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A GENERAL
COLLECTION
OF

TREATYS of Peace and Commerce,
Manifestos, Declarations of War, and other
Publick Papers, from the End of the Reign of
Queen ANNE to the Year 1731.

VOL. IV. Containing

- Several Treatys betwixt King George I. and the Emperor, 1715, 1716, 1718.
- His Treatys with France, Spain, and Holland, 1715, 1717, 1721.
- The Quadruple Alliance betwixt the Emperor, France, England, and Holland; 1718.
- Treaty betwixt King George as Elector of Hannover, and the Queen of Sweden, in relation to Bremen and Verden, 1719.
- Treaty at Hannover betwixt Great Britain, France, and Prussia, 1725. With some Articles relating to Thorn.
- Treaty betwixt King George II. and the Duke of Wolfenbuttle, 1727.
- Several Papers relating to Don Carlos's Succession to Tuscany, &c. 1724, 1728, 1731.
- Treaty at Seville between Great Britain, France, and Spain; 1729.
- Two Treatys at Vienna between the Emperor, Great Britain, and Holland, 1731.
- With many others, to be seen in the Contents.
- Also,
A Supplement of Treatys, &c. omitted in the preceding Volumes: particularly,
King Charles II's Declaration of War against Holland, 1672. With the Answer of the States General thereto.
Treaty betwixt Queen Anne and the House of Lunenburgh, 1702.
Her Treaty of Commerce with Portugal, 1703.
Her Declaration in favour of the Catalans, 1705.
King George the First's, and the French King's Declarations of War against Spain, 1718, 1719.
Treatys at Vienna between the Emperor and Spain, 1725.
With divers more.

To which is subjoin'd,

A Compleat List of all the Treatys and publick Papers in these 4 Volumes, in an exact Chronological Order.

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Printed for J. J. and P. KNAPTON, J. DARBY, D. MIDWINTER and A. WARD, A. BETTESWORTH and C. HITCH, J. PEMBERTON, J. OSBORN and T. LONGMAN, C. RIVINGTON, F. CLAY, J. BATLEY, R. HETT, and T. HATCHETT. M.DCC.XXXII.



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B E T W E E N

Charles VI. Emperor of the Romans, and Catholick King of Spain, on the one Part, and George King of Great Britain, and the Lords the States General of the United Provinces of the Netherlands, on the other Part;

F O R T H E

Entire Restitution of the Spanish Netherlands to his Imperial and Catholick Majesty; with the Reserve of a strong and solid Barrier to the said Netherlands in favour of their High Mightinesses; as also of the yearly Payment of several great Sums, as well for the maintenance of the said Barrier, as for the Reimbursement of those which were due to them before. Made at Antwerp, the 15th of November 1715. Together with a separate Article relating to Mortgages of the same Date, and Forms of the Oaths to be taken by the Governors of Places, Full Powers and Ratifications.

FOrasmuch as it pleas'd the Almighty to restore Peace some time ago to *Europe*, and as nothing is more desirable and necessary than as far as possible to re-establish and secure the common and publick Safety and Tranquillity; and whereas the Lords the States General of the *United Provinces* have engag'd to remit the *Netherlands* to his Imperial and Catholick Majesty *Charles*

2 *Treaty between the Emperor, England, &c.*

VI. as it was stipulated and agreed by the Treaty made at the *Hague* the 7th of *September* 1701, between his Imperial Majesty *Leopold* of glorious Memory, his *Britannick* Majesty *William III.* also of glorious Memory, and the said States General, that the said Potentates should agree upon what related to their reciprocal Interests; particularly with respect to the manner of establishing the Security of the *Netherlands*, to serve as a Barrier to *Great Britain* and the *United Provinces*, and with respect to the Commerce of the Inhabitants of *Great Britain* and the *United Provinces*. And whereas at present, his Imperial and Catholick Majesty *Charles VI.* to whom the said *Netherlands* shall be remitted by this Treaty, his *Britannick* Majesty King *George*, both at this time reigning, and the lawful Heirs and Successors of the said Emperor and King, and the States General of the *United Provinces*, acting therein by the same Principles of Friendship, and with the same Intention, to procure and establish the said mutual Security, and the more to confirm a strict Union, have for that end nam'd, commission'd and appointed for their Ministers Plenipotentiaries, viz. his Imperial and Catholick Majesty, the Sieur *Joseph Lotharius* Count de *Konigsegg* his Chamberlain, Counsellor of War, and Lieutenant General of his Armys: His *Britannick* Majesty *William Cadogan* Esq; his Envoy Extraordinary to their High Mightinesses the States General of the *United Provinces*, Member of the Parliament of *Great Britain*, Master of the Wardrobe, Lieutenant General of his Armys, and Colonel of the second Regiment of his Guards: And the States General Messieurs *Bruno Vander Dussen*, late Burgomaster, Senator and Counsellor, Pensionary of the City of *Gouda*, Assessor in the Councils of *Hemstrades de Schieland*, *Dykegrave* of *Crimpenerwaerde*; *Adolphus Henry*, Count de *Rechteren*, Lord of *Almelo* and *Vrieseeven*, &c. President of the Lords the States of the Province of *Overyssel*, and *Drossart* of the Quarter of *Zealand*; *Scato de Gockinga*, Senator of the City of *Groningen*, and *Adrian de Borsselle*, Lord of *Geldermassen*, &c. Senator of the City of *Flushing*; the three first Deputys of the Assembly of the Lords the States General, on the part of the Provinces of *Holland* and *Westfriseland*, *Overyssel*, *Groningen* and *Omlands*, and the fourth, Deputy of the Council of State of the *United Provinces*. Who being assembled in the City of *Antwerp*, which by common Consent had been nam'd for the Place of Congress, and having

having exchange'd their full Powers, Copies whereof are inserted at the end of this Treaty, after many Conferences, have agreed for, and in the name of his Imperial and Catholick Majesty, his *Britannick* Majesty, and the Lords the States General, in the manner as follows.

