yewa (Yéoua).

15. Thence it ascends the thalweg of the River Yewa (Yéoua) to a point 200 metres below the intersection of that river with the road running northward from Idanyin (Idanhim), leaving Idofa and Meko in British territory, and Ilikimo (Ilikimo), Idanyin (Idanhim), Ijalu (Idjalou), and Iselu (Selou) in French territory.

16. Thence it runs northward

le nord suivant une ligne parallèle à la route et distante de 200 mètres de celle-ci, laissant la route en territoire français, jusqu'à ce qu'elle rencontre le thalweg de la rivière Ocpara (Okpara).

17. De là elle suit le thalweg de la rivière Ocpara (Okpara) en remontant jusqu'à un point où le thalweg est coupé par une ligne tracée au nord de la plus méridionale des deux routes entre Tabira et Ouoria (Weria) parallèlement à cette route et à une distance d'un kilomètre.

18. De là elle suit cette ligne dans la direction de l'est jusqu'à un point à 5 kilomètres du mur ou enceinte du village de Tabira.

19. De là elle se dirige en ligne droite jusqu'à un point situé à 5 kilomètres du mur de Tabira sur la route septentrional de Tabira à Ouoria (Weria).

20. De là en ligne droite jusqu'à un point situé à 4 kilomètres du mur de Tabira sur la route de Tabira à Tandou (Tandu).

21. De là en ligne droite jusqu'à un point situé à 5 kilomètres du mur de Tabira sur la route directe de Tabira à Kabo.

22. De là en ligne droite jusqu'à un point situé à 5 kilomètres du mur de Tabira et à 1 kilomètre de la route de Tabira à Kénou (Kenu) perpendiculairement à cette route et au nord de celle-ci.

23. La frontière suit ensuite une ligne parallèle à la route directe de Tabira à Kénou (Kenu) au nord et à 1 kilomètre de cette route jusqu'à un point situé à 2,100 mètres du mur ou enceinte du village de Kénou.

parallel to that road and 200 metres distant from it, leaving the road in French territory, until it meets the thalweg of the River Okpara (Ocpara).

17. Thence it follows the thalweg of the River Okpara (Ocpara) up-stream to a point where the thalweg is cut by a line drawn on the north side of, parallel to, and 1 kilom. from, the more southerly of the two roads between Tabira and Weria (Ouoria).

18. Thence it follows this line eastwards to a point 5 kilom. from the wall or enceinte of the village of Tabira.

19. Thence it runs in a straight line to a point situated 5 kilom. from the wall of Tabira on the northern road from Tabira to Weria (Ouoria).

20. Thence in a straight line to a point situated 4 kilom. from the wall of Tabira on the road from Tabira to Tandou (Tandu).

21. Thence in a straight line to a point situated 5 kilom. from the wall of Tabira, on the direct road from Tabira to Kabo.

22. Thence in a straight line to a point situated 5 kilom. from the wall of Tabira, and 1 kilom. from the road from Tabira to Kenu (Kénou), measured at right angles to, and on the north of this road.

23. The frontier then follows a line parallel to the direct road from Tabira to Kenu (Kénou), on the north of, and 1 kilom. from, this road, to a point situated 2,100 metres from the wall or enceinte of the village of Kenu (Kénou).

24. De là une ligne droite jusqu'à un point situé à 4 kilomètres du mur de Kénou (Kenu) sur la route de Kénou (Kenu) à Kabo.

25. De là une ligne droite jusqu'à un point situé à 8 kilomètres et demi du centre de la ville d'Okouta (Okuta) sur la route d'Okouta (Okuta) à Kabo.

26. De là la frontière suit la circonférence d'un cercle de 8 kilomètres et demi de rayon ayant pour centre le centre de la ville d'Okouta (Okuta) jusqu'à un point situé à 1 kilomètre de la route directe d'Okouta (Okuta) à Boria mesuré à l'ouest de la route et perpendiculairement à celle-ci.

27. De là elle se dirige parallèlement à la route d'Okouta (Okuta) à Boria à une distance d'un kilomètre et à l'ouest de cette route, jusqu'à un point situé à 6 kilomètres du mur du village de Boria.

28. De là elle suit une ligne droite jusqu'à un point situé à 4 kilomètres de Boria sur la route de Boria à Ouandou (Wandu).

