

PORT DIRECTIVE OF 1878 FOR MERCHANT SHIPS OPERATING IN THE OTTOMAN CAPITAL (DERSAADET) ISTANBUL SEAPORTS*

BAŞKENT İSTANBUL'DA (DERSAADET) İŞLEYEN TİCARET GEMİLERİNE YÖNELİK 1878 LİMAN NİZAMNAMESİ

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Abstract

After the conquest of Istanbul, Ottoman capital was relocated to this city and the multi-connectional waterways passing between Asia and Europa became the Turkish Straits. When reached to the northern coasts of the Black Sea, the Turkish Straits became a concern of security and commerce for Tsarist Russia. From the last decades of 19th century Russian desires on Istanbul and the Straits could not be fulfilled and until present day the desire to control the straits remains. The war of 1877-78 brought destructive consequences for the Ottomans and paved the way for Russia to have some control on maritime navigation through Straits. The balance of power during this period did not allow Russian military control over the Straits. However, it was an undeniable reality that Russian merchant ships had obtained freedom of navigation within the Straits after the year of 1878. In order to lessen Russian influence as much as possible and get adapted to new condition the Ottoman government was forced to issue a new regulation for the merchant ships operating in the Straits. The new directive brought some rules and rights for foreign vessels, including the one that limited the Ottoman government to impose penalties or retribution towards prohibited activities carried out by the Russian commercial ships..

Keywords

Turkish Straits, Russia, Dersaadet, ports, Britain.

Öz

İstanbul'un fethi ile Osmanlı Devleti'nin başkenti İstanbul'a taşındı ve Asya ile Avrupa'nın iki yakasını birbirinden ayıran su yolu da Türk Boğazları oldu. Karadeniz'in kuzey sahillerine ulaştıktan sonra Boğazlar Çarlık Rusya'sı için bir güvenlik ve ticaret sorunu haline geldi. Lakin 19. yüzyılın son çeyreğine kadar Rusya'nın İstanbul ve Boğazlara yönelik tutkusu gerçekleşemedi fakat sona da

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ermedi. 1877-78 Savaşı Osmanlı Devleti için yıkıcı sonuçları da beraberinde getirirken, Rusya'ya Boğazları kontrol edebilme fırsatını sağladı. Dönemin denge politikası Rusya'nın Boğazlar'da askeri kontrol kurmasını engellemiştir fakat 1878 yılından sonra Rus menşeli ticaret gemilerinin Boğazlar'da elde etmiş olduğu seyri-sefer serbestisi tartışılmaz bir realiteydi. Osmanlı Hükümeti Rusya etkisini mümkün olduğu kadar azaltmak ve yeni duruma uyum sağlamak amacıyla Boğazlar'da işleyen ticaret gemileri için yeni bir Nizamname yayımlamak zorunda kaldı. Yeni Nizamname yabancı ticaret gemileri için, yasalara aykırı bir şekilde limanları terk etmeleri halinde Osmanlı makamları tarafından kendilerine dokunulamaması dahil bazı hak ve kurallar getirmekteydi.

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Anahtar Kelimeler

Türk Boğazları, Rusya, Dersaadet, limanlar, İngiltere.



INTRODUCTION

Straits are the narrow waterways connecting two or more extensive areas of sea.¹ There may be two kinds of straits: The first group is natural waterways such as Gibraltar, Magellan and the Turkish Straits. The second group is artificial waterways such as, Suez, Panama and Kiel Canals. Apart from a few, almost all of the natural and artificial waterways provide connection between the Mediterranean and the oceans. This fact is important because from the very beginning of human history the Mediterranean Sea was the basin of civilization and commerce. This fact has broad implications so that possible to argue that, human civilization emerged and blossomed around this area and as a result that situation Mediterranean Sea became the water basin for commercial connection between the Asian, African and European Continents. Moreover for a long period the sea connection of above three continents had to pass through the Mediterranean Sea.²

Apart from commercial relations, many vital battles were also waged in the Mediterranean or its vicinity. Particularly but not only the Turkish Straits are politically, economically and strategically important water ways. Their geographical situation empowers their importance and in turn this prominence gives rise to political interests.³ Considering vitality for human being, it is seen that sea navigation inevitably had close relation with historical and technological developments. In this aspect the Industrial Revolution and discovery of steam power was a crucial turning point for navigation. Because of this turning point the Mediterranean Sea significantly gained magnificent and extensive historical importance during the last decades of the 19th century.

Fossil energy sources were/are located to the south and northeast of Mediterranean giving it a pivotal position providing vital energy supply ways for the rest of the world. Russia, apart from its agricultural products, was/is one of the fossil energy producers and at this point the importance of the narrows ensuring connection between the Black and Mediterranean Seas became significant. The importance based/bases on geographical burden and geostrategic location of the Straits which they are wholly placed within Turkish territory securing Turkey sole possession right. This fact makes them “Turkish Straits” and scholars call them like.⁴ Thus in this paper they will be called alike.

The only access from the Black Sea to the Mediterranean was/is via the Turkish Straits (Bosporus, Sea of Marmora and Dardanelles). From the conquest of Istanbul (1453) and Azov (1475) until the occupation of Crimea by Russia in 1784 the Black Sea was a *mare clausum* of the Ottoman Empire. In the year of 1784 Russia first time during history had an opportunity to force the Straits and reach the Mediterranean Sea. However the two big powers of the time England and France were not ready to see Russian ships in warm waters. Furthermore for their vital interests until the beginning of the 19th century Britain and France’s basic policy was to

¹ Tim Hiller, *Sourcebook on Public International Law*, Vol. II, Cavendish Publishing Ltd., London, 1998. p. 383.

² Cemil Bilsel, *Lozan [Lausanne]*, Vol. II, Sosyal Yayınları, Istanbul, 1998. p. 302.

³ Cemil Bilsel, “The Turkish Straits in the Light of Recent Turkish-Soviet Russian Correspondence”, *The American Journal of International Law*, Vol. 41, No. 4 (Oct., 1947), p. 727; J. C. Hurewitz, “Russia and the Turkish Straits: A Revolution of the Origins of the Problem”, *World Politics*, Vol. 14, No. 4 (July, 1962), p. 731.

⁴ Bilsel, *The Turkish Straits...*, p. 727.

keep Tsarist Russia out of the Mediterranean and foster Ottoman control over Turkish Straits.⁵ Admittedly ever since by the London Agreement signed on July 13, 1841 the transit of naval vessels through the Straits have been regulated by an international agreement (article 1).⁶ Beginning from 1475 until 1841, about 366 years there was unlimited Turkish control over Straits, with sole possession Ottoman Empire had incontestable permission or prevention right for any kind of passage either commercial or warships.⁷ But after occupation of Crimea, Catherina II had made Russia a riparian power on the Black Sea Russian policymakers had been seriously concerned with the Turkish Straits.⁸

Treaty of Berlin (1878) was the last official paper imposing rules addressing Turkish Straits. Navigation regime through them prior to WWI will be regulated by this treaty affording free passage to the commercial vessels and preserving Ottoman Empire's right to close Straits to the warships of any nation. Mirroring free passage right of commercial vessels, the directive of 1878 should be examined. Because, newly emerged situation especially after the Treaty of San Stefano had propelled Ottoman statesmen to put some acceptable provisions on free navigation preserving Ottoman control. Preservation of Ottoman control and acceptance of new rules by Russia could only be achieved by a new directive which issued soon after the above said Treaty. Bearing this case in mind, in this paper Istanbul Seaports Directive of 1878 will be studied and abstractive English translation of the directive is attached to assist further studies. To concretize the work two maps are also included in this paper showing the area said directive of 1878 administered and the regarded ports of the era. The original name of the directive was "Dersaadet Liman Nizamnamesi [Capital Istanbul Seaports Directive]" and as the directive lacks definite day and month of issuance, bears only the year of publication (1294 [1878]). Thus the definite day and month of issuance will be tried to be determined by the chronological order of events of the era and calendar system differences which were dissimilarly in use in Ottoman lands and Europe will be analyzed to determine at least a definite period before or after the Treaty of San Stefano.

