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A

COLLECTION
OF ALL THE
TREATIES
OF

Peace, Alliance, and Commerce,

BETWEEN

GREAT-BRITAIN

AND

OTHER POWERS,

From the Treaty signed at MUNSTER in 1648, to the
Treaties signed at PARIS in 1783.

To which is prefixed,

A DISCOURSE

ON THE

Conduct of the Government of GREAT-BRITAIN in
respect to Neutral Nations,

By the Right Hon. CHARLES JENKINSON.

In THREE VOLUMES.

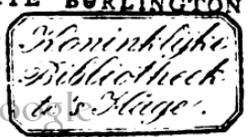
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A
C O L L E C T I O N
 O F
T R E A T I E S.

A Treaty of Peace and Friendship, between the King of Great Britain, and the Emperor of Morocco : concluded at Fez, between William Petticrew, Esq; his Britannick Majesty's Consul General, and the Alcaide Habeb, Lohab Ben Hamed Limury, the Emperor of Morocco's Prime Minister, and signed the 15th of Rabbei the First, in the year 1164, which is in English Stile, the 15th of January, 1750, O. S. As also the additional articles of Peace and Commerce, concluded and signed between the said two Ministers, on the 1st of February, 1751, N. S.

GEOERGE the Second, by the Graee of God, King of Great Britain, France and Ireland, Defender of the Christian Faith; Duke of Brunswick and Lunenburg, Arch Treasurer of the Holy Roman Empire, and Prince Elector, &c. To all to whom these presents shall come, greeting. Whereas a treaty for establishing peace and friendship was concluded and signed on the 15th of December, 1734, and copied the 15th of Rabbei the first, in the year 1164, which is in English stile, the 15th day of January, 1750, O. S. and the additional articles of peace and commerce, concluded and signed at the court of Fez, on the 1st of February, 1751, N. S. between Us and the High, Glorious, Potent, and most Noble Prince Mulay Abedela, Ben Mulay Ismael, Ben Mulay Seriph, Ben Mulay Aly, King and Emperor of the kingdoms of Fez, Morocco, Taffilete, Sus and the whole Algarbe, and the territories thereof, by William Petticrew, Esq; our Consul General on our part, and by the Alcaide Habeb Lohab Ben Hamed Limury, first Minister on the behalf

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and by order of the said King of Fez and Morocco, in the words and form following.

THE treaty of peace between his Majesty George the Second, King of Great Britain, France and Ireland, and Mulay Abedela Ben Ismael, King and Emperor of Fez, Mequinez, Morocco, and all the West of Africa, God bless him; and the following articles were concluded by Alcaide Habeb Lohab, First Minister, and William Petticrew, Esq; his Britannick Majesty's Consul General.

I. For establishing peace and friendship, it is agreed and concluded for firm and valid, both by land and sea, in all the dominions of both powers, that the English in general shall and may now, and at all times hereafter, enjoy and continue in peace and friendship with the Emperor and his subjects, and be well used and respected by the Emperor's subjects, agreeable to the order and commands of the emperor.

II. That such number or quantity of passports, as may be necessary, be transmitted to the Emperor, indented in such manner as shall tally with the passports that shall be received by the English merchants in England; and if an English man of war meets with any merchant ships belonging to the Emperor, such merchant ships shall be obliged to produce and shew their passports given to them by the English Consul.

III. If any dispute shall happen between the English and the Emperor's subjects, the same not to be determined by a Judge, but ended and adjusted by the English Consul and the Coyed, (that is) the Mayor of the town, where such dispute shall happen.

IV. That none of the Emperor's subjects shall, at any time, forcibly enter the houses of the English, or any place belonging to them, or take and carry away any of their goods and effects, unless they have leave and authority from the Emperor so to do: That if any of the Emperor's subjects shall hire any English ship to carry and convey goods from one part of the Emperor's dominions to another, and shall happen by stress of weather, or any other occasion, to touch at any place or places in the voyage, such ship or ships shall not be obliged to pay any thing for

for the shelter or assistance they may receive; and that no English whatever, or any of their servants, (though not English) shall be liable to pay the tax, imposed upon the Emperor's subjects, called the poll tax:

V. That the fifteen articles of peace, made and concluded between King George the First, and Muli Ismael, are hereby agreed to and confirmed with his Majesty King George the Second, as good and valid, and shall be faithfully kept and observed, together with the aforesaid four articles.

TREATY of peace between his Majesty George the Second, King of Great Britain, France and Ireland, and Mulay Abedela Ben Ismael, King and Emperor of Fez, Mequinez, Morocco, and all the West of Africa, God bless him; and the four following articles were concluded by Ahammed Basha and William Petticrew, Esq.

I. That if any English shall happen to be on board any ship or ships, enemies to the Emperor, that may be taken by the Emperor's ships, such English shall be well treated, delivered into the hands of the English Consul, and have their liberty to go where they please: This article to continue in force for six months from the conclusion of this peace; in which time it is required, that notice shall be given by the King of Great Britain to all the English subjects, not to embark on board any of the Emperor's enemies ships; for after that time, if the English shall so embark, the blame must be their own, as no regard will be had to them more than the Emperor's enemies.

II. If any of the Emperor's subjects shall be made slaves, and escape to an English man of war, or to Gibraltar, Port-Mahon, or any of the English dominions, that they shall be protected, and with all convenient speed, sent to their respective homes. The like treatment to be given to the English who shall be slaves, and escape to any part of the Emperor's dominions.

III. If any English shall contract any thing to be paid to the Emperor's subjects, that notes shall be given for the same; and in like manner the same to be observed by the Emperor's subjects in the English dominions; and if it

B 2

shall

shall happen, that such subjects of either power cannot write, to get some person to write such notes for them.

IV. That no excuse be made, or ignorance of this peace pretended, the same shall be published and declared to all the subjects of both powers, both what is now agreed on, and the articles concluded with King George the First; which declaration shall be signed by each power, and by them kept to prevent disputes. This treaty was concluded the 15th of December, 1734, and copied the 15th of Rabbei the first, in the year 1164, which is, in English stile, the 15th of January, 1750.

Additional articles of peace and commerce between the Most High, Illustrious, and most Renowned Prince George the Second, by the grace of God, King of Great Britain, France, and Ireland, Defender of the Christian Faith, &c. and the High, Glorious, Mighty, and Most Noble Prince Mulay Abedela, Ben Mulay Ismael, Ben Mulay Seriph, Ben Mulay Aly, King and Emperor of the kingdoms of Fez, Morocco, Taffilete, Sus, and all the Algarbe and its territories, agreed on and concluded by William Petticrew, Esq. on the behalf of his Britannick Majesty, and by the Alcaide Habeb Lohad Ben Hamed Limury, First Minister on the behalf and by order of the King of Fez and Morocco.

I. It is agreed on and concluded, that from henceforward there shall be between his Majesty of Great Britain, Prince and Elector of Hanover, and the King of Fez and Morocco, their heirs and successors, a general, true and perfect peace for ever, as well by land as by sea and fresh waters; and also between the lands, kingdoms, dominions and territories belonging to or under the jurisdiction of his Britannick Majesty in Germany, and those appertaining to the King of Fez and Morocco, and their subjects, people or inhabitants respectively, of what condition, degree, or quality soever, from henceforth reciprocally shall owe the other all friendship; and that all ships, vessels, passengers with their effects trafficking voluntary, or compelled by enemies, disasters of the seas, or any accident whatsoever, to the coast of the Emperor of Fez and Morocco's dominions, being his Britannick Majesty's

jeſty's ſubjects in Germany, ſhall, from henceforth, be treated with the ſaid regulations as ſpecified by the treaties of peace now ſubſiſting between his Britannick Ma- jeſty and the King of Fez and Morocco.

II. It is agreed, that all ſhips and veſſels belonging to his Britannick Maſteſty in Germany, ſhall carry a proper paſs, and that a copy of ſuch paſs, with the heads of the ſaid paſſes, ſhall be ſent to his Britannick Maſteſty's Con- ſul reſiding in Barbary, to the end that he may deliver the ſame to the commanders or captains of the King of Fez and Morocco's ſhips of war or Cruizers, to the end that due regard may be had to this peace, and that no com- mander or captain may offend through ignorance; and all commanders or captains of ſhips or veſſels belonging to his Britannick Maſteſty's ſubjects in Germany, meeting with any ſhip or veſſel belonging to the King of Fez and Mo- rocco, or his ſubjects, if the commander of ſuch ſhip or veſſel produce a paſs ſigned by the governor of the city they belong to, with a certificate from the Engliſh Conſul, and in caſe of his death or abſence, from the major part of the Engliſh merchants reſiding in the ſaid place, in ſuch caſes the ſaid ſhip or veſſel ſhall purſue freely her voyage without hindrance or moleſtation.

III. It is agreed, that the King of Great Britain's ſub- jects ſhall not be obliged to appear before juſtices of the country on any cauſe, but that only the governor of the city and his Britannick Maſteſty's Conſul ſhall take cogni- zance of, and adjust the difference or ſuits they may have with the Moors, or other inhabitants in the dominions of the King of Fez and Morocco.

IV. It is agreed, that no governor or officer under the King of Fez and Morocco, ſhall, without the King's ſpe- cial order, viſit or register the dwelling-houſes or magazines of any of his Britannick Maſteſty's ſubjects reſiding in Bar- bary; and that all British ſhips, taking freight in any port of the King of Fez and Morocco, to carry to other ports of the ſaid kingdom, ſhall be exempted from all port charges as uſual, in whatever port they may put in; and that the Conſul and the other British merchants ſhall be freely allowed to have Moors or Jews as their interpreters

and brokers, who shall be exempted from all taxes, as likewise all their domestic servants.

All the other articles, being fifteen in number, concluded, agreed and adjusted by the Admiral Charles Stewart on the behalf of his Britannick Majesty; and by his Excellency Bashaw Hemet Ben Ally, Ben Abdalla, and his Imperial Majesty's Treasurer Mr. Moses Benatar, on behalf of the said King of Fez and Morocco, shall stand good and be of the same force, as in the reign of the Most High, Illustrious, and Renowned Prince George the First, King of Great Britain, France and Ireland, of glorious memory; and the High, Mighty, and Most Noble Prince Mulay Ismael late Emperor of Morocco; as likewise the other articles, being three in number, agreed and concluded by John Leonard Sollicoffre, Esq. on behalf of his Britannick Majesty, and his Excellency Bashaw Harnet Ben Aly Ben Abdalla, on behalf of the King of Fez and Morocco.

It is agreed on and concluded, that all the articles aforementioned, being eighteen in number, with these additional articles that are translated into the Arabick language, copies thereof be sent to all his Imperial Majesty's Alcaldes and Officers of all the ports in his dominions, there to be read by the Cady or Chief Justice in public assembly; and afterwards to remain deposited either in the hands of the Judge, or the Alcaide of the port, that recourse may be had thereto on all occasions which may occur; and that the ratification of the said articles shall be made within the term of six months, or sooner if possible, in Spanish, which shall be received and be of equal force. Dated and signed at the court of Fez, on the 1st of February, 1751, N. S.

(Signed)

Abdelhovab Aly Moory.

TREATY of peace concluded between his Majesty George the First, King of Great Britain, France, and Ireland, and Muli Ismael, son of Muli Alli Sherife, King of Fez, Mequinez, Morocco, and all the West of Africa, God blefs him. The following articles were agreed on, in the presence of Bashaw Ahamad, son of Abdula, and the then English Ambassador, interpreted by Moses son

son of Attor, seryant and interpreter at the Emperor's court.

I. In order to establish peace between the powers, both by land and sea, and all their respective dominions, it is agreed on, that the English may now, and always hereafter, be well used and respected by our subjects, agreeable to the orders and commands of the Emperor.

II. That all English men of war and merchant ships, that shall come to any part of the Emperor's dominions, to trade or otherwise, and shall have on board a cargo, not proper for vending in the place where they shall come, may depart with the same to any other part of the Emperor's dominions, and shall pay duty but once for the same; and that no duty at all shall be paid for any war implements, such as fire-arms, swords, and any thing belonging to the army, as also for materials of all kinds for ship-building; and if any English ship shall arrive at any of the Emperor's ports, with any merchandize destined for any other part of the world, that no duty shall be paid for such merchandize, but shall depart with the same without any manner of molestation. If any English ship shall be thrown upon the Emperor's coasts by stress of weather, or otherwise, the same shall be protected, and may safely depart without any ill usage or interruption: in like manner shall be treated the Emperor's ships, happening to be thus thrown on the coast of Great Britain, or the dominions thereto belonging.

III. That all the English ships and Emperor's ships may pass and repass the seas without hindrance, interruption or molestation from each other; nor shall any money, merchandize, or any demand be made or taken by the ships of either power from each other; and if any subjects of any other nation shall be on board either the English or the Emperor's ships, they shall be safely protected by both sides.

IV. If the Emperor's men of war meet with any English ships, and shall want to see their passports, they are to send a boat with two men of fidelity to peruse the said passports, who are to return without any farther trouble, and then both sides to proceed quietly on their respective voyages; the same usage to be received by the Emperor's

merchant ships from the English men of war, who shall allow the passport made out by the English consul, and if the consul shall not be present to make them, then the passports made out by the English merchants to be good and valid.

V. If the English men of war, privateers, or letter of marque ship, shall take prizes from any nation with whom they shall be at war, they shall have liberty to bring and dispose of the same in any of the Emperor's dominions, without any duty or charge whatsoever.

VI. If any English ship shall, by storm, or in flying from her enemy, come upon the Emperor's Coasts, the same shall be safely protected, and nothing touched or taken away, but shall be under the direction of the English consul, who shall send the goods and people where he shall think fit.

VII. It is the mutual agreement of the King of Great Britain and the Emperor, that the Emperor do issue out orders to all parts of his dominions, for the well using of all the English subjects; and that particular places be appointed for the burial of their dead; that the consul's brokers shall freely go on board any ship without interruption; that the English consuls, merchants, and other subjects of Great Britain, may safely travel by land with effects without any hindrance whatever; and if any English settled in the Emperor's dominions shall be desirous to return home, that they may so do with their families, goods and effects, without interruption: If any English die, the effects of such to be taken under the care of the consul, to be disposed of as directed by the will of such person, and if no will, for the benefit of such person's next heir; and if any debts shall be owing to such deceased person, the same to be paid by order of the governor or other person in power, where such person shall die; and that a subject of the Emperor's be appointed to demand and receive the same, and deposit the same in the hands of the English Consul for the aforesaid uses. If any English shall contract debts in the Emperor's country, and remove from thence without satisfying the same, no other person shall be liable to pay such debts: The like usage and treatment the subjects of the Emperor are to receive in the King of Great Britain's

Britain's dominions; and that the King may send as many Consuls to the Emperor's dominions as he shall think necessary.

VIII. That no English merchant, captains of ships, or other person or persons whatsoever that are English subjects, shall be forced to sell any of their goods for less than the real value; and that no captain, master, or commander of any English ship shall be compelled, without their own will and consent, to carry any goods or merchandizes for any person or persons whatsoever; nor shall any sailor be forced away from any English ship.

IX. If any quarrel or dispute shall happen between any Englishman and a Musselman, by which hurt to either may ensue, the same to be heard before and determined by the Emperor only; and if an Englishman, who may be the aggressor, shall make his escape, no other Englishman shall suffer upon his account; and if two Englishmen shall quarrel, to be determined by the English Consul, who shall do with them as he pleases; and if any quarrel or dispute shall happen between Musselmens in England, or in any of the English dominions, by which hurt may ensue, the same to be heard before one Christian and one Musselman, and to be determined according to the laws of Great Britain.

X. If it shall happen that this peace by any means shall be broke, the Consul, and all other English, shall have six months time to remove themselves with their families and effects to any place they please without interruption; and that all debts owing to them shall be justly paid to them.

XI. If any English in the Emperor's dominions, or the Emperor's subjects in the English dominions, shall maliciously endeavour to break the peace, such of them who shall be proved so to intend, shall by each power be punished for such offence, each power to take cognizance of their own subjects.

XII. If any of the Emperor's subjects shall purchase any commodity in the English dominions, they shall not be imposed on in price, but pay the same as is sold to the English.

XIII. That

XIII. That not any of the Spanish, whether captains, sailors, or other persons under the English government in Gibraltar or Port Mahon, shall be taken or molested, sailing under English colours with passports.

XIV. That no excuse be made, or ignorance pretended, of this peace, the same shall be published and declared to all the subjects of each power, which declaration shall be signed by each power, and kept by them to prevent disputes.

XV. If any men of war shall be on the Emperor's coasts, that are enemies to the English, and any English men of war, or other English ships, shall happen to be or arrive there also, that they shall not in any manner be hurt or engaged by their enemy; and when such English ships shall sail, their enemies ships shall not set sail under forty hours afterwards. And if after the conclusion of this peace, any ships shall happen to be taken by either power within six months after the proclamation of the peace, that the same, with the people and effects, shall be restored. Made and declared in the presence of the Emperor's servant Ahammed Basha, son of Alli, son of Abdula, by the authority given to him by the Emperor, Dated this 23d of January, in the year 1721, English stile. Wrote and given to Charles Stewart, Esq; the English ambassador, in the seventh year of the reign of our late royal father King George the First.

WE having seen and considered the above-written treaty, with the additional articles, have approved, ratified, and confirmed the same, in all and singular their clauses, as by these presents we do approve, ratify, and confirm the same, for us, our heirs, and successors, engaging and promising on our royal word, sacredly and inviolably to perform and observe all and singular their contents, and never to suffer, as far as in us lies, any person to violate the same, or in any manner to act contrary thereto. In witness whereof we have caused our great seal of Great Britain to be affixed to these presents, signed with our royal hand. Given at our Court at Kensington the Thirty-first day of July, in the year of our Lord, 1751, and of our reign the Twenty-fifth.

GEORGE R.

Treaty

Treaty of peace and commerce, between the most serene and mighty Prince GEORGE the Second, by the Grace of God, of Great Britain, France, and Ireland, King, Defender of the Christian Faith, Duke of Brunswick and Lunenburgh, Arch-Treasurer and Elector of the Holy Roman Empire, &c. &c. &c. &c. And the most excellent and illustrious Lords, Mahammet Bashaw Gramali, Dey, Governor, and Captain General, Seedy Ali Bey, Seedy Hassan Kiaja, the Divan, and all the Officers, Soldiers, and People of the noble city and kingdom of Tripoli in Barbary, renewed, agreed on, and confirmed, by the honourable Augustus Keppel, Commander in chief of his Britannick Majesty's ships and vessels in and about the Mediterranean seas, and Robert White, Esq; his said Serene Majesty's Agent and Consul General to the Dey and State of Tripoli, furnished with his Majesty's full powers for that purpose.

Article I.

IN the first place it is agreed and concluded, That from this time forward, for ever, there shall be a true and inviolable peace between the most Serene King of Great Britain, and the most illustrious Lords and Governors of the city and kingdom of Tripoli in Barbary; and between all the dominions and subjects of either side; and if the ships and subjects of either party shall happen to meet upon the seas, or elsewhere, they shall not molest each other, but shall shew all possible respect and friendship.

II. That all merchant ships belonging to the dominions of Great Britain, and trading to the city, or any part of the kingdom of Tripoli, shall pay no more than Three per Cent. custom for all kinds of goods they shall sell: and for such as they shall not sell, they shall be permitted freely to embarked it again on board their ships, without paying any sort of duty whatsoever, and shall depart without any hindrance or molestation.

III. That all ships and other vessels, as well those belonging to the said King of Great Britain, or to any of his Majesty's subjects, as those belonging to the kingdom or people of Tripoli, shall freely pass the seas, and traffick
where

where they please, without any search, hindrance or molestation from each other : and that all persons or passengers, of what country soever ; and all monies, goods, merchandizes, and moveables, to whatsoever people or nation belonging, being on board of any the said ships or vessels, shall be wholly free, and shall not be stopped, taken or plundered from either party.

IV. The Tripoli ships of war, or any other vessels thereunto belonging, meeting with any merchant ships, or other vessels of the King of Great Britain's subjects not being in any of the seas appertaining to any of his Majesty's dominions, may send on board one single boat, with two fitters, besides the ordinary crew of rowers ; and no more but the two fitters to enter any of the said merchant ships, or any other vessels, without the express leave of the commander of every such ship or vessel ; and then, upon producing unto them a pass under the hand and seal of the Lord High Admiral of England, the said boat shall presently depart, and the merchant ship or ships, vessel or vessels, shall proceed freely on her or their voyage : and although the commander or commanders of the said merchant ship or ships, vessel or vessels, produce no pass from the Lord High Admiral of England, yet if the major part of the ship's or vessel's company be subjects to the said King of Great Britain, the said boat shall presently depart, and the merchant ship or ships, vessel or vessels, shall proceed freely on her or their voyage : and any of the said ships of war, or other vessels of his said Majesty, meeting with any ship or ships, vessel or vessels, belonging to Tripoli, if the commander of any such ship or ships, vessel or vessels, shall produce a pass, signed by the chief governors of Tripoli, and a certificate from the English Consul living there ; or if they have no such pass or certificate, yet if the major part of their ship's company or companies be Turks, Moors or Slaves belonging to Tripoli, then the said Tripoli ship or ships, vessel or vessels, shall proceed freely.

V. That no commander, or other person, of any ship or vessel of Tripoli, shall take out of any ship or vessel of his said Majesty's subjects, any person or persons whatsoever, to carry them any where to be examined, or upon
any

any other pretence, nor shall use any torture or violence unto any person of what nation or quality soever, being on board any ship or vessel of his Majesty's subjects, upon any pretence whatsoever.

VI. That no shipwreck belonging to the said King of Great Britain, or to any of his Majesty's subjects, upon any part of the coasts belonging to Tripoli, shall be made or become prize; and that neither the goods thereof shall be seized, nor the men made slaves; but that all the subjects of Tripoli shall do their best endeavours to save the said men and their goods.

VII. That no ship, or any other vessel of Tripoli, shall have permission to be delivered up, or to go to any other place in enmity with the said King of Great Britain, to be made use of as Corsairs at sea against his said Majesty's subjects.

VIII. That if any ship or vessel of Tunis, Algiers, Tetuan, or Sally, or any other place, being in war with the said King of Great Britain, bring any ships or vessels, men or goods, belonging to his said Majesty's subjects, to Tripoli, or to any port or place in that kingdom, the governors there shall not permit them to be sold within the territories of Tripoli, like as is agreed at Algiers.

IX. That if any subject of the King of Great Britain happens to die in Tripoli, or its territories, his goods or money shall not be seized by the governors, or any ministers of Tripoli, but shall all remain with the English Consul.

X. That neither the English Consul, nor any other subject of the said King of Great Britain, shall be bound to pay the debts of any other of his Majesty's subjects, unless they become surety for the same by a public act.

XI. That the subjects of his said Majesty in Tripoli, or its territories, in matter of controversy, shall be liable to no other jurisdiction but that of the Dey or Divan, except they happen to be at difference between themselves, in which case they shall be liable to no other determination but that of the Consul only.

XII. That in case any subject of his Majesty, being in any part of the kingdom of Tripoli, happen to strike, kill, or wound a Turk or Moor, if he be taken, he is to be punished

punished in the same manner, and with no greater severity than a Turk ought to be, being guilty of the same offence; but if he escape, neither the said English Consul, nor any other of his said Majesty's subjects, shall be in any sort questioned or troubled upon that account, and no trial or sentence to be passed without the Consul being present.

XIII. That the English Consul now, or at any time hereafter, living at Tripoli, shall be there at all times with entire freedom and safety of his person and estate, and shall be permitted to choose his own druggerman and broker, and freely to go on board any ship in the road, as often and when he pleases, and to have the liberty of the country; and that he shall be allowed a place to pray in; and that no man shall do him any injury, either in word or deed; and that he shall have liberty at all times of hoisting his Majesty's flag at the top of his house, and on his boat, when he passes on the water.

XIV. That not only during the continuance of this peace and friendship, but likewise if any breach or war happen to be hereafter, between the said King of Great Britain, and the city and kingdom of Tripoli, the said Consul, and all other his Majesty's subjects, inhabiting in the kingdom of Tripoli, shall always, and at all times, both of peace and war, have full and absolute liberty to depart, and go to their own country, or any other, upon any ship or vessel, of what nation soever they shall think fit, and to carry with them all their estates, goods, families and servants, although born in the country, without any interruption or hindrance.

XV. That no subject of his said Majesty, being a passenger from or to any port, shall be any way molested or meddled with, either in person or property, although on board any ship or vessel in enmity with Tripoli; and the same is to be regarded in favour of the subjects of Tripoli.

XVI. That when any of his Majesty's ships of war shall appear before Tripoli, upon notice thereof given by the English Consul, or by the commander of the said ships, to the chief governors of Tripoli, public proclamation shall be immediately made to secure the Christian captives; and if after that, any Christians whatsoever make their escape on board any of the said ships of war, they shall not be required

required back again, nor shall the said Consul of command, or any other his Majesty's subjects, be obliged to pay any thing for the said Christians.

XVII. That all merchant ships coming to the city or kingdom of Tripoli, though not belonging to Great Britain, shall have free liberty to put themselves under the protection of the British Consul, in selling and disposing of their goods and merchandize, if they shall think proper, without any hindrance or molestation.

XVIII. That at all times when any ship of war of the King of Great Britain, &c. carrying his said Majesty's flag, appears before the said city of Tripoli, and comes to an anchor in the road, immediately after notice thereof given by his said Majesty's Consul, or officer from the ship, unto the Dey and government of Tripoli, they shall, in honour to his Majesty, cause a salute of twenty-seven cannon to be fired from the castle and forts of the city, and that the said ship shall return an answer by firing the same number of cannon.

XIX. That no subject of the King of Great Britain shall be permitted to turn Turk or Moor in the city and kingdom of Tripoli, (being induced thereto by any surprize whatsoever) unless he voluntarily appear before the Dey or Governor, with the English Consul's druggerman, three times in three days, and each day declare his resolution to turn Turk or Moor.

XX. Whereas it is customary for the European Consuls to pay their respects to the Bashaw at the feasts of Ramadan and Birham, it is hereby declared, That his Britannick Majesty's Consul shall be admitted first to audience, and take the precedency of all other Consuls, in consideration of the English being the oldest friends to the State of Tripoli.

XXI. That whereas the island of Minorca in the Mediterranean sea, and the city of Gibraltar in Spain, do now belong to his Majesty the King of Great Britain; it is therefore hereby agreed, That from this time forward, for ever, the said island of Minorca, and city of Gibraltar, shall be esteemed, in every respect, by the Bashaw and government of Tripoli, to be part of his Britannick Majesty's own dominions, and the inhabitants thereof shall be
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looked upon as his Majesty's natural subjects, in the same manner as if they had been born in any part of Great Britain; and they, with their ships and vessels wearing British colours, and being furnished with Mediterranean passes, shall be permitted freely to trade and traffic in any part of the kingdom of Tripoli, or dominions thereunto belonging, and shall pass without any molestation whatsoever, either on the seas or elsewhere, in the same manner, and with the same freedom and privileges, as have been stipulated in this and all former treaties, in behalf of the British nation and subjects; and that none of the ships or vessels belonging to Tripoli, shall cruize or look for prizes, before, or in sight of the ports of the island of Minorca, and the city of Gibraltar, to disturb or molest the trade thereof in any manner whatsoever.

XXII. That if any of the ships of war of the said King of Great Britain come to Tripoli, or to any other port or place of that kingdom, with any prize, they may freely sell it, or otherwise dispose of it, at their own pleasure, without being molested by any; and that his Majesty's said ships of war shall not be obliged to pay customs in any sort; and that if they shall want provisions, victuals, or any other things, they may freely buy them at the rates in the market.

XXIII. That whensoever it shall happen hereafter, that any thing is done or committed, by the ships or subjects of either side, contrary to any of these articles, satisfaction being demanded therefore, the same shall be made to the full, and without any manner of delay; and it shall not be lawful to break this peace, until such satisfaction be denied; and whosoever shall be the cause of breaking this peace, shall assuredly be punished with present death.

XXIV. That his Britannick Majesty's subjects (over and above the stipulations contained in this and all former treaties) shall enjoy all the privileges and advantages, which now are, or which hereafter may be, granted to any of the subjects of the most favoured nation.

XXV. That in case any of his said Majesty's subjects shall import into the said kingdom of Tripoli, or into any of the ports or dominions thereunto belonging, any warlike

warlike stores, as cannons, muskets, pistols, cannon powder, or fine powder, brimstone, bullets, iron, planks, and all sorts of timber fit for building of ships, pitch, tar, rosin, ropes, cables, masts, blocks, anchors, sails, and all other habiliments of war, as well by sea as by land; as also provisions, viz. wheat, barley, beans, oats, or the like, they shall not pay any sort of duty or custom whatsoever.

XXVI. That new Mediterranean passes shall be issued out and given to his said Majesty's trading subjects, with all convenient speed, and that the time for the continuance of the old passes, for the ships in the Indies and remote parts, shall be three years; and for all other ships and vessels, one year; to commence from the delivery of the counter-tops of the new passes at Algiers; of which his Majesty's Consul here shall give the earliest notice to the Bashaw and government; and it is hereby expressly agreed and declared, that the said new passes shall, during the above-mentioned spaces of time of three years and one year, be of full and sufficient force and effect to protect all ships and vessels of his said Majesty's subjects, who shall be provided with the same.

XXVII. That no merchant ship belonging to Great Britain, or any other nation under the protection of the British Consul, being in the port of Tripoli, shall be detained from proceeding to sea on her voyage, longer than eight days, under the pretence of arming out the ships of war of the government, or any other whatsoever.

XXVIII. That if at any time the garrisons of Gibraltar or Port Mahon should be in want of provisions, and should send for the same to Tripoli, or any part of the dominions thereof, they shall, if it is to be had, be supplied with it at the market price.

XXIX. That all packets bearing his Britannick Majesty's commission, which shall be met by any of the cruizers of Tripoli, shall be treated with the same respect as his Majesty's ships of war, and all due respect shall be paid to his Majesty's commission; and both at meeting and parting, they shall be treated as friends; and if any of the Tripoli cruizers commit the least fault or violence against them, the captains or raizes so offending, shall,

on their arrival at Tripoli, and proper complaint being made of them, be most severely punished, without admitting of their excuses.

XXX. That all and every the articles in this treaty shall be inviolably kept and observed between his most sacred Majesty of Great Britain, and the most illustrious the Bashaw, Lord and Governors of the city and kingdom of Tripoli, and between the dominions and subjects of either side; and our faith shall be our faith, and our word our word. Dated in the presence of Almighty God, in the city of Tripoli, this nineteenth day of September, One thousand seven hundred and fifty-one, according to the Christian computation, and of the Turkish Hageira, One thousand one hundred and sixty four, the twenty-sixth day of the moon Shawan.

AND
A. KEPPEL,
AND ROBERT WHITE.

DIVAN.
KIAJA.
BEY.
BASHAW.

Treaty of peace and commerce, between the most serene and mighty Prince GEORGE the Second, by the Grace of God of Great Britain, France, and Ireland, King, Defender of the Christian Faith, Duke of Brunswick and Lunenburg, Arch-Treasurer and Elector of the Holy Roman Empire, &c. &c. &c. And the most excellent and illustrious Lord Ali Pascha, Begler Bey and supreme Commander of the State of Tunis, renewed, agreed upon, and confirmed, by the honourable Augustus Keppel, Commander in chief of his Britannick Majesty's ships and vessels in and about the Mediterranean seas, and Charles Gordon, Esq; his said Serene Majesty's Agent and Consul General to the State of Tunis, furnished with his Majesty's full powers for that purpose.

Article I.

THAT all former grievances and losses, and other pretences between both parties, shall be void and of no effect; and from henceforward there shall be a firm peace

peace for ever, and free trade and commerce, between his Britannick Majesty's subjects, and the people of the kingdom of Tunis, and dominions thereunto belonging: But this article shall not cancel or make void any just debt, either in commerce or otherwise, between the subjects on both sides, but the same may be demanded and recovered as before.

II. That the ships of either party shall have a free liberty to enter into any port or river belonging to the dominions of the other, where they shall pay duty only for what they sell, and, for the rest, may freely export it again without molestation; and shall enjoy all other accustomed privileges: And the late exaction that hath been at the Goletta and the Marine, shall be reduced to the ancient customs in those cases.

III. That there shall not be any seizure made of any of the ships of either party, either at sea or in port, but they shall pass without any interruption, they displaying their colours; and to prevent any misunderstandings, the ships of Tunis shall be furnished with certificates, under the hand and seal of the British Consul, of their belonging to Tunis, which they are to produce on meeting any English ship, on board of whom they shall have liberty of sending two men only, peaceably to satisfy themselves of their being English, who, as well as any passengers of other nations they may have on board, shall go free, both them and their goods.

IV. That if an English ship receive on board any goods or passengers belonging to the kingdom of Tunis, they shall be bound to defend them and their goods, so far as they are in their power, and not deliver them unto their enemies; and the better to prevent any unjust demands being made upon the crown of Great Britain, and to avoid disputes and differences that might arise, all goods and merchandize that shall from henceforward be shipped by the subjects of Tunis, either in this port, or in any other whatsoever, on board the ships or vessels belonging to Great Britain, shall be first entered in the office of Cancellaria, before the British Consul residing at the respective port, expressing the quantity, quality, and value of the goods so shipped, which the said Consul is to manifest

in the clearance given to the said ship or vessel before she departs; to the end that if any cause of complaint should happen hereafter, there may be no greater claim made on the British nation, than by this method shall be proved to be just and equitable.

V. That if any of the ships of either party shall, by accident of foul weather, or otherwise, be cast away upon any of the coasts belonging to the other, the persons shall be free, and the goods saved and delivered to the proprietors thereof.

VI. That the English which do at present, or shall at any time hereafter, inhabit in the city or kingdom of Tunis, shall have free liberty, when they please, to transport themselves, with their families and children, although born in the country.

VII. That the people belonging to the dominion of either party, shall not be abused with ill language, or otherwise ill treated, but the parties so offending, shall be punished severely according to their deserts.

VIII. That the Consul or any other of the English nation residing in Tunis, shall not be obliged to make their addresses, in any difference, unto any court of justice, but to the Bashaw himself, from whom only they shall receive judgment, in case the difference should happen between a subject of Great Britain and another of this government, or any other foreign nation; but if it should be between two of his Britannick Majesty's subjects, then it is to be decided by the British Consul only.

IX. That neither the English Consul, nor any other of his Majesty's subjects, shall be liable to pay the debts of any other of the nation, unless particularly bound thereto under his own hand.

X. That whereas the island of Minorca in the Mediterranean sea, and the city of Gibraltar in Spain, do now belong to his Majesty the King of Great Britain; it is hereby agreed and fully concluded, That from this time forward, for ever, the said island of Minorca shall be esteemed (as likewise Gibraltar) by the government of Tunis, to be, in every respect, part of his Britannick Majesty's dominions, and the inhabitants thereof shall be looked upon as his Majesty's natural-born subjects, in the same

same manner as if they had been born in any other part of Great Britain; and they, with their ships and vessels, wearing British colours, shall be permitted freely to trade and traffick in any part of the kingdom of Tunis, and shall pass, without any molestation whatsoever, either on the seas or elsewhere, in the same manner, and with the same freedom and privileges, that have been stipulated in this and all former treaties, in behalf of the British nation and subjects,

XI. That the better and more firmly to maintain the good correspondence and friendship that have been so long and happily established between the crown of Great Britain and the government of Tunis, it is hereby agreed and concluded by the parties before mentioned, that none of the ships and vessels belonging to Tunis, or the dominions thereof, shall be permitted to cruize or look for prizes, of any nature whatsoever, before, or in sight of the aforesaid city of Gibraltar, or any of the ports in the island of Minorca, to hinder or molest any vessels bringing provisions and refreshments for his Britannick Majesty's troops and garrisons in those places, or to give any disturbance to the trade and commerce thereof: And if any prize shall be taken by the ships or vessels of Tunis, within the space of ten miles of the aforesaid places, she shall be restored without any contradiction.

XII. That all the ships of war belonging to the dominions of either party, shall have free liberty to use each other's ports, for washing, cleansing and repairing any of their defects, and to buy and ship off any sort of victuals, alive or dead, or any other necessaries, at the price the natives buy at in the market, without paying custom to any officer. And whereas his Britannick Majesty's ships of war do frequently assemble and harbour in the port of Mahon in the island of Minorca; if, at any time, they, or his Majesty's troops in garrison there, should be in want of provisions, and should send from thence to purchase supplies in any part of the dominions belonging to Tunis, they shall be permitted to buy cattle alive or dead, and all other kinds of provision, at the prices they are sold in the market, and shall be suffered to carry it off without pay-
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ing duty to any officer, in the same manner as if his Majesty's ships were themselves in the port.

XIII. That in case any ships of war belonging to the dominions of Tunis, shall take, in any of their enemies' ships, any Englishmen serving for wages, they are to be made slaves; but if merchants or passengers, they are to enjoy their liberty and goods free.

XIV. That if any slave of Tunis should make his escape from thence, and get on board an English man of war, the said slave to be free, and neither the English Consul, nor any of his nation, shall in any manner be questioned about the same.

XV. That the better to prevent any disputes that may hereafter arise between the two parties about salutes and publick ceremonies, it is hereby agreed and concluded, that whenever any flag officer of Great Britain shall arrive in the Bay of Tunis, in any of his Majesty's ships of war, there shall be shot off from the castles of the Goletta, or other the nearest fortification belonging to Tunis, a number of guns according to custom, as a royal salute to his British Majesty's colours, and the same number shall be returned in answer thereto by his Majesty's ships; and it is hereby stipulated and agreed, that all ceremonies of honour shall be allowed to the British Consul who resides here, to represent equal in every respect his Majesty's person, to any other nation whatsoever, and no other Consul in the kingdom to be admitted before him in precedence.

XVI. That the subjects of his most sacred Majesty of Great Britain, &c. either residing in or trading to the dominions of Tunis, shall not, for the time to come, pay any more than three per cent, custom, on the value of the goods or merchandize which they shall either bring into or carry out of the kingdom of Tunis.

XVII. It is moreover agreed, concluded and established, that at whatsoever time it shall please the government of Tunis to reduce the customs of the French nation to less than they pay at present, it shall always be observed, that the British customs shall be two per cent. less than any agreement that shall for the future be made with the
said

said French, or that shall be paid by the subjects of France.

XVIII. It is moreover agreed, concluded and established, That in case any British ship or ships, or any of the subjects of his Majesty of Great Britain, shall import at the port of Tunis, or any port of this kingdom, any warlike stores, as cannons, muskets, pistols, cannon powder, or fine powder, bullets, masts, anchors, cables, pitch, tar, or the like; as also provisions, viz. wheat, barley, beans, oats, oil, or the like, for the said kind of merchandize they shall not pay any sort of duty or custom whatever.

XIX. That in case a war should happen between his Britannick Majesty and any other state or nation whatever, the ships of Tunis shall not in any sort afford assistance to the enemies of his Majesty or his subjects.

XX. That if an Englishman kills a Turk, he shall be judged before the Caddi of the place, according to justice; If he is found guilty of the crime, he shall be punished with death; but if he escape, the Consul shall not be molested, or called upon for that account; and the Consul shall always have timely notice, that he may have an opportunity of being present at the trial.

XXI. That if at any time a war or rupture happen between the two contracting powers, the English Consul and his nation may freely depart with all their goods and effects: And this article is to be reciprocal for the subjects of Tunis.

XXII. That whereas Gibraltar and the island of Minorca do belong to his Britannick Majesty, if at any time any of the cruizers of Tunis should meet with any vessels of the said places, under English colours, furnished with proper passports, they shall be treated in all respects like other English ships, provided that there be no more than one third part of the ship's company who are not subjects of his said Majesty, for, in such case, they (the said strangers) shall be deemed as prisoners: But it is allowed to embark as many merchants or passengers as they see good, be they of what nation soever: And if at any time a Tunis man of war shall take a ship from their enemies, on board of which may happen to be any English subjects, they shall be immediately released, with all their

goods and merchandize, provided always, that they be provided with proper passports; and this article is to be observed reciprocally on the part of the English.

XXIII. That if any British ships or vessels meet with any of the ships or vessels belonging to the state of Tunis, and there should be any injury or offence given by either side, justice being properly demanded, shall be immediately done, and the aggressor shall be severely punished, without it occasioning any breach of war.

XXIV. That his Britannick Majesty's subjects shall be always treated, by the state of Tunis, with the highest degree of respect, love and honour, because the English, of all other powers, are their first and best friends.

XXV. That new Mediterranean passes shall be issued out and given to his said Majesty's trading subjects, with all convenient speed, and that the time for the continuance of the old passes, for the ships in the Indies and remote parts, shall be three years; and for all other ships and vessels, one year; to commence from the delivery of the counter-tops of the new passes at Algiers; of which his Majesty's Consul here shall give the earliest notice to this state; and it is hereby expressly agreed and declared, that the said new passes shall, during the above-mentioned spaces of time of three years and one year, be of full and sufficient force and effect to protect all ships and vessels of his said Majesty's subjects, who shall be provided with the same.

XXVI. That all packets bearing his Britannick Majesty's commission, which shall be met by any of the cruizers of Tunis, shall be treated with the same respect as his Majesty's ships of war; and all due respect shall be paid to his Majesty's commission, and both at meeting and parting they shall be treated as friends; and if any of the cruizers of Tunis commit the least fault or violence against them, the captains or raizes so offending, shall, on their arrival at Tunis and proper complaint being made of them, be most severely punished, without admitting of their excuses.

All the preceding articles of this treaty, having been approved of and agreed to, are hereby ratified, renewed and

and confirmed, between his most sacred Majesty the King of Great Britain, &c. and the most illustrious Lord Ali Pasha, Begler Bey and supreme Commander of the State of Tunis, which let no one presume to infringe or violate. Dated in the presence of Almighty God, at the Palace of Bardo near Tunis, this nineteenth day of October, One thousand seven hundred and fifty-one, according to the Christian computation; and of the Turkish Hageira, One thousand one hundred and sixty-four, the tenth day of the Moon Zil Hadgi Sheriffay.

A. K E P P E L. (L. S.)
C H A'. G O R D O N. (L. S.)

A D D I T I O N A L A R T I C L E

To the antient Treaties subsisting between his Britannick Majesty and the Dey and Government of Algiers, agreed to by the present Dey, Mahomet, and his said Majesty's Plenipotentiaries, the Honourable Augustus Keppel, and Ambrose Stanyford, Esq. his Majesty's Agent and Consul General at Algiers.

THAT all packets or express-boats, bearing his Britannick Majesty's commission, which shall be met by any of the cruizers of Algiers, shall be treated with the same respect as his Majesty's ships of war, and all due respect shall be paid to his Majesty's commission; and both at meeting and parting they shall be treated as friends: And if any of the Algerine cruizers commit the least fault or violence against them, the captains or raizes so offending shall, on their arrival at Algiers, and proper complaint being made of them, be most severely punished, without admitting of their excuses. Dated at Algiers the third day of June, 1751, and in the year of Hageira, 1164, the twentieth day of the Moon Regil.

Treaty

Treaty between his Britannick Majesty, and her Imperial Majesty of all the Russias. Signed at St. Petersburg, September 18, 1751. Together with the two separate and secret Articles belonging thereto.

In the name of the Holy and Undivided Trinity.

WHEREAS the sincere and intimate friendship which unites his Britannick Majesty and her Imperial Majesty of all the Russias, as well as the engagements which they contracted by the treaty of defensive alliance of the year 1749, oblige them at all times, to be watchful of the publick tranquillity, and their reciprocal security: And whereas, in the present conjuncture of affairs, the preservation of the general peace, and the defence of their respective dominions, rights and subjects, have appeared to them necessarily to require, that they should be guarded against the attacks, with which they may be threatened on the part of any power whatever, by securing a body of troops capable of making a powerful diversion, in case of such attacks: And whereas, considering the present situation, the contingents of the succours, stipulated by the above-mentioned treaty, would not be sufficient for all the aforesaid objects: His Britannick Majesty and her Imperial Majesty of all the Russias, have thought proper to concert, beforehand, the farther measures of precaution, which the general tranquillity, and their common interests and security, seem to demand; and for this purpose, they have authorized their respective ministers; that is to say, his Majesty the King of Great Britain, Sir Charles Hanbury Williams, Knight of the most honourable order of the Bath, one of the members of the parliament of Great Britain, and his Ambassador at the court of the Empress of all the Russias; and her Imperial Majesty of all the Russias, her Chancellor, actual Privy Counsellor, Senator, and Knight of the orders of St. Andrew, of the White Eagle, and of St. Alexander Newsky, Alexis Count de Bestoucheff Rumin; and her Vice Chancellor, actual Privy Counsellor, Lieutenant of the company of the body-guards, actual Chamberlain,

Chamberlain, and Knight of the orders of St. Andrew, of the White Eagle, of the Black Eagle, of St. Alexander Newsky, and of St. Anne, Michael Count de Woronzow; who, having communicated to each other their respective full powers, and having conferred together, have agreed on the following articles.

I. The high contracting parties renew expressly, by this convention, the treaty of defensive alliance concluded between them the 11th of December, 1742, at Moscow, in all its articles; and confirm the stipulations of the succours to be given reciprocally, as they are contained in the IVth article of the said treaty; which succours shall be furnished, on each side, in the manner and on the conditions therein expressed.

II. Whereas it is declared by the XVIIth article of the above-mentioned alliance, "That if the succours therein stipulated shall not be sufficient, the contracting parties shall then agree, without delay, on the farther succours to be given;" and as that would not answer the ends proposed, and there may happen cases, which may not allow them time to agree thereupon; in order to obviate the inconveniences which would necessarily result from such a delay, they have agreed to settle from henceforth, and at all events, the means of their defence. With this view, her Imperial Majesty of all the Russias has not only caused to march towards the frontiers of Livonia adjoining to Lithuania, but engages also to hold there, as long as this convention shall subsist, as near to those frontiers as the quarters will permit, a body of her troops, amounting to 55,000 men; that is to say, 40,000 infantry of her regular troops, furnished with the necessary artillery, and 15,000 cavalry, composed of three regiments of Cuirassiers, of twenty companies of Horse Grenadiers; of two regiments of Hussars, and the remainder of Light troops, to wit, of Cossacks and Calmuks, each with two horses, as many as shall be wanting to compleat these 15,000 cavalry; so that the whole infantry and cavalry shall form a compleat body of 55,000 men.

III. Her Imperial Majesty engages, moreover, to cause to be held in readiness, during the time above specified, on the coasts of the above-mentioned province, 40 or 50 galleys,

gallies, with the necessary crews, in condition to act on the first order.

IV. The body of troops and the gallies, mentioned in the two preceding articles, shall not be put in activity, but in case his Britannick Majesty, or any of his allies, should be attacked; and, in that case, the general commander in chief of the said corps, who, for this purpose, shall be furnished beforehand with the orders of her Imperial Majesty of all the Ruffias, shall march as soon as he shall receive the requisition on the part of his Britannick Majesty; and shall make, as soon as possible, a diversion with a body of 30,000 infantry, provided with the necessary artillery, and with all the 15,000 cavalry above mentioned; and shall embark at the same time the other 10,000 infantry on board the 40 or 50 gallies, in order to make a descent according to the exigences of the case, and the utility of the service.

V. In case the dominions of his Britannick Majesty in Germany should be invaded, on account of interests or disputes which regard his kingdoms; her Imperial Majesty declares, that she will look upon such an invasion as a case of the above-said alliance of 1742, and that the said dominions shall be therein comprized in this respect.

VI. In consideration of so important an augmentation of the succour stipulated by the treaty of defensive alliance above mentioned, as also of all the other extraordinary expences, which the march and maintenance of troops in Livonia, with the artillery and its appurtenances, as well as the preparations of galleys may have cost, or shall still cost; his Britannick Majesty promises and engages to cause to be paid to her Imperial Majesty of all the Ruffias, the sum of 500,000 pounds sterling per annum, to be reckoned from the day when the body of her troops shall have passed the frontiers of her dominions, in consequence of the requisition made by his Majesty the King of Great Britain; this sum shall be paid by Baron Wolff, resident of Great Britain, in the place where it shall be demanded, at the rate of 10 florins and 15 stivers, current money of Holland, for every pound sterling, and always four months in advance; and the first payment thereof shall be made
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the day that this body shall go out of the dominions of her Imperial Majesty.

VII. Whereas her Imperial Majesty of all the Russias is particularly interested in the preservation of the tranquillity of the north, and that no innovation shall happen in the neighbourhood of her dominions; considering also the proximity of the countries, wherein the diversion in question will probably be made, and the facility her troops will have of subsisting immediately in an enemy's country; she takes upon herself alone, during such a diversion, the subsistence and treatment of the said troops, by sea and land, as also the heavy artillery which they may have occasion for, and of the details thereto belonging.

VIII. Her Imperial Majesty engages to continue the diversion to be made, and not to recal her troops, even though she should be attacked by any other power. On the other hand, his Britannick Majesty promises, that, in case her Majesty the Empress should be disturbed in the said diversion, or should be attacked herself; his Britannick Majesty will furnish immediately the succour stipulated by the treaty of 1742.

XI. In case that, contrary to all expectation, a war should break out, his Britannick Majesty engages to send into the Baltick Sea a squadron of his ships, a force suitable to the circumstances; and the Admiral of this Squadron shall act in concert with the Imperial Russian army, as long as they shall be within reach of each other.

X. For the conveniency and readiness of correspondence, his Britannick Majesty shall keep with the auxiliary body, (which shall be commanded solely by the General, whom her Majesty the Empress shall put at their head, to whom also the person who shall command the galleys is to be subject) a commissary, who, as well as the Admiral of the British Squadron, in case there shall be one, shall always be invited and admitted to the general councils of war; and shall have, moreover, communication of every thing which may concern the common service.

XI. All the plunder which the Russian troops shall gain from the enemy, of what nature and quality soever, shall be for the advantage of those same troops.

XII. In

XII. In case these auxiliary troops should be obliged to pass, in their march, the territories of the Republick of Poland, his Britannick Majesty takes upon himself the care of obtaining from his Polish Majesty, and the Republick of Poland, free passage through the said territories.

XIII. This convention shall subsist for the space of four years, to be reckoned from the day when the ratifications of it shall be exchanged.

XIV. In case peace should be made, or the object of the diversion to be made should cease to exist before the expiration of the four years above mentioned, the above-said auxiliary body shall return also, before that time, into the dominions of her Imperial Majesty; and his Britannick Majesty consents, that, after the return, the said body shall enjoy three months of the succour agreed on. But, in case peace shall not be made before that term, then the contracting parties shall agree farther upon the prolongation of this convention.

XV. The present convention shall be ratified, and the letters of ratification shall be exchanged at St. Petersburg within the term of two months, or sooner if that can be done.

In witness whereof, we the underwritten ministers have made two copies of this convention, of the same tenor, the which, by virtue of our full powers, we have signed, and thereto put the seals of our arms. Done at St. Petersburg, this 12th of September, in the year 1755.

C. Hanbury Williams, (L. S.)

Alexij, Comte de Bestoucheff Rumin, (L. S.)

Michel, Comte de Woronzow, (L. S.)

First Separate and Secret Article.

WHEREAS her Imperial Majesty of all the Russias has caused to be represented to his Britannick Majesty, that the march of the troops, as well infantry as cavalry, stipulated in the treaty signed this day, towards the frontiers of Livonia, as also the artillery, with what belongs

longs thereto, with which her Imperial Majesty has charged herself; and the expence required to maintain them there during four years, as well as the necessary preparations for keeping in readiness the gallies during the said term, have already cost, and must still cost great sums of money, over and above what would otherwise have been necessary for the ordinary service of these troops: In consideration of what is above, and of the great utility which the remaining of such a body of troops in the above-mentioned province during the term of four years will be of; and the better to enable her Imperial Majesty to supply the expence thereof; his Britannick Majesty has been pleased to engage himself by this article, to furnish a succour of 100,000 pounds sterling per annum, payable each year in advance, to be reckoned from the day of the exchange of the ratifications to the day that, on the requisition of his Britannick Majesty, this body of Russian troops shall go out of her Imperial Majesty's dominions; for, from that day, the above-said succour of 100,000 pounds sterling is entirely to cease, because the payment of the sum of 500,000 pounds sterling per annum, which has been agreed upon, by the VIth article of the treaty, must commence and be substituted in the room of it; so that, whatever shall then be found paid in advance at the rate of the above-said 100,000 pounds sterling per annum, shall be discounted and deducted from the payment of the 500,000 pounds sterling. It being to be understood, that his Britannick Majesty should be at liberty to send once every year, into the said province of Livonia, a commissary, to see and examine the number and condition of the said troops. Moreover, what is stipulated in the VIth article of the treaty signed this day, with regard to the manner of paying the succour in money, is expressly confirmed by this present article.

This separate and secret article shall be of the same force and vigour, as if it was inserted word for word in the treaty signed this day; and shall be approved and ratified in like manner; and the ratification thereof shall be exchanged at the same time, and at the same place, as the principal treaty.

In

In witness whereof, we the underwritten Plenipotentiary Ministers have signed the present article, and put the seals of our arms thereto. Done at St. Petersburg this 18 of September, 1755.

<i>C. Hanbury Williams,</i>	(L. S.)
<i>Alexij, Comte de Bestoucheff Rumin,</i>	(L. S.)
<i>Michel, Comte de Woronzow,</i>	(L. S.)

Second Separate and Secret Article.

WHEREAS her Imperial Majesty of all the Russias has engaged herself, by the treaty signed this day, to furnish to his Majesty the King of Great Britain so considerable a succour, and will consequently take a great share in the war, if one should happen; the two high contracting parties engage themselves mutually to communicate to each other confidentially, every thing that may relate to any negotiation with the common enemy; and shall employ, in concert, all their efforts, to procure themselves a peace on honourable and advantageous conditions for their reciprocal interests.

This separate and secret article shall be of the same force and vigour, as if it were inserted word for word in the treaty signed this day; and shall be approved and ratified in like manner; and the ratification thereof shall be exchanged at the same time, and at the same place, as the principal treaty.

In witness whereof, we the underwritten Plenipotentiary Ministers have signed the present article, and put the seals of our arms thereto. Done at St. Petersburg this 18 of September, 1755.

<i>C. Hanbury Williams,</i>	(L. S.)
<i>Alexij, Comte de Bestoucheff Rumin,</i>	(L. S.)
<i>Michel, Comte de Woronzow,</i>	(L. S.)

Treaty

Treaty between his Britannick Majesty and her Imperial Majesty of all the Ruffias. Together with the four separate Articles belonging thereto. Signed at Moscow, December 11, 1742.

In the Name of the most Holy Trinity.

WHEREAS the most serene, most high, and most potent Prince and Lord, George the Second, King of Great Britain, France and Ireland, Duke of Brunswick and Lunenburg, Elector and Arch Treasurer of the Roman Empire, &c. And the most serene, most high, and most potent Princess and Lady, Elizabeth Petrowna, Empress and sole Monarch of all the Ruffias, &c. (pleno titulo) have considered, how useful and salutary it might be to their respective states and subjects, and also how much it might contribute to the maintaining of the general tranquillity of Europe, and of that of the north in particular, not only to cultivate by all manner of good offices, as they have done hitherto, a strict union between themselves, but also to extend the obligations of their friendship, and to render it more effectual, and more applicable to the cases that might happen, by providing for their reciprocal security by a treaty of defensive alliance : For this purpose, their said Majesties have thought proper to name and authorize Ministers on the one part, and on the other; that is to say, his Majesty the King of Great Britain has named for Plenipotentiary, on his part, Sir Cyrill Wich, Baronet, his Plenipotentiary Minister to her Imperial Majesty of all the Ruffias; and her Imperial Majesty of all the Ruffias has named, for Plenipotentiaries, on her part, the Vice Chancellor of the Empire, the actual Privy Counsellor, Senator, and Knight of the orders of St. Andrew, of the White Eagle, and of St. Alexander, Alexei Count de Bestoucheff Rumin, and the Privy Counsellor, and Knight of the order of St. Alexander, Charles de Brevern; who having conferred together, by virtue of their respective full powers, have agreed upon the following articles :

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I. There shall be, for ever, between his Majesty the King of Great Britain, and her Imperial Majesty of all the Russias, their heirs and successors, as also between their kingdoms, countries, states, people and subjects, every where, as well by sea, as by land, a faithful, firm, and perpetual friendship, alliance and union; and they shall on the one side, and on the other, be so far from doing any injury or damage to each other, that they shall exert themselves in promoting their mutual interests, and in maintaining each other, reciprocally, in the kingdoms, provinces, states, rights, commerce, immunities and prerogatives whatsoever, which they were possessed of before the year 1741, or which they may acquire by treaties.

II. For this purpose it is agreed, that, if, in times to come, their said Majesties, or either of them, should be attacked by sea or land, by whomsoever it be, they shall lend each other, immediately after requisition, the necessary succours; which shall be determined, as well with regard to the nature, as to the quantity, according to what is hereafter stipulated in the following articles of this treaty.

III. His Britannick Majesty, and her Imperial Majesty, do, from henceforth declare, that they do not mean, by making this alliance, to offend or injure any one soever; but that it is, on the contrary, their only aim and design to provide, by these engagements, for their reciprocal advantage and security; and to contribute, as much as it shall depend on their care, to the preservation of the general peace of Europe, and of that of the north in particular; for which ends, they shall employ themselves in the most effectual manner possible; and shall mutually communicate to each other their ideas and councils for that purpose.

IV. As the principal design and end of this alliance is, mutually to secure one another from all invasion, injury and damage; and as each of the high contracting parties desire nothing more ardently than to be able always to fulfil this reciprocal engagement in the manner which shall be most advantageous to their ally, according to the means which God has put into their hands, respectively; and as the natural strength of Great Britain principally consists
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in ships of war, and that of Russia, in land forces; it is agreed, that, in case his Britannick Majesty should be attacked or disturbed in his kingdoms, provinces, states, or possessions, whatever, so as to find it necessary to require his ally's assistance; her Imperial Majesty of all the Russias will send him forthwith 10,000 infantry, and 2000 cavalry; which succours shall be continued to him, on the part of her Imperial Majesty, during the whole time, that the said attack or disturbance shall last; and, on the other hand, in case her Imperial Majesty of all the Russias should be attacked or disturbed in her kingdoms, provinces, states, or possessions whatever, so as to find it necessary to require her ally's assistance, his Britannick Majesty will send her forthwith a Squadron of twelve men of war of the line, carrying 700 guns, according to the following list; two ships of 70 guns, making together 140 guns, and 960 men; six ships of 60 guns, making 360 guns, and 2400 men; four ships of 50 guns, making 200 guns, and 1200 men; in the whole 12 ships, 700 guns, and 4560 men. This Squadron shall be duly fitted out, and armed for war. Which succour shall be, in like manner, continued to her, during the whole time the said attack or disturbance shall last.

V. But if the nature of the attack or invasion be such, that the party attacked, or invaded, should not find it suitable to demand the specifick succours stipulated in the preceding article, as not being proper for their defence; the said high contracting parties, in order to give each other, in every thing, proofs of their sincere and friendly intentions towards each other, have agreed, by this article, that the said case existing, they shall reciprocally succour each other, after requisition made, in the following manner; that is to say, if his Britannick Majesty should find himself attacked, her Imperial Majesty of all the Russias shall cause the sum of 500,000 roubles a year to be paid to him, during the whole time, that attack or trouble, which shall have occasioned the said demand on the part of his Britannick Majesty, shall last, in order to enable him to support the expences of the war; and if it was her Imperial Majesty of all the Russias who should be attacked, his Britannick Majesty shall furnish her the

like sum of money yearly, as long as the attack or disturbance which shall have occasioned this demand shall last.

VI. In case the party required, after having furnished the assistance, stipulated by the fourth article of this treaty, should be attacked themselves, so that it should be necessary for them to recall their forces for their own security, they shall be at liberty to do it, two months after they shall have duly apprized the party requiring thereof: and it is likewise stipulated, that, in case the party required should, at the time of the requisition, find themselves involved in a war, so that it should be absolutely necessary to keep at home, for their own security and defence, such forces as they ought to furnish to their ally, by virtue of this treaty; when this case happens, the party required shall be dispensed with, for the time the said necessity shall last, from furnishing the above-mentioned succour.

VII. The auxiliary troops of Russia shall be provided with a field artillery of two three pounders for each battalion, and with warlike stores; and shall likewise be paid, replaced, and recruited by her Imperial Majesty of all the Russias: But his Britannick Majesty shall furnish them the portions to wit, a pound of flesh per diem, bread, or, instead of it, sixty pounds of rye flour per month, a pound of salt, and four pounds of groats, per month, the weight reckoned upon the foot of Holland: and the rations of forage, oats, hay, &c. according to the Russian military establishment, and in Holland weight, as well as the necessary quarters; the whole upon the same foot, as those troops are used to be subsisted by her Imperial Majesty of all the Russias.

VIII. In case the said Russian auxiliary troops, being demanded by his Britannick Majesty, were to march by land; as it might be indispensable for the said troops to pass through the dominions of some other powers, his Britannick Majesty shall take care to procure a free passage for them, furnishing them with bread and forage, in the same manner as it is stipulated in the preceding article of this treaty: and when they shall have the sea to pass, his Britannick Majesty shall take upon himself, either to transport

transport them in his own ships, or to furnish the expences of this transportation; which is likewise to be understood, as well with regard to the recruits, which her Imperial Majesty shall be obliged to send to the said troops, according to the preceding article; as with regard to the return of those Russian troops, upon their being sent back by his Britannick Majesty, or recalled by her Imperial Majesty of all the Russias, for her own defence, according to the sixth article of this treaty. It is moreover stipulated, that when the aforesaid troops shall be either recalled or sent back, a sufficient convoy of men of war shall escort them for their security.

IX. When the said succours shall be respectively furnished, on the one side or the other, though each commanding officer, either of the squadron, which his Britannick Majesty is to furnish to Russia, or of the auxiliary troops of her Imperial Majesty of all the Russias, keeps the command he has been intrusted with; the general command shall indisputably belong to him, whom the party requiring shall name for that purpose; upon condition, that nothing of importance shall be undertaken, without its being previously examined and resolved upon in the council of war, and in the presence of the general and commanding officers of the party required.

X. And that there may be no difficulty or mistake, with regard to rank and character, the party requiring shall notify in time, what commander is to be employed for the command in chief, either of the fleet, or of the land forces; to the end that the party required may settle and proportion the rank and character of the person who shall have the command of the auxiliary troops, or ships.

XI. The auxiliary forces shall have their own ministers or preachers, and the free exercise of religion; and shall not be tried upon whatever relates to the military service; but according to the laws, articles of war, and ordinances, of their own country. But if any disputes should arise between the officers or soldiers of the combined forces, they shall be examined and debated by commissaries, in equal number, of both parties; and the offenders shall be punished according to the articles of war of their

sovereign. In like manner the general, as well as the rest of the auxiliary forces, shall be allowed to carry on a free correspondence with their country, whether by letters or by expresses.

XII. The auxiliary forces, on the one side and on the other, shall be kept together as far as that can be done; and in order that the said respective auxiliary forces may not be exposed to greater fatigues than the others, and that there may be an exact equality in all expeditions and operations; the general in chief shall be obliged to observe a just proportion, in all the commands, according to the strength of the whole fleet or army.

XIII. The squadron of ships which his Britannick Majesty is to furnish by virtue of this alliance, shall be admitted in all the ports of her Imperial Majesty of all the Russias; where it shall be treated in the most friendly manner, and provided with every thing it may stand in need of, upon paying the same price as is paid by the men of war of her Imperial Majesty of all the Russias; and the said squadron shall be allowed to return, each year of the war, to the ports of Great Britain, as soon as the season will not permit them any longer to keep at sea; provided it be expressly stipulated, that, whenever the case of this treaty shall exist, the squadron his Britannick Majesty is to furnish shall arrive every year in the Baltick, about the beginning of the month of May; and shall not leave that sea before the beginning of the month of October.

XIV. The party requiring, upon making the demand of the succour stipulated by this treaty, shall, at the same time, acquaint the party required, with the place where it is intended the said succour should forthwith repair; and the said party requiring, shall be at liberty to employ the aforesaid succour, during the whole time it shall be continued to them, in such manner and such places as they shall judge most convenient for their service, against the aggressor.

XV. It is agreed, that the case of this treaty of alliance shall not be extended to the wars which may happen to arise between her Imperial Majesty of all the Russias, and the Ottoman Porte, or the Persians, Tartars, or other
Eastern

Eastern nations ; his Britannick Majesty being to be dispensed with, in any one of these cases, from furnishing the succours stipulated by this treaty : as in like manner, on the other side, her Imperial Majesty of all the Russias shall not be obliged to furnish the succours stipulated by this treaty, for the defence of his Britannick Majesty's possessions in America, or in any part whatsoever out of Europe.

XVI. It is also agreed, that, on account of the great distance of places, the troops which her Imperial Majesty of all the Russias shall be to furnish, by virtue of this alliance, for the defence of his Britannick Majesty, shall not be sent either into Spain, Portugal, or Italy.

XVII. If the succours, stipulated in the fourth article of this treaty, are not sufficient ; then the contracting parties shall agree, without delay, about the farther succours, which they shall give each other.

XVIII. If it should happen, that they should be obliged to have recourse to force of arms, neither peace nor truce shall be made, without including therein such of the contracting parties as shall not have been attacked ; that they may suffer no damage, in resentment for the succours they shall have given to their ally.

XIX. The present defensive alliance shall be no obstacle to, nor in any wise derogate from, the treaties and alliances which the contracting parties may have with other Kings, Princes, or States, in so far as the said treaties shall not be contrary to the present treaty, or to the friendship and good understanding which shall always be strictly observed between them.

XX. Their said Majesties have, moreover, agreed, that they shall concert together about the admission of such other powers as might be disposed to enter into this alliance.

XXI. The peace, friendship, and good understanding shall last for ever between the high contracting parties ; but as it is usual to fix a certain time for treaties of formal alliance, the said high contracting parties have agreed, that this one shall continue in force for the space of fifteen years, to be reckoned from the day of the signing of this treaty.

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XXII. This

XXII. This present treaty of defensive alliance shall be approved and ratified by his Britannick Majesty, and by her Imperial Majesty of all the Russias; and the letters of ratification, in due form, shall be exchanged at St. Petersburg within the space of two months, or sooner if possible. In testimony whereof the aforesaid Plenipotentiary Ministers, on both sides, have signed the present treaty of alliance, and have put the seals of their arms thereto.

Done at Moscow, the 11th of December, 1742.

(L. S.) *Cyrill Wich.*

Separate Article I.

IT is agreed, by this separate article, that the treaty of commerce and navigation, which was concluded on the fourth of December, 1734, between his Britannick Majesty and her Imperial Majesty of all the Russias, shall be confirmed in all its points and articles, by the present alliance; and it is now agreed, that it shall remain in force, and shall be reciprocally observed, for the same time, as this alliance shall last, to be reckoned from the day of the signing of the treaty of this day. The present separate article shall have the same force and vigour, as if it was inserted in the treaty signed this day; and shall be approved and ratified in like manner; and the letters of ratification thereof shall be exchanged at the same time, and in the same place, as those of the treaty. In witness whereof the Plenipotentiary Ministers, on both sides, have signed the present separate article, and have thereto put the seals of their arms.

Done at Moscow, the 11th of December, 1742.

(L. S.) *Cyrill Wich.*

Separate

Separate Article II.

HIS Britannick Majesty, and her Imperial Majesty of all the Russias, having this day concluded a treaty between themselves, the sole end and intention whereof is, to provide for their mutual defence, and to maintain, as far as shall depend upon their care, the public tranquillity, and that of the north in particular; and their Majesties having considered the strict friendship and alliance which already subsists between each of them, and his Majesty the King of Poland, Elector of Saxony, of which they desire to straiten the bonds still more and more, and their Majesties being at the same time assured, that his said Polish Majesty finds himself in the same disposition towards them, and that he will be ready to concur, on his part, in the salutary ends above mentioned; they have agreed to invite his said Majesty immediately to enter, as Elector of Saxony, into the said treaty, or into such articles thereof as he shall declare to them, to be suitable to him with regard to his situation, and to the interests and forces of his hereditary countries, and upon which their Majesties shall concert together, and shall agree with his said Majesty the King of Poland; and it is farther agreed, that, upon his said Polish Majesty's acceding, as is said above, in his quality of Elector, either to this whole treaty, or to such engagements thereof as shall have been agreed upon with him, he shall be reputed and considered as one of the principal and contracting parties to the said treaty. This separate article shall have the same force and vigour as if it was inserted in the treaty signed this day; and shall be approved and ratified in like manner; and the letters of ratification thereof shall be exchanged, at the same time, and in the same place, with those of the treaty. In witness whereof, the Plenipotentiary Ministers on both sides have signed the present separate article, and have thereto put the seals of their arms.

Done at Moscow, the 11th day of December, 1742.

(L. S.) *Cyrill Wich.*

Separate

Separate Article III.

WHEREAS in the treaty of this day, the high contracting parties have agreed to concert together about the admission of such other powers as may be disposed to enter into this alliance ; and whereas his Majesty the King of Poland, as Elector of Saxony, has, from the beginning, been comprehended therein, by a separate article, drawn up in concert, and agreeably to the desires of that prince. It is farther agreed, that, tho' the said contracting parties have reserved to themselves the admission of other powers to this treaty, conformably to what is stipulated upon that subject ; the reciprocal intention is to comprehend therein, principally and from henceforth, his Majesty the King of Prussia, and the States General of the United Provinces of the Low Countries, and to invite them thereto, in the same manner as his Majesty the King of Poland has been therein comprehended, in the full persuasion that those said powers find themselves sincerely disposed to concur in the end of this treaty, and in the maintenance of the publick tranquillity, and of that of the north in particular. This separate article shall have the same force and vigour as if it was inserted in the treaty signed this day ; and shall be approved and ratified in like manner ; and the letters of ratification thereof shall be exchanged at the same time, and in the same place, as those of the treaty. In witness whereof, the Plenipotentiary Ministers, on both sides, have signed the present separate article, and have thereto put the seals of their arms.

Done at Moscow, the 11th of December, 1742.

(L. S.) *Cyrill Wick.*

Separate Article IV.

WHEREAS his Britannick Majesty is desirous of giving her Imperial Majesty of all the Russias a distinguished mark of his friendship and esteem, he has been pleased to yield to the instances which have been made

made to him, on her part, and to acknowledge, by the present separate article, her quality of Empress, for her and her successors in the Imperial throne of Russia, and to give them the title thereof; on this express condition, nevertheless, that her Imperial Majesty of all the Russias and her successors, shall never, on account of this quality, and of this title, claim any prerogative or pre-eminence, in any manner whatever, and that this acknowledgment shall not, at any time, cause any sort of change in the ceremonial which has been observed hitherto with regard to the rank of the Ministers of their said Imperial and Britannick Majesties, or in any other manner whatsoever, either in their own courts, or in those, where they may, respectively, have Ministers. The present separate article shall have the same force and vigour, as if it had been inserted in the treaty signed this day; and shall be approved and ratified in like manner; and the letters of ratification thereof shall be exchanged at the same time, and in the same place, as those of the treaty. In witness whereof the Plenipotentiary Ministers of the high contracting parties have signed the present separate article, and have thereto put the seals of their arms.

Done at Moscow, the 11th of December, 1742.

(L. S.) *Cyrill Wich.*

Treaty between his Britannick Majesty, and the Landgrave of Hesse-Cassel. Signed at Hanover, June 18, 1755.

BE it known to all whom it may concern, That his Majesty the King of Great Britain, and his most Serene Highness the Landgrave of Hesse-Cassel, having called to mind the strict ties which unite the interests of their respective houses; and having judged, that, in the present situation of affairs, it would contribute to the reciprocal benefit of Great Britain, and the States of Hesse, to strengthen and confirm, by a new treaty of defensive alliance, the union which subsists between them; his Britannick Majesty, and his most Serene Highness the said Landgrave, have thought proper to direct for this purpose,

pose, their respective ministers; that is to say, his said Majesty, Robert Earl of Holderness, one of his principal Secretaries of state, and the most Serene Landgrave, his Major General, General of the artillery, and Governor of the residence of Cassell, Commander of the Teutonic order, the Sieur Diedric Diede, de Furstenstein, and the Sieur Justus Henry Alt, his Privy Counsellor of legation, and Minister charged with his affairs, to enter into conference thereupon; who, after the exchange of their respective full powers, have agreed upon the points and articles following.

Article I.

There shall be, between his Majesty the King of Great Britain, and his most Serene Highness the Landgrave of Hesse-Cassel, their successors and heirs, a strict friendship, and a sincere, firm, and lasting union; insomuch that the one shall consider the interests of the other, as his own; and shall apply himself sincerely to advance them to the utmost, and to prevent, and to avert, mutually, all trouble and damage.

II. To this end it is agreed, that all former treaties, principally of guaranty, be deemed to be renewed and confirmed by the present treaty, in all their points, articles and clauses, and shall be of the same force as if they were inserted in this word for word, so far as is not derogated from them by the present treaty.

III. His Majesty the King of Great Britain having desired to secure, for his service, a body of the troops of the most Serene Landgrave, in case the good of his kingdoms and states should require this succour; his most Serene Highness has willingly complied with these views; promising and engaging, by virtue of this article, to hold in readiness for this service, during the space of four successive years, to be reckoned from the day of the signing of the present treaty, a body of eight thousand men; to wit, eight battalions of infantry, each of eight hundred men, including the officers; and three regiments of dragoons, or cavalry, making in all fourteen hundred horse; which corps shall be provided with the necessary, general, and subaltern officers: The Infantry shall be held in a condition

tion to march, for the service of his Britannick Majesty; two months after the requisition shall have been made for that purpose, or sooner if possible, especially if it should be for the immediate defence of the kingdoms, or electoral dominions, of his Majesty, or of the Low Countries; in which case the said infantry shall march immediately after requisition made; which requisition, however, is not to be made separately for the infantry, but for the whole corps together; and as the most Serene Landgrave shall not be obliged to remount the cavalry or dragoons before this requisition shall have been made to him, the term of six months has been agreed upon, at the end of which, the said cavalry or dragoons shall be in a condition to march likewise, and shall then forthwith join the infantry, which compose this corps; which said corps shall not be separated, unless reasons of war require it, but shall always remain together, under the orders of the Hessian General, who shall command it; and the said troops shall take the oath of fidelity to his Britannick Majesty, immediately upon their being first mustered by an English commissary, without prejudice, nevertheless, to the oath which they have taken to his most Serene Highness the Landgrave: His said Highness reserving, besides, the disposal of all employments which shall come to be vacant therein; the administration of justice being also reserved to him.

IV. Each battalion of infantry of this corps shall be provided with two pieces of field artillery; with the officers, gunners, and other persons, and the train thereunto belonging.

V. Towards defraying the expences, to which the most Serene Landgrave will be engaged, to remount and equip the said corps of 8000 men, his Majesty the King of Great Britain promises to pay to his most Serene Highness for every trooper or dragoon duly armed and mounted, 80 crowns; and for every foot soldier 30 crowns, Banco, in manner following; that is to say, the moiety of the levy money, for the infantry, and artillery, amounting to ninety-nine thousand crowns, Banco, shall be paid at the exchange of the ratifications; and the remainder for the infantry and artillery, when they shall march: And with

with regard to the cavalry; one moiety of the remount money shall be paid, when the requisition shall be made to put the said corps of 8000 men in a condition to march; and the other moiety, when the said cavalry shall actually march.

VI. Besides what is stipulated in the preceding article, his Majesty the King of Great Britain engages to pay to the most Serene Landgrave, during the time that this treaty shall last, an annual subsidy, in the manner and proportion following; that is to say, this subsidy shall commence from the day of the signing of this treaty; and for the time, which shall elapse from that day, to the time of the requisition to put them in a condition to march, shall be paid at the rate of 150,000 crowns, Banco, per annum, the crown reckoned at 53 sols of Holland, or at four shillings and 9d. $\frac{1}{4}$ English money; from the said time of making the requisition, to the day, when the whole body, as well cavalry as infantry, shall be in the pay of the Crown of Great Britain, the subsidy shall be augmented and paid at the rate of 300,000 crowns aforesaid; and during the whole time that the said corps shall be actually in the pay of his Majesty, the most Serene Landgrave shall enjoy an annual subsidy of 150,000 crowns aforesaid. When the said troops shall be sent back by his Britannick Majesty; from the day of their return into the territories of his most Serene Highness, until the expiration of the Treaty, the subsidy shall be again raised and continued on the foot of 300,000 crowns aforesaid per annum; and the payment of this respective subsidy shall be made regularly, without diminution, and quarterly, in the city of Cassell, into the military chest of the most Serene Landgrave, authorised for the receipt thereof.

VII. With regard to the pay, and treatment, as well ordinary as extraordinary, of the said troops whilst they shall be actually in the pay of Great Britain: It is agreed, that, as long as they serve in the empire, they shall enjoy the same advantages and emoluments, in every thing, as his Majesty allows to his German troops, according to the effective state in which the said body of troops shall be delivered; which shall be ascertained by a Tabelle signed by

by the respective ministers of the high-contracting parties; which shall have the same force, as if it was inserted, word for word, in the present treaty. Whilst they shall be employed in the Low Countries, they shall be treated in the said respect, on the foot of the Dutch troops: And if it should happen that they were to be employed in Great Britain or Ireland, from the time of the notification which shall be thereof made, in that case, to the most Serene Landgrave, they shall be put on the same foot, in all respects, with the national British troops; which several pays and treatments shall be paid into the military chest of his most Serene Highness, without any deduction or diminution, in order to the making a distribution thereof.

VIII. If it should happen unfortunately, that any regiments or companies of the above-mentioned corps should be ruined and destroyed, in the whole or in part; or that the pieces of cannon with which they shall be furnished should be taken by the enemy; his Majesty the King of Great Britain shall cause to be paid the expences of the necessary recruiting and remounting them, as also the value of the said field pieces; in order forthwith to reinstate the artillery, and the said regiments and companies: And the said recruiting and remounting shall be regulated, likewise, on the foot of what was furnished to the Hessian officers by virtue of the treaty of 1702, article V. to the end that this corps may be always preserved and sent back, one day, in as good a state as it was delivered in.

IX. His Britannick Majesty shall be at liberty to keep this body of troops in his service the whole time of the duration of this treaty, and to employ it wheresoever he shall have occasion for it, provided it be not on board the fleet, or beyond the sea, when once it has departed out of the territories of the most Serene Landgrave; excepting, always, for the defence of Great Britain and Ireland; in which case, these troops shall enjoy, fully, and without any restriction whatsoever, the same pay and emoluments as the English troops enjoy, as has been said above. And when his Majesty the King of Great Britain shall think fit to send back the said troops, he shall give notice thereof to his most Serene Highness three months beforehand, and

and shall cause to be paid to them one month's pay for their return, and furnish them, gratis, the necessary transport vessels.

X. In case the most Serene Landgrave should be attacked or disturbed in the possession of his states; his Britannick Majesty promises and engages to send back to him, speedily, the said body of troops, not only paying them a month's pay, but also furnishing them, gratis, the transport vessels requisite for their return; and to give, moreover, to his most Serene Highness all the succour of troops which the case shall require; which succour shall be continued to him until he shall have obtained an entire security and just indemnification. And the most Serene Landgrave promises, in like manner, on his part, that in case his Majesty the King of Great Britain is attacked or disturbed in his dominions, estates, lands, provinces, or towns, he will also yield him all the succour that it shall be in his power to give him; which succour shall, in like manner, be continued to him until he shall have obtained a good and advantageous peace.

XI. In order to render this alliance and union the more perfect, and to leave no doubt with the parties about the certainty of the succour which they may expect by virtue of this treaty; it is expressly agreed, that, to judge for the future, whether the case of this alliance and succour exists or not, it shall suffice, that either of the parties are actually attacked by force of arms, without his having first used open force against him who attacks him.

XII. His most Serene Highness, to give the fuller proof that he is desirous to attach himself entirely to the interests of his Britannick Majesty, and to advance them with all his power, engages, moreover, to augment the said corps with 4000 men more, viz. 700 horse or dragoons, and 3300 foot; each regiment of infantry provided with two field pieces; and consequently to raise the said corps to the number of 12,000 men, as soon as his Majesty the King of Great Britain shall judge it necessary or advantageous for his service; the whole on the same conditions, in proportion, as have been stipulated in the preceding articles of this treaty, for the body of 8000 men; and these 4000 men shall be put in a condition, to be

be delivered, and to join the first body of 8000, within the space of six months after the demand of them, which shall be made to him: his said Majesty promising, on his part, to make good, for these 4000 men, not only the remount and recruit money, after the rate of 80 crowns, Banco, for each trooper or dragoon, and of 30 crowns, Banco, for each foot soldier; but also to raise the subsidy for this body of 12,000 men, from the day, when his most Serene Highness shall be required to keep them in readiness, to the sum of 450,000 crowns, Banco, per annum, so long as they shall be at the charge of the finances of his most Serene Highness; and to the sum of 225,000 crowns, Banco, annually, so long as they shall be in the pay of his Britannick Majesty; the pay and treatment, as well ordinary as extraordinary, as also all the emoluments for this corps of 12,000 men, being to be regulated on the same foot as is fixed, by this treaty, for the corps of the first 8000 men.

XIII. This treaty shall subsist for the term of four years, to be reckoned from the day of the signature: and if his Britannick Majesty, and the most Serene Landgrave, should think proper to continue, prolong, or change it, they shall treat thereupon three months before its expiration, according to the exigence of the case.

XV. The ratifications of this treaty shall be exchanged at Hanover, within the space of six weeks after the signature, or sooner if it can be done. In witness whereof, we the underwritten, furnished with the full powers of his Britannick Majesty, and of the most Serene Landgrave of Hesse Cassell, have signed the present treaty, and have caused the seals of our arms to be put thereto. Done at Hanover, the 18th of June, 1755.

(L. S.) *Holdernesse.*

Diele.

(L. S.)

J. H. Alt.

(L. S.)

A compleat Copy of all our Treaties with the King of Prussia, the Secret and Separate Articles, the Declaration relative to the Proposal of Great Britain's sending a Fleet into the Baltick in 1758, and other important Objects.

O R I G I N A L.

D'AUTANT que les différens, qui se sont élevés en Amérique entre le Roi de la Grande Bretagne et le Roi Très Chrétien, et dont les suites deviennent de plus en plus critiques, donnent lieu de craindre pour la tranquillité publique en Europe; sa Majesté le Roi de la Grande Bretagne, Electeur de Brunsvic Lunebourg, &c. et sa Majesté le Roi de Prusse, Electeur de Brandebourg, &c. attentives à un objet si intéressant, et également animés du desir de conserver la paix générale de l'Europe, et celle de l'Allemagne en particulier, ont bien voulu se concerter sur les mesures, qui pussent contribuer le plus efficacement à une fin si désirable; et pour cet effet, elles ont autorisé leurs ministres plénipotentiaires respectifs; savoir, au nom et de la part de sa Majesté Britannique, ses conseillers privés Philippe Comte de Hardwicke, son chancelier de la Grande Bretagne: Jean Comte de Granville, président de son conseil: Thomas Holles Duc de Newcastle, premier commissaire de sa trésorerie: Robert Comte de Holderneffe, l'un de ses principaux secretaires d'état; and Henry Fox, un autre de ses principaux secretaires d'état; et au nom et de la part de sa Majesté Prussienne, le Sieur Louis Michell, son chargé d'affaires à la cour de sa Majesté Britannique; lesquels, après s'être communiqué réciproquement leurs pleins pouvoirs, sont convenus des articles suivans.

Article I. Il y aura entre les dits sérénissimes Rois une paix sincère et une amitié réciproque, nonobstant les troubles qui pourront s'élever en Europe, en conséquence des differents susmentionnés, en suite de laquelle aucune des parties contractantes n'attaquera, ni envahira directement ni indirectement le territoire de l'autre: mais au contraire elles feront chacune de son côté tous leurs efforts pour empêcher leurs alliés respectifs de rien entreprendre contre le dit territoire de quelque maniere que ce puisse être.

II. En

II. En cas que, contre tout attente, et en violation de la tranquillité que les hautes parties contractantes entendent maintenir par ce traité dans l'Allemagne, quelque puissance étrangère fit entrer des troupes dans la dite Allemagne sous quelque prétexte que ce puisse être, les deux hautes parties contractantes uniront leurs forces et pour punir cette infraction de la paix, et pour maintenir la tranquillité en Allemagne, selon l'objet du présent traité.

III. Les hautes parties contractantes renouvellent expressément tous les traités d'alliance et de garantie, qui subsistent actuellement entre elles, et nommément l'alliance défensive et de garantie réciproque conclue à Westminster entre leurs Majestés Britannique et Prussienne le 18me de Novembre 1742, la convention arrêtée entre leurs dites Majestés à Hannovre, le 26me Août 1745, et l'acte d'acceptation de sa Majesté Prussienne, de celui de garantie de sa Majesté Britannique du 13me d'Octobre 1746.

IV. Le présent traité sera ratifié par sa Majesté le Roi de la Grande Bretagne, et par sa Majesté le Roi de Prusse, et les lettres de ratification en bonne forme seront délivrées, de part et d'autre dans le tems d'un mois ou plutôt si faire se peut, à compter du jour de la signature du présent traité.

En foy de quoi nous souffignés, munis des pleins pouvoirs de leurs Majestés les Rois de la Grande Bretagne et de Prusse, avons, en leurs noms, signé le présent traité, et y avons apposé les cachets de nos armes. Fait à Westminster, le seizième jour de Janvier, l'an de Grace 1756.

(L. S.) HARDWICKE, C.

(L. S.) GRANVILLE, P.

(L. S.) HOLLES NEWCASTLE.

(L. S.) HOLDERNESSE.

(L. S.) H. FOX.

T R A N S L A T I O N.

AS the differences which have arisen in America between the King of Great Britain and the most Christian King, and the consequences of which become

every day more alarming, give room to fear for the publick tranquillity of Europe; his Majesty the King of Great Britain, Elector of Brunſwick Lunenbourg, &c. and his Majesty the King of Pruffia, Elector of Brandenburg, attentive to an object ſo very intereſting, and equally deſirous of preſerving the peace of Europe in general, and that of Germany in particular, have reſolved to enter into ſuch meaſures, as may the moſt effectually contribute to ſo deſirable an end; and for this purpoſe, they have reſpectively authoriſed their Miniſters Plenipotentiary, viz. In the name and on the part of his Britannick Majesty, his Privy Counſellors, Philip Earl of Hardwicke, Chancellor of Great Britain; John Earl of Granville, Preſident of the Council; Thomas Holles Duke of Newcastle, firſt Com- miſſioner of the Treafury; Robert Earl of Holderneſſe, one of the principal Secretaries of State; and Henry Fox, another of the principal Secretaries of State; and in the name, and on the part of his Pruffian Majesty, the Sieur Lewis Michell, his *chargé d'affaires* at the court of his Britannick Majesty; who, after having mutually communicated their full powers, have agreed upon the following articles.

I. There ſhall be, between the ſaid moſt Serene Kings, a perfect peace and mutual amity, notwithstanding the troubles that may ariſe in Europe, in conſequence of the above-mentioned differences; ſo that neither of the contracting parties ſhall attack, or invade, directly or indirectly, the territories of the other; but, on the contrary, ſhall exert their utmoſt efforts to prevent their reſpective allies from undertaking any thing againſt the ſaid territories in any manner whatever.

II. If, contrary to all expectation, and in violation of the peace which the high contracting parties propoſe to maintain by this treaty in Germany, any foreign power ſhould cauſe troops to enter into the ſaid Germany, under any pretext whatſoever; the two high contracting parties ſhall unite their forces to puniſh this infraction of the peace, and maintain the tranquillity of Germany, according to the purport of the preſent treaty.

III. The high contracting parties renew expreſſly all the treaties of alliance and guaranty which actually ſub-
ſiſt

first between them, and particularly the defensive alliance and mutual guaranty concluded at Westminster between their Britannick and Prussian Majesties, the 18th of November, 1742, the convention entered into between their said Majesties at Hanover the 26th of August, 1745, and the act of acceptation of his Prussian Majesty of the guaranty of his Britannick Majesty, of the 13th of October, 1746.

IV. The present treaty shall be ratified by his Majesty the King of Great Britain, and his Majesty the King of Prussia; and the letters of ratification in due form shall be delivered on both sides within the space of one month, or sooner, if possible, reckoning from the day of signing the present treaty.

In witness whereof, we the under-signed, furnished with the full powers of their Majesties the Kings of Great Britain and Prussia, have, in their names, signed the present treaty, and thereto set our seals. Done at Westminster, the sixteenth day of January, in the year of our Lord 1756.

(L. S.) HARDWICKE, C.

(L. S.) GRANVILLE, P.

(L. S.) HOLLES NEWCASTLE,

(L. S.) HOLDERNESSE,

(L. S.) H. FOX,

Secret and separate Article.

Article secret & séparé,

COMME la convention de neutralité, signée en date d'aujourd'hui par les Ministres de sa Majesté le Roi de la Grande Bretagne, et de sa Majesté le Roi de Prusse, munis de pleins pouvoirs nécessaires pour cet effet, ne regarde que l'Allemagne, cette convention ne doit point être étendue aux paix-bas Autrichiens et leurs dépendances, qui ne doivent point être sensés compris dans la présente convention de neutralité sous quelque prétexte que cela puisse être; d'autant plus que sa Majesté le Roi de Prusse n'a garanti, dans le huitième article de la paix de Dresde, à sa Majesté l'Impératrice Reine de Hongrie et de Bohême, que les Etats qu'elle possède en Allemagne.

Cette article secret et séparé aura la même force, que s'il étoit inséré, de mot à mot, dans la présente convention de neutralité signée aujourd'hui ; et les ratifications en seront échangées dans le même tems que celles de la dite convention. En foy de quoi nous soussignées, munis de pleins pouvoirs de leurs Majestés les Rois de la Grande Bretagne et de Prusse, avons, en leurs noms, signé le présent article secret et séparé, et-y avons apposé les cachets de nos armes.

Fait à Westminster le seizième jour de Janvier, l'an de Grace, 1756.

(L. S.) HARDWICKE, C.

(L. S.) GRANVILLE, P.

(L. S.) HOLLES NEWCASTLE,

(L. S.) HOLDERNESSE,

(L. S.) H. FOX.

DECLARATION.

