

ARTICLE XXIII.

The present treaty shall not be in force untill ratified by the contracting parties, and the ratifications shall be exchanged in six months from this time, or sooner if possible.

Ratifications.

In witness whereof we, the underwritten Plenipotentiaries of His Catholic Majesty and of the United States of America, have signed this present treaty of friendship, limits, and navigation, and have thereunto affixed our seals respectively.

Signatures.

Done at San Lorenzo el Real, this seven and twenty day of October, one thousand seven hundred and ninety-five.

Date.

THOMAS PINCKNEY. [L. s.]
EL PRINCIPE DE LA PAZ. [L. s.]

SPAIN, 1802.

CONVENTION WITH SPAIN FOR THE ADJUSTMENT OF CLAIMS, CONCLUDED AT MADRID AUGUST 11, 1802; RATIFICATION ADVISED BY SENATE JANUARY 9, 1804; RATIFIED BY PRESIDENT JANUARY 9, 1804; RATIFIED BY THE KING OF SPAIN JULY 9, 1818; RATIFICATIONS EXCHANGED AT WASHINGTON DECEMBER 21, 1818; PROCLAIMED DECEMBER 22, 1818.

August 11, 1802.

[This convention was annulled by the tenth article of treaty of February 22, 1819.]

A convention between his Catholic Majesty and the United States of America, for the indemnification of those who have sustained losses, damages, or injuries, in consequences of the excesses of individuals, of either nation, during the late war, contrary to the existing treaty, or the laws of nations.

His Catholic Majesty and the Government of the United States of America, wishing amicably to adjust the claims which have arisen from the excesses committed during the late war, by individuals of either nation, contrary to the laws of nations or the treaty existing between the two countries, His Catholic Majesty has given, for this purpose, full powers to His Excellency Dⁿ Pedro Cevallos, Councillor of State, Gentleman of the Bed-Chamber in employment, first Secretary of State and Universal Despatch, and Superintendent General of the Posts and Post-Offices in Spain and the Indies; and the Government of the United States of America to Charles Pinckney, a citizen of the said States, and their Minister Plenipotentiary near His Catholic Majesty; who have agreed as follows:

Contracting parties.

Negotiators.

1st. A Board of Commissioners shall be formed, composed of five Commissioners, two of whom shall be appointed by His Catholic Majesty, two others by the Government of the United States, and the fifth by common consent; and in case they should not be able to agree on a person for the fifth Commissioner, each party shall name one, and leave the decision to lot; and hereafter, in case of the death, sickness, or necessary absence of any of those already appointed, they shall proceed in the same manner to the appointment of persons to replace them.

Appointment of commissioners.

2d. The appointment of the Commissioners being thus made, each one of them shall take an oath to examine, discuss, and decide on the claims, which they are to judge, according to the laws of nations and the existing treaty, and with the impartiality justice may dictate.

Oath of commissioners.

3rd. The Commissioners shall meet and hold their sessions in Madrid, where, within the term of eighteen months (to be reckoned from the day on which they may assemble) they shall receive all claims which, in consequence of this convention, may be made, as well by the subjects of His Catholic Majesty as by citizens of the United States of America, who may have a right to demand compensation for the losses, damages, or injuries sustained by them, in consequence of the excesses committed by Spanish subjects or American citizens.

Meeting of commissioners.

- Examination of claims.** 4th. The Commissioners are authorized, by the said contracting parties, to hear and examine, on oath, every question relative to the said demands, and to receive as worthy of credit all testimony the authenticity of which cannot reasonably be doubted.
- Decisions to be final.** 5th. From the decisions of the Commissioners there shall be no appeal; and the agreement of three of them shall give full force and effect to their decisions, as well with respect to the justice of the claims as to the amount of the indemnification which may be adjudged to the claimants; the said contracting parties obliging themselves to satisfy the said awards in specie, without deduction, at the times and places pointed out, and under the conditions which may be expressed by the Board of Commissioners.
- Reserved claims.** 6th. It not having been possible for the said Plenipotentiaries to agree upon a mode by which the above-mentioned Board of Commissioners should arbitrate the claims originating from the excesses of foreign cruisers, agents, Consuls, or tribunals, in their respective territories, which might be imputable to their two Governments, they have expressly agreed that each Government shall reserve (as it does by this convention) to itself, its subjects or citizens respectively, all the rights which they now have, and under which they may hereafter bring forward their claims, at such times as may be most convenient to them.
- Ratifications.** 7th. The present convention shall have no force or effect until it be ratified by the contracting parties, and the ratifications shall be exchanged as soon as possible.
- Signatures.** In faith whereof we, the underwritten Plenipotentiaries, have signed this convention, and have affixed thereto our respective seals.
- Date.** Done at Madrid this 11th day of August, 1802.
- PEDRO CEVALLOS. [L. S.]
CHARLES PINCKNEY. [L. S.]

SPAIN, 1819.

Feb. 22, 1819.

TREATY OF AMITY, SETTLEMENT, AND LIMITS BETWEEN THE UNITED STATES OF AMERICA AND HIS CATHOLIC MAJESTY, CONCLUDED AT WASHINGTON FEBRUARY 22, 1819; RATIFICATION ADVISED BY SENATE FEBRUARY 24, 1819; RATIFIED BY PRESIDENT; RATIFIED BY THE KING OF SPAIN OCTOBER 24, 1820; RATIFICATION AGAIN ADVISED BY SENATE FEBRUARY 19, 1821; RATIFIED BY PRESIDENT FEBRUARY 22, 1821; RATIFICATIONS EXCHANGED AT WASHINGTON FEBRUARY 22, 1821; PROCLAIMED FEBRUARY 22, 1821.

Treaty of amity, settlement, and limits between the United States of America and His Catholic Majesty.

Contracting parties.

The United States of America and His Catholic Majesty, desiring to consolidate, on a permanent basis, the friendship and good correspondence which happily prevails between the two parties, have determined to settle and terminate all their differences and pretensions, by a treaty, which shall designate, with precision, the limits of their respective bordering territories in North America.

Negotiators.

With this intention the President of the United States has furnished with their full powers John Quincy Adams, Secretary of State of the said United States; and His Catholic Majesty has appointed the Most Excellent Lord Don Luis De Onis, Gonzales, Lopez y Vara, Lord of the town of Rayaces, Perpetual Regidor of the Corporation of the city of Salamanca, Knight Grand Cross of the Royal American Order of Isabella the Catholic, decorated with the Lys of La Vendée, Knight Pensioner of the Royal and Distinguished Spanish Order of Charles the Third, Member of the Supreme Assembly of the said Royal Order; of the Council of His Catholic Majesty; His Secretary, with Exercise of Decrees, and His Envoy Extraordinary and Minister Plenipotentiary near the United States of America;