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GREAT BRITAIN : SEPTEMBER 3, 1783

Definitive Treaty of Peace, signed at Paris September 3, 1783. Original in English.

Ratified by the United States January 14, 1784. Ratified by Great Britain April 9, 1784. Ratifications exchanged at Paris May 12, 1784. Proclaimed January 14, 1784.

In the Name of the most Holy & 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 & Ireland, Defender of the Faith, Duke of Brunswick and Lunebourg, Arch Treasurer, and Prince Elector of the Holy Roman Empire &c^a 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 secure to both perpetual Peace & Harmony, and having for this desirable End already laid the Foundation of Peace & Reconciliation by the Provisional Articles signed at Paris on the 30th of Nov^r. 1782. by the Commissioners empower'd 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 & France, And his Britannic Majesty should be ready to conclude such Treaty accordingly: and the Treaty between Great Britain & France having since been concluded, His Britannic Majesty & the United States of America, in Order to carry into full Effect the Provisional Articles abovementioned, according to the Tenor thereof, have constituted & appointed, that is to say His Britannic Majesty on his Part, David Hartley Esq^r, Member of the Parliament of Great Britain; and the said United States on their Part, John Adams Esq^r, 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 Esq^o late Delegate in Congress from the State of Pennsylvania, President of the Convention of the s^d State, and Minister Plenipotentiary from the United States of America at the Court of Versailles; John Jay Esq^o late President of Congress, and Chief Justice of the State of New-York & 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 1st

His Britannic Majesty acknowledges the s^d. United States, viz. New-Hampshire Massachusetts Bay, Rhode-Island & Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina & Georgia, to be free sovereign & Independent States; that he treats with them as such, and for himself his Heirs & Successors, relinquishes all Claims to the Government Propriety & Territorial Rights of the same & every Part thereof.

ARTICLE 2^d.

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 Saint 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 Northwestern-most 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 & Lake Erie; Thence along the middle of said Communication into Lake Erie; through the middle of said Lake, until it arrives at the Water Com-

munication between that Lake & 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 & Phelipeaux to the Long Lake; Thence through the Middle of said Long-Lake, and the Water Communication between it & the Lake of the Woods, to the said Lake of the Woods; Thence through the said Lake to the most Northwestern 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, & 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 3^d.

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 New-foundland, 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 New-foundland as British Fishermen shall use, (but not to dry or cure the same on that Island) And also on the Coasts Bays & 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 4th

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 5th

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 & 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 Bonâ 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 6th

That there shall be no future Confiscations made nor any Prosecutions commenc'd 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 7th

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 & 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 & cause all Archives, Records, Deeds & 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 deliver'd to the proper States and Persons to whom they belong.

ARTICLE 8th

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.

ARTICLE 9th

In Case it should so happen that any Place or Territory belonging to great Britain or to the United States should have been conquer'd 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.

ARTICLE 10th

The solemn Ratifications of the present Treaty expedited in good & 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 affix'd thereto.

Done at Paris, this third Day of September, In the Year of our Lord one thousand seven hundred & eighty three.

D HARTLEY
[Seal]

JOHN ADAMS.
[Seal]

B FRANKLIN
[Seal]

JOHN JAY
[Seal]

NOTES

There are two originals of this treaty in the Department of State file; in trifles, such as punctuation, they are not literally identical; the provisions of the one reproduced are in the handwriting of William Temple Franklin. With each original, following the signatures, are copies of the full powers of David Hartley, dated May 14, 1783, and of John Adams, Benjamin Franklin, John Jay, Henry Laurens, and Thomas Jefferson, dated June 15, 1781; these are certified "to be authentic" by George Hammond, Secretary to the British Commission, and by William Temple Franklin, Secretary to the American Commission. The certificate of the example from which the text here printed is taken is undated; the other is dated at Paris September 3, 1783.

The treaty was signed at Paris for the reason that David Hartley, the representative of Great Britain, refused to go to Versailles for the purpose (Wharton, Diplomatic Correspondence, VI, 674, 740).

No facsimile of the United States instrument of ratification is available; the original instrument has not been found in the British archives; it is copied in 135 C. C. Papers, I; also in Wharton, Diplomatic Correspondence, VI, 756. Certain objections, which Franklin called "trivial and absurd," were made to its form (see Diplomatic Correspondence, 1783-1789, I, 380-84) but were not pressed. The British instrument of ratification is copied in Wharton, Diplomatic Correspondence, VI, 757-58, note. The original is in the treaty file.

Neither in the British archives nor in those of the Department of State has been found any protocol or other similar record of the exchange of ratifications. The date is reported in the letter of Franklin of May 12, 1784 (Diplomatic Correspondence, 1783-1789, I, 379-80).

The treaty was laid before Congress on December 13, 1783. As to the non-attendance of six States, see proceedings of December 23, 1783 (Journals, XXV, 836). The period allowed by Article 10 of the treaty for the exchange of ratifications was six months from the date of signature; no objection was made by Great Britain to the necessary prolongation of the term (Wharton, Diplomatic Correspond-

ence, VI, 789-90; other letters on the point, Thomson to the American Commissioners January 5, 1784, Hartley to Carmarthen March 22, 1784, Carmarthen to Hartley March 25, 1784, are copied in Bancroft's Transcripts, Hartley's Negotiations, II, 167-75, NYPL).

The proclamation is copied in Wharton, Diplomatic Correspondence, VI, 755.

The original proclamation is in the Library of Congress. A facsimile thereof is in the Department of State file. It is a folio broadside, bearing the imprint, "Annapolis: Printed by John Dunlap, Printer for the United States in Congress assembled." The seal is affixed at the upper left corner; just below is the signature of Thomas Mifflin; and about halfway down, in the margin, is the signature of Charles Thomson, Secretary.

NOTE REGARDING THE ALTERNAT

The form of the treaty was the subject of some correspondence between Fox, Secretary of State for Foreign Affairs, and Hartley. Copies of the letters are in Bancroft's Transcripts, Hartley's Negotiations, II, 53, 57, NYPL. On August 21, 1783, Fox wrote to Hartley:

One thing only I must remind you of in point of form. When a treaty is signed between two Crowned Heads in order to prevent disputes about precedence, the name of the one stands first in one instrument and that of the other in the other but when the Treaty is between a crowned Head and a Republic, the name of the Monarch is mentioned first in each instrument. I believe if you will inquire upon this subject among the *Corps Diplomatique*, you will find this to have been the constant practice.

Hartley replied as follows under date of September 1:

The treaties are drawn out for signature as you have expressed it viz: giving precedence to the Crowned Head. The American Ministers never had a thought of disputing the priority or equality of rank & therefore I have had no occasion to mention the subject.