

at Washington; but whereas it has been found inconvenient in the summer season to hold those meetings in the city of Washington: In order to avoid such inconvenience, the President of the United States has invested Hamilton Fish, Secretary of State, with full power, and Her Britannic Majesty has invested the Right Honourable Sir Edward Thornton, one of Her Majesty's Most Honourable Privy Council, Knight Commander of the Most Honourable Order of the Bath, Her Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States, with like power; who, having met and examined their respective powers, which were found to be in proper form, have agreed upon the following

Negotiators.

ADDITIONAL ARTICLE.

It is agreed that the sessions of the commissioners provided for by the twelfth article of the treaty between the United States and Her Britannic Majesty of the 8th of May, 1871, need not be restricted to the city of Washington, but may be held at such other place within the United States as the commission may prefer.

Sessions of the commissioners.

The present additional article shall be ratified, and the ratifications shall be exchanged at Washington as soon as possible thereafter.

Ratifications.

In witness whereof we, the respective plenipotentiaries, have signed the same and have hereunto affixed our respective seals.

Signatures.

Done in duplicate at the city of Washington, the eighteenth day of January, in the year of our Lord one thousand eight hundred and seventy-three.

Date.

[SEAL.]
[SEAL.]

HAMILTON FISH.
EDWD. THORNTON.

PROTOCOL OF A CONFERENCE AT WASHINGTON, MARCH 10, 1873, RESPECTING THE NORTHWEST WATER-BOUNDARY.

March 10, 1873.

Whereas it was provided by the first article of the treaty between the United States of America and Great Britain, signed at Washington on the 15th of June, 1846, as follows:

Protocol.
[See p. 321.]

“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 Fuca 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.”

Article I, treaty of June 15, 1846.

And whereas it was provided by the XXXIVth Article of the treaty between the United States of America and Great Britain, signed at Washington on the 8th of May, 1871, as follows:

[See p. 366.]

“ARTICLE XXXIV.

“Whereas it was stipulated by Article I of the treaty concluded at Washington on the 15th of June, 1846, between the United States and Her Britannic Majesty, that the line of boundary between the territories of the United States and those of Her Britannic Majesty, from the point on the 49th parallel of north latitude up to which it had already been ascertained, should be continued westward along the said parallel of north latitude to the middle of the channel which separates

Article XXXIV, treaty of May 8, 1871.

the continent from Vancouver's Island, and thence southerly, through the middle of the said channel and of Fuca Straits, to the Pacific Ocean; and whereas the commissioners appointed by the two high contracting parties to determine that portion of the boundary which runs southerly through the middle of the channel aforesaid were unable to agree upon the same; and whereas the Government of Her Britannic Majesty claims that such boundary-line should, under the terms of the treaty above recited, be run through the Rosario Straits, and the Government of the United States claims that it should be run through the Canal de Haro, it is agreed that the respective claims of the Government of the United States and of the Government of Her Britannic Majesty shall be submitted to the arbitration and award of His Majesty the Emperor of Germany, who, having regard to the above-mentioned article of the said treaty, shall decide thereupon, finally and without appeal, which of those claims is most in accordance with the true interpretation of the treaty of June 15, 1846."

Award of the
Emperor of
Germany.

And whereas His Majesty the Emperor of Germany has, by his award dated the 21st of October, 1872, decided that "Mit der richtigen Auslegung des zwischen den Regierungen Ihrer Britischen Majestät und der Vereinigten Staaten von Amerika geschlossenen Vertrages de dato Washington den 15 Juni, 1846, steht der Auspruch der Regierung der Vereinigten Staaten am meisten im Einklange, dass die Grenzlinie zwischen den Gebieten Ihrer Britischen Majestät und den Vereinigten Staaten durch den Haro-Kanal gezogen werde."

Northwest water-
boundary.

The undersigned, Hamilton Fish, Secretary of State of the United States, and the Right Honourable Sir Edward Thornton, one of Her Majesty's Most Honourable Privy Council, Knight Commander of the Most Honourable Order of the Bath, Her Britannic Majesty's Envoy Extraordinary and Minister Plenipotentiary to the United States of America, and Rear-Admiral James Charles Prevost, Commissioner of Her Britannic Majesty in respect of the boundary aforesaid, duly authorized by their respective Governments to trace out and mark, on charts prepared for that purpose, the line of boundary in conformity with the award of His Majesty the Emperor of Germany, and to complete the determination of so much of the boundary-line between the territory of the United States and the possessions of Great Britain as was left uncompleted by the commissioners heretofore appointed to carry into effect the first article of the treaty of 15th June, 1846, have met together at Washington, and have traced out and marked the said boundary-line on four charts, severally entitled, "North America, West Coast, Strait of Juan de Fuca, and the channels between the continent and Vancouver Id, showing the boundary-line between British and American possessions, from the admiralty surveys by Captains H. Kellett, R. N., 1847, and G. H. Richards, R. N., 1858-1862;" and having on examination agreed that the lines so traced out and marked on the respective charts are identical, they have severally signed the said charts on behalf of their respective Governments, two copies thereof to be retained by the Government of the United States, and two copies thereof to be retained by the Government of Her Britannic Majesty, to serve, with the "definition of the boundary-line," attached hereto, showing the general bearings of the line of boundary as laid down on the charts, as a perpetual record of agreement between the two Governments in the matter of the line of boundary between their respective dominions under the first article of the treaty concluded at Washington on the 15th of June, 1846.

