# BALBUCH BIBCHSTBB.

# NORTH-CAROLINA STATE GAZETTE.

"Ours are the plans of fair, delightful peace, "Unwarp'd by party rage to live like brothers."

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## THE REGISTER

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imes for a Dollar, and 25 cents for every succeeding publication; those of greater length tors must be post-paid.

#### (BY AUTHORITY.)

By the President of the United States of Ame-

#### A PROCLAMATION.

Whereas a General Convention of Peace, Amity, Navigation, and Commerce, between the United States of America and the Republic of Colombia, was concluded and signed, at Bogota, on the third day of October, in the year of our Lord one thousand eight hundred and twenty-four; which Convention is word for word as follows :

Ceneral Convention of Peace, Smity, Navigation and Commerce, between the United States of America and the Republic of Colombia.

#### IN THE NAME OF GOD, AUTHOR AND LE-GISLATOR OF THE UNIVERSE.

The United States of America, and the Republic of Colombia, desiring to make laststanding which happily prevails between both nations, have resolved to fix, in a manner clear, distinct, & positive, the rules which shall in future be religiously observed between the one and the other, by means of a Treaty or general Convention of Peace, Friendship, Commerce and Navigation.

For this most desirable object, the President of the United States of America has conferred full powers on RICHAID CLOUGH ANDERSON, Junior, a citizen of the said States, and their Minister Plenipotentiary to the said Republic; and the Vice President of the Republic of Colombia, charged with the Executive nower, on PEDRO GUAL, Secretary of State and of Foreign Relations, who after having exchanged their said full powers in due and proper form, have agreed to the fellowing

ARTICLE 1st. There shall be a perfect, firm, and inviolable peace and sincere friendship between the United States of America and the Republic of Colombia, in all the extent of their possessions and territories, and between their people and citizens respectively, without distinction of persons or places.

# ARTICLE 2d.

The United States of America and the Regrant any particular favor to other nations if the concession was freely made, or on allowing the same compensation, if the concession was conditional.

ARTICLE 3d. The citizens of the United States may frequent all the coasts & countries of the Republic of Colombia, and reside and trade there, in all sorts of produce, manufactures and mercloes or shall enjoy, submitting themselves, nevertheless, to the laws, decrees, and usages there established, and to which are submitted the subjects and citizens of the most favored nations.

In like manner the citizens of the Republic of Colombia, may frequent all the coasts and countries of the United States, lic of Colombia to sail with their ships, with and reside and trade there, in all sorts of produce, manufactures, and merchandise, and shall pay no other or greater duties, charges, or fees, whatsoever, than the most favoured nation is or shall be obliged to pay; and they shall enjoy all the rights, privileges, and exemptions in navigation and commerce, which lawful for the citizens aforesaid to sail with the most favoured nation does or shall enjoy, the ships and merchandizes beforementioned, submitting themselves, nevertheless, to the and to trade with the same liberty and seculaws, decrees, and usages there established, rity from the places, ports, and havens, of and to which are submitted the subjects and citizens of the most favoured nations.

ARTICLE 4th. ly free for all merchants, commanders of ships, places, but also from one place belonging to and other citizens of both countries, to man- an enemy to another place belonging to an signment & sale of their goods & merchan, give freedom to goods, and that every thing dise by wholesale or retail, as with respect to | shall be deemed to be free and exempt, which the loading, unloading, and sending off their | shall be found on board the ships belonging to ships, they being in all these cases to be treat- the citizens of either of the contracting pared as citizens of the country in which they re- ties, although the whole lading, or any part

# Anticle 5th.

nation.

a sufficient indemnification.

Anticre 6th. Whenever the citizens of either of the contracting parties shall be forced to seek re-

rates or enemies, they shall be received and governments acknowledge this principle, treated with humanity, giving to them all fa- and not of others. vour and protection for repairing their ships, procuring provisions, and placing themselves in a situation to continue their voyage without obstacle or hindrance of any kind.

ARTICLE 7th. Not exceeding 16 lines, neatly inserted three longing to the citizens of one of the contract- neutral property found on board such enemy's ing parties, which may be captured by pirates, whether within the limits of its jurisin the same proportion.... Communications diction, or on the high seas, and may be cardetention and confiscation, except such prothankfully received..... Letters to the Edirich or found in the rivers, roads, bays, ports perty as was put on board such vessel before or dominions of the other, shall be delivered up to the owners, they proving in due and it were done without the knowledge of it; proper form their rights before the competent tribunals; it being well understood that months having clapsed after the declaration, the claim should be made within the term of one year by the parties themselves, their attorneys, or agents of the respective governments.

