

## ***The Paris Peace Treaty of 1783* [with footnotes by Gary Hunt, Outpost of Freedom]**

In the name of the most holy and undivided Trinity.

It having pleased the Divine Providence to dispose the hearts of the most serene and most potent Prince George the Third, by the grace of God, king of Great Britain, France, and Ireland, defender of the faith, duke of Brunswick and Lunebourg, arch-treasurer and prince elector of the Holy Roman Empire etc., and of the United States of America<sup>1</sup>, to forget all past misunderstandings and differences that have unhappily interrupted the good correspondence and friendship which they mutually wish to restore, and to establish such a beneficial and satisfactory intercourse, between the two countries<sup>2</sup> upon the ground of reciprocal advantages and mutual convenience as may promote and secure to both perpetual peace and harmony; and having for this desirable end already laid the foundation of peace and reconciliation by the Provisional Articles signed at Paris on the 30th of November 1782, by the commissioners empowered on each part, which articles were agreed to be inserted in and constitute the Treaty of Peace proposed to be concluded between the Crown of Great Britain and the said United States<sup>3</sup>, but which treaty was not to be concluded until terms of peace should be agreed upon between Great Britain and France and his Britannic Majesty should be ready to conclude such treaty accordingly; and the treaty between Great Britain and France having since been concluded, his Britannic Majesty and the United States of America, in order to carry into full effect the Provisional Articles above mentioned, according to the tenor thereof, have constituted and appointed, that is to say his Britannic Majesty on his part, David Hartley, Esqr., member of the Parliament of Great Britain, and the said United States on their part, John Adams, Esqr., late a commissioner of the United States of America at the court of Versailles, late delegate in Congress from the state of Massachusetts, and chief justice of the said state, and minister plenipotentiary of the said United States to their high mightinesses the States General of the United Netherlands; Benjamin Franklin, Esqr., late delegate in Congress from the state of Pennsylvania, president of the convention of the said state, and minister plenipotentiary<sup>4</sup> from the United States of America at the court of Versailles; John Jay, Esqr., late president of Congress and chief justice of the state of New York, and minister plenipotentiary from the said United States at the court of Madrid; to be plenipotentiaries for the concluding and signing the present definitive treaty; who after

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<sup>1</sup> If you sell your house, you have to prove that you are the owner of the house. If King George assumed that he owed the United Colonies, then he would have to assert his ownership before he relinquished it. The Americans would have insisted upon his presentation of authority to give up what he is giving up.

<sup>2</sup> Here, he recognizes the United Colonies as a country, establishing that something exists with which to grant ownership.

<sup>3</sup> Here, he recognizes that United Colonies by their new name, the United States.

<sup>4</sup> Plenipotentiary is a person, especially a diplomat, invested with the full power of independent action on behalf of their government, typically in a foreign country. This supports the fact that there are two countries (not counting France) involved in the Treaty, each foreign to the other.

having reciprocally communicated their respective full powers have agreed upon and confirmed the following articles.<sup>5</sup>

**Article 1:**<sup>6</sup>

His Britannic Majesty acknowledges the said United States, viz., New Hampshire, Massachusetts Bay, Rhode Island and Providence Plantations, Connecticut, New York, New Jersey, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina and Georgia, to be free sovereign and independent states, that he treats with them as such, and for himself, his heirs, and successors, relinquishes all claims to the government, propriety, and territorial rights of the same and every part thereof.

**Article 2:**<sup>7</sup>

And that all disputes which might arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared, that the following are and shall be their boundaries, viz.; from the northwest angle of Nova Scotia, viz., that angle which is formed by a line drawn due north from the source of St. Croix River to the highlands; along the said highlands which divide those rivers that empty themselves into the river St. Lawrence, from those which fall into the Atlantic Ocean, to the northwesternmost head of Connecticut River; thence down along the middle of that river to the forty-fifth degree of north latitude; from thence by a line due west on said latitude until it strikes the river Iroquois or Cataraquy; thence along the middle of said river into Lake Ontario; through the middle of said lake until it strikes the communication by water between that lake and Lake Erie; thence along the middle of said communication into Lake Erie, through the middle of said lake until it arrives at the water communication between that lake and Lake Huron; thence along the middle of said water communication into Lake Huron, thence through the middle of said lake to the water communication between that lake and Lake Superior; thence through Lake Superior northward of the Isles Royal and Phelipeaux to the Long Lake; thence through the middle of said Long Lake and the water communication between it and the Lake of the Woods, to the said Lake of the Woods; thence through the said lake to the most northwesternmost point thereof, and from thence on a due west course to the river Mississippi; thence by a line to be drawn along the middle of the said river Mississippi until it shall intersect the northernmost part of the thirty-first degree of north latitude, South, by a line to be drawn due east from the determination of the line last mentioned in the latitude of thirty-one degrees of the equator, to the middle of the river Apalachicola or Catahouche; thence along the middle thereof to its junction with the Flint River,

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<sup>5</sup> This entire paragraph simply explains the relationship as it exists prior to the conclusion of the Treaty, and give legal support to their right to conclude a Treaty.

