

T R E A T Y

Between the UNITED STATES and his CATHOLIC MAJESTY.

HIS Catholic Majesty and the United States of America, desiring to consolidate on a permanent basis, the friendship and good correspondence which happily prevails between the two parties, have determined to establish by a Convention, several points, the settlement whereof will be productive of general advantage and reciprocal utility to both nations.

With this intention his Catholic Majesty has appointed the most excellent Lord don Manuel de Godoy, and Alvarez de Paria, Rois, Sanchez, Zamora, Prince de Paz, Duke de Alcudia, Lord of the Ronde Roma, and of the state of Albala, grandee of Spain of the first class, perpetual Regador of the city of Santiago, Knight of the illustrious order of the Golden fleece, and Great Cross of the Royal and distinguished Spanish order of Charles III. Commander of Valencia, del Ventose, Rivera, and Acechan in that of Santiago, Knight and Great Cross of the religious order of St. John: Counsellor of State: First Secretary of State, and Dispatch Secretary to the Queen: Superintendent General of the Posts and Highways: Protector of the Royal Academy of the Noble Arts, and of the Royal Societies of Natural History, Botany, Chemistry, and Astronomy: Gentleman of the Bed Chamber in employment: Captain General of his armies: Inspector and Major of the Royal Corps of Body Guards, &c. &c. &c. And the President of the United States, with the advice and consent of their Senate, has appointed Thomas Pinckney, a citizen of the United States, their Envoy extraordinary to his Catholic Majesty. And the said Plenipotentiaries have agreed upon and concluded the following Articles:

Art. I. There shall be a firm and inviolable peace and sincere friendship between his Catholic Majesty, his successors and subjects: and the United States, and their citizens, without exception of persons or places.

Art. II. To prevent all dispute on the subject of the boundaries which separate the territories of the two high contracting parties, it is hereby declared and agreed as follows, to wit. The southern boundary of the United States which divides their territory from the Spanish colonies of East and West Florida, shall be designated by a line beginning on the river Mississippi, at the northernmost part of the 31st degree of latitude north of the equator, which from thence shall be drawn due east to the middle of the river Apalachicola or Cahabache, thence along the middle thereof to its junction with the Flint, then straight to the head of St. Mary's river, and thence down the middle thereof to the Atlantic Ocean. And it is agreed, that if there should be any troops, garrisons, or settlements of either party, on the territory of the other according to the above-mentioned boundaries, they shall be withdrawn from the said territory within the term of six months after the ratification of this treaty, or sooner if it be possible: and that they shall be permitted to take with them all the goods and effects which they possess.

Art. III. In order to carry the preceding article into effect, one commissioner, and one surveyor, shall be appointed by each of the contracting parties, who shall meet at the Natches on the left side of the river Mississippi before the expiration of the six months from the ratification of this convention, and they shall proceed to run and make this boundary according to the stipulations of the said article. They shall make plats and keep journals of their proceedings, which shall be considered as part of this Convention, and shall have the same force as if they were inserted therein. And if on any account it should be found necessary, that the said commissioners and surveyors should be accompanied by guards, they shall be furnished in equal proportion by the commanding officer of his Majesty's troops in the two Floridas, and the officer of the troops of the United States in the south western territory, who shall act by common consent, and amicably, as well with respect to this point, as to the furnishing of provisions and instruments, and making every other arrangement which may be necessary or useful for the execution of this article.

Art. IV. It is likewise agreed that the western boundary of the United States, which separates them from the Spanish colony of Louisiana, is in the middle of the channel or bed of the river Mississippi from the northern boundary of the said States, to the completion of the thirty first degree or latitude north of the equator. And his Catholic Majesty has likewise agreed, that the navigation of the said river from its source to the ocean, shall be free only to his subjects and the citizens of the United States, unless he should extend this privilege to the subjects of other powers by a special convention.

Art. V. The two high contracting parties shall, by all means in their power, maintain peace and harmony amongst the several Indian nations who inhabit the country adjacent to the lines and rivers which, by the preceding article, form the boundaries of the two Floridas: and the better to attain this effect, both parties oblige themselves expressly to restrain, by force, all hostilities on the part of the Indian nations living within their boundary: — so that Spain will not suffer their Indians inhabiting

their territory, nor will the United States permit their last mentioned Indians to commence hostilities against his Catholic Majesty, or his Indians, in any manner whatsoever.