> ARTICLE 8th. When any vessel belonging to the citizens of either of the contracting parties shall be wrecked, foundered, or shall suffer any damage on the coasts, or within the dominions of the other, there shall be given to them all assistance and protection in the same manner which is usual and customary with the vessels of the nation where the damage happens, permitting them to unload the said vessel if necessary, of its merchandises and effects, without exacting for it any duty, impost, or contribution whatever, until they may be exported.

ARTICLE 9th. The citizens of each of the contracting parties shall have power to dispose of their personal goods within the jurisdiction of the up in the form and for a military use; other, by sale, donation, testament, or otherwise; & their representatives, being citizens ing and firm the friendship and good under- 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 such dues only as the inhabitants of the country, wherein the said goods are, shall be subject to pay in like cases: And if, in the case of real estate, the said heirs would be prevented from entering into the possession of the inheritance, on account of their character of aliens, there shall be granted to them the term of three years to dispose of the same, as they may think proper, and to withdraw the proceeds without molestation, and exempt from all rights of detraction, on the part of the government of the respec-

#### ARTICLE 10th.

Both the contracting parties promise and engage, formally to give their special protection to the persons and property of the citizens of each other, of all occupations, who may be in the territories, subject to the jurisdiction of the one or the other, transient or dwelling therein, leaving open and free to them the tribunals of justice for their jucitizens of the country in which they may be: earth, by means of a policy frank and equally ries, agents, and fictors, as they may judge friendly with all, engage mutually not to proper, in all their trials at law; and such citizens or agents shall have free opportunity shall not immediately become common to the of the tribunals, in all cases which may conother party, who shall enjoy the same freely, cern them, and likewise at the taking of all examinations and evidence which may be exhibited in the said trials.

#### ARTICLE 11th. It is likewise agreed that the most perfect

and entire security of conscience shall be enjoyed by the citizens of both the contracting parties in the countries subject to the jurisdiction of the one and the other, without on account of their religious belief, so long most favored nation is or shall be obliged to as they respect the laws and established usapay; and they shall enjoy all the rights, pri- ges of the country. Moreover, the bodies of vileges and exemptions in navigation and the citizens of one of the contracting parties, commerce, which the most favored nation who may die in the territories of the other, shall be buried in the usual burying grounds or in other decent and suitable places, and shall be protected from violation or disturb

ARTICLE 12th. It shall be lawful for the citizens of the United States of America and of the Repuball manner of liberty and security, no distinction being made, who are the proprietors of the merchandizes laden thereon, from any port to the places of those who now are or hereafter shall be at enmity with either of the contracting parties. It shall likewise be those who are enemies of both or either party, without any opposition or disturbance whatsoever, not only directly from the places It is likewise agreed that it shall be whol- of the enemy, beforementioned, to neutral age themselves their own busines in all the enemy, whether they be under the jurisdicports and places subject to the jurisdicion of tion of one power or under several. And it each other, as well with respect to the con- is hereby stipulated, that free ships shall also side, or at least to be placed on a footing with | thereof should appertain to the enemies of the subjects or citizens of the most favoured either, contraband goods being always excepted. It is also agreed in like manner, that the same liberty be extended to persons The citizens of neither of the contracting who are on board a free ship, with this effect, parties shall be hable to any embargo, nor be that although they be enemies to both or detained with their vessels, cargoes, mer- either party, they are not to be taken out of chandises, or effects, for any military expedi-tion, nor for any public or private purpose soldiers, and in the actual service of the enewhatever, without allowing to those interested mies : Provided, however, and it is hereby

#### ARTICLE 13th.

It is likewise agreed, that in the case when the neutral flag of one of the contracting parties shall protect the property of the enemies of the other, by virtue of the above stipula-All the ships, merchandise and effects be- tion, it shall always be understood that the vessels, shall be held and considered as enemy's property, and as such shall be liable to the declaration of war, or even afterwards, it but the contracting parties agree, that two their citizens shall not plead ignorance thereof. On the contrary, if the flag of the neutral does not protect the enemy's property, in that case the goods and merchandizes of the neutral, embarked in such enemy's ships shall be free.

