

proprietors demanding the same; but so as that if the said merchandises be contraband, it shall not be any ways lawful to carry them afterwards to any ports belonging to the enemy.

The two contracting parties agree, that the term of two months being passed after the declaration of war, their respective citizens, from whatever part of the world they come, shall not plead the ignorance mentioned in this article.

XVI. The merchant ships belonging to the citizens of either of the contracting parties, which shall be bound to a port of the enemy of one of the parties, and concerning whose voyage, and the articles of their cargo, there shall be just grounds of suspicion, shall be obliged to exhibit, as well upon the high seas as in the ports or roads, not only their passports, but likewise their certificates, shewing that their goods are not of the quality of those which are specified to be contraband in the 13th article of the present convention.

XVII. And that captures on light suspicions may be avoided and injuries thence arising prevented, it is agreed, that when one party shall be engaged in war, and the other party be neuter, the ships of the neutral party shall be furnished with passports similar to that described in the fourth article, that it may appear thereby that the ships really belong to the citizens of the neutral party; they shall be valid for any number of voyages, but shall be renewed every year, that is, if the ship happens to return home in the space of a year. If the ships are laden, they shall be provided not only with the passports above mentioned, but also with certificates similar to those described in the same article, so that it may be known whether they carry any contraband goods. No other paper shall be required, any usage or ordinance to the contrary notwithstanding.—And if it shall not appear from the said certificates that there are contraband goods on board, the ships shall be permitted to proceed on their voyage. If it shall appear from their certificates, that there are contraband goods on board any such ship, and the commander of the same shall offer to deliver them up, the offer shall be accepted, and the ship be at liberty to pursue its voyage, unless the quantity of the contraband goods be greater than can conveniently be received on board the ship of war or privateer, in which case the ship may be carried into port for the delivery of the same.

If any ship shall not be furnished with such passport or certificates as are above required for the same, such case may be examined by a proper judge or tribunal, and if it shall appear from other documents or proofs, admissible by the usage of nations that the ship belongs to citizens of the neutral party, it shall not be confiscated, but shall be released with her cargo (contraband goods excepted) and be permitted to proceed on her voyage.

If the master of a ship, named in the passport, should happen to die or be removed by any other cause, and another put in his place, the ship and cargo shall nevertheless be equally secure, and the passport remain in full force.

XVIII. If the ships of the citizens of either of the parties shall be met with, either sailing along the coasts, or on the high seas, by any ship of war or privateer of the other; for the avoiding of any disorder, the said ships of war or privateers shall remain out of cannon shot, and may send their boats on board the merchant ship which they shall so meet with, and may enter her to the number of two or three men only, to whom the master or commander of such ship shall exhibit his passport concerning the property of the ship, made out according to the form prescribed in the fourth article. 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 his papers, or for any other examination whatever.

XIX. It is expressly agreed by the contracting parties, that the stipulations above mentioned, relative to the conduct to be observed on the sea by the cruisers of the belligerent party towards the ships of the party, shall be applied only to ships sailing without convoy; and when the said ships shall be convoyed, it being the intention of the parties to observe all the regard due to the protection of the flag displayed by public ships, it shall not be lawful to visit them: but the verbal declaration of the commander of the convoy, that the ships he convays belong to the nation whose flag he carries, and that they have no contraband goods on board, shall be considered by the respective cruisers as fully sufficient: the two parties reciprocally engaging not to admit under the protection of their convoys, ships which shall carry contraband goods destined to an enemy.

XX. In all cases where vessels shall be captured or detained under pretence of carrying to the enemy contraband goods, the captor shall give a receipt for such of the papers of the vessel as he shall retain, which receipt shall be annexed to a descriptive list of the said papers: and it shall be unlawful to break up or open the hatches, chests, trunks, casks, bales, or vessels found on board, or remove the smallest part of the goods, unless the lading be brought on shore in presence of the competent officers, and an inventory be made by them of the said goods. Nor shall it be lawful to sell, exchange or alienate the same in any manner, unless there shall have been lawful process, and the competent judge or judges shall have pronounced against such goods sentence of confiscation, saving always the ship and the other goods which it contains.