Ottoman-Russian Controversy over the Turkish Straits

The Turkish Straits have remained of vital strategic value to Russia. They were also vital for the defense of the Black Sea. During the course of history the Turkish Straits have also been a matter of safety for Russian Southern borders. Therefore, the Russian efforts to annex or at least control the Straits have never wavered.

Russian Baltic ports freeze or ice-bond during winter and the Turkish Straits have been the only outlet for Russians to world grain, coal, steel, oil and other important export destinations throughout the centuries.⁹ Proving this fact, during Lausanne Conference (1922-23) Russian Foreign Affairs Commissar Chicherin stated that 70% of Russian grain and in Paris Peace Conference (1919-20) Russian delegates stated that; 88% of oil, 93% of manganese, 61% of iron and almost 54% of Russian total exports by sea have to go out via Turkish Straits. In addition at the end of the 19th and at beginning of the 20th centuries only 20% of commercial ships passing

⁵ William A. Renzi, "Great Britain, Russia, and the Straits, 1914-1915", *The Journal of Modern History*, Vol. 42, No. 1, (March 1970), p. 16.

⁶ Hurewitz, *op. cit.*, p. 605.

⁷ Bilsel, *The Turkish Straits...*, p. 733.

⁸ Ronald Bobroff, "Behind the Balkan Wars: Russian Policy toward Bulgaria and the Turkish Straits, 1912-13", *The Russian Review*, Vol. 59, No. 1 (Jan., 2000), p. 77.

⁹ F. Standefer Crowe, *The Soviet Union and the Turkish Straits, 1933-1945*, Unpublished PhD Dissertation, Florida State University, 1973. p. 1.

through Turkish Straits belonged to the countries costing Black Sea.¹⁰ Hence the Straits were as vital for other countries' commercial activities whose merchant ships navigating in the Black Sea as Russia.

In this study the energy based policies from the areas of the south and northeast of Mediterranean Sea will not be addressed. Nowadays this is an important issue for humanity and people living around the Mediterranean. The subject of this study is to analyze and unearth Russian desire to reach warm waters which the only permanent access possible via Turkish Straits. This desire was vital for Russian Empire because almost two third of its exports had/have to pass through the Turkish Straits to reach European markets. At present passage of the Turkish Straits is a matter of security and transportation of fossil energy for Russia.

Apart from Russian interest, the Turkish Straits constituted one of the knotty problems, located at the core of so-called "Eastern Question" of general European politics particularly during the 19th century three conferences and numbers of treaties and agreements have been done to disentangle that knot.¹¹ At this point it is important to take a look chronological status and navigation regime of the said seaways.

Soon after the conquest of Istanbul, passage the Turkish Straits were regulated respectively as follows (1) for 82 years following the conquest until 1535 sole Ottoman control. After 1535 by capitulatory rights all vessels flying France flag were granted the privilege of free passage through the Turkish Straits, from time to time other states were also benefitted from that right: (2) The Treaty of Küçük Kaynarca [Kuchuk Kainarjae] (1774) granted Russian commercial vessels free passage: (3) Russian warships also gained free passage right (1798) but a few years later this right was cancelled: (4) The treaty with Britain (1809) closed Turkish Straits to all warships (article 11): (5) The Treaty of Edirne (1829) granted free passage for all nations' commercial vessels: (6) By the Treaty of Hunkar Iskelesi (1833) the Ottomans promised the Russians not to allow passage of any alien warships. That treaty had brought Ottomans under definite Russian effect even tutelage and both Britain and France in accordance with their traditional policy not to let Russia's access to the Mediterranean Sea, put strong opposition against the said treaty: (7) Hence Protocol of Straits (1841) reestablished the *status quo* for alien warships including Russia but put some regulations on commercial navigation limiting Ottoman control: (8) Treaty of Paris (1856) prohibited free passage of all kind of Russian vessels.¹²

During negotiations of that treaty Russia to keep its fortifications and shipyards by the Black Sea had accepted free passage of warships belonging other nations in the first time of history yet the powers rejected Russian proposal and neutralized the Black Sea: (9) Russia, through London Treaty on Black Sea (1871) regained the right to build shipyards and fortifications in Black Sea and free passage of its commercial vessels from Turkish Straits. During that negotiations Russian delegate Brunnow repeated Russian acceptance of free passage of all warships. That proposal again rejected especially by England because in that case Russian warships *vis a vis* could have free passage right and reach Mediterranean Sea without

¹⁰ Bilsel, *The Turkish Straits...*, p. 731, 733; Bobroff, *op. cit.*, pp. 77-78.

¹¹ Bilsel, *The Turkish Straits...*, p. 727.

¹² Bilsel, *The Turkish Straits...*, pp. 735-736; Vernon J. Puryear, "New Light on the Origins of the Crimean War", *The Journal of Modern History*, Vol. 3, No. 2 (Jun., 1931), p. 221; Samuel Kucherov, "The Problem of Constantinople and the Straits", *The Russian Review*, Vol. 8, No. 3 (Jul., 1949), p. 206.

any restriction: (10) Treaty of San Stefano, empowering previous treaties' and protocols' clauses regarded the Straits, afforded definite free passage of Russian commercial vessels.¹³

As it is seen after the annexation of the northern coasts of the Black Sea and the provisional occupation of Azov (1739) and later the permanent occupation of Crimea after the Treaty of Küçük Kaynarca (1774) Tsarist Russia committed to a continuing struggle to achieve free passage regime through the Turkish Straits at least for its commercial vessels. That treaty had changed the status of the Black Sea finalizing sole Turkish ownership transformed it a common area both for Ottomans and Russians. One of the most important results of that war was Russian penetration into the northern shores of the Black Sea. The Crimean War (1853-56) was a crucial point for the Russian Empire as it highlighted the importance of Turkish Straits to defend its southern borders. But the balance of power in Europe forced Russia to obey the neutrality of the Black Sea and ongoing unconditional control by the Ottoman Empire over the Turkish Straits. The balance of power in Europe was shaken during the unification process of Germany and irreversibly overturned after the 1877-78 Ottoman-Russian war. Nowadays without the Turkish Straits the Black Sea would be inland waterway for Russia, lacking any access to the Mediterranean and the high seas.

After the Peace Treaty of Paris (1856) had been signed to conclude the Crimean War, the Ottoman Empire imposed some important changes in the structure of the state. During the reorganization of the state, also accordingly a new Commercial Maritime Law was adopted in 1863.¹⁴ The new regulations were preserving traditional Ottoman sovereignty on the Turkish Straits necessitating the Sultan's consent for any kind of passage. In 1871, Russia repudiated the Turkish Straits Convention which placed restrictions on the passage of its warships which had been imposed by the Treaty of Paris.¹⁵

The Treaty of Paris brought a relatively long-lasting order to the Straits and the Mediterranean Sea. The balance had been broken in 1871 due to important changes in Europe. Russia, especially after the defeat of France and unification of Germany (1871) had decided to benefit from the newly emerged disorder, repudiated the existing status of the Straits. Russian aspirations forced the Ottoman Government to reregulate the navigation in the Bosphorus and mooring rules into the ports of the Capital. The Treaty of London signed on March 13, 1871 granted Russia new rights in the Black Sea and Turkish Straits.¹⁶

In accordance with the newly imposed rules of the London Treaty which attempted to preserve the existing *status quo* in the Straits and to balance Russian designs against its sovereignty, the Ottoman Government on the 24 July, 1871 issued a new Tariff specially designed to regulate merchant vessels entering and navigating in the ports of the Capital Istanbul.¹⁷

Despite benefitting from the newly imposed rules, Russia was dissatisfied with the changes to the Turkish Straits regulations. In the year of 1874 a new directive was issued by Ottoman Government to regulate navigation in the Capital and to solve the persistent problems, yet the directive brought little changes to the order of 1871.¹⁸ Hitherto, from 1871 to 1874 two important directives had been issued to meet the necessities of the newly emerged situation.¹⁹ The basic

¹³ Nihat Erim, *Deoletlerarası Hukuku ve Siyasi Tarih Metinleri [International Law and Political History Papers]*, Vol. I, Türk Tarih Kurumu, Ankara, 1953. pp. 190-400; Wayne Macveagh, "Navigation of the Bosphorus", *New York Times*, March 13, 1871. p. 3; Kucherov, *op. cit.*, p. 206.

