

## Verdrag van Amiens 25 maart 1802

Definitive Treaty of Peace between the French Republic, his Majesty the King of Spain and the Indies, and the Batavian Republic (on the one Part); and his Majesty, the King of the United Kingdom of Great Britain and Ireland (on the other Part).

The first consul of the French republic, in the name of the French people, and his majesty the king of the united kingdom of Great Britain and Ireland, being equally animated with a desire to put an end to the calamities of war, have laid the foundation of peace, by the preliminary articles, which were signed in London the 9th Vendemaire, (or the first of October 1801).

And as by the 15th article of the preliminaries it has been agreed on, "that plenipotentiaries should named on the part of each government, who should repair to Amiens, and there proceed to arrange a definitive treaty, in concert with the allies of the contracting powers."

The first consul of the French republic, in the name of the French people, has named as plenipotentiary the citizen Joseph Buonaparte, counsellor of state:

His majesty the king of the united kingdom of Great Britain and Ireland has named the marquis Cornwallis, knight of the most noble order of the garter, one of his majesty's privy council, general in his majesty's army, &c. &c.

His majesty the king of Spain and the Indies, and the government of the Batavian republic, have appointed the following plenipotentiaries, to wit, his catholic majesty has named Don Joseph Nicolas d'Azara, his counsellor of state, grand cross of the order of Charles III..ambassador extraordinary of his majesty to the French republic &c. &c.:

And the government of the Batavian republic, Jean Schimmelpenninck its ambassador extraordinary to the French republic, &c.:

Which said plenipotentiaries having duly communicated to each other their respective Powers, which are transcribed at the conclusion of the present treaty, have agreed the following articles:

### Article I.

There shall be peace, friendship, and good understanding between the French republic, his majesty the king of Spain, his heirs and successors, and the Batavian republic, on the one part, and his majesty the king of the united kingdom of Great Britain and Ireland, his heirs and successors, on the other part.

The contracting parties shall use their utmost efforts to preserve a perfect harmony between their respective countries, without permitting any act of hostility whatever by sea or by land, for any cause, or under any pretext.

They shall carefully avoid every thing which might for the future disturb the happy union now re-established between them, and shall not give any succour or protection, directly or indirectly, to those who wish to injure any of them.

#### Article II.

All the prisoners made on one side and the other, as well by land as by sea, and the hostages carried off, or delivered up during the war, and up to the present day, shall be restored without ransom in six weeks at the latest, to be reckoned from the day when the ratifications of the present treaty are exchanged, and on paying the debts which they shall have contracted during their captivity. Each of the contracting parties shall respectively discharge the advances which shall have been made by any of the contracting parties, for the support and maintenance of prisoners in the countries where they have been detained. There shall be appointed by mutual consent for this purpose a commission, especially empowered to ascertain and determine the compensation which may be due to any one of the contracting parties...The time and the place shall likewise be fixed, by mutual consent, for the meeting of the commissioners, who shall be entrusted with the execution of this article, and who shall take into account, not only the expenses incurred on account of the prisoners of the respective nations, but likewise on account of the foreign troops, who, before being taken, were in the pay, and at the disposal of one of the contracting parties.

#### Article III.

His Britannic majesty restores to the French republic and its allies, viz. his Catholic majesty and the Batavian republic, all the possessions and colonies which respectively belonged to them, and which have been either occupied or conquered by the British forces, during the course of the present war, with the exception of the island of Trinidad, and of the Dutch possessions on the island of Ceylon.

#### Article IV.

His Catholic majesty cedes and guarantees, in full property and sovereignty, the island of Trinidad to his Britannic majesty.

#### Article V.

The Batavian republic cedes and guarantees, in full property and sovereignty, to his Britannic majesty, all the possessions and establishments in the island of Ceylon, which

previous to the war belonged to the republic of the united provinces, or to the Dutch East India company.

Article VI.

The port of the Cape of Good Hope remains to the Batavian republic in full sovereignty, in the same manner as it did previous to the war.

The ships of every kind belonging to the other contracting parties, shall be allowed to enter the said ports, and there to purchase what provisions they may stand in need of heretofore, without being liable to pay any other imposts than such as the Batavian republic compels the ships of its own nation to pay.

Article VII.

The territories and possessions of his most Faithful majesty are maintained in their integrity, such as they were antecedent to the war. However the boundaries of French and Portuguese Guiana are fixed by the river Arrowary, which empties itself into the ocean above Cape North, near the islands Nuovo and Penetentia, about a degree and a third of north latitude. These boundaries shall run along the river Arrowary, from its mouth, the most distant from Cape North, to its source, and afterwards on a right line, drawn from that source, to the Rio Brunco, towards the west.

In consequence, the northern bank of the river Arrowary, from its said mouth to its source, and the territories that lie to the north of the line of boundaries laid down as above, shall belong in full sovereignty to the French republic.