A FIN de terminer les différens qui peuvent s'être élevés entre leurs Majestés Prussienne et Britannique, il est déclaré, que désque sa Majesté Prussienne levera l'arrêt mis sur la dette de la Silésie, et fera payer aux sujets de sa Majesté Britannique ce qui leur en reste dû, selon le contrat original, tant intérêts que principal ; sa Majesté Britannique promet et s'engage de son côté de faire payer à sa Majesté Prussienne la somme de vingt mille livres sterlin, en extinction de toute prétension de sa dite Majesté ou de ses sujets, à la charge de sa Majesté Britannique ; sous quelque prétexte que ce puisse être, Fait à Westminster le seizième jour de Janvier, l'an de Grace, 1756.

(L. S.) LOUIS MICHELL.

TRANSLATION.

AS the convention of neutrality of the date of this day, signed by the Ministers of his Majesty the King of Great Britain, and of his Majesty the King of Prussia, furnished with the full powers necessary for that purpose, relatés only to Germany ; this convention must
not

not be understood to extend to the Austrian Low Countries and their dependencies, which ought not to be considered as comprised in the present convention of neutrality, under any pretext whatsoever: the rather, as his Majesty the King of Prussia hath not, in the eighth article of the peace of Dresden, guaranteed to her Majesty the Empress Queen of Hungary and Bohemia, any thing but the dominions which she possesses in Germany.

This secret and separate article shall have the same force as if it had been inserted, word for word, in the present convention of neutrality signed this day; and the ratifications of it shall be exchanged at the same time with those of the said convention.

In witness whereof, we the under-signed, furnished with the full powers of their Majesties the Kings of Great Britain and Prussia, have, in their names, signed the present secret and separate article, and thereto set our seals.

Done at Westminster, the sixteenth day of January, in the year of our Lord 1756.

(L. S.) HARDWICKE, C.
 (L. S.) GRANVILLE, P.
 (L. S.) HOLLES NEWCASTLE,
 (L. S.) HOLDERNESSE.
 (L. S.) H. FOX.

DECLARATION.

IN order to prevent any disputes that might arise between their Prussian and Britannick Majesties, it is hereby declared, that as soon as his Prussian Majesty shall have taken off the attachment laid upon the Silesia debt, and caused to be paid to his Britannick Majesty's subjects what remains due to them of that debt, as well interest as principal, according to the original contract; his Britannick Majesty promises and engages, on his part, to cause to be paid to his Prussian Majesty the sum of twenty thousand pounds sterling, in full satisfaction of every claim which his said Majesty or his subjects may have

against his Britannick Majesty, under any pretext whatsoever.

Done at Westminster, the sixteenth day of January, in the year of our Lord 1756.

(L. S.) LOUIS MICHELL.

*Treaty between his Majesty and the King of Prussia,
April 11th, 1758.*

D'AUTANT que le seizième jour de Janvier, 1756, il fut conclu et signé entre leurs Majestés Britannique et Prussienne un traité, dont les stipulations tendoient à conserver la paix générale de l'Europe, et celle de l'Allemagne en particulier ; et comme depuis cette période, la France a, non seulement envahi l'empire avec des armées nombreuses, et attaqué leurs susdites Majestés et leurs alliés, mais a aussi suscité d'autres puissances à en agir de même ; et qu'il est notoire, que les efforts extraordinaires faits par sa Majesté Prussienne pour se défendre contre le nombre d'ennemis qui l'ont assailli de tant de côtes à la fois, ont occasionné de fraix extrêmement onéreux, pendant que, de l'autre côté, ses revenus ont été fort diminués dans les parties de ses états qui ont été le siège de la guerre ; et leurs Majestés ayant résolu mutuellement à continuer leurs efforts pour leur défense et sureté réciproques, pour le recouvrement de leurs possessions, pour la protection de leurs alliés, et pour le maintien des libertés du corps Germanique : Sa Majesté Britannique s'est déterminée en conséquence de ces considérations à donner un secours immédiat, en argent, à sa Majesté Prussienne, comme le plus prompt et le plus efficace, et leurs susdites Majestés ont jugé convenable qu'il fût fait là dessus une convention qui déclarât et fixât leurs intentions réciproques à cet égard : pour cet effet, elles ont nommé et autorisé leurs ministres respectifs, savoir, au nom et de la part de sa Majesté Britannique, ses conseillers privés, le Chevalier Robert Henley, son gard du grand sceau de la Grande Bretagne, Jean Comte de Granville, Président de son Conseil ; Thomas Holles Duc de Newcastle, premier Commissaire de

de sa Trésorerie ; Robert Comte de Holdernesfe, l'un de ses principaux Secretaires d'Etat ; Philippe Comte de Hardwicke ; et Guillaume Pitt, un autre de ses principaux Secretaires d'Etat : et au nom et de la part de sa Majesté Prussienne, les Sieurs Dodo Henry Baron Knypshausen, son Conseiller privé d'ambassade, et son Ministre plénipotentiaire à la cour de sa Majesté Britannique ; et Louis Michell, son Chargé d'affaires à la dite cour ; lesquels, après s'être communiqué leurs pleins pouvoirs respectifs, sont convenus des articles suivans.

I. Sa Majesté le Roi de la Grande Bretagne s'engage de faire payer dans la ville de Londres, entre les mains de la personne ou des personnes qui seront autorisées à cet effet par sa Majesté le Roi de Prusse, la somme de quatre millions d'écus d'Allemagne, montant à six cent soixante et dix mille livres sterling, laquelle somme sera payée en entier, et en un seul terme, immédiatement après l'échange des ratifications, à la requisition de sa Majesté Prussienne.

II. Sa Majesté le Roi de Prusse s'engage, de son côté d'employer la dite somme pour la maintien et l'augmentation de ses forces, lesquelles agiront de la maniere la plus utile à la cause commune, et au but proposé par leurs dites Majestés de défense réciproque, et de sûreté mutuelle.

III. S'engageant, en outre, les hauts contractans, savoir, d'un côté sa Majesté Britannique tant comme Roi que comme Electeur, et de l'autre sa Majesté Prussienne, de ne conclurre aucun traité de paix, de trêve ou de neutralité, ni autre convention ou accord que ce soit, avec les puissances qui ont pris parti à la présente guerre, que de concert et par un accord mutuel, et en s'y comprenant nommément.

IV. Cette convention sera ratifiée, et les ratifications échangées de part et d'autre, dans le terme de six semaines à compter de la date de la signature de la présente convention ou plutôt si faire se pourra.

En foy de quoi nous soussignés Ministres de sa Majesté le Roi de la Grande Bretagne, et de sa Majesté le Roi de Prusse, en vertu de nos pleins pouvoirs, avons signé la présente convention, et y avons apposé les cachets de nos
armes.

armes, Fait à Londres le onzieme jour d'Avril, l'an de
Grace, 1758:

(L. S.) ROBERT HENLEY, C. S.
(L. S.) GRANVILLE, P.
(L. S.) HOLLES NEWCASTLE,
(L. S.) HOLDERNESSE,
(L. S.) HARDWICKE,
(L. S.) WILLIAM PITT.

T R A N S L A T I O N :

AS on the sixteenth day of January, 1756, there was concluded and signed, between their Britannick and Prussian Majesties, a treaty, the purport of which was to preserve the peace of Europe in general, and that of Germany in particular; and whereas, since that period, France hath not only invaded the empire with numerous armies, and attacked their foresaid Majesties and their allies, but hath also excited other powers to do the same: and whereas it is notorious, that the extraordinary efforts made by his Prussian Majesty to defend himself against the numerous enemies, who have assailed him on so many sides at once, have occasioned very heavy expences, whilst, on the other hand, his revenues have been considerably diminished in those parts of his dominions which have been the seat of war; and their Majesties having jointly resolved to continue their efforts for their mutual defence and security, for recovering their dominions, protecting their allies, and maintaining the liberties of the Germanick body; his Britannick Majesty is determined, in consequence of these considerations, to give an immediate supply, in money, to his Prussian Majesty, as being the most speedy and effectual; and their aforesaid Majesties have thought proper that, upon this head, there should be concluded a convention, declaring and fixing their mutual intentions in this particular: For this purpose, they have named and authorised their respective Ministers, viz. in the name, and on the part of his Britannick Majesty, his Privy Counsellors, Sir Robert Henley, Keeper of the great Seal of Great Britain; John Earl of Granville, President of the Council; Thomas Holles, Duke of Newcastle

Newcastle, first Commissioner of the Treasury; Robert Earl of Holderness, one of the principal Secretaries of State; Philip Earl of Hardwicke; and William Pitt, another of the principal Secretaries of State; and in the name, and on the part of his Prussian Majesty, Dodo Henry, Baron Knyphauffen, his Privy Counsellor of Embassy, and his Minister Plenipotentiary at the Court of his Britannick Majesty, and Louis Michell, his *chargé d'affaires* at the said Court, who after having communicated to each other their respective full powers, have agreed upon the following articles :

I. His Majesty the King of Great Britain engages to cause to be paid, in the city of London, into the hands of such person or persons as shall be authorised for that purpose by his Majesty the King of Prussia, the sum of four millions of German crowns, amounting to six hundred and seventy thousand pounds sterling; which sum shall be paid in whole, and at one single term, immediately after the exchange of the ratifications, at the requisition of his Prussian Majesty.

II. His Majesty the King of Prussia engages, on the other hand, to employ the said sum in maintaining and augmenting his forces, which shall act in the manner most advantageous to the common cause, and the most conducive to the end proposed by their said Majesties, of reciprocal defence, and mutual security.

III. The high contracting parties, moreover, engage, viz. on the one side, his Britannick Majesty, as well King as Elector, and, on the other, his Prussian Majesty, not to conclude any treaty of peace, truce, or neutrality, or other convention of agreement whatever, with the powers who have taken part in the present war, but in concert and by mutual agreement, and by comprehending each other by name.

IV. This convention shall be ratified, and the ratifications exchanged on both sides, in the space of six weeks, reckoning from the date of signing the present convention, or sooner if possible.

In witness whereof, we the under-signed Ministers of his Majesty the King of Great Britain, and of his Majesty the King of Prussia, in virtue of our full powers, have

have signed the present convention, and thereto put our seals.

Done at London the 11th day of April, in the year of our Lord 1758.

(L. S.) ROBERT HENLEY, C. S.
 (L. S.) GRANVILLE, P.
 (L. S.) HOLLES NEWCASTLE.
 (L. S.) HOLDERNESSE,
 (L. S.) HARDWICKE.
 (L. S.) WILLIAM PITT,

Declaration belonging to the Treaty with the King of Prussia, of April 11, 1758,

DECLARATION,

ENSUITE de la convention signée aujourd'hui, sa Majesté Britannique est prête à déclarer, qu'il s'adressera d'abord à son fidele parlement, afin d'être mis en état de payer et d'entretenir, en Allemagne, une armée de cinquante mille hommes aux dépens de la couronne de la Grande Bretagne, et sa Majesté veut bien déclarer en outre, qu'en sa qualité d'Electeur, il augmentera aussi la dite armée d'un corps de cinq mille hommes, dont le total agira avec la dernière vigueur contre l'ennemi commun, de concert avec le Roi de Prusse, en tels lieux qu'exigera la raison de guerre et le bien de la cause commune.

Et pour ne rien laisser à desirer de la part de sa Majesté de tout ce qui pourra s'effectuer pour le bien de la cause commune, d'une façon compatible avec la sûreté des ses royaumes, et avec la continuation vigoureuse d'opérations indispensables en Amérique, c'est l'intention du Roi, qu'une partie considérable de ses troupes de terre et de l'escadre qui est destinée au service de la Manche, soit employée de la manière qui puisse le plus efficacement incommoder l'ennemi, et faire une diversion utile; à quel effet sa Majesté a ordonné la formation d'un camp dans l'Isle de Wight. Et comme le Sieur Michell, Ministre Prussien résident auprès de sa Majesté, a représenté combien il seroit utile aux affaires de sa Majesté Prussienne qu'un détachement de troupes Angloises fut envoyé assurer la ville d'Embden jusqu'à ce que le Roi de Prusse puisse prendre

prendre des mesures convenables pour la protection de cette place ; le Roi ne balance pas de donner à sa Majesté Prussienne cette nouvelle preuve d'amitié sincère, et à cet effet a ordonné à un de ses bataillons de se rendre, sans perte de tems, à Embden ; on fera communiquer au Ministre de sa Majesté Prussienne une copie des instructions dressées pour le commandant de ce bataillon.

Dèsque la convention signée aujourd'hui aura été communiquée au parlement, (fondement indispensable du secours pécuniaire y stipulé :) Et qu'en conséquence de cette communication, la somme aura été votée; il dépendra alors de sa Majesté Prussienne d'en faire usage en tel tems qu'elle jugera à propos.

C'est avec le regret le plus sensible, que le Roi se trouve, encore, dans la nécessité absolue de se refuser à tout engagement sur l'envoi d'une escadre de ses vaisseaux dans la mer Baltique. Afin, cependant, que le Roi de Prusse puisse s'assurer ultérieurement, que la seule et unique source des difficultés qu'on fait sur cet article est l'inutilité et le danger d'y envoyer une petite escadre, et l'impossibilité de pouvoir se passer d'une qui pourroit suffisamment s'y faire respecter, et nullement par égard pour aucune des puissances qui ont pris part à la guerre ; et à fin que toute l'Europe puisse voir d'autant plus clairement, dès le moment que la convention d'aujourd'hui sera ratifiée, que leurs Majestés Britannique et Prussienne ont les mêmes amis, et les mêmes ennemis ; le Roi est prêt à faire telle déclaration, qui, au sentiment de sa Majesté Prussienne, puisse fortifier la cause commune, et servir à leurs intérêts mutuels ; en cas que le Roi de Prusse recommande dans la présente situation des Cours de Peterbourg et de Stockholm un langage différent de celui que sa Majesté Prussienne a jusqu'ici conseillé et concerté avec le Roi.

Fait à Londres la 11^{me} jour d'Avril, 1758.

(L. S.) ROBERT HENLEY, C. S.
 (L. S.) GRANVILLE.
 (L. S.) HOLLES NEWCASTLE.
 (L. S.) HOLDERNESSE.
 (L. S.) HARDWICKE.
 (L. S.) WILLIAM PITT.

TRANS.

TRANSLATION.

IN consequence of the convention signed this day, his Britannick Majesty very freely declares, that he will immediately apply to his faithful parliament, in order to be put in a condition to pay and to maintain, in Germany, an army of fifty thousand men at the expence of the crown of Great Britain; and his Majesty, moreover, very willingly declares, that, in quality of Elector, he will likewise augment the said army with a body of five thousand men; the whole of which shall act with the utmost vigour against the common enemy, in concert with the King of Prussia, in such places, as the reason of war, and the good of the common cause, shall require.

And that nothing, which can reasonably be desired of his Majesty, may be left unattempted for the good of the common cause, in a manner consistent with the safety of his kingdoms, and the vigorous prosecution of the necessary operations in America, it is the intention of his Majesty, that a considerable part of his land forces, and a Squadron of ships, destined for the service of the channel, should be employed in such a manner, as may the most effectually annoy the enemy; for which purpose his Majesty has ordered a camp to be formed in the isle of Wight. And as Mr. Michell, the Prussian Minister, resident at his Majesty's court, has presented, how advantageous it would be to the affairs of his Prussian Majesty, that a detachment of the English troops should be sent to secure the town of Embden, till such time as the King of Prussia shall be able to take proper measures for the protection of that place; the King hesitates not to give his Prussian Majesty this fresh proof of his sincere friendship, and for that purpose hath ordered one of his battalions to march, without loss of time, to Embden; and he will cause to be communicated to the Minister of his Prussian Majesty a copy of the instructions drawn up for the commander of that battalion.

As soon as the convention signed to-day shall have been communicated to the parliament, (a step necessary for
making

making good the pecuniary supply therein stipulated) and as soon as, in consequence of that communication, the sum shall have been voted; it will then depend upon his Prussian Majesty to make use of it at such times as he shall judge proper.

’Tis with the sincerest regret that the King again finds himself under an absolute necessity of refusing to enter into any engagement with regard to sending a Squadron of ships into the Baltick. In order, however, still farther to convince his Prussian Majesty, that the sole and only source of the difficulties which occur on this point, is the inutility and danger of sending thither a small fleet, and the impossibility of being able to spare one that could make itself sufficiently respected in those parts, and by no means a regard to any of the powers who have taken part in the war; and in order to demonstrate the more clearly to all Europe, that, from the moment of the ratification of the present treaty, their Britannick and Prussian Majesties have the same friends and the same enemies; the King is ready to make such a declaration, as, in the opinion of his Prussian Majesty, may strengthen the common cause, and promote their mutual interests; in case the King of Prussia, in the present disposition of the courts of Peterburg and Stöckholm, recommends a language different from that which his Prussian Majesty hath hitherto advised and concerted with the King.

Done at London the 11th day of April, 1758.

(L. S.) ROBERT HENLEY, C. S.

(L. S.) GRANVILLE, P.

(L. S.) HOLLES NEWCASTLE.

(L. S.) HOLDERNESSE.

(L. S.) HARDWICKE.

(L. S.) WILLIAM PITT.

*Convention between his Majesty and the King of Prussia,
7th Dec. 1758.*

SOIT notoire à tous ceux à qu’il appartient ou peut appartenir, que la guerre onéreuse, dans laquelle sa Majesté Prussienne se trouve engagée, le mettant dans la
nécessité

nécessité de faire de nouveaux efforts pour se défendre contre le grand nombre d'ennemis dont ses Etats sont affaillis ; et étant ainsi obligé de se concerter, de nouveau, avec sa Majesté Britannique, afin de pourvoir réciproquement et conjointement avec elle à leur défense et sûreté commune ; et sa Majesté le Roi de la Grande Bretagne ayant fait connoître, en même tems, le desir qu'il avoit de resserrer les liens d'amitié qui subsistent entre les deux Cours, et de convenir, de nouveaux, à cette occasion, et pour cette fin, par une convention expresse, des secours par lesquels il pourroit assister sa Majesté Prussienne le plus promptement, et le plus efficacement ; leurs dites Majestés ont, donc, pour cet effet, nommé et autorisé leurs Ministres respectifs, savoir, &c. — [Les noms des Ministres sont les mêmes que dans le traité précédent.]

I. Il est convenu, que tous les traités précédents qui subsistent entre les deux Cours de quelque date et nature qu'ils puissent être, et principalement celui de Westminster du 16me de Janvier de l'année 1756, ainsi que la convention du 11me d'Avril de l'année courrante, seront sensés rappelés et confirmés par la présente convention, en tous leurs points, articles, et clauses, et seront de la même force que s'il étoient insérés ici mot à mot.

II. Cet article est le même que le premier article du traité précédent.

III. Cet article est le même que le second article du traité précédent.

IV. Cet article est le même que le troisième article du traité précédent.

V. Cet article est le même que le quatrième article du traité précédent.

En foy de quoi, &c.—Fait à Londres le septième jour de Décembre, l'an de Grace 1758.

(L. S.) ROBERT HENLEY, C. S.

(L. S.) GRANVILLE, P.

(L. S.) HOLLES NEWCASTLE.

(L. S.) HOLDERNESSE.

(L. S.) HARDWICKE.

(L. S.) WILLIAM PITT.

TRANS.

TRANSLATION.

BE it known to all those whom it either does or may concern, that the burdensome war, in which his Prussian Majesty finds himself engaged, laying him under a necessity of making new efforts to defend himself against the numerous enemies who have invaded his dominions; and being thus obliged to enter into new measures with his Britannick Majesty, in order to provide, reciprocally and jointly, for their mutual defence and common safety; and his Majesty the King of Great Britain, having at the same time signified a desire of strengthening the bands of friendship which subsist between the two courts, and to this end, by an express convention, upon the succours, by which he may assist his Prussian Majesty the most speedily and most effectually: their said Majesties have, for that purpose, named and authorized their respective ministers, viz.—[The names of the ministers are the same with those in the treaty immediately preceding.]

I. It is agreed, that all former treaties, subsisting between the two courts, of what date or nature soever, and especially that of Westminster of the 16th of January, 1756, as well as the convention of the 11th of April of the current year, shall be considered as renewed and confirmed by the present convention, in all their points, articles, and clauses, and shall have the same force as if they were inserted here word for word.

II. This article is the same with the first article of the preceding treaty.

III. This article is the same with the 2d article of the preceding treaty.

IV. This article is the same with the 3d article of the preceding treaty.

V. This article is the same with the 4th article of the preceding treaty.

In witness whereof, &c.

Done at London, the 7th of December, 1758.

(L. S.) ROBERT HENLEY, C. S.

(L. S.) GRANVILLE, P.

(L. S.) HOLLES NEWCASTLE.

(L. S.) HOLDERNESSE.

(L. S.) HARDWICKE.

(L. S.) WILLIAM PITT.

*Convention between his Majesty and the King of Prussia,
9th November, 1759.*

THIS treaty is the same with the preceding, except the alteration of the date; and is signed by the same ministers.

*Convention between his Majesty King George III. and the
King of Prussia, 12th December, 1760.*

THIS treaty is also the same with the preceding, except the alteration of the date; and is likewise signed by the same ministers.

[To avoid repetition, we have given only one copy and one translation, where the treaties were the same.]

C O P Y.

*The Family Compact of the House of Bourbon, signed at
Paris, August 15th, 1761.*

IN the name of the most holy and indivisible Trinity, Father, Son, and Holy Ghost. Amen. The ties of blood, which unite the two monarchs now reigning in France and Spain, and the particular sentiments which have animated each other, of which they have given so many proofs, have engaged their Most Christian and Catholick Majesties to form, and conclude between them, a treaty of friendship and union, under the title of *The Family Compact*; the principal object of which is to render permanent and indivisible, as well for their said Majesties, as for their descendants and successors, those duties which are the natural consequences of consanguinity and friendship. The intention of their Most Christian and Catholick Majesties, in contracting the engagements formed by this treaty, is to perpetuate in their posterity the sentiments of Lewis XIV. of glorious memory, their common and august great grandfather; and to preserve for ever a solemn monument of their reciprocal interest, which

which ought to be the foundation of the views of their courts, and of the prosperity of their royal families.

With this view, and to attain so agreeable and salutary an end, their most Christian and Catholick Majesties have given their full powers, *i. e.* his Most Christian Majesty to the Duke de Choiseul, a peer of France, Knight of his orders, and Lieutenant-general of his Majesty's armies, Governor of Touraine, High Steward and Superintendent General, and Secretary of State in the department of war and foreign affairs; and his Catholic Majesty to the Marquis of Grimaldi, gentleman of his bed-chamber, and his ambassador extraordinary to his Most Christian Majesty; who, being informed of the dispositions of their respective soveraigns, and after having communicated their credentials to each other, have agreed to the following articles:

Article I.

Their Most Christian and Catholick Majesties declare, that in consequence of their intimate ties of consanguinity and friendship, and the union they contract by the present treaty, the two crowns will hereafter consider every power as their common enemy, who shall become such to either of them.

II. The two contracting kings reciprocally guaranty, in the most absolute and authentic manner, all the estates, lands, islands and places, which they possess in any part of the world whatever, without any reserve or exception; and the possessions, the object of their guaranty, shall be fixed, according to the actual state in which they shall be found, as soon as either of the two crowns shall be at peace with all other powers.

III. Their Most Christian and Catholic Majesties grant the same absolute and authentick guaranty to the King of the Two Sicilies, and to the Infant Don Philip, Duke of Parma, for all the estates, territories, and places, which they possess; provided that his Sicilian Majesty, and the said Infant Duke of Parma, also guaranty, on their part, all the estates and possessions of their Most Christian and Catholick Majesties.

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IV. Though

IV. Though the inviolable and mutual guaranty, to which their Most Christian and Catholick Majesties bind themselves, ought to be supported with all their power, and though their Majesties thus understand it, according to the fundamental principles of this treaty, that *whoever attacks one Crown, attacks the other*, yet the two contracting parties have thought it proper to ascertain the first succours, which the power requested shall be obliged to furnish to the power requesting.

V. The two Kings have agreed, that the crown requested to furnish succours, shall, within three months after such requisition, have twelve ships of the line, and six armed frigates, in one or more of its ports, at the entire disposition of the requesting court.

VI. The power requested shall have ready, within the space of three months, at the disposition of the power requesting, 18,000 foot, and 6000 horse, if France shall be the power requested; and if Spain, being the power requested, 10,000 foot and 2000 horse. In this difference of number, attention must be paid to the greater number of forces actually kept on foot in France than in Spain; but if it should at any time so happen, that the number of forces kept on foot by them shall be equal, then the obligation shall also be equal to furnish reciprocally the same number. The power requested engages to assemble the stipulated succours, and to place them in such situations (without immediate marching them out of the kingdom) as the party requesting shall appoint, in order that they may be the more readily employed in the services for which the said troops were demanded; and when, to gain such place of destination, a passage by sea, or marches by land may be necessary, the expences thereof shall be borne by the power requested, to whom the said succours properly belong.

VII. As to what regards the difference in the said number of troops to be furnished, his Catholick Majesty excepts the case, wherein they may be found necessary to defend the possessions of the King of the Two Sicilies, his son, or those of the Infant Duke of Parma, his brother; so that freely acknowledging the preference, which the ties of blood and kindred impose on him, then the
Catholick

Catholick King, in those two circumstances, promises to furnish the succours of 18,000 foot and 6000 horse, and even to employ all his forces, without claiming of his Most Christian Majesty any more than the number of troops above specified, and such other effects, as his tender friendship for the princes of his own blood may induce him to exert in their favour.

VIII. His Most Christian Majesty excepts also, on his part, the wars he may engage in, either as principal, or auxiliary, in consequence of the engagements he has contracted by the treaty of Westphalia, and other alliances with the German and other Northern powers; and considering, that the said wars can in no manner interfere with the crown of Spain, his Most Christian Majesty promises not to demand any assistance from his Catholick Majesty, unless some maritime powers should take part in the said wars, or that the event should be so unfavourable to France, that she should be attacked by land in her own territories; then, in this last case, his Catholick Majesty promises to furnish his Most Christian Majesty, without any exception, not only with the said 10,000 foot and 2000 horse, but even in case of necessity, with 18,000 foot, and 6000 horse, being the number stipulated to be furnished, for the use of the Catholick King, by his Most Christian Majesty; his Catholick Majesty engaging, in such case, to pay no regard to the disproportion between the land forces of France and those of Spain.

IX. The requesting power shall be permitted to send one or more Commissaries, chosen from among their own subjects, in order to assure themselves, that the power requested has collected, within the three months from the time of requisition, in one or more of their ports, twelve ships of the line and six armed frigates, as well as the stipulated number of land forces, ready to march.

X. The said ships, frigates, and troops, shall act agreeably to the will of the power that shall have occasion for and demand them; and the power requested shall be allowed to make no more than one representation concerning the motives or objects to which the said land and sea-forces are destined.

XI. What is above agreed upon shall immediately take place, as often as the requesting power shall demand succours for any offensive or defensive enterprize, either by land or sea, and must be understood in such case, that the ships and frigates of the requested power shall be collected in some port of its dominions, since it shall then be sufficient, that the land and sea forces are in readiness in those ports of their kingdoms, which shall be appointed by the requesting power, as most convenient to its intentions.

XII. The demand which one of the two sovereigns shall make of the other, for the succours stipulated by the present treaty, shall be sufficient to constitute the necessity of one party, and the obligation of the other to furnish the said succours, without being obliged to enter into any explication whatever, nor under any pretence, to elude the most speedy and perfect execution of this engagement.

XIII. In consequence of the preceding article, no discussion of the offensive or defensive case shall take place, with respect to furnishing the twelve ships, the six frigates, and the land troops, since those forces are to be considered, in all points, *three months after the requisition*, as properly belonging to the power that shall request them.

XIV. The power that shall furnish these succours, whether in ships and frigates, or in troops, shall pay them wherever its ally shall call them to act, as if those forces were directly employed in their own service; and the requesting power shall be obliged, whether the said ships, frigates, or troops, remain a short or long time in their ports, to supply them with every thing necessary, at the same price as if they properly belonged to them, and to allow them the same prerogatives and privileges as their own troops enjoy. It is agreed that, in no case, the said ships or troops shall be at the expence of the power to whom they are sent, and that they shall be at their disposition during the war in which they shall be employed.

XV. Their Most Christian and Catholick Majesties oblige themselves to keep complete and well-armed the ships, frigates, and troops, which their Majesties shall reciprocally furnish, so that, as soon as the power requested shall furnish

furnish the succours stipulated by the fifth and sixth articles of the present treaty, such power shall arm in its ports a number of ships, sufficient immediately to replace such as may be lost by the events of war or the dangers of the sea; the same power shall be equally prepared to recruit and make the necessary reparations in the land troops it shall furnish.

XVI. The succours stipulated in the preceding articles, according to the time and manner specified, should be considered as an obligation of the ties of blood and friendship, and as an intimate union, which the two contracting Monarchs desire to perpetuate among their descendants; and these stipulated succours shall be the least which the power requested shall give to the other in case of necessity: but as the intention of the two kings is, that a war, beginning by or against one of the two crowns, ought to interest the other, it is agreed, that when the two kings shall find themselves engaged in a war against the same enemy or enemies, the obligation of the said stipulated succours shall cease, and instead thereof the two crowns oblige themselves to make war conjointly, and to employ all their forces therein; and for this purpose, the two high contracting parties will then enter into particular agreements, relative to the circumstances of the war, in which they shall find themselves engaged; they will reciprocally join in their efforts and respective advantages, as also in their plans and military and political operations; and, these agreements, being made, the two Kings will conjointly execute them with one common and perfect accord.

XVII. Their Most Christian and Catholick Majesties engage and promise, in case they shall find themselves engaged in a war, neither to listen to nor make any propositions of peace, neither to treat nor conclude any thing with their enemy or enemies, but by mutual and common consent and agreement, and reciprocally to communicate every thing that shall come to their knowledge, interesting to the two crowns, and in particular on the terms of peace; so that in war as in peace, each of the two crowns shall regard as his own interest that of his ally.

XVIII. In conformity to this principle, and the engagement contracted in consequence thereof, their Most Christian and Catholick Majesties have agreed, that when they shall terminate by peace the war they shall have supported in common, they will balance the advantages, which one of the two powers may have received, against the losses of the other; so that, on the conditions of peace, as in the operations of war, the two Monarchs of France and Spain, throughout the extent of their Empire, shall be considered, and will act, as if they formed but one and the same power.

XIX. The King of the Two Sicilies, having the same ties of blood and friendship, and the same interests, which intimately unite their Most Christian and Catholick Majesties, his Catholick Majesty stipulates for the King of the Two Sicilies, his son, and obliges himself to make him ratify, as well for himself as his descendants for ever, all the articles of the present treaty; and, as to what regards the proportion of succours to be furnished by his Sicilian Majesty, they shall be settled in his act of accession to the said treaty, according to the extent of his power.

XX. Their Most Christian, Catholick, and Sicilian Majesties, engage not only to concur in the maintenance and splendor of their kingdoms, in their present state, but also to support on every occasion whatever, the dignity and rights of their houses; so that each Prince, who shall have the honour to descend from the same blood, may be assured, at all times, of the protection and assistance of three Crowns.

XXI. The present treaty being to be considered, as hath been already announced in the preamble, as a *Family Compact* between all the branches of the august House of Bourbon, no other power, but those of that House, can be invited or admitted to accede thereto.

XXII. The strict friendship which unites the contracting monarchs, and the engagements they take by this treaty, determine them also to stipulate, that their dominions and respective subjects shall partake of the advantages, and of the union established between those Sovereigns; and their Majesties promise not to suffer, in any case,

case, nor under any pretence whatever, their said subjects to do, or undertake, any thing contrary to that perfect correspondence, which ought inviolably to subsist between the three Crowns.

XXIII. The more effectually to preserve this harmony, and these reciprocal advantages between the subjects of the two crowns, it is agreed, that the Spaniards shall no longer be considered as *foreigners* in France, and consequently his Most Christian Majesty engages to abolish, in their favour, the right of escheatage, so that they may dispose, by will, donations, or otherwise, of all their effects, without exception, of what nature soever, which they possess in his kingdom, and which their heirs, subjects of his Catholick Majesty, resident in France or elsewhere, shall have power to receive their inheritance, even where no will is made, either by themselves, their attornies, or particular order, (though they may not have obtained letters of naturalization) and convey them out of his Most Christian Majesty's dominions, notwithstanding all the laws, edicts, statutes, customs, or rights, to the contrary, which his Most Christian Majesty hereby annuls as far as is necessary. His Catholick Majesty engages, on his part, to grant the same privileges, and in the same manner, in every part of his dominions in Europe, to all the French subjects of his Most Christian Majesty, with respect to the free disposal of the effects they shall possess in any part of the Spanish monarchy; so that the subjects of the two crowns shall be generally treated, (in what regards this article) in both dominions, as the proper and natural subjects of the power in whose territories they reside. Every thing above said, respecting the abolition of the right of escheatage, and the advantages which the French are to enjoy in the Spanish dominions in Europe, and the Spaniards in France, is granted to the subjects of the King of the Two Sicilies, who shall be comprised under the same condition in this article; and the subjects of their Most Christian and Catholick Majesties shall reciprocally enjoy the same exemption and advantages in the dominions of his Sicilian Majesty.

XXIV. The subjects of the high contracting parties shall be treated, with respect to commerce and duties in each

each of the two kingdoms in Europe, as the proper subjects of the country in which they live or resort to; so that the Spanish flag shall enjoy in France the same rights and prerogatives as the French flag; and, in like manner, the French flag shall be treated in Spain with the same favour as the Spanish flag. The subjects of the two monarchies, in declaring their merchandizes, shall pay the same duties as shall be paid by the natives. The importation and exportation shall be equally free to them as to the natural subjects; neither shall they pay any other duty than what shall be received from the natural subjects of the Sovereign, nor any goods be liable to confiscation, but such as are prohibited to the natives themselves; and as to what concerns these objects, all interior treaties, conventions, or engagements, between the two monarchies, are hereby abolished. And farther, that no other foreign power shall enjoy in Spain any more than in France, any privileges more advantageous than those of the two nations; the same rules shall be observed in both France and Spain, with regard to the flag and subjects of the King of the Two Sicilies; and his Sicilian Majesty shall reciprocally cause to be observed the same, with respect to the flag and subjects of the crown of France and Spain.

XXV. If the high contracting parties shall hereafter conclude a treaty of commerce with other powers, and grant them, or have already granted them in their ports or dominions, the treatment granted to the most favourite nation, notice shall be given to the said powers, that the treatment of Spaniards in France, and in the Two Sicilies, of Frenchmen in Spain, and in like manner in the Two Sicilies, and of Neapolitans and Sicilians in France and Spain, upon the same footing, is excepted, in that respect, and ought not to be quoted, or serve as an example, their Most Christian, Catholick, and Sicilian Majesties, being unwilling that any other nation should partake of those privileges, which they judged convenient for the reciprocal enjoyment of their respective subjects.

XXVI. The high contracting parties will reciprocally confide in all the alliances which they shall hereafter form, and the negociations they shall engage in, especially such

as

as shall have any influence on their common interests; and, consequently, their Most Christian, Catholick, and Sicilian Majesties, will order all their respective Ministers, that they endeavour, in the other courts of Europe, to maintain among themselves the most perfect harmony and entire confidence, that every step taken in the name of either of the three Crowns, may tend to their glory and common advantages, and be a constant pledge of the intimacy which their said Majesties would for ever establish among them.

XXVII. The delicate object of precedence in public acts, employments, and ceremonies, is often an obstacle to good harmony and the intimate confidence which ought to be supported between the respective Ministers of France and Spain, because such contentions, whatever method may be taken to stop them, indispose the mind. These naturally arose when the two crowns belonged to Princes of two different Houses; but now, (and at all times hereafter) and as long as Providence has determined to maintain on the two thrones Sovereigns of the same House, it is not agreeable, that there should subsist between them a continual occasion for altercation and discontent, their Most Christian and Catholick Majesties have therefore agreed, entirely to remove that occasion, in determining, as an invariable rule to their Ministers, invested with the same character, in foreign courts, as well as in those of the family, (for such now certainly are those of Naples and Parma) that the Ministers of the chief monarch of the House shall always have the precedence in every act, employment, or ceremony whatever, which precedence shall be regarded as the consequence of the advantage of birth; and that, in all other courts, the Minister, (whether of France or Spain) who shall last arrive, or whose residence shall be more recent, shall give place to the Minister of the other crown, and of the same character, who shall have arrived first, or whose residence shall have been prior, so that henceforth, in that respect, there will be a certain and brotherly alternative, to which no other power can be subject, nor shall be admitted, seeing that this arrangement, which is equally a consequence of the present *Family Compact*, would cease, if the Princes of the same
House-

House no longer filled the thrones of the two monarchies, and that then each crown would resume its rights or pretensions to precedence. It is agreed also, that, if by accident the Ministers of the two crowns should arrive precisely at the same time in any other court than that of the family, the Minister of the Sovereign Chief of the House shall take place of the Minister of the Sovereign who is a junior of the same House.

XXVIII. The present treaty, or Family Compact, shall be ratified, and the ratification exchanged, within the space of one month, or sooner if may be, to be reckoned from the day of the signing of the said treaty.

In witness whereof, we, the undersigned Ministers Plenipotentiary for their Most Christian and Catholick Majesties, by virtue of those full powers, which are literally and faithfully transcribed at the bottom of this treaty, have hereunto fixed our hands and seals.

Given at Paris, August 15, 1761.

Signed,

The DUKE de CHOISEUL.

An HISTORICAL MEMORIAL of the Negotiation of France and England, from the 26th of March, 1761, to the 20th of September of the same Year, with the Vouchers Translated from the French Original, published at Paris by Authority.

HIS Majesty [the French King] thinks it consistent with his goodness and justice to inform his subjects of the endeavours he has used, and the sacrifices he resolved to make, in order to restore peace to his kingdom.

France, and the whole universe, will judge from a plain and faithful detail of the negotiation which has been carried on between the Courts of Versailles and London, which of the two Courts have been averse to the re-establishment of public tranquillity, and have sacrificed the common peace and welfare to their own ambition.

In order to form a clear and just opinion with regard to the Negotiation which has lately broken off between
France

France and England, it is necessary to recollect the motives which occasioned the rupture between the two Crowns, and the particular circumstances which have involved a considerable part of Europe in a war, which had at first America only for its object.

The limits of Acadia and Canada, which, by the treaty of Aix-la-Chapelle, were left to the discussion of commissaries to be named by the two Potentates, have served England as a pretence for commencing hostilities, and for taking two French ships, the Alcide and the Lys; while, in the midst of peace, and under the sanction of the law of nations, the Duke of Mirepoix, the French Ambassador, was treating at London in order to prevent a rupture, and to terminate those differences, which might have been easily accommodated at Aix-la-Chapelle, and which, while the peace subsisted, had met with the most unreasonable and extravagant opposition on the part of the English Commissaries.

The unexpected violence offered on the part of the English necessarily brought on the war: his Majesty found himself obliged, though with regret, to repel by force the indignity offered to France, and to prefer the honour of the nation to the tranquillity it enjoyed.

If the court of London had no other design than to establish the respective possessions of the two Crowns in North America upon a firm footing, she would have endeavoured to obviate, as France has done, every incident which might engage the powers of the Continent of Europe to take a part in a war which is absolutely foreign to them, and which, in fact, having no other object but what relates to the limits of Acadia and Canada could not last long, and did not require the interposition of any other power. But England had more extensive views: she endeavoured to raise a general war against France, and hoped to renew the famous league which was formed against Lewis XIV. upon the accession of Philip V. to the throne of Spain; and to persuade all the courts of Europe, that they were as much interested in the limits of Acadia as in the succession of Charles II.

The conduct of France, in consequence of the first hostilities in 1755, was very different from that of England; h

his Majesty pacified his neighbours, restrained his allies, refused the advantageous prospect of a war, which was proposed to him on the Continent, and gave all the powers to understand, that his sole ambition was to restrain his enemies, the English, within due limits, and to maintain peace and justice among the powers who ought to regard the differences respecting America with the most impartial neutrality.

The Court of London, to accomplish their ends, took advantage of his Majesty's equitable and pacific conduct. She knew that one of the allies of France might prove a lively obstacle to the establishment of peace and tranquillity, and made no doubt, but, in securing that ally, she should be able to make that House, which was considered as the antient rival of France, enter into all her views: but the Empress Queen of Hungary and Bohemia, animated by the same principles of equity of which his Majesty gave such laudable proofs, refused the proposals of England, and rather chose to run the risk of an unjust war, which was the natural and foreseen consequence of the treaty signed at Whitehall between the Kings of England and Prussia, than to engage in one contrary to the good faith of her Imperial Majesty.

His Majesty and the Empress-Queen, previous to the King of Prussia's invasion of Saxony, entered into an alliance on the 1st of May, 1756, which was purely defensive. Their Majesties hoped, that their alliance would check the fire which was ready to kindle in Germany, and that it would prevent a war on the Continent of Europe. They were deceived in their expectations: the Court of London had armed the King of Prussia: nothing could restrain a Prince whose passion for war was unhappily violent; and he began it at the end of the year 1756, by the invasion of Saxony and the attack of Bohemia.

From that time two distinct wars subsisted; one of France with England, and which at the beginning had nothing in common with the war in Germany; and the other which the King of Prussia waged against the Empress-Queen, and in which the King of England was interested as an ally of the King of Prussia, and his Majesty, as guarantee of the treaty of Westphalia, and, after his
defensive

defensive treaty of the 1st of May, as an ally of the Court of Vienna.

France was cautious, in the engagements she was constrained to make with the confederate powers, not to blend the differences which disturbed the peace of America, with those which raised a commotion in Europe. In truth, his Majesty having always made it his principal object to recal each potentate to terms of reconciliation, and to restore public tranquillity, he judged it improper to blend interests of so distant and complicated a nature as those of Europe and America would prove, were they to have been jointly treated of in a negotiation for a general and final peace. His Majesty proceeded farther, and with an intent to prevent a direct land war in Europe, he proposed the neutrality of Hanover in the year 1757; the King of England, Elector of Hanover, refused the proposition, and sent his son the Duke of Cumberland, into his hereditary dominions in Germany, who, at the head of an army entirely composed of Germans, was ordered to oppose the march of those forces which his Majesty, in pursuance of his engagements, sent to the assistance of his allies who were attacked in their dominions.

The electoral army of Hanover furnished the campaign of 1757, with the capitulation of Closter-seven. The Court of London thought proper to break that capitulation a few months after it had been concluded by the consent of the King of England's son; the chief pretence alledged was, that the army which had capitulated belonged to the Elector, and that the same army which, contrary to the right of nations and all military laws, re-entered into action, was, from that time to be considered as a British army. From that moment, (and it is necessary to attend to this circumstance) the army commanded by Prince Ferdinand of Brunswick is become an English army: The Elector of Hanover, the Duke of Brunswick, the Landgrave of Hesse, their forces and their countries, have been blended together in the cause of England; so that the hostilities in Westphalia and Lower Saxony have had, and still have, the same object as the hostilities in America, Asia, and Africa; that is to say, the disputes sub-

subsisting between the two crowns concerning the limits of Acadia and Canada.

His Majesty, consequently, from that time being obliged to support a war both by sea and land against England, his professed enemy, has afforded no farther succour of troops to his allies to enable them to carry on their war in particular, but has only undertaken to preserve the places on the Lower Rhine for the Empress-Queen, which were acquired by conquest from the King of Prussia in the name of her Imperial Majesty. It would, therefore, betray ignorance of the most positive facts, to suppose that the war which is actually carried on in Westphalia is for the interest of his Majesty's allies; that war is purely English, which is carried on only because the army of England, in that part, defends the possessions of the King of Great Britain and his allies.

We must conclude from what has been said with regard to the state of the two belligerent Crowns, that the war of France with England is in fact, and in its origin, very distinct from that of the Empress against the King of Prussia: nevertheless there is a connection between the two wars, which consists in the common engagement between the King and the Empress Queen, not to make a separate peace with the common enemy but by mutual consent. This engagement, which is so conformable to the sentiments of friendship and confidence, by which their Majesties are united, was necessary for their reciprocal security. As it would be dangerous for the forces of the King of Prussia to join against France with those of England, commanded by Prince Ferdinand, it would be equally prejudicial and contrary to the faith of his Majesty's engagements with the Court of Vienna, that the British army should join the King of Prussia against the Empress Queen, and against the Princes of the empire who are in alliance with France.

Although the year 1758 produced no political event which might give room to a negociation for the re-establishment of peace, yet France, ever zealous to promote it with the same sincerity, made use of the mediation of Denmark to inform England of her perseverance in the same pacific dispositions; the answer from the Court of London

London was as haughty as it was negative, and destroyed all hopes of a negotiation.

In 1759, the Courts of London and Berlin transmitted the following declaration from the Hague, to the Ministers of France, Vienna and Russia.

Declaration of their Prussian and Britannick Majesties.

THEIR Britannick and Prussian Majesties, touched with compassion, when they reflect on the evils which have been occasioned, and must still necessarily result from the war which has been kindled for some years past, would think themselves wanting to the duties of humanity, and particularly regardless of the interest they take in the preservation and welfare of their respective kingdoms and subjects, if they neglected to use proper measures towards checking the progress of this cruel pestilence, and to contribute towards the re-establishment of publick tranquillity. It is with this view, and in order to ascertain the sincerity of their intentions in this respect, that their aforesaid Majesties have resolved to make the following declaration :

That they are ready to send Plenipotentiaries to any place which shall be judged most convenient, in order to treat, in conjunction, concerning a general and firm peace, with those whom the belligerent powers shall think proper to authorise on their side, towards the accomplishment of so salutary an end.

I certify, that the above declaration is the same which was dispatched to me by the Earl of Holdernesse and the Baron Knyphaussen, in the name, and on the part of their Britannick and Prussian Majesties.

Given at the Castle of Ryfwick, this 25th of November 1759. Signed L. D. de BRUNSWICK.

This declaration made no mention either of Sweden, or of the King of Poland, Elector of Saxony, two powers who were principally interested in the war. France and her Allies were not aware of this proceeding of the courts of London and Berlin. They were obliged to wait for an answer from Petersburg, in order to transmit in com-

mon a counter declaration, which the great distance between the countries obliged them to defer longer than France could have wished. At length it was transmitted in the following terms, and the Courts of London and Berlin never made any reply to it.

Counter declaration of his Most Christian Majesty.

THEIR Britannick and Prussian Majesties having thought proper to testify, by a declaration which was delivered on their parts at the Hague, the 25th of November last, to the Ambassadors and Ministers of the Courts of Versailles, Vienna, and Petersburg, resident with their High Mightinesses the States General of the United Provinces, that, from a sincere desire of contributing to the re-establishment of publick tranquillity, they were ready to send Plenipotentiaries to any place which should be judged most convenient, in order to treat concerning that important object with those whom the belligerent powers should think proper to authorise on their parts, for the accomplishment of so salutary an end,

His Majesty the Most Christian King, her Majesty the Empress-Queen of Hungary and Bohemia, and her Majesty the Empress of all the Russias, being equally animated with a desire of contributing to the re-establishment of public tranquillity, on a just and solid footing, do declare in return,

That his Majesty the Catholick King having been pleased to offer his mediation with respect to the war, which has subsisted some years between France and England; and this war having no object in common with that which has likewise for some years been carried on by the two Empresses with their Allies, against the King of Prussia;

His Most Christian Majesty is ready to enter into a treaty of peace with England, so far as it regards himself, through the good offices of his Catholick Majesty, whose mediation he accepts with pleasure.

With respect to the war which directly concerns his Prussian Majesty, their Majesties the Most Christian King, the Empress-Queen of Hungary and Bohemia, and the Empress of all the Russias, are disposed to co-operate to-

wards the appointment of the proposed Congress; but, as by virtue of their treaties, they cannot enter into any engagements relative to peace, but in conjunction with their Allies, it will be necessary, in order that they may explain themselves precisely on this subject, that their Britannick and Prussian Majesties would first be pleased to send their invitation to the Congress, to all the powers who are directly at war with the King of Prussia, particularly his Majesty of Sweden, as well as his Polish Majesty, Elector of Saxony, who ought to be expressly invited to the future Congress.

In this counter declaration, France expressly separated her particular war with England, whether in Africa, Asia, America, or in Westphalia, from the war which was carried on in Saxony and Silesia. The King of Spain had then offered his good offices to bring about a reconciliation between France and England. The separation of the two wars, and the tender which his Catholick Majesty made of his good offices, induced the King to hope that the separate peace of France might be successfully negociated at the Court of London. In consequence of this expectation, he ordered the Count D'Affry, his Majesty's Ambassador at the Hague, to enter into a conference with General Yorke, the Envoy Extraordinary from the King of Great Britain. Those two Ministers had several conferences, which evidently proved that the Court of London was extremely averse to an accommodation, and that the declaration which she caused to be transmitted by Prince Lewis of Brunswick (to put the most favourable construction on it) was no more than an external act of complaisance for her allies, and that she absolutely never intended it should take effect.

His Majesty was not discouraged by the inflexibility he still experienced on the part of his enemies, from endeavouring to bring about a just accommodation. His Majesty, in 1761, thought proper to declare his sentiments, and pacific inclinations to his allies. He found them inclined to concur in any measures which might facilitate and accelerate the re-establishment of publick peace, and in consequence of these salutary dispositions, all the confederate

federate powers agreed to transmit the following declaration to London :

The Declaration of his Most Christian Majesty,

THE pacific dispositions which the Kings of England and Prussia expressed the last year, and which are conformable to the sentiments of all the belligerent powers, having met with some difficulties which have proved obstacles to their success, the Courts of France, Vienna, Petersburg, Stockholm and Warsaw, have unanimously agreed to invite those of London and Berlin, to the renewal of a negotiation so expedient for the welfare of mankind, and which ought to interest all the powers at war in the cause of humanity.

With this view, and in order to proceed towards the re-establishment of peace, they propose the meeting of a Congress, at which they think it will be convenient to admit, with the Plenipotentiaries of the principal belligerent powers, no other than those of their allies. If the Kings of England and Prussia adopt this measure, his Most Christian Majesty, the Empress-Queen, the Empress of Russia, the King of Sweden, and the King of Poland Elector of Saxony, propose the town of Augsburg, as the place of Congress, which they only point out as a town within the reach of all the parties interested, which, by its situation seems to suit the convenience of all the States; and they will not oppose the choice of any other town in Germany, which their Britannick and Prussian Majesties may deem more convenient.

His most Christian Majesty, the Empress-Queen, the Empress of Russia, and the Kings of Sweden and Poland, declare farther, that they have made choice of Plenipotentiaries, to whom they will commit their interests at the Congress, in expectation that the King of England, the King of Prussia, and their allies, will speedily make choice of their respective Ministers, that the negotiation may not be retarded.

The sincerity of this declaration, which the Courts of France, Vienna, Petersburg, Stockholm, and Warsaw have out of regard to the general good, determined to make

make to the Courts of London and Berlin, gives them to hope, that their Britannick and Pruffian Majesties will signify, by a speedy answer, their sentiments on a subject, so essential to the peace and welfare of Europe.

By order, and in the name of his Most Christian Majesty, the Duke de Choiseul.

This declaration, which concerned all the Allies in general, was not sufficient to put a stop to the miseries of war, so speedily as France could have wished.

In fact, what delays and perplexing incidents were not to be expected from a Congress at which the interests of America were to be treated of at the same time with those of the two Empresses, Sweden, Saxony, and the King of Prussia!

To remove these obstacles, the King, with the consent of his allies, thought proper to press for a separation of the two wars, which had been agreed upon since the year 1759. In consequence of this intention, his Majesty caused a separate memorial to be addressed to the Court of London, which was accompanied by a letter from the Duke de Choiseul, his Minister and Secretary of State for foreign affairs, to Mr. Pitt, Minister and Secretary of State for his Britannick Majesty.

Letter from the Duke de Choiseul to Mr. Pitt.

S I R,

THE King, my Master, acting in conformity with the sentiments of his Allies, in order, if possible, to procure the re-establishment of a general peace, has authorised me to transmit to your Excellency the memorial hereto annexed, which solely concerns the interests of France and England, with respect to the particular war between the two Crowns. The King has reason to hope, that the sincere manner in which he proposes to treat with his Britannick Majesty, will banish all mistrust in the course of the negotiation, if it takes place, and will induce his Britannick Majesty to make the King acquainted with his real sentiments, whether with regard to the continuance of war, or with respect to the conclusion of

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peace,

peace, as well as in relation to the principles on which they ought to proceed, in order to procure this blessing to the two nations.

I will add, that I am likewise authorised to assure your Excellency, that in relation to the war in which the King of Prussia is concerned, the allies of the King my Master are determined to treat of their interests in the future Congress, with the same frankness and sincerity, of which I can give your Excellency assurance on the part of France; and that so as not to depart from what is due to their dignity, their situation, and to the demands of justice, they will bring with them to the negotiation all the acquiescence, which their humanity dictates for the general good of Europe.

The King my Master, and his allies, do not doubt but that they shall find the heart of his Britannick Majesty and his allies, impressed with the same sentiments. I esteem it a happiness that my office makes me the instrument of conveying such favourable sentiments, which give me an opportunity of assuring your Excellency, with what distinguished consideration I have the honour to be, &c,

Memorial of the Most Christian King.

THE most Christian King wishes, that the separate peace of France with England could be united with the general peace of Europe, which his Majesty most sincerely desires to establish; but as the nature of the objects, which have occasioned the war between France and England, is totally foreign from the disputes in Germany, his most Christian Majesty has thought it necessary to agree with his Britannick Majesty on the principal articles, which may form the basis of their separate negotiations, in order to accelerate, as much as possible, the general conclusion of the peace.

The best method to accomplish the end proposed, is to remove those intricacies which might prove obstacles to its success. In the business of peace, the disputes of nations concerning their reciprocal conquests, the different opinions with respect to the utility of particular conquests,

quests, and the compensations for restitutions, generally form matter of embarrassment at a negotiation of peace. As it is natural for each nation, with regard to these different points, to endeavour the acquisition of all possible advantages, interest and distrust occasion oppositions and produce delays. To obviate these inconveniences, and to testify the sincerity of his proceedings in the course of the negotiation of peace with England, the most Christian King proposes to agree with his Britannick Majesty, that, with respect to the particular war of France and England, the two Crowns shall remain in possession of what they have conquered from each other, and that the situation in which they shall stand on the first of September, in the year 1761, in the East Indies, on the first of July in the same year, in the West Indies and in Africa, and on the first of May following in Europe, shall be the position which shall serve as a basis to the treaty which may be negotiated between the two powers. Which shews that the Most Christian King, in order to set an example of humanity, and to contribute to the re-establishment of the general tranquillity, will make a sacrifice of those restitutions which he has a right to claim, at the same time that he will maintain those acquisitions which he has gained from England during the course of the war.

Nevertheless as his Britannick Majesty may think that the periods proposed of the first of September, July, and May, are either too near or too distant for the interests of the British Crown, or that his Britannick Majesty may judge it proper to make compensation for the whole, or for part of the reciprocal conquests of the two Crowns, the most Christian King will readily enter into negotiation with his Britannick Majesty in relation to these two objects, when he shall know his sentiments concerning them, the principal view of his Most Christian Majesty being to testify, not only to England, but to the whole world, his sincere disposition to remove all impediments which might defer the salutary object of peace.

The Most Christian King expects that the disposition of his Britannick Majesty will be correspondent, and that he will, with equal sincerity, answer all the articles contained

tained in this memorial, in which the two Powers are essentially interested.

These pieces were dated the 16th of March. England had then conquered from France Isle Royal or Cape Breton, all Canada, the Isles of Guadalope and Marigalante, and that of Goree in Africa, with Senegal; Europe at that time was ignorant of the precise situation of affairs between the two Crowns in Asia, and the expedition against Belleisle had not then taken place.

France, on the other hand, had conquered the Island of Minorca, had repaired some parts of the port of Dunkirk, and in Germany were in possession of Hanau, the Landgraviate of Hesse, and the town of Gottingen in the Electorate of Hanover. It is necessary to observe, that Cassel was besieged on the 26th of March, and that it was to be feared, that on the first of May the King's forces would no longer be in possession of Hesse, and of the town of Gottingen.

Weiel and Gueldres could not be comprised in the offer of *Uti possidetis* which France proposed, because those two towns, and the countries dependant on them, appertain to the Empress Queen: that the King has only the custody of them, and that justice is administered there in the name of her Imperial Majesty.

All Europe was astonished at the sacrifices which the King was disposed to make to England; His Majesty's Ministry were reproached on the part of those Courts who were most affectionate to France; and no one doubted but that England would prefer the quiet possession of her conquests, and the repose of her allies in Germany, to the continuation of the war. The memorial of France, by establishing a fixed basis for the negociation, proposed to make necessary compensations for the advantage of the two crowns, and opened a way for the evacuation of Germany on the part of the French troops, in compensation of the conquests of England in America.

The full extent of the proposition contained in the memorial of the 26th of March addressed to Mr. Pitt, was known in France; but the King, like a true father of his people, thought of nothing but their relief; and in consequence

sequence of this sentiment, determined to adhere to the offers which seemed to him the most sure and ready expedients for inspiring his enemies with that spirit of reconciliation, which directed all his Majesty's wishes and measures.

Mr. Pitt answered the Duke of Choiseul's Letter, and at the same time sent him a memorial, in answer to that of France of the 26th of March.

Mr. Pitt's Letter to the Duke de Choiseul.

S I R,

London, 8th April, 1761.

THE King, my Master, has authorised me to transmit to your Excellency, with all the dispatch which was found possible, the memorial hereto annexed, in answer to that of the 26th of the last month, made by the order and in the name of his Most Christian Majesty, solely concerning the interests of England and France, relative to the particular war between the two Crowns, which was accompanied by a letter from your Excellency of the same date, transmitted to me by M. the Prince Galitzin.

His Majesty has published his real sentiments, with regard to the salutary business of peace, with the sincerity which his Most Christian Majesty desires, and of which he himself set the example; the King my Master, on his part, desires nothing more than, by the sincerity of his conduct, to remove all distrust in the course of the negotiation.

I will likewise acquaint your Excellency, that the King learnt with great satisfaction, that your Excellency was authorised to give assurance that, in relation to the war which concerns the King of Prussia, the allies of his most Christian Majesty are determined to treat with the same openness and sincerity as the Court of France, and that they will bring with them, to the negotiation at the future Congress, all the acquiescence which their unanimity dictates for the general good of Europe.

I must add, that, with regard to the war which concerns the King of Prussia, as well as with respect to the other allies of the King my Master, his Majesty, always
constant

constant in fulfilling the engagements of his crown with the most scrupulous exactness, can never fail to support their respective interests, whether in the course of the negotiation (which may God prosper) or in the continuance of the war (if contrary to all expectation this misfortune should be unavoidable) with the cordiality and efficacy of a sincere and faithful ally.

As to what remains, it is superfluous to mention to what degree his Majesty wishes for this speedy establishment of the general peace in Germany, after the distinguished proof his Majesty has given, in so readily consenting to the proposition of so distant a place as the town of Augsbourg for the meeting of the Congress.

Such are the sincere and upright intentions of the King my Master for the re-establishment of the publick tranquillity. I think myself happy in having the charge of conveying such sentiments, and of having an opportunity of assuring your Excellency of the distinguished regard with which I have the honour to be, &c.

Signed W. P I T T.

The Memorial of his Britannick Majesty, of the 8th of April, 1761.

HIS Britannick Majesty, equally desirous with the Most Christian King, that the separate Peace of England and France could be united with the general peace, for which the King of Great Britain is so sincerely interested, that, in regard to this point, he even means that the contests which might arise between the two Crowns concerning their particular differences, should not occasion the least delay to the speedy conclusion of so salutary a work as the general peace of Germany; and his Britannick Majesty is the more confirmed in this sentiment, dictated by humanity towards so many nations, that he feels in all its extent the proposition which the Most Christian King establishes as a fundamental principle; that the nature of the objects which have occasioned the war between England and France, is totally foreign from the disputes in Germany.

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In consequence of this incontestible principle, the King of Great Britain entirely adopts the sentiment of his Most Christian Majesty, that it is necessary to agree between the two Crowns on some principal articles, which may form the basis of their particular negotiations, in order the more to accelerate the conclusion of a general peace.

The King of Great Britain equally agrees in general to the proposition which the Most Christian King has made with an openness, in which his Britannick Majesty will concur throughout the course of the negotiation; that is to say, that, in relation to the particular war between England and France, 1. The two Crowns shall remain in possession of what they have conquered, one from the other. 2. That the situation in which they shall stand at certain periods, shall be the position to serve as a basis for the Treaty which may be negociated between the two Powers.

With regard to the first branch of the aforesaid proposition, his Britannick Majesty takes pleasure in doing justice to the magnanimity of his Most Christian Majesty, who, from motives of humanity, determines to sacrifice to the love of peace, the restitution which he thinks he has a right to claim, maintaining at the same time what he has conquered from England during the course of the war.

With respect to the second head of the aforesaid proposition, concerning the reciprocal Conquests made by the two Crowns one upon another; that is to say, That the situation in which they shall stand at the respective periods assigned for the different quarters of the globe, shall serve as a basis for the said Treaty, the King of Great Britain again acknowledges with satisfaction the candour which is manifested on the part of his Most Christian Majesty in this article, by obviating, as he has done, the extreme difficulties, and by anticipating the indispensable objections, which could not but arise on such a subject; it being in fact self-evident, that expeditions at sea requiring preparations of long standing, and depending on navigations which are uncertain, as well as on the concurrence of seasons, in places which are often too distant for orders relative to their execution, to be adapted to the common vicissitudes

vicissitudes of negotiations, which for the most part are subject to disappointments and delays, and are always fluctuating and precarious : from whence it necessarily results, that the nature of such operations is by no means susceptible, without prejudice to the party who employs them, of any other epochs, than those which have reference to the day of signing the treaty of peace.

Nevertheless, as this consideration, as well as that which respects the compensations (if such shall be found proper to be made between the two Crowns) on account of their reciprocal conquests, comprehend the most interesting and capital articles of the Treaty; and as it is upon these two decisive objects that the Most Christian King voluntarily offers to enter into a negotiation; the King of Great Britain, desiring to concur effectually with the favourable dispositions of the Most Christian King, in order to remove all impediments which might defer the salutary object of peace, his Britannick Majesty declares that he is ready on his part to enter upon the proposed negotiation with speed and sincerity. And more authentically to demonstrate to what extent the sincerity of his conduct proceeds, his Britannick Majesty declares farther, that he should be glad to see some person at London sufficiently authorised, by a power from the Most Christian King, to enter upon this subject with the British Ministers, in regard to the several articles contained in the Letter of the D. de Choiseul of the 26th of March 1761, to the Secretary of State of his Britannick Majesty, which points are so essentially interesting to the two Powers.

By the order, and in the name of the King of Great Britain my Master.

Signed W. P I T T,

The letter of the English Minister shews, in appearance, an equal zeal with that of France, for the re-establishment of the Union between the two Crowns : it contains, moreover, a declaration in favour of the King of Prussia, which seems foreign to the purpose, and appears the more affected, as the King never testified the least desire to separate the alliance which united England to his Prussian Majesty.

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The British Memorial, annexed to the letter of the English Minister, accepts the *Statu Quo*, but says nothing with regard to the epochs. In fact, it is concluding nothing with regard to that interesting and necessary object attached to the proposition of *Uti possidetis*, to say that the peace shall be the epoch to fix the possessions of the two powers.

In the conclusion, England proposed the sending of a French Minister to London. This proposition gave a favourable omen of the dispositions of the British Court towards peace. The King ordered the D. de Choiseul to return an answer to Mr. Pitt, and to accompany it with a Memorial which, at the same time that it clearly expressed his Majesty's real sentiments, contained an acceptance of the proposal for sending a Minister to London, which required the reciprocity of dispatching an English Minister to France.

Letter from the D. de Choiseul to Mr. Pitt.

S I R, Versailles, 19th April, 1761.
I Made the King my Master acquainted with the letter which your Excellency did me the honour to write to me on the 8th instant, as well as with the Memorial thereto annexed.

His Majesty has remarked with real pleasure, the conformity of his Britannick Majesty's sentiments with his own, in regard to the sincere and open conduct which it becomes two such great powers to observe in the negotiation of a Peace.

The King has not delayed, Sir, the nomination of an Ambassador to represent him at the Congress at Augsburg. His Majesty has made choice of the Count de Choiseul, at present his Ambassador at Vienna, and he will repair to the town appointed, at the beginning of July, in the expectation which we entertain here, that his Britannick Majesty will send his Ambassador thither at the same time.

The King has commanded me, Sir, to observe on this occasion to your Excellency, in answer to the declaration contained in your letter, that his Majesty, as constant as
 any

any other power, in fulfilling the engagements he has made with the Allies with the most scrupulous punctuality, will continue, with that fidelity which is consistent with the integrity and dignity of his character, to make his cause common with theirs, whether in the negociation for the peace of Germany, or in the continuance of the war, if, to the misfortune of mankind, the favourable dispositions in which the belligerent powers are at present should not be attended with the success which is so earnestly desired.

I ought not, on this occasion, to omit informing your Excellency with what concern the King would see himself obliged to continue such a destructive war, after having entertained a confidence that all the parties were interested in putting a stop to the calamities it occasions.

As to what relates to the war in particular between France and England, I have annexed to this letter a memorial in reply to that of your Excellency. We cannot be too zealous in explaining the upright intentions of our masters, in order to remove, at the beginning of this interesting negociation, those misunderstandings, which often augment, instead of lessening the delay.

You are a Minister, Sir, too enlightened, not to approve of this principle. I have the honour to be, with most distinguished regard, &c.

Signed Le Duc de CHOISEUL.

The Memorial of his Most Christian Majesty of the 19th April, 1761.

THE Most Christian King perceives with satisfaction, that his Britannick Majesty agrees that the nature of the objects which have occasioned the war between France and England is totally foreign from the disputes which have given rise to the war in Germany; it is in consequence of this principle that his Most Christian Majesty offered the King of England to treat concerning the preliminaries relative to the particular interests of the two Crowns; but in making that proposition, the King of France did not understand, as the beginning of the memorial of London of the 8th of April seems to intimate, that

that the peace of Germany could take place, without the differences between France and England being adjusted. His Most Christian Majesty has sufficient confidence in his Allies to be certain that they will neither conclude a peace nor a treaty, without his consent. He did not understand therefore, that the peace of Germany could be concluded distinctly from that of France and England, and he only proposed to the King of England to separate the discussion of the two wars, in order to bring about a general peace for all parties.

His Most Christian Majesty renews the proposition which he caused to be made in the first memorial, that the two powers should remain in *Statu Quo* with regard to their possessions and conquests, according to the periods stated in the said memorial, but his Majesty observes, that the basis of the proposition is necessarily connected with the epochas proposed; for it is easy to conceive that such events may happen on either side, as may absolutely prevent an acquiescence to the *Usi passivæ*, if the epochas are distant; and his Most Christian Majesty has the more reason to recal the whole proposition, if the King of England does not acquiesce to the epochas annexed to it, since no one can doubt but that those periods were proposed at a time when they were not advantageous to France.

It is certain that the reciprocal conquests cannot be ascertained but on the day of signing the peace; but it is no less certain, that it is impossible to fix the basis of a negotiation for peace otherwise than according to the situation in which the belligerent parties stood at such or such a period of the war. This is the light in which the King of France understood the proposition which he made to the King of England; and it is upon this principle, if his Britannick Majesty adopts it, that his Most Christian Majesty will send a Minister to London with credentials, and charged with full power sufficient to treat with the Ministers of the King of Great Britain, either with respect to the ground of the dispute, or in regard to the compensations proper to be made to the two Crowns, as well as concerning the interests of their colonies and their commerces. The disposition of his Most Christian Majesty,

Majesty, to put an end to the miseries of war, which divides the two nations under their government, is equal to that of his Britannick Majesty; but as the zeal on both sides should be alike, at the same time that the Most Christian King shall send M. Buffy to London, he hopes that the King of Great Britain will send an English Minister to France, to treat concerning the same objects with his Ministry. His Most Christian Majesty expects the answer of his Britannick Majesty on the contents of this memorial, in order to expedite and receive the reciprocal and necessary passports.

By the order and in the name of the King my master,
Signed Duc de CHOISEUL.

Mr. Pitt's answer contained a new memorial on the part of England, in which their arguments with respect to the epochs were far from being just: for, although France proposed, by the memorial of the 26th of March, to negociate with respect to the epochs, it was not the less certain, that the proposition of *Uti possidetis* was connected with those epochs, whether the Courts agreed that they should be distant or near. In fact, if it should happen that they could not agree in that particular, it was evident that the proposition of *Uti possidetis* dropped with the negociation.

Mr. Pitt's letter to the Duke de Choiseul.

Monfieur, Whitehall, 28th April, 1761.

I Have laid before the King my master the letter which your Excellency did me the honour to write to me the 19th of this month, as also the memorial which was annexed to it.

His Majesty sincerely wishes to maintain an entire conformity of sentiments with his Most Christian Majesty, in relation to the uniform and direct method which it is proper to pursue in a negociation equally delicate and important.

The King understands, Sir, with pleasure, that his Most Christian Majesty has made choice of the Count de Choiseul to represent him at the Congress at Augsburg, and

and that that Ambassador will repair to the destined town at the beginning of July ; and the King has charged me to inform your Excellency that he has nominated the Earl of Egremont, Lord Viscount Stormont, and Sir Joseph York, to represent him at the said Congress, and that his Ambassadors will likewise repair to Augsburg at the beginning of July.

It becomes me, on this subject, to acquaint your Excellency, that the regret of the King my master would not be less than that of the Most Christian King to see the war continued in Germany, which is destructive to so many nations.

I annex to this letter a memorial, in answer to that of your Excellency of the 19th instant, in relation to the war in particular between Great Britain and France. It is true, Sir, the principle of removing misunderstandings in business upon all occasions, cannot be too highly approved ; therefore, it cannot escape the observation of your Excellency, that at the beginning of an accommodation, unexpected alterations naturally have the effect of involving the overtures in obscurity and uncertainty, rather than so introducing that perspicuity and confidence so indispensable in a negociation between two such great powers. As the natural remedy against inconveniencies of this nature seems to be the presence of reciprocal Ministers, who, treating by word of mouth, may give an explanation immediately on starting of a doubt, your Excellency will see by the memorial hereto annexed, the disposition of his Majesty in this respect.

I have the honour to be, with the most distinguished regard, &c.

Signed

W. PITT,

The Memorial of his Britannick Majesty of the 28th of April, 1761.

THE King of Great Britain, always influenced by the same desire of putting an end to the miseries of the war which is unhappily kindled between Great Britain and France, has, with pleasure, concurred in every measure which tends to remove the obstacles which impede

so salutary a work. It is with this view that his Britannick Majesty will readily send Mr. Stanley to France, in the quality of his Minister, at the same time that the Most Christian King shall send Mr. Bussy to London.

As to what remains, his Majesty does not find by the memorial of the 26th of last month, made in the name of his Most Christian Majesty, that the ground of the proposition therein contained, concerning the reciprocal conquests, is necessarily connected with the periods proposed; quite on the contrary: it is expressly about those very periods that the Most Christian King offers to enter into a negociation. These are the express words: "Nevertheless, as his Majesty may think that the proposed periods of September, July, and May, may be either too near or too distant for the interests of the British Crown, or that his Britannick Majesty should think proper that compensation should be made for the whole or part of the reciprocal conquests of the two Crowns; upon these two points the Most Christian King will readily enter into a negociation with his Britannick Majesty when he shall be acquainted with his intentions."

It was, in consequence of an offer so clearly expressed, and not capable of misconstruction, that his Britannick Majesty resolved to declare, that he was ready, on his part, to enter, with speed and sincerity, upon the proposed negociation. The King of Great Britain, persevering in his intentions, renews his former declaration; and his Britannick Majesty, to leave no doubt with regard to his inclinations, has forwarded the passport hereto annexed, and will be glad to receive one immediately in return from the Court of France, that, by means of a treaty by word of mouth, as well with respect to the grounds of the dispute, as in relation to the epochs, as also in regard to the compensation which may be agreed on between the two Crowns, they may be better able on both sides to clear up doubts, and remove all ambiguities from the negociation, which, in order to be effectual, should be conducted on both sides with sincerity, precision, and expedition.

By the order, and in the name of the King my Master,

Signed

W. PITT.

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The passports for Mr. Buffy being arrived, the King ordered those necessary for Mr. Stanley to be expedited, and the dispatch of the respective Ministers for the important negotiation on foot, was settled by the letters hereto annexed.

Letter from the D. de Choiseul to Mr. Pitt.

S I R,

THE King my Master entirely adopts the principle advanced in the letter with which your Excellency honoured me on the 28th of last month, as likewise in the memorial thereto annexed, with respect to the necessity of dispatching respective Ministers, in order to elucidate a number of difficulties which it is impossible to obviate by letters and memorials. I should, nevertheless, have been proud of the honour of negotiating so important an affair personally with your Excellency. No one has a higher confidence than myself in the integrity and the uncommon talents which your Excellency possesses, and I do presume, that the intentions of the Kings our Masters being at once determined on peace, the sagacity of your Excellency, joined to my zeal for so precious a blessing, would have smoothed all difficulties; but as our employments necessarily keep us at a distance from a personal negotiation, M. de Buffy, who is used to transact business with me, will supply, near your Excellency, the desire I have of concurring in the salutary views of peace, which seem to animate all the belligerent powers. I entreat your Excellency to grant him your favour, and I am certain that he will use his utmost endeavours to deserve it.

Your Excellency will see by my private letter, to which his Majesty's passports for Mr. Stanley are annexed, some precautionary arrangements, which I propose to be settled in order to prevent the inconveniencies which might arise on the first dispatch of the respective Ministers.

I have the honour to be, &c.

Signed Le Duc de CHOISEUL.

Another Letter from the Duc de Choiseul to Mr. Pitt, of the 4th of May, 1761.

I HAVE received the passport of the King of Great Britain, which your Excellency did me the honour to send for M. Buffy, in quality of Minister of the King my Master ; and I send you in return his Majesty's passport for Mr. Stanley, whom his Britannick Majesty has been pleased to appoint in order to come to this court in the same capacity. I think it my duty, on this occasion, Sir, to make some observations which seem to me necessary to warrant the execution of the commissions of those two Ministers.

1. The King thinks that his Britannick Majesty will judge it convenient that the two Ministers should be charged with full power from the respective courts, to use upon occasion.

2. That the two Ministers should each of them have letters of credence from the Kings their Masters, which they shall deliver to the Secretaries of State only ; that is to say, in France, to the Minister and Secretary of State for the department of Foreign affairs ; and in England, to the Minister and Secretary of State for the Southern department.

3. As his Majesty's intention is, that the English Minister shall enjoy the same privilege in France as if the two courts were in the midst of peace, as well with regard to the common intercourse of life, as in maintaining a correspondence with the court of England and the other courts of Europe, and lastly, for the dispatch of his couriers, and with respect to all the prerogatives and franchises in general incident to his character ; his Majesty relies, that M. Buffy will absolutely enjoy the same rights, prerogatives, franchises, and liberties, at London ; it being understood, nevertheless, that when one or the other are about to dispatch their couriers to their own or any other court, they shall be obliged to require a passport from the Secretary of State in that department, which shall not be refused to them, any more than the necessary vessel

vessel to transport their couriers from France to England, and from England to France.

4. We desire to know when Mr. Stanley will be ready to leave London in order to repair to Calais, in order to direct M. Buffy's journey, so that he may repair to Calais at the same time to be transported to England in the same vessel which brings Mr. Stanley over, if that is agreeable to the court of Great Britain: if not, the King will keep a vessel in the port of Calais, which shall transport M. Buffy to England; in which case it will be proper to know what kind of vessel his Britannick Majesty will chuse to bring Mr. Stanley to Calais.

I believe your Excellency will find these observations proper, and that you will send me your answer as soon as possible.

Mr. Pitt's Answer to the Duke de Choiseul, of the 11th of May, 1761.

S I R,

THE King my Master has learnt, with real satisfaction, by the letter which your Excellency did me the honour to write of the 4th of this month, that the sentiments of the Most Christian King are conformable to those of his Majesty with respect to the mutual dispatch of the Ministers from the two courts.

I hope your Excellency will be persuaded, that I have a lively sense of the value of those obliging sentiments with which you have been pleased to honour me, and that, conscious as I am of your superior qualities, which have engaged the approbation of every court, I perceive in its full extent how flattering a circumstance it would have been for me to have had the honour of treating personally with your Excellency upon so interesting an object, and to have shared with you, in point of zeal for the prosperous conduct of the peace, the satisfaction of co-operating more immediately to give the people assurance of the effects of the salutary dispositions of the Kings our Masters. I shall, nevertheless, take real pleasure, upon all occasions, to pay the respect due to Mr. Buffy's character, as well as to his merit; and I can assure you, Sir, that the happiness which that Minister has had of being used to transact business with your Excellency, is an additional

tional circumstance which cannot but interest me extremely in his behalf.

I am persuaded, that Mr. Stanley, who is descended from an illustrious family, and who entertains noble sentiments, will use all his endeavours to merit the honour of your Excellency's esteem, and he wishes to be recommended to your favour.

You will see, Sir, by my private letter, the reflections which have occurred in relation to the precautionary arrangements which your Excellency proposed to settle, and I hope that no farther impediments will remain on this subject.

I have the honour to be, &c.

Signed

W. PITT.

Another Letter from Mr. Pitt to the Duke de Choiseul, of the 11th of May, 1761.

S I R,

I HAVE received the three passports which your Excellency has done me the honour to transmit for Mr. Stanley, in quality of Minister from the King my Master, and I, in return, transmit to you a second, which his Majesty has granted for the vessel which the Most Christian King shall think proper to order for transporting M. Buffy into England; and I annex the order to the officers of the customs, for the free importation of the effects and baggage of the said Minister.

As to what relates, Sir, to the observations which you thought yourself obliged to make to warrant the execution of the commission of those two Ministers, it is with great satisfaction I assure your Excellency, that the King, in conformity with the sentiments of his Most Christian Majesty, is of opinion,

1. That the two Ministers should be charged with ample power from the Kings their Masters, to make use of as occasion shall offer.

2. That the two Ministers ought, each of them, to have letters of credence from their Majesties, which they shall not need to deliver but to the Secretaries of
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the respective States, in the manner specified by your Excellency.

3. It is the intention of his Majesty, that M. Buffy should absolutely enjoy in England the same rights, prerogatives, franchises, and liberties, as if the two courts were in the midst of peace, and which Mr. Stanley, in pursuance of the intention of his Most Christian Majesty, is to enjoy in France; and that as to the dispatch of couriers, as well as every thing else which concerns the two Ministers, the tenor of the third article of observations relative to this head, shall be observed in every respect.

As to what remains concerning the time of the departure of the said Ministers, as also concerning the manner of their crossing the sea, the King is of opinion, that, in order to obviate all difficulties, Mr. Stanley and Mr. Buffy may respectively repair to Dover and Calais, to cross the sea each of them in a vessel appertaining to their own nation, which the Kings their Masters shall keep ready for that purpose in the two ports aforesaid. It is in confidence of this disposition that I am obliged to acquaint your Excellency, that the King will dispatch Mr. Stanley from London so that he may reach Dover on the 23d of this month, unless we learn that the time so near at hand should be inconvenient to the court of France; and the King my Master relies with full confidence in M. Buffy's repairing to Calais on the aforesaid day, that the two Ministers may cross the sea without delay, as far as the circumstances of wind and navigation will permit them. I will add to your Excellency, that Mr. Stanley will make use of a packet-boat from Dover, and that M. Buffy may cross from Calais to England in whatever vessel his Most Christian Majesty shall judge convenient.

I flatter myself that your Excellency will find that these arrangements will equally facilitate the method of the two Ministers repairing to their reciprocal destinations without inconvenience.

I have the honour to be, &c.

Signed

W. PITT.

The courts in alliance with France, without opposing this negociation with the court of London, expressed

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great uneasiness at the reciprocal dispatch of the two Ministers; they were encouraged, however, by the promise which the King made to them, of communicating, with the utmost confidence a detail of the several objects which should be treated of, either at London or Versailles. In the declaration made to them on the part of the King, they at once admired his Majesty's steadiness to his engagements, and that generosity with which he determined to sacrifice his personal interests, in order to come to a speedy and firm reconciliation with England.

M. Buffy set out for London: his instructions were extremely simple: the basis of them regarded the proposition *Uti Possidetis*, and he was enjoined,

1. To demand of the British Minister, whether the King of England accepted of the periods annexed to the proposition of *Statu Quo*, and if his Britannick Majesty did not accept of them, what new periods he proposed to France?

2. To declare to the court of London, That the war, which the King waged against England, was entirely distinct from that of the Empress-Queen against the King of Prussia, and that, consequently, except as to Wesel and Gueldres, which appertained to her Imperial Majesty, the King was at liberty to cause his forces to evacuate Gottingen, Hesse, and the county of Hanau, but that his Majesty made this evacuation to depend on two conditions: first, That the court of England should give proper security that the army commanded by Prince Ferdinand should be disbanded and not serve against the King's allies. Secondly, That his Britannick Majesty would agree on some restitution which should be judged reasonable on the part of England, as a compensation for the French troops evacuating Gottingen, the Landgraviate of Hesse, and the county of Hanau.

Mr. Stanley arrived at Marli at the same time that M. Buffy arrived at London. The English Minister, at the very first conference, declared in the name of his court, that the King his master would support his allies with *efficacy and good faith*, [These were the terms he made use of.] The King's Minister, who conferred with Mr. Stanley, answered him by a declaration equally precise with

with respect to his Majesty's intention to fulfil his engagements with regard to the allies of France: but as the peace between the Empress-Queen and the King of Prussia was to be negotiated at the congress at Augsbourg, which was fixed for the pacification of Germany, the D. de Choiseul observed that the differences between her Imperial Majesty and the King of Prussia were by no means the subject on which the French and English Ministers were reciprocally dispatched.

The subsequent conferences passed in discussing the periods fixed in the memorial of the 26th of March; but the English Minister, both at London and Paris, eluded giving any positive answer on that subject.

It is necessary to observe, that the British court had resolved on the enterprize against Belleisle, since the memorial of the month of March. The expectation of success from that expedition, no doubt, retarded on their part, a categorical answer in relation to the epochs.

Mr. Pitt, being pressed on that subject by M. Buffy, had shewn himself averse from declaring any thing decisive; on which his Majesty wrote to his Minister at London to elucidate and fix precisely the basis of the negotiation relative to the *Uti possidetis* and the epochs, and by that means to accelerate the negotiation of peace. The island of Belleisle was taken: Mr. Pitt then gave M. Buffy the memorial here annexed.

The Memorial of the British Minister, of the 17th of June, 1761.

MR. Stanley having represented by his letter of the 8th of June, that the D. de Choiseul, in the course of their conferences, had agreed, "That the epochs must still remain a matter of negotiation, but that his Excellency nevertheless was of opinion, that in the present state of that affair, according to the natural and usual course of things, his Most Christian Majesty having already named the 1st of September, July and May, his Britannick Majesty should proceed, either by accepting of those days, or by naming others more agreeable to his intentions, which were probably regulated by preparations and designs, of which

which the court of France was ignorant; that this method appeared to him more likely to expedite the business than the making of reiterated propositions on their part, which could only be grounded on mere conjecture." It is upon this footing that, in order to make a return to the above invitation on the part of France, as well as in consequence of his Majesty's having accepted the proposition of the said court of the 26th of March last, his Majesty offers to agree with the Most Christian King, that the first day of July, September, and November following, shall respectively be the different periods or epochs, to fix the *Uti Possidetis* which France has proposed to make the basis of the treaty which may be negotiated between the two powers. All other conquests made beyond those periods shall be mutually restored. But as his Majesty is of opinion, that epochs which have no reference to the actual signature of something obligatory between the two crowns must necessarily be only a vain illusion, void of use or reality; or that it might even happen, that in the end they may prove the source of intricate disputes and dangerous and captious altercations; and the King having no other view but to concur with the upright intentions of his Most Christian Majesty in accelerating and confirming the blessing of peace to both nations, his Majesty only offers to agree to the aforesaid epoch, on the two following conditions:

1. That every thing which shall be happily adjusted between the two crowns, in relation to their particular war, shall be made obligatory, final, and conclusive, independent of the fate of the negotiation at Augsburg, which is to compose and terminate the disputes of Germany, and to re-establish a general peace.

2. That the said definitive treaty of peace between Great Britain and France shall be concluded, signed, and ratified, or preliminary articles to that end, between this and the first of August next.

The restitution of the prizes taken at sea shall be regulated according to the respective terms which are usual for different parts of the globe; which terms are to be computed from the day of the signature of the said definitive

nitive treaty, or of preliminary articles of peace; in case a ratification ensues.

The King, desiring farther to facilitate the salutary work of peace, as far as reason and justice will permit, declares, moreover, that with regard to Belleisle, his Majesty will agree, in the said future treaty, to enter into compensation for that important conquest.

With regard to farther compensations for any part of the other conquests made by the crown of Great Britain, his Majesty reserves himself, till he shall learn what are the Most Christian King's desires in that respect, which when he shall know, his Majesty will open himself with perfect sincerity and good faith.

We see by this memorial, the epochs which England required to determine the *Uti possidetis*, were farther distant by two months than those offered by France; and it was evident, that as the enterprize against Belleisle had determined England to defer her answer with regard to the epochs, so the success of that expedition had made them resolve to fix the term of July for Europe, specified in the English memorial, instead of May, which was proposed by the French memorial.

England made the epochs she assigned depend on two conditions. The first of those conditions departed both from the letter and the spirit of the memorial of the 26th of March: for although France had proposed to treat of a peace separately with England; nevertheless, his Majesty's intention was not regulated by this principle of the negociation, that peace could be concluded with England, without providing for the peace of Germany. In fact, the memorial of the 26th of March, from which the court of England drew such advantageous arguments, opened with this expression, "The most Christian King is desirous that the particular peace of France with England should be united with the general peace of Europe."

The second condition, with respect to discussing and settling the articles, so that they might be signed and ratified by the first of August, was very difficult to be fulfilled in regard to a war, which extended over the four quarters

quarters of the globe, this condition proposed by England not being known to France till the end of June.

France returned no specific answer to the memorial of the court of London; but verbally acquiesced, as far as possible, to the second condition: and with regard to the first, the King required the consent of the court of Vienna to conclude a separate peace with England. This consent was necessary, since, from the beginning, as is before mentioned, it was agreed between his Majesty and his allies, that they should not treat of peace separately; but that all the belligerent parties should come to a conclusion together.

Though the Empress-Queen was perfectly sensible of the prejudice which the alliance might sustain by a negotiation in Germany, at a time that France was at peace with England: yet her Imperial Majesty, to oblige the King, agreed, on this occasion, to sacrifice her own interest to the desire which his Majesty expressed for the establishment of peace. This princess consented to the separate accommodation of France with England, upon this express and equitable condition, that nothing should be therein stipulated, which might be contrary to the interest of the House of Austria.

The conclusion of the British memorial contained a proposition for France to make some overtures with regard to the compensations. The King availed himself of this intimation, and ordered a memorial to be prepared, including specific propositions, which put the negotiation in a proper train, and fixed its basis on express and determinate points.

France was perfectly sensible how disadvantageous it was to her to make her enemies acquainted with the favourable conditions which it was agreed to allow them, in order to succeed in the re-establishment of peace: she was conscious, that it was just and reasonable for France, who made the first proposition of *Uti possidetis*, to wait till England explained herself concerning the compensations: but she flattered herself that England was sincerely desirous of re-establishing the union between the two crowns; and the advantages which would redound to England from the offers of France, were so visible and extensive, that

that there was no suspicion that the court of London would increase the difficulties of a negotiation which France was zealous to determine without delay, and to the satisfaction of the two powers.

Before a memorial of propositions was sent in form to the court of London, his Majesty's Minister, entrusted to confer with Mr. Stanley, gave him previous assurances of the sacrifices which his Majesty had resolved to make. He authorized him to write word, that France would guaranty the possession of Canada to England, provided that England would restore to the King the island of Cape Breton, and confirm the right of the French to fish and dry their fish in the gulph of St. Lawrence, upon the coast, and in the island of Newfoundland. As the island of Cape Breton, if fortified, might afford England matter of jealousy, the French Minister told Mr. Stanley, that the King engaged to destroy all the fortifications which might remain in that island, and not to erect any new ones upon any pretence whatever. The port of Louisbourg being to be considered only as a shelter for the fishermen in the gulph of St. Lawrence, and on the coast of Newfoundland, France offered to restore the island of Minorca to England, provided they would give up the islands of Guadaloupe and Marigalante in return.

With regard to the East Indies, they proposed that the treaty of the Sieurs Godeheu and Saunders, made in the year 1755, should be confirmed. That treaty, although advantageous to the English company, was judged to be most effectual for maintaining peace between the two companies, and to recal them to views of commerce; much more analogous to their reciprocal interests than prospects of conquests, which had hitherto kept them at variance.

With respect to Africa, France required that England should restore either Senegal or Goree, and on those conditions the King declared that he would evacuate Gottingen, Hesse, and the county of Hanau, would withdraw his forces upon the Rhine and the Maine, and would leave no French troops in Germany, but in proportion to what troops of the enemy remained assembled in the British army in Westphalia.

Mr.

Mr. Stanley took notes of these overtures, which were made by the D. de Choiseul, who told him moreover, that the propositions made to the English Minister could only be considered as intimations of conditions which might possibly be agreed to, and as preliminary steps to the memorial which France determined to transmit to the court of London in form, if the points discussed in the conference of the Duke de Choiseul with Mr. Stanley should be thought proper to serve as a basis for the negotiation of peace.

The answer from England arrived the 30th of June. Mr. Stanley had a conference with the Duke de Choiseul respecting this answer; and in the course of that conference he started three difficulties on the part of his court. The first concerned Cape Breton. England absolutely refused to cede that island to France, even upon the condition that no military establishment whatever should be kept on foot there. Mr. Stanley intimated, that his court had no intention of restoring any island or port in the gulph of St. Lawrence, or within reach of that gulph. He added, that England would make no difficulty of allowing the liberty of fishing and drying the fish on the shores and coast of Newfoundland; but that this would be granted on condition that Dunkirk was demolished, as it was stipulated to have been by the treaty of Utrecht.

Till this moment no mention had been made of Dunkirk; either in what had passed by word of mouth, or in writing, with relation to the peace between the two crowns.