¹⁴ Erim, *op. cit.*, p. 373.

¹⁵ Edward H. Carr, *The Twenty Years Crisis*, Palgrave, New York, 2001. p. 169.

¹⁶ Erim, *op. cit.*, p. 369.

¹⁷ *Düstur*, Dersaadet Liman Nizamnamesi 1871, Vol. II, Matbaa-ı Amire, Istanbul, 1289 [1872], pp. 774-785.

¹⁸ *Ibid*, pp. 774-785.

¹⁹ *Düstur*, *Ibid*, pp. 774-785; *Düstur*, Vol. 4, Matbaa-ı Amire, Istanbul, 1292 [1875], p. 573.

aim of the Ottoman Empire was to stop Russian designs concerning Straits and to keep Russia as far as possible from the Turkish Straits. But the Russian designs on the Turkish Straits were a foreign policy obsession and would not be put aside.

The treaties of 1841, 1856 and 1871 kept the British fleet out of the Black Sea, Russian access to Mediterranean was also prohibited.²⁰ Meanwhile, opening of Suez Canal (1869) was a radical change for the connection of Mediterranean Sea providing easy, short an alternative access to the British colonies, especially to India. Balancing this newly emerged situation, nine years after Suez's opening, the Treaty of San Stefano which signed to end 1877-78 Ottoman-Russian War, guaranteed free passage right of Russian merchant vessels even in time of war. The war was a calamity which Ottomans had to cope with fueling disintegration of the Empire.

Above mentioned initiatives were not enough to prevent Russian designs on the Turkish Straits. It was the balance of powers in Europe preventing Russia from using force to achieve its aims. Nevertheless even though of balance constructed after the Congress of Vienna (1815) and despite radical changes in European politics as power shifts, the big powers (Britain, France, Austria and Germany) were still dubious and sensitive against any kind of Russian Pan-Slavist hegemony providing access to the Mediterranean Sea. Hence the Russian demands had faced insurmountable opposition. Because of this strong hostility, Russia had to wait for a new opportunity which would allow radical changes in *status quo* of the Turkish Straits. The long-awaited chance came a few years after, in 1877 a new war broke out between Ottomans and the Russians resulting in a devastating defeat of the Ottomans. The Treaty of San Stefano (March 5, 1878) which concluded the war was signed and brought comprehensive changes to the existing *status quo* in the Turkish Straits.

Ottoman annalist and eyewitness of the era, Cevdet Pasha accuses some high ranking Ottoman statesmen for 1877-78 War. But despite his accusations Cevdet Pasha does not specify any information related to the Treaty of San Stefano or arguments on the Turkish Straits.²¹ As it is said, the war (1877-78) had disastrous consequences for the Ottoman Empire. The Peace Treaty of San Stefano which was signed on the 5th day of March 1878 of the Gregorian calendar and was revised at the Berlin Conference in June-July 1878 by the big powers of Europe had catastrophic results for the Ottoman Empire. After the 1877-78 War, large parts of Ottoman territory in the Balkans and Caucasus were lost to Russia and the Turkish Straits again faced an issue of sovereignty. Moreover by the Treaty of San Stefano the *status quo* for warships in the Straits was preserved but for commercial vessels a new regime had been implemented allowing unconditional free passage of Russian and neutral states' merchant ships even in time of war, bound to or from Russian ports.²²

Treaty of San Stefano and Ottoman Struggle to Preserve Sovereignty over Straits

After its indisputable victory, Russia by the treaty of San Stefano tried to gain a strong hold over Turkish Straits. To concretize the developments of the era it is needed to focus on Russian efforts following the war of 1877-78, to have free access to the Mediterranean Sea from the Black Sea and Ottoman Government's efforts to prevent or minimize Russian penetration into its sovereignty. As stated previously the only outlet to the high seas from southern Russian ports

²⁰ Barbara Jelavich, "Great Britain and the Russian Acquisition of Batum, 1878-1886", *The Slavonic and East European Review*, Vol. 48, No. 110 (January, 1970), p. 45; Bilsel, *The Turkish Straits...*, p. 727; Hurewitz, *op. cit.*, p. 607.

²¹ Cevdet Paşa, *Tezakir [Official Biographies]*, 40 Tetimme, publ. Cavid Baysun, Türk Tarih Kurumu, Ankara, 1967. s. 178-179.

²² *Treaty of San Stefano*, Article 24; William L. Langer, "Russia, the Straits Question and the Origins of the Balkan League, 1908-1912", *Political Science Quarterly*, Vol. 43, No. 3 (Sep., 1928), p. 343.

was through the Turkish Straits. After the war; the Ottoman Empire issued a new directive regulating navigation, anchoring, loading, unloading and bounding of commercial vessels. As it is mentioned previous pages that directive was not the first furthermore until 1878 there were several directives, bills and tariffs had been issued to regulate navigation in the Turkish Straits. For instance in Hegira calendar (hereinafter H.) on 1276 [February 1860]; H. 1287 [1870]; H. 1288 [May 1871]; H. 1291 [August 1874] numbers of directives/bills and tariffs had been issued to regulate navigation in Turkish Straits.²³

Two of the mentioned directives and tariffs of that period have historical importance. The Tariff of 1871 was issued after the Treaty of London bringing new rules to the regulation of the Turkish Straits established after the Crimean War and the directive of 1878 issued after the Treaty of San Stefano changing the navigation regime for commercial vessels. In this paper the 1878 Directive will be studied and some related clauses will be compared with the Tariff of 1871 which free passage of all commercial vessels in time of war was not allowed. The day and month of publication of the 1878 Directive is important as, it is not possible to determine a definite day and month of publication.²⁴

The date of publication affixed on the directive is 1878, however as it is mentioned before there is no indication of the day and month of issue. It is tried to determine the date of publication yet the Ottoman Code Books "*Düstur*" of 1878 also does not include it. Thus it is not possible to fix neither the month and or day of issue. But even though it is impossible to fix a clear day and month for publication, it is possible to determine the probable period of time. In 1878's there were three different calendar systems in the Ottoman territory; respectively the Hegira calendar (Lunar calendar), the Rumî calendar (Solar calendar, based on Julian calendar but was starting from 622) and the Gregorian calendar which in use at Europe. The directive had been issued in the Rumî calendar and dated 1294. There are 13 days gap between Gregorian and Rumî calendars.²⁵ Rumî calendar was 13 days afterward of the Gregorian and instead of January starting with March. Thus differing from the Gregorian calendar which was in use at Europe in the era the first month of the Rumî, in other words the first month of official Ottoman calendar was March. That crucial point is important because the Treaty of San Stefano mentioned pervious pages signed at the 5th day of March 1878 of Gregorian calendar. When the treaty signed it was 21st of February 1293 Rumî in Ottoman Lands.²⁶ That means the treaty was signed at the last month of Ottoman calendar and the year of Rumî 1294 was not entered yet.

As it is known the Treaty of San Stefano's 24th article brought some changes for navigation of Russian commercial vessels. Therefore, it can be set forward that the directive was published after San Stefano. The date of publication is important because the 1871 Tariff had been issued after the Treaty of London, the 1874 Directive was amending articles of 1871 and 1878 Directive which would bring a new regime should be related with the Treaty of San Stefano. The date of the directive is Rumî 1294 (1878), inevitably in or most probably after the March which was the first month of the calendar. In addition, the day of San Stefano is 5th of March in Gregorian calendar, which Rumî calendar was coming thirteen days after. This situation shows that when the official new year of Ottomans entered it was 13th day of March for Gregorian calendar.