29. De là elle suit une ligne droite jusqu'à un point situé à 4 kilomètres du mur du village de Chuya (Siia) sur la route de Chuya (Siia) à Sandilo (Sandiru) et Digidourou (Digiduru).

30. De là en droite ligne jusqu'à un point situé à 4 kilomètres de Chuya (Siia) sur la route directe de Chuya (Siia) à Tinra (Tera).

31. De là en droite ligne jusqu'à un point situé à un kilomètre de l'intersection de la rivière Grande-Chira (Shira) par le route directe de Chuya (Siia) à Goré

24. Thence a straight line to a point situated 4 kilom. from the wall of Kenu (Kénou) on the road from Kenu (Kenu) to Kabo.

25. Thence a straight line to a point situated $8\frac{1}{2}$ kilom. from the centre of the town of Okuta (Okouta), on the road from Okuta (Okouta) to Kabo.

26. Thence it follows the circumference of a circle of $8\frac{1}{2}$ kilom. radius, having for centre the centre of the town of Okuta (Okouta), to a point situated 1 kilom. from the direct road from Okuta (Okouta) to Boria, measured on the west of and at right angles to this road.

27. Thence it runs parallel to the road from Okuta (Okouta) to Boria, at a distance of 1 kilom. from, and on the west of this road, to a point situated 6 kilom. from the wall of the village of Boria.

28. Thence it follows a straight line to a point situated 4 kilom. from Boria on the road from Boria to Wandu (Ouandou).

29. Thence it follows a straight line to a point situated 4 kilom. from the wall of the village of Siia (Chuya) on the road from Siia (Chuya) to Sandiru (Sandilo) and Digiduru (Digidourou).

30. Thence in a straight line to a point situated 4 kilom. from Siia (Chuya) on the direct road from Siia (Chuya) to Tera (Tinra).

31. Thence in a straight line to a point situated 1 kilom. from the intersection of the Big Shira (Chira) River by the direct road from Siia (Chuya) to Guri (Goré),

[Gulf of Guinea to Niger (S. Nigeria and Dahomey).]

(Guri) distance mesurée perpendiculairement à cette route et à l'ouest de celle-ci.

32. De là la frontière se dirige parallèlement à la route de Chuya (Siia) à Goré (Guri) à l'ouest de cette route, et à une distance d'un kilomètre de celle-ci jusqu'à un point situé à 4 kilomètres du centre du village de Goré (Guri).

33. De là elle suit à l'ouest de Goré (Guri) la circonférence d'un cercle de 4 kilomètres de rayon décrit avec le centre du village comme centre jusqu'à un point situé à 1 kilomètre de la route de Goré (Guri) à Yassikéré (Yashikira) distance mesurée perpendiculairement à cette route et à l'ouest de celle-ci.

34. De là elle se dirige parallèlement à la route de Goré (Guri) à Yassikéré (Yashikira) à 1 kilomètre à l'ouest de celle-ci jusqu'à un point situé à 8 kilomètres du centre de Yassikéré (Yashikira).

35. De là elle suit à l'ouest de Yassikéré (Yashikira) la circonférence d'un cercle de 8 kilomètres de rayon décrit avec le centre de Yassikéré (Yashikira) comme centre, jusqu'à un point situé à 8 kilomètres du centre de Yassikéré (Yashikira), sur la route de Yassikéré (Yashikira) à Niki (Nikki).

36. De ce point la frontière suit une ligne tangente à un cercle de 4 kilomètres de rayon ayant Grand-Bété comme centre et du côté du nord-ouest jusqu'au point où la tangente rencontre la circonférence du cercle.

37. De là elle se dirige en ligne droite jusqu'à un point

measured at right angles to, and on the west of, this road.

32. Thence it runs parallel to the road from Siia (Chuya) to Guri (Goré), on the west of, and at a distance of 1 kilom. from it, to a point situated 4 kilom. from the centre of the village of Guri (Goré).

33. Thence it follows on the west side of Guri (Goré) the circumference of a circle of 4 kilom. radius, described round the centre of that village as centre, to a point situated 1 kilom. from the road from Guri (Goré) to Yashikira (Yassikéré), measured at right angles to, and on the west of, this road.

34. Thence it runs parallel to, and 1 kilom. to the west of, the road from Guri (Goré) to Yashikira (Yassikéré) to a point situated 8 kilom. from the centre of Yashikira (Yassikéré).