<sup>6</sup> This Article (1) establishes recognition of the sovereignty of the states named, and that "His Britannic Majesty" "relinquishes all claims to the government, propriety, and territorial rights" of those lands. Some suggest that this did not grant independence to the States, though if it recognized their "sovereignty", then surely they must be independent. This erroneous conclusion is semantically incorrect. They are looking for words of their choice rather than looking at the whole of what was stated in the Treaty.

<sup>7</sup> This Article (2) establishes the boundaries, regardless of what the states might recognize, as the agreed upon boundaries between what England retained (Canada), and what it recognizes as belonging to the United States.

thence straight to the head of Saint Mary's River; and thence down along the middle of Saint Mary's River to the Atlantic Ocean; east, by a line to be drawn along the middle of the river Saint Croix, from its mouth in the Bay of Fundy to its source, and from its source directly north to the aforesaid highlands which divide the rivers that fall into the Atlantic Ocean from those which fall into the river Saint Lawrence; comprehending all islands within twenty leagues of any part of the shores of the United States, and lying between lines to be drawn due east from the points where the aforesaid boundaries between Nova Scotia on the one part and East Florida on the other shall, respectively, touch the Bay of Fundy and the Atlantic Ocean, excepting such islands as now are or heretofore have been within the limits of the said province of Nova Scotia.

**Article 3:**<sup>8</sup>

It is agreed that the people of the United States shall continue to enjoy unmolested the right to take fish of every kind on the Grand Bank and on all the other banks of Newfoundland, also in the Gulf of Saint Lawrence and at all other places in the sea, where the inhabitants of both countries used at any time heretofore to fish. And also that the inhabitants of the United States shall have liberty to take fish of every kind on such part of the coast of Newfoundland as British fishermen shall use, (but not to dry or cure the same on that island) and also on the coasts, bays and creeks of all other of his Britannic Majesty's dominions in America; and that the American fishermen shall have liberty to dry and cure fish in any of the unsettled bays, harbors, and creeks of Nova Scotia, Magdalen Islands, and Labrador, so long as the same shall remain unsettled, but so soon as the same or either of them shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such settlement without a previous agreement for that purpose with the inhabitants, proprietors, or possessors of the ground.

**Article 4:**<sup>9</sup>

It is agreed that creditors on either side shall meet with no lawful impediment to the recovery of the full value in sterling money of all bona fide debts heretofore contracted.

**Article 5:**<sup>10</sup>

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<sup>8</sup> This Article (3) allows the Americans to retain fishing rights, even into rivers and creeks, though it denies them the use of the land if it had been settled. Fishing was a major industry, at the time, and the Americans did not want disputes over fishing rights to their traditional fishing areas. The reference to "all other of His Majesty's dominions in America" is relative to those named (Canada, etc.) that though in America were not in the United States. Would he grant fishing rights to what was already conceded to be in the United States?

<sup>9</sup> This Article (4) provides that debts will be recognized between parties in each country. Trade has been going on between Britain and the colonies since the beginning of colonization. If money was owed to an American, it would be recognized. Likewise, if money was owed to an Englishman, it would be recognized. Nobody could skip out on existing financial obligations.

<sup>10</sup> This Article (5) establishes the right to Tories, who had left during the war, or otherwise, had their property seized, as many colonies did, would have a right to return to the United States and endeavor to recover their land and property. The United States did not have, under the Article of Confederation, the right to force the states to recognize such ownership. The best that they could do was to "recommend... to the legislatures of the respective states" that they allow the return of property. Some argue that it gave the British the right to remain in the United States, "year round", though if you read what it says, "to remain twelve months unmolested in their endeavors to obtain the restitution of such of their estates",