²³ *Düstur [Ottoman Code Book]*, Vol. II, Matbaa-ı Amire, İstanbul, 1289 [1872], pp. 774-785; Mehmet Akman, "Tanzimat'tan Cumhuriyet'e Osmanlı Hukuk Mevzuatı I [From Tanzimat to Republic Ottoman Law Legislation], I. Tertip Düstur'un Tarihi Fihrist ve Dizini", *Türk Hukuk Tarihi Araştırmaları*, No. 3, (Spring, 2003). pp. 83-99.

²⁴ *Dersaadet Liman Nizamnamesi 1294 [Capital Istanbul Seaport Directive 1878]*, Matbaa-ı Amire, İstanbul, 1878.

²⁵ *Ibid*; For comparison of Ottoman and European calendar systems of the 19th century see Carter Vough Findley, "An Ottoman Occidentalism in Europe: Ahmed Midhat Meets Madame Gülnar, 1889", *The American Historical Review*, Vol. 103, No. 1, (Feb., 1998), pp. 25-27.

²⁶ <http://193.255.138.2/takvim.asp?takvim=1&gun=5&ay=3&yil=1878> [Accessed 12 December 2015].

Therefore we can make sure that the directive definitely was issued after the 13th day of March and beyond all questions after the signing of the Treaty of San Stefano (March 5). Because the 5th day of March of 1878 for Ottomans, was 18th day of March for Europeans and thirteen days had passed after San Stefano signed.

Considering above mentioned calculations it is definitely possible to say that 1878 Directive was issued after San Stefano. Despite it is possible to determine an approximate period of time, the month of publication is also important. Because, if we knew the month and day of the publication definitely, it would be possible to determine whether the directive was published after or before Berlin Conference which gathered three months after the San Stefano changing some rules of it. Developments and documents of the era show that there was no mention of publication after the Berlin Conference. In addition the Berlin Conference and the treaty signed after the conference did not include any clear articles for the Turkish Straits. In any case the probability of publication after the Berlin Conference should be kept in mind. This study will consider developments of the era and it will be presumed that the directive was published after the Treaty of San Stefano, in March, April, May or less probably in June instead of after the Berlin Conference.

Despite its victory after the War of 1877-78 Russia could neither occupy the Turkish Straits or could achieve free passage rights for its warships. It was actually Britain preventing passage of Russian warships from the Straits and even hindering occupation of the Turkish Straits by Russia. Because at the beginning of the war Britain had warned Russia not to challenge British Imperial interests and Turkish resistance in Plevne had afforded time for a mutual understanding between Britain and Russia.²⁷ For that reason the *status quo* for Russian warships had been preserved by the Treaty of San Stefano. At that time Russia gained the right to annex large parts of Ottoman territory in the Balkans and Caucasus, to interfere in Ottoman internal affairs. The war indemnity the Ottomans had to pay would make the bearing risk to make Ottomans tutelage of Tsarist Russia. For its commercial vessels Russia achieved what she had asked for along.²⁸ For warships Russia had to wait for new opportunities which will emerge during WWI.

Article twenty fourth of the San Stefano signed to end hostilities between the two belligerents Ottomans and Russia was related to the Turkish Straits. The article reads; “*The Bosphorus and the Dardanelles will remain open in time of peace as well as of war to the merchant vessels of neutral states bound to or from Russian ports.*”²⁹ The, 24th clause gave Russia the right of free passage for its commercial vessels but the existing tradition for warships was preserved due to British threat against Russia mentioned above. The provision also prohibited the Ottomans from building any fortification around the ports of the Black Sea.

Despite the fact that, the *status quo* for warships had been preserved, other articles of the Treaty were a vital threat to balance of power in Europe. Therefore a new conference was summoned in Berlin in July 1878. During the Berlin Conferences almost all the articles of San Stefano were changed. The clause for commercial vessels flying Russian flag was among the unchanged/untouched articles of the San Stefano. Nowadays the prohibition for the passage of warships was enforced in Berlin. In the same year the Ottoman Government had published a new directive regulating merchant or passenger vessels’ navigation in the Turkish Straits and bound, moor for the ports of Istanbul, accordingly a new order was agreed on in San Stefano

²⁷ Enver Behnan Şapolyo, *Gazi Osman Paşa ve Plevne Müdafası [Ghazi Osman Pasha and the Defence of Plevne]*, Türkiye Yayınevi, İstanbul, 1959. pp. 90-192; Jelavich, *op. cit.*, pp. 46-47.

²⁸ Erim, *op. cit.*, pp. 388-400.

²⁹ *Ibid*, p. 398; Peace Treaty of San Stefano, Article 24.

and Berlin.³⁰ The existing *status quo* would be maintained for warships but vessels of commerce from or to Russian ports would have a complete freedom of passage.³¹

Because the Treaty of San Stefano bringing radical rights and had changed existing regime, regulations for commercial navigation in the Turkish Straits had to be reregulated. Hence a new directive had to be issued by the Ottoman Government addressing commercial vessels transiting the Turkish Straits under the terms of the said treaty. The *status quo* for warships was not changed but a new regime would be adopted for commercial vessels. Because of that reason the directive was related only to the navigation rules for commercial vessels. Thus, following the Treaty of San Stefano, the Ottoman Government issued a new directive for merchant ships transiting the Turkish Straits and anchoring at any of the Capital Istanbul ports.

The Rules Brought by the New Directive of Rumî 1294 [Gregorian 1878]

The directives/bills/tariffs of 1870, 1871, 1874 and 1878 were regulating navigation of merchant vessels carrying any kind of cargo. Instead of issuing a new directive, after the Treaty of London, a new tariff determining the rate of taxes for merchant vessels dated July 1871 had been attached to the Directive of 1870.³² A few days before the 1871 Tariff, a short Permit Directive had been issued to regulate navigation in Straits. It may be thought that the aim of the Permit Directive was to adapt a new order brought by the Treaty of London (March 1871) on the Straits.³³ This Permit Directive, forced vessels flaying the Ottoman flag had to have a port permission to enter ports, however there were no such clause for alien vessels.³⁴ It was clear that the actual aim of the Permit Directive was to regulate navigation for vessels flying the Ottoman flag. The rules for alien vessels had been regulated by the Directive of 1870 and additional Tariff of July 1871.

The duration of directives/bills/tariffs/permit directives was generally three years. Because of this reason in 1874 a new Directive had been issued. At that time and until 1874 there was not any important change on the existing status of the Straits. Hence the 1874 Directive was similar to 1870/71 Directives and Tariffs. But Russian pressure and demands were visible in this era. The Ottoman Government was trying to use the balance of power in Europe to prevent ongoing Russian pressure. Except warships for embassies resident in Istanbul, neither the 1870, 1871 and 1874 nor 1878 Directives had included any rule or clause for warships or ironclads. Because the Ottoman Government was reluctant to start any discussion on the Straits and support any clause regarding warships come into force by the treaties.

The last and most important regulation of this turbulent era is the Directive of 1878. This directive was issued after the treaty of San Stefano to regulate merchant vessels' navigation in the Turkish Straits and the rules to berth in Istanbul for loading or unloading of cargo.³⁵ Among the directives discussed previously, the 1870 and 1878 Directives were published respectively after the Treaty of London and the Treaty of San Stefano changing the existing regime of the Turkish Straits. Despite the directive of 1870 being issued before the Treaty of London, the Tariff attached to this directive provided adaptation of the newly emerged order of the Treaty

³⁰ *Dersaadet Liman Nizamnamesi 1294 [1878]*, Matbaa-ı Amire, İstanbul, 1878.

³¹ *Index to the Executive Documents of the House of Representatives, 1978-79*, Vol. I, Washington, Government Printing Office, 1879. p. 858; Treaty of San Stefano, Article 24.

