

A Treaty to settle and define the Boundaries between the Territories of the United States and the possessions of Her Britannic Majesty, in North America: For the final Suppression of the African Slave Trade: and For the giving up of Criminals fugitive from justice, in certain cases.

Whereas certain portions of the line of boundary between the United States of America and the British Dominions in North America, described in the [second article of the Treaty of Peace of 1783](#), have not yet been ascertained and determined, notwithstanding the repeated attempts which have been heretofore made for that purpose, and whereas it is now thought to be for the interest of both Parties, that, avoiding further discussion of their respective rights, arising in this respect under the said [Treaty](#), they should agree on a conventional line in said portions of the said boundary, such as may be convenient to both Parties, with such equivalents and compensations, as are deemed just and reasonable:-And whereas by the Treaty concluded at Cheat, on the 24th day of December, 1814, between the United States and His Britannic Majesty, an article was agreed to and inserted of the following tenor, viz, "Art. 10.- 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": and whereas, notwithstanding the laws which have at various times been passed by the two Governments, and the efforts made to suppress it, that criminal traffic is still prosecuted and carried on: And whereas the United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, are determined that, so far as may be in their power, it shall be effectually abolished.-And whereas it is found expedient for the better administration of justice and the prevention of crime within the Territories and jurisdiction of the two Parties, respectively, that persons committing the crimes hereinafter enumerated, and being fugitives from justice, should, under certain circumstances, be reciprocally delivered up: The United States of America and Her Britannic Majesty, having resolved to treat on these several subjects, have for that purpose appointed their respective Plenipotentiaries to negotiate and conclude a Treaty, that is to say: the President of the United States has, on his part, furnished with full powers, Daniel Webster, Secretary of State of the United States; and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, has, on her part, appointed the Right honorable Alexander Lord Ashburton, a peer of the said United Kingdom, a member of Her Majesty's most honorable Privy Council, and Her Majesty's Minister Plenipotentiary on a Special Mission to the United States; who, after a reciprocal communication of their respective full powers, have agreed to and signed the following articles:

ARTICLE I.

It is hereby agreed and declared that the line of boundary shall be as follows: Beginning at the monument at the source of the river St. Croix, as designated and agreed to by the Commissioners under the [fifth article of the Treaty of 1794](#), between the Governments of the United States and Great Britain; thence, north, following the exploring line run and marked by the Surveyors of the two Governments in the years 1817 and 1818, under the [fifth article of the Treaty of Ghent](#) to its intersection with the river St. John, and to the middle of the channel thereof: thence, up the middle of the main channel of the said river se John, to the mouth of the river se Francis; thence up the middle of the channel of the said river St. Francis, and of the lakes through which it flows, to the outlet of the Lake Pohenagamook; thence, southwesterly, in a straight line to a point on the northwest branch of the river se John, which point shall be ten miles distant from the mainbranch of the se John, in a straight line, and in the nearest direction; but if the said point shall be found to be less than seven miles from the nearest point of the summit or crest of the highlands that divide those rivers which empty themselves into the river Saint Lawrence from those which fall into the river Saint John, then the said point shall be made to recede down the said northwest branch of the river se John, to a point seven miles in a straight line from the said summit or crest; thence, in a straight line, in a course about south eight degrees west, to the point where the parallel of latitude of 46°25' north, intersects the southwest branch of the St. John's; thence, southerly, by the said branch, to the source thereof in the highlands at the Metjarmette Portage; thence, down along the said highlands which divide the waters which empty themselves into the river Saint Lawrence from those which fall into the Atlantic Ocean, to the head of Hall's Stream; thence, down the middle of said Stream, till the line thus run intersects the old line of boundary surveyed and marked by Valentine and Collins previously to the year 1774, as the 45th degree of

north latitude, and which has been known and understood to be the line of actual division between the States of New York and Vermont on one side, and the British Province of Canada on the other; and, from said point of intersection, west along the said dividing line as heretofore known and understood, to the Iroquois or se Lawrence river.

ARTICLE II.

