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BUENOS AYRES, SATURDAY, OCTOBER 4, 1828.

[Vol. 3,

BUENOS AYRES.

PRELIMINARY TREATY OF PEACE

Between the Republic of the United Provinces of the River Plate and the Empire of Brazil.

In the name of the Most Holy and Undivided Trinity.

The Government of the Republic of the United Provinces of the River Plate, 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, to adjust between themselves, a preliminary Treaty of Peace, which shall serve as a basis to the definitive Treaty of the same, which is to be celebrated between the High Contracting Parties. And for this purpose they appointed their Plenipotentiaries, to wit:—

The Government of the Republic of the United Provinces, Generals 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 Bed-Chamber, Counsellor of Finance, Commander of the Order of Aviz, Senator of the Empire, Minister Secretary of State in the Department of Foreign Affairs; Dr. Don José 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, and *ad interim* of Justice; and Don Joaquin Oliveira Alvarez, Member of His Majesty's Council and of 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 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 Montevideo, at present called the Cisplatine, separated from the territory of the Empire of Brazil, in order that it may consti-

tute 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.

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 Cisplatine, and in its being constituted into a free and independent State, in the form declared in the foregoing Article.

III.—Both High Contracting Parties oblige themselves to defend the independence and integrity of the Province of Monte Video, for the time and in the manner that may be agreed upon in the definitive Treaty of Peace.

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 is 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.

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 absence of armed force.

VI.—The Representatives of the Province being assembled at a distance of at least 10 leagues from 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 created as the Constitution shall direct. The existing Governments of Monte Video and the Banda Oriental shall cease immediately after the installation of the Provisional one.

VII.—The same Representatives shall betake themselves afterwards to 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.—

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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.

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.

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.

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 the Province of Monte Video shall cease: and the said Province shall be considered in a state of perfect and absolute independence.

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.

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 term of two months from the date of the exchange of the ratifications of the present Convention, the latter passing to the left bank of the River Plate or 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.

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 retire to the frontiers 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 Provisional Government, at the latest, delivering in the act of the evacuation, the said city of Monte Video, *in statu quo ante bellum*, to Commissioners competently authorized *ad hoc* by the lawful Government of the Province.

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, &c. of the said Province. They 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.

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 forty-eight 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.

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 payment of the debts contracted by them, cannot leave the country in which they are.

XVII.—After the exchange of the ratifications, 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.

XVIII.—If, contrary to expectations, 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 Empire cannot renew hostilities before the expiration of the five years stipulated in the Tenth 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.

XIX.—The exchange of the ratifications of the present Convention shall be effected in the city of

Monte Video, in the term of sixty days from the date hereof, or sooner, if possible.

In testimony whereof we, the undersigned Plenipotentiaries of the Government of the United Provinces, and 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 27th day of the month of August, in the year of the birth of our Lord Jesus Christ, 1828.

(L. S.) JUAN RAMON BALCARCE.
 (L. S.) TOMAS GUIDO.
 (L. S.) MARQUEZ DE ARACTY.
 (L. S.) JOSE CLEMENTE PEREIRA.
 (L. S.) JOAQUIN D'OLIVERA ALVAREZ.

ADDITIONAL ARTICLE.

Both the High Contracting Parties oblige themselves to employ all means in their power in order that the navigation of the River Plate and of all others that empty into it, may be kept free for the use of the subjects of both Nations, for the space of fifteen years, in the form that may be agreed upon in the definitive Treaty of Peace.

The present article shall have the same force and vigour as if it had been inserted word for word in the preliminary Convention of this date.

Done in the city of Rio Janeiro, &c. &c.

The preliminary Treaty of Peace was ratified by the Convention at Santa Fé on 26th ult.

The embarkation on Monday last of the gentlemen charged with exchanging the Treaty at Monte Video was an impressive scene:—the venerable Ascuenaga, nearly 80 years of age, and who has not quitted Buenos Ayres (at least by water,) for a period of fifty years—attired in the costume of the last century: one of the first promoters of the Revolution, and now going to put the finishing hand to a Treaty of Peace, glorious and honorable for his country; then the hero (Brown,) who has been the *Pillar* of the Republic.

