

Appendix. the same, will deliver up to justice all persons who, being charged with murder or forgery, committed within the jurisdiction of either, shall seek an asylum within any of the countries of the other, provided that this shall only be done on such evidence of criminality as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial, if the offence had there been committed. The expense of such apprehension and delivery, shall be borne and defrayed by those who make the requisition and receive the fugitive.

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Treaty of Commerce and Navigation, 19th November, 1794.

ARTICLE XXVIII.

It is agreed, that the first ten articles of this treaty shall be permanent, and that the subsequent articles, except the twelfth, shall be limited in their duration to twelve years, to be computed from the day on which the ratifications of this treaty shall be exchanged, but subject to this condition: that whereas, the said twelfth article will expire by the limitation therein contained, at the end of two years from the signing of the preliminary or other articles of peace, which shall terminate the present war in which His Majesty is engaged, it is agreed, that proper measures shall by concert be taken, for bringing the subject of that article into amicable treaty and discussion, so early before the expiration of the said term, as that new arrangements on that head may, by that time, be perfected and ready to take place. But if it should unfortunately happen that His Majesty and the United States should not be able to agree on such new arrangements, in that case, all the articles of this treaty, except the first ten, shall then cease and expire together.

Lastly. This treaty, when the same shall have been ratified by His Majesty and by the President of the United States, by and with the advice and consent of their Senate, and the respective ratifications mutually exchanged, shall be binding and obligatory on His Majesty and on the said States, and shall be by them respectively executed and observed, with punctuality and the most sincere regard to good faith; and whereas it will be expedient, in order the better to facilitate intercourse, and obviate difficulties, that other articles be proposed and added to this treaty, which articles, from want of time and other circumstances, cannot now be perfected, it is agreed that the said parties will, from time to time, readily treat of and concerning such articles, and will sincerely endeavor so to form them as that they may conduce to mutual convenience, and tend to promote mutual satisfaction and friendship; and that the said articles, after having been duly ratified, shall be added to, and make a part of this treaty. In faith whereof, we, the undersigned, Ministers Plenipotentiary of His Majesty the King of Great Britain, and the United States of America, have signed this present treaty, and have caused to be affixed thereto the seal of our arms.

Done at London, this nineteenth day of November, one thousand seven hundred and ninety-four.

[L. S.] GRENVILLE.
[L. S.] JOHN JAY.

TREATY OF PEACE AND AMITY,

BETWEEN HIS BRITANNIC MAJESTY AND THE UNITED STATES OF AMERICA.

His Britannic Majesty and the United States of America, desirous of terminating the war which has unhappily subsisted between the two countries, and of restoring, upon principles of perfect reciprocity, peace, friendship, and good understanding between them, have, for that purpose, appointed their respective Plenipotentiaries; that is to say,

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His Britannic Majesty, on his part, has appointed the Right Honorable James Lord Gambier, late Admiral of the White, now Admiral of the Red Squadron of His Majesty's Fleet, Henry Goulburn, Esquire, a Member of the Imperial Parliament and Under Secretary of State, and William Adams, Esquire, Doctor of Civil Laws: and the President of the United States, by and with the advice and consent of the Senate thereof, has appointed John Quincy Adams, James A. Bayard, Henry Clay, Jonathan Russell, and Albert Gallatin, citizens of the United States; who, after a reciprocal communication of their respective full powers, have agreed upon the following articles:

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ARTICLE I.

There shall be a firm and universal peace between His Britannic Majesty and the United States, and between their respective countries, territories, cities, towns, and people of every degree, without exception of places or persons. All hostilities, both by sea and land, shall cease, as soon as this treaty shall have been ratified by both parties as hereinafter mentioned. All territory, places, and possessions whatsoever, taken by either party from the other during the war, or which may be taken after the 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, and which shall remain therein upon the exchange of the ratifications of this treaty, or any slaves or other private property; and all archives, records, deeds, and papers, either of a public nature, or belonging to private persons, which, in the course of the war, may have fallen into the hands of the officers of either party, shall be, as far as may be practicable, forthwith restored, and delivered to the proper authorities and persons to whom they respectively belong. Such of the islands in the Bay of Passamaquoddy as are claimed by both parties, shall remain in the possession of the party in whose occupation they may be at the time of the exchange of the ratifications of this treaty, until the decision respecting the title to the said islands shall have been made, in conformity with the fourth article of this treaty. No disposition made by this treaty, as to such possession of the islands and territories claimed by both parties, shall, in any manner whatever, be construed to affect the right of either.

