

BY AUTHORITY OF CONGRESS.

THE

Public Statutes at Large

OF THE

UNITED STATES OF AMERICA,

FROM THE

ORGANIZATION OF THE GOVERNMENT IN 1789, TO MARCH 3, 1845.

ARRANGED IN CHRONOLOGICAL ORDER.

WITH

REFERENCES TO THE MATTER OF EACH ACT AND TO THE SUBSEQUENT ACTS
ON THE SAME SUBJECT,

AND

COPIOUS NOTES OF THE DECISIONS

OF THE

Courts of the United States

CONSTRUING THOSE ACTS, AND UPON THE SUBJECTS OF THE LAWS.

WITH AN

INDEX TO THE CONTENTS OF EACH VOLUME,

AND A

FULL GENERAL INDEX TO THE WHOLE WORK, IN THE CONCLUDING VOLUME.

TOGETHER WITH

*The Declaration of Independence, the Articles of Confederation, and
the Constitution of the United States;*

AND ALSO,

TABLES, IN THE LAST VOLUME, CONTAINING LISTS OF THE ACTS RELATING TO THE JUDICIARY,
IMPOSTS AND TONNAGE, THE PUBLIC LANDS, ETC.

EDITED BY

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COUNSELLOR AT LAW.

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VOL. VIII.

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1867.

PROVISIONAL ARTICLES

Between the United States of America, and his Britannic Majesty. (a)

ARTICLES

Nov. 30, 1782. *Agreed upon, by and between Richard Oswald, Esquire, the Commissioner of His Britannic Majesty, for treating of Peace with the Commissioners of the United States of America, in Behalf of his said Majesty, on the one Part, and John Adams, Benjamin Franklin, John Jay, and Henry Laurens, four of the Commissioners of the said States, for treating of Peace with the Commissioner of His said Majesty, on their Behalf, on the other Part, to be inserted in, and to constitute the Treaty of Peace, proposed to be concluded between the Crown of Great-Britain and the said United States; but which Treaty is not to be concluded until Terms of a Peace shall be agreed upon between Great-Britain and France; and His Britannic Majesty shall be ready to conclude such Treaty accordingly.*

WHEREAS reciprocal advantages and mutual convenience are found by experience to form the only permanent foundation of peace and friend-

- (a) The Treaties and Conventions between the United States and Great Britain have been:
- Articles agreed upon, by and between Richard Oswald, Esquire, the Commissioner of His Britannic Majesty, for treating of peace with the Commissioners of the United States of America, in behalf of his said Majesty, on the one part, and John Adams, Benjamin Franklin, John Jay, and Henry Laurens, four of the Commissioners of the said States, for treating of peace with the Commissioner of his said Majesty, on their behalf, on the other part, to be inserted in, and to constitute the Treaty of Peace, proposed to be concluded between the Crown of Great Britain and the said United States; but which Treaty is not to be concluded until terms of peace shall be agreed upon between Great Britain and France; and His Britannic Majesty shall be ready to conclude such Treaty accordingly. Done at Paris, November 30, 1782.
- Armistice, declaring a cessation of hostilities between the United States and Great Britain. Versailles, January 20, 1783; post, 58.
- Definitive Treaty of Peace between the United States of America and his Britannic Majesty. Done at Paris, September 3, 1783; post, 80.
- Treaty of Amity, Commerce and Navigation between his Britannic Majesty and the United States of America by their President, with the advice and consent of the Senate. November 19, 1794; post, 116.
- Additional article. Done at Philadelphia, May 4, 1796; post, 130.
- Second explanatory article. Done at London the 15th March, 1798; post, 131.
- Convention between the United States and Great Britain. Done at London, January 8, 1802; post, 196.
- Treaty of Peace and Amity between his Britannic Majesty and the United States. Negotiated at Ghent, December 24, 1814. Ratified, February 17, 1815; post, 218.
- A convention to regulate commerce between the Territories of the United States and his Britannic Majesty. London, July 3, 1815; post, 228.
- Arrangement limiting the number of American and British vessels of war to be maintained on the Lakes. Washington, April, 1817; post, 231.
- Convention with Great Britain. October 20, 1818; post, 248.
- Convention at St. Petersburg. Done at St. Petersburg, $\frac{30}{12}$ day of $\frac{\text{June}}{\text{July}}$, 1822; post, 282.
- Convention awarding the amount of indemnification under the St. Petersburg Convention. November 13, 1826; post, 344.
- Convention regulating the reference between the United States and Great Britain on the settlement of the boundary line described in the fifth article of the Treaty of Ghent. September 29, 1827; post, 362.
- Convention continuing the provision of the third article of the convention of the twentieth of October, 1818. August 6, 1827; post, 360.
- Renewal of the commercial convention of third July, 1815. August 6, 1827; post, 361.
- Treaty between the United States of America and Great Britain. Washington, August 9, 1842 post, 572. And see Vol. ix. Stat. at Large.

