

Office of the Commissioners appointed by Act of Parliament, under the Convention with the United States of America.

GENERAL ORDER.

ORDERED, That, for the better Information of all concerned, the following Statements be published in the London Gazette, and in such other Manner as the Board shall direct.

1st That Claims were in due Time under the Act, that is, on or before the 1st Day of June 1804, presented to the Board, to the Amount of 5,408,766*l.* 6*s.* Sterling on the Merits of which Claims the Board were, after full Investigation, in the first place to decide; and having so decided, to distribute the 600,000*l.* under their Charge, in proportion to the Sums they had adjudged to be good.

2^{dly}. That besides a very great Number of interlocutory Resolutions and Orders, which the State of the Claims rendered absolutely necessary, many of them involving Questions on Points of leading Importance, and Details arising out of the Examinations of Documents or other Evidence in each particular Case, (such as with the Representations in pursuance of those Resolutions and Orders will be found to suggest sufficient Grounds for deciding, without much further Inquiry, many of those Cases in which Adjudications have not yet been given.) final Adjudications have been made by the Board, either on the whole or on Parts of Claims, to the Amount of 1,962,315*l.* 16*s.* 9*d.*

3^{dly}. That, of this Sum, Claims have been adjudged to be good to the Amount of 822,133*l.* 12*s.* 3*d.*; and on various Grounds rejected, disallowed, deducted, or struck off, to the Amount of 1,140,182*l.* 4*s.* 6*d.*

4^{thly}. That the Sums (comparatively of small Amount) which have been recovered by Claimants from their Debtors in America during the Investigation, chiefly by Means of Proceedings instituted or pursued in consequence of the General Orders of the Board, are included in the Sums which have been so deducted or struck off.

5^{thly}. That on the above Sum of 822,133*l.* 12*s.* 3*d.* adjudged to be good, Dividends have been paid, or are ready to be paid, to the Amount of Twenty per Cent. or One-fifth part of the above Sum.

6^{thly}. That although Losses have been unquestionably sustained by Subjects of His Majesty, as Creditors of Citizens or Inhabitants of the United States, from the Non-payment of Debts which were justly due to them at the Date of the Definitive Treaty of Peace in 1783, to a much greater Amount than even the large Sum for which Claims have come before the Board; yet the Investigation has shewn that much of that Loss was the necessary and unavoidable Consequence of the general Calamity, which, from the Ruin it had brought on Multitudes of those Debtors who were alive, and to be found at the End of the War, or the Confusion in which it had involved the Affairs of others who were dead, and whose Estates had fallen into the Hands of negligent, dishonest, or wasteful Administrators, would have prevented the Recovery of a great Proportion of those just Debts, though the ordinary Course of judicial Proceedings had gone on as before the War, that ordinary Course having at all Times there, as in other Countries, afforded to the Dishonest the Means,

or been inadequate to the Suppression of dilatory Litigation.

7^{thly}. That in the Application of such Principles of Construction as, on full Deliberation, the Board have themselves established, or adopted from the Decisions, on general Points of the Commission which sat at Philadelphia under the Treaty of 1794, (and they have adopted all the Decisions of that Board, except such of them as, in consequence of the United States being no longer a Party, are now inapplicable,) it has been the chief Business of the Board to draw from the Evidence adduced by Claimants, and every attainable Source of Information, particularly the Mass of Correspondence with Parties or Agents at the Time, which their Orders (in many Instances with great Difficulty) had brought before them, such Inferences as might lead to some satisfactory Conclusion in each particular Case, on the Question how far the Losses complained of ought to be imputed to the general Calamity; and how far to those direct or evasive Impediments of the Law which were created or suffered to exist in Breach of the 4th Article of the Treaty of Peace.

8^{thly}. That in the Exercise of those Powers of special Jurisdiction without Appeal, which the Act has conferred upon them, they have been impeded in a Manner which their Resolutions and Orders, both general and particular, have fully pointed out, to a Degree indeed much beyond even what their previous Knowledge of the Subject had led them to anticipate; but by those who truly desire that Justice shall as nearly as possible be attained, it will not in the End be Matter of Regret that, in a Business so complicated, and such as may eventually, to the Extent of Millions, involve more than even the important Interests of the Parties individually concerned; where Error too would be without Remedy; the Board have not been prevailed on to sacrifice the Duty of diligent Inquiry and Deliberation to that of Dispatch;—for although they are strongly impressed with a Sense of the Hardships which Claimants, so far as their Claims are just, have now so long sustained, and many Persons of Character are Parties before them, of whose fair Intentions they have never had Reason to entertain a Doubt; yet as the same Species of Scrutiny, though in different Degrees, has of course been applied to all, great Errors in Construction as well as Statement, and very gross Attempts, have been detected.

Lastly. That the Information, of which the Board are now possessed, seems sufficiently to warrant the Expectation that, notwithstanding the Mass of Matter which is still before them, they will be able (if no Obstructions take place, which they cannot foresee, and which they personally hope will not be the Case), to bring the whole Business to a Conclusion in the Course of about Two Years from the present Time, the divisible Fund bearing Interest in the meanwhile; as by virtue of an Act, which has been passed in the present Session of Parliament, empowering the Board to withdraw from the Bank, and lay out in the Purchase of Exchequer Bills, as much of the Fund as they should think proper, they have so withdrawn and laid out 416,040*l.* 15*s.* 1*d.* which, in consequence of recent Payments, leaves only a small Balance in the Bank; and they will endeavour to discharge that additional Trust to the best Advantage.