ARTICLE II.

Immediately after the ratifications of this treaty by both parties, as hereinafter mentioned, orders shall be sent to the armies, squadrons, officers, subjects, and citizens, of the two Powers, to cease from all hostilities; and to prevent all causes of complaint which might arise on account of the prizes which may be taken at sea after the said ratifications of this treaty, it is reciprocally agreed, that all vessels and effects which may be taken after the space of twelve days from the said ratifications, upon all parts of the coast of North America, from the latitude of twenty-three degrees north to the latitude of fifty degrees north, and as far eastward in the Atlantic Ocean as the thirty-sixth degree of west longitude from the Meridian of Greenwich, shall be restored on each side: that the time shall be thirty days in all other parts of the Atlantic Ocean north of the equinoctial line or equator; and the same time for the British and Irish Channels, for the Gulf of Mexico, and all parts of the West Indies; forty days for the North Seas, for the Baltic, and for all parts of the Mediterranean; sixty days for the Atlantic Ocean south of the equator, as far as the latitude of the Cape of Good Hope; ninety days for every other part of the world south of the equator, and one hundred and twenty days for all other parts of the world without exception.

ARTICLE III.

All prisoners of war taken on either side, as well by land as by sea, shall be restored as soon as practicable after the ratifications of this treaty, as hereinafter men-

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ARTICLE IV.

Whereas it was stipulated by the second article in the treaty of peace of one thousand seven hundred and eighty-three, between His Britannic Majesty and the United States of America, that the boundary of the United States should comprehend "all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova Scotia on the one part and East Florida on the other, shall, respectively, touch the Bay of Fundy and the Atlantic Ocean, excepting such islands as now are or heretofore have been within the limits of Nova Scotia:" and whereas 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, are claimed by the United States, as being comprehended within their aforesaid boundaries, which said islands are claimed as belonging to His Britannic Majesty, as having been at the time of, and previous to, the aforesaid treaty of one thousand seven hundred and eighty-three, within the limits of the Province of Nova Scotia: In order, therefore, finally to decide upon these claims, it is agreed, that they shall be referred to two Commissioners, to be appointed in the following manner, viz: one Commissioner shall be appointed by His Britannic Majesty, and one by the President of the United States, by and with the advice and consent of the Senate thereof: and the said two Commissioners so appointed, shall be sworn impartially to examine and decide upon the said claims, according to such evidence as shall be laid before them on the part of His Britannic Majesty and of the United States, respectively. The said Commissioners shall meet at St. Andrews, in the province of New Brunswick, and shall have power to adjourn to such other place or places as they shall think fit. The said Commissioners shall, by a declaration or report, under their hands and seals, decide to which of the two Contracting Parties the several islands aforesaid do respectively belong, in conformity with the true intent of the said treaty of peace of one thousand seven hundred and eighty-three. And if the said Commissioners shall agree in their decision, both parties shall consider such decision as final and conclusive. It is further agreed, that, in the event of the two Commissioners differing upon all or any of the matters so referred to them, or in the event of both or either of the said Commissioners refusing, or declining, or wilfully omitting to act as such, they shall make, jointly or separately, a report or reports, as well to the Government of His Britannic Majesty as to that of the United States, stating, in detail, the points on which they differ, and the grounds upon which their respective opinions have been formed, or the grounds upon which they, or either of them, have so refused, declined, or omitted to act. And His Britannic Majesty and the Government of the United States hereby agree to refer the report or reports of the said Commissioners to some friendly Sovereign or State, to be then named for that purpose, and who shall be requested to decide on the differences which may be stated in the said report or reports, or upon the report of one Commissioner, together with the grounds upon which the other Commissioner shall have refused, declined, or omitted to act, as the case may be. And if the Commissioner so refusing, declining, or omitting to act, shall also wilfully omit to state the grounds upon which he has so done, in such manner that the said statement may be referred to such friendly Sovereign or State, together with the report of such other Commissioner, then such Sovereign or State shall decide, *ex parte*, upon the said report alone. And His Britannic Majesty and the Government of the United States engage to consider the decision of such friendly Sovereign or State to be final and conclusive on all the matters so referred.

ARTICLE V.

