

GOVERNMENT NOTIFICATION.—No. 310.

The following Circular Despatch, accompanying a copy of a Treaty of Friendship, Commerce, and Navigation, between Her Majesty and the Republic of Paraguay, is published for general information.

By Command,

Colonial Secretary's Office, Hongkong, 14th August, 1886.

FREDERICK STEWART,
Acting Colonial Secretary.

CIRCULAR (2).

DOWNING STREET,
2nd July, 1886.

SIR,—I have the honour to transmit to you, for publication in the Colony under your Government, a copy of a Treaty of Friendship, Commerce, and Navigation, between Her Majesty and the Republic of Paraguay, signed at Assumption on the 16th of October, 1884, the Ratifications of which were exchanged at Buenos Ayres on the 10th of May last.

I have the honour to be,

Sir,

Your most obedient humble Servant,

GRANVILLE

The Officer Administering the Government of
HONGKONG.

TREATY of Friendship, Commerce, and Navigation between Her
Majesty and the Republic of Paraguay.

Signed at Assumption, October 16, 1884.

[Ratifications exchanged at Buenos Ayres, May 10, 1886.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and his Excellency the President of the Republic of Paraguay, being desirous of maintaining and strengthening the relations of good understanding which at present subsist between them; and of promoting commercial intercourse between the dominions of Her Britannic Majesty and the territories of the Republic, have resolved to conclude a Treaty of Friendship, Commerce, and Navigation, and have named as their Plenipotentiaries that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable Edmund John Monson, Companion of the Most Honourable Order of the Bath, Her Majesty's Minister Plenipotentiary to the Republic of Paraguay;

And His Excellency the President of the Republic of Paraguay, his Excellency Don José Segundo Decoud, Knight Grand Cross of the Order of Isabel the Catholic, his Minister Secretary of State in the Department of Foreign Affairs;

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

ARTICLE I.

There shall be perfect peace and sincere friendship between the United Kingdom of Great Britain and Ireland and the Republic of Paraguay, and between the subjects and citizens of both without exception of persons or of places. The High Contracting Parties shall use their endeavours that this friendship and good understanding may be constantly and perpetually maintained.

ARTICLE II.

The Contracting Parties agree that, in all matters relating to commerce and navigation, privilege, favour, or immunity whatever which either Contracting Party has actually granted or hereafter grant to the subjects or citizens of any other State shall be extended immediately and conditionally to the subjects or citizens of the other Contracting Party; it being their intention that the trade and navigation of each country shall be placed, in all respects, by the other on the footing of the most favoured nation.

ARTICLE III.

The produce and manufactures of, as well as all goods coming from, the dominions and possessions of Her Britannic Majesty, which are imported into Paraguay, and the produce and manufactures well as goods coming from Paraguay, which are imported into the dominions and possessions of Her Britannic Majesty, whether intended for consumption, warehousing, re-exportation, or transit, shall be treated in the same manner as, and, in particular, shall be subjected to no higher or other duties

whether general, municipal, or local, than the produce, manufactures, and goods of any third country the most favoured in this respect. No other or higher duties shall be levied in Paraguay on the exportation of any goods to the dominions and possessions of Her Britannic Majesty, or in the dominions and possessions of Her Britannic Majesty, on the exportation of any goods to Paraguay than may be levied on the exportation of the like goods to any third country the most favoured in this respect.

Neither of the Contracting Parties shall establish a prohibition of importation, exportation, or transit against the other which shall not, under like circumstances, be applicable to any third country the most favoured in this respect.

In like manner, in all that relates to local dues, customs formalities, brokerage, patterns or samples introduced by commercial travellers, and all other matters connected with trade, British subjects in Paraguay, and Paraguayan citizens in the dominions and possessions of Her Britannic Majesty, shall enjoy the most-favoured-nation treatment.

ARTICLE IV.

British ships and their cargoes shall, in Paraguay, and Paraguayan vessels and their cargoes shall, in the dominions and possessions of Her Britannic Majesty, from whatever place arriving and whatever may be the place of origin or destination of their cargoes, be treated in every respect as national ships and their cargoes.

The preceding stipulation applies to local treatment, dues, and charges in the ports, basins, docks, roadsteads, harbours, and rivers of the two countries, pilotage, and generally to all matters connected with navigation.

