

ART. XI.

Sailing vessels of more than 60 tons register which shall have ascended the river above the Sulina port, shall pay, on leaving the river for the compulsory pilotage of the down voyage, a fixed due regulated as follows:

For the voyage from Galatz, or any other port higher up, to Sulina, 120 francs.

For the voyage from Reni or Ismail to Sulina, 100 francs, and for the voyage from Toultscha to Sulina 72 francs—these dues shall be reduced by one-half for steamers.

The steamers mentioned in Art. 2 preceding, shall be free of this tax, provided that their pilots have been licensed as pilots of the 2nd class.

As regards pilotage for ascending the river, which is purely optional, the amount to be paid to the pilot is to be a matter of arrangement between him and the captain of the vessel, from whom he is to receive the amount himself.

ART. XII.

The due shall be paid over to the cashier of the Navigation Cash Office at Sulina, who will give a receipt for the same.

A table showing the conversion into francs of the monies in use on the Lower Danube shall be always posted up in the cash office. This table shall be revised periodically.

ART. XIII.

By the term "ton register" shall be understood the English registered ton.

The tonnage of vessels shall be ascertained from the ship's papers.

The reduction of the tons of different nations into English measurement, shall be made in accordance with the table annexed to the present tariff.

ART. XIV.

Vessels entering the Danube without papers showing their tonnage, shall be submitted, with the sole view of fixing the navigation dues which they will be bound to pay in accordance with the present tariff, to an approximate assessment made under the direction of the Captain of the port, and with the assistance of the proper consular authorities, by two skilled persons.

The Cashier of the navigation chest shall have the option of assisting at the operation, either personally or by a delegate.

A like proceeding shall take place if the ship's papers are notoriously incorrect, or if there is a dispute concerning the proportion of a vessel's lading, in the cases provided by the above Arts. I and IV.

The assessment of tonnage in default of ship's papers shall be made at the expense of the vessel that gives rise to it. The same rule shall hold good if an assessment proves an excess of more than 50 tons above the capacity indicated by the ship's papers; or if it is proved contrary to the declaration of the captain or owner that the vessel has more than the third part of her full cargo. If the contrary be the case, the said expenses shall be charged to the navigation chest.

In any case these assessments shall be final, and can give rise to no appeal whatever.

ART. XV.

The depths, according to which the dues fixed by the present tariff shall be determined, shall be taken on the bar of Sulina, in English feet.

The soundings shall be taken under the direction and responsibility of the engineer charged with the works of improvement at the river's mouth.

The result of these soundings shall be posted up at the Navigation Cash Office, and at the office of the Captain of the port.

If the state of the sea does not allow soundings to be taken, the amount of the dues to be levied shall be based on the last depth ascertained.

ART. XVI.

Every vessel, float of timber, or raft, which shall attempt by any means whatever to evade payment (either wholly or partially) of the dues fixed by the present tariff, shall be liable besides the dues which it will have to pay in accordance with the preceding provisions, to a fine equal to four times the amount of the dues.

If the tonnage indicated on the ship's papers appears to be fraudulent, a verification of the capacity of the vessel can be made, as prescribed by the above Article XIV.

The infliction of the fine will be pronounced by the Captain of the Port of Sulina.

Appeals against these judgments must be brought before the European Commission of the Danube, or before the International Authority, that will take its place.

The delay within which such appeals must be made, and the form of proceeding shall be determined hereafter by special provisions.

The judgments pronounced by the Captain of the Port shall take effect, notwithstanding an appeal; in which case the amount of fine shall be paid as a deposit into the navigation chest.

The amount of fines adjudged to be legal, shall accrue to the said chest, to be devoted to the maintenance of the Seaman's Hospital.

ART. XVII.

The Commanders of vessels of war stationed at the mouth of the Danube, agreeably to Article XIX of the Treaty of Paris, will be called upon to insist upon the payment of the dues fixed by the present tariff, and of the fines accruing under its stipulations, by vessels of their nation, and of those whose flag they shall be authorized to protect, either in virtue of treaties or usages, or of a general or special delegation.

The assistance of the vessels of war shall be demanded, as a rule, through the intervention of the Captain of the Port of Sulina, on the requisition of the Cashier of the navigation chest.

In default of a vessel of war authorized to exercise a coercive action over an offending vessel, the Captain of the Port shall have recourse to the intervention of the Turkish ships of war stationed at Sulina.

ART. XVIII.

The provisional tariff of 25th July, 1860, is hereby abrogated, and the present tariff, which may be revised if necessary, shall come into force as soon as publication of the same has been made at the ports of Braila, Galatz, Reni, Toultscha, Ismail, and Sulina.

Given at Galatz, the 7th day of March, 1863.