

LONDON, Nov. 9.

Convention between his Britannick Majesty and the King of Spain.

Signed at Escorial, the 28th of October, 1790.

THEIR Britannick and Catholick Majesties being desirous of terminating, by a speedy and solid agreement, the differences which have lately arisen between the two Crowns; have judged that the best way of attaining this salutary object would be that of an amicable arrangement, which setting aside all retrospective discussion of the rights and pretensions of the two parties, should fix their respective situation for the future on a basis comfortable to their true interest, as well as to the mutual desire with which their said majesties are animated, of establishing with each other, in every thing and in all places, the most perfect friendship, harmony and good correspondence. In this view, they have named and constituted for their plenipotentiaries; to wit, on behalf of his Britannick Majesty Alleyne Fitzherbert Esq. one of his said Majesty's privy council in Great Britain and Ireland, and his ambassador extraordinary and Plenipotentiary to his Catholic Majesty: and on the part of his Catholic Majesty, Don Joseph Mouino, Count of Florida Blanca, knight of the grand cross of the royal Spanish order of Charles III. councillor of state to his said Majesty, and his principal secretary of state, and of the dispatches; who, after having communicated to each other their respective full powers, have agreed upon the following articles:

ARTICLE I.

IT is agreed that the buildings and tracks of land, situated on the north west coast of the continent of North America, or on islands adjacent to that continent, of which the subjects of his Britannick Majesty were dispossessed, about the month of April, 1789, by a Spanish officer, shall be restored to the said British subjects.

ART. II.

AND further, that a just reparation shall be made according to the nature of the case, for all acts of violence or hostility which may have been committed, subsequent to the month of April, 1789, by the subjects of either of the contracting parties against the subjects of the other; and that, in case any of the said respective subjects shall, since the same period, have been forcibly dispossessed of their lands, buildings, vessels, merchandise, or other property whatever, on the said continent---or on the the seas or islands adjacent, they shall be re-established in the possession thereof, or a just compensation shall be made to them for the losses which they have sustained.

ART. III.

And, in order to strengthen the bonds of friendship, and to preserve in future a perfect harmony and good understanding between the two contracting parties, it is agreed that their respective subjects shall not be disturbed or molested, either in navigation or carrying on their fisheries in the Pacific Ocean, or in the South Seas, in landing on the coasts of those seas, in places not already occupied, for the purpose of carrying on their commerce with the natives of the country, or of making settlements there; the whole subject, nevertheless, to the restrictions and provisions specified in the the three following articles.

ART. IV.

HIS Britannick Majesty engages to take the most effectual measures to prevent the navigation and fishery of his subjects in the pacific Ocean, or in the South Seas, from being made a pretext for illicit trade with the Spanish settlements; and, with this view it is moreover expressly stipulated, that British subjects shall not navigate,

or carry on their fishery in the said seas, within the space of ten sea leagues from any part of the coasts already occupied by Spain.

ART. V.

It is agreed, that as well in the places which are to be restored to the British subjects, by virtue of the 1st Article, as in all other parts of the north western coasts of North America, or to the islands adjacent, situated to the north of the said coast already occupied by Spain; wherever the subjects of either of the two powers shall have made settlements since the month of April 1709, or shall hereafter make any, the subjects of the other shall have free access, and shall carry on their trade, without any disturbance or molestation.

ART. VI.

It is further agreed, with respect to the eastern and western coasts of South America, and to the islands adjacent, that no settlement shall be formed hereafter, by the respective subjects, in such parts of those coasts as are situated to the south of those parts of the same coasts, and of the islands adjacent, which are already occupied by Spain: provided that the said respective subjects shall retain the liberty of landing on the coasts and islands so situated for the purposes of their fishery, and of erecting thereon huts, and other temporary buildings, serving only for those purposes.

ART. VII.

IN all cases of complaint or infraction of the Articles of the present convention, the officers of either party, without permitting themselves previously to commit any violence or act of force, shall be bound to make an exact report of the affair, and of its circumstances, to their respective courts, who will terminate such differences in an amicable manner.

ART. VIII.

THE present convention shall be ratified and confirmed in the space of six weeks, to be computed from the day of its signature, or sooner, if it can be done.

IN witness whereof, we the undersigned Plenipotentiaries of their British and Catholick Majesties, have in their names, and in virtue of our respective full powers, signed the present convention, and set thereto the seal of our arms.

Done at the Palace of St. Laurence, the twenty eighth of October, one thousand seven hundred and ninety.

ALLEYNE FITZ
HERBERT, Esq.
(L. S.)

EL CONDE FLORI-
DA BLANCA.
(L. S.)