³² *Düstur*, Dersaadet Sefayin-i Ticariye Vesairenden Ahz ve Istihsal Olunacak Şamandıra Rüsümuna Dair Nizamname Layihası, H. 6 Cemadiyelevvel 1288 [24 July 1871], Vol. II, Matbaa-ı Amire, İstanbul, 1289 [1872], p. 785.

³³ *Düstur*, Memaliki Şahane Limanında Sefayin-i Ticariyeye Virilecek Tezkirelere Dair Nizamname, H. 2 Cemadiyelevvel 1288 [20 July 1871], Vol. II, Matbaa-ı Amire, İstanbul, 1289 [1872], pp. 783-784.

³⁴ *Düstur*, *op. cit.*, pp. 783-784.

³⁵ *Dersaadet Liman Nizamnamesi 1294 [1878]*, Matbaa-ı Amire, İstanbul, 1878; *Düstur*, Dersaadet Liman Nizamnamesi 1871, Vol. II, Matbaa-ı Amire, İstanbul, 1289 [1872], pp. 774-785.

of London. Due to that fact, similarities and differences of the both directives deserve importance. Some clauses of the Tariff of 1871 and Directive of 1870 were also similar with the 1878 Directive, yet some clauses were different adopting new regimes for foreign merchandise.

For instance at the enclosure of the 1870 Directive; the waterway between Kumkale (see Map No 1) [the horn at the entrance of Dardanelles located opposite the side of Seddulbahir to the eastern side of the strait] and to Karaburun western side of Black Sea [to the western side of Bosphorus] and Şile [to the eastern side of Bosphorus] were defined as the Turkish Straits and vessels or caiques navigating in that area had to pay buoy tax in accordance with their tonality.³⁶ That rule had no exemption, thus either domestic or alien merchant vessels had to pay the buoy tax. For instance, vessels lighter than five tons would be exempted from buoy tax either domestic or alien.³⁷ There was no such Tariff enclosed in the 1878 Directive defining neither the area of the Turkish Straits nor key locations.³⁸ It may be argued that, because the 1870 Directive and 1871 Tariff had defined the area of the Turkish Straits, it was assumed meaningless to redefine the area in the 1878 Directive.



Map 1: Turkish Straits (Dardanelles, Sea of Marmora and Bosphorus). 1-Karaburun: 2-Şile: 3-Kumkale: 4-Dersaadet.

The 1878 Directive consists of 40 articles the first clause was similar to the Directive of 1870 and enclosure Tariff of 1871 respectively 38th article of 1870 Directive and 13th article of 1871 Tariff both were defining the anchoring area called *Dersaadet* (Capital Istanbul). Respectively the area inside of Galata Port and the Bridges at the entrance was assumed as the port of Dersaadet and the area from Cısr-i Cedid [Yeniköprü] to Salıpazarı and from there to Sarayburnu was assumed as the port of Galata (see Map No 2).³⁹ The second clause of the Directive is almost similar to 1871 and imposes rules and determines the sum of taxes for

³⁶<https://www.google.com/maps/place/Sarayburnu,+34400+Fatih%2F%C4%B0stanbul,+T%C3%BCrkiye/@41.016068,28.985438,12z/data=!4m2!3m1!1s0x14cab9c5d10d3b69:0xe5a5ed1722916dec> [Accessed 30 May 2015].

³⁷ *Düstur*, Dersaadet Liman Nizamnamesi 1871, Vol. II, Matbaa-ı Amire, İstanbul, 1289 [1872], p. 785.

³⁸ *Dersaadet Liman Nizamnamesi* 1294 [1878], Matbaa-ı Amire, İstanbul, 1878. pp. 1-16.

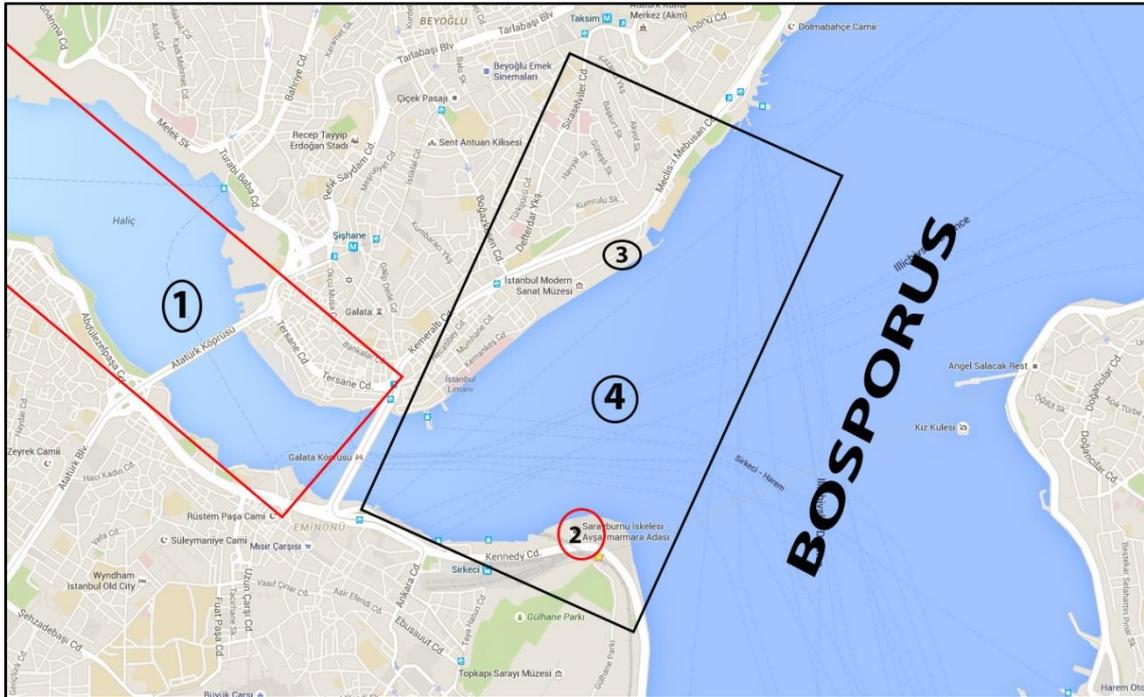
³⁹<https://www.google.com/maps/place/Sarayburnu,+34400+Fatih%2F%C4%B0stanbul,+T%C3%BCrkiye/@41.016068,28.985438,12z/data=!4m2!3m1!1s0x14cab9c5d10d3b69:0xe5a5ed1722916dec> [Accessed 30 May 2015].

vessels which will enter into and anchor at the port of Dersaadet to unload and load their cargoes.⁴⁰

The third clause regulates ration of fines which would be charged to commercial vessels which committed any kind of act against the Directive. According to this clause all masters had to pay a buoy tax. This interesting rule brought by the third article was that; if any vessel flying an alien flag left the port without paying buoy tax, it would not be stopped by the Ottoman Authorities and the consulate of flagged ship state would be informed about the illegal act. The fine for such acts was about five liras.⁴¹

This clause deserves close attention, because the 1871 Tariff did not include such a rule for vessels leaving the ports without any payment. Therefore displays that, Ottoman Government was either reluctant to molest commercial vessels flying alien flag or the newly emerged threats forced the Government to consult consulates before imposing any kind of fine to foreign ships.

The clause is also similar to the capitulatory clauses of treaties signed between the Ottoman Government and European Countries limiting the Ottoman Government's right of jurisdiction against foreigners who committed crimes in Ottoman territories.⁴² The Directive of 1870 had regulated such events at the 24th article saying: "[I]f Any [alien] vessel breaching the rules brought by this Directive, master deport of related country shall be informed about the breach...".⁴³ It can be seen that privilege for alien vessels breaching port rules were extended and the Ottoman Government's sovereignty for interference was limited by the new directive.



