

right) to the free navigation of the Mississippi, from its source to the ocean: and to their southern boundary line as described in the treaty of peace of 1783, between the United States and Great Britain. We are also satisfied with the engagement of his Catholic Majesty to compensate our mercantile citizens for the losses they had sustained by the capture of their vessels and cargoes by the subjects of his Majesty, during the late war between Spain and France. All these were acts of substantial justice which were necessarily approved by every upright mind. All the other stipulations of the treaty between the United States and his Catholic Majesty were wholly voluntary, and perfectly reciprocal; so that neither of the two contracting parties, could say that they had granted or received a favour. I make this observation because of the numerous intimations in your letters, that by these other stipulations, benefits and advantages had been granted by his Catholic Majesty to the United States, without receiving from them any equivalent: intimations for which we see no foundation. To instance in the articles which constitute the two first subjects of your complaint.

1. *Free ships shall make free goods.* It is impossible that the contracting parties should ever have conceived that this rule, as between themselves, could have any operation, except when one was at war and the other at peace. The United States being in the latter situation, have a right to carry in their vessels goods of enemies of Spain, without being liable on that account to capture. On the other hand, if the United States were at war, and Spain at peace, her subjects would have a right to transport in their vessels the goods of our enemy, free from capture by armed vessels of the United States. And thus this stipulation is exactly equal on both sides.

2. *Ship timber and naval stores are by the law of nations, contraband of war:* but the United States and Spain, for the mutual benefit, agreed to consider them as *free goods*, in order that either party remaining at peace, might safely continue its commerce in those articles, even by carrying them to the enemies of the other. And thus this rule will operate equally, like the former.

You compare the liberal stipulations in these two articles with those of a contrary nature in the treaty between the United States and Great Britain: and ask, what should be the surprize of his Catholic Majesty on knowing of the latter engagements?—After remarking, that if those stipulations were liberal on the part of Spain, they were alike liberal on the part of the United States—seeing they were perfectly reciprocal;—permit me to say, that the engagements with Great-Britain do not appear to offer any cause for “surprize,” on the part of his Catholic Majesty; because his Majesty had seen, during the whole course of the American war, how steadily Great Britain persisted, in opposition to the demands of all the Maritime Powers, to maintain her claims under the law of nations, to capture enemies property and timber, and naval stores as contraband, in neutral ships. His Majesty had also seen in the present war, in which he was for a time a party with Great-Britain against France that Great Britain continued to avow, and practice upon the same principles. And with such a perfect knowledge of the principles and conduct of Great-Britain; and while she was still engaged in the war with a power which she strenuously endeavoured to deprive of timber and naval stores, and whose mercantile shipping was greatly reduced,—could his Catholic Majesty expect that Great Britain would relinquish her legal rights, to a nation (the United States) which abounded in materials for building and equipping ships, and whose vessels adapted to the carrying trade traversed every sea and visited every quarter of the globe?—You seem to imagine there is the more reason for “surprize,” because, as you say, the engagements between the United States and Great Britain were contracted “nearly at the same time”—“almost at the same moment”—with our stipulations with his Catholic Majesty:—But allow me to bring to your recollection the periods when these different treaties were formed. That with Great-Britain was concluded on the 19th day of November, 1794: That with Spain, on the 27th of October, 1795—Further, the treaty with Great Britain was published in Philadelphia, on the first day of July 1795; almost four months before the treaty with his Catholic Majesty was concluded: and nearly ten months before it received his ratification, at which time (Spain and the United States being

\* Admirable.

then at peace with all the world) it does not appear that his Catholic Majesty found the smallest difficulty in giving his final sanction to the treaty with the United States, on account of their prior treaty with Great-Britain. Moreover, Mr. Thomas Pinckney, who negotiated the treaty with Spain, being privy to the whole negotiation with Great Britain, and perfectly acquainted with every article of the British treaty, it is hardly to be doubted, that he communicated to the Prince of Peace every information concerning it which had any relation to his negotiation with Spain. The mode of proceeding in the cases of captures of American vessels, is precisely the same in both treaties, and the most material expressions in the 7th article of the British treaty, are copied into the 21st of the treaty with Spain.

[The remainder of this letter, and the other documents referred to in the President's speech, we are obliged for want of room, to omit until our next.]

**ARMY OF ITALY.**

Buonaparte, Commander in Chief of the army in Italy, to the Executive Directory.

Head Quarters at Jundenberg, April 6, 1797.

Citizen Directors,

I have the honour to transmit to you the letter which I wrote Prince Charles, and his answer.

You will find hereto annexed the note which has been sent by the Generals Bellegarde and Morveldt; the answer which I have given them; and finally, the conditions of the suspension of arms which we have concluded. You will remark, by the line of demarcation, that we find ourselves in possession of Gratz, Bruck and Rosenmann, places of which we were not before in possession. My intention is, besides, to give the army two or three days rest, so that this suspension very little deranged the military operations.

(Signed) BUONAPARTE.

Jundenberg, April 7.

His Majesty the Emperor and King, having nothing to much at heart as what can conduce to the repose of Europe, and to the termination of a war which devastated the two nations, has, in consequence of the overture which was made to his Royal Highness by your letter from Clagenfurth, sent in to you to come to some understanding on an object of so great importance.