In fact, it was unjust to insist on this article, since the court of London, having had this principle established, in treating of peace, to adhere to the memorial of *Uti possidetis* of the 26th of March, they could not pretend that the present state of Dunkirk was comprized in the *Uti possidetis* of France.

The liberty of fishing, and the shelter without fortifications, was the compensation for the cession of all Canada, and of the guaranty which France offered to make to England of that considerable part of North America. The restitution of the island of Minorca was certainly equivalent to the cession of Guadaloupe and Marigalante; and

and the evacuation of Hesse and the other countries appertaining to the Elector of Hanover and to the Landgrave, was compensated by the restitution of Senegal and Goree, and Belleisle, which had been conquered since the memorial of the 26th March, and after the proposition of the epochs proposed in that memorial.

Besides, France had declared, at the time of taking Belleisle, that she did not understand that conquest was to have been an object of compensation, and that she thought the keeping of Belleisle would be more expensive than profitable to England.

Mr. Stanley, in opposing the cession of Isle Royal to France, absolutely refused the restitution of Senegal and Goree, pretending that Senegal could not be securely maintained without Goree; in the end, he insisted on the demolition of Dunkirk, as a condition absolutely necessary. The article relating to Germany was not negotiated on his part; and after several conferences it was agreed that France should prepare a memorial of specific propositions which should be sent to England. The memorial was drawn, and is here annexed.

The French Memorial, 15th July, 1761.

THE negotiations of peace entered upon between France and England, have proved that the Sovereigns sincerely wish to re-establish that union and amity, so agreeable to humanity, between the two Crowns; and the resolution in which the King concurs, in conjunction with his Britannick Majesty, to terminate by a precise and durable treaty, the differences which have occasioned the present war, has determined his Majesty, always maintaining the spirit and letter of the declaration of the 26th of March last, in relation to the means of procuring peace, to explain more precisely by this memorial the conditions which appeared to him most proper to accomplish the desirable end which influences him as well as the King of England.

But the King declares, at the same time that he entrusts this proposition with the King of Great Britain, that if it should not be accepted by his Britannick Majesty, or should

should not serve as a basis for the negotiation of the future peace, the Court of London shall in no circumstances take advantage of it, the said proposition made in confidence to the King of Great Britain having no other object than the accelerating of a negotiation in which the two Crowns are so much interested.

The *Uti possidetis* expressed in the declaration of the 26th March, is adopted on both sides; it would be difficult for either party to reject it; for though it was not expressed, it was properly according to what they possess only either lawfully or by conquest, that the parties can negotiate together concerning peace, and the compensations requisite for that purpose.

The periods of the *Statu Quo*, which form the second essential article in the declaration of the 26th March, and which have remained in negotiation between the two Courts, have not yet been settled. The Court of France has proposed the epochs of May, July, and September; that of England has proposed the epochs of July, September, and November. That question will be determined without farther negotiation if the scheme of the following treaty is adopted by the Court of London, for then all the epochs will be valid, as that of the peace will unite the sentiments and opinions of the two Kings.

It is the compensations, therefore, which will determine the epochs and the peace, and it is to settle them that his Majesty proposes the following articles to the King of Great Britain.

Article I. The King cedes and guaranties Canada to the King of England, such as it has been, and in right ought to be, possessed by France, without restriction, and without the liberty of returning upon any pretence whatever against this cession and guaranty, and without interrupting the Crown of England in the entire possession of Canada.

II. The King, in making over his full right of sovereignty over Canada to the King of England, annexes four conditions to the cession. First, that the free exercise of the Roman Catholick religion shall be maintained there, and that the King of England will give the most precise and effectual orders that his new Roman Catholick subjects may,

may, as heretofore, make publick profession of their religion, according to the rites of the Roman Church.

Secondly, that the French inhabitants or others, who have been subjects of the King in Canada, may retire into the French colonies with all possible freedom and security; that they may be allowed to sell their effects, and to transport their property as well as their persons, without being restrained in their emigration, on any pretence whatever (except for debt;) and the English government shall engage to procure them the means of transportation at as little expence as possible.

Thirdly, that the limits of Canada, with regard to Louisiana, shall be clearly and firmly established, as well as those of Louisiana and Virginia, in such manner, that after the execution of peace, there may be no more difficulties between the two nations, with respect to the construction of the limits with regard to Louisiana, whether with respect to Canada, or the other possessions of England.

N. B. M. Buffy has a memorial on the subject of the limits of Louisiana, which gives him power to come to a final treaty on that article with the Ministry of his Britannick Majesty.

Fourthly, that the liberty of fishing, and of drying their cod-fish on the banks of Newfoundland, may be confirmed to the French as heretofore: and as this confirmation would be illusory, if the French vessels had not a shelter in those parts appertaining to their nation, the King of Great Britain, in consideration of the guaranty of his new conquests, shall restore Isle Royal, or Cape Breton, to be enjoyed by France in entire sovereignty. It is agreed, to fix a value on this restitution, that France shall not, under any denomination whatever, erect any fortifications on the island, and shall confine herself to maintain civil establishments there, and the port for the convenience of the fishing vessels landing there.

III. France shall restore to England the island of Minorca, and Fort St. Philip, in the same condition it was in when it was conquered by the King's forces, together with the artillery belonging to England, which was in the fort at the time of taking the island.

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IV. In consideration of this restitution, England, in her turn, shall restore to France the islands of Guadaloupe and Marigalante; and those two islands shall be ceded in the same condition they were in at the time they were conquered by the arms of England.

V. The islands called neuter, are Dominica, Saint Vincent, Saint Lucia, and Tobago. The two first are occupied by the Carribbees, under the protection of France, according to the treaty of 1660; they shall remain in the condition they have been since that treaty.

The Crown of England has not yet shewn any title, which gives them a right over the two last; nevertheless, it shall be a matter of negotiation between the two crowns, either that the four islands shall remain absolutely neuter, or that the two possessed by the Carribbees alone shall be declared neuter; and that England shall enter into possession, as sovereign, over the island of Tobago, in the same manner as France over that of St. Lucia, saving, at all times, the right of a third person, with whom the two crowns will explain themselves, if such a right exists.

VI. It would be advantageous for the companies of the two nations in the East Indies to abstain for ever from all military views and conquests, to restrain themselves, and mutually to assist each other in the business of commerce, which more properly belongs to them. The precise situation in which the two nations stand, is not known in France: wherefore the King, in order to confine himself, in that respect, to the object most useful, both for the present and hereafter, to the two companies, proposes to the King of England the treaty concluded between the Sieurs Godeheu and Saunders, as a basis for the re-establishment of the peace of Asia.

VII. The colonies of South America, in possession of the French, necessarily require negroes to cultivate them; the French settlements of Senegal and Goree supplied the wants of the French colonies in this respect. England, in keeping those settlements, would prejudice France, without procuring any positive advantages for herself; and the union which the two Sovereigns so sincerely wish to establish between the two Crowns, leaves no room to suppose that the Court of London has any such intentions

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of mischief. Nevertheless, France, with a view to the blessings of peace, offers England the choice of the possessions of Senegal or Goree, meaning that one or the other possessions shall be restored and guaranteed to the King by his Britannick Majesty.

VIII. The island of Belleisle and the fortrefs conquered by the arms of England shall be restored to France, together with the artillery therein at the time of the conquest.

IX. In consideration of the 8th Article to be granted by England, the King will cause his forces in Germany to evacuate the Landgraviate of Hesse, the county of Hanau, as well as the town, which shall not be occupied by the troops of either power, leaving the navigation of the Maine free, and those parts of the Electorate of Hanover occupied by the French troops; and these evacuations shall be preceded by a suspension of arms between the two Crowns, which suspension of arms shall take place from the day of the ratification of the preliminaries, or the article of the definitive treaty, not only in Germany, but in all parts of the world where France and England are at war.

X. As the King is under an engagement with the Empress Queen, to stipulate nothing in his treaty of peace with England which may be disadvantageous to her Imperial Majesty, and as it was foreseen that, in case of a suspension between the French and British forces, the German troops in the pay of England might join those of the King of Prussia against the Austrian armies, the King, faithful to his engagements with his allies, and very far from intending to settle any thing to her prejudice, proposes to the King of England, that it may be agreed between them, that his Britannick Majesty will undertake that no part of the forces which compose Prince Ferdinand's army shall, under any pretence whatever, or under any denomination, join the army of his Prussian Majesty, or act offensively against the Empress Queen or her allies; and in like manner, no French forces, under any pretence, shall join the Imperial army, or serve against the allies of Great Britain. To ascertain these positions, it shall be farther concluded, that after these

evacuations, the army of the Upper Rhine, commanded by Marshal Broglio, shall retire towards the Maine, the Necker, and the Rhine, occupying Francfort; and that of the Lower Rhine commanded by Marshal Soubise, shall, on the other side, retire towards the Rhine, occupying Wesel and Guelders.

The countries belonging to the King of Prussia, on the Lower Rhine, have been conquered, and are actually governed in the name of the Empress Queen: the King would not undertake to evacuate them without the consent of her Imperial Majesty, and before the success of the negociations at the Congress at Augsburg, which is to restore peace between the Empress and the King of Prussia; but as it would be disadvantageous to the two Crowns to maintain a considerable body of national forces in Germany, which, in time of peace, would remain in absolute inactivity, and, by the conventions of the treaty, would become useless in every respect to the allies of France and England, the King undertakes, that, from the time that his Britannick Majesty recalls the English whom he has sent to his army in Germany, he will cause double the number of French forces in his Majesty's armies on the Upper and Lower Rhine to return to France, so that no French troops shall continue in those parts, but in proportion to those which the King of England shall keep in pay.

XI. If before the execution of the treaty, one of the two powers should make any conquests, in whatever part of the world it be, they shall be restored without hesitation, and without requiring any recompence.

XII. The captures made at sea by England before the declaration of the war, are objects of legal restitution, and which the King will willingly submit to the justice of the King of England and the English tribunals; in fact, subjects, who under the faith of treaties, the law of nations, and in time of peace, follow their trade and navigation, cannot with justice become sufferers by the misunderstandings subsisting in the cabinets of the two Courts, before they have any intimation of it. Declarations of war are established by the law of nations, for no other purpose but to make publick to the people the

contests between their Sovereigns, and to give them warning, that their persons and fortunes are in danger from an enemy. Unless such declaration is agreed upon, there can be no publick security; every individual would be in danger, or in fear, every moment that he stepped beyond the limits of his own country. If these principles are incontestible, nothing remains but to examine the date of the declaration of war, between the two crowns, and the date of the captures; all that has been taken prior to the declaration, cannot be adjudged lawful prize, without overthrowing the most salutary laws; it will be in vain to alledge that the French began hostilities, and that the captures were taken by way of reprisal. What connection can there be between supposed hostilities offered at Fort Duquesne, and the capture of trading vessels in the south part of America? These hostilities are the motives for the declaration of war; but the effects of that declaration cannot take place, till after the said declaration is made public; and it would be unjust to make individuals sustain a loss, who are totally ignorant of the facts and circumstances of a latent hostility in a corner of the world which has occasioned a general war between the two nations.

This argument is deemed unanswerable in France; and it is on this footing that the King challenges the right of nations, to the end that some expedient may be agreed upon in the future treaty as a recompence for the captures made upon his subjects previous to the declaration of war, without entering into any discussion about reprisals, which should be forgotten when the two Courts draw near to an agreement. France consults nothing but the interest of the individuals who have been sufferers, and does not pretend to include the King's ships taken before the declaration in the settlement of the captures, as the loss of the King's ships may be considered as a consequence of the motives of the war.

XIII. Though, during the course of the present war, the article of former treaties which guaranty the succession to the Throne of Great Britain, according to the present establishment, has not been infringed, nevertheless the

King is well disposed to comprife that guaranty in the future treaty, if the King of England defires it.

XIV. The prifoners made on each fide, as well by fea as land, fhall be fet at liberty, and fent home without ransom, immediately on the ratification of the peace.

His Britannick Majefty will readily perceive, that thefe articles are not drawn in the form of a treaty; they are only offered to him as articles explained in their full extent, which elucidate the fentiments of France, and put the two Crowns in a condition to treat upon certain and diftinct objects.

This memorial was fent to London on the 15th of July. The date is mentioned, becaufe the Britifh Ministry reproached the French Ministry with having delayed the difpatch of the memorial; and it is proper to obferve, that the laft answer from England did not reach France till the 1ft of July; that there was a neceffity of having feveral conferences with Mr. Stanley, to form the fcheme of a treaty, which comprehended the precise difcuffion of objects in every part of the world where the two Crowns are at war, and which was to produce the re-eftablifhment of peace, or the continuance of the war. The reproach of a delay of fifteen days, upon fo interefting a bufinefs, was certainly an inftance of injuftice.

However that point be fettled, it is fubmitted to the difcernment and juftice of all Europe to determine, whether the memorial of France of the 15th of July did not confirm the principles of reconciliation, which had hitherto appeared in every ftep taken by that Crown. The Court of France acted with fuch integrity, in the confidence fhe reposed in the pacific difpofition of England, that having facrificed confiderable interefts, fhe carried her forecast fo far, as to intimate to the Court of London her apprehenfions left the matters which remained to be difcuffed between Spain and England, and which were not yet adjusted, fhould in the end prove an obftacle to the duration and folidity of the peace which the King and his Britannick Majefty were defirous of re-eftablifhing between them.

In confequence of thefe apprehenfions, M. Buffy had orders to remind the Court of London, with refpect to
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the subject of the neutral Islands, specified in the 20th article of the memorial, that his Catholick Majesty made some claims upon those Islands, with which the Court of Madrid had recently made that of Versailles acquainted. The French Minister was charged at the same time to represent to Mr. Pitt, how dangerous it would be to determine the fate of those Islands, without paying regard to the claims of his Catholick Majesty. M. Buffy was ordered to add, that it was evident that the Court of Spain would agree to the settlement which should be made between France and England, in relation to the four Islands in question, provided that the three articles negotiated at London on the part of the Court of Madrid, were adjusted at the same time that the peace with France should be concluded there; and to testify a sincerity as laudable as it was perfect, M. Buffy was charged to annex to the memorial of propositions, the particular memorial which follows relative to Spain.

*The private Memorial of France, of 15th July, 1761,
relating to Spain.*

AS it is essential, and agreeable to the desire of France and England, that the projected treaty of peace should serve as a basis for a solid reconciliation between the two Crowns, which may not be liable to be interrupted by the interests of a third power, and the engagements which either one or the other may have entered into previous to their reconciliation, he proposes that the King of Spain shall be invited to guaranty the future treaty of peace between his Majesty and the King of Great Britain. This guaranty will obviate all present and future inconveniences with regard to the solidity of the peace.

The King will not disguise from his Majesty, that the differences of Spain with England fill him with apprehensions, and give him room to fear, that, if they are not adjusted, they will occasion a fresh war in Europe and America. The King of Spain has communicated to his Majesty the three articles which remain to be discussed between his Crown and the Crown of Britain: which are,

1. The restitution of some captures which have been made during the present war upon the Spanish Flag.
2. The privilege for the Spanish nation to fish upon the Banks of Newfoundland.
3. The demolition of the English settlements made upon the Spanish territories in the Bay of Honduras.

These three articles may be easily adjusted agreeable to the equity of the two nations; and the King earnestly wishes, that some accommodations may be thought on, to the satisfaction of the Spanish and English nations, with regard to these articles; but he cannot disguise from England the danger he apprehends, and of which he must necessarily partake, if these objects, which seem nearly to concern his Catholick Majesty, should be the occasion of a war. His Majesty, therefore, deems it a principal point of consideration in concluding a firm and advantageous peace, that, at the same time that that desirable point shall be concluded between France and England, his Britannick Majesty should terminate his differences with Spain, and agree to invite his Catholick Majesty to guaranty the treaty which is to reconcile (pray Heaven for ever) his Majesty and the King of England.

As to what remains, his Majesty does not intimate his apprehension in this respect to the Court of London but with the most sincere and upright intentions to obviate every impediment which may arise hereafter to disturb the union of the French and English nations; and he desires his Britannick Majesty, whom he supposes influenced by the same good wishes, freely to communicate his sentiments on so essential an object.

The precaution of France to ensure the solidity of the peace, comprised every object which could conduce to that end. The succours which his Majesty and the King of England afforded their allies in Germany, left a source of war still subsisting, and an expence detrimental to both nations. The King judged, that the most natural means to put an end to the disputes which the succours to be afforded their respective allies might produce, would be to come to an agreement between France and England, that France, on her part, should not yield any kind of succour

succour to the Empress-Queen, and in like manner, that England should be bound not to furnish any assistance to the King of Prussia. It would have been a violation of good faith to have stipulated this withdrawing of all succour, without the consent of the allies. The King required the consent of the Empress-Queen, and obtained it early enough for M. Buffy to transmit the following note to the British Minister relative to that object, at the same time that he gave him the memorial of the French propositions, and that which related to Spain.

M. Buffy's Note to Mr. Pitt.

SINCE the memorial of the proposition from France was formed, and at the instant that the courier was ready to set out for London, the King received the consent of the Empress-Queen to a separate peace with England, but upon two conditions :

1. To keep possession of the countries belonging to the King of Prussia.
2. That it shall be stipulated, that the King of Great Britain, neither in his capacity of King nor Elector, shall afford any succour, either in troops or of any kind whatever, to the King of Prussia; and that his Britannick Majesty will undertake that the Hanoverian, Hessian, Brunswickian, and the other Auxiliaries in alliance with Hanover, shall not join the forces of the King of Prussia, in like manner as France shall engage, on her part, not to yield succour of any kind to the Empress-Queen, nor her allies.

Both these conditions appear so natural and equitable in themselves, that his Majesty could not do otherwise than acquiesce in them; and he hopes that the King of Great Britain will be ready to adopt them.

Upon reading these vouchers with attention, it may be observed, that the memorial containing the propositions, clearly explains the means of reconciling France and England with respect to their particular interests: and that the note, No. XIX. removes all obstacles which the succours to be given to the allies in Germany might throw in
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the way of a reconciliation between the two Crowns. In fact, what could be more just and advantageous both to France and England, in the circumstances in which they stood, than wholly and absolutely to withdraw from the war in Germany? Lastly, in order to prevent the flames of war from breaking out afresh in Europe, which the complaints of Spain might re-ignite, and in which France, sooner or later, would have been forced to have taken part; nothing could be deemed more discreet than the proposition contained in the memorial, No. XVIII. more especially as that proposition was the natural result of the good offices which his Catholick Majesty had offered to the Crown the preceding years, in order to mediate peace between them; which kind offices had been accepted on the part of France by an authentic declaration, which had not then been opposed by England.

M. Bussy laid these several pieces before Mr. Pitt on the 23^d of July. They had been previously communicated to Mr. Stanley, to the end that that Minister might transmit a circumstantial account of them to his court, and that the English Minister might be apprised of the objects included in the dispatch, and might be able to confer with M. Bussy thereupon without loss of time. The King had even transmitted very minute instructions to his Minister at London, which contained fresh expedients for reconciling the differences of France with England, in relation to the respective possessions of the two Crowns in America, Africa, and Asia. His Majesty had foreseen that the taking of Pondicherry, of which an account came but a few days before, might occasion some alteration which it might be necessary to obviate by fresh sacrifices, if such should be deemed expedient; but the English Minister, in the conference at which the pieces were laid before him, discovered his personal opposition to peace: he refused to agree to any of the articles in the memorial of propositions; he entered very little into the particular motives of his opposition; he expatiated with some warmth on the memorial which related to Spain; rejected the note which concerned the allies in Germany with disdain; and concluded with saying, That he would take the directions of the King his master, with respect
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to those two last pieces, and that he would transmit to Mr. Stanley the answer of his Britannick Majesty to the propositions of France. In consequence of this, Mr. Pitt, having returned M. Buffy the memorials concerning Spain and Germany, wrote a letter to him on the 24th of July, conceived in the following terms.

Mr. Pitt's Letter to M. Buffy, 24th July 1761.

S I R,

HAVING explained myself, in our conference yesterday, with respect to certain engagements of France with Spain, relative to the disputes of the latter Crown with Great Britain, of which your Court never informed us, but at the very instant of making, as she has done, her first propositions for the separate peace of the two Crowns; and as you have desired, for the sake of greater punctuality, to take a note of what passed between us upon so weighty a subject, I here repeat, Sir, by his Majesty's order, the same declaration, word for word, which I made to you yesterday, and again anticipate you with respect to the most sincere sentiments of friendship and real regard on the part of his Majesty towards the Catholick King, in every particular consistent with reason and justice. It is my duty to declare farther to you in plain terms, in the name of his Majesty, That he will not suffer the disputes with Spain to be blended, in any manner whatever, in the negociation of peace between the two Crowns; to which I must add, That it will be considered as an affront to his Majesty's dignity, and as a thing incompatible with the sincerity of the negociation, to make farther mention of such a circumstance.

Moreover, it is expected, that France will not, at any time, presume a right of intermeddling in such disputes between Great Britain and Spain.

These considerations, so just and indispensable, have determined his Majesty to order me to return you the memorial which occasions this, as wholly inadmissible.

I likewise return you, Sir, as totally inadmissible, the memorial relative to the King of Prussia, as implying an attempt upon the Honour of Great Britain, and the fidelity

lity with which his Majesty will always fulfil his engagements with his allies.

I have the honour to be, &c.

Signed P I T T.

The style of this letter, and the manner of returning the memorials, do not bear the marks of that conciliating temper, by which the Court of England would hitherto have been thought to have been influenced.

The answers to the memorial of the French propositions, which were remitted to Versailles on the 29th July, are extremely analogous with Mr. Pitt's Letter; they are dictated with an air of haughtiness and despotism, which might have shocked a Court of less consequence than that of France. They follow word for word.

The Answer of the British Court to the Memorial of French Propositions, 29th July, 1761.

A Paper of Articles to be delivered to Mr. Stanley, as the definitive propositions from the Court of Great Britain.

1. **H**IS Britannick Majesty will never recede from the entire and total cession on the part of France, without any new limits, or any exception whatever, of all Canada and its appurtenances; and his Majesty will never relax, with regard to the full and compleat cession on the part of France, of the Isle of Cape Breton, and of all the other islands in the Gulph or in the River of St. Lawrence, with the right of fishing, which is inseparably incident to the possession of the aforesaid Coasts, and of the Canals or Straits which lead to them.

2. With respect to fixing the limits of Louisiana, with regard to Canada, or the English possessions situate on the Ohio, as also on the Coast of Virginia, it can never be allowed that whatever does not belong to Canada shall appertain to Louisiana, nor that the boundaries of the last Province should extend to Virginia, or to the British possessions on the borders of the Ohio; the nations and countries which lie intermediate, and which form the true barrier between the aforesaid province, not being proper, on any

any account, to be directly, or by necessary consequence, ceded to France, even admitting them to be included in the limits of Louisiana.

3. Senegal, with all its Rights and Dependencies upon the River which bears its name, shall be ceded to Great Britain, in the most full and ample manner; as also the Island of Goree, so essentially connected with Senegal.

4. Dunkirk shall be reduced to the condition in which it ought to have been after the Treaty of Utrecht, without which no peace can be concluded; and upon that condition only can his Majesty ever consent to enter on the consideration of the demand which France has made, viz. The restitution of the privilege granted by the thirteenth article of the said treaty, with certain limitations and under certain restrictions, for the subjects of France to fish and dry their fish on part of the Banks of Newfoundland.

5. Though the titles by which the Kingdom of Great Britain has, on many occasions, maintained its right to the Islands of St. Lucia and Tobago, have never yet been refused; and though his Majesty by force of arms has acquired possession of St. Dominica, and of the French Colony established before the commencement of the war; nevertheless his Majesty, from that principle of moderation which is so becoming to Kings, will consent to an equal partition of the four Islands commonly called the Neutral Islands, which partition shall be regulated in the ensuing treaty.

6. The Island of Minorca shall be immediately restored in the condition it was at the time of its being taken, together with the artillery, &c. appertaining to that island.

7. France shall immediately restore and evacuate the conquests she has made over his Majesty's Allies in Germany; that is to say, of all the States and Countries appertaining to the Landgrave of Hesse, to the Duke of Brunswick, and to the Electorate of Hanover, as also of Wesel, and of all the places and territories belonging to the King of Prussia, in possession of the arms of France. In a word, France shall make a general evacuation of all her conquests on the side of Hesse, Westphalia, and its countries.

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8. The King of Great Britain, on his part, agrees to surrender to his Most Christian Majesty, 1. The important conquest of Belleisle. 2. His Majesty likewise consents to surrender to the Most Christian King the opulent island of Guadaloupe, with that of Marigalante.

9. The treaty concluded between Messrs. Saunders and Godeheu cannot be admitted as the basis of the re-establishment of the peace in Asia, because that provisional treaty has had no consequences, and because those provisions are by no means applicable to the present state of affairs in the Indies, by the final reduction of the possessions and settlements of the French company in the East Indies; but as the perfect and final settlement with regard to that country can only be made in conformity to certain rights absolutely appertaining to the English company, and as the King cannot justly dispose of their rights without their consent, it must necessarily be left to the companies of the two nations to adjust the terms of accommodation and reconciliation according to those rules of reason and justice which the state and circumstances of their affairs may require and mutually point out; provided, nevertheless, that those conditions are not repugnant to the designs and equitable intentions of their Sovereigns for the peace and reconciliation of the two Crowns.

10. The demand of the restitution of the captures at sea before the declaration of war cannot be admitted; such a claim not being founded on any particular convention, and by no means resulting from the law of nations, as there is no principle more contestible than this, viz. that the absolute right of all hostile operations does not result from a formal declaration of war, but from the hostilities which the aggressor has first offered.

11. As the indispensable care which is due from his Majesty to his people, and the just and invincible motives which concern the preservation and security of his kingdoms, authorised by the most formal stipulations of solemn treaties (viz. those of Radstadt, and the Barriere) and even by the express and irrevocable conditions of the cession of the Low Countries, will not allow France to retain possession of Ostend and Newport, the two places aforesaid shall

shall be evacuated, without delay; by the French garrisons; it is for this reason declared, that the restitutions spoken of in the preceding articles of this memorial, and particularly the convention which is to be framed and regulated with respect to the Indies, cannot take place till the aforesaid evacuation of Ostend and Newport shall be faithfully executed.

12. The cessation of arms between the two crowns shall be fixed and take place on the day of the ratification of the preliminaries, or of the definitive treaty, and all the articles relative to the cessation of hostilities, shall be settled and take place, according to common usage in such cases, and as the circumstances in different parts of the world shall require.

13. His Majesty having, from the first overtures made on the part of France, declared, that in case the separate peace between the two crowns should be concluded, his Majesty will continue, as an auxiliary, faithfully to assist the King of Prussia with efficacy and good faith, in order to accomplish the salutary purpose of a general pacification in Germany; it shall be free to Great Britain and France, to support, as auxiliaries, their respective allies, in their particular contests for the recovery of Silesia, pursuant to the respective engagements which those Crowns have entered into.

14. The prisoners taken on one side and the other, both by sea and land, shall be released in the usual manner, saving the terms which may exist by virtue of some cartel or some convention, which may have relation to this particular.

These articles are not digested into the form, nor in the detail of articles of peace; but it is hoped that, with regard to essential points, this memorial has that precision and perspicuity which leaves nothing doubtful, and which evidently demonstrates the sincerity and perseverance of his Majesty's disposition with respect to his intentions and resolutions for the accomplishment of so great a blessing as that of an entire peace between the two crowns.

The first article of this sketch entirely deprived the French of the liberty of fishing for cod; and the demoli-

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lition of Dunkirk required in the 4th article, only restored this liberty in part, with certain limitations, and under certain restrictions, which were not explained.

From the second article one might infer that England pretended, not only to keep an exclusive possession of all Canada, but also to make herself mistress of all the neutral countries between Canada and Louisiana, to be nearer at hand in order to invade the last colony when she shall think proper.

The third article confirmed the entire possession of the African coast in favour of the English, and deprived the French of all settlement in that part for the Negro trade.

The ninth entirely annihilated the French East-India Company.

The seventh and thirteenth did not appear conclusive. In fact, by the first, England proposed that France should evacuate Germany, and in the second she agreed, that the two Crowns should support their allies in that part of Europe.

These answers, and all those which England has made in the course of the negotiation, evidently manifest that the Court of London is averse to all reconciliation.

The articles which declare the advantages which England would secure, are clear, decisive, and even dictatorial; those which concern the interests of France are obscure, subject to various constructions, and leave a train of discussions, which, by leaving the source of the war still subsisting, would still have redounded to the prejudice of France, if she had agreed to admit the claims of England.

These reflections did not escape his Majesty's penetration. Nevertheless his Majesty unwilling to take upon himself the rupture of a negotiation, which, on his part, proposed the welfare of mankind, he ordered a reply to be made to the answer from England, article by article, in the following memorial, in the form of an *Ultimatum*.

Ultimatum

Ultimatum of France in reply to that of England, of 5th of August, 1761.

Ultimatum of the Court of France, as a reply to the Ultimatum of the Court of England, remitted to the D. de Choiseul by Mr. Stanley.

THE King renews the declaration which he made to his Britannick Majesty to the memorial of propositions for peace which has been transmitted to Mr. Stanley, and to which the Court of England has given no answer, either by word of mouth or in writing: his Majesty again declares, that if the negociation entered into at Paris and at London, for the re-establishment of peace between the two Crowns, has not the desired success, all the articles agreed to at that negociation by France cannot be represented, on any occasion, as settled points, any more than the memorial of the month of March last, relative to the *Uti possidetis*.

1. The King consents to cede Canada to England in the most extensive manner, as specified in the memorial of propositions; but his Majesty will not recede from the conditions he has annexed to the same memorial relative to the Catholick religion, and to the power, facility, and liberty of emigration from the antient subjects of the King. With regard to the fishery in the gulph of St. Lawrence, the King means to maintain the immemorial right which his subjects have of fishing in the said gulph; and of drying their fish on the banks of Newfoundland, as it was agreed by the treaty of Utrecht. As this privilege would be granted in vain, if the French vessels had not some shelter appertaining to France in the gulph, his Majesty proposed to the King of Great Britain the restitution of the island of Cape Breton; he again proposes, either that island or St. John, or such other port, without fortification, in the gulph, or within reach of the gulph, which may serve the French as a shelter, and secure to France the liberty of fishing, from whence his Majesty has no intention to recede.

2. The King has in no part of his memorial of propositions, affirmed that all which did not belong to Canada, appertained to Louisiana ; it is even difficult to conceive such an assertion could be advanced. France, on the contrary, demands that the intermediate nations between Canada and Louisiana, as also between Virginia and Louisiana, shall be considered as neutral nations, independent of the sovereignty of the two Crowns, and serve as a barrier between them. If the English Minister would have attended to the instructions of M. Bussy on this subject, he would have seen that France agreed with England as to this proposition.

3. No answer has been given by England to the plain argument, That if Senegal cannot be enjoyed in security without Goree, England will make no great sacrifice in keeping Goree, and restoring Senegal to France. Upon this article Mr. Stanley has acquainted the D. de Choiseul, that some expedients may be agreed on between the two Crowns : In consequence of which his Majesty, out of regard to the blessing of peace, has authorised M. Bussy to treat concerning these expedients with the British Ministry.

4. The Court of London, when they mean to secure, in pursuance of his Majesty's consent, the conquests they pretend to maintain, readily rely on the memorial of *Uti possidetis* ; but they take no notice of that memorial when they advance claims at the expence of France. It cannot be denied but that the state of the town of Dunkirk is not included in the *Uti possidetis*.

According to the treaty of Utrecht, the demolition of Dunkirk was not assented to as a compensation for the liberty of drying cod-fish on the banks of Newfoundland ; it is the cession of Newfoundland, on the part of France, which is the ground of that compensation : but the King, to testify to all Europe his sincere desire of peace, and to remove all obstacles which the enemies to peace may throw in the way, authorises his Minister at London to negotiate concerning the state of Dunkirk, so soon as a convenient port shall be agreed upon in the gulph of St. Lawrence, or within reach of the gulph, which shall be ceded to France to serve as a shelter for her fishing vessels.

5. France.

5. France has refused the title of England to the Antilles, which are pretended to be neutral: his Majesty, nevertheless, from a principle of moderation, accepts of the partition of the said islands; but such partition cannot take place but in the form specified in the first memorial of the French propositions.

6. It seems as if England, by her propositions, offered the island of Belleisle as a compensation for the island of Minorca: as France does not allow the importance of the conquest of Belleisle, the two Courts will retain their several opinions; England shall maintain her conquest, and France shall keep Minorca.

7. France is willing to evacuate, in consideration of the restitution to be made by England of the islands of Guadeloupe and Marigalante, the countries belonging to the Landgrave of Hesse, to the Duke of Brunswick, and to the Electorate of Hanover, which are or shall be occupied by his Majesty's forces, and of which the conquest is connected with the British war since the rupture of the capitulation of Closter-seven, and which may be separated from the war of the Empress-Queen with the King of Prussia.

But as to what concerns Wesel, Gueldres, and other countries in Westphalia belonging to the King of Prussia, which are actually in possession of the Empress-Queen, and where justice is administered in the name of her Imperial Majesty, the King cannot stipulate to surrender the conquests of his allies; and such an evacuation, neither in fact nor by right, can take place without the consent of the Empress-Queen, at the congress of Augsburg; that congress being to assemble in order to terminate the differences which have arisen in the empire, and particularly those which have occasioned the war between her Imperial Majesty and the King of Prussia.

8. The King accepts on those conditions, and in consideration of the cessions made by France in North America and Africa, as well as in regard to the settlement of Dunkirk, the restitution of the island of Guadeloupe and of Marigalante.

9. The French East-India Company have fulfilled the conditions of the treaty made between Messrs. Godeheu

and Saunders : that of England has not observed the same punctuality. However that may be, the King is willing to acquiesce in the 9th article of the *Ultimatum* of England, in relation to Asia.

10. The King persists, with regard to the captures made before the war, in the contents of the 12th article of the first propositions. M. Buffy is authorised to deliver a memorial expressly on this subject; and every one is persuaded in France, that this object neither can nor ought to break off the negotiation between the two Crowns.

11. The Empress-Queen enjoys full Sovereignty in the towns of Ostend and Nieuport; the King has only lent his forces to his ally to secure those places. England has no right to impose laws upon the King and the Empress, contrary to the will of the King and of her Imperial Majesty, who do not in the least violate the treaties of the House of Austria with the States General. As to what remains, his Majesty readily declares, that his intention never was to keep possession of the said places after the establishment of peace.

12. The 12th article of the *Ultimatum* of England does not seem liable to any difficulties, while the terms of the intended suspension shall be observed and maintained with sincerity.

13. In answer to the declaration made by Mr. Stanley, that in case of a separate peace between France and England, his Britannick Majesty would constantly continue, in the capacity of an auxiliary, to aid his ally the King of Prussia with all his power, and with the utmost integrity, in order to accomplish the happy issue of the war, and the pacification of Germany, the D. de Choiseul, in the name of the King his master, has declared to Mr. Stanley, that his Majesty, with the same view to the general pacification, will also support his faithful allies with all his forces, and to the utmost of his power, and will take every precaution which his approved sincerity and integrity shall suggest to him, in order to prevent the separate peace of France with England from being prejudicial to them.

It is in consequence of these sentiments that the King, with the consent of his allies, is willing to stipulate that he

he will grant no succour of any kind to his allies for the continuance of their war against the King of Prussia : but his Majesty neither can nor will enter into such an engagement, unless his Britannick Majesty will enter into the like agreement with respect to the King of Prussia.

The proposition of leaving France at liberty to send forces into Silesia, is unfavourable, from particular circumstances, to the interests of the Empress, and consequently inadmissible.

The King, therefore, persists in the propositions contained in the 10th article of his first memorial. All that can be negotiated with respect to these points, must be the liberty of affording succours in money to the respective allies, so soon as it shall be positively ascertained that no power shall be at liberty to furnish them any supplies of men, or warlike stores, under any denomination whatever.

14. The King accepts the 14th article of the *Ultimatum* of England.

It is hoped that the Court of Great Britain will allow the precision of the answers to their *Ultimatum*, as well as the readiness with which the King endeavours, even to his prejudice, to use all means to bring about a reconciliation with the King of Great Britain.

M. Buffy, on presenting this *Ultimatum*, accompanied it with the following letter, in answer to that of Mr. Pitt, of the 24th of July.

Mr. Buffy's Letter to Mr. Pitt, 5th August, 1761.

S I R,

I HAVE acquainted my Court with the letter of the 24th of last month, with which your Excellency honoured me, on returning the memorial I laid before you, in relation to the interests of the Court of Spain with respect to England, and the note which I thought it my duty to communicate with regard to the intention of the King my master, concerning the necessary steps to put a stop to hostilities in Germany.

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The King, Sir, orders me to acquaint your Excellency, that as to what relates to the interest of the Catholick King, his Majesty's precaution expressed in the memorial which I remitted to you, is in consequence of that sincerity which he professes constantly to adopt in the course of all his negotiations. The memorial which your Excellency has returned me neither contains any manaces nor any offer of mediation. No other sentiment can be inferred from it than that of the sincere desire which his Majesty entertains, that the projected peace between France and England may be firm and durable. Moreover, the King refers himself to his Catholick Majesty concerning the manner in which this memorial was received and remitted; but his Majesty has charged me to declare to your Excellency, that so long as Spain shall approve of it, his Majesty will interfere with the interests of that Crown, without desisting on account of a repulse from the power who opposes his good offices.

With respect to the matter of the note, likewise returned by your Excellency, and which relates to the two necessary conditions of the proposed expedient for evacuating the countries subdued by his Majesty's arms, his Majesty explains himself fully on that article in the *Ultimatum*, in answer to that of the Court of London. His Majesty has ordered me to declare farther to you in writing, that he will rather sacrifice the power which God has given him, than conclude any thing with his enemies which may be contrary to the engagements he has contracted, and that good faith in which he glories. If England will undertake to yield no succour to the King of Prussia, the King will engage, on the other hand, to afford none to his allies in Germany. But his Majesty will not adopt the liberty of succouring his allies with a supply of men, because he is sensible of the disadvantage which the present situation of the armies might occasion to the Empress-Queen. His Majesty may stipulate not to act for the benefit of his allies, but he neither can nor will consent to any condition which may be detrimental to them.

It remains for me to observe to your Excellency, how greatly my court was astonished, at well as the stile of the letter you wrote to me, as at the *Ultimatum* of England.

This stile, which is so little conformable to the propositions of France, betrays the aversion of the Court of London to peace. The King, who is very far from insisting on forms, when the happiness of Europe is at stake, has used every endeavour in the answer to the *Ultimatum*, which, without injury to the honour of his Crown, were judged most effectual to recal the British Court to sentiments of pacification: your Excellency will judge, from the *Ultimatum* of France, that I am ordered to acquaint you with what facility the King, forgetting the imperative stile, so unfit for negotiation, which England makes use of in her answers, enters into the views of the British Court, and endeavours, by the sacrifices he makes, to engage them to adopt the stipulations of a reasonable peace.

If your Excellency is desirous of having a conference with me on the subject of the *Ultimatum*, I will attend your commands, and I shall be very earnest to testify the disposition of my Court, to make a happy issue of the negotiation on foot, as also the peculiar regard with which, &c.

Signed

De BUSSY.

At length, as the British Ministry had seemed to resent the memorial relative to Spain, his Catholick Majesty authorises his Ambassador at London, the Count of Fuentes, to remit the following note to Mr. Pitt, which is the interpretation of the memorial.

Note of the Spanish Ambassador to Mr. Pitt.

THE most Christian King, who wishes to make the peace, concerning which he proposed to treat with England, at once effectual and durable, entrusted his intentions with the King my master, expressing the pleasure with which he embraced that opportunity of acknowledging his sense of the reiterated offers which his Catholick Majesty had made both to him and England, in order to facilitate a just and lasting reconciliation.

It is from these principles of sincerity that the Most Christian King proposed to the King my master the

guaranty of the treaty of peace, 'as a measure' which might be equally convenient to France and England, and at the same time assured him of his sincere intentions with respect to the sacrifices he proposed to make, in order to restore tranquillity to Europe by an honourable and lasting peace.

Such a proceeding of his Most Christian Majesty could not but be highly acceptable to the King my master, who found it agreeable to his own sentiments, and to his desire of fulfilling, on his part, with the most distinguished conformity, all the connections which unite them both by ties of blood and their mutual interest; and, moreover, he perceived in the disposition of the King of France, that magnanimity and humanity which are natural to him, by his endeavours, on his side, to render the peace as permanent as the vicissitudes of human affairs will admit of.

It is with the same candour and sincerity that the King my master expressed in confidence to the Most Christian King, that he wished his Britannick Majesty had not made a difficulty of settling the guaranty, on account of the grievances of Spain with England, as he has all the reason to conclude that his Britannick Majesty has the same good intentions to terminate them amicably, according to reason and justice.

The confidence which the King my master reposed in France, gave that Court room to testify to his Britannick Majesty the sincerity of their intentions for the re-establishment of peace; since, by proposing the guaranty of Spain, they expressed their sincere desire of seeing the interests of Spain settled at the same time, which might one day rekindle the flames of a new war, which at present they wish to extinguish.

If the intentions of the Most Christian King and the King my master did not seem fraught with sincerity, the King my master flatters himself, that his Britannick Majesty will do him the justice to consider his in that light; since, if they were founded on any other principle, his Catholick Majesty, giving full scope to his greatness, would have spoken from himself, and as became his dignity.

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I must not omit to inform you, that the King my master will learn with surprize, that the memorial of France could raise a sentiment in the breast of his Britannick Majesty entirely opposite to the intentions of the two Sovereigns.

But his Catholick Majesty will always be pleased, whenever he sees that they make that progress which he has ever desired, in the negotiation of peace, whether it be separate between France and England, or general; as his sincere wishes are to make it perpetual, by obviating every source which might hereafter unhappily renew the war.

For this reason, the King my master flatters himself that his Britannick Majesty, animated with the same sentiments of humanity towards the publick tranquillity, will express the same intentions of terminating the disputes of England with a power which has afforded such reiterated proofs of her friendship, at the same time that it is proposed to restore peace to all Europe in general.

The King ordered M. Buffy, by the instructions which were sent to him with the *Ultimatum*, to agree to the cession of Canada, in the full extent which England desired it, so that the fishery on the coast and in the Gulph of St. Lawrence was maintained to France; and that England would appoint a port in that part, which might be subject to the sovereignty of his Majesty, and serve the French fishermen for a shelter.

M. Buffy had in charge to agree upon the limits of Canada and Louisiana, according to the English map, though very unfavourable to the rights and possessions of France. With regard to Africa, the King's Minister was authorised to consent to the cession required by England, so that the exportation of negroes might be confirmed to France by some expedients equally easy and sure; and his Majesty made the sacrifice of Dunkirk, in compensation of the security of fishing in the Gulph of St. Lawrence, in favour of his subjects.

As to what concerns Asia, the King authorised M. Buffy to agree that the French and English India companies should adjust their respective interests among themselves, upon condition that they suspend hostilities during

during the negociation, and that the advantages on either side should be considered as a compensation with regard to the respective interests of the two Crowns.

The King insisted, in the instructions he sent to his Minister at London, upon the article respecting the restitution of the French vessels taken before the war by the English marine. His Majesty's love for his subjects would not allow him to omit any thing to alleviate the distresses which several towns in his kingdom sustained by means of those illegal captures. M. Buffy had even orders to present the following memorial on that subject.

Memorial concerning the Vessels taken before the War.

Concerning the reclaim of the Prizes made before the Declaration of the War.

THE reclaim of the captures made by the English before the declaration of war, is founded on the treaties of Utrecht and Aix la Chapelle.

It is not necessary to contest the principle that the right of exercising hostilities does not always result from the formality of a declaration of war; but as it is impracticable for two Princes who make war on each other, to agree between them which is the aggressor with regard to the other, equity and humanity have dictated these precautions, that where an unforeseen rupture happens suddenly, and without any previous declaration, foreign vessels, which, navigating under the security of peace and of treaties, happen at the time of the rupture to be in either of the respective ports, shall have time and full liberty to withdraw themselves.

This wise provision, so agreeable to the rules of good faith, constitutes a part of the law of nations, and the article of the treaty which sanctifies these precautions ought to be faithfully executed, notwithstanding the breach of the other articles of the treaty, which is the natural consequence of the war.

The Courts of France and Great Britain used this salutary precaution in the treaties of Utrecht and Aix la Chapelle;

pelle; in the first, by the nineteenth article of the treaty of peace, and in the second of the treaty of Commerce: in the second, by the third article which renews and confirms the first.

If these treaties allow a protection to the respective subjects who may have ships in the ports of either of the powers, because, having no opportunity of knowing that a rupture has fallen out, they sailed under the security of peace and under the faith of treaties; by a parity of reason, all the other subjects who are not inhabitants of the respective ports, who have ships at sea, should enjoy the same security for their vessels, in whatever part of the sea they should be sailing, otherwise it would follow, that the Sovereigns provide for the preservation of one part of their subjects from the miseries of a sudden rupture, to which they expose the rest, which is absolutely repugnant to the humanity of Sovereigns, and contrary to right reason.

It is upon this principle that the King of France restored to England the English Vessels which were found in the ports of France at the time of the rupture, or taken at sea before the declaration of war.

If his Majesty had not caused those vessels to be restored, his Britannick Majesty might have alledged that he retained the French vessels by way of reprisals; but the punctuality of France in conforming to the treaties of Utrecht and Aix la Chapelle, and to the principles resulting from thence, give England no pretence for refusing to fulfil engagements which are reciprocal.

The Court of France therefore does not doubt but that the Court of England will agree to order the restitution of the ships taken by the English from the French before the declaration of the war.

The King likewise ordered his Minister to represent, with its full force, the utility which would redound to the two Crowns by the total desertion of the war in Germany. His Majesty moreover required M. Bussy, after having used his utmost endeavours to persuade the British Ministry to acquiesce in propositions so advantageous to England, to wait for fresh instructions, if the Court of London should refuse the conditions offered in the *Ultimatum* of France,

France, the King being resolved to carry his compliance as far as possible, in order to inspire the King of England with pacifick dispositions.

The *Ultimatum* of France, of the 5th August, arrived at London the 8th of the same month: M. Buffy wrote to Mr. Pitt: that Minister returned him the following answer on the 15th.

Mr. Pitt's Letter to M. Buffy, 15th August, 1761.

S I R,

I Made the King my master acquainted with the memorial, which, by the order of his Most Christian Majesty, you accompanied the *Ultimatum* of the Court of France: his Majesty perceives from these two pieces, with that regret with which the love of peace inspires him, that the happy moment to put an end to so many miseries is not yet come.

As to what relates to the stile of the *Ultimatum* of England in answer to the memorial of propositions from France, as likewise of the letter which I addressed to you by his Majesty's order, upon returning the two papers relative to Spain and the King of Prussia, as totally inadmissible, the King orders me to acquaint you, Sir, that his Majesty adheres both to the form and substance of those two pieces, in which his dignity concurred with his justice and good faith, leaving all the world to judge which of the two Courts have shewn an aversion to peace during the course of the negociation; whether it be that Court, which, from a principle of candour, not by way of assuming an imperative tone, has always endeavoured to give open answers, in order to shorten delays, by obviating misunderstandings, and to avoid the reproach of having acted delusively even with an enemy; who, in the conditions of peace, so far from making an ill use of her prosperity, has not even insisted on all those rights which the *Uti possidetis*, and the memorial of France of the 26th March, gave her, who, moreover proposes, that after the conclusion of peace between the two Crowns, they shall respectively be at liberty, with regard to the contest concerning Silesia, to fulfil the engagements they have contracted

tracted with their allies; it belongs, therefore, Sir, to Europe to judge whether this is the Court which has shewn an aversion to peace, or whether it is not that, which, after so many variations and delays on her part, arbitrarily continues to insist on objects in America, which we have a right to by the *Uti possidetis*, and which would make a direct attempt on the essential rights of our conquests of Canada and its appurtenances. in the Gulph of St. Lawrence; which, in Germany, not only refuses to give up her conquests, gained over his Majesty's allies, as a just compensation for the important restitutions with which his Majesty is willing to accommodate France, but even pretends to impose an obligation on his Majesty not to fulfil the engagements of his Crown towards the King of Prussia; which, moreover, not satisfied with throwing so many insuperable obstacles in the way to peace, has not scrupled to interpose new perplexities in opposition to this precious blessing, for which the nations sigh, by intermixing, too late, matters so foreign to the present negotiation between the two Crowns, as are the discussions between Great Britain and Spain.

Such, Sir, being the conduct of the two Courts, the King perceives with regret that the peace so much desired is far distant, and that at this very moment the Court of France is willing to intrust it to the uncertain fate of farther events.

If this is the intention of France, his Majesty relies on the same Providence which has hitherto blessed his arms, and the sincerity of his intentions towards peace; and hopes, that the course of events, accomplishing what his Majesty's moderation has in vain attempted, will recall the Court of France to a more favourable disposition.

Nevertheless, Sir, although I am not at liberty to confer with you concerning the *Ultimatum* of your Court separately, yet if you desire, Sir, that we should have a conference on the two *Ultimatums* of our Courts together, I will be at your command when you think proper, that I may have the honour to learn what you have to communicate to me with respect to the intentions of your Court.

I have the honour to be, &c.

Signed W. P I T T.

Europe

Europe will be able to judge by the pieces contained in this memorial, and which cannot be disavowed by the British Ministry, any more than their dates, whether France has used any delay in the negotiation, and whether she has varied from her propositions, and from the constant desire she has always expressed for the conclusion of peace.

M. Bussy's answer to Mr. Pitt, 16th August, 1761.

S I R,

I Received the letter which your Excellency did me the honour to write to me on the 16th of this month. I will not undertake to discuss the principal object of it without submitting it to my Court, whether it is proper to make a reply, and what that reply should be. I will confine myself, Sir, to assure you, that I accept, with pleasure the offer your Excellency makes me of a conference on the subject of the two *Ultimatums* of our Courts; as you are out of town, and as I would not trespass on the moments you devote to the establishment of your health, I refer myself to you entirely to appoint the day and hour when I may come to confer with you.

Nothing can be more true than the assurance I make to you of the respectful attachment with which you have inspired me, and with which I have the honour to be, &c.

Signed De BUSSY.

The many deliberations of the British Court, and the delay, from the 8th to the 30th of the same month, of the answer to the *Ultimatum* of France, renewed the hopes of reconciliation between the two Crowns. At length the answer came, and Mr. Stanley remitted it on the first of September to the Duke de Choiseul.

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The Answer of England to the Ultimatum of France, received the 1st of September, 1761.

The Answer of the British Court to the *Ultimatum* of the Court of France, remitted the 17th of August, by M. Bussy, Minister Plenipotentiary of the Most Christian King, to the Secretary of State of his Britannick Majesty of the Southern department.

THE Most Christian King having repeatedly declared, in the *Ultimatum* of the Court of France, remitted to Mr. Pitt by M. Bussy, as well as in the memorial of the propositions of peace which was remitted by the Duke de Choiseul to Mr. Stanley, that, if the negotiation entered upon between the two Crowns has not the desired effect, all the articles conceded in that negotiation by France, cannot be considered in any case as points agreed upon, any more than the memorial of the month of March last, in relation to the *Uti possidetis*; the King declares, in return, that if the concessions his Majesty has made to bring about peace, should not be accepted by his Most Christian Majesty, the important restitutions offered to France, as well as the other circumstances herein-after expressed, cannot for the future be considered as given up.

I. The King will not desert his claim to the entire and total cession of all Canada and its dependencies, without any new limits or exceptions whatever; and likewise insists on the compleat cession of the island of Cape-Breton, and of the other islands in the gulph and river of St. Lawrence.

Canada, according to the lines of its limits traced by the Marquis de Vaudreuil himself, when that Governor surrendered the said province by capitulation to the British General Sir J. Amherst, comprehends on one side the lakes Huron, Michigan and Superieur; and the said line drawn to the Red Lake, takes in, by a serpentine progress, the river Ouabachi, as far as its junction with the Ohio, and from thence extends itself along the latter river as far inclusively as its influx into the Mississippi.

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It is in conformity to this state of the limits made by the French Governor, that the King claims the cession of Canada, a province which the Court of France moreover has offered anew by their *Ultimatum* to cede to his Britannick Majesty, *in the most extensive manner*, as expressed in the memorial of Propositions of Peace of the 13th of July.

As to what concerns the publick profession and exercise of the Roman Catholick religion in Canada, the new subjects of his Britannick Majesty shall be maintained in that privilege without interruption or molestation; and the French inhabitants, or others, who may have been subjects of the Most Christian King in Canada, shall have full liberty and power to sell their effects, provided they dispose of them to the subjects of his Britannick Majesty, and to transport their property, as well as their persons, without being restrained from their emigration under any pretence whatever (unless in case of debt, or for the breach of criminal laws) it being always understood, that the time granted for the said emigration shall be limited to the space of one year, to be computed from the day of the ratification of the definitive treaty.

II. As to what respects the line to be drawn from Rio-Perdido, as contained in the note remitted by M. Buffy of the 18th of this month, with regard to the limits of Louisiana, his Majesty is obliged to reject so unexpected a proposition, as by no means admissible in two respects:

I. Because the said line, under colour of fixing the limits of Louisiana, annexes vast countries to that province, which, with the commanding posts and forts, the Marquis de Vaudreuil has, by the most solemn capitulation, incontestibly yielded into the possession of his Britannick Majesty, under the description of Canada; and that consequently, however contentious the pretensions of the two Crowns may have been before the war, and particularly with respect to the course of the Ohio, and the territories in that part since the surrender of Canada, and the line of its limits has been traced as aforesaid by the Marquis de Vaudreuil, all those opposite titles are united, and become valid without contradiction, to confirm to Great Britain, with all the rest of Canada, the possession of

of those countries on that part of the Ohio which have been heretofore contested.

2. The line proposed to fix the bounds of Louisiana cannot be admitted, because it would comprise in another part, on the side of the Carolinas, very extensive countries and numerous nations, who have always been reputed to be under the protection of the King, a right which his Majesty has no intention of renouncing; and then the King, for the advantage of peace, might consent to leave the intermediate countries under the protection of Great Britain, and particularly the Cherokees, the Creeks, the Chicasaws, the Chactaws, and another nation, situate between the British settlements and the Mississippi.

III. The King refers to the third article of the *Ultimatum* of England concerning the cession of Senegal and its dependencies, as well as the island of Goree, in the most ample manner, as expressed in the said article; and his Majesty renews the declaration which has been made by Mr. Stanley, that if the Court of France would suggest any reasonable expedient to provide themselves with negroes, which may not be too detrimental to the interests of the British subjects in Africa, he will willingly enter upon a discussion of this subject.

IV. The important privilege granted by the 13th article of the treaty of Utrecht, under certain limitations and restrictions, to the subjects of France, for fishing and drying their cod-fish on a certain part of the banks of Newfoundland, has not been refused by Great Britain, but connected with a reciprocal satisfaction on the part of France, with regard to the indispensable object of Dunkirk, which the King has required, and still requires: it is therefore on condition, that the town and port of Dunkirk shall be put in the condition it ought to have been in by the last treaty of Aix la Chapelle, that his Majesty consents to renew to France the privilege of fishing and of drying their fish by virtue of the treaty of Utrecht, upon the aforesaid district of Newfoundland.

As to the demand which his Most Christian Majesty has farther made, that his subjects may fish in the gulph of St. Lawrence, as also to have a port there *without fortifications*, and subject to the inspection of England, as proposed

posed on the part of the D. de Choiseul in his conferences with Mr. Stanley on that head, which port should merely serve as a shelter to the fishing boats of the French nation which shall land there: the King, to manifest to his Most Christian Majesty, and to the whole world, the sincerity of his intentions with regard to peace, will consent,

1. To grant the French subjects the privilege of fishing in the gulph of St. Lawrence, upon this express condition, that is to say; That the said French subjects shall abstain from that particular fishery on all the coasts appertaining to Great Britain, whether on the Continent or on the islands situated in the said gulph of St. Lawrence, which fishery the proprietors only of the said coasts have constantly enjoyed and always exercised; saving always the privilege granted by the 13th article of the treaty of Utrecht, to the subjects of France, to fish and dry their cod-fish on a part specified on the banks of Newfoundland, which privilege is proposed to be renewed to France as aforesaid.

2. The King will consent to cede to his Majesty the isle of St. Pierre, with its port; which isle, with respect to that part of Newfoundland situate between the bay of Placentia and the bay of La Fortune, stands east-south-east, and its port opens towards the north-east, the interior part of which port is called Bourgoway; the island of St. Pierre, which the King is willing to cede, is divided by a little strait from another island, known by the name of Maquelon or of Michelon, which lies to the north of the said isle of St. Pierre.

To the cession of the said isle, as above mentioned, his Majesty annexes four indispensable conditions:

1. That France, on no pretence, nor under any denomination whatever, shall erect any fortifications, either in the said isle, or in its port, and that she shall not keep any troops there, nor maintain any military establishment whatever.

2. That the said isle and the said port shall only serve as a shelter for the fishing vessels of the French nation, and that France shall not suffer the vessels of any other nation

nation whatever to partake of the convenience of this shelter for the fishing boats.

3. That the possession of the isle of St. Pierre, as aforesaid, shall not be construed in any case to confer, transmit, or participate in any manner whatever, the least right or power of fishing or of drying cod-fish in any part of the coast of Newfoundland, beyond the district expressly stipulated and fixed for that purpose by the 13th article of the treaty of Utrecht, that is to say, *a Loco Capæ Bonavista nuncupato, usque ad extremitatem ejusdem Insulæ septentrionalem, indeque ad Latus occidentale recurrendo usque ad Lacum Pointriche appellatum.*

4. That in virtue of the cession of the said island as aforesaid, an English Commissary shall be allowed to reside there, and the commander of the British Squadron at Newfoundland shall be at liberty from time to time to inspect the said isle and the said port, to see that the stipulations above expressed are punctually observed.

V. The proposition of an alternative suggested by the court of France, in relation to the isles of Tobago, St. Lucia, Dominica, and St. Vincent, commonly called Neutral Islands, is by no means admissible. The King, however, from a principle of moderation, continues his inclination to agree to an equal partition of the said four islands, to be ascertained in the future treaty between the two Crowns.

VI. The King consents to restore to his Most Christian Majesty,

1. The important conquest of Belleisle, with the artillery, &c. which was therein at the time of taking the said island.

2. His Majesty likewise agrees to restore to the Most Christian King the fertile and wealthy island of Guadeloupe, with that of Marigalante, with the artillery, &c. which was therein at the time of taking the said islands.

VII. The island of Minorca shall be restored to his Britannick Majesty, as likewise Fort St. Philip, in the condition it stood, and with the artillery therein, &c. at the time of taking the said island and fort.

VIII. As to what regards the restitution and evacuation of the conquests made by France over the King's allies in
L 2 Germany,

Germany, and particularly of Wesel and the other territories of the King of Prussia, his Majesty persists in his demand relative to that subject in the 7th article of the *Ultimatum* of England; it being always understood, that all the places belonging to his Majesty's allies in Germany shall be restored, with the artillery, &c. found in them at the time of taking the said places.

IX. With regard to the succour to be afforded to the King of Prussia on the part of the British crown, as an auxiliary, after the conclusion of the separate peace between Great Britain and France, his Majesty remains in the same inflexible resolution, which he declared at the first overture of the present negociation, that he will never desist from giving constant succour to the King of Prussia, as an auxiliary, *with efficacy and good faith*, in order to attain the salutary end of a general pacification in Germany. With this view, his Majesty, far from proposing to leave France at liberty to send armies into Silesia, *without being limited to the number stipulated in her actual engagements with the Court of Vienna*, (a circumstance not to be found in any part of the *Ultimatum* of England) has uniformly declared, as the 13th article of the said *Ultimatum* professes, that Great Britain and France shall be at liberty to support their respective allies as auxiliaries, in their particular contest for the recovery of Silesia, according to the engagements entered into by each crown.

The King declares, at the same time, that his Majesty has neither the intention nor the authority to take upon him to inhibit and forbid any foreign troops from entering into the service and pay of the King of Prussia, however his Majesty might be inclined to consent not to furnish, but by means of subsidy, those supplies which Great Britain shall judge convenient to grant his Prussian Majesty, in pursuance of her engagements.

X. With regard to the captures made after the commencement of hostilities, and before the declaration of war, the King continues of opinion, that such a demand on the part of France is neither just nor maintainable, according to the most incontestible principles of the rights of war and of nations.

XI. Con-

XI. Concerning the evacuations of Ostend and Nieuport, the King cannot but refer to the most express and irrevocable stipulation of the most solemn treaties, and expressed in the 11th article of the *Ultimatum* of Great Britain, as also to his declaration relative to that subject: and his Majesty relies on the sincerity of the declaration on the part of France; that is to say, that “the intention of his Most Christian Majesty never was to keep possession of the aforesaid places after the return of peace.”

XII. In regard to the cessation of hostilities, the King persists, in every respect, in the same intentions declared in the 12th article of the British *Ultimatum*.

XIII. As to what concerns the French East-India Company, he can only refer to the 9th article of the *Ultimatum* of England, with regard to which no disagreement seems to subsist.

XIV. As to the prisoners of war, the two Courts seem to agree perfectly on that head.

The Court of France cannot but perceive from this answer, the sincerity of his Majesty's intentions, as well as the moderation which directs his Majesty towards the means of reconciliation with the Most Christian King.

Signed

H. STANLEY.

The D. de Choiseul had several conferences with the English Minister on the subject of this answer; but Mr. Stanley, in those conferences, as well as through the whole course of the negotiation, did not appear to be authorised by his Court to come to any agreement with respect to the difficulties which occurred, nor even to elucidate those obscurities which occurred in the English answers, and particularly in the 9th article of the last answer from the Court of London. As this Minister was confined to the letter of the answer given by his Court, this circumstance absolutely put a stop to all eclaircissement on these points, and took away every expedient for removing the obstacles of the negotiation. It was judged proper in France, in order to obviate these difficulties, to send a new memorial to England, as a final answer to the

Court of London. This memorial was sent to M. Buffy the 9th of September.

The last Memorial of France to England, the 9th of September, 1761.

The Memorial of France to the Answer of England, transmitted to the Duke de Choiseul the 1st of September, by Mr. Stanley, the Minister of his Britannick Majesty.

THE King accepts the declaration of the King of England contained in the preamble of the Answer, and renews that which he before made to his Majesty on this head, in such manner that it is concluded between the two Courts finally and without ambiguity, that if peace is not the result of the present negociation, all that has been said, written, and negociated between the two crowns since the memorial of the 26th of March inclusive, to the moment of the rupture, shall be void and of no effect, and shall not be brought as an argument in favour of either of the parties in any future negociation of peace.

Article I. The King has declared in his first memorial, and in his *Ultimatum*, That he will cede and guaranty to England the possession of Canada, in the most ample manner; his Majesty persists in that offer, and without discussing the line of its limits marked in a map presented by Mr. Stanley; as that line on which England rests its demand is, without doubt, the most extensive bound which can be given to the cession, the King is willing to grant it.

His Majesty had annexed four conditions to his guaranty: it seems that England agrees to them: the King only conceives, that the term of one year for the sale of the French effects, and for the emigration, is too short, and his Majesty desires, that it may be agreed to extend the term of one year to eighteen months at least.

As the Court of England has added to the first article of their answer to the entire and total cession of Canada, as agreed between the two Courts, the word *Dependencies*, it

It is necessary to give a specific explanation of this word, that the cession might not in the end occasion difficulties between the two Courts with regard to the meaning of the word Dependencies.

II. The first paragraph, with respect to the limits of Louisiana, contained in the second article of the answer from England, is agreed to by France. The second paragraph is neither just nor explicit, and it is finally proposed to express it in the following terms :

“ The intermediate Savage nations between the Lakes and the Mississippi, and within the line traced out, shall be neuter and independent under the protection of the King ; and those without the line on the side of the English shall be likewise neuter and independent under the protection of the King of England. The English traders also shall be prohibited from going among the Savage nations beyond the line on either side : but the said nations shall not be restrained in their freedom of commerce with the French and English, as they have exercised it heretofore.”

III. Although France is sensible how opposite it is to principles of conciliation, that the party which cedes should propose to the party who has conquered, and would maintain the cession of possessions which are not perfectly known ; though there is no doubt but that the manner which England requires is liable to innumerable difficulties ; nevertheless, the King, to testify his acquiescence in every expedient which may conciliate the two Crowns, is willing to declare to England, that he will guaranty the possession of Senegal and Goree to that Crown, provided England, on her part, will guaranty the possession of the settlements of Anamaboo and Akra, on the coast of Africa.

The fourth article of the answer includes variety of objects, each of which requires a particular explanation.

England always endeavours to connect the liberty of fishing, and of drying the fish, on part of the coast of Newfoundland, granted by the 15th article of the treaty of Utrecht, with the ninth article of the same treaty, which stipulates the demolition of Dunkirk : it is given in answer to England for the fourth and last time, that those

two stipulations of the treaty of Utrecht have nothing in common between them, unless that they are both comprised in the said treaty; and that the concession expressed in favour of the French in the thirteenth article of that treaty, is a compensation for the cession of Newfoundland and Annapolis Royal, made on the part of France to England by the twelfth and thirteenth articles of the same treaty.

But to the end that the two Courts may clearly understand each other on this head, and for the furtherance of peace, the King agrees to demolish the works which have been made for the defence of the port of Dunkirk since the beginning of this war, to fill up the basin which contains the ships of war, and to destroy the buildings belonging to the rope yard: but at the same time his Majesty will leave the trading port, which will not receive a frigate, subsisting for the good of England as well as for the benefit of France. She will also undertake not to suffer any maritime military establishment in that port; but the cunette shall be left standing round the place for the salubrity of the air, and the health of the inhabitants.

As to the fishery and the drying of fish on the banks of Newfoundland, the King requires that the thirteenth article of the treaty of Utrecht be confirmed by the present treaty.

Concerning the condition proposed by England, with respect to the liberty of fishing in the gulph of St. Lawrence, France agrees, that beyond the port of Newfoundland, specified by the thirteenth article of the treaty of Utrecht, the French (unless in case of accidents) cannot land on the coasts appertaining to the English in the gulph of St. Lawrence, whether to dry their fish or to spread their nets on the said coasts; but without these two exceptions the French shall be at liberty to fish, without molestation, in all parts of the said gulph of St. Lawrence.

With respect to the cession of the island of St. Pierre, the smallness of that island, and its situation near Plaisance, make the King of opinion that such a shelter will be illusory, and will rather serve to breed contests between
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the two nations than to procure the accommodations for the fishery of the French subjects.

The King has required the island of Cape Breton, or the island of St. John; his Majesty had even restrained himself to the little island of Conceau, and now makes the same proposition to his Britannick Majesty; or if the King of England, for reasons unknown to France, cannot agree to the cession of the isle of Conceau, it is proposed to add the cession of St. Pierre, the island of Macquelon or Michelon, two islands, of which one, which is St. Pierre, is but three leagues wide, and Michelon but two. However inconsiderable these two settlements may be, which do not properly make one, the King will accept of them, and will even oblige himself, 1. That neither in one nor the other island, nor in that of Conceau, if England cedes the latter, there shall be any military establishment; France will only maintain a guard of fifty men to enforce the police, which it will be necessary to maintain in those islands.

2. As far as possible, considering the weak guard of the police, the King will prevent all foreign vessels, even English, from landing at those islands.

3. France does not pretend to fish and dry their fish on the coast of Newfoundland, but in pursuance of the stipulation of the 13th article of the treaty of Utrecht, provided it be understood that the French may fish and dry their fish on the coasts of St. Pierre and Michelon.

4. Lastly, the Kings allows, that an English Commissary shall be resident in the said island, to be witness to the punctuality with which the stipulated condition of the treaty shall be observed.

V. The partition of the four neutral islands must be specified between the two Courts in the preliminaries; France accepts the partition of those islands proposed by England, provided that St. Lucia be declared to make part of the partition to be regulated in favour of France.

VI. The King, without entering into any discussion of the 6th article, agrees to this article, as well as to the 7th.

VIII. The

VIII. The King, with regard to the 8th article, refers to the 7th article of his *Ultimatum*. It is not in his Majesty's power to evacuate countries which appertain to his ally the Empress-Queen.

IX. The ninth article of the answer of England requires some explanation, for it is worded in such a manner as not to convey any precise meaning; it supposes respective engagements on the part of the King towards the Empress, and on the part of England towards the King of Prussia, to which the two Courts are strangers. France does not suppose that the King of England can hinder the allies of his Crown, such as the Sovereigns of Hanover, Cassel, and Brunswick, from joining their forces with those of the King of Prussia; but without entering into a needless discussion, the King is resolved, for the sake of peace, to make the most important sacrifices, and at the same time unalterably determined to grant nothing in the future treaty of peace which may be contrary to the stipulations he has entered into with his allies. It is with their consent, and with mutual concert, that the King proposes to England, in relation to the war in Westphalia, the 10th article of the memorial of his Majesty's propositions, and the 7th and 13th articles of the French *Ultimatum*. The King abides by these articles in answer to the 8th and 9th articles of the answer of England; not refusing, nevertheless, to treat of any fresh propositions which England may make on these heads, which shall be communicated to his Majesty's allies, and to which his Majesty will listen, with the consent of the Empress, if they are not contrary to his Majesty's engagements with that Princess.

X. France is of opinion that her proposition in relation to the captures in which the King's subjects are interested, are so just; that she abides by them, and refers to the 12th article of his propositions on that head.

XI. The King, after signing of the treaty, even of the preliminaries, will give a declaration under his hand to the King of England, by which his Majesty will declare that his intention never was to bring the towns of Ostend and Nieuport under his dominion.

XII. Pro-

XII. Provided that the terms of the cessation of hostilities may not be prejudicial to either Crown, France will agree to them.

XIII. France adopts the negotiation between the India Companies of the two nations, on condition that the negotiation shall be concluded at the same time with that between the two Crowns, and to that effect, each company shall enter upon their negotiation without delay, and shall name commissaries for that purpose.

XIV. This article will meet with no difficulty.

The Court of England will do justice to the considerable accommodations which the Court of France has testified in this memorial towards a reconciliation between the two Crowns.

It may be collected from this memorial, that the first article of the English answer was granted in the full extent which the Court of London required; France only desired eighteen months, instead of a year, for the emigration.

By granting the first part of the second article, which cedes the whole current of the Ohio to England, France proposed in regard to the second point of that article, to agree upon the nations which should be reputed neutral between Canada, Carolina, and Louisiana: This proposition was the more reasonable, because that by agreeing on this division of the possession of the two nations, an equitable system was adopted, discussions about the limits were prevented for the future, and France did not incur the risk of losing the colony of Louisiana, whenever it pleased the Court of London to invade it.

England, in her answer, persisted in requiring France to name the possessions which the King desired to have on the coast of Africa. The third article satisfied that demand,

The King, in the fourth article, agreed to the demolition of Dunkirk as far as it was possible; for it will not be practicable, as after the peace of Utrecht, to erect afresh a dam against the sea, which would inevitably carry it away presently. As to what remained, it was offered to demolish every thing at Dunkirk which had the appearance

appearance of a military port. Every one must be sensible how mortifying such a demolition must have been to France.

They agreed that the liberty of fishing in the gulph of St. Lawrence and upon the banks and coasts of Newfoundland, should be the compensation for the demolition of Dunkirk. They accepted the cession of the isle of St. Pierre on conditions more than burdensome : the union of Michelon to St. Pierre was of the least consequence, and the D. de Choiseul even assured Mr. Stanley that such a cession would not be insisted on.

It is true the King rejected the inspection of the English Admiral, and that his Majesty was resolved rather to refuse the possession of St. Pierre than to agree to such an inspection, which was useless for the maintaining the stipulations of the treaty, and injurious to the dignity of the French nation, as that condition seemed to be proposed only with a view to manifest, on the part of England, an ill-timed superiority.

The other articles of the French memorial explain of themselves, with sufficient precision, the sincere and pacific intentions of his Majesty.

The eighth and ninth articles of the answer of England could not be agreed to in the form they stood ; they required, at least, especially the last, some explanation : For how could the King cause Germany to be evacuated by his forces, and at the same time fulfil his engagement with the powers of the empire his allies ? There was a manifest contradiction of this proposition. One might suppose that England intended, by the ninth article, that France, after having evacuated Westphalia, should be at liberty to dispatch forces into Bohemia or Saxony to the aid of the Empress-Queen. But not to mention that such a march would have been as difficult as destructive to the King's army, is it probable that his Majesty, however closely he may be connected with that Princess, should abandon his possessions in Germany, conquered from his real enemies, to march his armies at a distance from his frontiers, without any communication, send his troops to the aid of this ally, and make war upon the King of Prussia, who is not his direct enemy !

Such

Such, nevertheless, was the proposition of England. The King, in his memorial, repeated what he had said before, that the two Crowns should equally remain at peace in Germany as in the other parts of the world, or that England should propose some plain and honourable method to conciliate his Majesty's good faith towards his allies, with his Majesty's desire of contributing no farther to the war in Germany.

M. de Buffy remitted the memorial of the 9th of September to Mr. Pitt on the 13th of the same month, and without having received any answer to that memorial on the part of the British Court, Mr. Stanley wrote to the D. de Choiseul the following letter, and received the answer underneath on the same day.

Mr. Stanley's Letter to the Duke de Choiseul, of the 20th September, 1761.

S I R,

I HAVE the honour to inform your Excellency, pursuant to the orders I received yesterday from my Court, that as the Court of France has not agreed to accept the propositions contained in the last answer from the British Court, the King my master has ordered me to request a passport of you to return to England; my Court expects also, that M. Buffy will, on his part, receive the same orders.

As the state of war has no influence over the personal sentiments of the King of England, with regard to their Most Christian Majesties, he is persuaded that they will take part in the event of his marriage, and I have letters in my hands by which he communicates that happy event to their Majesties. I have the honour to send your Excellency the copies, and I take the liberty, Sir, to consult your better intelligence, to inform myself of the most suitable manner of remitting these letters, in pursuance of my credentials, and according to the established custom of your Court.

I have the honour to be, &c.

Signed H. STANLEY.

The

The Duke de Choiseul's Answer to Mr. Stanley, of the 26th of September, 1761.

S I R,

THE King has ordered me, Sir, to expedite the passports which are necessary for your return to England: you will find them annexed. M. Buffy had orders to demand an eclaircissement with respect to the last answer from England, and to return to France if those eclaircissements were not favourable. They have certainly been otherwise, since your Court has anticipated his return by your recal. However it be, Sir, his Majesty hopes that some more happy opportunity will produce more effectual inclinations to peace, and he has charged me to observe to you, that you may assure the King of England, that he will always find him disposed to renew the negociation, and to consent to equitable conditions which may establish a firm union between the two Crowns.

The King most sincerely takes part in the marriage of the King of England; if you will send me the letters from his British Majesty, I will remit them to their Majesties.

I have the honour to be, &c.

Signed Le Duc de CHOISEUL.

At the same time M. de Buffy understood at London, that a courier had been dispatched to recal Mr. Stanley, he explained himself on that occasion; and after the British Ministry had confirmed the fact, he desired, agreeable to the orders he had received, the necessary passports to return to France.

Thus the negociation between the two Crowns has been broken off. They who talk so readily, and upon all occasions, that *we must make peace*, do not consider, that however well disposed a Sovereign may be for the re-establishment of tranquillity, his desire cannot be effectual but when it is equally sincere on the part of the other belligerent powers; and it will be admitted, on reading
this

this memorial, that the King has omitted nothing to come to an accommodation; no one can say, that his Majesty's allies have occasioned the rupture of the negotiation. It has been proved, that the war which the King maintains in Westphalia, is a war purely English, that it brings no advantage either to the Empresses, or to Sweden, or to Saxony; besides, the proposition made by France, not to afford any succours, either direct or indirect, to her allies in Germany, evidently demonstrates, that the war in Westphalia neither has been, nor could be, an impediment to the peace.

England and some other courts would pretend, that the engagements of the King with his Catholick Majesty, and the proposition made by France, to conciliate the differences of Spain with England at the same time with those which were the principal object of the negotiation, had so disgusted the Court of London, that for that reason only she refused the terms for the conclusion of peace. It is true, as has been shewn already, that the British Minister haughtily rejected the expedient, which his Majesty's prudent precaution induced him to suggest to England, with a view to conclude a firm peace, and to entirely obviate all obstacles which might oppose the continuance of that tranquillity which his Majesty laboured to re-establish: it is true, likewise, that since the first memorial of France, there was no farther notice of the differences of Spain in the proposition made by the Court of Versailles to that of London: his Catholick Majesty has even declared to the King, that if the objects which concerned the Spanish monarchy should embarrass the negotiation and retard the peace, he agreed that those points should be no farther negotiated on the part of his Majesty. In fact, to repeat it once more, since the first memorial of France, there has been no more mention of Spain. It cannot be imagined, therefore, that the interests of his Majesty's allies have proved an obstacle to the pacification. It remains, therefore, to examine whether the negotiation has been broken off with respect to the articles which are the subjects of the particular discussion between the two crowns.

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It is necessary to recollect here, agreeable to the representation in the opening of the memorial, what were the possessions acquired since the commencement of the war between the two crowns, to the time when the negotiation was entered upon, on the basis of the *Uti possidetis*.

England had conquered from France in North America, Canada, and the Isles Royal and St. John, situate in the gulph of St. Lawrence: in South America, the isles of Guadaloupe and Marigalante: in Africa, Senegal, and the island of Goree: in Asia, Pondicherry and the French settlements on the coast of Coromandel.

In Europe, the island of Belleisle, attacked since the opening of the negotiation, and subsequent to the epochs of *Statu quo*, proposed by the Court of France.

The *Uti possidetis* of France comprised in Asia, the English settlements on the coast of Sumatra, and other advantages on the side of the Mogul, of which they had yet received but imperfect accounts. In Europe, the island of Minorca, the Landgraviate of Hesse, the country of Hanau, and the town of Gottingen in the Electorate of Hanover. Lastly, France had re-established, or could have availed herself of the liberty which the infraction of the treaty of Utrecht gave her, to re-establish the port of Dunkirk.

The King offered to guaranty Canada to the English in the utmost extent which the Court of London required.

His Majesty proposed, that the right of fishing and of drying their fish on the coast and on the banks of Newfoundland, should be confirmed to France, and on that condition she consented to the demolition of Dunkirk.

The King proposed to restore the island of Minorca to England, for the cession of Guadaloupe and Marigalante.

His Majesty agreed to evacuate Hesse, the country of Hanau and Gottingen, provided that one of the two settlements he had lost in Africa were restored to him.

The India Companies of the two nations were to treat concerning their particular pacification, agreeable to their reciprocal interests.

If the reduction of Belleisle should be acknowledged a legal conquest, though undertaken after the proposition
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of *Uti possidetis*, France agreed, that the possession of that important island should remain to England.

Who can pretend to say, after the foregoing representation, that France has not scrupulously pursued, in all her propositions, the principle of her memorial of the 26th of March? Can any one, at the same time, deny that the compensations offered by the King, were not as advantageous for England as she could desire?

Therefore it evidently follows, that the allies of France in Germany could have been no obstacle to the peace, since they take no part in the war which is carried on in Westphalia, nor are assisted by the King's forces in the war maintained in Saxony, Silesia, and Pomerania. Moreover, it was proposed to England, on the part of France, that the two Courts should absolutely withdraw themselves from the war.

It is equally demonstrable, that Spain cannot be alledged to have been an impediment to the pacification, as the King did not renew the propositions he made to unite the accommodation of the differences of that Crown with the treaty under negotiation between the Courts of Versailles and London, and his Catholic Majesty approved of their silence in this behalf.

It is certain, that the conditions and compensations offered by France, for the conclusion of a separate peace with England, are all for the advantage of the latter power; that the Court of London, had she been inclined to peace, could not make claims beyond her conquests; and that the Court plainly and clearly gave up every thing, which was not compensated by some restitution on her part.

This detail necessarily leads to the question, which the whole universe, that suffers by the miseries of war, must necessarily make: What then has been the motive of the rupture of such an important negotiation? That motive has no other principle than the positive aversion of the Court of London to peace: it has proved impossible to infuse a conciliating spirit into a Court resolved to perpetuate the war, and less influenced by the real interests of the kingdom and the destruction of the human species,

than inflated with the success she has had, and greedy of those advantages she has farther in view.

It is with regret, that the King finds himself obliged to continue an opposition by force to the progress of the ambitious designs of his enemies, and under an impossibility of procuring his people that repose, which his Majesty wished for their welfare. The King trusts, that Providence will disappoint those vast projects, which England scarce endeavours to disguise, and which threaten the security of every Potentate. His Majesty, invariable in his pacific dispositions, will be always ready to concur in every expedient which may be judged proper to re-establish the public tranquillity, and will make no difficulty of sacrificing even his own interests to the glory and consolation of restoring peace to his kingdom and to Europe.

By order of the King,

Signed Le Duc de CHOISEUL.

Preliminary Articles of Peace, between his Britannick Majesty, the Most Christian King, and the Catholick King. Signed at Fontainbleau, the 3d Day of November, 1762. [Printed from the Copy.]

In the Name of the Most Holy Trinity.

THE King of Great Britain, and the Most Christian King, animated with the reciprocal desire to re-establish union and good understanding between them, as well for the good of mankind in general, as for that of their respective kingdoms, states, and subjects, having reflected, soon after the rupture between Great Britain and Spain, on the state of the negociation of last year, (which unhappily had not the desired effect) as well as on the points in dispute between the Crowns of Great Britain and Spain; their Britannick and Most Christian Majesties began a correspondence to endeavour to find means to adjust the differences subsisting between their said Majesties. At the same time, the Most Christian King, having communicated to the King of Spain these
happy

happy dispositions, his Catholick Majesty was animated with the same zeal for the good of mankind, and that of his subjects, and resolved to extend and multiply the fruits of peace by his concurrence in such laudable intentions. Their Britannick, Most Christian, and Catholick Majesties, having, in consequence, maturely considered all the above points, as well as the different events which have happened during the course of the present negotiation, have, by mutual consent, agreed on the following articles, which shall serve as a basis to the future treaty of peace. For which purpose, his Britannick Majesty has named and authorised, John Duke and Earl of Bedford, Marquis of Tavistock, &c. Minister of state of the King of Great Britain, Lieutenant General of his Forces, Keeper of his Privy Seal, Knight of the Most Noble Order of the Garter, and his Britannick Majesty's Minister Plenipotentiary to his Most Christian Majesty; his Most Christian Majesty, Cæsar Gabriel de Choiseul, Duke of Praslin, Peer of France, Knight of the Most Christian King's Orders, Lieutenant General of his Forces, Counsellor in all his Councils, and Minister and Secretary of State, of his Commands and Finances; and his Catholick Majesty has likewise named and authorised, Don Jerome Grimaldi, Marquis de Grimaldi, Knight of the Most Christian King's Orders, Gentleman of the Bedchamber to his Catholick Majesty in Employment, and his Ambassador Extraordinary to his Most Christian Majesty; who, after having duly communicated to each other their full powers in good form, have agreed on the following articles.

Article I. As soon as the Preliminaries shall be signed and ratified, sincere friendship shall be re-established between his Britannick Majesty and his Most Christian Majesty, and between his said Britannick Majesty and his Catholick Majesty, their kingdoms, states, and subjects, by sea and by land, in all parts of the world. Orders shall be sent to the armies and squadrons, as well as to the subjects of the three powers, to stop all hostilities, and to live in the most perfect union, forgetting what has passed, of which their Sovereigns give them the order and example: And, for the execution of this article, sea

passes shall be given, on each side, for the ships which shall be dispatched to carry the news of it to the respective possessions of the three powers.

II. His Most Christian Majesty renounces all pretensions, which he has hereto formed, or might have formed, to Nova Scotia, or Acadia, in all its parts, and guaranties the whole of it, with all its dependencies, to the King of Great Britain: Moreover, his Most Christian Majesty cedes and guaranties to his said Britannick Majesty, in full right, Canada, with all its dependencies, as well as the island of Cape Breton, and all the other islands in the gulph and river of St. Lawrence, without restriction, and without any liberty to depart from this cession and guaranty, under any pretence, or to trouble Great Britain in the possessions above mentioned. His Britannick Majesty, on his side, agrees to grant to the inhabitants of Canada the liberty of the Catholick religion: He will, in consequence, give the most exact and the most effectual orders, that his new Roman Catholick subjects may profess the worship of their religion, according to the rites of the Roman Church, as far as the laws of Great Britain permit. His Britannick Majesty farther agrees, that the French inhabitants, or others who would have been subjects of the Most Christian King in Canada, may retire, in all safety and freedom, wherever they please; and may sell their estates, provided it be to his Britannick Majesty's subjects, and transport their effects, as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except debts, or criminal prosecutions: The term limited for this emigration, being fixed to the space of eighteen months, to be computed from the day of the ratification of the definitive treaty.

III. The subjects of France shall have the liberty of fishing and drying, on a part of the coasts of the island of Newfoundland, such as it is specified in the XIIIth article of the treaty of Utrecht; which article shall be confirmed and renewed by the approaching definitive treaty (except what regards the island of Cape Breton, as well as the other islands in the mouth and in the gulph of St. Lawrence): And his Britannick Majesty consents to leave to the

the Most Christian King's subjects the liberty to fish in the gulph of St. Lawrence, on condition that the subjects of France do not exercise the said fishery, but at the distance of three leagues from all the coasts belonging to Great Britain, as well those of the continent as those of the islands situated in the said gulph of St. Lawrence. And as to what relates to the fishery out of the said gulph, his Most Christian Majesty's subjects shall not exercise the fishery, but at the distance of fifteen leagues from the coasts of the island of Cape Breton.

IV. The King of Great Britain cedes the islands of St. Peter and of Miquelon, in full right, to his Most Christian Majesty, to serve as a shelter for the French fishermen; and his said Majesty obliges himself, on his Royal Word, not to fortify the said islands; to erect no buildings there but merely for the conveniency of the fishery; and to keep there only a guard of fifty men for the police.

V. The town and port of Dunkirk shall be put into the state fixed by the last treaty of Aix la Chapelle, and by former treaties: The Cunette shall remain as it now is, provided that the English engineers, named by his Britannick Majesty, and received at Dunkirk by order of his Most Christian Majesty, verify, that this Cunette is only of use for the wholesomeness of the air, and the health of the inhabitants.

VI. In order to re-establish peace on the most solid and lasting foundations, and to remove every subject of dispute with regard to the limits of the British and French territories on the continent of America; it is agreed, that, for the future, the confines between the dominions of his Britannick Majesty, and those of his Most Christian Majesty, in that part of the world, shall be irrevocably fixed by a line drawn along the middle of the river Mississipi, from its source, as far as the river Iberville, and from thence, by a line drawn along the middle of this river, and of the lakes Maurepas and Pottchartrain, to the sea; and to this purpose, the Most Christian King cedes in full right, and guaranties to his Britannick Majesty, the river and port of Mobile, and every thing that he possesses, or ought to have possessed, on the left

side of the river Mississippi, except the town of New Orleans, and the island in which it is situated, which shall remain to France; provided that the navigation of the river Mississippi shall be equally free, as well to the subjects of Great Britain, as to those of France, in its whole breadth and length, from its source to the sea, and that part expressly which is between the said island of New Orleans, and the right bank of that river, as well as the passage both in and out of its mouth: It is farther stipulated, that the vessels belonging to the subjects of either nation, shall not be stopped, visited, or subjected to the payment of any duty whatsoever. The stipulations in favour of the inhabitants of Canada, inserted in the second article, shall also take place, with regard to the inhabitants of the countries ceded by this article.

VII. The King of Great Britain shall restore to France the islands of Guadaloupe, of Marigalante, of Desirade, of Martinico, and of Belleisle; and the fortresses of these islands shall be restored in the same condition they were in when they were conquered by the British arms; provided that the term of eighteen months, to be computed from the day of the ratification of the definitive treaty, shall be granted to his Britannick Majesty's subjects, who may have settled in the said islands, and other places restored to France by the definitive treaty, to sell their estates, recover their debts, and to transport their effects, as well as their persons, without being restrained, on account of their religion, or under any other pretence whatsoever, except that of debts, or of criminal prosecutions.

VIII. The Most Christian King cedes and guaranties to his Britannick Majesty, in full right, the islands of Grenada and the Grenadines, with the same stipulations in favour of the inhabitants of this Colony, as are inserted in the second article for those of Canada: And the partition of the islands called Neutral, is agreed and fixed, so that those of St. Vincent, Dominico, and Tobago, shall remain in full right to England, and that of St. Lucia shall be delivered to France, to enjoy the same in like manner in full right: the two Crowns reciprocally guarantying to each other the partition so stipulated.

IX. His

IX. His Britannick Majesty shall restore to France the island of Goree, in the condition it was in when conquered: and his Most Christian Majesty cedes in full right, and guaranties to the King of Great Britain, Senegal.

X. In the East Indies, Great Britain shall restore to France the several Comptoirs which that Crown had on the coast of Coromandel, as well as on that of Malabar, and also in Bengal, at the commencement of hostilities between the two Companies in the year 1749, in the condition in which they now are, on condition that his Most Christian Majesty renounces the acquisitions which he has made on the coast of Coromandel since the said commencement of hostilities between the two Companies in the year 1749.

His Most Christian Majesty, on his side, shall restore all that he shall have conquered from Great Britain in the East Indies during the present war; and he also engages not to erect any fortifications, or to keep any troops in Bengal.

XI. The Island of Minorca shall be restored to his Britannick Majesty, as well as fort St. Philip, in the same condition they were in when they were conquered by the arms of the Most Christian King; and with the artillery that was there at the taking of the said island, and of the said fort.

XII. France shall restore all the countries belonging to the Electorate of Hanover, to the Landgrave of Hesse, to the Duke of Brunswick, and to the Count of La Lippe Buckeburg, which are, or shall be occupied by the arms of his Most Christian Majesty: the fortresses of these different countries shall be restored in the same condition they were in when they were conquered by the French arms; and the pieces of artillery which shall have been carried elsewhere, shall be replaced by the same number, of the same bore, weight, and metal: as to what regards hostages exacted or given during the war, to this day, they shall be sent back without ransom.

