

unless the same shall be bona fide necessary to her being refitted: Nor shall she be obliged to pay any duties whatever, except only on such articles as she may be permitted to sell for the purpose aforesaid.

#### Article XVIII.

It shall not be lawful for any privateers, (not being subjects or citizens of either of the said parties) who have commissions from any power or state in enmity with either nation, to arm their ships in the ports of either of the said parties, nor to sell what they have taken, or in any other manner to exchange the same, nor shall they be allowed to purchase more provisions than shall be necessary for their going to the nearest port of that prince or state from whom they obtained their commissions.

#### Article XIX.

It shall be lawful for the ships of war and privateers, belonging to the said parties respectively, to carry whithersoever they please the ships and goods taken from their enemies, without being obliged to pay any fees to the officers of the admiralty, or to any judges whatever, nor shall the said prizes when they arrive at and enter the ports of the said parties, be detained or seized; nor shall the searchers or other officers of those places visit such prizes, (except for the purpose of preventing the carrying of any part of the cargo thereof on shore in any manner contrary to the established laws of revenue, navigation or commerce) nor shall such officers take cognizance of the validity of such prizes; but they shall be at liberty to hoist sail and depart as speedily as may be, and carry their said prizes to the places mentioned in their commissions or patents which the commanders of the said ships of war or privateers shall be obliged to shew. No shelter or refuge shall be given in their ports to such as have made a prize upon the subjects or citizens of either of the said parties; but if forced by stress of weather or the dangers of the sea to enter them, particular care shall be taken to hasten their departure and to cause them to retire as soon as possible: nothing in this treaty contained shall however be construed to operate contrary to the former and existing public treaties with other sovereigns or states: but the two contracting parties agree that while they continue in amity, neither of them will in future make any treaty that shall be inconsistent with this or the preceding article.

Neither of the said parties shall permit the ships or goods belonging to the subjects or citizens of the other to be taken within cannon shot off the coast nor within the jurisdiction, described in Article XII, so long as the provisions of the said article shall be in force, by ships of war or others having commissions from any prince, republic, or state whatever. And in case it should so happen, the party, whose territorial rights shall thus have been violated, shall use his utmost endeavors to obtain from the offending party full and ample satisfaction for the vessel or vessels so taken, whether the same be vessels of war, or merchant vessels.

#### Article XX.

If at any time a rupture should take place (which God forbid) between his majesty and the United States, the merchants and others of each of the two nations, residing in the dominions of the other shall have the privilege of remaining and continuing their trade so long as they do it peaceably, and commit no offence against the laws, and in case their conduct should render them suspected, and the respective governments should think proper to order them to remove, the term of twelve months, from the publication of the order shall be allowed them for that purpose to remove with their families, effects and property; but this favor shall not extend to those who shall act contrary to the established laws; and for greater certainty, it is declared that such rupture shall not be deemed to exist, while negotiations for accommodating differences shall be depending, nor until the respective ambassadors or ministers, if such there shall be, shall be recalled, or sent home on account of personal misconduct, according to the nature and degree of which, both parties retain their rights, either to request the recall or immediately to send home the ambassador or minister of the other, and that without prejudice to their mutual friendship and good understanding.

#### Article XXI.

It is further agreed that his majesty and the United States on mutual requisitions by them respectively, or by their respective ministers, or officers authorized to make the same, will deliver up to justice all persons who being charged with murder or forgery committed within the jurisdiction of either, shall seek an asylum within any of the countries of the other, provided that this shall only be done on such evidence of criminality, as according to the laws of that place, where the fugitive or person so charged shall be found, would justify his apprehensions and commitment for trial, in the offence had there been committed. The expense of such apprehension and delivery shall be borne and defrayed by those who make the requisition and receive the fugitive.

#### Article XXII.

In the event of a Shipwreck happening in a place belonging to one or other of the high contracting parties, not only every assistance shall be given to the unfortunate persons, and no violence done to them, but also the effects which they shall have thrown out of the ship into the sea, shall not be concealed or detained, nor damaged under any pretext whatever: On the contrary the above mentioned effects and merchandize shall be preserved, and restored to them, upon a suitable recompense being given to those who shall have assisted in saving their persons, vessels, and effects.

#### Article XXIII.

And it being the intention of the high contracting parties that the people of their respective dominions shall continue to be on the footing of the most favoured nation, it is agreed, that in case either party shall hereafter grant any additional advantages, in navigation or trade, to any other nation the subjects or citizens of the other party shall fully participate therein.

