

MARYLAND GAZETTE.

T H U R S D A Y, J U N E 29, 1786.

The UNITED STATES of AMERICA
in CONGRESS assembled.

To all whom these Presents shall come, Greeting.

W H E R E A S a treaty of amity and commerce, between his majesty the king of Prussia, and the United States of America, was concluded and signed by the plenipotentiaries of the said United States, and by the plenipotentiary of his said majesty, duly and respectively authorized for that purpose, at the places of their respective residence, and at the dates expressed under their several signatures, which said treaty, written both in the American and French languages, is (in the American) in the words following, to wit:

A T R E A T Y of AMITY and COMMERCE between his majesty the king of Prussia, and the United States of America.

HIS majesty the king of Prussia, and the United States of America, desiring to fix, in a permanent and equitable manner, the rules to be observed in the intercourse and commerce they desire to establish between their respective countries, his majesty and the United States have judged that the said end cannot be better obtained than by taking the most perfect equality and reciprocity for the basis of their agreement.

With this view his majesty the king of Prussia has nominated and constituted as his plenipotentiary, the baron Frederick William de Thulemeier, his privy counsellor of embassy, and envoy extraordinary, with their high mightinesses the states general of the United Netherlands, and the United States, have on their part, given full powers to John Adams, Esq; late one of their ministers plenipotentiary for negotiating a peace, heretofore a delegate in congress from the state of Massachusetts, and chief justice of the same, and now minister plenipotentiary of the United States with his Britannic majesty; Dr. Benjamin Franklin, late minister plenipotentiary at the court of Versailles, and another of their ministers plenipotentiary for negotiating a peace; and Thomas Jefferson, heretofore a delegate in congress from the state of Virginia, and governor of the said state, and now minister plenipotentiary of the United States at the court of his most christian majesty, which respective plenipotentiaries, after having exchanged their full powers, and on mature deliberation, have concluded, settled and signed, the following articles.

Art. 1. There shall be a firm, inviolable and universal peace and sincere friendship between his majesty the king of Prussia, his heirs, successors, and subjects, on the one part, and the United States of America, and their citizens on the other, without exceptions of persons or places.

Art. 2. The subjects of his majesty the king of Prussia may frequent all the coasts and countries of the United States of America, and reside and trade there in all sorts of produce, manufactures and merchandise;—and shall pay within the said United States no other or greater duties, charges or fees whatsoever than the most favoured nations are or shall be obliged to pay; and they shall enjoy all the rights, privileges and exemptions in navigation and commerce, which the most favoured nation does or shall enjoy; submitting themselves, nevertheless, to the laws and usages there established, and to which are submitted the citizens of the United States, and the citizens and subjects of the most favoured nations.

Art. 3. In like manner the citizens of the United States of America may frequent all the coasts and countries of his majesty the king of Prussia, and reside and trade there in all sorts of produce, manufactures and merchandise, and shall pay in the dominions of his said majesty, 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 the most favoured nation does or shall enjoy; submitting themselves nevertheless to the laws and usages there established, and to which are submitted the subjects of his majesty the king of Prussia, and the subjects and citizens of the most favoured nations.

Art. 4. More especially each party shall have a right to carry their own produce, manufactures and merchandise, in their own or any other vessels to any part of the dominions of the other, where it shall be lawful for all the subjects or citizens of that other, to purchase them; and thence to take the produce, manufactures and merchandise of the other, which all the said citizens or subjects shall in like

manner be free to sell them, paying in both cases such duties, charges and fees only, as are or shall be paid by the most favoured nation. Nevertheless, the king of Prussia and the United States, and each of them, reserve to themselves the right where any nation restrains the transportation of merchandise to the vessels of the country of which it is the growth or manufacture, to establish against such nation retaliating regulations; and also the right to prohibit, in their respective countries, the importation and exportation of all merchandise whatsoever, when reasons of state shall require it. In this case the subjects or citizens of either of the contracting parties shall not import nor export the merchandise prohibited by the other; but if one of the contracting parties permits any other nation to import or export the same merchandise, the citizens or subjects of the other shall immediately enjoy the same liberty.

Art. 5. The merchants, commanders of vessels, or other subjects or citizens of either party, shall not, within the ports or jurisdiction of the other, be forced to unload any sort of merchandise into any other vessels, nor to receive them into their own, nor to wait for their being loaded longer than they please.

Art. 6. That the vessels of either party loading within the ports or jurisdiction of the other, may not be uselessly harrassed or detained, it is agreed that all examinations of goods required by the laws, shall be made before they are laden on board the vessel, and that there shall be no examination after; nor shall the vessel be searched at any time, unless articles shall have been laden therein clandestinely and illegally, in which case the person by whose order they were carried on board, or who carried them without order, shall be liable to the laws of the land in which he is, but no other person shall be molested, nor shall any other goods, nor the vessel be seized or detained for that cause.

