

ed as an anticipation to give at once a brief abridgement of the treaties in this place.

By the treaty with France

Article 4) Great Britain was maintained in the possession of Newfoundland and the adjacent islands, agreeable to the thirteenth article of the treaty of Utrecht, except those of St. Pierre and Miquelon, which were fully ceded to France.

5) In order to prevent the disputes inevitable in a concurrent fishery, it was agreed, that the French should enjoy the fishery on the coast of Newfoundland from Cape St. John in 50° north latitude to the north point of the island, and thence along the west side to Cape Raye, which is the south-west corner of it.

6) The French were also to enjoy the fishery in the Gulf of St. Lawrence, as agreed on in the fifth article of the treaty of Paris in 1763.

7) In the West-Indies Great Britain restored to France the island of St. Lucia, and ceded the island of Tobago, stipulating that the protestant inhabitants of those islands should not be molested on account of their worship, and that all British subjects should retain their possessions, upon the same titles and conditions by which they had acquired them, or have liberty, within eighteen months after the ratification of the definitive treaty, to sell their estates (but only to French subjects) and remove from the islands, without any restraint upon their persons or property, unless on account of debt or criminal prosecutions. For the greater security of the inhabitants of Tobago the king of France agreed to abolish the *droit d'aubaine* in that island\*.

8) France restored to Great Britain the islands of Grenada, and the Grenadines, St. Vincent, Dominica, St. Christophers, Nevis, and Mont-

\* In the preliminary treaty there was no stipulation for the abolition of the *droit d'aubaine* in behalf of the British inhabitants: and the neglect of it produced no small consternation among such of the proprietors of that island as were then in Britain, and the mortgagees, who had lent above half a million of money on the security of estates in it: for, by the laws of France, the effects of all persons, not subjects, dying in any of the French dominions, were seized for the use of the king by virtue of the *droit d'aubaine*, without paying the smallest regard to the rights of alien heirs or creditors. Those gentlemen being informed by the minister, that he could do nothing for them, next determined upon trying what could be done at the court of France, and requested of General Melville, lately the governor-general of the Ceded islands, of which Tobago was one, and Mr. Young (now Sir William Young) to undertake the solicitation of relief for them. It was a fortunate circumstance for them, that General Melville had been governor of the French island of

Guadaloupe and its dependencies when in our possession, and that his impartiality and benevolence to the French inhabitants on that occasion were so well known at the court of France as to have considerable influence in obtaining a very favourable answer to his application, whereby the *droit d'aubaine* was abolished in Tobago, as it was also by the same edict (dated in June 1783) in St. Lucia and French Guyenne. The king moreover gave a declaration, that all obligations contracted under the British laws should be held good, and that the courts of justice should be instructed to act accordingly; terms much more favourable than those granted to the French inhabitants of Grenada, &c. at the peace of 1763, and which, moreover, show, that a liberal and benevolent conduct to a conquered enemy is much truer policy than rigorous treatment and cruel confiscations. And thus it was that the abolition of the *droit d'aubaine* came to be inserted in the definitive treaty.