

MARYLAND GAZETTE.

THURSDAY, MAY 27, 1802.

BOSTON, May 14.

DEFINITIVE TREATY.

On Wednesday noon arrived at Marblehead, the schooner Molly, 42 days from Havre - Mr. Bigelow, a passenger, has favoured us with a paper of that city of March 30, containing a copy of the definitive treaty of peace, of which the following is a translation.

Translated for the Palladium.

DEFINITIVE TREATY OF PEACE
between the French republic, the king of Spain, and the Batavian republic, on the one part, and his majesty the king of the United Kingdom of Great-Britain and Ireland, on the other.

THE first consul of the French republic, in the name of the French nation, and his majesty the king of the United Kingdom, &c. equally animated by a desire to put a stop to the calamities of war, have laid the foundations of the peace, by the preliminary articles signed at London, the 1st of October, 1801; and as, by the 15th article of the said preliminaries, it has been agreed, "That there shall be nominated on the one part and the other, plenipotentiaries, who shall resort to Amiens, to draw up the definitive treaty, in concert with the allies of the contracting parties;" the first consul of the French republic, in the name of the French nation, has appointed citizen Joseph Buonaparte, counsellor of state; and his majesty the king of the United Kingdom of Great-Britain and Ireland, the marquis Cornwallis, knight of the most illustrious order of the garter, &c. his majesty the king of Spain, and the government of the Batavian republic, have appointed for their plenipotentiaries, Don Joseph Nicholas d'Azarra, &c. Roger John Schimmelpennick, &c. who, after having exchanged, in due form, their powers, which are hereafter stated, have agreed to the following articles:

Art. I. There shall be peace, amity and a good understanding between the French republic, the king of Spain, his heirs and successors, and the Batavian republic, on the one part; and his majesty the king of the United Kingdom of Great-Britain and Ireland, his heirs and successors, on the other part.

The contracting parties shall endeavour to maintain a perfect harmony between them and their states, without suffering, on either side, any sort of hostility by land or sea, under any pretence whatever; they shall carefully avoid every thing which may, in future, disturb the union so happily established, and shall afford neither aid nor protection, directly or indirectly, to those who would prejudice either of them.

II. All the prisoners made on either side, by land or sea, and the hostages taken or given during the war, and to the present time, shall be restored without ransom in six weeks, at farthest, to reckon from the day of the exchange of the ratifications of the present treaty, after paying the debts contracted during their captivity. Each contracting party shall (liquidate) pay, respectively, the advances made by either of the contracting parties for the subsistence and maintenance of prisoners in the country where they shall have been detained. There shall be appointed a special commission to establish and regulate the compensation due either party. The time and place of meeting of the commissioners, charged with the execution of this article, shall be fixed in concert; they shall state an account, not only of the expenses for the prisoners, but also for the foreign troops, which, before being taken, were in the pay of any one of the parties.

III. His Britannic majesty restores to the French republic and its allies, the king of Spain and the Batavian republic, all the possessions and colonies which belonged to them respectively, and which have been occupied or conquered by the British forces in the course of the present war, with the exception of the islands of Trinidad, and the Dutch possessions in the island of Ceylon.

IV. His Catholic majesty cedes and guarantees in full possession and sovereignty to his Britannic majesty the island of Trinidad.

V. The Batavian republic cedes and guarantees in full possession and sovereignty to his Britannic majesty, all the possessions and establishments in the island of Ceylon, which belonged before the war, to the republic of the United provinces, or to its East-India company.

VI. The port of Cape of Good Hope is restored in full sovereignty, as before the war, to the Batavian republic.

The vessels, of every description, belonging to the other contracting parties, shall have the privilege of relaying and purchasing the necessary provisions as formerly, without paying any other duties than the Dutch are subject to.

VII. The territories and possessions of her most faithful majesty, are to remain entire, as they were before the war; but the limits of French and Portuguese Guyana are fixed at the river Arawary, which empties into the Ocean above the "North Cape," near "New Isle," and the isle of Penitence, in about a degree and a third of north latitude. These limits shall follow the course of the river Arawary, from its mouth, the farthest from the Cape, to its source; thence in a straight line drawn from this source to "Rio Branco," toward the west. Therefore, the northern bank of the river Arawary, from its mouth to the source and the territory north of the above limits, shall belong in full possession to the French republic: The southern bank of the said river, from the mouth, and all the territory south of the said limits, shall belong to her most faithful majesty. The navigation of the river Arawary, in its whole course, shall be common to the two nations.

The arrangements which have taken place between the courts of Madrid and of Lisbon, for the establishment of their frontiers in Europe, shall be made according to the stipulations of the treaty of Badajos.

VIII. The territories, possessions and rights of the Sublime Porte shall be maintained entire as they were before the war.

IX. The republic of the Seven Isles is acknowledged.

X. The islands of Malta, Gozo, and Comino, shall be restored to the order of St. John of Jerusalem, to be held by it under the same conditions as before the war, and under the following regulations:—

1st. The knights of the order, whose ("languages") languages continue to exist, after the exchange of the ratifications of the present treaty are invited to return to Malta, as soon as the exchange takes place: they will there form a general chapter and proceed to elect a grand master, selected from among the natives of those nations who preserve (*des langues*) the language, unless they shall have already made choice since the ratification of the preliminaries. It is understood that an election made since that epoch shall alone be considered valid, to the exclusion of every other which may have taken place prior to that epoch.

2d. The government of the French republic and Great-Britain, wishing to place the order and island of Malta in a state of entire independence in respect to them, agree, that henceforward neither the French nor English language shall be suffered there, and that no individual of either of these powers can be admitted into the order.

