

## A CONVENTION

July 3, 1815.

### *To regulate the Commerce between the Territories of the United States and of his Britannick Majesty. (a)*

Ratified by the Prince Regent on the 31st July, 1815; and by the President and Senate on the 22d of Dec. 1815; on which latter day the ratifications were exchanged at Washington.

THE United States of America and his Britannick majesty being desirous, by a Convention, to regulate the commerce and navigation between their respective countries, territories, and people, in such a manner as to render the same reciprocally beneficial and satisfactory, have, respectively, named plenipotentiaries, and given them full powers, to treat of and conclude such Convention; that is to say, the President of the United States, by and with the advice and consent of the Senate thereof, hath appointed, for their plenipotentiaries, John Quincy Adams, Henry Clay, and Albert Gallatin, citizens of the United States; and his royal highness the Prince Regent, acting in the name and on the behalf of his majesty, has named, for his plenipotentiaries, the right honorable Frederick John Robinson, vice-president of the committee of privy council for trade and plantations, joint paymaster of his majesty's forces, and a member of the imperial parliament, Henry Goulbourn, Esq. a member of the imperial parliament, and under secretary of state, and William Adams, Esq. doctor of civil laws; and the said plenipotentiaries having mutually produced and shown their said full powers, and exchanged copies of the same, have agreed on and concluded the following articles, vide licet:

Reciprocal liberty of commerce between the Territories of U. S. and the British Territories in Europe.

ARTICLE 1. There shall be between the territories of the United States of America, and all the territories of his Britannick majesty in Europe, a reciprocal liberty of commerce. The inhabitants of the two countries, respectively, shall have liberty freely and securely to come with their ships and cargoes to all such places, ports, and rivers, in the territories aforesaid, to which other foreigners are permitted to come, to enter into the same, and to remain and reside in any parts of the said territories, respectively; also to hire and occupy houses and warehouses for the purposes of their commerce; and, generally, the merchants and traders of each nation, respectively, shall enjoy the most complete protection and security for their commerce, but subject always to the laws and statutes of the two countries, respectively.

No higher or other duties on productions of each country, than on those of other foreign countries.

ART. 2. No higher or other duties shall be imposed on the importation into the United States of any articles, the growth, produce, or manufacture, of his Britannick majesty's territories in Europe, and no higher or other duties shall be imposed on the importation into the territories of his Britannick majesty in Europe of any articles, the growth, produce, or manufacture, of the United States, than are or shall be payable on the like articles being the growth, produce, or manufacture, of any other foreign country; nor shall any higher or other duties or charges be imposed in either of the two countries, on the exportation of any articles to the United States, or to his Britannick majesty's territories in Europe, respectively, than such as are payable on the exportation of the like articles to any other foreign country; nor shall any prohibition be imposed on the exportation or importation of any articles,

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

the growth, produce, or manufacture, of the United States, or of his Britannick majesty's territories in Europe, to or from the said territories of his Britannick majesty in Europe, or to or from the said United States, which shall not equally extend to all other nations.

No higher or other duties or charges shall be imposed in any of the ports of the United States on British vessels, than those payable in the same ports by vessels of the United States; nor in the ports of any of his Britannick majesty's territories in Europe on the vessels of the United States, than shall be payable in the same ports on British vessels.

Equality of duties on American and British vessels.

The same duties shall be paid on the importation into the United States of any articles, the growth, produce, or manufacture, of his Britannick majesty's territories in Europe, whether such importation shall be in vessels of the United States or in British vessels, and the same duties shall be paid on the importation into the ports of any of his Britannick majesty's territories in Europe, of any article, the growth, produce, or manufacture, of the United States, whether such importation shall be in British vessels or in vessels of the United States.

Same duties on productions of each country.