I. The States General of the *United Provinces*, immediately after the Exchange of the Ratifications of the present Treaty, shall by virtue of the Grand Alliance in 1701, and of the Engagements they have enter'd into since, remit to his Imperial and Catholick Majesty all the Provinces and Towns of the *Netherlands*, with their Dependencys, as well those which were possessed by the late King of *Spain*, *Charles II.* of glorious Memory, as those which were lately given up by his late Majesty the most Christian King also of glorious Memory; which Provinces and Towns together, as well those that are remitted by this present Treaty, as those which were remitted before, shall hereafter be and compose in whole or in part, but one undividable, unalienable and unchangeable Domain, which shall be inseparable from the Estates of the House of *Austria* in *Germany*, to be enjoy'd by his Imperial and Catholick Majesty, his Heirs and Successors, in full and irrevokable Sovereignty and Propriety; that is to say, with respect to the former, as they were enjoy'd or ought to have been enjoy'd by the late King *Charles II.* of glorious Memory, pursuant to the Treaty of *Ryswick*; and with respect to the latter, in the same manner, and upon the same Conditions as they were surrender'd up, and remitted to the Lords the States General by the late most Christian King of glorious Memory, in favour of the most august House of *Austria*, and without any other Charges, Mortgages or Engagements, which may have been constituted on the part of the States General, and to their Profit.

II. His Imperial and Catholick Majesty promises and engages, that no Province, City, Place, Fortrefs or Territory of the said *Netherlands* shall be surrender'd, transfer'd, granted or descend to the Crown of *France*, nor to any Prince or Princess of the House and Line of *France*, nor to any other who shall not be the Successor, Heir and Possessor of the Dominions of the House of *Austria* in *Germany*, either by Donation, Sale, Exchange, Marriage-Contract, Inheritance, Testamentary Succession, or *ab intestato*, or upon any other Title or Pretext whatsoever. So that not

4 *Treaty between the Emperor, England, &c.*

any Province, City, Place, Fortrefs or Territory of the said *Netherlands*, shall ever be subject to any other Prince than the Successors of the said House of *Austria*; only excepting what was formerly yielded to the King of *Prussia*, and what shall be given up by the present Treaty to the said Lords the States General.

III. Whereas the Safety of the *Austrian Netherlands* will chiefly depend upon the number of Troops that may be kept in the said *Netherlands*, and Places that are to form the Barrier which has been promis'd to the Lords the States General by the grand Alliance, his Imperial and Catholick Majesty, and their High Mightinesses have agreed constantly to maintain therein at their own Expence a Body of from 30 to 35000, whereof his Imperial and Catholick Majesty shall provide three *fifths*, and the States General two *fifths*. Provided always, that if his Imperial and Catholick Majesty shall diminish his Quota, it shall be in the Power of the said States General, to lessen theirs in proportion: And when there is any Appearance of War or Attack, the said Body shall be augmented to 40000 Men, according to the same Proportion; and in case of actual War a farther Force shall be agreed upon, according as shall be found necessary. The Repartition of the said Troops in time of Peace, for as much as concerns the Places committed to the Guard of the Troops of their High Mightinesses, shall be made by them only, and the Repartition of the rest by the Governour of the *Netherlands*, by imparting reciprocally to each other the Dispositions they shall have made.

IV. His Imperial and Catholick Majesty grants to the States General a privative or separate Garison of their own Troops in the Towns and Castles of *Namur* and *Tournay*, and in the Towns of *Menin*, *Furnes*, *Warneton*, *Tpres* and *Fort Knoque*; and the States General engage themselves not to employ any Troops in the said Places, which altho in their own Pay belong to any Prince or Nation that may be at War with, or suspected to be in Engagements contrary to the Interests of his Imperial and Catholick Majesty.

V. 'Tis agreed, that in the Town of *Dendermond* there shall be a common Garison which shall be compos'd for the present of one Batallion of Imperial Troops, and one Batallion of the Troops of the States General; and that if

hereafter it shou'd be necessary to augment the said Garison,

son, such Augmentations shall be made equally by the Troops of both Partys, and by mutual Concert. The Governour shall be put in by his Imperial and Catholick Majesty, and, together with the Subaltern Officers, shall take an Oath to the States General, never to do or suffer any thing to be done in the said Town, which may be prejudicial to their Service, with respect to the Preservation of the Town and Garison: and he shall be oblig'd by the said Oath to grant free Passage to their Troops always, and as often as they shall desire; provided it be demanded beforehand, and that it be for a moderate Number at a time.

VI. His Imperial and Catholick Majesty consents also, that in the Places hereby granted to the States General to hold their separate Garisons in, they may place such Governours, Commanders, and other Officers that compose the State Major as they shall think fit, on condition that they shall be no Charge to his Imperial and Catholick Majesty, nor to the Provinces and Towns, unless it be for convenient Lodging, and the Emoluments accruing from the Fortifications, and that they be not Persons who may be disagreeable or suspected to his Majesty, for particular Reasons that may be given.

VII. Which Governours, Commanders and Officers shall be entirely and separately dependent on and subject to the sole Orders and Jurisdiction of the States General, for all that concerns the Defence, Guard, Security, and all other military Affairs of their Places. But the said Governours, as well as their Subalterns, shall be oblig'd to take an Oath to his Imperial and Catholick Majesty, to keep the said Places true to the Sovereignty of the House of *Austria*, and not to intermeddle in any other Affairs, according to the Form that is agreed upon and inserted at the end of this Treaty.

VIII. The Generals shall give to one another reciprocally, as well in the Towns where his Imperial and Catholick Majesty has a Garison, as in those intrusted to the Guard of the Troops of their High Mightinesses the States General, the Honours usually paid according to their Character, and the Nature of their Service; and in case the Governour General of the *Netherlands* come into Places committed to the Guard of their High Mightinesses, the same Honours shall be paid to him which he usually receives in the Places garison'd by the Troops of his Imperial and Catholick Majesty; and he shall even give the Word there:

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but all this without prejudice to the Sixth Article. And the Governours, or in their absence the Commanders, shall give notice to the said Governour General of the Dispositions by them made for the Security and Guard of the Places committed to their Care; and they shall have a due Regard for the Changes which the said Governour General shall judge proper to make.

IX. His Imperial Catholick Majesty grants to the Troops of the States General, wherever they are in Garison, the free Exercise of their Religion, so as to be in particular places convenient and proportionable to the number of the Garison, which the Magistrates shall assign and maintain in every Town and Place where there has been none assign'd already, and to which Places no external Mark of a Church shall be given: And it shall be strictly enjoyn'd by both Partys to the Civil and Military Officers, as also to Ecclesiasticks, and all others concerned, to hinder all Occasion of Scandal and Controversys that may arise upon the Subject of Religion; and when any Dispute or Difficulty shall happen, both Partys shall amicably accommodate it. And as for Religion, with regard to the Inhabitants of the *Austrian Netherlands*, all things shall continue and remain on the same Foot they were during the Reign of *Charles II.* of glorious Memory.

