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BETWEEN THE

AMERICAN

AND

BRITISH PLENIPOTENTIARIES

RELATIVE TO THE

COMMERCIAL CONVENTION

CONCLUDED

ON THE 3d OF JULY, 1815.

JANUARY 16, 1816.

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GOVERNMENT

The Government of the United States is a federal republic, composed of fifty states, a federal district, and several territories. It is a constitutional democracy, with a system of checks and balances among the executive, legislative, and judicial branches.

The President of the United States is the head of the executive branch and is elected by the Electoral College for a four-year term. The President has the power to veto legislation passed by Congress and to appoint and remove federal judges and other officials.

Congress, the legislative branch, is composed of the House of Representatives and the Senate. The House is elected by the people of each state, while the Senate is elected by the legislatures of each state. Congress has the power to pass laws, declare war, and approve or reject presidential appointments.

The Supreme Court is the highest court in the United States and is composed of nine Justices. It has the power to interpret the Constitution and to review the actions of the executive and legislative branches. The Justices are appointed by the President and confirmed by the Senate.

The federal government is responsible for a wide range of activities, including the regulation of interstate commerce, the protection of national security, and the provision of social services. It also has the power to raise and spend money for the general welfare of the nation.

The states and local governments are also important parts of the United States government. They have the power to pass laws, regulate local affairs, and provide services to their citizens. The federal government often provides financial assistance to the states and localities.

The United States is a member of several international organizations, including the United Nations, the North Atlantic Treaty Organization (NATO), and the Organization for Economic Cooperation and Development (OECD). It is also a leading power in the world economy and in international relations.

The United States is a country of immigrants and diverse cultures. It is a land of opportunity and freedom, where people from all over the world come to live and work. The United States is a country that values individual rights and the rule of law.

The United States is a country that is proud of its history and its achievements. It is a country that is committed to the well-being of its people and to the interests of the world. The United States is a country that is a source of inspiration and hope for people everywhere.

Extract of a Letter from the American Commissioners, Messrs. Clay and Gallatin, to the Secretary of State, dated

London, May 18th, 1815.

“ Having had reason to believe, that the British government had abstained from answering the communication of the joint commission from Ghent, of the day of December, 1814, until they received official information of the American ratification of the Treaty of Peace, we thought it advisable, soon after that event was known to us, to repair to this city in order that we might ascertain the disposition of this government as to the commercial intercourse between the two countries.

“ Shortly after our arrival here we were invited by lord Castlereagh to an interview with him. A minute of the substance of the conversation which took place on that occasion as drawn up and agreed to by the parties, is enclosed. We communicated to Mr. Goulburn, the next day, our answer upon the three subjects to which the conversation related.

“ In the interview with lord Castlereagh, he had stated, that four or five days might be necessary on their part to prepare for the proposed conversation. Nearly three weeks having elapsed without hearing further on the subject, we took what appeared to us, a fit occasion to intimate our intention of leaving London. A few days after, we received an invitation from the vice-president of the board of trade, Mr. Robinson, to call at his office on the 11th instant; we accordingly attended, and were received by him and Messrs. Goul-

burn and Adams, two of the British commissioners, who had negotiated the treaty of Ghent.

They opened the conversation by adverting to what had led to this interview, and professed themselves to be ready to receive any propositions we might choose to make. We observed, that in the treaties which America had heretofore made, particularly with this country, regulating commercial intercourse, there were generally comprised two subjects, one, which respected commercial regulations, applicable to a state of peace, as well as of war: the other, which respected the rights and duties of the parties; one being at war, and the other remaining at peace. Accordingly our government had instructed us to bring forward both those subjects.

As to the commercial intercourse, without at this time going into details, or minor points, which it might be necessary in the progress of the negotiation to adjust, we would content ourselves in this unofficial conversation, with touching on the most important topics, which it seemed to us desirable to discuss and arrange. These were, that the two countries should respectively be placed on the footing of the nation the most favoured: that in the trade between America and the British European dominions, all discriminating duties, on tonnage and on merchandise, either imported, or exported, should be abolished. That the trade between America and the British West Indies should be regulated, and placed on some more permanent basis, than the occasional acts of the colonial authorities: That the nature and kind of intercourse between America and the adjoining British provinces, should be defined, and provided for: And that the trade with the British India possessions, should be opened to America on liberal principles.

In regard to the discriminating duties, we remarked, that a proposition to abolish them, first came from Great Britain, and a provision to that effect was inserted in the unratified treaty of 1806. Congress had taken up the matter at their last session, and passed an act, which we explained. We thought it desirable that they should be abolished, in order to prevent those collisions, and that system of commercial warfare, in which the two countries would probably be involved by an adherence to them. As an example, we mentioned the great extra duty, to which, as we understood, the article of cotton was liable, by the British laws, when imported in foreign vessels, and which, if persisted in, would certainly be met by some countervailing regulations.

With respect to the trade to British India, we observed, that we had no equivalent to offer for it; that it was for Great Britain to consider, whether a commerce consisting, as it did, almost entirely in the exchange of our specie for India produce, was not of a nature to deserve the most liberal encouragement; but, that we had rather enter into no stipulation on the subject than be restricted to a direct intercourse as had been proposed by the unratified treaty, both on the outward and return voyage.

On the other subject, the rights and duties of the parties, one being at war, and the other in a condition of peace, we proceeded to remark, that whilst the prospect of a long European peace appeared to exist, as was the case when the treaty of Ghent was concluded, it was less important to provide for questions arising under this head. But it was impossible to shut our eyes to the demonstrations everywhere making of a new war, which, if it should assume a maritime character, might again

menace the harmony and good understanding between the two countries. It was desirable, therefore, to anticipate and provide for the evil. The first and most important point was, that of impressment. Great Britain had always professed a willingness to receive and consider any proposition which America should be disposed to make on that subject. It would, perhaps, be unprofitable at this time to go into a discussion of the right; as to which we would merely remark, that it was impossible that there could be a stronger conviction on the part of Great Britain, that it was with her, than there was on the part of America, that it was on her side. It was better to look to some practicable arrangement, by which, without concession of right by either party, the mischiefs complained on both sides might be prevented. To this end the attention of our government has been turned. We believed that Great Britain had never heretofore contended that the American government was bound to prohibit the merchants of the United States from employing foreign seamen, any more than it was bound to forbid their shipping contraband articles. America was, however, now willing to take upon herself such an obligation, and to exclude British seamen from her merchant service, and we believed such exclusion might be as effectually executed as our revenue laws.— Here we called their attention to the act which congress had passed on that subject, and to the message of the president to that body towards the close of its last session, upon the supposition, that the exclusion of British seamen should be absolute and entire, there would no longer exist any ground for the claim of impressment, and of course no objection to its abandonment. We stated that, besides the motive which existed with our govern-

ment of guarding against collision with Great Britain, another powerful one operated, that of encouraging our native seamen, and of not being obliged to rely on the uncertain supply of foreigners. To this system, as a substitute for that of impressment, it did not appear to us that Great Britain could object, unless it was thought to be impracticable in its execution. We had no doubt ourselves, that even admitting that there might be, as in cases of smuggling, occasional instances of evasion of the system of exclusion, it would nevertheless be, upon the whole, much more favourable in its result to Great Britain. This system would apply to, and operate upon every American vessel; whilst that of impressment reached only the cases of those vessels with which it accidentally came in contact. We were aware of the difficulties which had heretofore opposed a satisfactory arrangement on this subject. Still it was one of such vital importance, so tending to bring the two countries into collision, that it was impossible it should receive a consideration too earnest and too anxious.