The same duties shall be paid, and the same bounties allowed, on the exportation of any articles, the growth, produce, or manufacture, of his Britannick majesty's territories in Europe to the United States, whether such exportation shall be in vessels of the United States or in British vessels; and the same duties shall be paid, and the same bounties allowed, on the exportation of any articles, the growth, produce, or manufacture, of the United States, to his Britannick majesty's territories in Europe, whether such exportation shall be in British vessels or in vessels of the United States.

Equality of duties and bounties, &c.

It is further agreed, that in all cases where drawbacks are, or may be, allowed upon the re-exportation of any goods, the growth, produce, or manufacture, of either country, respectively, the amount of the said drawbacks shall be the same, whether the said goods shall have been originally imported in a British or an American vessel; but when such re-exportation shall take place from the United States in a British vessel, or from the territories of his Britannick majesty in Europe in an American vessel, to any other foreign nation, the two contracting parties reserve to themselves, respectively, the right of regulating or diminishing, in such case, the amount of the said drawback.

Drawbacks the same, &c.

The intercourse between the United States and his Britannick majesty's possessions in the West Indies, and on the continent of North America, shall not be affected by any of the provisions of this article, but each party shall remain in the complete possession of its rights, with respect to such an intercourse.

Intercourse with the British West Indies and North American Continental Possessions not affected by this article.

ART. 3. His Britannick majesty agrees that the vessels of the United States of America shall be admitted and hospitably received at the principal settlements of the British dominions in the East Indies, vide licet: Calcutta, Madras, Bombay, and Prince of Wales' Island; and that the citizens of the said United States may freely carry on trade between the said principal settlements and the said United States, in all articles of which the importation and exportation, respectively, to and from the said territories, shall not be entirely prohibited; provided only, that it shall not be lawful for them, in any time of war between the British government and any state or power whatever, to export from the said territories, without the special permission of the British government, any military stores, or naval stores, or rice. The citizens of the United States shall pay for their vessels, when admitted, no higher or other duty or charge than shall be payable on the vessels of the most favoured European nations, and they shall pay no higher or other duties or charges on the importation or exportation of the cargoes of the said vessels, than shall

Vessels of U. S. may trade to Calcutta, &c. direct, in articles not entirely prohibited.

Citizens of U. S. not to pay more than is paid on vessels of the most favoured nation.

be payable on the same articles when imported or exported in the vessels of the most favoured European nations.

Articles must be conveyed direct to U. S. and be unladen.

But it is expressly agreed, that the vessels of the United States shall not carry any articles from the said principal settlements to any port or place, except to some port or place in the United States of America, where the same shall be unladen.

Vessels of U.S. not to carry on the coasting trade in the British East Indies.

It is also understood, that the permission granted by this article is not to extend to allow the vessels of the United States to carry on any part of the coasting trade of the said British territories; but the vessels of the United States having, in the first instance, proceeded to one of the said principal settlements of the British dominions in the East Indies, and then going with their original cargoes, or part thereof, from one of the said principal settlements to another, shall not be considered as carrying on the coasting trade. The vessels of the United States may also touch for refreshment, but not for commerce, in the course of their voyage to or from the British territories in India, or to or from the dominions of the emperor of China, at the Cape of Good Hope, the Island of St. Helena,<sup>(a)</sup> or such other places as may be in the possession of Great Britain, in the African or Indian seas; it being well understood that in all that regards this article, the citizens of the United States shall be subject, in all respects, to the laws and regulations of the British government from time to time established.

American vessels may touch for refreshment, &c.

Consuls to reside in the dominions of each party.

ART. 4. It shall be free for each of the two contracting parties, respectively, to appoint consuls for the protection of trade, to reside in the dominions and territories of the other party; but before any consul shall act as such, he shall, in the usual form, be approved and admitted by the government to which he is sent; and it is hereby declared, that, in case of illegal or improper conduct towards the laws or government of the country to which he is sent, such consul may either be punished according to law, if the laws will reach the case, or be sent back, the offended government assigning to the other the reasons for the same.

How they may be punished.