ship between states: it is agreed to form the articles of the proposed treaty, on such principles of liberal equity and reciprocity, as that partial advantages (those seeds of discord) being excluded, such a beneficial and satisfactory intercourse between the two countries may be established, as to promise and secure to both perpetual peace and harmony.

ARTICLE I.

His Britannic Majesty acknowledges the said United States, viz. New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, to be free, sovereign and independent States; that he treats with them as such; and for himself, his heirs and successors, relinquishes all claims to the government, propriety and territorial rights of the same, and every part thereof. And that all disputes which might arise in future, on the subject of the boundaries of the said United States, may be prevented, it is hereby agreed and declared, that the following are, and shall be their boundaries, viz.

United States
acknowledged
to be free, so-
vereign and in-
dependent

ARTICLE II.

From the north-west angle of Nova-Scotia, viz. that angle which is formed by a line, drawn due north from the source of St. Croix river to the Highlands; along the Highlands which divide those rivers, that empty themselves into the river St. Lawrence, from those which fall into the Atlantic ocean, to the northwesternmost head of Connecticut river, thence down along the middle of that river, to the forty-fifth degree of north latitude; from thence, by a line due west on said latitude, untill it strikes the river Iroquois or Cataraquy; thence along the middle of said river into lake Ontario, through the middle of said lake untill it strikes the communication by water between that lake and lake Erie; thence along the middle of said communication into lake Erie, through the middle of said lake untill it arrives at the water-communication between that lake and lake Huron; thence along the middle of said water-communication into the lake Huron; thence through the middle of said lake to the water-communication between that lake and lake Superior; thence through lake Superior northward of the isles Royal and Phelippeaux, to the Long Lake; thence through the middle of said Long Lake, and the water-communication between it and the Lake of the Woods, to the said Lake of the Woods; thence through the said lake to the most north-western point thereof, and from thence on a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi untill it shall intersect the northernmost part of the thirty-first degree of north latitude. South by a line to be drawn due east from the determination of the line last mentioned, in the latitude of thirty-one degrees north of the Equator, to the middle of the river Apalachicola or Catahouchi; thence along the middle thereof to its junction with the Flint river; thence strait to the head of St. Mary's river; and thence down along the middle of St. Mary's river to the Atlantic ocean. East by a line to be drawn along the middle of the river St. Croix, from its mouth in the Bay of Fundy to its source, and from its source directly north to the aforesaid Highlands which divide the rivers that fall into the Atlantic ocean, from those which fall into the river St. Lawrence; comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova-Scotia on the one part, and East-Florida on the other, shall respectively touch the Bay of Fundy and the Atlantic ocean; excepting such islands as now are, or heretofore have been within the limits of the said province of Nova-Scotia.

Boundaries
established.

ARTICLE III.

Right of fishery secured.

It is agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the Grand Bank, and on all the other banks of Newfoundland; also in the gulph of St. Lawrence, and at all other places in the sea, where the inhabitants of both countries used at any time heretofore to fish; and also that the inhabitants of the United States shall have liberty to take fish of every kind on such part of the coast of Newfoundland as British fishermen shall use (but not to dry or cure the same on that island); and also on the coasts, bays and creeks of all other of his Britannic Majesty's dominions in America; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbours and creeks of Nova-Scotia, Magdalen islands, and Labrador, so long as the same shall remain unsettled; but so soon as the same or either of them shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such settlement, without a previous agreement for that purpose with the inhabitants, proprietors or possessors of the ground.