And whereas several treaties of friendship exist between the two contracting parties and the said nations of Indians, it is hereby agreed, that in future no treaty of alliance or other whatsoever (except Treaties of Peace) shall be made by either party with the Indians living within the boundary of the other, but both parties will endeavour to make the advantages of the Indian trade common and mutually beneficial to their respective subjects and citizens, observing in all things the most complete reciprocity, so that both parties may obtain the advantages arising from a good understanding with the said nations without being subject to the expence which they have hitherto occasioned.

Art. VI. Each party shall endeavour by all the means in their power to protect and defend all vessels and other effects belonging to the citizens or subjects of the other, which shall be within the extent of their jurisdiction by sea, or by land, and shall use all their efforts to recover and cause to be recovered to the right owners, their vessels and effects which may have been taken from them within the extent of their jurisdiction, whether they are at war or not with the subjects who have taken possession of the said effects.

Art. VII. And it is agreed that the subjects or citizens of each of the said contracting parties, their vessels or effects shall not be liable to any embargo or detention on the part of the other for any military expedition or other public or private purposes whatsoever. And in all cases of seizure, detention, or arrest for debts contracted, or offences committed by any citizen or subject of the one party within the jurisdiction of the other, the same shall be made and prosecuted by order and authority of the law only, and according to the regular course of proceedings usual in such cases. The citizens and subjects of both parties shall be allowed such advocates, solicitors, notaries, agents, and factors, as they judge proper in all their affairs, and in all their trials at law, in which they may be concerned before the tribunal of the other party: and such agents shall have free access to be present at the proceedings in such causes, and at the taking of examinations and evidence which may be exhibited in the said trials.

Art. VIII. In case the subjects and inhabitants of either party, with their shipping, whether public 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 taking shelter and harbour, to retreat and enter into any of the rivers, bays, roads, or ports belonging to the other party, they shall be received and treated with all humanity, and enjoy all favour, protection, and help; and they shall be permitted to provide themselves, at reasonable rates, with victuals, and all things needful for the sustenance of their persons, or reparations of their ships and prosecution of their voyage; and they shall no ways be 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.

Art. IX. All ships and merchandize, of whatever nature soever, which shall be rescued out of the hands of any pirates or robbers on the high seas, shall be brought into some port of either state, and shall be delivered to the custody of the officers of that port, in order to be taken care of and restored to the true proprietor, as soon as due and sufficient proof shall be made concerning the property thereof.

Art. X. When any vessel of either party shall be wrecked, foundered, or otherwise damaged on the coasts, or within the dominion of the other, their respective subjects and citizens shall receive, as well for themselves as for their vessels and effects, the same assistance which would be due to the inhabitants of the country where the damage happens, and shall pay the same charges and dues only as the said inhabitants would be subject to pay in a like case: and if the operation of repairs would require that the whole, or any part of the cargo be unladen, they shall pay no duties, charges or fees on the part which they shall relade and carry away.

Art. XI. The citizens and subjects of each party shall have power to dispose of their personal goods within the jurisdiction of the other by testaments, donation or otherwise, and their representatives being subjects or citizens of the other party, shall succeed to their said personal goods whether by testament or *ab intestato*, and they may take possession thereof either by themselves or others acting for them, and dispose of the same at their will, paying sale duties only, as the inhabitants of the country wherein the same goods are, or shall be subject to pay in like cases. And in case of the absence of the representative, such care shall be taken of the said goods as of a native in like case, until the lawful owner may take measures for receiving them. And if questions should arise among several claimants to which of them the goods belong, the same shall be decided by the laws and judges of the land wherein the said goods are. And where, on the death of any person holding real estate within the territories of the one party, such real estate would, by the law of the land, descend on a citizen or subject of the other, were he not disqualified by being an alien, such subject shall be allowed a reasonable time to sell the

same and to withdraw the proceeds without molestation, and exempt from all right of detraction on the part of the government of the respective states.

