

CONVENTION OF THE

Northern Powers.

Convention for the re-establishment of an armed neutrality, between his Majesty the King of Sweden, of the one part, & his Majesty the Emperor of all the Russias, on the other part, concluded and signed at St. Petersburg, the 4th (16th of December) 1800, accepted and ratified by his Swedish Majesty on the 20th of December, and by his Imperial Majesty of all the Russias on the 8th (20th of December) in the same year.

In the name of the most Holy and undivided Trinity.

In order that the freedom of the navigation, and the security of the Merchandize of the neutral powers, may be established, and the principles of the laws of nations be fully ascertained, during the continuance of the present maritime war, his Majesty the King of Sweden, and his Majesty the Emperor of all the Russias, actuated by their love of justice, and by a reciprocal desire to promote whatever may be for the public advantage of their respective states, have to that effect determined to give a new sanction to their principles of neutrality, which are in their nature indissoluble, and to require that they may be respected by all powers interested in their preservation. With this view their Majesties have, by their declaration of the 15th of August to the Northern Courts, who are equally concerned in the maintenance of those general regulations anciently recognized, given them to understand how sincerely it is the object of their hearts to restore in its full independence, the general right of all nations to convey their ships and merchandize freely, and without being subject to the controul of the powers at war. His Swedish Majesty imparted his wishes and sentiments to his great allies, and an happy conformity of their mutual interests has induced them to adopt the resolution of re-establishing that system of an armed neutrality, which was attended with such advantage during the American war, and to renew its beneficial principles in a convention adapted to the present circumstances. To this end his Majesty the King of Sweden, and his Imperial Majesty of all the Russias, have nominated, as their plenipotentiaries, namely, his Swedish Majesty, baron Curt von Stedingk, ambassador extraordinary to his imperial Majesty of all the Russias, lieutenant-general, chamberlain of the queen dowager, colonel of a regiment of infantry, knight, and commander of the order of the sword, and knight of the French order Pour les Merites Militaires, and his imperial Majesty of all the Russias, baron count Theodore von Kistopsin, his right trusty privy counsellor, member of the council principal, minister of the college of foreign affairs, director general of the post of the empire grand chancellor and grand cross of the sovereign order of St. John of Jerusalem, knight of the first class of the orders of St. Andrew, St. Alexander Newsky, and St. Anne, knight of the order of St. Lazarus, of St. Ferdinand, and St. Hubert: who, after exchanging their respective full powers, have agreed upon the following articles:

Article I. His Majesty the King of Sweden, and his Majesty the emperor all the Russias, declare that they will strongly prohibit the exportation of contraband mer-

chandize on the part of their subjects, every power whatever, whether at present engaged in war, or which may hereafter be engaged in war.

Art. II. In order to prevent all doubts and misunderstandings as to what shall be considered contraband, his Majesty the King of Sweden, and his Imperial Majesty of all the Russias, declare, that they will acknowledge the following articles as contraband, namely, cannons, mortars, firearms, balls, flints, flint stones, matches, gun powder, salt-petre, sulphur helmets, pikes, swords, hangers, cartouch boxes, saddles and bridles, with the exception of such a quantity of the above articles as may be necessary for the defence of the ships and their crew; all other articles not herein enumerated, shall not be considered as war or naval stores: they shall not be subject to confiscation, but shall pass free and without restraint. It is also hereby agreed, that the present article shall be without prejudice to the particular stipulations of former treaties with the powers at war, by virtue of which, the things abovementioned are allowed or prohibited.

Art. III. And whereas it is resolved, That whatever, by virtue of the foregoing article, can be deemed contraband, shall be excluded from the commerce of neutral nations; in like manner his Majesty the King of Sweden, and his Imperial Majesty of all the Russias, will and determine, that all other merchandize shall be and remain free; and in order that the general principles of the laws of nature, of which the freedom of trade and navigation, as well as the rights of neutral nations, and the immediate consequence, may be placed under a competent and sure safeguard, they have resolved no longer to delay that voluntary explanation from which they have hitherto been restrained by motives of their separate and temporary interests. With this view they have hereby determined.

1. That every ship may freely navigate from one harbour to another, and on the coasts of the belligerent nations.

2. That the effects which belong to the subjects of the belligerent powers in neutral ships, with the exception of contraband goods, shall be free.

3. That in order to determine what shall be considered as a blockaded harbour, such denomination shall be admitted to apply only where the disposition and number of the ships of the power by which it is invested, shall be such as to render it apparently hazardous to enter, and that every ship which shall go into a blockaded harbour, that is evidently so blockaded, violates the present convention as much as if the commander of the blockade had previously advised it of the state of the harbour, and it had nevertheless endeavoured by force or artifice to obtain admission.

4. That with regard to neutral ships, except those which, for just reasons, and upon evident grounds, shall be detained, sentence shall be pronounced without delay; the proceedings against them shall be uniform, prompt, and lawful. Over and above the indemnity to which they shall be entitled for the damages they shall have sustained, complete satisfaction shall be given for the insult committed against the flag of their Majesties.

5. That the declaration of the officer who shall command the ship of war, or ships of war, of the king or emperor, which shall be conveying one or more merchant ships, that the convoy has no contraband

1. pre
sugge
prove t
the stric
of their
men, to load
erely to have on board, any articles, which by virtue of this present convention, may be considered as contraband; and for the more complete carrying into execution this command, they will respectively take care to give directions to their courts of admiralty to publish it whenever they shall think it necessary, and to this end the regulations which shall contain this prohibition under the several penalties, shall be printed at the end of the present act, that no one may plead ignorance.

Art. IV. In order to place the commerce of their subjects upon the most legal and permanent basis, his Majesty, the King of Sweden, and his Majesty, the Emperor of all the Russias, have deemed it expedient to equip a number of ships of war and frigates, which shall be charged to see that the object be obtained, and the squadrons of each power shall take these stations, and protect these convoys, which their commerce and their navigation may require, and which shall be conformable to the course of trade to each nation.

Art. V. To provide against all inconveniences which may proceed from any nation abusing the privilege of their flag, it is established as a regulation not to be departed from, that every transport, be it whole or may, belonging to the country whose flag it bears, shall have on board a captain, and the half of the crew composed of the subjects of that country;—and the passport shall be drawn up in due and regular form. Every passport which shall not observe these regulations, or shall violate the command printed at the end of this present convention, shall forfeit all right to the protection of the contracting powers, and the government to which it may belong, shall alone be responsible for all the loss, damage or inconvenience it may sustain.

Art. VI. Should it nevertheless happen that the merchant ships of one of the powers should find itself in a situation where the ships of war of that nation are not stationed, and where they cannot have the protection of their own convoys, in such case the commandant of the ship of war of the other power, if it shall be required, shall duly and faithfully afford such assistance as may be necessary.—The ships of war and frigates other nations shall afford protection and assistance to the merchant vessels of the other, provided, in the mean time, that the vessel requiring such assistance shall not have violated the principles of the neutrality, by having carried on illicit commerce.

Art. VII. This convention shall have no retrospective operations, and consequently it shall have no references to any differences that existed previous to its conclusion. Its application shall only be to future acts of violence and aggression, and it shall soon form the basis of a system for the protection of all the neutral nations of Europe, whose rights may hereafter be denied or violated.

Art. VIII. Should it, notwithstanding all the possible care of the two powers, and