3d. There shall be established a Maltese language, which shall be maintained by the territorial revenues and the commercial duties, of the island. This language shall be entitled to the dignities proper to its benefits ("traitments") and to a college ("*auberge*."). Proofs of nobility shall not be required for the admission of the knights of the said language; they shall be admissible to all the offices, and shall enjoy all the privileges with the knights of other orders. The municipal, administrative, civil, judicial, and other offices dependent on the government of the island, shall be occupied, one half at least, by the inhabitants of Malta, Gozo and Comino.

4th. The forces of his Britannic majesty shall evacuate the island and its dependencies in three months after the exchange of the ratifications, or sooner, if possible, when it shall be restored to the order, in the state in which it is found; provided that the grand master, or commissaries fully authorized according to the statutes of the order, be in the said island to take possession thereof, and the troops which are to be furnished by his Sicilian majesty, as hereafter stipulated, be arrived.

5th. Half of the garrison, at least, shall be composed of native Maltese; the remainder, the order shall have the power of raising among the natives of those nations who continue to possess the language. The Maltese troops shall have Maltese officers. The command in chief of the garrison, as well as the nomination of officers, shall belong to the grand master, and he cannot dispense with it, even temporarily, but in favour of a knight, according to the advice of the council of the order.

6th. The independence of the islands of Malta, of Gozo, and of Comino, as well as the present establishment, is placed under the protection and guarantee of France, Great-Britain, Austria, Spain, Russia and Prussia.

7th. The order and island of Malta, with its dependencies, are declared neutral.

8th. The ports of Malta shall be open to the commerce and navigation of all nations, who will pay there equal and regular duties; these duties shall be applied to the maintenance of the Maltese language, as specified in the 3d section—and of the civil and military establishments of the island, and also of a general Lazaretto, open to all nations.

9th. The Barbary powers are excepted from the two preceding stipulations, until the contracting parties shall procure a cessation of the hostilities which subsist between the said Barbary states, the order of St. John, and those powers that possess the language, or are a component part of it.

10th. The order shall be governed, as well in its spiritual as temporal capacity, by the same laws which were in force when the knights quitted the island, as far as they are not deprived of them by the present treaty.

11th. The regulations contained in sections 3d, 5th, 8th and 10th, shall become laws and perpetual statutes of the order in the usual form, and the grand master, or if he should not be in the island, when it shall be restored to the order, his representatives as well as his successors, shall make oath punctually to observe them.

12th. His Sicilian majesty shall be requested to furnish 2000 men, natives of his dominions, to serve as a garrison in the different fortresses of the said islands. This force shall remain there a year, from the restitution to the knights; and if, at the expiration thereof, the order shall not have levied a sufficient force in the judgment of the guarantee powers, to serve as a garrison to the island and its dependencies, as specified in sect. 5th, the Neapolitan troops shall remain there until replaced by another sufficient force.

13th. The different powers designated in section 6th, to wit: France, Great-Britain, Austria, Spain, Russia and Prussia, are invited to accede to the present stipulations.

Art. XI. The French troops shall evacuate the kingdom of Naples and the Roman state, the English forces shall likewise evacuate Porto Ferrajo, and generally, all the ports and islands which they occupied in the Mediterranean or in the Adriatic Sea.

XII. The evacuations, cessions, and restitutions stipulated by the present treaty, shall go into operation, as they regard Europe, in the course of a month, the seas of America and Africa, in three months; the continent and seas of Asia in six months, following the ratification of the present definitive treaty, except in those cases especially provided to the contrary.

XIII. In all cases of restitution, granted by the present treaty, the fortifications shall be restored in the condition in which they were found at the moment of signing the preliminaries, and all the works constructed since their being occupied shall remain untouched.

It is moreover agreed, that in every case of cession stipulated, there shall be allowed to the inhabitants, of whatever condition or nation a term of three years, from the ratification of the present treaty, to dispose of their property acquired and possessed, whether before or during the present war; during which period of three years, they may enjoy freely their religion and their property. The same is granted in the countries restored, to all those, whether inhabitants or not, who shall have made any establishments during the period when these countries were possessed by Great-Britain.

As to the inhabitants of places ceded or restored, it is agreed, that no one shall be persecuted, or disturbed in his person or property, under any pretext, on account of his political conduct or opinion, or of his attachment to either of the contracting parties, or for any other cause, except debts contracted with individuals, or for acts posterior to the present treaty.

XIV. All sequestrations, on the one part or the other, laid upon funds or revenues, of whatever kind they may be, belonging to one of the contracting powers, or its citizens or subjects, shall be taken off immediately after the signature of this definitive treaty.

The decision of all claims between the individuals of the respective nations, for debts, property, effects, or whatever rights, which conformably to the established usages and to the rights of nations, should be exhibited at the moment of peace, shall be laid before the competent tribunals, and prompt and full justice shall be rendered in these cases in the dominions where the claims shall be made.

XV. The fisheries upon the coasts of Newfoundland and the adjacent isles, and in the gulph of St. Lawrence, are placed upon the same footing as before the war.

The French fishermen of Newfoundland and the inhabitants of the islands of St. Peter and Miquelon, shall be allowed to cut the wood necessary to them in the bay of Fortune, and Despair, during the first year, from the ratification of the present treaty.

XVI. To prevent all subjects of complaint and contest, which may arise from captures which may be made at sea after the signing of the preliminary articles, it is mutually agreed, that the vessels and effects which shall have been taken in the Channel, and in the North Seas, after 12 days from the exchange