XIII. After the ratification of the preliminaries, France shall evacuate, as soon as it can be done, the fortresses of Cleves, Wesel, and Guelders, and in general all the countries belonging to the King of Prussia; and, at the

same time, the British and French armies shall evacuate all the countries which they occupy, or may then occupy, in Westphalia, Lower Saxony, on the Lower Rhine, the Upper Rhine, and in all the Empire; and each shall retire into the dominions of their respective Sovereigns: and their Britannick and Most Christian Majesties farther engage and promise, not to furnish any succour, of any kind, to their respective allies, who shall continue engaged in the present war in Germany.

XIV. The towns of Ostend and Nieuport shall be evacuated by his Most Christian Majesty's troops, immediately after the signature of the present preliminaries.

XV. The decision of the prizes made on the Spaniards by the subjects of Great Britain, in time of peace, shall be referred to the courts of justice of the Admiralty of Great Britain, conformably to the rules established among all nations, so that the validity of the said prizes between the British and Spanish nations, shall be decided and judged, according to the law of nations, and according to treaties, in the Courts of justice of the nation who shall have made the capture.

XVI. His Britannick Majesty shall cause all the fortifications to be demolished, which his subjects shall have erected in the Bay of Honduras, and other places of the territory of Spain in that part of the world, four months after the ratification of the definitive treaty: and his Catholick Majesty shall not, for the future, suffer the subjects of his Britannick Majesty, or their workmen, to be disturbed or molested, under any pretence whatsoever, in their occupation of cutting, loading, and carrying away logwood; and for this purpose, they may build without hindrance, and occupy without interruption, the houses and magazines necessary for them, for their families, and for their effects; and his said Catholick Majesty assures to them, by this article, the entire enjoyment of what is above stipulated.

XVII. His Catholick Majesty desists from all pretension which he may have formed to the right of fishing about the island of Newfoundland.

XVIII. The King of Great Britain shall restore to Spain all that he has conquered in the island of Cuba, with the
fortress

fortress of the Havannah ; and that fortress, as well as all the other fortresses of the said island, shall be restored in the same condition they were in when they were conquered by his Britannick Majesty's arms.

XIX. In consequence of the restitution stipulated in the preceding article, his Catholick Majesty cedes and guaranties, in full right, to his Britannick Majesty, all that Spain possesses on the continent of North America, to the East, or to the South-East, of the river Mississippi. And his Britannick Majesty agrees to grant to the inhabitants of this country, above ceded, the liberty of the Catholick religion : he will, in consequence, give the most exact and the most effectual orders, that his new Roman Catholick subjects may profess the worship of their religion according to the rites of the Roman Church, as far as the laws of Great Britain permit. His Britannick Majesty farther agrees, that the Spanish inhabitants, or others who would have been subjects of the Catholick King in the said countries, may retire, in all safety and freedom, wherever they please ; and may sell their estates, provided it be to his Britannick Majesty's subjects, and transport their effects, as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except debts or criminal prosecutions : the term limited for this emigration being fixed to the space of eighteen months, to be computed from the day of the ratification of the definitive treaty. It is farther stipulated, that his Catholick Majesty shall have power to cause all the effects that belong to him, either artillery or others, to be carried away.

XX. The King of Portugal, his Britannick Majesty's ally, is expressly included in the present preliminary articles. And their Most Christian and Catholick Majesties engage to re-establish the ancient peace and friendship between them and his Most Faithful Majesty : And they promise,

1st. That there shall be a total cessation of hostilities between the Crowns of Spain and Portugal, and between the Spanish and French troops on the one side, and the Portuguese troops and those of their allies, on the other, immediately after the ratification of these preliminaries :
and

and that there shall be a like cessation of hostilities between the respective forces of the Most Christian and Catholick Kings on the one part, and those of the most Faithful King on the other, in all other parts of the world, as well by sea as by land; which cessation shall be fixed on the same epochs, and under the same conditions, as that between Great Britain, France and Spain, and shall continue till the conclusion of the definitive treaty between Great Britain, France, Spain, and Portugal.

2d. That all his Most Faithful Majesty's fortresses, and countries in Europe, which shall have been conquered by the Spanish and French armies, shall be restored in the same condition they were in when they were conquered: and that, with regard to the Portuguese colonies in America, or elsewhere, if any change shall have happened in them, all things shall be put again on the same footing they were before the present war. And the Most Faithful King shall be invited to accede to the present preliminary articles as soon as shall be possible.

XXI. All the countries and territories which may have been conquered, in any part of the world whatsoever, by the arms of their Britannick and Most Faithful Majesties, as well as by those of their Most Christian and Catholick Majesties, which are not included in the present articles either under the title of cessions, or under the title of restitutions, shall be restored without difficulty, and without requiring compensations.

XXII. As it is necessary to assign a fixed epoch for the restitutions and the evacuations to be made by each of the high contracting parties, it is agreed, that the British and French troops shall proceed, immediately after the ratification of the preliminaries, to the evacuation of the countries which they occupy in the Empire, or elsewhere, conformably to the XIIth and XIIIth articles.

The island of Belleisle shall be evacuated six weeks after the ratification of the definitive treaty, or sooner if it can be done.

Guadaloupe, Desirade, Marigalante, Martinico, and St. Lucia, three months after the ratification of the definitive treaty, or sooner if it can be done.

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Great Britain shall likewise, at the end of three months after the ratification of the definitive treaty, or sooner if it can be done, enter into possession of the river and of the port of Mobile, and of all that is to form the limits of the territory of Great Britain, on the side of the river Mississippi, as they are specified in the VIth article.

The island of Goree shall be evacuated by Great Britain three months after the ratification of the definitive treaty; and the island of Minorca by France at the same epoch, or sooner if it can be done. And according to the conditions of the IVth article, France shall also enter into possession of the islands of St. Peter and of Miquelon at the end of three months.

The Comptoirs in the East Indies shall be restored six months after the ratification of the definitive treaty, or sooner if it can be done.

The island of Cuba, with the fortress of the Havannah, shall be restored three months after the ratification of the definitive treaty, or sooner if it can be done. And at the same time Great Britain shall enter into possession of the country ceded by Spain according to the XIXth article.

All the fortresses and countries of his Most Faithful Majesty in Europe shall be restored immediately after the ratification of the definitive treaty : and the Portuguese colonies, which may have been conquered, shall be restored in the space of three months in the West Indies, and of six months in the East Indies, after the ratification of the definitive treaty, or sooner if it can be done.

In consequence whereof the necessary orders shall be sent by each of the high contracting parties, with reciprocal passports for the ships which shall carry them, immediately after the ratification of the definitive treaty.

XXIII. All the treaties, of what nature soever, which existed before the present war, as well between their Britannick and Most Christian Majesties as between their Britannick and Catholick Majesties, as also between any of the above-named powers and his Most Faithful Majesty, shall be, as they are in effect, renewed and confirmed in all their points, which are not derogated from by the present preliminary articles, notwithstanding whatever may have been stipulated to the contrary by any of

the high contracting parties : and all the said parties declare, that they will not suffer any privilege, favour, or indulgence, to subsist, contrary to the treaties above confirmed.

XXIV. The prisoners made respectively by the arms of their Britannick, Most Christian, Catholick, and Most Faithful Majesties, by land and by sea, shall be restored reciprocally, and *bonâ fide*, after the ratification of the definitive treaty, without ransom, paying the debts they shall have contracted during their captivity. And each crown shall respectively pay the advances which shall have been made for the subsistence and maintenance of their prisoners by the Sovereign of the country where they shall have been detained, according to the receipts and attested accounts and other authentic titles which shall be furnished on each side.

XXV. In order to prevent all causes of complaints and disputes which may arise on account of ships, merchandizes, and other effects, which may be taken by sea, it is reciprocally agreed, that the ships, merchandizes, and effects, which may be taken in the Channel and in the north seas, after the space of twelve days, to be computed from the ratification of the present preliminary articles, shall be reciprocally restored on each side.

That the term shall be six weeks for the prizes taken from the channel, the British seas, and the north seas, as far as the Canary islands inclusively, either in the ocean or in the Mediterranean.

Three months from the said Canary islands as far as the Equinoctial Line, or Equator.

Lastly, six months beyond the said Equinoctial Line, or Equator, and in all other parts of the world, without any exception, or other more particular description of time and place.

XXVI. The ratification of the present preliminary articles shall be expedited in good and due form, and exchanged in the space of one month, or sooner if it can be done, to be computed from the day of the signature of the present articles.

In witness whereof, we the under-written Ministers Plenipotentiary of his Britannick Majesty, of his Most Christian

tian Majesty, and of his Catholick Majesty, in virtue of our respective full powers, have signed the present preliminary articles, and have caused the seal of our arms to be put thereto.

Done at Fontainebleau the third day of November, 1762.

Bedford, C. P. S.
(L. S.)

*Choiseul, Duc
de Praslin.*
(L. S.)

*El Marq. de
Grimaldi.*
(L. S.)

Declaration, signed at *Fontainebleau* the 3d of *November*, 1762, by the *French* Plenipotentiary, relating to the XIIIth Article of the Preliminaries.

HIS Most Christian Majesty declares that, in agreeing to the XIIIth article of the Preliminaries signed this day, he does not mean to renounce the right of acquitting his debts to his allies; and that the remittances which may be made on his part, in order to acquit the arrears that may be due on the subsidies of preceding years, are not to be considered as an infraction of the said article.

In witness whereof, I the under-written Minister Plenipotentiary of his Most Christian Majesty, have signed the present declaration, and have caused the seal of my arms to be put thereto.

Done at Fontainebleau the third day of November, 1762.

(L. S.) *Choiseul Duc de Praslin.*

The definitive Treaty of Peace and Friendship between his Britannick Majesty, the Most Christian King, and the King of Spain. Concluded at Paris the 10th day of February, 1763. To which the King of Portugal acceded on the same day. [Printed from the Copy.]

In the Name of the Most Holy and Undivided Trinity, Father, Son, and Holy Ghost. So be it.

BE it known to all those whom it shall, or may, in any manner, belong,

It has pleased the Most High to diffuse the spirit of union and concord among the Princes, whose divisions had

had spread troubles in the four parts of the world, and to inspire them with the inclination to cause the comforts of peace to succeed to the misfortunes of a long and bloody war, which having arisen between England and France during the reign of the Most Serene and Most Potent Prince, George the Second, by the grace of God, King of Great Britain, of glorious memory, continued under the reign of the Most Serene and Most Potent Prince, George the Third, his successor, and, in its progress, communicated itself to Spain and Portugal: Consequently, the Most Serene and Most Potent Prince, George the Third, by the grace of God, King of Great Britain, France, and Ireland, Duke of Brunswick and Lunenburg, Arch Treasurer and Elector of the Holy Roman Empire; the Most Serene and Most Potent Prince, Lewis the Fifteenth, by the grace of God, Most Christian King; and the Most Serene and Most Potent Prince, Charles the Third, by the grace of God, King of Spain and of the Indies, after having laid the foundations of peace in the preliminaries signed at Fontainebleau the third of November last; and the Most Serene and Most Potent Prince, Don Joseph the First, by the grace of God, King of Portugal and of the Algarves, after having acceded thereto, determined to compleat, without delay, this great and important work. For this purpose, the high contracting parties have named and appointed their respective Ambassadors Extraordinary and Ministers Plenipotentiary, viz. his Sacred Majesty the King of Great Britain, the Most Illustrious and Most Excellent Lord, John Duke and Earl of Bedford, Marquis of Tavistock, &c. his Minister of State, Lieutenant General of his Armies, Keeper of his Privy Seal, Knight of the Most Noble Order of the Garter, and his Ambassador Extraordinary and Minister Plenipotentiary to his Most Christian Majesty; his Sacred Majesty the Most Christian King, the Most Illustrious and Most Excellent Lord, César Gabriel de Choiseul, Duke of Praslin, Peer of France, Knight of his Orders, Lieutenant General of his Armies and of the province of Brittany, Counsellor of all his Councils, and Minister and Secretary of State, and of his Commands and Finances; his Sacred Majesty the Catho-
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lick King, the Most Illustrious and Most Excellent Lord, Don Jerome Grimaldi, Marquis de Gaimaldi, Knight of the Most Christian King's Orders, Gentleman of his Catholick Majesty's Bedchamber in Employment, and his Ambassador Extraordinary to his Most Christian Majesty; his Sacred Majesty the Most Faithful King, the Most Illustrious and Most Excellent Lord, Martin de Mello and Castro, Knight professed of the Order of Christ, of his Most Faithful Majesty's Council, and his Ambassador and Minister Plenipotentiary to his Most Christian Majesty.

Who, after having duly communicated to each other their full powers, in good form, copies whereof are transcribed at the end of the present treaty of peace, have agreed upon the articles, the tenor of which is as follows :

Article I. There shall be a Christian, universal, and perpetual peace, as well by sea as by land, and a sincere and constant friendship shall be re-established between their Britannick, Most Christian, Catholick, and Most Faithful Majesties, and between their heirs and successors, kingdoms, dominions, provinces, countries, subjects, and vassals, of what quality or condition soever they be, without exception of places or of persons : So that the high contracting parties shall give the greatest attention to maintain between themselves and their said dominions and subjects this reciprocal friendship and correspondence, without permitting, on either side, any kind of hostilities, by sea or by land, to be committed from henceforth, for any cause, or under any pretence whatsoever, and every thing shall be carefully avoided which might hereafter prejudice the union happily re-established, applying themselves, on the contrary, on every occasion, to procure for each other whatever may contribute to their mutual glory, interests, and advantages, without giving any assistance or protection, directly or indirectly, to those who would cause any prejudice to either of the high contracting parties : there shall be a general oblivion of every thing that may have been done or committed before or since the commencement of the war which is just ended.

II. The

II. The treaties of Westphalia of 1648; those of Madrid between the Crowns of Great Britain and Spain of 1667, and 1670; the treaties of peace of Nimeguen of 1678, and 1679; of Ryfwick of 1697; those of peace and of commerce of Utrecht of 1713; that of Baden of 1714; the treaty of the triple alliance of the Hague of 1717: that of the quadruple alliance of London of 1718; the treaty of peace of Vienna of 1738; the definitive treaty of Aix la Chapelle of 1748; and that of Madrid, between the Crowns of Great Britain and Spain of 1750: as well as the treaties between the Crowns of Spain and Portugal of the 13th of February, 1668; of the 6th of February, 1715; and of the 12th of February, 1761; and that of the 11th of April, 1713, between France and Portugal with the guaranties of Great Britain, serve as a basis and foundation to the peace, and to the present treaty: and for this purpose they are all renewed and confirmed in the best form, as well as all the general, which subsisted between the high contracting parties before the war, as if they were inserted here word for word, so that they are to be exactly observed, for the future, in their whole tenor, and religiously executed on all sides, in all their points, which shall not be derogated from by the present treaty, notwithstanding all that may have been stipulated to the contrary by any of the high contracting parties: and all the said parties declare, that they will not suffer any privilege, favour, or indulgence to subsist, contrary to the treaties above confirmed, except what shall have been agreed and stipulated by the present treaty.

III. All the prisoners made, on all sides, as well by land as by sea, and the hostages carried away or given during the war, and to this day, shall be restored, without ransom, six weeks, at least, to be computed from the day of the exchange of the ratification of the present treaty, each crown respectively paying the advances which shall have been made for the subsistence and maintenance of their prisoners by the Sovereign of the country where they shall have been detained, according to the attested receipts and estimates and other authentic vouchers which shall be furnished on one side and the other. And securities

ties shall be reciprocally given for the payment of the debts which the prisoners shall have contracted in the countries where they have been detained until their entire liberty. And all the ships of war and merchant vessels which shall have been taken since the expiration of the terms agreed upon for the cessation of hostilities by sea shall likewise be restored, *bonâ fide*, with all their crews and cargoes: and the execution of this article shall be proceeded upon immediately after the exchange of the ratifications of this treaty.

IV. His Most Christian Majesty renounces all pretensions which he has heretofore formed or might have formed to Nova Scotia or Acadia in all its parts, and guaranties the whole of it, and with all its dependencies, to the King of Great Britain: Moreover, his Most Christian Majesty cedes and guaranties to his said Britannick Majesty, in full right, Canada, with all its dependencies, as well as the island of Cape Breton, and all the other islands and coasts in the gulph and river of St. Lawrence, and in general, every thing that depends on the said countries, lands, islands, and coasts, with the sovereignty, property, possession, and all rights acquired by treaty, or otherwise, which the Most Christian King and the Crown of France have had till now over the said countries, lands, islands, places, coasts, and their inhabitants, so that the Most Christian King cedes and makes over the whole to the said King, and to the Crown of Great Britain, and that in the most ample manner and form, without restriction, and without any liberty to depart from the said cession and guaranty under any pretence, or to disturb Great Britain in the possessions above mentioned. His Britannick Majesty, on his side, agrees to grant the liberty of the Catholick religion to the inhabitants of Canada: he will, in consequence, give the most precise and most effectual orders, that his new Roman Catholick subjects may profess the worship of their religion according to the rites of the Romish church, as far as the laws of Great Britain permit. His Britannick Majesty farther agrees, that the French inhabitants, or others who had been subjects of the Most Christian King in Canada, may retire with all safety and freedom wherever they shall think proper,

and may sell their estates, provided it be to the subjects of his Britannick Majesty, and bring away their effects as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except that of debts or of criminal prosecutions : The term limited for this emigration shall be fixed to the space of eighteen months, to be computed from the day of the exchange of the ratification of the present treaty.

V. The subjects of France shall have the liberty of fishing and drying on a part of the coasts of the island of Newfoundland, such as it is specified in the XIIIth article of the treaty of Utrecht ; which article is renewed and confirmed by the present treaty, (except what relates to the island of Cape Breton, as well as to the other islands and coasts in the mouth and in the gulph of St. Lawrence :) And his Britannick Majesty consents to leave to the subjects of the Most Christian King the liberty of fishing in the gulph of St. Lawrence, on condition that the subjects of France do not exercise the said fishery but at the distance of three leagues from all the coasts belonging to Great Britain, as well those of the continent as those of the islands situated in the said gulph of St. Lawrence. And as to what relates to the fishery on the coasts of the island of Cape Breton, out of the said gulph, the subjects of the Most Christian King shall not be permitted to exercise the said fishery but at the distance of fifteen leagues from the coasts of the island of Cape Breton ; and the fishery on the coasts of Nova Scotia or Acadia, and every where else out of the said gulph, shall remain on the foot of former treaties.

VI. The King of Great Britain cedes the islands of St. Pierre and Macquelon, in full right, to his Most Christian Majesty, to serve as a shelter to the French fishermen ; and his said Most Christian Majesty engages not to fortify the said islands ; to erect no buildings upon them but merely for the conveniency of the fishery ; and to keep upon them a guard of fifty men only for the police.

VII. In order to re-establish peace on solid and durable foundations, and to remove for ever all subject of dispute with regard to the limits of the British and French terri-

territories on the continent of America; it is agreed, that, for the future, the confines between the dominions of his Britannick Majesty and those of his Most Christian Majesty, in that part of the world, shall be fixed irrevocably by a line drawn along the middle of the River Mississippi, from its source to the river Iberville, and from thence, by a line drawn along the middle of this river, and the lakes Maurepas and Potchartrain to the sea; and for this purpose, the Most Christian King cedes in full right, and guaranties to his Britannick Majesty the river and port of the Mobile, and every thing which he possesses, or ought to possess, on the left side of the river Mississippi, except the town of New Orleans and the island in which it is situated, which shall remain to France, provided that the navigation of the river Mississippi shall be equally free, as well to the subjects of Great Britain as to those of France, in its whole breadth and length, from its source to the sea, and expressly that part which is between the said island of New Orleans and the right bank of that river, as well as the passage both in and out of its mouth: It is farther stipulated, that the vessels belonging to the subjects of either nation shall not be stopped, visited, or subjected to the payment of any duty whatsoever. The stipulations inserted in the IVth article, in favour of the inhabitants of Canada shall also take place with regard to the inhabitants of the countries ceded by this article.

VIII. The King of Great Britain shall restore to France the islands of Guadaloupe, of Mariegalante, of Desirade, of Martinico, and of Belleisle; and the fortresses of these islands shall be restored in the same condition they were in when they were conquered by the British arms, provided that his Britannick Majesty's subjects, who shall have settled in the said islands, or those who shall have any commercial affairs to settle there or in other places restored to France by the present treaty, shall have liberty to sell their lands and their estates, to settle their affairs, to recover their debts, and to bring away their effects as well as their persons, on board vessels, which they shall be permitted to send to the said islands and other places restored as above, and which shall serve for this use only, without

being restrained on account of their religion, or under any other pretence whatsoever, except that of debts or of criminal prosecutions: and for this purpose, the term of eighteen months is allowed to his Britannick Majesty's subjects, to be computed from the day of the exchange of the ratifications of the present treaty; but, as the liberty granted to his Britannick Majesty's subjects, to bring away their persons and their effects, in vessels of their nation, may be liable to abuses if precautions were not taken to prevent them; it has been expressly agreed between his Britannick Majesty and his Most Christian Majesty, that the number of English vessels which have leave to go to the said islands and places restored to France, shall be limited, as well as the number of tons of each one; that they shall go in ballast; shall set sail at a fixed time; and shall make one voyage only; all the effects belonging to the English being to be embarked at the same time. It has been farther agreed, that his Most Christian Majesty shall cause the necessary passports to be given to the said vessels; that, for the greater security, it shall be allowed to place two French clerks or guards in each of the said vessels, which shall be visited in the landing places and ports of the said islands and places restored to France, and that the merchandize which shall be found therein shall be confiscated.

IX. The Most Christian King cedes and guaranties to his Britannick Majesty, in full right, the islands of Grenada, and the Grenadines, with the same stipulations in favour of the inhabitants of this colony, inserted in the IVth article for those of Canada: And the partition of the islands called neutral, is agreed and fixed, so that those of St. Vincent, Dominico, and Tobago, shall remain in full right to Great Britain, and that of St. Lucia shall be delivered to France, to enjoy the same likewise in full right, and the high contracting parties guaranty the partition so stipulated.

X. His Britannick Majesty shall restore to France the island of Goree in the condition it was in when conquered: and his Most Christian Majesty cedes, in full right, and guaranties to the King of Great Britain the river Senegal, with the forts and factories of St. Lewis, Podor, and Galam,

Galam, and with all the rights and dependencies of the said river Senegal.

XI. In the East Indies Great Britain shall restore to France, in the condition they are now in, the different factories which that Crown possessed, as well as on the coast of Coromandel and Orixas as on that of Malabar, as also in Bengal, at the beginning of the year 1749. And his Most Christian Majesty renounces all pretension to the acquisitions which he has made on the coast of Coromandel and Orixas since the said beginning of the year 1749. His Most Christian Majesty shall restore, on his side, all that he may have conquered from Great Britain in the East Indies during the present war; and will expressly cause Nattal and Tapanoully, in the island of Sumatra, to be restored; he engages farther, not to erect fortifications, or to keep troops in any part of the dominions of the Subah of Bengal. And in order to preserve future peace on the coast of Coromandel and Orixas, the English and French shall acknowledge Mahomet Ally Khan for lawful Nabob of the Carnatick, and Salabat Jing for lawful Subah of the Decan; and both parties shall renounce all demands and pretensions of satisfaction with which they might charge each other, or their Indian allies, for the depredations or pillage committed on the one side or on the other during the war.

XII. The island of Minorca shall be restored to his Britannick Majesty, as well as Fort St. Philip, in the same condition they were in when conquered by the arms of the Most Christian King; and with the artillery which was there when the said island and the said fort were taken.

XIII. The town and port of Dunkirk shall be put into the state fixed by the last treaty of Aix la Chapelle, and by former treaties. The Cunette shall be destroyed immediately after the exchange of the ratifications of the present treaty, as well as the forts and batteries which defend the entrance on the side of the sea; and provision shall be made at the same time for the wholesomeness of the air, and for the health of the inhabitants, by some other means, to the satisfaction of the King of Great Britain.

XIV. France shall restore all the countries belonging to the Electorate of Hanover, to the Landgrave of Hesse, to the Duke of Brunswick, and to the Count of La Lippe Buckebourg, which are or shall be occupied by his Most Christian Majesty's arms: the fortresses of these different countries shall be restored in the same condition they were in when conquered by the French arms; and the pieces of artillery, which shall have been carried elsewhere, shall be replaced by the same number, of the same bore, weight and metal.

XV. In case the stipulations contained in the XIIIth article of the preliminaries should not be completed at the time of the signature of the present treaty, as well with regard to the evacuations to be made by the armies of France of the fortresses of Cleves, Wezel, Guelders, and of all the countries belonging to the King of Prussia, as with regard to the evacuations to be made by the British and French armies of the countries which they occupy in Westphalia, Lower Saxony, on the Lower Rhine, the Upper Rhine, and in all the empire; and to the retreat of the troops into the dominions of their respective Sovereigns: their Britannick and Most Christian Majesties promise to proceed, *bonâ fide*, with all the dispatch the case will permit of to the said evacuations, the entire completion whereof they stipulate before the 15th of March next, or sooner if it can be done; and their Britannick and Most Christian Majesties farther engage and promise to each other, not to furnish any succours of any kind to their respective allies who shall continue engaged in the war in Germany.

XVI. The decision of the prizes made in time of peace by the subjects of Great Britain, on the Spaniards, shall be referred to the Courts of Justice of the Admiralty of Great Britain, conformably to the rules established among all nations, so that the validity of the said prizes, between the British and Spanish nations, shall be decided and judged, according to the law of nations, and according to treaties, in the Courts of Justice of the nation who shall have made the capture.

XVII. His Britannick Majesty shall cause to be demolished all the fortifications which his subjects shall have erected

erected in the bay of Honduras, and other places of the territory of Spain in that part of the world, four months after the ratification of the present treaty : and his Catholick Majesty shall not permit his Britannick Majesty's subjects, or their workmen, to be disturbed or molested under any pretence whatsoever in the said places, in their occupation of cutting, loading, and carrying away log-wood ; and for this purpose, they may build, without hindrance, and occupy, without interruption, the houses and magazines necessary for them, for their families, and for their effects : and his Catholick Majesty assures to them, by this article, the full enjoyment of those advantages and powers on the Spanish coasts and territories, as above stipulated, immediately after the ratification of the present treaty,

XVIII. His Catholick Majesty desists, as well for himself as for his successors, from all pretention which he may have formed in favour of the Guipuscoans, and other his subjects, to the right of fishing in the neighbourhood of the island of Newfoundland.

XIX. The King of Great Britain shall restore to Spain all the territory which he has conquered in the island of Cuba, with the fortress of the Havannah ; and this fortress, as well as all the other fortresses of the said island, shall be restored in the same condition they were in when conquered by his Britannick Majesty's arms, provided that his Britannick Majesty's subjects who shall have settled in the said island, restored to Spain by the present treaty, or those who shall have any commercial affairs to settle there, shall have liberty to sell their lands and their estates, to settle their affairs, recover their debts, and to bring away their effects, as well as their persons, on board vessels which they shall be permitted to send to the said island restored as above, and which shall serve for that use only, without being restrained on account of their religion, or under any other pretence whatsoever, except that of debts or of criminal prosecutions : And for this purpose, the term of eighteen months is allowed to his Britannick Majesty's subjects, to be computed from the day of the exchange of the ratifications of the present treaty : but as the liberty granted to his Britannick Majesty's

subjects, to bring away their persons and their effects, in vessels of their nation, may be liable to abuses if precautions were not taken to prevent them ; it has been expressly agreed between his Britannick Majesty and his Catholick Majesty, that the number of English vessels which shall have leave to go to the said island restored to Spain shall be limited, as well as the number of tons of each one ; that they shall go in ballast ; shall set sail at a fixed time ; and shall make one voyage only ; all the effects belonging to the English being to be embarked at the same time : it has been farther agreed, that his Catholick Majesty shall cause the necessary passports to be given to the said vessels ; that for the greater security, it shall be allowed to place two Spanish clerks or guards in each of the said vessels, which shall be visited in the landing places and ports of the said island restored to Spain, and that the merchandize which shall be found therein shall be confiscated.

XX. In consequence of the restitution stipulated in the preceding article, his Catholick Majesty cedes and guarantees, in full right, to his Britannick Majesty, Florida, with Fort St. Augustin, and the Bay of Pensacola, as well as all that Spain possesses on the continent of North America, to the East or to the South East of the river Mississippi. And, in general, every thing that depends on the said countries, and lands, with the sovereignty, property, possession, and all rights, acquired by treaties or otherwise, which the Catholick King and the Crown of Spain have had till now over the said countries, lands, places, and their inhabitants ; so that the Catholick King cedes and makes over the whole to the said King and to the Crown of Great Britain, and that in the most ample manner and form. His Britannick Majesty agrees, on his side, to grant to the inhabitants of the countries above ceded, the liberty of the Catholick religion : he will, consequently, give the most express and the most effectual orders that his new Roman Catholick subjects may profess the worship of their religion according to the rites of the Romish church, as far as the laws of Great Britain permit. His Britannick Majesty farther agrees, that the Spanish inhabitants, or others who had been subjects of the

the Catholick King in the said countries, may retire, with all safety and freedom, wherever they think proper; and may sell their estates, provided it be to his Britannick Majesty's subjects, and bring away their effects, as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except that of debts, or of criminal prosecutions: the term limited for this emigration being fixed to the space of eighteen months, to be computed from the day of the exchange of the ratifications of the present treaty. It is moreover stipulated, that his Catholick Majesty shall have power to cause all the effects that may belong to him, to be brought away, whether it be artillery or other things.

XXI. The French and Spanish troops shall evacuate all the territories, lands, towns, places, and castles, of his Most faithful Majesty, in Europe, without any reserve, which shall have been conquered by the armies of France and Spain, and shall restore them in the same condition they were in when conquered, with the same artillery and ammunition, which were found there: And with regard to the Portuguese Colonies in America, Africa, or in the East Indies, if any change shall have happened there, all things shall be restored on the same footing they were in, and conformably to the preceding treaties which subsisted between the Courts of France, Spain, and Portugal, before the present war.

XXII. All the papers, letters, documents, and archives, which were found in the countries, territories, towns and places that are restored, and those belonging to the countries ceded, shall be, respectively and *bonâ fide*, delivered, or furnished at the same time, if possible, that possession is taken, or, at latest, four months after the exchange of the ratifications of the present treaty, in whatever places the said papers or documents may be found.

XXIII. All the countries and territories, which may have been conquered, in whatsoever part of the world, by the arms of their Britannick and Most Faithful Majesties, as well as by those of their Most Christian and Catholick Majesties, which are not included in the present treaty, either under the title of cessions, or under the title of restitutions,

stitutions, shall be restored without difficulty, and without requiring any compensations.

XXIV. As it is necessary to assign a fixed epoch for the restitutions and the evacuations, to be made by each of the high contracting parties, it is agreed, that the British and French troops shall compleat, before the 15th of March next, all that shall remain to be executed of the XIIth and XIIIth articles of the preliminaries, signed the 3d day of November last, with regard to the evacuation to be made in the Empire, or elsewhere. The island of Belleisle shall be evacuated six weeks after the exchange of the ratifications of the present treaty, or sooner if it can be done. Guadaloupe, Desirade, Mariegalante Martinnico, and St. Lucia, three months after the exchange of the ratifications of the present treaty, or sooner if it can be done. Great Britain shall likewise, at the end of three months after the exchange of the ratifications of the present treaty, or sooner if it can be done, enter into possession of the river and port of the Mobile, and of all that is to form the limits of the territory of Great Britain, on the side of the river Mississippi, as they are specified in the VIIth article. The island of Goree shall be evacuated by Great Britain, three months after the exchange of the ratifications of the present treaty; and the island of Minorca by France, at the same epoch, or sooner if it can be done: And according to the conditions of the VIth article, France shall likewise enter into possession of the islands of St. Peter, and of Miquelon, at the end of three months after the exchange of the ratifications of the present treaty. The Factories in the East Indies shall be restored six months after the exchange of the ratifications of the present treaty, or sooner if it can be done. The fortress of the Havannah, with all that has been conquered in the island of Cuba, shall be restored three months after the exchange of the ratifications of the present treaty, or sooner if it can be done: And, at the same time, Great Britain shall enter into possession of the country ceded by Spain according to the XXth article. All the places and countries of his most Faithful Majesty, in Europe, shall be restored immediately after the exchange of the ratification of the present treaty: And the Portuguese colonies,

nies, which may have been conquered, shall be restored in the space of three months in the West Indies, and of six months in the East Indies, after the exchange of the ratifications of the present treaty, or sooner if it can be done. All the fortresses, the restitution whereof is stipulated above, shall be restored with the artillery and ammunition, which were found there at the time of the conquest. In consequence whereof, the necessary orders shall be sent by each of the high contracting parties, with reciprocal passports for the ships that shall carry them, immediately after the exchange of the ratifications of the present treaty.

XXV. His Britannick Majesty, as Elector of Brunswick Lunenbourg, as well for himself as for his heirs and successors, and all the dominions and possessions of his said Majesty in Germany, are included and guaranteed by the present treaty of peace.

XXVI. Their sacred Britannick, Most Christian, Catholick, and Most Faithful Majesties, promise to observe sincerely and *bonâ fide*, all the articles contained and settled in the present treaty; and they will not suffer the same to be infringed, directly or indirectly, by their respective subjects; and the said high contracting parties, generally and reciprocally, guaranty to each other all the stipulations of the present treaty.

XXVII. The solemn ratifications of the present treaty, expedited in good and due form, shall be exchanged in this city of Paris, between the high contracting parties, in the space of a month, or sooner if possible, to be computed from the day of the signature of the present treaty.

In witness whereof, we the underwritten their Ambassadors Extraordinary, and Ministers Plenipotentiary, have signed with our hand, in their name, and in virtue of our full powers, have signed the present definitive treaty, and have caused the seal of our arms to be put thereto. Done at Paris the tenth day of February, 1763.

Bedford, C. P. S.
(L. S.)

Choiseul, Duc
de Praslin.
(L. S.)

El Marq. de
Grimaldi.
(L. S.)

Separate

Separate Articles.

I. **S**OME of the titles made use of by the contracting powers, either in the full powers, and other acts, during the course of the negotiation, or in the preamble of the present treaty, not being generally acknowledged; it has been agreed, that no prejudice shall ever result therefrom to any of the said contracting parties, and that the titles, taken or omitted on either side, on occasion of the said negotiation, and of the present treaty, shall not be cited or quoted as a precedent.

II. It has been agreed and determined, that the French language made use of in all the copies of the present treaty, shall not become an example which may be alleged, or made a precedent of, or prejudice, in any manner, any of the contracting powers; and that they shall conform themselves, for the future, to what has been observed, and ought to be observed, with regard to, and on the part of powers, who are used, and have a right, to give and to receive copies of like treaties in another language than French; the present treaty having still the same force and effect, as if the aforesaid custom had been therein observed.

III. Though the King of Portugal has not signed the present definitive treaty, their Britannick, Most Christian, and Catholick Majesties, acknowledge, nevertheless, that his Most Faithful Majesty is formally included therein as a contracting party, and as if he had expressly signed the said treaty: Consequently, their Britannick, Most Christian, and Catholick Majesties, respectively and conjointly, promise to his Most Faithful Majesty, in the most express and most binding manner, the execution of all and every the clauses, contained in the said treaty, on his act of accession.

The present Separate Articles shall have the same force as if they were inserted in the treaty.

In witness whereof, We the under-written Ambassadors Extraordinary, and Ministers Plenipotentiary of their Britannick, Most Christian and Catholick Majesties, have
signed

signed the present separate Articles, and have caused the seal of our arms to be put thereto.

Done at Paris, the 10th of February, 1763.

Bedford, C. P. S.
(L. S.)

*Choiseul, Duc
de Praslin.*
(L. S.)

*El Marq. de
Grimaldi.*
(L. S.)

His Britannick Majesty's full Power.

G E O R G E R.

GEORGE the Third, by the grace of God, King of Great Britain, France and Ireland, Defender of the Faith, Duke of Brunswick and Lunenbourg, Arch-Treasurer, and Prince Elector of the Holy Roman Empire, &c. To all and singular to whom these presents shall come, greeting. Whereas, in order to perfect the peace between Us and our good Brother the Most Faithful King, on the one part, and our good Brothers the Most Christian and Catholick Kings, on the other, which has been happily begun by the Preliminary Artcles already signed at Fontainebleau the third of this month; and to bring the same to the desired end, We have thought proper to invest some fit person with full authority, on our part; Know ye, that We, having most entire confidence in the fidelity, judgment, skill, and ability in managing affairs of the greatest consequence, of our right trusty, and right entirely beloved Cousin and Counsellor, John Duke and Earl of Bedford, Marquis of Tavistock, Baron Ruffel of Cheneys, Baron Ruffel of Thornhaugh, and Baron Howland of Streatham, Lieutenant-general of our forces, Keeper of our Privy Seal, Lieutenant and Custos Rotulorum of the counties of Bedford and Devon, Knight of our most noble order of the Garter, and our Ambassador Extraordinary and Plenipotentiary to our good Brother the Most Christian King, have nominated, made, constituted and appointed, as by these presents, we do nominate, make, constitute, and appoint him, our true, certain, and undoubted Minister, Commissary, Deputy, Procurator and Plenipotentiary, giving to him all and all manner of power, faculty and authority, as well as
our

our general and special command (yet so as that the general do not derogate from the special, or on the contrary) for Us and in our name, to meet and confer, as well singly and separately, as jointly, and in a body, with the Ambassadors, Commissaries, Deputies, and Plenipotentiaries of the Princes, whom it may concern, vested with sufficient power and authority for that purpose, and with them to agree upon, treat, consult and conclude, concerning the re-establishing, as soon as may be, a firm and lasting peace, and sincere friendship and concord; and whatever shall be so agreed and concluded, for Us and in our name, to sign, and to make a treaty or treaties, on what shall have been so agreed and concluded, and to transact every thing else that may belong to the happy completion of the aforesaid work, in as ample a manner and form, and with the same force and effect, as We ourselves, if we were present, could do and perform; engaging and promising, on our royal word, that We will approve, ratify and accept, in the best manner, whatever shall happen to be transacted and concluded by our said Plenipotentiary, and that We will never suffer any person to infringe or act contrary to the same, either in the whole or in part. In witness and confirmation whereof We have caused our great Seal of Great Britain to be affixed to these presents, signed with our royal hand. Given at our Palace at St. James's, the 12th day of November, 1762, in the third year of our reign,

His Most Christian Majesty's Full Power.

LEWIS, by the grace of God, King of France and Navarre, To all who shall see these presents, Greeting. Whereas the Preliminaries, signed at Fontainebleau the third of November of the last year, laid the foundation of the peace re-established between us and our most dear and most beloved good Brother and Cousin the King of Spain, on the one part, and our most dear and most beloved good Brother the King of Great Britain, and our most dear and most beloved good Brother and Cousin the King of Portugal on the other, We have had nothing more at heart since that happy epoch, than to consolidate

consolidate and strengthen in the most lasting manner, so salutary and so important a work, by a solemn and definitive treaty between Us and the said powers. For these causes, and other good considerations, Us thereunto moving, We, trusting entirely in the capacity and experience, zeal and fidelity for our service, of our most dear and well-beloved Cousin, Cæsar Gabriel de Choiseul, Duke of Praslin, Peer of France, Knight of our Orders, Lieutenant General of our Forces and of the province of Britany, Counsellor in all our Councils, Minister and Secretary of State, and of our Commands and Finances, We have named, appointed, and deputed him, and by these presents, signed with our hand, do name, appoint, and depute him our Minister Plenipotentiary, giving him full and absolute power to act in that quality, and to confer, negociate, treat and agree jointly with the Minister Plenipotentiary of our most dear and most beloved good Brother the King of Great Britain, the Minister Plenipotentiary of our most dear and most beloved good Brother and Cousin the King of Spain and the Minister Plenipotentiary of our most dear and most beloved good Brother and Cousin the King of Portugal, vested with full powers, in good form, to agree, conclude and sign such articles, conditions, conventions, declarations, definitive treaty, accessions, and other acts whatsoever, that he shall judge proper for securing and strengthening the great work of peace, the whole with the same latitude and authority that We ourselves might do, if We were there in person, even though there should be something which might require a more special order than what is contained in these presents, promising on the faith and word of a King, to approve, keep firm and stable for ever, to fulfil and execute punctually, all that our said Cousin, the Duke of Praslin, shall have stipulated, promised and signed, in virtue of the present full power, without ever acting contrary thereto, or permitting any thing contrary thereto, for any cause, or under any pretence whatsoever, as also to cause our letters of ratification to be expedited in good form, and to cause them to be delivered, in order to be exchanged within the time that shall be agreed upon. For such is our pleasure. In witness whereof, we have caused our Seal to be put to these presents.

sents. Given at Versailles the 7th day of the month of February, in the year of Grace 1763, and of our reign the forty-eighth. Signed Lewis, and on the fold, by the King, the Duke of Choiseul. Sealed with the great Seal of yellow Wax.

His Catholick Majesty's full Power.

DON Carlos, by the grace of God, King of Castille, of Leon, of Arragon, of the two Sicilies, of Jerusalem, of Navarre, of Granada, of Toledo, of Valencia, of Galicia, of Majorca, of Seville, of Sardinia, of Cordova, of Corfica, of Murcia, of Jaen, of the Algarves, of Algecira, of Gibraltar, of the Canary Islands, of the East and West Indies, Islands and Continent, of the Ocean, Arch Duke of Austria, Duke of Burgundy, of Brabant and Milan, Count of Hapsburg, of Flanders, of Tirol and Barcelona, Lord of Biscay and of Molino, &c. Whereas preliminaries of a solid and lasting peace between this Crown, and that of France on the one part, and that of England and Portugal on the other, were concluded and signed in the Royal Residence of Fontainebleau, the 3d of November of the present year, and the respective ratifications thereof exchanged on the 22d of the same month, by Ministers authorized for that purpose, wherein it is promised, that a definitive treaty should be forthwith entered upon, having established and regulated the chief points upon which it is to turn: and whereas in the same manner as I granted to you, Don Jerome Grimaldi, Marquis de Grimaldi, Knight of the Order of the Holy Ghost, Gentleman of my Bed-chamber with employment, and my Ambassador Extraordinary to the Most Christian King, my full power to treat, adjust, and sign the before-mentioned preliminaries, it is necessary to grant the same to you, or to some other, to treat, adjust, and sign the promised definitive treaty of peace as aforesaid: therefore, as you the said Don Jerome Grimaldi, Marquis de Grimaldi, are at the convenient place, and as I have every day fresh motives, from your approved fidelity and zeal, capacity and prudence, to entrust to you this, and other-like concerns of my Crown, I have appointed you my
Minister

Minister Plenipotentiary, and granted to you my full power, to the end, that, in my name, and representing my person, you may treat, regulate, settle, and sign the said definitive treaty of peace between my Crown and that of France on the one part, that of England and that of Portugal on the other, with the Ministers who shall be equally and specially authorized by their respective Sovereigns for the same purpose; acknowledging, as I do from this time acknowledge, as accepted and ratified, whatever you shall so treat, conclude, and sign; promising, on my Royal Word, that I will observe and fulfil the same, will cause it to be observed and fulfilled, as if it had been treated, concluded, and signed by myself. In witness whereof, I have caused these presents to be dispatched, signed by my hand, sealed with my privy seal, and countersigned by my under-written Counsellor of State, and first Secretary for the department of State and of War. Buen Retiro, the 10th of December, 1762.

(Signed) I THE KING.
(And lower) *Richard Wall.*

Declaration of his Most Christian Majesty's Plenipotentiary, with regard to the Debts due to the Canadians.

THE King of Great Britain having desired, that the payment of the letters of exchange and bills, which had been delivered to the Canadians for the necessaries furnished to the French troops, should be secured, his Most Christian Majesty, entirely disposed to render to every one that justice which is legally due to them, has declared, and does declare, that the said bills and letters of exchange shall be punctually paid, agreeable to a liquidation made in a convenient time, according to the distance of the places, and to what shall be possible, taking care, however, that the bills and letters of exchange which the French subjects may have at the time of this declaration, be not confounded with the bills and letters of exchange which are in the possession of the new subjects of the King of Great Britain.

VOL. III.

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In witness whereof, we the under-written Minister of his Most Christian Majesty, duly authorised for this purpose, have signed the present declaration, and caused the seal of our arms to be put thereto.

Done at Paris, the 10th of February, 1763.

(L. S.) *Choiseul Duc de Praslin.*

Declaration of his Britannick Majesty's Ambassador Extraordinary and Plenipotentiary, with regard to the Limits of Bengal in the East Indies.

WE the under-written Ambassador Extraordinary and Plenipotentiary of the King of Great Britain, in order to prevent all subject of dispute on account of the limits of the dominions of the Subah of Bengal, as well as of the Coast of Coromandel and Orixa, declare, in the name and by order of his said Britannick Majesty, that the said dominions of the Subah of Bengal shall be reputed not to extend farther than Yanaon exclusively, and that Yanaon shall be considered as included in the north part of the Coast of Coromandel or Orixa.

In witness whereof, we the under-written Minister Plenipotentiary of his Majesty the King of Great Britain, have signed the present declaration, and have caused the seal of our arms to be put thereto.

Done at Paris, the 10th of February, 1763.

(L. S.) *Bedford, C. P. S.*

Accession of his Most Faithful Majesty.

In the Name of the Most Holy and Undivided Trinity, Father, Son, and Holy Ghost. So be it.

BE it known to all those to whom it shall or may belong, the Ambassadors and Plenipotentiaries of his Britannick Majesty, of his Most Christian Majesty, and of his Catholick Majesty, having concluded and signed at Paris, the 10th of February of this year, a definitive treaty of peace, and separate articles, the tenor of which is as follows :

[Fait Inferto.]

And the said Ambassadors and Plenipotentiaries having in a friendly manner invited the Ambassador and Minister Plenipotentiary of his Most Faithful Majesty to accede thereto in the name of his said Majesty; the under-written Ministers Plenipotentiary, viz: On the part of the Most Serene and Most Potent Prince, George the Third, by the grace of God, King of Great Britain, France, and Ireland, Duke of Brunswick and Lunenbourg, Arch Treasurer and Elector of the Holy Roman Empire, the Most Illustrious and Most Excellent Lord, John Duke and Earl of Bedford, Marquis of Tavistock, &c. Minister of State to the King of Great Britain, Lieutenant General of his forces, Keeper of his Privy Seal, Knight of the Most noble order of the Garter, and his Ambassador Extraordinary and Plenipotentiary to his Most Christian Majesty; and on the part of the Most Serene and Most Potent Prince, Don Joseph the First, by the grace of God, King of Portugal and of the Algarves, the Most Illustrious and Most Excellent Lord, Martin de Mello and Castro, Knight professed of the Order of Christ, of his Most Faithful Majesty's Council, and his Ambassador and Minister Plenipotentiary to his Most Christian Majesty, in virtue of their full powers, which they have communicated to each other, and of which copies shall be added at the end of the present act, have agreed upon what follows, viz. His Most Faithful Majesty desiring most sincerely to concur in the speedy re-establishment of peace, accedes, in virtue of the present act, to the said definitive treaty and separate articles, as they are above transcribed, without any reserve or exception, in the firm confidence that every thing that is promised to his said Majesty will be, *bona fide*, fulfilled, declaring at the same time, and promising to fulfil, with equal fidelity, all the articles, clauses, and conditions, which concern him. On his side, his Britannick Majesty accepts the present accession of his Most Faithful Majesty, and promises likewise to fulfil, without any reserve or exception, all the articles, clauses, and conditions contained in the said definitive treaty and

separate articles above inserted. The ratifications of the present treaty shall be exchanged in the space of one month, to be computed from this day, or sooner if it can be done.

In witness whereof, we, Ambassadors and Ministers Plenipotentiary of his Britannick Majesty, and of his Most Faithful Majesty, have signed the present act, and have caused the seals of our arms to be put thereto.

Done at Paris, the 10th of February, 1763.

Bedford, C. P. S. *De Mello et Castro.*
(L. S.) (L. S.)

His Most Faithful Majesty's full Power.

DON Joseph, by the grace of God, King of Portugal, and of the Algarves, on this side of the sea, and on that side in Africa. Lord of Guinea, and of the conquest, navigation, commerce, of Ethiopa, Arabia, Persia, and India, &c. I make known to those who shall see these my letters patent, that desiring nothing more than to see the flame of war which has raged so many years in all Europe extinguished, and to co-operate (as far as depends upon me) towards its being succeeded by a just peace, established upon solid principles: and being informed, that great part of the belligerent powers entertain the same pacifick dispositions, I am to nominate a person to assist, in my name, at the assemblies and conferences to be held upon this important business, who, by his nobility, prudence, and dexterity, is worthy of my confidence: whereas these several qualities concur in *Martin de Mello et Castro*, of my Council, an dmy Envoy Extraordinary and Plenipotentiary to the Court of London; and as from the experience I have, that he has always served me to my satisfaction in every thing I have charged him with, relying, that I shall, from henceforward, have fresh cause for the confidence I have placed in him, I nominate and constitute him my Ambassador and Plenipotentiary, in order that he may, as such, assist, in my name, at any congresses, assemblies, or conferences, as well publick as private, in which the business of pacification may be treated: negotiating and agreeing with the
Ambas-

Ambassadors and Plenipotentiaries of the said belligerent powers whatever may relate to the said peace ; and concluding what he shall negociate between me and any belligerent Kings and Princes, under the conditions he shall stipulate in my Royal Name : therefore, for the above purposes, I grant him all the full powers and authority, general and special, which may be necessary ; and I promise, upon the faith and word of a King, that I will acknowledge to be firm and valid, and will ratify within the time agreed upon, whatever shall be contracted and stipulated by my said Ambassador and Plenipotentiary with the aforesaid Ambassadors and Ministers of the belligerent Kings and Princes, who shall be furnished by them with equal powers. In witness whereof, I have ordered these presents to be made out, signed by myself, sealed with the seal of my arms thereunto affixed, and countersigned by my Secretary and Minister of State for foreign affairs and war. Given at the Palace of our Lady of Ajuda, the 18th day of September, of the year from the birth of our Lord Jesus Christ, 1762.

THE KING.

(*Locus Sigilli Pendentis.*) *Don Lewis da Canba.*

Letters patent whereby your Majesty is pleased to nominate Martin de Mello et Castro to be your Ambassador and Plenipotentiary for the negotiation and conclusion of peace, in the form above set forth.

For your Majesty's Inspection.

Declaration of his Most Faithful Majesty's Ambassador and Minister Plenipotentiary, with regard to alternating with Great Britain and France,

WHEREAS on the conclusion of the negotiation of the definitive treaty, signed at Paris this 10th day of February, a difficulty arose as to the order of signing, which might have retarded the conclusion of the said treaty. We the under-written Ambassador and Minister Plenipotentiary of his Most Faithful Majesty, declare, that the alternative observed on the part of the King of Great Britain and the Most Christian King, with the Most

Faithful King, in the act of accession of the Court of Portugal, was granted by their Britannick and Most Christian Majesties, solely with a view to accelerate the conclusion of the definitive treaty, and, by that means, the more speedily to consolidate so important and so salutary a work; and that this complaisance of their Britannick and Most Christian Majesties shall not be made any precedent for the future; the Court of Portugal shall not alledge it as an example in their favour; shall derive therefrom no right, title, or pretension, for any cause, or under any pretence whatsoever.

In witness whereof, we, Ambassador and Minister Plenipotentiary of his Most Faithful Majesty, duly authorised for this purpose, have signed the present declaration, and have caused the seal of our arms to be put thereto.

Done at Paris, the 10th of February, 1763.

Martin de Mello et Castro.

Convention for the Liquidation of the Canada Paper Money, belonging to the Subjects of Great Britain, between the King of Great Britain, and the Most Christian King.
[Printed from the Copy, published by Authority.]

IN order to terminate the discussions, which have too long subsisted in regard to the liquidation of this paper belonging to the subjects of Great Britain, the two Courts have named and appointed their respective Ministers Plenipotentiary, viz. his Britannick Majesty, the Sieur Henry Seymour Conway, Lieutenant General of his armies, and one of his Principal Secretaries of State; likewise authorised to the same effect by the proprietors of the said Canada paper; and his Most Christian Majesty, the Sieur Count de Guerchy, Knight of his orders, Lieutenant General of his armies, Colonel Commandant of his regiment of foot, and his Ambassador to his Britannick Majesty; who, after having communicated their full powers and authorisations in due form to each other, copies whereof are transcribed at the end of the present convention, have agreed to the following articles:

Article I.

Article I. His Excellency General Conway, invested with the above-mentioned full powers and authorisations, accepts for the British proprietors and holders of the Canada paper, and in their names, the reduction of the said paper on the footing of fifty per centum for the bills of exchange, and such part of the certificates as are entitled to the said payments, and of seventy-five per centum for the ordonnances, cards, and the remaining part of the certificates; and to receive, for the fifty and twenty-five per centum of the reduced principal, reconnoissances, or rent contracts, which shall bear an annual interest from the first day of January, 1765, of four and one half per centum, to be subjected to the Dixième from the said first day of January, 1765, in as many reconnoissances as it shall suit the holders to divide their liquidated principals into, provided that each reconnoissance shall not be for more than one thousand livres Tournois: which reconnoissances shall share the same fate for their reimbursement as the other debts of the state, and shall not be subjected to any reduction whatsoever. The whole conformably to the arrets of the Council issued in France the 29th June, 2d July, 1764, 29th and 31st December, 1765.

II. In order to ascertain the British property of this paper at the period, and, according to the meaning of the declaration annexed to the last treaty of peace with France, each proprietor or holder shall be obliged to make a declaration thereof upon oath, in the form and terms which shall be hereafter prescribed in consequence of a farther delay, which his Most Christian Majesty grants them to the 1st of October, 1766, after the expiration of which, such of the said papers as shall not have been declared and tendered to be liquidated, shall remain excluded, null, and of no value.

III. These declarations on the part of the proprietors and holders of this paper, shall be accompanied by an oath, to be taken before the Lord Mayor of the city of London, or such other magistrate in person as shall be named for that purpose, in such place, and at such times, as shall be specified in the presence of the Commissaries or Deputies appointed, as well on the part of the Court

of France as on the part of the proprietors of this paper ; which Commissaries or Deputies shall be allowed to ask, through the Magistrate who administers the oath, such questions of the deponent as they shall judge necessary, relative to the object of the oath.

VI. Each declaration shall contain only what belongs to one holder, whether they are his own property, or held by him for account of other ; mentioning therein his name, quality, and place of abode ; and this declaration shall be made conformable to the model annexed to the present convention.

V. Duplicates shall be made of these declarations, certified to be true, signed by the holders of the said papers, and previously delivered to the English and French Commissaries or Deputies, who shall be obliged, three days after receiving these declarations, to assist at the taking of the oath before the Magistrate appointed for that purpose.

VI. As this paper may, since the last treaty of peace, have passed into the hands of three different classes of proprietors, namely, the actual proprietors, the intermediate and the original ; the form of an oath suitable for each class of proprietors shall be prescribed in the three following articles.

VII. The actual proprietors, who are not original proprietors, having been intermediate purchasers, with a guaranty of their being British property, shall take the following oath underneath the declaration of their paper :

I affirm and solemnly swear, on the Holy Evangelists, that the papers mentioned in the foregoing declaration, are the same, (or part of the same) that I have purchased of B the with a guaranty of their being British property ; and that I hold them on my own account, (or on account of)

So help me God.

VIII. The intermediate proprietors, who have been purchasers and sellers, with a guaranty of their property being British, shall take, by indorsement on their declaration, an oath in the following form :

I affirm and solemnly swear, on the Holy Evangelists, that I did purchase of C , on the

the day of fundry Canada papers, amounting to _____, and that I did sell the same, (or _____ of the same,) to D _____, which were guarantied to, and by me, to be British property.

So help me God.

This oath to be repeated by each intermediate purchaser back to the person who brought them, or received them, from Canada.

IX. The Canadian proprietors, or those who represent them in London, being the actual possessors, or no longer so, shall take the following oath, with the modifications expressed, suitable to the different circumstances under which they may find themselves :

I _____ affirm and solemnly swear, on the Holy Evangelists, that the papers mentioned in the foregoing declaration.

[If the property of a Canadian] are my own property, having had them in my possession at the date of the last treaty of peace, (or having bought them in Canada, from whence I brought them.)

[If in the possession of a British representative of a Canadian subject] are my own property, having bought them (or received them) from Canadian subjects.

[If not in his possession] were my own property, having bought them, (or received them) from Canadian subjects, and that I sold the same, (or part of the same) to _____ the

[If these papers came from France, or elsewhere, being the property of Canadian or British subjects] were sent to me from France, (or elsewhere) on account of _____ as British property.

[If sold] and that I sold the same, (or part of the same) to _____ the

[Foreigners, who shall have sent them to England, shall take the same oath as the intermediate proprietors, as expressed in the eighth article preceding.]

[Foreigners who shall have received them from Canada, or Great Britain.]

I _____ affirm and solemnly swear, on the Holy Evangelists, that at the date of the last treaty of peace, I held in trust, or that since that date I have received _____ from _____

from _____ in Canada (or in Great Britain) sundry
 Canada papers, amounting to _____ on the
 proper account of _____ an actual British Canadian
 subject, and that I have sold, (delivered) (or sent) the
 same, (or part of the same) to _____ as British
 property.

On these different oaths being judicially and legally
 made, the respective Commissaries shall be obliged to
 grant to the holders of the papers that shall have come
 from France, (or elsewhere) a certificate of their being
 British property, as well as to the holders who shall have
 received them directly from Canada.

[If the papers have been brought from Canada, on ac-
 count of any other than the person who sent them]
 _____ have been sent to me directly by _____ of
 _____ in Canada, who purchased them from British Canadian
 subjects, upon commission, for account of _____ of _____

[Lastly, If the papers are for account of Canadians,
 and transmitted by them] _____ that I received them
 from _____ of _____ in Canada, and for his account.

[All indifferently are to add.]

I farther swear, that the said papers were neither pur-
 chased, nor have been negotiated, in France as French
 property, nor acquired directly nor indirectly from natives
 of France, who were the proprietors of them at the date
 of the last treaty of peace; and that no part of these papers
 were carried from Europe to Canada, in order to give
 French property the sanction of British property : which
 I affirm and solemnly swear.

So help me God.

X. Nevertheless, in case the actual proprietors, or
 holders, produce Bordereaux in good form, registered
 heretofore in Canada, in consequence of the orders of the
 English Governors, or declared in France as British pro-
 perty, and not liquidated within the time (for those de-
 clared in France) that the registers for the declarations
 were open for the French, it shall be sufficient that the
 proprietors or holders, so circumstanced, take the fol-
 lowing oath :

I _____ affirm and solemnly swear, on the Holy
 Evangelists, that the papers mentioned in my foregoing
 decla-

declaration, have been registered in Canada, (or in France) conformably to the annexed Bordereaux, which I certify to be true.

So help me God.

XI. After the administration of the oaths, there shall, within the space of three days, be delivered to each actual proprietor or holder, a certificate of its being British property by the Magistrate who administers the oaths; which certificate shall be revised and signed by the respective Commissaries or Deputies, and shall contain an account of each sort of paper which shall have been therein proved British property, in order that, by means of this voucher, the possessor may present his paper to the office of the Commission at Paris, there to be examined, revised, liquidated, and converted into reconnoissances, or rent contracts, according to the reduction fixed and agreed upon: every thing shall meet with all possible dispatch, and the holders of this paper shall be at no expence whatsoever.

XII. In case any unforeseen accident shall have deprived any actual proprietor of this paper of an intermediate proof between him and the first proprietor who received it from Canada, so as that the proofs which precede and follow that which ought to join them, and which is missing, seem to have report and belong to each other; in that case only the respective Commissaries or Deputies shall be empowered to admit the paper it relates to as British property, if they think proper, notwithstanding the deficiency which shall have broke the link of the proof: and if the respective Commissaries or Deputies shall chance to differ in opinion, the decision of the object in question shall be referred to his Britannick Majesty's Secretary of State, and to the Ambassador of his Most Christian Majesty.

XIII. In virtue of the foregoing arrangement, the Court of France grants to the British proprietors of this paper an indemnification of premium of three millions of livres Tournois, payable in the following manner, viz. the sum of five hundred thousand livres Tournois, which shall be paid in specie to his Britannick Majesty's Ambassador at Paris in the course of the month of April next; and

and the sum of two millions five hundred thousand livres Tournois, in reconnoissances or rent contracts, of the same nature as those which shall be given for the fifty and twenty-five per cent. on the capitals of the bills of exchange, cards, ordonnances, &c. but the interest of which shall only run from the 1st of January, 1766; which sum of two millions and a half of livres Tournois shall be delivered to the aforesaid Ambassador immediately after the ratification and exchange of the present convention, in reconnoissance of one thousand livres Tournois each, on the express condition, that all the Canada paper belonging to British subjects, not liquidated, shall share the same fate for its reimbursement as French paper, and shall come in course of payment with the debts of the State, the reconnoissances or rent contracts whereof shall be paid as the other debts, without being subjected to any reduction whatsoever; and on the farther condition, that all the English proprietors of the said paper shall give up every particular indemnification from any cause and pretext whatsoever.

XIV. The solemn ratifications of the present convention shall be exchanged in good and due form, in this city of London, between the two Courts, within the space of one month, or sooner if it be possible, to be reckoned from the day of signing the present convention.

In witness whereof, we the under-written Ministers Plenipotentiary of the said two Courts, have signed in their names, and by virtue of our full powers, the present convention, and caused it to be sealed with our arms.

Done at London, this 29th day of March, 1766.

(L. S.) H. S. CONWAY,

Canada

Declaration made in Consequence of the Arret of
Council of the 24th of December, 1762.

Canada Paper.

*I the under-written
in my Possession the Canada Papers here under mentioned, which
belong to me, or belong to*

of	_____	24
of	_____	12
of	_____	6
of	_____	3
of	_____	1 10
of	_____	1

Total of the *Billets de Monnoye* and *Ordonnances* in-
cluded Receipts of the Treasurer of Canada. }

To the Right Honourable Henry Seymour Conway, Esq
One of his Majesty's Principal Secretaries of State,
&c. &c. &c.

The Memorial of the Committee of Merchants of London, appointed by the Holders and Proprietors of Canada Bills, to transact the Business relative thereto,

Humbly Sheweth,

THAT the thirteenth article of the convention made with the Court of France, for the final settlement of the Canada bills, is, of itself, insufficient to explain to the proprietors of the said bills in what manner the sum of three millions of livres, granted by the Court of France, as an indemnification or premium, is to be distributed.

Therefore, humbly solicit your Excellency to permit the following explanation (which is founded on the Committee's proposition for the payment of these papers, delivered on the 27th day of December last) to be annexed to the convention, and published therewith, for the information of all whom it may concern.

And your memorialists, as in duty bound, will ever pray, &c. &c. &c.

London, April 28, 1766.

BROOK WATSON.
ROBERT ALLEN.
FRANCIS RYBOT.
ROBERT HUNTER.
ISIDORE LINCH.
CHARLES CROCKAT.
WM. GREENWOOD.
ROBERT GRANT.
DANIEL VIALARS.

The Committee's Explanation, relative to the distribution of the Three Millions of Livres granted by the Court of France, as a Premium or Indemnification in the Thirteenth Article of the foregoing Convention.

THIS indemnification having been granted by the Court of France, in consequence of repeated propositions made by the Committee appointed for the management of this business, and approved of by the proprietors and holders of the said papers at various general meetings assembled for that purpose, at which the distribution of the said indemnification or premium, which was the basis of the convention since acceded to, was determined and agreed upon.

The Committee think it a duty incumbent on them, for the better information of every British proprietor or holder of Canada paper, to publish the particulars of the said distribution, which they are now enabled to do with precision.

In order to form a judgement (as near as possible) of the value of each kind of paper, it will be necessary to lay before the publick a state thereof, as it will stand reduced, agreeable to the terms of the convention, and an account of the proportional part of the indemnification or premium of three millions of livres, which each species of paper will be entitled to receive, after the closing of the liquidation; *i. e.* the first day of October next.

By the most exact estimates which it has been possible to make, as well as by the registers of the Court of France, it appears that there still exists unliquidated,

Bills of Exchange and Certificates about	} 4 Millions of Livres.
Ordonnances and Cards; &c.	

Total 16

Which when liquidated and converted into reconnoissances, will produce as under :

Four millions paid at 50 per Centum	} 2 Millions.

Twelve

Twelve Millions at 25 - - 3 Millions.

The Capital of the liquidated debt, 5 Millions.

The Distribution of the two Millions Five Hundred Thousand Livres in Reconnoissances, and the Five Hundred Thousand Livres in Specie, agreeable to the Proposition, in Consequence of which the same was obtained, will be as follows :

	In Reconnoissances.	
O N the ordonnances and other papers payable on the footing of 25 per Centum —	}	1,500,000 Livres
On the same, being a proportional part of the remaining Million of Reconnoissances, which is to be divided on the liquidated capital of the whole debt, which amounts to the computed sum of five Millions —	}	600,000
Total	}	2,100,000 Livres in Reconnoissances.

The 500,000 Livres in Specie, being granted as an equivalent for the loss which would arise by receiving the 2½ Millions for the indemnification in Reconnoissances, it must be proportionably divided in the same manner as the Reconnoissances, that is to say, if 2½ Millions receive 500,000 Livres, what will 2,100,000 receive?

Answer, — — —

To be divided in the Month of November next on the supposed twelve Millions of Ordonnances, Cards, &c. } 2,520,000 is } 2,520,000

On

On the Bills of Exchange, and such certificates as are paid on the footing of 50 <i>per</i> <i>Centum</i> , the remaining part of the Million of Recon- noiffances — — — } 400,000	
Proportion of the 500,000 in specie, being $\frac{1}{3}$ th or 20 <i>per</i> <i>Centum</i> on 400,000 — — } 80,000	
Total on the bills of Exchange, &c. — — — — — } 480,000	
Amount of indemnification granted — — — — — } 3,000,000	

The above recited sum of three millions of livres will be paid by the Committee in the month of November next, to such proprietors who shall, in all the month of October preceding, produce to them a certificate signed by the English Commissary, appointed to adjust the liquidation of these effects, certifying, that such sums as those on which the proprietors demand a proportion of the indemnification or premium, had been proved on oath to have been British property, in conformity to the tenor of the convention. This certificate to be accompanied with a Bordereau of liquidation made at Paris, and certified to be true by the Commissioners appointed by his Most Christian Majesty to liquidate the Canada Bills.

BROOK WATSON.
ROBERT ALLEN.
FRANCIS RYBOT.
ROBERT HUNTER.
ISIDORE LYNCH.
CHARLES CROKAT.
W. GREENWOOD.
ROBERT GRANT.
DANIEL VIALARS.

Treaty

Treaty of Commerce and Navigation between Great Britain and Russia.

Article I. **L**A paix, amitié, & bonne intelligence, qui ont subsisté heureusement jusqu'ici entre leurs Majestés de la Grande Bretagne & de toutes les Russies, seront confirmées & établies par ce traité; de manière que dès-à-présent, & pour l'avenir, il y aura entre la couronne de la Grande Bretagne d'un côté, & la couronne de toutes les Russies de l'autre, comme aussi entre les états, pays, royaumes, domaines, & territoires, qui leur obéissent, une paix, amitié, & bonne intelligence, vraie, sincère, ferme, & parfaite, lesquelles dureront pour toujours, & seront observées inviolablement tant par mer que par terre, & sur les eaux douces; & les sujets, peuples & habitants de part & d'autre, de quelque état ou condition qu'ils puissent être, se traiteront mutuellement avec toute sorte de bienveillance & assistance possible, sans se faire aucun tort ou dommage quelconque.

II. Les sujets des deux Hautes Puissances contractantes auront parfaite liberté de navigation & de commerce dans tous leurs états situés dans l'Europe, où la navigation & le commerce est permis à présent, ou sera permis à l'avenir, par les Hautes Parties contractantes, à quelque autre nation.

III. Il est convenu que les sujets des deux Hautes Parties contractantes puissent entrer, commercer, & demeurer, avec leurs vaisseaux, bâtimens, & voitures, chargés ou vuides, dans tous les ports, places, & villes, où cela est permis aux sujets de quelque autre nation que ce soit; & les matelots, passagers, & les vaisseaux, tant Britanniques que Russes (quoique parmi leurs équipages, il se trouve des sujets de quelque autre nation étrangère) seront reçus & traités comme la nation la plus favorisée; & ni les matelots, ni les passagers, ne seront point forcés d'entrer, contre leur volonté, dans le service d'aucune des deux puissances contractantes, à l'exception de ceux de leurs sujets dont elles pourroient avoir besoin pour leur propre service, & si un domestique ou matelot déserte son service ou vaisseaux, il sera rendu. Il est accordé pareillement, que les

fujets des hautes parties contractantes puissent acheter toute sorte de choses; dont ils pourroient avoir besoin, au prix courant; racommoder et radouber leurs vaisseaux, bâtimens, & voitures; acheter toutes les provisions nécessaires pour leur subsistance ou voyage; demeurer ou partir à leur bon plaisir, sans molestation ou empêchement, pourvu qu'ils se conforment aux loix et ordonnances des états respectifs des hautes parties contractantes où ils se trouveront: pareillement les vaisseaux Russes, qui se trouveront en mer pour cause de navigation, & qui seront recontrés par des vaisseaux Anglois, n'en seront point empêchés dans leur navigation, pourvu que dans la mer Britannique ils se conforment à l'usage, mais on leur donnera toute sorte d'assistance, tant dans les ports de la domination de la Grande Bretagne, qu'en pleine mer.

IV. Il est convenu, que les sujets de la Grande Bretagne puissent apporter, par eau ou par terre, dans toutes, ou dans telles provinces de la Russie que ce soit, où il est permis aux sujets de quelque autre nation de commercer, toutes sortes de marchandises ou d'effets, dont le commerce ou l'entrée n'est pas défendue; & pareillement que les sujets de la Russie puissent apporter, acheter, & vendre librement, dans tous, ou dans tels états de la Grande Bretagne que ce soit, où il est permis aux sujets de quelque autre nation de commercer, toute sorte de marchandises & d'effets, dont le commerce & l'entrée n'est pas défendue; ce qui s'entend également des manufactures, & des productions des provinces Asiatiques, pourvu que cela ne soit pas défendu actuellement par quelque loi, à-présent en force dans la Grande Bretagne, toute sorte de marchandises, et d'effets, que les sujets de quelque autre nation y peuvent acheter & transporter ailleurs, particulièrement de l'or & de l'argent travaillé, excepté l'argent monnoyé de la Grande Bretagne; et pour conserver une juste égalité entre les marchands Russes & Britanniques, par raport à la sortie des denrées & marchandises, il est encore stipulé, que les sujets de la Russie payeront les mêmes droits de sortie, que payent les marchands Britanniques, sur les mêmes effets, en les transportant hors des ports de la Russie; mais alors, chaque haute partie contractante se réserve pour elle la liberté de faire, dans l'intérieur de ses états

états, tel arrangement particulier qu'elle trouvera bon, pour encourager & étendre, sa propre navigation. Les marchands Russes jouiront des mêmes libertés & privilèges dont jouissent les marchands Britanniques de la compagnie de Russie; et puisque le dessein des deux hautes parties contractantes, et le but de ce traité, tendent à faciliter le commerce réciproque de leurs sujets, & à en étendre les bornes & les avantages mutuels, il est convenu que les marchands Britanniques commerçant dans les états de la Russie auront la liberté, en cas de mort, d'un besoin extraordinaire, ou d'une nécessité absolue, lorsqu'il, ne reste aucun autre moyen d'avoir de l'argent, ou en cas de banqueroute, de disposer de leurs effets, soit en marchandises Russes ou étrangères, de la manière que les personnes intéressées le trouveront le plus avantageux. La même chose s'observera à l'égard des marchands Russes dans les états de la Grande Bretagne. Tout ceci s'entend avec cette restriction, que toute permission, de part & d'autre, spécifiée dans cet article, ne soit en rien contraire aux loix du pays, & que les marchands Britanniques, aussi bien que les marchands Russes, & leurs commis, se conforment, des deux côtés, ponctuellement aux droits, statuts, & ordonnances du pays où ils commerceront, pour obvier à toute sorte de fraudes & de prétextes. C'est-pourquoi le jugement des dits cas arrivant aux comptoirs Britanniques en Russie, dépendra à St. Peterburg du college de commerce, & dans les autres villes, où il n'y a point de college de commerce, des Tribunaux qui connoissent les affaires de commerce.

V. Il est convenu que les sujets de la Grande Bretagne, s'ils n'ont point de rixdollers pour payer les douanes, ou autres droits, pour les marchandises qu'ils ont fait entrer ou sortir, pourront payer en autre monnoie étrangère d'un titre connu & accredité dans le public, égal aux rixdollers, ou en monnoie courante de Russie; le rixdoler étant évalué à cent-vingt-cinq copekes.

VI. Toute assistance & dépêche possible seront données pour la charge, & la décharge des vaisseaux, ainsi que pour l'entrée & la sortie de leurs marchandises, selon les réglemens faits à ce sujet, & ils ne seront en aucune manière retenus, sous les peines énoncées dans les dits réglemens.

mens. Pareillement si les Sujets de la Grande Bretagne font des contrats avec quelque chancellerie ou college que ce soit, pour livrer certaines marchandises ou effets, sur la déclaration que ces marchandises sont prêtes à être livrées, & après qu'elles auront été livrées actuellement dans le terme marqué dans ces contrats, elles seront reçues, & tout-de-suite les comptes seront réglés & liquidés entre le dit college ou chancellerie & les marchands Britanniques, dans le tems qui aura été fixé dans les mêmes contrats. C'est de la même façon qu'on en agira dans les états de la Grande Bretagne à l'égard des marchands Russes.

VII. Il est convenu que les Sujets de la Grande Bretagne puissent dans toutes les villes & places de la Russie, où il est permis à quelqu'autre nation de commercer, payer les marchandises achetées en la même monnoie courante de Russie, qu'ils ont pris pour leurs marchandises vendues, à moins que dans leurs contrats ils n'aient stipulé le contraire ; ce qui doit s'entendre également des marchandises Russes dans les états de la Grande Bretagne.

VIII. Dans les endroits où les embarquemens se font ordinairement, il sera permis aux Sujets des hautes parties contractantes de charger sur leurs vaisseaux ou voitures, & de transporter, par eau & par terre, toutes sortes de marchandises qu'ils auront achetées (à l'exception de celles dont la sortie est défendue) en payant la douane, pourvu que ces vaisseaux & voitures se conforment aux loix.

IX. Les Sujets des hautes parties contractantes ne payeront pas plus de droits pour l'entrée & la sortie de leurs marchandises que n'en payent les Sujets des autres nations. Néanmoins, pour prévenir, des deux côtés, les défractions de la douane ; si l'on venoit à découvrir des marchandises qu'on aura fait entrer clandestinement, & sans payer la douane, elles seront confisquées ; mais, à cela près, on n'infligera point d'autres châtimens aux marchands des deux côtés.

X. Il sera permis aux Sujets des deux hautes parties contractantes, d'aller, venir, & commercer librement, dans les états avec lesquels l'une ou l'autre de ces parties, se trouvera présentement, ou à l'avenir, en guerre ; bien entendu

entendu qu'ils ne portent point de munitions à l'ennemi, On en excepte, néanmoins, les places actuellement bloquées, ou assiégées, tant par mer que par terre ; mais en tout autre tems, & à l'exception de munitions de guerre, les susdits sujets pourront transporter dans ces places toute autre sorte de marchandises, ainsi que des passagers, sans le moindre empêchement. Quand à la visite des vaisseaux marchands, les vaisseaux de guerre & les armateurs se comporteront aussi favorablement que la raison de guerre pour lors existante pourra jamais le permettre, vis-à-vis des puissances les plus amies qui resteront neutres, en observant, le plus qu'il sera possible, les principes & les règles du droit des gens généralement reconnus.

XI. Tous les canons, mortiers, armes à feu, pistolets, bombes, grenades, boulets, balles, fusils, pierres à feu, mèches, poudre, salpêtre, souffre, cuirasses, piques, épées, ceinturons, poches à cartouche, selles & brides, au-delà de la quantité qui peut être nécessaire pour l'usage du vaisseau, ou au-delà de celle que doit avoir chaque homme servant sur le vaisseau & passager, seront réputés provisions ou munitions de guerre ; & s'il s'en trouve, ils seront confisqués, selon les loix, comme contrebande, ou effets prohibés ; mais ni les vaisseaux, ni les passagers, ni les autres marchandises qui se trouveront en même tems, ne seront point détenus, ni empêchés de continuer leur voyage.

XII. Si, ce qu'à Dieu ne plaise, la paix venoit à se rompre entre les deux hautes parties contractantes, les personnes, les vaisseaux, & les marchandises, ne seront pas détenus ni confisqués ; mais il leur sera accordé, pour le moins, le terme d'un an, pour vendre, disposer, ou emporter leurs effets, & se retirer où bon leur semblera ; ce qui doit s'entendre également de tous ceux qui se trouveront au service de mer & de terre ; & il leur sera permis encore, qu'avant, ou à leur départ, ils pourront configner les effets dont ils n'auront pas disposé, aussi bien que les dettes qu'ils auroient à prétendre, à telles personnes qu'ils jugeront à-propos, pour en disposer à leur volonté & profit ; lesquelles dettes les débiteurs seront obligés de payer, de même que si la rupture n'avoit pas eu lieu.

XIII. En cas de naufrage arrivé dans un endroit, appartenant à l'une ou à l'autre des hautes parties contractantes, non seulement il sera donné toute sorte d'assistance aux malheureux, & il ne leur sera fait aucune violence ; mais encore les effets qu'ils auront jettés du vaisseau dans la mer, ne leur seront point celés ni retenus ou endommagés sous quelque prétexte que ce soit : bien au contraire les susdits effets & marchandises leur seront conservés & rendus, en donnant une récompense modique à ceux qui auront aidé à sauver leurs personnes, leurs vaisseaux, & leurs effets.

XIV. Il sera permis aux marchands Britanniques de bâtir, acheter, vendre & louer, des maisons dans tous les états & villes de la Russie, exceptant seulement quand à la permission de bâtir & d'acheter des maisons dans les villes de la domination Ruffienne qui ont des droits de Bourgeoisie particuliers, & des privilèges à ce contraires ; & il est nommément spécifié qu' à St. Petersbourg, Moscow, & Archangel, les maisons que les marchands Britanniques auront achetées ou fait bâtir seront exemptes de tout logement, aussi longtems qu'elles leur appartiendront, & qu'ils y logeront eux-mêmes ; mais pour les maisons qu'ils donneront ou prendront à louage, elles seront sujettes à toutes les charges de ville, le locataire & le propriétaire s'accordant entr'eux à ce sujet. Pour ce qui est de toute autre ville de Russie, les maisons qu'ils acheteront ou feront bâtir, de même que celles qu'ils prendront ou donneront à louage, ne seront point exemptes de logement. Il est pareillement permis aux marchands Russes de bâtir, acheter, vendre & louer des maisons dans la Grande Bretagne & en Irlande, & d'en disposer de la même manière que font les sujets des nations les plus favorisées. Ils auront le libre exercice de la religion Grecque dans leurs maisons, ou dans les endroits destinés à cet effet ; de même les marchands Britanniques auront le libre exercice de la religion Protestante. Les sujets de l'une & de l'autre puissance, établis en Russie, ou dans le Grande Bretagne, pourront disposer de leurs biens, & les laisser par testament à qui ils jugeront à propos suivant la coutume & les loix de leur propre pays.

XV. On

XV. On accordera des passeports à tous les sujets Britanniques qui ont envie de quitter les états de Russie deux mois après qu'ils auront averti du dessein qu'ils ont de partir, sans obliger à donner caution; & si dans ce tems il ne paroît aucune juste cause pour les retenir, on les laissera aller, & ils ne seront pas obligés de s'adresser pour cela ailleurs qu'au college de commerce, ou à celui qui pourroit dorénavant être établi à sa place. La même facilité sera accordée; en pareille occasion, suivant l'usage du pays, aux marchands Russes qui voudront quitter les états de la Grande Bretagne.

XVI. Les marchands Britanniques, qui loueront, ou tiendront des domestiques, sont obligés de se conformer, à ce sujet, aux loix de cet empire. Ce que les marchands Russes seront également obligés de faire dans la Grande Bretagne.

XVII. Dans tous les procès & autres affaires, les marchands Britanniques ne seront justiciables que du seul college de commerce, ou de celui qui sera établi à l'avenir pour l'administration de la justice entre les marchands: s'il arrivoit cependant, que les marchands Britanniques eussent des procès en quelques villes éloignées du susdit college de commerce, tant eux que leurs parties, porteront plaintes au magistrat des dites villes, bien entendu que les marchands Britanniques auront le droit d'appeller de la sentence du magistrat, & de réclamer celle du college de commerce, s'ils se trouvent lésés. Les marchands Russes qui se trouvent dans les états de la Grande Bretagne auront réciproquement la même protection & justice, selon les loix de ce royaume, qu'y ont les autres marchands étrangers, & seront traités comme les sujets de la nation la plus favorisée.

XVIII. Les marchands Britanniques qui se trouvent en Russie; & les marchands Russes que se trouvent dans la Grande Bretagne, ne seront pas obligés de montrer leurs livres ou papiers à qui que ce soit, si ce n'est pour faire preuve dans les cours de justice; encore moins les dits livres ou papiers ne leur seront pris ou retenus. Si le cas arrivoit cependant, que quelque marchand Britannique fit banqueroute, il sera justiciable, à St. Petersburg, du college de commerce, ou de celui qui sera établi à l'avenir

pour l'administration de la justice dans les affaires de négoce, & dans les autres villes éloignées, du magistrat de la ville, & il sera procédé à son égard selon les loix qui sont, ou seront faites à ce sujet. Cependant si les marchands Britanniques, sans faire banqueroute, refusoient de payer leurs dettes, soit aux caisses de sa Majesté Impériale, soit aux particuliers, il sera permis de mettre l'arrêt sur une partie de leurs effets, équivalente à leurs dettes ; & au cas que ces effets n'y fussent pas, ils pourront être arrêtés eux-mêmes, & retenus jusqu'à ce que la majeure partie de leurs créanciers, tant à l'égard du nombre que de la valeur de leurs demandes respectives, consente à les élargir. Quand à leurs effets sur lesquels on aura mis l'arrêt, ils resteront en dépôt entre les mains de ceux qui seront nommés & dûment autorisés pour cet effet, par le plus grand nombre des créanciers, comme ci-dessus spécifié ; lesquels substitués seront obligés d'apprécier les effets le plutôt possible, & d'en faire une distribution juste & équitable à tous les créanciers, à proportion de leurs demandes respectives. La même procédure sera suivie, en pareil cas, à l'égard des marchands Russes dans les états de la Grande Bretagne, & ils y seront protégés comme il est réglé dans l'article précédent.

XIX. En cas de plaintes & de procès, trois personnes de bonne réputation & sans reproche, d'entre les marchands étrangers, seront, eu égard aux circonstances, nommées par le college de commerce, & là où il n'y en a point, par le magistrat, pour examiner les livres & papiers des plaideurs ; & le rapport qu'elles auront donné au college de commerce, ou au magistrat, de ce qu'ils auront trouvé dans les dits livres & papiers, sera tenu pour une bonne preuve.

XX. Les douanes auront soin d'examiner les domestiques ou les commis des marchands Russes, lorsqu'ils sont enrégistrer les marchés, s'ils ont pour cela les ordres ou pleins-pouvoirs de leurs maîtres ; & s'ils n'en n'ont pas, ils ne seront point crus. On procédera de la même manière avec les domestiques des marchands Britanniques ; & lorsque les dits domestiques, ayant des ordres ou pleins-pouvoirs de leurs maîtres, auront fait enrégistrer les marchandises pour le compte de leurs maîtres, ceux-ci en se-
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ront responsables, tout comme s'ils les avoient fait enrégistrer eux-mêmes. Tous les domestiques Russes employés dans les boutiques feront enrégistrer pareillement, & leurs maîtres répondront pour eux dans les affaires de négoce, & dans les marchés qu'ils auront faits en leur nom.

XXI. En cas que les marchands Russes, qui doivent aux marchands Britanniques, se retirent des lieux de leur demeure, en d'autres endroits ou districts, le collège de commerce, après que les plaintes lui en auront été faites, & les preuves de ces dettes données, les citera trois fois, en leur accordant un terme suffisant pour comparoître en personne; & s'ils le laissent passer sans comparoître, le dit collège les condamnera, & enverra, au fraix du demandeur, un exprès aux gouverneurs & aux voïodes, avec ordre de mettre la sentence en exécution, et obligera ainsi les débiteurs à payer les sommes déclarées.

XXII. Le brock sera établi avec justice, et les brokers seront responsables pour la qualité des marchandises, & les emballages frauduleux, & tenus, après des preuves suffisantes contre eux, de payer les pertes qu'il ont causées.

XXIII. On fera un réglement pour prévenir les abus qui peuvent se faire dans les emballages des cuirs, du chanvre, & du lin; & s'il arrive quelque dispute entre l'acheteur et le vendeur, sur les poids ou la tarif de quelques marchandises, la douane la décidera selon l'équité.

XXIV. Pour une plus grande facilité & encouragement au commerce de la Grande Bretagne, il est accordé qu'à l'avenir les étoffes de laine d'Angleterre ci-après spécifiées, ne payeront pas plus de droit d'entrée, que ce qui est spécifié dans cet article; savoir: le drap d'Angleterre pour soldat ne payera que deux copekes, en rixdoler l'archine, de droit d'entrée; le gros drap du comté d'York, connu dans le Tarif Rusien par le nom de costroy, ne payera que deux copekes, en rixdoler l'archine, de droit d'entrée; la flannelle large ne payera qu'un copeke, en rixdoler l'archine, de droit d'entrée; la flannelle étroite ne payera que trois-quarts de copeke, en rixdoler l'archine, de droit d'entrée. En tout ce qui regarde les impôts & les droits payables pour l'entrée & la sortie des marchandises en général, les sujets de la Grande Bretagne se-
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ront toujours considérés & traités comme la nation la plus favorisée.

XXV. La paix, amitié, & bonne intelligence durera pour toujours entre les Hautes Parties Contractantes ; & comme il est de coutume de fixer un certain tems aux traités de commerce, les susdites Hautes Parties Contractantes sont convenues, que celui-ci durera vingt ans, à compter du jour de la signature ; après l'écoulement de ce terme, elles pourront s'accorder pour le renouveler & le prolonger.

XXVI. Le présent traité de navigation, & de commerce, sera approuvé & ratifié par sa Majesté Britannique, & sa Majesté Impériale, & les ratifications, en bonne & dûe forme, seront échangées, à St. Petersbourg, dans l'espace de trois mois, ou plutôt, si faire se peut, à compter du jour de la signature.

En foi de quoi nous soussignés, en vertu des pleins-pouvoirs qui nous ont été donnés par sa Majesté le Roi de la Grande Bretagne, & par sa Majesté Imperiale de toutes les Russies, avons signé le présent traité, & y avons fait apposer les cachets de nos armes.

Fait à St. Petersbourg, ce zome Juin, 1766.

George Macartney, (L. S.) Nikita Panin, (L. S.)

(L. S.) Ernest Comte de Munich.

(L. S.) Pr. A. Galitzin.

(L. S.) Gr. Teploff.

TRANSLATION.

Treaty of Commerce and Navigation between Great Britain and Russia.

Article I.

THE peace, friendship, and good understanding, which have hitherto happily subsisted between their Majesties of Great Britain and of all the Russias shall be ratified and confirmed by this treaty ; so that from this time forward, and in all time coming, there shall be, between the Crown of Great Britain on the one hand, and the Crown of all the Russias on the other ; as also between the states, countries, kingdoms, dominions, and territories,

ties, that are subject to them, a true, sincere, firm, and perfect peace, friendship, and good understanding, which shall last for ever, and shall be inviolably observed, as well by sea as by land, and on the fresh waters; and the subjects, people and inhabitants on the one part and on the other, of what state or condition soever they be, shall perform to each other all acts of kindness and assistance possible, and shall not do one another any hurt or injury whatever.

II. The subjects of the two high contracting powers shall have full liberty of navigation and commerce in all the states situated in Europe, where navigation and commerce are permitted at present, or shall be permitted hereafter by the high contracting parties, to any other nation.

III. It is agreed, that the subjects of the two high contracting parties shall have leave to enter, trade, and remain with their ships, boats and carriages, loaded or unloaded, in all the ports, places and towns, where such leave is granted to the subjects of any other nation; and the sailors, passengers and ships, as well British as Russian (though there should be among their crews subjects of some other foreign nation) shall be received and treated as the most favoured nation; and neither the sailors nor passengers shall be forced to enter, against their will, into the service of either of the two contracting powers, excepting, however, such of their subjects as they may want for their own proper service; and if a domestick or sailor desert his service or his ship, he shall be restored. It is likewise agreed, that the subjects of the high contracting parties shall have leave to purchase, at the current price, all sorts of commodities of which they may stand in need; to repair and refit their ships, boats and carriages; to purchase all kinds of provisions for their present subsistence of their voyage; and to remain or depart at their pleasure, without lett or impediment, provided they conform to the laws and ordinances of the respective states of the high contracting parties where they may happen to be. In like manner the Russian ships that are navigating the sea, and are met by English ships, shall not be impeded in the course of their voyage, provided,

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in the British sea, they conform to the established practice; but, on the contrary, shall receive from them all kind of assistance, as well in the ports of the dominion of Great Britain as in the open sea.