35. Thence it follows on the west side of Yashikira (Yassikéré) the circumference of a circle of 8 kilom. radius, described round the centre of Yashikira (Yassikéré) as centre, to a point situated 8 kilom. from the centre of Yashikira (Yassikéré) on the road from Yashikira (Yassikéré) to Nikki (Niki).

36. From this point the frontier follows a line which is a tangent to a circle of 4 kilom. radius, having Grand Bété as centre, and on the north-west side, as far as the point where the tangent meets the circumference of that circle.

37. Thence it runs in a straight line to a point situated 4 kilom.

[Gulf of Guinea to Niger (S. Nigeria and Dahomey).]

situé à 4 kilomètres du mur de Grand-Bété à une distance d'un kilomètre de la route directe de Grand-Bété à Garoussi (Karunzi) mesurée perpendiculairement à cette route et au nord-ouest de celle-ci.

38. De là elle se dirige parallèlement à la route de Grand-Bété à Garoussi (Karunzi) à une distance d'un kilomètre à l'ouest de cette route, jusqu'à un point situé à 4 kilomètres du mur du village de Garoussi (Karunzi).

39. De là en ligne droite jusqu'à un point situé à l'ouest franc de Garoussi (Karunzi) à 4 kilomètres du mur de ce village.

40. De là elle se dirige directement jusqu'à un point situé à 4 kilomètres du mur de Garoussi (Karunzi) et à une distance d'un kilomètre de la route de Garoussi (Karunzi) à Kenombé (Kenumbé) mesurée perpendiculairement et au nord-ouest de cette route.

41. De là elle se dirige parallèlement à la route directe de Garoussi (Karunzi) à Kenombé (Kenumbé) à l'ouest et à une distance d'un kilomètre de cette route jusqu'à un point situé à 4 kilomètres du centre du village de Kenombé (Kenumbé).

42. De là elle suit à l'ouest de Kenombé (Kenumbé) la circonférence d'un cercle de 4 kilomètres de rayon décrit avec le centre de Kenombé (Kenumbé) comme centre jusqu'à un point situé à une distance d'un kilomètre et à l'ouest de la route de Kenombé (Kenumbé) à Bessi (Bési) mesurée perpendiculairement à cette route.

43. De là elle se dirige parallèlement à la route de Kenombé (Kenumbé) à Bessi (Bési) à

from the wall of Grand Bété, at a distance of 1 kilom. from, measured at right angles to, and to the north-west of, the direct road from Grand Bété to Karunzi (Garoussi).

38. Thence it runs parallel to the road from Grand Bété to Karunzi (Garoussi) on the west of, and at a distance of 1 kilom. from this road, to a point situated 4 kilom. from the wall of the village of Karunzi (Garoussi).

39. Thence in a straight line to a point situated due west of Karunzi (Garoussi), 4 kilom. from the wall of that village.

40. Thence it runs direct to a point situated 4 kilom. from the wall of Karunzi (Garoussi), and 1 kilom. from the road from Karunzi (Garoussi) to Kenumbé (Kenombé), measured at right angles to and on the north-west of this road.

41. Thence it runs parallel to the direct road from Karunzi (Garoussi), to Kenumbé (Kenombé) on the west side of, and at a distance of 1 kilom. from that road to a point situated 4 kilom. from the centre of the village of Kenumbé (Kenombé).

42. Thence it follows on the west side of Kenumbé (Kenombé), the circumference of a circle of 4 kilom. radius, described round the centre of Kenumbé (Kenombé) as centre, to a point situated 1 kilom. from and to the west of the road from Kenumbé (Kenombé) to Bési (Bessi) measured at right angles to this road.

43. Thence it runs parallel to the road from Kenumbé (Kenombé) to Bési (Bessi), on

[Gulf of Guinea to Niger (S. Nigeria and Dahomey).]

l'ouest et à une distance d'un kilomètre de cette route jusqu'à un point situé à 8 kilomètres du centre de Bessi (Bési).

44. De là elle suit à l'ouest de Bessi (Bési) la circonférence d'un cercle de 8 kilomètres de rayon décrit autour du centre de Bessi (Bési) comme centre jusqu'à l'intersection de cette circonférence avec la route de Bessi (Bési) à Sakamandji (Sakamanji).

