

The Gazette.

PHILADELPHIA, TUESDAY EVENING, SEPTEMBER 19.

Translated for the GAZETTE of the UNITED STATES.

FRENCH REPUBLIC. LEGISLATIVE BODY.

COUNCIL OF FIVE HUNDRED. MOTION OF ORDER BY EMM. PASTORS.

On the present state of our political and commercial relations with the United States of North America.

Sitting of the 221. Messieurs, 5th year, 20th June, 1797. Representatives of the People.

The Constitution has ordained, that war cannot be declared but upon the formal and necessary proposal of the Executive Directory; but it has also ordained that the Legislative Body has the sole supreme decision of this question.

Yet, there is a people to whom treaties unite us; and we do not know what is our political situation with respect to them. On the one hand, the Executive Directory passes decrees which are real aggressions—declarations of war; on the other, we say to ourselves, war does not exist; for the Legislative Body has not decreed it; we are not in the predicament of hostilities impending or commenced; for the Legislative Body has not been informed of it.

A treaty concluded on the 6th of February 1778, unites, by the double tie of commerce and friendship, France and the United States of North America.

ARTICLE II. The most Christian king and the United States, engage mutually not to grant any particular favour to other nations, in respect of commerce and navigation, which shall not immediately become common to the other party.

ARTICLE XV. And that more effectual care may be taken for the security of the subjects and inhabitants of both parties, that they suffer no injury by the men of war or privateers of the other party.

ARTICLE XVI. All ships and merchandizes of what nature soever, which shall be rescued out of the hands of any pirates or robbers on the high seas, shall be brought into some port of either state, and shall be delivered to the custody of the officers of that port.

ARTICLE XVII. It shall be lawful for the ships of war of either party, and privateers, freely to carry whither soever they please, the ships and goods taken from their enemies.

ARTICLE XVIII. Art. I. The executive directory reminds all French citizens, that the treaty made on the 6th February, 1778, between France and the United States of America, has been, according to the terms of its second article, modified of full right by that concluded at London, on the 19th November, 1794, between the United States of America and England.

ARTICLE XXIII. It shall be lawful for all and singular the subjects of the most Christian king, and the citizens, people and inhabitants of the said United States, to sail with their ships with all manner of liberty and security, no distinction being made who are the proprietors of the merchandizes laden thereon.

ARTICLE XXIV. Art. I. The minister of justice shall, in consequence, examine whether the treaties referred to, yet subsist, or whether they have been modified since their conclusion.

ARTICLE XXV. To the end that all manner of dissentions and quarrels may be avoided and prevented, on one side and the other, it is agreed, that in case either of the parties hereto should be engaged in war, the ships and vessels belonging to the subjects or people of the other ally, must be furnished with sea letters or passports, expressing the name, property and bulk of the ship, as also the name and place of habitation of the master or commander of the said ship.

who are enemies of both or either party, without any opposition or disturbance whatsoever, not only directly from the places of the enemy aforementioned to neutral places, but also from one place belonging to an enemy, to another place belonging to an enemy, whether they be under the jurisdiction of the same prince, or under several.

ARTICLE XXVII. If the ships of the said subjects, people or inhabitants of either of the parties shall be met with, either sailing along the coasts or on the high seas, by any ship of war of the other, or by any privateers, the said ships of war or privateers, for the avoiding of any disorder, shall remain out of cannon shot, and may fend their boats aboard the merchant ship which they shall meet with, and may enter her to the number of two or three men only, to whom the master or commander of such ship or vessel shall exhibit his passport concerning the property of the ship, made out according to the form inserted in this present treaty.

ARTICLE XXVIII. In order to regulate what is in future to be esteemed contraband of war, it is agreed, that under the said denomination shall be comprised all arms and implements serving for the purposes of war, by land or sea, such as cannon, muskets, mortars, petards, bombs, grenades, cartridges, faucilles, carriages for cannon, mulet rels, bandoliers, gun-powder, match, saltpetre, ball, pikes, swords, head-pieces, cuirasses, halberts, lances, javelins, horse-furniture, holsters, belts, and generally all other implements of war; as also timber for ship-building, tar or rosin, copper in sheets, sails, hemp, and cordage, and generally whatever may serve directly to the equipment of vessels, unwrought iron and fir planks only excepted; and all the above articles are hereby declared to be just objects of confiscation, whenever they are attempted to be carried to an enemy.

ARTICLE XXIX. Art. I. The minister of justice shall, in consequence, examine whether the treaties referred to, yet subsist, or whether they have been modified since their conclusion.

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are enjoined to accelerate judgment on litigations which may arise either concerning the validity of the capture of cargoes or concerning the freights and detentions, by all the means in their power.

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of the papers in the registry of the tribunal." "If the commissary deems it necessary, he shall immediately refer to the minister of justice, who, after having consulted the directory, shall within a decade, answer the letter of the commissary."

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comprehend them in it. The decree of the 23d May and 1st July 1793 pronounces in their favor an exception at once just and conformable with the treaty of the 6th Feb. 1778. It is pretended, that the decree of the 27th of the same month repeals it.

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