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THE BRIGADE OF THE AMERICAN REVOLUTION

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Global Implications of the Peace of Paris, 3 September 1783

Robert A. Selig
Royal Deux-Ponts Regiment

On 3 September 1783, John Adams, Benjamin Franklin, and John Jay, representing the United States, and David Hartley, a member of the British Parliament representing King George III, signed a treaty of peace between the United States of America and the British crown at the Hotel de York, now 56 Rue Jacob, in Paris.¹ Article 1 declared that "His Britannic Majesty acknowledges the said United States, viz. New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, to be free Sovereign and independent States; That he treats with them as such; And for himself, his Heirs and Successors, relinquishes all Claims to the Government, Propriety, and territorial Rights of the same, and every part thereof." That same day, Britain signed separate agreements with France and Spain, thereby ending what had been a world-wide war. Preliminaries of Peace with the Netherlands had been signed the previous day, 2 September 1783, though a final peace treaty with the Netherlands had to wait until 20 May 1784.²

This, the first of ten articles of the peace treaty between the United States and Britain, is the one that is of the most interest to Americans, since it gave the American rebels □ or patriots, depending on your political persuasion □ what they had fought for: independence and the right to pursue their own happiness within their own country. Article 2 defined the boundaries of that country³ while the other

articles dealt with fishing rights off the coast of Newfoundland,⁴ restitution of slaves,⁵ etc. The document does not mention any other nation except Great Britain and the United States.⁶ This makes one wonder whether this war had not indeed been the "family affair" Francis Bailey described in this anecdote in the Wednesday, 29 October 1781, issue of *The Freeman's Journal: or, the North American Intelligencer* published in Philadelphia:

At the breaking out of the present war with the French, and their joining the Americans, Sir Joseph Yorke meeting the French ambassador at the Hague, censured his [i.e., the French] court for interfering in the dispute, and taking so ungenerous a part; "you have been guilty of a dishonourable act, says he, that is unpardonable, no less than that of debauching our daughter." "I am sorry," replies the French ambassador, "that your excellency should put such a severe construction on the matter; she made the first advances, and absolutely threw herself into our arms; but rather than forfeit your friendship, if matrimony will make any atonement, we are ready to act honourably and marry her.

Like all good anecdotes, this one has more than a grain of truth in it. Columbia, i.e., the United States, was, and, in many ways, still is Britannia's daughter, even if she has out-grown the mother. And though she did indeed throw herself at France, France knew quite well why she did what she did and what she wanted to get out of the marriage.⁷

When seen within this context of eighteenth-century international relations, diplomacy and the balance of powers this means that, between the shots fired at Lexington and Concord on 19 April 1775, the shots "heard around the world", and the treaties signed in Paris in September 1783, Sir Joseph York's *family quarrel* had become a world-wide affair and that the treaty between Great Britain and the United States was but one in a series of treaties that established peace between Great Britain and France, Spain and the Netherlands as well — all countries who had tried to use the family quarrel to settle their own long-standing scores with Britain.⁸ It places the war within the broader chronological and geographical context of a global, yet Europe-centered, Anglo-French-Spanish-Dutch rivalry that had started in the late 16th century (Armada, 1588) in the case of Spain, expanded in the 17th century with the First Anglo-Dutch War of 1652-1654 to include the Netherlands, and became a Franco-English affair as well with the War of the League of Augsburg (1688-1697 or King William's War). It shows this war as another episode in a political, economic and military game of checkers that would continue for decades until Napoleon's defeat at Waterloo in 1815.

Seen within this broader context, it should come as no surprise that the fate and future of the newly created United States of America was only of secondary importance for most contemporaries,

except for Americans, in 1783. That includes Great Britain, for which the independence of her colonies eventually became probably the least significant issue of the war as well.

The war — and the peace that ended it — was a means to an end for all nations involved. This means that we need to go back a bit in time from our vantage point of September 1783 and look at why these nations decided to join the Americans, directly in the case of France, indirectly in the case of Spain and the Netherlands, in their struggle against King George III. In doing so, we can leave the Americans aside for the moment. No one believes any more that the main purpose of the uprising of the colonists was to rid themselves of a tyrannical and cruel British colonial regime. This is simply not true, or at least not the whole truth. For the most part, the inhabitants of the colonies took pride in calling themselves Englishmen and enjoyed rights and privileges that would have been exceptional anywhere else in the 18th-century world. They wanted to be masters in their own house, and, metaphorically speaking, their War of Independence was their process of constructing and furnishing their house along a plan laid out in 1776 in the Declaration of Independence and completed in the Constitution.

The alliance which France and the United States had entered into in February 1778 was an alliance born of mutual interests rather than of shared values: King Louis XVI did not support the colonies in their rebellion because he was a freedom-loving republican. In fact, the King had told his Foreign Minister Charles Gravier, *comte de Vergennes* in March 1776, how much he "disliked the precedent of one monarchy giving support to a republican insurrection against a legitimate monarchy."⁹ French policy was guided,

rather, by a set of long-standing principles of international relations which determined her position during peace negotiations in 1783 as well.

The French world-view was Europe-centered; and the most important principle of her foreign policy postulated that peace in Europe, and, by implication, also around the globe, was best preserved by a more or less equitable balance of the great powers which the (First) Peace of Paris of 1763 had altered in favor of Britain. France's chief ministers from César Gabriel de Choiseul-Chevigny, *duc de Praslin* (Foreign Minister 1761-1766) onward were convinced that the most effective way to restore that equilibrium was to deprive Britain of her American colonies, not so much because these colonies were her most valuable asset □ they were not (The sugar islands in the Caribbean were much more valuable.), but because they distracted Britain from Europe.¹⁰ For a foreign policy of challenging Britain overseas, France could count on the benevolent neutrality, if not tacit support, of her European neighbors.¹¹ They too wanted to see Britain's influence diminished though they would never consent to the equally undesirable prospect of crippling Britain so that she would no longer be able to play her part in the concert of Europe.¹²

Vergennes's Europe-centered system of Great Powers depended on a strong Britain that was integrated into and involved in European affairs. The war was fought primarily for that purpose. Vergennes, who became French foreign minister in July 1774 (to February 1787), was a member of the *secret du roi*, the "Secret of the King", a group of foreign policy advisors that was primarily eastward looking and which saw an expansive Russia as France's, and thus Western Europe's, greatest threat.¹³ Vergennes

argued that, once detached from her American colonies, Britain would not only focus her attention again on Europe but also assist France in her policy of containment of Tsarist Russia through strengthening the Baltic States, Poland, Hungary and the Ottoman Empire. Vergennes, like many French statesmen before and after him, wanted Britain to look "East" rather than "West".¹⁴

Conversely France did not want to replace Britain as the major colonial power in America or around the globe. She wanted to regain some of the territories lost in 1763, primarily in the Caribbean and in India. She had no interest in regaining those "quelques arpents de neige," those "few acres of snow" as Voltaire had derisively called Canada. Britain, not surprisingly, did not want to be detached from her colonies in North America or anywhere else. This is why, between 1778 and 1783, American and French forces march and float on the roads and waterways between Boston and Savannah and the world over.