ARTICLE IV.

Debts to be paid.

It is agreed that creditors on either side, shall meet with no lawful impediment to the recovery of the full value in sterling money, of all bona fide debts heretofore contracted.

ARTICLE V.

Congress to recommend to the states restitution of confiscated estates.

It is agreed that the Congress shall earnestly recommend it to the legislatures of the respective states, to provide for the restitution of all estates, rights and properties, which have been confiscated, belonging to real British subjects, and also of the estates, rights and properties of persons resident in districts in the possession of his Majesty's arms, and who have not borne arms against the said United States. And that persons of any other description shall have free liberty to go to any part or parts of any of the thirteen United States, and therein to remain twelve months, unmolested in their endeavours to obtain the restitution of such of their estates, rights and properties, as may have been confiscated; and that Congress shall also earnestly recommend to the several states a reconsideration and revision of all acts or laws regarding the premises, so as to render the said laws or acts perfectly consistent, not only with justice and equity, but with that spirit of conciliation, which on the return of the blessings of peace should universally prevail. And that Congress shall also earnestly recommend to the several states, that the estates, rights and properties of such last mentioned persons, shall be restored to them, they refunding to any persons who may be now in possession, the bona fide price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights and properties, since the confiscation. And it is agreed, that all persons who have any interest in confiscated lands, either by debts, marriage settlements, or otherwise, shall meet with no lawful impediment in the prosecution of their just rights.

ARTICLE VI.

No further confiscations or prosecutions.

That there shall be no future confiscations made, nor any prosecutions commenced against any person or persons for, or by reason of the part which he or they may have taken in the present war; and that no person shall on that account, suffer any future loss or damage, either in his person, liberty or property, and that those who may be in confinement on such charges, at the time of the ratification of the treaty in America, shall be immediately set at liberty, and the prosecutions so commenced be discontinued.

ARTICLE VII.

There shall be a firm and perpetual peace between his Britannic Majesty and the said States, and between the subjects of the one and the citizens of the other, wherefore all hostilities both by sea and land shall then immediately cease: all prisoners on both sides shall be set at liberty, and his Britannic Majesty shall with all convenient speed, and without causing any destruction, or carrying away any negroes or other property of the American inhabitants, withdraw all his armies, garrisons and fleets from the said United States, and from every port, place and harbour within the same; leaving in all fortifications the American artillery that may be therein; and shall also order and cause all archives, records, deeds and papers, belonging to any of the said states, or their citizens, which in the course of the war may have fallen into the hands of his officers, to be forthwith restored and delivered to the proper states and persons to whom they belong.

Hostilities to cease, and British armies to be withdrawn.

ARTICLE VIII.

The navigation of the river Mississippi, from its source to the ocean, shall for ever remain free and open to the subjects of Great-Britain, and the citizens of the United States.

Navigation of the Mississippi to be free to both nations.

ARTICLE IX.

In case it should so happen that any place or territory belonging to Great-Britain or to the United States, should be conquered by the arms of either from the other, before the arrival of these articles in America, it is agreed, that the same shall be restored without difficulty, and without requiring any compensation.

Conquests before arrival of these articles in America to be restored.

Done at Paris, the thirtieth day of November, in the year one thousand seven hundred and eighty-two.

RICHARD OSWALD, (L. S.)
 JOHN ADAMS, (L. S.)
 B. FRANKLIN, (L. S.)
 JOHN JAY, (L. S.)
 HENRY LAURENS, (S. S.)

Witness, CALEB WHITEFOORD, *Secretary to the British Commission.*
 W. T. FRANKLIN, *Secretary to the American Commission.*

SEPARATE ARTICLE.