#### Article XXIV.

The high contracting parties engage to communicate to each other without delay, all such laws

as have been or shall be hereafter enacted by their respective legislatures, as also all measures which shall have been taken for the abolition or limitation of the African slave trade; and they further agree to use their best endeavors to procure the co-operation of other powers for the final and complete abolition of a trade so repugnant to the principles of justice and humanity.

#### Article XXV.

And it is further agreed that nothing herein contained shall contravene or affect the due execution of any treaties now actually subsisting between either of the high contracting parties, and any other power or powers.

#### Article XXVI.

This Treaty when the same shall have been ratified by his majesty and the president of the United States with the advice of their Senate, and the respective ratifications, mutually exchanged, shall be binding and obligatory on his majesty and on the said states for ten years, from the date of the exchange of the said ratifications, and shall be reciprocally executed and observed, with punctuality and the most sincere regard to good faith.

In faith whereof, we the undersigned plenipotentiaries on the part of his majesty the king of Great Britain, and the commissioners extraordinary and plenipotentiaries, on the part of the United States of America, have signed this present treaty, and have caused to be affixed hereto the seal of our arms. Done at London, this thirty-first day of December one thousand eight hundred and six.

[Seal] (Signed) VASSALL HOLLAND,  
[Seal] (Signed) AUCKLAND,  
[Seal] (Signed) JAMES MONROE,  
[Seal] (Signed) WILLIAM PINCKNEY.

The following is the official Note delivered by Lords Holland and Auckland to the American Ministers, previously to signing the treaty.

The undersigned Henry Richard Vassall Lord Holland, and William Lord Auckland, plenipotentiaries of his Britannic majesty, have the honor to inform James Monroe and William Pinckney, commissioners extraordinary and plenipotentiary of the United States of America that they are now ready to proceed to the signature of the treaty of amity, commerce and navigation, on the articles of which they have mutually agreed.

But, at the same time, they have in command from his majesty to call the attention of the commissioners of the United States to some extraordinary proceedings which have lately taken place on the continent of Europe, and to communicate to them officially the sentiments of his majesty's government thereupon.

The proceedings alluded to are certain declarations and orders of the French government issued at Berlin on the 21st of November last.

In those orders the French government seeks to justify or palliate its unjust pretensions by imputing to Great Britain principles which she never professed, and practices which never existed. His majesty is accused of a systematic and general disregard of the law of nations recognized by civilized states, and more particularly of an unwarrantable extension of the right of blockade; whereas his majesty may confidently appeal to the world on his uniform respect for neutral rights, and his general and scrupulous adherence to the law of nations without descending to contrast his conduct in these particulars with that of his enemy; and with regard to the only specific charge, it is notorious that he has never declared any port to be in a state of block without allowing to that object a force sufficient to make the entrance into them manifestly dangerous.

By such allegations, advanced as they are, the enemy attempts to justify his pretensions of confiscating as lawful prize all produce of English industry or manufacture, though it be property of neutrals; of excluding from his harbors every neutral vessel which has touched at any port of his majesty's dominions, though employed in an innocent commerce, and of declaring Great Britain to be in a state of blockade though his own naval ports and arsenals are actually blockaded, and he is unable to station any naval force whatever before any port of the United Kingdom.

Such principles are in themselves extravagant and repugnant to the law of nations; and the pretensions founded on them, though professedly directed solely against Great Britain, tend to alter the practice of war amongst civilized nations, and utterly to subvert the rights and independence of neutral powers.

The undersigned cannot therefore believe that the enemy will ever seriously attempt to enforce such a system. If he should, they are confident that the good sense of the American government will perceive the fatal consequences of such pretensions to neutral commerce, and that its spirit and regard to national honor will prevent its acquiescence in such palpable violations of its rights, and injurious encroachments on its interests.

If however the enemy should carry these threats into execution, and if neutral nations, contrary to all expectation, should acquiesce in such usurpations, his majesty might probably be compelled, however reluctantly, to retaliate in his just defence, and to adopt, in regard to the commerce of neutral nations with his enemies, the same measures which those shall have permitted to be enforced against their commerce with his subjects. The commissioners of the United States, will therefore feel, that at a moment when his majesty and all neutral nations are threatened with such an extension of the belligerent pretensions of his enemies, he cannot enter into stipulations of the present treaty without an explanation from the United States of their intention, or a reservation on the part of his majesty, in the case above mentioned, if it should occur.

