

# Indiana Palladium.

EQUALITY OF RIGHTS IS NATURE'S PLAN—AND FOLLOWING NATURE IS THE MARCH OF MAN.—BARLOW.

Volume IV.]

LAWRENCEBURGH, INDIANA; SATURDAY, JULY 5, 1823.

[Number 26.

## BY AUTHORITY

By the President of the United States of America.

## A PROCLAMATION.

Whereas a Convention of Friendship, Commerce and Navigation, between the United States of America and the Free Hanseatic Republics of Lubeck, Bremen and Hamburg was concluded and signed by their Plenipotentiaries at Washington, on the twentieth day of December in the year of our Lord one thousand eight hundred and twenty-seven; which Convention, being in the English and French languages, is, word for word, as follows:

### CONVENTION

Of Friendship, Commerce, and Navigation between the United States of America, and the Free Hanseatic Republics of Lubeck, Bremen, and Hamburg.

The United States of America, on the one part, and the Republic and Free Hanseatic City of Lubeck, the Republic and Free Hanseatic City of Bremen, and the Republic and Free Hanseatic City of Hamburg, (each State for itself separately,) on the other part, being desirous to give greater facility to their commercial intercourse, and to place the privileges of their navigation on a basis of the most extended liberality, have resolved to fix, in a manner clear, distinct, and positive, the rules which shall be observed between the one and the other, by means of a Convention of Friendship, Commerce and Navigation.

For the attainment of this most desirable object, the President of the United States of America has conferred full powers on Henry Clay, their Secretary of State; and the Senate of the Republic and free Hanseatic City of Lubeck, the Senate of the Republic and free Hanseatic City of Bremen, and the Senate of the Republic and free Hanseatic City of Hamburg, have conferred full powers on Vincent Rumpff, their Minister Plenipotentiary near the United States of America, who after having exchanged their said full powers, found in due and proper form, have agreed to the following articles:

### ARTICLE I.

The contracting parties agree, that whatever kind of produce, manufacture, or merchandise of any foreign country can be from time to time, lawfully imported into the United States, in their own vessels, may be also imported in vessels of the said free Hanseatic Republics of Lubeck, Bremen and Hamburg, and that no higher or other duties

or manufacture of the United States, or of the free Hanseatic Republics of Lubeck, Bremen or Hamburg, to, or from, the ports of the U. States, or, to, or from, the ports of the other party, which shall not equally extend to all other nations.

### ARTICLE III.

No priority or preference shall be given, directly or indirectly, by any or either of the contracting parties, nor by any company, corporation, or agent acting on their behalf, or under their authority, in the purchase of any article, the growth, produce, or manufacture of their States, respectively imported into the other, on account of or in reference to, the character of the vessel, whether it be of the one party or of the other, in which such article was imported; it being the true intent and meaning of the contracting parties, that no distinction of difference whatever shall be made in this respect.

### ARTICLE IV.

In consideration of the limited extent of the territories of the Republics of Lubeck, Bremen, and Hamburg and of the intimate connexion of trade and navigation subsisting between these Republics, it is hereby stipulated and agreed, that any vessel which shall be owned exclusively by a citizen or citizens of any or either of them, and of which the master shall also be a citizen of any or either of them, and provided that three-fourths of the crew shall be citizens or subjects of any or either of the said Republics,

or of any or either of the States of the confederation of Germany, such vessel, so owned and navigated, shall, for all the purposes of this Convention, be taken to be, and considered as, a vessel belonging to Lubeck, Bremen, or Hamburg.

### ARTICLE V.

Any vessel, together with her cargo, belonging to either of the free Hanseatic Republics of Lubeck, Bremen, or Hamburg, and coming from either of the said ports to the United States, shall for all the purposes of this Convention, be deemed to have cleaved from the Republic to which such vessel belongs; although, in fact, it may not have been the one from which she departed; and any vessel of the United States, and her cargo, trading to the ports of Lubeck, Bremen or Hamburg, directly, or in succession, shall for like purposes be on the footing of a Hanseatic vessel, and her cargo, making the same voyage.

