

---

1893.

A G R E E M E N T

BETWEEN

G R E A T B R I T A I N A N D P O R T U G A L

R E L A T I V E T O

S P H E R E S O F I N F L U E N C E N O R T H O F T H E  
Z A M B E S I .

*London, May 31 / June 5, 1893*

---

---

*Presented to both Houses of Parliament by Command of Her Majesty.  
June 1893.*

---

---

L O N D O N :

PRINTED FOR HER MAJESTY'S STATIONERY OFFICE,  
BY HARRISON AND SONS, ST. MARTIN'S LANE,  
PRINTERS IN ORDINARY TO HER MAJESTY.

And to be purchased, either directly or through any Bookseller, from  
EYRE and SPOTTISWOODE, East Harding Street, Fleet Street, E.C., and  
32, Abingdon Street, Westminster, S.W.; or  
JOHN MENZIES and Co., 12, Hanover Street, Edinburgh, and  
90, West Nile Street, Glasgow; or  
HODGES, FIGGIS, and Co., Limited, 104, Grafton Street, Dublin.



AGREEMENT BETWEEN GREAT BRITAIN AND  
PORTUGAL RELATIVE TO SPHERES OF  
INFLUENCE NORTH OF THE ZAMBESI.

---

No. 1.

*The Earl of Rosebery to M. de Soveral.*

M. le Ministre,

*Foreign Office, May 31, 1893.*

IN compliance with the desire of the Portuguese Government that a formal exchange of notes should take place recording the understanding come to between the two Governments in the early part of 1892 for a *modus vivendi* pending the delimitation of the boundaries of the British and Portuguese spheres of influence north of the Zambesi under the Treaty of the 11th June, 1891, I have the honour to submit the following draft of Articles which Her Majesty's Government trust will be found to meet the purpose:—

“Art. 1. Pending actual delimitation, all natural lines of demarcation specified in sub-head 2, Article I, of the Anglo-Portuguese Treaty of the 11th June, 1891, shall be considered for all purposes as constituting the boundaries between the British and Portuguese spheres of influence in all localities in which there can be no doubt as to their coinciding with the line described in the above-mentioned sub-head.

“The natural lines of demarcation above referred to are as follows, viz.:—

“The eastern shore of Lake Chinta.

“The eastern shore of Lake Chilwa, or Shirwa.

“The easternmost affluent of the River Ruo.

“The River Ruo below the confluence of its easternmost affluent to its junction with the River Shiré.

“The River Shiré between the point where the River Ruo flows into it and a point situated just below Chiwanga.

“The watershed between Lake Nyassa and the River Zambesi south of latitude 14° south.

“The River Aroangwa, or Loangwa, south of latitude 15° south to its junction with the River Zambesi.

“Art. 2. Pending the exact determination of the point where latitude 13° 30' south cuts the eastern shore of Lake Nyassa,

Padimba, and Makanjira, and the shore south of those places, shall be recognized as being within the British sphere of influence; and similarly the eastern shore of the lake north of the River Lomazi, and as far as the point where it is intersected by the line described in sub-head 1, Article I, of the Treaty of the 11th June, 1891, shall be recognized as being within the Portuguese sphere of influence.

“Art. 3. Pending a definite agreement, the post erected as a boundary beacon by Mr. Johnston on the right bank of the River Shiré shall be accepted provisionally as the ‘point just below Chiwanga,’ mentioned in Article I of the Anglo-Portuguese Convention; and a line traced by the Portuguese authorities from that point due west to the watershed between the Shiré and the Zambesi shall be similarly accepted as a temporary boundary between the British and Portuguese spheres of influence.

“Art. 4. The Islands of Chisamulu and Lukomo, or Dikomo, and all other islands of Lake Nyassa further to the south, shall be recognized as being within the British sphere of influence.

“Art. 5. Pending the delimitation of a boundary-line as laid down in Article IV of the Treaty of the 11th June, 1891, the line formed by the course of the Zambesi from the cataracts at Katima up to its confluence with the Cabompo River, and thence by the course of the Cabompo, shall be the provisional boundary between the respective spheres of influence in that region, and the provisions of Article VIII of the Treaty above referred to shall be applicable to the territories separated by the said provisional boundary until a definitive boundary shall have been substituted in its stead.