45. De là elle se dirige en droite ligne jusqu'à un point situé à 12 kilomètres du mur ou enceinte de Dekala sur la route de Dekala à Lou (Lu) et Daganzi.

46. De là en droite ligne jusqu'à un point situé sur la route de Dekala à Gaodgi (Gauzhi) à une distance de 3 kilomètres et demi du centre de Gaodgi (Gauzhi).

47. De là elle suit à l'est de Gaodgi (Gauzhi) la circonférence d'un cercle de 3 kilomètres et demi de rayon décrit autour de centre de Gaodgi (Gauzhi) comme centre jusqu'à un point à 1 kilomètre de la route de Gaodgi (Gauzhi) à Basso distance mesurée perpendiculairement à la route et au sud de celle-ci.

48. De là elle se dirige parallèlement à la route de Gaodgi (Gauzhi) à Basso du sud-est et à une distance d'un kilomètre de cette route, jusqu'à un point situé à 5 kilomètres de Basso.

49. De là elle suit une ligne partant de ce point au sud-ouest de Lousi (Lusi) et tangente à un cercle de 3 kilomètres et demi de rayon décrit autour du centre de la ville de Lousi (Lusi) comme centre. Elle continue le long de cette tangente jusqu'à

the west of and at a distance of 1 kilom. from this road to a point situated 8 kilom. from the centre of Bési (Bessi).

44. Thence it follows on the west side of Bési (Bessi), the circumference of a circle of 8 kilom. radius described round the centre of Bési (Bessi) as centre, to the intersection of this circumference with the road from Bési (Bessi) to Sakamanji (Sakamandji).

45. Thence it runs in a straight line to a point situated 12 kilom. from the wall or enceinte of Dekala on the road from Dekala to Lu (Lou) and Daganzi.

46. Thence in a straight line to a point situated on the road from Dekala to Gauzhi (Gaodgi) at a distance of 3½ kilom. from the centre of Gauzhi (Gaodgi).

47. Thence it follows on the east side of Gauzhi (Gaodgi), the circumference of a circle 3½ kilom. radius, described round the centre of Gauzhi (Gaodgi) as centre, to a point 1 kilom. from the road from Gauzhi (Gaodgi) to Basso, measured at right angles to, and to the south of, this road.

48. Thence it runs parallel to the road from Gauzhi (Gaodgi) to Basso, to the south-east of, and at a distance of 1 kilom. from this road, to a point situated 5 kilom. from Basso.

49. Thence it follows a tangent drawn from this point, on the south-west of Lusi (Lousi), to a circle of 3 kilom. radius, described round the centre of the village of Lusi (Lousi) as centre. It continues along this tangent to its intersection with

son intersection avec une ligne perpendiculaire à la route de Lousi (Lousi) à Babanna cette perpendiculaire partant du point situé à mi-chemin entre Lousi (Lousi) et Babanna.

50. De là elle suit cette perpendiculaire jusqu'au point situé à mi-chemin entre Lousi (Lousi) et Babanna.

51. De là elle se dirige en droite ligne jusqu'à un point situé à 5 kilomètres de Lousi (Lousi) et à 1 kilomètre à l'est de la route de Lousi (Lousi) à Nagandgi (Naganzi).

52. De là elle se dirige parallèlement à la route de Lousi (Lousi) à Nagandgi (Naganzi) à l'est et à une distance d'un kilomètre de cette route, coupe la route de Babanna à Nagandgi (Naganzi) et se dirige parallèlement à cette dernière route et à 1 kilomètre à l'est, jusqu'à un point situé à 4 kilomètres du centre du village de Nagandgi (Naganzi) et à 1 kilomètre à l'est de la route de Babanna à Nagandgi (Naganzi).

53. De là elle suit, à l'ouest de Nagandgi (Naganzi) la circonférence d'un cercle de 4 kilomètres de rayon décrit autour du centre de Nagandgi (Naganzi) comme centre jusqu'au point sud-est de Nagandgi (Naganzi) où ce cercle est touché par la plus longue tangente commune à ce cercle et à un autre cercle de même rayon décrit autour du centre du village de Kouré (Kudé) comme centre.