IV. It is agreed, that the subjects of Great Britain shall be at liberty to bring, by water or by land, into all or into such provinces of Russia, where freedom of trade is permitted to the subjects of any other nation, all sorts of merchandise or effects, the traffic or entry of which is not prohibited: and in like manner the subjects of Russia shall be at liberty to bring, buy and sell freely, in all, or in such states of Great Britain where freedom of trade is permitted to the subjects of any other nation, all sorts of merchandise and effects, the traffic and entry of which is not prohibited; which is also to be equally understood of the manufactures and products of the Asiatic provinces, provided this is not actually forbid by some law at present in force in Great Britain; comprehending all sorts of merchandise effects, which the subjects of any other nation may buy there, and transport into other countries, particularly wrought gold and silver, excepting the current coin of Great Britain; and in order to preserve a just equality between the Russian and British merchants, with regard to the exportation of provisions and other commodities, it is farther stipulated, that the subjects of Russia shall pay the same duties on exportation, that are paid by the British merchants on exporting the same effects from the ports of Russia; but then each of the high contracting parties shall reserve to itself the liberty of making, in the interior parts of its dominions, such particular arrangements as it shall find expedient for encouraging and extending its own navigation. The Russian merchants shall enjoy the same liberties and privileges as the British merchants of the Russian company enjoy; and, as the design of the two high contracting parties, and the intention of this treaty, is to facilitate the reciprocal commerce of their subjects, and to extend its limits and mutual advantages, it is agreed, that the British merchants trading in the dominions of Russia, shall have liberty, in case of death, a pressing exigency, or absolute necessity, when there are no other means of procuring

procuring money, or in case of bankruptcy, to dispose of their effects, whether of Russian or foreign merchandise, in such manner as the persons concerned shall find most advantageous. The same thing shall be observed with regard to the Russian merchants in the dominions of Great Britain. All which, however, is to be understood with this restriction, that every sort of permission, on the one side and on the other, specified in this article, shall not be in any thing contrary to the laws of the country; and the British, as well as the Russian merchants and their factors, shall punctually conform to the rights, statutes and ordinances of the country where they trade, in order to prevent all kind of fraud and imposition. 'Tis for this reason, that the decision of such events happening to the British compting-houses in Russia, shall be submitted, at Petersburg, to the college of commerce, and in other towns where there is no college of commerce, to the tribunals that have the cognizance of commercial affairs.

V. It is agreed, that the subjects of Great Britain, if they have no rixdollars to pay the customs or other duties for the merchandize which they import or export, shall be allowed to pay them in other foreign coin of a known name and established value, equal to that of the rixdollar, or in the current coin of Russia, the rixdollar valued at a hundred and twenty-five copecks (or pennies).

VI. All possible assistance and dispatch shall be given to the loading and unloading of ships, as well for the importation as the exportation of commodities, according to the regulations on that head established; and they shall not be in any manner detained, under the penalties denounced in the said regulations. In like manner, if the subjects of Great Britain make contracts with any chancery or college whatever to deliver certain commodities or effects, upon notifying that such commodities are ready to be delivered, and after they shall have been actually delivered at the time specified in these contracts, they shall be received, and immediately thereupon the accounts shall be settled and cleared between the said college or chancery and the British merchants, at the time fixed in the said contracts. The same conduct shall be

be observed towards Ruffian merchants in the dominions of Great Britain.

VII. It is agreed, that the subjects of Great Britain may, in all the towns and places of Ruffia, where freedom of trade is permitted to any other nation, pay for the commodities they purchase in the same current coin of Ruffia, which they take for the commodities they sell, unless in their contracts they have stipulated the contrary; and this ought to be equally understood of Ruffian commodities in the dominions of Great Britain.

VIII. In the places where embarkations are ordinarily made, permission shall be granted to the subjects of the high contracting parties, to load their ships and carriages with, and transport by water or by land, all such sorts of commodities as they shall have purchased (with an exception, however, of those whose exportation is prohibited) upon paying the customs, provided these ships and carriages conform to the laws.

IX. The subjects of the high contracting parties shall pay no greater duty for the importation or exportation of their commodities, than is paid by the subjects of other nations. Nevertheless, to prevent on both sides the defrauding of the customs, if it should be discovered that commodities have been entered clandestinely, and without paying the customs, they shall be confiscated; but, besides that, no other punishment shall be inflicted upon the merchants on either side.

X. Permission shall be granted to the subjects of the two contracting parties to go, come and trade freely with those states, with which one or other of the parties shall at that time, or at any future period, be engaged in war, provided they do not carry military stores to the enemy. From this permission, however, are excepted places actually blocked up, or besieged, as well by sea as by land; but, at all other times, and with the single exception of military stores, the above-said subjects may transport to these places all sorts of commodities, as well as passengers without the least impediment. With regard to the searching of merchant ships, men of war and privateers shall behave as favourably as the reason of the war, at that time existing, can possibly permit towards the
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most friendly powers that shall remain neuter; observing, as far as may be, the principles and maxims of the law of nations, that are generally acknowledged.

XI. All canon, mortars, muskets, pistols, bombs, grenades, bullets, balls, fuses, flint-stones, matches, powder, saltpetre, sulphur, breast-plates, pikes, swords, belts, cartouch-bags, saddles and bridles, beyond the quantity that may be necessary for the use of the ship; or beyond what every man serving on board the ship, and every passenger ought to have, shall be accounted ammunition or military stores; and, if found, shall be confiscated, according to law, as contraband goods or prohibited commodities; but neither the ships nor passengers, nor the other commodities found at the same time, shall be detained or hindered to prosecute their voyage.

XII. If, what God forbid! the peace should come to be broke between the two high contracting parties, the persons, ships and commodities, shall not be detained or confiscated; but they shall be allowed, at least, the space of one year, to sell, dispose, or carry off their effects, and to retire wherever they please; a stipulation that is to be equally understood of all those who shall be in the sea or land service; and they shall farther be permitted, either at or before their departure, to consign the effects which they shall not as yet have disposed of, as well as the debts that shall be due to them, to such persons as they shall think proper, in order to dispose of them according to their desire, and for their benefit; which debts, the debtors shall be obliged to pay in the same manner as if no such rupture had happened.

XIII. In case of a shipwreck happening in any place belonging to one or other of the high contracting parties, not only shall all kind of assistance be given to the unhappy sufferers, and no sort of violence shall be offered to them, but even the effects which they shall have saved themselves, or which they shall have thrown overboard into the sea, shall not be concealed, withheld, or damaged, under any pretext whatsoever; on the contrary, the above-said effects and commodities shall be preserved and restored to them, upon their giving a moderate re-
compence

compence to those who shall have assisted them in saving their lives, their ships and their commodities.

XIV. Permission shall be granted to British merchants to build, buy, sell and hire houses in all the territories and towns of Russia, excepting, however, with regard to the permission of building and buying houses in those towns of Russia which have particular rights of burgership and privileges inconsistent with such indulgence; and it is expressly specified, that at St. Petersburg, Moscow and Archangel, the houses which the British merchants shall buy, or cause to be built, shall be exempt from all quartering of soldiers, as long as they shall belong to them, and shall be inhabited by them; but with regard to the houses which they shall hire or let, these shall be subject to all the usual charges of the town; the tenant and landlord settling that matter between them. As to every other town of Russia, the houses which they shall purchase or cause to be built, in the same manner as those which they shall hire or let, shall not be exempted from the quartering of soldiers. Permission shall likewise be granted the Russian merchants to build, buy, sell and let houses in Great Britain and Ireland, in the same manner as is done by the subjects of the most favoured nations. They shall enjoy the free exercise of the Greek religion in their houses, or in such places as are destined for that purpose; and in like manner the British merchants shall enjoy the free exercise of the Protestant religion. The subjects of either power, established in Russia or in Great Britain, shall have power to dispose of their estates, and to leave them by will to whomsoever they think proper, following the customs and laws of their own proper country.

XV. Passports shall be granted to all British subjects who desire to quit the dominions of Russia, two months after they shall have signified their design of departing, without obliging them to give security; and if, in that time, there appear no just cause for detaining them, they shall be allowed to go; nor shall they be obliged to apply for that purpose, to any other quarter than to the college of commerce, or to that which may hereafter be established in its place. The same easy methods of departing shall, upon like occasions, and agreeable to the custom of the

the country, be granted to Russian merchants, who want to quit the dominions of Great Britain.

XVI. British merchants, who shall hire or employ domestics, shall, in this particular, be obliged to conform themselves to the laws of this empire: And Russian merchants shall be equally obliged to do the same in Great Britain.

XVII. In all lawsuits and other proceedings the British merchants shall be amenable only to the college of commerce, or to that which shall hereafter be established for the administration of justice between merchants. But, if it should happen that the British merchants should have lawsuits in any place at a distance from the above-mentioned college of commerce, both they and the adverse party shall prefer their complaints to the magistrate of the said towns; with this proviso, however, that the British merchants shall have the right to appeal from the sentence of the magistrate, and to demand that of the college of commerce, if they find themselves aggrieved. The Russian merchants in the dominions of Great Britain shall, in their turn, have the same protection and justice, which, according to the laws of that kingdom, are granted to other foreign merchants, and shall be treated as the subjects of the most favoured nation.

XVIII. The British merchants in Russia, and the Russian merchants in Great Britain, shall not be obliged to shew their books or papers to any person whatever, unless it be to make proof in the course of justice; still less shall the said books or papers be taken or detained from them. If, however, the case should happen, that any British merchant becomes bankrupt, he shall be amenable at St. Petersburg to the college of commerce, or to that which shall hereafter be established for the administration of justice in mercantile affairs; and in other remote towns, to the magistrate of the place; and he shall be proceeded against according to the laws that are or shall be made for this purpose. Nevertheless, if the British merchants, without becoming bankrupt, refuse to pay their debts, whether to the treasury of her Imperial Majesty, or to individuals, it shall be lawful to lay an arrest upon part of their effects equivalent to their debts; and, in case these

effects should not be sufficient for discharging such debts, they may themselves be arrested and detained in custody, until such time as the greater part of their creditors, as well with respect to number, as to the value of their respective demands, have consented to their enlargement. With regard to their effects laid under arrest, they shall remain as a deposit in the hands of those who shall be named and duly authorized for that purpose, by the greater part of their creditors, as is above specified; which delegates shall be obliged to appraise the effects as soon as possible, and to make a just and fair distribution of them to all the creditors, in proportion to their respective demands. The same procedure shall, in like cases, be observed towards the Russian merchants in the dominions of Great Britain, and they shall be there protected agreeably to the regulations made in the preceding article.

XIX. In case of complaints and lawsuits, three persons of fair and unblemished character among the foreign merchants, shall, with a proper regard to circumstances, be named by the college of commerce, and where there is no such college, by the magistrate, to examine the books and papers of the parties; and the report they shall make to the college of commerce, or to the magistrate, of what they shall find in the said books or papers, shall be held a good proof.

XX. The commissioners of the customs shall have the charge of examining the servants or clerks of the Russian merchants, when they cause their goods to be entered, whether they have, for that effect, the orders or full powers of the masters; and if they have not such, they shall not be credited. The same conduct shall be observed towards the servants of the British merchants; and, when the said servants, having the orders or full powers of their masters, shall cause their goods to be entered on account of their masters, these last shall be as responsible as if they themselves had caused them to be entered. All the Russian servants employed in the shops shall likewise be registered, and their masters shall answer for them in the affairs of trade, and in the bargains which they make in their name.

XXI. In

XXI. In case the Russian merchants who are indebted to the British merchants withdraw from the places of their abode to other parts or districts, the college of commerce, after complaints shall have been made to them on the subject, and proofs of the debts have been adduced, shall cite them three times, allowing them a sufficient space to appear in person; and if they do not appear within the term prescribed, the said college shall condemn them, and shall send, at the expence of the plaintiff, an express to the Governors and Waywodes, with orders to put the sentence in execution, and thus shall oblige the debtors to pay the sums specified.

XXII. The brokerage shall be settled with justice, and the brokers shall be responsible for the quality of the goods and fraudulent package, and shall be obliged, after sufficient proofs produced against them, to make up the losses to which they have given occasion.

XXIII. A regulation shall be made to prevent the abuses that may be committed in the package of leather, hemp, and flax; and, if any dispute happen between the buyer and the seller concerning the weight or the tare, the commissioners of the customs shall determine it according to equity.

XXIV. In order the more effectually to encourage and promote the trade of Great Britain, it is agreed, that for the future the English woollen cloths, hereafter specified, shall not pay any greater duties on entry than are settled in this article, viz. English cloth for the use of the soldiery, shall pay (in rixdollars) only two copecs (or pennies) for every arsheen (or $7\frac{1}{4}$ yards) as a duty on entry; coarse cloth of the county of York, known in the Russian Tariff by the name of Costrogy, shall only pay two copecs for every arsheen: broad flannel shall only pay one copec per arsheen; narrow flannel shall only pay three-fourths of a copec per arsheen, all as duty on entry. And in every thing that regards the imposts and duties payable on the importation or exportation of commodities in general, the subjects of Great Britain shall be always considered and treated as the most favoured nation.

XXV. The peace, friendship, and good understanding shall continue for ever between the high contracting parties;

ties ; and, as it is customary to fix a certain term to the duration of treaties of commerce, the above-mentioned high contracting parties have agreed, that this treaty shall continue for twenty years, counting from the day of signing ; and, after the expiration of that term, they may agree upon the means to renew and prolong it.

XXVI. The present treaty of navigation and commerce shall be approved and ratified by his Britannick Majesty and by her Imperial Majesty ; and the ratifications, in due and lawful form, shall be exchanged at St. Petersburg, in the space of three months, or sooner if possible, counting from the day of signing.

In witness whereof, we the under-signed, in virtue of the full powers granted to us by his Majesty the King of Great Britain, and by her Imperial Majesty of all the Russias, have signed the present treaty, and thereto set our seals. Done at St. Petersburg, this 20th day of June, 1766.

George Macartney, (L. S.) *Nikita Panin,* (L. S.)

(L. S.) *Ernest, Count Munich.*

(L. S.) *Pr. A. Galitzin.*

(L. S.) *Gr. Teploff.*

Translation of the Declaration signed and delivered by Prince de Maserano, Ambassador Extraordinary from his Catholick Majesty, the 22d day of January, 1771.

HIS Britannick Majesty having complained of the violence which was committed on the 10th of June, 1770, at the island commonly called the Great Malouine, and by the English Falkland's Island, in obliging, by force, the commander and subjects of his Britannick Majesty to evacuate the port by them called Egmont ; a step offensive to the honour of his Crown ; — the Prince de Maserano, Ambassador Extraordinary of his Catholick Majesty, has received orders to declare, and declares, that his Catholick Majesty, considering the desire with which he is animated for peace, and for the maintenance of good harmony with his Britannick Majesty, and reflecting that this event might interrupt it, has seen with displeasure this
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expedition tending to disturb it; and in the persuasion in which he is of the reciprocity of sentiments of his Britannick Majesty, and of its being far from his intention to authorise any thing that might disturb the good understanding between the two Courts, his Catholick Majesty does disavow the said violent enterprize, — and; in consequence, the Prince de Maseraño declares, that his Catholick Majesty engages to give immediate orders, that things shall be restored in the Great Malouine at the port called Egmont, precisely to the state in which they were before the 10th of June, 1770: For which purpose, his Catholick Majesty will give orders to one of his Officers; to deliver up to the Officer authorised by his Britannick Majesty the port and fort called Egmont, with all the artillery, stores, and effects of his Britannick Majesty and his subjects which were at that place the day above named, agreeable to the inventory which has been made of them.

The Prince de Maseraño declares, at the same time, in the name of the King his master, that the engagement of his said Catholick Majesty, to restore to his Britannick Majesty the possession of the port and fort called Egmont, cannot nor ought any wise to affect the question of the prior right of sovereignty of the Malouine islands, otherwise called Falkland's Islands. In witness whereof, I the under-written Ambassador Extraordinary have signed the present declaration with my usual signature, and caused it to be sealed with our arms. London, the twenty-second day of January, one thousand seven hundred and seventy-one.

(L. S.) Signed *Le Prince de MASERANO.*

Translation of the Acceptance by the Earl of Rochford, in his Majesty's name, the 22d of January, 1771, of the Spanish Ambassador's Declaration of the same Date.

HIS Catholick Majesty having authorised the Prince of Maseraño, his Ambassador Extraordinary, to offer, in his Majesty's name, to the King of Great Britain,

tain, a satisfaction for the injury done to his Britannick Majesty by dispossessing him of the port and fort of Port Egmont; and the said Ambaffador having this day signed a declaration, which he has just delivered to me, expressing therein, that his Catholick Majesty, being desirous to restore the good harmony and friendship which before subsisted between the two Crowns, does disavow the expedition against Port Egmont, in which force has been used against his Britannick Majesty's possessions, commander, and subjects; and does also engage, that all things shall be immediately restored to the precise situation in which they stood before the 10th of June, 1770; and that his Catholick Majesty shall give orders, in consequence, to one of his Officers to deliver up to the Officer authorised by his Britannick Majesty, the port and fort of Port Egmont, as also all his Britannick Majesty's artillery, stores, and effects, as well as those of his subjects, according to the inventory which has been made of them. And the said Ambaffador having moreover engaged, in his Catholick Majesty's name, that what is contained in the said declaration shall be carried into effect by his said Catholick Majesty, and that duplicates of his Catholick Majesty's orders to his Officers shall be delivered into the hands of one of his Britannick Majesty's Principal Secretaries of State within six weeks; his said Britannick Majesty, in order to shew the same friendly disposition on his part, has authorised me to declare, that he will look upon the said declaration of the Prince de Maserano, together with the full performance of the said engagement on the part of his Catholick Majesty, as a satisfaction for the injury done to the Crown of Great Britain. In witness whereof, I the under-written, one of his Britannick Majesty's Principal Secretaries of State, have signed these presents with my usual signature, and caused them to be sealed with our arms. London, the 22d day of January, 1771.

(L. S.)

Signed

ROCHFORD.

Transf.

Translation of his Catholick Majesty's Orders, signed by the Balio Fray Don Julian de Arriaga, to Don Philip Ruez Puente, dated Pardo, 7th of February, 1771.

IT being agreed between the King and his Britannick Majesty, by a convention signed at London on the 22d of January last past, by the Prince of Maserano and the Earl of Rochford, that the Great Malouine, called by the English Falkland Island, should be immediately replaced in the precise situation in which it was before it was evacuated by them on the 10th of June last year; I signify to you, by the King's order; that as soon as the person commissioned by the Court of London shall present himself to you with this, you order the delivery of the Port de la Crusada or Egmont, and its fort and dependencies, to be effected; as also that of all the artillery, ammunition, and effects, that were found there belonging to his Britannick Majesty and his subjects, according to the inventories signed by George Farmer and William Maltby, Esqrs. on the 11th of July of the said year, at the time of their quitting the same, of which I send you the enclosed copies, authenticated under my hand; and that as soon as the one and the other shall be effected, with the due formalities, you cause to retire immediately the Officer, and other subjects of the King, which may be there. God preserve you many years.

Pardo, 7th February, 1771.

Signed *The Balio Fray Don Julian de Arriaga.*
To Don Philip Ruez Puente,

Declaration of INDEPENDENCE by the Representatives of the United States of America, in Congress assembled; July, 1776.

WHEN, in course of human events, it becomes necessary for one people to dissolve the political bands which have connected them with another, and to assume, among the powers of the earth, the separate and equal station to which the laws of nature and of nature's

God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes which impel them to the separation.

We hold these truths to be self-evident, that all men are created equal, that they are endowed, by their Creator, with certain unalienable rights, that among these are, life, liberty, and the pursuit of happiness. — That to secure these rights, governments are instituted among men, deriving their just powers from the consent of the governed; that whenever any form of government becomes destructive to these ends, it is right of the people to alter or to abolish it, and to institute new government, laying its foundation on such principles, and organizing its powers in such form, as to them shall seem most likely to effect their safety and happiness. Prudence, indeed, will dictate, that governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same object, evinces a design to reduce them under absolute despotism, it is their right, it is their duty to throw off such government, and to provide new guards for their future security. Such has been the patient sufferance of these colonies, and such is now the necessity which constrains them to alter their former systems of government. The history of is a history of repeated injuries and usurpations, all having in direct object the establishment of an absolute tyranny over these states. To prove this, let facts be submitted to a candid world :

He has refused to assent to laws the most wholesome and necessary for the publick good.

He has forbidden his Governors to pass laws of immediate and pressing importance, unless suspended in their operation till his assent should be obtained; and when so suspended, he has utterly neglected to attend to them.

He has refused to pass other laws for the accommodation of large districts of people, unless those people would relinquish the right of representation in the legislature;

ature ; a right inestimable to them, and formidable to tyrants only.

He has called together legislative bodies at places unusual, uncomfortable, and distant from the depository of their publick records for the sole purpose of fatiguing them into compliance with his measures.

He has dissolved representative houses repeatedly, for opposing, with manly firmness, his invasions on the rights of the people.

He has refused, for a long time after such dissolutions, to cause others to be elected ; whereby the legislative powers, incapable of annihilation, have returned to the people at large for their exercise ; the state remaining, in the mean time, exposed to all the dangers of invasion from without, and convulsions within.

He has endeavoured to prevent the population of these states ; for that purpose obstructing the laws for naturalization of foreigners, refusing to pass others to encourage their migrations hither, and raising the conditions of new appropriations of lands.

He has obstructed the administration of justice, by refusing his assent to laws for establishing judiciary powers.

He has made judges dependent on his will alone, for the tenure of their offices, and the amount and payment of their salaries.

He has erected a multitude of new offices, and sent hither swarms of officers to harrass our people, and eat out their substance.

He has kept among us, in times of peace, standing armies without the consent of our legislatures.

He has affected to render the military independent of, and superior to, the civil power.

He has combined with others to subject us to a jurisdiction foreign to our constitution, and unacknowledged by our laws ; giving his assent to their acts of pretended legislation :

For quartering large bodies of armed troops among us :

For protecting them, by a mock trial, from punishment for any murders which they should commit on the inhabitants of these states :

For-

For cutting off our trade with all parts of the world :

For imposing taxes on us without our consent :

For depriving us, in many cases, of the benefits of trial by jury.

For transporting us beyond seas to be tried for pretended offences :

For abolishing the free system of English laws in a neighbouring province, establishing therein an arbitrary government and enlarging its boundaries, so as to render it at once an example and fit instrument for introducing the same absolute rule into these colonies :

For taking away our charters, abolishing our most valuable laws, and altering fundamentally the forms of our governments :

For suspending our own legislatures, and declaring themselves invested with power to legislate for us in all cases whatsoever.

He has abdicated government here, by declaring us out of his protection, and waging war against us.

He has plundered our seas, ravaged our coasts, burnt our towns, and destroyed the lives of our people.

He is, at this time, transporting large armies of foreign mercenaries to complete the works of death, desolation, and tyranny, already begun with circumstances of cruelty and perfidy, scarcely paralleled in the most barbarous ages, and totally unworthy the head of a civilized nation.

He has constrained our fellow citizens taken captive on the high seas, to bear arms against their country, to become the executioners of their friends and brethren, or to fall themselves by their hands.

He has excited domestic insurrections amongst us, and has endeavoured to bring on the inhabitants of our frontiers the merciless Indian savages, whose known rule of warfare is an undistinguished destruction of all ages, sexes, and conditions.

In every stage of these oppressions we have petitioned for redress in the most humble terms; our repeated petitions have been answered only by repeated injury. A

, whose character is thus marked by every act
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which may define a _____, is unfit to be the ruler of a free people.

Nor have we been wanting in attentions to our British brethren. We have warned them, from time to time, of attempts by their legislature to extend an unwarrantable jurisdiction over us. We have reminded them of the circumstances of our emigration and settlement here. We have appealed to their native justice and magnanimity, and we have conjured them, by the ties of our common kindred, to disavow these usurpations which would inevitably interrupt our connections and correspondence. They too have been deaf to the voice of justice and of consanguinity. We must, therefore, acquiesce in the necessity which denounces our separation, and hold them, as we hold the rest of mankind, enemies in war, in peace friends.

We, therefore, the representatives of the UNITED STATES OF AMERICA, in GENERAL CONGRESS assembled, appealing to the Supreme Judge of the world for the rectitude of our intentions, do, in the name, and by the authority of the good people of these Colonies, solemnly publish and declare, that these United Colonies are, and of right ought to be, FREE AND INDEPENDENT STATES; that they are absolved from all allegiance to the British Crown, and that all political connection between them and the state of Great Britain is, and ought to be, totally dissolved; and that as FREE AND INDEPENDENT STATES, they have full power to levy war, conclude peace, contract alliances, establish commerce, and do all other acts and things which INDEPENDENT STATES may of right do. And for the support of this declaration, with a firm reliance on the protection of DIVINE PROVIDENCE, we mutually pledge to each other our lives, our fortunes, and our sacred honour.

Signed by order, and in behalf of the Congress,
 JOHN HANCOCK, President.
 CHARLES THOMSON, Secretary.

Treaty

Treaty of Friendship and Commerce, concluded between the French King and the United States of North America, February 6, 1778.

LEWIS, by the grace of God, King of France and Navarre, to all those to whom these presents shall come, greeting,—Whereas our dear and well-beloved M. Conrade Alexander Gerard, Royal Syndic of the city of Strasburg, and Secretary of our Council of State, has, in virtue of the full powers with which we have invested him for that purpose, concluded, finished, and signed, on the 6th of February, in the present year 1778, with Messrs. Benjamin Franklin, Silas Deane, and Arthur Lee, Deputies from the General Congress of the United States of North America, equally and formally invested with full powers, a treaty of friendship and commerce to the following purport :

The Most Christian King, and the Thirteen United States of North America, viz. New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the counties of Newcastle, Kent, and Suffex, on the Delaware, Maryland, Virginia, North and South Carolina, and Georgia, desirous of establishing, in an equitable and permanent manner, the rules which ought to be observed relative to the correspondence and commerce which the two parties wish to establish between their respective states, dominions, and subjects ; his Most Christian Majesty and the said United States have thought proper, and as most conducive to this end, to found their arrangements on the basis of the most perfect equality and reciprocal advantage, taking care to avoid disagreeable preferences, the sources of altercation, embarrassment, and discontent ; to leave to each party the liberty, respecting commerce and navigation, of making such interior regulations as shall suit themselves ; to found their commercial advantages as well on reciprocal interest, as on the laws of mutual agreement ; and thus to preserve to both parties the liberty of dividing, each according to his will, the same advantages with other nations. In this idea, and to accomplish these views, his said Majesty,

Majesty, having nominated and appointed, as his Plenipotentiary, M. Conrad Alexander Gerard, Royal Syndic of the city of Strasburg, Secretary of his Majesty's Council of State; and the United States having, on their part, invested with full powers Messrs. Benjamin Franklin, Deputy of the General Congress of the State of Pennsylvania, and President of the Assembly of the said State; Silas Deane, formerly Deputy of the State of Connecticut; and Arthur Lee, Counsellor at Law; the said Plenipotentiaries respectively, after having exchanged their credentials, and upon mature deliberation, have concluded and agreed to the following articles :

Article I. A firm, inviolable, and universal peace, and a true and sincere friendship, shall subsist between the Most Christian King, his heirs and successors, and the United States of America, as well as between his Most Christian Majesty's subjects and those of the said States; as also between the people, islands out and inhabitants of all classes, without any exception to persons or places. The conditions mentioned in the present treaty shall be perpetual and permanent between the Most Christian King, his heirs and successors, and the said United States.

II. The Most Christian King and the United States mutually engage, not to grant any particular favour to other nations, respecting commerce and navigation, which shall not be immediately made known to the other party; and such nation shall enjoy that favour gratuitously, if the concession is such, or in granting the same compensation, if the concession is conditional.

III. The subjects of the Most Christian King shall not pay, in the ports, harbours, roads, countries, islands, cities, and places of the United States, any greater duties or imposts, of what nature soever they may be, or by whatever name they may be called, than such as the most favoured nation shall pay; and they shall enjoy all the rights, liberties, privileges, immunities, and exemptions, in point of trade, navigation, and commerce, whether in passing from one port of the said States to another, or in going thither, or in returning from or going to any part of the world whatever, as the said nations may or shall enjoy.

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IV. The subjects, people, and inhabitants of the said United States, or each of them, shall not pay, in the ports, harbours, roads, islands, cities, and places, within the dominions of his Most Christian Majesty in Europe, any greater duties or imposts, of what nature soever they may be, or by whatever name they may be called, than the most favourite nation are or shall be bound to pay ; and they shall enjoy all the rights, liberties, privileges, immunities, and exemptions, in point of trade, navigation, and commerce, whether in passing from one port to another of the said dominions of the Most Christian King in Europe, or in going thither, or in returning from or going to any part of the world whatever, as the said nations may or shall enjoy.

V. In the above exemption is particularly comprised the imposition of one hundred pence per ton, established in France upon foreign ships : excepting when the ships of the United States shall load with French merchandises in one port of France for another in the same kingdom ; in which case the said ships of the said United States shall discharge the usual rights, so long as the most favourite nations shall be obliged to do the same ; nevertheless, the said United States, or any of them, shall be at liberty to establish, whenever they shall think proper, a right equivalent to that in question, in the same case as it is established in the ports of his Most Christian Majesty.

VI. The Most Christian King shall use all the means in his power to protect and defend all the ships and effects belonging to the subjects, people, and inhabitants of the said United States, and of each of them which shall be in his ports, harbours, or roads, or in the seas near his territories, countries, isles, cities, and places ; and shall use every effort to recover and restore to the lawful proprietors, their agents or order, all the ships and effects which shall be taken within his jurisdiction ; and his Most Christian Majesty's ships of war, or other convoys, sailing under his authority, shall take, on every occasion, under their protection the ships belonging to the subjects, people, and inhabitants of the said United States, or any of them, which shall keep the same course and make the same
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rout, and defend the said ships; so long as they shall keep the same course and make the same rout, against every attack, force, or violence, in the same manner as they are bound to defend and protect the ships belonging to the subjects of his Most Christian Majesty.

VII. In like manner the said United States, and their ships of war sailing under their authority, shall protect and defend, agreeable to the contents of the preceding article, all the ships and effects belonging to the Most Christian King, and shall use all their efforts to recover and restore the said ships and effects, which shall be taken within the extent of the jurisdiction of the said United States, or either of them.

VIII. The Most Christian King will employ his endeavours and mediation with the King or Emperor of Morocco or Fez, with the Regencies of Algiers, Tunis, and Tripoli, or any of them, as well with every other Prince, State, or Power, of the Barbary coast in Africa, and with the subjects of the said King, Emperor, States, and Powers, and each of them, to secure, as fully and effectually as possible, to the advantage, convenience, and security, of the said United States, and each of them, as also their subjects, people, and inhabitants, their ships and effects, against violence, insult, attack, or depredation, on the part of the said Barbary Princes and States, or their subjects.

IX. The subjects, inhabitants, merchants, commanders of ships, masters, and seamen, of the states, provinces, and dominions of the two parties, shall reciprocally refrain from, and avoid fishing in any of the places possessed, or which shall be possessed, by the other party. The subjects of his Most Christian Majesty, shall not fish in the harbours, bays, creeks, roads, and places, which the said United States possess, or shall hereafter possess; and in the same manner the subjects, people, and inhabitants, of the said United States, shall not fish in the harbours, bays, creeks, roads, coasts, and places, which his Most Christian Majesty actually possesses; or shall hereafter possess; and if any ship or vessel shall be surpris'd fishing, in violation of the present treaty, the same ship or vessel and its cargo shall, upon clear proof, be confiscated.

ated. Provided the exclusion stipulated in the present article shall stand good only so long as the King and the United States shall not suffer it to be enjoyed by any other nation whatever.

X. The United States, their citizens and inhabitants, shall never disturb the subjects of the Most Christian King in the enjoyment and exercise of the right of fishing on the banks of Newfoundland, any more than in the unlimited and exclusive enjoyment they possess on that part of the coasts of that island, as specified in the treaty of Utrecht, nor in the rights relative to all and each of the isles which belong to his Most Christian Majesty; the whole conformable to the true sense of the treaties of Utrecht and Paris.

XI. The subjects and inhabitants of the said United States, or any of them, shall not be considered as foreigners in France, and, consequently, shall be exempt from the right of escheatage, or any other such like right, under any name whatever; they may, by will, donation, or otherwise, dispose of their goods, moveables, and fixtures, in favour of whom they shall please; and their heirs, subjects of the said United States, resident in France or elsewhere, shall succeed to them, *ab intestat*, without being obliged to obtain letters of naturalization, and without being exposed to any molestation or hindrance, under pretence of any rights or prerogatives of provinces, cities, or private persons; and the said heirs, either by particular title, or *ab intestat*, shall be exempt from all right of detraction or other right of that kind, provided that such or the like local rights are not established by the said United States, or any of them. The subjects of the Most Christian King shall enjoy, on their side, in all the dominions of the said States, an entire and perfect reciprocation with respect to the stipulations included in the present article.

But it is at the same time agreed, that the contents of this article shall not affect the laws made in France against emigrations, or such as may be made hereafter, such being left in their full force and vigour; the United States, on their side, or any of them, shall be free to make such laws respecting that matter as they shall judge proper.

XII. The

XII. The merchant ships of both parties, which shall be bound to any port, belonging to a power then an enemy of the other ally, and of which the voyage, or nature of its cargo shall give just suspicions, shall be bound to produce, either on the high seas, or in ports and harbours, not only their passports, but also certificates, which shall expressly state, that their cargoes are not of prohibited and contraband wares.

XIII. If the contents of the said certificates leads to a discovery, that the ship carries prohibited and contraband merchandises, consigned to an enemy's port, it shall not be permitted to open the hatches of the said ship, nor any case, chest, trunk, bale, cask or other cases, contained therein, or to displace or remove the least part of the merchandise, whether the ship belongs to the Most Christian King, or to the inhabitants of the United States, until the cargo has been landed in the presence of the officers of the Admiralty, and an inventory taken of them; but they shall not be permitted to sell, exchange, or dispose of the ships or cargoes, in any manner whatever, until a fair and legal inquiry has been made, the contraband declared, and the Court of Admiralty shall have pronounced the confiscation by judgement, nevertheless without prejudice of ships or cargoes, which, by virtue of this treaty, should be considered as free. It shall not be permitted to retain merchandises, under pretence that they were found among contraband goods, and still less to confiscate them as legal prizes. In case where a part only, and not the whole of the cargo, consists of contraband articles, and that the commander of the ship consents to deliver up to the captor what shall be discovered, then the captain, who shall have made the prize, after having received those articles, shall immediately release the ship, and in no manner prevent it from pursuing its voyage; but in case that the whole of the contraband articles cannot be all taken into the vessel of the captor, then the Captain of such vessel shall remain master of his prize, notwithstanding the offer to give up the contraband goods, and conduct the ship into the nearest port, conformably to what is above specified.

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XIV. It is agreed, on the contrary, that every thing that shall be found embarked by the respective subjects, in ships belonging to the enemies of the other party, or their subjects, shall be confiscated, without regard to their being prohibited or not, in the same manner as if they belonged to the enemy; excepting, however, such effects and merchandises as had been put on board the said ships before the declaration of war, or even after the said declaration, if they were ignorant of it at the time of loading; so that the merchandises of the subjects of both parties, whether they be found among contraband goods or otherwise, which, as hath been just mentioned, shall have been put on board a ship belonging to the enemy, before the war, or even after the said declaration, when unknown to them, shall not be, in any manner, subject to confiscation, but shall be faithfully and truly restored, without delay, to the owners who shall claim them; it must, however, be understood, that it will not be permitted to carry contraband goods into an enemy's ports. The two contracting parties agree, that after the expiration of two months from the declaration of war, their respective subjects, from what part of the world soever they shall come, shall not be permitted to plead ignorance of the question in this article.

XV. And in order the more effectually to secure the subjects of the two contracting parties from receiving any prejudice from the ships of war or privateers of either party, orders shall be given to all captains of ships of his Most Christian Majesty and the said united States, and to all their subjects, to avoid offering insult or doing damage to the ships of either party; and whoever shall act contrary to these orders, shall be punished for it, and shall be bound and obliged personally, in their own effects, to repair all such damages and losses.

XVI. All ships and merchandises of what nature soever, which shall be taken out of the hands of pirates on the high seas, shall be conducted into some port of the two states, and shall be committed to the care of the officers of the said port, in order that they may be entirely restored to the right owner, as soon as such property shall be fully and clearly proved.

XVII. The

XVII. The ships of war of his Most Christian Majesty, and those of the United States, as well as privateers fitted out by their subjects, shall be at full liberty to conduct where they please such prizes as they shall take from the enemy, without being amenable to the jurisdiction of their Admirals or Admiralty, or any other power; and the said vessels or prizes, entering into the harbours or ports of his Most Christian Majesty, or those of the said United States, shall be neither stopped nor seized, nor shall the officers of such places inquire into the validity of the said prizes, but shall be permitted to depart freely and at full liberty, to such places as directed in the commissions, which the Captains of the said ships shall be obliged to produce. And, on the contrary, they shall neither give security nor retreat, in their ports or harbours, to any prizes made on the subjects of his Majesty, or the said United States; and, if such shall be found to enter their ports, through storms or dangers of the sea, they shall be obliged to depart as soon as possible.

XVIII. Should a ship belonging to either of the two States, or their subjects, run aground, be wrecked, or suffer other damages, upon the coasts belonging to one of the two parties, they shall give all friendly aid and assistance to such as are in danger, and take every method to secure their safe passage, and return to their own country.

XIX. When the subjects and inhabitants of one of the two parties with their ships, whether men of war, privateers or merchantmen, shall be forced by foul weather, by the pursuits of pirates or enemies, or by any other urgent necessity, to seek shelter and refuge, to run into and enter some river, bay, road or port belonging to one of the two parties, they shall be received and treated with humanity and kindness, and shall enjoy all the friendship, protection, and assistance, and shall be permitted to procure refreshments, provisions and every thing necessary for their subsistence, for the repairing of their ships, and to enable them to pursue their voyage, paying a reasonable price for every thing; and they shall not be detained in any manner, nor prevented quitting the said

ports or roads, but shall be permitted to depart at pleasure, without any obstacle or impediment.

XX. In order the better to promote the commerce of the two parties, it is agreed, that in case a war should commence between the two said nations, six months shall be allowed, after the declaration of war, to the merchants living in their towns and cities, to collect and transport their merchandise; and, if any part of them shall be stolen or damaged, during the time above prescribed by either of the two parties, their people or subjects shall be obliged to make full and perfect satisfaction for the same.

XXI. No subject of the Most Christian King shall take a commission, or letters of marque, to arm any ship or vessel, to act as a privateer against the said United States, or any of them, or against their subjects, people or inhabitants, or against their property, or that of the inhabitants of any of them, from any Prince whatever, with whom the said United States shall be at war. In like manner, no citizen, subject or inhabitant of the said United States, or any of them, shall demand or accept any commission or letters of marque, to arm any ships or vessels, to act against the subjects of his Most Christian Majesty, or any of them, or their property, from any Prince or State whatever, with whom his said Majesty may be at war; and if any of the two nations shall take such commissions or letters of marque, they shall be punished as pirates.

XXII. No foreign privateer, not belonging to some subject of his Most Christian Majesty, or to a citizen of the said United States, which shall have a commission from any Prince or power at war with one of the two nations, shall be permitted to arm their ships in the ports of one of the two parties, nor to sell their prizes, nor to clear their ships, in any manner whatever, of their merchandises, or any part of their cargo; they shall not even be permitted to purchase any other provisions, than such as are necessary to carry them to the nearest port of the Prince or State, of whom they hold their commission.

XXIII. All and each of the subjects of the Most Christian King, as well as the citizens, people and inhabitants

habitants of the said United States, shall be permitted to work their vessels in full liberty and security, without any exception being made thereto, on account of the proprietors of merchandises on board the said vessels, coming from any port whatever, and destined for some place belonging to a power actually an enemy, or which may become such, of his Most Christian Majesty or the United States. It shall be equally permitted to the subjects and inhabitants above mentioned, to navigate their ships and merchandises, and to frequent, with the same liberty and security, the places, ports and havens of the powers, enemies to the two contracting parties, or one of them, without opposition or molestation, and to trade with them, not only directly from ports of the enemy to any neutral port, but also from one port of the enemy to another of the same, whether under the jurisdiction of one or more; and it is stipulated by the present treaty, that all free vessels shall equally enjoy the liberty of trade, and that every thing shall be judged free which is found on board the ships belonging to the subjects of one of the contracting parties, even though the cargo, or part of it, should belong to the enemies of one of them; excepting always, however, all contraband goods. It is equally agreed, that the same liberty shall extend to persons on board such free ships, even though they shall be enemies to one of the two contracting parties, and shall not be taken from the said ships, unless in arms, and actually in the enemy's service.

XXIV. This free navigation and commerce is extended to all sorts of merchandizes, excepting only such as shall be deemed contraband or prohibited, and under such denomination are comprehended arms, cannons, bombs; with their fuses and other appurtenances, bullets, powder, matches, pikes, swords, lances, darts, halberds, mortars, pitards, granades, saltpetre, fusils, balls, bucklers, casques, cruiaffes, coats of mail, and other arms of that kind, proper for the defence of soldiers; gun-locks, shoulder-belts, horses and their trappings, and all other instruments of war whatever. The following merchandises are not to be considered as contraband or prohibited; viz. all sorts of cloths, and other woollen stuffs, linen, silk,

cotton, or other such matters; all sorts of clothes, with the materials of which they are usually made; gold and silver, either in specie or otherwise, pewter, iron, latten, copper, brass, coals, and even wheat and barley, and all other sorts of grain and roots; tobacco and all sorts of spices, salted and dried provisions, dried fish, cheese and butter, beer, oil, wine, sugar, and all kinds of salt, and in general, all kinds of provisions necessary for the nourishment of man, and for the support of life; also all sorts of cotton, hemp, linen, pitch, tar, cords, cables, sails, canvas for sails, anchors, parts of anchors, masts, planks, timber and wood of all kinds, and all other things proper for the building and repairing of ships, and other matters whatsoever, which are not in the form of warlike instruments for sea or land, shall not be reputed contraband, much less such as are already prepared for other uses. All the articles above mentioned are to be comprised among the free articles of merchandise, as well as all the other merchandises and effects which are not comprised and particularly named in the list of contraband merchandises; so that they may be transported and conducted in the freest manner, by the subjects of the two contracting parties, into any of the enemy's ports; excepting, however, that such places are not actually besieged, blocked up, or invested.

XXV. In order to remove and prevent dissentions and quarrels on either side, it is agreed, that in case one of the two parties shall find themselves engaged in a war, the ships and vessels belonging to the subjects or people of the other ally, shall be provided with marine passports, which shall express the name, property and burden of the ship, as well as the name and place of abode of the master and commander of the said ship, in order that it may from thence appear that the same ship really and truly belongs to the subjects of one of the two contracting parties. These passports are to be annually renewed, in case the ship returns home in the space of one year. It is also agreed, that the above-mentioned ships, in case they shall be laden, are to be provided not only with passports, but also with certificates, containing the particulars of the cargo, the place from whence the ship came,

came, and a declaration of what contraband goods are on board; which certificate is to be made in the accustomed form, by the officers of the place from whence the ship sailed; and if it be judged necessary or prudent to express in the said passports the persons to whom the merchandise belongs, it must be freely complied with.

XXVI. In case any ships of the subjects and inhabitants of one of the two contracting parties should approach the coast of the other, without any intention to enter the port, or, after having entered it, without any intention to unload their cargo, or break bulk, they shall conduct themselves, in that respect, according to the general rules prescribed, or to be prescribed, relative to that matter.

XXVII. When any vessel belonging to the said subjects, people, and inhabitants of one of the two parties, shall meet, while sailing along the coast or on the open sea, a ship of war or privateer, belonging to the other, the said ship of war or privateer in order to avoid disorder, shall bring such vessel to, and send her boat with two or three on board her, to whom the master or commander of the merchantman shall produce his passport, and prove the property of the vessel; and as soon as such passport shall be produced, the master shall be at liberty to pursue his voyage, without being molested, or in any other manner driven or forced to alter his intended course.

XXVIII. It is agreed, that when the merchandises shall be put on board ships or vessels of one of the two contracting parties, they shall not be subject to be examined again, all such examination and search being to be made before loading, and the prohibited goods being to be stopped and seized on shore, before they could be embarked, unless there are strong suspicions or proofs of fraudulent practices: So that no subject of his Most Christian Majesty, or of the United States, can be stopped or molested for that cause by any kind of embargo; but such subjects of the State who shall presume to vend or sell such merchandises as are prohibited, shall be duly punished for such infraction of the treaty.

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XXIX. The

XXIX. The two contracting parties mutually grant each other the right of maintaining, in their respective ports, Consuls, Vice-Consuls, Agents and Commissaries, whose business shall be regulated by a particular convention.

XXX. In order farther to forward and facilitate the commerce between the subjects of the United States and France, the Most Christian King will allow them in Europe one or more free ports, to which they may bring and sell all the commodities and merchandises of the Thirteen United States. His Majesty will also grant to the subjects of the said States, the free ports which have been, and are open, in the French Islands of America, all which free ports the said subjects of the United States shall enjoy, conformably to the regulations which determine that matter.

XXXI. The present treaty shall be ratified by both parties, and the ratifications exchanged, within the space of six months, or sooner if may be. In witness of which the respective Plenipotentiaries have signed the above articles, both in the French and English language; nevertheless declaring, that the present treaty was originally digested and settled in the French language, to which they have affixed their hands and seals.

Given at Paris the sixth day of the month of February, one thousand seven hundred and seventy-eight.

C. A. GERARD.
B. FRANKLIN.
SILAS DEANE.
ARTHUR LEE.

Treaty of Alliance, eventual and defensive, between his Most Christian Majesty Louis the Sixteenth, King of France and Navarre, and the Thirteen United States of America, concluded at Paris, 6th February, 1778.

LOUIS, by the Grace of God, King of France and Navarre. To all who shall see these presents, greeting, The Congress of the Thirteen United States of North

North America having, by their Plenipotentiaries residing at Paris, notified to us their desire to establish with us and our States a good understanding and perfect correspondence, and having for that purpose proposed to conclude with us a Treaty of Amity and Commerce: we having thought it our duty to give to the said States a sensible proof of our affection, determining us to accept the proposals: for these causes, and other good considerations, us thereunto moving, we, reposing entire confidence in the abilities and experience, zeal and fidelity for our service, of our dear and beloved Conrad Alexander Gerard, Royal Syndic of the city of Strasburg, and Secretary of our Council of State, have nominated, appointed and commissioned, and by these presents signed with our hand, do nominate, appoint and commission him our Plenipotentiary, giving him power and special command for us, and in our name, to agree upon, conclude and sign, with the Plenipotentiaries of the United States, equally furnished in due form with full powers, such treaty, convention, and articles of commerce and navigation, as he shall think proper; willing that he act with the same authority as we might or could act, if we were personally present, and even as though he had more special command than what is herein contained; promising in good faith, and on the word of a King, to agree to, confirm and establish for ever, and to accomplish and execute punctually, all that our said dear and beloved Conrad Alexander Gerard shall stipulate and sign, by virtue of the present power, without contravening it in any manner, or suffering it to be contravened for any cause, or under any pretext whatsoever; and also to ratify the same in due form, and cause our ratification to be delivered and exchanged in the time that shall be agreed on. For such is our pleasure. In testimony whereof we have hereunto set our seal.

Done at Versailles, this thirteenth day of January, in the year of our Lord one thousand seven hundred and seventy-eight, and the fourth year of our reign.

(Signed)

(L. S.)

LOUIS.

(Underneath)

By the KING.

GRAVIER DE VERGENNES.

TREATY

TREATY of ALLIANCE.

THE Most Christian King, and the United States of North America, to wit, New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, having this day concluded a Treaty of Amity and Commerce, for the reciprocal advantage of their subjects and citizens, have thought it necessary to take into consideration the means of strengthening those engagements, and of rendering them useful to the safety and tranquillity of the two parties; particularly in case Great Britain, in resentment of that connection, and of the good correspondence which is the object of the said treaty, should break the peace with France, either by direct hostilities, or by hindering the commerce and navigation, in a manner contrary to the rights of nations and the peace subsisting between the two Crowns. And his Majesty and the United States having resolved in that case to join their councils and efforts against the enterprises of their common enemy.

The respective Plenipotentiaries, empowered to concert the clauses and conditions proper to fulfil the said intentions, have, after the most mature deliberation, concluded and determined on the following articles :

Article I. If war should break out between France and Great Britain during the continuance of the present war between the United States and England, his Majesty and the said United States shall make it a common cause, and aid each other mutually with their good offices, their councils and their forces, according to the exigency of conjunctures, as becomes good and faithful allies.

II. The essential and direct end of the present defensive alliance is, to maintain effectually the liberty, sovereignty and independence, absolute and unlimited, of the said United States, as well in matters of government as of commerce.

III. The two contracting parties shall each on its own part, and in the manner it may judge most proper, make
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all the efforts in its power against their common enemy, in order to attain the end proposed.

IV. The contracting parties agree, that in case either of them should from any particular enterprise in which the concurrence of the other may be desired, the party whose concurrence is desired, shall readily and with good faith join to act in concert for that purpose, as far as circumstances and its own particular situation will permit, and in that case, they shall regulate by a particular convention the quality and kind of succour to be furnished, and the time and manner of its being brought into action, as well as the advantages which are to be its compensation.

V. If the united States should think fit to attempt the reduction of the British power, remaining in the northern parts of America, or the islands of Bermudas, those countries or islands, in case of success, shall be confederated with, or dependent upon, the said United States.

VI. The Most Christian King renounces for ever the possession of the islands of Bermudas, as well as of any part of the continent of North America, which before the treaty of Paris, in 1763, or in virtue of that treaty, were acknowledged to belong to the Crown of Great Britain, or to the United States, heretofore called British Colonies, or which are at this time, or have lately been under the power of the King and Crown of Great Britain.

VII. If his Most Christian Majesty shall think proper to attack any of the islands situated in the Gulph of Mexico, or near that gulph, which are at present under the power of Great Britain, all the said isles, in case of success, shall appertain to the Crown of France.

VIII. Neither of the two parties shall conclude either truce or peace with Great Britain, without the formal consent of the other first obtained; and they mutually engage not to lay down their arms, until the independence of the United States shall have been formally or tacitly assured by the treaty or treaties that shall terminate the war.

IX. The contracting parties declare, that, being resolved to fulfil, each on its own part, the clauses and conditions

conditions of the present treaty of alliance, according to its own power and circumstances, there shall be no after-claims of compensation, on one side or the other, whatever may be the event of the war.

X. The Most Christian King and the United States agree, to invite or admit other powers, who may have received injuries from England, to make a common cause with them, and to accede to the present alliance, under such conditions as shall be freely agreed to, and settled between all the parties.

XI. The two parties guarantee mutually from the present time, and for ever, against all other powers, to wit, The United States to his Most Christian Majesty the present possessions of the Crown of France in America, as well as those which it may acquire by the future treaty of peace; and his Most Christian Majesty guarantees on his part to the United States, their liberty, sovereignty, and independence, absolute and unlimited, as well in matters of government as commerce, and also their possessions, and the additions or conquests that their confederation may obtain during the war, from any of the dominions now or heretofore possessed by Great Britain in North America, conformable to the fifth and sixth articles above written, the whole of their possessions shall be fixed and assured to the said States, at the moment of the cessation of their present war with England.

XII. In order to fix more precisely the sense and application of the preceding article, the contracting parties declare, that in case of a rupture between France and England, the reciprocal guarantee declared in the said article shall have its full force and effect the moment such war shall break out; and if such rupture shall not take place, the mutual obligations of the said guarantee shall not commence until the moment of the cessation of the present war between the United States and England, shall have ascertained their possessions.

XIII. The present treaty shall be ratified on both sides, and the ratifications shall be exchanged in the space of six months, or sooner if possible.

In faith whereof the respective Plenipotentiaries, to wit, on the part of the Most Christian King, Conrad
Alexander

Alexander Gerard, Royal Syndic of the city of Strasburg, and Secretary of his Majesty's Council of State. And on the part of the United States, Benjamin Franklin, Deputy to the General Congress from the State of Pennsylvania, and President of the Convention of the said State; Silas Deane, heretofore Deputy from the State of Connecticut; and Arthur Lee, Counsellor at Law, have signed the above articles both in the French and English languages: declaring, nevertheless, that the present treaty was originally composed and concluded in the French language, and they have hereunto affixed their seals.

Done at Paris, the 6th day of February, 1778.

(L. S.) C. A. GERARD,
 (L. S.) B. FRANKLIN,
 (L. S.) SILAS DEANE,
 (L. S.) ARTHUR LEE.

Translation of the Naval Treaty, or Convention, for an armed Neutrality, concluded at Copenhagen, June 28, 1780, O. S. between her Majesty the Empress of Russia, and his Majesty the King of Denmark and Norway, for the Preservation of the Liberty of the Commerce and Navigation of neuter Nations; to which his Majesty the King of Sweden, and their High Mightinesses the States General of the United Provinces, have acceded, and respectively signed the same at Petersburg, on the 21st of July, 1780, and the 5th of January, 1781.

WHEREAS the commerce and navigation of neuter powers is greatly injured by the present war at sea which has broken out between Great Britain, on the one part, and France and Spain, on the other part, her Majesty the Empress of Russia, and his Majesty the King of Denmark and Norway, in consequence of their assiduous attention to support their own dignity, and to unite their constant care for the safety and welfare of their respective subjects; as well as from the respect which they have at all times manifested for the rights of nations

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in general, have found it necessary, in the present circumstances, to determine their conduct according to these sentiments.

Her Majesty the Empress of Russia, in her declaration to the belligerent powers, dated February 28, 1780, has plainly stated, in the face of all Europe, the fundamental principles which derive from the primitive rights of mankind, and which her said Majesty claims and adopts as a rule of her conduct in the present war. As this attention of her Imperial Majesty, in watching over the reciprocal rights of nations, has been honoured with the approbation of all neutral powers, her said Majesty has engaged in this affair, which materially concerns her most essential interests, and has proceeded therein so far that it may be seriously considered as a subject worthy of the attention of both the present and future time, as it tends to the establishment of a permanent and invariable system of the rights, prerogatives, and engagements of neutrality.

His Majesty the King of Denmark and Norway, convinced of the justice of these principles, has likewise established and claimed them in his declaration of the 8th of July, 1780, which declaration (as well as that of the Empress of Russia) his said Majesty has caused to be communicated to the belligerent powers; and in order to support these principles efficaciously, his Majesty has ordered part of his fleet to be fitted out. From these proceedings have arisen that harmony and unanimity with which her Majesty the Empress of Russia, and his Majesty the King of Denmark and Norway, have thought necessary, in mutual friendship and reciprocal confidence, and in conformity to the interest of their respective subjects, to confirm their common engagements by the conclusion of a formal convention.

To this end their Imperial and Royal Majesties have chosen and appointed the following Plenipotentiaries, viz. Her Majesty the Empress of Russia has appointed Charles Van Osten, commonly called Baron Saken, Privy Counsellor of State, Knight of the order of St. Ann, Minister Plenipotentiary from her said Majesty to the Court of Denmark, &c. and his Majesty the King of Denmark

Denmark and Norway has appointed Otton Count of Thott, Privy Counsellor of State, Knight of the order of the Elephant, &c. Joachim Otton Baron de Schack-Rathlau, Privy Counsellor of State, Knight of the order of the Elephant, &c. John Henry Baron Eichstedt, Privy Counsellor of State, Governor of his Royal Highness the Hereditary Prince of Denmark, Knight of the order of the Elephant, &c. and Andrew Peter Count Bernstorff, Privy Counsellor and Minister and Secretary of State for the foreign department, President of the Royal German Chancery, Knight of the order of the Elephant, &c. which said Ministers, after having exchanged their full powers, which were found to be in due form, have concluded and agreed to the following articles :

Article I. That their aforesaid Majesties are sincerely determined to maintain, constantly, the most perfect friendship and harmony with the different powers at present engaged in war, and to observe the most scrupulous neutrality ; and in consequence thereof they declare, that adhering to this determination, the prohibition of all contraband trade with the powers at present at war, or with those who may hereafter be engaged therein, shall be strictly observed by their respective subjects.

II. To avoid all errors and misunderstandings with regard to commodities which shall be deemed contraband, her Majesty the Empress of Russia, and his Majesty the King of Denmark and Norway, do hereby declare, that they shall only acknowledge such articles to be contraband commodities as are included and mentioned in the treaties now subsisting between their respective Courts and the one or the other of the belligerent powers.

Her Majesty the Empress of Russia conforms herself entirely in this respect to the articles X. and XII. of her treaty of commerce with the Court of Great Britain, and extends likewise the engagements of this treaty, which are founded upon the natural rights of nations, to the Courts of France and Spain ; which said Courts, until the date of this present convention, have no treaty of commerce with her empire.

His

His Majesty the King of Denmark and Norway, on his part, conforms himself chiefly to the II^d. article of this treaty of commerce with the Court of Great Britain, and to the articles XXVI. and XXVII. of his treaty of commerce with France, and extends also the engagements of this last-mentioned treaty to the Court of Spain, as his said Majesty has no treaty with the last-mentioned power, which determines any conditions relative to this subject.

III. As by these means all contraband goods and commodities are determined and ascertained conformable to the treaties and special convention subsisting between the high contracting parties and the belligerent powers, and chiefly in the treaty between Russia and Great Britain of the 20th of June, 1766, as well as in that between Denmark and Great Britain, dated July 11th, 1670, and by that concluded between Denmark and France, on the 23^d of August, 1742; the will and intention of her Majesty the Empress of Russia, and of his Majesty the King of Denmark and Norway are, that all other commerce shall be and remain free.

Their said Majesties having already set forth in their declaration to the belligerent powers, that they have laid down, as the basis of their conduct, the general principles of the natural rights of mankind, from whence the liberty of commerce and navigation, and the rights of neuter nations derive, are resolved not to depend any longer upon the arbitrary explication of these rights, which is generally dictated by partial advantages and momentary interests; with this view, their said Majesties have agreed upon the following articles:

1. That all neutral vessels shall be permitted to navigate from port to port, and on the coasts of the belligerent powers.

2. That the effects belonging to subjects of the belligerent powers shall be free on board neuter ships and vessels, excepting only such articles as are stipulated to be deemed contraband.

3. In order to determine what is to be considered as a port blocked up, it is hereby declared, that that port shall only be deemed as such into which no ships can enter without being exposed to an evident peril from the forces that

that attack the said port, and the ships that shall have taken a station near enough for that purpose.

4. That neuter vessels shall only be liable to be stopped and seized for just and cogent reasons, and upon the most convincing proofs, that justice shall be done unto them without loss of time, and that the proceedings shall always be uniform, speedy, and according to the laws; and that whenever any shall be found to have been stopped, or suffered any damage without any sufficient cause, they shall not only be entitled to a sufficient compensation, but also to a complete satisfaction for the insult offered to the flag of their Majesties:

IV. In order to obtain this end, and to protect the general commerce of their subjects, founded upon these invariable principles, her Majesty, the Empress of Russia, and his Majesty, the King of Denmark and Norway, have resolved to fit out, separately, a proportionate number of ships of the line and frigates; and the squadrons of these respective powers shall repair to such latitudes, and shall serve as convoys to the trading ships of their respective subjects, wherever the commerce and navigation of each nation shall require it.

V. In case that any merchant ships belonging to subjects of one of the high contracting parties should happen to be in a sea or latitude where no ships of war of their Sovereign are stationed, and that they consequently could not obtain any protection from the forces of their own nation, the commander of the ships of war of the other power, upon being duly requested, shall immediately afford them all necessary assistance; and in this case, it is hereby stipulated, that the ships and frigates of the one power shall always grant the necessary protection and assistance to the trading ships of the other power; provided always, that those who shall claim such assistance or protection, shall not carry on any illicit trade which may be contrary to the laws of neutrality, as received and mentioned here above.

VI. The present convention shall not be retroactive, and consequently neither of the high contracting parties can take recognizance of any differences that may have arisen between them and other powers before its conclu-

sion; unless the matter in litigation shall be relative to violences which are still existing, and which may tend to oppress all neuter nations in Europe.

VII. If, notwithstanding the vigilant and amicable care of the two high contracting parties, and the most exact observations of neutrality on their part, any Russian or Danish merchant ships should happen to be insulted or taken by the ships of war or privateers of one or the other of the belligerent powers, the Minister of the offended party shall make proper representations to that Court whose ships of war or privateers have been guilty of the said act; he shall insist upon a reasonable compensation for the damages or loss of time, as well as upon a complete satisfaction for the insult offered to the flag of his Sovereign. The Minister of the other high contracting party shall second and support these representations in the most serious and efficacious manner, and thus they shall continue jointly and unanimously until their request is granted. But in case of a refusal, or any unreasonable delay from time to time to redress these grievances, their aforesaid Majesties do hereby declare, that they will make use of reprisals towards that power that refuses to do them justice, and will immediately unite, in the most efficacious means, to execute these just reprisals.

VIII. In case that one of the high contracting parties, or both together, should be disturbed, molested, or attacked, in consequence of this convention, or any subject whatever relative thereto, it is hereby stipulated and agreed, that the two powers shall immediately act in concert for their mutual and reciprocal defence, and shall employ and unite all their forces to obtain a proper satisfaction, as well for the insult offered to their flag, as for the losses sustained by their respective subjects.

IX. This convention shall be in full force as long as this present war shall last; and the engagements contained therein shall serve as the basis for all future engagements and treaties that may be concluded hereafter, according to circumstances, and in case if any other maritime war should hereafter unfortunately disturb the tranquillity of Europe. As to the rest, all what has been stipulated and agreed upon, shall be considered as permanent and invariable,

able, as well with regard to mercantile affairs as for what concerns the navy, and shall have force of law in all decisions upon the rights of neuter nations.

X. As the end and chief object of this convention is to secure the general liberty of the commerce and navigation, their Majesties, the Empress of Russia, and the King of Denmark and Norway, do hereby consent, and engage themselves reciprocally, to permit that other neuter powers may accede thereto; and that these powers so acceding, being fully acquainted with the fundamental principles and engagements concerned in the obligations and advantages of the said convention.

XI. And in order that the belligerent powers may have no pretext for their proceedings, or pretend to be unacquainted with these engagements between their aforesaid Majesties, the high contracting powers do hereby promise, that they will separately acquaint the belligerent powers with the measures they have taken, and the motives which have engaged them to unite in this affair; which measures are the less hostile as they are no ways detrimental to any other power, but have only for object the security of the commerce and navigation of their respective subjects.

XII. The present convention shall be ratified by the two high contracting parties, and the ratifications shall be exchanged, in due form, within the term of six weeks from the date hereof, or sooner if possible. In virtue whereof we, whose names are hereunto written, being properly invested with full powers to that effect, have signed and sealed this present convention.

Done at Copenhagen, the 9th of July, 1780.

(L. S.) CHARLES VAN OSTENSAKEN.

(L. S.) J. SCHACK RATHLAU.

(L. S.) A. P. Count of BERNSTORFF.

(L. S.) O. THOTT.

(L. S.) H. EICHSTEDT.

The ratifications of this convention have been exchanged at Copenhagen, on the 16th of September,

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1780, by the same Ministers Plenipotentiaries who have signed the same.

And as a like convention has been concluded at Peterfburg, between the Ministers chosen and appointed to that effect, namely, on the part of her Majesty the Empress of Russia, Count Nikita Panin, Privy Counsellor, Minister and Secretary of State, Knight of the orders of St. Andrew, St. Alexander-Newsky, and St. Ann; and Count J. Osterman, Vice Chancellor of Russia, Privy Counsellor of State, and Knight of the orders of St. Alexander-Newsky, and St. Ann; and on the part of his Majesty the King of Sweden, Baron Frederick Van Nolken, Envoy Extraordinary from his Swedish Majesty to the Court of Peterfburg, Chamberlain, Commander of the order of the Polar Star, and Knight of the orders of the Sword, and St. John, &c. which said convention has been signed at Peterfburg by the above-named Plenipotentiaries, after the customary exchange of their full powers in due form, on the 21st of July, 1780; and the said convention being word for word of the same tenor and form as that concluded and signed at Copenhagen, excepting only the second article, in which the stipulations concerning the articles that are to be deemed contraband, are determined and ascertained according to the treaties subsisting between the Court of Sweden and other powers, it has been thought proper to avoid a repetition of what has already been mentioned, to insert here the second article only, word for word the same as it stands in the treaty concluded and signed at Peterfburg, July 21, 1780, between their Majesties the Empress of Russia and the King of Sweden.

Article II. To avoid all errors and misunderstandings with regard to commodities which shall be deemed contraband, her Majesty the Empress of Russia, and his Majesty the King of Sweden, do hereby declare, that they shall only acknowledge such articles to be contraband commodities as are included and mentioned in the treaties now subsisting between their respective Courts, and the one or the other of the belligerent powers.

Her Majesty the Empress of Russia conforms herself entirely in this respect to the articles X. and XI. of her treaty of commerce with the Court of Great Britain, and extends

extends likewise the engagements of this treaty, which are founded upon the natural rights of nations, to the Courts of France and Spain; which said Courts, until the date of the present convention, have no treaty of commerce with her empire.

His Majesty the King of Sweden, for his part, refers chiefly to the eleventh article of this treaty of commerce with the Court of Great Britain, and to the tenor of the preliminary treaty of commerce concluded between Sweden and France in the year 1741; and although the articles that are to be deemed contraband are not expressly ascertained and determined in the last-mentioned treaty, the two powers having understood to consider each other as *Gens amicissima*, the Court of Sweden has, however, reserved to itself the same advantages which the Hanse-Towns enjoy in France since times immemorial until the present period. The advantages which are included in the treaty of Utrecht being fully confirmed, the King has nothing to add thereto. With regard to the Court of Spain, his Swedish Majesty finds himself in the same situation as the Empress of Russia, and following her Majesty's example, the King likewise extends to the Court of Spain all the engagements of the above-mentioned treaties, as being founded upon the natural rights of nations.

In consequence of this difference in the above article, the two Kings who have joined her Majesty the Empress of Russia, in this affair, have acceded, as principal contracting parties, to the treaties and conventions concluded between them and her said Imperial Majesty, and to this effect they have signed with their own hand a separate act, which said acts have been exchanged in due form at Petersburg by the Ministers of her Imperial Majesty.

Their High Mightinesses the States General of the United Provinces, also acceded to the said convention on the 20th of November, 1780, and under the same conditions, for what concerns the articles of contraband, according to the treaties subsisting between their High Mightinesses and other powers, which said convention has been signed at Petersburg by their Plenipotentiaries

on the 5th of January, 1781, with the addition of the following article :

XIII. For what concerns the command in chief of the naval forces, in case the squadrons or ships of war of the two high contracting parties should happen to meet, or find it expedient to form a junction, it is hereby stipulated and agreed, that the same shall be obeyed as is customary between crowned Sovereigns and the Republick of Holland.

Treaty of Amity and Commerce between the Empire of Russia and the Crown of Denmark, concluded at St. Petersburg, the 13 of October, 1782.

In the Name of the Most Holy and Undivided Trinity.

HER Imperial Majesty of all the Russias and his Majesty the King of Denmark, having it equally at heart to cement more and more, by all the ties of friendship and good correspondence, the strict union which subsists between their Majesties and their respective states, have, amongst other objects, exerted their endeavours to extend and encourage, as much as possible, a reciprocity of commerce between their subjects; and the more effectually to obtain this end, they have judged it proper to collect into one point of view, and establish the rights and reciprocal obligations upon which they have mutually agreed between them, to encourage industry, and to facilitate the mutual exchanges between the two nations, and to reduce the several points agreed on between them for that purpose into a treaty of commerce in due form: in consequence whereof, and to proceed without delay to the completion of so salutary a work, their said Majesties have chosen and named for their Plenipotentiaries, viz. For her Imperial Majesty of all the Russias, the Sieur John Count d'Osterman, her Vice Chancellor, and Knight of the Order of St. Alexander Newsky, and of St. Anne; the Sieur Alexander Count de Worrontzoff, Privy Counsellor, Senator, President of the College of Commerce,

Commerce, her Majesty's Chamberlain, and Knight of the Order of St. Alexander Newsky; the Sieur Alexander de Bezborodko, Major General of the Armies, Member of the College of Foreign Affairs, and Colonel Commandant of the Kiövie Regiment of the Militia of Little Ruffia; and the Sieur Pëter de Bacounin, Counsellor of State, Member of the College of Foreign Affairs, and Knight of the Order of St. Anne:—And on the part of his Danish Majesty, the Sieur Peter Christian de Schumacher, his Counsellor of Conferences, Envoy Extraordinary, and Minister Plenipotentiary at the Imperial Court of Ruffia, who, after having exchanged between them their credentials found in good and due form, have fixed, concluded, and finally agreed, upon the following articles, viz.

Article I. There shall subsist between her Imperial Majesty of all the Ruffias, her heirs and successors to the Throne, of the one part, and his Majesty the King of Denmark, his heirs, and successors to the Throne, of the other part, as also between their states, kingdoms, provinces, cities, and subjects, to perpetuity, a lasting peace, familiarity and good understanding; and in virtue of this concord, as well the said two powers as their subjects, without exception, shall afford mutually, on all occasions, and particularly that which concerns commerce and navigation, all the aid and assistance possible in displaying for this purpose all the zeal of friends and good neighbours, and without ever hazarding any thing that can turn to the prejudice or detriment of either of the parties.

II. Perfect liberty of conscience shall be granted to the subjects of the two nations in their respective states, and, consequently, they shall have free liberty to exercise the duties of their religion in their own houses, in buildings, or churches, destined or permitted for that purpose by Government, without being troubled or molested on any account whatsoever.

III. The subjects of Ruffia in Denmark, or the subjects of Denmark in Ruffia, shall be constantly regarded and treated as the most favoured nations: and the two high contracting parties engage, between them, to grant to their

their respective subjects all the accommodation and assistance, and all the commercial advantages which can naturally arise from such a preference, in order, as much as possible, to extend and raise to a flourishing state the commerce of the subjects of Russia in Denmark, and of the subjects of Denmark in Russia; provided, nevertheless, that in all cases where the present treaty shall not stipulate some exemption or privilege in favour of the two nations, or of some one in particular, the Russian or Danish merchants shall submit in their trade or traffic to the *Tariff* or Custom Book, ordinances, and laws of the country in which they shall be settled.

IV. It shall be permitted to the subjects of each of the allied powers in the states of the other, to navigate, sell, and transport freely by water and by land, in all the ports, cities, and roads of the two countries, all merchandize of which the coming in and going out is not prohibited, on payment, however, of the customs and prescribed rights in each place, and upon conforming thereto in the same manner as the vessels and carriages laden with the like transports of merchandizes do to the laws established in the place where such commerce shall be carried on, Her Imperial Majesty of all the Russias excepts only from the aforesaid permission, her ports of the *Black Sea*, of the *Caspian Sea*, and her other possessions in Asia; and his Danish Majesty excepts only his possessions in America, and the other establishments which he possesses out of Europe.

V. The commercial subjects of the two high contracting parties shall pay for their merchandises the customs or duties fixed in the respective states by the custom-rate books, according to the present or future regulations. And her Imperial Majesty of all the Russias is satisfied, that she gives his Danish Majesty a most convincing proof of the esteem in which she holds his Majesty, in the favour and preference which she professes in future to give to the Danish subjects in her dominions, in granting them permission to discharge the duties or customs in the current money of the country, without being subject, as heretofore, to pay the same in *rixdollars* valuing the *rixdollar* at 124 *copecks* current money of Russia; except, nevertheless,

theless, the ports of *Livonia*, *Estonia*, and *Finland*, which have particular customs and privileges to which the present treaty is not to extend.

VI. As a reciprocal return for the advantages granted by the preceding article in favour of the commercial subjects of Denmark, his Danish Majesty wishing to benefit the trade of the subjects of Russia in his states, agrees, by the present treaty, to grant them the following advantages :

1. That the Russian leaf tobacco, known in Europe under the name of *Ukraine tobacco*, through the passage of the Sound, shall pay in future only eight stivers for ten pounds of the weights of Russia.

2. That such merchandises as are valued or estimated by the rate of the last, or by weight and measure, shall be examined and taxed in passing the Sound according to the lasts, measures, and weights actually used in the places and ports of the Russian empire, from whence such merchandises shall be cleared out.

3. That the pieces of Riga timber, known under the name of *Surren Balden*, which are five, six, seven, eight, and nine fathoms in length, shall pay for their passage through the Sound, for twenty pieces two and an half reichs-orts, and those of the length of from four to one fathom, and less, shall be reduced to the duty and to the measure of the pieces of from nine to five fathoms in length, and shall pay the customs of the Sound according to that reduction made on the measure of the great pieces.

4. That the *Vedasse* or *Veidasse* shall be paid at the rate of a dozen stivers, the last which shall contain twelve tons of the size of those now in use at Riga.

VII. And, moreover, his Danish Majesty, accustomed to favour the interests of the empire of Russia as those of an ancient friend and ally of his Crown, will permit the subjects of Russia to enjoy, throughout the Sound, an equal treatment with the nations the most favoured of Denmark, in requiring only *one* per cent. for all merchandises, of which mention is not made in the tariff or custom book.

VII. The vessels and merchandises which belong to the subjects of Russia shall not be searched in passing the Sound,

Sound, but with respect to the tolls or customs to be paid for such ships and merchandises, credit shall be given to the certificates and passports, in due form, with which such vessels shall be furnished from the magistrate or custom house of the place from whence they shall have cleared out, without requiring any farther explanation respecting the merchandise which composes the cargoes of such vessels, and giving full faith and credit to the contents of such letters and passports with respect to weight, measure, quality, and packages; provided, nevertheless, that if any fraud shall appear committed on this account, measures shall be taken, on the first requisition; for the purpose of remedying the same, and preventing the like in future.

IX. The custom house of the Sound, in acquitting the payment of duties, shall, at every time, be obliged to give the specific detail of duties received on each piece of merchandise, in order that it may be verified and clearly ascertained if any thing shall have been exacted too much; and the said custom house shall not be permitted to depart from this usage, unless the captains of vessels, to accelerate their voyage, should content themselves with an acquittal in the gross of duties paid for the whole of their cargoes.

X. The Russian trading ships, after having paid the tolls or duties of the Sound, whether upon entering the Baltic Sea, or that having gone out thereof, they should be obliged by tempest, contrary winds, or otherwise, to return to the Sound, shall not be any longer liable to pay the said duties a second time.

XI. An exemption of port duties, and generally of all others, shall be granted to Russian vessels which shall pass before the Fort of Glükstat and other places which belong to Denmark on the Elbe, so that these vessels, in going and coming, shall not be searched, retained, or disturbed, unless that in time of war there should be strong and specific reasons to suspect them of carrying contraband articles to the enemy.

XII. As often as the subjects of Russia or Denmark, by tempests, or to avoid the pursuit of some pirate, or other unavoidable accident, shall be obliged to take refuge

fuge in the ports of the respective states, they shall rest and provide themselves with all things necessary and put to sea in free liberty, without submitting to the least search, or the payment of any port fees, or other duties whatsoever; on condition, however, that during their stay they shall take nothing out of their vessels, nor expose any merchandise to sale, and that they shall conform in all things to the laws, statutes, and customs of the place or port into which they shall so enter.

XIII. No ship, whether a merchantman or ship of war, belonging to the subjects of one of the allied powers, nor any person belonging thereto, shall be liable to be stopped, nor shall the merchandises be seized in the ports of the other. But this is, nevertheless, not to extend to seizures or legal arrests on account of personal debts contracted in that country by the proprietors of any such vessels or cargoes; in which cases, the proceedings shall be according to the laws and judicial forms of the country; and in case of personal delinquents, it is clearly understood, that every one shall be subject to the punishments established by the laws of the country where the ship or vessel shall then be.

XIV. No ship or transport whatever belonging to the one power shall be forced by the other to serve in war against their will.

XV. If the vessels of the subjects of the two contracting powers should run aground, or be wrecked on the coasts of either the one or the other, their respective subjects shall be entitled, as well for themselves as for their vessels and effects, to all possible succour and assistance, the same as the inhabitants of the country themselves, paying, nevertheless, the same charges and customs to which the proper subjects of the state are in like cases subject, on the coasts where they shall be so aground or wrecked.

XVI. When one of the two contracting powers shall be at war with the other states, the communication and free commerce of the subjects of the other with such states, shall not be interrupted; and it is to the contrary in this case, that the two Crowns, intimately convinced of the wisdom of principles, which, for the general good
of

of all commercial people, have been fixed and decreed in the *Maritime Convention* between them at Copenhagen the 2^d of June and July, 1780, declare their determination to make them the unalterable rule of their conduct, and to have recourse to them on every occasion, as to laws and stipulations which merit a distinguished rank in the code of humanity.

XVII. In consequence whereof they here immediately apply to themselves the four important axioms, which, in case of war, have been established in favour of the rights of all neutral powers in general, viz.

1. "That all vessels shall have liberty to navigate freely from one port to another, and on the coasts of nations at war.

2. "That the property of all the subjects to the said powers shall, in time of war, be free in all neutral vessels, excepting goods which are contraband.

3. "That in order to determine that which characterizes a blocked port, none shall be so denominated but where the approach of the assailing power is so near and so situated, that there must be evident danger in entering it.

4. "That neutral vessels shall not be stopped but upon just causes founded on the most clear facts; that they shall have judgement without delay; that the proceeding shall be always uniform, expeditious and legal; and that at all times, besides the recompence which shall be made to those who shall have suffered loss without having been in fault, a complete satisfaction shall be made for the insult given to the respective flags."

XVIII. The trading vessels of the respective subjects, navigating alone, and which shall be met with either coasting, or in the open sea, by the ships of war or other armed vessels of either of the two contracting powers engaged in a war with any other powers, shall submit to be searched; but at the same time that the said merchant ships shall be prohibited from throwing any papers overboard, the ships of war or privateers aforesaid shall, on their part, remain constantly beyond the distance of gunshot from such merchant ships; and entirely to prevent all disorder and violence, it is agreed, that such ships

ships or war or other armed vessels, shall never send off more than two or three men in their *chaloupes* to go on board them to examine their passports and papers which contain a state of the property and commissions of the vessels; but supposing, nevertheless, that such merchant vessels are found escorted by one or more ships of war, the simple declaration of the officer commanding the escort, that the vessels carry nothing contraband, shall be looked upon as fully sufficient, and no farther search shall take place.

XIX. As soon as it has been made to appear, by the documents produced, or by the verbal assurance of the officer commanding the escort, that the merchant ships so met at sea, are not laden with contraband, they shall be free to continue their route without any farther hindrance; and those ships of war or privateers, on one part or the other, who shall, notwithstanding, molest or damage, in any manner whatever, the ships in question, shall be obliged to answer for it in their persons and property, besides the reparation due to the insult given to the flag.

XX. That if, on the contrary, a vessel, on being searched, shall be detected with contraband goods on board, the chests, trunks, bales and casks which shall be so found in the same vessel, shall not be broken, nor the least part of the merchandises disturbed; but the captor shall have a right to bring the said vessel into port, where, after commencing his legal process before the judge of the admiralty, according to the established rules and laws; and after that definitive sentence shall have been passed, the prohibited goods or merchandise, or such as shall be pronounced to be contraband, shall be confiscated, whilst the other effects and merchandises which were found with them in the same ship shall be restored, without either the vessel or effects being liable to be detained under pretence of costs, damage or penalties.

During the continuance of the process, the captain, after having delivered the goods taken for contraband, shall not be obliged against his will to wait for the conclusion of the process, but may put to sea with the vessel

and the rest of his cargo, whenever he shall think proper : and in case that a vessel of one of the two powers, being at peace, shall be seized in open sea by a man of war or privateer of the other power being at war, and shall be laden with merchandise, acknowledged for contraband, the master of such merchant vessel shall be at liberty, if he thinks proper, to abandon immediately such contraband merchandise to his captor, who shall be obliged to content himself with such voluntary *abandonment*, without retaining, molesting or disturbing in any manner the ship or ship's company, who shall be immediately permitted to pursue their course.

XXI. The following articles *only* are those which shall be understood to come under the denomination of contraband, viz. canons, mortars, fire-arms, pistols, bombs, grenades, fuses, flints, matches, gunpowder, saltpetre, sulphur, cuirasses, pikes, swords, belts, cartouches, saddles and bridles ; excepting at all times the quantity which is necessary for the defence of the ship and ship's company ; and all other articles whatsoever which are not here named, shall not be reputed ammunitions of war or naval stores, nor be liable to confiscation, and consequently shall pass freely without being subject to the least molestation.

XXII. Although by the twenty-first article of this treaty all articles of contraband are found clearly specified and determined in such a manner that all merchandise not therein expressly named, ought to be reputed free and secure from seizure ; nevertheless her Imperial and his Danish Majesty, knowing the difficulties which have arisen during the present maritime war, touching the liberty which the neutral nations ought to enjoy in buying vessels belonging to the belligerent powers, or to their subjects, have judged proper in order to remove all doubt which might possibly arise on this matter, to stipulate, that in case of a war between one of them with any other power whatsoever, the subjects of the other contracting party which shall remain in peace, shall be at liberty to purchase of the subjects, or cause to be constructed in ports of the power at war with the other contracting party, as many vessels as they shall think proper without

without being subject to any difficulty on the part of such power or of its privateers; provided, nevertheless, that such vessels be provided with all necessary documents to ascertain the property and its legal acquisition to be in the subjects of the neutral power.

XXIII. It is also agreed between them, that the subjects of any power at war with either of them who shall be found in their service and those who shall be naturalized or shall have acquired the right of denization, even during the war, shall not be looked upon or treated on any other footing than the subjects born in their respective states.

XXIV. As each of the two contracting powers may, for the advantage of the commerce of their subjects, appoint Consuls in the states of their respective dominions reciprocally, it is mutually agreed between them, that the respective subjects shall, in all their processes among them, and other lawsuits, by the proper consent and agreement of the parties, have recourse to the judgment of their respective Consuls; and that not only the decisions of their said Consuls shall be perfectly valid and legal; but in order to enforce execution of their determinations, they shall also, in cases of necessity, call in the power and assistance of the tribunals of the place. But whenever the parties in dispute will not have recourse to the authority of their own Consuls, they shall make application to the ordinary tribunals of the country where they shall then be; which tribunals shall be attentive to render them the most expeditious and most strict justice, according to the laws and regulations established by those tribunals; and in either case the respective subjects may chuse, to plead or conduct their cause, such counsellors, attornies or notaries as they shall think proper, provided they be duly recognized as such by the government or the courts established for that purpose.

XXV. The aforesaid Consuls, in quality of officers of a friendly and allied power, shall have power likewise, with the consent of the two high contracting parties, to settle the disputes, and finally decide between merchants of their respective nations; but in all cases which concern their own particular affairs, they shall not be the less subordinate

subordinate themselves to the laws and tribunals of the country where they shall be established.

XXVI. When the Russian and Danish merchants shall enter in the custom house their contracts or bargains for sale or purchase of merchandises by their clerks, supercargoes, or other agents employed by them; the custom house of Russia in which those contracts shall be registered, shall examine carefully if those who contract for the account of their principals are furnished by them with full powers, made in good and sufficient form; in which case the said principals shall be responsible for the same as if they themselves had contracted in person. But if the said supercargoes or agents, employed by the aforesaid merchants, are not provided with orders or sufficient powers, they ought not to be credited on their word. And although the custom houses may be charged with the care of this object, the parties themselves who contract shall not be the less bound to take care, that the grants, bargains, or contracts, that may be so made, shall not exceed the powers which have been entrusted to them by their principals, as the latter are only bound to answer for the object and value for which the powers were given by them. The custom houses of Denmark shall observe the same conduct with respect to the contracts, purchases, and sales, between the Russian and Danish merchants in the states of his Danish Majesty.

XXVII. All possible support shall be given to the respective subjects against those among themselves who shall not fulfil the engagements of contracts made according to the forms prescribed, and registered at the custom house; and for this purpose, government, on both sides, shall employ, in case of necessity, all authority and assistance requisite to compel the appearance of the parties before the proper tribunals of the place where such contracts shall have been made and registered, and also to oblige the contractors to the specific performance thereof.

XXVIII. The Danish merchants established in Russia shall pay for the merchandises which they shall buy, in the same current money of Russia that they shall have received for their merchandises sold, unless that in their contracts or agreements

agreements made between the buyer and the feller, it may have been stipulated to the contrary. The Russian merchants established in the states of Denmark shall enjoy reciprocally the same advantage.

XXIX. The necessary mutual precautions shall be taken, that the sorting the merchandises may be trusted to persons of known intelligence and probity, to the end that the respective subjects may, by that means, be guarded against an improper choice of merchandises and fraudulent packages; and whenever there shall be sufficient proofs of trespass, negligence, or of bad faith, in the exercise of the duty of their offices, they shall be responsible, and obliged to make good all losses incurred by their fault.

XXX. The respective subjects shall have full liberty, at the respective places of residence, to keep books of trade or commerce, in whatever language they think proper, without any prescription or restraint on that account; and it shall not be required of them to produce their books of accounts or of commerce, unless to justify themselves in case of bankruptcy or process at law; but in this last case, they shall not be obliged to present or shew more than the articles necessary to the eclaircissement of the affair in question.

XXXI. If it should happen, that a subject of Russia in the states of Denmark, or a subject of Denmark in the states of Russia, should become a bankrupt without having acquired the right of denizen or citizen, the creditors, under authority of the magistrates of each place, shall name trustees, to whom all the effects, books, and papers, of him who shall have become a bankrupt shall be entrusted; and then the creditors who shall have claims to two-thirds of the stock, if they vote in favour of any arrangement whatever concerning the distribution of this stock, their suffrages shall have sufficient power over the other creditors who shall be obliged to submit to their arrangement; but with respect to the subjects of the respective states who shall be naturalized, or shall have acquired the right of citizen in the states of the other contracting party, they shall submit, in case of bankruptcy, (as in all their other affairs) to the laws,

ordinances, and statutes of the country where they shall be naturalized.

XXXII. The Danish merchants, established in Russia, shall be permitted to build, to buy, sell, and hire houses in all the cities of this empire (Russia) which have not rights and privileges contrary to these acquisitions; and it is specifically agreed, that at St. Petersburg, Moscow, and Archangel, the houses possessed and inhabited by Danish merchants shall be exempt from logement or the quartering of troops or soldiers so long as the houses belong to, or are actually occupied by themselves; but the houses which they shall let, or take to hire, shall not be so exempted. In all the other cities of the empire of Russia, the houses bought or built by Danish merchants, who shall establish themselves there, shall not enjoy the exemptions granted only in the three cities above specified. If, nevertheless, it shall be judged proper in the course of time to make a general order to take a pecuniary commutation for the provision of quarters, the Danish merchants shall be subject to it as well as others.

His Danish Majesty engages reciprocally, that the Russian merchants, established in his states, shall enjoy the same exemptions and privileges which are granted by this present article to the Danish merchants established in Russia, and on the same conditions as above specified.

XXXIII. Those of the respective subjects who shall be inclined to quit the provinces, cities, and states of either of the contracting powers shall not experience any hindrance on the part of government; but they shall have granted them, with the accustomed precautions of each place, the necessary passports entitling them to go and take away freely all property which they may have brought or acquired there, after having first paid their debts, and the dues and duties appointed by the laws, ordinances, and statutes, of the respective states.

XXXIV. Although the right of Escheat does not exist in the states of the two contracting powers, it is, nevertheless, agreed between them, to prevent all doubts which may arise thereupon, that the effects, moveable or immoveable, left by the death of any of the respective subjects in the states of the other power, shall descend freely, without any

any obstacle whatever, to the right heirs of an intestate, or legatees by will of the deceased; who shall, in consequence thereof, take immediate possession of the estate, either by themselves or by letter of attorney, as well as the testamentary executors, if any should have been named by the deceased; and the said heirs shall afterwards dispose of the estate which shall have been left them as they shall think proper, after having paid the different dues, duties, and fees established by the laws of the state where the said succession shall have been left. And in case that the heirs should be absent, or should be minors, incapable of claiming their rights, then an inventory shall be taken of all the succession by a notary public in presence of a judge, or of the tribunals of the place, accompanied by the Consul of the nation of the deceased, if there be one in the same place, and of two other persons worthy of trust, and afterwards put into some public establishment or fund, or into the hands of two or three merchants, who shall be named for that purpose by the said Consul; or if he should neglect to nominate two such persons, then into the hands of persons appointed by public authority for that purpose, to the end, that the estate or effects may be by them held and preserved for the legitimate heirs and true proprietors. And if there should arise any dispute relative to such estate between different claimants, then the judges of the place where the effects of the deceased are found shall decide the process by definitive sentence, according to the laws of the country.

XXXV. If peace should be broken between the two contracting powers (which God forbid) the persons of the respective subjects shall not be stopped, nor their vessels nor effects confiscated; but one year, at least, shall be granted them to sell, part with, or remove their effects, with a view to repair to whatever place they shall think proper, after having, nevertheless, paid all the debts which may be legally demanded of them; this likewise shall be understood of those of the respective subjects who shall serve by sea or by land, and both the one and the other shall be permitted, before or at the time of their departure, to make to whomsoever they shall think proper, or to dispose agreeable to their

will and convenience, of such of their effects as they shall not have been already able to dispose of; so that those who owe them money, as well as those to whom they owe money, shall be equally obliged to pay their debts the same as if no such rupture had happened.

XXXVI. The present treaty shall be in force for the term of twelve years, and all which is found therein decreed is to be invariably observed during this interval, and executed in its full tenor and meaning, provided that before the expiration of the term of the said treaty it should depend on the good pleasure of the two high contracting parties to agree to its prolongation.

XXXVII. The two high contracting powers engage to ratify the present treaty of commerce, and the ratification of it shall be exchanged in good and due form in the space of six weeks from the day of the date of the signing, or sooner if possible. In faith of which, we the under signed, in virtue of our powers plénipotentary, have thereunto set our names and affixed the seals of our arms.

Done at St. Peterburg, the 17th of October, 1782.

(L. S.) PETER CHRISTIAN de SCHUMACHER.

(L. S.) JEAN Count de OSTERMAN,

(L. S.) ALEXANDER Count de WORONTZOW,

(L. S.) ALEXANDER de BEZBORODKO,

(L. S.) PETER de BACOUNIN.

This treaty of amity and commerce has been ratified by their Impérial and Royal Majesties, and the ratifications have been exchanged according to the common custom, by the respective Plenipotentiaries.

Traité

Traité d'Amitié et de Commerce, entre l'Empire de Russie et la Couronne de Dannemarck, conclu à St. Peterbourg, le 17^o Octobre, 1782.

Au Nom de la Très Sainte et Indivisible Trinité.