On 6 February 1778, Conrad Alexandre Gérard and Silas Deane, Benjamin Franklin and Arthur Lee signed a "Treaty of Amity and Commerce" and a secret "Treaty of Alliance" in Versailles, outlining their goals for the war and the peace that followed. In Article 8, the two parties agreed that "Neither of the two Parties shall conclude either Truce or Peace with Great Britain, without the formal consent of the other first obtain'd and they mutually engage not to lay down their arms, until the Independence of the united states shall have been formally or tacitly assured by the Treaty or Treaties that shall terminate the War."

American independence was the first and most important goal of the war spelled out in the agreement. If Article 8 tied any peace to the consent of the other, it also

implicitly tied America to French war aims and vice versa. If France should decide that she wanted to regain India, for example, America was obligated to continue the fight long after her own war aims were achieved.¹⁵ This, of course, was America's great fear. This fear seems justified, at first glance □ since French forces quickly spread the war into the four corners of the world, to the Caribbean, the Jersey Islands, Senegal and India, to name but a few. Britain, by necessity, followed. Few Americans today are aware that by the Spring of 1782, some 2,000 Hanoverian troops were fighting for their duke (King George III) in India.¹⁶

Yet when France signed Preliminary Articles of Peace with Britain on 20 January 1783, its stipulations came as a shock to many Frenchmen. In the peace treaty with Britain, signed by George Montagu, duke of Manchester and the comte de Vergennes in September, the British Crown retained Newfoundland and all adjacent islands, except St. Pierre and Miquelon (still French today), and saw her fishing rights off the coast of Newfoundland severely curtailed.¹⁷

In the West Indies, Britain returned St. Lucia and Tobago to France in exchange for Grenada, St. Vincent, Dominica, St. Christopher's (St. Kitts), Montserrat and Nevis □ all islands that she had captured during the war. In Africa, King George surrendered to France the Senegal river area (captured by the *duc* de Lauzun in 1779), and returned to France the island of Gorée. France guaranteed, to the British Crown, possession of the Gambia river area and Fort James. In India, Britain returned to France all settlements she had held in 1778 as well as Pondicherry, Karikal, Mahé and Surat, which had been French before the war.¹⁸

For the most part, this treaty restored the territorial situation which existed

before France entered the war, a disappointment for Vergennes who wrote to the French ambassador, the chevalier de la Luzerne, that if "we can judge the future by what passes presently before our eyes we shall be paid badly for what we have done for the United States of America and for having assured them of that title."¹⁹ France, which had been fairly successful in reversing the territorial losses in those parts of the world that she was interested in, i.e., the Caribbean, Africa, and India, all perfectly legitimate under the treaty of alliance with the U.S., gave up all of here gains. Why? There are three reasons for this:

- 1) American Independence had been the primary war aim of the treaty, and France had really only begun to focus on her own interests AFTER the 1781 victory at Yorktown.
- 2) The Americans had signed their Preliminaries of Peace on 30 November 1782, behind Vergennes's back, in contradiction to the treaty of Alliance. Abandoned by her American ally, she could not continue the war by herself.
- 3) The war aims of her allies, Spain and the Netherlands.

In Article 10 of the Franco-American Treaty of 1778, the two powers had agreed "to invite or admit other Powers who may have received injuries from England to make common cause with them, and to accede to the present alliance, under such conditions as shall be freely agreed to and settled between all the Parties." The most important other party admitted was Spain which entered the war in the secret Convention of Aranjuez of 12 April 1779 -- but only as an ally of France, not the U.S. The first article of the

Convention declared the intention of the king of Spain, in the event that King George would reject the ultimatum of 3 April offering Spain's offer to mediate in the war, of making common cause with France against Great Britain.

The third article reiterated the stipulation of the Bourbon Family Compact that neither party should make peace without the consent of the other. The fourth article declared that since the king of France had "proposed and demanded that the Catholic king (Carlos III of Spain) should from the day when war should be declared against England recognize the independence and sovereignty of the United States and offer not to lay down his arms until that independence should be obtained," the King of Spain reserved to himself the right to conclude a treaty with the Americans to govern "their reciprocal interests," the sole condition being that, to any treaty made by Spain with or affecting the United States, Louis XVI should also be a party.

The fifth article concerned additional objectives of a successful war of interest to France, such as the restoration of France's right to build such works at Dunkirk as she chose²⁰ and the expulsion of the English from Newfoundland. The sixth article pledged France, in case she should regain Newfoundland, to admit Spanish subjects to the fisheries there. The seventh and eight articles concerned Spanish war aims such as the restitution of Gibraltar, Minorca, Pensacola, which she had lost in 1763, Mobile, Honduras and Jamaica.²¹

Article 9, the final article of the convention, reconfirmed and reiterated the war aims of both parties: Their Catholic and Most Christian Majesties promise to make every effort to procure and acquire for themselves all the advantages above enumerated and to continue their efforts until they have obtained the end which

they propose to one another, mutually pledging themselves not to lay down their arms nor to make any treaty of peace, truce, or suspension of hostilities with out having at least obtained . . . the restitution of Gibraltar and the abolition of the treaties relative to the fortification of Dunkirk, or in default of this last some other object to the taste of His Most Christian Majesty.²²

But Spain had already been deeply involved in this war since before the Declaration of Independence. If France had made substantial military supplies available in April 1776, the marquis de Grimaldi told the condé de Aranda on 20 June 1776, that King Carlos III found the "actions of the French Court well suited to the common interests of Spain and of France, and is resolved that, since they both share this common desire to keep the rebellion alive, it is only right and proper that they should both share the cost of supporting it."²³

It is important to remember, in all of this, however, that Spain not only did not subscribe to the ideas that "all men are created equal" but also that unlike France she had not committed to fight for American Independence either. The convention only stated that France had "proposed and demanded that the Catholic king should from the day when war should be declared against England recognize the independence and sovereignty of the United States and offer not to lay down his arms until that independence should be obtained". It does NOT say that Spain had agreed to that proposal and demand. Rather she needed to protect her colonial empire in America from British i.e., American penetration, which is why she reserved to herself the right to come to an agreement with the Americans on the basis of "their reciprocal interests".²⁴