54. De là elle suit cette tangente jusqu'à ce qu'elle touche à la circonférence du cercle décrit autour de Kouré (Kudé).

a perpendicular to the road from Lousi (Lousi) to Babanna, the perpendicular being drawn from the point half-way between Lousi (Lousi) and Babanna.

50. Thence it follows this perpendicular as far as the point half-way between Lousi (Lousi) and Babanna.

51. Thence it runs in a straight line to a point situated 5 kilom. from Lousi (Lousi), and 1 kilom. to the east of the road from Lousi (Lousi) to Nagandgi (Naganzi).

52. Thence it runs parallel to the road from Lousi (Lousi) to Naganzi (Nagandgi), to the east of, and at a distance of 1 kilom. from this road, cuts the road from Babanna to Nagandgi (Nagandgi), and runs parallel to, and at a distance of 1 kilom. to the east of, this last road, to a point situated 4 kilom. from the centre of the village of Naganzi (Nagandgi), and 1 kilom. to the east of the road from Babanna to Naganzi (Nagandgi).

53. Thence it follows to the east of Naganzi (Nagandgi), the circumference of a circle of 4 kilom. radius, described round the centre of Naganzi (Nagandgi) as centre, as far as the point on the south-east of Naganzi (Nagandgi), at which this circle is touched by the longest common tangent to it, and to another circle of the same radius described round the centre of the village of Kudé (Kouré) as centre.

54. Thence it follows this tangent until it touches the circumference of the circle described round Kudé (Kouré).

[Gulf of Guinea to Niger (S. Nigeria and Dahomey).]

55. De là elle suit ce cercle jusqu'à un point situé à l'est et à 1 kilomètre de la route de Kouré (Kudé) à Kankari (Kankali), la distance étant mesurée perpendiculairement à la route.

56. De là elle suit une ligne parallèle à la route de Kouré (Kudé) à Kankari (Kankali) à 1 kilomètre à l'est de cette route, jusqu'à un point situé à 5 kilomètres du centre de Kankari (Kankali).

57. De là elle suit à l'est de Kankari (Kankali) la circonférence d'un cercle de 5 kilomètres de rayon, décrit autour du centre du village de Kankari (Kankali) comme centre, jusqu'à ce qu'elle rencontre à l'est la plus longue tangente commune à ce dernier cercle et à un autre cercle de 4 kilomètres de rayon décrit avec Gouri-Saré (Gusin-Sura) comme centre.

58. De là elle suit cette tangente commune jusqu'à son intersection avec la plus longue tangente commune à ce dernier cercle et à un autre de 5 kilomètres de rayon décrit avec Dako (Daku) comme centre.

59. De là elle suit cette dernière tangente jusqu'à son intersection avec la circonférence du cercle de 5 kilomètres de rayon décrit autour de Dako (Daku).

60. De là elle suit la circonférence de ce cercle, toujours à l'est de la route de Segbana à Samia, jusqu'à un point situé à 1 kilomètre de la route de Dako (Daku) à Samia et à l'est de cette route.

61. De là elle suit une ligne parallèle à la route de Dako

55. Thence it follows this circle to a point situated to the east of, and 1 kilom. from, the road from Kudé (Kouré) to Kankali (Kankari), the distance being measured at right angles to the road.

56. Thence it follows a line parallel to, on the east side of, and at a distance of 1 kilom. from, the road from Kudé (Kouré) to Kankali (Kankari), to a point situated 5 kilom. from the centre of Kankali (Kankari).

57. Thence it follows on the east side of Kankali (Kankari), the circumference of a circle of 5 kilom. radius, described round the centre of the village of Kankali (Kankari) as centre, until it meets, on the east side, the longest tangent common to the last-mentioned circle, and to another circle of 4 kilom. radius, described round Gousin - Sura (Gouri-Saré) as centre.

58. Thence it follows this common tangent to its intersection with the longest tangent common to this last-mentioned circle, and to another of 5 kilom. radius, described round Daku (Dako) as centre.

59. Thence it follows the last-mentioned tangent as far as its intersection with the circumference of the circle of 5 kilom. radius, described round Daku (Dako).

60. Thence it follows the circumference of this circle, always on the east side of the road from Segbana to Samia, to a point situated 1 kilom. from, and on the east of, the road from Daku (Dako) to Samia.

