

## COURT OF EXCHEQUER.

5th Victoria.—June 26, 1841.

This Court will, on Saturday the 10th day of July next, hold Sittings, and proceed in disposing of the business pending in the Special Paper, and in the New Trial Paper.

By the Court.

Read in open Court, June 26, 1841,  
Stepn. Richards, Master.

Office of the "Mixed British and Portuguese Commission," 94, Mount-Street, Grosvenor-Square, June 26, 1841.

NOTICE is hereby given, that the following Rules for the adjudication of the claims of British subjects, who served in the Army or Navy of Her Most Faithful Majesty during the War of Liberation, having been approved by Her Majesty's Principal Secretary of State for Foreign Affairs, and Her Most Faithful Majesty's Envoy Extraordinary and Minister Plenipotentiary at this Court, they will be strictly adhered to by the Commission, and are published accordingly for the information and guidance of all claimants, their agents, or representatives.

(Signed) T. H. Barrow, A. Valdez, Joint Secretaries to the Commission.

*General Rules for the Reception, Classification, and Adjudication of Claims by the Commissioners forming the "Mixed British and Portuguese Commission," approved by Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, and Her Most Faithful Majesty's Minister Plenipotentiary at the Court of St. James's.*

## PREAMBLE.

The Mixed British and Portuguese Commission appointed by the British and Portuguese Governments, to examine and to decide upon the claims of British subjects who served in the Portuguese Army and Navy, during the late war for the liberation of Portugal, will commence the reception and registry of claims from the 10th day of July 1841.

The following rules will govern the proceedings of the Commission, and are published for the guidance of the claimants.

## ARTICLE I.—Contract for Navy.

All officers, non-commissioned officers, sailors and marines who served in Her Most Faithful Majesty's Navy, will base their claims upon the "Sartorius" contract.

## ARTICLE II.—Contracts for Army prior to January 8, 1834.

All officers, non-commissioned officers, and soldiers who served in the army, but left it, either voluntarily or compulsorily, before the 8th day of January 1834, will base their claims upon the "Sartorius" Contract, or "Cotter's" Contract.

## ARTICLE III.—Contract for those who rejected the "Saavedra" Conditions.

All officers, non-commissioned officers, and privates, who left the service because they would not submit to the "proposals" or new terms (called the "Saavedra" Contract), or who opposed its introduction, and did not in effect serve under it, although detained in the country, will claim under the provisions of the "Sartorius" Contract.

## ARTICLE IV.—Conditions for those remaining in the Service after January 1834.

All officers, non-commissioned officers, and privates, who served in the army from or after the 8th of January 1834, and are not included in Articles I and V, are allowed, individually, the option of choosing on which of the two Contracts, ("Sartorius" or "Cotter" or "Saavedra's"), they will found their claims.

## ARTICLE V.—Exception to Articles I. II. III IV.

Are excepted from Articles I., II., III., and IV., all those individuals who may have had an especial and formal contract, or who may, voluntarily and of their own accord, have proposed to serve under other and special conditions; provided such propositions shall have been accepted by the Portuguese Government, and any conditions thereto annexed by the party proposing them have been duly fulfilled.

## ARTICLE VI.—Object of Claim and Period of Claiming.

The Commission will recognize a claim for whatever rates of pay officers, non-commissioned officers, and privates may have been entitled to, for the respective periods they may have remained in the service, as late as November 1835.

## ARTICLE VII.—Provision for Claimants detained before Settlement.

The Commission will recognize a claim on the part of officers, non-commissioned officers, and privates for pay, but not for allowances, for any intervening period between the date of their leaving the service, and that of the Portuguese Government tendering a settlement. The Commission, however, will consider the Portuguese Government as having tendered a settlement in every case in which that Government shall have tendered to the claimant, at or near to, or at some time subsequent to, the close of his service, a large sum on account, in one instalment, and either in money or by "Titulo."