More importantly, her most important war aim, as spelled out at Aranjuez, did not

even lie in the New World. It was the conquest of the island of Minorca and of Gibraltar, which she had lost to Britain in 1713. The methods by which these goals were achieved did not matter to Spain □ whether by offering neutrality to the British or through war as an ally of France, as outlined in the first article of the Convention of 1779. Only when Britain rejected Spain's offer of neutrality in return for Gibraltar, Florida, Jamaica, and Minorca did she sign the alliance with France in April 1779. Because of Article 8 of the Franco-American alliance of 1778, however, no peace "without the formal consent of the other first obtain'd", America's fate now seemed to be tied to that of Gibraltar!²⁵

Neither the conquest of Gibraltar for Spain nor that of India for France or the defense of their island possessions in the West Indies was in the American interest. This explains why Franklin decided to sign Preliminaries of Peace in December 1782 without telling the French about it. This becomes even more important in view of Article 6 where France "renounce[d] for ever the possession of ... any part of the continent of North America which before the treaty of Paris in 1763 or in virtue of that Treaty, were acknowledged to belong" to Britain. This is the single most important global implication of the peace: never again would France be a power on the American continent or, like Britain, stand in the way of westward expansion of an independent U.S.

After 1783, that role fell to an incomparably weaker Spain, but France could hardly give up Spanish claims in her alliance with the Americans.²⁶ Here also lies the reason why Spain did so well in her treaty with Great Britain. In Article 4, Britain surrendered Minorca to Spain, and Spain received East and West Florida from Britain in Article 5. These territories did

not go to France. France had no interest in replacing Britain as a major colonial power in America. All that Britain received in return were the Bahamas. At war's end, only the United States, by winning their independence, were more successful than Spain, which achieved all of her territorial goals except for Jamaica and Gibraltar.²⁷

Lastly, a look at the Dutch Republic. The Netherlands too had been involved in this war from the very beginning as a conduit of European supplies via the island of St. Eustatius. She had always insisted on their neutrality and the right to trade with all nations, even in times of war. On 20 December 1780, King George III declared war against Holland to keep her from joining the League of Armed Neutrality proposed by Tsarina Catherine the Great, ostensibly because a copy of a proposed alliance between the U.S. and the Netherlands was found among the papers of Henry Laurens who was on his way to The Hague. Britain wasted no time in raiding Dutch possessions around the globe, especially the island of St. Eustatius.²⁸ It was only on 19 April 1782, seven years to the day after Lexington and Concord, that John Adams was officially acknowledged as U.S. Ambassador at The Hague. On 8 October 1782, the United States signed a Treaty of Amity and Commerce with the States General of the United Netherlands which made the Dutch Republic only the second country after France to enter into formal relations with the United States.²⁹

The Preliminary Articles of Peace, signed at Paris on 2 September 1783, formed the basis for the final peace treaty signed at Paris on 20 May 1784 and restored the *status quo ante* for the Dutch Republic. The treaty is remarkable primarily because, 1) the Dutch had only been saved by France, which recovered nearly all Dutch territory captured by the

British in the Far East. 2) It contained the most far-reaching implication of any of the treaties. Article 6 stated "The States General promise not to obstruct the navigation of British subjects in the Eastern Seas." This allowed British ships to navigate freely in the seas to the south-east of India, crucial for the development of British colonies such as Singapore and Australia. Beyond that, the war ended the last Dutch pretence of being a global power.³⁰

What then were the global implications of the peace treaties of Paris in 1783? In the short run, the global balance of powers remained unchanged. France's calculations did not work out. Britain lost her political ties to her colonies but kept the much more important mercantile connections. The first foreign vessel that sailed into Philadelphia harbor on 29 April 1783, months before the signing of the Treaty of Peace, flew Britain's flag. It was enmity, not friendship with France, which made Britain focus on the European continent during the Napoleonic Wars a few years later. France, forced to end the war before her goals were achieved, emerged more or less empty-handed from the conflict. Spain, having contributed relatively little to the victory, acquired the Floridas but was already too weak to be more than a stumbling block in the westward expansion of the United States. For well over a century the U.S. itself had no global ambitions, but when she finally accepted her global role, reluctantly in 1917 and then for good in 1945, she did so with a mission. It was only then that the full extent of Condé de Aranda's prediction of 1783 to King Louis XVI became apparent: in America a "federal republic [was] born a pygmy but a day will come when it will be a giant, a colossus, formidable to your country" and to the world.³¹

Appendices

Treaty of Alliance between the United States and France (6 February 1778)

The most Christian King and the United States of North America, to wit, New Hampshire, Massachusetts Bay, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, and Georgia, having this Day concluded a Treaty of amity and Commerce, for the reciprocal advantage of their Subjects and Citizens have thought it necessary to take into consideration the means of strengthening those engagements and of rendering them useful to the safety and tranquility of the two parties, particularly in case Great Britain in Resentment of that connection and of the good correspondence which is the object of the said Treaty, should break the Peace with France, either by direct hostilities, or by hindring her commerce and navigation, in a manner contrary to the Rights of Nations, and the Peace subsisting between the two Crowns; and his Majesty and the said united States having resolved in that Case to join their Councils and efforts against the Enterprises of their common Enemy, the respective Plenipotentiaries, impower'd to concert the Clauses & conditions proper to fulfil the said Intentions, have, after the most mature Deliberation, concluded and determined on the following Articles.

ARTICLE 1

If War should break out between France and Great Britain, during the continuance of the present War between the United States and England, his Majesty and the said united States, shall make it a common cause, and aid each other mutually with their good Offices, their Counsels, and their forces, according to the

exigence of Conjunctures as becomes good & faithful Allies.

ARTICLE 2

The essential and direct End of the present defensive alliance is to maintain effectually the liberty, Sovereignty, and independence absolute and unlimited of the said united States, as well in Matters of Gouvernement as of commerce.

ARTICLE 3

The two contracting Parties shall each on its own Part, and in the manner it may judge most proper, make all the efforts in its Power, against their common Enemy, in order to attain the end proposed.

ARTICLE 4

The contracting Parties agree that in case either of them should form any particular Enterprise in which the concurrence of the other may be desired, the Party whose concurrence is desired shall readily, and with good faith, join to act in concert for that Purpose, as far as circumstances and its own particular Situation will permit; and in that case, they shall regulate by a particular Convention the quantity and kind of Succour to be furnished, and the Time and manner of its being brought into action, as well as the advantages which are to be its Compensation.