61. Thence it follows a line parallel to, on the east of, and

(Daku) à Samia à une distance d'un kilomètre à l'est de cette route jusqu'à l'intersection de ladite ligne parallèle avec le thalweg de la rivière Oua (Wan).

62. De là elle suit le thalweg de la rivière Oua (Wan) en amont jusqu'à son intersection avec une ligne passant par les deux points ci-après :—

(1) Un point situé à 3 kilomètres à l'ouest franc de l'intersection de la rivière Oua (Wan) et de la route de Dako (Daku) à Samia.

(2) Un point situé sur la route d'Ilo à Lougou (Lugu) à 37 kilomètres de l'enceinte ou mur d'Ilo, la distance étant mesurée le long de la route.

63. De là elle suit cette ligne jusqu'au point sus-mentionné sur la route d'Ilo à Lougou (Lugu).

64. De là elle se dirige en droite ligne jusqu'à un point à 8 kilomètres au sud et à 23 degrés à l'ouest franc du massif de pierres situé à la jonction des routes de Madikalé (Madedkale) à Tuandi et de Madikalé (Madedkale) à Lolo, lequel massif est à environ 3,000 mètres au sud du fleuve Niger.

65. De là une ligne droite jusqu'au massif mentionné au paragraphe 64 et de là la même ligne droite se prolonge jusqu'à ce qu'elle s'arrête à son intersection avec la ligne médiane du fleuve Niger.

1 kilom. from, the road from Daku (Dako) to Samia, to the intersection of the said parallel line with the thalweg of the River Wan (Oua).

62. Thence it follows the thalweg of the River Wan (Oua) up-stream to its intersection with a line passing through the following two points :—

(1) A point situated 3 kilom. true west of the intersection of the River Wan (Oua) and the road from Daku (Dako) to Samia.

(2) A point situated on the road from Ilo to Lugu (Lougou) 37 kilom. from the enceinte or wall of Ilo, the distance being measured along the road.

63. Thence it follows this line to the above-mentioned point on the road from Ilo to Lugu (Lougou).

64. Thence it runs in a straight line to a point 8 kilom. south, 23° west (true), of the cairn situated at the junction of the roads from Madekale (Madikalé) to Tuandi and Madekale (Madikalé) to Lolo, which cairn is about 3,000 metres from, and south of, the River Niger.

65. Thence in a straight line to the cairn mentioned in paragraph 64, and thence in the same straight line produced until it terminates at its intersection with the median line of the River Niger.

