

COMMERCIAL TREATY.

JAMES MADISON.

of the U. States of America, To all and singular to whom these presents shall come, greeting.

WHEREAS a Convention between the United States of America and His Britannic Majesty, was signed at London on the 3d of July, in the year one thousand eight hundred and fifteen, by Plenipotentiaries respectively appointed for that purpose, which convention is in the words following, to wit:

A CONVENTION

regulate the Commerce between the Territories of the United States and of His Britannic Majesty.

The United States of America and His Britannic Majesty being desirous by a Convention to regulate the Commerce and Navigation between their respective Countries, Territories, and People, in such a manner as to render the reciprocally beneficial and satisfactory, respectively named Plenipotentiaries and them full powers to treat of and conclude a Convention, that is to say: The President of the United States, by and with the advice and consent of the Senate thereof, hath appointed for their Plenipotentiaries John Quincy Adams, Henry Clay, and Albert Gallatin, citizens of the United States; and His Royal Highness the Prince Regent, acting in the name and behalf of His Majesty, has named for his Plenipotentiaries the Right Hon. Frederick Johnstone, Vice-President of the committee of the Privy Council for Trade and Plantations, Paymaster of His Majesty's forces, and a member of the Imperial Parliament, Henry Burn, Esq. a member of the Imperial Parliament, and Under Secretary of State, and William Adams, Esq. Doctor of Civil Laws; the said Plenipotentiaries having mutually agreed and shown their said full powers, and signed copies of the same, have agreed on concluded the following articles, viz.

ART. I. There shall be between the Territories of the United States of America, and all Territories of His Britannic Majesty in Europe a reciprocal liberty of commerce. The citizens of the two countries respectively shall have liberty freely and securely to come their ships and cargoes to all such places, and rivers in the Territories aforesaid, which other foreigners are permitted to come, enter into the same, and to remain and reside in parts of the said Territories respectively, to hire and occupy houses and warehouses for the purposes of their commerce; and generally, shall enjoy the most complete protection and security for their commerce, but subject always to the Laws and Statutes of the countries respectively.

ART. II. No higher or other duties shall be imposed on the importation into the U. States of articles, the growth, produce or manufacture in His Britannic Majesty's territories of Europe, no higher, or other duties shall be imposed on the importation into the territories of His Britannic Majesty in Europe of any articles, the growth, produce or manufacture of the United States than are or shall be payable on the like articles being the growth produce or manufacture of any other foreign country, nor shall any higher or other duties or charges be imposed on either of the two countries, on the exportation of articles to the United States or to His Britannic Majesty's territories in Europe, respectively, than such as are payable on the exportation of like articles to any other foreign country, shall any prohibition be imposed on the exportation or importation of any articles, the growth, produce or manufacture of the United States, or of His Britannic Majesty's territories in Europe, to or from the said territories of His Britannic Majesty in Europe, or to or from the U. States, which shall not equally extend to all other nations.

No higher or other duties or charges shall be imposed in any of the ports of the United States on British vessels, than those payable in the same ports by vessels of the United States; nor the ports of any of His Britannic Majesty's territories in Europe on the vessels of the United States than shall be payable in the same ports on British vessels.

The same duties shall be paid on the importation into the United States of any articles the growth, produce or manufacture of His Britannic Majesty's territories in Europe, whether such importation shall be in vessels of the United States or in British vessels, and the same duties shall be paid on the importation into the ports of any of His Britannic Majesty's territories in Europe of any article the growth produce or manufacture of the United States, whether such importation shall be in British vessels or in vessels of the United States.

The same duties shall be paid and the same bounties allowed on the exportation of any articles, the growth, produce or manufacture of His Britannic Majesty's territories in Europe, whether such exportation shall be in vessels of the United States, or in British vessels; and the same duties shall be paid and the same bounties allowed, on the exportation of any articles, the growth, produce, or manufacture of the United States to His Britannic Majesty's territories in Europe, whether such exportation shall be in British vessels, or in vessels of the United States.

It is further agreed, that in all cases where drawbacks are or may be allowed, upon the exportation of any goods, the growth, produce or manufacture of either country, respectively, the amount of the said drawbacks shall be the same, whether the said goods shall have been originally imported in a British or American vessel; but when such re-exportation shall take place from the United States in a British vessel, or from the territories of His Britannic Majesty in Europe in an American vessel, to any other foreign nation, the two contracting parties reserve to themselves, respectively, the right of regulating or diminishing, in such case, the amount of the said drawback.

The intercourse between the United States and His Britannic Majesty's possessions in the West-Indies, and on the continent of North America, shall not be affected by any of the provisions of this article, but each party shall remain in the complete possession of its rights, with respect to such an intercourse.

