

If the proved value is five per cent. or more above the value declared, the French Customs Authorities shall be entitled, at their choice, either to exercise the right of pre-emption or to levy the duty on the value determined by the experts.

This duty shall be increased by fifty per cent., as a fine, if the valuation of the experts is ten per cent. or more above the declared value.

If the value, as determined by the experts, exceeds the declared value by five per cent. or more, the costs of the valuation by the experts shall be defrayed by the declarant. In all other cases they shall be defrayed by the French Customs Authorities.

In case of any dispute arising between the importer and the French Customs Authorities as to the class or denomination under which any goods may be chargeable with duty, such dispute shall be referred to and be decided by experts, if the importer is dissatisfied with the decision of the Customs.

In all cases of dispute the declarant shall have the option, if he thinks fit, to remove the valuation by experts from an outpost to Paris. The desire for such removal must be signified before the inquiry by experts at the outpost begins.

ARTICLE X.

In the cases contemplated by Articles VIII and IX, two experts shall be named, one by the declarant or his agent, the other by the local Chief of the Customs Service at the place where the inquiry is to take place. If there be difference of opinion between them, or if at the time of appointing the experts the declarant shall require it, the experts shall choose an Umpire. In default of agreement, such Umpire shall be appointed by the President of the Tribunal of Commerce at the port of importation, or, in his default, by the President of the Tribunal of Commerce at the nearest place. The declarant, as well as the Customs Authorities, may demand that, instead of being made in the above-mentioned manner, the inquiry shall be carried out at Paris by the Board of Legal Expertise appointed to be held at the Ministry of Agriculture and Commerce by Article 19 of the Law of the 27th July, 1822.

Such option must be declared within twenty-four hours of the notification of pre-emption or of the demand for an inquiry by experts.

The experts which the above-mentioned Board shall associate with themselves to report on the matters submitted to them, must be chosen from the list annually prepared by the President of the Chamber of Commerce of Paris.

The decision of the experts shall be given within eight days if the inquiry takes place at the place of arrival, and, if the settlement is referred to the Board of Legal Expertise at Paris, it shall be given within fifteen days.

ARTICLE XI.

In order to establish the fact that goods are the produce or manufacture of the United Kingdom or British Possessions, the importer may, if he shall think fit, present at the French Custom-house a certificate of origin which shall be either an official declaration made before a magistrate exercising jurisdiction at the place of dispatch, or a certificate granted by the chief officer of the Customs at the port of embarkation, or a certificate granted by the Consul or Consular Agent of France at the place of dispatch or at the port of embarkation.

The signature of the British authority shall be certified by the Consul or Consular Agent of

France, if any, residing in the place or Possession from which the goods are dispatched or shipped; and if in the case of a British Possession there is no such Consul or Consular Agent, then by the Officer administering the Government of such Possession.

ARTICLE XII.

The importer of machines and mechanical instruments, whether complete or in detached pieces, or of other articles the produce or manufacture of the United Kingdom or British Possessions, shall be exempt from any obligation of producing at the French Customs any models or drawings of such articles.

ARTICLE XIII.

The importer of any goods the produce or manufacture of the United Kingdom or British Possessions, taxed *ad valorem*, may, if he shall think fit, attach to the declaration verifying the value of such goods, and to the certificate of origin an invoice emanating from the manufacturer or from the seller, which shall show the price actually charged to him for such goods.

ARTICLE XIV.

When goods upon which an *ad valorem* duty is levied have been previously warehoused, the duty shall be levied according to the value of those goods at the time of their actual importation into France or Algeria.

ARTICLE XV.

Independently of the duties of Customs, articles of goldsmith's work and of jewellery of the manufacture of either country in gold, silver, platinum, or other metals, imported into the other, shall be subject to the system of control established in the country of importation for similar articles of domestic manufacture, and shall pay, if required, on the same basis as national articles, the duties of marking and guarantee.

The above stipulations shall be applicable to fire-arms, anchors, chain cables, and all other articles over which similar control is or may be exercised.

ARTICLE XVI.

The subjects of each of the two High Contracting Powers shall, in the dominions of the other, enjoy the same protection and be subject to the same conditions as native subjects in regard to the rights of property in trade marks and other distinctive marks showing the origin or quality of goods, as well as in patterns and designs for manufactures.

ARTICLE XVII.

Articles liable to duty serving as patterns or samples, which shall be introduced into the United Kingdom by French commercial travellers or into France and Algeria by commercial travellers of the United Kingdom, shall be admitted free of duty, subject to the following formalities requisite to insure their being re-exported or placed in bond:

1. The officers of Customs at any port or place at which the patterns and samples may be imported shall ascertain the amount of duty chargeable thereon. That amount must either be deposited by the commercial traveller at the Custom-house in money, or ample security must be given for it.