

ARTICLE X.

Surrender of criminals. 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 offence 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.

Extradition crimes.

Evidence of criminality.

Expenses of arrest and delivery.

ARTICLE XI.

Duration of treaty. 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.

Ratifications. 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.

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

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

DANL. WEBSTER. [L. s.]
ASHBURTON. [L. s.]

GREAT BRITAIN, 1846.

June 15, 1846. TREATY BETWEEN THE UNITED STATES OF AMERICA AND HER BRITANNIC MAJESTY FOR SETTLEMENT OF BOUNDARY WEST OF THE ROCKY MOUNTAINS, CONCLUDED AT WASHINGTON JUNE 15, 1846; RATIFICATION ADVISED BY SENATE JUNE 18, 1846; RATIFIED BY PRESIDENT JUNE 19, 1846; RATIFICATIONS EXCHANGED AT LONDON JULY 17, 1846; PROCLAIMED AUGUST 5, 1846.

Contracting parties. The United States of America and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, deeming it to be desirable for the future welfare of both countries that the state of doubt and uncertainty which has hitherto prevailed respecting the sovereignty and government of the territory on the northwest coast of America, lying westward of the Rocky or Stony Mountains, should be finally terminated by an amicable compromise of the rights mutually asserted by the

two parties over the said territory, have respectively named Plenipotentiaries to treat and agree concerning the terms of such settlement, that is to say :

The President of the United States of America has, on his part, furnished with full powers James Buchanan, 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 Richard Pakenham, a member of Her Majesty's Most Honorable Privy Council, and Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following articles :

Negotiators.

ARTICLE I.

From the point on the forty-ninth parallel of north latitude, where the boundary laid down in existing treaties and conventions between the United States and Great Britain terminates, the line of boundary between the territories of the United States and those of Her Britannic Majesty shall be continued westward along the said forty-ninth parallel of north latitude to the middle of the channel which separates the continent from Vancouver's Island, and thence southerly through the middle of the said channel, and of Fucu's Straits, to the Pacific Ocean: Provided, however, that the navigation of the whole of the said channel and straits, south of the forty-ninth parallel of north latitude, remain free and open to both parties.

Boundary line west of Rocky Mountains.

[See Article II, treaty of 1842, p. 317; also, Article XXXIV, treaty of 1871, p. 366, and protocol, 1873, p. 369.]

Navigation south of 49th parallel.

ARTICLE II.

From the point at which the forty-ninth parallel of north latitude shall be found to intersect the great northern branch of the Columbia River, the navigation of the said branch shall be free and open to the Hudson's Bay Company, and to all British subjects trading with the same, to the point where the said branch meets the main stream of the Columbia, and thence down the said main stream to the ocean, with free access into and through the said river or rivers, it being understood that all the usual portages along the line thus described shall, in like manner, be free and open. In navigating the said river or rivers, British subjects, with their goods and produce, shall be treated on the same footing as citizens of the United States; it being, however, always understood that nothing in this article shall be construed as preventing, or intended to prevent, the Government of the United States from making any regulations respecting the navigation of the said river or rivers not inconsistent with the present treaty.

Navigation of part of Columbia River.

Regulations for navigation of rivers.

ARTICLE III.

In the future appropriation of the territory south of the forty-ninth parallel of north latitude, as provided in the first article of this treaty, the possessory rights of the Hudson's Bay Company, and of all British subjects who may be already in the occupation of land or other property lawfully acquired within the said territory, shall be respected.

Possessory rights of British subjects.

[See treaty of 1863, p. 346.]

ARTICLE IV.

The farms, lands, and other property of every description belonging to the Puget's Sound Agricultural Company, on the north side of the Columbia River, shall be confirmed to the said company. In case, however, the situation of those farms and lands should be considered by the United States to be of public and political importance, and the United States Government should signify a desire to obtain possession

Farms, &c., belonging to Puget's Sound Agricultural Company.

of the whole, or of any part thereof, the property so required shall be transferred to the said Government, at a proper valuation, to be agreed upon between the parties.

ARTICLE V.

Ratifications. The present treaty shall be ratified by the President of the United States, by and with the advice and consent of the Senate thereof, and by Her Britannic Majesty; and the ratifications shall be exchanged at London, at the expiration of six months from the date hereof, or sooner if possible.

Signatures. In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Date. Done at Washington the fifteenth day of June, in the year of our Lord one thousand eight hundred and forty-six.

JAMES BUCHANAN. [L. S.]
RICHARD PAKENHAM. [L. S.]

GREAT BRITAIN, 1850.

April 19, 1850. CONVENTION BETWEEN THE UNITED STATES OF AMERICA AND HER BRITANNIC MAJESTY RELATIVE TO A SHIP-CANAL BY WAY OF NICARAGUA, COSTA RICA, THE MOSQUITO COAST, OR ANY PART OF CENTRAL AMERICA, CONCLUDED AT WASHINGTON APRIL 19, 1850; RATIFICATION ADVISED BY SENATE MAY 22, 1850; RATIFIED BY PRESIDENT MAY 23, 1850; RATIFICATIONS EXCHANGED AT WASHINGTON JULY 4, 1850; PROCLAIMED JULY 5, 1850.

Contracting parties.

The United States of America and Her Britannic Majesty, being desirous of consolidating the relations of amity which so happily subsist between them by setting forth and fixing in a convention their views and intentions with reference to any means of communication by ship-canal which may be constructed between the Atlantic and Pacific Oceans by the way of the river San Juan de Nicaragua, and either or both of the lakes of Nicaragua or Managua, to any port or place on the Pacific Ocean, the President of the United States has conferred full powers on John M. Clayton, Secretary of State of the United States, and Her Britannic Majesty on the Right Honorable Sir Henry Lytton Bulwer, a member of Her Majesty's Most Honorable Privy Council, Knight Commander of the Most Honorable Order of the Bath, and Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty to the United States, for the aforesaid purpose; and the said Plenipotentiaries, having exchanged their full powers, which were found to be in proper form, have agreed to the following articles:

Negotiators.

ARTICLE I.

Control over proposed canal.

The Governments of the United States and Great Britain hereby declare that neither the one nor the other will ever obtain or maintain for itself any exclusive control over the said ship-canal; agreeing that neither will ever erect or maintain any fortifications commanding the same, or in the vicinity thereof, or occupy, or fortify, or colonize, or assume or exercise any dominion over Nicaragua, Costa Rica, the Mosquito coast, or any part of Central America; nor will either make use of any protection which either affords or may afford, or any alliance which either has or may have to or with any State or people for the purpose of erecting or maintaining any such fortifications, or of occupying, fortifying, or colonizing Nicaragua, Costa Rica, the Mosquito coast, or any part of Central America, or of assuming or exercising dominion over the same; nor will the United States or Great Britain take advantage of any intimacy, or use any alliance, connection, or influence that