

CLAIMS: THE CASE OF THE BRIG "HORATIO"

Convention signed at Caracas February 27, 1858

Entered into force February 27, 1858

*Terminated upon fulfillment of its terms*¹

7 Miller 727

The undersigned, Charles Eames, Minister Resident of the United States, and Jacinto Gutierrez, Secretary of Foreign Relations of Venezuela, in behalf of their respective Governments, and duly authorized to adjust the claim presented by the Legation of the United States for losses and damages resulting from the detention and judicial trials suffered in the port of Maracaibo, in the year 1.850, by the American brig "Horatio," which failed to present all the packages specified in her Manifest, but which notwithstanding was absolved in two concurring judicial decrees upon proof of exemption from all culpability in the case, have agreed upon the following settlement.

ART. 1st Venezuela recognizes as a debt due to the owners of the brig "Horatio," by reason of the losses and damages above mentioned, the sum of five thousand one hundred and fifty one dollars and seventy cents, United States currency (\$5,151.70¢).

ART. 2nd Said sum shall bear interest at the rate of six per centum per annum from the 11th of Sept. 1.850, the date of the second judicial decree, up to the day in which this convention shall be duly approved by the Congress of Venezuela.

ART. 3rd The capital sum and interest herein stipulated shall be added to, and form part of, the amount recognized and included in the convention concluded, in behalf of the two Governments, in June 1.853,² respecting the payment of Espera claims.

ART. 4th The present agreement shall be submitted to the Congress of Venezuela for its approval.

In testimony whereof the undersigned have concluded and subscribed this convention in duplicate, at the city of Caracas this twenty seventh day of February 1.858.

CHARLES EAMES
JACINTO GUTIERREZ

¹ For a detailed study of this convention, including a discussion of the settlement, see 7 Miller 727.

² *Ante*, p. 1062.