> ARTICLE 14th. This liberty of navigation and commerce shall extend to all kinds of merchandizes, excepting those only which are distinguished by the name of contraband, and under this name of contraband, or prohibited goods, shall be comprehended-

> 1st. Cannons, mortars, howitzers, swivels, blunderbusses, muskets, fuzees, rifles, carbines, pistols, pikes, swords, sabres, lances, spears, halberds, and granades, bombs, powder, matches, balls, and all other things belonging to the use of these arms:

> 2dly. Bucklers, helmets, breast-plates, coats of mail, infantry belts, and clothes made

4thly. And generally all kinds of arms and instruments of Iron, steel, brass, and copper, or of any other materials manufactured, prepared, and formed, expressly to make war by sea or land.

ARTICLE 15th. All other merchandizes and things not comprehended in the articles of contraband explicitly enumerated and classified as above, shall be held and considered as free, and subjects of free and lawful commerce, so that they may be carried and transported in the freest manner by both the contracting parties, even to places belonging to an enemy, excepting only those places which are at that time besieged or blocked up; and to avoid all doubt in this particular, it is declared that those places only are besieged or blockaded which are actually attacked by a belligerent force capable of preventing the entry of the

# ARTICLE 16th.

The articles of contraband, before enumerated and classified, which may be found in a vessel bound for an enemy's port, shall be subject to detention and confiscation, leaving free the rest of the cargo and the ship, that dicial recourse, on the same terms which the owners may dispose of them as they see are usual and customary with the natives or proper. No vessel of either of the two nations shall be detained on the high seas on account public of Colombia desiring to live in peace for which they may employ in defence of of having on board articles of contraband, and harmony with all the other nations of the their rights such advocates, solicitors, nota- whenever the master, captain, or supercargo of said vessel, will deliver up the articles of contraband to the captor, unless the quantity of such articles be so great and of so large in respect of commerce and navigation, which to be present at the decisions and sentences a bulk, that they cannot be received on board the capturing ship without great inconvenience; but in this, and in all other cases of just detention, the vessel detained shall be sent to the nearest convenient and safe port, for trial and judgment, according to law.

ARTICLE 17th. And whereas it frequently happens that vessels sail for a port or place belonging to banks, shall ever, in any event of war, or of an enemy, without knowing the same is besieged, blockaded or invested, it is agreed, chandise, and shall pay no other or greater their being liable to be disturbed or molested that every vessel so circumstanced may be duties, charges, or fees, whatsoever, than the on account of their religious belief, so long turned away from such port or place, but shall not be detained, nor shall any part of her cargo, if not contraband, be confiscated, unless, after warning of such blockade or in- have agreed, and do agree, to grant to the blockading forces, she shall again attempt to enter; but she shall be permitted to go to any other port or place she shall think proper. after the reduction and surrender, shall such | those of each of the contracting parties. vessel or her cargo be liable to confiscation, but they shall be restored to the owners

# thereof.

ARTICLE 18th. In order to prevent all kind of disorder in the visiting and examination of the ships and cargoes of both the contracting parties on the high seas, they have agreed mutually, hat, whenever a vessel of war, public or vate, shall meet with a neutral of the other contracting party, the first shall remain out of cannon shot, and may send its boat with two or three men only, in order to execute the said examination of the papers concerning the ownership and cargo of the vessel, without causing the least extortion, violence, or ill treatment, for which the commanders of the said armed ships shail be responsible with their persons and property for which purpose the commanders of said private armed vessels shall, before receiving their commissions, give sufficient security to answer for all the damages they may commit. And it is expressly agreed that the neutral party shall in no case be required to go on board the examining vessel, for the purpose of exhibiting her papers, or for any other purpose whatever. ARTICLE 19th.

### To avoid all kind of vexation and abuse in the examination of the papers relating to the

ownership of the vessels belonging to the citizens of the two contracting parties, they

containing the several particulars of the car- terfere with them. go, and the place whence the ship sailed, so that it may be known whether any forbid. den or contraband goods be on board the same; which certificates shall be made out by the officers of the place whence the ship sailed, in the accustomed form; without which requisites said vessel may be detained to be adjudged by the competent tribunal, and may be declared legal prize, tuiless the said defect shall be satisfied or supplied by testimony entirely equivalent.