Art. 7. 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 restored to their right owners, their vessels and effects which shall be taken from them within the extent of their said jurisdiction.

Art. 8. The vessels of the subjects or citizens of either party, coming on any coast belonging to the other, but not willing to enter into port, or being entered into port, and not willing to unload their cargoes or break bulk, shall have liberty to depart and to pursue their voyage without molestation, and without being obliged to render account of their cargo, or to pay any duties, charges or fees whatsoever, except those established for vessels entered into port, and appropriated to the maintenance of the port itself, or of other establishments for the safety and convenience of navigators, which duties, charges and fees shall be the same, and shall be paid on the same footing as in the case of subjects or citizens of the country where they are established.

Art. 9. 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 or 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 operations of repair shall require that the whole or any part of their cargo be unladed, they shall pay no duties, charges or fees on the part which they shall relade and carry away. The ancient and barbarous rights to wrecks of the sea shall be entirely abolished, with respect to the subjects or citizens of the two contracting parties.

Art. 10. The citizens or subjects of each party shall have power to dispose of their personal goods within the jurisdiction of the other, by testament, 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 may take possession thereof, either by themselves or by 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 in case of the absence of the representatives, such care shall be taken of the said goods, and for so long a time as would be taken of the goods of a native in like case, until the lawful owner may

take measures of receiving them. And if question shall arise among several claimants to which of them the said goods belong, the same shall be decided finally 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 laws of the land descend on a citizen or subject of the other, were he not disqualified by alienage, such subject shall be allowed a reasonable time to sell the same, and to withdraw the proceeds without molestation, and exempt from all rights of detraction on the part of the government of the respective states. But this article shall not derogate in any manner from the force of the laws already published or hereafter to be published, by his majesty the king of Prussia, to prevent the emigration of his subjects.

Art. 11. The most perfect freedom of consciences and of worship, is granted to the citizens or subjects of either party, within the jurisdiction of the other, without being liable to molestation in that respect, for any cause other than an insult on the religion of others. Moreover when the subjects or citizens of the one party, shall die within the jurisdiction of the other, their bodies shall be buried in the usual burying grounds, or other decent and suitable places, and shall be protected from violation or disturbance.

Art. 12. If one of the contracting parties should be engaged in war with any other power, the free intercourse and commerce of the subjects or citizens of the party remaining neuter with the belligerent powers shall not be interrupted. On the contrary, in that case as in full peace, the vessels of the neutral party may navigate freely to and from the ports and on the coasts of the belligerent parties, free vessels making free goods, inasmuch that all things shall be adjudged free which shall be on board any vessel belonging to the neutral party, although such things belong to an enemy of the other; and the same freedom shall be extended to persons who shall be on board a free vessel, although they should be enemies to the other party, unless they be soldiers in actual service of such enemy.

Art. 13. And in the same case of one of the contracting parties engaged in war with any other power, to prevent all the difficulties and misunderstandings that usually arise respecting the merchandise heretofore called contraband, such as arms, ammunition and military stores of every kind, no such articles carried in the vessels, or by the subjects or citizens of one of the parties to the enemies of the other, shall be deemed contraband, so as to induce confiscation or condemnation and a loss of property to individuals. Nevertheless it shall be lawful to stop such vessels and articles, and to detain them for such length of time as the captors may think necessary to prevent the inconvenience or damage that might ensue from their proceeding, paying however a reasonable compensation for the loss such arrest shall occasion to the proprietors; and it shall further be allowed to use in the service of the captors, the whole or any part of the military stores so detained, paying the owners the full value of the same, to be ascertained by the current price at the place of its destination. But in the case supposed, of a vessel stopped for articles heretofore deemed contraband, if the master of the vessel stopped will deliver out the goods supposed to be of contraband nature, he should be admitted to do it, and the vessel shall not in that case be carried into any port, nor further detained, but shall be allowed to proceed on her voyage.

Art. 14. And in the same case where one of the parties is engaged in war with another power, that the vessels of the neutral party may be readily and certainly known, it is agreed, that they shall be provided with sea-letters, or passports, which shall express the name, the property and burthen of the vessel, as also the name and dwelling of the master, which passports shall be made out in good and due forms (to be settled by conventions between the parties whenever occasion shall require) shall be renewed as often as the vessel shall return into port; and shall be exhibited whenever required, as well in the open sea as in port. But if the said vessel be under convoy of one or more vessels of war, belonging to the neutral party, the simple declaration of the officer commanding the convoy, that the said vessel belongs to the party of which he is, shall be considered as establishing the fact, and shall relieve both parties from the trouble of further examination.

Art. 15. And to prevent entirely all disorder and violence in such cases, it is stipulated, that when the vessels of the neutral party, sailing without convoy, shall be met by any vessel of war, public or private,