

Returning Officer.

Misnomer or inaccurate description.

Act suspended until Her Majesty's approbation be declared.

son or thing, and every word importing the plural number, shall extend and be applied to one person or thing, as well as several persons or things, and the words Returning Officer shall apply to every person or persons to whom by virtue of his or their office, under any Law or Statute, the execution of any Writ or Precept doth or shall belong. for the election of a Member or Members to serve in the General Assembly of this Province, by whatever name or names such person or persons may be called; and that no misnomer or inaccurate description of any person, place or thing named or described in any notice required by the said recited Act, or this Act, shall in any wise prevent or abridge the operation of the said recited Act, or this Act, with respect to such person, place or thing; provided that such person, place or thing shall be so denominated in such notice so as to be commonly understood.

VII. And be it enacted, That this Act shall not come into operation or be in force until Her Majesty's Royal approbation be thereunto had and declared.

[This Act was specially confirmed, ratified and finally enacted by Order of Her Majesty in Council, dated 8th August, 1845.]

(Circular)

Downing Street, 9th August, 1845.

SIR,—I transmit for your information and guidance, the copy of a Treaty of Commerce and Navigation recently concluded between Great Britain and the Kingdom of the Two Sicilies; and I have to desire that you will take any steps which may be necessary for carrying the Stipulations of that Treaty into effect, so far as the Colony under your government is concerned.

I have, &c.

(Signed)

STANLEY.

The Lieutenant Governor of New Brunswick.

TREATY OF COMMERCE AND NAVIGATION BETWEEN
HER MAJESTY AND THE KING OF THE KINGDOM
OF THE TWO SICILIES.

Signed at Naples, April 29, 1845.

[Ratifications exchanged at Naples, June 25, 1845.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Kingdom of the Two Sicilies, being equally desirous of improving, extending and regulating the commercial relations between their respective States, and of affording every facility and encouragement to the commercial intercourse between their respective subjects; and being persuaded that nothing will more contribute to the attainment of this desirable object than a reciprocal abrogation of all discriminating duties of navigation and commerce, and of all exclusive privileges of trade hitherto enjoyed by the subjects of either Party in the dominions of the other, have appointed Plenipotentiaries to conclude a Treaty for this purpose; that is to say:—

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honorable William Temple, Envoy Extraordinary and Minister Plenipotentiary of Her said Majesty at the Court of Naples; and Sir Woodbine Parish, Knight Commander of the Royal Guelphic Order:

And His Majesty the King of the Kingdom of the Two Sicilies, Don Giustino Fortunato, Knight Grand Cross of the Royal and Military Constantinian Order of St. George, and of that of Francis the 1st., Minister Secretary of State of His said Majesty; and Don Michael Gravina Requesenz, Prince of Comitini, Knight Grand Cross of the Royal Order of Francis the 1st., Gentleman of the Chamber in Waiting, and Minister Secretary of State of His said Majesty; and Don Antonio Spinelli of Scalea, Commander of the Royal Order of Francis the 1st., Gentleman of the Chamber of His said Majesty, Member of the General Consulta, and Superintendent General of the Archives of the Kingdom:—

Who, after having communicated to each other their respective full powers, found to be in due and proper form, have agreed upon and concluded the following Articles:—

ARTICLE I.

Her Britannic Majesty confirms the abolition agreed upon by the First Article of the Convention of Commerce and Navigation between Great Britain and the Kingdom of the Two Sicilies, signed at London on the 26th of September, 1816, of all the privileges and exemptions which Her subjects, their commerce and merchant ships, did enjoy within the dominions, states and ports of His Sicilian Majesty, in virtue of the Treaty of Peace and Commerce between Great Britain and Spain, concluded at Madrid on the 13 (23) May, 1667; of the Treaties of Commerce between the same Powers, signed at Utrecht the 28 November, (9 December,) 1713, and at Madrid the 3 (14) December, 1715; and of the Convention between Great Britain and the Kingdom of Sicily, concluded at Utrecht the 25 February, 1712, (8 March, 1713); and it is agreed in consequence, between their said Britannic and Sicilian Majesties, their heirs and successors, that the said privileges and

exemptions, whether of persons, flags, or shipping, are and shall continue for ever abolished, even when the present Treaty shall cease to be in force.

ARTICLE II.

His Sicilian Majesty, on his part, confirms in like manner the engagement contained in the 2nd Article of the said Convention of the 26th of September, 1816, not to grant for the future, to the subjects of any other Power whatever, the privileges and exemptions abolished by that Convention, and to which the preceding Article refers.

ARTICLE III.

With respect to the personal privileges to be enjoyed by the subjects of Her Britannic Majesty in the Kingdom of the Two Sicilies, His Sicilian Majesty engages that they shall have a free and undoubted right to travel and to reside in the territories and dominions of His said Majesty, subject to the said precautions of police which are practised towards the subjects or citizens of the most favoured nations.

They shall be entitled to occupy dwellings and warehouses, and to dispose of all their personal property, of every kind and description, by sale, gift, exchange, will, or in any other way whatever, without the smallest hindrance or obstacle. They shall not be obliged to pay, under any pretence whatever, any taxes or impositions other or greater than those which are paid, or may hereafter be paid, by the subjects or citizens of the most favoured nations in the dominions of His said Sicilian Majesty. They shall be exempt from all military service, whether by land or sea; from forced loans, and from every extraordinary contribution, not general or by law established. Their dwellings, warehouses, and all premises appertaining thereto, destined for purposes of residence or commerce, shall be respected. No arbitrary search of, or visit to the houses of British subjects, and no arbitrary examination or inspection whatever of the books, papers, or accounts of their trade shall be made; but such measures shall be executed only in conformity with the legal sentence of a competent tribunal. And generally, His Sicilian Majesty engages that the subjects of Her Britannic Majesty residing in his states or dominions, shall enjoy their property and personal security in as full and ample manner as his own subjects, and as the subjects or citizens of the most favoured nations.

Her Britannic Majesty, on her part, engages to insure the enjoyment of the like privileges to the subjects of His Sicilian Majesty within Her dominions.

ARTICLE IV.

The subjects of Her Britannic Majesty within the dominions of His Sicilian Majesty, shall be free to manage their own affairs themselves, or to commit those affairs to the management of any persons whom they may appoint as their broker, factor, or agent; nor shall such British subjects be restrained in their choice of persons to act in such capacities; nor shall they be called upon to pay any salary or remuneration to any person whom they shall not choose to employ. Absolute freedom shall be given in all cases, to the buyer and seller to bargain together, and to fix the price of any goods or merchandize imported into or to be exported from the dominions of His Sicilian Majesty, save and except generally such cases wherein the laws and usages of the country may require the intervention of any special agents in the dominions of His Sicilian Majesty.

The same privileges shall be enjoyed in the dominions of Her Britannic Majesty, by the subjects of His Sicilian Majesty, and upon the same conditions.

ARTICLE V.

The subjects of Her Britannic Majesty shall not be liable, within the dominions of His Sicilian Majesty, to a more rigorous system of examination and search by the Officers of the customs, than the subjects of His Sicilian Majesty. And in like manner, the subjects