It is moreover agreed, that from the place where the joint Commissioners terminated their labors under the [sixth article of the Treaty of Ghent](#), to wit: at a point in the Neebish Channel, near Muddy Lake, the line shall run into and along the ship channel between Saint Joseph and St. Tammany Islands, to the division of the channel at or near the head of St. Joseph's Island; thence, turning eastwardly and northwardly, around the lower end of se George's or Sugar Island, and following the middle of the channel which divides St. George's from se Joseph's Island; thence, up the east Neebish channel, nearest to St. George's Island, through the middle of Lake George;-thence, west of Jonas' Island, into St. Mary's river, to a point in the middle of that river, about one mile above St. George's or Sugar Island, so as to appropriate and assign the said Island to the United States; thence, adopting the line traced on the maps by the Commissioners, thro' the river St. Mary and Lake Superior, to a point north of Ile Royale in said Lake, one hundred yards to the north and east of Ile Chapeau, which last mentioned Island lies near the northeastern point of Ile Royale, where the line marked by the Commissioners terminates; and from the last mentioned point, southwesterly, through the middle of the Sound between Ile Royale and the northwestern mainland, to the mouth of Pigeon river, and up the said river to, and through, the north and south Fowl Lakes, to the Lakes of the height of land between Lake Superior and the Lake of the Woods; thence, along the water-communication to Lake Saisaginaga, and through that Lake; thence, to and through Cypress Lake, Lac du Bois Blanc, Lac la Croix, Little Vermilion Lake, and Lake Namecan, and through the several smaller lakes, straights, or streams, connecting the lakes here mentioned, to that point in Lac la Pluie, or Rainy Lake, at the Chaudiere Falls, from which the Commissioners traced the line to the most northwestern point of the Lake of the Woods,-thence, along the said line to the said most northwestern point, being in latitude 49° 23'55" north, and in longitude 95° 14'38" west from the Observatory at Greenwich; thence, according to existing treaties, due south to its intersection with the 49th parallel of north latitude, and along that parallel to the Rocky Mountains. It being understood that all the water-communications, and all the usual portages along the line from Lake Superior to the Lake of the Woods; and also Grand Portage, from the shore of Lake Superior to the Pigeon river, as now actually used, shall be free and open to the use of the citizens and subjects of both countries.

ARTICLE III.

In order to promote the interests and encourage the industry of all the inhabitants of the countries watered by the river St. John and its tributaries, whether living within the State of Maine or the Province of New Brunswick, it is agreed that, where, by the provisions of the present treaty, the river St. John is declared to be the line of boundary, the navigation of the said river shall be free and open to both Parties, and shall in no way be obstructed by either: That all the produce of the forest, in logs, lumber, timber, boards, staves, or shingles, or of agriculture not being manufactured, grown on any of those parts of the State of Maine watered by the river St. John, or by its tributaries, of which fact reasonable evidence shall, if required, be produced, shall have free access into and through the said river and its said tributaries, having their source within the State of Maine, to and from the seaport at the mouth of the said river St. John's, and to and round the Falls of the said river, either by boats, rafts, or other conveyance: That when within the Province of New Brunswick, the said produce shall be dealt with as if it were the produce of the said province: That, in like manner, the inhabitants of the Territory of the Upper St John determined by this Treaty to belong to her Britannic Majesty, shall have free access to and through the river for their produce, in those parts where the said river runs wholly through the State of Maine: provided always, that this agreement shall give no right to either party to interfere with any regulations not inconsistent with the terms of this treaty which the Governments, respectively, of Maine or of New Brunswick, may make respecting the navigation of the said river, where both banks thereof shall belong to the same Party.

ARTICLE IV.

All grants of land heretofore made by either Party, within the limits of the territory which by this Treaty falls within the dominions of the other Party, shall be held valid, ratified, and confirmed to the persons in possession under such grants, to the same extent as if such territory had by this Treaty fallen within the dominions of the Party by whom such grants were made: And all equitable possessory claims, arising from a possession and improvement of any lot or parcel of land by the person actually in possession, or by those under whom such person claims, for more than six years before the date of this Treaty, shall, in like manner, be deemed valid, and be confirmed and quieted by a release to the person entitled thereto, of the title to such lot or parcel of land, so described as best to include the improvements made thereon; and in all other respects the two contracting Parties agree to deal upon the most liberal principles of equity with the settlers actually dwelling upon the Territory falling to them, respectively, which has heretofore been in dispute between them.

ARTICLE V.