Map 2: Dersaadet and Port of Galata. 1-Dersaadet: 2-Sarayburnu: 3-Salıpazarı: 4-Port of Galata.

⁴⁰ *Dersaadet Liman Nizamnamesi 1294 [1878]*, Matbaa-ı Amire, Istanbul, 1878. p. 2; *Düstur*, Dersaadet Liman Nizamnamesi 1871, Vol. II, Matbaa-ı Amire, Istanbul, 1289 [1872], p. 774.

⁴¹ *Dersaadet Liman Nizamnamesi 1294 [1878]*, Matbaa-ı Amire, Istanbul, 1878. p. 3-4;

⁴² *US Congress Records*, Doc. No. 304, Treaty Between United States and Sublime Porte, Doc. No. 304, February 9, 1832, Articles; IV. p. 2-3.

⁴³ *Düstur*, Dersaadet Liman Nizamnamesi, H. 19 Şaban 1287 [November 14, 1870], Vol. II, Matbaa-ı Amire, Istanbul, 1289 [1872], p. 778.

The rest of the clauses starting from the fourth to the ninth, similar to the 1871 Directive were regulating rules for navigation and bounding, mooring to buoys. The tenth clause was regulating *force majeure* and the eleventh was regulating rules for vessels carrying flammable loads. Any vessels carrying flammable cargoes flying the Ottoman or foreign country flag would not be able to enter into the ports neither Dersaadet nor Galata.⁴⁴

Neither the 1870 Directive nor the 1871 Tariff had put any definite buoy number for alien merchant vessels. Therefore the fifteenth clause of the 1878 Directive had definite buoy numbers for domestic and alien vessels such as; Austrian Lloyd Company, Russian Companies, Mesajri [?] Martim Company of France, Italian merchant vessels and British merchant vessels would bind or moor to buoys between numbers 1 to 56.⁴⁵

Seventeenth and sixteenth clauses were similar to the previous directives/tariffs/bills and were also important; underlining the rules for warships at the court of the embassies resident in Istanbul. It was a privilege given to warships at the court of embassies to anchor or bound at the entrance of Tophane-i Amire. This right was a kind of privilege because the only vessel allowed to bind here had to belong His Majesty the Sultan. The other clauses after the sixteenth to fortieth were related loading or unloading of cargoes and how to berth at the docks. Thus as it is clearly seen, Ottoman Government's aim to issue a new directive in the year of 1878 was to prevent any interference into its sovereignty and reregulate the navigation in the Turkish Straits in accordance with newly emerged situation. While adapting new regime Ottoman statesmen struggled to preserve state sovereignty on Straits and not to breach any clauses put in use by the treaties and also not cause a new conflict with Russia over Straits.

CONCLUSION

Throughout history the straits and canals have always strategic importance. This importance may be commercial or militaristic. The Mediterranean Sea has been remained the cradle of human civilization, providing connection to neighboring waters or oceans. In this respect the only way out for the Black Sea was via the Turkish Straits. Any country holding the Turkish Straits could block all navigation in or out of the Black Sea.

After the conquest of Istanbul the Black Sea had become an inland sea for the Ottoman Empire. The *mare clausum* status of the Black Sea continued for about three hundred years but came to an end with the occupation of the northern Black Sea coast by Russia. However, without sovereignty of the Turkish Straits, the Black Sea remained a closed basin for Russia but, after the Crimean War (1853-56) Russia's enemies could use the Straits as an avenue for their navies to attack Russian interests. Because of this vital reason after annexation of Crimea, Russia's basic aim was to occupy or at least control the Turkish Straits. This desire became an obsession for Russian Foreign Policy. At that time, it was the British Navy that was supreme naval super power, and held as strong a desire for control of the Turkish Straits as the Russians.

Two important events during the last decades of the 19th century affected the destiny of Ottoman State and the Turkish Straits. Firstly the opening of the Suez Canal provided Britain a short and safe route to colonies and India. The second was the disastrous defeat of the Ottoman Empire in the 1877-78 War. The first treaty signed after the war was the San Stefano Treaty weakening Ottomans and leaving the door open for Russian interference into domestic Ottoman affairs. Due to opposition to Europe's big powers, several articles of the San Stefano were changed at the Berlin Conference. However the article granting unconditional free

⁴⁴ *Dersaadet Liman Nizamnamesi 1294 [1878]*, Matbaa-ı Amire, Istanbul, 1878. pp. 6-8.

⁴⁵ *Ibid*, pp. 8.

navigation to Russian commercial vessels was not changed. San Stefano and Berlin had preserved the *status quo* for warships but commercial vessels had achieved an unlimited freedom.

Before the 1877-78 War, the Ottoman Government had issued a number of directives/bills/tariffs and post-war peace treaties had brought a new order for the Turkish Straits. The 1878 Directive was the one, whereas it had been issued after a grave defeat changing existing *status quo*. The definite aim was to regulate commercial navigation in the Turkish Straits in convenience with the newly established order. Despite some articles of the Directive were taken former directives, some articles had brought new rules for commercial vessel navigation.

The Directive is not published in the Ottoman Code Book, namely "*Düstur*" and is in the library of Straits Administration. This article shows that, the decline of Ottoman sovereignty on Straits was an irreversible process fueled by Russia. The scope of this paper is limited with the Directive and the order that would be established in post-war era. Because of this reason developments regarding the Turkish Straits after 1878 were not discussed. The abstractive translation of the 1878 Directive is attached to this paper to assist researchers to evaluate an Ottoman Source while studying Turkish Straits.

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ENCLOSURE I:**Abstractive Translation of the 1878 Directive****Dersaadet Port Directive**

Article One; The area between the ports of Galata and Dersaadet and the area from cis-icid [Yeniköprü] to Salı Pazarı [Salıpazarı] and from there to Sarayburnu and off-shore buoys will be assumed as port of Galata.

Article Two; All kind of vessels entering into the borders of Dersaadet have to pay below mentioned taxes. First of all, commercial vessels staying inside of the port for four days shall pay four lira for each Ottoman tonality and if their stay overrun this period the said vessels shall pay eight Ottoman liras for each tonality. Secondly, vessels carrying cargoes heavier than eight hundred tonalities in accordance with their stay in deep port shall pay four or eight liras tax respectively. Thirdly, vessels transporting wood or charcoal for each tonality shall pay four liras tax. Fourthly, vessels navigating between Kale-i Sultani [the narrowest part of Dardanelles] and Karaburun and Şile shall pay four lira tax. ... Fifthly, vessels with their cargoes lighter than five tonalities shall be exempted from tax payment. Assistance afforded by towboats belonging to Port Administration will be free of charge. This tariff shall be three years valid after it come into force.

Article Three; In case of cash fine punishment for breaching of above said rules, masters shall be informed by written notification. All kind of vessel masters, before their departure shall pay all kind of tax or fines. Masters leaving the port without payment of necessary tax or fines shall be acted as: if departing vessel flying Ottoman Government's flag, Port Master's Office shall be informed about the case, if departing vessel was flying a foreign country's flag, related consulate shall be notified about the act. That kind of vessels shall pay all tax or fines as triple sum. Buoy Tax Office shall be open every day at 09.00 and shall close one hour before sunset.

Article Nine; Port Administration shall deliver all kind of notification and order to Captain or Vice-Captain only. Said captains shall sign a document proving their receipt of notification or order etc. Port Administration shall afford towboats for assistance to needed vessels. Captains have the right not to accept that towboats, in that case they themselves had to find out towboats otherwise necessary fine shall be paid.

Article Five; All vessels entering into ports to load or unload cargo shall bind on two buoys one at the prow and abaft or only one buoy at the prow.

Article Six; All vessels entering into Dersaadet port when arrived onto visible location shall fly their white and red flags. If vessels coming from Black Sea or Marmora Sea before their arrival eastern or western direction of Sarayburnu a boat shall be sent to notify masters about the buoy they shall bind.

