

## CLAIMS: THE CASE OF THE BRIG "MOUNT VERNON"

*Convention signed at Caracas July 7, 1849*

*Entered into force July 7, 1849*

*Terminated upon fulfillment of its terms*<sup>1</sup>

5 Miller 587

### CONVENTION UPON THE CLAIM RELATIVE TO THE AMERICAN BRIG MOUNT VERNON

The undersigned, Benjamin G. Shields, Chargé d'affaires of the United States of America, and Jacinto Gutierrez, Secretary of State in the Department of Foreign Relations of Venezuela, duly authorized to celebrate an equitable agreement relative to the indemnification claimed by the parties interested in the American Brig Mount Vernon, illegally seized on the 30th day of December 1848, in the port of La Ceiba, Lake of Maracaibo, by the Venezuelan Schooner of War "La Yntrepida", sent with troops of the Government to Coro and thence to Pto. Cabello, and in the latter port detained until the 25th of May last; in consequence of which seizure and long detention have resulted considerable damage to the vessel, loss of cargo and prejudice to the owner and freighter; have agreed to conclude and seal at all points, this affair, in the following terms.

ART. 1. The Government of Venezuela obligates itself to pay, in the way of indemnification, to the order of the Chargé d'affaires of the United States of América the sum of eleven thousand five hundred dollars, in the following instalments: two thousand dollars on the fifteenth day of the present month (July): three thousand dollars on the fifteenth day of October next; and the residue of six thousand five hundred dollars, on the fifteenth of April 1850.

ART. 2. The remainder of the cargo which the Brig Mount Vernon has on board, being greatly damaged, as appears by the survey which was made of it, its owner may sell the same in Pto. Cabello ó La Guaira, free of any duties of importation or of port, those of port having already been paid in Maracaibo, in November of the passed year.

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<sup>1</sup> For a detailed study of this convention, including a discussion of the settlement, see 5 Miller 587.

ART. 3. By the stipulations in the preceding articles and their fulfilment, all damages, prejudices, losses, deteriorations and interests, which the owners and persons interested in the Brig Mount Vernon and her cargo, have claimed or may pretend to claim, shall remain completely and absolutely indemnified.

In witness whereof the undersigned have signed two conventions of the same ténor in Caracas on the seventh day of July eighteen hundred and forty nine.

B. G. SHIELDS  
*Chargé d'Affaires of the  
United States*

JACINTO GUTIERREZ