Signatures.

In witness whereof the undersigned have signed this protocol, and have hereunto affixed their seals.

Date.

Done in duplicate at Washington, this tenth day of March, in the year 1873.

HAMILTON FISH.	[SEAL.]
EDWD. THORNTON.	[SEAL.]
JAMES C. PREVOST.	[SEAL.]

DEFINITION OF THE BOUNDARY-LINE.

The chart upon which the boundary-line between the British and the United States possessions is laid down is entitled "North America, West Coast, Strait of Juan de Fuca, and the channels between the continent and Vancouver Id, showing the boundary-line between British and American possessions, from the admiralty surveys by Captains H. Kellett, R. N., 1847, and G. H. Richards, R. N., 1858-1862." Definition of the boundary-line.

The boundary-line thus laid down on the chart is a black line shaded red on the side of the British possessions, and blue on the side of the possessions of the United States.

The boundary-line thus defined commences at the point on the 49th parallel of north latitude on the west side of Point Roberts, which is marked by a stone monument, and the line is continued along the said parallel to the middle of the channel which separates the continent from Vancouver Island, that is to say, to a point in longitude $123^{\circ} 19' 15''$ W., as shown in the said chart. It then proceeds in a direction about $S. 50^{\circ} E.$ (true) for about fifteen geographical miles, when it curves to the southward, passing equidistant between the west point of Patos Island and the east point of Saturna Island, until the point midway on a line drawn between Turnpoint, on Stewart Island, and Fairfax Point, on Moresby Island, bears $S. 68^{\circ} W.$, (true) distant ten miles; then on a course south $68^{\circ} W.$, (true) ten miles to the said point midway between Turnpoint, on Stewart Island, and Fairfax Point, on Moresby Island, thence on a course about south $12^{\circ} 30'$ east (true) for about eight and three-quarter miles to a point due east, one mile from the northernmost Kelp Reef, which reef on the said chart is laid down as in latitude $48^{\circ} 33'$ north, and in longitude $123^{\circ} 15'$ west; then its direction continues about $S. 20^{\circ} 15'$ east, (true,) six and one-eighth miles to a point midway between Sea Bird Point, on Discovery Island, and Pile Point, on San Juan Island; thence in a straight line $S. 45^{\circ} E.$, (true,) until it touches the north end of the middle bank in between 13 and 18 fathoms of water; from this point the line takes a general $S. 28^{\circ} 30'$ W. direction (true) for about ten miles, when it reaches the centre of the fairway of the Strait of Juan de Fuca, which, by the chart, is in the latitude of $48^{\circ} 17'$ north and longitude $123^{\circ} 14' 40''$ W.

Thence the line runs in a direction $S. 73^{\circ} W.$ (true) for twelve miles, to a point on a straight line drawn from the light-house on Race Island to Angelos Point, midway between the same.

Thence the line runs through the centre of the Strait of Juan de Fuca, *first*, in a direction $N. 80^{\circ} 30'$ W., about $5\frac{3}{4}$ miles to a point equidistant on a straight line between Beechey Head, on Vancouver Island, and Tongue Point, on the shore of Washington Territory; *second*, in a direction $N. 76^{\circ} W.$, about $13\frac{1}{2}$ miles to a point equidistant in a straight line between Sherringham Point, on Vancouver Island, and Pillar Point on the shore of Washington Territory; *third*, in a direction $N. 68^{\circ} W.$, about $30\frac{3}{4}$ miles to the Pacific Ocean, at a point equidistant between Bonilla Point, on Vancouver Island, and Tatooch Island light-house on the American shore, the line between the points being nearly due north and south, (true.)

The courses and distances as given in the foregoing description are not assumed to be perfectly accurate, but are as nearly so as is supposed to be necessary to a practical definition of the line laid down on the chart and intended to be the boundary-line.

HAMILTON FISH.
EDWD. THORNTON.
JAMES C. PREVOST.