Article Seven; All vessels entering into ports without permission or absence of force major shall not anchor. Vessels shall anchor offshore of the port. Any kind of act breaching that rule shall be punished and the fine could be five liras.

Article Eight; All white painted buoys at the entrance of Salıpazarı shall be for 24 hours free usage of coal transportation vessels. That buoys shall only be used 24 hours and the duration more than that period shall be fined from one to five liras. Vessels arriving at night shall bind above said buoys if empty.

Article Nine; Except force major, white buoys close to Yeniköprü shall not be used for binding. Breach above mentioned rule subject to pay from one lira to ten lira fine.

Article Ten; All vessels anchored unpermitted location shall pay three lira fine.

Article Eleven; Vessels carrying ammunition, gunpowder or flammable equipment shall enter into ports. Above said vessels shall fly red flag on their big pole and shall unload their

cargoes in Bosphorus offshore or at the place shown them by Port Administration upon their arrival.

Article Twelve; If a vessel's cargo partly or wholly consists of kerosene/gas oil or naphtha etc. or something like, they shall unload in Bosphorus between Çubuklu and Paşabahçesi. Their cargo shall be transferred to a place determined by Government.

Article Thirteen; All necessary measures shall be taken to prevent risk of flame while transferring kerosene to port of Galata. Iron barges shall be used and more than 100 chests shall not be load onto barges.

Article Fourteen; Barges carrying kerosene etc. shall be unloaded as early as possible and Port Administration shall not permit more than two barges at dock.

Article Fifteen; [Foreign] Company vessels navigating in [Turkish Straits] shall bind onto designated numbers of buoys respectively: Austrian Lloyd Co. vessels shall bind 17-18 and 20-21 and 33-34 and 30 and jointly with Russian Co. 28-29. Mesajri Martim Co. of France 16-17 and 31-32 and 40-50, Italian Co. vessels 22-23 and 52-56, Russian Co. vessels 22-23 and 24-25 and 30 and 28-29 shall jointly be used with Lloyd Co. Vessels navigating between [Turkish Straits] and Izmir and Danube to 19 and 53, British Co. vessels 1 and 2 and 3 and 4. Aziziye Administration vessels to 10-11 and 15-16 and Hidiviye Post vessels 5-6 and 7-8, Şirket-i Hayriye Co. vessels 5-6 and 7-8 and towboats to locations notified to them and vessels do not related with any company also shall unload their cargoes at the places notified to them. Buoys fixed against waives shall not be used in any case.

Article Sixteen; Company passenger vessels, boats and barges navigating between Bosphorus and [Marmora] Islands shall dock to Yeniköprü. Those vessels shall bind to buoys mentioned in article sixteen.

Article Seventeen; Warships at the court of foreign country embassies shall stay at the entrance of Tophane-i Amire and to the east of pier belonging to His Majesty Sultan. To the west the last vessel shall only be at the entrance of Tophane-i Amire's small pier. There shall be enough space between said vessels and warships could control their ropes all day around.

Article Eighteen; Except force major and above mentioned warships, no vessels shall enter into Tophane-i Amire entrance or bind to buoy at there. Any vessel breaching that clause shall pay from one lira to five lira fine. Same rule shall be in force for vessels binding unpermitted buoys.

Article Nineteen; Sail boats entering into ports to load or unload cargo shall anchor and bind their hawsers outside from abaft. Vessels entered into Dersaadet Port shall start their operation in four days otherwise they shall subject to pay from one lira to five lira fine.

Article Twenty; If commercial vessels disrepair want to be repaired they will arrange necessary measures not to harm other vessels and for navigation safety.

Article Twenty one; Commercial vessels shall dock Galata Customs Pier after their receipt of necessary permission. Only three vessels shall dock the pier at once.

Article Twenty Two; Sail boats, after they load or unload their cargoes and receive necessary ballast on convenience of weather shall depart from in forty-eight hours from the port. Breach to this rule shall subject to pay one lira for each day.

Article Twenty Three; If a vessel's anchor sticks around another vessel's anchor, masters of both vessels shall immediately assist to solve that problem. If necessary assistance was not provided, from two lira to seven lira fine shall be paid.

Article Twenty Four; Alien vessels to enter into ports shall submit their customs permissions by related country's master deportee and receive necessary documents. After their arrival to said location no payment shall be done.

Article Twenty Five; Sail boats arrived to Yeniköprü except force major shall bind buoys designated to them and pass from the area same evening. Otherwise they shall pay one lira fine.

Article Twenty Six; Vessels transporting wheat shall bind offshore between bridges to Istanbul side in front of the timber shops.

Article Twenty Seven; No vessel allowed for long stay inside of ports, if there is such need they shall stay at the place they are allowed.

Article Twenty Eight; Vessels entered into Yeniköprü for repair or maintenance shall only pay buoy tax and could stay one month at the location between bridges and if they need more time without approval of experts shall pay ten piasters each over day stay. After completion of repairing they shall leave the port.

Article Twenty Nine; Vessels after their departure from the port suffered due damage if return back into the port for reparation shall not subject to repay buoy tax.

Article Thirty; All kind of vessels and boats and barges and lighters etc. to enter from Yeniköprü and exit from Istanbul side shall go in from Galata direction and shall not set sail neither in Yeniköprü nor Eskiköprü area. Vessels breaching that rule shall pay in the first time twenty five piasters, second time fifty piasters and third time one lira fine.

Article Thirty One; If any of vessels take out from deep seabed any kind of goods not belonging to them shall inform Port Administration.

Article Thirty Two; Vessels in ports necessitating ballast have to pay for such service. Vessels which do not have to pay buoy tax also shall pay for ballast they received.

Article Thirty Three; Barges allocated to transport ballast shall hoist a red sign showing quantity of ballast they are allowed to carry.

Article Thirty Four; Vessels entered into port without cargo could not transfer their ballasts into other vessels instead Port Administration shall send a barge to receive said ballast. Breach to that rule from five lira to twenty lira fine shall be paid.

Article Thirty Five; Vessels to receive ballast they needed shall apply twenty four hours prior to their request; the application shall be made by masters or vice-masters. Overtime usage shall be fined by twenty piaster for each tonality. Ballast Chamber shall be open all days except Sunday and from 09.00 to 16.00.

Article Thirty Six; All towboats and vessels navigating in Dersaadet without permission of Port Administration shall not depart one hour after the sun set and one hour before sunrise. In case of fire this rule shall not be valid. Breach to this rule subject to payment of twenty lira. Vessels committed such act also shall cover all kind of damage they caused.

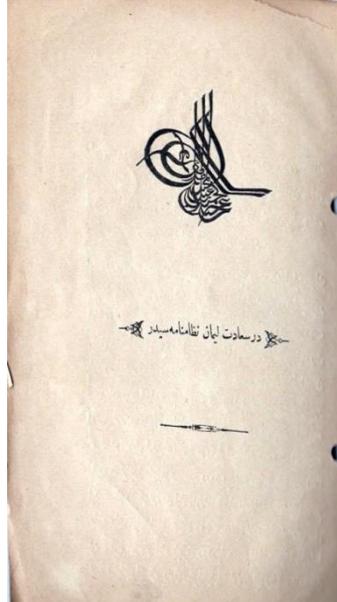
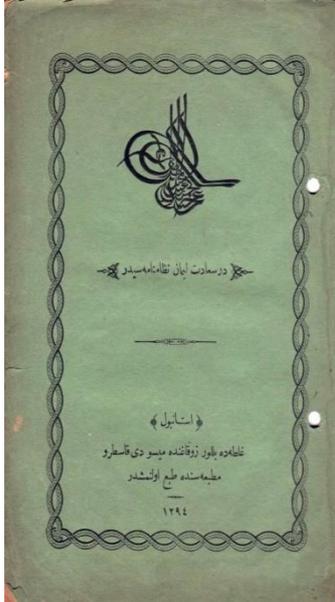
Article Thirty Seven; Commercial vessel masters shall submit their petition to Port Administration directly or via their country's master deport.