#### ARTICLE 20th.

It is further agreed that the stipulations above expressed relative to the visiting and examination of vessels, shall apply only to those which sail without convoy; and when said vessels shall be under convoy, the verbal declaration of the commander of the convoy, on his word of honor, that the vessels under his protection belong to the nation whose flag he carries-and when they are bound to an enemy's port, that they have no contraband goods on board shall be suffici-

#### ARTICLE 21st.

It is further agreed, that in all cases the established courts for prize causes, in the country to which the prizes may be conduct. ed, shall alone take cognizance of them .-And whenever such tribunal of either party. shall pronounce judgment against any vessel or goods, or property claimed by the cit-3dly. Cavalry belts, and horses with their cree shall mention the reasons or motives on respective parties which the same shall have been founded, and an authenticated copy of the sentence or decree, and of all the proceedings in the case, shall, if demanded, be delivered to the commander or agent of said vessel, without any delay, he paying the legal fees for the same

#### ARTICLE 22d.

Whenever one of the contracting partie shall be engaged in war with another State no citizen of the other contracting party shall accept a commission or letter of marque, for the purpose of assisting or co-operating hostilely, with the said enemy, against the said party so at war, under the pain of being treated as a pirate.

#### ARTICLE 23d If, by any fatality which cannot be expect-

ed, and which God forbid, the two contracting parties should be engaged in a war with each other, they have agreed, and do agree, now for then, that there shall be allowed the term of six months to the merchants residing on the coasts and in the ports of each other and the term of one year to those who dwel in the interior, to arrange their business and transport their effects wherever they please, giving to them the safe conduct necessiry for it, which may serve as a sufficient protection until they arrive at the designated port. The citizens of all other occupations who may be established in the territories or tracting parties will order or authorize any dominions of the United States and of the Republic of Colombia, shall be respected personal liberty and property, unless their particular conduct shall cause them to forfeit this protection which in consideration of humanity, the contracting parties engage to

# ARTICLE 24th.

Neither the debts due from individuals of the one nation to the individuals of the other, nor shares, nor moneys, which they may have in public funds, nor in public or private national difference, be sequestered or confis

# ARTICLE 25th.

Both the contracting parties being desirous of avoiding all inequality in relation to their public communications & official intercourse, vestment from the commanding officer of the envoys, ministers, and other public agents, the same favours, immunities, and exemp tions, which those of the most favoured nation do or shall enjoy; it being understood that Nor shall any vessel of either, that may have | whatever favours, immunities, or privileges entered into such port before the same was | the United States of America or the Repubactually besieged, blockaded or invested, by lic of Colombia may find it proper to give to the other, be restrained from quitting such | the ministers and public agents of any other place with her cargo, nor if found therein power, shall by the same act be extended to

# ARTICLE 26th.

To make more effectual the protection which the United States and the Republic of Colombia shall afford in future to the navigation and commerce of the citizens of each other, they agree to receive and admit conforeign commerce, who shall enjoy in them at Washington, on the twenty-seventh all the rights, prerogatives, and immunities, of the consuls and vice-consuls of the most favoured nation; each contracting party, however, remaining at liberty to except those ports and places in which the admission and residence of such consuls may not seem convenient.

# ARTICLE 27th.

In order that the consuls and vice-consuls of the two contracting parties may enjoy the rights, prerogatives, and immunities, which belong to them, by their public character, they shall, before entering on the exercise o their functions, exhibit their commission of patent in due form to the government to United States and the citizens thereof. which they are accredited; and having obtained their Exequatur, they shall be held and considered as such, by all the authorities, magistrates, and inhabitants, in the consular district in which they reside.

# ARTICLE 28th.

It is likewise agreed, that the consuls, their secretaries, officers, and persons attached to the service of consuls, they not being agreed, that the stipulations in this article have agreed, and do agree, that in case one citizens of the country in which the consul recontained, declaring that the flag shall cover of them should be engaged in war, the ships sides, shall be exempt from all public service, the property, shall be understood as apply- and vessels belonging to the citizens of the and also from all kind of taxes, imposts, and ing to those powers only who recognise this other must be furnished with sea letters or contributions, except those which they shall fuge or sylum in the rivers, bays, ports, or principle; but if either of the two contract- passports, expressing the name, property, be obliged to pay on account of commerce, ing parties shall be at war with a third, and bulk of the ship, as also the name and or their property, to which the citizens and BLANK DEEDS AND DEEDS OF TRUST Whether merchant or of war, public or pri- the other neutral place of habitation of the master or command- inhabitants, native and foreign, of the coun-

vate, through stress of weather, pursuit of pi- | shall cover the property of enemies whose | er of said vessel, in order that it may thereby | try in which they reside are subject, being in appear, that the ship really and truly belongs every thing besides subject to the laws of to the citizens of one of the parties; they the respective States. The archives and pahave likewise agreed that such ships being pers of the consulates shall be respected inladen, besides the said sea letters or pass- violably, and under no pretext whatever ports, shall also be provided with certificates shall any magistrate seize, or in any way in-

