

by canal or railway, which are now proposed to be established by the way of Tehuantepec or Panama. In granting, however, their joint protection to any such canals or railways as are by this article specified, it is always understood by the United States and Great Britain that the parties constructing or owning the same shall impose no other charges or conditions of traffic thereupon than the aforesaid Governments shall approve of as just and equitable; and that the same canals or railways, being open to the citizens and subjects of the United States and Great Britain on equal terms, shall also be open on like terms to the citizens and subjects of every other State which is willing to grant thereto such protection as the United States and Great Britain engage to afford.

Privileges to citizens of other nations.

ARTICLE IX.

The ratifications of this convention shall be exchanged at Washington within six months from this day, or sooner if possible.

Ratifications.

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

Signatures.

Done at Washington the nineteenth day of April, anno Domini one thousand eight hundred and fifty.

Date.

JOHN M. CLAYTON. [L. S.]  
HENRY LYTTON BULWER. [L. S.]

GREAT BRITAIN, 1850.

PROTOCOL OF A CONFERENCE HELD AT THE FOREIGN OFFICE, DECEMBER 9, 1850.

Dec. 9, 1850.

Abbott Lawrence, Esquire, the Envoy Extraordinary and Minister Plenipotentiary of the United States of America at the court of Her Britannic Majesty, and Viscount Palmerston, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, having met together at the foreign office:

Protocol.

Mr. Lawrence stated that he was instructed by his Government to call the attention of the British Government to the dangers to which the important commerce of the great Lakes of the interior of America, and more particularly that concentrating at the town of Buffalo, near the entrance of the Niagara River from Lake Erie, and that passing through the Welland Canal, is exposed from the want of a light-house near the outlet of Lake Erie. Mr. Lawrence stated that the current of the Niagara River is at that spot very strong, and increases in rapidity as the river approaches the falls; and as that part of the river is necessarily used for the purpose of a harbor, the Congress of the United States, in order to guard against the danger arising from the rapidity of the current, and from other local causes, made an appropriation for the construction of a light-house at the outlet of the lake, but, on a local survey being made, it was found that the most eligible site for the erection of the light-house was a reef known by the name the "Horseshoe Reef," which is within the dominions of Her Britannic Majesty; and Mr. Lawrence was therefore instructed by the Government of the United States to ask whether the Government of Her Britannic Majesty will cede to the United States the Horseshoe Reef, or such part thereof as may be necessary for the purpose of erecting a light-house, and, if not, whether the British Government will itself erect and maintain a light-house on the said reef.

Cession of Horseshoe Reef to the United States.

Viscount Palmerston stated to Mr. Lawrence in reply that Her Majesty's Government concurs in opinion with the Government of the United States, that the proposed light-house would be of great advantage to all vessels navigating the Lakes; and that Her Majesty's Government is prepared to advise Her Majesty to cede to the United States

such portion of the Horseshoe Reef as may be found requisite for the intended light-house, provided the Government of the United States will engage to erect such light-house, and to maintain a light therein; and provided no fortification be erected on the said reef.

Mr. Lawrence and Viscount Palmerston, on the part of their respective Governments, accordingly agreed that the British Crown should make this cession, and that the United States should accept it, on the above-mentioned condition.

ABBOTT LAWRENCE.  
PALMERSTON.

On the receipt of this, Mr. Webster, January 17, 1851, instructed Mr. Lawrence to "address a note to the British Secretary of State for Foreign Affairs, acquainting him that the arrangement referred to is approved by this Government." MS. Department of State. Mr. Lawrence did so on the 10th of the following February.\*

### GREAT BRITAIN, 1853.

Feb. 8, 1853.

TREATY BETWEEN THE UNITED STATES OF AMERICA AND HER BRITANNIC MAJESTY FOR THE SETTLEMENT OF CLAIMS, CONCLUDED AT LONDON FEBRUARY 8, 1853; RATIFICATION ADVISED BY SENATE MARCH 15, 1853; RATIFIED BY PRESIDENT MARCH 17, 1853; RATIFICATIONS EXCHANGED AT LONDON JULY 26, 1853; PROCLAIMED AUGUST 20, 1853.

Preamble.

Whereas claims have at various times since the signature of the treaty of peace and friendship between the United States of America and Great Britain, concluded at Ghent on the 24th of December, 1814, been made upon the Government of the United States on the part of corporations, companies, and private Individuals, subjects of Her Britannic Majesty, and upon the Government of Her Britannic Majesty on the part of corporations, companies, and private individuals, citizens of the United States; and whereas some of such claims are still pending, and remain unsettled: The President of the United States of America, and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, being of opinion that a speedy and equitable settlement of all such claims will contribute much to the maintenance of the friendly feelings which subsist between the two countries, have resolved to make arrangements for that purpose by means of a Convention, and have named as their Plenipotentiaries to confer and agree thereupon, that is to say:

Contracting parties.

Negotiators.

The President of the United States of America, Joseph Reed Ingersoll, Envoy Extraordinary and Minister Plenipotentiary of the United States to Her Britannic Majesty; and Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable John Russell, (commonly called Lord John Russell,) a member of Her Britannic Majesty's Most Honourable Privy Council, a member of Parliament, and Her Britannic Majesty's Principal Secretary of State for Foreign Affairs;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed as follows:

#### ARTICLE I.

Claims to be referred to Commissioners.

The high contracting parties agree that all claims on the part of corporations, companies, or private individuals, citizens of the United States, upon the Government of Her Britannic Majesty, and all claims

\* The acts of Congress making appropriations for the erection of the light-house will be found in U. S. Statutes at Large, vol. 9, pp. 380 and 627, and vol. 10, p. 343. It was erected in the year 1856.