It is agreed that Congress shall earnestly recommend it to the legislatures of the respective states to provide for the restitution of all estates, rights, and properties, which have been confiscated belonging to real British subjects; and also of the estates, rights, and properties of persons resident in districts in the possession on his Majesty's arms and who have not borne arms against the said United States. And that persons of any other description shall have free liberty to go to any part or parts of any of the thirteen United States and therein to remain twelve months unmolested in their endeavors to obtain the restitution of such of their estates, rights, and properties as may have been confiscated; and that Congress shall also earnestly recommend to the several states a reconsideration and revision of all acts or laws regarding the premises, so as to render the said laws or acts perfectly consistent not only with justice and equity but with that spirit of conciliation which on the return of the blessings of peace should universally prevail. And that Congress shall also earnestly recommend to the several states that the estates, rights, and properties, of such last mentioned persons shall be restored to them, they refunding to any persons who may be now in possession the bona fide price (where any has been given) which such persons may have paid on purchasing any of the said lands, rights, or properties since the confiscation. And it is agreed that all persons who have any interest in confiscated lands, either by debts, marriage settlements, or otherwise, shall meet with no lawful impediment in the prosecution of their just rights.

**Article 6:<sup>11</sup>**

That there shall be no future confiscations made nor any prosecutions commenced against any person or persons for, or by reason of, the part which he or they may have taken in the present war, and that no person shall on that account suffer any future loss or damage, either in his person, liberty, or property; and that those who may be in confinement on such charges at the time of the ratification of the treaty in America shall be immediately set at liberty, and the prosecutions so commenced be discontinued.

**Article 7:<sup>12</sup>**

There shall be a firm and perpetual peace between his Britannic Majesty and the said states, and between the subjects of the one and the citizens of the other, wherefore all hostilities both by sea and land shall from henceforth cease. All prisoners on both sides shall be set at liberty, and his Britannic Majesty shall with all convenient speed, and without causing any destruction, or carrying away any Negroes or other property of the American inhabitants, withdraw all his armies, garrisons, and fleets from the said United States, and from every post, place, and harbor within the same;

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it means what it says. They have twelve months from their arrival to resolve disputes. It implies that they can only stay the twelve months by its very wording.

<sup>11</sup> This Article (6) removes any punishment for anybody still living that took sides with the British should not be held responsible for such crimes, punished, fined, or otherwise suffer loss, and shall be set free, if confined. Basically, setting any prisoners of war free, which was incorporated into the Geneva Convention, years later.

<sup>12</sup> This Article (7) is the reciprocal of the previous two in that slaves cannot be taken away from the United States, prisoners set free, removal of British forces (which had remained and in some cases continued to fight, after the surrender of Cornwallis, especially in the South), fined, or otherwise suffer loss, and shall be set free, if confined. Basically, setting any prisoners of war free, which was incorporated into the Geneva Convention, years later.

leaving in all fortifications, the American artillery that may be therein; and shall also order and cause all archives, records, deeds, and papers belonging to any of the said states, or their citizens, which in the course of the war may have fallen into the hands of his officers, to be forthwith restored and delivered to the proper states and persons to whom they belong.

**Article 8:**<sup>13</sup>

The navigation of the river Mississippi, from its source to the ocean, shall forever remain free and open to the subjects of Great Britain and the citizens of the United States.

**Article 9:**<sup>14</sup>

In case it should so happen that any place or territory belonging to Great Britain or to the United States should have been conquered by the arms of either from the other before the arrival of the said Provisional Articles in America, it is agreed that the same shall be restored without difficulty and without requiring any compensation.

**Article 10:**

The solemn ratifications of the present treaty expedited in good and due form shall be exchanged between the contracting parties in the space of six months or sooner, if possible, to be computed from the day of the signatures of the present treaty. In witness whereof we the undersigned, their ministers plenipotentiary, have in their name and in virtue of our full powers, signed with our hands the present definitive treaty and caused the seals of our arms to be affixed thereto.

Done at Paris, this third day of September in the year of our Lord, one thousand seven hundred and eighty-three.

D. HARTLEY (SEAL)  
JOHN ADAMS (SEAL)  
B. FRANKLIN (SEAL)  
JOHN JAY (SEAL)

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<sup>13</sup> This Article (8) was included, though there were objections to this provision, it was a concession for other provisions that benefited the United States, such as the fishing rights. At the time, rivers were the highways, and allowing transport from Canada to the Gulf of Mexico did protect the fur trade of the British.

<sup>14</sup> This Article (9) assured that New York, various forts in the South and west, if they were within the boundaries established by Article 2, would be abandoned and return to the United States. This, however, was one of the violations that led to the War of 1812.