X. All the Ammunition, Artillery and Arms of the States General, as also Materials for the Fortifications, Corn in time of Scarcity, Provisions to put into the Magazines when there is an Appearance of War; and moreover, the Cloth and Furniture for clothing the Soldiers, which shall be certified to be design'd for that use, shall pass freely and without paying any Customs or Tolls, by virtue of Passports which shall be demanded and granted, upon the Specification sign'd; on condition nevertheless, that at the first Custom-house of his Imperial and Catholick Majesty where the said Provisions, Materials, Arms and Mountings shall enter, and at the Place where they are to be unladen, the Boats and other Carriages may be duly visited, to hinder the Mixture of other Merchandize therewith, and to prevent Fraud and Abuse; against which it shall be always lawful to take such Precautions, as Length of Time and Experience shall shew to be necessary: and the Governours and their Subalterns shall not be permitted in any manner *whatsoever*, to hinder the Effect of this Article.

XI. The States General may change their Garisons, and the Disposition of the Troops in the Towns and Places committed to their particular Guard, according as they shall judge proper, and no body shall on any pretence whatsoever hinder or stop the Passage of the Troops, which they shall from time to time send thither, or draw from thence. And the said Troops may even, in case it be requir'd, pass thro' all the Towns of *Brabant* and *Flanders*, and thro' all the open Country, and make Bridges as well over the Canal betwixt *Bruges* and *Ghent*, as over all other Canals and Rivers which they shall find in their Road; on condition nevertheless that they shall be the Troops of a Prince or Nation not in War with his Imperial and Catholick Majesty, nor suspected to be in any Engagement or League contrary to his Interests, as is said above in the fourth Article, and that Notice shall be given of it beforehand, and Request made to the Governour General of the *Netherlands*, with whom the Routes and other Affairs shall be regulated, by some Person who shall have their High Mightinesses Commission. The Regulation made by the States General for the Passage of the Troops, shall be observ'd here as it is observ'd in their own Country: And the States General shall observe to make the said Change of Garisons, as well as the Dispositions necessary to it, with as little Charge and Inconveniency as possible to the Inhabitants.

XII. Forasmuch as the common Safety demands in Time of War, or in imminent Danger of War, that the States General shou'd send their Troops to Places that are most expos'd to the Danger of being attack'd or surpriz'd, 'tis agreed between his Imperial and Catholick Majesty and the States General, that their Troops shall be receiv'd into the said Places, as far as shall be necessary for their Defense, when it shall be evidently the Case; always provided, that this be done by Agreement and Concert with the Governour General of the *Netherlands*.

XIII. The States General may at their own Cost and Expence, cause the said Towns and Places to be fortify'd, either by new Works, or by causing the old to be repair'd, and maintain them, and generally provide all that they shall find necessary for the Security and Defense of the said Towns and Places; excepting that they shall not cause new Fortifications to be built, without giving notice of it *beforehand* to the Governour General of the *Netherlands*.

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lands, and having his Opinion and Advice thereupon, nor bring the Charges thereof to the Account of his Imperial and Catholick Majesty, or the Country, without his said Majesty's Consent.

XIV. For the Security of the Communication between the *United Provinces*, and the Places of the Barrier, his Imperial and Catholick Majesty shall take care so to order it, that the Letters and Messengers, as well ordinary as extraordinary, may pass freely to and from the Towns and Places of the Barrier, and those of other Countrys; on condition that the said Messengers carry no Letters or Packets for Merchants, or other private Persons, which as well for the Places of the Barrier, as for all other Countrys shall be put in at the Post-Offices of his Imperial and Catholick Majesty.

XV. As for the Artillery, Magazines and military Provisions which their High Mightinesses have in the Towns and Places which they remit to his Imperial and Catholick Majesty, they shall be allow'd to carry them out without any Hindrance, and without paying any Customs or Tolls, as well those which they brought thither themselves, as the Artillery mark'd with their Arms, and lost in the late War, or otherwise belonging to them, and found in the said Places when taken; unless his Imperial and Catholick Majesty desire to take the said Artillery and Ammunition upon his own account, and agree with their High Mightinesses for the Price, before the Places are surrender'd. And as for the Artillery and Ammunition at this time in the Places committed to the Guard of the Troops of the States General, they shall be left to their keeping and direction, according to the Inventories that shall be drawn up and sign'd on both sides, before the Exchange of the Ratifications of the present Treaty; but they shall not be transported elsewhere without common Consent, and the Property shall remain to his Imperial and Catholick Majesty, for as much as they are found in the said Places at the time of their Cession or Surrender.

XVI. In case the Provinces of the *Austrian Netherlands* be attack'd, and it happen (which God forbid) that the Enemy's Forces shou'd enter *Brabant*, to act there, and lay Siege to any Place in the said Province, or any of those that form the Barrier, their High Mightinesses shall be permitted to cause their Troops to enter and take Post in the Towns and Places on the *Demer* from the *Schelde* to
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the *Maeſe*, as alſo to make Retrenchments, Lines and Inundations there, as much as the Circumſtances of the War ſhall require, to hinder the farther Progreſs of the Enemy; provided the whole be done in concert with the Governour General of the *Netherlands*.

XVII. As it appears by the Experience of the laſt War, that for ſecuring the Frontiers of the States General in *Flanders*, it was neceſſary to leave ſo many conſiderable Bodies of Troops there, that the Army was thereby very much weaken'd: To prevent this Inconvenience, and the better to ſecure the ſaid Frontiers for the future, his Imperial and Catholick Maſteſty yields to the States General ſuch Forts, and as much of the Territory of the *Auſtrian Flanders* bordering upon the ſaid Frontiers, as they ſhall want to make the neceſſary Inundations, and for covering them from the *Schelde* to the Sea, in places where they are not already ſufficiently ſecur'd, and where they cannot be ſecur'd by making Inundations upon thoſe Lands only that already belong to the States General.

For this purpoſe his Imperial and Catholick Maſteſty agrees and approves, that the Limits of the States General in *Flanders* ſhall hereafter begin at the Sea between *Blankenberg* and *Heyſt*, at the place where there are no Downs; provided they do not cauſe or permit any Villages or Houſes to be built near that Poſt, nor ſuffer Fiſhermen to ſettle there, nor make any Sluices to the Sea there.

And their High Mightineſſes promiſe moreover, that if they think fit to cauſe any Fortifications to be built at the Head of their new Limits, they will take care not to weaken the Dyke; and they will not only defray the extraordinary expences that may be incur'd on account of the ſaid Fortifications, but will alſo indemnify the Inhabitants of the *Auſtrian Netherlands* from all Loſſes they may ſuſtain, in caſe the Sea comes to make Inundations thro' the ſaid Fortifications.