The next point which it seemed to us important to settle, was the trade of America with the colonies of the enemies of Great Britain. Towards the end of the last European war, questions growing out of that trade had been terminated by the conquest of those colonies by Great Britain, but many of them having been restored at the peace, the disputes which heretofore existed might again arise. The former arrangements on this subject might, with some modifications, serve as a basis.

We then stated that we did not intend, in this preliminary and unofficial conversation, to discuss the other points belonging to this branch of the subject. A definition of blockades was desirable

and could not, it seemed, be attended with much difficulty, as we believed that there was no real difference between the two countries, with respect to the abstract principle. But we apprehended that the disputes which might hereafter take place on that subject, would arise almost exclusively from questions of fact which no previous definition could prevent.

As, in the event of war, Great Britain might desire to know the disposition of our government on the subject of privateers and prizes, we would only now say, that the principle which might be adopted with respect to Great Britain, whether of admission or exclusion, must equally and impartially apply to all the parties to the war.

These were all the topics noticed by us, and we enforced and illustrated them by various other observations.

The British gentlemen, professing not to have expected those points to be brought forward which applied to a belligerent state of one of the parties, expressed a wish to know whether, in our view, the two subjects were inseparable, and whether we could not come to an agreement on those topics which were probably less difficult to be adjusted, leaving the others for further consideration, and future arrangement? we replied, that heretofore they had always been blended together by our government, and that we intended to bring them all for consideration; that at present however, we only presented them for consideration; as it would be premature at this time to make any of them a *sine qua non*; and that whether a treaty, omitting some of them would be acceptable, must depend on its general tenor, and upon the extent and importance of the subjects which might be comprehended in the arrangement.

They proceeded to remark, that some of the subjects had been always found to involve extreme difficulty, particularly that of impressment; that Great Britain was certainly prepared at all times, to receive and to consider any proposition that America might be disposed to make in relation to it; but, one of the gentlemen remarked, that from the deep interest which was felt by Great Britain in it, she must view with great jealousy, by which he said he meant vigilance, any such proposition; that the inquiry which they had just made as to our willingness to separate the two subjects, proceeded from a wish to ascertain whether it were likely that any practical result, could be speedily obtained, if they entered upon the negotiation at this time.

On the subject of discriminating duties mentioned by us, they said their government would receive favourably the proposition for a mutual abolition of them. As to the trade with India, their government was not at all disposed to shut us out from it. In regard to the trade to the West-Indies, considering the difficulties which had heretofore presented themselves in placing it, by treaty, upon a footing satisfactory to both parties, they feared it would not now be practicable to enter into any stipulation respecting it, which should meet the views of the two countries.

The interview terminated by their stating, that they would report to the cabinet, the substance of what had passed between us, and by their pledging themselves to do all in their power to afford us an early answer.

On the 16th instant, having been again invited by the vice-president of the board of trade to call at his office, we accordingly attended, and were received by the same gentlemen. They stated that

they had reported to the cabinet what had passed at the last interview, and were now prepared to give us an answer on the several topics to which the conversation related. In doing this, they would observe the order which had been marked out by us.

1st. On the commercial intercourse between the two countries, they were authorized to state, that their government was ready to treat with us on the footing of the most favoured nation; and were also willing to enter into any arrangement by which all discriminating duties on importations and tonnage should be mutually done away. They were willing to admit us, to the enjoyment of the trade with British India, unclogged by the restriction on the outward voyage contained in the unratified treaty: but must still insist on that contained in the treaty of 1794 on the return voyage.— Considering that we had candidly stated, that we had no equivalent to offer, except what was to be found in the trade itself, they would expect for this concession, a spirit of accommodation on our side, in other parts of the commercial arrangement, the fur trade, or some other.

The trade with the British West Indies, they stated, had always been a subject of great difficulty, and their government was not prepared to make any change in that colonial policy, to which they had so long adhered; but they would hope that this would not form any obstacle to the negotiation.

With respect to the trade with their North American possessions, they were ready to receive and discuss any propositions we might have to offer, with an anxious desire to place it on a footing mutually satisfactory.

2dly. On those subjects which related to a state

in which one of the parties should be at war, and the other in peace, it was not necessary to disguise that they had been always attended with great difficulties. Still they were willing, in a spirit of amity, and with candour, to receive and to discuss any propositions we might offer.

With regard to blockades, they could not think it necessary to enter into any treaty definition of them, as the questions which might hereafter arise on that subject (according to our own statement) would relate rather to the fact, than to the principle, on which the two governments seemed to agree. Indeed, they thought that such a definition might tend to weaken, as implying a doubt of the correctness of the principle.

In relation to the trade with enemies' colonies, besides the intrinsic difficulty of the question, as heretofore experienced in all attempts to arrange it, there was another, arising out of their want of information, as to whether France had adopted any, and what system, of colonial policy, since the restoration of her colonies. It might be, that she had opened their trade to foreign nations in peace as in war, in which case the questions that had heretofore existed could not be agitated again.

Impressment had, they continued, of all this class of subjects, been found most difficult to arrange. They were aware how important it was considered in both countries, and how, in both, it touched public sensibility. As heretofore, they were now ready to receive and consider any proposition our government might make respecting it. And even without any treaty stipulation, their government was now anxiously engaged in devising means to prevent the abuses of which we complain. If the law which we had mentioned, at the last interview, should be effectual in its ob-

ject, it would doubtless do away a great motive with them for impressment. Still they were bound to consider, with the most vigilant attention, any proposition for the abandonment of what they must consider a right essential to their safety. That law did not, however, as they understood, settle the question, who were to be considered as British subjects, a question on which the two countries might not be able to come to an understanding.

With regard to our ideas respecting privateers and prizes, they were certainly fair and unexceptionable.

As they had hinted at some accommodation in the fur trade, or in other parts of the commercial arrangement, for their supposed concession respecting the India trade, we thought the occasion suitable for stating, that we were positively instructed not to consent to the renewal of the trade between British subjects and the Indians within our territories. We stated, that the disposition of our government on this subject did not proceed from commercial, but political considerations. They did not insist upon it, nor seem to think, that the determination of our government would prevent an arrangement of the Canada trade. One of them inquired, whether we expected, in like manner, to be excluded from the trade with the Indians in their territories? To which we replied, certainly.

We explained the law for the exclusion of foreign seamen from our service, and mentioned that the naturalization of seamen would be almost altogether prevented in future by the necessity of a continued residence of five years. We stated, that we were authorized to enter into stipulations that would forbid the employment of such British

seamen as might, under our laws, be hereafter naturalized, but that we could not do it with respect to those who were already naturalized. We had thought, that as to them, an exception might be made, permitting, on both sides, the voluntary employment of such seamen, natives of one country, as might have heretofore been naturalized under the laws of the other country. We added, that the number of British seamen already naturalized, which could constitute, as it appeared to us, the only difficulty in an arrangement, was very inconsiderable. Doctor Adams concurred in opinion, that they were not many.

We made some further explanations, and finally told them that, considering the dispositions which we had been happy to meet with in them, we would now say, that we would enter upon the negotiation, reserving to ourselves, however, the right, as our powers were several, as well as joint, to withdraw from it, if circumstances should make it eligible to do so, and to leave to Mr. Adams, whom we daily expected, to conclude it.

The interview closed, by their undertaking to provide themselves immediately with the necessary powers to proceed in the negotiation; and by an assurance, that they would continue to do all in their power to bring it to a speedy and successful issue.

Extract of a minute of a conversation which took place at lord Castlereagh's, between his lordship and Messrs. Clay and Gallatin, April 16, 1815.