# ARTICLE 29th.

The said consuls shall have power to require the assistance of the authorities of the country for the arrest, detention, and custody of deserters from the public and private vessels of their country, and for that purpose they shall address themselves to the court judges, and officers competent, and shall it mand the said deserters in writing, proving by an exhibition of the registers of the vessel's or ship's roll, or other public documents, that those men were part of the said crews ! and on this demand, so proved, (saving, however, where the contrary is proved,) the de-livery shall not be refused. Such deserters, when arrested, shall be but at the disposal of the said consuls, and may be put in the public prisons at the request an I expense of those who reclaim them, to be sent to the ships to which they belonged, or to others of the same nation. But if they be not sent back within two months, to be counted from the day of their arrest, they shall be set at liberty and shall be no more arrested for the same cause.

ARTICLE 30th. For the purpose of more effectually protecting their commerce and navigation, the two contracting parties do hereby agree, as soon hereafter as circumstances will permit them, to form a consular convention, which shall declare specially the powers and immuzens of the other party, the sentence or de- nities of the cousuls and vice-consuls of the

#### ARTICLE 31st.

The United States of America and the Republic of Colombia, desiring to make as durable as circums ances will permit, the relations which are to be established between the two parties by virtue of this Treaty, or General Convention of Peace, Amity, Commerce and Navigation, have declared solemnly, and do agree to the following points:

1st. The present Treaty shall remain in full force and virtue for the term of twelve years, to be counted from the day of the exchange of the ratifications, in all the parts relating to commerce and navigation; and in all those parts which relate to peace and friendship, it shall be permanently and perpetually binding on both powers.

2dly. If any one or more of the citizens of either party shall infringe any of the articles of this Treaty, such citizen shall be held personally responsible for the same, and the harmony and good correspondence between the two nations shall not be interrupted thereby; each party engaging in no way to protect

the offender, or sanction such violation. 3dly. If, (what indeed, cannot be expected.) unfortunately, any of the articles contained in the present treaty shall be violated or infringed in any other way whatever, it is expressly stipulated, that neither of the conacts of reprisal, nor declare war against the other, on complaints of injuries or damages, and maintained in the full enjoyment of their until the said party considering itself offend. ed, shall first have presented to the other a statement of such injuries or damages, verified by competent proof, and demanded justice and satisfaction, and the same shall have been either refused or unreasonably delayed. 4thly. Nothing in this treaty contained

shall, however, be construed, or operate contrary to former and existing public treaties, with other Sovereigns or States. The present treaty of Peace, Amity, Com-

merce and Navigation, shall be approved and ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the President of the Republic of Columbia, with the consent and approbation of the Congress of the same, and the ratifications shall be exchanged in the City of Washington within eight months, to be counted from the date of the signature hereof; or sooner, if possible. In faith whereof, We, the Plenipotentiaries of the United States of America and of the Republic of Colombia, have signed and sealed these presents.

Done in the city of Bogota, on the 3d day of October, in the year of our Lord one thousadd eight hundred and twenty-four, in the forty-ninth year of the Independence of the United States of America, and the fourteenth of that of the Republic of Columbia. (SEAL.) RICHARD C. ANDERSON, Jr.

# (SEAL.) PEDRO GUAL.

And whereas the said Convention has been duly ratified on both parts, and the respectsuls and vice-consuls in all the ports open to | ive ratifications of the same were exchanged, of the present month, by Daniel Brent, Chief Clerk of the Department of State, and Jos : Maria Salazar, L. L. D. Fiscal of the High Court of Justice of the Republic of Colombia. and Envoy Extraordinary & Minister Plenipotentiary thereof near the government of the United States of America; on the part of their respective governments:

Now, therefore, be it known, that I. John QUINCY ADAMS. President of the United States, have caused the said Convention to be made public, to the end that the same. and every clause and article thereof, may be observed and fulfilled with good faith by the

In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed .--Done at the City of Washington, this thirty-first day of May, in the year of our Lord one thousand eight hundred and twenty five. and of the Independence of the United States the forty-ninth.

#### JOHN QUINCY ADAMS By the President:

H. CLAT, Secretary of State.

May be had at this office.