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GREAT BRITAIN : JANUARY 20, 1783

Declarations for Suspension of Arms and Cessation of Hostilities, signed at Versailles January 20, 1783. Both original declarations in French, and American declaration also in English.

No ratification in the formal sense on either part, and consequently no exchange of ratifications; but proclamations "declaring the cessation of arms" were made by both countries; that of Great Britain is dated February 14, 1783 (text in Wharton, Diplomatic Correspondence, VI, 251-52). The American Commissioners in Paris under date of February 20, 1783, made a proclamation (styled a declaration) which follows very closely the wording of the British proclamation; and a proclamation was voted by Congress on April 11, 1783; the text thereof is with the notes to Document 7, which see generally.

Nous soussignés Ministres plénipotentiaires des Etats-unis de l'Amérique septentrionale aiant reçu de la part de M. Fitzherbert, Ministre plénipotentiaire de Sa Majesté Britannique une déclaration relative à une suspension d'armes à établir entre Sa d^e Maj^{te} et les dits Etats dont la teneur s'ensuit.

We the underwritten Ministers Plenipotentiary of the United States of North America, having received from M^r Fitz-Herbert, Minister Plenipotentiary of his Britannic Majesty, a Declaration relative to a Suspension of Arms to be establish'd between his said Majesty and the said States, of which the following is a Copy. Viz:

Comme les articles préliminaires arrêtés et signés aujourd'hui entre Sa Majesté le Roi de la grande-Bretagne et Sa Majesté le Roi très Chretien d'une part, et aussi entre Sa d^e Majesté Britannique et Sa Majesté Catholique d'autre part, renferment la stipulation de la cessation des hostilités entre ces trois Puissances, la quelle doit commencer

"Whereas the Preliminary Articles agreed to and signed "this Day between his Majesty "the King of Great Britain, and "his most Christian Majesty on "the one Part, and also between "his said Britannic Majesty and "his Catholic Majesty on the other "Part, stipulate a Cessation of "Hostilities between those three "Powers, which is to Commence

après l'échange des ratifications des dits articles préliminaires; Et comme par le Traité provisionel¹ signé le trente Novembre dernier entre Sa Majesté Britannique et les Etats-unis de l'Amérique Septentrionale, il a été stipulé, que ce traité sortiroit son effet aussitôt que la paix entre les dites Couronnes seroit retable, Le soussigné Ministre plenipotentiaire de Sa Majesté Britannique déclare au nom, et par ordre exprès du Roi son Maitre, que les dits Etats-unis de l'Amérique Septentrionale, leurs sujets et leurs possessions seront compris dans la suspension d'armes susmentionné, et qu'ils jouiront en conséquence du benefice de la cessation des hostilités aux mêmes époques et de la même manière que les trois Couronnes susd^{es}, leurs sujets et leurs possessions respectives, le tout à condition que de la part, et au nom des dits Etats-unis de l'Amérique septentrionale, il soit delivré une déclaration semblable, qui constate leur assentiment à la presente suspension d'armes et renferme l'assurance de la plus parfaite reciprocité de leur part.

En foi de quoi Nous Ministre plenipotentiaire de Sa Majesté

“upon the Exchange of the
 “Ratifications of the said Prelimi-
 “nary Articles; And whereas by
 “the Provisional Treaty¹ signed
 “the thirtieth of November last,
 “between his Britannic Majesty
 “and the United States of
 “North America, it was stipulated
 “that the said Treaty should
 “have its Effect as soon as Peace
 “between the said Crowns should
 “be established; The underwrit-
 “ten Minister Plenipotentiary of
 “his Britannic Majesty declares
 “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
 “comprised in the suspension of
 “Arms above-mentioned, And
 “that they shall consequently
 “enjoy the Benifit of the Cessa-
 “tion of Hostilities, at the same
 “Periods and in the same Manner
 “as the three Crowns aforesaid
 “and their Subjects and Posses-
 “sions respectively: On Condi-
 “tion however, that on the Part
 “and in the Name of the Said
 “United States of North America,
 “there shall be deliver'd a similar
 “Declaration expressing the As-
 “sent to the present Suspension
 “of Arms, and containing an
 “Assurance of the most perfect
 “Reciprocity on their Part.”

In faith whereof, we, the Min-
 “ister Plenipotentiary of his Bri-

¹ Document 7.

Britannique avons signé la présente Déclaration et y avons apposé le cachet de nos armes.

Signé ALLEYNE FITZ-HERBERT
(L S.)

Avons au nom des dits Etats-unis de l'Amérique Septentrionale, et en vertu des pouvoirs dont ils nous ont munis, accepté la déclaration ci-dessus, l'acceptons par ces présentes purement et simplement, et déclarons réciproquement que les dits Etats feront cesser toutes hostilités contre Sa Majesté Britannique, ses sujets et ses possessions aux termes et aux époques convenus entre Sa d^e Majesté le Roi de la grande-Bretagne, Sa Majesté le Roi de France et Sa Majesté le Roi d'Espagne, ainsi et de la même manière qu'il a été convenu entre ces trois Couronnes, et pour produire le même effet.