It is hereby understood and agreed, that in case Great Britain, at the conclusion of the present war, shall recover, or be put in possession of West Florida, the line of north boundary between the said province and the United States shall be a line drawn from the mouth of the river Yassous, where it unites with the Mississippi, due east, to the river Apalachicola.

Done at Paris, the thirtieth day of November, in the year one thousand seven hundred and eighty-two.

RICHARD OSWALD, (L. S.)
 JOHN ADAMS, (L. S.)
 B. FRANKLIN, (L. S.)
 JOHN JAY, (L. S.)
 HENRY LAURENS, (L. S.)

Attest, CALEB WHITEFOORD, *Secretary to the British Commission.*
 W. T. FRANKLIN, *Secretary to the American Commission.*

A true copy, examined and compared with the original by
 B. FRANKLIN.

Passy, December 4, 1782.

ARMISTICE

Declaring a cessation of hostilities between the United States and Great-Britain.

WE, the undersigned Ministers Plenipotentiary of the United States of North-America, having received from Mr. Fitz Herbert, Minister Plenipotentiary of his Britannic Majesty, a declaration, relative to a suspension of arms, to be established between his said Majesty and the said States, the tenor whereof is as follows :

Jan. 20, 1783.

Ante, 54.

WHEREAS the preliminary articles agreed upon and signed this day, between his Majesty the King of Great-Britain and his Majesty the most Christian King on the one part, and likewise between his said Britannic Majesty and his Catholic Majesty on the other part, contain the stipulation of a cessation of hostilities between those three powers, which is to take place after the exchange of the ratifications of the said preliminary articles: AND WHEREAS, by the provisional treaty signed on the thirtieth day of November last, between his Britannic Majesty and the United States of North-America, it hath been stipulated, that that treaty should take effect as soon as peace should be established between the said crowns: The undersigned Minister Plenipotentiary of his Britannic Majesty, does declare, in the name and by the express order of the King, his master, that the said United States of North-America, their subjects and their possessions, shall be comprehended in the above-mentioned suspension of arms, and that, in consequence, they shall enjoy the benefit of the cessation of hostilities, at the same epochs, and in the same manner as the three crowns above mentioned, their subjects, and their respective possessions; the whole upon condition, that on the part and in the name of the said United States of North-America, a similar declaration shall be delivered expressly, declaring their assent to the present suspension of arms, and containing the assurance of the most perfect reciprocity on their part.

In faith whereof, we, the Minister Plenipotentiary of his Britannic Majesty, have signed the present declaration, and have caused the seal of our arms to be thereto affixed.

Versailles, 20th January, 1783.

(Signed) (L. s.) ALLEYNE FITZ HERBERT.

HAVE, in the name of the said United States of North-America, and by virtue of the powers with which they have vested us, accepted the above declaration, do by these presents merely and simply accept it, and do reciprocally declare that the said States shall cause all hostilities to cease against his Britannic Majesty, his subjects and his possessions, at the terms and epochs agreed upon between his said Majesty the King of Great-Britain, his Majesty the King of France, and his Majesty the King of Spain, so, and in the same manner, as has been agreed between those three crowns, and to produce the same effects.

In faith whereof, we, the Ministers Plenipotentiary of the United

DEFINITIVE TREATY OF PEACE

Between the United States of America and his Britannic Majesty. (a)

Sept. 3, 1783.

In the name of the Most Holy and Undivided Trinity.

IT having pleased the Divine Providence to dispose the hearts of the most serene and most potent Prince GEORGE the Third, by the Grace of God King of Great-Britain, France and Ireland, Defender of the Faith, Duke of Brunswick and Lunebourg, Arch-Treasurer and Prince Elector of the Holy Roman Empire, &c. and of the UNITED STATES OF AMERICA, to forget all past misunderstandings and differences that have unhappily interrupted the good correspondence and friendship which they mutually wish to restore; and to establish such a beneficial and satisfactory intercourse between the two countries, upon the ground of reciprocal advantages and mutual convenience, as may promote and

(a) The decisions of the Courts of the United States in cases arising under the Definitive Treaty of Peace with Great Britain of September 3, 1783, have been:

The fifth article of the treaty of peace of 1783, between the United States and Great Britain, concluding with this clause: "And it is agreed, that all persons who have any interest in confiscated lands, either by debts, marriage settlements, or otherwise, shall meet with no lawful impediment in the prosecution of their just rights;" applies to those cases where an actual confiscation has taken place; and stipulates, that in such cases, the interest of all persons having a lien upon such lands shall be preserved. That clause of the treaty preserved the lien of a mortgagee of confiscated lands, which, at the time of the treaty, remained unsold. *Higginson v. Mein*, 4 Cranch, 415; 2 Cond. Rep. 155.