Every favour or exemption in these respects, or any other privilege in matters of navigation, which either of the Contracting Parties shall grant to a third Power shall be extended immediately and unconditionally to the other Party.

All vessels which according to British law are to be deemed British vessels, and all vessels which according to the law of Paraguay are to be deemed Paraguayan vessels, shall, for the purposes of this Treaty, be respectively deemed British or Paraguayan vessels.

ARTICLE V.

The subjects of citizens of each of the Contracting Parties shall have, in the dominions and possessions of the other, the same rights as natives, or as subjects or citizens of the most favoured nation, in regard to patents for inventions, trade-marks, and designs, upon fulfilment of the formalities prescribed by law.

ARTICLE VI.

The subjects or citizens of each of the Contracting Parties who reside permanently or temporarily in the dominions or possessions of the other shall be at full liberty to exercise civil rights, and therefore to acquire, possess, and dispose of every description of property, movable and immovable. They may acquire and transmit the same to others, whether by purchase, sale, donation, exchange, marriage, testament, succession *ab intestato*, and in any other manner, under the same conditions as natives of the country. Their heirs may succeed to and take possession of it, either in person or by procurators, in the same manner and in the same legal forms as natives of the country.

In none of these respects shall they pay upon the value of such property any other or higher impost, duty, or charge than is payable by natives of the country. In every case the subjects or citizens of the Contracting Parties shall be permitted to export their property, or the proceeds thereof if sold, freely and without being subjected on such exportation to pay any duty different from that to which natives of the country are liable under similar circumstances.

ARTICLE VII.

The dwellings, manufactories, warehouses, and shops of subjects or citizens of each of the Contracting Parties in the dominions and possessions of the other, and all premises appertaining thereto destined for purposes of residence or commerce, shall be respected.

It shall not be allowable to proceed to make a search of, or a domiciliary visit to, such dwellings and premises, or to examine or inspect books, papers, or accounts, except under the conditions and in the forms prescribed by the laws for natives of the country.

The subjects or citizens of each of the two Contracting Parties in the dominions and possessions of the other shall have free access to the Courts of Justice for the prosecution and defence of their rights, without other conditions, restrictions, or taxes beyond those imposed on native subjects or citizens, and shall, like them, be at liberty to employ, in all causes, their advocates, attorneys, or agents, and the persons admitted to the exercise of those professions according to the laws of the

ARTICLE VIII.

The subjects or citizens of each of the Contracting Parties in the dominions and possessions of the other shall be exempted from billeting and from all compulsory military service whatever, whether in the army, navy, or national guard or militia. They shall likewise be exempted from all contributions, whether pecuniary or in kind, imposed as a compensation for billeting and for personal service, and finally from forced loans and military exactions or requisitions of any kind.

ARTICLE IX.

The subjects or citizens of either of the two Contracting Parties residing in the dominions and possessions of the other shall enjoy, in regard to their houses, persons, and properties, the protection of the Government in as full and ample a manner as native subjects or citizens.

In like manner the subjects or citizens of each Contracting Party shall enjoy in the dominions and possessions of the other full liberty of conscience, and shall not be molested on account of their religious belief; and such of those subjects or citizens as may die in the territories of the other Party shall be buried in the public cemeteries, or in places appointed for the purpose, with suitable decorum and respect.

The subjects of Her Britannic Majesty residing within the territories of the Republic of Paraguay shall be at liberty to exercise in private and in their own dwellings, or within the dwellings or offices of Her Britannic Majesty's Consuls or Vice-Consuls, or in any public edifice set apart for the purpose, their religious rites, services, and worship, and to assemble therein for that purpose without hindrance or molestation.

ARTICLE X.

Each of the Contracting Parties may appoint Consuls-General, Consuls, Vice-Consuls, Pro-Consuls, and Consular Agents to reside respectively in towns or ports in the dominions and possessions of the other Power. Such Consular officers, however, shall not enter upon their functions until after they shall have been approved and admitted in the usual form by the Government to which they are sent. They shall exercise whatever functions, and enjoy whatever privileges, exemptions, and immunities are, or may hereafter be, granted there to Consular officers of the most favoured nation.

ARTICLE XI.