SA Majesté Impériale de toutes les Russies, & Sa Majesté le Roi de Dannemarck, ayant également à cœur de cimenter de plus en plus par tous les noeuds d'amitié & de bonne correspondance l'union étroite, qui subsiste entre Elles & Leurs Etats respectifs; Elles se sont appliquées entre autres à étendre et faire prospérer autant qu'il est en Leur pouvoir, le commerce réciproque entre Leurs sujets. Et pour obtenir plus efficacement ce but, Elles ont jugé à propos de rassembler sous un même point de vue & de fixer les droits & obligations réciproques, sur les quelles Elles sont convenues entre Elles, pour encourager l'industrie, & faciliter les échanges mutuels entre les deux nations, et de faire, de tous les points arrêtés sur cet objet, un Traité de commerce en forme: En conséquence, & pour procéder sans délai à la confection d'un ouvrage aussi salutaire, Leurs dites Majestés ont choisi & nommé pour Leurs Plénipotentiaires, savoir sa Majesté Impériale de toutes les Russies, le Sieur Jean Comte d'Osternann, Son Vice Chancelier, Counciller privé actuel, Sénateur & Chevalier des Ordes de St. Alexandre Newsky & de St. Anne; le Sieur Alexandre Comte de Warontzoff, Counciller privé, Sénateur Président du Collège de Commerce, Chambellan actuel, et Chevalier de l'Ordre de St. Alexandre Newsky; le Sieur Alexandre de Bezborodko, Général Major des armées, Membre du Collège des affaires étrangères, & Colonel Commandant le régiment de Kiovie de la milice de la petite Russie; et le Sieur Pierre de Bacounin, Counciller d'Etat actuel, Membre du Collège des affaires étrangères, & Chevalier de l'Ordre de St. Anne: Et de la part de sa Majesté Danoise, le Sieur Pierre Chrétien de Schumacher, Son Counciller de Conférences, Envoyé Extraordinaire & Ministre Plénipotentiaire près de la Cour Impériale de Russie; Les quels, après avoir échangé entre-eux leurs pleins pouvoirs,

voirs, trouvés en bonne & due forme, ont arrêté & conclu les articles suivans.

I. Il subsistera entre sa Majesté Impériale de toutes les Russes, ses Héritiers & Successeurs au trône, d'une part, & entre sa Majesté le Roi de Dannemarc, ses Héritiers & Successeurs au trône, de l'autre, comme aussi entre Leurs Etats, Royaumes, Provinces, Villes et Sujets, à perpétuité, une amitié vraie, sincère & parfaite, une paix durable, & bonne intelligence; et en vertu de cet accord, tant ces deux Puissances Elles mêmes, que Leurs sujets sans exception, se prêteront mutuellement dans toutes les occasions, et particulièrement en ce qui concerne le commerce & la navigation, toute aide & assistance possible, en déployant pour cet effet tout le zèle d'amis & de bons voisins, & sans jamais rien entreprendre, qui puisse tourner au préjudice ou détriment des uns ou des autres.

II. Une parfaite liberté de conscience sera accordée aux sujets des deux Nations dans les Etats respectifs; & en conséquence ils pourront vaquer librement ou dans leurs propres maisons, ou dans des bâtimens, ou églises, destinées ou permises à cette fin par le Gouvernement, au culte de leur religion, sans y être jamais troublés ni inquiétés d'aucune façon.

III. Les sujets Russes en Dannemarc & les sujets Danois en Russie seront constamment regardés & traités comme les nations les plus favorisées; et les deux Hautes Parties contractantes s'engagent entre Elles, d'accorder aux sujets respectifs toutes les facilités, assistances & tous les avantages de commerce, qui peuvent naturellement émaner d'une telle préférence, afin d'étendre & faire fleurir, autant qu'il est possible, le commerce des sujets Russes en Dannemarc, & des sujets Danois en Russie: bien entendu cependant, que dans tous les cas, où le présent traité n'aura pas stipulé quelque exemption ou privilège en faveur des deux nations, ou de chacune en particulier, les négocians Russes ou Danois se soumettront dans leur commerce & trafic aux tarifs, ordonnances & loix du pays, où ils seront domiciliés.

IV. Il sera permis en conséquence aux sujets de la Puissance Alliée dans les Etats de l'autre, de naviguer, acheter, vendre & transporter librement, par eau & par terre,

terre, dans tous les ports, villes & rades des deux pays, dont l'entrée & la sortie n'est pas défendue & en payant s'entend, les douanes & les droits prescrits dans chaque endroit, de même qu'en se conformant, quand aux vaisseaux & voitures chargées de pareils transports de marchandises, aux loix établies dans l'endroit, où ce commerce se fera. Sa Majesté Impériale de toutes les Russies n'excepte de la susdite permission que ses ports de la mer noire, de la mer Caspienne & de ses autres possessions en Asie ; & sa Majesté Danoise tant ses possessions en Amérique, que les autres établissemens, qu'Elle possède hors de l'Europe.

V. Les sujets commerçans des deux Hautes Parties contractantes payeront, pour leurs marchandises les douanes & les droits fixés dans les Etats respectifs par les tarifs qui existent ou qui existeront à l'avenir. Et sa Majesté Impériale de toutes les Russies croit donner une preuve bien convaincante à sa Majesté Danoise de la faveur prépondérante, dont Elle entend faire jouir dorénavant dans ses Etats le commerce des sujets Danois, en leur accordant le droit d'y pouvoir acquitter la douane en monnoie courante du pays, sans être assujettis à la payer comme ci-devant en rixdalers, en évaluant le rixdaler à 125. Copecks monnoie courante de Russie, exceptant cependant les ports de la Livonie, de l'Eonie & de la Finlande, qui ont des tarifs & privilèges particuliers, aux quels le présent traité ne doit point déroger.

VI. En réciprocité des avantages, accordés par l'article précédent, en faveur des sujets commerçans du Dannemarc, sa Majesté Danoise, voulant aussi avantager le commerce des sujets Russes dans ses Etats, consent par le présent traité à leur accorder les avantages suivans :

1. Que le tabac en feuilles de Russie, connu en Europe sous le nom de tabac d'Ukraine, au passage du Sund, ne payera à l'avenir que huit Stivers pour dix pouds du poids de Russie.

2. Que les marchandises, évaluées à raison de lasts, poids & mesures, seront envisagées & taxées en passant le Sund d'après les lasts, mesures & poids actuellement usités dans les endroits & ports de l'Empire de Russie, d'où ces marchandises seront expédiées.

3. Que les poutres de Riga, connues sous le nom de *Surren Balden*, & qui ont cinq, six, sept, huit, & neuf brasses de longueur, payeront à leur passage par le Sund, pour vingt pièces deux & demi *Reichs-Ort* : & celles de quatre jusqu' à une brasse & de moins encore, seront réduites au taux & à la mesure des poutres de cinq jusqu' à neuf brasses, & payeront les droits du Sund selon cette réduction faite sur la mesure des grandes poutres.

4. Que la *Védasse*, ou *Veidasse*, sera payée au Sund à raison de douze Stivers le last, le quel sera évalué à douze tonnes de la grandeur maintenant usitée à Riga.

VII. En outre sa Majesté Danoise, accoutumée à favoriser les intérêts de l'Empire de Russie, comme ceux d'une ancienne amie & alliée de sa Couronne, fera jouir les sujets Russes, pour tous les droits du Sund en général, d'un traitement égal avec les nations les plus favorisées en Dennemarc, en ne leur faisant payer s'entend qu' un pour cent pour toutes les marchandises, dont il n'est pas fait mention dans le tarif.

VIII. On ne visitera point au passage du Sund, les navires & marchandises, qui appartiendront aux sujets de la Russie ; mais l'on sera tenu, quand à l'acquit des droits, à payer pour ces mêmes navires & marchandises, d'ajouter foi aux certificats & passeports en bonne forme, que ces navires feront dans le cas de produire du magistrat, ou de la douane de l'endroit, d'où ils sont partis ; sans exiger aucun éclaircissement ultérieur sur les marchandises, qui formeront la cargaison de ces navires, & en se rapportant absolument, quand à leur poids, mesure, qualité & emballage, à ce qui sera marqué là-dessus dans les dites lettres & passeports, bien entendu cependant, que si l'on s'apercevoit de quelque fraude commise à cet égard, l'on avisera à la première réquisition, qui en sera faite, aux moyens d'y remédier & de les prévenir à l'avenir.

IX. La douane du Sund, dans l'acquit du payement des droits, sera obligée de donner chaque fois le détail spécifié des droits perçus sur chaque espèce de marchandises ; afin que l'on puisse vérifier & constater de cette façon, si rien n'y aura été exigé de trop ; il ne sera point permis à la dite douane de déroger à cet usage, à moins que les Capitaines des navires, pour accélérer leur expédition,

dition, ne se contentent eux-mêmes d'un acquit en gros des droits payés pour toute leur Cargaïsci.

X. Les navires Russes, après avoir payé les droits du Sund, soit en rentrant dans la mer Baltique, soit même qu'ils en fussent déjà sortis, s'ils étoient obligés par tempête, vent contraire ou autrement, de revenir au Sund, ne seront plus tenus de payer une seconde fois les mêmes droits.

XI. Une exemption des droits d'entre de port & généralement de tous autres, sera accordée aux navires Russes, qui passeront devant la forteresse de Glükstat & autres places, que le Dannemarc possède sur l'Elbe, de manière, que ces navires, en allant & venant, ne seront point visités, ni retenus ou inquiétés à moins qu'en tems de guerre, il n'y ait des soupçons avérés, que ces navires portent de la contrebande aux ennemis.

XII. Toutes les fois, que les navires es sujets Russes ou Danois seront obligés par des tempêtes, ou pour se soustraire à la poursuite de quelque pirat, ou aussi pour quelque autre accident, de se réfugier dans les ports des États respectifs, ils pourront s'y radouber, se pourvoir de toutes les choses nécessaires, et se remettre en mer librement, sans subir la moindre visite, ni payer aucun droit d'entrée de port, ni autres quelconques, à condition pourtant, que pendant leur séjour dans ces ports, ils ne puissent rien tirer de leurs navires, ni exposer aucune marchandise en vente, & qu'ils se conforment en tout aux loix, statuts & coutumes du lieu, ou du port, où ils seront entrés.

XIII. Aucun navire, ni marchand, ni de guerre, appartenant aux sujets de l'une des deux Puissances alliées, ni personne de son équipage, ne pourra être arrêté, ni les marchandises saisies dans les ports de l'autre. Ce qui toutefois ne s'étendra pas aux saisies ou arrêts de justice, provenant de dettes personnelles, contractées dans le pays même par les propriétaires d'un tel navire ou de sa cargaison ; cas, dans le quel il sera procédé selon le droit & les formes judiciaires, & bien entendu, que, pour les délits personnels, chacun sera soumis aux peines établies par les loix du pays, où le navire & l'équipage auront abordé.

XIV. D'un

14. D'un autè côté aucun de ces navires ne sera forcé de servir en gurre, ni à aucun transport quelconque, contre son gré.

XV. Si les nvires des sujets des deux Puissances contractantes échouient ou faisoient naufrage sur les côtes de l'une ou de l'autre, les sujets respectifs jouiront, tant pour eux-mêmes, que pour leurs navires & effets, de tous les secours & assistances possibles, comme les habitans du pays eu-mêmes, en payant cependant les mêmes frais & droits, aux quels sont assujettis en pareil cas les propres sujets de l'Etat, sur les côtes du quel ils auront échoué ou fait aufrage.

XVI. Lorsqu'une des deux Puissances contractantes sera en guerre vec d'autres Etats, la communication & le commerce libre des sujets de l'autre, avec ces mêmes Etats, ne serot point pour cela interrompus, & c'est au contraire en cecas, que les deux Couronnes intimement convaincues de la sagesse des principes qui, pour le bien général des peuples commerçans, ont ete fixés & arrêtés dans la convention maritime, conclue entre Elles à Copenhague le 2^s Juin Juillet, 1780, déclarent d'en vouloir faire la regle immuable de leur propre conduite, & d'y avoir recours en toute occasion, comme à des loix & stipulations, qui méritent un rang distingué dans le code de l'humanité.

XVII. En conséquence Elles s'appliquent ici immédiatement à Elles mêmes les quatre axiomes importans, qui, pour le cas de la guerre, ont été établis en faveur des droits de tous les peuples neutres en général; savoir :

“ 1. Que tout vaisseau pourra naviguer librement de port en port & sur les côtes des nations en guerre.

“ 2. Que les effets appartenans aux sujets des dites Puissances en guerre, seront libres sur les vaisseaux neutres; à l'exception des marchandises de contrebande.

“ 3. Que pour déterminer ce qui caractérise un port bloqué, on n'accordera cette dénomination qu'à celui, où les vaisseaux de la Puissance qui l'attaque, en seront suffisamment proches & postés de façon, qu'il y ait un danger évident d'y entrer.

“ 4. Que les vaisseaux neutres ne pourront être arrêtés que sur de justes causes & des faits évidens; qu'ils seront

sont jugés sans retard ; que la procédure sera toujours uniforme, prompte & légale ; et que chaque fois, outre les dédommagemens que l'on accordera à ceux qui ont fait des pertes sans avoir été en faute, il sera rendu une satisfaction complète pour l'insulte faite aux pavillons respectifs."

XVIII. Les navires marchands des sujets respectifs, naviguans seuls, et lorsqu'ils seront rencontrés ou sur les côtes ou en pleine mer, par les vaisseaux de guerre, ou armateurs particuliers de l'une ou de l'autre des deux Puissances contractantes, engagée dans une guerre avec quelqu'autre Etat, en subiront la visite ; mais en même tems, qu'il sera interdit, en ce cas, aux dits navires marchands, de ne rien jeter de leurs papiers en mer, les vaisseaux de guerre ou armateurs susdits, resteront de leur côté constamment hors de la portée du canon des navires marchands ; & pour obvier entièrement à tout désordre & violence, il est convenu, que les premiers ne pourront jamais envoyer au delà de deux ou trois hommes dans leurs chaloupes à bord des derniers pour faire examiner les passeports & lettres de mer, qui constateront la propriété & les chargemens de ces navires ; supposé toutes fois que de tels navires marchands se trouvaient escortés par un ou plusieurs vaisseaux de guerre, la simple déclaration de l'officier commandant l'escorte, que ces navires ne portent point de contrebande, doit être envisagée comme pleinement suffisante, & aucune visite n'aura plus lieu.

XIX. Il n'aura pas fitôt apparu par les titres produits, ou par l'affurance verbale de l'officier commandant l'escorte, que les navires marchands ainsi rencontrés en mer, ne sont point chargés de contrebande, qu'il leur sera libre de continuer sans aucun empêchement ulterieur leur route ; & ceux des vaisseaux de guerre ou armateurs de part & d'autre, qui se feront permis, ce nonobstant, de molester, ou d'endommager d'une façon quelconque les navires en question, seront obligés d'un répondre en leurs personnes & leurs biens, outre la réparation due à l'insulte faite au pavillon.

XX. Que si, par contre, un navire visité se trouvoit surpris en contrebande, l'on ne pourra point pour cela

rompre les caiffes, coffres, balles & tonneaux qui fe trouveront fur le même navire, ni détourner la moindre partie des marchandifes ; mais le Capteur fera en droit d'amener le dit navire dans un port ; où, après l'instruction du procès faite, par devant les juges de l'amirauté, felon les règles & loix établies, & après que la sentence définitive aura été portée, la marchandise non-permife, ou reconnue pour contrebande, fera confifquée, tandis que les autres effets & marchandifes, s'il s'en trouvoit fur le même navire, feront rendus, fans que l'on puiffe jamais retenir ni vaiffeau, ni effets, fous prétexte de frais ou d'amende. Pendant la durée du procès, le Capitaine, après avoir délivré la marchandise reconnue pour contrebande, ne fera point obligé malgré lui, d'attendre la fin de fon affaire ; mais il pourra fe mettre en mer, avec fon vaiffeau & le refte de fa cargaison, quand bon lui femblera, & au cas qu'un navire marchand de l'une des deux Puiffances en paix fut faifi en pleine mer par un vaiffeau de guerre, ou armateur de celle qui est en guerre, & qu'il fe trouvât chargé d'une marchandise reconnue pour contrebande ; il fera libre au dit navire marchand, s'il le juge à propos, d'abandonner d'abord la dite contrebande à fon capteur, le quel devra fe contenter de cet abandon volontaire, fans pouvoir retenir, molefter ou inquiéter en aucune façon le navire, ni l'équipage, qui pourra dès ce moment pourfuivre fa route en toute liberté.

XXI. On ne comprendra fous la rubrique de contrebande que les choses fuivantes : comme canons, mortiers, armes à feu, pistolets, bombes, grenades, boulets, balles, fufils, pierres à feu, mèches, poudre, falpêtre, foudre, cuiraffes, piques, épées, ceinturons, poches à cartouches, felles & brides ; en exceptant toute fois la quantité, qui peut être néceffaire pour la défense du vaiffeau & de ceux qui en compofent l'équipage ; & tous les autres articles quelconques non-désignés ici, ne feront pas réputés munitions de guerre & navales, ni fujettes à confifcation, & par conféquent passeront librement, fans être affujettis à la moindre difficulté.

XXII. Quoique par l'article 21 de ce traité les marchandifes de contrebande fe trouvent clairement spécifiées & déterminées, de manière que tout ce qui n'y est pas
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nommément exprimé, doit être réputé libre & à l'abri de toute saisie ; cependant leurs Majestés Impériale & danoise, attendu les difficultés, qui se sont élevées pendant la présente guerre maritime, touchant la liberté dont les nations neutres doivent jouir, d'acheter des vaisseaux appartenans aux puissances belligérantes ou à leurs sujets, ont jugé à propos, pour prévenir tout doute, qu'on pourroit encore élever sur cette matière, de stipuler, qu'en cas de guerre de l'une d'entre elles avec quelque autre puissance que ce soit, les sujets de l'autre partie contractante, qui sera restée en paix, pourront librement acheter ou faire construire, pour leur compte, & en quelque tems que ce soit, autant de navires, qu'ils jugeront à propos, chez les sujets de la puissance en guerre avec l'autre partie contractante, sans être assujettis à aucune difficulté de la part de celle-ci, ou de ses armateurs ; bien entendu cependant que de tels navires doivent être munis de tous les documens nécessaires, pour constater la propriété & l'acquisition légale des sujets de la puissance neutre.

XXIII. Elles sont convenues de même entr'elles, que les sujets d'une puissance ennemie, qui se trouveront à leur service, & ceux qui seront naturalisés, ou auront acquis le droit de bourgeoisie, même pendant la guerre, ne seront point envisagés ni traités sur un autre pied, que les sujets nés dans leurs états respectifs.

XXIV. Puisqu'il sera libre aux deux puissances contractantes d'établir, pour l'avantage du commerce de leurs sujets, des Consuls dans les états de leur domination réciproque ; elles sont également convenues entre elles, que les sujes respectifs pourront, dans tous leurs procès entr'eux & autres affaires, & du propre consentement, s'entend des parties, recourir aux jugemens de leurs propres Consuls ; & que non seulement les décisions des derniers seront parfaitement valables & légales, mais qu'ils pourront aussi, pour les faire exécuter, demander en cas de besoin main forte aux tribunaux du lieu. Mais toutes les fois, que les deux parties en litige ne voudront pas avoir recours à l'autorité de leurs propres Consuls, elles pourront s'adresser aux tribunaux ordinaires du pays, où elles sont domiciliées ; les quels tribunaux
 auont

auront soin de leur rendre la plus prompte & exacte justice, selon les loix & réglemens établis par ces tribunaux, & il sera libre, dans l'un & l'autre cas, aux sujets respectifs de choisir, pour plaider ou soigner leur cause, tels avocats, procureurs, ou notaires que bon leur semblera, pourvu qu'ils soient avoués par le gouvernement ou les tribunaux établis pour cela.

XXV. Les susdits Consuls, en qualité d'officiers d'une puissance amie & alliée pourront ainsi, & du mutuel consentement des deux hautes parties contractantes, vider les disputes & juger les procès des négocians de leur nation; mais ils n'en seront pas moins subordonnés eux-mêmes, & en tout ce qui concerne leurs propres affaires, aux loix & tribunaux du pays, où ils seront établis.

XXVI. Lorsque les marchands Russes & Danois seront enrégistrer aux douannes leurs contrats ou marchés pour vente ou achat de marchandises, par leurs commis, expéditeurs, ou autres gens employés par eux; les douanes de Russie, où ces contrats s'enrégistreront, devront examiner soigneusement, si ceux, qui contractent pour le compte de leurs commettans, sont munis par ceux-ci d'ordres ou pleins pouvoirs faits en bonne & due forme; au quel cas les dits commettans seront responsables, comme s'ils avoient contracté eux-mêmes en personne. Mais si les dits commis, expéditeurs, ou autres gens employés pour les susdits marchands, ne sont pas munis d'ordres ou pleins pouvoirs suffisans, ils ne devront pas en être crus sur leur parole. Et quoique les douanes soient chargées de veiller à cet objet, les contractans n'en seront pas moins tenus de prendre garde eux-mêmes, que les accords ou contrats, qu'ils feront ensemble, n'outrepassent pas les procurations ou pleins pouvoirs qui leur ont été confiés par leurs commettans, puisque ces derniers ne sont tenus à répondre, que pour l'objet & la valeur, pour les quels les pleins pouvoirs ont été donnés par eux. Les douanes du Dannemarc en agiront de même pour les contrats, achats & ventes, passés entre les marchands Russes & Danois, dans les états de Sa Majesté Danoise.

XXVII. II

XXVII. Il sera prêté tout l'appui possible aux sujets respectifs contre ceux d'entr'eux mêmes, qui n'auront pas rempli les engagements d'un contract fait selon les formes prescrites, & enrégistré à la douane ; & à cet effet le Gouvernement de part & d'autre emploiera, en cas de besoin, l'assistance & l'autorité requises, pour obliger les parties à comparoitre en justice dans les endroits mêmes, où ces contractés auront été conclus & enrégistrés, & pour obliger les contractans à l'exécution de tout ce qu'ils y auront stipulé.

XXVIII. Les marchands Danois, établis en Ruffie, pourront payer les marchandises qu'ils y acheteront, en la même monnoie courante de Ruffie, qu'ils auront reçue pour leurs marchandises vendues ; à moins que dans leurs contractés, ou accords, faits entre le vendeur & l'acheteur, il n'ait été stipulé le contraire. Les marchands Ruffes, établis dans les états du Dannemarc, jouiront réciproquement du même avantage.

XXIX. On ne prendra pas moins toutes les précautions nécessaires & réciproques, pour que le bras soit confié à des gens connus par leur intelligence & probité, afin que les sujets respectifs puissent par là être à l'abri du mauvais choix des marchandises, & des emballages frauduleux ; & toutes les fois, qu'il y aura des preuves suffisantes de contravention, négligence, ou de mauvaise foi dans l'exercice des fonctions des employés, ils en feront responsables & obligés à bonifier les pertes qu'ils auront causées.

XXX. Les sujets respectifs auront pleine liberté, de tenir dans les endroits de leur demeure, des livres de commerce en telle langue qu'ils voudront, sans que l'on puisse à cet égard rien leur prescrire ; & on ne pourra pas exiger d'eux de produire leurs livres de compte ou de commerce, si ce n'est pour se justifier en cas de banqueroute ou de procès ; mais, dans ce dernier cas, ils ne seront obligés de présenter, que les articles nécessaires à l'éclaircissement de l'affaire, dont il fera question.

XXXI. S'il arrivoit, qu'un sujet Ruffe dans les états du Dannemarc, ou un sujet Danois dans les états de la Ruffie, fit banqueroute, sans avoir acquis le droit de bourgeoisie : les créanciers, sous l'autorité des magistrats &

& tribunaux de chaque endroit nommeront des Curateurs de la Masse, aux quels tous les effets, livres & papiers de celui, qui aura fait banqueroute, seront confiés; & alors les créanciers, qui auront à prétendre aux deux tiers de la Masse, s'ils opinoient en faveur d'un arrangement quelconque concernant la distribution de cette Masse, leur suffrage entraînera celui des autres créanciers, qui seront obligés de s'y soumettre. Mais quand aux sujets des états respectifs, qui seront naturalisés ou auront acquis le droit de bourgeoisie dans les états de l'autre partie contractante, ils seront soumis, en cas de banqueroute, [comme dans toutes leurs autres affaires :] aux loix, ordonnances & statuts du pays, où ils seront naturalisés.

XXXII. Il sera permis aux marchands Danois établis en Russie, de bâtir, acheter, vendre & louer des maisons dans toutes les villes de cet empire, qui n'ont pas des droits de bourgeoisie & privilèges contraires à ces acquisitions; & il est nommément spécifié, qu'à St. Peterbourg, Moscou & Archangel les maisons, possédées & habitées par les marchands Danois, seront exemptes de tout logement, aussi long-tems qu'elles leur appartiendront. & qu'ils y logeront eux-mêmes; mais les maisons, qu'ils donneront ou prendront à louage, ne seront pas exemptes des charges & logemens prescrits. Dans toutes les autres villes de l'empire de Russie, les maisons achetées ou bâties par les marchands Danois, qui pourront s'y établir, ne jouiront pas des exemptions accordées seulement dans les trois villes ci-dessus spécifiées. Si cependant on jugeoit à propos, dans la suite du tems, de faire une ordonnance générale pour acquitter en argent la fourniture des quartiers, les marchands Danois y seront affujettis, comme les autres.

Sa Majesté Danoise s'engage réciproquement, à faire jouir les marchands Russes, établis dans ses états, des mêmes exemptions & privilèges, qui sont accordés par ce présent article aux marchands Danois établis en Russie & aux mêmes conditions ci-dessus spécifiées.

XXXIII. Ceux des sujets respectifs, qui voudront quitter les provinces, villes & états de la domination de l'une ou de l'autre des puissances contractantes, n'éprouveront aucun empêchement de la part du gouvernement; mais

mais il leur sera accordé, avec les précautions reçues & d'usage dans chaque endroit, les passeports nécessaires, pour qu'ils puissent se retirer & emporter librement les biens qu'ils y auront apportés ou acquis, après avoir acquitté leurs dettes, ainsi que les droits fixés par les loix, ordonnances & statuts des états respectifs.

XXXIV. Quoique le droit d'Aubaine n'existe pas dans les états des deux puissances contractantes, il est cependant convenu entr'elles ; afin de prévenir tous les doutes, qui pourroient s'élever là-dessus, que les biens meubles & immeubles, délaissés par la mort d'un des sujets respectifs dans les états de l'autre, passeront librement & sans obstacle quelconque aux héritiers, par testament ou ab intestat : les quels pourront en conséquence prendre tout-de suite possession de l'héritage, ou par eux-mêmes, ou par procuration, aussi bien que les exécuteurs testamentaires, s'il y en avoit de nommés par le défunt ; & les dits héritiers disposeront ensuite, à leur gré, de l'héritage, qui leur sera échu, après avoir acquitté les différens droits établis par les Loix de l'état, où la dite succession aura été délaissée. Et au cas, que les héritiers, étant absens ou mineurs, n'auroient pas pourvu à faire valoir leurs droits, alors toute la succession sera inventoriée par un Notaire public, en présence du juge ou des tribunaux du lieu, accompagné du Consul de la nation du décédé, s'il y en a un dans le même endroit, & de deux autres personnes dignes de foi, & déposée ensuite dans quelque établissement public ou entre les mains de deux ou trois marchands, qui seront nommés à cet effet par le dit Consul, ou à son défaut entre les mains de ceux, qui d'autorité publique y auront été désignés, afin que ces biens soient gardés par eux, & conservés pour les légitimes héritiers & véritables propriétaires. Et supposé, qu'il s'élevât une dispute sur un pareil héritage entre plusieurs prétendans, alors les juges de l'endroit où les biens du défunt se trouveront, décideront le procès par sentence définitive, selon les loix du pays.

XXXV. Si la paix étoit rompue entre les deux puissances contractantes (ce qu'à Dieu ne plaise) on n'arrêtera point les personnes, ni ne confisquera les navires & les biens des sujets, mais il leur sera accordé au moins l'espace

d'une année, pour vendre, débiter ou transporter leurs effets, & pour se rendre dans cette vue par tout où ils le jugeront à propos, après avoir cependant acquitté les dettes, qui peuvent être à leur charge ; ceci s'entendra pareillement de ceux des sujets respectifs, qui serviront par mer ou par terre, & il sera permis aux uns & aux autres, avant ou à leur départ, de céder à qui bon leur semblera, ou de disposer selon leur bon plaisir & convenance de ceux de leurs effets, dont ils n'auront pu se défaire, ainsi que des dettes qu'ils ont à prétendre, & les débiteurs seront également obligés de payer leurs dettes, comme s'il n'y avoit pas eu de rupture.

XXXVI. Le présent traité durera pendant douze ans, & tout ce qui s'y trouve arrêté, doit être observé invariablement pendant cet intervalle & exécuté dans toute sa teneur, bien entendu, qu'avant l'expiration du terme du dit traité, il dépendra du bon plaisir des deux hautes parties contractantes, de convenir sur sa prolongation.

XXXVII. Les deux hautes parties contractantes s'engagent à ratifier le présent traité de commerce, & les ratifications en seront échangées, en bonne & due forme, dans l'espace de six semaines, à compter, du jour de la date de la signature, ou plutôt si faire se peut. En foi de quoi nous soussignés, en vertu de nos pleins pouvoirs, l'avons signé & y avons apposé les catchets de nos armes. Fait à St. Petersbourg le 1^{er} Octobre mil sept cent quatre vingt deux.

(L. S.) *Jean Comte
d'Osterman.*

(L. S.) *Pierre Chrétien
de Schumacher.*

(L. S.) *Alexandre Comte de Worontzow.*

(L. S.) *Alexandre de Bezborodko.*

(L. S.) *Pierre de Bacounin.*

Ce traité d'amitié & de commerce à été ratifié par leurs Majesté's Impériale & Royale & les ratifications ont été échangées selon l'usage ordinaire par les plénipotentiaires respectifs.

By

By the United States in Congress assembled.

A P R O C L A M A T I O N .

WHEREAS in pursuance of a plenipotentiary commission given on the 29th day of December, 1780, to the Honourable John Adams, a treaty of amity and commerce between their High Mightinesses the States General of the United Netherlands, and the United States of America was, on the 8th day of October, 1782, concluded by the said John Adams, with Plenipotentiaries named for that purpose by their said High Mightinesses the States General of the United Netherlands; and whereas the said treaty has been this day approved and ratified by the United States in congress assembled, as the same is contained in the words following, to wit.

A Treaty of Amity and Commerce between their High Mightinesses the States General of the United Netherlands, and the United States of America, to wit, New Hampshire, Massachusetts, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia.

THEIR High Mightinesses the States General of the United Netherlands, and the United States of America, to wit, New Hampshire, Massachusetts, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, desiring to ascertain, in a permanent and equitable manner, the rules to be observed relative to the commerce and correspondence which they intend to establish between their respective states, countries, and inhabitants, have judged, that the said end cannot be better obtained than by establishing the most perfect equality and reciprocity for the basis of their agreement, and by avoiding all those burdensome preferences which are usually the sources of de-

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bate,

bate, embarrassment, and discontent ; by leaving also each party at liberty to make, respecting commerce and navigation, such ulterior regulations as it shall find most convenient to itself, and by founding the advantages of commerce solely upon reciprocal utility and the just rules of free intercourse, reserving with all, to each party, the liberty of admitting, at its pleasure, other nations to a participation of the same advantages.

On these principles, their said High Mightinesses the States General of the United Netherlands have named for their Plenipotentiaries, from the midst of their assembly, Messieurs their Deputies for the Foreign affairs ; and the said United States of America, on their part, have furnished with full powers Mr. John Adams, late Commissioner of the United States of America at the Court of Versailles, heretofore Delegate in Congress from the State of Massachusetts Bay, and Chief Justice of the said State ; who have agreed and concluded as follows, to wit :

Art. I. There shall be a firm, inviolable, and universal peace, and sincere friendship, between their High Mightinesses the Lords the States General of the United Netherlands, and the United States of America ; and between the subjects and inhabitants of the said parties, and between the countries, islands, cities, and places, situated under the jurisdiction of the said United Netherlands, and the said United States of America, their subjects and inhabitants, of every degree, without exception of persons or places.

II. The subjects of the said States General of the United Netherlands shall pay in the ports, havens, roads, countries, islands, cities, or places of the United States of America, or any of them, no other nor greater duties or imposts, of whatever nature or denomination they may be, than those which the nations the most favoured are or shall be obliged to pay ; and they shall enjoy all the rights, liberties, privileges, immunities, and exemptions in trade, navigation, and commerce, which the said nations do or shall enjoy, whether in passing from one port to another in the said states, or in going from any of those ports to any foreign port of the world, or from any foreign port of the world to any of those ports.

III. The

III. The subjects and inhabitants of the said United States of America shall pay in the ports, havens, roads, countries, islands, cities, or places of the said United Netherlands, or any of them, no other nor greater duties or imposts, of whatever nature or denomination they may be, than those which the nations the most favoured are or shall be obliged to pay, and they shall enjoy all the rights, liberties, privileges, immunities, and exemptions in trade, navigation, and commerce, which the said nations do or shall enjoy, whether in passing from one port to another in the said states, or from any one towards any one of those ports, from or to any foreign port of the world; and the United States of America, with their subjects and inhabitants, shall leave to those of their High Mightinesses the peaceable enjoyment of their rights in the countries, islands, and seas in the East and West Indies, without any hindrance or molestation.

IV. There shall be an entire and perfect liberty of conscience allowed to the subjects and inhabitants of each party, and to their families, and no one shall be molested in regard to his worship, provided he admits as to the publick demonstration of it, to the laws of the country; there shall be given, moreover, liberty, when any subjects or inhabitants of either party shall die in the territory of the other, to bury them in the usual burying places, or in decent and convenient grounds to be appointed for that purpose, as occasion shall require; and the dead bodies of those who are buried shall not, in any wise, be molested. And the two contracting parties shall provide each one in his jurisdiction, that their respective subjects and inhabitants may henceforward obtain the requisite certificates in cases of deaths in which they shall be interested.

V. Their High Mightinesses the States General of the United Netherlands, and the United States of America, shall endeavour, by all the means in their power, to defend and protect all vessels and other effects belonging to their subjects and inhabitants respectively, or to any of them in their ports, roads, havens, internal seas, passes, rivers, and as far as their jurisdiction extends at sea, and

to recover and cause to be restored to the true proprietors, their agents, or attorneys, all such vessels and effects which shall be taken under their jurisdictions, and their vessels of war and convoys, in cases when they may have a common enemy, shall take under their protection all the vessels belonging to the subjects and inhabitants of either party, which shall not be laden with contraband goods, according to the description which shall be made of them hereafter, for places with which one of the parties is in peace and the other at war, not destined for any place blocked, and which shall hold the same course or follow the same route: and they shall defend such vessels as long as they shall hold the same course or follow the same route against all attacks, force, and violence of the common enemy, in the same manner as they ought to protect and defend the vessels belonging to their own respective subjects.

VI. The subjects of the contracting parties may, on one side and on the other, in the respective countries and states, dispose of their effects by testament, donation, or otherwise; and their heirs, subjects of one of the parties, and residing in the country of the other or elsewhere, shall receive such successions, even *ab intestato*, whether to person or by their attorney or substitute, even although they shall not have obtained letters of naturalization, without having the effect of such commission contested under pretext of any rights or prerogatives of any province, city, or private person; and if the heirs, to whom such succession may have fallen, shall be minors, the tutors or curators established by the judge domienary of the said minors, may govern, direct, administer, sell, and alterate the effects fallen to the said minors by inheritance, and in general, in relation to the said successions and effects, use all the rights and fulfil all the functions which belong to the disposition of the laws, to guardians, tutors, and curators: provided, nevertheless, that this disposition cannot take place but in cases where the testator shall not have named guardians, tutors, curators, by testament, codicil, or other legal instrument.

VII. It

VII. It shall be lawful and free for the subjects of each party to employ such advocates, attornies, notaries, solicitors, or factors, as they shall judge proper.

VIII. Merchants, masters, and owners of ships, mariners, men of all kinds, ships, and vessels, and all merchandises, and goods in general, and effects of one of the confederates, or of the subjects thereof, shall not be seized or detained in any of the countries, lands, islands, cities, places, ports, shores, or denominations whatsoever of the other confederate for any military expedition, publick or private use of any one, by arrests, violence, or any colour hereof; much less shall it be permitted to the subjects of either party to take or extort, by force, any thing from the subjects of the other party without the consent of the owner: which, however, is not to be understood of seizures, descentions, and arrests, which shall be made by the command and authority of justice, and by the ordinary methods on account of debts or crimes, in respect whereof, the proceedings must be, by way of law, according to the forms of justice.

IX. It is farther agreed and concluded, that it shall be wholly free for all merchants, commanders of ships, and other subjects and inhabitants of the contracting parties, in every place subjected to the jurisdiction of the two powers respectively, to manage themselves their own business: and, moreover, as to the use of interpreters or brokers, as also in relation to the loading or unloading of their vessels, and every thing which has relation thereto, they shall be, on one side and on the other, considered and treated upon the footing of natural subjects, or, at least, upon an equality with the most favoured nation.

X. The merchant ships of either of the parties, coming from the port of an enemy, or from their own or a neutral port, may navigate freely towards any port of an enemy of the other ally: they shall be, nevertheless, held, whenever it shall be required, to exhibit, as well upon the high seas as in the ports, their sea letters and other documents described in the twenty-fifth article, stating expressly, that their effects are not of the number of those which are prohibited as contraband: and not having any contraband goods for an enemy's port, they

may freely, and without handrance, pursue their voyage towards the port of an enemy, Nevertheless, it shall not be required to examine the papers of vessels convoyed by vessels of war, but credence shall be given to the word of the officer who shall conduct the convoy.

XI. If, by exhibiting the sea letters and other documents described more particularly in the twenty-fifth article of this treaty, the other party shall discover there are any of those sorts of goods which are declared prohibited and contraband, and that they are consigned for a port under the obedience of his enemy, it shall not be lawful to break up the hatches of such ship, nor to open any chest, coffer, packs, casks, or other vessels found therein, or to remove the smallest parcel of her goods, whether the said vessel belongs to the subjects of their High Mightinesses the States General of the United Netherlands, or to the subjects or inhabitants of the said United States of America, unless the lading be brought on shore in presence of the officers of the Court of Admiralty, and an inventory thereof made, but there shall be no allowance to sell, exchange, or alienate the same until after that due and lawful process shall have been had against such prohibited goods of contraband, and the Court of Admiralty, by a sentence pronounced, shall have confiscated the same, saving always as well the ship itself as any other goods found therein, which are to be esteemed free, and may not be detained on pretence of their being infected by the prohibited goods, much less shall they be confiscated as lawful prizes: but, on the contrary, when by the visitation at land it shall be found that there are no contraband goods in the vessel, and it shall not appear by the papers that he who has taken and carried in the vessel has been able to discover any there, he ought to be condemned in all the charges, damages, and interests of them, which he shall have caused both to the owner of vessels and to the owners and freighters of cargoes with which they shall be loaded, by his temerity in taking and carrying them in, declaring most expressly, the free vessels shall assure the liberty of the effects with which they shall be loaded, and that this liberty shall extend itself equally to the persons who shall be found in a

free

free vessel, who may not be taken out of her, unless they are military men actually in the service of an enemy.

XII. On the contrary, it is agreed, that whatever shall be found to be laden by the subjects and inhabitants of either party on any ship belonging to the enemies of the other, or to their subjects, although it be not comprehended under the sort of prohibited goods, the whole may be confiscated in the same manner as if it belonged to the enemy, except, nevertheless, such effects and merchandises as were put on board such vessel before the declaration of war, or within six months after it, which effects shall not be, in any manner, subject to confiscation, but shall be faithfully, and without delay, restored in nature to the owners who shall claim them, or cause them to be claimed, before the confiscation and sale, as also their proceeds, if the claim could not be made but in the space of eight months after the sale, which ought to be publick: provided, nevertheless, that if the said merchandises are contraband, it shall, by no means, be lawful to transport them afterwards to any port belonging to enemies.

XIII. And that more effectual care may be taken for the security of subjects and people of either party, that they do not suffer any molestation from the vessels of war or privateers of the other party, it shall be forbidden to all the commanders of vessels of war and other armed vessels of the said States General of the United Netherlands, and the said United States of America, as well as to all their officers, subjects, and people, to give any offence, or do any damage to those of the other party: and if they act to the contrary, they shall be, upon the first complaint which shall be made of it, being found guilty after a just examination, punished by their proper judges, and, moreover, obliged to make satisfaction for all damages and interests thereof by reparation, under pain and obligation of their persons and goods.

XIV. For farther determining of what has been said, all Captains of privateers, or fitters out of vessels armed for war, under commission and on account of private persons, shall be held before their departure, to give sufficient caution before competent judges, either to be entirely responsible for the malversations which they may
commit

commit in their cruizes or voyages, as well as for the contraventions of their Captains and officers, against the present treaty, and against the ordinances and edicts which shall be published in consequence of, and conformity to it, under pain of forfeiture and nullity of the said commission.

XV. All vessels and merchandises of whatsoever nature, which shall be rescued out of the hands of any pirates or robbers, navigating the high seas, without requisite commissions, shall be brought into some port of one of the two States, and deposited in the hands of the officers of that port, in order to be restored entire to the true proprietor, as soon as due and sufficient proofs shall be made concerning the property thereof.

XVI. If any ships or vessels belonging to either of the parties, their subjects or people, shall, within the coasts or dominions of the other, stick upon the sands or be wrecked, or suffer any other sea damage, all friendly assistance and relief shall be given to the persons shipwrecked, or such as shall be in danger thereof; and the vessels, effects and merchandises, or the part of them, which shall have been saved, or the proceeds of them, if being perishable they shall have been sold, being claimed within a year and a day, by the masters or owners, or their agents or attornies, shall be restored, paying only the reasonable charges, and that which must be paid, in the same case, for the salvage, by the proper subjects of the country; there shall also be delivered them safe conducts or passports, for their free and safe passage from thence, and to return each one to his own country.

XVII. In case the subjects or people of either party with their shipping, whether publick and of war, or private and of merchants, be forced, through stress of weather, pursuit of pirates or enemies, or any other urgent necessity for seeking of shelter and harbour, to retreat and enter into any of the rivers, creeks, bays, ports, roads or shores, belonging to the other party, they shall be received with all humanity and kindness, and enjoy all friendly protection and help, and they shall be permitted to refresh and provide themselves at reasonable rates, with victuals and all things needful for the sustenance

nance of their persons, or reparation of their ships; and they shall no ways be detained or hindered from returning out of the said ports or roads, but may remove and depart when and whither they please, without any let or hindrance.

XVIII. For the better promoting of commerce on both sides, it is agreed, that if a war should break out between their High Mightinesses the States General of the United Netherlands and the United States of America, there shall always be granted to the subjects on each side, the term of nine months, after the date of the rupture, or the proclamation of war; to the end that they may retire with their effects, and transport them where they please; which it shall be lawful for them to do, as well as to sell or transport their effects and goods in all freedom, and without hindrance, and without being able to proceed during the said term of nine months, to any arrest of their effects, much less of their persons; on the contrary, there shall be given them, for their vessels and their effects which they would carry away, passports and life conducts, for the nearest ports of their respective countries, and for the time necessary for the voyage, and no prize made at sea shall be adjudged lawful, at least if the declaration of war was not or could not be known in the last port, which the vessel taken has quitted. But for whatever may have been taken from the subjects and inhabitants of either party, and for the offences which may have been given them, in the interval of the said terms, a compleat satisfaction shall be given them.

XIX. No subject of their High Mightinesses the States General of the United Netherlands, shall apply for or take any commission or letter of marque for arming any ship or ships, to act as privateers against the said United States of America, or any of them, or the subjects and inhabitants of the said United States or any of them, or against the property of the inhabitants of any of them, from any Prince or State with which the said United States of America may happen to be at war; nor shall any subject or inhabitant of the said United States of America, or any of them, apply for or take any commission or letters of marque for arming any ship or ships

to act as privateers against the High and Mighty Lords the States General of the United Netherlands, or against the subjects of their High Mightinesses, or any of them, or against the property of any one of them, from any Prince or State with which their High Mightinesses may be at war: and if any person of either nation shall take such commission or letters of marque he shall be punished as a pirate.

XX. If the vessels of the subjects or inhabitants of one of the parties come upon any coast belonging to either of the said allies, but not willing to enter into port, or being entered into port and not willing to unload their cargoes or break bulk, or take in any cargo, they shall not be obliged to pay neither for the vessels nor the cargoes, any duties of entry in or out, nor to render any account of their cargoes, at least if there is not just cause to presume that they carry to an enemy merchandises of contraband.

XXI. The two contracting parties grant to each other mutually, the liberty of having each in the ports of the other, Consuls, Vice-consuls, Agents, and Commissaries of their own appointing, whose functions shall be regulated by particular agreements, whenever either party chuse to make such appointments.

XXII. This treaty shall not be understood in any manner to derogate from the ninth, tenth, nineteenth and twenty-fourth articles of the treaty with France, as they were numbered in the same treaty, concluded the sixth of February, 1778, and which make the articles, ninth, tenth, seventeenth and twenty-second of the Treaty of Commerce now subsisting between the United States of America and the Crown of France: nor shall it hinder his Catholick Majesty from acceding to that treaty, and enjoying the advantages of the said four articles.

XXIII. If at any time the United States of America shall judge necessary to commence negotiations with the King or Emperor of Morocco and Fez, and with the Regencies of Algiers, Tunis or Tripoli, or with any of them, to obtain passports for the security of their navigation in the Mediterranean Sea; their High Mightinesses promise, that upon the requisition which the United

United States of America shall make of it, they will second such negotiations in the most favourable manner by means of their Consuls residing near the said King, Emperor and Regencies.

XXIV. The liberty of navigation and commerce shall extend to all sorts of merchandises, excepting only those which are distinguished under the name of contraband, or merchandises prohibited; and under this denomination of contraband and merchandises prohibited shall be comprehended only warlike stores and arms, as mortars, artillery with their artifices and appurtenances, fusils, pistols, bombs, grenades, gunpowder, saltpetre, sulphur, match, bullets and balls, pikes, sabres, lances, halberts, casques, curasses, and other sorts of arms; as also soldiers, horses, saddles and furniture for horses. All other effects and merchandises, not before specified expressly, and even all sorts of naval matters, however proper they may be, for the construction and equipment of vessels of war, or for the manufacture of one or other sort of machines of war, by land or sea, shall not be judged contraband, neither by the letter, nor according to any pretended interpretation whatever, ought they, or can they be comprehended, under the notion of effects prohibited or contraband; so that all effects and merchandises, which are not expressly before named, may, without any exception, and in perfect liberty be transported, by the subjects and inhabitants of both allies, from, and to places belonging to the enemy, excepting only the places which at that time shall be besieged, blocked or invested, and those places only shall be held for such, which are surrounded nearly by some of the belligerent powers.

XXV. To the end that all dissention and quarrel may be avoided and prevented, it has been agreed, that in case that one of the two parties happens to be at war, the vessels belonging to the subjects or inhabitants of the other ally, shall be provided with sea-letters or passports, expressing the name, the property and the burden of the vessel, as also the name and the place of abode of the master, or commander of the said vessel, to the end that thereby it may appear, that the vessel really and truly belongs to the subjects or inhabitants of some of the parties;

parties; which passports shall be drawn and distributed according to the form annexed to this treaty, each time that the vessel shall return, she should have such her passports renewed, or at least they ought not to be of more ancient date than two years, before the vessel has been returned to her own country.

It has been also agreed that such vessels, being loaded, ought to be provided not only with the said passports or sea-letters, but also with a general passport, or with particular passports or manifest, or other publick documents which are ordinarily given to vessels outward bound, in the ports from whence the vessels have set sail in the last place, containing a specification of the cargo, of the place from whence the vessel departed, and of that of her destination; or instead of all these, with certificates from the magistrates or governors of cities, places and colonies from whence the vessel came, given in the usual form, to the end that it may be known whether there are any effects prohibited or contraband on board the vessels, and whether they are destined to be carried to an enemy's country or not. And in case any one judges proper, to express in the said documents, the persons to whom the effects on board belong, he may do it freely, without, however, being bound to do it; and the omission of such expression cannot and ought not to cause confiscation.

XXVI. If the vessels of the said subjects or inhabitants of either of the parties sailing along the coasts or on the high seas, are met by a vessel of war or privateer, or other armed vessel of the other party, the said vessels of war, privateers or armed vessels, for avoiding all disorder, shall remain without reach of cannon, but may send their boats on board the merchant vessel which they shall meet in this manner, upon which they may not pass more than two or three men, to whom the master or commander shall exhibit his passport, containing the property of the vessel, according to the form annexed to this treaty; and the vessel, after having exhibited such passport, sea-letter, and other documents, shall be free to continue her voyage, so that it shall not be lawful to molest

molest her, or search her in any manner, nor to give her chace, nor to force her to alter her course.

XXVII. It shall be lawful for merchants, captains, and commanders of vessels, whether publick and of war, or private and of merchants, belonging to the said United States of America, or any of them, or to their subjects and inhabitants, to take freely into their services and receive on board of their vessels, in any port or place in the jurisdiction of their High Mightinesses aforesaid, seamen or others, natives or inhabitants of any of the said States, upon such conditions as they shall agree on, without being subject for this to any fine, penalty, punishment, process, or reprehension whatsoever; and reciprocally, all merchants, captains and commanders, belonging to the said United Netherlands, shall enjoy all the ports and places under the obedience of the said United States of America, the same privilege of engaging and receiving seamen, or others, natives or inhabitants of any country of the domination of the said States General; provided that neither on the one side nor the other, they may not take into their service, such of their countrymen who have already engaged in the service of the other party contracting, whether in war or trade, and whether they meet them by land or sea; at least, if the captains or masters, under the command of whom such persons may be found, will not, of his own consent, discharge them from their service, upon pain of being otherwise treated and punished as deserters.

XXVIII. The affair of refraction shall be regulated in all equity and justice, by the magistrates of cities respectively, where it shall be judged that there is any room to complain in this respect.

XXIX. The present treaty shall be ratified and approved by their High Mightinesses the States General of the United Netherlands, and by the United States of America, and the acts of ratification shall be delivered in good and due form on one side and the other, in the space of six months, or sooner if possible, to be computed from the day of the signature.

In faith of which, we the Deputies and Plenipotentiaries of the Lords States General of the United Netherlands,

lands, and the Minister Plenipotentiary of the United States of America, in virtue of our respective authorities and full powers, have signed the present treaty, and opposed thereto the seals of our arms. Done at the Hague the 8th of October, 1782.

The form of the Passport which shall be given to Ships and Vessels, in consequence of the 25th Article of this Treaty.

To all who shall see these presents, greeting: be it known, that leave and permission are hereby given to _____ master and commander of the ship or vessel called _____ of the burden of _____ tons, or thereabouts, lying at present in the port or haven of _____ bound for _____ and laden with _____ to depart and proceed with the said ship or vessel on his said voyage, such ship or vessel having been visited, and the said master and commander having made oath before the proper officer, that the said ship or vessel belongs to one or more of the subjects, people or inhabitants of _____ and to him or them only.

In witness whereof, we have subscribed our names to these presents, and affixed the seal of our arms thereto, and caused the same to be countersigned by _____ at _____ this _____ day of _____ in the year of our Lord Christ _____

Form of the Certificates which shall be given to Ships or Vessels in consequence of the 25th Article of this Treaty.

We _____ magistrates or officers of the customs of the city or port of _____ do certify and attest, that on the _____ day of _____ in the year of our Lord _____ C. D. of _____ personally appeared before us, and declared by solemn oath, that the ship or vessel called _____ of _____ tons, or thereabouts, whereof _____ of _____ is at present master or commander, does rightfully and properly belong to him or them only. That she is now bound from the city or port of _____ to the port of _____ laden with goods and merchandises hereunder particularly described and enumerated as follows:

In

the United Netherlands; and the same hath been this day approved and ratified by the United States in Congress assembled, as it is contained in the words following, to wit :

Convention between the Lords the States General of the United Netherlands, and the United States of America, concerning Vessels recaptured.

The Lords the States General of the United Netherlands, and the United States of America, being inclined to establish some uniform principles, with relation to prizes made by vessels of war, and commissioned by the two contracting powers, upon their common enemies, and to vessels of the subjects of either party captured by the enemy, and recaptured by vessels of war commissioned by either party, have agreed upon the following articles :

Article I. The vessels of either of the two nations, recaptured by the privateers of the other, shall be restored to the first proprietor, if such vessels have not been four and twenty hours in the power of the enemy; provided the owner of the vessel recaptured pay therefore one third of the value of the vessel, as also of that of the cargo, the cannons and apparel; which third shall be valued by agreement between the parties interested, or if they cannot agree thereon among themselves, they shall address themselves to the officers of the Admiralty of the place where the privateer, who has retaken the vessel shall have conducted her.

II. If the vessel recaptured has been more than twenty-four hours in the power of the enemy, she shall belong entirely to the privateer who has retaken her.

III. In case a vessel shall have been recaptured by a vessel of war belonging to the States General of the United Netherlands, or to the United States of America, she shall be restored to the first owner, he paying a thirtieth part of the value of the ship, her cargo, cannons and apparel, if she has been recaptured in the interval of twenty-four hours, and the tenth part if she has been recaptured after the twenty-four hours; which
sums

fums shall be distributed in form of gratifications to the crews of the vessels which shall have retaken her. The valuation of the said thirtieth parts and tenth parts shall be regulated according to the tenor of the first article of the present convention.

IV. The restitution of prizes, whether they may have been retaken by vessels of war or privateers, in the mean time, and until requisite and sufficient proofs can be given of the property of vessels recaptured, shall be admitted in a reasonable time, under sufficient sureties for the observation of the aforesaid articles.

V. The vessels of war and privateers, of one and the other of the two nations, shall be reciprocally, both in Europe and in the other parts of the world, admitted in the respective ports of each, with their prizes, which may be unloaded and sold according to the formalities used in the state where the prizes shall have been conducted, as far as may be consistent with the 22d article of the Treaty of Commerce: provided always, that the legality of prizes, by the vessels of the Low Countries, shall be decided conformably to the customs and regulations established in the United Netherlands; as likewise, that of prizes made by American vessels, shall be judged according to the laws and regulations determined by the United States of America.

VI. Moreover it shall be free for the States General of the United Netherlands, as well as for the United States of America, to make such regulations as they shall judge necessary, relative to the conduct which their respective vessels and privateers ought to hold in relation to the vessels which they shall have taken and conducted into the ports of the two powers.

In faith of which, We, the Deputies and Plenipotentiaries of the Lords the States General of the United Netherlands, and Minister Plenipotentiary of the United States of America, have in virtue of our respective authorities, and full powers, signed these presents, and confirmed the same with the seal of our arms.

Done at the Hague, the 8th of October, 1782.

Now, therefore, to the end that the said treaty and convention may, with all good faith, be performed and ob-

ſerved on the part of theſe United States, all the citizens and inhabitants thereof, and more eſpecially all captains and other officers and ſeamen belonging to any veſſels of war of the United States, or any of them, or of any private armed veſſels, commiſſioned by Congress, are hereby enjoined and required to govern themſelves ſtrictly in all things, according to the ſtipulations above recited.

Done in Congress this twenty-third day of January, in the year of our Lord one thouſand ſeven hundred and eighty-three, and of our ſovereignty and independence the ſeventh.

ELIAS BOUDINOT, Prefident.

CHARLES THOMPSON, Secretary.

Treaty between Ruſſia and Portugal.

Article I.

THEIR Majeſties, the Empreſs of all the Ruſſias, and the Queen of Portugal, convinced of the ſolidity and forcible evidence of the principles laid down in the declaration bearing date the 28th of February, 1780, concerning the armed neutrality, their aboveſaid Majeſties do declare, that they not only aſſent freely and fully to the ſaid principles, but on all occaſions will concur, by every efficacious means, to keep them up in their full force, and to take care that they be ſcrupulouſly adhered to.

II. Be it underſtood, that the preſent convention is not, by any means to be conſtrued as tending to annul the treaties now ſubſiſting between the diſtinct powers of Ruſſia or Portugal, or any other European Courts whatever; but, on the contrary, ſuch treaties, and the ſtipulations therein made, will as fully bind the ſaid powers as they did any time previous to the ſaid convention, which is not to invalidate, much leſs to enforce a violation of the aforeſaid treaties.

III. The two high contracting powers will continue to obſerve the moſt exact neutrality, and rigorouſly enforce the preventing of all prohibited trade being carried on by their

their respective subjects with the powers now at war. By prohibited trade is understood all those goods and merchandises, verbatim expressed in the 10th and 11th articles of the Treaty of commerce concluded between Russia and Great Britain, on the 20th of June, 1766.

IV. In case, notwithstanding all imaginable care to prevent it, the Russian or Portuguese merchantmen should be taken or insulted by ships belonging to any of the belligerent powers, the complaints of the aggrieved Sovereign shall be supported and enforced by the other confederates' most serious and urgent remonstrances; and if, contrary to all expectation, justice should be denied, the said high contracting powers will concert together on the means of obtaining redress by reprisals.

V. If it should so happen, that either or both of the said powers be attacked or molested, on account and in hatred of the present convention, they shall join together for a mutual defence, in order to procure themselves a full satisfaction, both for the insult offered to their flag and the damages sustained by their subjects.

VI. The present stipulation shall be permanent on both sides, and be adduced as a rule, whenever the right of neutrality shall be called in question.

VII. The two contracting powers will give notice, amicably, to the other Sovereigns now at war, of this present mutual agreement.

VIII. The present convention shall be ratified by the contracting powers, and the said ratifications interchanged within four months from the date hereof, or sooner if possible.

(N. B. They have been ratified since and exchanged.)

In witness whereof, we, the Plenipotentiaries, &c, have signed and sealed the present.

Given at Petersburgh, February, 1783.

Signed,

(L. S.) Comte JOHN D'OSTERMAN.

(L. S.) ALEX. DE BEZBORODKO.

(L. S.) PIERRE DE BOCOUNIN.

(L. S.) FR. JOS. D'HORTA MACHADO.

By the United States in Congress assembled,

A PROCLAMATION.

WHEREAS in pursuance of a Plenipotentiary Commission, given on the 28th day of September, 1782, to the Honourable Benjamin Franklin, a treaty of amity and commerce between his Majesty the King of Sweden and the United States of America, was on the third day of April, 1783, concluded by the said Benjamin Franklin, with a Minister Plenipotentiary, named for that purpose by the said King: and whereas the said Treaty hath been duly approved and ratified by the United States in Congress assembled, and a translation thereof made in the words following, to wit:

A treaty of amity and commerce concluded between his Majesty the King of Sweden and the United States of North America.

The King of Sweden, of the Goths and Vandals, &c. &c. &c. and the Thirteen United States of North America, to wit, New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the counties of Newcastle, Kent and Suffex on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, desiring to establish in a stable and permanent manner, the rules which ought to be observed relative to the correspondence and commerce which the two parties have judged necessary to establish between their respective countries, states and subjects; his Majesty and the said United States have thought that they could not better accomplish that end than by taking for a basis of their arrangements the mutual interest and advantage of both nations, thereby avoiding all those burdensome preferences which are usually sources of debate, embarrassment and discontent, and by leaving each party at liberty to make, respecting navigation and commerce, those interior regulations which shall be most convenient to itself.

With this view, his Majesty the King of Sweden has nominated and appointed for his Plenipotentiary, Count Gustavus Philip de Creutz, his Ambassador Extraordinary

nary to his Most Christian Majesty, and Knight, Commander of his Orders; and the United States, on their part, have fully empowered Benjamin Franklin their Minister Plenipotentiary to his Most Christian Majesty: the said Plenipotentiaries, after exchanging their full powers, and after mature deliberation in consequence thereof, have agreed upon, concluded and signed the following articles:

Article I. There shall be a firm, inviolable and universal peace, and a true and sincere friendship between the King of Sweden, his heirs and successors, and the United States of America, and the subjects of his Majesty and those of the said States; and between the countries, islands, cities and towns, situated under the jurisdiction of the King and of the said United States, without any exception of persons or places; and the conditions agreed to in this present treaty, shall be perpetual and permanent between the King, his heirs and successors, and the United States.

II. The King and the United States engage mutually not to grant hereafter any particular favour to other nations in respect to commerce and navigation, which shall not immediately become common to the other party, who shall enjoy the same favour freely, if the concession was freely made, or on allowing the same compensation, if the concession was conditional.

III. The subjects of the King of Sweden shall not pay in the ports, havens, roads, countries, islands, cities and towns of the United States, or any other nor greater duties or imposts, of what nature soever they may be, than those which the most favoured nations are or shall be obliged to pay; and they shall enjoy all the rights, liberties, privileges, immunities and exemptions in trade, navigation and commerce, which the said nations do or shall enjoy, whether in passing from one port to another of the United States, or in going to or from the same, from or to any part of the world whatever.

IV. The subjects and inhabitants of the said United States shall not pay in the ports, havens, roads, islands, cities and towns under the denomination of the King of Sweden, any other or greater duties or imposts, of what

nature soever they may be, or by what name soever called, than those which the most favoured nations are or shall be obliged to pay; and they shall enjoy all the rights, liberties, privileges, immunities and exemptions in trade, navigation and commerce, which the said nations do or shall enjoy, whether in passing from one port to another of the dominion of his said Majesty, or in going to or from the same, from or to any part of the world whatever.

V. There shall be granted a full, perfect and entire liberty of conscience to the inhabitants and subjects of each party; and no person shall be molested on account of his worship, provided he submits so far as regards the publick demonstration of it to the laws of the country: moreover, liberty shall be granted, when any of the subjects or inhabitants of either party die in the territory of the other, to bury them in convenient and decent places, which shall be assigned for the purpose: and the two contracting parties will provide, each in its jurisdiction, that the subjects and inhabitants respectively may obtain certificates of the death, in case the delivery of them is required.

VI. The subjects of the contracting parties in the respective states, may freely dispose of their goods and effects either by testament, donation or otherwise, in favour of such persons as they think proper; and their heirs in whatever place they shall reside, shall receive the succession even *ab intestato* either in person or by their attorney, without having occasion to take out letters of naturalization. Those inheritances, as well as the capitals and effects, which the subjects of the two parties, in changing their abode, shall be desirous of removing from the place of their abode, shall be exempted from all duty, called *droit de detraction*, on the part of the government of the two states respectively. But it is at the same time agreed, that nothing contained in this article shall in any manner derogate from the ordinances published in Sweden against emigrations, or which may hereafter be published, which shall remain in full force and vigour. The United States on their part, or any of them,

them, shall be at liberty to make respecting this matter, such laws as they think proper.

VII. All and every the subjects, inhabitants of the kingdom of Sweden, as well as those of the United States, shall be permitted to navigate with their vessels in all safety and freedom, and without any regard to those to whom the merchandises and cargoes may belong, from any port whatever, and the subjects and inhabitants of the two states shall likewise be permitted to sail and trade with their vessels and with the same liberty and safety to frequent the places, ports and havens of powers, enemies to both or either of the two contracting parties, without being in any wise molested or troubled, and to carry on a commerce, not only directly from the ports of an enemy to a neutral port, but even from one port to another port of an enemy, whether it be under the jurisdiction of the same, or of different Princes. And as it is acknowledged by this treaty with respect to ships and merchandises, that free ships shall make the merchandises free, and that every thing which shall be on board of ships belonging to subjects of the one or the other of the contracting parties, shall be considered as free, even though the cargo, or a part of it should belong to the enemies of one or both; it is, nevertheless, provided, that contraband goods shall always be excepted; which being intercepted shall be proceeded against according to the spirit of the following articles. It is likewise agreed, that the same liberty be extended to persons who may be on board of a free ship, with this effect, that although they be enemies to both or either of the parties, they shall not be taken out of the free ship, unless they are soldiers in the actual service of the said enemies.

VIII. This liberty of navigation and commerce shall extend to all kinds of merchandises, except those only which are expressed in the following articles, and are distinguished by the name of contraband goods.

IX. Under the name of contraband or prohibited goods shall be comprehended, arms, guns, cannon balls, arquebuses, musquets, bombs, petards, granadoes, sauciffes, pitch, balls, carriages for ordnance, musquet-rests, bandoliers, cannon powder, matches, saltpetre, sulphur,

fulphur, bullets, pikes, fabres, swords, morions, helmets, cutlasses, halberts, javelins, pistols, holsters, bayonets, belts, horses with their harness, and all other like kinds of arms and instruments of war for the use of troops.

X. These which follow shall not be reckoned in the number of prohibited goods; that is to say, all sorts of clothes, and all other manufacturers of wool, flax silk, cotton, or any other materials, all kinds of wearing apparel, together with the things of which they are commonly made; gold, silver, coined or uncoined, brass, iron, lead, copper, latten, coals, wheat, barley, and all sorts of corn or pulse, tobacco, all kinds of spices, salted or smoaked fish, salted fish, cheese, butter, beer, oil, wines, sugar, all sorts of salt, and provisions which serve for the nourishment and subsistence of man; all kinds of cotton, hemp, flax, tar, pitch, ropes, cables, sail cloth, anchors, and any part of anchors, ship masts, planks, boards, beams, and all sorts of trees, and other things proper for building or repairing ships; nor shall any goods be considered as contraband which have not been worked into the form of any instrument or thing for the purpose of war, by land or by sea, much less such as have been prepared or wrought up for any other use. All which shall be reckoned free goods, as likewise all others which are not comprehended and particularly mentioned in the foregoing articles; so that they shall not, by any pretended interpretation, be comprehended among prohibited or contraband goods; on the contrary, they may be freely transported by the subjects of the King and the United States, even to places belonging to an enemy, such places only excepted as are besieged, blocked, or invested; and those places only shall be considered as such which are nearly surrounded by one of the belligerent powers.

XI. In order to avoid and prevent, on both sides, all disputes and discord, it is agreed, that in case one of the parties shall be engaged in a war, the ships and vessels belonging to the subjects or inhabitants of the other shall be furnished with sea letters or passports, expressing the name, property, and port of the vessel, and also the name and place of abode of the master or commander of

of the said vessel, in order that it may thereby appear, that the said vessel really and truly belongs to the subjects of the one or the other party. These passports, which shall be drawn up in good and due form, shall be renewed every time the vessel returns home in the course of the year. It is also agreed, that the said vessels, when loaded, shall also be provided not only with sea letters, but also with certificates, containing a particular account of the cargo, the place from which the vessel sailed, and that of her destination, in order that it may be known whether they carry any of the prohibited or contraband merchandises mentioned in the ninth article of the present treaty; which certificates shall be made out by the officers of the place from which the vessel shall depart.

XII. Although the vessels of the one and the other party may navigate freely, and with all safety, as is explained in the seventh article, they shall, nevertheless, be bound at all times, when required, to exhibit as well on the high seas as in port, their passports and certificates above mentioned. And, not having contraband merchandise on board for an enemy's port, they may freely, and without hindrance, pursue their voyage to the place of their destination. Nevertheless, the exhibition of the papers shall not be demanded of merchant ships under the convoy of vessels of war, but credit shall be given to the word of the officer commanding the convoy.

XIII. If, on producing the said certificates, it be discovered that the vessel carries some of the goods which are declared to be prohibited or contraband, and which are consigned to an enemy's port, it shall not, however, be lawful to break up the hatches of such ships, nor to open any chest, coffers, packs, casks, or vessels, nor to remove or displace the smallest part of the merchandises until the cargo has been landed in the presence of officers appointed for the purpose, and until an inventory thereof has been taken; nor shall it be lawful to sell, exchange, or alienate the cargo, or any part thereof, until legal process shall have been had against the prohibited merchandises, and sentence shall have passed declaring them liable to confiscation, saving, nevertheless, as well the ships themselves as the other merchandises which shall have been

been found therein, which, by virtue of this present treaty, are to be esteemed free, and which are not to be detained on pretence of their having been loaded with prohibited merchandise, and much less confiscated as lawful prize. And in case the contraband merchandise be only a part of the cargo, and the master of the vessel agrees, consents, and offers to deliver them to the vessel that has discovered them, in that case, the latter, after receiving the merchandises which are good prize, shall immediately let the vessel go, and shall not, by any means, hinder her from pursuing her voyage to the place of her destination. When a vessel is taken and brought into any of the ports of the contracting parties, if, upon examination, she be found to be loaded only with merchandise declared to be free, the owner, or he who has made the prize, shall be bound to pay all costs and damages to the master of the vessel unjustly detained.

XIV. It is likewise agreed, that whatever shall be found to be laden by the subjects of either of the two contracting parties on a ship belonging to the enemies of the other party, the whole effects, although not of the number of those declared contraband, shall be confiscated as if they belonged to the enemy, excepting, nevertheless, such goods and merchandises as were put on board before the declaration of war, and even six months after the declaration, after which term none shall be presumed to be ignorant of it, which merchandises shall not, in any manner, be subject to confiscation, but shall be faithfully and specifically delivered to the owners who shall claim or cause them to be claimed before confiscation and sale, as also their proceeds if the claim be made within eight months, and could not be made sooner after the sale, which is to be made publick: provided, nevertheless, that if the said merchandises be contraband, it shall not be, in anywise, lawful to carry them afterwards to a port belonging to the enemy.

XV. And that more effectual care may be taken for the security of the two contracting parties, that they suffer no prejudice by the men of war of the other party, or by privateers, all captains and commanders of ships of his Swedish Majesty, and of the United States, and
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all their subjects, shall be forbidden to do any injury or damage to those of the other party; and if they act to the contrary, having been found guilty on their examination by their proper judges, they shall be bound to make satisfaction for all damages, and the interest thereof, and to make them good under pain and obligation of their persons and goods.

XVI. For this cause, every individual who is desirous of fitting out a privateer shall, before he receives letters patent or special commission, be obliged to give bond, with sufficient sureties, before a competent judge, for a sufficient sum to answer all damages and wrongs which the owner of the privateer, his officers, or others in his employ may commit during the cruize, contrary to the tenor of this treaty, and contrary to the edicts published by either party, whether by the King of Sweden or by the United States, in virtue of this same treaty, and also under the penalty of having the said letters patent and special commission revoked and made void.

XVII. One of the contracting parties being at war and the other remaining neuter, if it should so happen that a merchant ship of the neutral power be taken by the enemy of the other party, and be afterwards retaken by a ship of war or privateer of the power at war, also ships and merchandise, of what nature soever they may be, when recovered from a pirate or sea rover, shall be brought into a port of one of the two powers, and shall be committed in the custody of the officers of the said port, that they may be restored entire to the true proprietor as soon as he shall have produced full proof of the property. Merchants, masters, and owners of the ships, seamen, people of all sorts, ships and vessels, and, in general, all merchandises and effects of one of the allies or their subjects, shall not be subject to embargo, nor detained in any of the countries, territories, islands, cities, towns, ports, rivers, or domains whatever of the other ally on account of any military expedition, or any publick or private purpose whatever, by seizure, by force, or by any such manner; much less shall it be lawful for the subjects of one of the parties to seize or take any thing by force from the subjects of the other party
without

without the consent of the owner. This, however, is not understood to comprehend seizures, détentions; and arrests, made by order and by the authority of justice, and according to the ordinary course for debts or faults of the subject, for which process shall be had in the way of right according to the forms of justice.

XVIII. If it should happen that the two contending parties should be engaged in a war at the same time with a common enemy, the following points shall be observed on both sides :

1. If the ships of one of the two nations retaken by the privateers of the other have not been in the power of the enemy more than twenty-four hours, they shall be restored to the original owner, on payment of one-third of the value of the ship and cargo. If, on the contrary, the vessel retaken has been more than twenty-four hours in the power of the enemy, it shall belong wholly to him who has retaken it.

2. In case, during the interval of twenty-four hours, a vessel be retaken by a man of war of either of the two parties, it shall be restored to the original owner, on payment of a thirtieth part of the value of the vessel and cargo, and a tenth part, if it has been retaken after the twenty-four hours, which sums shall be distributed as a gratification among the crew of the man of war that shall have made the recapture.

3. The prize, made in manner above mentioned, shall be restored to the owners after proof made of the property, upon giving security for the part coming to him who has recovered the vessel from the hands of the enemy.

4. The men of war and privateers of the two nations shall reciprocally be admitted with their prizes into each other's ports; but the prizes shall not be unloaded or sold there until the legality of a prize made by Swedish ships shall have been determined according to the laws and regulations established in Sweden, as also that of the prizes made by American vessels shall have been determined according to the laws and regulations established by the United States of America.

5. More-

5. Moreover, the King of Sweden and the United States of America, shall be at liberty to make such regulations as they shall judge necessary respecting the conduct which their men of war and privateers respectively shall be bound to observe with regard to vessels which they shall take and carry into the ports of the two powers.

XIX. The ships of war of his Swedish Majesty, and those of the United States, and also those which their subjects shall have armed for war, may with all freedom conduct their prizes which they shall have made from their enemies into the ports which are open in time of war to other friendly nations, and the said prizes, upon entering the said ports, shall not be subject to arrest or seizure, nor shall the officers of the places take cognizance of the validity of the said prizes, which may depart and be conducted freely, and with all liberty, to the places pointed out in their commissions, which the captains of the said vessels shall be obliged to shew.

XX. In case any vessel belonging to either of the two states, or to their subjects, shall be stranded, shipwrecked, or suffer any other damage on the coasts, or under the dominion of either of the parties, all aid and assistance shall be given to the persons shipwrecked, or who may be in danger thereof, and passports shall be granted to them to secure their return to their own country. The ships and merchandises wrecked, or their proceeds, if the effects have been sold, being claimed in a year and a day by the owners or their attorney, shall be restored, on their paying the costs of salvage, conformable to the laws and customs of the two nations.

XXI. When the subjects and inhabitants of the two parties, with their vessels, whether they be publick and equipped for war, or private employed in commerce, shall be forced by tempest, by pursuit of privateers and of enemies, or by any other urgent necessity, to retire and enter any of the rivers, bays, roads, or ports of either of the two parties, they shall be received and treated with all humanity and politeness, and they shall enjoy all friendship, protection, and assistance, and they shall be at liberty to supply themselves with refreshments, provisions, and every thing necessary for their sustenance, for
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the repair of their vessels, and for continuing their voyage; provided always, that they pay a reasonable price, and they shall not, in any manner, be detained or hindered from sailing out of the said ports or roads, but they may retire and depart when, and as they please, without any obstacle or hindrance.

XXII. In order to favour commerce on both sides as much as possible, it is agreed, that in case a war should break out between the said two nations, which God forbid, the term of nine months after the declaration of war, shall be allowed to the merchants and subjects respectively on one side and the other, in order that they may withdraw with their effects and moveables, which they shall be at liberty to carry off or to sell where they please, without the least obstacle; nor shall any seize their effects, and much less their persons, during the said nine months; but, on the contrary, passports which shall be valid for a time necessary for their return, shall be given them for their vessels and the effects which they shall be willing to carry with them. And if any thing is taken from them, or if any injury is done to them by one of the parties, their people and subjects, during the term above described, full and entire satisfaction shall be made to them on that account. The above-mentioned passports shall also serve as a safe conduct against all insults or prizes which privateers may attempt against their persons and effects.

XXIII. No subject of the King of Sweden shall take a commission or letters of marque for arming any vessel to act as a privateer against the United States of America, or any of them, or against the subjects, people, or inhabitants of the said United States, or any of them, or against the property of the inhabitants of the said states, from any Prince or state whatever, with whom the said United States shall be at war. Nor shall any citizen, subject, or inhabitant of the said United States, or any of them, apply for, or take any commission or letters of marque for arming any vessel to cruize against the subjects of his Swedish Majesty, or any of them, or their property, from any Prince or state whatever, with whom his said Majesty shall be at war. And if any person of
either

either nation shall take such commission or letters of marque, he shall be punished as a pirate.

XXIV. The vessels of the subjects of either of the parties coming upon any of the coasts belonging to the other, but not willing to enter into port, or being entered into port, and not willing to unload their cargoes, or to break bulk, shall not be obliged to do it, but, on the contrary, shall enjoy all the franchises and exemptions which are granted by the rules subsisting with respect to that object.

XXV. When a vessel belonging to the subjects and inhabitants of either of the parties, sailing on the high sea, shall be met by a ship of war or privateer of the other, the said ship of war and privateer, to avoid all disorder, shall remain out of cannon shot, but may always send their boat to the merchant ship, and cause two or three men to go on board of her, to whom the master or commander of the said vessel shall exhibit his passport, stating the property of the vessel, and when the said vessel shall have exhibited her passport, she shall be at liberty to continue her voyage, and it shall not be lawful to molest or search her in any manner, or to give her chase or force her to quit her intended course.

XXVI. The two contracting parties grant mutually the liberty of having each in the ports of the other, consuls, vice consuls, agents, and commissaries, whose functions shall be regulated by a particular agreement.

XXVII. The present treaty shall be ratified on both sides, and the ratifications shall be exchanged in the space of eight months, or sooner if possible, counting from the day of the signature.

In faith whereof, the respective Plenipotentiaries have signed the above articles, and have thereunto affixed their seals.

Done at Paris, the 3d day of April, in the year of our Lord 1783.

(Signed)

(L. S.) GUSTAV. PHILIP Comte de CREUTZ.

(L. S.) B. FRANKLIN.

Separate Article.

THE King of Sweden, and the United States of North America, agree, that the present treaty shall have its full effect for the space of fifteen years, counting from the day of the ratification, and the two contracting parties reserve to themselves the liberty of renewing it at the end of that term.

Done at Paris, the 3d day of April, in the year of our Lord 1783.

(Signed)

(L. S.) GUSTAV. PHILIP Comte de CREUTZ.

(L. S.) B. FRANKLIN.

Separate Articles.

Article I. His Swedish Majesty shall use all the means in his power to protect and defend the vessels and effects belonging to citizens or inhabitants of the United States of North America, and every one of them which shall be in the ports, havens, roads, or in the seas near the countries, islands, cities, and towns of his said Majesty, and shall use his utmost endeavours to recover and restore to the right owner all such vessels and effects which shall be taken from them within his jurisdiction.

II. In like manner, the United States of North America shall protect and defend the vessels and effects belonging to the subjects of his Swedish Majesty which shall be in the ports, havens, or roads, or on the seas near to the countries, islands, cities, and towns of the said states, and shall use their utmost efforts to recover and restore to the right owners all such vessels and effects which shall be taken from them within their jurisdiction.

III. If, in any future war at sea, the contracting powers resolve to remain neuter, and as such, to observe the strictest neutrality, then it is agreed, that if the merchant ships of either party should happen to be in a part of the sea where the ships of war of the said nation are not stationed, or if they are met on the high sea, without being able to have recourse to their own convoys, in that case,
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the commander of the ships of war of the other party, if required, shall, in good faith and sincerity, give them all necessary assistance, and, in such case, the ships of war and frigates of either of the powers shall protect and support the merchant ships of the other, provided, nevertheless, that the ships claiming assistance are not engaged in any illicit commerce contrary to the principles of the neutrality.

IV. It is agreed and concluded, that all merchants, captains of merchant ships, or other subjects of his Swedish Majesty, shall have full liberty, in all places under the dominion or jurisdiction of the United States of America, to manage their own affairs, and to employ in the management of them whomsoever they please; and they shall not be obliged to make use of any interpreter or broker, nor to pay them any reward unless they make use of them. Moreover, the masters of the ships shall not be obliged, in loading or unloading their vessels, to employ labourers appointed by publick authority for that purpose; but they shall be at full liberty themselves to load or unload their vessels, or employ in loading or unloading them whomsoever they think proper, without paying reward under the title of salary to any other person whatever; and they shall not be obliged to turn over any kind of merchandises to other vessels, nor to receive them on board their own, nor to wait for their lading longer than they please, and all and every of the citizens, people, and inhabitants of the United States of America, shall reciprocally have and enjoy the same privileges and liberties in all places under the jurisdiction of the said realm.

V. It is agreed, that when merchandises shall have been put on board the ships or vessels of either of the contracting parties, they shall not be subjected to any examination; but all examination and search must be before lading, and the prohibited merchandises must be stopped on the spot before they are embarked, unless there is full evidence or proof of fraudulent practice on the part of the owner of the ship, or of him who has the command of her. In which case, only he shall be responsible and subject to the laws of the country in which he may be.

In all other cases, neither the subjects of either of the contracting parties, who shall be with their vessels in the ports of the other, nor their merchandises, shall be seized or molested on account of contraband goods which they shall have wanted to take on board, nor shall any kind of embargo be laid on their ships, subjects, or citizens of the state, whose merchandises are declared contraband, or the exportation of which is forbidden, those only who shall have sold, or intended to sell or alienate such merchandises, being liable to punishment for such contravention.

Done at Paris, the 3d day of April, in the year of our Lord 1783.

(Signed)

(L. S.) GUSTAV. PHILIP Comte de CREUTZ.
(E. S.) B. FRANKLIN.

NOW, therefore, to the end, that the said treaty may, with all good faith, be performed and observed on the part of these states, all the citizens and inhabitants thereof, and more especially all officers and others in the service of the United States, are hereby enjoined and required to govern themselves strictly in all things according to the stipulations above recited.

Done in Congress at Princeton, this 25th day of September, in the year of our Lord 1783, and of our Sovereignty and Independence the 8th.

ELIAS BOUDINOT, President.
CHARLES THOMSON, Secretary.

EDICT

EDICT of the EMPRESS of RUSSIA :

Giving Leave to all Foreigners, of what Nation or Country soever, to carry on a free and unlimited Trade, both by Sea and Land, with the several Countries bordering upon the Euxine, which have lately been annexed to the Russian Dominion; and allotting specially to such foreign Nations the Ports of Cherson in the Government of Catherineflaw, Sebastopolis (formerly called Acht-air) and Theodosia (formerly called Caffa) both in the Province of Taurica, where they may reside and carry on their Traffic with the same Immunities and Privileges, religious and civil, as are allowed at Petersburg and Archangel.

WE Catherine the Second, by the grace of God, Empress and Autocratice of all the Russias, of Muscovy, Kiovia Wolodomiria, Novogorod, Czarina of Cazan, Czarina of Astrachan, Czarina of Siberia, Czarina of the Chersonesus Taurica, Lady of Pickof, and Great Duchess of Smolensko, Duchess of Estonia, Livonia, Carelia, Twer, Ingorie, Permio, Vitatkia, Bulgaria, and other places; Lady and Great Duchess of the country of Lower Novogorod, Chernigof, Razan, Poloszk, Rostof, Jaroslof, Beloserfk, Udersk, Obdorsk, Coudinsk, Wityrpsk, Mftislawfk, and Sovereign of all the northern coasts, Lady of the Twersky country, of the Carthalianian and Grauzinian Czars, of the country of Carbadiania; of the Princes of Circassia, and those of the mountains, and of the other countries, heirs Lady, and Sovereign Ruler.

Our endeavours to increase the trade of our own subjects, and of the other nations throughout the Black Sea, and the Mediterranean, have met with the wished-for success; the treaty of commerce which we concluded with the Ottoman Porte on the 10th of June, 1783, having finally removed those impediments and difficulties which, from the particular constitution of the Turkish Government, had obstructed the said trade in every step of its progress; which can only be guarded against by the institution of proper laws for the protection of commerce,

merce, and by granting it that entire freedom which its various speculations and turns so indispensably require. The principles of this unlimited freedom we have adopted, and followed from the earliest period of our Government, as is manifest from the several edicts and regulations which have been issued from our Throne; and we now extend these edicts and regulations in their utmost latitude to the trade of the Black Sea. The security and convenience of that commerce are now fully provided for by the annexation of the province of Taurica, and the neighbouring territories, to our other dominions, we have opened therein divers sea ports for the use of all persons who will carry away from thence the produce of Russia, and bring thither the produce and manufactures of other countries.

It is well known, that the last Turkish war (a war which, during the six years that it lasted, was signalized by so many victories of our arms) was no sooner concluded than we erected within the Government of Catherine's law, upon the River Dniپر, and at a short distance, the city of Cherson: it having appeared to us, that that situation was particularly commodious, as well for exporting the produce of Russia as for importing, from other countries, such things as might be useful to us; and we secured the trade thereof by the most effectual means of defence, encouraging it moreover by such helps as were best suited to it, and were not inconsistent with the general principles of commerce.

This town, as also Sebastopolis (formerly called Achtair) and Theodosia (formerly called Caffa) both which latter are situated in the province of Taurica, and are provided with excellent sea ports: we have, on account of the commodiousness of their situation, ordered to be opened to all nations, living in amity with our empire, for the purposes of their commercial intercourse with our faithful subjects. Accordingly, we most solemnly declare, by these presents, that all such nations are at liberty to come to the said ports, either in their own or hired vessels, and under their own colours, as also to repair thither by land; and they are likewise free to depart from thence at their pleasure, paying the duties of impor-

importation and exportation agreeable to the tariffs established in the respective custom houses. — Moreover, all persons, of what nations and countries soever, may remain in these towns as long as their business or inclinations may lead them, and enjoy the free exercise of their religion, agreeably to those laudable institutions which have been handed down to us from our ancestors, Sovereigns of Russia, and which we ourselves have confirmed and augmented, permitting all strangers residing in Russia to worship the Almighty agreeably to the religion of their forefathers, offering prayers to him, together with our own subjects, that he will increase the welfare and strengthen the power of our empire. We give leave to all and every one to carry on their trade with absolute freedom, either singly or in companies, promising by our Imperial word, that all foreigners shall enjoy the same privileges in those three towns as they enjoy in our Imperial City of St. Petersburg, and in our provincial Town of Archangel; and in case of a war, every one shall be secured by the principles of that neutral system which we have erected, and which, on our part, shall be kept sacred and inviolable. Finally, if any foreigners shall wish to settle in these or any other towns or places of our empire, and to become our subjects, we will receive them most graciously under our dominion, promising that they shall not only be allowed the free exercise of their religion (as mentioned above) but the full enjoyment of all such privileges and exemptions with regard to trade and navigation as have been granted to our other subjects; as also to erect fabricks and manufactories, paying only such taxes as shall be paid by our other subjects on the same condition with themselves. All persons, who shall thus become our subjects, shall be at liberty, they and their descendants, to remain under our Government as long as may be agreeable to them, or as their interest may require; and in case they should afterwards chuse to withdraw from the same, they shall be freely permitted so to do, on paying the taxes that had been laid upon them for three years to come. The particular privileges which will be granted to the above-

mentioned towns will be set forth in their respective charters, which are speedily to be published.

Given at St. Petersburg, the 22d of February, 1784, and in the 22d year of our Reign.

The original signed with her Imperial Majesty's own Hand.

The definitive Treaty of Peace and Friendship between his Britannick Majesty and the Most Christian King, signed at Versailles, the 3d of September, 1783.

Au Nom de la Très Sainte et Indivisible Trinité, Père, Fils, et Saint Esprit. Ainsi soit-il.

SOIT notoire à tous ceux qu'il appartiendra, ou peut appartenir, en manière quelconque. Le Sérénissime et Très Puissant Prince George Trois, par la Grace de Dieu, Roi de la Grande Bretagne, de France et d'Irlande, Duc de Brunsvic et de Lunebourg, Arch-Trésorier et Electeur du Saint Empire Romain, &c. et le Sérénissime et très Puissant Prince Louis Seize, par la Grace de Dieu, Roi Très Chrétien, desirant également de faire cesser la guerre, qui affligeoit depuis plusieurs années leurs etats respectifs, avoient agréé l'offre que leurs Majestés l'Empereur des Romains, et l'Impératrice de Toutes les Russies, leur avoient faite de leur Entremise, et de leur médiation : Mais leurs Majestés Britanique et très Chrétienne, animées d'un desir mutuel d'accélérer le Rétablissement de la Paix, se sont communiqué leur louable intention ; et le ciel l'a tellement benie, qu'elles sont parvenues à poser les fondemens de la paix, en signant des articles Préliminaires à Versailles, le Vingt Janvier de la présente année. Leurs dites Majestés le Roi de la Grande Bretagne, et le Roi très Chrétien, se faisant un devoir de donner à leurs Majestés Impériales une marque éclatante de leur reconnoissance, de l'offre généreuse de leur médiation, les ont invitées, de concert, à concourir à la conformation du grand et salutaire ouvrage de la paix, en prenant part, comme médiateurs,

au traité définitif à conclurre entre leurs Majestés Britannique et très Chrétienne. Leurs dites Majestés Impériale, ayant bien voulu agréer cette invitation, elles ont nommé pour les représenter ; sçavoir, sa Majesté l'Empereur des Romains, le très Illustre et très Excellent Seigneur Florimond Comte de Mercy-Argenteau, Vicomte de Loo, Baron de Crichegnée, Chevalier de la Toison d'Or, Chambellan, Conseiller d'état intime actuel de sa Majesté Impériale et Royale Apostolique, et son Ambassadeur auprès de sa Majesté très Chrétienne ; et sa Majesté l'Impératrice de toutes les Russies, le très Illustre et très Excellent Seigneur Prince Iwan Bariatinskoy, Lieutenant Général des armées de sa Majesté Impériale de toutes les Russies, Chevalier des Ordres de Ste. Anne, et de l'Epee de Suède, et son Ministre Plénipotentiaire près sa Majesté très Chrétienne, et le Seigneur Arcadi de Marcoff, Conseiller d'état de sa Majesté Impériale de toutes les Russies, et son Ministre Plénipotentiaire près sa Majesté très Chrétienne. En conséquence, leurs dites Majestés le Roi de la Grande Bretagne, et le Roi très Chrétien, ont nommé et constitué pour leurs Plénipotentiaires chargés de conclurre et signer le traité de paix définitif ; sçavoir, le Roi de la Grande Bretagne, le très Illustre et très Excellent Seigneur George Duc et Comte de Manchester, Vicomte de Mandeville, Baron de Kimbolton, Lord Lieutenant et Custos Rotulorum de la Comté de Huntingdon, Conseiller Privé actuel de sa Majesté Britannique, et son Ambassadeur Extraordinaire et Plénipotentiaire près sa Majesté très Chrétienne ; et le Roi très Chrétien, le très Illustre et très Excellent Seigneur Charles Gravier, Comte de Vergennes, Baron de Welferding, &c. Counseiller du Roi dans tous ses Conseils, Commandeur de ses Ordres, Chef du Conseil Royal des Finances, Conseiller d'Etat d'Epée, Ministre et Secrétaire d'Etat, et de ses Commandemens et Finances : Lesquels, après avoir échangé leurs pleins pouvoirs respectifs, sont convenus des articles suivans :

Article I. Il y aura une paix Chrétienne, universelle et perpetuelle, tant par mer que par terre, et une amitié sincère et constante sera rétablie, entre leurs Majestés Britannique et très Chrétienne, et entre leurs héritiers et successeurs,

cesseurs, royaumes, états, provinces, pays, sujets, et vassaux, de quelque qualité et condition qu'ils soient, sans exception de lieux ni de personnes; en sorte que les hautes parties contractantes apporteront la plus grande attention à maintenir entre elles, et leurs dits états et sujets, cette amitié et correspondance réciproque, sans permettre dorénavant que, de part ni d'autre, on commette aucunes fortes d'hostilités, par mer ou par terre, pour quelque cause ou sous quelque prétexte que ce puisse être : Et on évitera soigneusement tout ce qui pourroit altérer, à l'avenir, l'union heureusement rétablie, s'attachant au contraire à se procurer réciproquement, en toute occasion, tout ce qui pourroit contribuer à leur gloire, intérêts, et avantages mutuels, sans donner aucun secours ou protection, directement ou indirectement, à ceux qui voudroient porter quelque préjudice à l'une ou à l'autre des dites hautes parties contractantes. Il y aura un oubli et amnistie générale de tout ce qui a pu être fait ou commis, avant ou depuis le commencement de la guerre qui vient de finir.