ARTICLE 5

If the united States should think fit to attempt the Reduction of the British Power remaining in the Northern Parts of America, or the Islands of Bermudas, those Countries or Islands in case of Success, shall be confederated with or dependent upon the said united States.

ARTICLE 6

The Most Christian King renounces for ever the possession of the Islands of Bermudas as well as of any part of the continent of North america which before the treaty of Paris in 1763. Or in virtue of that Treaty, were acknowledged to belong to the Crown of Great Britain, or to the united States heretofore called British Colonies, or which are at this Time or have lately been under the Power of The King and Crown of Great Britain.

ARTICLE 7

If his Most Christian Majesty shall think proper to attack any of the Islands situated in the Gulph of Mexico, or near that Gulph, which are at present under the Power of Great Britain, all the said Isles, in case of success, shall appertain to the Crown of France.

ARTICLE 8

Neither of the two Parties shall conclude either Truce or Peace with Great Britain, without the formal consent of the other first obtain'd; and they mutually engage not to lay down their arms, until the Independence of the united states shall have been formally or tacitly assured by the Treaty or Treaties that shall terminate the War.

ARTICLE 9

The contracting Parties declare, that being resolved to fulfil each on its own Part the clauses and conditions of the present Treaty of alliance, according to its own power and circumstances, there shall be no after claim of compensation on one side or the other whatever may be the event of the War.

ARTICLE 10

The Most Christian King and the United states, agree to invite or admit other

Powers who may have received injuries from England to make common cause with them, and to accede to the present alliance, under such conditions as shall be freely agreed to and settled between all the Parties.

ARTICLE 11

The two Parties guarantee mutually from the present time and forever, against all other powers, to wit, the united states to his most Christian Majesty the present Possessions of the Crown of France in America as well as those which it may acquire by the future Treaty of peace: and his most Christian Majesty guarantees on his part to the united states, their liberty, Sovereignty, and Independence absolute, and unlimited, as well in Matters of Government as commerce and also their Possessions, and the additions or conquests that their Confederation may obtain during the war, from any of the Dominions now or heretofore possessed by Great Britain in North America, conformable to the 5th & 6th articles above written, the whole as their Possessions shall be fixed and assured to the said States at the moment of the cessation of their present War with England.

ARTICLE 12

In order to fix more precisely the sense and application of the preceding article, the Contracting Parties declare, that in case of rupture between France and England, the reciprocal Guarantee declared in the said article shall have its full force and effect the moment such War shall break out and if such rupture shall not take place, the mutual obligations of the said guarantee shall not commence, until the moment of the cessation of the present War between the united states and England shall have ascertained the Possessions.

ARTICLE 13

The present Treaty shall be ratified on both sides and the Ratifications shall be exchanged in the space of six months, sooner if possible.

In faith where of the respective Plenipotentiaries, to wit on the part of the most Christian King Conrad Alexander Gerard royal syndic of the City of Strasbourg & Secretary of his majestys Council of State and on the part of the United States Benjamin Franklin Deputy to the General Congress from the State of Pennsylvania and President of the Convention of the same state, Silas Deane heretofore Deputy from the State of Connecticut & Arthur Lee Councillor at Law have signed the above Articles both in the French and English Languages declaring Nevertheless that the present Treaty was originally composed and concluded in the French Language, and they have hereunto affixed their Seals

Done at Paris, this sixth Day of February, one thousand seven hundred and seventy eight.

C. A. GERARD

B FRANKLIN
SILAS DEANE
ARTHUR LEE

Source: *Treaties and Other International Acts of the United States of America*. Edited by Hunter Miller, Vol. 2, Documents 1-40: 1776-1818 (Washington, DC, 1931), pp. 3 - 27.

Act Separate and Secret (6 February 1778)

The most Christian King declares in consequence of the intimate union which subsists between him and the King of Spain, that in concluding with the united states of America this Treaty of amity and commerce, and that of eventual and defensive alliance, his Majesty hath intended and intends to reserve expressly, as he reserves by this present separate and secret act, to his said Catholick Majesty, the Power of acceding to the said Treatys, and to participate in their stipulations at such time as he shall judge proper.

It being well understood nevertheless, that if any of the Stipulations of the said Treatys are not agreeable to the King of Spain, his Catholick Majesty may propose other conditions analogous to the principal aim of the alliance and conformable to the Rules of equality, reciprocity & friendship.

The Deputies of the united states in the name of their constituents, accept the present Declaration in its full extent and the Deputy of the said states who is fully empower'd to treat with Spain, promises to sign on the first Requisition of his Catholic Majesty, the act or acts necessary to communicate to him the Stipulations of the Treaties above written; and the said Deputy shall endeavour in good faith the adjustment of the points in which the King of Spain may propose any alteration, conformable to the principles of equality, reciprocity and the most sincere and perfect amity; he the said Deputy not doubting but that the Person or Persons empower'd by his Catholic Majesty to treat with the United States will do the same with regard to any Alterations of the same kind that may be thought necessary by the said Plenipotentiary of the United States.

In Faith whereof the respective Plenipotentiaries have signed the present separate and secret Article, and affixed to the same their Seals.

Done at Paris, this sixth Day of February, one thousand seven hundred and seventy-eight.

C. A. GERARD

B FRANKLIN
SILAS DEANE
ARTHUR LEE

Source: *Treaties and Other International Acts of the United States of America*. Edited by Hunter Miller, Vol. 2, Documents 1-40: 1776-1818 (Washington, DC, 1931), pp. 29-34.

Preliminaries of Peace (30 November 1782)

Articles agreed upon, by and between Richard Oswald Esquire, the Commissioner of his Britannic Majesty, for treating of Peace with the Commissioners of the United States of America, in behalf of his said Majesty, on the one part; and John Adams, Benjamin Franklin, John Jay, and Henry Laurens, four of the Commissioners of the said States, for treating of Peace with the Commissioner of his said Majesty, on their Behalf, on the other part. 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 is not to be concluded, untill Terms of a Peace shall be agreed upon, between Great Britain and France; and his Britannic Majesty shall be ready to conclude such Treaty accordingly.