En foi de quoi Nous Ministres plenipotentiaires des Etats-unis de l'Amérique Septentrionale avons signé la présente déclaration et y avons apposé les cachets de nos armes. À Versailles le vingt Janvier mil sept cent quatre vingtrois./.

JOHN ADAMS. B FRANKLIN
[Seal] [Seal]

"tannic Majesty, have signed
"this present Declaration, and
"have thereto caused the Seal
"of our Arms to be affixed, at
"Versailles this twentieth Day
"of January One Thousand seven
"hundred & Eighty three."

(signed)

ALLEYNE FITZ-HERBERT
(L S.)

We have in the Name of the said United States of North America & in Virtue of the Powers we are vested with, received the above Declaration and do accept the same by these Presents, and we do reciprocally declare, that the said States shall cause to cease all Hostilities against his Britanmic Majesty, his Subjects and Possessions at the Terms or Periods agreed to between his said Majesty the King of Great Britain, his Majesty the King of France, and his Majesty the King of Spain, in the same manner as is stipulated between these three Crowns, and to have the same Effect.

In faith whereof, We Ministers Plenipotentiary from the United States of America, have signed the present Declaration and have hereunto affixed the Seals of our Arms. At Versailles the twentieth of January one thousand seven hundred and eighty three.

JOHN ADAMS. B FRANKLIN
[Seal] [Seal]

NOTES

The declarations of January 20, 1783, have in various compilations been printed in English, and as if originally in that language only.

That the declaration on the part of the United States was in both French and English is certain; a facsimile thereof from the British archives is now in the Department of State file. The British declaration was certainly in French, and almost certainly in French only; in any case, both were first drawn up in French.

In a letter to Lord Grantham from Fitzherbert (who signed for the British Government) enclosing the American declaration and written on the date of signature (Bancroft's Transcripts, America, France, and England, VI, 109-10, NYPL), he says:

This declaration they [the American Commissioners] gave me on receiving a similar one from me a copy of which I do not send as it is comprehended *verbatim* in theirs. These papers were drawn up by M. de Vergennes & I agreed to them readily as they appeared liable to no other objection but that of being in the French language which objection Messrs. Adams & Franklin have partly removed by agreeing to sign duplicates of it in English.

No trace has been found of the receipt in the United States of the original of the British declaration, which was delivered to Benjamin Franklin and John Adams at the office of Count de Vergennes at Versailles during the morning of Monday, January 20, 1783. The letters of both Franklin and Adams to Livingston (January 21 and 22, 1783, Wharton, Diplomatic Correspondence, VI, 225-26) purport to transmit copies, though that word, then as now, was sometimes used in a loose sense as meaning duplicate originals.

The Department of State file contains (a) a copy of the French text of the American declaration, which recites textually (in French) the British declaration; and (b) a paper, the first portion of which is headed "A Declaration" and has the word "Translation" in parentheses, and which is an English text (translation) of the British declaration; then follows a copy of an English text (not as signed, but translated from the French) of the American declaration, which last omits the textual recital of the British declaration, inserting in lieu thereof "Here follows the Declaration as above"; the two papers are both endorsed "taken from Dr. Franklin's file."

Also in the file, as above mentioned, is a facsimile of the original declaration on the part of the United States, signed by Adams and Franklin, in English and French.

The text here printed is from that facsimile; and the British declaration, being therein textually recited in each language, is not separately printed. It is to be added that the English of the British declaration which has been most frequently printed (*e. g.*, in the Statutes at Large) is the above-mentioned translation in the Department of State file; this differs in various respects from the text here. Still another variant translation of the period is that in 84 C. C. Papers, IV, folios 329-30, by John Pintard.

Furthermore, the text heretofore usually printed as the English of the American declaration (aside from its recital of the British declara-

tion) is a translation from the French, taken from that in the Department of State file; and as indicated above, it differs from the English text signed; for example:

In 8 Statutes at Large, 58: "do by these presents merely and simply accept it."

As signed: "and do accept the same by these Presents."

The French is: "l'acceptons par ces presentes purement et simplement."

Pintard wrote: "we do accept of it by these presents, without exception or reserve."

NOTE REGARDING THE AGREEMENTS OF JANUARY 20, 1783

The declarations of Great Britain and the United States formed part of a general scheme of an armistice and a peace for all the belligerents; they were signed concurrently with the Preliminary Articles of Peace between Great Britain and France and between Great Britain and Spain to which they refer; the relevant terms of those agreements, as well as the respective dates of exchange of ratifications, are stated in the proclamation voted by Congress on April 11, 1783, the text of which is with the notes to Document 7, and reference is made to them also in the proclamation or declaration of the American Commissioners in Paris of February 20, 1783, the text of which follows these notes. The full text of the preliminaries between France and Great Britain and between Spain and Great Britain (in French) are in Von Martens, *Recueil de traités*, 2d ed., III, 503-14; English translations are in *The Parliamentary History of England*, XXIII, 346-54.

