of Algiers, we, therefore, William Shaler and Isaac Chauncey, Commissioners as aforesaid, do conclude the foregoing Treaty, and every Article and Clause therein contained, reserving the same, nevertheless, for the final ratification of the President of the United States of America, by and with the Advice and Consent of the Senate of the United States.

Done in the Chancery of the Consulate General of the United States, in the City of Algiers, on the 23d day of December, in the year 1816, and of the Independence of the United States the forty-first.

WM. SHALER. (L. S.)
I. CHAUNCEY. (L. S.)

The signature of the Dey is stamped at the beginning and end of the Treaty.

CONVENTION WITH GREAT BRITAIN. (a)

Oct. 20, 1818.

The United States of America, and his Majesty the King of the United Kingdom of Great Britain and Ireland, desirous to cement the good understanding which happily subsists between them, have, for that purpose, named their respective Plenipotentiaries, that is to say: The President of the United States, on his part, has appointed Albert Gallatin, their Envoy Extraordinary and Minister Plenipotentiary to the court of France; and Richard Rush, their Envoy Extraordinary and Minister Plenipotentiary to the court of his Britannic Majesty: And his Majesty has appointed the right honourable Frederick John Robinson, Treasurer of his Majesty's Navy, and President of the Committee of Privy Council for Trade and Plantations; and Henry Goulburn, Esq., one of his Majesty's Under Secretaries of State: Who, after having exchanged their respective full powers, found to be in due and proper form, have agreed to and concluded the following articles:

Full powers exchanged.

ARTICLE 1.

Definition of the extent of the common right of fishing, &c. on the coast of the British dominions in America.

WHEREAS differences have arisen respecting the liberty claimed by the United States, for the inhabitants thereof, to take, dry, and cure, fish, on certain coasts, bays, harbours, and creeks, of his Britannic Majesty's dominions in America, it is agreed between the high contracting parties, that the inhabitants of the said United States shall have, forever, in common with the subjects of his Britannic Majesty, the liberty to take fish of every kind on that part of the southern coast of Newfoundland, which extends from Cape Ray to the Rameau Islands, on the western and northern coast of Newfoundland, from the said Cape Ray to the Quirpon Islands, on the shores of the Magdalen Islands, and also on the coasts, bays, harbours, and creeks, from Mount Joly, on the southern coast of Labrador, to and through the Streights of Belleisle, and thence northwardly indefinitely along the coast, without prejudice, however, to any of the exclusive rights of the Hudson Bay Company: And that the American fishermen shall also have liberty, forever, to dry and cure fish in any of the unsettled bays, harbours, and creeks, of the southern part of the coast of Newfoundland, hereabove described, and

Exception as to the Hudson Bay Company.

(a) See notes of the treaties and conventions between the United States and Great Britain, ante, page 54.

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of the coast of Labrador; but so soon as the same, or any portion thereof, shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such portion so settled, without previous agreement for such purpose, with the inhabitants, proprietors, or possessors, of the ground. And the United States hereby renounce, forever, any liberty heretofore enjoyed or claimed by the inhabitants thereof, to take, dry, or cure fish, on or within three marine miles of any of the coasts, bays, creeks, or harbours, of his Britannic Majesty's dominions in America, not included within the abovementioned limits: Provided, however, that the American fishermen shall be admitted to enter such bays or harbours, for the purpose of shelter and of repairing damages therein, of purchasing wood, and of obtaining water, and for no other purpose whatever. But they shall be under such restrictions as may be necessary to prevent their taking, drying, or curing, fish therein, or in any other manner whatever abusing the privileges hereby reserved to them.

Renunciation by the United States as to other fisheries, except, &c.

ARTICLE 2.

It is agreed, that a line drawn from the most northwestern point of the Lake of the Woods, along the forty-ninth parallel of north latitude, or if the said point shall not be in the forty-ninth parallel of north latitude, then that a line drawn from the said point due north or south, as the case may be, until the said line shall intersect the said parallel of north latitude, and from the point of such intersection due west along and with the said parallel, shall be the line of demarkation between the territories of the United States and those of his Britannic Majesty, and that the said line shall form the northern boundary of the said territories of the United States, and the southern boundary of the territories of his Britannic Majesty, from the Lake of the Woods to the Stony Mountains.

Definition of the northern boundary of the U. S. from the Lake of the Woods to the Stony Mountains.

ARTICLE 3.

It is agreed, that any country that may be claimed by either party on the northwest coast of America, westward of the Stony Mountains, shall, together with its harbours, bays, and creeks, and the navigation of all rivers within the same, be free and open, for the term of ten years from the date of the signature of the present convention, to the vessels, citizens, and subjects, of the two powers: it being well understood, that this agreement is not to be construed to the prejudice of any claim which either of the two high contracting parties may have to any part of the said country, nor shall it be taken to affect the claims of any other power or state to any part of the said country; the only object of the high contracting parties, in that respect, being to prevent disputes and differences amongst themselves.

Country claimed by either party westward of the Stony Mountains, to be free to both parties, until Oct. 20, 1828.

ARTICLE 4.

All the provisions of the convention "to regulate the commerce between the territories of the United States and of his Britannic Majesty," concluded at London, on the third day of July, in the year of our Lord one thousand eight hundred and fifteen, with the exception of the clause which limited its duration to four years, and excepting, also, so far as the same was affected by the declaration of his Majesty respecting the Island of St. Helena, are hereby extended and continued in force for the term of ten years from the date of the signature of the present convention, in the same manner as if all the provisions of the said convention were herein specially recited.

Convention of London, of 3d July 1815, continued for ten years.
Ante, p. 228.

ARTICLE 5.