ART. III. His Britannic Majesty agrees that the vessels of the United States of America shall be admitted, and hospitably received at the principal settlements of the British dominions in the East Indies, vide-licet, Calcutta, Madras, Bombay, and Prince of Wales Island, and that the citizens of the said United States may freely carry on trade between the said principal settlements and the said U. States in all articles of which the importation & exportation respectively, to and from the said territories, shall not be entirely prohibited: provided only, that it shall not be lawful for them in any time of war, between the British government and any state or power whatever, to export from the said territories, without the special permission of the British government, any military stores or naval stores, or rice. The citizens of the United States shall pay for their vessels, when admitted, no higher or other duty or charge than shall be payable on the vessels of the most favoured European nations, and they shall pay no higher or other duties or charges on the importation or exportation of the cargoes of the said vessels, than shall be payable on the same articles when imported or exported in the vessels of the most favoured European nations.

But it is expressly agreed, that the vessels of the United States shall not carry any articles from the said principal settlements to any port or place, except to some port or place in the United States of America, where the same shall be unladen.

It is also understood, that the permission granted by this article, is not to extend to allow the vessels of the United States to carry on any part of the coasting trade of the said British territories, but the vessels of the United States having, in the first instance, proceeded to one of the said principal settlements of the British dominions in the East Indies, and then going with their original cargoes, or part thereof, from one of the said principal settlements to another, shall not be considered as carrying on the coasting trade. The vessels of the United States may also touch for refreshment, but not for commerce, in the course of their voyage to or from the British territories in India, or to or from the dominions of the Emperor of China, at the Cape of Good Hope, the Island of St. Helena, or such other places as may be in the possession of Great Britain, in the African or Indian seas, it being well understood that in all that regards this article, the citizens of the United States shall be subject, in all respects, to the laws and regulations of the British government, from time to time established.

ART. IV. It shall be free, for each of the two contracting parties, respectively to appoint Consuls, for the protection of trade, to reside in the dominions and territories of the other party, but before any consul shall act as such, he shall in the usual form be approved and admitted by the government to which he is sent, and it is hereby declared, that in case of illegal or improper conduct towards the laws or government of the country to which he is sent, such consul may either be punished according to law, if the laws will reach the case, or be sent back, the offended government assigning to the other the reasons for the same.

It is hereby declared that either of the contracting parties, may except from the residence of consuls such particular places as such party shall judge fit to be so excepted.

ART. V. This convention, when the same shall have been duly ratified by the President of the United States, by and with the advice and consent of their Senate, and by His Britannic Majesty, and the respective ratifications mutually exchanged, shall be binding and obligatory on the said United States and His Majesty for four years, from the date of its signature, and the ratifications shall be exchanged in six months from this time, or sooner if possible.

Done at London, this third day of July, in the year of our Lord one thousand eight hundred and fifteen.

JOHN Q. ADAMS,
H. CLAY,
ALBERT GALLATIN,
FRED. J. ROBINSON,
HENRY GOULBURN,
WILLIAM ADAMS.

Now, therefore, be it known, that I, James Madison, President of the United States of America, having seen & considered the foregoing Convention, have, by and with the advice and consent of the Senate, accepted, ratified and confirmed the same, and every clause and article thereof, subject to the exception contained in a declaration made by the authority of His Britannic Majesty on the 24th day of November last, a copy of which declaration is hereunto annexed.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, and have signed the same with my hand. Done at the City of Washington this twenty-second day of December, A. D. one thousand eight hundred and fifteen, and of the Independence of the U. States the 40th.

JAMES MADISON.

By the President,
JAMES MONROE, Sec. of State.

DECLARATION.

The undersigned, His Britannic Majesty's Charge d'Affaires in the United States of America, is commanded by His Royal Highness the Prince Regent, acting in the name and on the behalf of His Majesty, to explain and declare, upon the exchange of the ratifications of the convention concluded at London on the 3d of July of the present year for regulating the commerce and navigation between the two countries, that in consequence of events which have happened in Europe subsequent to the signature of the convention aforesaid, it has been deemed expedient and determined in conjunction with the Allied Sovereigns, that St. Helena shall be the place allotted for the future residence of Gene-

ral Napoleon Bonaparte, under such regulations as may be necessary for the perfect security of his person, and it has been resolved, for that purpose, that all ships and vessels whatever, as well British ships and vessels as others, excepting only ships belonging to the East India Company, shall be excluded from all communication with or approach to that Island.

It has therefore become impossible to comply with so much of the third article of the Treaty as relates to the liberty of touching for refreshment at the Island of St. Helena, and the ratifications of the said treaty will be exchanged under the explicit declaration and understanding that the vessels of the United States cannot be allowed to touch at, or hold any communication whatever with the said Island so long as the said Island shall continue to be the place of residence of the said Napoleon Bonaparte.

ANTHONY JNO. ST. BAKER.
Washington, November 24, 1815.

COLUMBIA.

TUESDAY, JANUARY 2, 1816.