In particular, these declarations and the proclamations made pursuant thereto by the two countries, brought into the agreement the terms of Article 22 of the Preliminaries of Peace between Great Britain and France of January 20, 1783. As that treaty was written in French and the various proclamations in English, there was, in effect, an English version of the French text of that article; and subsequent diplomatic exchanges (*e. g.*, Adams to Carmarthen, July 14 and 27, 1785, *Diplomatic Correspondence, 1783-1789*, II, 401-6, and also Adams to Jay, August 25, 1785, *ibid.*, 455-62), following divergent judicial views as to the phrase regarding the Canary Islands, were based somewhat on the point of equivalence. Article 22 of the treaty between Great Britain and France reads as follows:

Pour prévenir tous les sujets de plainte et de contestation qui pourroient naitre à l'occasion des prises qui pourroient être faites en mer depuis la signature de ces Articles préliminaires, on est convenu réciproquement, que les vaisseaux et effets qui pourroient être pris dans la Manche et dans les mers du Nord, après l'espace de douze jours, à compter depuis la ratification des présens Articles préliminaires, seront de part et d'autre restitués; que le terme sera d'un mois depuis la Manche et les mers du Nord jusqu'aux isles Canaries inclusivement, soit dans l'Océan, soit dans la Méditerranée, de deux mois depuis lesdites isles Canaries, jusqu'à la ligne équinoxiale ou l'équateur; et enfin de cinq mois dans tous les autres endroits du monde sans aucune exception ni autre distinction plus particulière de temps et de lieu. (Von Martens, *Recueil de traités*, 2d ed., III, 508-9.)

NOTE REGARDING THE PROCLAMATIONS

The British proclamation of February 14, 1783 (text in Wharton, Diplomatic Correspondence, VI, 251-52), was also issued in New York as a broadside; a print, "Re-printed by James Rivington, Printer to the King's Most Excellent Majesty," is in the New York Public Library; a facsimile thereof is in the Department of State file.

The text of the proclamation voted by Congress on April 11, 1783, is with the notes to Document 7.

The paper, called a declaration, which was signed by the American Commissioners (Adams, Franklin, and Jay) in Paris on February 20, 1783, was in substance a proclamation, following the earlier British form; it was issued at the request of the British Government (Wharton, Diplomatic Correspondence, VI, 255; the text is printed at pages 257-58). The original paper is in the British archives; the text following is from the facsimile of that original which is now in the Department of State file.

By the Ministers Plenipotentiary of the United States of America, for making Peace with Great Britain. A Declaration of the Cessation of Hostilities as well by Sea as Land, agreed upon between His Majesty, the King of Great Britain, and the United States of America.

Whereas Preliminary Articles were signed, at Paris, on the thirtieth Day of November last, between the Plenipotentiaries of his said Majesty the King of Great Britain, and of the said States, to be inserted in, and to constitute the Treaty of Peace to be concluded between his said Majesty, and the said United States when Terms of Peace should be agreed upon between his said Majesty and his most Christian Majesty: and Whereas Preliminaries for restoring Peace, between his said Majesty, the King of Great Britain, and his most Christian Majesty, were signed at Versailles, on the twentieth day of January last, by the respective Ministers of their said Majesties: and Whereas Preliminaries for restoring Peace, between his said Majesty the King of Great Britain, and his Majesty the King of Spain, were also signed at Versailles, on the twentieth Day of January last, by their respective Ministers: and Whereas, for putting an End to the Calamity of War, as soon and as far as possible, it hath been agreed, between the King of Great Britain, his most Christian Majesty, the King of Spain, the States General of the United Provinces and the United States of America as follows, that is to say.

That such Vessels and Effects, as should be taken, in the Channell and in the North Seas, after the Space of twelve Days, to be computed from the Ratification of the said Preliminary Articles should be restored on all Sides; that the Term should be one Month from the Channell and North Seas, as far as the Canary Islands inclusively, whether in the Ocean or the Mediterranean; two Months from the said Canary Islands, as far as the Equinoctial Line, or Equator, and lastly five Months in all other Parts of the World, without any Exception or any other more particular Description of Time or Place.

And Whereas the Ratifications of the said Preliminary Articles between his said Majesty, the King of Great Britain, and his most Christian Majesty, in due Form, were exchanged by their Ministers on the third day of this instant February, from which Day the several Terms abovementioned, of Twelve Days, of one Month, of two Months, and of five Months are to be computed, relative to all British and American Vessels and Effects

Now therefore, We, the Ministers Plenipotentiary, from the United States of America, for making Peace with Great Britain do notify to the People and Citizens, of the said United States of America, that Hostilities, on their Part, against his Britannic Majesty, both by Sea and Land are to cease, at the Expiration of the Terms herein before specified therefor, and which Terms are to be

computed, from the third day of February instant. And We do, in the Name and by the Authority of the said United States, accordingly warn and enjoin all their Officers and Citizens, to forbear all Acts of Hostility, whatever, either by Land or by Sea against his said Majesty, the King of Great Britain, or his Subjects under the Penalty of incurring the highest Displeasure of the said United States.

Given at Paris the Twentieth Day of February, in the Year of our Lord, One Thousand, Seven hundred and Eighty Three, under our Hands and Seals

JOHN ADAMS [Seal]
B FRANKLIN [Seal]
JOHN JAY [Seal]