“ Lord Castlereagh then called the attention of the American commissioners to a communication made by them at Ghent relative to their power to treat on the commercial intercourse between the two countries. He said, before he gave an answer to that communication, he should be glad, if it were agreeable to the American commissioners, that there should be an unofficial conversation between them and the British commissioners, who negotiated the treaty of peace, together with Mr. Robinson, whom he would associate with them for that purpose, to ascertain if it were likely, that some general principles could be agreed upon to form a basis of a treaty of commerce. He should prefer, that this conversation, like that which he understood, had taken place in the former negotiation between lords Holland and Aukland, and Messrs. Munroe and Pinkney, should be free from official forms, and thought such a course best calculated to ascertain if it were likely that the two governments could come to any practical result on this interesting subject.

“ It was observed by one of the American commissioners, that such a conversation would be on terms of inequality, the American commissioners being invested with powers, and the other gentlemen, having none ; unless it was understood, not only that it should be considered as entirely unofficial, but that the same gentlemen should afterwards be commissioned to conclude a treaty, if it

were thought that one could be formed. Lord Castlereagh remarked in reply, that such was certainly his intention.

“The conversation ended in an understanding that the American commissioners would consult together upon the three topics mentioned by lord Castlereagh, and communicate on the following day to Mr. Goulburn the result of their deliberations.”

The American Plenipotentiaries to the Secretary of State.

London, 3d July, 1815.

SIR,

WE have the honour to transmit a convention for regulating the commercial intercourse between the United States and Great Britain, which we concluded this day with the British plenipotentiaries.

Messieurs Clay and Gallatin's despatch of the 18th May last, has informed you of the preliminary steps taken by them on that subject. Mr. Adams arrived in London on the 25th of May, and on the 5th of June, we were invited by Messieurs Robinson, Goulburn, and Adams, to meet them on the 7th. At this conference, after a mutual exhibition of our powers, and some general observations, we delivered to them our *projet* of a commercial convention, a copy of which, marked (1), is herewith enclosed. They promised to take it

into immediate consideration; and on the 9th, informed us that they would prepare and transmit to us a *contre projet*.

Believing that there was no prospect of an immediate arrangement on the subject of seamen, and knowing that without it no treaty, defining the rights and duties of belligerent and neutrals was admissible, we excluded all that related to that branch of the subject from our *projet* and confined it to objects purely commercial.

We took the 3d article of the treaty of 1794, respecting the intercourse with Canada, as the basis of the corresponding article, omitting, according to our instructions, whatever related to the Indian trade. In drawing the other articles, we were principally guided by the unratified treaty of 1806, by the instructions given in relation to it by the secretary of state, in his despatch of May 20th, 1807, and by the act of congress, of 3d March last, for abolishing all discriminating duties. From the previous explicit declarations of the British plenipotentiaries, we deemed it useless to offer any article on the subject of the intercourse with the West-India islands, and only inserted a clause, to prevent the application to that intercourse of the provisions contemplated by the convention.

On the 16th the British plenipotentiaries addressed to us a note, enclosing their *contre projet*, marked (2); and on the 17th we transmitted our answer, marked (3). The whole subject was discussed at large in conferences held on the 19th and 21st. The British plenipotentiaries, in a note of the 20th, marked (4), stated the substance of their answer to ours of the 17th. In the conference of the 21st, we delivered the additional clause to the 2d article of the *contre projet*, marked (5), and

afterwards, on the same day, we transmitted our note marked (6).

It will be perceived by these notes that we had come to an understanding as to the intercourse between the United States and the British territories in Europe, and that we disagreed on three points: the intercourse with Canada; placing, generally, both countries on the footing of the most favoured nations; and the intercourse with the British East-Indies.

On the first point, the British plenipotentiaries persisted in refusing to admit that the citizens of the United States should have the right to take their produce down the river St. Lawrence to Montreal, and down the river Chambly (or Sorel) to the St. Lawrence: and without that permission the article was useless to us, and unequal in its practical operation. The provision that the importation of our produce into Canada should not be prohibited, unless the prohibition extended generally to all similar articles, afforded us no security; as no similar articles are imported into Canada from any other foreign country; whilst the corresponding provision, respecting the importation into the United States, through Canada, of the produce and manufactures of Great Britain, effectually prevented us from prohibiting such an importation; since this could not be done without extending the prohibition to the importation of all similar articles, either of British or other foreign growth or manufacture, in the Atlantic ports of the United States.

The article for placing, respectively, the two countries on the footing of the most favoured nation limited, as was insisted on by the British plenipotentiaries, to the intercourse between the United States and the European territories of Great Britain, was unnecessary; since all that ap-

peared desirable on that subject was secured by the second article; and a provision of that nature, unless offering some obvious advantage, was deemed embarrassing, on account of the difficulties attached to its execution.

With this view of the two subjects, and finding that to arrange them in a satisfactory manner was impracticable, we proposed in our note of the 21st to omit altogether the articles relating to them.

On the subject of the intercourse with India, the British plenipotentiaries, contrary to the impression made in the unofficial conversations on Messrs. Clay and Gallatin, had insisted on our official conferences, that our admission to that trade was, on the part of Great Britain, a concession altogether gratuitous; and for which, particularly as to the privilege of indirect outward voyages, she ultimately expected an equivalent; whilst we strenuously contended that an equivalent was found in the trade itself, which was highly beneficial to Indias or, at all events, considering the nature of the commercial intercourse generally between the two countries, in the other provisions of the convention. On the same ground we urged our claim to be placed in India on the same footing, at least, as the most favoured nations. To which was replied that they made a distinction between nations which had possessions there and those which had none. The refusal not being altogether explicit, we renewed our proposal to that effect in our note.

The British plenipotentiaries, in a note of the 23d, marked (7), acceded to our proposal to omit the 3d and 5th articles, and refusing that on the subject of India, offered to omit the article altogether, and to sign a convention embracing only the provisions respecting the intercourse between the United States and the British territories in Europe.

This proposal we rejected in our note of the 24th, marked (8). But in order to meet, if practicable, the views of the British government, and to avoid making any distinction between the East-India trade and the other branches of commercial intercourse, we proposed to limit the duration of the whole convention to four years, and we offered, as an alternative, an arrangement for the sole purpose of abolishing the discriminating duties, in conformity with the act of congress of the last session.

In a note of the 26th, marked (9), the British plenipotentiaries informed us that they found it necessary to refer our last proposals to their government, and by their note of the 29th, marked (10), they accepted our offer of a convention embracing the East-India article, and limited to four years, to be calculated from the date of its signature. We replied to this in a note dated 30th June, and marked (11), and on the same day arranged, in a conference, the details of the convention.

We beg leave to add, that the same restriction which confines our vessels to the principal ports of India is, except in special cases, imposed, by the act of parliament, on British subjects; and that, besides the discrimination in the export duty from England, the difference on the import duty on the article of cotton, had, by a late act of parliament, been increased to two pence sterling per pound in favour of every species imported in British vessels, and even of Brazil cotton, imported in Portuguese vesels.

We have the honour to be, respectfully, Sir,

Your obedient servants,

(Signed)

JOHN QUINCY ADAMS,

H. CLAY,

ALBERT GALLATIN.

The hon. James Munroe, Sec'y of State, Washington.

(1)

ARTICLE I.