The treaties with Great Britain, of 1783 and 1794, only provide for titles existing at the time those treaties were made, and not for titles subsequently acquired. Actual possession of property is not necessary to give the party the benefit of the treaty. *Blight's Lessee v. Rochester*, 7 Wheat. 535; 5 Cond. Rep. 335.

Where J. D., an alien and British subject, came into the United States subsequent to the treaty of 1783, and, before the treaty of 1794 was signed, died seised of lands, it was held that the title of his heirs to the land was not protected by the treaty of 1794. *Ibid.*

Thomas Scott, a native of South Carolina, died in 1782, intestate, seised of land on James Island, having two daughters, Ann and Sarah, both born in South Carolina before the declaration of independence. Sarah married D. P. a citizen of South Carolina, and died in 1802, entitled to one half of the estate. The British took possession of James Island and Charleston in February and May, 1780; and in 1781 Ann Scott married Joseph Shanks, a British officer; and at the evacuation of Charleston in 1782, she went to England with her husband, where she remained until her death in 1801. She left five children, born in England. They claimed the other moiety of the real estate of Thomas Scott, in right of their mother, under the ninth article of the treaty of peace between this country and Great Britain of the 19th of November, 1794. *Held*, that they were entitled to recover and hold the same. *Shanks et al. v. Dupont et al.* 3 Peters, 242.

All British born subjects, whose allegiance Great Britain has never renounced, ought, upon general principles of interpretation, to be held within the intent, as they certainly are within the words, of the treaty of 1794. *Ibid.* 250.

The treaty of 1783, acted upon the state of things as it existed at that period. It took the actual state of things as its basis. All those, whether natives or otherwise, who then adhered to the American states, were virtually absolved from all allegiance to the British crown; all those who then adhered to the British crown were deemed and held subjects of that crown. The treaty of peace was a treaty operating between states and the inhabitants thereof. *Ibid.* 274.

The several states which compose this Union, so far at least as regarded their municipal regulations, became entitled, from the time when they declared themselves independent, to all the rights and powers of sovereign states; and did not derive them from concessions of the British king. The treaty of peace contains a recognition of the independence of these states, not a grant of it. The laws of the several state governments, passed after the declaration of independence, were the laws of sovereign states, and as such were obligatory upon the people of each state. *M'Ilvaine v. Coze's Lessee*, 4 Cranch, 209; 2 Cond. Rep. 86.

The property of British corporations, in this country, is protected by the sixth article of the treaty of peace of 1783, in the same manner as those of natural persons; and their title, thus protected, is confirmed by the ninth article of the treaty of 1794, so that it could not be forfeited by any intermediate legislative act, or other proceeding for the defect of allegiance. *The Society for Propagating the Gospel, &c. v. New Haven*, 8 Wheat. 464; 5 Cond. Rep. 489. See also, *post*, p. 116, n.