Sept. 27.—Wind N. N. E. The Brazilian squadron, 17 sail, at anchor in the Outer Roads.

28.—Wind N. E. Sailed this afternoon, British ship Packet Swallow, Baldock, for Monte Video, Rio Janeiro, and Falmouth, with several passengers. Arrived, Gun Boat No. 12 with a convoy from the N.

29.—Wind S. E. in the afternoon blowing nearly a gale. The British sloop of war Heron at half past 3 p. m. fired a salute of eleven guns, H. M. s. Consul General to this Republic (Mr. Parish) having gone on board in order to proceed to Monte Video. Don Miguel Ascuenaga, his son, Señor Olaguer and numerous passengers, embarked on board the Sarandi in the Inner Roads, which vessel proceeded to three fathom hole.

30.—Wind E. S. E. all night it blew a gale, and continued this morning. Admiral Brown hoisted his flag on board the National corvette New 25th May under a salute. Sailed, H. M. s. ship Heron, Duntze: National corvette New 25th May, Admiral Brown, Capt. De Kay: schooner of war Sarandi, Chalmers, for Monte Video; the two latter had a flag of truce at the fore—on approaching the Brazilian squadron mutual salutes took place. The Sarandi returned, in order to land the Adjutant of the Port. Arrived this afternoon in the Inner Roads, the Brazilian schr. of war Bella Maria—she fired salutes to the Fort and the Sarandi, the flag

of the Republic at the fore, (which were returned,) and brought a letter from Commodore Norton to the Captain of the Port, stating that the blockade was raised from that date, viz. September 30th. The Brazilian squadron sailed this evening from off this port.

Oct. 1.—Wind E. S. E. moderate in the afternoon. Arrived, Am. ship Endeavour, Davis, from Monte Video yesterday, general cargo, to Messrs. Zimmermann, Frazier & Co.; was boarded by the Brazilian frigate Nichteroy same day. The Sarandi fired a gun, and sailed this evening for Monte Video; she is afterwards to proceed to the coast of Brazil, to inform the National vessels of war and privateers of the Peace. A Brazilian privateer boat in sight this morning beating down.

2.—Wind N. Sailed, Brazilian schr. of war Bella Maria, for Colonia: and National schr. of war 11th June, for Martin Garcia. Several guns heard from the N. E. supposed a National Gun Boat chasing privateer boats.

Arrived, Gun Boat No. 7; she had recaptured 4 launches from some privateer boats off St. Juan's this morning.

Also, British ship Brazilian, Cotesworth, cargo, 2,200 bbls. flour, and 507 pipes wine, to Bertram, Armstrong & Co.; do. brig Juliana, Garrett, in ballast, to Thos. W. Robinson; do. brig Capricorn, Smith, in ballast, to D. Gowland & Co.; American schr. brig Jason, Lowe, general cargo, to Zimmermann, Frazier & Co.—The above four vessels left Monte Video yesterday.

Also, Am. ship General Hand; British brigs Amity, Platt, general cargo; Peace, Bruce, in ballast, to Tayleur, Cartwright & Co.; Orb, Postgate, in ballast; Comet, Barnes, do. to Heyworth, Carlisle & Co.; Rosella, Gordon, with salt; Cordelia, Dunlop, with general cargo, to Brown, Buchanan & Co.; Seamander, —; Rapid, Rosewell; and an Am. brig, supposed the Tontine—the latter eight from M. Video.

Also this evening, British ship Melpomene, Johnson, from Monte Video, cargo, iron, &c. to Messrs. Thwaites. Passengers, John M'Dougall, Esq. and his lady, Miss L. M'Dougall, Messrs. John, Donald, and Alexander M'Dougall, James M'Pherson, Lamont, Lapeyre, and Manuel.

3.—Wind S. with rain. Arrived, 2 British brigs; and 3 brigs, no flags hoisted. From the blowing weather no boats came on shore.