There shall be, between the territories of the United States and all the dominions of his britan- nic majesty in Europe, a reciprocal and perfect liberty of commerce and navigation. The people and inhabitants of the two countries respectively shall have liberty, freely and securely, and without hindrance and molestation, to come with their ships and cargoes to the lands, countries, cities, ports, places, and rivers within the territories and domi- nions aforesaid, to enter into the same, to resort there and to remain and reside there, without any limitation of time; also, to hire and possess houses and warehouses, for the purposes of their com- merce; and generally, the merchants and traders on each side, shall enjoy the most complete pro- tection and security for their commerce, but sub- ject always, as to what respects this article, to the laws and statutes of the two countries respect- ively.

ARTICLE II.

No other or higher duties shall be imposed on the importation in the United States, of any arti- cles, the growth, produce, or manufacture of the dominions of his britan- nic majesty in Europe; of any articles the growth, produce or manufac- ture of the United States, than are or shall be payable on the like articles, being of the growth, produce, or manufacture of any other foreign coun- try. Nor shall any higher duties or charges be imposed, in either of the two countries, on the ex- portation of any articles to the United States, or

to his britannic majesty's dominions in Europe respectively, than such as are payable on the exportation of the like articles, to every other foreign country. Nor shall any prohibition be imposed on the exportation or importation of any articles, the growth, produce, or manufacture of the United States, or of his britannic majesty's dominions in Europe, to, or from the said States, or the said dominions, which shall not equally extend to all other nations. No other, or higher duties, or charges shall be imposed, in any of the ports of the United States, on British vessels (such only excepted as may be bound from or to British possessions to which vessels of the United States are not permanently admitted) than shall be payable, in the said ports, by vessels of the United States, nor in the ports of any of his britannic majesty's dominions in Europe, on the vessels of the United States, than are or shall be payable in the said ports by British vessels. The same duties of exportation and importation, and also, the same drawbacks and bounties shall be respectively paid and allowed, in either country, on all articles, the produce, growth, or manufacture of the United States, or of his britannic majesty's dominions in Europe, whether such exportation or importation be in vessels of the United States or in British vessels.

ARTICLE III.

His britannic majesty agrees, that the vessels of the United States shall be admitted, and hospitably received, in all the sea ports and harbours of the British dominions in the East-Indies, and that the citizens of the said States may freely carry on a trade with the said territories, in all articles of which the importation or exportation respectively

to or 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 other power or state whatever, to export from the said territories, without the special permission of the British government there, any military or naval stores, or rice.

The citizens of the United States shall pay, for their vessels when admitted into the said ports, no other, or higher duty, or charge than shall be payable on British vessels in the ports of the United States. 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 be payable on the same articles, when imported or exported in British vessels. But it is expressly agreed, that the vessels of the United States shall not carry any of the articles exported by them from the said British territories to any port or place, except to some port or place in America, where the same shall be unladen; or to some port or place, or ports or places in China, or in the Indian seas, whence the said vessels shall proceed, as aforesaid, to some port or place in America, and there unlade the whole of the articles exported, in the manner above mentioned, from the aforesaid British territories. And such regulations shall be adopted by both parties, as shall, from time to time, be found necessary to enforce the due and faithful observance of this stipulation. 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, without the special permission of the British government there: but the vessels going from one port to another of the said territories, for the sole purposes either of

discharging their original cargoes, or part thereof, or of completing their return cargoes, are not to be considered as carrying on the coasting trade. Neither is this article to be construed to allow the citizens of the United States, to settle or reside within the said territories, or to go into the interior parts thereof, without the permission of the British government established there; and if any transgressions should be attempted against the regulations of the British government in this respect, the observance of the same shall, and may be enforced against the citizens of America, in the same manner as against British subjects, or others transgressing the same rule. And the citizens of the United States, whenever they arrive in any port or harbour in the said territories, or if they should be permitted in manner aforesaid, to go to any other place therein, shall always be subject to the laws, government, and jurisdiction of whatsoever nature, established in such harbour, port, or place, according as the same may be. The vessels of the United States may also touch for refreshment at the Island of St. Helena, or at such other ports or places as may be in the possession of Great Britain, in the African or Indian seas; but subject, in all respects, to such regulations as the British government may, from time to time, establish there.

ARTICLE IV.

The navigation of all the lakes, rivers, and water communications, the middle of which is the boundary between the United States and his britannic majesty's dominions on the continent of North America shall, at all times, be free to the citizens of the United States, and to his majesty's subjects. The said citizens and subjects may freely

carry on trade and commerce with each other, and for that purpose pass and repass by land or inland navigation, into the respective territories of the two parties, on the said continent: and no higher or other tolls, or rates of ferriage, than what are, or shall be, payable by natives, shall be demanded on either side. All goods and merchandise, whose importation into the United States shall not be wholly prohibited, may freely, for the purposes of the commerce above mentioned, be carried into the same, in the manner aforesaid, by his majesty's subjects, and such goods and merchandise shall be subject to no higher or other duties than would be payable by citizens of the United States, on the importation of the same in American vessels into the Atlantic ports of the said United States; and, in like manner, all goods and merchandise, whose importation into his majesty's said territories in America shall not be entirely prohibited, may freely, for the purposes of the commerce above mentioned, be carried into the same, in the manner aforesaid, by the citizens of the United States; and such goods and merchandise shall be subject to no higher, or other duties than would be payable by his majesty's subjects, on the importation of the same from Europe, into the said territories. All goods, not prohibited, to be exported from the said territories respectively, may, in like manner, be carried out of the same by the two parties. No duty of importation or exportation shall be levied by either party on peltries or furs, which may be brought in the manner aforesaid, by land or inland navigation, from the said territories of one party into the said territories of the other party.

ARTICLE V.

It shall be free for each of the two contracting parties, respectively, to appoint consuls for the protection of trade; and agents for the protection of seamen, to reside in the dominions and territories of the other party; and the said consuls and agents shall enjoy their liberties and rights which belong to them by reason of their functions. But before any consul or agent aforesaid shall act as such, he shall be, in the usual form, approved and admitted by the party to whom he is sent: and it is hereby declared to be lawful and proper, that in case of illegal or improper conduct towards the laws or government, a consul or agent aforesaid, may either be punished according to law, if the law will reach the case, or be dismissed, or even sent back, the offended government assigning to the other the reasons for the same.

ARTICLE VI.

It being the intention of the high contracting parties that the people of their respective dominions shall be placed on the footing of the most favoured nation, it is agreed that in case either party shall hereafter grant any additional advantage in navigation or trade to any other nation; the citizens or subjects of the other party shall fully participate therein, freely where it is freely granted to such other nation, or yielding the same compensation where the grant is made for some equivalent.

(2)

The British Plenipotentiaries to the American Plenipotentiaries.

Board of Trade, June 16, 1815.

THE undersigned have the honour to transmit to the plenipotentiaries of the United States, a *contre projet* for the arrangement of the commercial intercourse between the two countries. The American plenipotentiaries will observe, that the article respecting the British East-Indies is not proposed to be included in the body of the treaty, but in a separate article, and more limited in point of duration than would be suitable to the arrangements of the treaty itself. The undersigned, nevertheless, flatter themselves that the American plenipotentiaries will see in the proposed article for the East-India intercourse, a proof of the liberal and conciliatory disposition with which the British government is disposed to act upon the subject.

It will be recollected that at one of the unofficial conferences, and subsequently, at the first official conference held with the American plenipotentiaries, the undersigned stated by order of their government, that if the power of going from the United States to the British dominions in the East-Indies by an indirect course were conceded, Great Britain must be considered as entitled to some equivalent for the concession, and that the fur trade was pointed out by the undersigned, as capable of furnishing that equivalent.

