

THE BASIC CHESTER CONCESSION

ARTICLE 32. If and when existing ports, railways and water transportation are used by the concessionaires, they will pay the charges and conform to the laws and regulations in effect when such use is made.

ARTICLE 33. To encourage and promote the use of the ports and transportation facilities by traders and producers on the Black Sea, the Mediterranean, Persia and Russia special rates may be made for transporting goods and passengers from port to port and from the Persian and Russian borders to ports, and vice-versa. A differential tariff shall be drawn up for this purpose.

ARTICLE 34. The concessionaires may construct and operate systems of intercommunication where none exist, and charge such rate for public use as may be necessary to create income under the conditions set forth at Article 4 of this convention, but such systems shall be subject to Government control.

ARTICLE 35. The concessionaires are authorized to transport through their own means letters, dispatches, valises and articles classed as postal, under the inspection of postal authorities, but paying no charge to the Administration of Posts.

ARTICLE 36. To promote pilgrimages and tourism and commerce from America and other countries to the different parts of the Ottoman Empire, the concessionaires may build roads and railways to historic cities and sites of ancient cities, which they may restore, and may operate ship lines from the United States and other American countries to ports in the Turkish Empire, and establish hotels and transportation and other facilities for said pilgrimages and tourism, which shall be considered a project deserving all the benefits and exemptions from interior taxes and custom duties provided at Article 28 and other articles in this convention.

ARTICLE 37. In making the studies, exploration and research to establish the history and sites of ancient cities and famous ancient structures the concessionaires shall have the aid of local authorities, and shall conform with the local regulations and usages. Plans for restorations shall be submitted for approval of the Council of State (the Mejlis).

ARTICLE 38. The concessionaires under this convention may not use any of the rights conveyed by this convention to create political or military claims against the Imperial Ottoman Government.

ARTICLE 39. The Imperial Ottoman Government may speed the construction of railways provided in this convention by paying a kilometer guaranty for their construction and operation. In that event the concessionaire in charge of the guaranteed project shall deposit with the Government caution money or security guaranteeing performance.

ARTICLE 40. In the event that before grants of projects by said Chester to societies and syndicates are affirmed as provided at Articles 8 and 9 of this convention third parties offer to the Imperial Government conditions more favorable than are provided in this convention for contracts to exploit projects comprised in this concession, the said Chester and the concessionaires interested in this convention shall have the right of priority on the same terms as offered by the third parties, and if the third parties finally offer the most favorable terms, the Imperial Government have the right to award the contract to the third parties, but said third parties must in each case pay to Chester or his successors in interest in this original Concession an indemnity or royalty of ten per cent interest, to be represented by ten per cent of the shares in the society to be formed by the third party to exploit the projects comprised in said contract, which shares shall be delivered to said Chester or successors in interest gratuitously, and shall not be subject to any levy or charge whatsoever. The revenue derived from such interests shall be considered as gross income as provided by Article 4 of this convention.

ARTICLE 41. The Imperial Government reserves the right to supervise or take control of the projects provided in this convention when required for the defense of the Empire, in which event force majeure shall apply and the concessionaires shall be entitled to reasonable indemnity.

ARTICLE 42. In the event that during periods of suspension under force majeure, as provided at Articles 6 and 7 of this convention, the Imperial Ottoman Government put into effect any of the projects provided in this convention, which it has right to do, the right to said projects will revert to the concessionaires, with such additions in construction and equipment as may have been made during the period of force majeure, if such additions are useful in peace conditions, if not they may be rejected by the concessionaires, and may be sold or otherwise disposed of.

ARTICLE 43. The Imperial Government reserves the right to build roads, streets, canals, bridges, and other installations along and across the lines of the concessionaires, but all disposition will be taken so that no obstacle shall result to the projects provided in this convention and that the concessionaires shall not be involved in damages or costs.

ARTICLE 44. The Imperial Government is under no obligation to make any guaranty or payments to promote the projects provided by this convention, and the concessionaires are under no obligation to make payments other than are provided in this convention.