### ARTICLE VI.

It is likewise agreed that it shall be wholly free for all merchants, commanders of ships, and other citizens of both parties, to manage, themselves, their own business, in all the ports and places subject to the jurisdiction of each other as well with respect to the consignment and sale of their goods and merchandise by wholesale or retail, as with respect to the loading unloading, and sending off their ships; submitting themselves to the laws decrees, and usages there established, to which native citizens are subjected; they being, in all these cases to be treated as citizens of the Republic in which they reside, or at least to be placed on a footing with the citizens or subjects of the most favored nation.

### ARTICLE VII.

The citizens of each of the contracting parties shall have power to dispose of their personal goods, within the jurisdiction of the other, by sale, donation, testament, or otherwise; and their representatives, being citizens of the other party, shall succeed to their said personal goods, whether by testament or *ab intestato*, and they may take possession thereof, either by themselves or others acting for them, and dispose of the same at their will, paying such dues only as the inhabitants of the country wherein said goods are, shall be subject to pay in like cases; and if, in the case of real estate, the said heirs would be prevented from entering into the possession of the inheritance on account of their character of aliens, there shall be granted to them the term of three years to dispose of the same, as they may think proper, and to withdraw the proceeds without molestation, and exempt from all duties of detraction on the part of government of the respective States.

### ARTICLE VIII.

Both the contracting parties promise, and engage formally, to give their special protection to the persons and property of the citizens of each other, of all occupations, who may be in the territories subject to the jurisdiction of the one or the other, transient, or dwelling there, in leaving open and free to them, the tribunals of justice for their judicial recourse, on the same terms which are usual and customary with the natives or

citizens of the country in which they may be; for which they may employ, in defence of their rights, such advocates, solicitors, notaries, agents, and factors, as they may judge proper, in all their trials at law; and such citizens or agents shall have as free opportunity as native citizens to be present at the decisions and sentences of the tribunals, in all cases which may concern them; and likewise at the taking of all examinations and evidence which may be exhibited in the said trials.

### ARTICLE IX.

The contracting parties, desiring to live in peace and harmony with all the other nations of the earth, by means of a policy, frank, and equally friendly with all, engage mutually not to grant any particular favor to other nations, in respect of commerce and navigation, which shall not immediately become common to the other party, who shall enjoy the same freely, if the concessions were freely made, or on allowing the same compensation, if the concession was conditional.

### ARTICLE X.

The present convention shall be in force for the term of twelve years, from the date hereof; and further, until the end of twelve months after the Government of the United States, on the one part, or the free Hanseatic Republics of Lubeck, Bremen, or Hamburg, by either of them, on the other part, shall have given notice of their intention to terminate the same; each of the said contracting parties reserving to itself the right of giving such notice to the other at the end of the said term of twelve years; and it is hereby agreed between them, that, at the expiration of twelve months after such notice shall have been received by either of the parties from the other, this Convention, and all the provisions thereof, shall altogether cease and determine, as far as regards the States giving and receiving such notice; it being always understood and agreed, that, if one or more of the Hanseatic Republics aforesaid, shall, at the expiration of twelve years from the date hereof, give or receive notice of the proposed termination of this Convention, it shall nevertheless, remain in full force and operation, as far as regards the remaining Hanseatic Republics or Republic, which may not have given or received such notice.

### ARTICLE XI.

The present convention being approved and ratified by the President of the United States, by and with the advice and consent of the Senate thereof; and by the Senates of the Hanseatic Republics of Lubeck, Bremen and Hamburg, the ratifications shall be exchanged at Washington within nine months from the date hereof, or sooner, if possible.

In faith whereof, we, the Plenipotentiaries of the contracting parties, have signed the present Convention; and have, thereto, affixed our seals.

Done, in quadruplicate, at the City of Washington, on the twentieth day of December, in the year of our Lord one thousand eight hundred and twenty-seven, in the fifty-second year of the Independence of the United States of America.

### [Signed]

[L. S.] H. CLAY.

[L. S.] V. RUMPF.