The American plenipotentiaries having stated that their instructions did not permit them to grant by stipulation any commercial intercourse between

his majesty's subjects and the Indians residing within the acknowledged boundaries of the United States, and not having suggested any other means of finding an equivalent, the undersigned would have been fully justified in tendering a *contre projet* which wholly omitted the concession in question.—But his majesty's government, anxious to renew the commercial relations of the two countries, in the true spirit of peace and harmony, has authorized the undersigned to offer a separate article by which the indirect voyage from the United States to the British East-Indies will be permitted without equivalent, for the space of two years, in the confident hope, that during that period the American government will be enabled to propose such an equivalent as may induce Great Britain to make that permission commensurate with the general duration of the treaty.

The undersigned will be happy to have the honour of seeing the American plenipotentiaries on any day which may suit their convenience, and request them to accept the assurance of their high consideration.

F. J. ROBINSON,
HENRY GOULBURN,
WILLIAM ADAMS.

(2)

ARTICLE I.

There shall be between all the territories of his britannic majesty in Europe, and the territories of the United States of America, a reciprocal liberty of commerce. The inhabitants of the two countries respectively shall have liberty fully 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 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.

ARTICLE II.

No higher or other duties shall be imposed on the importation into the territories of his britannic majesty in Europe, of any articles the growth, produce, or manufacture of the United States, and no other or higher duties shall be imposed on the importation into the United States of any article the growth, produce, or manufacture of his britannic majesty's territories in Europe, than are or shall be payable on the like articles being the growth, produce, or manufacture of any other foreign coun-

try; nor shall any other or higher duties or charges be imposed in either of the two countries on the exportation of any articles to his britannic majesty's territories in Europe, or to the United States, respectively, than such as are payable on the exportation of the like articles to any other foreign country: nor shall any prohibition be imposed upon the exportation or importation of any article, the growth, produce, or manufacture of his britannic majesty's territories in Europe, or of the United States, to or from the said territories of his britannic majesty in Europe, or to or from the said United States, which shall not equally extend to all other nations.

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

ARTICLE III.

The navigation of all lakes, rivers, and water communications, the middle of which is, or may be the boundary between his britannic majesty's territories on the continent of North America, and the United States shall, with the exceptions hereinafter mentioned, at all times be free to his majesty's subjects and the citizens of the United States. The inhabitants of his britannic majesty's territories in North America, and the citizens and subjects of the United States may freely carry on

trade and commerce by land or inland navigation as aforesaid, with goods and merchandise, the growth, produce, or manufacture of the British territories in Europe or North America, or of the United States, respectively, within the territories of the two parties respectively, on the said continent, (the countries within the limits of the Hudson's Bay Company only excepted,) and no other or higher duties, or tolls, or rates of ferriage or portage, than what are or shall be payable by natives respectively, shall be taken or demanded on either side. All goods or merchandise whose importation into the United States shall not be wholly prohibited, may fully, for the purposes of the commerce above mentioned, be carried into the said United States in the manner aforesaid by his britannic majesty's subjects, and the said goods and merchandise shall be subject to no higher or other duties than would be payable by citizens of the United States on the importation of the same in American vessels into the Atlantic ports of the United States. And in like manner all goods and merchandise the growth, produce, or manufacture of the United States, whose importation into his majesty's said territories in America, shall not be entirely prohibited, may fully, for the purposes of the commerce above mentioned, be carried into the same by land, or by means of such lakes, rivers, and water communications as above mentioned, by the citizens of the United States; and such goods and merchandise shall be subject to no other or higher duty than would be payable by his majesty's subjects on the importation of the same from Europe into the said territories. No duty shall be levied by either party on peltries or

furs which may be brought in the manner aforesaid by land or inland navigation from the said territories of another, but tolls or rates of ferriage or portage may be demanded and taken in manner above mentioned on such peltries or furs.

It is hereby declared, that nothing in this article contained, as to the navigation of rivers, lakes, or water communication, shall extend to give a right of navigation upon or within the same in those parts where the middle is not the boundary between his britannic majesty's territories and the United States of America.

ARTICLE IV.

It shall be free for each of the two contracting parties 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.

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 proper to be so excepted.

ARTICLE V.

It being the intention of the contracting parties, that the inhabitants of his britannic majesty's territories in Europe, and the inhabitants of the United States shall, in respect to commerce between the said territories, be placed on the footing of the most favoured nations : it is agreed, that in case either the contracting parties shall hereafter grant any additional advantages in commerce or navigation, to any European nation, as to the importation or exportation, to or from such other European nation and his britannic majesty's territories in Europe, or to or from such European nation, and the territories of the United States, the citizens and subjects of the other contracting party shall likewise enjoy the same freely, where it has been freely granted to such other European nation ; and, where conditionally granted, on the same terms and conditions on which such advantage shall have been granted, or on terms and conditions which may be afterwards agreed upon as equivalent thereto by the contracting parties.

(2)

1st SEPARATE ARTICLE.

His britannic majesty agrees, that the vessels of the United States shall be admitted, and hospitably received at the principal settlements of the British dominions in the East-Indies. *videlicet* :

Calcutta, Madras, Bombay, and Prince of Wales' Island, and that the citizens of the said United States may fully 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 power or state 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 other, or higher duty or charge, than shall be payable on the vessels of the most favoured European nations. And they shall pay no other or higher duties or charges on the importation or exportation of the cargoes of the said vessels, than shall be payable on the same articles when imported or exported in the vessels of the most favoured European nation.

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.

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 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, at the Cape of Good Hope, the island of St. Helena, 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.

2d SEPARATE ARTICLE.

It is hereby agreed and declared, that the first separate article of the present treaty, shall be limited in its duration to the period of two years from the date of the exchange of the ratifications of the said treaty.

(3)

The American to the British Plenipotentiaries.

Harley-street, June 17th, 1815.

The undersigned have the honour to acknowledge the receipt of the note of his britannic majesty's plenipotentiaries of the 16th instant, enclosing their *contre projet* for the arrangement of the commercial intercourse between the two countries.

Anxious to ascertain, with as little delay as possible, whether there be any probability that such an arrangement can now be concluded as shall be satisfactory to both parties, the undersigned will

not at this time enter into a discussion of the subject, and leaving minor points for subsequent consideration, will only propose the following alterations in the *contre projet* of his britannic majesty's plenipotentiaries, *videlicet*.

ARTICLE II.

1st. To reinstate the clause in the *projet* of the undersigned, which provided that the same duties, drawbacks, and bounties, should be paid and allowed in either country, on the importation or exportation of articles the produce, or growth, or manufacture of his britannic majesty's territories in Europe, or of the United States, whether such importations or exportations should be in British vessels, or in vessels of the United States.

2dly. To reinstate the clause in the *projet* of the undersigned, which excepted from the provision to equalize tonnage duties, British vessels bound to or from British possessions, to which vessels of the United States were not permanently admitted; or to introduce a new article, providing that neither the intercourse between the United States and his britannic majesty's possessions in the West-Indies, nor that by sea between the said States and his britannic majesty's possessions in North America shall be affected by any article in the treaty, but that each party shall remain in the complete possession of its rights, in respect to such an intercourse.

ARTICLE III.

To reinstate, in substance, the article proposed on that subject by the undersigned, so that the commerce by land or inland navigation, sanctioned by

the article be confined to that which may be carried on between the citizens of the United States and his britannic majesty's subjects; and so as not to preclude the citizens of the United States from carrying articles of the growth, produce, or manufacture of the said States, down the river St. Lawrence, as far at least as Montreal, and down the waters of Lake Champlain, as far at least as the St. Lawrence. Or, if no satisfactory arrangement can at present be formed on this subject, to omit the article altogether.

