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WHEREAS there was concluded between Her Majesty and the President of the Chilean Republic, on the 4th January, 1883, a Convention for the settlement, by means of a Mixed International Commission, of the claims of British subjects arising out of the acts and operations effected by the forces of the Chilean Republic in the territories and coasts of Peru and Bolivia during the then existing war:

The Articles of the Convention are as follows:—

ARTICLE I.

A Tribunal of Arbitration, or Mixed International Commission, shall judge, in the form and in accordance with the terms established in this Convention, all the claims which, by reason of the acts and operations effected by the land and maritime forces of Chile in the territories and coasts of Peru and Bolivia during the present war, have been put forward up to the present time, or may hereafter be put forward, by British subjects, and supported by the Legation in Chile, within the term hereinafter defined.

ARTICLE II.

The Commission shall be composed of three members, one named by the Government of Her Britannic Majesty, the other by the President of the Republic of Chile, and a third by His Majesty the Emperor of Brazil, either directly or through the Diplomatic Agent accredited in Chile.

In case of death, absence, or incapacity from any other cause of one or more of the Members of the Commission, the vacancy shall be filled in the respective manner, form, and conditions expressed in the preceding paragraph.

ARTICLE III.

The Mixed Commission shall examine and judge the claims which British subjects have already or may hereafter put forward, through their Diplomatic Representative, as arising out of the acts and operations effected by the armies and naval forces of the Republic from the fourteenth of February, one thousand eight hundred and seventy-nine, the date on which hostilities commenced, until the day on which Treaties of Peace or Covenants of Truce may be concluded between the belligerent nations, or until such time as hostilities cease between the three nations at war.

ARTICLE IV.

The Mixed Commission shall admit the proofs and means of investigation which, in the opinion and firm belief of its members, may determine

the validity of disputed facts, and especially those relating to the condition and neutral character of the claimant.

The Commission shall also admit the verbal or written statements of both Governments, or that of that of their respective Agents or counsel.

ARTICLE V.

Each Government may appoint an Agent to act on its behalf, present petitions, documents, interrogatories, bring forward or demand evidence, support charges or refute contrary statements, produce proofs, and adduce before the Commission, personally or through an advocate, verbally or in writing, in accordance with the rules of procedure which the Commission shall lay down on commencing its functions, the doctrines, legal principles, or antecedents which he may deem convenient for the furtherance of his cause.

ARTICLE VI.

The Mixed Commission shall decide the claims on the merits of the proof rendered, and in accordance with the principles of international law and the practices and jurisprudence established by analogous modern tribunals of highest authority and prestige, delivering its interlocutory or definitive resolutions by majority of votes.

The Mixed Commission shall set forth briefly, in each final sentence, the facts and grounds of the claim, the evidence produced for or against the same, and the principles of international right on which the sentences are based.

The resolutions and judgments of the Commission shall be recorded in writing, signed by all the members, and attested by its Secretary; and these original documents shall be deposited, with their respective covering despatch, at the Ministry for Foreign Affairs in Chile, copies being given to the interested parties applying for the same. The Commission shall keep a book or register, in which its proceedings, the petitions of the claimants, and the decrees and decisions which it may issue are to be noted.

The Mixed Commission shall hold its sessions in Santiago.

ARTICLE VII.

The Commission shall have the power to employ secretaries, reporters, or other officers which it may deem necessary for the proper fulfilment of its duties.

The Commission is empowered to name the persons who are respectively to fill those posts, and to determine their salaries or remuneration.