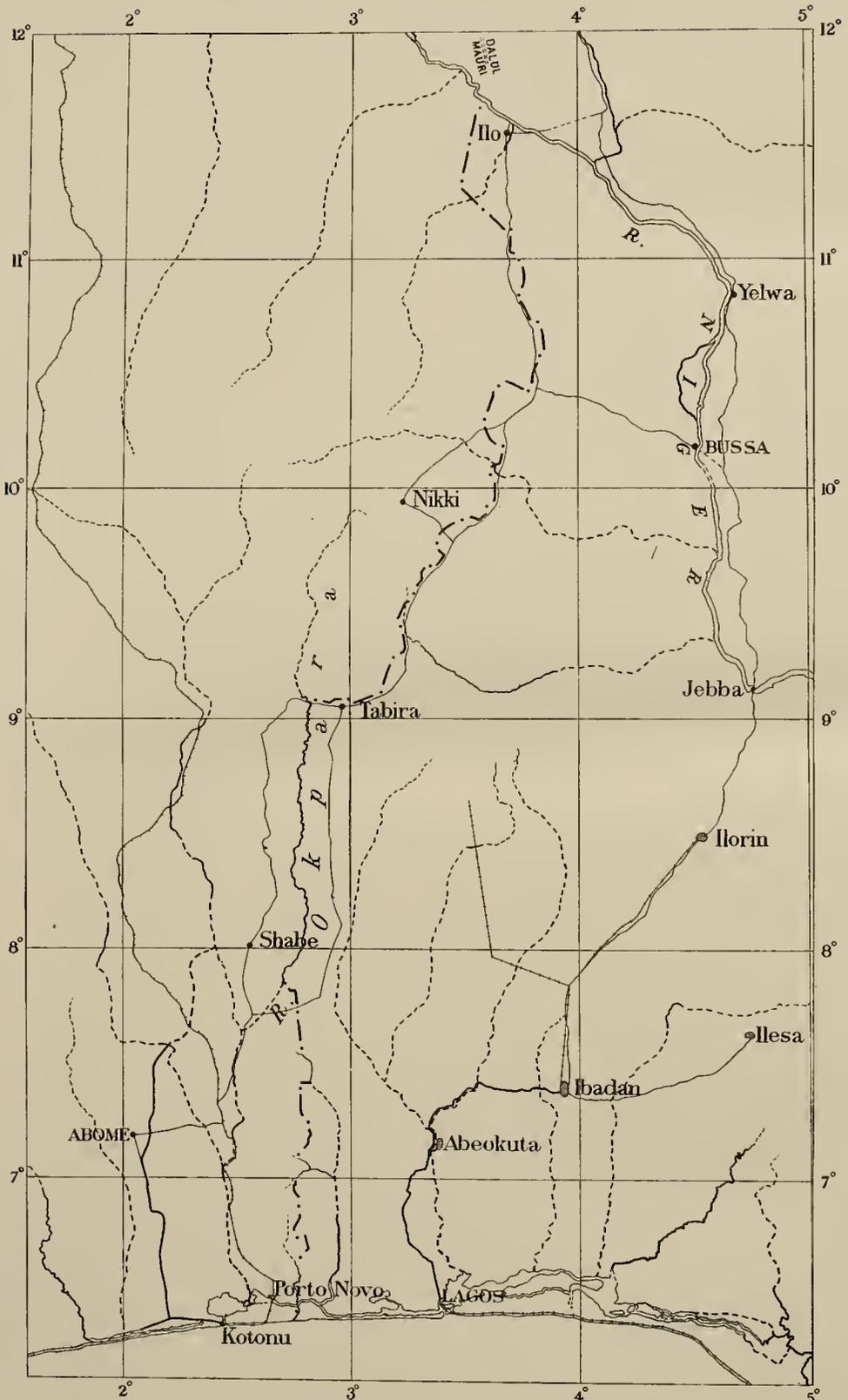
II.

La direction générale de la ligne frontière est indiquée sur les cartes annexées au présent arrangement mais dans le cas

II.

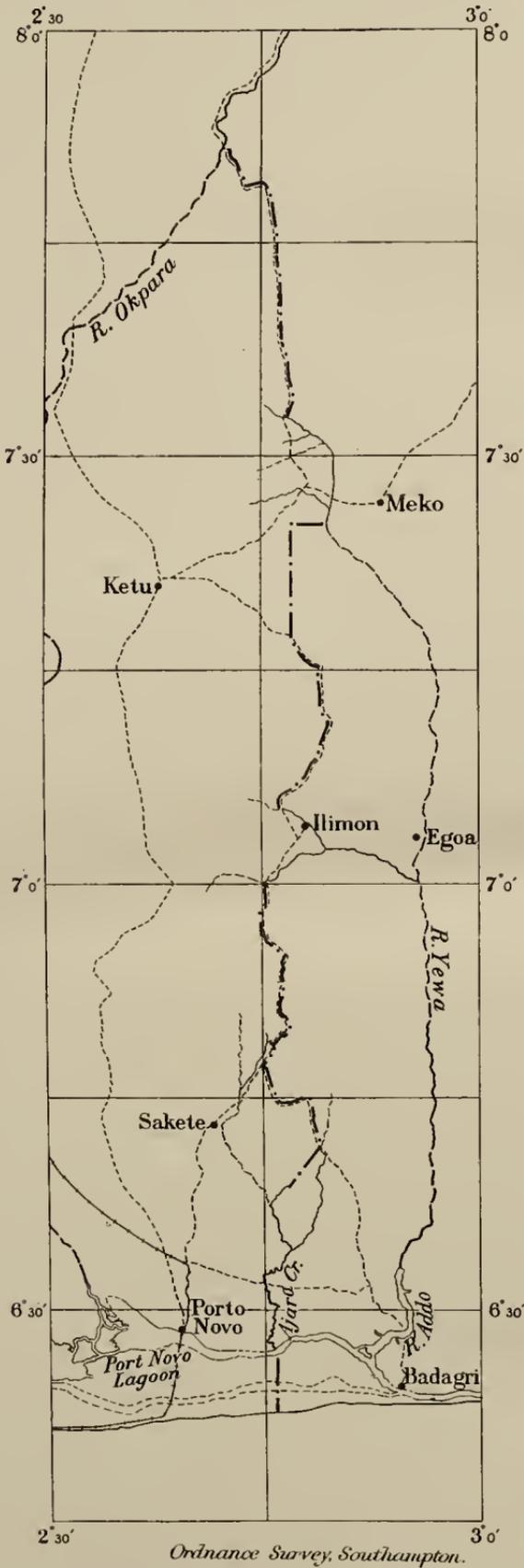
The course of the frontier line is shown generally on the maps annexed to this Agreement, but in the event of any

