

TREATY SERIES. No. 19.

1899.

EXCHANGE OF NOTES

BETWEEN

THE UNITED KINGDOM AND THE UNITED
STATES OF AMERICA,

PROVIDING FOR THE ESTABLISHMENT OF A
PROVISIONAL BOUNDARY .

BETWEEN

THE DOMINION OF CANADA AND THE
TERRITORY OF ALASKA

IN THE REGION ABOUT THE HEAD OF LYNN CANAL.

October 20, 1899.

*Presented to both Houses of Parliament by Command of Her Majesty.
November 1899.*

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peak-west of Porcupine Creek, marked on the Map No. 10 of the United States' Commission, December 31, 1895, and on sheet No. 18 of the British Commission, December 31, 1895, with the number 6500; thence running to the Klehini (or Klaheela) River, in the direction of the peak north of that river, marked 5020 on the aforesaid United States' Map, and 5025 on the aforesaid British Map; thence following the high or right bank of the said Klehini River to the junction thereof with the Chilkat River, a mile and a-half, more or less, north of Klukwan,—provided that persons proceeding to or from Porcupine Creek shall be freely permitted to follow the trail between the said creek and the said junction of the rivers into and across the territory on the Canadian side of the temporary line wherever the trail crosses to such side, and, subject to such reasonable Regulations for the protection of the revenue as the Canadian Government may prescribe, to carry with them over such part or parts of the trail between the said points as may lie on the Canadian side of the temporary line, such goods and articles as they desire, without being required to pay any customs duties on such goods and articles; and from said junction to the summit of the peak east of the Chilkat River, marked on the aforesaid Map No. 10 of the United States' Commission with the number 5410, and on the Map No. 17 of the aforesaid British Commission with the number-5490.

“On the Dyea and Skagway Trails, the summits of the Chilkoot and White Passes.

“It is understood, as formerly set forth in communications of the Department of State of the United States, that the citizens or subjects of either Power, found by this arrangement within the temporary jurisdiction of the other, shall suffer no diminution of the rights and privileges which they now enjoy.

“The Government of the United States will at once appoint an officer or officers in conjunction with an officer or officers to be named by the Government of Her Britannic Majesty, to mark the temporary line agreed upon by the erection of posts, stakes, or other appropriate temporary marks.”

It shall be understood that the foregoing Agreement is binding upon the two Governments from the date of your written acceptance of its terms.

I have, &c.
(Signed) JOHN HAY.

No. 2.

Mr. Towner to Mr. Hay.

Sir,

Washington, October 20, 1899.

I HAVE the honour to acknowledge the receipt of your note of the 20th instant, submitting the following as the text of the Agreement to be observed by the two Governments as a provisional boundary between the territory of Alaska and the Dominion of Canada in the region about the head of Lynn Canal:—

“It is hereby agreed between the Governments of the United States and of Great Britain that the boundary-line between Canada and the territory of Alaska in the region about the head of Lynn Canal shall be provisionally fixed as follows, without prejudice to the claims of either party in the permanent adjustment of the international boundary.

“In the region of the Dalton Trail, a line beginning at the peak west of Porcupine Creek, marked on the Map No. 10 of the United States' Commission, December 31, 1895, and on sheet No. 18 of the British Commission, December 31, 1895, with the number 6500; thence running to the Klehini (or Klahceela) River in the direction of the peak north of that river, marked 5020 on the aforesaid United States' Map, and 5025 on the aforesaid British Map; thence following the high or right bank of the said Klehini River to the junction thereof with the Chilkat River, a mile and a-half, more or less, north of Klukwan,—provided that persons proceeding to or from Porcupine Creek shall be freely permitted to follow the trail between the said creek and the said junction of the rivers, into and across the territory on the Canadian side of the temporary line wherever the trail crosses to such side, and, subject to such reasonable Regulations for the protection of the revenue as the Canadian Government may prescribe, to carry with them over such part or parts of the trail between the said points as may lie on the Canadian side of the temporary line, such goods and articles as they desire, without being required to pay any customs duties on such goods and articles; and from said junction to the summit of the peak east of the Chilkat River, marked on the aforesaid Map No. 10 of the United States' Commission with the number 5410, and on the Map No. 17 of the aforesaid British Commission with the number 5490.

“On the Dyea and Skagway Trails, the summits of the Chilkoot and White Passes.

“It is understood, as formerly set forth in communications of the Department of State of the United States, that the citizens or subjects of either Power, found by this arrangement within the temporary jurisdiction of the other, shall suffer no diminution of the rights and privileges which they now enjoy.

"The Government of the United States will at once appoint an officer or officers in conjunction with an officer or officers to be named by the Government of Her Britannic Majesty, to mark the temporary line agreed upon by the erection of posts, stakes, or other appropriate temporary marks."

It shall be understood that the foregoing Agreement is binding upon the two Governments from the date of this, my written acceptance of its terms.

I have, &c.
(Signed) REGINALD TOWER.