XXI. And that proper care may be taken of the vessel and cargo, and embezzlement prevented, it is agreed, that it shall not be lawful to remove the

master, commander, or supercargo of any captured ship from on board thereof, either during the time the ship may be at sea after her capture, or pending the proceedings against her, or her cargo, or any thing relative thereto. And in all cases where a vessel of the citizens of either party shall be captured, or seized, and held for adjudication, her officers, passengers and crew, shall be hospitably treated. They shall not be imprisoned or deprived of any part of their wearing apparel, nor of the possession and use of their money, not exceeding for the captain, supercargo and mate five hundred dollars each, and for the sailors and passengers one hundred dollars each.

XXII. It is further agreed, that in all cases, the established courts for prize causes, in the country to which the prizes may be conducted, shall alone take cognizance of them. And whenever such tribunal of either of the parties shall pronounce judgment against any vessel or goods, or property claimed by the citizens of the other party, the sentence or decree shall mention the reasons or motives on 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 the said vessel, without any delay, he paying the legal fees for the same.

XXIII. And that more abundant care may be taken for the security of the respective citizens of the contracting parties, and to prevent their suffering injuries by the men of war or privateers of either party, all commanders of ships of war and privateers, and all others the said citizens, shall forbear doing any damage to those of the other party, or committing any outrage against them, and if they act to the contrary they shall be punished, and shall also be bound in their persons and estates to make satisfaction and reparation for all damages and the interest thereof, of whatever nature the said damages may be.

For this cause all commanders of privateers, before they receive their commissions, shall hereafter be obliged to give, before a competent judge, sufficient security by at least two responsible sureties, who have no interest in the said privateer, each of whom, together with the said commander, shall be jointly and severally bound in the sum of seven thousand dollars, or thirty-six thousand eight hundred and twenty francs, or if such ships be provided with above one hundred and fifty seamen or soldiers, in the sum of fourteen thousand dollars, or seventy-three thousand six hundred and forty francs, to satisfy all damages and injuries which the said privateer, or her officers or men, or any of them, may do or commit during their cruise, contrary to the tenor of this convention, or to the laws and instructions for regulating their conduct: and further, that in all cases of aggressions the said commission shall be revoked and annulled.

XXIV. When the ships of war of the two contracting parties, or those belonging to their citizens which are armed in war, shall be admitted to enter within their prizes the ports of either of the two parties, the said public or private ships, as well as their prizes, shall not be obliged to pay any duty either to the officers of the place, the judges or any others: nor shall such prizes, when they come to and enter the ports of either party, be arrested or seized, nor shall the officers of the place make examination concerning the lawfulness of such prizes; but they may hoist sail at any time and depart and carry their prizes to the places expressed in their commissions, which the commanders of such ships of war shall be obliged to shew. It is always understood that the stipulations of this article shall not extend beyond the privileges of the most favoured nation.

XXV. It shall not be lawful for any foreign privateers who have commissions from any prince or state in enmity with either nation, to fit their ships in the ports of either nation, to sell their prizes, or in any manner to exchange them; neither shall they be allowed to purchase provisions, except such as shall be necessary for their going to the next port of that prince or state, from which they have received their commissions.

XXVI. It is further agreed, that both the said contracting parties shall not only refuse to receive any pirates into any of their ports, havens or towns, or permit any of their inhabitants to receive, protect, harbour, conceal, or assist them in any manner, but will bring to condign punishment all such inhabitants as shall be guilty of such act or offences.

And all their ships, with the goods or merchandises taken by them and brought into the port of either of the said parties, shall be seized as far as they can be discovered, and shall be restored to the owners, or their factors or agents duly authorized by them; (proper evidence being first given before competent judges for proving the property) even in case such effects should have passed into other hands by sale, if it be proved that the buyers knew or had good reason to believe, or suspect that they had been piratically taken.

XXVII. Neither party will intermeddle in the fisheries of the other on its coasts, nor disturb the other in the exercise of the rights which it now holds or may acquire on the coast of Newfoundland, in the Gulph of St. Lawrence, or elsewhere on the American coast, northward of the United States. But the whale and seal fisheries shall be free to both in every quarter of the world.

This convention shall be ratified on both sides in due form, and the ratifications exchanged in the space of six months or sooner if possible.

In faith whereof the respective plenipotentiaries have signed the above articles both in the French and English languages, and they have thereto affixed their seals; declaring nevertheless that the signing in the two languages shall not be brought into precedent

nor in any way operate to the prejudice of either party.