Whereas, neither that point of the highlands lying due north from the source of the River St. Croix, and designated in the former Treaty of Peace between the two Powers, as the north-west angle of Nova Scotia, nor the north-westernmost head of Connecticut River, has yet been ascertained; and whereas that part of the boundary line between the dominions of the two Powers, which extends from the source of the River St. Croix directly north to the above-mentioned north-west angle of Nova Scotia, thence along the said highlands which divide those rivers that empty themselves into the River St. Lawrence from those which fall into the Atlantic Ocean, to the north-westernmost head of Connecticut River, thence down along the middle of that river to the forty-fifth degree of north latitude, thence by a line due west on said latitude until it strikes the River Iroquois or Cataraguy, has not yet been surveyed: It is agreed that, for these several purposes, two Commissioners shall be appointed, sworn, and authorized to act exactly in the manner directed with respect to those mentioned in the next preceding article, unless otherwise specified in the present article. The said Commissioners shall meet at St. Andrews, in the province of New Brunswick, and shall have power to adjourn to such other place or places as they shall think fit. The said Commissioners shall have power to ascertain and determine the points above-mentioned, in conformity with the provisions of the said Treaty of Peace of one thousand seven hundred and eighty-three, and shall cause the boundary aforesaid, from the source of the River St. Croix to the River Iroquois or Cataraguy, to be surveyed and marked according to the said provisions. The said Commissioners shall make a map of the said boundary, and annex to it a declaration under their hands and seals, certifying it to be the true map of the said boundary, and particularizing the latitude and longitude of the north-west angle of Nova Scotia, of the north-westernmost head of Connecticut River, and of such other points of the said boundary as they may deem proper. And both parties agree to consider such map and declaration as finally and conclusively fixing the said boundary. And in the event of the said two Commissioners differing, or both or either of them refusing, declining, or wilfully omitting to act, such reports, declarations, or statements shall be made by them, or either of them, and such reference to a friendly Sovereign or State shall be made, in all respects, as in the latter part of the fourth article is contained, and in as full a manner as if the same was herein repeated.

ARTICLE VI.

Whereas, by the former Treaty of Peace, that portion of the boundary of the United States, from the point where the forty-fifth degree of north latitude strikes the River Iroquois or Cataraguy to the lake Superior, was declared to be "along the middle of said river into lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and lake Erie, thence along the middle of said communication into lake Erie, through the middle of said lake, until it arrives at the water-communication into lake Huron, thence through the middle of said lake to the water-communication between that lake and lake Superior;" and whereas doubts have arisen what was the middle of the said river, lakes, and water-communications, and whether certain islands, lying in the same, were within the dominions of His Britannic Majesty or of the United States: In order, therefore, finally to decide these doubts, they shall be referred to two Commissioners, to be appointed, sworn, and authorized to act exactly in the manner directed with respect to those mentioned in the next preceding article, unless otherwise specified in this present article. The said Commissioners shall meet, in the first instance, at Albany, in the State of New York, and shall have power to adjourn to such other place or places as they shall think fit. The said Commissioners shall, by a report or declaration, under their hands and seals, designate the boundary through the said river, lakes, and water-communications, and decide to which of the two Contracting Parties the several islands, lying within the said rivers,

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 parties agree to consider such designation and decision as final and conclusive. And
 in the event of the said two Commissioners differing, or both or either of them refus-
 ing, declining, or wilfully omitting to act, such reports, declarations, or statements
 shall be made by them, or either of them, and such reference to a friendly Sovereign
 or State shall be made, in all respects, as in the latter part of the fourth article is con-
 tained, and in as full a manner as if the same was herein repeated.

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ARTICLE VII.

It is further agreed, that the said two last mentioned Commissioners, after they shall have executed the duties assigned to them in the preceding article, shall be, and they are hereby authorized, upon their oaths, impartially to fix and determine, according to the true intent of the said Treaty of Peace of one thousand seven hundred and eighty-three, that part of the boundary between the dominions of the two Powers, which extends from the water-communication between lake Huron and lake Superior to the most north-western point of the Lake of the Woods; to decide to which of the two parties the several islands lying in the lakes, water-communications, and rivers, forming the said boundary, do respectively belong, in conformity with the true intent of the said Treaty of Peace of one thousand seven hundred and eighty-three, and to cause such parts of the said boundary as require it, to be surveyed and marked. The said Commissioners shall, by a report or declaration, under their hands and seals, designate the boundary aforesaid, state their decision on the points thus referred to them, and particularize the latitude and longitude of the most north-western point of the Lake of the Woods, and of such other parts of the said boundary as they may deem proper. And both parties agree to consider such designation and decision as final and conclusive. And, in the event of the said two Commissioners differing, or both or either of them refusing, declining, or wilfully omitting to act, such reports, declarations, or statements shall be made by them, or either of them, and such reference to a friendly Sovereign or State, shall be made, in all respects, as in the latter part of the fourth article is contained, and in as full a manner as if the same was herein repeated.