There ſhall be drawn from the Poſt abovenam'd a direct Line to *Grootewege*, from whence the Line ſhall be continued towards *Heyſt*, and from *Heyſt* it ſhall go to the *Drie-boeck* and *Swarte-fluice*, from thence to Fort *St. Donas*, which his Imperial and Catholick Maſteſty yields in full Propriety and Sovereignty to their High Mightineſſes, (provided the Gates of the Sluices of the ſaid Fort be left open in time of Peace;) and in like manner he gives up
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the Land situate on the North side of the abovemention'd Line.

From Fort *St. Donas*, the new Limits of the States General shall extend to Fort *St. Job*, from whence they shall fall in with the old ones near the Town of *Middleburg*; which Limits shall be continu'd along the *Zydelings Dyke*, as far as the Place where the *Eckelose Watercourse* and the *Water-loop* meet at a Sluice.

After this the Limits shall run from the *Graaf-Jaans Dyke* to the Village of *Bouchout*, (the Proprietors of whose Sluices are permitted to place them where they were before) and from *Bouchout* the Line shall be continu'd strait forward to the antient Limits of the States General.

His Imperial and Catholick Majesty gives up also, in full and entire Sovereignty to the States General, the Territory situate on the North side of the Line.

And in regard it is necessary for their intire Security, that the Inundation be continued from *Bouchout*, as far as the Canal of *Sas van Ghent*, along the *Graaf-Jaans Dyke*, their High Mightinesses shall be permitted in time of War to take possession of, and fortify all the Sluices that they shall find in the *Graaf-Jaans Dyke*, and the *Zydelings Dyke*.

As for the Town of *Sas van Ghent*, the Limits shall be extended to the Distance of two thousand Geometrical Paces; provided that no Villages be included in that Space.

And for the Preservation of the Lower *Schelde*, and the Communication between *Brabant* and *Dutch Flanders*, his Imperial and Catholick Majesty gives up to the States General the full and entire Property and Sovereignty of the Village and *Polder* of *Doel*, together with the *Polders* of *St. Anne* and *Ketenisse*.

And whereas in Time of War it will be necessary for the better Security to make Inundations thro' the Sluices, between the Forts of the *Meer* and the *Perle*, his Imperial and Catholick Majesty shall as soon as the Barrier is attack'd, or a War begun, remit the Guard of the *Perle Fort*, and the Sluices, to their High Mightinesses; provided that as soon as the War is over, their High Mightinesses shall restore the said Sluices and Fort to his Imperial and Catholick Majesty, together with those which they shall in that time have taken possession of on the *Graaf-Jaans Dyke* and *Zydelings Dyke*. The States General shall not make

make any Inundation in time of Peace, and when they find themselves oblig'd to make any in time of War, they shall give previous Notice of it to the Governour General of the *Netherlands*, and concert the Affair with the Generals that command the Armys in the *Netherlands*: Promising moreover, that if upon occasion of the giving up to them some Sluices (whereof the Inhabitants of the *Austrian Flanders* shall retain the free Use in time of Peace) they shou'd happen to suffer any Damage or Prejudice, either from the Commanders, or other military Officers, the States General shall not only remedy it immediately, but shall also give Satisfaction to those concern'd.

And because by this new Situation of the Limits, it will be necessary to alter the Toll-houses, for preventing Frauds, which is a Case wherein his Imperial and Catholick Majesty, and their High Mightinesses are equally concern'd, the Places shall be agreed on for establishing the said Offices, and for such farther Precautions as it shall be thought convenient to take.

It is moreover stipulated by this Article, that a just Valuation shall be made before the Ratification of the present Treaty of the Revenues arising to the Sovereign, from the Lands which shall be yielded to their High Mightinesses by this Article, as also of what Profit accrued to the Sovereign, by the renewing of Grants on the Foot that they were agreed to for thirty Years last past, to be deducted and set off from the annual Subsidy of 500000 Crowns.

And the Roman Catholick Religion shall be preserv'd and maintain'd in the Places given up as above, on the same footing as it is now, and was exercis'd in the Reign of King *Charles II.* of glorious Memory; and all the Privileges of the Inhabitants shall be preserv'd and maintain'd in like manner.

The Fort of *Rodenbuysen* shall be raz'd, and the Differences touching the Canal of *Bruges* shall be refer'd to the Decision of neutral Arbitrators chose by both Partys; provided that by the giving up of the Fort of *St. Donas* the People of the Town of *Sluys* shall not have more right upon that Canal, than they had before that place was yielded up.

XVIII. His Imperial and Catholick Majesty yields to their High Mightinesses the States General for ever, in full Sovereignty and Propriety, the Town of *Vento* in the upper

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upper Quarter of *Guelderland*, with its Precinct and Jurisdiction, and the Fort of *St. Michael*, and moreover the Fort of *Stevenswaert* with its Territory or Jurisdiction; as also as much Land as shall be necessary to augment their Fortifications on this side the *Maese*: And his said Majesty promises, that he will never cause to be built, or permit any other to build any Fortification of what Name soever, within the distance of half a League from the said Forts. Moreover, his Imperial and Catholick Majesty gives up to the States General the Ammanic of *Montfort*, consisting (with exception to the Villages of *Swalmt* and *Elmt*, which he reserves to himself) of the little Towns of *Nieustadt* and *Echt*, with the following Villages, *viz. Obe* and *Lack*, *Roosteren*, *Braght*, *Beesel*, *Belsen*, *Vlodorp*, *Postert*, *Berg*, *Lin*, and *Montfort*, to be possess'd by the said States General in the manner as they were enjoy'd by his Majesty King *Charles II.* of glorious Memory, with the Prefectures, Burghs, Fiefs, Lands, Funds, Quitrents, Revenues, Tolls, of what nature soever, Subsidies, Contributions and Collections, Fealties, Demesnes, and others whatsoever belonging to the said Places given up as aforesaid. The whole however without prejudice to, and saving all the Rights which may belong to the King of *Prussia*, &c. and notwithstanding all Exceptions, Pretensions or Cavils already made, or that may hereafter be form'd to disturb the States General in the peaceable possession of the Places yielded up by the present Article; all Compacts, Conventions or Dispositions contrary to the present Article, being deem'd null and void.