4.—Wind S. blowing strong. No arrivals this morning, nor boats on shore from the arrivals whose names are unknown, viz. five brigs.

Port of the Salado.

Arrived on 27th ult. Am. brig Enterprize, Varney, 60 days from Antwerp, cargo, planks, coal, wire, tin, &c. to Mr. Vermoelen.

Capt. Granville has addressed a letter to the Government, dated 18th Sept., stating that the National schr. of war Argentina under his command, having received some damage in a storm, was about to proceed to Patagonia to repair; he had taken two more prizes. The doctor of the schr. (Smith,) had jumped overboard in a fit of insanity, and was drowned; two sailors had fallen from the mainmast and were drowned. Capt. Coe has likewise written that the Rondeau had, since his last communication, destroyed eight vessels of a convoy from Rio Grande, made 110 prisoners, all of which took place under the fire of the corvette Carioca; and two brigs of war.

A decree of the Government dated 2d inst. states, that the war having concluded, no more vessels after the above date are to discharge their cargoes at the ports of the Salado and Tuyu, and that in thirty days from 2d inst. all vessels are to sail from the above ports.

A prize to the Gen. Rondeau has been taken into Monte Video by the prize crew; they threw the prize master, Lt. Robt. Randall, overboard.

The following curious document has been sent to us for insertion, being a literal translation from the Portuguese: It would appear that even Admiral Guedez himself considered the blockade to be ineffectual.

On board the Pirangu frigate, September 19, 1827.

"MOST ILLUSTRIOUS SIR,—I received to-day the note which Your Excellency sent me under yesterday's date, on the subject of the detention of the English brig schooner *Enterprise*, captured in the Outer Roads of Buenos Ayres—the captain having declared, as appears by the annexed document, not only his knowledge of the blockade, but also the measures he took to elude it. Notwithstanding all the circumstances referred to, as the Ministers who have been and are at the head of Foreign Affairs in Brazil (or rather Ministers ignorant of affairs) are learning a course of public maritime right; and it not being proper to call off their attention to new cases, which might stop their assiduity, to the end of rendering themselves as soon as possible, capable of worthily transacting the business of their duty; and being likewise, convenient not to give the English authorities even the least shadow of a motive to complain of Admiral Pintos Guedez, for belonging to a nation whose Ministers or Secretaries of State abovementioned, instead of enforcing the rights, which the Admiral has made a good use of, (and he would easily prove that some are admitted and others practised, by the nations against whom he applied them,) give occasion for controversy and arguments well grounded by analogy, to other nations, with whom they made exceptions, either by an excess of credulity to a supposed good faith in their notes, or perhaps, for establishing orders against the rights acknowledged by all nations. To avoid enlarging on the subject, I send Your Excellency an order that the aforesaid brig schooner *Enterprise* be put at your disposal, and the same shall be done with any other vessel detained by any vessel or vessels of this squadron, were it even taken from under the batteries of Buenos Ayres, as long as I have the misfortune to have it under my orders, for my own discredit, that of my commanders, and to the unavoidable injury of the cause I defend, to which the orders blindly given by or required from the Secretary of Foreign Affairs, are so diametrically contrary. I feel no sort of repugnance in doing or seeing equity done, to the subjects of his Britannic Majesty, (and though with such speculators the exceptions may be just;) but no one is ignorant of the injury which the citizens of the United States of America have done, under the shelter of the difficulties attending this squadron, which render the blockade ineffectual; but as the orders are general, and form a right of the abuse and private injury against Brazil, it is just that all should enjoy it. For my part, I lament to see the Emperor served in this manner, as I not only respect him as I ought, but love him very much.

I avail myself of this opportunity to renew the protests of the high consideration with which I remain, Your Excellency's servant, &c. (Signed)

BARON OF THE RIVER PLATE.

To Thos. Saml. Hood. Esq. H. B. M's Consul, Monte Video.

