

FINAL PROTOCOL.

Sitting of the 22d November 1865.

PRESENT.

For Austria . M. LE CHEVALIER DE KREMER.
 „ France . M. ENGELHARDT.
 „ Great Britain MR STOKES.
 „ Italy . M. LE CHEVALIER STRAMBIO.
 „ Prussia . M. SAINT-PIERRE.
 „ Russia . M. LE BARON D'OFFENBERG.
 „ Turkey . AHMET RASSIM PACHA.

The undersigned Commissioners have collated upon the documents initialed at the sitting of the 26th October last:—

1st. The Public Act or principal instrument of the Convention relative to the navigation of the mouths of the Danube.

2d. The regulation of Navigation and Police (*Annexe A*).

And 3d. The tariff of Navigation Dues (*Annexe B*).

These different Acts have been found to be in good and due form.

With respect to the 9th Article of the Public Act, the Delegates of Austria, France, Great Britain, Italy, Prussia, and Russia, have collectively declared, in virtue of special instructions, that while they recognise in the agents charged with the riverain police of the Lower Danube, those powers which are conferred upon them by the regulation of Navigation and Police, annexed to the said Public Act, they consider them, nevertheless, as acting under the direction of the European Commission, and as invested with an international character.

It has been decided that the insertion of this declaration should not imply any consecration in perpetuity of this principle on the part of the Sublime Porte, nor prejudice in the slightest degree the right of the Riverain States, or affect the principles established by the Congress of Paris.

It has been moreover observed, with respect to Article 17 of the said Act, that, previously to the framing of the first project, which was the object of the Governments interested, the European Commission had erected and maintained a lighthouse at the St George's Mouth at its own expense; that, in consequence, the clause of the Article referred to, which provides that a portion, representing the lighthouse dues out of the total of the taxes levied at Soulina, shall belong to the *Administration générale des Phares de l'Empire Ottomane*, should be subject to this reservation, that the payments to be made to the said Administration shall not include any sums other than those actually deducted in its favour; and that the European Commission shall continue, as formerly, to retain the amount of the special tax imposed on vessels for the maintenance and lighting of St George's Light.

At the moment of proceeding to the signature of the Public Act, the Delegate of Turkey, in his capacity of President of the European Commission, observed that this Act, having for its object interests essentially commercial, should have the effect of facilitating the reciprocal relations of the different States, without prejudicing in any way, from a political point of view, the attitude of the respective Governments towards each other.

The Commissioners then affixed their signatures and the seal of their arms to the Public Act relative to the navigation of the Danube, with its two *Annexes*.

After which they proceeded to sign the arrangement with respect to the repayment of the advances made to the Commission by the Sublime Porte for the improvement of the navigation at

the Danube Mouths, the project of which is annexed to the Protocol No. CXL (No. III). This Act was signed in two originals, one of which is attached to the present Protocol.

It was thereupon observed that the arrangement in question includes only the advances and payments made by the Sublime Porte previously to the 2d of December 1861, and that since that date the Imperial Ottoman Government has paid to the European Commission, on the 31st December 1863, a sum of eleven thousand eight hundred and twenty-seven ducats, which sum should be repaid by the Commission over and above the annuities stipulated for the liquidation of the principal debt to the Sublime Porte.

The present Protocol, drawn up in eight originals, one of which will remain in the Archives of the Commission, has been read, approved, and signed by the Commission.

Done at Galatz, on the 2d of November one thousand eight hundred and sixty-five.

(Signed) A. DE KREMER.
 ED. ENGELHARDT.
 J. STOKES.
 STRAMBIO.
 SAINT-PIERRE.
 OFFENBERG.
 AHMET RASSIM.

PUBLIC ACT relative to the Navigation of the Mouths of the Danube.

A European Commission having been appointed by Article 16 of the Treaty of Paris of the 30th March 1856, for the purpose of putting that portion of the Danube below Isaktcha, its mouths, and the parts adjacent to the sea, in the best conditions for navigation;

And the said Commission, acting in virtue of this order, having succeeded, after nine years activity, in effecting important improvements in the system of navigation, more especially by the construction of two dams at the mouth of the Soulina arm, which have had the effect of opening this mouth to vessels of considerable draught; by the execution of works of improvement and cleansing the same arm, by the removal of the wrecked vessels, and by the establishment of a system of buoys; by the construction of a lighthouse at the St George's Mouth; by the institution of a regular salvage service, and the creation of a marine hospital at Soulina; and, finally, by the provisional regulation of the different services of navigation on the riverain section lying between Isaktcha and the sea;

The Powers who signed the said Treaty concluded at Paris on the 30th March 1856, desiring to record that the European Commission, in thus completing a portion of its task, has acted in conformity with their intentions, and wishing also to establish by a Public Act the duties and obligations which the new arrangements have given rise to for those interested, and especially for all the shipping navigating the river, have named as their Plenipotentiaries, that is to say:—

His Majesty the Emperor of Austria, King of Hungary and Bohemia, M. Alfred Chevalier de Kremer, His Consul for the shores of the Lower Danube, decorated with the Imperial Order of the Medjidie of the Fourth Class;

His Majesty the Emperor of the French, M. Edouard Engelhardt, His Consul of the First Class, Knight of the Imperial Order of the Legion of Honour;

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Major John Stokes,