And whereas, the said Convention has been duly ratified on both parts, and the respective ratifications of the same were exchanged at Washington, on the second day of June, one thousand eight hundred and twenty-eight, by Henry Clay, Secretary of State of the United States, and Vincent Rumpff, Minister Plenipotentiary of the free Hanseatic Republics of Lubeck, Bremen and Hamburg, near the said United States, on the part of their respective Governments.

Now, therefore, be it known that I, John Quincy Adams, President of the United States of America, have caused the said Convention to be made public, to the end that the same and every clause and article thereof, may be observed and fulfilled with good faith by the United States, and the citizens thereof.

In witness whereof I have hereunto set my hand and caused the seal of the United States to be affixed.

Done at the City of Washington this second day of June, in the year of our Lord one thousand eight hundred and twenty-eight, and of the Independence of the United States the fifty-second.

JOHN QUINCY ADAMS.

By the President:

H. CLAY, Secretary of State.

The only aramanthine flower on earth is virtue—the only lasting treasure, truth.

## LAWS OF THE UNITED STATES PASSED AT THE FIRST SESSION OF THE TWENTIETH CONGRESS.

### [PUBLIC—No. 40.]

#### AN ACT supplementary to the several acts providing for the settlement and confirmation of private land claims in Florida.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress Assembled, That the three claims to land in the district of West Florida, contained in the reports of the Commissioners, and numbered

four [4] eight [8] and ten [10], excluding from the latter the land contained in

certificate, and in the plats a and c, and

the claims contained in the reports of

the Commissioners of East Florida, and

in the reports of the Receiver and Register,

acting as such, made in pursuance of

the several acts of Congress providing

for the settlement of private land claims

in Florida, and recommended for confir-

mation by said Commissioners; and

by the Register and Receiver, be, and

the same are hereby confirmed, to the

extent of the quantity contained in one

league square, to be located by the

claimants, or their agents, within the

limits of such claims or surveys filed, as

aforesaid, before the said Commissioners

or Receiver and Register, which loca-

tion shall be made within the bounds of

the original grant in quantities of not

less than one section, and to be bounded

by sectional lines.

Sec. 1. And be it further enacted, That

it shall be lawful for the claimants to

lands, as aforesaid, to take an appeal, as

directed in the act aforesaid, from the

decision of the Judge of the District, to

the Supreme Court of the United States

within four months after the decision

shall be pronounced; and the said Judges

shall each be entitled to receive the extra

compensation given to the District Judge

of Missouri, for the performance of the

duties required by this act, out of any

money in the Treasury not otherwise

appropriated.

Sec. 2. And be it further enacted, That

no more than the quantity of acres con-

tained in a league square, shall be con-

firmed within the bounds of any one

grant; and no confirmation shall be ef-

fectual until all the parties in interest,

under the original grant, shall file with

the Register and Receiver of the district

where the grant may be situated, a full

and final release of all claim to the resi-

due contained in the grant; and where

there shall be any minors incapable of

acting within said Territory of Florida,

a relinquishment by the legal guardian

shall be sufficient; and thereafter the

excess in said grants, respectively, shall

be liable to be sold as other public

lands of the United States.

Sec. 3. And be it further enacted, That

all the decisions made by the Register

and Receiver of the district of East Flori-

da, acting *ex officio*, as commissioners, in

pursuance of an act of Congress, approved

the eighth of February, one thousand

one hundred and twenty-seven, author-

izing them to ascertain and decide claims

and titles to lands in the district afore-

said, and those recommended for con-

firmation under the quantity of three

thousand five hundred acres, contained

in the reports, abstracts and opinions, of

the said Register and Receiver, trans-

mited to the Secretary of the Treasury,

according to law, and referred by him to

Congress, on the twenty-ninth January,

one thousand eight hundred and twenty-

eight, he, and the same are hereby con-

firmed. The confirmations authorized

by this act shall operate only as a release

of any claim had by the United States,

and not to affect the interest of third

persons.

Sec. 4. And be it further enacted, That

the said Register and Receiver shall con-

tinute to examine and decide the remain-

ing claims in East Florida, subject to the