“Art. 6. Wherever, previous to delimitation, the actual course of the boundary-line described in sub-head 2, Article I, of the Anglo-Portuguese Treaty appears to be doubtful, neither the Government of Great Britain nor that of Portugal shall make acquisitions, conclude Treaties, or accept sovereign rights in territories which after delimitation are likely to be proved to be within the sphere of influence of the other; and neither of them will recognize, nor lead to suppose that the other will recognize, any rights of whatever nature which the subjects of the one may claim to have acquired in such territories subsequently to the 11th June, 1891, either by means of Treaties with the natives, or any other title.

“Art. 7. As soon as the definitive demarcation of the boundary, or of any section of it, is completed, there shall cease, in territories which, in virtue of such demarcation, become subject to the sovereignty, protection, or influence of one of the two Powers, all acts of jurisdiction or government by the officials, and all occupation by the military or police forces of the other Power or its concessionnaires; and there shall lapse, *ipso facto*, all Concessions which the latter may have made to individuals, and all rights to property, usufruct, or exploration which its subjects or dependents may claim to have acquired in those territories subsequently to the 11th June 1891.

“Art. 8. Acts of occupation or jurisdiction performed by the officials or concessionnaires of one of the two Powers subsequently

to the 11th June, 1891, and Concessions or proprietary rights of whatever nature which the subjects or dependents of that Power may claim to have acquired since that date in territory which, after demarcation, proves to be within the sphere of influence of the other, shall in no case be used as a motive for demanding the rectification of the boundary under the provisions of Article VII of the Anglo-Portuguese Treaty.

“Art. 9. In all questions between the military or police forces of the two Powers as to rights of occupation, passage, or jurisdiction, which may arise in consequence of the demarcation of the boundary being incomplete, the local officials of the two Powers shall try to come to an understanding, failing which the matter in dispute shall be referred for the decision of such persons as may be appointed for the purposes of this Article, and by them, if necessary, to their respective Governments.

“It shall be clearly understood that, pending such decision, no coercive measures whatsoever shall be adopted, and that should force be used, notwithstanding the provisions of this Article, by the military or police forces of either of the Powers, the Government of the other shall be entitled to demand redress.

“Art. 10. Neither in the Nyassaland, nor in the Loangwa, nor in the Barotze territories shall the *modus vivendi* be held as prejudging in any way the ultimate territorial rights of Great Britain or of Portugal.

“Art. 11. The *modus vivendi* shall continue in force till the 1st July, 1896. After that date, it may be denounced by either Government with three months' notice, the work of delimitation to begin before the expiration of the three months.

“The *modus vivendi* shall not interfere with, or be vitiated by, any delimitation which it may be found possible, during its continuance, to carry out of any portion or portions of the frontier-line.”

I should esteem it a favour if you would notify to me the consent of your Government to these Articles, if accepted by them, and on the receipt of a communication to that effect, Her Majesty's Government will consider the said exchange of notes as an agreement between the two Governments.

I have, &c.  
(Signed) ROSEBERY.

No. 2.

*M. de Soveral to the Earl of Rosebery.—(Received June 6.)*

Milord,

*Londres, le 5 Juin, 1893.*

EN réponse à la note que votre Excellence a bien voulu m'adresser le 31 du mois de Mai dernier, j'ai l'honneur de vous communiquer que le Gouvernement du Roi m'a autorisé à accepter les termes du *modus vivendi* contenu dans la susdite note.

Je profite, &c.  
(Signé) LUIZ DE SOVERAL.

(Translation.)

My Lord,

*London, June 5, 1893.*

IN reply to the note which your Excellency was good enough to address to me on the 31st ultimo, I have the honour to inform you that the King's Government authorizes me to accept the terms of the *modus vivendi* as contained in the said note.

I have, &c.

(Signed)

LUIZ DE SOVERAL.

---