Article Thirty Eight; A vessel shall be ready under the order of Port Administration to assist any kind of dangerous situation or event.

Article Thirty Nine; Two lifeboat always shall be kept ready to operate by Port Administration to assist any case of emergency. One of the said lifeboats shall stay near Port Administration and the other between bridges at Kürekçi gate. Necessary staff and equipment shall be ready in those boats and every week that equipment shall be checked.

Article Forty; In case of fire nearest water pump center shall be informed and those who brought such information shall be rewarded with fifty piasters.

ENCLOSURE: II- Sample Pages of 1878 Directive



جدیددن دخول اتمک اوزده استایل طرفندن وغرض اتمک ایچون غلطه طرفندن اولان کوروزون مرور ایدمک و بوعوم مراکب بحریه مک جسرین بنده و کرک جسرین ایچرینده لیکن کشاد ایچری ممنوعدر و بوموعیتک خلافتدن حرکت ایدتون برنجی دهمده بکری بش وایکینجی دهمده الی غرض وایچنجی دهمده بر عدد ایرای شانی جزای تقدی اتمه سیدر.

اوئوز برنجی ماده بالجه تجار قیدلاری کندو مالاری اولهوق در رسالت صولنجه قمر در اذن تجرد و زنجروسا ایشا ایشا خراج وایچود مژولک فکک وایشای ساره تخلص ایچکری صورتده دجال ایان نظارت خیر و بوجکوزور ایشای مذ کورمک صاحب حقیقی ظهور ایدر اسه اصوله توفیقاً مصارف تخلیصیه بی عدالفا وایچری طلب وایسترداد ایدمک ایچون ایان نظاری اول ایشای مأمور ارسالیله اخذ ایشیه چکدر.

اوئوز ایچنجی ماده ایان حدودی داخلند لکر انداز اولان سفینه لیه تدارکی لایحتلاز صفرمک اعطالی میری به ناند اولوب بونک امر ادا هسی ایلمک تحت ادا هسده اوله سق و صفرمک بر طویلاصی ایچون اون غرض اخذ اوله سجدر ایان مذ کورک حدودی خارجنده اولوب نایدیه رسوبله مکلف اولیان سفینه ل صفرمک بر طویلاصی هون اوچر غرض اعطا ایدمک کوزر.

اوئوز ایچنجی ماده صفره نکلده مخصوص اولان مایه لارک قیچنده

حمله لاری اخذ ویا تخلیه ایتدکن و صفرلاری ایتدکن قرق سکر ساعت سکره ایان حدودندن خرچ ایدمک کوزر و بونک مخالف حرکتده بولنلارین تکمیل معامله دن سکره فاج کون اومه دوام ایدر لایسه بویه بر لاری شانی جزای تقدی اخذ اوله سجدر.

یکری ایچنجی ماده بر کینیک تجویر یازنده بولان سفینک تجویر لیه ایشا سایدن معالوتی افا ایدمک کوزر و ایتدکنی حالده ایکی ایرادن بدی ایرایه قدر جزای تقدی اخذ اوله سجدر سفین تجاریه تهور انا ایکن ممکن مرتبه یازنده بولان کینیلک اوزرته تهور ادا هت اتمک، جیوردور.

یکری دونه ی ماده سفین اجنبیه جسرین بنده دخول اتمک اوزره منسوب اولد لاری دولتک قیدوان دیپورلی واسطه سیله کورک تذکر لاری حکومت محلیه یا راه الیه ایشا ایدن رخصتی استحصال ایدمک کوزر و بوی سفینه لک اوقات مینه ده جسر جدیددن مرور لیده مأموری طرفندن هیچ بر کونه خرچ طلب اوله سجدر و تسهیل مرور لری حفته معاوت متخصیه ممکنه افا ایدمک کوزر.

یکری بینجی ماده جسر جدیددن مرور اتمک استبان لیکن سفینه لری اسباب مجبوره مستند اولدنجیه کلکار لری کون کندولرینه مخصوص اولان شه لدر یاره ربط ایدمک کوزر و کیکجه سی جسر مذ کورون کچه جکوزر و عکسی حالده بویه بر عدد ایرای شانی جزای تقدی ایاضنه مجبور اوله سجدر.

سفین حربیه اجنبیه به مخصوص اولان مایه لارمق صورتده تجرد آهتق اولان سفینه لردن دخی اخذ وایتفا اوله سجدر.

اون قفوتنجی ماده حمله اخذ ویا تخلیه سیچون ایاه دخول ایدمک لیکن سفینه لری باشند خلاط لاری ربط اتمک ایچون شه لدر یه بولمده بی حالده تجویر لری ایدمک، تنسکره بلا مالاری قیچدن طیارویه بنله جکوزر رسالت ایانی حدودی ایچرینده دخول ایدمک سفین تجاریه دوت کون طرفنده اشم، ایشرت ایدمک کوزر و ایتدکنی حالده بر ایرادن بش ایرایه قدر جزای تقدی ایاضنه مجبور اوله سجدر.

یکری بینجی ماده سفین تجاریه دن دانه ی (۱) چکمک مراد ایدن اولور ایسه چکدرن اول کرک استولاری (۲) و کرک سازه سی ایچریه الوب سر لاری سنجاقه قاره سجدر (۳) ایچری لازمکجه ایکی مثال اولاند مسنده اوسترمجه (۴) قومه دخی مجبور اوله سجدر.

یکری بینجی ماده سفین تجاریه ایان نظارتدن ایجاب ایدن رخصتی بالاستحصال غلطه کورک اسکلک سته نیشایله جکوزر فقط یکدیکرته نیشا بر لیش کینیلر اوچدن زیاد اوله سجدر.

یکری ایچنجی ماده لیکن سفینه لری هوا مساعد اولد بی حالده

(۱) بر صغیری لاجل انصیر ساحله چکمک
(۲) زانه یا کین ایچق ایچون سفینرین نینارو سورولان اجابیر
(۳) سفیری سفینای طرفنده بایوق
(۴) بر صغیر و صغیر و یا ایکی سفینه رورنه باشد قنده دفع صحت ایچون خلافت و یا ایچیندن ارا لیه تویزلان یاسدن

یکری بینجی ماده خطه حوملی تجویه وایچود تخمیل ایدمک اولان سفینه ل جسرین بنده استایل طرفندکی کراسته مغالاری لویکریده ساحلن لوج چاریک قریماه (۱) مسافه نعلایله سجدر.

یکری بینجی ماده هیچ بر سفینه مدت میده ایان دروننده اقامت ایدیه جکوزر دعوی وایچود سکوستر و تختمده اولان سفینه ل ایان حدودی خارجنده کندولرته کورته سجدرک محله کدوب اولوده آرام ایدمک کوزر.

یکری کونجی ماده حمله اخذ ویا تخلیه اتمک تمیر ویا قفالت ایدمک اوزره جسر جدیددن ایچر و بوی ایدن سفینه ل شه لدر یه رسوندن نشته بریم افا ایچکسزین جسرین بنده بر ماه اقامت ایدمک و مدت مذ کورده اتمک استحصال کورمک سفینه ل تمیر لاری دها زیاد و قتمحتاج بولد بی اهل خیمه معرقله ثبات بولمجه بویه اوزر غرض افا ایدمک کوزر و قسیرات مذ کورمک اکتانصکره برقع سفینه لری باجسرم کورون خرچ وایچود خرچ مذ کوری ایدمک کوزر.

یکری قفوتنجی ماده ایچدن حرکت ایدمک ایشا راهده ضرر ییده اولان سفینه ل خسارات واقعه مک تمیری ضنکده ایاه عبودت ایچکری حالده کوزر ایدمک رسونمک ایاضنه مجبور اوله سجدر.

اوئوزنجی ماده هر فوج سفینه وایلی و مایه و طویلاز و ساره جسر

(۱) یوز سکان قولاچ غول و اتماد