Whereas reciprocal Advantages, and mutual Convenience are found by Experience, to form the only permanent

foundation of Peace and Friendship between States; It is agreed to form the Articles of the proposed Treaty, on such Principles of liberal Equity, and Reciprocity, as that partial Advantages, (those Seeds of Discord!) being excluded, such a beneficial and satisfactory Intercourse between the two Countries, may be establish'd, as to promise and secure to both perpetual

ARTICLE 1st

His Britannic Majesty acknowledges the said United States, Viz New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina and Georgia, to be free Sovereign and independent States; That he treats with them as such; And for himself, his Heirs and Successors, relinquishes all Claims to the Government, Propriety, and territorial Rights of the same, and every part thereof; 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

ARTICLE 2nd

From the north west Angle of Nova Scotia, Viz that Angle which is form'd by a Line drawn due north, from the Source of St. Croix River to the Highlands, along the said Highlands which divide those Rivers that empty themselves into the River St Laurence, from those which fall into the Atlantic Ocean, to the northwesternmost Head of Connecticut River; thence down along the middle of that River to the 45th Degree of North Latitude; from thence by a Line due West on said Latitude, untill it strikes the River Iroquois, or Cataraguay;

thence along the middle of said River into Lake Ontario; through the middle of said Lake, untill it strikes the Communication by Water between that Lake and Lake Erie; thence along the middle of said Communication into Lake Erie, through the middle of said Lake, untill it arrives at the Water Communication between that Lake and 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 and 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, untill it shall intersect the northern-most part of the 31st 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 31 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 Se Laurence; comprehending all Islands within twenty Leagues of any part of the Shores of the united States, and 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 3d

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 Newfoundland; Also in the Gulph of St Laurence, 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 Newfoundland, as British Fishermen shall use, (but not to dry or cure the same on that Island,) and also on the Coasts, Bays, and 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 bond 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 and 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 mention'd Persons shall be restored to them; they refunding to any Persons who may be now in Possession the bond 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 commenced 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 then immediately cease: All Prisoners on both sides shall be set at Liberty, & his Britannic Majesty shall, with all convenient speed, & without causing any Destruction or carrying away any Negroes, or other Property of the American Inhabitants withdraw all his Armies Garrisons and 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 and cause all Archives, Records, Deeds and 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 delivered 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 be conquered by the Arms of either, from the other, before the Arrival of these Articles in America, It is agreed that the same shall be restored, without Difficulty, and without requiring any Compensation.

Done at Paris, the thirtieth day of November, in the year One thousand Seven hundred Eighty Two

RICHARD OSWALD [Seal]
JOHN ADAMS. [Seal]
B FRANKLIN [Seal]
JOHN JAY [Seal]
HENRY LAURENS. [Seal]

[The following appears on the page of the original text after the above signatures. The brackets appear in the original.]

Witness

The Words [and Henry Laurens] between the fifth and sixth Lines of the first Page; and the Words [or carrying away any Negroes, or other Property of the American Inhabitants] between the seventh and eighth Lines of the eighth Page, being first interlined CALEB WHITEFOORD

Secretary to the British Commission.
W. T. FRANKLIN
Sec. to the American Commission

Source: *Treaties and Other International Acts of the United States of America.* Edited by Hunter Miller, Vol. 2, Documents 1-40: 1776-1818 (Washington, DC, 1931), pp. 96-100.

Declarations for Suspension of Arms and Cessation of Hostilities (20 January 1783)

We the underwritten Ministers Plenipotentiary of the United States of North America, having received from Mr 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:

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 upon the Exchange of the Ratifications of the said Preliminary Articles; And whereas by the Provisional Treaty 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 under-written 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 Benefit of the Cessation of Hostilities, at the same Periods and in the same Manner as the three Crowns aforesaid and their Subjects and Possessions respectively On Condition 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 Assent

to the present Suspension of Arms, and containing an Assurance of the most perfect Reciprocity on their Part.

In faith whereof, we, the Minister Plenipotentiary of his Britannic 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
(LS.)

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 Britannic 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

Source: *Treaties and Other International Acts of the United States of America*. Edited by Hunter Miller, Vol. 2, Documents 1-40: 1776-1818 (Washington, DC, 1931), pp. 108-110.

Declaration Signed in Paris by the American Commissioners (20 February 1783)

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 twentyeth 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 Vessells 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 Vessells 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 tend 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]

Source: *Treaties and Other International Acts of the United States of America*. Edited by Hunter Miller, Vol. 2, Documents 1-40: 1776-1818 (Washington, DC, 1931), pp. 113-114.

Treaty of Paris (3 September 1783)

In the name of the most holy and 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, and Ireland, defender of the faith, duke of Brunswick and Lunebourg, arch-treasurer and prince elector of the Holy Roman Empire etc., 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 and harmony; and having for this desirable end already laid the foundation of peace and reconciliation by the Provisional Articles signed at Paris on the 30th of November 1782, by the commissioners empowered on each part, which articles were agreed to be inserted in and 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 and France and his Britannic Majesty should be

ready to conclude such treaty accordingly; and the treaty between Great Britain and France having since been concluded, his Britannic Majesty and the United States of America, in order to carry into full effect the Provisional Articles above mentioned, according to the tenor thereof, have constituted and appointed, that is to say his Britannic Majesty on his part, David Hartley, Esqr., member of the Parliament of Great Britain, and the said United States on their part, John Adams, Esqr., 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, Esqr., late delegate in Congress from the state of Pennsylvania, president of the convention of the said state, and minister plenipotentiary from the United States of America at the court of Versailles; John Jay, Esqr., late president of Congress and chief justice of the state of New York, and minister plenipotentiary from the said United States at the court of Madrid; to be 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 1.

His Britannic Majesty acknowledges the said United States, viz., New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina and Georgia, to be free sovereign and independent states, that he treats with them as such, and for himself, his heirs, and successors, relinquishes all claims to

the government, propriety, and territorial rights of the same and every part thereof.

Article 2.

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 northwest angle of Nova Scotia, viz., that angle which is formed by a line drawn due north from the source of St. 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 northwesternmost 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 Cataraguy; 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 and Lake Erie; thence along the middle of said communication into Lake Erie, through the middle of said lake until it arrives at the water communication between that lake and Lake Huron; thence along the middle of said water communication into 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 and Phelipeaux to the Long Lake; thence through the middle of said Long Lake and the water communication between it and the Lake of the Woods, to the said Lake of the Woods; thence through the said lake to the most northwesternmost 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 straight to the head of Saint Mary's River; and thence down along the middle of Saint Mary's River to the Atlantic Ocean; east, by a line to be drawn along the middle of the river Saint 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 Saint Lawrence; comprehending all islands within twenty leagues of any part of the shores of the United States, and 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.

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 Newfoundland, also in the Gulf of Saint 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 Newfoundland as British fishermen shall use, (but not to dry or cure the same on that island) and also on the coasts, bays and

creeks of all other of his Brittanic Majesty's dominions in America; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbors, 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 4.

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 5.

It is agreed that 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 on 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 endeavors to obtain the restitution of such of their estates, rights, and 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 bona 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 6.

That there shall be no future confiscations made nor any prosecutions commenced 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 7.