WHEN THE TEMPEST LINES ON HERON'S SHIP HERON,
When the tempest the bright face of nature deforms,
The Heron loud screaming high soars to the clouds:
And amidst the rude conflict of contending storms,
Her track in the mist of obscurity shrouds.
The tempest subsides, and serene the horizon:
Again to the streams in the vale she descends,
And with pleasure is view'd by each rural denizen,
As o'er the clear waters she watchfully bends.
Thus in war's rugged period thou Heron wert fated
The bearer of tidings and treaties to be,
Which in darkness envelop'd, as prudence dictated,
Gave rise to conclusions unfriendly to thee;
But the sun blazes forth with additional glory,
Dissipating the mists which around thee had hung,

And assigns to thee, Heron, that place in our story
Which to thy kind labours should justly belong.
Though last, not the least, of thy numerous favours,
Thou bringest, our gratitude still to increase,
The Patriot chiefs through whose happy endeavours
Their country enjoys the sweet blessings of peace.

THEATRE.

On 26th ult. *Tucredi*: Orbazano, hitherto performed by Vera, was undertaken by Vacani; Vera is more at home in the *Magnifico*, Doctor Bartolo, &c. *Donna Angelita* gave "Giusto Dio, tu che concedi," with great effect; the soft strains of the aria sung by Rosquellas in the second act, followed by the chorus "Regna il terror per la Citta," might make others besides Orsini's Duke exclaim—

"If music be the food of love play on"

On 28th after a comedy, Mr. Brown for the last time at this Theatre, exhibited his feats of dexterity and strength;—the managers of our new Vauxhall should engage him, for he is really very adroit; a critic in the pit seemed highly delighted, repeatedly vociferating "bravo, Brown." Admiral Brown, his lady and family were present.—On 1st inst. the opera of the *Barber of Seville*; *Angelita* was in fine voice: Vacani did not exert himself as he is accustomed to do. The Governor was in the State box, attended by Colonels Iriarte, Casteñon, &c.; his lady sat in an adjoining box; the lady of General Alvear was likewise present, and Generals Paz and Lavalle: some officers of the Brazilian schooner of war, and the charming Evadne, Medora, Hermione, and Penelope; the two latter sat together like lovely sisters;—Will they always appear thus interesting? Alas, time will too soon interpose, and then—

"All will be forgot,
All school days, friendship, childhood, innocence."

NOTICE.

HAVING entered into partnership with Mr. GEORGE W. SLACUM, and Mr. DUNCAN MAGNAN, of this city, the business hitherto carried on in my name as successor to Stewart, McCall & Co. will henceforward be continued under the firm of GOWLAND, SLACUM & Co. DANIEL GOWLAND.

WANTED,

A RESPECTABLE English Clerk, who understands book keeping, and writes a good hand; good references as to character will be required. Applications in writing to No. 73, calle de la Piedad, will be attended to.

PRICE OF SPECIE.

Doublings, 34 dollars each.—Since our last quotation they have gradually declined, and still expected to do so; the transactions during the week have been chiefly confined to completing a few contracts.
Spanish and Patriot Dollars, 100 & 110 per cent. prem.—Demand regular.
Gold in bars, 20 quilates, 11 & 13 rials per quilate.—But little doing.
Silver in do. 11 dineros, 11½ & 12½ rials per dinero.—But little doing.
Six per ct. Stock, 50 dollars.—Little doing.
Bank Shares, 175 & 180 dolls. each.—Rather more inquiry.
Exchange on England, 24d. per dollar nom.—Nothing done since the sailing of the last Packet.
Do. on Monte Video, 90 & 95 per cent. prem.—Demand limited.
Do. on Rio Janeiro, 40 per ct. prem. nominal.
Discount, 1½ & 2 per ct. per month.—Scarce.
Produce—But little doing.
Hides, ox, 3½ & 9½ dollars per peso.
Skins, matra, 4 & 4½ dollars per dozen.
Hair, horse, 5 & 5½ dolls. per arroba.
Manufactures and Brazil Produce—Still declining.