Done at Paris the eighth day of Vendemiaire of the ninth year of the French republic, the thirteenth day of September Anno Domini eighteen hundred.

(L. S.) Joseph Buonaparte.  
(L. S.) Oliver Ellsworth.  
(L. S.) Charles Pierre Claret Fleurieu.  
(L. S.) William R. Davie.  
(L. S.) Pierre Louis Raderer.  
(L. S.) William V. Murray.

NEW-YORK, December 23.

Oliver Ellsworth, Esq; one of the American envoys to France, arrived at London on the 29th October. He is highly spoken of by the London editors.

Capt. Barclay, arrived here yesterday from St. Sebastian, informs, that all intercourse between France and Spain is stopped, in consequence of the plague which rages in all parts of the latter kingdom. All American vessels are obliged to perform quarantine, and what is very singular, they attribute the imputation of their calamity to vessels from this country.

LONDON PAPERS,

To November 17th, were last evening received by the ship Brutus from London. Many of the intermediate papers from the 4th to the 17th being wanting, we are unable to give a connected chain of events. There does not, however, appear to have been any political transaction of consequence since our last report. The English parliament have been convoked at an earlier period than usual, to take into consideration the present alarming scarcity of provisions, and to deliberate on the political aspect of affairs as they respect negotiations for peace.

LONDON, November 12.

The alterations in the new great seal, now finished, and in the custody of the lord high chancellor, are, that the arms of France are entirely extinguished; the arms of England, of Scotland, of Wales, and of Ireland, are quartered; and the arms of Hanover are placed upon the centre of the four quarters. His majesty, in the new seal, instead of being styled, "King of Great-Britain, France and Ireland," styles himself simply, "Britannicorum Rex"; KING OF THE BRITISH.—This title has a very extensive and appropriate meaning. It includes not only the British Isles, but all subjects in every quarter of the globe, living under the British dominion. His majesty in council, has given orders, that his title, and, &c. shall be altered after the expiration of the present year, in all public instruments, &c. And orders are likewise given to have the arms of all the royal carriages altered as above.

November 17.

The arrival of Cobentzel and Joseph Buonaparte at Luneville, is put out of doubt by the Paris papers to the 12th, which we received on Saturday. The journals were brought to Dover by the vessel which purposely sailed from Calais, with Mr. Maurix, the messenger, who sometime ago brought dispatches from Cobentzel to the British court. He again comes with proposals for the admission of an English minister to Luneville. Count Stahrenberg being at Twickenham when Mr. Maurix reached town, his dispatches did not regularly come before our cabinet on Saturday.

LUNEVILLE, November 7.

The count de Cobentzel arrived here this morning at five o'clock and Joseph Buonaparte at noon. The former was saluted with nineteen pieces of cannon, and the latter by the ringing of the only bell left. The two ministers lodge in private houses, until the apartments in the castle shall be completely furnished.

STRASBURG, November 4.

A Russian courier passed through this city for Paris, he travelled with great speed. This is the second within a week.

PHILADELPHIA, December 25.

A letter from Washington, received yesterday morning, says, Mr. Jay has been nominated the justice of the United States, in the room of Oliver Ellsworth, Esq; resigned.

BALTIMORE, December 26.

A gentleman, just arrived from Kentucky, informs from good authority, that Mr. Burr will have 4 votes in that state, Mr. Jefferson 3, and the other vote will be thrown away. Thus, if Tennessee votes unanimously for Burr and Jefferson, as is expected, Mr. Burr's election to the presidential chair is secured.

Accounts which may be depended on, state, that the votes of Tennessee are three for Mr. Jefferson and three for Mr. Burr.

December 27.

Extract of a letter from colonel Burr to gen. Sullivan dated New-York, Dec. 16.

"It is highly improbable that I shall have an equal number of votes with Mr. Jefferson: But if it should be the result, every man, who knows me ought to know that I would utterly disclaim all competition. Be assured that the federal party can contain no wish for such an exchange. As to my friends they would dishonour my views and insult my feelings by a suspicion that I would submit to be instrumental in counteracting the wishes and expectations of the United States. And I now constitute you my proxy to declare these sentiments if the occasion shall require."