ARTICLE V.

To place, generally, each nation on the footing of the most favoured nation, without restricting that privilege as relates to the citizens of the United States to the commerce with his britannic majesty's territories in Europe.

Second separate article to be omitted.

The undersigned will have the honour to wait on his britannic majesty's plenipotentiaries on Monday the 19th instant, at two o'clock, at the office for trade, when the undersigned hope they will be able to communicate to them their final determination on the proposed alterations.

The undersigned request his britannic majesty's plenipotentiaries to accept the assurances of their distinguished consideration.

(Signed,)

JOHN QUINCY ADAMS,
HENRY CLAY,
ALBERT GALLATIN.

*The rt. hon. F. J. Robinson,
H. Goulburn, and
Dr. William Adams.*

(4)

The British to the American Plenipotentiaries.

Board of Trade, June 20th, 1815.

In compliance with the request of the American plenipotentiaries, the undersigned have the honour to communicate to them, in writing, the substance of the observations which were made on the part of the British plenipotentiaries in the conference of yesterday, upon the different points referred to in the note of the American plenipotentiaries of the 17th instant.

Upon the first point relating to a part of the second article of the *contre projet* of the undersigned, the British plenipotentiaries stated it to be the intention of their government to agree, not only to a mutual equalization of such duties as may be properly called tonnage duties, but also of all duties upon the importation of goods the growth, produce, or manufacture of the two countries respectively, whether imported in British or in American ships; they stated further, their readiness to accede to a similar and mutual equalization of bounties payable upon the above articles. Upon the subject of drawbacks, they represented that the clause, as proposed by the American plenipotentiaries, appeared to give to the vessels of the United States, which might be engaged in the general re-exportation of American produce from this country to all other parts of the world, an advantage equal to that enjoyed by British ships, and that this privilege went beyond the general principle of an article which was confined to the trade between the two countries respectively. They expressed a wish to receive from the American plenipotentiaries, a more precise explanation of their views upon this point.

Upon the second point referred to in the note of the American plenipotentiaries, the undersigned expressed their readiness to agree to a clause, which should contain the latter alternative suggested by the American plenipotentiaries.

Upon the third article relating to the intercourse between Canada and the United States, the undersigned disclaimed any intention of obtaining, by any interpretation of the words of the article, as they had proposed it, a right to an intercourse with the Indians, residing within the acknowledged limits of the United States, which the American plenipotentiaries had already stated, that their instructions forbade them to concede. And they expressed their readiness to agree to the insertion of such words as would clear up any doubt which might exist upon the subject.

As to the navigation of the river St. Lawrence as far as Montreal, and that of the waters flowing from Lake Champlain to that river, the undersigned stated themselves not to be authorized to stipulate the concession of that indulgence in the way proposed by the American plenipotentiaries. The undersigned likewise stated their objections to extending article 5, beyond the intercourse between the United States and his britannic majesty's dominions in Europe.

In regard to the two separate articles of the *contre projet*, the undersigned stated that they had no authority to grant the first, unless accompanied by a limitation in point of time, and when the American plenipotentiaries proposed, as a substitute for that article, one which should give the United States the same privileges as the most favoured European nations in their intercourse with the British possessions in that quarter, the undersigned, whilst they admitted that in some respects

it stood upon different grounds from an article which should grant the indirect voyage to the East-Indies, without any equivalent or limitation in point of time, did not feel themselves authorized to hold out any expectation that this new suggestion could be acceded to by Great Britain.

The undersigned request the American plenipotentiaries to accept the assurances of their high consideration.

F. ROBINSON,
HENRY GOULBURN,
WILLIAM ADAMS.

(5)

Second Sketch of Article for Equalizing Duties.

The same duties shall be paid on the importations in the ports of any of his britannic majesty's territories in Europe, of any articles, the growth, produce, or manufacture of the United States and the same drawbacks shall be allowed on the re-exportation thereof, 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 in the United States of any articles, the growth, produce, or manufacture of his britannic majesty's territories in Europe, and the same drawbacks shall be allowed on the re-exportation thereof, whether such importation shall be in vessels of the United States or in British vessels. 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 britannic majesty's ter-

ritories in Europe, 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 his britannic majesty's territories in Europe to the United States, whether such exportation shall be in vessels of the United States or in British vessels.

(6)

The American to the British Plenipotentiaries.

Harley-Street, June 21st, 1815.

The undersigned have the honour to acknowledge the receipt of the note of the British plenipotentiaries, dated the 20th instant, communicating the substance of the observations which they had made in the conference of the 19th, upon the different points referred to in the note of the undersigned of the 17th instant.

The views of the undersigned, with respect to the second article being precisely the same with those stated by the British plenipotentiaries, there will be no difficulty in framing a clause embracing the objects contemplated by both parties, and which shall be free from ambiguity.

The explanation given by the British plenipotentiaries upon that part of the third article which the undersigned apprehended might be liable to a construction in reference to the Indian trade, not intended by either party, is perfectly satisfactory. But they regret that they cannot accede to the alterations proposed in other respects by the British

plenipotentiaries to the article which had been offered by the undersigned, particularly as they affect the privilege of inland navigation by the river St. Lawrence and by the waters flowing from Lake Champlain, nor have they found it practicable to frame any article compatible with the different views entertained by the two parties respecting the intercourse between the United States and Canada. They therefore recur to the proposal made in their note of the 17th instant, to omit that article altogether, that proposal not having been noticed in the note of the British plenipotentiaries of the 20th inst.

They make the same offer as to the 5th article of the *contre projet*.

And thirdly, they hereby renew the proposal made verbally in the conference of the 19th instant, to substitute for the two separate articles, one placing the United States, in their intercourse with the British possessions in India, on the footing of the *môt* favoured European nation.

The undersigned request to be made acquainted with the determination of the British plenipotentiaries on those three propositions.

The undersigned tender again to the British plenipotentiaries assurances of their distinguished consideration.

(Signed,)

JOHN QUINCY ADAMS,
H. CLAY,
ALBERT GALLATIN.

*The rt. hon. F. J. Robinson,
Henry Goulburn, esq. and
Dr. William Adams.*

(7)

The British to the American Plenipotentiaries.

Board of Trade, June 23d, 1815.

The undersigned have the honour to acknowledge the receipt of the note of the American plenipotentiaries of the 21st inst. and are happy to find that no difficulty exists on either side to the second article. Upon the subject of the third article, the undersigned regret to learn that the American plenipotentiaries have not found it practicable to frame any article compatible with the different views entertained by the two parties respecting the intercourse between Canada and the United States: And as the undersigned are equally unable to accede to the proposition made on the part of the United States respecting the navigation of waters lying exclusively within the territories of his britannic majesty, they accede to the proposal of omitting the article altogether. They have also no objection to the omission of the fifth article.

In regard to the trade with the British East-Indies, the undersigned are not authorized to substitute for the two separate articles which they had proposed, one which shall put the intercourse of the United States in that quarter upon the footing of the most favoured European nation, inasmuch as it would have the practical effect of granting, in another shape, that which the undersigned are instructed to withhold, unless accompanied by a greater limitation of time than they would think it expedient to apply to the other arrangements of the treaty. If, however, the American plenipotentiaries adhere to their objection to the substance of the two separate articles, as proposed on the

part of Great Great Britain, the undersigned are ready to omit altogether any article upon the subject of the East-Indies.