The undersigned considering that the distance of the American government renders any immediate explanation on this subject impossible, and animated by a desire of forwarding the beneficial work in which they are engaged, are authorized by his majesty to conclude the treaty without delay. They proceed to the signature under the full persuasion that before the treaty shall be returned from America with the ratification of the United States, the enemy will either have formally abandoned or tacitly relinquished his unjust pretensions, or that the government of the United States, by its conduct or assurances, will have given se-

curity to his majesty that it will not submit to such innovations on the established system of maritime law. And the undersigned have presented this enemy, or such assurances, or such conduct on the part of the U. S. his majesty will not consider him as an anxious wish that it should be clearly understood on both sides, that without such an abandonment of the pretensions on the part of the self bound by the present signature of his commissioners to ratify the treaty, or precluded from adopting such measures as may seem necessary for counteracting the designs of his enemy.

The undersigned cannot conclude without expressing their satisfaction at the prospect of accomplishing an object so important to the interests and friendly connection of both nations, and their just sense of the conciliatory disposition manifested by the commissioners of the United States during the whole course of the negotiation.

Signed,

VASSALL HOLLAND,  
AUCKLAND.

London, December 31, 1806

### Foreign and Domestic Intelligence.

#### VERMONT LEGISLATURE.

EXTRA ACT

From the speech of Gov. Galusha at the commencement of the Session.

"We are, gentlemen, convened at a time by no means the least eventful. Although we have heretofore suffered much by the unjust policy of the belligerent powers of Europe; yet no period, since the commencement of our differences, has appeared to me, so portentous as the present. Great Britain seems not disposed to relinquish her offensive orders in council, surrender up our impressed seamen, or permit us to enjoy the common and legal right of a neutral nation; but assumes the attitude of a threatening invader; although France has mitigated the rigor of her hostile measures, and so modified her Berlin and Milan decrees, that they have ceased to operate against the United States.—But as it is not in our province to decide on the subject of peace or war, that being by the constitution of the United States, confided to the general government, of which this state is a component part, and has an equal voice in her councils, it is not my intention to advance any opinion on the subject, or suggest any idea, which may tend to excite the passions of my fellow citizens, against any foreign nation whatsoever; and it would much less become me, while negotiations for an adjustment are still progressing, which I pray God may terminate in an amicable settlement of all our differences; and that war may never be the unhappy fate of our beloved country.

As the President has, for some cause, thought fit to convene Congress, prior to the usual time of their convention, we may then expect to have a more extensive and perspicuous view of our national affairs. Let us, in the mean time, as far as possible, be prepared for any event which may occur. To be united is indispensably necessary to be prepared either for a state of war or the full enjoyment of peace. The political divisions, in the United States, are productive of the most unhappy consequences; they not only tend to defeat every honorable attempt to terminate our differences with foreign powers, by amicable treaty, but also, to embolden the aggressors to persist in their unrighteous depredations on our property, and add new insults to former injuries.

A people well agreed in their social compact, and firmly united in the support of their government, can surmount almost any obstacle which may oppose their prosperity and independence; but, when divided and torn asunder by faction, all domestic tranquility and enjoyment are at an end; and the greatest nation thus severed, may fall an easy prey to a foreign invader, or their liberties be destroyed by a domestic usurper.

Suffer me, gentlemen, on all occasions, to recommend to you, in the most pressing manner, to keep in view the union of citizens and states; for on this pivot turns the happiness and independence of our country. It were not my purpose, if my abilities would admit, to enter into a particular detail and vindication of the measures of the national administration; but only to excite you to a calm and dispassionate examination for yourselves.—It will, I believe, be acknowledged by all, that the measures adopted by Congress restrictive of commerce, were intended to protect us against foreign aggressions, or cause them to be removed. Whether they were the best possible measures to effect those purposes, or not, cannot, certainly, be known; since they have been tried and others untried; but I can conceive of no measures that could have been more likely to succeed against the determined policy of the two belligerent nations, while attended with that party opposition at home, which is manifest on all occasions. I wish not to prohibit a strict scrutiny of the conduct of the officers of government, or a careful attention to our liberties and national safety; but to prevent the dangerous evils, arising from unreasonable and unfounded jealousies. Have not equal encouragements, with impartiality, been extended to both Great Britain and France, with an honest intention to procure a repeal or suitable modifications of their unjust orders and decrees? And have not all political parties occasionally acknowledged and applauded the talents and virtues, the firmness and moderation of the President of the United States? Or has any one act of his life, either in his public or private capacity, manifested a design to change our government from its republican purity?—What then should induce him, while possessed of the highest honors which his country can confer upon him, to sacrifice her dearest rights and independence to the will of a foreign monarch? From what source then proceeds the continued charge of partiality and French influence? Have we not reason to suspect that it originates in a vehement party spirit, or a different party influence operating upon some disappointed, or ambitious individuals?"

PHILADELPHIA, Oct. 19.  
FROM LISBON.

