

1828 *Traité de paix entre le Brésil et la république des provinces unies de Rio de la Plata, signé à Rio de Janeiro le 27 Août 1828.*

(*The Times* 1828. December 20. Nr. 13, 781).

*In the name of the most holy and undivided Trinity!*

**T**he government of the republic of the United Provinces of the river Plata and his Majesty the emperor of Brazil, desiring to put an end to the war, and establish, upon solid and durable principles, the good understanding, harmony and friendship, which should exist between neighbouring nations, called by their interests to live united by the ties of perpetual alliance, have agreed, through the mediation of his Britannic Majesty, on a preliminary treaty of peace, which shall serve as a basis to the definitive treaty of the same, which is to be celebrated by the high contracting parties; and for this purpose they have appointed their plenipotentiaries; to wit — The government of the republic of the United Provinces, General Don Juan Ramon Balcarce and Don Tomas Guido — His Majesty the Emperor, the Most Illustrious and Most Excellent Marquis of Aracaty, member of his Majesty's council, Gentleman of the Imperial bedchamber, councillor of finance, commander of the order of Aviz, senator of the empire, Minister secretary of state in the department of foreign affairs; Dr. Don Jose Clemente Pereira, member of his Majesty's council, chief judge of the house of supplication, dignitary of the Imperial order of the cross-bearer, Knight of that of Christ, Minister secretary of state in the home department et ad interim of justice, and Don Joaquin Oliveira Alvarez, member of his Majesty's council and that of war, lieutenant-general of the national and Imperial armies, officer of the Imperial order of the cross-bearer, Minister secretary of

state in the home department of war, who having exchanged their respective full powers, which were found to be in good and due form, agreed upon the following articles: —

ART. I. His Majesty the Emperor of Brazil declares the province of Monte Video, at present called Cisplatina, separated from the territory of the empire of Brazil, in order that it may constitute itself into a state, free and independent of any nation whatever under the form of government, which it may deem most suitable to its interests, wants and resources.

ART. II. The government of the republic of the United Provinces concurs in declaring, on its part, the independence of the province of Monte-Video, at present called the Cisplatina, and its being constituted into a free and independent state, in the form declared in the foregoing article.

ART. III. Both high contracting parties oblige themselves to defend the independence and integrity of the province of Monte-Video, for the time and the manner that may be agreed upon in the definitive treaty of peace.

ART. IV. The existing government of the Banda Oriental, immediately upon the ratification of the present convention, shall convoke the representatives of that part of the said province, which it at present subject to it; and the existing Government of Monte-Video shall make simultaneously, a like convocation of the citizens residing within the city, regulating the number of deputies by that of the inhabitants of the province and using the form adopted in the election of representatives in the last legislature.

ART. V. The election of deputies for the city of Monte-Video shall take place indispensably extra muros, without the reach of the artillery of the city and in the absence of all armed force.

ART. VI. The representatives of the province being assembled at a distance of at least ten leagues of the city of Monte-Video, and any other place occupied by troops, shall establish a provisional government, which shall rule the whole province, until the installation of the permanent government, to be



1828 created as the constitution shall direct. The existing government of Monte-Video and the Banda Oriental shall cease immediately after the installation of the provisional one.

ART. VII. The same representatives shall betake themselves afterwards in the formation of the political constitution of the province of Monte-Video, and the constitution, previously to being sworn to, shall be examined by commissioners from the two contracting governments, for the sole object of seeing that it does not contain any article or articles opposed to the security of their respective states. Should this be the case, it shall be publicly and categorically set forth by the said commissioners; but should there be a want of common accord in these, it shall be decided by the two contracting governments.

ART. VIII. Any inhabitant of the province of Monte-Video, shall be at liberty to leave the territory thereof, taking with him his chattels, without prejudice to a third person, until the constitution be sworn to, if he do not wish to adhere to it, or if it so suit him.

ART. IX. There shall be perpetual and absolute oblivion of all political acts and opinions whatever, done or professed previously to the ratification of the present convention, by the inhabitants of the province of Monte-Video, and of the territory of the Emperor of Brazil, which has been occupied by troops of the republic of the United Provinces.

ART. X. It being a duty of the two contracting governments to assist and protect the province of Monte-Video until it be completely constituted, the said governments agree, that if previously to the constitution being sworn to, and during five years afterwards, its tranquillity and security should be disturbed by civil war, they shall lend the necessary aid to maintain and support the lawful government. After the expiration of the above term, all protection which is by this article promised to the lawful government of Monte-Video shall cease and the said province shall be considered in a state of perfect and absolute independence.

ART. XI. Both the high contracting parties declare most explicitly and categorically, that whatever may happen to be the use of the protection, which, in conformity to the foregoing article, is promised to the province of Monte-Video, it shall in all cases be limited to the restoration of order, and shall cease immediately that the object is attained.

