

ADDITIONAL ARTICLE.

Twelfth article
suspended.

May 4, 1796.

It is further agreed between the said contracting parties, that the operation of so much of the twelfth article of the said treaty as respects the trade which his said Majesty thereby consents may be carried on between the United States and his islands in the West-Indies, in the manner and on the terms and conditions therein specified, shall be suspended.

EXPLANATORY ARTICLE.

“Whereas by the third article of the treaty of amity, commerce and navigation, concluded at London, on the nineteenth day of November, one thousand seven hundred and ninety-four, between his Britannic Majesty and the United States of America, it was agreed that it should at all times be free to his Majesty's subjects and to the citizens of the United States, and also to the Indians dwelling on either side of the boundary line, assigned by the treaty of peace to the United States, freely to pass and repass by land or inland navigation, into the respective territories and countries of the two contracting parties, on the continent of America, (the country within the limits of the Hudson's Bay company only excepted) and to navigate all the lakes, rivers and waters thereof, and freely to carry on trade and commerce with each other, subject to the provisions and limitations contained in the said article: And whereas by the eighth article of the treaty of peace and friendship concluded at Greenville, on the third day of August, one thousand seven hundred and ninety-five, between the United States and the nations or tribes of Indians, called the Wyandots, Delawares, Shawanoes, Ottawas, Chippewas, Putawatimies, Miamis, Eel-River, Weeas, Kickapoos, Piankashaws and Kaskaskias, it was stipulated that no person should be permitted to reside at any of the towns or hunting camps of the said Indian tribes, as a trader, who is not furnished with a licence for that purpose, under the authority of the United States: Which latter stipulation has excited doubts, whether in its operation it may not interfere with the due execution of the said third article of the treaty of amity, commerce and navigation: And it being the sincere desire of his Britannic Majesty and of the United States, that this point should be so explained, as to remove all doubts, and promote mutual satisfaction and friendship: And for this purpose, his Britannic Majesty having named for his commissioner, Phineas Bond, Esquire, his Majesty's Consul General for the middle and southern states of America, (and now his Majesty's Chargé d'Affaires to the United States) and the President of the United States having named for their commissioner, Timothy Pickering, Esquire, Secretary of State of the United States, to whom, agreeably to the laws of the United States, he has intrusted this negotiation; They, the said commissioners, having communicated to each other their full powers, have, in virtue of the same, and conformably to the spirit of the last article of the said treaty of amity, commerce and navigation, entered into this explanatory article, and do by these presents explicitly agree and declare, That no stipulations in any treaty subsequently concluded by either of the contracting parties with any other state or nation, or with any Indian tribe, can be understood to derogate in any manner from the rights of free intercourse and commerce, secured by the aforesaid third article of the treaty of amity, commerce and navigation, to the subjects of his Majesty and to the citizens of the United States, and to the Indians dwelling on either side of the boundary line aforesaid; but that all the said persons shall remain at full liberty freely to pass and repass by land or inland navigation, into the respective territories and countries of the contracting parties, on either side of the said boundary line, and freely to carry on trade and commerce with

each other, according to the stipulations of the said third article of the treaty of amity, commerce and navigation.

This explanatory article, when the same shall have been ratified by his Majesty, and by the President of the United States, by and with the advice and consent of their Senate, and the respective ratifications mutually exchanged, shall be added to, and make a part of the said treaty of amity, commerce and navigation, and shall be permanently binding upon his Majesty and the United States.

IN WITNESS whereof, we, the said Commissioners of his Majesty, the King of Great-Britain and the United States of America, have signed this present explanatory article, and thereto affixed our seals. Done at Philadelphia, this fourth day of May, in the year of our Lord one thousand seven hundred and ninety-six.

P. BOND, (L. s.)
TIMOTHY PICKERING, (L. s.)

EXPLANATORY ARTICLE, to be added to the treaty of Amity, Commerce and Navigation, between the United States and his Britannic Majesty.

March 15, 1798.

Whereas by the twenty-eighth Article of the Treaty of Amity, Commerce and Navigation, between his Britannic Majesty and the United States, signed at London the nineteenth day of November, one thousand seven hundred and ninety-four, it was agreed, that the contracting parties would from time to time, readily treat of and concerning such further articles, as might be proposed, that they would sincerely endeavour so to form such articles, as that they might conduce to mutual convenience, and tend to promote mutual satisfaction and friendship; and that such articles, after having been duly ratified, should be added to and make a part of that Treaty: And whereas difficulties have arisen with respect to the execution of so much of the Fifth Article of the said treaty, as requires that the commissioners, appointed under the same, should in their description particularize the latitude and longitude of the source of the river, which may be found to be the one truly intended in the treaty of peace between his Britannic Majesty and the United States, under the name of the river St. Croix, by reason whereof it is expedient, that the said commissioners should be released from the obligation of conforming to the provisions of the said article in this respect. The undersigned being respectively named by his Britannic Majesty and the United States of America, their plenipotentiaries for the purpose of treating of and concluding such articles as may be proper to be added to the said treaty, in conformity to the above-mentioned stipulation, and having communicated to each other their respective full powers, have agreed and concluded, and do hereby declare in the name of his Britannic Majesty and of the United States of America—That the commissioners appointed under the 5th article of the above-mentioned treaty shall not be obliged to particularize, in their description, the latitude and longitude of the source of the river, which may be found to be the one truly intended in the aforesaid treaty of peace, under the name of the river St. Croix, but they shall be at liberty to describe the said river, in such other manner, as they may judge expedient, which description shall be considered as a compleat execution of the duty required of the said commissioners in this respect by the article aforesaid. And to the end that no uncertainty may hereafter exist on this subject, it is further agreed, That as soon as may be after the decision of the said commissioners, measures shall be concerted between the government of the United States and his Britannic Majesty's

The commissioners under the 5th article released from particularizing the latitude and longitude of the source of the river intended by the St. Croix.