The southern bank of the said river, from the same mouth, and all the territories to the south of the said line, shall belong to her most Faithful majesty.

The navigation of the river Arrowary, along the whole of its course, shall be common to both nations.

The arrangements which have been agreed upon between the courts of Madrid and Lisbon, respecting the settlement of their boundaries in Europe, shall nevertheless be adhered to conformably to the stipulations of the treaty of Badajos.

Article VIII.

The territories, possessions, and rights of the sublime Porte, are maintained in their integrity, as they were before the war.

Article IX.

The republic of the Seven Islands is recognised.

Article X.

The islands of Malta, Gozo, and Comino, shall be restored to the order of St. John of Jerusalem to be held on the same conditions, on which it possessed them before the war, and under the following stipulations.

1. The knights of the order whose Langues shall continue to subsist after the exchange of the ratification of the present treaty, are invited to return to Malta, as soon as the exchange shall have taken place. They shall there form a general chapter, and proceed to the election of a grand master, chosen from among the natives of those nations which are to preserve their Langues, unless that election has been already made since the exchange of the preliminaries.

It is understood that an election made subsequent to that epoch, shall alone be considered valid, to the exclusion of any other that have taken place at any period prior to that epoch.

2. The governments of the French republic, and of Great Britain, desiring to place the order and island of Malta in a state of entire independence with respect to themselves, agree that there shall not be in future either a French or an English Langue; and that no individual belonging to either the one or to the other of these powers shall be admitted into the order.

3. There shall be established a Maltese Langue, which shall be supported by the territorial revenues and commercial duties of the island. This Langue shall have its peculiar dignities, an establishment and a mansion-house. Proofs of nobility shall not be necessary for the admission of knights of the Langue; and they shall be moreover admissible to all offices, and shall enjoy all privileges, in the same manner as the knights of the other Langues. At least half of the municipal, administrative, civil, judicial, and other employments depending on the government, shall be filled by inhabitants of the islands of Malta, Gozo, and Comino.

4. The forces of his Britannic majesty shall evacuate the island, and its dependencies, within three months from the exchange of the ratifications, or sooner if possible. At that epoch it shall be given up to the order in its present state, provided the grand master, or commissaries, fully authorized according to the statutes of the order, shall be in the island to take possession, and that the force which is to be provided by his Sicilian majesty, as is hereafter stipulated, shall have arrived there.

5. One half of the garrison at least shall always be composed of native Maltese; for the remainder, the order may levy recruits in those countries only which continue to possess the Langues. The Maltese troops shall have Maltese officers. The commandship in chief of the garrison, as well as the nomination of the officers, shall pertain to the grand master,

and this right he cannot resign even temporarily, except in favour of a knight, and in concurrence with the advice of the council of the order.

6. The independence of the isles Malta, of Gozo, and Comino, as well as the present arrangement, shall be placed under the protection and guarantee of France, Great Britain, Austria, Spain, Russia, and Prussia.

7. The neutrality of the order and of the island of Malta, with its dependencies, is hereby proclaimed.

8. The ports of Malta shall be opened to the commerce and the navigation of all nations, who shall there pay equal and moderate duties : these duties shall be applied to the maintenance of the Maltese Langue, as specified in paragraph 3, to that of the civil and military establishments of the island, as well as to that of a general lazaret, open to all colours.

9. The states of Barbary are excepted from the conditions of the preceding paragraphs, until, by means of an arrangement to be procured by the contracting parties, the system of hostilities, which subsists between the states of Barbary, and the order of St. John, or the powers possessing the Langue, or concurring in the composition of the order, shall have ceased.

10. The order shall be governed, both with respect to spirituals and temporals, by the same statutes which were in force when the knights left the isle, as far as the present treaty does not abrogate them.

11. The regulations contained in the paragraphs 3, 5, 7, 8, and 10, shall be converted into laws ,and perpetual statutes of the order, in the customary manner; and the grand master, or, if he shall not be in the island, at the time of its restoration to the order, his representative, as well as his successors, shall be bound to take an oath for their punctual observance.

12. His Sicilian majesty shall be invited to furnish 2000 men, natives of his states, to serve as a garrison in the different fortresses of the said islands. That force shall remain one year, to bear date from their restitution to the knights; and if, at the expiration of this term, the order should not have raised a force sufficient, in the judgement of the guarantying powers to garrison the island and its dependencies, as is specified in the 5th paragraph, the Neapolitan troops shall continue there until they shall be replaced by a force deemed sufficient by the said powers.

13. The different powers designated in the 6th paragraph, to wit, France, Great Britain, Austria, Spain, Russia, and Prussia, shall be invited to accede to the present stipulations.

Article XI.

The French troops shall evacuate the kingdom of Naples and the Roman states; the English forces shall also evacuate Porto Ferrajo, and generally all the ports and islands, that they occupy in the Mediterranean or the Adriatic.

Article XII.