ART. XII. The troops of the province of Monte-Video and those of the republic of the United Provinces, shall evacuate the Brazilian territory in the precise terms of two months from the date of the exchange of the ratification of the present convention, the latter passing to the left bank of the river Plata, over the Uruguay, with the exception of a force of 1500 men or more, which the government of the aforesaid republic, if it deem fit, may maintain in any part of the territory of the province of Monte-Video, until the troops of his Majesty the Emperor of Brazil completely evacuate the city of Monte-Video,

ART. XIII. The troops of his Majesty the Emperor of Brazil shall evacuate the territory of the province of Monte-Video including La Colonia del Sacramento, in the precise term of two months, from the date of the exchange of the ratifications of the present convention, and return to the frontier of the empire, or embark, with the exception of a force of 1500 men, which His said Majesty may maintain within the city of Monte-Video until the installation of the provisional government of the province, under the express obligation of withdrawing this force in the precise term of four months first following the installation of the said provision government at the latest; delivering, in the act of the evacuation, the city of Monte-Video in the statu quo ante bellum to commissioners completely authorized, ad hoc, by the lawful government of the province.

ART. XIV. It is understood that neither the troops of the republic of the United Provinces, nor those of his Majesty the Emperor of Brazil which, in conformity to the two foregoing articles, are to remain temporarily in the province of Monte-Video, must in any wise interfere in the political affairs, government, institutions etc. of the said province. They



1828 shall be considered as merely passive, and on observation, kept there to protect and guarantee public and individual liberties and property, and they cannot operate actively unless the lawful Government of the province require their assistance.

ART. XV. As soon as the exchange of the ratifications of the present convention takes place, there shall be an entire cessation of hostilities by sea and by land. The blockade shall be raised in the term of 48 hours on the part of the imperial squadron. Hostilities by land shall cease immediately after this convention and its ratifications are notified to the armies, and by sea, in two days to Cape St. Mary, in eight to St. Catherine's, in fifteen to Cape Frio, in twenty-two to Pernambuco, in forty to the Line, in sixty to the coast of Africa, and in eighty to the seas of Europe. All prizes made subsequently shall not be considered bona fide captures and indemnification will be reciprocally made for them.

ART. XVI. All prisoners taken by either party during the war, by sea or by land, shall be set at liberty as soon as the present convention is ratified, and the ratifications exchanged; but those who have not secured the payments of the debts contracted by them, cannot leave the country in which they are.

ART. XVII. After the exchange of the ratification, both high contracting parties shall proceed to appoint their respective plenipotentiaries, for the purpose of adjusting and concluding the definitive treaty of peace, which is to be celebrated between the republic of the United Provinces and the Empire of Brazil.

ART. XVIII. If contrary to expectation, the high contracting parties should not come to an adjustment in the said definitive treaty of peace, through questions that may arise in which they may not agree, notwithstanding the mediation of His Britannic Majesty, the republic and the Emperor cannot renew hostilities before the expiration of the five years, stipulated in the 10<sup>th</sup> article; nor even after this time can hostilities take place, without notification being reciprocally given with the knowledge of the mediating power, six months previously.

ART. XIX. The exchange of the ratifications of 1828 the present Convention shall be effected in the city of Monte-Video, in the term of 60 days from the date hereof, or sooner if possible.

In testimony whereof, we, the undersigned plenipotentiaries of the government of the United Provinces, and of his Majesty the Emperor of Brazil, in virtue of our full powers, sign the present convention with our hand, and seal it with the seal of our arms. Done in the city of Rio Janeiro, on the 27<sup>th</sup> day of the month of August, in the Year of the birth of our Lord Jesus Christ 1828.

JUAN RAMON BALCARCE,

TOMAS GUIDO.

Marquis DE ARACATY.

JOSE CLEMENTE PEREIRA.

JOAQUIN D'OLIVEIRA ALVAREZ.

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*Traité concernant le commerce conclu entre l'Hanovre, la Saxe royale, la Hesse électorale, la Saxe grand-ducale, le duché de Brunswic, le landgraviat de Hesse-Hombourg, les duchés de Nassau, d'Oldenbourg, de Saxe-Altenbourg, de Saxe-Cobourg-Gotha et de Saxe-Meiningen et les lignes aînées et cadettes de Reuss Greiz, de Reuss Lobenstein et Ebersdorf et de Reuss Schleiz, la principauté de Schwarzbourg Rudolstadt et les villes libres de Bremen et de Francfort; signé le 24 Septembre 1828.*

*(Gesetzsammlung für das Königreich Sachsen. 1829. Nr. 2. pag. 5 sqq.).*

Ihre Majestäten, der König von Großbritannien, Irland und Hannover und der König von Sachsen, Ihre