Whereas, in the course of the controversy respecting the disputed Territory on the northeastern boundary, some moneys have been received by the authorities of Her Britannic Majesty's Province of New Brunswick, with the intention of preventing depredations on the forests of the said Territory, which moneys were to be carried to a fund called the " Disputed Territory Fund ", the proceeds whereof, it was agreed, should be hereafter paid over to the Parties interested, in the proportions to be determined by a final settlement of boundaries: It is hereby agreed, that a correct account of all receipts and payments on the said fund, shall be delivered to the Government of the United States, within six months after the ratification of this Treaty; and the proportion of the amount due thereon to the States of Maine and Massachusetts, and any bonds or securities appertaining thereto, shall be paid and delivered over to the Government of the United States; and the Government of the United States agrees to receive for the use of, and pay over to the States of Maine and Massachusetts, their respective portions of said Fund: And further to pay and satisfy said States, respectively, for all claims for expenses incurred by them in protecting the said heretofore disputed Territory, and making a survey thereof, in 1838; the Government of the United States agreeing with the States of Maine and Massachusetts to pay them the further sum of three hundred thousand dollars, in equal moieties, on account of their assent to the line of boundary described in this Treaty, and in consideration of the conditions and equivalents received therefor, from the Government of Her Britannic Majesty.

ARTICLE VI.

It is furthermore understood and agreed, that for the purpose of running and tracing those parts of the line between the source of the St. Croix and the St. Lawrence river, which will require to be run and ascertained, and for marking the residue of said line by proper monuments on the land, two Commissioners shall be appointed, one by the President of the United States, by and with the advice and consent of the Senate thereof, and one by Her Britannic Majesty: and the said commissioners shall meet at Bangor, in the State of Maine, on the first day of May next, or as soon thereafter as may be, and shall proceed to mark the line above described, from the source of the St. Croix to the river St. John; and shall trace on proper maps the dividing line along said river, and along the river se Francis, to the outlet of the Lake Pohenagamook; and from the outlet of the said Lake, they shall ascertain, fix, and mark by proper and durable monuments on the land, the line described in the first article of this Treaty; and the said Commissioners shall make to each of their respective Governments a joint report or declaration, under their hands and seals, designating such line of boundary, and shall accompany such report or declaration with maps certified by them to be true maps of the new boundary.

ARTICLE VII.

It is further agreed, that the channels in the river St. Lawrence, on both sides of the Long Sault Islands and of Barnhart Island; the channels in the river Detroit, on both sides of the Island Bois Blanc, and between that Island and both the American and Canadian shores; and all the several channels and passages between the various Islands lying near the junction of the river St. Clair with the lake of that name, shall be equally free and open to the ships, vessels, and boats of both Parties.

ARTICLE VIII.

The Parties mutually stipulate that each shall prepare, equip, and maintain in service, on the coast of Africa, a sufficient and adequate squadron, or naval force of vessels, of suitable numbers and descriptions, to carry in all not less than eighty guns, to enforce, separately and respectively, the laws rights and obligations of each of the two countries, for the suppression of the Slave Trade, the said squadrons to be independent of each other, but the two Governments stipulating, nevertheless, to give such orders to the officers commanding their respective forces, as shall enable them most effectually to act in concert and cooperation, upon mutual consultation, as exigencies may arise, for the attainment of the true object of this article; copies of all such orders to be communicated by each Government to the other respectively.

ARTICLE IX.

Whereas, notwithstanding all efforts which may be made on the coast of Africa for Suppressing the Slave Trade, the facilities for carrying on that traffic and avoiding the vigilance of cruisers by the fraudulent use of flags, and other means, are so great, and the temptations for pursuing it, while a market can be found for Slaves, so strong, as that the desired result may be long delayed, unless all markets be shut against the purchase of African negroes, the Parties to this Treaty agree that they will unite in all becoming representations and remonstrances, with any and all Powers within whose dominions such markets are allowed to exist; and that they will urge upon all such Powers the propriety and duty of closing such markets effectually at once and forever.

ARTICLE X.

It is agreed that the United States and Her Britannic Majesty shall, upon mutual requisitions by them, or their Ministers, Officers, or authorities, respectively made, deliver up to justice, all persons who, being charged with the crime of murder, or assault with intent to commit murder, or Piracy, or arson, or robbery, or Forgery, or the utterance of forged paper, committed within the jurisdiction of either, shall seek an asylum, or shall be found, within the territories of the other: Provided, that this shall only be done upon 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 crime or offense had there been committed: And the respective Judges and other Magistrates of the two Governments, shall have power, jurisdiction, and authority, upon complaint made under oath, to issue a warrant for the apprehension of the fugitive or person so charged, that he may be brought before such Judges or other Magistrates, respectively, to the end that the evidence of criminality may be heard and considered; and if, on such hearing, the evidence be deemed sufficient to sustain the charge it shall be the duty of the examining Judge or Magistrate, to certify the same to the proper Executive Authority, that a warrant may issue for the surrender of such fugitive. The expense of such apprehension and delivery shall be borne and defrayed by the Party who makes the requisition, and receives the fugitive.