II. Les traités de Westphalie de 1648 ; les traités de paix de Nimégue de 1678 et 1679 ; de Ryfwich de 1697 ; ceux de paix et de commerce d'Utrecht de 1713 ; celui de Bade de 1714 ; celui de la triple alliance de la Haye de 1717 ; celui de la quadruple alliance de Londres de 1718 ; le traité de paix de Vienne de 1738 ; le traité définitif d'Aix-la-Chapelle de 1748 ; et celui de Paris de 1763, servent de base et de fondement à la paix, et au présent traité ; et pour cet effet, ils sont tous renouvelés et confirmés dans la meilleure forme, ainsi que tous les traités en général qui subsistoient entre les hautes parties contractantes avant la guerre, et comme s'ils étoient inférés ici, mot à mot, en sorte qu'ils devront être observés exactement à l'avenir, dans toute leur teneur, et religieusement exécutés, de part et d'autre, dans tous les points auxquels il n'est pas dérogé par le présent traité de paix.

III. Tous les prisonniers faits de part et d'autre, tant par terre que par mer, et les otages, enlevés ou donnés, pendant la guerre, et jusqu'à ce jour, seront restitués, sans rançon, dans six semaines, au plus tard, à compter du jour de l'échange de la ratification du présent traité ; chaque couronne

couronne foldant respectivement les avances qui auront été faites, ou la subsistance et l'entretien de ses prisonniers, par le souverain du pays où ils auront été détenus, conformément aux reçus et états constatés, et autres titres authentiques, qui seront fournis de part et d'autre : Et il sera donné réciproquement des sûretés pour le payement des dettes que les prisonniers auroient pu contracter, dans les états où il auroient été détenus, jusqu'à leur entière liberté. Et tous les vaisseaux, tant de guerre que marchands, qui auroient été pris depuis l'expiration des termes convenus pour la cessation des hostilités par mer, seront pareillement rendus de bonne foi, avec tous leurs équipages et cargaisons. Et on procédera à l'exécution de cet article immédiatement après l'échange des ratifications de ce traité.

IV. Sa Majesté le Roi de la Grande Bretagne est maintenue dans la propriété de l'isle de Terre-neuve, et des isles adjacentes, ainsi que le tout lui a été assuré par l'article treize du traité d'Utrecht, à l'exception des isles de St. Pierre et Miquelon, lesquelles sont cédées en toute propriété, par le présent traité, à sa Majesté très Chrétienne.

V. Sa Majesté le Roi très Chrétien, pour prévenir les querelles qui ont eu lieu jusqu'à présent entre les deux nations Angloise et Françoisise, consentent à renoncer au droit de Pêche, qui lui appartient en vertu de l'article treize sus-mentionné du traité d'Utrecht, depuis le cap Bonavista jusqu'au Cap St. Jean, situé sur la côte orientale de Terre-neuve, par les cinquante degrés de latitude septentrionale ; et sa Majesté le Roi de la Grande Bretagne consent, de son côté, que la pêche assignée aux sujets de sa Majesté très Chrétienne, commençant au dit cap St. Jean, passant par le nord, et descendant par la côte occidentale de l'isle de Terre-neuve, s'étende jusqu'à l'endroit appelé cap Raye, situé au quarante-septième degré, cinquante minutes de latitude. Les pêcheurs François jouiront de la pêche qui leur est assignée par le présent article, comme ils ont eu droit de jouir de celle qui leur est assignée par le traité d'Utrecht.

VI. A l'égard de la pêche dans le Golfe de St. Laurent, les François continueront à l'exercer conformément à l'article cinq du traité de Paris.

VII. Le

VII. Le Roi de la Grande Bretagne restitue à la France l'isle de Ste. Lucie, dans l'état où elle s'est trouvée lorsque les armées Britanniques en ont fait la conquête : Et sa Majesté Britannique cède et garantit à sa Majesté très Chrétienne l'isle de Tobago. Les habitants Protestants de la dite isle, ainsi que ceux de la même religion qui se feront établis à Ste. Lucie, pendant que cette isle étoit occupée par les armes Britanniques, ne seront point troublés dans l'exercice de leur culte : Et les habitans Britanniques, ou autres qui auroient été sujets du Roi de la Grande Bretagne dans les susdites isles, conserveront leurs propriétés, aux mêmes titres et conditions auxquelles ils les ont acquises ; ou bien ils pourront se retirer, en toute sûreté et liberté où bon leur semblera, et auront la faculté de vendre leurs biens pourvu que ce soit à des sujets de sa Majesté très Chrétienne, et de transporter leurs effets, ainsi que leurs personnes, sans être gênés dans leur émigration, sous quelque prétexte que ce puisse être, hors celui de dettes, ou de procès criminels. Le terme limité pour cette émigration est fixé à l'espace de dix-huit mois, à compter du jour de l'échange des ratifications du présent traité. Et pour d'autant mieux assurer les propriétés des habitants de la susdite isle de Tobago, le Roi très Chrétien donnera des lettres patentes, portant abolition du Droit d'Aubaine dans la dite isle.

VIII. Le Roi très Chrétien restitue à la Grande Bretagne les isles de la Grenade, et les Grenadins, St. Vincent, la Dominique, St. Christophe, Nevis, et Montserrat ; et les places de ces isles seront rendues dans l'état où elles étoient lorsque la conquête en a été faite. Les mêmes stipulations insérées dans l'article précédent auront lieu en faveur des sujets François à l'égard des isles dénommées dans le présent article.

IX. Le Roi de la Grande Bretagne cède en toute propriété, et garantit à sa Majesté très Chrétienne, la riviere de Sénégal, et ses dépendances, avec les forts de St. Louis, Podor, Galam, Arguin, et Portendic ; et sa Majesté Britannique restitue à la France l'isle de Gorée, laquelle sera rendué dans l'état où elle se trouvoit, lorsque la conquête en a été faite,

X. Le

X. Le Roi très Chrétien garantit, de son côté, au Roi de la Grande Bretagne, la possession du fort James, et de la rivière de Gambie.

XI. Pour prévenir toute discussion dans cette partie du monde, les deux hautes parties contractantes nommeront, dans trois mois après l'échange des ratifications du présent traité, des Commissaires, lesquels seront chargés de déterminer et fixer les bornes des possessions respectives. Quand à la traite de la gomme, les Anglois auront la liberté de la faire, depuis l'embouchure de la rivière de St. Jean, jusqu'à la baie et fort de Portendic inclusivement. Bien entendu qu'ils ne pourront faire, dans la dite rivière St. Jean, sur la côte, ainsi que dans la baie de Portendic, aucun établissement permanent, de quelque nature qu'il puisse être.

XII. Pour ce qui est du reste des côtes d'Afrique, les sujets Anglois et François continueront à les fréquenter selon l'usage qui a eu lieu jusqu'à présent.

XIII. Le Roi de la Grande Bretagne restitue à sa Majesté très Chrétienne tous les établissemens qui lui appartinrent au commencement de la guerre présente, sur la côte d'Oriza, et dans le Bengale, avec la liberté d'entourer Chandeneagore d'un fossé pour l'écoulement des eaux : Et sa Majesté Britannique s'engage à prendre les mesures qui seront en son pouvoir, pour assurer aux sujets de la France, dans cette partie de l'Inde, comme sur les côtes d'Oriza, de Coromandel, et de Malabar, un commerce sûr, libre et indépendant, tel que le faisoit la compagnie Françoisé des Indes Orientales, soit qu'ils le fassent individuellement, ou en corps de compagnie.

XIV. Pondichery sera également rendu et garanti à la France, de même que Karikal : Et sa Majesté Britannique procurera, pour servir d'Arrondissement à Pondichery, les deux districts de Valanour, et de Bahour ; et à Karikal, les quatre magans qui l'avoisinent.

XV. La France rentrera en possession de Mahé, ainsi que de son comptoir à Suratte ; et les François feront le commerce, dans cette partie de l'Inde, conformément aux principes établis dans l'article treize de ce traité.

XVI. Les ordres ayant été envoyés dans l'Inde par les hautes parties contractantes, en conformité de l'article
seize

seize des préliminaires, il est convenu de nouveau, que si, dans le terme de quatre mois, les alliés respectifs de leurs Majestés Britannique et très Chrétienne n'ont pas accédé à la présente pacification, ou fait leur accommodement séparé, leurs dites Majestés ne leur donneront aucune assistance, directe ou indirecte, contre les possessions Britanniques ou Françaises, ou contre les anciennes possessions de leurs alliés respectifs, telles qu'elles se trouvoient en l'année 1776.

XVII. Le Roi de la Grande Bretagne voulant donner à sa Majesté très Chrétienne une preuve sincère de réconciliation et d'amitié, et contribuer à rendre solide la paix rétablie entre leurs dites Majestés, consent à l'abrogation et suppression de tous les articles relatifs à Dunkerque, à compter du traité de paix conclu à Utrecht en 1713, inclusivement, jusqu'à ce jour.

XVIII. Aussitôt après l'échange des ratifications, les deux hautes parties contractantes nommeront des commissaires pour travailler à de nouveaux arrangemens de commerce entre les deux nations, sur le fondement de la réciprocité et de la convenance mutuelles ; lesquels arrangemens devront être terminés et conclus dans l'espace de deux ans, à compter du premier Janvier de l'année 1784.

XIX. Tous les pays et territoires qui pourroient avoir été conquis, ou qui pourroient l'être, dans quelque partie du monde que se soit, par les armes de sa Majesté Britannique, ainsi que par celles de sa Majesté très Chrétienne, qui ne sont pas compris dans le présent traité, ni à titre de cessions, ni à titre de restitutions, seront rendus sans difficulté, et sans exiger de compensation.

XX. Comme il est nécessaire d'assigner une époque fixe pour les restitutions et évacuations à faire par chacune des hautes parties contractantes, il est convenu que le Roi de la Grande Bretagne fera évacuer les isles de St. Pierre et Miquelon, trois mois après la ratification du présent traité, ou plutôt, si faire se peut ; Ste. Lucie aux Antilles, et Gorée en Afrique, trois mois après la ratification du présent traité, ou plutôt, si faire se peut. Le Roi de la Grande Bretagne rentrera également en possession, au bout de trois mois après la ratification du présent traité,

traité, ou plutôt, si faire se peut, des isles de la Grenade, les Grenadins, St. Vincent, la Dominique, St. Christophe, Nevis, et Montserrat. La France sera mise en possession des villes et comptoirs qui lui sont restitués aux Indes Orientales, et des territoires qui lui sont procurés pour servir d'arrondissement à Pondichery, et à Karikal, six mois après la ratification du présent traité, ou plutôt si faire se peut. La France remettra, au bout du même terme de six mois, les villes et territoires dont les armes se seroient emparés sur les Anglois, ou sur leurs alliés, dans les ordres nécessaires seront envoyés par chacune des hautes parties contractantes, avec les passeports réciproques pour les vaisseaux qui les porteront, immédiatement après la ratification du présent traité.

XXI. La décision des prises et des saisies, faites antérieurement aux hostilités, sera remise aux Cours de Justice respectives ; de sorte que la validité des dites prises et saisies sera décidée selon le droit des gens, et les traités, dans les Cours de Justice de la nation qui aura fait la capture, ou ordonné les saisies.

XXII. Pour empêcher le renouvellement des procès qui ont été terminés dans les isles conquises par l'une et l'autre des hautes parties contractantes, il est convenu que les jugemens rendus en dernier ressort, et qui ont acquis force de choses jugées suivant leur forme et teneur.

XXIII. Leurs Majestés Britannique et très Chrétienne promettent d'observer sincèrement, et de bonne foi, tous les articles contenus et établis dans le présent traité ; et elles ne souffriront pas qu'il y soit fait de contravention directe, ou indirecte, par leurs sujets respectifs : Et les susdites hautes parties contractantes se garantissent généralement et réciproquement toutes les stipulations du présent traité.

XXIV. Les ratifications solennelles du présent traité, expédiées en bonne et due forme, seront échangées en cette ville de Versailles, entre les hautes parties contractantes, dans l'espace d'un mois, ou plutôt, s'il est possible, à compter du jour de la signature du présent traité.

En foi de quoi, nous soussignés, Ambassadeurs Extraordinaires, et Ministres Plénipotentiaires, avons signé de
notre

notre main, en leur nom, et en vertu de nos pleins pouvoirs respectifs, le présent traité définitif, et y avons fait apposer les cachets de nos armes.

Fait à Versailles, le trois Septembre, mil sept cent quatre vingt trois.

(L. S.) MANCHESTER.

Articles Séparés.

I. **Q**UELQUES uns des Titres employés par les puissances contractantes, soit dans les pleins pouvoirs et autres actes, pendant le cours de la négociation, soit dans le préambule du présent traité, n'étant pas généralement reconnus, il a été convenu, qu'il ne pourroit jamais en resulter aucun préjudice pour l'une ni l'autre des dites parties contractantes; et que les titres pris ou omis, de part et d'autre, à l'occasion de la dite négociation, et du présent traité, ne pourront être cités, ni tirer à conséquence.

II. Il a été convenu et arrêté, que la langue Françoisé, employée dans tous les exemplaires du présent traité, ne formera point un exemple qui puisse être allégué, ni tirer à conséquence, ni porter préjudice, en aucune manière, à l'une ni à l'autre des puissances contractantes; et que l'on se conformera à l'avenir à ce qui a été observé, et doit être observé, à l'égard et de la part des puissances, qui sont en usage et en possession de donner et de recevoir des exemplaires de semblables traités, en une autre langue que la Françoisé; le présent traité ne laissant pas d'avoir la même force et vertu, que si le susdit usage y avoit été observé.

En foi de quoi, nous soussignés Ambassadeurs Extraordinaires, et Ministres Plénipotentiaires, de leurs Majestés Britannique et très Chrétienne, avons signé les présent articles séparés, et y avons fait apposer les cachets de nos armes.

Fait a Versailles, le trois Septembre, mil sept cent quatre vingt trois.

(L. S.) MANCHESTER.

DECLA-

D É C L A R A T I O N.

LE Roi étant entièrement d'accord avec sa Majesté très Chrétienne sur les articles du traité définitif, cherchera tous les moyens qui pourront non seulement en assurer l'exécution, avec la bonne foi et la ponctualité qui lui sont connues, mais de plus donnera, de son côté, toute l'efficacité possible aux principes qui empêcheront jusqu'au moindre germe de dispute à l'avenir.

A cette fin, et pour que les pêcheurs des deux nations ne fassent point naître des querelles journalières, sa Majesté Britannique prendra les mesures les plus positives pour prévenir que ses sujets ne troublent, en aucune manière, par leur concurrence, la pêche des François, pendant l'exercice temporaire qui leur est accordé, sur les côtes de l'isle de Terre-neuve ; et elle fera retirer, à cet effet, les établissemens sédentaires qui y feront formés. Sa Majesté Britannique donnera des ordres pour que les pêcheurs François ne soient pas gênés dans la coupe de bois nécessaire pour la réparation de leurs échaffaudages, cabanes, et bâtimens de pêche.

L'article treize du traité d'Utrecht, et la méthode de faire la pêche qui a été de tout tems reconnue, fera le modèle sur lequel la pêche s'y fera : On n'y contreviendra pas, ni d'une part ni de l'autre ; les pêcheurs François ne bâtissant rien que leurs échaffaudages, se bornant à réparer leurs bâtimens de pêche, et n'y hivernant point ; les sujets de sa Majesté Britannique, de leur part, ne molestent aucunement les pêcheurs François durant leurs pêches, ni ne dérangent leurs échaffaudages durant leur absence.

Le Roi de la Grande Bretagne, en cédant les isles de St. Pierre et de Miquelon à la France, les regarde comme cédées afin de servir réellement d'abri aux pêcheurs François, et dans la confiance entière que ces possessions ne deviendront point un objet de jalousie entre les deux nations ; et que la pêche entre les dites isles, et celle de Terre-neuve, sera bornée à Mi-Canal.

A l'égard des Indes, la Grande Bretagne ayant accordé à la France tout ce qui peut constater et confirmer le

commerce que celle-ci demande d'y faire, sa Majesté se repose avec confiance sur les assurances répétées de la Cour de Versailles, que la faculté d'entourer Chandernagore d'un fossé, pour l'écoulement des eaux, ne fera point exercée de manière à le faire devenir un objet d'ombrage.

L'état nouveau, où le commerce pourra peut-être se trouver dans toutes les parties du monde, demandera des révisions et des explications des traités subsistans; mais une abrogation entière de ces traités, dans quelque tems que ce fût, jetteroit dans le commerce une confusion qui lui seroit infiniment nuisible.

Dans des traités de cette espèce, il y a non seulement des articles qui sont purement relatifs au commerce, mais beaucoup d'autres qui assurent réciproquement aux sujets respectifs des privilèges, des facilités pour la conduite de leurs affaires, des protections personnelles, et d'autres avantages, qui ne sont ni ne doivent être d'une nature à changer, comme les détails qui ont purement rapport à la valeur des effets, et des marchandises, variables par des circonstances de toute espèce.

Par conséquent, lorsqu'on travaillera sur l'état du commerce entre les deux nations, il conviendra de s'entendre, que les changemens, qui pourront se faire dans les traités subsistans, ne porteront que sur des arrangemens purement de commerce, et que les privilèges, et les avantages mutuels et particuliers, soient, de part et d'autre, non seulement conservés, mais mêmes augmentés, si faire se pouvoit.

Dans cette vue, sa Majesté s'est prêtée à la nomination, de part et d'autre, des commissaires, qui travailleront uniquement sur cet objet.

En foi de quoi, nous Ambassadeur Extraordinaire et Ministre Plénipotentiaire de sa Majesté Britannique, à ce dûment autorisé, avons signé la présente déclaration, et à icelle fait opposer le cachet de nos armes.

Donné à Versailles, le trois Septembre, mil sept cent quatre vingt trois.

Counter

Counter - Déclaration.

LES principes qui ont dirigé le Roi, dans tout le cours des négociations qui ont précédé le rétablissement de la paix, ont du convaincre le Roi de la Grande Bretagne, que sa Majesté n'a eu d'autre but que de la rendre solide et durable; en prévenant, autant qu'il est possible, dans les quatre parties du monde, tout sujet de discussion et de querelle. Le Roi de la Grande Bretagne met indubitablement trop de confiance dans la droiture des intentions de sa Majesté, pour ne point se reposer sur l'attention constante qu'elle aura d'empêcher que les îles St. Pierre et Miquelon ne deviennent un objet de jalousie entre les deux nations.

Quand à la pêche sur les côtes de Terre-neuve, qui a été l'objet des nouveaux arrangements dont les deux souverains sont convenus sur cette matière, elle est suffisamment exprimée par l'article cinq du traité de paix signé ce jourd'hui, et par la déclaration remise également aujourd'hui par l'Ambassadeur Extraordinaire et Plénipotentiaire de sa Majesté Britannique; et sa Majesté déclare qu'elle est pleinement satisfaite à cet égard.

Pour ce qui est de la pêche entre l'île de Terre-neuve et celles de St. Pierre et Miquelon, elle ne pourra se faire, de part et d'autre, que jusqu'à mi-canal; et sa Majesté donnera les ordres les plus précis, pour que les pêcheurs François n'outre-passent point cette ligne. Sa Majesté est dans la ferme confiance que le Roi de la Grande Bretagne donnera de pareils ordres aux pêcheurs Anglois.

Le desir du Roi de maintenir la paix comprend l'Inde, aussi bien que les autres parties du monde; ainsi sa Majesté Britannique peut être assurée, que sa Majesté ne permettra jamais qu'un objet aussi inoffensif, et aussi innocent, que le fossé, dont il s'agit d'entourer Chandernagore, puisse donner de l'ombrage à la cour de Londres.

Le Roi, en proposant de nouveaux arrangements de commerce, n'a eu d'autre but que de rectifier, d'après les règles de la réciprocité, et d'après la convenance mutuelle, ce que le traité de commerce, signé à Utrecht en

mil sept cent treize, peut renfermer de défectueux : Le Roi de la Grande Bretagne peut juger par-là, que l'intention de sa Majesté n'est aucunement de détruire toutes les stipulations renfermées dans le susdit traité ; elle déclare, au contraire, dès-à-présent, qu'elle est disposée à maintenir tous les privilèges, facilités et avantages énoncés dans ce même traité, en tant qu'ils seront réciproques, ou qu'ils seront remplacés par des avantages équivalents. C'est pour parvenir à ce but désiré, de part d'autre, que des commissaires seront nommés pour travailler sur l'état du commerce entre les deux nations, et qu'il sera accordé une espace de tems considérable pour achever leur travail. Sa Majesté se flatte que cet objet sera suivi avec la même bonne foi, et avec le même esprit de conciliation, qui ont présidé à la rédaction de tous les autres points renfermés dans le traité définitif ; et sa dite Majesté est dans la ferme confiance, que les commissaires respectifs apporteront la plus grande célérité à la confection de cet important ouvrage.

En foi de quoi, nous Ministre Plénipotentiaire soussigné de sa Majesté Très Chrétienne, à ce dûment autorisé, avons signé la présente contre-déclaration, et à icelle fait apposer le cachet de nos armes.

Donné à Versailles, le troisième Septembre, mil sept cent quatre vingt trois.

(L. S.) GRAVIER DE VERGENNES.

NOUS, Ambassadeur Plénipotentiaire de sa Majesté Impériale et Royale Apostolique, ayant servi de Médiateur à l'ouvrage de la pacification, déclarons que le traité de paix signé aujourd'hui à Versailles, entre sa Majesté Britannique et sa Majesté Très Chrétienne, avec les deux articles séparés y annexés, et qui en font partie, de même qu'avec toutes les clauses, conditions, et stipulations, qui y sont continues, a été conclu par la médiation de sa Majesté Impériale et Royale Apostolique. En foi de quoi, nous avons signé les présentes de notre main, et y avons fait apposer le cachet de nos armes. Fait à Versailles,

Verfailles, le trois Septembre, mil fept cent quatre vingt trois.

(L. S.) LE COMTE DE MERCY ARGENTEAU.

NOUS, Miniftres Plénipotentiaires de fa Majefté Impériale de toutes les Rufïies, ayant fervi de médiateurs à l'ouvrage de la pacification, déclarons que la traité de paix figné aujourd'hui à Verfailles, entre fa Majefté Britannique et fa Majefté Très Chrétienne, avec les deux articles féparés y annexés, et qui en font partie, de même qu'avec toutes les claufes, conditions, et ftipulations, qui y font contenues, a été conclu par la médiation de fa Majefté Impériale de toutes les Rufïies. En foi de quoi, nous avons figné les présentes de notre main, et y avons fait appofer le cachet de nos armes. Fait à Verfailles, le trois Septembre, mil fept cent quatre vingt trois.

(L. S.)

PRINCE IWAN BARIATINSKOY.

(L. S.)

A. MARCOFF.

Plein-pouvoir de Sa Majefté Britannique.

GEORGIUS R.

GEORGIUS Tertius, Dei Gratiâ, Magnæ Britanniæ, Franciæ, et Hiberniæ, Rex, Fidei Defensor, Dux Brunsvicenfis et Luneburgenfis, Sacri Romani Imperii Archi-Thefaurarius, et Princeps Elector, &c. Omnibus et fingulis ad quos præfentes hæc literæ pervererint, salutem ! Cùm ad pacem perficiendam inter nos et bonum fratrem noftrum Regem Chriftianiffimum, quæ jam fignatis apud Verfalios, die vicefimo menfis Januarii proximè præteriti, articulis preliminaris feliciter inchoata eft, eamque ad finem exoptatam perducendam, virum aliquem idoneum, ex noftrâ parte, plenâ auctoritate munire nobis è re vifum fit ; cùmque perdilectus nobis et quàm fidelis confanguineus et confiliarius nofter, Georgius Dux et Comes de Manchester, Vicecomes de Mandeville, Baron de Kimbolton, Comitatus de Huntingdon Locum-Tenens et Cuftos Rotulorum, nobilitate generis, egregiis animi dotibus, fummo rerum ufu, et fpectatâ

Z 3

fide,

fide, se nobis commendaverit, quem idcirco titulo *Legati Nostri Extraordinarii et Plenipotentiarum* apud prædictum bonum fratrem nostrum Regem Christianissimum decoravimus, persuasumque nobis sit amplissimè ornatam fore provinciam quam ei mandare decrevimus; Sciatis igitur quòd nos prædictum Georgium Ducem de Manchester facimus, constituimus et ordinavimus, et, per præsentem, eum facimus, constituimus et ordinamus, nostrum verum certum ac indubitatum plenipotentiarum, commissarium, et procuratorem; dantes et concedentes eidem plenam et omnimodam potestatem, atque auctoritatem, paritèr et mandatum generale ac speciale, pro nobis et nostro nomine, cum prædicto Rege Christianissimo, ipsiusque ministris, commissariis vel procuratoribus, sufficienti auctoritate instructis, cumque legatis, commissariis, deputatis et plenipotentiarum aliorum principum et statuum, quorum interesse poterit, sufficienti itidem auctoritate instructis, tam singulatim ac divisim, quàm aggregatim ac conjunctim, congregandi et colloquendi, atque cum ipsis de pace firmâ et stabili, sincerâque amicitia et concordia quantociùs restituendis, conveniendi, tractandi, consulendi et concludendi; eaque omnia, quæ ita conventa et conclusa fuerint, pro nobis et nostro nomine, subsignandi, superque conclusis tractatum, tractatusve, vel alia instrumenta quotquot et qualia necessaria fuerint, conficiendi, mutuoque tradendi, recipiendique; omniaque alia, quæ ad opus supradictum feliciter exequendum pertinent, transigendi, tam amplis modo et formâ, ac vi effectuque pari, ac nos, si interessemus, facere et præstare possemus: Spondentes, et in verbo regio promittentes, nos omnia et singula quæ cunque à dicto nostro Plenipotentiarum transigi et concludi contigerint, grata, rata et accepta, omni meliori modo; habituros, neque passuros unquam ut in toto, vel in parte, à quopiam violentur, aut ut iis in contrarium eatur. In quorum omnium majorum fidem et robur præsentibus, manu nostrâ regiâ signatis, magnum nostrum Magnæ Britanniaë sigillum appendi fecimus. Quæ dantur in palatio nostro Divi Jacobi, die vicefimo tertio mensis Aprilis, anno domini millesimo, septingent-

ringentesimo octogesimo tertio, regniq[ue] nostr[is] viciesimo tertio.

Plein-pouvoir de sa Majesté Très Chrétienne.

L OUIS, par la grace de Dieu, Roi de France et de Navarre, à tous ceux qui ces présentes lettres verront, salut. Les préliminaires signés à Versailles, le vingt Janvier de cette année, ont posé les fondemens de la paix rétablie entre nous, et notre très cher et très aimé bon frere le Roi de la Grande Bretagne. Nous n'avons rien de plus à cœur que de consolider ce salutaire et important ouvrage par un traité solennel et définitif : Pour ces causes, et autres bonnes considérations à ce nous mouvant, nous confiant entièrement en la capacité et expérience, zèle et fidélité pour notre service, de notre très cher et bien aimé le Sieur Comte de Vergennes, notre Conseiller en tous nos Conseils, Commandeur de nos ordres, Chef de notre Conseil Royal des Finances, Conseiller d'Etat d'Epée, Ministre et Secretaire d'Etat, et de nos Commandemens et Finances, ayant le département des affaires étrangères, nous l'avons nommé, commis et député, et par ces présentes signées de notre main, le nommons, commettons et députons, notre Ministre Plénipotentiaire, lui donnant plein et absolu pouvoir d'agir en cette qualité, et de conférer, négocier, traiter et convenir, conjointement avec le Ministre Plénipotentiaire de notre très cher et très aimé bon frere le Roi de la Grande Bretagne, revêtu de pouvoir en bonne forme, arrêter, conclurre et signer tels articles, conditions, conventions, déclarations, traité définitif, accessions, et autres actes quelconques, qu'il jugera convenables, pour assurer et affermir le grand ouvrage de la paix, le tout avec la même liberté et autorité que nous pourrions faire nous-mêmes, si nous y étions présents en personne, encore qu'il y eût quelque chose qui requit un mandement plus spécial qu'il n'est contenu dans ces présentes ; promettant, en foi et parole de Roi, d'avoir agréable, tenir ferme et stable à toujours, accomplir et exécuter ponctuellement, tout ce que le dit Sieur Comte de Vergennes aura stipulé et signé, en vertu du présent plein-pouvoir, sans jamais y contre-

venir, ni permettre qu'il y soit contrevenu, pour quelque cause et sous quelque prétexte que ce puisse être, comme aussi d'en faire expédier nos lettres de ratification en bonne forme, et de les faire délivrer, pour être échangées, dans le tems dont il sera convenu : Car tel est notre plaisir. En témoin de quoi nous avons fait mettre notre scel à ces présentes. Donné à Versailles le quatrième jour du mois de Février, l'an de grace mil sept cent quatre vingt trois, et de notre Règne le neuvième. Signé Louis, et sur le repli, par le Roi, La Croix Marechal de Castries; et scellé du Grand Sceau de Cire jaune.

Plein pouvoir de l'Empereur.

NOS Josephus Secundus, Divinâ favente Clementiâ, Electus Romanorum Imperator, semper augustus, Germaniæ, Hierosolymæ, Hungariæ, Bohemiæ, Dalmatiæ, Croatiæ, Slavoniæ et Lodomeriæ Rex, Archidux Austriæ; Dux Burgandiæ, Lotharingiæ, Stirriæ, Carinthiæ et Carniolæ; Magnus Dux Hetruriæ; Magnus Princeps Transylvaniæ, Marchio Moraviæ; Dux Brabantiae, Limburgi, Lucemburgi et Geldriæ Wurtembergæ, Superioris et Inferioris Silesiæ, Mediolani, Mantuæ, Parmæ, Placentiæ et Guastallæ, Osveciniæ et Zatoriæ, Calabriæ, Barri Montisferati et Teschinæ; Princeps Sueviæ et Carolopis; Comes Habsburgi, Flandriæ, Tyrolis, Hannoniæ, Kiburgi, Goritiæ, et Gradiscæ; Marchio Sacri Romani Imperii, Burgoviæ, Superioris et Inferioris Lufatiæ, Muffoponti; et Nomenfi; Comes Namurci, Provinciæ Valdemontis, Albimontis, Zutphania, Sarwerdæ, Salmæ, et Falkenstenii; Dominus Marchiæ, Slavoniæ et Mechliniæ :

Notum testatumque omnibus et singulis quorum interest, vel quocunque demùm modo interesse potest, tenore præsentium facimus. Interea cùm ultimum grave bellum universum propè terrarum orbem inundaret, nos, et Imperatoriæ totius Russiæ actocraticis Majestas, pari animati desiderio, belli hujus calamitibus quantocyus finem imponendi, pronam in id voluntatem nostram sæpiùs testari non prætermisimus, ut intervenientibus communi-
nibus

nibus utriusque nostrum amicis officiis, partium belligerantium conciliatio subleuetur, et pristina pax ac sincera inter illas concordia restauretur. Pergratum Nobis intellectu fuit communes conatus nostros optato non caruisse effectu: Posteaque quam enim, prevalentibus inter principes bello implicitos pacatioribus animi sensibus, Res jam eò feliciter provecta fuit, ut de previis pacis conditionibus, seu articulis preliminaribus, quæis universum pacificationis opus innitatur, inter illos conventum sit, altissimi serenissimi ac potentissimi principes amicè à nobis petierunt, ut in consertio suæ Majestatis Imperatricis omnium Russiarum sociam salutari huic negotio manum ad-moveremus, firmandæque pacis, cujus fundamenta in supramemoratis præviis conditionibus prosperè jacta sunt, amica nostra interponerimus officia, quocertius conjunctis pacificatorum laboribus magnum almæ pacis opus omni ex parte absolveretur. Nos, quibus idem semper curæ fuit, eò lubentiùs eosdem animi sensus in supramemoratis principibus deprehendentes, communicatis præviè cum Imperatricis totius Russiæ Majestate conciliis, nulli hæ-simus conceptæ de utroque nostrum illorum fiduciæ satisfacere, atque delatam hanc provinciam lubenti ac grato animo in nos suscipere. Quem in finem elegimus virum illustrem et magnificum, fidelem nobis dilectum Florimundum Comitem à Mercy-Argenteau, Ordinis Aurei Velleris Equitem, conciliarium nostrum actualem intimum, atque Oratorem in Aula Serenissimi et Potentissimi Franciæ et Navaræ Regis commorantem, virum singularis fidei, integritatis, et rerum dexterè gerendarum peritiæ, eumque denominavimus, atque plenam illi hisce facultatem impertimur, qui, nostro nomine, pacificatoris munis in se suspiciens, consociatè cum hoc vel his, qui tam ex parte suæ Majestatis Imperatricis totius Russiæ, ut commediatricis, quam ex parte reliquorum, quorum res hîc agitur, intervenientium principum ad hoc denominati, ac æquè plenâ facultate instructi erunt, consilia et operam conferat, ut interpositis amicis officiis, et communibus laboribus, tales tractatus, conventiones, vel quæcunque dispositiones in ordinem redigantur, quales ad perficiendum pacis opus necessarii esse visi fuerint; quæ omnia subscribet et signabit, et ex parte suâ etiàm tale instrumentum,

mentum, vel talia instrumenta, exhibebit, quæ ad rem facientia visa, et ab illo postulata fuerint. Verbo nostro Cæsareo Regio et Archiducali spondentes, nos omnia ea, quæ vigore præsentium tabularum ab Oratore hoc nostro conclusa, promissa, et signata fuerint, rata, grataque habituros, et fidelitèr adimpleturos, ratihabitionisque nostræ tabulas, tempore convento, extradi jussuros esse. In quorum fidem majusque robur, has Plenipotentiary tabulas manu nostra subscripsimus, Sigilloque nostri Cæsareo Regio et Archiducali pendente firmari jussimus. Datum in civitate nostrâ Viennæ, die 16 Aprilis, anno Domini 1783; Regnorum nostrorum Romano-Germanici vigesimo, hereditariorum tertio.

JOSEPHUS.

W. Kaunitz Rietberg.

Ad Mandatum Sac. Cæs. ac Reg. Apost. Majestatis proprium.

Ant. Spielmann.

Plein-pouvoir de l'Impératrice de la Russie.

PAR la grace de Dieu, nous Catherine Seconde, Impératrice et Auctocratice de toutes les Russies, de Moscovie, Kiovie, Wlodimirie, Novogorod, Czarine de Cazan, Czarine d'Astracan, Czarine de Siberie, Dame de Pleseau, et Grande Duchesse de Smolensco, Duchesse d'Estone, de Livonie, Carelie, Twer, Ingorie, Germie, Wiatka, Bolgarie et d'autres; Dame et Grande Duchesse de Novogorod Inferieur, de Czernigovie, Refan, Rostov, Jaraslov, Belo-Oserie, Udorie, Obdorie, Condinie, Dominatrice de tout le côté du nord, Dame d'Iverie, et Princesse Héritaire et Souveraine des Czars de Cartalinie et Georgie, comme aussi de Cabardinie, des Princes de Czircassie, de Gorski et autres. Occupées pendant tout le cours de la dernière guerre, qui s'étoit étendue sur toutes les parties du globe, de manifester combien nous avons à cœur d'en voir terminer les calamités, nous étions portées, conjointement avec sa Majesté l'Empereur des Romains, Roi de Hongrie et de Bohême, à em-

employer nos bons offices, afin de trouver des moyens de conciliation propres à rétablir la paix et la bonne intelligence entre les puissances belligérantes. Nous avons eu la satisfaction de remarquer, que nos efforts communs n'avoient point été infructueux ; et les sentimens pacifiques, dont les dites puissances ont été heureusement animées, ayant mûri et pris consistance, au point qu'elles en sont venues à arrêter des articles préliminaires, servent de base à des traités définitifs, elles nous ont invité de donner, conjointement avec sa Majesté l'Empereur des Romains, Roi de Hongrie et de Bohême, pleine activité à notre médiation commune, et d'intervenir dans cet ouvrage salutaire par nos bons offices, en concourant à consolider et affermir pleinement la paix, dont les fondemens ont été jettés par les susdits articles préliminaires, et à consommer ainsi l'ouvrage de la pacification heureusement commencé. Nous, tant par une suite des sentimens ci-dessus exprimés, que par un juste retour de ceux qui nous ont été témoignés de la part des puissances mentionnées, n'avons pas hésité, de concert avec sa Majesté l'Empereur des Romains, de répondre à leur confiance, et de nous charger de la tâche importante qui nous a été déferée. Pour cet effet, nous avons choisi, nommé et député, et par les présentes choisissons, nommons et députons, nos Ministres Plénipotentiaires près sa Majesté très Chrétienne, les amés et féaux le Prince Ivan Bariatinskoy, Lieutenant Général de nos armées, Chevalier de l'ordre Ste. Anne, et le Sieur Arcadius de Marcoff, notre Conseiller de Chancellerie, leur donnant plein-pouvoir pour, en notre nom, et de notre part, en qualité de médiateurs, conjointement avec lui ou ceux qui seront à ce nommés, et pareillement munis de pleins-pouvoirs, de la part de sa Majesté l'Empereur des Romains, Roi de Hongrie et de Bohême, comédiateur, ainsi que de la part des autres puissances y intéressées, assister ou intervenir, et aider, de notre médiation et bons offices, à la disposition et confection de tous et tels traités, conventions, ou autres actes, qui seront jugés nécessaires, pour la consolidation et l'affermissement entier de l'ouvtagement entamé ; de signer en outre, et de donner de leur part, tel acte ou actes, qui pourront être requis, et censés pouvoir contribuer à remplir le même

même but : Promettant, sur notre foi et parole Impériale, d'avoir pour agréable, et accomplir fidèlement, tout ce qui, en vertu du présent plein-pouvoir, aura été fait, arrêté, promis et signé, par les dits Prince Bariatinskoy et Sieur Marcoff, comme aussi d'en faire expédier nos ratifications au terme convenu. En foi de quoi, nous avons signé les présentes de notre propre main, et les avons fait revêtir de notre Grand Sceau de l'empire. Donnée en notre résidence de St. Petersburg, le douzième Mars, l'an de grâce 1783, et de notre Règne le vingt unième année.

CATHERINE.

Comte Jean d'Ostermann.

TRANSLATION.

The definitive Treaty of Peace and Friendship, between his Britannick Majesty, and the Most Christian King ; signed at Versailles, the 3d of September, 1783.

In the name of the Most Holy and Undivided Trinity, Father, Son, and Holy Ghost. So be it.

BE it known to all those whom it may in any manner concern. The Most Serene and Most Potent Prince George the Third, by the grace of God, King of Great Britain, France, and Ireland, Duke of Brunswick and Lunenbourg, Arch Treasurer and Elector of the Holy Roman Empire, &c. and the Most Serene and Most Potent Prince Lewis the Sixteenth, by the grace of God, Most Christian King, being equally desirous to put an end to the war, which for several years past afflicted their respective dominions, accepted the offer which their Majesties the Emperor of the Romans, and the Empress of all the Russias, made to them of their interposition and of their mediation : but their Britannick and Most Christian Majesties, animated with a mutual desire of accelerating the re-establishment of peace, communicated to each other their laudable intention ; which Heaven so far blessed, that they proceeded to lay the foundations of peace, by signing preliminary articles at Versailles the 20th of January, in the present year. Their said Majesties the King of Great Britain, and the Most
Chris-

Christian King, thinking it incumbent upon them to give their Imperial Majesties a signal proof of their gratitude for the generous offer of their mediation, invited them, in concert, to concur in the completion of the great and salutary work of peace, by taking part, as mediators, in the definitive treaty to be concluded between their Britannick and Most Christian Majesties. Their said Imperial Majesties having readily accepted that invitation, they have named, as their representatives, viz. His Majesty the Emperor of the Romans, the Most Illustrious and Most Excellent Lord Florimond, Count Mercy-Argenteau, Viscount of Loo, Baron of Crichegnee, Knight of the Golden Fleece, Chamberlain, actual Privy Counsellor of State to his Imperial and Royal Apostolick Majesty, and his Ambassador to his Most Christian Majesty; and her Majesty the Empress of all the Russias, the Most Illustrious and Most Excellent Lord, Prince Iwan Bariatinskoy, Lieutenant General of the forces of her Imperial Majesty of all the Russias, Knight of the orders of St. Anne, and of the Swedish Sword, and her Minister Plenipotentiary to his Most Christian Majesty, and the Lord Arcadi de Marcoff, Counsellor of State to her Imperial Majesty of all the Russias, and her Minister Plenipotentiary to his Most Christian Majesty. In consequence, their said Majesties the King of Great Britain, and the Most Christian King, have named and constituted for their Plenipotentiaries, charged with the concluding and signing of the definitive treaty of peace, viz. the King of Great Britain, the Most Illustrious and Most Excellent Lord George, Duke and Earl of Manchester, Viscount Mandeville, Baron of Kimbolton, Lord Lieutenant and Custos Rotulorum of the county of Huntingdon, actual Privy Counsellor to his Britannick Majesty, and his Ambassador Extraordinary and Plenipotentiary to his Most Christian Majesty; and the Most Christian King, the Most Illustrious and Most Excellent Lord Charles Gravier, Count de Vergennes, Baron of Welferding, &c. the King's Counsellor in all his Councils, Commander in his Orders, President of the Royal Council of Finances, Counsellor of State Military, Minister and Secretary of State, and of his Commands and Finances: who, after
having

having exchanged their respective full powers, have agreed upon the following articles :

Article I. There shall be a christian, universal, and perpetual peace, as well by sea as by land, and a sincere and constant friendship shall be re-established between their Britanick and Most Christian Majesties, and between their heirs and successors, kingdoms, dominions, provinces, countries, subjects, and vassals of what quality or condition soever they be, without exception either of places or persons; so that the high contracting parties shall give the greatest attention to the maintaining between themselves, and their said dominions and subjects, this reciprocal friendship and intercourse, without permitting hereafter, on either part, any kind of hostilities to be committed, either by sea or by land, for any cause or under any pretence whatsoever : and they shall carefully avoid, for the future, every thing which might prejudice the union happily re-established, endeavouring, on the contrary, to procure reciprocally for each other, on every occasion, whatever may contribute to their mutual glory, interests, and advantage, without giving any assistance or protection, directly or indirectly, to those who would do any injury to either of the high contracting parties. There shall be a general oblivion and amnesty of every thing which may have been done or committed before or since the commencement of the war which is just ended.

II. The treaties of Westphalia of 1648 ; the treaties of peace of Nimeguen of 1678, and 1679 ; of Ryfwick of 1697 ; those of peace and of commerce of Utrecht of 1713 ; that of Baden of 1714 ; that of the triple alliance of the Hague of 1717 ; that of the quadruple alliance of London of 1718 ; the treaty of peace of Vienna of 1738 ; the definitive treaty of Aix-la-Chapelle of 1748 ; and that of Paris of 1763, serve as a basis and foundation to the peace, and to the present treaty ; and for this purpose, they are all renewed and confirmed in the best form, as well as all the treaties in general which subsisted between the high contracting parties before the war, as if they were herein inserted word for word ; so that they are to be exactly observed for the future in
their

their full tenor, and religiously executed by both parties in all the points which shall not be derogated from by the present treaty of peace.

III. All the prisoners taken on either side, as well by land as by sea, and the hostages carried away or given during the war, and to this day, shall be restored, without ransom, in six weeks at latest, to be computed from the day of the exchange of the ratifications of the present treaty; each Crown respectively discharging the advances which shall have been made for the subsistence and maintenance of their prisoners by the Sovereign of the country where they shall have been detained, according to the receipts and attested accounts, and other authentic vouchers, which shall be furnished on each side: and sureties shall be reciprocally given for the payment of the debts which the prisoners may have contracted in the countries where they may have been detained, until their entire release. And all ships, as well men of war as merchant ships, which may have been taken since the expiration of the terms agreed upon for the cessation of hostilities by sea, shall likewise be restored, *bonâ fide*, with all their crews and cargoes. And the execution of this article shall be proceeded upon immediately after the exchange of the ratifications of this treaty.

IV. His Majesty the King of Great Britain is maintained in his right to the island of Newfoundland, and to the adjacent islands, as the whole were assured to him by the thirteenth article of the treaty of Utrecht; excepting the islands of St. Pierre and Miquelon, which are ceded in full right by the present treaty to his Most Christian Majesty.

V. His Majesty the Most Christian King, in order to prevent the quarrels which have hitherto arisen between the two nations of England and France, consents to renounce the right of fishing, which belongs to him in virtue of the aforesaid article of the treaty of Utrecht, from Cape Bonavista to Cape St. John, situated on the eastern coast of Newfoundland, in fifty degrees North latitude; and his Majesty the King of Great Britain consents, on his part, that the fishery assigned to the subjects of his Most Christian Majesty, beginning at the said Cape St.

St. John, passing to the north, and descending by the western coast of the island of Newfoundland, shall extend to the place called Cape Raye, situated in forty-seven degrees, fifty minutes latitude. The French fishermen shall enjoy the fishery which is assigned to them by the present article, as they had the right to enjoy that which was assigned to them by the treaty of Utrecht.

VI. With regard to the fishery in the gulph of St. Lawrence, the French shall continue to exercise it conformably to the fifth article of the treaty of Paris.

VII. The King of Great Britain restores to France the island of St. Lucia, in the condition it was in when it was conquered by the British arms: and his Britannick Majesty cedes and guaranties to his Most Christian Majesty the island of Tobago. The Protestant inhabitants of the said island, as well as those of the same religion who shall have settled at St. Lucia whilst that island was occupied by the British arms, shall not be molested in the exercise of their worship: and the British inhabitants, or others who may have been subjects of the King of Great Britain in the aforesaid islands, shall retain their possessions upon the same titles and conditions by which they have acquired them; or else they may retire in full security and liberty where they shall think fit, and shall have the power of selling their estates, provided it be to subjects of his Most Christian Majesty, and of removing their effects, as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except on account of debts or of criminal prosecutions. The term limited for this emigration is fixed to the space of eighteen months, to be computed from the day of the exchange of the ratifications of the present treaty. And for the better securing the possessions of the inhabitants of the aforesaid island of Tobago, the Most Christian King shall issue letters patent, containing an abolition of the Droit d'Aubaine in the said island.

VIII. The Most Christian King restores to Great Britain the islands of Grenada and the Grenadines, St. Vincent's, Dominica, St. Christopher's, Nevis, and Montserrat; and the fortresses of these islands shall be delivered up in the condition they were in when the conquest
of

of them was made. The same stipulations inserted in the preceding article shall take place in favour of the French subjects, with respect to the islands enumerated in the present article.

IX. The King of Great Britain cedes, in full right, and guaranties to his Most Christian Majesty, the river Senegal and its dependencies, with the forts of St. Louis, Podor, Galam, Arguin, and Portendic; and his Britannick Majesty restores to France the island of Goree, which shall be delivered up in the condition it was in when the conquest of it was made.

X. The Most Christian King, on his part, guaranties to the King of Great Britain the possession of Fort James, and of the river Gambia.

XI. For preventing all discussion in that part of the world, the two high contracting parties shall, within three months after the exchange of the ratifications of the present treaty, name Commissioners, who shall be charged with the settling and fixing of the boundaries of the respective possessions. As to the gum trade, the English shall have the liberty of carrying it on from the mouth of the river St. John to the bay and fort of Portendic inclusively. Provided that they shall not form any permanent settlement, of what nature soever, in the said river St. John, upon the coast, or in the bay of Portendic.

XII. As to the residue of the coast of Africa, the English and French subjects shall continue to resort thereto, according to the usage which has hitherto prevailed.

XIII. The King of Great Britain restores to his Most Christian Majesty all the settlements which belonged to him at the beginning of the present war upon the coast of Orixa and in Bengal, with liberty to surround Chandernagore with a ditch for carrying off the waters: and his Britannick Majesty engages to take such measures as shall be in his power for securing to the subjects of France in that part of India, as well as on the coasts of Orixa, Coromandel, and Malabar, a safe, free, and independent trade, such as was carried on by the French East-India Company, whether they exercise it individually, or united in a Company.

XIV. Pondicherry shall be, in like manner, delivered up and guarantied to France, as also Karikab: and his Britannick Majesty shall procure, for an additional dependency to Pondicherry, the two districts of Valanour and Bahour; and to Karikal, the four Magans bordering thereupon.

XV. France shall re-enter into the possession of Mahe, as well as of its factory at Surat; and the French shall carry on their trade in this part of India conformable to the principles established in the thirteenth article of this treaty.

XVI. Orders having been sent to India by the high contracting parties, in pursuance of the sixteenth article of the preliminaries, it is farther agreed, that if, within the term of four months, the respective allies of their Britannick and Most Christian Majesties shall not have acceded to the present pacification, or concluded a separate accommodation, their said Majesties shall not give them any assistance, directly or indirectly, against the British or French possessions, or against the ancient possessions of their respective allies, such as they were in the year 1776.

XVII. The King of Great Britain, being desirous to give his Most Christian Majesty a sincere proof of reconciliation and friendship, and to contribute to render solid the peace re-established between their said Majesties, consents to the abrogation and suppression of all the articles relative to Dunkirk, from the treaty of peace concluded at Utrecht in 1713, inclusive, to this day.

XVIII. Immediately after the exchange of the ratifications the two high contracting parties shall name Commissaries to treat concerning new arrangements of commerce between the two nations on the basis of reciprocity and mutual convenience; which arrangements shall be settled and concluded within the space of two years, to be computed from the 1st of January, in the year 1784.

XIX. All the countries and territories which may have been, or which may be conquered in any part of the world whatsoever, by the arms of his Britannick Majesty, as well as by those of his Most Christian Majesty, which are not included in the present treaty, neither under the
head

head of cessions, nor under the head of restitutions, shall be restored without difficulty, and without requiring any compensation.

XX. As it is necessary to appoint a certain period for the restitutions and evacuations to be made by each of the high contracting parties, it is agreed, that the King of Great Britain shall cause to be evacuated the islands of St. Pierre and Miquelon three months after the ratification of the present treaty, or sooner if it can be done; St. Lucia (one of the Charibbee islands) and Goree in Africa three months after the ratification of the present treaty, or sooner if it can be done. The King of Great Britain shall, in like manner, at the end of three months after the ratification of the present treaty, or sooner if it can be done, enter again into the possession of the islands of Grenada, the Grenadines, St. Vincent, Dominica, St. Christopher, Nevis, and Montserrat. France shall be put in possession of the towns and factories which are restored to her in the East Indies, and of the territories which are procured for her to serve as additional dependencies to Pondicherry, and to Karikal, six months after the ratification of the present treaty, or sooner if it can be done. France shall deliver up, at the end of the like term of six months, the towns and territories which her arms may have taken from the English, or their allies, in the East Indies. In consequence whereof, the necessary orders shall be sent by each of the high contracting parties, with reciprocal passports for the ships which shall carry them, immediately after the ratification of the present treaty.

XXI. The decision of the prizes and seizures made prior to the hostilities shall be referred to the respective Courts of Justice; so that the legality of the said prizes and seizures shall be decided according to the law of nations, and to treaties, in the Courts of Justice of the nation which shall have made the captures or ordered the seizures.

XXII. For preventing the revival of the lawsuits which have been ended in the islands conquered by either of the high contracting parties, it is agreed, that the judgements pronounced in the last resort, and which have

acquired the force of matters determined, shall be confirmed and executed according to their form and tenor.

XXIII. Their Britannick and Most Christian Majesties promise to observe sincerely, and *bonâ fide*, all the articles contained and established in the present treaty; and they will not suffer the same to be infringed, directly or indirectly, by their respective subjects: and the said high contracting parties guaranty to each other, generally and reciprocally, all the stipulations of the present treaty.

XXIV. The solemn ratifications of the present treaty, prepared in good and due form, shall be exchanged in this city of Versailles, between the high contracting parties, in the space of a month, or sooner if possible, to be computed from the day of the signature of the present treaty.

In witness whereof, we the under-written Ambassador Extraordinary, and Ministers Plenipotentiary, have signed with our hands, in their names, and in virtue of our respective full powers, the present definitive treaty, and have caused the seals of our arms to be affixed thereto.

Done at Versailles, the 3d day of September, 1783.

(L. S.) MANCHESTER.

(L. S.) GRAVIER DE VERGENNES.

Separate Articles.

I. **S**OME of the titles made use of by the contracting parties, whether in the full powers, and other instruments, during the course of the negotiation, or in the preamble of the present treaty, not being generally acknowledged, it has been agreed, that no prejudice should ever result therefrom to either of the said contracting parties; and that the titles taken or omitted on either side, upon occasion of the said negotiation, and of the present treaty, shall not be cited or quoted as a precedent.

II. It has been agreed and determined, that the French language, made use of in all the copies of the present treaty, shall not form an example which may be alledged or quoted as a precedent, or, in any manner prejudice either of the contracting powers; and that they shall conform

conform, for the future, to what has been observed and ought to be observed with regard to, and on the part of, powers who are in practice and possession of giving and receiving copies of like treaties in a different language from the French; the present treaty having, nevertheless, the same virtue as if the aforesaid practice had been therein observed.

In witness whereof, we the under-written Ambassador Extraordinary, and Ministers Plenipotentiary of their Britannick and Most Christian Majesties, have signed the present separate articles, and have caused the seals of our arms to be affixed thereto.

(L. S.) MANCHESTER.

(L. S.) GRAVIER DE VERGENNES.

DECLARATION.

THE King having entirely agreed with his Most Christian Majesty upon the articles of the definitive treaty, will seek every means which shall not only insure the execution thereof, with his accustomed good faith and punctuality, but will besides give, on his part, all possible efficacy to the principles which shall prevent even the least foundation of dispute for the future.

To this end, and in order that the fishermen of the two nations may not give cause for daily quarrels, his Britannick Majesty will take the most positive measures for preventing his subjects from interrupting, in any manner, by their competition, the fishery of the French during the temporary exercise of it which is granted to them upon the coasts of the island of Newfoundland; and he will, for this purpose, cause the fixed settlements, which shall be formed there, to be removed. His Britannick Majesty will give orders, that the French fishermen be not incommoded in cutting the wood necessary for the repair of their scaffolds, huts, and fishing vessels.

The thirteenth article of the treaty of Utrecht, and the method of carrying on the fishery which has at all times been acknowledged, shall be the plan upon which the fishery shall be carried on there; it shall not be deviated

from by either party; the French fishermen building only their scaffolds, confining themselves to the repair of their fishing vessels, and not wintering there; the subjects of his Britannick Majesty, on their part, not molesting, in any manner, the French fishermen during their fishing, nor injuring their scaffolds during their absence.

The King of Great Britain, in ceding the islands of St. Pierre and Miquelon to France, regards them as ceded for the purpose of serving as a real shelter to the French fishermen, and in full confidence that these possessions will not become an object of jealousy between the two nations; and that the fishery between the said islands and that of Newfoundland shall be limited to the middle of the channel.

With regard to India, Great Britain having granted to France every thing that can ascertain and confirm the trade which the latter requires to carry on there, his Majesty relies with confidence on the repeated assurances of the Court of Versailles, that the power of surrounding Chandernagore with a ditch for carrying off the waters, shall not be exercised in such a manner as to make it become an object of umbrage.

The new state in which commerce may perhaps be found, in all parts of the world, will demand revisions and explanations of the subsisting treaties; but an entire abrogation of those treaties, in whatever period it might be, would throw commerce into such confusion as would be of infinite prejudice to it.

In some of the treaties of this sort there are not only articles which relate merely to commerce, but many others which ensure reciprocally, to the respective subjects, privileges, facilities for conducting their affairs, personal protections, and other advantages, which are not, and which ought not to be of a changeable nature, such as the regulations relating merely to the value of goods and merchandises, variable from circumstances of every kind.

When, therefore, the state of the trade between the two nations shall be treated upon, it is requisite to be understood, that the alterations which may be made in the subsisting

subsisting treaties are to extend only to arrangements merely commercial; and that the privileges and advantages, mutual and particular, be not only preserved on each side, but even augmented, if it can be done.

In this view, his Majesty has consented to the appointment of Commissaries on each side, who shall treat solely upon this object.

In witness whereof, We his Britannick Majesty's Ambassador Extraordinary and Minister Plenipotentiary, being thereto duly authorised, have signed the present declaration and caused the seal of our arms to be set thereto.

Given at Versailles, the third of September, one thousand seven hundred and eighty-three.

(L. S.) MANCHESTER.

Counter-Declaration.

THE principles which have guided the King, in the whole course of the negotiations which preceded the re-establishment of peace, must have convinced the King of Great Britain, that his Majesty has had no other design than to render it solid and lasting, by preventing, as much as possible, in the four quarters of the world, every subject of discussion and quarrel. The King of Great Britain undoubtedly places too much confidence in the uprightnes of his Majesty's intentions, not to rely upon his constant attention to prevent the islands of St. Pierre and Miquelon from becoming an object of jealousy between the two nations.

As to the fishery on the coasts of Newfoundland, which has been the object of the new arrangements settled by the two Sovereigns upon this matter, it is sufficiently ascertained by the fifth article of the treaty of peace signed this day, and by the declaration likewise delivered to-day, by his Britannick Majesty's Ambassador Extraordinary and Plenipotentiary; and his Majesty declares, that he is fully satisfied on this head.

In regard to the fishery between the island of Newfoundland, and those of St. Pierre and Miquelon, it is

not to be carried on by either party, but to the middle of the channel; and his Majesty will give the most positive orders, that the French fishermen shall not go beyond this line. His Majesty is firmly persuaded that the King of Great Britain will give like orders to the English fishermen.

The King's desire to maintain the peace comprehends India as well as the other parts of the world; his Britannick Majesty may therefore be assured, that his Majesty will never permit that an object so inoffensive and so harmless as the ditch with which Chandernagore is to be surrounded, should give any umbrage to the Court of London.

The King, in proposing new arrangements of Commerce, had no other design than to remedy, by the rules of reciprocity and mutual convenience, whatever may be defective in the treaty of commerce signed at Utrecht, in one thousand seven hundred and thirteen. The King of Great Britain may judge from thence, that his Majesty's intention is not in any wise to cancel all the stipulations in the above-mentioned treaty; he declares, on the contrary, from henceforth, that he is disposed to maintain all the privileges, facilities and advantages expressed in that treaty, as far as they shall be reciprocal, or compensated by equivalent advantages. It is to attain this end, desired on each side, that Commissaries are to be appointed to treat upon the state of the trade between the two nations, and that a considerable space of time is to be allowed for compleating their work. His Majesty hopes that this object will be pursued with the same good faith, and the same spirit of conciliation, which presided over the discussion of the other points comprised in the definitive treaty; and his said Majesty is firmly persuaded that the respective Commissaries will employ the utmost diligence for the completion of this important work.

In witness whereof, we the under-written Minister Plenipotentiary of his Most Christian Majesty, being there-to duly authorized, have signed the present counter-declaration, and have caused the seal of our arms to be affixed thereto.

Given

Given at Versailles, the third of September, one thousand seven hundred and eighty three.

(L. S.) GRAVIER DE VERGENNES.

WE, Ambassador Plenipotentiary of his Imperial and Royal Apostolick Majesty, having acted as mediator in the work of pacification, declare that the treaty of peace signed this day at Versailles, between his Britannick Majesty and his Most Christian Majesty, with the two separate articles thereto annexed, and of which they form a part, as also with all the clauses, conditions and stipulations which are therein contained, was concluded by the mediation of his Imperial and Royal Apostolick Majesty. In witness whereof, We have signed these presents with our hand, and have caused the seal of our arms to be affixed thereto. Done at Versailles, the third of September, 1783.

(L. S.) Le Comte de MERCY ARGENTEAU.

WE, Ministers Plenipotentiary of her Imperial Majesty of all the Russias, having acted as mediators in the work of pacification, declare that the treaty of peace, signed this day at Versailles, between his Britannick Majesty and his Most Christian Majesty, with the two separate articles thereto annexed, and of which they form a part, as also with all the clauses, conditions and stipulations which are therein contained, was concluded by the mediation of her Imperial Majesty of all the Russias. In witness whereof, We have signed these presents with our hands, and have caused the seals of our arms to be affixed thereto. Done at Versailles the third of September, 1783.

(L. S.) Prince IWAN BARIATINSKOY.

(L. S.) A. MARCOFF.

His

*His Britannick Majesty's full Power.***GEORGE R.**

GEORGE the Third, by the Grace of God, King of Great Britain, France and Ireland, Defender of the Faith, Duke of Brunſwick and Lunenburgh, Arch-Treasurer and Prince Elector of the Holy Roman Empire, &c. To all and ſingular to whom theſe preſents ſhall come, greeting. Whereas, for perfecting the peace between us and our good Brother the Moſt Chriſtian King, which has been happily begun by the preliminary articles already ſigned at Verſailles, on the twentieth day of January laſt, and for bringing the ſame to the deſired concluſion, we have thought proper to inveſt ſome fit perſon with full authority, on our part; and whereas our right truſty and right entirely beloved Couſin and counſellor George, Duke and Earl of Manchester, Viſcount Mandeville, Baron of Kimbolton, Lord Lieutenant and Cuſtos Rotulorum of the county of Huntingdon, has merited our favour, by his illuſtrious deſcent, eminent qualities of mind, ſingular experience in affairs, and approved fidelity, on whom therefore we have conferred the character of our Ambaſſador Extraordinary and Plenipotentiary to our ſaid good Brother the Moſt Chriſtian King, being perſuaded that he will highly dignify the office which we have reſolved to entruſt to him; know ye, therefore, that we have made, conſtituted and appointed, and, by theſe preſents, do make, conſtitute and appoint him, the ſaid George Duke of Manchester, our true, certain and undoubted Plenipotentiary, Commiſſioner and Procurator, giving and granting to him full and all manner of power and authority, as alſo our general and ſpecial command, for us and in our name, to meet and confer with the ſaid Moſt Chriſtian King, and his Miniſters, Commiſſioners or Procurators, furniſhed with ſufficient authority, as alſo with the Ambaſſadors, Commiſſioners, Deputies and Plenipotentiaries of the other Princes and States whom it may concern, being likewise furniſhed with ſufficient authority, whether ſingly and ſeparately, or collectively and jointly,

jointly, and with them to agree, treat, consult and conclude upon the re-establishing, as soon as may be, of a firm and lasting peace, and sincere friendship and concord; and for us, and in our name, to sign whatever may be so agreed upon and concluded; and also to make, and mutually deliver and receive, a treaty or treaties, or such other and so many instruments as shall be requisite, upon the business concluded, and to transact all other matters, which may relate to the happily accomplishing of the aforesaid work, in as ample manner and form, and with equal force and effect, as we, if we were present, could do and perform: engaging and promising, on our Royal Word, that we will approve, ratify and accept, in every more perfect form, whatever may happen to be transacted and concluded by our said Plenipotentiary; and that we will never suffer the same to be violated or infringed by any one, either in the whole or in part. In witness, and for the greater validity of all which, we have caused our Great Seal of Great Britain to be affixed to these presents, signed with our Royal Hand.

Given at our Court of St. James's, the twentieth day of April, in the Year of our Lord, 1783, and in the twenty-third year of our reign.

His Most Christian Majesty's full Power.

LEWIS, by the Grace of God, King of France and Navarre, to all those who shall see these presents, greeting. The preliminaries signed at Versailles the twentieth of January, in the present year, laid the foundation of the peace re-established between us and our Most dear and Most Beloved Good Brother the King of Great Britain. We have nothing more at heart than to consolidate that salutary and important work, by a solemn and Definitive treaty: for these causes, and other good considerations us thereunto moving, we, confiding entirely in the capacity and experience, zeal and fidelity in our service, of our most dear and well-beloved the Sieur Count de Vergennes, our Counsellor in all our councils, Com-
mander

mander in our Orders, President of our Royal Council of Finances, Counsellor of State Military, Minister and Secretary of State, and of our Commands and Finances, having the department of Foreign Affairs, we have named, appointed and deputed him, and by these presents, signed with our hand, do name, appoint and depute him, our Minister Plenipotentiary, giving him full and absolute power to act in that quality, and to confer, negotiate, treat and agree, jointly with the Minister Plenipotentiary of our most dear and most beloved Good Brother the King of Great Britain, invested with full powers in good form, to agree upon, conclude and sign, such articles, conditions, conventions, declarations, definitive treaty, accessions and other acts whatsoever, that he shall judge proper for securing and confirming the great work of peace, the whole with the same latitude and authority as we ourself might do, if we were there present in person, even though there should be something which might require a more special order than what is contained in these presents; promising, on the faith and word of a King, to approve, keep firm and stable for ever, fulfil and execute punctually, every thing that the said Sieur Count de Vergennes shall have stipulated and signed, in virtue of the present full power, without ever infringing or permitting the same to be infringed, for any cause or under any pretence whatsoever; as also to cause our letters of ratification thereof to be expedited in good form, and to cause them to be delivered, in order to their being exchanged in the time which shall be agreed upon: for such is our pleasure. In witness whereof, we have caused our seal to be put to these presents.

Given at Versailles, the fourth day of the month of February, in the year of Grace 1783, and in the ninth year of our reign. Signed Louis; and on the fold, by the King, La Croix Marshal de Castries; and sealed with the great seal of yellow wax.

The Emperor's full Power.

WE, Joseph the second, by the Divine Favour,
Emperor Elect of the Romans, always august,
King

King of Germany, Jerusalem, Hungary, Bohemia, Dalmatia, Croatia, Slavonia and Lodomeria; Archduke of Austria, Duke of Burgundy, Lorraine, Stiria, Carinthia and Carniola; Great Duke of Tuscany; Great Prince of Transilvania; Marquis of Moravia; Duke of Brabant, Limburg, Luxemburg and Gueldres, Wirtemberg, Upper and Lower Silesia, Milan, Mantua, Parma, Placentia and Guastalla, Olvecinia and Zatoria, Calabria, Barri, Monferat and Teschin; Prince of Suevia and Carolopolis; Count of Hasburg, Flanders, Tyrol, Hainault, Kiburg, Geritz and Gradisca; Marquis of the Holy Roman Empire, of Burgovia, Upper and Lower Lusatia, Mustopont and Nomeny, Count of Namur, Province, Vaudemont, Albimont, Zutphen, Sarwar, Salm and Falkenstein; Lord of Marchpurg, Slavonia and Mechlin:

By the tenor of these presents, make known and testify to all and singular whom it doth or may in any manner concern. During the time that the late extensive war overspread almost the whole world, we, and her Majesty the Empress and sole Monarch of all the Russias, animated with an equal desire of putting an end as soon as possible to the calamities of the war, did not omit frequently to manifest our earnest inclination that by the interposition of our respective and mutual friendly offices, a reconciliation of the belligerent parties might be promoted, and the former peace and sincere concord between them be restored. It was very agreeable to us to understand that our common endeavours had not failed of the desired effect; for a more pacific disposition afterwards prevailing in the minds of the princes engaged in the war, and the business being already so far happily advanced, that previous conditions of peace, or preliminary articles, were agreed upon between them, on which the general work of pacification might be founded, the aforesaid Most Serene and Most Potent Princes desired, in a friendly manner, that, in concert with her Imperial Majesty of all the Russias, we would apply our joint attention to this salutary business, and interpose our friendly offices for establishing the peace, of which the foundations were happily laid by the above mentioned previous conditions;

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in order that by the united efforts of the mediators, the great work of peace might, on every side, be the more certainly accomplished. We, ever intent upon that object, perceived with the greater satisfaction, the sentiments of the abovementioned Princes, and having previously concerted measures with her Majesty the Empress of all the Russias, did not hesitate to confirm the expectations they had conceived on our part; by accepting, with a willing and cheerful mind, the trust committed to us. For which end we have made choice of the illustrious and noble, our faithful and beloved Florimond Count de Mercy-Argenteau, Knight of the Golden Fleece, our actual Privy Counsellor, and our Ambassador residing at the Court of the Most Serene and Most Potent King of France and Navarre, a person of singular fidelity, integrity and experience in the proper conduct of affairs, and have appointed, and hereby given him full power to take upon him, in our name, the office of mediator, conjointly with such person or persons who shall be appointed and furnished with equal full power, as well on the part of her Majesty the Empress of all the Russias, as co-mediatrix, as on the part of the other Princes who may be interested therein, and to contribute his counsel and assistance for concluding, by the interposition of friendly offices and united efforts, such treaties, conventions or regulations whatsoever, as may appear to be necessary for completing the work of peace; all which he shall subscribe and sign, and shall also deliver such instrument or instruments, on his part, as may be proper and required of him for perfecting the business: promising on our Imperial, Royal and Archducal Word, that we will ratify, accept and faithfully fulfil all such things as our said Ambassador shall have concluded, promised and signed, by virtue of these presents; and that we will order letters of ratification to be expedited at the time agreed upon. In witness, and for the greater validity whereof, we have signed this instrument of full power with our hand, and have ordered it to be confirmed with our Imperial, Royal and Archducal seal affixed thereto. Given in our city of Vienna, the 16th day of April, in the year of our Lord 1783, in the twentieth of our
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Roman-Germanick reign, and the third of our hereditary reign.

JOSEPH.

W. Kaunitz Rietberg.

By his Sacred, Imperial and Royal Apostolick Majesty's special command,

Ant. Spielmann.

The Empress of Russia's full Power.

BY the Grace of God, we, Catherine the Second, Empress and sole Monarch of all the Russias, of Muscovy, Kiovia, Wladomiria, Novogorod, Czarina of Casan, Czarina of Astracan, Czarina of Siberia, Lady of Plescau, and Great Dutchess of Smolensko, Dutchess of Estonia, of Livonia, Carelia, Twere, Ingoria, Germinia, Viatkia, Bulgaria, and other countries; Lady and Great Dutchess of Lower Novogorod, of Czernigovia, Resan, Rostow, Jaroslaw, Belo-Osoria, Udoria, Obdoria, Condinia, Ruler of all the side of the North, Lady of Iveria, and Hereditary Princess and Sovereign of the Czars of Cartalinia and Georgia, as also of Cabardinia, of the Princes of Circassia, of Gorki, &c. Being intent, during all the course of the late war, which had extended over every part of the earth, to testify how much we had it at heart to see the calamities thereof terminated, we were inclined, in conjunction with his Majesty the Emperor of the Romans, King of Hungary and Bohemia, to employ our good offices in order to find means of conciliation proper for re-establishing peace and good understanding between the belligerent powers. We have had the satisfaction to observe, that our common endeavours were not fruitless; and the pacific sentiments with which the said powers were happily animated, having ripened and strengthened so far that they proceeded to conclude preliminary articles, serving as a basis to the definitive treaties, they invited us, conjointly with his Majesty the Emperor of the Romans, King of Hungary and Bohemia, to carry our united mediation

mediation into full execution, and to interpose our good offices in this salutary work, by concurring to consolidate and fully establish the peace, the foundations of which were laid by the aforesaid preliminary articles, and thus to accomplish the business of pacification so happily begun. We, equally induced by the sentiments above expressed, as by a just acknowledgment of those which were manifested to us on the part of the said powers, did not hesitate, in concert with his Majesty the Emperor of the Romans, to confirm their expectations, and to charge ourselves with the important employment which was tendered to us. For this end, we have made choice of, named and deputed, and, by these presents, do make choice of, name and depute, our Ministers Plenipotentiary to his Most Christian Majesty, our beloved and trusty Prince Iwan Bariatinskoy, Lieutenant General of our forces, Knight of the order of St. Anne, and the Sieur Arcadius de Marcoff, our Counsellor of Chancery, giving them full power, in our name, and on our behalf, in quality of mediators, jointly with him or them who shall be named for this purpose, and likewise furnished with full powers, on the part of his Majesty the Emperor of the Romans, King of Hungary and Bohemia, co-mediator, as well as on the part of the other powers interested therein, to act or interpose, and assist with our mediation and good offices, in the arrangement and completion of all such treaties, conventions, or other instruments, as shall be judged necessary for the consolidation and entire confirmation of the work begun; and also to sign and deliver, on their part, such act or acts as may be required and deemed conducive to the attainment of that end: promising, on our Faith and Imperial Word, to approve and faithfully perform every thing which shall have been done, concluded, promised and signed, in virtue of the present full power, by the said Prince Bariatinskoy and Sieur Marcoff, as also to cause our ratifications thereof to be expedited in the time agreed upon. In witness whereof, we have signed these presents with our own hand, and have caused the great seal of the Empire to be fixed thereto. Given at our residence of St. Petersburg, the twelfth of March, in the year

year of Grace 1783, and in the twenty-first year of our reign.

CATHERINE.
Count *John D'Osternann*.

The Definitive Treaty of Peace and Friendship between his Britannick Majesty, and the King of Spain. Signed at Versailles, the third of September, 1783.

Au nom de la Très Sainte et Indivisible Trinité, Pere, Fils, et Saint Esprit. Ainsi soit-il.

SOIT notoire à tous ceux qu'il appartiendra, ou peut appartenir, en manière quelconque. Le Sérénissime et Très Puissant Prince George Trois, par le Grace de Dieu, Roi de la Grande Bretagne, de France et d'Irlande, Duc de Brunsvic et de Lunebourg, Archi-Trésorier et Electeur du Saint Empire Romain; et le Sérénissime et très puissant Prince Charles Trois, par la Grace de Dieu, Roi d'Espagne et des Indes, &c. desirant également de faire cesser la guerre qui affligeoit depuis plusieurs années leurs états respectifs, avoient agréé l'offre que leurs Majestés l'Empereur des Romains, et l'Impératrice de toutes les Russies, leur avoient faite de leur entremise et de leur médiation: mais leurs Majestés Britannique et Catholique, animées d'un desir mutuel d'accélérer le rétablissement de la paix, se sont communiqué leur louable intention, & le Ciel l'a tellement benie, qu'elles sont parvenues à poser les fondemens de la paix, en signant des articles préliminaires à Versailles, le vingt Janvier de la présente année. Leurs dites Majestés le Roi de la Grande Bretagne, et le Roi Catholique, se faisant un devoir de donner à leurs Majestés Impériales une marque éclatante de leur reconnoissance de l'offre généreuse de leur médiation, les ont invitées de concert à concourir à la consommation du grand et salutaire ouvrage de la paix, en prenant part, comme médiatrices, au traité définitif à conclurre entre leurs dites Majestés Britannique et Catholique. Leurs dites Majestés Impé-

riales ayant bien voulu agréer cette invitation, elles ont nommé pour les représenter ; sçavoir, sa Majesté l'Empereur des Romains, le très illustre et très excellent Seigneur Florimond Comte de Mercy-Argenteau, Vicomte de Loo, Baron de Crichegnée, Chevalier de la Toison d'Or, Chambellan, Counciller d'Etat intime actuel de sa Majesté Impériale et Royale Apostolique, et son Ambassadeur auprès de sa Majesté Très Chrétienne ; et sa Majesté l'Impératrice de toutes les Russies, le très Illustre et très Excellent Seigneur Prince Iwan Bariatinskoy, Lieutenant-Général des armées de sa Majesté Impériale de toutes les Russies, Chevalier des Ordres de Ste. Anne et de l'Epée de Suede, et son Ministre Plénipotentiaire pres sa Majesté Très Chrétienne, et le Seigneur Arcadi de Marcoff, Counciller d'Etat de sa Majesté Impériale de toutes les Russies, et son Ministre Plénipotentiaire pres sa Majesté Tres Chrétienne. En conséquence, leurs dites Majestés le Roi de la Grande Bretagne et le Roi Catholique ont nommé et constitué pour leurs Plénipotentiaires, chargés de conclurre et signer le Traité de Paix Définitif ; sçavoir, le Roi de la Grande Bretagne, le très Illustre et très Excellent Seigneur George Duc et Comte de Manchester, Voicomte Mandeville, Baron de Kimbolton, Lord Lieutenant et Custos Rotulorum de la Comté de Huntingdon, Counciller Privé actuel de sa Majesté Britannique, et son Ambassadeur Extraordinaire et Plénipotentiaire pres sa Majesté tres Chrétienne ; et le Roi Catholique, le très Illustre et très Excellent Seigneur Pierre Paul Abarca de Bolea Ximenez d'Urrea, &c. Comte d'Aranda et Castel Florido Marquis de Torres, de Villanan et Rupil, Vicomte de Rueda et Yoch, Baron des Baronnies de Gravin, Sietamo, Clamofa, Eripol Trazmoz, la Mata de Castil-Viejo, Antillon, la Almolda, Cortès, Jorva, St. Genis, Rabovillet, Arcau, et Ste. Colome de Farnès, Seigneur de la Tenance et Honneur d'Alcalatem, Vallée de Rodellar, Chateaux et Bourgs de Maella, Mesones, Tiurana, et Villa Plana, Taradel et Viladrau, &c. Riche-Homme par Naissance en Aragon, Grand d'Espagne de la Premiere Classe, Chevalier de l'Ordre de la Toison d'Or, et de celui du Saint Esprit, Gentilhomme de la Chambre du Roi en Exercice, Capitaine

pitaine Général de ses armées, et son Ambassadeur auprès du Roi Très Chrétien : lesquels, après avoir échangé leurs pleins-pouvoirs respectifs, sont convenus des articles suivans.

Article I.

Il y aura une paix Chrétienne, universelle et perpétuelle, tant par mer que par terre, et une amitié sincère et constante sera rétablie, entre leurs Majestés Britannique et Catholique, et entre leurs héritiers et successeurs, royaumes, états, provinces, pays, sujets et vassaux, de quelque qualité et condition qu'ils soient, sans exception de lieux ni de personnes ; en sorte que les hautes parties contractantes apporteront la plus grande attention à maintenir entre-elles, et leurs dits états et sujets, cette amitié et correspondance réciproque, sans permettre dorénavant que, de part ni d'autre, on commette aucunes sortes d'hostilités, par mer ou par terre, pour quelque cause ou sous quelque prétexte que ce puisse être ; et on évitera soigneusement tout ce qui pourroit altérer, à l'avenir, l'union heureusement rétablie, s'attachant, au contraire, à se procurer réciproquement, en toute occasion, tout ce qui pourroit contribuer à leur gloire, intérêts et avantages mutuels, sans donner aucun secours ou protection, directement ou indirectement, à ceux qui voudroient porter quelque préjudice à l'une ou à l'autre des dites hautes parties contractantes. Il y aura un oubli et amnistie générale de tout ce qui a pu être fait ou commis, avant ou depuis le commencement de la guerre qui vient de finir.

II. Les traités de Westphalie de 1648 ; ceux de Madrid de 1667 et de 1670 ; ceux de paix et de commerce d'Utrecht de 1713 ; celui de Bade de 1714 ; de Madrid de 1715 ; de Séville de 1729 ; le traité définitif d'Aix la Chapelle de 1748 ; le traité de Madrid de 1750 ; et le traité définitif de Paris de 1763, servent de base et de fondement à la paix, et au présent traité ; et pour cet effet, ils sont tous renouvelés et confirmés dans la meilleure forme, ainsi que tous les traités en général qui subsistoient entre les hautes parties contractantes avant la guerre, et nommément tous ceux qui sont spécifiés et renouvelés dans le susdit traité définitif de Paris, dans la

meilleure forme, et comme s'ils étoient inférés idem mot à mot, en sorte qu'ils devront être observés exactement à l'avenir, dans toute leur teneur, et religieusement exécutés, de part et d'autre, dans tous les points aux quels il n'est pas dérogé par le présent traité de paix.

III. Tous les prisonniers faits de part et d'autre, tant par terre que par mer, et les otages enlevés ou donnés, pendant la guerre, et jusqu'à ce jour, seront restitués, sans rançon, dans six semaines, au plus tard, à compter du jour de l'échange de la ratification du présent traité; chaque couronne soldant respectivement les avances qui auront été faites, pour la subsistance et l'entretien de les prisonniers, par le Souverain du pays où ils auront été détenus, conformément aux reçus et états constatés, et autres titres authentiques, qui seront fournis de part et d'autre : et il sera donné réciproquement des sûretés pour le paiement des dettes, que les prisonniers, auroient pu contracter dans les états où ils auroient été détenus, jusqu'à leur entière liberté. Et tous les vaisseaux, tant de guerre que marchands, qui auroient été pris depuis l'expiration des termes convenus pour la cessation des hostilités par mer, seront pareillement rendus, de bonne foi, avec tous leurs équipages et cargaisons. Et on procédera à l'exécution de cet article immédiatement après l'échange des ratifications de ce traité.

IV. Le Roi de la Grande Bretagne cède, en toute propriété, à sa Majesté Catholique, l'isle de Minorque. Bien entendu que les mêmes stipulations inférées dans l'article suivant auroint lieu en faveur des sujets Britanniques, à l'égard de la susdite isle.

V. Sa Majesté Britannique cède en outre, et garantit, en toute propriété, à sa Majesté Catholique, la Floride Orientale, ainsi que la Floride Occidentale. Sa Majesté Catholique convient que les habitans Britannique, ou autres qui auroient été sujets du Roi de la Grande Bretagne dans les dits pays, pourront se retirer, en toute sûreté et liberté, où bon leur semblera, et pourront vendre leurs biens, et transporter leurs effets, ainsi que leurs personnes, sans être gênés dans leur émigration, sous quelque prétexte que ce puisse être, hors celui de dettes, ou de procès criminels; le terme limité pour
cette

cette emigration étant fixé à l'espace de dix-huit mois, à compter du jour de l'échange des ratifications du présent traité : mais si, par la valeur des possessions des propriétaires Anglois, ils ne pussent pas s'en défaire dans le dit terme, alors sa Majesté Catholique leur accordera des délais proportionnés à cette fin. Il est de plus stipulé, que sa Majesté Britannique aura la faculté de faire transporter de la Floride Orientale tous les effets qui peuvent lui appartenir, soit artillerie, ou autres.

VI. L'intention des deux hautes parties contractantes étant de prévenir, autant qu'il est possible, tous les sujets de plainte et de méfintelligence, aux quels à précédemment donné lieu la coupe de bois de teinture, ou de Campêche, et plusieurs établissemens Anglois s'étant formés et répandus, sous ce prétexte, dans le continent Espagnol, il est expressément convenu, que les sujets de sa Majesté Britannique auront la faculté de couper, charger et transporter le bois de teinture, dans le district qui se trouve compris entre les rivières Wallis, ou Bellize, et Rio Hondo, en prenant le cours des dites deux rivières pour des limites ineffaçables ; de façon que leur navigation soit commune aux deux nations, à sçavoir, par la rivière Wallis, ou Bellize, depuis la mer, en remontant jusque vis-à-vis d'un lac, ou bras mort, qui s'introduit dans les terres, et forme un isthme, ou gorge, avec un autre pareil bras, qui vient du côté de Rio-Nuevo, ou New River ; de façon que la ligne divisoire traversera en droiture le dit isthme, et aboutira à un autre lac produit par les eaux de Rio-Nuevo, ou New-River, jusqu'à son courant. La dite ligne continuera par le cours de Rio-Nuevo, en descendant jusque vis-à-vis d'un ruisseau, dont la carte marque la source, entre Rio-Nuevo et Rio-Hondo, et va se décharger dans le Rio-Hondo, lequel ruisseau servira de limite aussi commune jusqu'à sa jonction avec Rio-Hondo, et delà en descendant Rio-Hondo jusqu'à la mer, ainsi que le tout est marqué sur la carte, dont les Plenipotentiaires des deux couronnes ont jugé convenable de faire usage pour fixer les points concertés, afin qu'il règne une bonne correspondance entre les deux nations, et que les ouvriers, coupeurs, et travailleurs Anglois ne puissent outre-passer, par l'incertitude des

limites, des commissaires respectifs détermineront les endroits convenables dans le territoire ci-dessus désigné, pour que les sujets de sa Majesté Britannique, occupés à l'exploitation du bois, puissent y bâtir, sans empêchement, les maisons, et les magasins, qui seront nécessaires pour eux, pour leurs familles, et pour leurs effets ; et sa Majesté Catholique leur assure la jouissance de tout ce qui est porté par le présent article ; bien entendu que ces stipulations ne seront censées déroger en rien aux droits de sa Souveraineté. Par conséquent, tous les Anglois qui pourroient se trouver dispersés partout ailleurs, soit sur le continent Espagnol, soit sur les isles quelconques, dépendantes du susdit continent Espagnol, et par telle raison que ce fût, sans exception, se réuniront dans le canton qui vient d'être circonscrit, dans le terme de dix-huit mois, à compter de l'échange des ratifications ; et pour cet effet, il leur sera expédié des ordres de la part de sa Majesté Britannique ; et de celle de sa Majesté Catholique il sera ordonné à ses Gouverneurs d'accorder, aux dits Anglois dispersés, toutes les facilités possibles pour qu'ils puissent se transférer à l'établissement convenu par le présent article, ou se retirer partout où bon leur semblera. Il est aussi stipulé, que si actuellement il y avoit dans la partie désignée des fortifications érigées précédemment, sa Majesté Britannique les fera toutes démolir ; et elle ordonnera à ses sujets de ne point en former de nouvelles. Il sera permis aux habitans Anglois, qui s'établiront pour la coupe du bois, d'exercer librement la pêche pour leur subsistance, sur les côtes du district convenu ci-dessus, ou des isles qui se trouveront vis-à-vis du dit canton, sans être en aucune façon inquiétés pour cela ; pourvu qu'ils ne s'établissent en aucune manière sur les dites isles.

VII. Sa Majesté Catholique restituera à la Grande Bretagne les isles de Providence, et des Bahamas, sans exception, dans le même état où elles étoient quand elles ont été conquises par les armes du Roi d'Espagne. Les mêmes stipulations insérées dans l'Article V. de ce traité auront lieu en faveur des sujets Espagnols, à l'égard des isles dénommées dans le présent article.

VIII. Tous

VIII. Tous les pays et territoires qui pourroient avoir été conquis, ou qui pourroient l'être, dans quelque partie du monde que ce soit, par les armes de sa Majesté Britannique, ainsi que par celles de sa Majesté Catholique, qui ne sont pas compris dans le présent traité, ni à titre de cessions, ni à titre de restitutions, seront rendus sans difficulté, et sans exiger de compensation.

IX. Aussitôt après l'échange des ratifications, les deux hautes parties contractantes nommeront des commissaires, pour travailler à de nouveaux arrangemens de commerce, entre les deux nations, sur le fondement de la réciprocité, et de la convenance mutuelle ; lesquels arrangemens devront être terminés et conclus dans l'espace de deux ans, à compter du premier Janvier, mil sept cent quatre vingt quatre.

X. Comme il est nécessaire d'assigner une époque fixe pour le restitutions et évacuations à faire par chacune des hautes parties contractantes, il est convenu, que le Roi de la Grande Bretagne fera évacuer la Floride Orientale, trois mois après la ratification du présent traité, ou plutôt, si faire se peut. Le Roi de la Grande Bretagne rentrera également en possession des isles de Providence, et des Bahamas, sans exception, dans l'espace de trois mois après la ratification du présent traité, ou plutôt, si faire se peut. En conséquence de quoi, les ordres nécessaires seront envoyés par chacune des hautes parties contractantes, avec les passeports réciproques pour les vaisseaux qui les porteront, immédiatement après la ratification du présent traité.

XI. Leurs Majestés Britannique et Catholique promettent d'observer sincèrement, et de bonne foi, tous les articles contenus et établis dans le présent traité ; et elles ne souffriront pas qu'il y soit fait de contravention, directe ni indirecte, par leurs sujets respectifs : et les susdites hautes parties contractantes se garantissent généralement et réciproquement toutes les stipulations du présent traité.

XII. Les ratifications solennelles du présent traité, expédiées en bonne et due forme, seront échangées en cette ville de Versailles, entre les hautes parties contractantes, dans l'espace d'un mois, ou plutôt, s'il est pos-

ible, à compter du jour de la signature du présent traité. En foi de quoi, nous souffignés, leurs Ambassadeurs Extraordinaires et Ministres Plenipotenciaires, avons signé de notre main, en leur nom, et en vertu de nos pleins-pouvoirs, le présent traité définitif, et y avons fait apposer le cachet de nos armes.

Fait à Versailles, le trois Septembre, mil sept cent quatre vingt trois.

(L. S.) MANCHESTER.

Articles Séparés.

I. **Q**UELQUES uns des titres employés par les puissances contractantes, soit dans les pleins-pouvoirs et autres actes, pendant le cours de la négociation, soit dans le préambule du présent traité, n'étant pas généralement reconnus, il a été convenu, qu'il ne pourroit, jamais en resulter aucun préjudice pour l'une ni l'autre des dites parties contractantes; et que les titres pris ou omis de part et d'autre, à l'occasion de la dite négociation, et du présent traité, ne pourront être cités, ni tirer à conséquence.

II. Il a été conveuu et arrêté, que la langue Françoisé, employée dans tous les exemplaires du présent traité, ne formera point un exemple qui puisse être allegué, ni tirer à conséquence, ni porter préjudice, en aucune manière, à l'une ni à l'autre des puissances contractantes; et que l'on se conformera à l'avenir à ce qui a été observé, et doit être observé, à l'égard et de la part des puissances, qui sont en usage et en possession de donner et de recevoir des exemplaires de semblables traités en une autre langue que la Françoisé; le présent traité ne laissant pas d'avoir la même force et vertu que si le susdit usage y avoit été observé. En foi de quoi, nous souffignés, Ambassadeurs Extraordinaires et Ministres Plenipotenciaires de leurs Majestés les Rois Britannique et Catholique, avons signé les présens articles séparés, et y avons fait apposer le cachet de nos armes.

Fait

Fait à Versailles, le trois Septembre, mil sept cent quatre vingt trois.

(L. S.)

Le Comte D'ARANDA.

DECLARATION.

L'ÉTAT nouveau, où le commerce pourra peut-être se trouver dans toutes les parties du monde, demandera des révisions et des explications des traités subsistans ; mais une abrogation entière de ces traités, dans quelque tems que ce fût, jetteroit dans le commerce une confusion qui lui seroit infiniment nuisible.