It is hereby declared, that either of the contracting parties may except from the residence of consuls, such particular places as such party shall judge fit to be so excepted.

Particular places excepted from the residence of consuls.

This convention, when ratified, to be obligatory for four years.

ART. 5. 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 Britannick majesty, and the respective ratifications mutually exchanged, shall be binding and obligatory on the said United States and his majesty for four years from the date of its signature; <sup>(b)</sup> and the ratifications shall be exchanged in six months from this time, or sooner, if possible.

Exchange of ratifications in six months, or, &c.

Done at London, this third day of July, in the year of our Lord one thousand eight hundred and fifteen.

JOHN QUINCY ADAMS,  
H. CLAY,  
ALBERT GALLATIN,  
FREDERICK JOHN ROBINSON,  
HENRY GOULBURN,  
WILLIAM ADAMS.

<sup>(a)</sup> See the "Declaration," at the end of this Convention, page 231.

<sup>(b)</sup> Continued for 10 years by the 4th Article of the Convention of London, of 20th October, 1818, post, 249.

DECLARATION.

The undersigned, his Britannick majesty's chargé d'affaires in the United States of America, is commanded by his royal highness the Prince Regent, acting in the name and on the behalf of his majesty, to explain and declare, upon the exchange of the ratifications of the Convention concluded at London, on the third of July of the present year, for regulating the commerce and navigation between the two countries, that, in consequence of events which have happened in Europe subsequent to the signature of the Convention aforesaid, it has been deemed expedient, and determined, in conjunction with the allied sovereigns that St. Helena shall be the place allotted for the future residence of general Napoleon Bonaparte, under such regulations as may be necessary for the perfect security of his person, and it has been resolved, for that purpose, that all ships and vessels whatever, as well British ships and vessels as others, excepting only ships belonging to the East-India company, shall be excluded from all communication with, or approach to, that Island.

It has therefore become impossible to comply with so much of the third article of the treaty as relates to the liberty of touching for refreshment at the Island of St. Helena, and the ratifications of the said treaty will be exchanged under the explicit declaration and understanding, that the vessels of the United States cannot be allowed to touch at, or hold any communication whatever with, the said Island, so long as the said Island shall continue to be the place of residence of the said Napoleon Bonaparte.(a)

Declaration of  
24th Nov. 1815.

All vessels, except those of the East India Company, excluded from approaching the Island.

Vessels of the U. S. must not touch at St. Helena.

(Signed)

ANTHONY ST. JNO. BAKER.

Washington, November 24, 1815.

ARRANGEMENT

*Between the United States and Great Britain, between Richard Rush, Esq., acting as Secretary of the Department of State, and Charles Bagot, His Britannic Majesty's Envoy Extraordinary, &c.*

April, 1817.

Proclamation of the President of the United States, April 28, 1818.

THE naval force to be maintained upon the American lakes, by his majesty and the government of the United States, shall henceforth be confined to the following vessels on each side; that is—

Naval force on the lakes.

On lake Ontario, to one vessel not exceeding one hundred tons burden, and armed with one eighteen pound cannon.

Lake Ontario.

On the upper lakes, to two vessels, not exceeding like burden each, and armed with like force.

Upper Lakes.

On the waters of lake Champlain, to one vessel not exceeding like burden, and armed with like force.

Lake Champlain.

All other armed vessels on these lakes shall be forthwith dismantled, and no other vessels of war shall be there built or armed.

Other vessels to be dismantled.

If either party should hereafter be desirous of annulling this stipulation, and should give notice to that effect to the other party, it shall cease to be binding after the expiration of six months from the date of such notice.

Stipulation may cease on six months' notice.

The naval force so to be limited shall be restricted to such services as will, in no respect, interfere with the proper duties of the armed vessels of the other party.

Naval force to be restricted, &c.

(a) In consequence of the death of Napoleon Bonaparte, the British Government notified the Minister of the United States at London, of the cessation of this restriction, on the 30th July, 1821.