The undersigned are nevertheless disposed to consider the arrangements of the second article (as agreed upon, or understood) to be of sufficient importance to the mutual interests of Great Britain and the United States, particularly in the common object of securing a free commercial intercourse between the two countries, to induce them readily to sign a treaty or convention for that single purpose, independent of the other points to which the negotiation has referred.

The undersigned are happy, upon this occasion, to renew to the American plenipotentiaries the assurances of their high consideration.

F. J. ROBINSON,
WILLIAM ADAMS.

(8)

The American to the British Plenipotentiaries.

Harley-street, June 24th, 1815.

The undersigned have the honour to acknowledge the receipt of the note of the British plenipotentiaries of the 23d instant, expressing their assent to the proposal of omitting the 3d and 5th articles of the *contre projet*. To the proposal of omitting also altogether any article upon the subject of the East-Indies, and of signing an arrangement embracing all the provisions contained in the 2d article, the undersigned do not feel themselves authorized to accede. But they offer to sign a

convention embracing that article entire, and the first separate article, the whole of which convention shall be limited to the term of four years from the date of the exchange of the ratifications, or they will agree to a convention for the sole purpose of abolishing all discriminating duties on American and British vessels, and their cargoes, in the intercourse between the United States and his britannic majesty's territories in Europe, in the manner contemplated by the 2d article, and as explained and mutually agreed on in the conferences on that subject, omitting all the other provisions contained in the same article, and which had for object, to place the two countries, respectively, on the footing of the most favoured nation.

The undersigned request the British plenipotentiaries to accept the assurances of their distinguished consideration.

JOHN QUINCY ADAMS,
HENRY CLAY,
ALBERT GALLATIN.

*The rt. hon. F. J. Robinson,
H. Goulburn, esq. and
Dr. William Adams.*

(9)

The British to the American Plenipotentiaries.

Board of Trade, June 26, 1815.

The undersigned have the honour to acknowledge the receipt of the note of the American plenipotentiaries of the 24th instant, in which they offer to sign a convention embracing the second

article entire, and the first separate article; the whole convention to be limited to the term of four years from the date of the exchange of the ratification, or to agree to a convention for the sole purpose of abolishing all discriminating duties on American and British vessels and their cargoes, in the intercourse between the United States and the British territories in Europe, omitting all the other provisions contained in the same article, and which had for object to place the two countries respectively on the footing of the most favoured nation.

As neither of these proposals were contemplated in the instructions with which the undersigned were originally furnished, and which were framed with a view to a less limited arrangement, they have felt themselves under the necessity of referring the last note of the American plenipotentiaries to the consideration of their government, and will not fail to communicate the result of that reference as soon as they shall be enabled to do so.

The undersigned are happy to avail themselves of this opportunity of renewing to the American plenipotentiaries the assurances of their high consideration.

F. J. ROBINSON,
HENRY GOULBURN,
WILLIAM ADAMS.

To the American Plenipotentiaries.

(10)

The British to the American Plenipotentiaries.

Board of Trade, June 29th, 1815.

In reference to the note which the undersigned had the honour to address to the American plenipotentiaries, on the 26th instant, they are now instructed to acquaint them that the British government is ready to agree to a convention for four years, (to be calculated from the date of its signature,) which shall contain the whole of the second article, as proposed by the undersigned, and as explained and mutually agreed upon in their several conferences, and also the first separate article, relating to the East-Indies, as proposed on the part of Great Britain; the latter article also to be in force for four years from the same date. The undersigned, in making this communication to the American plenipotentiaries, feel it to be their duty to state in the most explicit manner that, although in the earnest desire of promoting a good understanding between the two countries, the British government has at the present time, forborne to insist on making in the body of the treaty any marked distinction between its concession in regard to the East-Indies and its other concessions for which a stipulated equivalent is obtained, yet that it still considers itself as granting to the United States a privilege in regard to the East-Indies, for which it is entitled to require an equivalent; and the undersigned must therefore be distinctly understood as reserving to his majesty's government in any future negotiations the clear right either of withholding this privilege altogether, after the expiration of four years, or of renewing the grant of it for such equivalents, or subject to such modifi-

cations as expediency may seem to require at the time of such future negotiations.

The undersigned request to have the honour of seeing the American plenipotentiaries on Friday next, the 30th instant, at two o'clock, at the Board of Trade, and avail themselves of this opportunity of again offering the assurances of their high consideration.

F. J. ROBINSON,
HENRY GOULBURN,
WILLIAM ADAMS.

(11)

The American to the British Plenipotentiaries.

Harley-street, 30th June, 1815.

The undersigned have had the honour to receive the note of the British plenipotentiaries dated the 29th instant, and stating the terms on which their government is ready to agree to a convention on the subject of the commercial intercourse between the United States and Great Britain.

The undersigned have already, in the conferences which they had the honour to hold with the British plenipotentiaries, expressed their opinion that the proposed convention taken altogether was founded on principles of reciprocity, was equally advantageous to both parties, and contained in itself a fair equivalent for every presumed concession made by either party.—But both governments will undoubtedly have a clear right, after the expiration of four years, of refusing to renew or of sub-

jecting to modifications any of the stipulations now agreed on which may appear to either party injurious, or requiring some further equivalent. The same earnest desire of promoting a good understanding between the two countries which has been expressed on the part of Great Britain has induced the undersigned to agree to a convention more limited both as to its objects and duration than they had contemplated, with a hope that in the meantime its deficiencies may be supplied and such other provisions may be adopted as will conduce to mutual convenience and tend to strengthen the relations of amity and friendship happily restored between the two countries.

The undersigned will have the honour to meet the British plenipotentiaries this day, and feel pleasure in renewing the assurances of their high consideration.

JOHN QUINCY ADAMS,
H. CLAY,
ALBERT GALLATIN.

*The rt. hon. F. J. Robinson,
Henry Goulburn, esq. and
Dr. William Adams.*

(COPY.)

THE undersigned his britannic majesty's *charge d'affaires* in the United States, has the honour to acquaint the American secretary of state, for the information of the president, that he has received his royal highness the prince regent's ratification, in the name, and on the behalf of his majesty, of the commercial convention between the

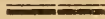
two countries, signed at London, on the 3d of last July, and that he has been authorized, and is ready, to proceed to the exchange, whenever the ratification on the part of the United States shall have taken place.

In communicating this intelligence, the undersigned has received the prince regent's commands, at the same time, to transmit to the government of the United States, the accompanying declaration, explanatory of the intentions of his majesty's government, in so far as regards the intercourse of vessels belonging to the United States with the island of St. Helena; the existing circumstances of the world having rendered it necessary that that island should, for the present, be excepted from the ports of refreshment enumerated in the third article of the said convention.

The undersigned avails himself of this opportunity of requesting the American secretary of state, to accept the assurance of his high consideration.

(Signed)

ANTHONY St. JNO. BAKER.



(COPY.)

DECLARATION.

The undersigned, his britannic majesty's *charge 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 3d 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 3d 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.

(Signed,) ANTHONY ST. JNO. BAKER.

Washington, November, 24, 1815,



ABSTRACT of Duties of Customs paid in Great Britain in 1797 and 1815.