After the conversation which we have held with you, and persuaded of the good will and of the intentions of the two powers, to finish, with the utmost promptitude possible, this disastrous war, his Royal Highness desires a suspension of hostilities for ten days, in order to be able with more celerity to attain this desired object, and in order that all the delays and obstacles that the continuation of hostilities would throw in the way of negotiation be done away, and that every thing may occur towards the re establishment of peace between the two nations.

(Signed) THE COUNT de BELLEGARDE, Lieutenant General. MORVELDT, Major General. [A true copy] BUONAPARTE.

Head Quarters, Jundenberg, April 8.

To the Generals Bellegarde, & Morveldt.

Gentlemen,

In the military situation of the two armies, a suspension of hostilities is quite adverse to the French army; but if it can pave the way to the peace so much desired and so useful to the two countries, I consent without difficulty to your request.

The French Republic has often shown his Majesty her desire to put an end to this cruel slaughter. She persists in the same sentiments, and I have no doubt, after the conference which I had the honour of having with you, that in a few days peace will be finally re established between the French Republic and his Imperial Majesty.

I beg of you to give me credit for the sentiment of esteem and distinguished consideration with which I am, gentlemen, your's.

(Signed) BUONAPARTE.

[A true copy] BUONAPARTE.

Condition of the Cessation of Hostilities. General Buonaparte, Commander in Chief of the French army in Italy, and his Royal Highness the Archduke Charles, Commander in Chief of the Imperial army, wishing to fa-

facilitate the negotiations for peace, which are on the point of being opened, agree as follows:

Art. 1. There shall be a suspension of arms between the French and the Imperial armies from this evening, the 7th of April, to the 13th of April.

Art. 2. The French army shall keep the following line: The advanced posts of the right wing of this army shall remain in the positions in which they at present are, in the positions of Treflen, Lintz, Windischleithen, Marburg, Chienhoulen, the right bank of the Muhr, Leoban, Tralyax, Mantern, the road from Mantern as far as Kottenman, the road to the valley of Lems, as far as Ruffad, St. Michael, Spital, the Valley of La Drove, and Lintz.

3. The suspension of arms shall take place equally in the Tyrol, and the Generals commanding the French and Imperial troops in that part, shall settle together the posts that they are to occupy.

Hostilities shall not commence in the Tyrol until 24 hours after the commander in Chief shall have agreed to it; or, at least, not till 24 hours after the Generals commanding the French and Imperial troops in the Tyrol, shall have been reciprocally apprised of it.

Done at Jundenberg, 7th April, 1797. (Signed) MORVELDT, Major General. Count de BELLEGARDE, Lieutenant Gen. in the service of the Emperor. BUONAPARTE, Commander in Chief of the army of the French Republic.

[A true copy] (Signed) BUONAPARTE.

The following interesting Intelligence is copied from the Philadelphia Gazette Extra. of the 12th instant.

**P E A C E.**

From the BOSTON CENTINEL, June 7. Yesterday afternoon arrived here the late Telemachus, Captain Prentice, in 30 days from Liverpool, by whom we have received London papers to May 4th which contain Paris news to April 26th—much later than before received. These papers abound with events of the greatest magnitude.

The articles most interesting to America, contain well corroborated accounts, that PRELIMINARIES OF PEACE had been signed between the Emperor and the French Republic, having been concluded by the Archduke Charles and Gen. Buonaparte.

The events which led to this measure, were an unexampled series of victories by the French army in Italy, over the Austrians, in which the latter lost between 15 and 20,000 men, killed, wounded and prisoners; great quantities of ammunition, military stores, provisions &c. and two millions worth of quicksilver from the mines of Idria. Our corroborations of this intelligence are—First, Mr. Fox, in the British House of Commons, the 3d of May, announced the event, and Mr. Pitt did not contradict it—Second, the French Executive Directory on the 26th April, in a message to the Council of Five Hundred, say, a dispatch from General Moreau, is terminated by the following postscript:

“A courier which I received this morning from Gen. Buonaparte, announces to me, the signing of the Preliminaries of Peace with the Emperor.” This message created the liveliest emotion of joy, as the harbinger of a speedy peace. Third, the Directory in another message on the same day, to the Council of Five Hundred, respecting the French colonies, say, “The constitution ought not to be put in authority until after peace; but every thing announces that this peace will be concluded in less than a month.” It may be necessary to remark, that the reason why the Directory did not receive a courier from Buonaparte, announcing the above events, as early as General Moreau, was that General Buonaparte in order to buy the useless effusion of blood, directed the courier he sent with the intelligence to proceed to Moreau's and Hoche's armies on the Rhine, before he went to Paris. Fourth, General Vernier, Governor of Strasbourg (on the 10th April, a letter from General Republic to General Vandamme, as follows, “I have the pleasure to inform you, General, that the Preliminaries of Peace have just been signed by the army of Italy; and an armistice has just been proclaimed between the Austrian army and the army of the Rhine and Moselle, and in consequence you will cease all hostilities, and the advanced posts will remain in the same position.” The