ANGLO-FRENCH BOUNDARY FROM THE GULF OF GUINEA TO THE NIGER. AGREEMENT OF OCTOBER 19, 1906.



Scale of map (No 24) in Atlas or Pouch 16 miles to 1·014 inches
Ordnance Survey, Southampton.

ANGLO-FRENCH BOUNDARY
FROM THE
GULF OF GUINEA TO THE NIGER.
[SOUTHERN PORTION].
AGREEMENT OF OCTOBER 19, 1906, MAP 2.



Scale of map (No 25) in Atlas or Pouch 4 miles to 1/014 inches

[Gold Coast and Ivory Coast. Dredging Licences, River Tendo.]

où quelque divergence serait découverte entre la ligne telle qu'elle est décrite ci-dessus et telle qu'elle est représentée sur les cartes, c'est la description qui sera considérée comme faisant foi.

divergence being found between the line as described above and as indicated on the maps, the description shall be held to be authoritative.

III.

Les villages situés à proximité de la frontière conserveront le droit d'user des terres arables, des pâturages, des sources et des abreuvoirs dont ils ont usé jusqu'à présent, même dans le cas où ces terres arables, ces pâturages, ces sources et ces abreuvoirs seraient situés sur le territoire d'une des puissances et le village sur le territoire de l'autre puissance.

III.

The villages situated in proximity to the frontier shall retain the right to use the arable and pasture lands, springs and watering-places which they have heretofore used, even in cases in which such arable and pasture lands, springs and watering places are situated within the territory of the one Power, and the village within the territory of the other.

Annex 2.

[Two maps.*]

No. 259.—NOTES exchanged between the British and French Governments respecting Licences to Dredge in the Neutral Waters of the River Tendo (Tanoe). London, ^{16th}/_{25th} June, 1907.

(1.) *The French Ambassador to the Secretary of State for Foreign Affairs.*

*Ambassade de France, Londres.
Le 16 Juin, 1907.*

Monsieur le Secrétaire d'Etat,

JE suis chargé de faire savoir à Votre Excellence que le Gouvernement de la République est d'accord avec le Gouvernement Britannique pour compléter l'Arrangement Franco-Anglais du 10 Août 1889 (No. 226) en décidant que les autorisations de dragages dans la rivière "Tanoe" devront être soumises à l'agrément des deux Gouvernements locaux de la Côte d'Ivoire Française et de la Côte d'Or Anglaise.

Si Votre Excellence veut bien m'accuser réception de la présente communication en me confirmant son adhésion à cette disposition additionnelle à la Convention du 10 Août 1889, cet échange de notes constatera l'entente entre les deux Gouvernements.

Veillez agréer, &c.,

PAUL CAMBON.

* See Diagram Maps facing p. 860, and Maps Nos. 24 and 25 in Atlas (or Pouch).
(1714) 861 3 I 3

¹⁶/₂₅ June, 1907.]

GREAT BRITAIN AND FRANCE.

[No. 259

[Gold Coast and Ivory Coast. Dredging Licences, River Tendo.]

(2.) *The Secretary of State for Foreign Affairs to the French Ambassador.*
Foreign Office, London,
25th June, 1907.

Your Excellency,

I HAVE the honour to acknowledge the receipt of your Note of the 16th instant in which Your Excellency informs me that the French Government assent to an addition being made to the Anglo-French Convention of 10th August, 1889 (No. 226) providing that licences to dredge in the neutral waters of the Tano River should be submitted to the common consent of the Governments of the Ivory Coast and the Gold Coast.

I have the honour to inform Your Excellency that His Majesty's Government accept the addition of this provision and that they agree to consider the present exchange of notes as giving effect to it.

I have, &c.,

E. GREY.

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