In the event of any subject or citizen of either of the two Contracting Parties dying without will or testament in the dominions and possessions of the other Contracting Party, the Consul-General, Consul, or Vice-Consul of the nation to which the deceased may belong, or, in his absence, the representative of such Consular officer, shall, so far as the laws of each country will permit, take charge of the property which the deceased may have left, for the benefit of his lawful heirs and creditors, until an executor or administrator be named by the said Consul-General, Consul, or Vice-Consul, or his representative.

ARTICLE XII.

The Consuls-General, Consuls, Vice-Consuls, and Consular Agents of each of the Contracting Parties residing in the dominions and possessions of the other shall receive from the local authorities such assistance as can by law be given to them for the recovery of deserters from the vessels of their respective countries.

ARTICLE XIII.

Any ship of war or merchant-vessel of either of the Contracting Parties which may be compelled, by stress of weather or by accident, to take shelter in a port of the other, shall be at liberty to refit therein, to procure all necessary stores, and to continue their voyage, without paying any dues other than such as would be payable in a similar case by a national vessel. In case, however, the master of a merchant-vessel should be under the necessity of disposing of a part of his merchandize in order to defray his expenses, he shall be bound to conform to the regulations and tariffs of the place to which he may have come.

If any ship of war or merchant-vessel of one of the Contracting Parties should run aground or be wrecked within the territory of the other, such ship or vessel, and all parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize saved therefrom, including any which may have been cast out of the ship, or the proceeds thereof if sold, as well as all papers found on board such stranded or wrecked ship or vessel, shall be given up to the owners or their agents when claimed by them. If there are no such owners or agents on the spot, then the same shall be delivered to the British or Paraguayan Consul-General, Consul, Vice-Consul, or Consular Agent in whose district the wreck or stranding may have taken place, upon being claimed by him within the period fixed by the laws of the country; and such Consuls, owners, or agents shall pay only the expenses incurred in the preservation of the property, together with the salvage or other expenses which would have been payable in the like case of a wreck of a national vessel.

The goods and merchandize saved from the wreck shall be exempt from all duties of Customs, unless cleared for consumption, in which case they shall pay the same rate of duty as if they had been imported in a national vessel.

In the case either of a vessel being driven in by stress of weather, run aground, or wrecked, the respective Consuls-General, Consuls, Vice-Consuls, and Consular Agents shall, if the owner or master or other agent of the owner is not present, or is present and requires it, be authorized to interpose in order to afford the necessary assistance to their fellow-countrymen.

ARTICLE XIV.

For the better security of commerce between the subjects of Her Britannic Majesty and the citizens of the Republic of Paraguay, it is agreed that if at any time any interruption of friendly intercourse, or any rupture, should unfortunately take place between the two Contracting Parties, the subjects or citizens of either of the said Contracting Parties who may be established in the dominions or territories of the other, in the exercise of any trade or special employment, shall have the privilege of remaining and continuing such trade or employment therein, without any manner of interruption, in full enjoyment of their liberty and property, so long as they behave peacefully and commit no offence against the laws; and their goods, property, and effects, of whatever description they may be, whether in their own custody or intrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like goods, property, and effects belonging to native subjects or citizens. Should they, however, prefer to leave the country, they shall be allowed to make arrangements for the safe keeping of their goods, property, and effects, or to dispose of them, and to liquidate their accounts; and a safe-conduct shall be given them to embark at the ports which they shall themselves select.

ARTICLE XV.

The stipulations of the present Treaty shall be applicable to all the Colonies and foreign possessions of Her Britannic Majesty, so far as the laws permit, excepting to those hereinafter named, that is to say, except to—

The Dominion of Canada.
Newfoundland.
New South Wales.
Victoria.
South Australia.
Western Australia.
Tasmania.
Queensland.
New Zealand.
The Cape.
Natal.

Provided always that the stipulations of the present Treaty shall be made applicable to any of the above-named Colonies or foreign possessions on whose behalf notice to that effect shall have been given by Her Britannic Majesty's Representative in Paraguay to the Paraguayan Minister for Foreign Affairs within two years from the date of the exchange of the ratifications of the present Treaty.

ARTICLE XVI.

The present Treaty shall continue in force during ten years, counted from the day of the exchange of the ratifications; and in case neither of the two Contracting Parties shall have given notice twelve months before the expiration of the said period of ten years of their intention of terminating the present Treaty, it shall remain in force until the expiration of one year from the day on which either of the Contracting Parties shall have given such notice.