Provided, and be it understood, that this Surrender is made with this express Clause, that the Statutes, antient Customs, and, in general, all Privileges Civil and Ecclesiastical, as well with regard to the Magistrates and private Persons, as to the Churches, Convents, Monasteries, Schools, Seminaries, Hospitals, and other publick Places, with all their Appurtenances and Dependencys, as also the Diocesan Right of Bishop of the *Ruremonde*, and in general every thing that concerns the Rights, Libertys, Immunities, Functions, Usages, Ceremonys, and the Exercise of the Catholick Religion, shall be preserv'd and subsist without any Charge or Innovation, either directly or indirectly, in all the Places yielded as above, in the same manner as in the Time of King *Charles II.* of glorious Memory, and as it shall be explain'd on both sides more fully, in case

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any Dispute happens on that account; and the Offices of the Magistracy and the Police, shall be given to none but Persons of the Catholick Religion.

The Right of Collation to Benefices, which has been hitherto in the Sovereign, shall hereafter belong to the Bishop of *Ruremonde*; on condition that the said Benefices shall not be given to Persons disagreeable to the States General, for particular Reasons that may be alledg'd.

'Tis also stipulated, that the States General shall not pretend to have acquir'd by the Cession of the Town of *Echt*, any Right of Judicature or Appeal, with respect to the Chapter of *Tborn*, or other Lands of the Empire; and it shall be free for his Imperial and Catholick Majesty to nominate such Place as he shall think fit for the said Judicature or Appeal.

And because the Inhabitants of that part of the upper Quarter which is hereby surrender'd, can no longer carry their Process, in case of Appeal, to the Court of *Ruremonde*, it shall be free for their High Mightinesses to establish a Court of Appeal for their Subjects, in what part of the Province they think fit.

'Tis moreover agreed, That all the Dutys on Import and Export, which are levied along the *Maese*, shall not be increas'd or lessen'd, in the whole or in part, but by common Consent; of which Dutys his Imperial and Catholick Majesty shall receive to his own Profit those which are collected at *Ruremonde* and *Navaigne*, and the Lords the States General those which are paid at *Venlo*; and forasmuch as the said Duties upon the *Maese* in general, as also those upon the *Schelde* by way of Subsidy, are appropriated to the Payment of two distinct Annuities, *viz.* one of 80000 Florins a Year, and another of 70000, by virtue of a Transaction pass'd and concluded the 26th of *December* 1687, with his late Majesty of Great Britain King *William III.* 'tis agreed that their High Mightinesses, by reason of the Cession abovemention'd, shall give a yearly Supply to his Imperial and Catholick Majesty in the payment of the said Annuitys and other Debts, which may be there mortgag'd, in proportion to the Produce of the Duties of Import and Export which they shall receive, the whole according to the very Constitutions of the said Annuitys.

And as for the Debts contracted and constituted upon the Generality of the upper Quarter of *Guelderland*, the States General shall concur in the Payment thereof, for so much

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much as is their Quota, according to the proportion set forth in the Matricula of all the said upper Quarter. All the Documents and Papers which concern the upper Quarter of *Guelderland* shall remain as heretofore in the Archives of *Ruremonde*. But 'tis agreed, that an Inventory or Register of them shall be form'd at the meeting of Commissarys from his Imperial and Catholick Majesty, his Majesty of *Prussia*, and the Lords the States General; and an authentick Copy of the said Inventory shall be given to each of those three Powers, that they may always have free Access to all the Papers and Documents, whereof they may have occasion, for the Part which they severally possess in the said upper Quarter of *Guelderland*; and an authentick Copy of such Papers shall be deliver'd to them on the first Demand.

XIX. In consideration of the great Charge and extraordinary Expence which the States General are unavoidably oblig'd to be at, as well for maintaining the great number of Troops which they are engag'd by the present Treaty to keep in the Towns above nam'd, as for supplying the great Sums absolutely necessary for the maintenance and repair of the Fortifications of the said Places, and for furnishing them with Ammunition and Provisions, his Imperial and Catholick Majesty engages and promises to cause to be annually paid to the States General, the Sum of 500000 Crowns, or 1250000 Florins *Dutch* Money, over and above the Revenue of the Part of the upper Quarter of *Guelderland*, given up by his Imperial and Catholick Majesty in Propriety to the States General by the 18th Article of the present Treaty, as also over and above the Cost of lodging the Troops, according to the Regulation made in the Year 1698, in the manner as shall be particularly agreed upon: which Sum of 500000 Crowns, or 1250000 Florins *Dutch* Money, shall be secur'd and mortgag'd, as it is by this Article secur'd and mortgag'd upon all the Revenues of the *Austrian Netherlands* in general, including therein the Countrys yielded up by *France*; and in particular upon the cleare neat Revenues of the Provinces of *Brabant* and *Flanders*, and of the Countrys, Towns, Chatellanyes and Dependencys yield'd up by *France*, according as 'tis more particularly specify'd by a separate Article, as well for the said Mortgage, as for the Means and Terms of receiving the said Sums.

And the said Payment of the Subsidy of 500000 Crowns, or 1250000 Florins *Dutch* Money, shall commence from
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the Day of the signing of the present Treaty; from which shall be deducted the Revenues of the Towns, Chatellanyes and Dependencys yielded by *France*, in proportion to the Term elaps'd from the said Day, till the Day on which the said Countrys shall be remitted to his Imperial and Catholick Majesty, in proportion to what the States General shall receive.

XX. His Imperial and Catholick Majesty by this Article confirms and ratifies the Capitulations granted to the Provinces and Towns of the *Netherlands*, heretofore call'd *Spanish*, at the time of their Reduction to the Obedience of his said Majesty, together with the general Administration of the said Country therein, exercis'd by *Great Britain*, and the States General of the *United Provinces*, the lawful Sovereign having been represented by their Ministers who resided at *Brussels*, and by the Council of State commission'd to the general Government of the said *Netherlands*, in pursuance of the Power and Instructions that were given them, and of the Requests that were made on the part of the two Powers, as well in matters of Regale, Justice and Police, as of the Finances; as also the particular Administration of the States, Provinces, Colleges, Towns and Communitys in the open Country, as also of the Sovereign Courts of Justice, and the other subaltern Courts and Judges.

Which Acts of Police, Regale, Justice, and the Finances, shall subsist and have their full and entire effect, according to the Tenor of the said Acts, and Sentences pass'd: The whole in the same manner, as if they had been done by the lawful Sovereign of the Country, and under his Government.

XXI. Every thing that is compris'd in the foregoing Article shall also be observ'd, ratify'd and maintain'd on the part of his Imperial and Catholick Majesty, with respect to the upper Quarter of *Guelderland*, and the Countrys conquer'd from *France* (of which King *Charles II.* of glorious Memory was not in possession at his Decease) for all the Dispositions made in the Name, and on the part of the States General of the *United Provinces*.