Captain Myrick arrived here from Lisbon, which place he left on the 12th of September, in forms, that on the 26th August last, a battle which lasted 38 hours, was fought near Badajos, between

the British and Portuguese army commanded by Lord Wellington, and the French army under marshal Massena, in which the British and Portuguese lost 6000, and the French 15,000 men killed and wounded.

RICHMOND, October 25.

On Monday night last, the Treasury Office was broken into, & upwards of FIFTEEN THOUSAND DOLLARS stolen thereout, which had been received that day for taxes. The Treasurer we understand, is not in Richmond. Strong suspicions are entertained that this robbery has been committed by some person well acquainted with the regulations of the office, as means were found to get at the key of the Iron Chest.

NORFOLK, October 25.

Captain Davis, who arrived yesterday in the ship Fingal, from Bristol, has favored us with a file of the London Courier to the 7th of September.—These papers announce the adoption of a measure of retaliation for our present non-importation act. The order of council had not been published. The Courier says, it was signed on the 6th of September, "prohibiting American vessels from entering British ports, except such as are laden with flour and wheat, and providing that they shall carry back cargoes consisting of the produce of this country or its colonies."

Our readers will bear in mind, that the Courier is the government paper, and although the Order in Council had not been officially promulgated through the London Gazette, we entertain very little, or indeed no doubt but that the spirit of this new order is substantially given in the Courier, and that the next arrivals will bring it in its official form. We think it probable that the order contains a provision for vessels sailing before knowledge of this order, and perhaps other detailed provisions, to guard against surprise. But when the order does take effect, it will put an end to all direct communication between the two countries. The provision, that our vessels may enter with wheat and flour, upon condition they export British produce, amounts to nothing; as our law forbids the importation of all British produce.

We must confess that this is a measure, we had not calculated upon from Great Britain, because we did suppose that it would operate injuriously to her own interests. There are many of our heavy articles, that will not bear transportation, and which G. Britain and her colonies require.

Our trade will now be restricted to what in this time of commercial warfare, we may call neutral ports. At first view it would appear, that Great Britain and her colonies being consumers of our products, would not wish to enhance their cost when delivered.—The expenses of storage, commission, and other incidental charges, at the place of entrap, together with two freights, must nearly double the prices of many articles. But then Great Britain will secure to herself a *part* of the freights, of which at present she has none.

The price of our produce at these neutral ports will, it may be supposed, be much advanced. This appears true in theory, but will not be so found in practice.—Experienced merchants know the effects which are produced upon prices, when the merchandize is all brought to the point.—The want of purchasers, high price of storage, &c. will often compel sales under the original cost in the United States. So that, in effect the goods will reach Great Britain upon as good terms as they now do.

Quitting however these speculations, what will those who have insisted that our restrictive measures would compel Great Britain to do us justice, now say? So far from fearing the consequences of our measures, she has carried the system even beyond our own limits.—Ledger.

#### LATEST FROM CADIZ.

From Mr. Karrick, passenger in the Pallas, we learn, that things at Cadiz, (22d Sept.) remained as per last advices. Frequent firing on both sides, with little effect. The account of the fall of Figueras was confirmed, as also that of Valencia. Flour \$ 14; specie scarce. A gentleman arrived at Cadiz, who left Lisbon 9th Sept. reported he had seen a letter of the 6th, from a Colonel in the British army, who said that the two armies were so near each other, that an engagement must shortly take place.—Bull. Fed. Gen.

In the Post of Monday evening, was a paragraph taken from the Albany Register of October the 11th, stating that there had been seized in State street, several waggon loads of British goods smuggled into that city in violation of the non-importation law. The public are informed that no goods have been smuggled by the house referred to; and that at the time the editor published the paragraph, he well knew that these goods had been legally introduced into the United States agreeably to the most rigid precepts of the law; and that the certificates of the Collector accompanied them.

In no instance, except that of the burning of the tem now in practice on the continent of Europe, can there be produced a parallel case of so gross a violation of civil rights. We have much to regret that those men who profess to be above the level of the vulgar, in this instance were the first to prostrate those laws, which in other cases might have received their support. And to the eternal disgrace of those concerned, we now behold the commencement of a system violent in its operation, subversive of every principle of justice, and which (if continued) must at last loosen the ties which bind society together.

The writer means not to implicate the government, but to enforce the necessity of a cautious selection of discreet men to administer its laws.—Mer. Adv.

All the accounts from France confirm the complete failure of Bonaparte's great scheme of manufacturing sugar from Beets. The sugar produced will not pay the expense of extracting.

PHILADELPHIA, Oct. 19.

#### DREADFUL CATASTROPHE.

The schooner Malinda, Capt. Brown, hence for New York, while lying at anchor at Bombay Hook [in the Delaware] on Thursday morning at