secure to both perpetual peace and harmony: And having for this desirable end, already laid the foundation of peace and reconciliation, by the provisional articles, signed at Paris, on the thirtieth of November, one thousand seven hundred and eighty-two, by the commissioners empowered on each part, which articles were agreed to be inserted in, and to constitute the treaty of peace proposed to be concluded between the crown of Great-Britain and the said United States, but which treaty was not to be concluded until terms of peace should be agreed upon between Great-Britain and France, and his Britannic Majesty should be ready to conclude such treaty accordingly; and the treaty between Great-Britain and France, having since been concluded, his Britannic Majesty and the United States of America, in order to carry into full effect the provisional articles abovementioned, according to the tenor thereof, have constituted and appointed, that is to say, His Britannic Majesty on his part, David Hartley, Esquire, Member of the Parliament of Great-Britain; and the said United States on their part, John Adams, Esquire, late a Commissioner of the United States of America at the Court of Versailles, late Delegate in Congress from the state of Massachusetts, and Chief Justice of the said state, and Minister Plenipotentiary of the said United States to their High Mightinesses the States General of the United Netherlands; Benjamin Franklin, Esquire, late Delegate in Congress from the state of Pennsylvania, President of the Convention of the said state, and Minister Plenipotentiary from the United States of America at the Court of Versailles; John Jay, Esquire, late President of Congress, and Chief Justice of the state of New-York, and Minister Plenipotentiary from the said United States at the Court of Madrid, to be the Plenipotentiaries for the concluding and signing the present definitive treaty; who after having reciprocally communicated their respective full powers, have agreed upon and confirmed the following articles.

ARTICLE I.

His Britannic Majesty acknowledges the said United States, viz. New-Hampshire, Massachusetts-Bay, Rhode-Island and Providence Plantations, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, and Georgia, to be free, sovereign and independent States; that he treats with them as such; and for himself, his heirs and successors, relinquishes all claims to the government, propriety and territorial rights of the same, and every part thereof.

United States
acknowledged
to be independ-
ent.

ARTICLE II.

And that all disputes which might arise in future, on the subject of the boundaries of the said United States, may be prevented, it is hereby agreed and declared, that the following are, and shall be their boundaries, viz. From the north-west angle of Nova-Scotia, viz. that angle which is formed by a line, drawn due north from the source of St. Croix river to the Highlands; along the said Highlands which divide those rivers, that empty themselves into the river St. Lawrence, from those which fall into the Atlantic ocean, to the northwesternmost head of Connecticut river, thence down along the middle of that river, to the forty-fifth degree of north latitude; from thence, by a line due west on said latitude, until it strikes the river Iroquois or Cataraquy; thence along the middle of said river into lake Ontario, through the middle of said lake until it strikes the communication by water between that lake and lake Erie; thence along the middle of said communication into lake Erie, through the middle of said lake until it arrives at the water-communication between that lake and lake Huron; thence along the middle of said water-communication into the lake Huron; thence through the middle of said lake to the water-communication between that lake and lake Superior; thence through lake Superior northward of the isles Royal

Boundaries
established.

Post. p. 572.

and Phelipeaux, to the Long Lake; thence through the middle of said Long Lake, and the water-communication between it and the Lake of the Woods, to the said Lake of the Woods; thence through the said lake to the most north-western point thereof, and from thence on a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi until it shall intersect the northernmost part of the thirty-first degree of north latitude. South by a line to be drawn due east from the determination of the line last mentioned, in the latitude of thirty-one degrees north of the Equator, to the middle of the river Apalachicola or Catahouche; thence along the middle thereof to its junction with the Flint river; thence strait to the head of St. Mary's river; and thence down along the middle of St. Mary's river to the Atlantic ocean. East by a line to be drawn along the middle of the river St. Croix, from its mouth in the Bay of Fundy to its source, and from its source directly north to the aforesaid Highlands which divide the rivers that fall into the Atlantic ocean, from those which fall into the river St. Lawrence; comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova-Scotia on the one part, and East-Florida on the other, shall respectively touch the Bay of Fundy and the Atlantic ocean; excepting such islands as now are, or heretofore have been within the limits of the said province of Nova-Scotia.

ARTICLE III.

Right of fishery secured.

It is agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the Grand Bank, and on all the other banks of Newfoundland; also in the gulph of St. Lawrence, and at all other places in the sea, where the inhabitants of both countries used at any time heretofore to fish; and also that the inhabitants of the United States shall have liberty to take fish of every kind on such part of the coast of Newfoundland as British fishermen shall use (but not to dry or cure the same on that island); and also on the coasts, bays and creeks of all other of his Britannic Majesty's dominions in America; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbours and creeks of Nova-Scotia, Magdalen islands, and Labrador, so long as the same shall remain unsettled; but so soon as the same or either of them shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such settlement, without a previous agreement for that purpose with the inhabitants, proprietors or possessors of the ground.

