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CONVENTION between the Governments of GREAT BRITAIN and of TUNIS, relative to the holding of real property by British Subjects in Tunis.

Signed in the English and Arabic Languages, at Tunis, October 10, 1863.

In the Name of God All-Powerful.

CONVENTION concluded between the Government of Her Majesty, the Descendant of Glorious Sovereigns, the Crown of the Illustrious Great, who holds at Her command the sword and the pen, the Great and August Princess, the fame of whose virtues are spread over the Universe, Our Friend the Lady Queen of Great Britain and Ireland, the Government of His Most Serene Highness Mohamed Essadok Bey, Lord of the Regency of Tunis, relative to the permission granted to British Subjects to hold real property in the Regency of Tunis.

Whereas by Article XI of the organic laws of the Regency of Tunis, foreigners have acquired the right to possess immoveable property so soon as their respective governments shall enter into an arrangement with the Government of Tunis, establishing the conditions which shall entitle them to exercise the right conceded to them; and whereas it is expedient to prevent in future the abuses, contentions, and confusion that have arisen in consequence of the means to which foreigners have had recourse in order to evade the regulations and customs which prohibited them from holding immoveable property in their own names, the following stipulations have been entered into and concluded between His Most Serene Highness Mohamed Essadok Bey, Lord of the Regency of Tunis, and Richard Wood, Esq., Her Britannic Majesty's Agent and Consul-General at Tunis, duly authorised to that effect:—

ARTICLE I.

It being henceforward lawful for British Subjects to purchase and possess immoveable property, of every description, in the Regency of Tunis, the Ecclesiastical and other Legal Courts and authorities shall be empowered, upon the application of the purchaser, to proceed to the verification of the title-deeds, and to transfer the same in his name, according to the usages of the country, in order to give them the validity required by law.

ARTICLE II.

British Subjects possessing immoveable property shall pay the same municipal and fiscal taxes which are paid by natives, and shall discharge in general the obligations which are by law attached to, and are discharged by the like property held by natives.

ARTICLE III.

Every proprietor of houses, magazines, or other tenements, shall conform to the municipal regulations now existing, or which shall hereafter exist.

ARTICLE IV.

All cases of litigation respecting immoveable property, and relating to the ownership or occupation of houses or lands, between a British and Tunisian Subject, shall be referred for adjudication to the competent legal tribunals, whose summons for the appearance of the British Subject shall be transmitted through the British Consul-General, or, in his absence, through his deputy, in order that he or his deputy may be present at the trial. And the condemned party shall have the right to appeal to the Courts constituted for that purpose, until the appeal shall have reached the Meglis Elakbar (Legislative Assembly), and whatever decision might be given by the last tribunal, the authority of the condemned party shall carry it out. But in cases where the dispute is between British Subjects, it shall be optional for them, or either of them, to have their difference heard and determined by their Consul-General, or his deputy, whose decision however shall be governed by the laws and usages of the country, so far as they can be ascertained, and so far as the conditions expressed in the contract will permit.

ARTICLE V.

British Subjects holding immoveable property shall be free to sell, dispose of, and convey their property to natives; but they shall not sell, transfer, or convey their property to foreigners, except to subjects of such friendly Governments as have, by convention or other agreement with His Highness the Bey, acquired for their subjects the right to purchase and hold immoveable property in the Regency of Tunis, and in order to guard against any infraction of the present Article, as well as to avoid any dispute