ARTICLE VIII.

The several Boards of two Commissioners, mentioned in the four preceding articles, shall, respectively, have power to appoint a Secretary, and to employ such Surveyors, or other persons, as they shall judge necessary. Duplicates of all their respective reports, declarations, statements, and decisions, and of their accounts, and of the Journal of their proceedings, shall be delivered, by them, to the agents of His Britannic Majesty and to the agents of the United States, who may be respectively appointed and authorized to manage the business on behalf of their respective Governments. The said Commissioners shall be respectively paid in such manner as shall be agreed between the two Contracting Parties, such agreement being to be settled at the time of the exchange of the ratifications of this treaty; and all other expenses attending the said commissions shall be defrayed equally by the two parties. And in the case of death, sickness, resignation, or necessary absence, the place of every such Commissioner, respectively, shall be supplied in the same manner as such Commissioner was first appointed; and the new Commissioner shall take the same oath or affirmation, and do the same duties. It is further agreed between the two Contracting Parties, that in case any of the islands mentioned in any of the preceding articles, which were in the possession of one of the parties, prior to the commencement of the present war between the two countries, should, by the decision of any of the Boards of Commissioners aforesaid, or of the Sovereign or State so referred to, as in the four next preceding articles contained, fall within the dominions of the other party, all grants of land made previ-

ous to the commencement of the war, by the party having had such possession, shall be as valid as if such island or islands had, by such decision or decisions, been adjudged to be within the dominions of the party having had such possession.

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ARTICLE IX.

The United States of America engage to put an end, immediately after the ratification of the present treaty, to hostilities with all the tribes or nations of Indians with whom they may be at war at the time of such ratification, and forthwith to restore to such tribes or nations, respectively, all the possessions, rights, and privileges, which they may have enjoyed, or been entitled to, in one thousand eight hundred and eleven, previous to such hostilities. *Provided, always,* That such tribes or nations shall agree to desist from all hostilities against the United States of America, their citizens, and subjects, upon the ratification of the present treaty being notified to such tribes or nations, and shall so desist accordingly. And His Britannic Majesty engages, on his part, to put an end, immediately after the ratification of the present treaty, to hostilities with all the tribes or nations of Indians with whom he may be at war at the time of such ratification, and forthwith to restore to such tribes or nations, respectively, all the possessions, rights and privileges, which they may have enjoyed, or been entitled to, in one thousand eight hundred and eleven, previous to such hostilities: *Provided, always,* That such tribes or nations shall agree to desist from all hostilities against His Britannic Majesty, and his subjects, upon the ratification of the present treaty being notified to such tribes or nations, and shall so desist accordingly.

ARTICLE X.

Whereas the traffic in slaves is irreconcilable with the principles of humanity and justice, and whereas both His Majesty and the United States are desirous of continuing their efforts to promote its entire abolition, it is hereby agreed, that both the Contracting Parties shall use their best endeavors to accomplish so desirable an object.

ARTICLE XI.

This treaty, when the same shall have been ratified on both sides, without alteration by either of the Contracting Parties, and the ratifications mutually exchanged, shall be binding on both parties; and the ratifications shall be exchanged at Washington, in the space of four months from this day, or sooner, if practicable.

In faith whereof, we, the respective Plenipotentiaries, have signed this treaty, and have thereunto affixed our seals.

Done in triplicate, at Ghent, the twenty-fourth day of December, one thousand eight hundred and fourteen.

[L.S.]	GAMBIER,
[L.S.]	HENRY GOULBURN,
[L.S.]	WILLIAM ADAMS,
[L.S.]	JOHN QUINCY ADAMS,
[L.S.]	J. A. BAYARD,
[L.S.]	H. CLAY,
[L.S.]	JONATHAN RUSSELL,
[L.S.]	ALBERT GALLATIN,