Dans des traités de cette espèce, il y a non seulement des articles qui sont purement relatifs au commerce, mais beaucoup d'autres qui assurent réciproquement aux sujets respectifs des privilèges, des facilités pour la conduite de leurs affaires, des protections personnelles et d'autres avantages, qui ne sont ni ne doivent être d'une nature à changer, comme les détails qui ont purement rapport à la valeur des effets et marchandises, variables par des circonstances de toute espèce. Par conséquent, lorsqu'on travaillera sur l'état du commerce entre les deux nations, il conviendra de s'entendre que les changemens, qui pourront se faire dans les traités subsistans, ne porteront que sur des arrangemens purement de commerce, et que les privilèges et les avantages mutuels et particuliers soient, de part et d'autre, non seulement conservés, mais même augmentés, si faire se pouvoit.

Dans cette vue, sa Majesté s'est prêtée à la nomination, de part et d'autre, des commissaires, qui travailleront uniquement sur cet objet.

Fait à Versailles, le trois Septembre, mil sept cent quatre vingt trois.

(L. S.)

MANCHESTER,

Counter-

Contre-Déclaration.

LE Roi Catholique, en proposant de nouveaux arrangements de commerce, n'a eu d'autre but que de rectifier, d'après les règles de la réciprocité, et d'après la convenance mutuelle, ce que les traités de commerce précédents peuvent renfermer de défectueux. Le Roi de la Grande Bretagne peut juger par-là, que l'intention de sa Majesté Catholique n'est aucunement de détruire toutes les stipulations renfermées dans les susdits traités; elle déclare au contraire, dès à présent, qu'elle est disposée à maintenir tous les privilèges, facilités et avantages énoncés dans les anciens traités, en tant qu'ils seront réciproques, ou qu'ils seront remplacés par des avantages équivalents. C'est pour parvenir à ce but désiré de part et d'autre, que des Commissaires seront nommés pour travailler sur l'état de commerce entre les deux nations, et qu'il a été accordé une espace de tems considérable pour achever leur travail. Sa Majesté Catholique se flatte que cet objet sera suivi avec la même bonne foi, et avec le même esprit de conciliation, qui ont présidé à la rédaction de tous les autres points renfermés dans le traité définitif; et sa dite Majesté est dans la même confiance, que les Commissaires respectifs apporteront la plus grande célérité à la confection de cet important ouvrage.

Fait à Versailles, le trois Septembre, mil sept cent quatre vingt trois.

(L. S.) Le Comte d'ARANDA.

NOUS, Ambassadeur Plénipotentiaire de sa Majesté Impériale et Royale Apostolique, ayant servi de médiateur à l'ouvrage de la pacification, déclarons que le traité de paix, signé aujourd'hui à Versailles, entre sa Majesté Britannique et sa Majesté Catholique, avec les deux articles séparés y annexés, et qui en font partie, de même qu'avec toutes les clauses, conditions et stipulations qui y sont contenues, a été conclu par le médiation de sa Majesté Impériale et Royale Apostolique. En foi de quoi,
nous

nous avons signé les présentes de notre main, et y avons fait apposer le cachet de nos armes.

Fait à Versailles, le trois Septembre, mil sept cent quatre vingt trois.

(L. S.) Le Comte De MERCY ARGENTEAU.

NOUS, Ministres Plénipotentiaires de sa Majesté Impériale de toutes les Russies, ayant servi de médiateurs à l'ouvrage de la pacification, déclarons que le traité de paix, signé aujourd'hui à Versailles, entre sa Majesté Britannique et sa Majesté Catholique, avec les deux articles séparés y annexés, et qui en font partie, de même qu'avec toutes les clauses, conditions et stipulations qui y sont continues, a été conclu par la médiation de sa Majesté Impériale de toutes les Russies. En foi de quoi, nous avons signé les présentes de notre main, et y avons fait apposer le cachet de nos armes.

Fait à Versailles, le trois Septembre, mil sept cent quatre vingt trois.

(L. S.) Prince IWAN BARIATINSKOY.

(L. S.) A. MARCOFF.

Plein-pouvoir de sa Majesté Britannique.

GEORGIUS R.

GEORGIUS Tertius, Dei Gratiâ, Magnæ Britanniaë, Franciaë et Hiberniaë, Rex, Fidei Defensor, Dux Brunsvicensis et Lunenburgensis, Sacri Romani Imperii Archi-Thesaurarius, et Princeps Elector, &c. Omnibus et singulis ad quos præsentis hæ literæ pervenerint, salutem! Cum ad pacem perficiendam inter nos et bonum fratrem nostrum Regem Catholicum, quæ jam signatis apud Versalios, die vicesimo mensis Januarii proximè præteriti, articulis preliminariis feliciter inchoata est, eamque ad finem exoptatum perducendam, virum aliquem idoneum, ex nostrâ parte, plenâ auctoritate munire nobis è re visum sit: cùmque perdilectus nobis et perquam fidelis consanguineus et consiliarus noster, Georgius Dux et Comes de Manchester, Vicecomes de Mandeville,

Mandeville, Baro de Kimbolton, Comitatus de Huntingdon Locum-Tenens et Custos Rotulorum, nobilitate generis, egregiis animi dotibus, summo rerum usu, et spectatâ fide, se nobis commendaverit, quem idcirco titulo legati Nostri Extraordinarii et Plenipotentiarum apud aulam boni fratris nostri Regis Christianissimi decoravimus, persuasumque nobis fit amplissimè ornaturum fore provinciam quam ei mandare decrevimus: Sciatis igitur quòd nos prædictum Georgium Ducem de Manchester, facimus, constituimus et ordinavimus, et, per præsentem, eum facimus, constituimus et ordinamus nostrum verum, certum ac indubitatum Plenipotentiarum, Commissarium et Procuratorem; dantes et concedentes eidem plenam et omnimodam protestatem, atque auctoritatem, paritèr et mandatum generale ac speciale, in aulâ prædicti boni fratris nostri Regis Christianissimi, pro nobis et nostro nomine, unâ cum Legatis, Commissariis, Deputatis et Plenipotentiaris, tam boni fratris nostri Regis Catholici, quàm aliorum Principum et Statuum, quorum interesse poterit, sufficienti auctoritate instructis, tam singulatim ac divisim, quàm aggregatim ac conjunctim, congregiendi et colloquendi, atque cum ipsis de pace firmâ et stabili, sincerâque amicitâ et concordia quantociùs restituendis, conveniendi, tractandi, consulendi et concludendi; eaque omnia, quæ ita conventa et conclusa fuerint, pro nobis et nostro nomine, subsignandi, superque conclusis tractatum, tractatusve, vel alia instrumenta quotquot et qualia necessaria fuerint, conficiendi, mutuòque tradendi, recipiendique; omniaque alia, quæ ad opus supradictum feliciter exequendum pertinent, transigendi, tam amplis modo et formâ, ac vi effectusque pari, ac nos, si interessemus, facere et præstare possimus: Spondentes, et in verbo regio promittentes, nos omnia et singula quæcunque à dicto nostro Plenipotentiaro transigi et concludi contigerint, grata, rata et accepta, omni meliori modo, habituros, neque passuros unquam ut in toto, vel in parte, à quopiam vicentur, aut ut iis in contrarium eatur. In quorum omnium majorem fidem et robur, præsentibus, manu nostrâ regiâ signatus, magnum nostrum Magnæ Britanniaë sigillum appendi fecimus. Quæ dabantur in palatio nostro Divi Jacobi,

Jacobi, die vicesimo tertio mensis Aprilis, anno Domini millesimo septingentesimo octogesimo tertio, regni que nostri veicesimo tertio.

Plein-pouvoir de sa Majesté Catholique.

DON Carlos, por la Gracia de Dios, Rey de Castilla, de Leon, de Aragon, de las Dos Sicilias, de Jerusalem, de Navarra, de Granada, de Toledo, de Valencia, de Galicia, de Mallorca, de Sevilla, de Cerdena, de Cordova, de Corcega, de Murcia, de Jaen, de los Algarves, de Algeciras, de Gibraltar, de las Islas de Canaria, de las Yndias Orientales y Occidentales, Islas y Tierra Ferma del Mar Oceano; Archiduque de Austria; Duque de Borgona, de Brabante, y de Milan: Conde de Abspurg, de Flandes, Tirol y Barcelona; Senor de Viscaya, y de Molina, &c. Por quanto ajustados y à felizmente los principales articulos preliminares de paz entre mi Corona de España con la de Inglaterra igualmente que lo han sido los de otras potencias, ilegarà mui luego el caso de celebrarse un congreso general, en el parage que se juzgue mas à propósito, y de comun ventaja, para acabar de arreglar y consolidar definitivamente todos los puntos contravertidos entre las Potencias y Estados, que han tenido parte en la guerra que à hora se termina: Y considerando mui vero-simil sea elejida esa misma Corte por su proporcion, y por hallarse en ella los Plenipotenciarios que han intervenido en la conclusion de los citados preliminares, he juzgado indispensable y correspondiente autorizar de nuevo à persona de todo mi apreçio y confianza que se halle dotado de la instruccion, y experiencias para que en nombre mio asista à las conferencias, trate, arregle y ajuste quanto convenga à mis intereses en el futuro tratado definitivo: Por tanto concurriendo en vos, Don Pedro Pablo Abarca de Bolea Ximenez de Urrea, &c. Conde de Aranda, y Castelflorido, Marques de Torres, de Villenant y Rupit, Visconde de Rueda y Yoch, Baron de las Baronias de Gavin, Sietamo, Clamosa y otras; Senor de la Tenencia y Honor de Alcala-ten, &c. Ricohombre de Naturaleza en Aragon, Grande de

de Espana de Primera Clase. Cavallero del insigne Orden del Toysen de Oro, y del de Sancti Spiritûs, mi Gentilhombre de Camera con Exercicio, Capitan General de mis Reales Exercitos, y mi Embaxador Extraordinario cerca del Rey Christianissimo, todos estos requisitos, y demas prendas que hacen al intento; hê venido en autorizaros, como por la presente os autorizo, os nombro, y os concedo mi pleno-poder en la forma mas amplia y mas extensa, para que con los Ministros legitimante autorizados por sus respectivos principes, ò estados à quienes representen, trateis, ajusteis, concluyais y firmeis todos puntos, que se dirijan à la consolidacion de la paz general, por medio del tratado definitivo, à que se aspira, prometiendo, en fé y palabra de Rey, de aprobar, ratificar, cumplir, y hacer cumplir integramente, qualesquiera articulos, pactos, ò ajustes, que concluayis y firmeis. En fé de lo qual mandé expedir la presente firmada de mi mano, sellado con mi fello secreto, y refrendada por mi infraescrito consejero de estado y primer Secretario de Estado y del Despacho. En el Pardo, à Ocho de Febrero, de mil setecientos ochenta y très.

(L. S.) YO EL REY.

Josepb Monino.

Plein-pouvoir de l'Empereur.

NOS Josephus Secundus, Divinâ favente Clementiâ, Electus Romanorum Imperator, semper augustus, Germaniæ, Hierosolymæ, Hungariæ, Bohemiæ, Dalmatiæ, Croatiæ, Slavoniæ et Lodomeriæ Rex, Archi-dux Austriæ; Dux Burgandiæ, Lotharingiæ, Stiriciæ, Carinthiæ et Carniolæ; Magnus Dux Hetruriæ; Magnus Princeps Transylvaniæ, Marchio Moraviæ; Dux Brabantæ, Limburgi, Lucemburgi et Geldriæ Wurtembergæ, Superioris et Inferioris Silesiæ, Mediolani, Mantuæ, Parmæ, Placentiæ et Guastallæ, Oivecinæ et Zatoriæ, Calabriæ, Barri Montisferati et Teschinæ; Princeps Sueviæ et Carolopolis; Comes Habsburgi, Flandriæ, Tyrolis, Hannoniæ, Kiburgi, Goritiæ, et Gradiscæ; Marchio Sacri Romani,

Romani Imperii, Burgoviæ, Superioris et Inferioris Lufatiæ, Muffoponti, et Nomenfi; Comes Namurci, Provinciæ Valdemontis, Albimontis, Zutphanix, Sarwerdæ, Salmæ, et Falkenftenii; Dominus Marchiæ, Slavoniæ et Mechliniæ :

Notum testatumque omnibus et fingulis quorum intereft, vel quocunque demùm modo intereffe potest, tenore præfentium facimus. Interea cùm ultimum grave bellum univerfum propè terrarum orbem inundaret, nos, et Imperatoriæ totius Ruffiæ actocraticis Majestas, pari animati defiderio, belli hujus calamitabus quantocyùs finem imponendi, pronam in id voluntatem noftram sæpiùs testari non prætermiffimus, ut intervenientibus communibus utriusque noftrum amicis officiis, partium belligerantium conciliatio sublevetur, et priftina pax ac sincera inter illas concordia restauretur. Pergratum Nobis intellectu fuit communes conatus noftros optato non caruiffè effectu: Posteaque quàm enim, prevalentibus inter principes bello implicitos pacatioribus animi fenfibus, Res jam eò feliciter provecta fuit, ut de previis pacis conditionibus, feu articulis preliminaribus, quèis univerfum pacificationis opus innitatur, inter illos conventum fit, altèfati sereniffimi ac totentiffimi principes amicè à nobis petierunt, ut in confertio fuæ Majestatis Imperatricis omnium Ruffiarum sociam falutari huic negotio manum ad-moveremus, firmandæque pacis, cujus fundamenta in fupramemoratis præviis conditionibus prosperè jacta sunt, amica noftra interponerimus officia, quocertiùs conjunctis pacificatorum laboribus magnum almæ pacis opus omni ex parte abfolveretur. Nos, quibus idem femper curæ fuit, eò lubentiùs eofdem animi fenfus in fupramemoratis principibus deprehendentes, communicatis præviè cum Imperatricis totius Ruffiæ Majestate conciliis, nulli hæffimus conceptæ de utroque noftrum illorum fiduciæ fatisfacere, atque delatam hanc provinciam lubenti ac grato animo in nos fufcipere. Quem in finem elegimus virum illuftrem et magnificum, fidelem nobis dilectum Florimundum Comitem à Mercy-Argenteau, Ordinis Aurei Velleris Equitem, conciliarium noftrum actualem intimum, atque Oratorem in Aulâ Sereniffimi et Potentiffimi Franciæ et Navaræ Regis commorantem, virum fingula-

tis

ris fidei, integritatis, et rerum dexterè gerendarum peritiæ, eumque denominavimus, atque plenam illi hisce facultatem impertimur, qui, nostro nomine, pacificatoris munis in se suspiciens, confociatè cum hoc vel his, qui tam ex parte suæ Majestatis Imperatricis totius Ruffiæ, ut commediaticis, quàm ex parte reliquorum, quorum res hìc agitur, intervenientium principum ad hoc denominati, ac æquè plenâ facultate instructi erunt, consilia et operam conferat, ut interpositis amicis officiis, et communibus laboribus, tales tractatus, conventiones, vel quæcunque dispositiones in ordinem redigantur, quales ad perficiendum pacis opus necessarii esse visi fuerint; quæ omnia subscribet et signabit, et ex parte suâ etiàm tale instrumentum, vel talia instrumenta, exhibebit, quæ ad rem facientia visa, et ab illo postulata fuerint. Verbo nostro Cæsareo Regio et Archiducali spondentes, nos omnia ea, quæ vigore præsentium tabularum ab Oratore hoc nostro conclusa, promissa, et signata fuerint, rata, grataque habituros, et fidelitè adimpletuos, ratihabitionisque nostræ tabulas, tempore convento, extradi jussuros esse. In quorum fidem majusque robur, has Plenipotentiarum tabulas manu nostra subscripsimus, Sigilloque nostri Cæsareo Regio et Archiducali pendente firmari jussimus. Datum in civitate nostrâ Viennæ, die 16 Aprilis, anno Domini 1783; Regnorum nostrorum Romano-Germanici vigesimo, hereditariorum tertio.

J O S E P H U S.

W. Kaunitz Rietberg.

Ad Mandatum Sac. Cæs. ac Reg. Apost. Majestatis proprium.

Ant. Spielmann.

Plein-pouvoir de l'Impératrice de la Ruffie.

PAR la grace de Dieu, nous Catherine Seconde, Impératrice et Auctocratice de toutes les Ruffies, de Moscovie, Kiovie, Wlodimirie, Novogorod, Czarine de Cazan, Czarine d'Astracan, Czarine de Siberie, Dame de Plescau, et Grande

Grande Duchesse de Smolensco, Duchesse d'Estone, de Livonie, Carelie, Twer, Ingorie, Germie, Wiatka, Bolgarie et d'autres; Dame et Grande Duchesse de Novogorod Inferieur, de Czernigovie, Refan, Rostov, Jaraslov, Belo-Oserie, Udorie, Obdorie, Condinie, Dominatrice de tout le Côté du Nord, Dame d'Iverie, et Princesse Héritaire et Souveraine des Czars de Cartalinie et Georgie, comme aussi de Cabardinie, des Princes de Czircassie, de Gorcki et autres. Occupées pendant tout le cours de la dernière guerre, qui s'étoit étendue sur toutes les parties du globe, à manifester combien nous avions à cœur d'en voir terminer les calamités, nous nous étions portés, conjointement avec sa Majesté l'Empereur des Romains, Roi de Hongrie et de Bohême, à employer nos bons offices, afin de trouver des moyens de conciliation propres à rétablir la paix et la bonne intelligence entre les Puissances Belligerantes. Nous avons eu la satisfaction de remarquer, que nos efforts communs n'avoient point été infructueux; et les sentimens pacifiques, dont les dites puissances ont été heureusement animées, ayant muri et pris consistance, au point qu'elles en sont venues à arrêter des articles préliminaires, servant de base à des traités définitifs, elles nous ont invité de donner, conjointement avec sa Majesté l'Empereur des Romains, Roi de Hongrie et de Bohême, pleine activité à notre médiation commune, et d'intervenir dans cet ouvrage salutaire par nos bons offices, en concourant à consolider et affermir pleinement la pax, dont les fondemens ont été jettés par les susdits articles préliminaires, et à consommier ainsi l'ouvrage de la pacification heureusement commencé. Nous, tant par une suite des sentimens ci-dessus exprimés, que par un juste retour de ceux qui nous ont été témoignés de la part des puissances mentionnées, n'avons pas hésité, de concert avec sa Majesté l'Empereur des Romains, de répondre à leur confiance, et de nous charger de la tâche importante qui nous a été déferée. Pour cet effet, nous avons choisi, nommé et député, et par les présentes choisissons, nommons et députons, nos Ministres Plénipotentiaires près sa Majesté Très Chrétienne, les amés et féaux le Prince Ivan Bariatinskoy, Lieutenant General de nos Armées, Che-

valier del'Ordre de Ste. Anne, et le Sieur Arcadius de Mar-
 coff, notre Conseiller de Chancellerie, leur donnant plein-
 pouvoir pour en notre nom, et de notre part, en qua-
 lité de mediateurs, conjointement avec lui ou ceux qui
 seront à ce nommés, et pareillement munis de plein-pou-
 voirs, de la part de sa Majesté l'Empereur des Romains,
 Roi de Hongrie et de Bohême, co-mediateur, ainsi que
 de la part des autres puissances y interessées, assister ou
 intervenir, et aider, de notre mediation et bons offices,
 a la disposition et confection de tous et tels traités, con-
 ventions, ou autres actes, qui seront jugés necessaires,
 pour la consolidation et l'affermissement entier de l'ouv-
 rage entamé ; de signer en outre, et de donner de leur
 part, tel acte ou actes, qui pourront être requis, et
 censés pouvoir contribuer a remplir le même but :
 Promettant, sur notre foi et parole Impériale, d'avoir
 pour agréable, et accomplir fidèlement, tout ce qui,
 en vertu du présent plein-pouvoir, aura été fait, arrêté,
 promis et signé, par les dits Prince Bariatinskoy et
 Sieur Marcoff, comme aussi d'en faire expédier nos ratifi-
 cations au terme convenu. En foi de quoi, nous avons
 signé les presentes de notre propre main, et les avons fait
 revêtir de notre Grand Sceau de l'empire. Donné en
 notre résidence de St. Petersbourg, le douze Mars, l'an de
 grace 1783, et de notre Règne le vingt unième année.

CATHERINE.

Comte Jean D'Osternann.

T R A N S L A T I O N.

*The Definitive Treaty of Peace and Friendship between His
 Britannick Majesty and the King of Spain. Signed at
 Versailles the third day of September, 1783.*

In the Name of the Most Holy and Undivided Trinity,
 Father, Son and Holy Ghost. So be it.

BE it known to all those whom it shall or may in any
 manner concern. The Most Serene and Most Po-
 tent Prince George the Third, by the Grace of God,
 King

King of Great Britain, France and Ireland, Duke of Brunfwick and Lunenbourg, Arch-Treasurer and Elector of the Holy Roman Empire, &c. and the Most Serene and Most Potent Prince Charles the Third, by the Grace of God, King of Spain, and of the Indies, &c. being equally desirous to put an end to the war, which for several years past afflicted their respective dominions, accepted the offer which their Majesties the Emperor of the Romans and the Empress of all the Russias, made to them, of their interposition, and of their mediation: but their Britannick and Catholick Majesties, animated with a mutual desire of accelerating the re-establishment of peace, communicated to each other their laudable intention; which Heaven so far blessed, that they proceeded to lay the foundations of peace, by signing preliminary articles at Versailles, the 20th of January, in the present year. Their said Majesties the King of Great Britain, and the Catholick King, thinking it incumbent upon them to give their Imperial Majesties a signal proof of their gratitude for the generous offer of their mediation, invited them, in concert, to concur in the completion of the great and salutary work of peace, by taking part, as mediators, in the definitive treaty to be concluded between their Britannick and Catholick Majesties. Their said Imperial Majesties having readily accepted that invitation, they have named, as their representatives, viz. his Majesty the Emperor of the Romans, the most illustrious and most excellent Lord Florimond, Count Mercy-Argenteau, Viscount of Loo, Baron of Crichegnée, Knight of the Golden Fleece, Chamberlain, actual Privy Counsellor of State to his Imperial and Royal Apostolick Majesty, and his Ambassador to his Most Christian Majesty; and her Majesty the Empress of all the Russias, the most Illustrious and most Excellent Lord, Prince Iwan Bariatinskoy, Lieutenant General of the forces of her Imperial Majesty of all the Russias, Knight of the orders of St. Anne and of the Swedish sword, and her Minister Plenipotentiary to his Most Christian Majesty; and the Lord Arcadi de Marcoff, Counsellor of State to her Imperial Majesty of all the Russias, and her Minister Plenipotentiary to his Most

Christian Majesty. In consequence, their Majesties the King of Great Britain, and the Most Christian King, have named and constituted for their Plenipotentiaries, charged with the concluding and signing of the definitive treaty of peace, viz. the King of Great Britain, the most Illustrious and most Excellent Lord George, Duke and Earl of Manchester, Viscount Mandeville, Baron of Kimbolton, Lord Lieutenant and Custos Rotulorum of the county of Huntingdon, actual Privy Counsellor to his Britannick Majesty, and his Ambassador Extraordinary and Plenipotentiary to his Most Christian Majesty; and the Catholick King, the most Illustrious and most Excellent Lord Peter Paul Abarca de Bolea Ximenes d'Urrea, &c. Count of Aranda and Castel Florido, Marquis of Torres, of Villanan and Rupit, Viscount of Rueda and Yoch, Baron of the Baronies of Gavin, Sietamo, Clamofa, Eripol Trazmoz, La Mata de Castil-Viejo, Antillon, La Almolda, Cortés, Jorva, St. Genis, Rabovillet, Arcau and Ste. Colome de Farnés, Lord of the Tenance and Honour of Alcalatén, the valley of Rodellar, the castles and Towns of Maella, Mesonnes, Tiurana and Villa Plana, Taradel and Viladrau, &c. Rico-Hombre in Aragon by descent, Grandee of Spain of the first class, Knight of the Order of the Golden Fleece, and of that of the Holy Ghost, Gentleman of the King's Chamber in employment, Captain General of his forces, and his Ambassador to the Most Christian King: who, after having exchanged their respective full powers, have agreed upon the following articles.

Article I. There shall be a Christian, universal and perpetual peace, as well by sea as by land, and a sincere and constant friendship shall be re-established, between their Britannick and Catholick Majesties, and between their heirs and successors, kingdoms, dominions, provinces, countries, subjects and vassals, of what quality or condition soever they be, without exception either of places or persons; so that the high contracting parties shall give the greatest attention to the maintaining between themselves and their said dominions and subjects, this reciprocal friendship and intercourse, without permitting hereafter, on either part, any kind of hostilities
to

to be committed, either by sea or by land, for any cause or under any pretence whatsoever: and they shall carefully avoid, for the future, every thing which might prejudice the union happily re-established, endeavouring, on the contrary, to procure reciprocally for each other, on every occasion, whatever may contribute to their mutual glory, interests and advantage, without giving any assistance or protection, directly or indirectly, to those who would do any injury to either of the high contracting parties. There shall be a general oblivion and amnesty of every thing which may have been done or committed, before or since the commencement of the war which is just ended.

II. The treaties of Westphalia of 1648; those of Madrid of 1667, and of 1670; those of peace and of commerce of Utrecht of 1713; that of Baden of 1714; of Madrid of 1715; of Seville of 1729; the definitive treaty of Aix-la-Chapelle of 1748; the treaty of Madrid of 1750; and the definitive treaty of Paris of 1763, serve as a basis and foundation to the peace, and to the present treaty; and for this purpose, they are all renewed and confirmed, in the best form, as well as all the treaties in general which subsisted between the high contracting parties before the war, and particularly all those which are specified and renewed in the aforesaid definitive treaty of Paris, in the best form, and as if they were herein inserted word for word; so that they are to be exactly observed for the future in their full tenor, and religiously executed, by both parties, in all the points which shall not be derogated from by the present treaty of peace.

III. All the prisoners taken on either side, as well by land as by sea, and the hostages carried away or given, during the war, and to this day, shall be restored without ransom, in six weeks at latest, to be computed from the day of the exchange of the present treaty; each Crown respectively discharging the advances which shall have been made for the subsistence and maintenance of their prisoners, by the Sovereign of the country where they shall have been detained, according to the receipts, attested accounts, and other authentic vouchers, which shall be furnished on either side: and sureties shall be

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reciprocally

reciprocally given for the payment of the debts which the prisoners may have contracted in the countries where they may have been detained, until their entire release, And all ships, as well men of war as merchant ships, which may have been taken since the expiration of the terms agreed upon for the cessation of hostilities by sea, shall likewise be restored, *bonâ fide*, with all their crews and cargoes. And the execution of this article shall be proceeded upon immediately after the exchange of the ratifications of this treaty.

IV. The King of Great Britain cedes, in full right, to his Catholick Majesty, the island of Minorca. Provided that the same stipulations inserted in the following article shall take place in favour of the British subjects, with regard to the above-mentioned island.

V. His Britannick Majesty likewise cedes and guaranties, in full right to his Catholick Majesty, East Florida, as also West Florida. His Catholick Majesty agrees that the British inhabitants, or others who may have been subjects of the King of Great Britain in the said countries, may retire in full security and liberty, where they shall think proper, and may sell their estates, and remove their effects, as well as their persons, without being restrained in their emigration, under any pretence whatsoever, except on account of debts or criminal prosecutions; the term limited for this emigration being fixed to the space of eighteen months, to be computed from the day of the exchange of the ratifications of the present treaty: but if, from the value of the possessions of the English proprietors, they shall not be able to dispose of them within the said term, then his Catholick Majesty shall grant them a prolongation proportioned to that end. It is farther stipulated, that his Britannick Majesty shall have the power of removing from East Florida all the effects which may belong to him, whether artillery, or other matters.

VI. The intention of the two high contracting parties being to prevent, as much as possible, all the causes of complaint and misunderstanding heretofore occasioned by the cutting of wood for dying, or logwood; and several English settlements having been formed and extended

ended under that pretence, upon the Spanish continent; it is expressly agreed that his Britannick Majesty's subjects shall have the right of cutting, loading and carrying away logwood, in the district lying between the rivers Wallis or Bellize, and Rio Hondo, taking the course of the said two rivers for unalterable boundaries, so as that the navigation of them be common to both nations, to wit, by the river Wallis or Bellize, from the sea, ascending as far as opposite to a lake or inlet which runs into the land, and forms an isthmus or neck, with another similar inlet, which comes from the side of Rio Nuevo, or New River; so that the line of separation shall pass straight across the said isthmus, and meet another lake formed by the water of Rio Nuevo or New River, at its current. The said line shall continue with the course of Rio Nuevo, descending as far as opposite to a river, the source of which is marked in the map, between Rio Nuevo and Rio Hondo, and which empties itself into Rio Hondo; which river shall also serve as a common boundary as far as its junction with Rio Hondo; and from thence descending by Rio Hondo to the sea, as the whole is marked on the map which the Plenipotentiaries of the two Crowns have thought proper to make use of, for ascertaining the points agreed upon, to the end that a good correspondence may reign between the two nations, and that the English workmen, cutters and labourers may not trespass from an uncertainty of the boundaries. The respective Commissaries shall fix upon convenient places, in the territory above marked out, in order that his Britannick Majesty's subjects employed in the felling of logwood, may, without interruption, build therein houses and magazines necessary for themselves, their families, and their effects; and his Catholick Majesty assures to them the enjoyment of all that is expressed in the present article; provided that these stipulations shall not be considered as derogating in any wise from his rights of Sovereignty. Therefore all the English who may be dispersed in any other parts, whether on the Spanish continent, or in any of the islands whatsoever, dependent on the aforesaid Spanish continent, and for whatever reason it might be, without exception, shall retire within

the district which has been above described, in the space of eighteen months, to be computed from the Exchange of the ratifications; and for this purpose orders shall be issued on the part of his Britannick Majesty; and on that of his Catholick Majesty, his Governors shall be ordered to grant to the English dispersed every convenience possible for their removing to the settlement agreed upon by the present article, or for their retiring wherever they shall think proper. It is likewise stipulated, that if any fortifications should actually have been heretofore erected within the limits marked out, his Britannick Majesty shall cause them all to be demolished; and he will order his subjects not to build any new ones. The English inhabitants, who shall settle there for the cutting of logwood, shall be permitted to enjoy a free fishery for their subsistence, on the coasts of the district above agreed on, or of the islands situated opposite thereto, without being in any wise disturbed on that account; provided they do not establish themselves, in any manner, on the said islands.

VII. His Catholick Majesty shall restore to Great Britain the islands of Providence, and the Bahamas, without exception, in the same condition they were in when they were conquered by the arms of the King of Spain. The same stipulations inserted in the fifth article of this treaty shall take place in favour of the Spanish subjects, with regard to the islands mentioned in the present article.

VIII. All the countries and territories, which may have been, or which may be conquered in any part of the world whatsoever, by the arms of his Britannick Majesty, as well as by those of his Catholick Majesty, which are not included in the present treaty, neither under the head of cessions, nor under the head of restitutions, shall be restored without difficulty, and without requiring any compensation.

IX. Immediately after the exchange of the ratifications, the two high contracting parties shall name Commissaries to treat concerning new arrangements of commerce between the two nations, on the basis of reciprocity and mutual convenience; which arrangements shall

shall be settled and concluded within the space of two years, to be computed from the first of January, 1784.

X. As it is necessary to appoint a certain period for the restitutions and evacuations to be made by each of the high contracting parties, it is agreed, that the King of Great Britain shall cause East Florida to be evacuated three months after the ratification of the present treaty, or sooner if it can be done. The King of Great Britain shall, in like manner, enter again into possession of the islands of Providence, and the Bahamas, without exception, in the space of three months after the ratification of the present treaty, or sooner if it can be done. In consequence whereof, the necessary orders shall be sent by each of the high contracting parties, with reciprocal passports for the ships which shall carry them, immediately after the ratification of the present treaty.

XI. Their Britannick and Catholick Majesties promise to observe sincerely, and *bonâ fide*, all the articles contained and established in the present treaty; and they will not suffer the same to be infringed, directly or indirectly, by their respective subjects: and the said high contracting parties guaranty to each other, generally and reciprocally, all the stipulations of the present treaty.

XII. The solemn ratifications of the present treaty, prepared in good and due form, shall be exchanged in this city of Versailles, between the high contracting parties, in the space of one month, or sooner if possible, to be computed from the day of the signature of the present treaty. In witness whereof, we the under-written Ambassadors Extraordinary, and Ministers Plenipotentiary, have signed with our hands, in their names, and by virtue of our respective full powers, the present definitive treaty, and have caused the seals of our arms to be affixed thereto.

Done at Versailles, the third day of September, one thousand seven hundred and eighty-three.

(L. S.) Le Comte D'ARANDA.

Separate

Separate Articles.

Article I.

SOME of the titles made use of by the contracting parties, whether in the full powers, and other instruments, during the course of the negociation, or in the preamble of the present treaty, not being generally acknowledged, it has been agreed that no prejudice should ever result therefrom to either of the said contracting parties; and that the Titles taken or omitted, on either side, upon occasion of the said negociation, and of the present treaty, shall not be cited, or quoted as a precedent.

II. It has been agreed and determined, that the French language, made use of in all the copies of the present treaty, shall not form an example which may be alledged, or quoted as a precedent, or, in any manner, prejudice either of the contracting powers; and that they shall conform, for the future, to what has been observed, and ought to be observed, with regard to, and on the part of powers, who are in the practice and possession of giving and receiving copies of like treaties in a different language from the French; the present treaty having, nevertheless, the same force and virtue as if the aforesaid practice had been therein observed.

In witness whereof, we the under-written Ambassador Extraordinary, and Ministers Plenipotentiary, of their Britannick and Catholick Majesties, have signed the present separate articles, and have caused the seals of our arms to be affixed thereto.

Done at Versailles the third of September, one thousand seven hundred and eighty-three.

(L. S.) MANCHESTER.

D E C L A R A T I O N.

THE new state in which commerce may perhaps be found, in all parts of the world, will demand revisions and explanations of the subsisting treaties; but an entire abrogation of those treaties, in whatever period it might be, would throw commerce into such confusion as would be of infinite prejudice to it.

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In some of the treaties of this sort there are not only articles which relate merely to commerce, but many others which insure reciprocally, to the respective subjects, privileges, facilities for conducting their affairs, personal protections, and other advantages, which are not, and which ought not to be of a changeable nature, such as the regulations relating merely to the value of goods and merchandize, variable from circumstances of every kind.

When therefore the state of the trade between the two nations shall be treated upon, it is requisite to be understood, that the alterations which may be made in the subsisting treaties are to extend only to arrangements merely commercial; and that the privileges and advantages, mutual and particular, be not only preserved on each side, but even augmented, if it can be done.

In this view, his Majesty has consented to the appointment of commissaries, on each side, who shall treat solely upon this object.

Done at Versailles, the third of September, one thousand seven hundred and eighty-three.

(L. S.)

MANCHESTER.

Counter-Declaration.

THE Catholick King, in proposing new arrangements of commerce, has had no other design than to remedy, by the rules of reciprocity and mutual convenience, whatever may be defective in preceding treaties of commerce. The King of Great Britain may judge from thence, that the intention of his Catholick Majesty is not in any manner to cancel all the stipulations contained in the above-mentioned treaties; he declares, on the contrary, from henceforth, that he is disposed to maintain all the privileges, facilities, and advantages, expressed in the old treaties, as far as they shall be reciprocal, or compensated by equivalent advantages. It is to attain this end, desired on each side, that commissaries are to be named to treat upon the state of trade between

tween the two nations, and that a considerable space of time is to be allowed for compleating their work. His Catholick Majesty hopes that this object will be pursued with the same good faith, and with the same spirit of conciliation, which have presided over the discussion of all the other points included in the definitive treaty ; and his said Majesty is equally confident, that the respective commissaries will employ the utmost diligence for the completion of this important work.

Done at Versailles, the third of September, one thousand seven hundred and eighty-three.

(L. S.)

LE COMTE D'ARANDA.

WE, Ambassador Plenipotentiary of his Imperial and Royal Apostolick Majesty, having acted as mediator in the work of pacification, declare that the treaty of peace signed this day at Versailles, between his Britannick Majesty and his Catholick Majesty, with the two separate articles thereto annexed, and of which they form a part, as also with all the clauses, conditions, and stipulations which are therein contained, was concluded by the mediation of his Imperial and Royal Apostolick Majesty. In witness whereof, we have signed these presents with our hand, and have caused the seal of our arms to be affixed thereto. Done at Versailles, the third of September, one thousand seven hundred and eighty-three.

(L. S.)

Le Comte de MERCY ARGENTEAU.

WE, Ministers Plenipotentiary of her Imperial Majesty of all the Russias, having acted as mediators in the work of pacification, declare that the treaty of peace, signed this day at Versailles, between his Britannick Majesty and his Catholick Majesty, with the two separate articles thereto annexed, and of which they form a part, as also with all the clauses, conditions and stipulations which are therein contained, was concluded by the mediation of her Imperial Majesty of all the Russias. In witness whereof, we have signed these presents with
our

our hands, and have caused the seals of our arms to be affixed thereto.

Done at Versailles, the 3d of September, one thousand seven hundred and eighty-three.

(L. S.)

Prince IWAN BARIATINSKOY.

(L. S.)

A. MARCÓFF.

His Britannick Majesty's full Power.

GEORGE R.

GEOERGE the Third, by the Grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, Duke of Brunswick and Lunenburgh, Arch-Treasurer and Prince Elector of the Holy Roman Empire, &c. To all and singular to whom these presents shall come, greeting. Whereas for perfecting the peace between us and our good brother the Catholick King, which has been happily begun by the preliminary articles already signed at Versailles on the 20th day of January last, and for bringing the same to the desired conclusion, we have thought proper to invest some fit person with full authority, on our part; and whereas our right trusty and right entirely beloved cousin and counsellor, George Duke and Earl of Manchester, Viscount Mandeville, Baron of Kimbolton, Lord Lieutenant and Custos Rotulorum of the county of Huntingdon, has merited our favour, by his illustrious descent, eminent qualities of mind, singular experience in affairs, and approved fidelity, on whom therefore, we have conferred the character of our Ambassador Extraordinary and Plenipotentiary at the Court of our good brother the Most Christian King, being persuaded that he will highly dignify the office which we have resolved to entrust to him: Know ye, therefore, that we have made, constituted, and appointed, and by these presents do make, constitute, and appoint him, the said George Duke of Manchester, our true, certain and undoubted Plenipotentiary, Commissioner and Procurator; giving and granting to him full and all manner of power and authority,

thority, as also our general and special command, at the Court of our said good brother the Most Christian King; for us and in our name, to meet and confer with the Ambassadors, Commissioners, Deputies, and Plenipotentiaries, as well of our good brother the Catholick King, as of the other Princes and States whom it may concern, being furnished with sufficient authority, whether singly and separately, or collectively and jointly; and with them to agree, treat, consult, and conclude upon the re-establishing, as soon as may be, of a firm and lasting peace, and sincere friendship and concord; and for us, and in our name, to sign whatever may be so agreed upon and concluded; and also to make, and mutually deliver and receive, a treaty or treaties, or such other and so many instruments as shall be requisite, upon the business concluded, and to transact all other matters, which may relate to the happily accomplishing of the aforesaid work, in as ample manner and form, and with equal force and effect, as we, if we were present, could do and perform; engaging and promising, on our royal word, that we will approve, ratify, and accept, in every more perfect form, whatever may happen to be transacted and concluded by our said Plenipotentiary, and that we will never suffer the same to be violated or infringed by any one, either in the whole or in part. In witness, and for the greater validity of all which, we have caused our great seal of Great Britain to be affixed to these presents, signed with our royal hand. Given at our Court at St. James's, the twentieth day of April, in the year of our Lord, 1783, and in the twenty-third year of our reign.

His Catholick Majesty's full Power.

DON Carlos, by the Grace of God, King of Castile, Leon, Arragon, the Two Sicilies, Jerusalem, Navarre, Granada, Toledo, Valencia, Galicia, Majorca, Seville, Sardinia, Cordova, Corfica, Murcia, Jaen, the Algarves, Algeziras, Gibraltar, the Canary Islands, the East and West Indies, Islands and Terra-Firma

Firma of the Ocean; Archduke of Austria, Duke of Burgundy, Brabant, and Milan; Count of Apſburg, Flanders, Tirol, and Barcelona; Lord of Biſcay and Molina, &c. Whereas, preliminary articles of peace having been happily agreed upon between my kingdom of Spain and that of England, as well as between the other Powers, there will ſoon be occaſion to aſſemble a general congreſs wherever it may be thought moſt proper and beſt adapted to the common intereſts, in order to ſettle and determine definitively all matters in controverſy between thoſe Powers and States, who have taken part in the war now drawing to a concluſion; and conſidering it very probable that the French Court will be preferred, on account of its convenient ſituation, and the attendance there of thoſe Plenipotentiaries who have interpoſed in forming the ſaid preliminary articles, I have thought it neceſſary and proper to again authorize a perſon in my higheſt eſteem and confidence, endowed with knowledge and experience, to the end that, in my name, he may aſſiſt at all conferences, treat, ſettle, and determine whatever may concern my intereſts in the intended definitive treaty: Therefore, all theſe requiſites and qualifications concentring in you, Don Pedro Pablo Abarca de Bolea Ximenes d'Urrea, &c. Count of Aranda and Caſtel - Florido, Marquis of Torres, Villanan, and Rupit, Viſcount of Rueda and Yoch, Baron of the Baronies of Gavin, Sietano, Clamoſa, and others; Lord of the Tenencia and Honor of Alcalaten, &c. Rico-Hombre in Aragon by deſcent, Grandee of Spain of the firſt claſs, Knight of the Order of the Golden Fleece, and of that of the Holy Ghoſt, Gentleman of my Bedchamber in Employment, Captain General of my Forces, and my Ambaſſador Extraordinary to his Moſt Chriſtian Maſteſty, I have reſolved to authorize you, as by theſe preſents I do authorize and name you, and grant to you my full power, in the moſt ample and extenſive form, in order that, with the other Miniſters duly empowered by the reſpective Sovereigns, or States, whom they repreſent, you may treat, ſettle, conclude, and ſign all ſuch points as relate to the eſtabliſhment of the general peace, by means of the definitive treaty which

which is now in agitation ; promising, on the faith and word of a King, to approve, ratify, fulfil, and cause to be strictly fulfilled, whatever articles, conditions, or agreements you may conclude and sign. In witness whereof, I have ordered these presents to be dispatched, signed by my hand, sealed with my privy seal, and counter-signed by my under-written Counsellor, and First Secretary of State and of the Dispatches. Pardo, the 8th of February, 1783.

(L. S.)

I THE KING.

*Joseph Monino.**The Emperor's full Power.*

WE Joseph the Second, by the Divine Favour, Emperor Elect of the Romans, always august, King of Germany, Jerusalem, Hungary, Bohemia, Dalmatia, Croatia, Slavonia and Lodomeria ; Archduke of Austria, Duke of Burgundy, Lorraine, Stiria, Carinthia, and Carniola ; Great Duke of Tuscany ; Great Prince of Transilvania ; Marquis of Moravia ; Duke of Brabant, Limburg, Luxemburg and Gueldres, Wirtemberg, Upper and Lower Silesia, Milan, Mantua, Parma, Placentia and Guastalla, Osvecinia and Zatoria, Calabria, Barri, Montferat and Teschin ; Prince of Suevia and Carolopolis ; Count of Hapsburg, Flanders, Tyrol, Hainault, Kiburg, Goritia and Gradisca ; Marquis of the Holy Roman Empire, of Burgovia, Upper and Lower Lusatia, Mussopont and Nomeny, Count of Namur, Provence, Vandemont, Albimont, Zutphen, Sarwar, Salm and Falkenstein ; Lord of Marchpurg, Slavonia and Mechlin ;—

By the tenor of these presents, make known and testify to all and singular, whom it doth or may in any manner concern. During the time that the late extensive war overspread almost the whole world, we, and her Majesty the Empress and sole Monarch of All the Russias, animated with an equal desire of putting an end as soon as possible to the calamities of the war, did
not

not omit frequently to manifest our earnest inclination that by the interposition of our respective and mutual friendly offices, a reconciliation of the belligerent parties might be promoted, and the former peace and sincere concord between them be restored. It was very agreeable to us to understand that our common endeavours had not failed of the desired effect; for a more pacific disposition afterwards prevailing in the minds of the Princes engaged in the war, and the business being already so far happily advanced, that previous conditions of peace, or preliminary articles, were agreed upon between them, on which the general work of pacification might be founded, the aforesaid Most Serene and Most Potent Princes desired, in a friendly manner, that, in concert with her Imperial Majesty of all the Russias, we would apply our joint attention to this salutary business, and interpose our friendly offices for establishing the peace, of which the foundations were happily laid by the above-mentioned previous conditions, in order that by the united efforts of the mediators, the great work of peace might, on every side, be the more certainly accomplished. We, ever intent upon that object, perceived with the greater satisfaction the sentiments of the above-mentioned Princes, and having previously concerted measures with her Majesty the Empress of all the Russias, did not hesitate to confirm the expectations they had conceived on our part, by accepting, with a willing and chearful mind, the trust committed to us. For which end, we have made choice of the illustrious and noble, our faithful and beloved Florimond Count de Mercy-Argenteau, Knight of the Golden Fleece, our actual Privy Counsellor, and our Ambassador residing at the Court of the Most Serene and Most Potent King of France and Navarre, a person of singular fidelity, integrity and experience in the proper conduct of affairs, and have appointed, and hereby given him full power to take upon him, in our name, the office of mediator, conjointly with such person or persons who shall be appointed, and furnished with equal full power, as well on the part of her Majesty the Empress of all the Russias, as co-mediatrix, as on the part of the other Princes

who may be interested therein, and to contribute his counsel and assistance for concluding, by the interposition of friendly offices and united efforts, such treaties, conventions, or regulations whatsoever, as may appear to be necessary for completing the work of peace; all which he shall subscribe and sign, and shall also deliver such instrument or instruments, on his part, as may be proper and required of him for perfecting the business: Promising on our Imperial, Royal, and Archducal word, that we will ratify, accept, and faithfully fulfil all such things as our said Ambassador shall have concluded, promised, and signed, by virtue of these presents, and that we will order letters of ratification to be expedited at the time agreed upon. In witness, and for the greater validity whereof, we have signed this instrument of full power with our hand, and have ordered it to be confirmed with our Imperial, Royal, and Archducal seal affixed thereto. Given in our city of Vienna, the sixteenth day of April, in the year of our Lord one thousand seven hundred and eighty-three, in the twentieth of our Roman-Germanic reign, and the third of our hereditary reign,

J O S E P H.

W. Kaunitz Rietberg.

By his Sacred, Imperial, and Royal Apostolick Majesty's Special Command,

Ant. Spielmann.

The Empress of Russia's full Power.

BY the Grace of God, we Catherine the Second, Empress and sole Monarch of All the Russias, of Muscovy, Kiovia, Vlodomiria, Novogorod, Czarina of Casan, Czarina of Astracan, Czarina of Siberia, Lady of Plescau, and Great Dutchess of Smotenko, Dutchess of Estonia, of Livonia, Carelia, Twer, Ingoria, Germania, Viatkia, Bulgaria, and other countries; Lady and Great Dutchess of Lower Novogorod, of Czernigovia, Kefan, Rostow, Jaroslaw, Bela-Osabria, Udoria, Obdoria,

fia, Conditia, Ruler of all the Side of the North, Lady of Iveria, and Hereditary Princess and Sovereign of the Czars of Cartalinia and Georgia, as also of Cabardinia, of the Princes of Circassia, of Gorski, &c. Being intent, during all the course of the late war, which had extended over every part of the earth, to testify how much we had it at heart to see the calamities thereof terminated, we were inclined, in conjunction with his Majesty the Emperor of the Romans, King of Hungary and Bohemia, to employ our good offices, in order to find means of conciliation proper for re-establishing peace and good understanding between the Belligerent Powers. We have had the satisfaction to observe that our common endeavours were not fruitless; and the pacific sentiments with which the said Powers were happily animated, heving ripened and strengthened so far, that they proceeded to conclude preliminary articles, serving as a basis to the definitive treaties, they invited us, conjointly with his Majesty the Emperor of the Romans, King of Hungary and Bohemia, to carry our united mediation into full execution, and to interpose our good offices in this salutary work, by concurring to consolidate and fully establish the peace, the foundations of which were laid by the aforesaid preliminary articles, and thus to accomplish the business of pacification so happily begun. We, equally induced by the sentiments above expressed, as by a just acknowledgement of those which were manifested to us on the part of the said Powers, did not hesitate, in concert with his Majesty the Emperor of the Romans, to confirm their expectation, and to charge ourself with the important employment which was tendered to us. For this end, we have made choice of, named and deputed, and, by these presents, do make choice of, name and depute, our Ministers Plenipotentiary to his Most Christian Majesty, our beloved and trusty Prince Iwan Bariatinfky, Lieutenant General of our Forces, Knight of the Order of St. Anne, and the Sieur Arcadius de Marcoff, our Counsellor of Chancery, giving them full power, in our name, and on our behalf, in quality of mediators, jointly with him or them who shall be named for this purpose, and

likewise furnished with full powers, on the part of his Majesty the Emperor of the Romans, King of Hungary and Bohemia, co-mediator, as well as on the part of the other Powers interested therein, to act or interpose, and assist with our mediation and good offices, in the arrangement and completion of all such treaties, conventions, or other instruments, as shall be judged necessary for the consolidation and entire confirmation of the work begun; and also to sign and deliver, on their part, such act or acts as may be required, and deemed conducive to the attainment of that end; Promising, on our faith and Imperial word, to approve and faithfully perform every thing which shall have been done, concluded, promised, and signed, in virtue of the present full power, by the said Prince Bariatinckoy and Sieur Marcoff, as also to cause our ratifications thereof to be expedited in the time agreed upon. In witness whereof, we have signed these presents with our own hand, and have caused the great seal of the Empire to be fixed thereto. Given at our residence of St. Petersburg, the twelfth of March, in the year of Grace, one thousand seven hundred and eighty-three, and in the twenty-first year of our reign.

CATHERINE

Count John D'Osternann.

The definitive Treaty of Peace and Friendship between his Britannick Majesty, and the United States of America; signed at Paris, the 3d. of September, 1783.

In the name of the Most Holy and Undivided Trinity.

IT having pleased the Divine Providence to dispose the hearts of the Most Serene and Most Potent Prince, George the Third, by the grace of God, King of Great Britain, France and Ireland, Defender of the Faith, Duke of Brunswick and Lunenburg, Arch-Treasurer and Prince Elector of the Holy Roman Empire, &c. and of the United

United States of America, to forget all past misunderstandings and differences that have unhappily interrupted the good correspondence and friendship which they mutually wish to restore; and to establish such a beneficial and satisfactory intercourse between the two countries, upon the ground of reciprocal advantages and mutual convenience, as may promote and secure to both perpetual peace and harmony; and having for this desirable end already laid the foundation of peace and reconciliation, by the provisional articles signed at Paris, on the 30th of November, 1782, by the Commissioners empowered on each part; which articles were agreed to be inserted in, and to constitute the treaty of peace proposed to be concluded between the Crown of Great Britain and the said United States, but which treaty was not to be concluded until terms of peace should be agreed upon between Great Britain and France, and his Britannick Majesty should be ready to conclude such treaty accordingly; and the treaty between Great Britain and France having since been concluded, his Britannick Majesty and the United States of America, in order to carry into full effect the provisional articles above mentioned, according to the tenor thereof, have constituted and appointed, that is to say, his Britannick Majesty, on his part, David Hartley, Esq., Member of the Parliament of Great Britain: and the said United States, on their part, John Adams, Esq., late a Commissioner of the United States of America at the Court of Versailles, late Delegate in Congress from the State of Massachusetts, and Chief Justice of the said State; and Minister Plenipotentiary of the said United States to their High Mightinesses the States General of the United Netherlands; Benjamin Franklin, Esq., late Delegate in Congress from the State of Pennsylvania, President of the Convention of the said State, and Minister Plenipotentiary from the United States of America at the Court of Versailles; John Jay, Esq., late President of Congress, and Chief Justice of the State of New York, and Minister Plenipotentiary from the said United States at the Court of Madrid; to be the Plenipotentiaries for the concluding and signing the present definitive treaty: who, after having recipro-

cally communicated their respective full powers, have agreed upon and confirmed the following articles :

Article I. His Britannick Majesty acknowledges the said United States, viz. New-Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, to be Free, Sovereign, and Independent States; that he treats with them as such; and for himself, his heirs and successors, relinquishes all claims to the government, propriety, and territorial rights of the same, and every part thereof.

II. And that all disputes which might arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared, that the following are, and shall be, their boundaries, viz. From the north-west angle of Nova Scotia, viz. that angle which is formed by a line drawn due north, from the source of Saint Croix river to the Highlands, along the said Highlands which divide those rivers that empty themselves into the river St. Lawrence, from those which fall into the Atlantic ocean, to the north-westernmost head of Connecticut river; thence down along the middle of that river to the forty-fifth degree of north latitude; from thence by a line due west on said latitude until it strikes the river Iroquois or Cataraquy; thence along the middle of the said river into lake Ontario; through the middle of said lake, until it strikes the communication by water between that lake and lake Erie; thence along the middle of said communication into lake Erie; through the middle of said lake until it arrives at the water communication between that lake and lake Huron; thence along the middle of said water communication into the lake Huron; thence through the middle of said lake to the water communication between that lake and lake Superior; thence through lake Superior, northward of the isles Royal and Peltipeaux, to the Long Lake; thence through the middle of said Long Lake, and the water communication between it and the Lake of the Woods, to the said Lake of the Woods; thence through the said lake to the most north-western point thereof, and from thence

thence on a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi, until it shall intersect the northernmost part of the thirty-first degree of north latitude:—South, by a line to be drawn due east from the determination of the line last mentioned, in the latitude of thirty-one degrees north of the equator, to the middle of the river Apalachicola or Catahouche; thence along the middle thereof to its junction with the Flint river; thence straight to the head of St. Mary's river, and thence down along the middle of St. Mary's River to the Atlantic ocean:—East, by a line to be drawn along the middle of the river St. Croix, from its mouth in the bay of Fundy to its source; and from its source directly north to the aforesaid Highlands, which divide the rivers that fall into the Atlantic ocean from those which fall into the river St. Lawrence: comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova Scotia on the one part, and East Florida on the other, shall respectively touch the bay of Fundy, and the Atlantic ocean; excepting such islands as now are, or heretofore have been, within the limits of the said province of Nova Scotia.

III. It is agreed, that the people of the United States shall continue to enjoy, unmolested, the right to take fish of every kind on the grand bank and on all the other banks of Newfoundland: also in the gulph of St. Lawrence, and at all other places in the sea where the inhabitants of both countries used at any time heretofore to fish. And also that the inhabitants of the United States shall have liberty to take fish of every kind on such part of the coast of Newfoundland as British fishermen shall use, (but not to dry or cure the same on that island) and also on the coasts, bays, and creeks of all other of his Britannick Majesty's dominions in America; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbours, and creeks of Nova Scotia, Magdalen Islands, and Labrador, so long as the same shall remain unsettled; but so soon as the same, or either of them, shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such

settlement without a previous agreement for that purpose with the inhabitants, proprietors, or possessors of the ground.

IV. It is agreed, that creditors on either side shall meet with no lawful impediment to the recovery of the full value, in sterling money, of all *bonâ fide* debts heretofore contracted.

V. It is agreed, that the Congress shall earnestly recommend it to the legislatures of the respective states, to provide for the restitution of all estates, rights, and properties, which have been confiscated belonging to real British subjects : and also of the estates, rights, and properties, of persons resident in districts in the possession of his Majesty's arms, and who have not borne arms against the said United States : and that persons of any other description shall have free liberty to go to any part or parts of any of the Thirteen United States, and therein to remain twelve months unmolested in their endeavours to obtain the restitution of such of their estates, rights, and properties, as may have been confiscated : and that Congress shall also earnestly recommend to the several states, a reconsideration and revision of all acts or laws regarding the premises, so as to render the said laws or acts perfectly consistent not only with justice and equity, but with that spirit of conciliation which, on the return of the blessings of peace, should universally prevail. And that Congress shall also earnestly recommend to the several states, that the estates, rights, and properties, of such last-mentioned persons shall be restored to them, they refunding to any persons who may be now in possession the *bonâ fide* price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights, or properties, since the confiscation.

And it is agreed, that all persons who have any interest in confiscated lands, either by debts, marriage settlements, or otherwise, shall meet with no lawful impediment in the prosecution of their just rights.

VI. That there shall be no future confiscations made, nor any prosecutions commenced against any person or persons, for or by reason of the part which he or they may have taken in the present war ; and that no person shall,

shall, on that account, suffer any future loss or damage either in his person, liberty, or property; and that those who may be in confinement on such charges at the time of the ratification of the treaty in America, shall be immediately set at liberty, and the prosecutions so commenced be discontinued.

VII. There shall be a firm and perpetual peace between his Britannick Majesty and the said States, and between the subjects of the one and the citizens of the other, wherefore, all hostilities, both by sea and land, shall from henceforth cease: all prisoners on both sides shall be set at liberty, and his Britannick Majesty shall, with all convenient speed, and without causing any destruction, or carrying away any negroes, or other property of the American inhabitants, withdraw all his armies, garrisons, and fleets, from the said United States, and from every port, place, and harbour within the same; leaving in all fortifications the American artillery that may be therein; and shall also order and cause all archives, records, deeds, and papers, belonging to any of the said States, or their citizens, which in the course of the war may have fallen into the hands of his officers, to be forthwith restored and delivered to the proper states and persons to whom they belong.

VIII. The navigation of the river Mississippi, from its source to the ocean, shall for ever remain free and open to the subjects of Great Britain, and the citizens of the United States.

IX. In case it should so happen, that any place or territory belonging to Great Britain, or to the United States, should have been conquered by the arms of either from the other, before the arrival of the said provisional articles in America, it is agreed, that the same shall be restored without difficulty, and without requiring any compensation.

X. The solemn ratifications of the present treaty, expedited in good and due form, shall be exchanged between the contracting parties in the space of six months, or sooner if possible, to be computed from the day of the signature of the present treaty,

In

In witness whereof, we the under-signed, their Ministers Plenipotentiary, have, in their name, and in virtue of our full powers, signed with our hands the present definitive treaty, and caused the seals of our arms to be affixed thereto.

Done at Paris, this third day of September, in the year of our Lord one thousand seven hundred and eighty-three.

(L. S.) D. HARTLEY.

(L. S.) JOHN ADAMS,
(L. S.) B. FRANKLIN,
(L. S.) JOHN JAY.

His Britannick Majesty's full Power,

GEORGE R.

GEORGE the Third by the grace of God, King of Great Britain, France and Ireland, Defender of the Faith, Duke of Brunswick and Lunenburg, Arch-Treasurer and Prince Elector of the Holy Roman Empire, &c. To all to whom these presents shall come, greeting; Whereas for the perfecting and establishing the peace, friendship, and good understanding, so happily commenced by the provisional articles, signed at Paris the 30th day of November last, by the Commissioners of us and our good friends the United States of America, viz. New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, the Three Lower Counties on Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, in North America; and for opening, promoting, and rendering perpetual, the mutual intercourse of trade and commerce between our kingdoms and the dominions of the said United States, we have thought proper to invest some fit person with full powers, on our part, to meet and confer with the Ministers of the said United States, now residing at Paris, duly authorized for the accomplishing of such laudable and salutary purposes: Now know ye, that we, reposing special trust and confidence in the

the wisdom, loyalty, diligence, and circumspection of our trusty and well-beloved David Hartley, Esq., (on whom we have, therefore, conferred the rank of our Minister Plenipotentiary,) have nominated, constituted, and appointed, and by these presents do nominate, constitute, and appoint him our true, certain, and undoubted Commissioner, Procurator, and Plenipotentiary; giving and granting to him all and all manner of faculty, power, and authority, together with general as well as special order (so as the general do not derogate from the special, nor on the contrary) for us, and in our name, to meet, confer, treat, and conclude with the Minister or Ministers furnished with sufficient powers, on the part of our said good friends the United States of America, of and concerning all such matters and things as may be requisite and necessary for accomplishing and completing the several ends and purposes herein before mentioned; and also for us, and in our name, to sign such treaty or treaties, convention, or conventions, or other instruments whatsoever, as may be agreed upon in the premises, and mutually to deliver and receive the same in exchange; and to do and perform all such other acts, matters, and things, as may be any ways proper and conducive to the purposes above mentioned, in as full and ample form and manner, and with the like validity and effect as we ourself, if we were present, could do and perform the same: engaging and promising, on our Royal Word, that we will accept, ratify, and confirm, in the most effectual manner, all such acts, matters, and things, as shall be so transacted and concluded by our aforesaid Commissioner, Procurator, and Plenipotentiary; and that we will never suffer any person to violate the same, in the whole or in part, or to act contrary thereto.

In testimony and confirmation of all which, we have caused our Great Seal of Great Britain to be affixed to these presents, signed with our Royal Hand.

Given at our Palace at St. James's, the fourteenth day of May, in the year of our Lord one thousand seven hundred and eighty-three, and in the twenty-third year of our Reign.

Full

Full Power, of the United States of America.

THE United States of America, in Congress assembled, To all to whom these presents shall come, send greeting : Whereas these United States, from a sincere desire of putting an end to the hostilities between his Most Christian Majesty and these United States on the one part, and his Britannick Majesty on the other, and of terminating the same by a peace, founded on such solid and equitable principles as reasonably to promise a permanency of the blessings of tranquillity, did heretofore appoint the Honourable John Adams, late a Commissioner of the United States of America at the Court of Versailles, late Delegate in Congress from the state of Massachusetts, and Chief Justice of the said state, their Minister Plenipotentiary, with full powers, general and special, to act in that quality, to confer, treat, agree, and conclude with the Ambassadors or Plenipotentiaries of his Most Christian Majesty, and of his Britannick Majesty, and those of any other Princes or states whom it might concern, relating to the re-establishment of peace and friendship : and whereas the flames of war have since that time been extended, and other nations and states are involved therein : Now know ye, that we still continuing earnestly desirous, as far as depends upon us, to put a stop to the effusion of blood, and to convince the powers of Europe, that we wish for nothing more ardently than to terminate the war by a safe and honourable peace, have thought proper to renew the powers formerly given to the said John Adams, and to join four other persons in commission with him ; and having full confidence in the integrity, prudence, and ability of the Honourable Benjamin Franklin, our Minister Plenipotentiary at the Court of Versailles, and the Honourable John Jay, late President of Congress, and Chief Justice of the state of New York, and our Minister Plenipotentiary at the Court of Madrid ; and the Honourable Henry Laurens, formerly President of Congress, and commissioned and sent as our agent to the United Provinces of the Low Countries ; and the Honourable Thomas Jefferson, Go-
vernour

vernor of the Commonwealth of Virginia; have nominated, constituted, and appointed, and by these presents do nominate, constitute, and appoint the said Benjamin Franklin, John Jay, Henry Laurens, and Thomas Jefferson, in addition to the said John Adams, giving and granting to them the said John Adams, Benjamin Franklin, John Jay, Henry Laurens, and Thomas Jefferson, or the majority of them, or of such of them as may assemble; or, in case of the death, absence, indisposition, or other impediment of the others, to any one of them, full power and authority, general and special, conjunctly and separately, and general and special command, to repair to such place as may be fixed upon for opening negotiations for peace; and there for us, and in our name, to confer, treat, agree, and conclude with the Ambassadors, Commissioners and Plenipotentiaries of the Princes and States whom it may concern, vested with equal powers, relating to the establishment of peace; and whatsoever shall be agreed and concluded for us, and in our name, to sign, and thereupon make a treaty or treaties; and to transact every thing that may be necessary for completing, securing, and strengthening the great work of pacification in as ample form, and with the same effect as if we were personally present, and acted therein; hereby promising, in good faith, that we will accept, ratify, fulfil, and execute whatever shall be agreed, concluded, and signed by our said Ministers Plenipotentiary, or a majority of them, or of such of them as may assemble; or, in case of the death, absence, indisposition, or other impediment of the others, by any one of them; and that we will never act, nor suffer any person to act, contrary to the same, in whole, or in any part.

In witness whereof we have caused these presents to be signed by our President, and sealed with his seal.

Done at Philadelphia, the fifteenth day of June, in the year of our Lord one thousand seven hundred and eighty-one, and in the fifth year of our Independence, by the United States in Congress assembled.

(Signed) SAM. HUNTINGTON, President
Attest

(Signed) CHARLES THOMSON, Secretary.

The

The definitive Treaty of Peace and Friendship, between his Majesty the King of Great Britain, and their High Mightinesses the States General of the United Provinces of the Low Countries.

Au Nom de la Très Sainte et Indivisible Trinité, Pere, Fils, et Saint Esprit. Ainsi soit-il.

SOIT notoire à tous ceux qu'il appartiendra, ou peut appartenir, en Manière quelconque. Le Sérénissime et Très Puissant Prince et Seigneur George Trois, par la grace de Dieu, Roi de la Grande Bretagne, de France et d'Irlande, Duc de Brunsvic et de Lunembourg, Archi-Trésorier et Electeur du Saint Empire Romain, &c. et les Hauts et Puissants Seigneurs les Etats Généraux des Provinces Unies des Pays-Bas, ayant posé les fondemens de la paix par les préliminaires signés à Paris le second Septembre dernier; et sa dite Majesté, et les dits Etats Généraux, voulant consommmer un si grand et salutaire ouvrage, ont nommé et autorisé; savoir, de la part de sa Majesté Britannique, Daniel Hales, Ecuier, Ministre Plénipotentiaire de sa dite Majesté près de sa Majesté Très Chrétienne; et de la part de leurs hautes puissances des dits Etats Généraux, les très Nobles et très Excellents Seigneurs Matheus Lesteyenon, Seigneur de Berkenroode et Snyen, Député à l'Assemblée des Etats Généraux des Provinces Unies des Pays-Bas de la part de la province de Hollande, et leur Ambassadeur Ordinaire auprès de sa Majesté le Roi Très Chrétien, et Gerard Brantien, Bourguemestre et Sénateur de la ville d'Arnhem, Conseiller et Grand Maître des Monnoyes de la République, Député aux Etats Généraux des Provinces Unies, et leur Ambassadeur Extraordinaire et Plénipotentiaire près sa Majesté Très Chrétienne. Lesquels, après s'être diement communiqué leurs pleins-pouvoirs en bonne forme, sont convenus des articles suivans.

Article I. Il y aura une paix chrétienne, universelle et perpétuelle, tant par mer que par terre, et une amitié sincère et constante se ra rétablie, entre sa Majesté Britannique, ses héritiers et successeurs, royaumes, états, et sujets, et

et leurs Hautes Puissances les dits Etats Généraux, et leurs états et sujets, de quelque qualité et condition qu'ils soyent, sans exception de lieux ni de personnes; en sorte que les hautes parties contractantes apporteront la plus grande attention à maintenir entre elles, et leurs dits états et sujets, cette amitié et correspondance réciproque, sans permettre dorénavant que, de part ni d'autre, on commette aucunes sortes d'hostilités, par mer ou par terre, pour quelque cause ou sous quelque prétexte que ce puisse être; et on évitera soigneusement tout ce qui pourroit altérer, à l'avenir, l'union heureusement retable, s'attachant, au contraire, à se procurer réciproquement, en toute occasion, tout ce qui pourroit contribuer à leur gloire, intérêts et avantages mutuels, sans donner aucun secours ou protection, directement ou indirectement, à ceux qui voudroient porter quelque préjudice à l'une ou à l'autre des dites hautes parties contractantes. Il y aura un oubli général de tout ce qui a pu être fait ou commis, avant ou depuis le commencement de la guerre qui vient de finir.

II. A l'égard des honneurs du pavillon, et du salut en mer, par les vaisseaux de la République vis-à-vis de ceux de la Majesté Britannique, il en sera usé respectivement de la même manière qui a été pratiquée avant le commencement de la guerre qui vient de finir.

III. Tous les prisonniers faits de part et d'autre, tant par terre que par mer, et les otages enlevés ou donnés, pendant la guerre, et qui ne sont pas encore restitués conformément au traité préliminaire, seront restitués au plutôt sans rançon; chaque puissance soldant respectivement les avances qui auront été faites, pour la subsistance et l'entretien des ses prisonniers, par le Souverain du pays où ils auront été détenus, conformément aux reçus et états constatés, et autres titres authentiques, qui seront fournis de part et d'autre: et il sera donné réciproquement des sûretés pour le paiement des dettes que les prisonniers auroient pu contracter, dans les états où ils auront été détenus, jusqu'à leur entière liberté. Et tout les vaisseaux, tant de guerre que marchands, qui auroient été pris depuis l'expiration des termes convenus pour la cessation des hostilités par mer, seront pareillement rendus, de bonne
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foi,

foi, avec tous leurs équipages et cargaisons : Et en procédera à l'exécution de cet article immédiatement après l'échange des ratifications de ce traité.

IV. Les Etats Généraux des Provinces Unies cèdent et garantissent, en toute propriété, à sa Majesté Britannique, la ville de Negapatnam, avec les dépendances d'icelle; mais vu l'importance que les Etats Généraux des Provinces Unies attachent à la possession de la susdite ville, le Roi de la Grande Bretagne, pour marque de sa bienveillance envers les susdits Etats, promet, nonobstant la dite cession, de recevoir et de traiter avec eux pour la dite ville, en cas que les Seigneurs Etats auront à l'avenir quelque équivalent à lui offrir.

V. Le Roi de la Grande Bretagne restituera aux Etats Généraux des Provinces Unies, Trinquemalé, ainsi que toutes les autres villes, forts, havres et établissemens, qui, dans le cours de la guerre, ont été conquis, dans quelque partie du monde que ce soit, par les armes de sa Majesté Britannique, ou par celles de la compagnie des Indes Orientales Angloise, et dont il se trouveroit en possession; le tout dans l'état où ils se trouveront.

VI. Les Etats Généraux des Provinces Unies promettent et s'engagent à ne point gêner la navigation des sujets Britanniques dans les mers Orientales.

VII. Comme il s'est élevé des différens entre la compagnie Africaine Angloise, et la compagnie des Indes Occidentales Hollandoise, relativement à la navigation sur les côtes d'Afrique, ainsi qu'au sujet du cap Apollonia; pour prévenir toute cause de plainte entre les sujets des deux nations sur ces côtes, il est convenu que, de part et d'autre, on nommera des Commissaires pour faire à ces égards des arrangemens convenables.

VIII. Tous les pays et territoires qui pourroient avoir été conquis, ou qui pourroient l'être, dans quelque partie du monde que ce soit, par les armes de sa Majesté Britannique, ainsi que par celles des Etats Généraux, qui ne sont pas compris dans les présens articles, ni a titre de restitutions, seront rendus sans difficulté, et sans exiger de compensation,

IX. Comme par l'article neuvième du traité préliminaire, il a été stipulé et fixé, par les hautes parties contractantes,

tractantes, une époque pour les restitutions et évacuations à faire, de part et d'autre, des villes, places & territoires, dont leurs armes respectives se seroient emparés, et dont elles se trouveroient en possession, à l'exception de ce qui avoit été cédé ; et que le terme énoncé dans le susdit neuvième article s'est déjà écoulé ; les dites parties contractantes s'engagent réciproquement, et de bonne foi, d'observer les dites stipulations ; et dans le cas que, par quelque accident ou autrement, les cessions et restitutions y comprises n'auroient pas eu lieu, d'expédier directement les ordres nécessaires, afin qu'il ne reste aucun retardement à l'accomplissement des dites stipulations.

X. Sa Majesté Britannique, et leurs Hautes Puissances les susdits Etats Généraux, promettent d'observer sincèrement, et de bonne foi, tous les articles contenus et établis dans ce présent traité ; et elles ne souffriront pas qu'il y soit fait de contravention, directe ou indirecte, par leurs sujets respectifs ; et les susdites hautes parties contractantes se garantissent, généralement et réciproquement, toutes les stipulations des présens articles.

XI. Les ratifications solennelles du présent traité, expédiées en bonne et due forme, seront échangées en cette ville de Paris, entre les hautes parties contractantes, dans l'espace d'un mois, ou plutôt, si faire se peut, à compter du jour de la signature du présent traité.

En foi de quoi, nous soussignés, leurs Ambassadeurs et Ministres Plénipotentiaires, avons signé de notre main, en leur nom, et en vertu de nos pleins pouvoirs, le présent traité définitif, et y avons fait apposer les cachets de nos armes.

Fait à Paris, le vingt de May, mil sept cent quatre vingt quatre.

(L. S.) DANIEL HAILES.

Article Séparé.

Article I.

IL a été convenu et arrêté, que la langue Française, employée dans tous les exemplaires, du présent traité, ne formera point un exemple qui puisse être allégué, ni tirer

à conséquence, ni porter préjudice, en aucune manière, à l'une ni à l'autre des puissances contractantes; et que l'on se conformera à l'avenir à ce qui a été observé, et doit être observé, à l'égard et de la part des puissances, qui sont en usage et en possession de donner et de recevoir des exemplaires de semblables traités, en une autre langue que la Française; le présent traité ne laissant pas d'avoir la même force et vertu que si le susdit usage y avoit été observé.

En foi de quoi, nous soussignés, Ambassadeurs et Ministres Plénipotentiaires de sa Majesté Britannique, et des Etats Généraux des Provinces Unies, avons signé le présent article séparé, et y avons fait apposer les cachets de nos armes.

Fait à Paris, le vingt de May, mil sept cent quatre vingt quatre.

(L. S.)

DANIEL HAILES.

Plein-pouvoir de Sa Majesté Britannique.

GEORGIUS R.

GEORGIUS Tertius, Dei Gratiâ, Magnæ Britannîæ, Franciæ, et Hiberniæ, Rex, Fidei Defensor, Dux Brunsvicensis et Luneburgensis, Sacri Romani Imperii Archi-Thesaurarius, et Princeps Elector, &c. Omnibus et singulis ad quos præsentès hæ literæ pervenerint, salutem! Cùm ad pacem perficiendam inter nos ac Cælos et Præpotentes Dominos Ordines Generales Fœderati Belgii, quæ jam, signatis Lutetiæ Parisiorum, die secundo mensis Septembris proximè præteriti, articulis preliminariis feliciter inchoata est, eamque ad finem exopatam perducendam, virum aliquem idoneum, nostrâ ex parte plenâ auctoritate munire, nobis è re visum sit; sciatís quòd nos, fide, industriâ, ingenio, perspicacia et rerum usu, fidelis et dilecti nobis Danielis Hailes, Armigeri, Ministri Nostri Plenipotentiarîi apud bonum fratrem nostrum Regem Christianissimum, plurimum confisi, eundem nominavimus, facimus et constituimus, sicut, per præsentès, nominamus, facimus et constituimus, nostrum verum, certum et indubitatum Commissarium, Procuratorem

torem et Plenipotentiarium; dantes et concedentes eidem omnem et omnimodam potestatem, facultatem, auctoritatemque, nec non mandatum generale, pariter ac speciale (itâ tamen ut generale speciali non déroget, nec è contrâ) in Aulâ prædicti boni Fratris Nostri Regis Christianissimi, pro nobis, et nostro nomine, unâ cum Legatis, Commissariis Deputatis et Plenipotentariis prædictorum Dominorum Ordinum Generalium Fœderati Belgii, sufficienti auctoritate instructis, congregandi et colloquendi, atque cum ipsis de pace firmâ et stabili, sincerâque amicitia et concordia quantocius restituendis, conveniendi, tractandi, consulendi et concludendi; eaque omnia, quæ itâ conventa et conclusa fuerint, pro nobis, et nostro nomine, subscribendi, superque conclusis tractatum, tractatusve, vel alia instrumenta quotquot et qualia necessaria fuerint, conficiendi, mutuôque tradendi, recipiendique; omniaque alia, quæ ad opus supradictum feliciter exequendum pertinent, transigendi, tam amplis modo et formâ, ac vi effectusque pari, ac nos, si interessemus, facere et præstare possemus: spondentes, et in Verbo Regio promittentes, nos omnia et singula quæcunque à dicto Nostro Plenipotentario transigi et concludi contingerent, grata, rata et accepta, omni meliori modo, habituros, neque passuros unquam ut in toto, vel in parte, à quopiam violentur, aut ut iis in contrarium eatur. In quorum omnium majorem fidem et robur, præsentibus, Manu Nostrâ Regiâ signatis, Magnum Nostrum Magnæ Britanniaë sigillum appendi fecimus. Quæ dabantur in palatio nostro Divi Jacobi, die vicesimo septimo mensis Aprilis, Anno Domini millesimo septingentesimo octogesimo quarto, regni que nostri vicesimo quarto.

Plein-pouvoir des Etats Généraux.

ORDINES Generales Fœderati Belgii, omnibus qui has viderint, salutem! Cum nihil magis nobis curæ cordique sit, quàm ut bellum quo unâ cum aliis principibus adversus Magnam Britanniam impliciti sumus, generali, solidâ et firmâ pace componatur, atque statim hujus optati & salutaris propositi exsequendi gratiâ,

ineantur negotiationes; idcirco, moti desiderio, quidquid pro viribus nostris possumus, conferendi ad hanc pacis generalis negotiationem promovendam, nec non confisi, nos Serenissimum Magnæ Britanniae Regem eodem studio motum inventuros, cognita prudentiâ, rerum experienciâ, et fide Dominorum Lestevenon de Berkenroode, legati nostri apud Majestatem Christianissimam, et Gerardi Brantsen, Consulis urbis Arenaci, Consiliarii et Præfecti Generalis Monetis Reipublicæ, et Delegati ordinarii Provinciæ Gelriæ ad Confessum nostrum, Plenipotentiarum nostri, eos auctoritate nostrâ et jussu munivimus, misimus et deputavimus, sicut per hasce munimus, mittimus et deputamus, concedentes ipsis plenam potestatem, nec non mandatum generalé ac speciale, vel iis ambobus simul, vel eorum utriusque, alterius absentiam, valetudinis vel alius cujuscunque impedimenti causâ, ut agant cum illo illisque, quos pariter necessariâ ad agendum potestate muniverit Regia Magnæ Britanniae Majestas, de omnibus quæ ad pacem generalem, firmam et commodam, ineundam utilia et necessaria judicabuntur, ut impedimenta obvenientia remove conentur, ut de his agant, convenient et contrahant, quemadmodum è re judicaverint, et in genere omnia in his faciant, quæ ipsi præsentibus facere possemus; sincerâ mente et bonâ fide polliciti, nos grata, accepta & rata habituros omnia, quæ dicti Domini Legatus noster et Plenipotentarius stipulati fuerint, vel promiserint, concefferintve, nosque literas ratihabitionis solenni formâ daturus. Datum Hagæ comitum sub sigillo nostro Majori, Signo Præsidis Confessus nostri, et Subscriptione Graphiarum nostri, die 19 Augusti, anno millesimo septingentesimo octogesimo secundo.

R. SLOET.

Ad mandatum altememoratorum Dominorum Ordinum Generalium,

H. F A G E L.

TRANS-

TRANSLATION.

The definitive Treaty of Peace and Friendship between his Majesty the King of Great Britain, and their High Mightinesses the States General of the United Provinces of the Low Countries.

In the name of the Most Holy and Undivided Trinity, Father, Son, and Holy Ghost. So be it.

BE it known to all those whom it shall or may in any manner concern. The Most Serene and Most Potent Prince and Lord George the Third, by the Grace of God, King of Great Britain, France and Ireland, Duke of Brunswick and Lunenburg, Arch-Treasurer and Elector of the Holy Roman Empire, &c. and the High and Mighty Lords the States General of the United Provinces of the Low Countries, having laid the foundation of peace by the preliminary articles signed at Paris the second of September last; and his said Majesty and the said States General being desirous to complete so great and salutary a work, have named and authorised, to wit, on the part of his Britannick Majesty, Daniel Hailes, Esquire, his said Majesty's Minister Plenipotentiary to his Most Christian Majesty; and on the part of their High Mightinesses the said States General, the most Noble and most Excellent Lords Mathew Lestevenon, Lord of Berkenroode and Stryen, Deputy to the States General of the United Provinces of the Low Countries from the Province of Holland, and their Ambassador in Ordinary to his Majesty the Most Christian King, and Gerard Brantsen, Burgomaster and Senator of the city of Arnheim, Counsellor and Grand Master of the Mint of the Republick, Deputy to the States General of the United Provinces, and their Ambassador Extraordinary and Plenipotentiary to his Most Christian Majesty: Who, after having duly communicated to each other their full powers in good form, have agreed upon the following Articles:

Article I. There shall be a Christian, universal and perpetual peace, as well by sea as by land, and a sincere and constant friendship shall be re-established between his

Britannick Majesty, his heirs and successors, kingdoms, dominions, and subjects, and their High Mightinesses the said States General, and their dominions and subjects, of what quality or condition soever they be, without exception either of places or persons; so that the high contracting parties shall give the greatest attention to the maintaining between themselves, and their said dominions and subjects, this reciprocal friendship and intercourse, without permitting hereafter, on either part, any kind of hostilities to be committed, either by sea or by land, for any cause or under any pretence whatsoever: And they shall carefully avoid, for the future, every thing which might prejudice the union happily re-established, endeavouring, on the contrary, to procure reciprocally for each other, on every occasion, whatever may contribute to their mutual glory, interests, and advantage, without giving any assistance or protection, directly or indirectly, to those who would do any injury to either of the high contracting parties. There shall be a general oblivion of every thing which may have been done or committed, before or since the commencement of the war which is just ended.

II. With respect to the honours of the flag, and the salute at sea, by the ships of the Republick towards those of his Britannick Majesty the same custom shall be respectively followed, as was practised before the commencement of the war which is just concluded.

III. All the prisoners taken on either side, as well by land as by sea, and the hostages carried away or given during the war, and who have not yet been restored, conformably to the preliminary treaty, shall be restored as soon as possible, without ransom; each Power respectively discharging the advances which shall have been made for the subsistence and maintenance of their prisoners, by the sovereign of the country where they shall have been detained, according to the receipts, attested accounts, and other authentic vouchers, which shall be furnished on each side: And sureties shall be reciprocally given for the payment of the debts which the prisoners may have contracted in the countries where they may have been detained until their entire release. And all ships, as well men of war as merchant ships, which
may

may have been taken since the expiration of the terms agreed upon for the cessation of hostilities by sea, shall likewise be restored, *bona fide*, with all their crews and cargoes: And the execution of this article shall be proceeded upon immediately after the exchange of the ratifications of this treaty.

IV. The States General of the United Provinces cede and guaranty, in full right, to his Britannick Majesty, the town of Negapatnam, with the dependencies thereof; but in consideration of the importance which the States General of the United Provinces annex to the possession of the aforesaid town, the King of Great Britain, as a proof of his good will towards the said States, promises, notwithstanding this cession, to receive and treat with them for the restitution of the said town, in case the Lords the States should hereafter have an equivalent to offer him.

V. The King of Great Britain shall restore to the States General of the United Provinces, Trinquemale, as also all the other towns, forts, harbours, and settlements, which in the course of the war have been conquered in any part of the world whatever by the arms of his Britannick Majesty, or by those of the English East-India Company, and of which he should be in possession; the whole in the condition in which they shall be found.

VI. The States General of the United Provinces promise and engage, not to obstruct the navigation of the British subjects in the Eastern Seas.

VII. Whereas differences have arisen between the English African Company and the Dutch West-India Company, relative to the navigation on the coasts of Africa, as also on the subject of Cape Apollonia; for preventing all cause of complaint between the subjects of the two nations on those coasts, it is agreed, that Commissioners shall be named, on each side, to make suitable arrangements on these points.

VIII. All the countries and territories which may have been, or which may be conquered, in any part of the world whatsoever, by the arms of his Britannick Majesty, as well as by those of the States General, which are not included in the present treaty, neither under the head of

cessions, nor under the head of restitutions, shall be restored without difficulty, and without requiring any compensation.

IX. Whereas by the ninth article of the preliminary treaty a period was stipulated and appointed by the high contracting parties, for the restitutions and evacuations to be made, on each side, of the towns, fortresses, and territories which might have been conquered by their respective arms, and of which they should be in possession, excepting such as had been ceded; and whereas the term specified in the aforesaid ninth article is already expired; the high contracting parties engage reciprocally, and *bonâ fide*, to observe the said stipulations, and in case, by any accident or otherwise, the cessions and restitutions therein comprised should not have taken place, to expedite immediately the necessary orders, to the end that there may be no farther delay in the accomplishment of the said stipulations.

X. His Britannick Majesty and their High Mightinesses the aforesaid States General, promise to observe sincerely, and *bonâ fide*, all the articles contained and established in this present treaty; and they will not suffer the same to be infringed, directly or indirectly, by their respective subjects: and the said high contracting parties guaranty to each other, generally and reciprocally, all the stipulations of the present articles.

XI. The solemn ratifications of the present treaty, prepared in good and due form, shall be exchanged in this city of Paris, between the high contracting parties, in the space of one month, or sooner if it can be done, to be computed from the day of the signature of the present treaty.

In witness whereof, we the under-written, their Ambassadors and Ministers Plenipotentiary, have signed with our hands, in their names, and by virtue of our full powers, the present definitive treaty, and have caused the seals of our arms to be affixed thereto.

Done at Paris, the twentieth of May, one thousand seven hundred and eighty-four.

(L. S.) DANIEL HAILES.

(L. S.) LESTEVENON VAN BERKENROODE.

(L. S.) BRANTSSEN.

Separate

Separate Article.

I. **I**T has been agreed and determined, that the French language, made use of in all the copies of the present treaty, shall not form an example which may be alledged or quoted as a precedent, or, in any manner, prejudice either of the contracting powers ; and that they shall conform, for the future, to what has been observed, and ought to be observed, with regard to, and on the part of powers, who are in the practice and possession of giving and receiving copies of like treaties in a different language from the French ; the present treaty having, nevertheless, the same force and virtue as if the aforesaid practice had been therein observed.

In witness whereof, we the under-written Ambassadors and Ministers Plenipotentiary of his Britannick Majesty, and of the States General of the United Provinces, have signed the present separate article, and have caused the seals of our arms to be affixed thereto.

Done at Paris, the twentieth of May, one thousand seven hundred and eighty-four.

(L. S.) DANIEL HAILES.

(L. S.) LESTEVENON VAN BERKENROODE.

(L. S.) BRANTSSEN.

His Britannick Majesty's full Power.

G E O R G E R.

GEORGE the Third, by the Grace of God, King of Great Britain, France and Ireland, Defender of the Faith, Duke of Brunswick and Lunenburg, Arch-Treasurer and Prince Elector of the Holy Roman Empire, &c. To all and singular to whom these presents shall come, greeting. Whereas, in order to perfect the peace between us and the High and Mighty Lords the States General of the United Netherlands, which was happily begun by the preliminary articles, signed at Paris the second day of September last, and to bring the same to

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the desired conclusion, we have thought fit to invest some proper person with full power on our part; Know ye, that we, confiding entirely in the fidelity, diligence, ability, penetration and experience in affairs, of our trusty and well-beloved Daniel Hailes, Esq., our Minister Plenipotentiary to our good brother the Most Christian King, have named, made, and constituted, and by these presents do name, make, and constitute him our true, certain, and undoubted Commissioner, Procurator, and Plenipotentiary; giving and granting to him all and all manner of power, faculty, and authority, as also our general and special command (so that the general shall not derogate from the special, nor contrarywise) at the Court of our said good brother the Most Christian King, for us, and in our name, to meet and confer with the Ambassadors, Commissioners, Deputies, and Plenipotentiaries of the aforesaid Lords the States General of the United Netherlands, being furnished with sufficient authority, and with them to agree, treat, consult, and conclude upon the re-establishing, as soon as may be, of a firm and lasting peace, and sincere friendship and concord; and for us, and in our name, to sign whatever may be so agreed upon and concluded; and also to make, and mutually deliver and receive, a treaty or treaties, or such other, and so many instruments as shall be requisite, upon the business concluded, and to transact all other matters, which may relate to the happily accomplishing the aforesaid work in as ample manner and form, and with equal force and effect as we, if we were present, could do and perform: engaging and promising, on our Royal Word, that we will approve, ratify, and accept, in every more perfect form, whatever may happen to be transacted and concluded by our said Plenipotentiary, and that we will never suffer the same to be violated or infringed by any one, either in the whole or in part.

In witness, and for the greater validity of all which, we have caused our Great Seal of Great Britain to be affixed to these presents, signed with our Royal Hand.

Given at our Court at St. James's, the twenty-seventh day April, in the year of our Lord one thousand seven hundred and eighty-four, and in the twenty-fourth year of our Reign.

The

The full Power of the States General.

THE States General of the United Netherlands :
 To all who shall see these presents, greeting.
 Whereas there is nothing we have more earnestly at heart, than that the war, in which we, together with other Powers, are involved, against Great Britain, may be terminated by a general, solid, and lasting peace, and that, in order to accomplish so desirable and salutary a purpose, negotiations may be forthwith begun ; wherefore, moved by a desire of contributing whatever lies in our power to promote the negotiation for a general peace, and trusting that we shall find the Most Serene King of Great Britain animated with the like sentiments, we, knowing the prudence, experience in affairs, and fidelity of the Lords Lestevenon de Berkenroode, our Ambassador to his Most Christian Majesty, and Gerard Brantfen, Consul of the city of Arnheim, Counsellor and Master General of the Mint of the Republick, Deputy in Ordinary from the Province of Gueldres to our Assembly, and our Plenipotentiary, have authorised, appointed, commissioned, and deputed, as, by these presents, we do authorise, appoint, commission and depute them, granting full power, as well as general and special command, to both of them conjointly, or to either of them in the absence of the other, whether on account of illness or of any other impediment whatsoever, to treat with him or them who shall have been likewise invested by his Britannick Majesty with the necessary authority for that purpose, concerning all things which shall be judged expedient and requisite for concluding a general, lasting, and advantageous peace, to endeavour to remove all obstacles which may occur, to act, agree, and stipulate thereupon in such manner as they shall think proper, and generally to do all things relative thereto, which we ourselves being present might do ; promising sincerely and *bonâ fide*, that we will accept, perform, and ratify

ratify every thing which the said Lords our Ambassador and Plenipotentiary shall have stipulated, promised, or granted, and that we will issue our letters of ratification in due form. Given at the Hague under our great seal, signed by the President of our Assembly, and countersigned by our Greffier, the nineteenth day of August, in the year one thousand seven hundred and eighty-two.

R. SLOET, Pt.

By order of the aforesaid Lords the States General,

H. F A G E L.

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