

*TREATY between Great Britain and Spain. Signed at
London, the 14th of January, 1809.*

EXTRACT.

The events which have taken place in Spain having terminated the state of hostility which unfortunately subsisted between the Crowns of Great Britain and Spain, and united the arms of both against the common enemy, it seems good that the new relations which have been produced between two nations, now connected by common interest, should be regularly established and confirmed by a formal Treaty of peace, friendship, and alliance: wherefore, His Majesty the King of the United Kingdom of Great Britain and Ireland, and the Supreme and Central Junta of Government of Spain and the Indies, acting in the name and on the behalf of His Catholic Majesty Ferdinand VII, have constituted and appointed;—that is to say, His Majesty the King of the United Kingdom of Great Britain and Ireland, the Right Honourable George Canning, one of His Majesty's Most Honourable Privy Council, and His Principal Secretary of State for Foreign Affairs; and the Supreme and Central Junta of Government of Spain and the Indies, acting in the name and on the behalf of His Catholic Majesty Ferdinand VII, Don Juan Ruiz de Apodaca, Commander of Vallaga and Algarga in the Military Order of Calatrava, Rear Admiral of the Royal Navy, named by the Supreme and Central Junta of Government of Spain and the Indies, as Envoy Extraordinary and Minister Plenipotentiary of His Catholic Majesty Ferdinand VII, to His Britannic Majesty; their Plenipotentiaries, to conclude and sign a Treaty of peace, friendship, and alliance;—who, having communicated their respective full Powers, have agreed to and concluded the following Articles:

I. There shall be between His Majesty the King of the United Kingdom of Great Britain and Ireland, and His Catholic Majesty Ferdinand VII, King of Spain and of the Indies thereunto appertaining, and between all their Kingdoms, States, Dominions, and subjects, a christian, stable, and inviolable peace, and a perpetual and sincere amity, and a strict alliance during the war against France; together with an entire and lasting oblivion of all acts of hostility done on either side, in the course of the late wars, in which they have been engaged against each other.

II. Para obviar todo motivo de queja ó disputa que pudiera suscitarse con respecto á las presas hechas posteriormente á la Declaracion publicada por Su Magestad Britanica en 4 de Julio del pasado Año, de 1808, se ha combenido mutuamente, que los buques y propiedades, apresados posteriormente á la fecha de dicha Declaracion, en qualesquiera de los Mares ó puertos del mundo, sin excepcion y sin distincion de lugar ni tiempo, serán restituidos por ambas Partes. Y como la ocupacion accidental de alguno de los puertos de la Peninsula por el enemigo comun, pudiera suscitar disputas ó controversias respecto á los buques, que ignorando la citada ocupacion se dirijieran á dichos puertos desde otros de la Peninsula ó sus colonias; y como puede acaecer el que algunos habitantes Españoles de los puertos ó provincias ocupadas por el enemigo, procuren evadir sus personas ó propiedades de sus garras; las altas Partes Contratantes han combenido en que los buques Españoles, que ignorando la ocupacion por el enemigo, del puerto donde se dirijan, como igualmente los que puedan lograr hacer su evasion de qualesquiera de los puertos ocupados en dieha forma, no sean detenidos buque ni carga, ni considerados como de buena presa, sino antes bien que se les asista y ayude por las Fuerzas Navales de Su Magestad Britanica.

Hecho en Londres, á 14 de Enero de 1809.

Firmado

GEORGE CANNING, (L.S.)

JUAN RUIZ DE APODACA, (L.S.)

ARTICULO ANADIDO. *Hecho en Londres, á 21 de Marzo, de 1809.*

No permitiendo las circunstancias actuales el ocuparse de la negociacion de un Tratado de Comercio entre los dos paises, con aquel cuidado y reflexion que merece un asunto de tanta importancia; las altas Partes Contratantes se convienen mutuamente en tratar esta negociacion, luego que sea practicable el hacerlo: prestandose en el entre tanto facilidades mutuas al comercio de los vasallos de ambas potencias, por medio de reglamentos provisionales y temporales, fundados en los principios de reciproca utilidad.

II. To obviate all complaints and disputes which might arise on the subject of prizes, captured posterior to the Declaration published by His Britannic Majesty on the 4th of July of the last year, it has been mutually agreed, that the vessels and property taken posterior to the date of the said Declaration, in any seas or ports of the world, without any exception and without any regard either to time or place, shall be restored by both Parties.—And, as the accidental occupation of any of the ports of the Peninsula by the common enemy, might occasion disputes respecting any vessels, which, in ignorance of such occupation, might direct their course to those ports from any other harbour, either of the Peninsula or the Colonies; and as cases may occur in which Spanish inhabitants of the said ports or provinces, so occupied by the enemy, may, with their property, endeavour to escape from his grasp; the high Contracting Parties have agreed that Spanish vessels, not aware of the enemy's occupation of any harbour which they are desirous to enter, or such as may succeed in making their escape from any harbour so occupied, shall not be captured, nor themselves nor their cargo be considered as a good prize; but, on the contrary, that they shall meet with every help and assistance from the naval power of His Britannic Majesty.

Done at London, this 14th day of January, 1809.

Signed

GEORGE CANNING, (L.S.)

JUAN RUIZ DE APODACA, (L.S.)

ADDITIONAL ARTICLE. *Signed at London, 21st March, 1809.*

The present circumstances not admitting of the regular negotiation of a Treaty of Commerce between the two countries, with all the care and consideration due to so important a subject, the high Contracting Parties mutually engage to proceed to such negotiation as soon as it shall be practicable so to do, affording, in the mean time, mutual facilities to the commerce of the subjects of each other, by temporary regulations founded on principles of reciprocal utility.

El presente Artículo añadido tendrá la misma fuerza y validacion, como si estuviera insertado, palabra por palabra, en el Tratado de Paz, amistad y alianza, firmado en Londres el día 14 de Enero de 1809.

En fé de lo qual, nos los ynfascriptos Plenipotenciarios, en virtud de nuestros respectivos Plenos Poderes, hemos firmado el presente Artículo, añadido, y hemos hecho poner en él los sellos de nuestras armas.

Hecho en Londres, el día 21 de Marzo, de 1809.

Firmado

GEORGE CANNING, (L.S.)

JUAN RUIZ DE APODACA, (L.S.)