ARTICLE XVII.

The present Treaty shall be ratified by Her Majesty the Queen of Great Britain and Ireland and by his Excellency the President of the Republic of Paraguay, and the ratifications shall be exchanged at Assumption or at Buenos Ayres as soon as possible.

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

Done at Assumption on the sixteenth day of October, in the year of Our Lord one thousand eight hundred and eighty-four.

(L.S.) EDMUND MONSON.

(L.S.) JOSÉ S. DECOUD.

Protocol.

IN proceeding to the signature this day of the Treaty of Friendship, Commerce, and Navigation between Her Britannic Majesty and the Republic of Paraguay, the undersigned Plenipotentiaries of the High Contracting Parties declare that the stipulations of Article III of the said Treaty shall not be understood to confer upon the subjects of Her Britannic Majesty the exceptional privileges of free trade reserved by Article XIII of the Treaty of the 7th June, 1883, between the Republic of Paraguay and the Emperor of Brazil in favour of the Province of Matto-Grosso. The undersigned Plenipotentiaries further declare that the stipulations of Articles II and IV of the Treaty now concluded shall be understood to open the free navigation of the Rivers Paraguay and Paraná, including the coasting-trade, to British vessels, but that the said stipulations shall not be understood to confer upon

the owners of steam-ships plying between British and Paraguayan ports the right to claim any such especial privileges or subventions as either one of the High Contracting Parties shall, in the exercise of their judgment, consider it expedient to grant to other lines for specified ends and purposes.

Done in duplicate, at Assumption, this sixteenth day of October, in the year of Our Lord one thousand eight hundred and eighty-four.

(L.S.) EDMUND MONSON.

(L.S.) JOSÉ S. DECOUD.

Protocol.

THE Undersigned Plenipotentiaries respectively of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and of the Republic of Paraguay, having met together for the purpose of exchanging the ratifications of the Treaty of Friendship, Commerce, and Navigation between the above-named Powers, signed at Assumption on the 16th day of October, 1884, and being duly empowered by their respective Governments to make the following Declaration, hereby agree that it shall be understood that Her Majesty's Indian Empire shall not be included in the operation of the Treaty, and that all the provisions and stipulations of the Treaty shall be inapplicable to Her Majesty's Indian Empire, in the same manner and to the same extent as if the said Empire had been included in the specific list of those Colonies and foreign possessions of Her Majesty contained in Article XV of the Treaty. And it is hereby agreed by the Undersigned that the understanding recorded in the present instrument shall have the same force, and shall be as binding upon the High Contracting Parties, as if it had been originally included in the Treaty.

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

Done at Buenos Ayres, on the tenth day of May, in the year of Our Lord one thousand eight hundred and eighty-six.

(L.S.) F. J. PAKENHAM.

(L.S.) CARLOS SAGUIER.

GOVERNMENT NOTIFICATION.—No. 311.

The following Returns of the Average Amount of BANK NOTES in Circulation and of Specie in Reserve in Hongkong, during the Month ended 31st July, 1886, as certified by the Managers of the respective Banks, are published for general information.

By Command,*

FREDERICK STEWART,
Acting Colonial Secretary.

Colonial Secretary's Office, Hongkong, 14th August, 1886.

BANKS.	AVERAGE AMOUNT.	SPECIE IN RESERVE.
	\$	\$
Chartered Mercantile Bank of India, London and China,.....	534,599	180,000
Chartered Bank of India, Australia and China,	1,232,977	600,000
Hongkong and Shanghai Banking Corporation,	2,735,226	1,400,000
TOTAL,.....\$	4,502,802	2,180,000

GOVERNMENT NOTIFICATION.—No. 312.

Tenders will be received at this Office until Noon of Tuesday, the 24th instant:—

For paving the foot-path in Queen's Road near the Hongkong and Shanghai Bank.

For sinking two public drinking wells at Hungghòm.

For form of tender apply at this Office.

For specifications and further particulars apply at the Surveyor General's Office.

The Government does not bind itself to accept the lowest or any tender.

By Command,

FREDERICK STEWART,
Acting Colonial Secretary.

Colonial Secretary's Office, Hongkong, 14th August, 1886.