The following is a correct list of Elections and Appointments, made by the Legislature of this State, during their late Session:

CLERKS AND ORDINARIES.

- Alex. Corrick, Clerk of Court for Beaufort District.
- Richard Snigleton, Clerk for Colleton District.
- Charles Huggins, Clerk for Georgetown District.
- Thomas Daisey, Clerk for Horry District.
- Albert Allison, Clerk for York District.
- R. G. Norton, Ordinary for Beaufort District.
- James Farnside, Ordinary for Newberry District.
- Malachi Ford, Ordinary for Colleton District.
- William Potts, Ordinary for Sumter District.
- Samuel Mathis, Ordinary for Kershaw District.
- Henry Durant, Ordinary for Horry District.
- Ephraim Liles, Ordinary for Chester District.

COT. AND REG. IN EQUITY.

- John McComb, Comm. in Equity for Ninety-Six Dist.
- Whitfield Brooks, Commissioner Equity for Edgefield.
- Benj. Elliot, Registrar in Equity, for Charleston.

COMMISSIONERS OF LOCATIONS.

- John McCreech, Com. of Locations for Lexington Dist.
- Wilson Brown, Com. of Locations for Barnwell Dist.
- John Young, Com. of Locations for Greenville Dist.
- Samuel Brown, Com. of Locations for Kershaw Dist.

TAX COLLECTORS.

- John Bell, Tax Collector for Lexington District.
- John S. Carwile, Tax Collector for Newberry District.
- Alex. McNeil, Tax Collector for Chesterfield District.
- Thomas Daisey, Tax Collector for Horry District.

JUDGES.

- Richard Gantt and David Johnson, Judges of the Common Pleas, &c.

SOLICITORS.

- James L. Pettigrew, Solicitor for the South-Eastern Circuit.

Appointment by the Governor.

- Caleb Clarke, Solicitor for the Western Circuit.

The Legislature of Georgia, have passed an act to alter the 2d section of the constitution of that state, in which it is provided, that the Governor shall be elected by the people generally, instead of by the Legislature, as heretofore. This act, however, requires the sanction of another session of that body before it becomes operative.

The Legislature of North-Carolina adjourned on the 15th inst. after a most important session, they have made provision for the improvement and extension of inland navigation. The bill for erecting a Penitentiary was postponed with the view of obtaining full and correct information on the subject; for which purpose commissioners were appointed to enquire into the probable cost, the proper dimensions, and the most eligible situation for such a building, with the quantity and cost of materials required, &c. who are to report to the Legislature at their next session.

Wealth of Georgia.—A communication was made by the Governor to the Legislature, a few days since, in compliance with a resolution of the House of Representatives, respecting the amount of money due this state by the general government, for lands ceded to the latter by the former in 1802. Of the original debt, which was one million two hundred and fifty thousand dollars, it appears that three hundred and thirty-one thousand four hundred and forty-one dollars have been received in the purchase of arms and the payment of our quota of the direct tax—leaving a balance due Georgia at this time of more than nine hundred thousand dollars! It is in contemplation, we believe, to vest a large portion of this sum, in a State Bank, which, if prudently managed, can scarcely fail to yield a considerable revenue—enough probably to defray the ordinary expenses of government; the profit on the bank stock at present held by the state being nearly equivalent to the whole expenditure of its civil list.

A bill, appropriating ten thousand dollars for opening the Ogeechee from Milledgeville down, and a like sum for improving the navigation of Savannah river, above the city of Augusta, has passed the House of Representatives by a large majority. Geo. Journal.

A Charleston paper, of the 23d of December, says, "the mail for Augusta, that left this city on Saturday last, was robbed at Givham's Ferry, on Sunday night."

Latest from the Mediterranean. By the Schrs. Sine-qua-Non, from Gibraltar and Malaga, we learn, on the authority of the consul of the United States at Malaga, that on the 30th Oct. it was reported at Gibraltar that the Algerine squadron, then at sea, had captured an American ship and brig; and that the Dey had been beheld for making a bad treaty with the United States. The report came through Oran, and other Barbary ports.

The consul gives it as his opinion that this information cannot be correct, because the Algerine squadron re-entered the Mediterranean on the 18th Oct. when they had no knowledge of hostilities.—N. Y. paper.

Washington City, Dec. 21. His excellency the Chevalier De Onis, envoy extraordinary and minister plenipotentiary of his catholic majesty Ferdinand VIII, near the United States, presented yesterday his credentials to the President; and was received in that capacity.

The President of the United States has recognized Benjamin Moodie, Esq. as his Britannic Majesty's Consul, for the states of North Carolina, South-Carolina and Georgia.