There shall be a firm and perpetual peace between his Brittanic 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 Brittanic 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, and fleets from the said United States, and from every post, place, and harbor within the same; leaving in all fortifications, the American artillery that may be therein; and shall also order and cause all archives, records, deeds, and 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 delivered to the proper states and persons to whom they belong.

Article 8.

The navigation of the river Mississippi, from its source to the ocean, shall forever remain free and open to the subjects of Great Britain and the citizens of the United States.

Article 9.

In case it should so happen that any place or territory belonging to Great Britain or to the United States should have been conquered 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 10.

The solemn ratifications of the present treaty expedited in good and 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 signatures 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 affixed thereto.

Done at Paris, this third day of September in the year of our Lord, one thousand seven hundred and eighty-three.

D. HARTLEY (SEAL)
JOHN ADAMS (SEAL)
B. FRANKLIN (SEAL)
JOHN JAY (SEAL)

Source: *Treaties and Other International Acts of the United States of America*. Edited by Hunter Miller, Vol. 2, Documents 1-40: 1776-1818 (Washington, DC, 1931), pp. 115-121.

The form of the treaty occasioned this correspondence between Charles James Fox, Secretary of State for Foreign Affairs, and Hartley. On 21 August 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 on 1 September:

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.³²

**Journals of the Continental Congress,
Wednesday, 14 January 1784³³**

Congress assembled: Present, Massachusetts, Rhode Island, Connecticut, Pennsylvania, Delaware, Maryland, Virginia, North Carolina and South Carolina; Mr. [Richard] Beresford having this day taken his seat; and from the State of New Hampshire, Mr. [Abiel] Foster, and from New Jersey Mr. [John] Beatty.

On the report of a committee, consisting of Mr. [Thomas] Jefferson, Mr. [Elbridge] Gerry, Mr. [William] Ellery, Mr. [Jacob] Read and Mr. [Benjamin] Hawkins, to whom were referred the definitive treaty of peace between the United States of America and his Britannic Majesty, and the joint letter of the 10 September, from Mr. Adams, Mr. Franklin and Mr. Jay,

Resolved, unanimously, nine states being present, that the said definitive treaty be, and the same is hereby ratified by the United States in Congress assembled, in the form following:

**THE UNITED STATES IN CONGRESS
ASSEMBLED,**

To all persons to whom these presents shall come greeting:

Whereas definitive articles of peace and friendship between the United States of America and his Britannic majesty, were concluded and signed at Paris on the 3d day of September, 1783, by the plenipotentiaries of the said United States, and of his said Britannic Majesty, duly and respectively authorized for that purpose; which definitive articles are in the words following: [here follows the text of the treaty]

Now know ye that we the United States in Congress assembled having seen and

considered the definitive articles aforesaid have approved, ratified and confirmed and by these presents do approve, ratify and confirm the said articles and every part and clause thereof, engaging and promising, that we will sincerely and faithfully perform and observe the same, and never suffer them to be violated by any one or transgressed in any manner as far as lies in our power.

In testimony whereof, we have caused the seal of the United States to be hereunto affixed.

Witness his Excellency Thomas Mifflin, president, this fourteenth day of January in the year of our Lord one thousand seven hundred and eighty four and in the eighth year of the sovereignty and independence of the United States of America.

On the question to agree to this, the yeas and nays being required by Mr. [David] Howell, So it was resolved in the affirmative.

Resolved, That the said ratification be transmitted with all possible despatch, under the care of a faithful person, to our ministers in France, who have negotiated the treaty, to be exchanged.

Resolved, That Colonel Josiah Harmar be appointed to carry the said ratification.

Ordered, That the Superintendent of Finance furnish Colonel Harmar with money to defray his necessary expences.

Resolved, That a proclamation be immediately issued, notifying the said definitive treaty and ratification to the several states of the union, and requiring their observance thereof in the form following:

By the United States in Congress assembled,

A PROCLAMATION.

Whereas definitive articles of peace and friendship between the United States of America and his Britannic Majesty, were concluded and signed at Paris, on the third day of September, 1783, by the plenipotentiaries of the said United States and of his said Britannic Majesty, duly and respectively authorized for that purpose: which definitive articles are in the words following: [Here insert the treaty as above.]

And we, the United States in Congress assembled, having seen and duly considered the definitive articles aforesaid, did, by a certain act under the seal of the United States, bearing date this 14 day of January, 1784, approve, ratify and confirm the same, and every part and clause thereof, engaging and promising, that we would sincerely and faithfully perform and observe the same, and never suffer them to be violated by any one, or transgressed in any manner, as far as should be in our power; and being sincerely disposed to carry the said articles into execution, truly, honestly and with good faith, according to the intent and meaning thereof, we have thought proper by these presents, to notify the premises to all the good citizens of these United States, hereby requiring and enjoining all bodies of magistracy, legislative, executive and judiciary, all persons bearing office, civil or military, of whatever rank, degree or power, and all others the good citizens of these states, of every vocation and condition, that reverencing those stipulations entered into on their behalf, under the authority of that federal bond, by which their existence as an independent people is bound up together, and is known and acknowledged by the nations of the world, and with that good faith which is every man's surest guide, within their several offices, jurisdictions and vocations, they carry into

effect the said definitive articles, and every clause and sentence thereof, sincerely, strictly and completely.

Given under the seal of the United States. Witness his Excellency Thomas Mifflin, our president, at Annapolis, this 14 day of January, in the year of our Lord, one thousand seven hundred and eighty-four, and of the sovereignty and independence of the United States of America the eighth.

Resolved, unanimously, nine states being present, That it be, and it is hereby earnestly recommended 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, which were in the possession of his Britannic Majesty's arms, at any time between the 30 day of November, 1782, and the 14 day of January, 1784, 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 and properties, as may have been confiscated: And it is also hereby earnestly recommended to the several states, to reconsider and revise all their 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 it is hereby also earnestly recommended to the several states, that the estates, rights and properties of such last mentioned persons should be restored to them, they refunding to any persons who may be now in possession, the bona 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.

Ordered, That a copy of the proclamation of this date, together with the recommendation, be transmitted to the several states by the secretary.

[Motion of Mr. Jacob Read]

That Congress do on Wednesday next [i.e., 21 January 1784] celebrate the final ratification of the Definitive Treaty of peace. And that a public entertainment be given on that day to the Executive and other respectable Citizens.

Notes

1. The best introduction to American diplomacy during the War of Independence is still Jonathan R. Dull, *A Diplomatic History of the American Revolution* (New Haven, 1985). A frequently neglected aspect of the negotiations is covered in Gregg L. Lint, "The American Revolution and the Law of Nations, 1776–1789." *Diplomatic History*. 1:1 (June 2007), pp. 20-34.