And as for what concerns Ecclesiastical Benefices and Dignitys, those who have been prefer'd to them, and are now in Possession, shall not be displac'd; and those who are not yet in Possession, shall be admitted to them without any Opposition, but by the ways, and in the Order of
Justice,

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Justice, according to the Laws and Customs of the Country.

XXII. His Imperial and Catholick Majesty acknowledges, and promises to satisfy the Obligations enter'd into by his Catholick Majesty *Charles II.* of glorious Memory, for the Levys of Money which their High Mightinesses caus'd to be negotiated for his said Majesty, a List whereof is subjoin'd to this Article: and as there have not yet been remitted to the States General the Obligations of the *Spanish Netherlands*, for the Sum of 200000 Florins a Year, for Payment of the Interest and reimbursing the Principal of 1400000 Florins taken up at Interest in the Year 1698, to be employ'd on the necessary Occasions of the Frontiers of the said *Spanish Netherlands*, and four Years Interest amounting to the Sum of 224000 Florins, wherewith the said Capital of 1400000 Florins is increas'd; which Obligations the said King *Charles II.* of glorious Memory, promis'd to cause to be given, tho they were not; his Imperial and Catholick Majesty promises hereby to cause the Obligations to be given by the States of the Provinces of the said *Netherlands*, and immediately after to be deliver'd to the said States General according to the Tenour of the said Obligation of his Catholick Majesty of the 30th of *May* 1698. at the first meeting of the States, or at farthest within the Term of two Months after the Exchange of the Ratifications of this Treaty.

A List of the several Sums negotiated by the States General, at the request of his Catholick Majesty Charles II. of glorious Memory.

	<i>Florins.</i>
1. THE first Advance was of a Million five hundred seventy five thousand Florins, at five <i>per Cent.</i> on the Dutys of Import and Export by Sea, made by an Act of <i>December</i> 13, 1690. ————	1575000
2. Upon the same Fund, at five <i>per Cent.</i> rais'd by an Act of <i>March</i> 21, 1691. ————	525000
	3. At

	Florins.
3. At five <i>per Cent.</i> also upon the Revenues of the upper Quarter of <i>Guelderland</i> , by an Act of <i>Jan. 15, 1692.</i> ————	567000
4. and 5. At six <i>per Cent.</i> upon the Import and Export, pursuant to two Acts of the 4th and 22d of <i>May, 1693.</i> ————	700000
6. At five <i>per Cent.</i> upon the same Fund, raised the 11th of <i>April, 1695.</i> ————	665000
7. At five <i>per Cent.</i> upon the same Fund, raised by an Act of <i>Nov. 24, 1695.</i> ————	1440000
8, 9, 10. At five <i>per Cent.</i> upon the Revenues of the Province of <i>Namur</i> , and by way of Subsidy, on the Sea-Revenues, and the Domains of the Province of <i>Luxemburg</i> , by the several Acts of <i>Dec. 10, 1695. Sept. 12, 1696. and March 6, 1697,</i> amounting in all to ————	800000
11. At six <i>per Cent.</i> upon the Revenues of the Provosty of <i>Mons</i> , raised by an Act of <i>April 30, 1696.</i> ————	500000
12. The Sum of one Million and 400000 Florins at four <i>per Cent.</i> was rais'd upon the Subsidys of the Provinces of the <i>Netherlands</i> , upon the Remittances from <i>Spain</i> , and subsidiarily upon the Sea-Revenues. <i>Item, 224000</i> Florins for four Years Interest of the said Capital, conformably to the Tenor of the Obligation of the 30th of <i>May, 1698;</i> which both together make the Sum of ————	1624000
	Total 8396000

XXIII. In like manner his Imperial and Catholick Majesty acknowledges, approves, and confirms all Levys of Money (a List whereof is subjoin'd to this Article) which there have been occasion to make for things indispenfibly necessary for the Preservation of the *Spanish Netherlands*, and for the Maintenance of the Troops of his Imperial and Catholick Majesty, during the Provisional Government of *Great Britain*, and the States General of the *United Provinces*, and made by their High Mightinesses, in concert with her *Britannick* Majesty: His Imperial and Catholick Majesty promising to satisfy and cause the said *Negotiations* duly to be register'd in the Chambers of the

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Finances and Accompts, and to cause an Act thereof to be deliver'd to their High Mightinesses in Form, also to cause the Capital and Interests thereof, without Funds and Mortgages, as well Principal as Subsidiary, appropriated for that end, to be paid: And his Imperial and Catholick Majesty shall not, without Leave of the States General, make any Alteration in the Direction or Administration of the Mortgages, upon which Negotiations have been made, but shall leave the same to their High Mightinesses, conformably to the Tenor of the Obligations; and if those Funds are not sufficient, what is wanting shall be supply'd by the States of the Provinces of the said *Austrian Netherlands*.

A List of the Money negotiated during the Provisional Government of her Britannick Majesty and their High Mightinesses in the Netherlands.

Florins.

In 1707, 300000 Florins were advanc'd at five *per Cent.* Interest upon the Revenue of the Post-Office, to be lent to *Barcelona* for the King.

And 400000 Florins more, at five *per Cent.* upon the Customs of Import and Export in *Flanders*, for the Service of the Necessity of the *Netherlands*; the Interest of which 400000 Florins was settled on the Post-Office. —

700000

In *February* 1709, 250000 Florins were rais'd at five *per Cent.* upon the Sea-Dutys, to maintain the Imperial and *Palatine* Troops.

250000

In *May* 1709, a Sum of 500000 Florins was advanc'd at five *per Cent.* upon the same Conditions, on the same Funds, and for the same Use.

500000

In *August* the same Year, was also rais'd a Sum of ten hundred thousand Florins, on the same Conditions and Funds, and for the same Use.