Sequel to Commodore Porter's Journal. We are indebted to the politeness of the officers of the government for a copy of the following letter, addressed by Captain Gamble, of the Marines, to Commodore Porter, on the return of the former to the U. States, in August last. Captain Gamble (the reader will recollect) was left by Commodore Porter with a few men, in charge of two or three vessels and some public property, when he sailed from Madison Island for Valparaiso, previous to his ever-memorable battle in the Escoz. The following letter comprises all the subsequent occurrences: Copy of a letter from Captain Gamble to Commodore Porter, dated New-York, August 20, 1815.

Sir—With regret I have to inform you, a frigate had not got clear of the Marqueses before we discovered in the natives a hostile disposition towards us, who in a few days became so insolent, that I found it absolutely necessary, not only for the security of the ships and property on shore, but for our personal safety, to land my men and regain by force of arms the many things they had, in the most daring manner, stolen, from the encampment; and what was of still greater importance, to prevent, if possible, their putting threats into execution, which might have been attended with the most serious consequences on our part, from duty requiring my men to be so much separated.

I, however, had the satisfaction to accomplish my wish without firing a musket, and from that time lived in the most perfect amity with them, until the 7th of May following, when my distressed situation placed me in their power.

Before mentioning the lamentable events of that day, and the two succeeding ones, I shall give you a brief account of a few preceding occurrences, which were sources of great uneasiness to me. The first was the death of John Wetter, (a marine,) who was unfortunately drowned in the surf, on the 28th February, and the desertion of four of my men. They took the advantage of a dark night, and left the bay unobserved by any person, excepting a prisoner, who had the watch on deck. They took with them several muskets, a supply of ammunition, and many articles of little value. My attempt to pursue them was prevented by their destroying partially the only boat near the beach, at that time sea-worthy.

On the 12th April began to rig the ships Seringatam and Sir Andrew Hammond, which, as I calculated, employed the men until the 1st of May. All hands were then engaged in getting the remainder of the property from the Greenwich to the Seringatam, as I began to despair of your rejoining me at that place.

The work went on well, and the men were obedient to my orders, though I discovered an evident change in their countenances, which led me to suppose there was something wrong in agitation, and under that impression, had all the muskets, ammunition and small arms of every description, taken to the Greenwich, (the ship I lived on board of) from other ships, as a necessary precaution against a surprise from my own men.

On the 7th May, while on board the Seringatam, on duty, which required my being present, a mutiny took place, in which I was wounded, and the mutineers succeeded in getting the Seringatam out of the bay—two days after, when making the necessary preparations to depart for Valparaiso, we were attacked by the savages, and I have, with the deepest regret, to inform you, sir, Midshipmen William Felters, John Thomas, Thomas Gibbs and William Irudinal, were massacred, and Peter Coddington, (marine) dangerously wounded. After bending the jib, and spanker, we cut our moorings and fortunately had a light breeze that carried the ship clear of the bay six cartridges remaining out of the only barrel left us by the mutineers.

After getting out of the bay, we found our situation most distressing. In attempting to run the boat up, it broke into two parts, & we were compelled to cut away from the bows the only anchor, not being able to cat it. We mustered altogether eight souls, out of which was one dangerously wounded, one sick, one just recovering from the scurvy, and myself confined to the bed with a high fever, produced by my wound.

In that state, destitute of charts, and almost of every means of navigating the ship, I reached the Sandwich Islands after a passage of seventeen days, and suffering much from fatigue and hardships. I was there unfortunately captured by the English ship Cherub, remained a prisoner on board of her seven months, during which time my men were treated in a most shameful manner. We were then put on shore at Rio de Janeiro, without the possibility of getting away until after hearing of the peace. I then, by the advice of the physician attending me, embarked on board a Swedish ship bound to Havre de Grace, (there being no other means of getting away at that time) leaving behind acting midshipman Clapp, and five men, having lost one soon after my arrival in that place with the small pox.

On the first inst. lat. 47 N. long. 18 W. we fell in with the American ship Oliver Ellsworth, bound to this port. I took a passage on board of her, and arrived here two days since, after being upwards of an hundred days at sea. I am at present unable to travel, and shall therefore await either your orders, or the orders of the commandant of the marine corps at this place.

DIED.

Lately in Newberry District, John Henderson, esq. late a representative of that district in the state legislature.

TO CORRESPONDENTS.

SALUNA will accept my thanks for his second valuable contribution. Though not in time for the present number, it shall appear in the next.

I am much indebted to WILKINSON for his truly appropriate New-Year's gift.—His beautiful lines will speak their own praise.—His future correspondence is solicited. The essay signed "E." is under consideration.

Errata.—In the last No. of the Telescope, in the 13th line of the 31 article under the head Law Intelligence, for "according as the cause might best comport" read "according as the same," &c.—17th line of the same paragraph, for "specie payments by the Courts" read "specie payments by the Banks." In the 4th page of the present No. four lines from the bottom of the second column, for "I wish to see" read "quick eyes."