ARTICLE IV.

Debts to be paid.

It is agreed that creditors on either side, shall meet with no lawful impediment to the recovery of the full value in sterling money, of all bona fide debts heretofore contracted.

ARTICLE V.

Congress to recommend to the states restitution of confiscated estates.

It is agreed that the Congress shall earnestly recommend it to the legislatures of the respective states, to provide for the restitution of all estates, rights and properties, which have been confiscated, belonging to real British subjects, and also of the estates, rights and properties of persons resident in districts in the possession of his Majesty's arms, and who have not borne arms against the said United States. And that persons of any other description shall have free liberty to go to any part or parts of any of the thirteen United States, and therein to remain twelve months, unmolested in their endeavours to obtain the restitution of such of their estates, rights and properties, as may have been confiscated; and that Congress shall also earnestly recommend to the several states a reconsideration and revision of all acts or laws regarding the premises, so as to render the said laws or acts perfectly con-

sistent, not only with justice and equity, but with that spirit of conciliation, which on the return of the blessings of peace should universally prevail. And that Congress shall also earnestly recommend to the several states, that the estates, rights and properties of such last mentioned persons, shall be restored to them, they refunding to any persons who may be now in possession, the bona fide price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights or properties, since the confiscation. And it is agreed, that all persons who have any interest in confiscated lands, either by debts, marriage settlements, or otherwise, shall meet with no lawful impediment in the prosecution of their just rights.

ARTICLE VI.

That there shall be no future confiscations made, nor any prosecutions commenced against any person or persons for, or by reason of the part which he or they may have taken in the present war; and that no person shall, on that account, suffer any future loss or damage, either in his person, liberty or property; and that those who may be in confinement on such charges, at the time of the ratification of the treaty in America, shall be immediately set at liberty, and the prosecutions so commenced be discontinued.

No further confiscations or prosecutions.

ARTICLE VII.

There shall be a firm and perpetual peace between his Britannic Majesty and the said States, and between the subjects of the one and the citizens of the other, wherefore all hostilities, both by sea and land, shall from henceforth cease: all prisoners on both sides shall be set at liberty, and his Britannic Majesty shall, with all convenient speed, and without causing any destruction, or carrying away any negroes or other property of the American inhabitants, withdraw all his armies, garrisons and fleets from the said United States, and from every post, place and harbour within the same; leaving in all fortifications the American artillery that may be therein; and shall also order and cause all archives, records, deeds and papers, belonging to any of the said states, or their citizens, which in the course of the war may have fallen into the hands of his officers, to be forthwith restored and delivered to the proper states and persons to whom they belong.

Hostilities to cease, and British armies to be withdrawn.

ARTICLE VIII.

The navigation of the river Mississippi, from its source to the ocean, shall for ever remain free and open to the subjects of Great-Britain, and the citizens of the United States.

Navigation of the Mississippi to be free to both nations.

ARTICLE IX.

In case it should so happen that any place or territory belonging to Great-Britain or to the United States, should have been conquered by the arms of either from the other, before the arrival of the said provisional articles in America, it is agreed, that the same shall be restored without difficulty, and without requiring any compensation.

Conquests before arrival of these articles in America to be restored.

ARTICLE X.

The solemn ratifications of the present treaty, expedited in good and due form, shall be exchanged between the contracting parties, in the space of six months, or sooner if possible, to be computed from the day of the signature of the present treaty. In witness whereof, we the undersigned, their Ministers Plenipotentiary, have in their name and in virtue of our full powers, signed with our hands the present definitive treaty, and caused the seals of our arms to be affixed thereto.

Ratification.

Done at Paris, this third day of September, in the year of our Lord one thousand seven hundred and eighty-three.

D. HARTLEY,	(L. S.)
JOHN ADAMS,	(L. S.)
B. FRANKLIN,	(L. S.)
JOHN JAY,	(L. S.)