1000000

Florins.

the Year 1710, a Sum of three hundred thousand Florins was negotiated at six <i>per Cent.</i> upon the Revenue of the Post-Office, to provide for the Charge of the <i>Imperial</i> and <i>Palatine</i> Troops, in the Service of his Imperial and Catholick Majesty.	300000
upon the Dutys of Import and Export in <i>Flanders</i> , at six <i>per Cent.</i> viz. five <i>per Cent.</i> on the Customs in <i>Flanders</i> , and one <i>per Cent.</i> on the Revenues of the Sea, to defray the Charges of the Imperial Troops.	400000
upon the same Funds, and at six <i>per Cent.</i> viz. five <i>per Cent.</i> on the Dutys of Import and Export in <i>Flanders</i> , and one <i>per Cent.</i> on the Revenues of the Sea, for the same Use.	300000
more upon the same Funds, at the same Interest, and for the same Use.	340625
upon the Sea Revenues at five <i>per Cent.</i> for the same Use.	300000
<i>March</i> 1711, upon the Revenues of the Post-Office, at six <i>per Cent.</i> for the same Use.	300000
<i>December</i> 1712, upon the Sea-Revenues at six <i>per Cent.</i> for the Necessities and Fortifications of <i>Mons</i> , <i>St. Ghislain</i> , and <i>Aeth</i> .	228330

taking together the Sum of 4618955. the Employment thereof, as also of the Sum of 550000 Florins, which the Governors of the Dutys of Export and Import in *Flanders*, sh'd by Bills of Exchange to the States General in 1715, of 100000 Florins which they receiv'd of the Return of the Medianaters, and of 105000 Florins (saving mistake in the Calculation) which they have receiv'd from the third Chamber of the Council of *Flanders*, has been receiv'd to the Plenipotentiary Minister of his Imperial and Catholick Majesty, in the manner as it is more particularly explain'd, by the Declaration subjoin'd to the Account of the Negotiations and Moneys furnish'd, and of the Employment thereof, sign'd upon the same Day.

XIV. A Liquidation of the Payment made of the Interest and Principal of the Loans, mention'd in the two foregoing Articles, shall be proceeded on as soon as possible, by which Liquidation nothing shall be brought to the Honour of their *High Mightinesses*, but what has been

actually and really paid, by virtue of the said Obligations; and on the part of his Imperial and Catholick Majesty, no Difficulty or pretence of Abatement or Diminution shall be made against the Payment of the said Interest, by reason of the Non-possession of the Securitys, Confiscation in Time of War, Depravation of the Mortgages, because of the Diminution of the Dutys of Export and Import, or for any other Cause or Pretext whatever. Neither shall his Imperial and Catholick Majesty discontinue Payment for the Recovery of the Interest or the Terms of Re-imbursment, by reason of this Liquidation, but the Payment shall be continued according to the Conditions of the Obligations, till it shall appear that all the Loans, and the Interests upon them be entirely acquitted and re-imburs'd; after which the Mortgages shall be duly discharg'd and restor'd.

XXV. Moreover, by the present Article are ratify'd and confirm'd all Contracts for Bread, Waggons, and the Forage of the Imperial and *Palatine* Troops, made by the Ministers of the Two Powers at *Brussels*, or by the Council of State commissioned for the Government of the *Netherlands*, at the Request of the said Ministers; and in like manner are confirm'd and ratify'd all the Payments already made for that purpose by the Council of the *Finances*, and the Orders given by the said Council for assigning the remainder of what is due for the said Bread, Forage and Waggons, upon the growing Dutys of the four Species, pursuant to the Request of the Council of State; and the said growing Dutys shall not be diverted to any other Uses, under any Pretence whatsoever, before the Undertakers who have deliver'd the said Bread, Forage, and Waggons, be intirely satisfy'd, according to the Tenour of their Contracts, pursuant to the Requests of the Ministers of the two Potentates, and to the Orders of the Council of State, and the Council of the *Finances*.

XXVI. As to Commerce it is agreed, that the Ships Merchandize and Commodities coming from *Great Britain* and the *United Provinces*, and entering into the *Austrian Netherlands*, and also the Ships, Merchandize and Commodities going from the said *Netherlands* to *Great Britain* and the *United Provinces*, shall pay no other Dutys of Importation or Exportation, than what are paid upon the present Foot, and particularly such as were regulated before the signing of the present Treaty, according to the Request made to the Council of State at *Brussels* by the Ministers

of the two Powers, dated the 6th of *November*: and so every thing shall remain, continue and subsist generally upon the same Foot, without any Alteration, Innovation, Diminution or Augmentation, under any pretence whatsoever, till his Imperial and Catholick Majesty, his *Britannick* Majesty, and the Lords the States General shall otherwise appoint by a Treaty of Commerce to be made as soon as possible. In the mean time, the Commerce, and all that depends on it between the Subjects of his Imperial and Catholick Majesty in the *Austrian Netherlands*; and those of the *United Provinces*, in the whole and in part, shall remain upon the Foot establish'd, and in the manner appointed by the Articles of the Treaty concerning Commerce, made at *Munster* the 30th of *January* 1648, between his Majesty King *Philip IV.* of glorious Memory, and the said Lords the States General of the *United Provinces*; which Articles are now confirm'd by the present Treaty.

XXVII. That the Fortifications and all the Works of the Citadel of *Liege*, as also those of the Castle of *Huy*, and all the Forts and Works shall be raz'd and demolish'd, so as never to be rebuilt or restor'd. Provided and be it understood, that the said Demolition shall be made at the Expence of the States of the Country of *Liege*, to whom the Materials shall remain, to be sold and transported elsewhere. The whole by the Order and under the Direction of the States General, who shall for that end send Persons capable of having the Direction of the said Demolitions, which shall be begun immediately after the Signing of the present Treaty, and shall be finish'd in three Months, or sooner if possible; and that in the mean time, the Garisons of the States General of the *United Provinces* shall not go out of the said Places before the Demolition is finish'd.

XXVIII. And for the further Security and Performance of the present Treaty, his *Britannick* Majesty promises and engages to confirm and guarantee it, in all its Points and Articles, as he does by these Presents accordingly confirm and enter into the Guaranty of it.

XXIX. The present Treaty shall be ratify'd and approv'd by his Imperial and Catholick Majesty, by his *Britannick* Majesty, and by the Lords the States General of the *United Provinces*; and the Ratifications shall be deliver'd within six Weeks, or sooner if possible, to be compared

22 *Treaty between the Emperor, England, &c.*

puted from the Day of Signing. In Witness whereof, we the Ministers Plenipotentiary of his Imperial and Catholick Majesty, his *Britannick* Majesty, and the Lords the States General, by virtue of our respective full Powers, have in their Names sign'd these Presents, and thereto affix'd the Seals of our Arms. Done at *Antwerp*, Nov. 15, 1715.

(L. S.) *J. L. C. à Konigsegg.*

(L. S.) *W. Cadogan.*

(L. S.) *B. v. Duffen.*

(L. S.) *The Count de Rechteren.*

(L. S.) *S. L. Gockinga.*

(L. S.) *Adr. v. Borsselle Sig. v. Geldermalsen.*

Form of the Oath for the Governour of Dendermonde.