ARTICLE XI.

The [eighth article](#) of this Treaty shall be in force for five years from the date of the exchange of the ratifications, and afterwards until one or the other Party shall signify a wish to terminate it. The [tenth article](#) shall continue in force until one or the other of the Parties shall signify its wish to terminate it, and no longer.

ARTICLE XII.

The present Treaty shall be duly ratified, and the mutual exchange of ratifications shall take place in London, within six months from the date hereof, or earlier if possible.

In Faith whereof, we, the respective Plenipotentiaries, have signed this Treaty, and have hereunto affixed our Seals.

Done, in duplicate, at Washington, the ninth day of August, Anno Domini one thousand eight hundred and forty-two.

DAN WEBSTER [Seal]

ASHBURTON [Seal]

Article 2: Treaty of Peace 1783

And that all disputes which might arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared, that the following are and shall be their boundaries, viz.: from the northwest angle of Nova Scotia, viz., that angle which is formed by a line drawn due north from the source of St. Croix River to the highlands; 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 northwesternmost head of Connecticut River; thence down along the middle of that river to the forty-fifth degree of north latitude; from thence by a line due west on said latitude until it strikes the river Iroquois or Cataraquy; thence 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 between that lake and Lake Huron; thence along the middle of said water communication into Lake Huron, thence through the middle of said lake to the water communication between that lake and Lake Superior; thence through Lake Superior northward of the Isles Royal and Phelipeaux to the Long Lake; thence through the middle of said Long Lake and the water communication between it and the Lake of the Woods, to the said Lake of the Woods; thence through the said lake to the most northwesternmost point thereof, and from thence on a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi until it shall intersect the northernmost part of the thirty-first degree of north latitude, South, by a line to be drawn due east from the determination of the line last mentioned in the latitude of thirty-one degrees of the equator, to the middle of the river Apalachicola or Catahouche; thence along the middle thereof to its junction with the Flint River, thence straight to the head of Saint Mary's River; and thence down along the middle of Saint Mary's River to the Atlantic Ocean; east, by a line to be drawn along the middle of the river Saint Croix, from its mouth in the Bay of Fundy to its source, and from its source directly north to the aforesaid highlands which divide the rivers that fall into the Atlantic Ocean from those which fall into the river Saint Lawrence; comprehending 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 the said province of Nova Scotia.

ARTICLE 5: Jay Treaty 1794

Whereas doubts have arisen what River was truly intended under the name of the River St Croix mentioned in the said [Treaty of Peace](#) and forming a part of the boundary therein described, that question shall be referred to the final Decision of Commissioners to be appointed in the following Manner-Viz-

One Commissioner shall be named by His 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 shall agree on the choice of a third, or, if they cannot so agree, They shall each propose one Person, and of the two names so proposed one shall be drawn by Lot, in the presence of the two original Commissioners. And the three Commissioners so appointed shall be Sworn impartially to examine and decide the said question according to such Evidence as shall respectively be laid before Them on the part of the British Government and of the United States. The said Commissioners shall meet at Halifax and shall have power to adjourn to such other place or places as they shall think fit. They shall have power to appoint a Secretary, and to employ such Surveyors or other Persons as they shall judge necessary. The said Commissioners shall by a Declaration under their Hands and Seals, decide what River is the River St Croix intended by the Treaty.

The said Declaration shall contain a description of the said River, and shall particularize the Latitude and Longitude of its mouth and of its Source. Duplicates of this Declaration and of the State meets of their Accounts, and of the Journal of their proceedings, shall be delivered by them to the Agent of His Majesty, and to the Agent of the United States, who may be respectively appointed and authorized to manage the business on behalf of the respective Governments. And both parties agree to consider such decision as

final and conclusive, so as that the same shall never thereafter be called into question, or made the subject of dispute or difference between them.

ARTICLE THE FIFTH: Treaty of Ghent

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 Cataraguay, 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 se 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 Cataraguay 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.