The evacuations, cessions, and restitutions, stipulated by the present treaty, shall be executed in Europe within a month; on the continent and seas of America and Africa in three months; on the continent and seas of Asia in six months, which shall follow the ratification of the present definitive treaty, except in case of a special reservation.

Article XIII.

In all cases of restitution, agreed upon by the present treaty, the fortifications shall be restored in the condition they were in at the time of signing the preliminaries; and all the works which shall have been constructed since their occupation shall remain untouched.

It is agreed besides that in all the stipulated cases of cessions, there shall be allowed to the inhabitants, of whatever rank or nation they may be, a term of three years, reckoning from the notification of the present treaty, to dispose of all their properties, whether acquired by them before or during the continuance of the present war; during which term of three years, they shall have free and entire liberty to exercise their religion, and to enjoy their fortunes. The same power is granted in the countries that are hereby restored, to all persons, whether inhabitants or not, who shall have formed any establishments there, during the time that those countries were in the possession of Great Britain.

As to the inhabitants of the countries restored or ceded, it is hereby agreed, that no person shall, under any pretence, be prosecuted, disturbed, or molested, either in person or property, on account of his political conduct or opinion, or for his attachment to any of the contracting parties, on any account whatever except for debts contracted with individuals, or for acts subsequent to the present treaty.

Article XIV.

All the sequestrations laid on either side on funds, revenues, and credits, of what nature soever they may be, belonging to any of the contracting powers, or to their citizens or subjects, shall be taken off immediately after the signature of this definitive treaty.

The decision of all claims among the individuals of the respective nations, for debts, property, effects, or rights, of any nature whatsoever, which should, according to received usages, and the law of nations, be preferred at the epoch of the peace shall be referred to

the competent tribunals: in all those cases speedy and complete justice shall be done in the countries wherein those claims shall be respectively preferred.

Article XV.

The fisheries on the coasts of Newfoundland, and of the adjacent islands, and in the gulf of St. Laurence, are placed on the same footing as they were before the war.

The French fishermen of Newfoundland, and the inhabitants of the islands of St. Pierre and Miquelon, shall have liberty, to cut such wood as may be necessary for them in the bays of Fortune and Despair during the first year, reckoning from the ratification of the present treaty.

Article XVI.

To prevent all grounds of complaint and disputes which might arise on account of captures which may have been made at sea subsequent to the signing of the preliminaries, is reciprocally agreed that the ships and property which may have been taken in the channel, and in the north seas, after a space of twelve days, reckoning from the exchange of the ratifications of the preliminary articles, shall be restored on the one side and the other; that the term shall be one month for the space, from the channel and the north seas, as far as the Canary islands inclusively, as well in the ocean as in the Mediterranean; two months from the Canary island to the equator; and, finally five months in all other parts of the world, without any further exceptions or distinction of time or place.

Article XVII.

The ambassadors, ministers, and other agents of the contracting powers, shall enjoy respectively in the states of the said powers the same rank, privileges, prerogative, and immunities, which were enjoyed before the war by agents of the same class.

Article XVIII.

The branch of the house of Nassau, which was established in the ci-devant republic of the united provinces, now the Batavian republic, having experienced some losses, as well with respect to private property as by the change of constitution adopted in those countries, an equivalent compensation shall be procured for the losses which it shall be proved to have sustained.

Article XIX.

The present definitive treaty of Peace is declared common to the sublime Ottoman Porte, the ally, of his Britannic majesty; and the sublime Porte shall be invited to transmit its act of accession as soon as possible.

Article XX.

It is agreed that the contracting parties, upon requisitions made by them respectively, or by their ministers, or officers duly authorized for that purpose, shall be bound to deliver up to justice persons accused of' murder, forgery, or fraudulent bankruptcy, committed within the jurisdiction of the requiring party, provided that this shall only be done in cases in which tile evidence of the crime shall be such, that the laws of the place in which the accused persons shall be discovered, would have authorized the detaining and bringing him to trial, had the offence been committed there. The expenses of the arrest and prosecution shall be defrayed by the party making the requisition; but this article has no sort of reference to crimes of murder, forgery, or fraudulent bankruptcy, committed before the conclusion of this definitive treaty.

Article XXI.

The contracting parties promise to observe sincerely and faithfully all the articles contained in the present treaty, and will not suffer any sort of counteraction, direct or indirect, to be made to it by their citizens, or respective subjects; and the contracting parties guaranty, generally and reciprocally, all the stipulations of the present treaty.

Article XXII.

The present treaty shall be ratified by the contracting parties, as soon as possible, and the ratifications shall be exchanged in due form in Paris.

In testimony whereof, we, the undersigned plenipotentiaries, have signed with our hands, and in virtue of our respective full powers, the present definitive treaty, causing it to be sealed with our respective seals.

Done at Amiens, the 4th Germinal, in the year 10 (March 25, 1802)

(Signed) Bonaparte.

Cornwallis.

Azara, and

Schimmelpenninck.

(A correct copy) J. Bonaparte.