In this context, it is important to remember that even though the (Fifth) Congress of the Confederation, the successor to the Second Continental Congress, assembled in Annapolis, ratified the peace treaty on 14 January 1784, ratification of the treaty was not the final step of making peace. That would come only with the ratification of the treaty by Parliament in London on 9 April 1784, the exchange of the ratified treaties on 12 May 1784, and their subsequent deposition in the diplomatic archives of Great Britain and the United States.

One "global implication" was, of course, that, as an independent nation, the United States could enter into treaties with other nations. On 7 May 1784, Congress authorized Benjamin Franklin, John Jay,

and John Adams, its representatives in Paris, to conclude treaties of amity and commerce with twenty of the most important foreign powers: Austria-Hungary, Denmark, Genoa, Great Britain, Hamburg, Naples, Portugal, Prussia, Rome, Russia, Sardinia, Saxony, Spain, Tuscany, Venice, and the Ottoman Empire as well as the Barbary States of Algiers, Morocco, Tripoli and Tunis. A few days later, commissions were given to Franklin, Jay, and Adams to negotiate these treaties. The first treaty by the United States with a foreign power was the Treaty of Amity and Commerce between the King of Prussia and the United States of America, signed on behalf of the United States in Passy by Franklin on 9 July 1785, in Paris by Thomas Jefferson on 28 July 1785, and in London by Adams on 5 August 1785. The Prussian representative signed at The Hague on 10 September 1785. Prussia ratified it on 24 September 1785, Congress on 17 May 1786. Ratifications were exchanged at The Hague on 8 August 1786. The second treaty was the Treaty of Friendship and Amity with Morocco, also known as the Treaty of Marrakech, sealed by Sultan Muhammad III on 23 June 1786, signed by Jefferson at Paris on 1 January 1787, and Adams at London on 25 January 1787. (Franklin had already returned to the US.) Congress ratified it on 18 July 1787. It was the first treaty between any Arab or Muslim state and the United States and is the longest unbroken treaty in U.S. history.

2. The text of the treaty is published in *Treaties and Other International Acts of the United States of America*. Hunter Miller, Ed., vol. 2, Documents 1-40: 1776-1818 (Washington, DC, 1931). It is printed in the appendix to this article and is also accessible in electronic form at <http://www.yale.edu/lawweb/avalon/18th.htm>.

3. Boundary lines were drawn without a clear knowledge of geography, which led to numerous disputes during the 1780s and 1790s. While the treaty specified a southern boundary for the United States, the separate Anglo-Spanish peace treaty agreement which gave Spain control of the Floridas did not specify a northern boundary. The Spanish government assumed that the boundary was that of the First Peace of Paris of 1763, in which Britain had acquired the Floridas from Spain. The boundary dispute as well as questions of navigation on the Mississippi was only settled in the "Treaty of Friendship, Limits, and Navigation between Spain and the United States", known as (Thomas) Pinckney's Treaty, ratified by Congress on 7 March 1796, and by Spain on 25 April 1796.

In the Great Lakes area, the British interpreted relinquishing control "with all convenient speed" to mean that they would have as much time as they thought proper to negotiate treaties with the Indians. They only evacuated the area after the signing of the "Treaty of Amity, Commerce and Navigation between his Britannic Majesty and the United States of America", i.e., Jay's Treaty, on 19 November 1794.

4. The Newfoundland fisheries had been fought over since the 17th centuries. A good overview of earlier hostilities is given in James K. Hiller, "Utrecht Revisited. The Origins of Fishing Rights in Newfoundland Waters." *Newfoundland Studies*. 7:1 (1991), pp. 23-39.

The fisheries were of enormous economic and military importance: 1) they brought the French to the New World and 2) sailing in the rough waters of the North Atlantic was the "school" for future seamen of the French navy.

5. See Ralph J. Lowry, "The Black question in Article Seven of the 1783 Peace Treaty." *Negro Historical Bulletin*. 38:5 (1975), pp. 415-418.

6. The single most important nation or nations not mentioned were the Native Americans who were abandoned by their British allies. See Collin G. Calloway, "Suspicion and Self-Interest: The British Indian Alliance and the Peace of Paris." *The Historian*. 48 (1985), pp. 41-60. For American-British relations following independence see Reginald Stuart, *United States Expansionism and British North America, 1775-1871* (Chapel Hill, 1988); and J. Leitch Wright, *Britain and the American Frontier 1783-1815* (Athens, GA, 1975). Wright is particularly useful as he brings together the interaction between the United States, Britain, France, Spain and the Indian nations from East Florida to the Northwest Territory. More recent is Daniel K. Richter, *Facing East from Indian Country: A Native History of Early America* (Cambridge, 2001).

7. See in particular Gregg L. Lint, "Preparing for Peace. The Objectives of the United States, France, and Spain in the War of the American Revolution." in: *Peace and the Peacemakers. The Treaty of 1783*. Ronald Hoffman and Peter J. Albert, eds., (Charlottesville, 1986), pp. 30-51.

8. One of the few books that places the war in its global context is R. Ernest Dupuy, Gay Hammerman, and Grace P. Hayes. *The American Revolution : A Global War* (New York, 1977).

9. Quoted in General Fonteneau, "La période française de la guerre d'Indépendance (1776-1780)." *Revue historique des armées* 3:4 (1976), pp. 47-77, p. 48. The translation is mine. See also

Orville T. Murphy, "The View from Versailles. Charles Gravier Comte de Vergennes' Perceptions of the American Revolution." in: Ronald Hoffman and Peter J. Albert, eds., *Diplomacy and Revolution: The Franco-American Alliance of 1778*. (Charlottesville, 1978), pp. 107-149.

10. In the 1780s, France found out that a common language, culture, history and legal system were among the intangible ties that bound Britain and the U.S., ties that exist long after political ties have been severed. For the immediate post-war years see Charles R. Ritcheson, *Aftermath of Revolution: British Policy toward the United States, 1783-1795* (Dallas, 1969).

11. For the role of the French navy in a policy of challenging Britain overseas see Jonathan R. Dull, *The French Navy and American Independence: A Study of Arms and Diplomacy, 1774-1787* (Princeton, 1975).

12. A thought-provoking discussion of this policy is Jonathan R. Dull, "Lafayette, Franklin, And the Coming of Rochambeau's Army." This lecture was presented to the Washington Association in Morristown in 1980 and can be accessed electronically at <http://njreporter.org>.