Whereas it was agreed by the first article of the treaty of Ghent, that "All territory, places, and possessions, whatsoever, taken by either party from the other, during the war, or which may be taken after the

Reference to 1st article of treaty of Ghent.

signing of this treaty, excepting only the islands hereinafter mentioned, shall be restored without delay, and without causing any destruction, or carrying away any of the artillery or other public property originally captured in the said forts or places, which shall remain therein upon the exchange of the ratifications of this treaty, or any slaves, or other private property;" and whereas, under the aforesaid article, the United States claim for their citizens, and as their private property, the restitution of, or full compensation for, all slaves who, at the date of the exchange of the ratifications of the said treaty, were in any territory, places, or possessions, whatsoever, directed by the said treaty to be restored to the United States, but then still occupied by the British forces, whether such slaves were, at the date aforesaid, on shore, or on board any British vessel, lying in waters within the territory or jurisdiction of the United States; and whereas differences have arisen whether, by the true intent and meaning of the aforesaid article of the treaty of Ghent, the United States are entitled to the restitution of, or full compensation for, all or any slaves, as above described, the high contracting parties hereby agree to refer the said differences to some friendly sovereign or state, to be named for that purpose; and the high contracting parties further engage to consider the decision of such friendly sovereign or state to be final and conclusive on all the matters referred.

Ante, p. 218. Claim for slaves under the 1st article of the treaty of Ghent.

Differences growing out of the claim for slaves, to be referred to some friendly sovereign or state.

ARTICLE 6.

This convention, when the same shall have been duly ratified by the President of the United States, by and with the advice and consent of their Senate, and by his Britannic Majesty, and the respective ratifications mutually exchanged, shall be binding and obligatory on the said United States, and on his majesty; and the ratifications shall be exchanged in six months from this date, or sooner, if possible.

This convention obligatory on exchange of ratifications.

In witness whereof the respective plenipotentiaries have signed the same, and have thereunto affixed the seal of their arms. Done at London, this twentieth day of October, in the year of our Lord one thousand eight hundred and eighteen.

ALBERT GALLATIN, (L. S.)
RICHARD RUSH, (L. S.)
FREDERICK JOHN ROBINSON, (L. S.)
HENRY GOULBURN. (L. S.)

DECISION

Of the Commissioners under the fourth article of the Treaty of Ghent.

Decision of the commissioners under the 4th article of the treaty of Ghent. New York, Nov. 24, 1814. Ante, p. 219.

By Thomas Barclay and John Holmes, esquires, commissioners, appointed by virtue of the fourth article of the treaty of peace and amity between his Britannic majesty and the United States of America, concluded at Ghent, on the twenty-fourth day of December, one thousand eight hundred and fourteen, to decide to which of the two contracting parties to the said treaty, the several islands in the Bay of Passamaquoddy, which is part of the Bay of Fundy, and the island of Grand Menan, in the said Bay of Fundy, do respectively belong, in conformity with the true intent of the second article of the treaty of peace of one thousand seven hundred and eighty-three, between his said Britannic majesty and the aforesaid United States of America.

Ante, page 81.

We, the said Thomas Barclay and John Holmes, commissioners as aforesaid, having been duly sworn impartially to examine and decide upon the said claims, according to such evidence as should be laid

before us on the part of his Britannic majesty and the United States, respectively, have decided, and do decide, that Moose Island, Dudley Island, and Frederick Island, in the Bay of Passamaquoddy, which is part of the Bay of Fundy, do, and each of them does, belong to the United States of America; and we have also decided, and do decide, that all the other islands, and each and every of them, in the said Bay of Passamaquoddy, which is part of the Bay of Fundy, and the Island of Grand Menan, in the said Bay of Fundy, do belong to his said Britannic majesty, in conformity with the true intent of the said second article of said treaty of one thousand seven hundred and eighty-three.

Moose Island, &c. belong to United States.

Other islands belong to Great Britain.

In faith and testimony whereof, we have set our hands and affixed our seals, at the city of New York, in the state of New York, in the United States of America, this twenty-fourth day of November, in the year of our Lord one thousand eight hundred and seventeen.

JOHN HOLMES, (L. S.)
THOMAS BARCLAY. (L. S.)

Witness,

JAMES T. AUSTIN, Agent U. S. A.
ANTHONY BARCLAY, Secretary.

DECLARATION

Of the Commissioners under the fourth article of the Treaty of Ghent.

NEW YORK, 24th NOVEMBER, 1817.

SIR,

THE undersigned commissioners, appointed by virtue of the fourth article of the treaty of Ghent, have attended to the duties assigned them; and have decided that Moose Island, Dudley Island, and Frederick Island, in the Bay of Passamaquoddy, which is part of the Bay of Fundy, do each of them belong to the United States of America, and that all the other islands in the Bay of Passamaquoddy, and the Island of Grand Menan, in the Bay of Fundy, do each of them belong to his Britannic majesty, in conformity with the true intent of the second article of the treaty of peace of one thousand seven hundred and eighty-three. The commissioners have the honor to enclose herewith their decision.

Declaration of the commissioners accompanying their decision.

Ante, p. 219.

Ante, p. 81.

In making this decision, it became necessary that each of the commissioners should yield a part of his individual opinion: several reasons induced them to adopt this measure; one of which was the impression and belief that the navigable waters of the Bay of Passamaquoddy, which, by the treaty of Ghent, is said to be part of the Bay of Fundy, are common to both parties for the purpose of all lawful and direct communication with their own territories and foreign ports.

Each of the commissioners has yielded a part of his individual opinion, &c.

The undersigned have the honor to be,
With perfect respect, Sir,
Your obedient and humble servants,

J. HOLMES,
THO: BARCLAY.

The Hon. JOHN QUINCY ADAMS, *Secretary of State.*