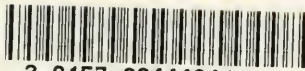
	1797.		1797.		1815.		Imported from British colonies.
	Imported from Europe in		Imported from U. S. A in		Imported from foreign countries in		
	British ships.	foreign ships.	British ships.	Americ. ships.	British ships.	Foreign ships.	
Pot and pearl ashes, the cwt.	£ s. d. 0 2 1 7	£ s. d. 0 2 4 7	free	£ s. d. 0 0 2 14	£ s. d. 0 11 1 0	£ s. d. 0 11 10 10	£ s. d. 0 1 7 0
Cotton wool, per lb.	free	free	free	free	free	free	free
Indigo,	free	free	free	free	free	free	free
Iron, in bars, or unwrought, the ton,	3 1 9 3	3 15 11 8	free	0 5 7 8	6 9 10 0	7 18 4 0	1 2 2 0
.. in pigs, or pig-iron, every £ 100 value,	28 17 6	31 7 6 0	free	0 0 6 12	0 17 5 0	0 17 5 0	0 7 11 0
Oil, train or blubber, the ton of 252 gallons,	19 1 1 16	9 1 1 16	19 1 1 16	20 17 5 8	B22 3 4 0	same	B. 2 4 1 0
Rice, the cwt. (no duty if warehoused, in the king's stores, unless taken out for consum.)	0 7 8 8	0 7 8 8	0 7 8 8	0 8 5 4	1 8 6 0	1 10 1 0	1 5 4 0
Resin, the cwt.	0 2 4 7	0 2 5 8	0 1 6 18	0 1 8 14	0 4 9 0	0 5 6 10	0 3 0 0
Snuff, the lb.	0 0 10 10	0 6 10 10	0 0 10 10	0 0 11 10	0 1 7 0	0 1 7 0	0 1 7 0
Exrise Br. Pl. and Spanish West-Indies, the lb.	.	.	.	.	.	0 2 3 10	.
Do. United States of America.	.	.	.	.	.	0 3 1 10	.
Spermaceti, viz: coarse and oily, the cwt.	0 18 6 12	0 18 6 12	0 18 6 12	1 0 3 16	3 11 6 0	3 11 6 0	1 19 9 0
fine, the lb.	0 0 8 8	0 0 8 8	0 0 8 8	0 0 9 1	0 1 4 5	same	.
Tar, the last (of 12 barrels, each barrel 3 1/2 gallons.)	0 12 11 3	0 13 8 17	0 11 6 12	0 12 7 16	1 1 4 10	1 2 11 10	0 11 4 15
Tobacco, the lb.	0 0 6 6	0 0 6 6	0 0 6 6	0 0 6 6	3 16 6 15	same	same
If imported in American ships, the cwt.	.	.	.	0 1 6 0	.	.	.
Turpentine, European, the cwt.	0 13 4 13	0 13 4 13	.	.	0 4 4 5	same	.
American, the cwt. (countervailing duty.)	.	.	0 2 4 7	0 2 7 1	0 4 4 5	same	same
Whale fins, the ton, or 20 cwt.	102 15 10 16	2 15 10 16	102 15 10 16	112 11 8 8	95 0 0 0	95 0 0 0	1 18 0 0
WOOD UNMANUFACTURED, VIZ:							
Oak timber, 8 inches square, or upwards, the load of 50 cubic feet,	0 10 1 10	1 10 10 1	free	0 1 11 0	3 1 9 0	3 1 11 0	0 5 6 10
Timber, other than oak, 3 inches square or upwards, the load of 50 cubic feet,	0 10 6 0	0 10 8 2	free	0 1 0 10	Fir 3 4 11 0	2 8 1 0	0 2 4 10
Deals, exceeding 20 feet in length, and 1 inches in thickness, the 120	18 11 10 4	0 19 2 14	free	1 15 8 3	.	.	.
8 and not exceeding 10 feet in length, and not ex. 1 1/2 in. in thickness, the 120	2 15 7 16	2 17 1 13	free	0 5 3 12	10 8 4 0	10 11 4 10	0 8 3 15
8 and not exceeding 20 feet, nor more than 3 1/2 inches in thickness, the 120	4 3 5 14	1 4 11 11	free	0 7 11 8	20 15 7 10	21 10 3 0	0 8 3 15
8 and not exceeding 20 feet, and exceeding 3 1/2 inches in thickness, the 120	8 6 11 3	8 8 5 5	free	0 15 10 16	41 11 1 0	43 10 4 0	0 8 3 15
Oak plank, 2 inches thick, or upwards, the load of 50 cubic feet,	1 0 9 18	1 1 8 8	free	0 1 11 16	5 16 4 10	6 0 4 0	0 8 3 15
Above 5 feet 3 inches, and not exceeding 8 feet in length, the 120	1 11 6 0	1 11 9 3	free	0 3 0 0	9 2 10 10	9 5 3 0	0 8 3 15
Exceeding 8 feet in length, the 120	3 3 0 0	3 3 3 3	free	0 6 0 0	18 5 9 0	18 10 6 0	0 8 3 15
Pitch, last (of 12 barrels, of 3 1/2 gallons.)	0 13 0 7	0 13 8 7	0 11 6 12	0 12 7 16	1 8 6 0	1 10 1 0	1 5 4 0
STAVES, not exceeding three inches in thickness, nor seven inches in breadth, viz:							
1, not exceeding 36 inches in length, the 120	0 1 4 16	0 1 5 18	free	0 0 3 16	1 6 1 10	1 6 11 0	.
2, above 36 and not exceeding 50 inches in length, the 120	0 8 3 0	0 8 4 2	free	0 0 9 0	2 9 1 0	2 10 4 0	.
3, above 50 and not exceeding 60 inches in length, the 120	0 11 0 0	0 11 1 2	free	0 1 0 0	3 4 11 0	3 7 3 10	.
4, above 60 and not exceeding 72 inches in length, the 120	0 16 6 0	0 16 7 2	free	0 1 6 0	4 15 9 10	4 18 2 0	.
5, above 72 inches in length, the 120	0 19 3 0	0 19 4 2	free	0 1 9 0	5 8 5 10	5 14 0 0	.
Staves from the U. S. not exceeding 1 1/2 inch in thickness, subject to 1/3 of the above duties,							
Spars, under 22 feet in length, and 4 inches in diameter, (exclusive of the bark,) the 120	0 7 0 0	0 7 3 3	free	0 0 8 0	2 15 6 10	2 19 1 0	0 16 2 15
22 feet or upwards in length, and 4 inches in diameter, (exclusive of the bark,) the 120	0 11 6 10	0 12 0 18	free	0 1 4 4	4 17 4 10	5 1 1 0	0 16 2 15
4 inches in diameter and under 4 inches in diameter, (do.) the 120	1 5 5 11	1 6 6 3	free	0 2 5 2	10 11 1 10	10 19 3 10	0 16 2 15
Masts, 6 inches and under 8 inches in diameter, (exclusive of the bark,) the mast	0 1 2 9 1/2	0 1 2 11	0 1 2 3 1/2	0 1 3 10	0 9 6 0	0 11 1 0	0 3 2 0
8 inches and under 12 inches in diameter, the mast	0 3 6 0	0 3 8 2	0 3 6 0	0 3 10 0	1 6 1 10	1 7 8 10	0 8 3 15
12 inches and upwards in diameter, the load of 50 cubic feet	0 10 6 0	0 11 0 6	0 10 6 0	0 11 0 0	3 4 11 0	3 8 1 0	1 10 5 15

Staves from B. C. the 120 not above 30 inches long, above 10 inches, 9 1 1 0

1797—Other unmanufactured wood, the growth of the United States, imported in British ships is free; in American ships, a duty of one tenth of the duty payable on the like articles, from any part of Europe.
 All other goods, wares, and merchandise, the manufacture of the United States, (the importation on which is not prohibited,) may be imported directly, in British or American ships, paying the lowest duties of the like goods imported in British ships, from any part of Europe, subject to the countervailing duty of one tenth addition when imported in American ships.



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