13. See Gilles Perrault, *Le Secret du roi*. vol. 3: *La revanche américaine* (Paris 1996).

14. See in this context Robert Rhodes Crout, "In search of a 'Just and Lasting Peace': the Treaty of 1783, Louis XVI, Vergennes and the Regeneration of the Realm." *International History Review*. 5: 3 (1983), pp. 364-398. Crout also argues that, in the peace settlement, Vergennes sought a curtailment of British ambitions

and a new coalition with Great Britain for the peace of Europe.

15. The text of the treaty is printed in *Treaties and Other International Acts of the United States of America*. Edited by Hunter Miller, Vol. 2, Documents 1-40: 1776-1818 (Washington, DC, 1931). It is printed in the appendix to this article but also accessible in electronic form at <http://www.yale.edu/lawweb/avalon/18th.htm>.

16. Victor von Diebitsch, "Die kurhannoverschen Truppen in Ostindien 1782-1792." *Hannoversche Geschichtsblätter*. 9-15 (1898), pp. 67-68, 74-75, 82-83, 90-92, 98-99, 106-108, 114-116, 128.

17. For the intricacies of negotiations in Versailles see Richard B. Morris, *Peacemakers: the Great Powers and American Independence* (New York: Harper & Row, 1965) and more recently Richard B. Morris, "The Great Peace of 1783." *Massachusetts Historical Society Proceedings*. 95 (1983), pp. 29-51.

The full text of the treaty with France is printed in Charles Jenkinson, *A Collection of All the Treaties of Peace, Alliance, and Commerce, Between Great-Britain and Other Powers: From the Treaty Signed at Munster in 1648, to the Treaties Signed at Paris in 1783* (London, 1785) 3 vols., vol. 3: 1750-1784, pp. 334-374. It can be accessed on-line through a Google Book search.

18. The immediate impact of the peace in India is covered in L. S. Sutherland, "The East India Company and the Peace of Paris." *English Historical Review*. 62 (1947), pp. 179-190. For French goals in India see Philippe Haudrère, "La strategie militaire française dans l'ocean Indien au

XVIII siècle." *Revue Historique des Armées* 4 (1996), pp. 89-96, and S.P. Sen, *The French in India, 1763-1815* (Calcutta, 1958).

19. Quoted in W. J. Eccles, "The French Alliance and the American Victory." in: *The World Turned Upside Down. The American Victory in the War of Independence*, John Ferling, ed., (Westport, 1976), pp. 147-163, p. 161.

Concerning real or perceived American ingratitude see Hill, Peter. "La Suite imprévu de l'alliance: l'ingratitude américaine, 1783-1798." in: *La Révolution Américaine et l'Europe. Colloques Internationaux du Centre National de la Recherche Scientifique No. 577* (Paris, 1979), pp. 385-398.

20. The single most important irritant for French-British relations on the continent centered around the question of Dunkirk. Captured by Cromwell's forces in 1657, and was awarded to England in 1658. In October 1662, Charles II sold it back to France. A base for commerce raiders during the reign of Louis XIV, especially during the War of the Spanish Succession, Britain forced France, in the Peace of Utrecht (1713), to accept commissioners there in order to prevent the rebuilding of fortifications around the harbor. Though the commissioners were removed in 1783, Franco-British relations improved only after Waterloo but then very rapidly during the first half of the 19th century, laying the foundations for Franco-British cooperation in the 20th century.

21. There is still no satisfactory study on the role of Spain in the American War of Independence. Loliannette Emmanuelli, *Spanish Diplomatic Policy and Contribution to the United States Independence, 1775-1783*, (Ph.D. Diss.,

University of Massachusetts, 1990), was not written for publication to a wider audience and is difficult to find. Buchanan Parker Thomson, *Spain: Forgotten Ally of the American Revolution* (North Quincy, 1976), has many factual errors while Thomas A. Chávez, *Spain and the Independence of the United States. An Intrinsic Gift* (Albuquerque, 2002) does not mention Aranjuez in the index but covers it in Chapter 8, pp. 126-136. A good overview of recent historiography is given in Matthew Thomas Gaetano, "Spain and the American Revolution, 1776-1779." *Gaines Junction*. 3:1 (Spring 2005), pp. 101-129.

On Spanish-American relations up to the Louisiana Purchase, see Arthur P. Whitaker, *The Spanish-American Frontier, 1783-1795: The Westward Movement and the Spanish Retreat in the Mississippi Valley* (Boston, 1927) and John F. McDermott, ed. *The Spanish in the Mississippi Valley, 1762-1804* (Urbana, IL, 1974).

22. Edward S. Corwin, *French Policy and the American Alliance of 1778* (Princeton, 1916), pp. 190-194.

23. Quoted in Gaetano, "Spain", p. 122.

24. As late as March 1779, the court at Madrid let Vergennes know that Carlos III was fearful of the "example he would give his own possessions" and would therefore "not recognize the independence of the United States until the English themselves should be forced to do so by a treaty of peace." Quoted in Corwin, *French Policy*, p. 193.

25. René Chartrand, *Gibraltar 1779-1783. The Great Siege* (Osprey, 2006).

26. See David J. Weber, *The Spanish Frontier in North America* (New Haven: Yale University Press, 1992).

27. The full text of the peace treaty with Spain is printed in Charles Jenkinson, *A Collection of All the Treaties of Peace, Alliance, and Commerce, Between Great-Britain and Other Powers: From the Treaty Signed at Munster in 1648, to the Treaties Signed at Paris in 1783* (London, 1785) 3 vols., vol. 3: 1750-1784, pp. 375-409.

28. Jan Willem Schulte Nordholt, *The Dutch Republic and American Independence* (Chapel Hill, 1982). On St. Eustatius see my "The French Capture of St. Eustatius, 26 November 1781." *The Journal of Caribbean History*. 27:2, (1993), pp. 129-143.

29. On 3 April 1783, the United States signed a Treaty of Amity and Commerce with Sweden. It was ratified by Congress on 25 September 1783. This made Sweden the third country after France and the

United Netherlands to acknowledge the United States as an independent nation. The text of the treaty is available online in the American Memory collection of the Library of Congress.

30. The text of the treaty with the Netherlands is printed in Charles Jenkinson, *A Collection of All the Treaties of Peace, Alliance, and Commerce, Between Great-Britain and Other Powers: From the Treaty Signed at Munster in 1648, to the Treaties Signed at Paris in 1783* (London, 1785) 3 vols., vol. 3: 1750-1784, pp. 420-434.

31. Quoted in Eccles, "*French Alliance*", p. 162.

32. Quoted from <http://www.yale.edu/lawweb/avalon/diplomacy/britain/parisno.htm>

33. Quoted from <http://lcweb2.loc.gov/ammem/amlaw/lwjc.html>