Art. XII. The merchants ships of either parties which shall be making into ports or into a port belonging to the enemy of the other party, and concerning whose voyage, and the species or goods on board her, there shall be just grounds of suspicion, shall be obliged to exhibit as well upon the high seas as in the ports and havens, not only her passport, but likewise certificates, expressly shewing that her goods are not of the number of those which have been prohibited as contraband.

Art. XIII. For the better promoting of commerce on both sides, it is agreed, that if a war shall break out between the two said nations, one year after the proclamation of war shall be allowed to the merchants in the cities and towns where they shall live, for collecting and transporting their goods and merchandizes: and if any thing be taken from them, or any injury be done them, within that term, by either, full satisfaction shall be made by the government.

Art. XIV. No subject of his Catholic Majesty shall apply for, or take any commission or letters of marque, for arming any ship or ships to act as privateers against the United States, or against the property of any of the inhabitants of any of them, from any prince or state with which the United States shall be at war. Nor shall any citizen, subject or inhabitant of the said United States, apply for, or take any commission or letters of marque, for arming any ship or ships, to act as privateers against the subjects of his Catholic Majesty, or the property of any of them, from any prince or state with which the said King shall 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.

Art. XV. It shall be lawful for all and singular, the subjects of his Catholic Majesty and the citizens, people and inhabitants of the United States, to sail with their ships, with all manner of liberty and security, no distinction being made, who are the proprietors of the merchandizes laden therein, from any port to the places of those who now are, or hereafter shall be at enmity with his Catholic Majesty or the United States. It shall be likewise lawful for the subjects and inhabitants aforesaid to sail with the ships and merchandizes aforesaid, to trade with the same liberty and security from the places, ports or havens of those who are enemies of both or either party, without any opposition or disturbance whatsoever, not only from the places of the enemy aforesaid to neutral places, but also from one place belonging to an enemy to another place belonging to an enemy, whether they be under the jurisdiction of the same prince or under several; and it is hereby stipulated, that free ships shall also give freedom to goods, and that every thing shall be deemed free and exempt which shall be found on board the ships belonging to the subjects of either of the contracting parties, although the whole lading or any part thereof should appertain to the enemy of either: contraband goods being always excepted. It is also agreed, that the same liberty be granted to persons who are on board a free ship, so that although they be enemies to either party, they shall not be made prisoners or taken out of that free ship, unless they are soldiers and in actual service of the enemies.

[To be concluded in our next.]

N O T I C E.

ALL persons are hereby forewarned from receiving two Notes of Hand, given by the subscribers to Samuel Smith, as administrator of the estate of John Smith, sen. one for 741 dollars, and the other for 1144 dollars: which notes were assigned over by said Samuel Smith to Major John Hinton, of Wake county, on the 29th of April, 1794.
Cumberland county, } JOHN SMITH,
April 4. } 2 2 ISAAC WILLIAMS.

N O T I C E.

OFFICES of Inspection will be open in each County of the first Survey, the whole of the month of June, for the purpose of taking ENTRIES of Stills, ELECTIONS and granting LICENSES.— Owners or possessors of Stills will prevent seizure and forfeiture of Stills or other vessels made use of in distillation, together with a penalty of Two Hundred and Fifty Dollars, by availing themselves of this notice; as they may rest assured that no indulgence will be granted or infractions overlooked.
THOMAS OVERTON, Inspector of Revenue.
Fayetteville, March 24, 1796.

STRAYED from Mr. Matthew Ramsay's plantation, near Deep river in Chatham county, about two months ago, a Dark Brown MARE, light coloured under the belly, 35 hands and an half high, a short blaze on her face, short docked tail with grey hairs about the root of it; also grey hairs upon her withers where the collar has pressed: one white foot. When she sheds her hair, 'tis probable she will be nearly of a black colour. It is imagined she may go to the head of Deep river. Whoever will bring her to me, shall receive Twenty Shillings Reward and all reasonable charges. I will also reward any person who will give me certain intelligence that may enable me to get her.

LLEWELIN LECHMERE WALL.