I N. N. who by the Appointment of his Imperial and Catholick Majesty am Governour of *Dendermonde*, do promise and swear that I will never do any thing, nor suffer any thing to be done in the said Town, which may be prejudicial to the Service of their High Mightinesses the States General of the *United Provinces*, with respect to the Preservation of the Town and Garison: and that I will always, and as often as they desire, give free passage to their Troops, provided it be required beforehand, and that the said Troops do not pass in too great a Number at one time. The whole conformably to the fifth Article of the Barrier Treaty, a Copy of which has been communicated to me. So help me God.

A Form of the Oath for the Governours of the Places.

I N. N. swear and promise, faithfully to keep which has been committed to my Government, in full Sovereignty and Property for his Imperial and Catholick Majesty, and never to give it up to any other Power; and that I will not meddle directly nor indirectly, nor suffer any one whatsoever under my Command, to meddle with any Affair concerning the Political Government, Religion, and Things Ecclesiastick, Justice, and the Finances, nor even in any matter whatsoever, contrary to the Rights, Privileges and Immunities of the Inhabitants, whether Clergy or Laymen, or in any other Affair which does not directly relate

relation to the Spanish Netherlands. 23

Preservation of the Place, and to the Maintenance of the Garrison committed to my Care; but that I will refer all those matters to his Imperial and Catholick Majesty, the lawful Sovereign, and to the States and Estates, whether Spiritual or Temporal, as far as it respects each of them; promising on the contrary to use with Force of Arms always, and as often as I shall be required, for the Maintenance of the Orders of the Emperor, the Preservation of the Tranquillity against all Disorders, which shall offer to oppose them. Provided, and be it known, that it shall be lawful for me to execute the same, in which the States General shall give me, conformably to the Treaty in pursuance of the Treaty between his Imperial and Catholick Majesty and their High Mightinesses, the States General, God.

Power of his Imperial and Catholick Majesty.

By the Divine Clemency, Emperor Charles VI. by the Divine Clemency, Emperor of the Romans, *Semper Augustus*, King of Spain, Hungary, Bohemia, &c. Archduke of Austria, Duke of Burgundy, Brabant, Stiria, Carinthia, and Wirtemberg, Count of Flanders, Hapsburg, Goritz, &c. &c. &c. Whereas the late Intention of Peace, which by the Providence of God is now in being between us and the most Serene and most Excellent Majesty of France, King of France and Lord, *Lewis XIV.* the most Christian King, the said Treaty of Security betwixt us and the said Majesty of France, and the said Treaty of the *United Netherlands* may be set on foot with all speed, and amicably concluded on both sides, we are oblig'd therefore in the Fidelity, Wisdom and Justice of our trusty and well-beloved Chamberlain and Secretary of War, the Noble *Joseph Lotharius*, Count of Salm, Velt-Marshal of the Holy Roman Empire, to furnish him with full Powers for this purpose, and to give him an unlimited Commission, to act, treat, and conclude the said Barrier, in our Name, with the said Majesty of France, and the said States General furnish'd with full Power, in a Place appointed for the Treaty; and we do hereby our Imperial and Royal Word, that we will ratify and approve all and singular the Articles of the said Treaty, which shall be made, and accordingly act, agree to, and transact, as

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much as if they had been done and transacted by us, &c. in our Presence.

In Witness whereof, we have sign'd these Presents with our own Hand, and commanded them to be seal'd with our Imperial and Royal Seal. Given at our City of *Vienna*, the 6th Day of *August* 1714, in the third Year of our Reign as King of the *Romans*, the 11th as King of *Spain*, and the fourth as King of *Hungary* and *Bohemia*.

Sign'd,

CAROLUS.

Underneath,

JOHN FREDERICK. C. A. Seilern,

By the Command of his Sacred

Imperial Majesty.

Sign'd,

JOHN GEORGIUS BUOL-

Full Power of the Plenipotentiary Ministers of his Britannick Majesty.

G*EOURGE* by the Grace of God, King of *Great Britain, France and Ireland*, Defender of the Faith, to all and every one to whom these Presents shall come Greeting. Whereas by the Treaty concluded at *Utrecht* Jan. 3^o, 1713. between our late most Dear Sister and Cousin *Anne*, Queen of *Great Britain, France and Ireland*, and the High and Mighty Lords the States General of the *United Provinces of the Netherlands*, it was agreed to constitute a Barrier for the said Lords the States General in the Provinces of the *Spanish Netherlands*, and to settle the Method of Commerce in the said Provinces, when his Imperial and Catholick Majesty shou'd enter into the possession thereof; We thought it very much concern'd us and our Kingdoms, as well as our common Friends, to nominate some fit Person, every way qualify'd for Business of that for

to repair to *Antwerp* in our Name, and there to settle the
 aforelaid Barrier and Commerce. Therefore know ye, that
 we wholly confiding in the Fidelity, Wisdom and Experi-
 ence of our trusty and well-beloved, *William Cadogan* Esq;
 our Ambassador Extraordinary to the most High and
 Mighty Lords the States General of the *United Provinces*
 of the *Netherlands*, a Member of our Parliament of *Great*
Britain, Master of our Royal Wardrobe, and Lieutenant Ge-
 neral in our Armys, and Colonel of our Second Troop of
 Guards, have nominated, constituted, made and ordain'd, as
 we do by these Presents sign'd with our Royal Hand, nomi-
 nate, constitute, make and ordain him, our true, certain, and
 undoubted Commissioner, Proctor and Plenipotentiary, giv-
 ing and granting to him all and all manner of License,
 Power, and Authority and Command, both general and
 special, to meet for us, and in our Name, with the Mini-
 sters of his Imperial and Catholick Majesty, and of the
 Lords the States General of the *United Netherlands*, and o-
 ther Princes and States whatsoever, sufficiently authoriz'd
 in like manner, at *Antwerp*, or any other Place, and to con-
 sult, renew and conclude such Leagues and Conventions,
 as also secret or separate Articles, and all other things
 which may be most effectual for happily obtaining the End
 aforelaid; and in our Name to sign whatsoever shall be
 by him renew'd, agreed upon and concluded, mutually to
 deliver and receive the Ratifications, and to do and per-
 form all other things whatsoever necessary to be done, in
 as ample Manner and Form as we ourselves cou'd do, and
 perform if we were present: Engaging and promising on
 our Royal Word, that we will in the best manner approve,
 ratify and confirm those things which shall happen to be
 renew'd and concluded by our said Commissioner, Proctor
 and Plenipotentiary, and never suffer them to be violated
 or contravened by any one whatsoever, either in whole or
 in part. In Witness and Confirmation whereof, we have
 commanded, that the Great Seal of *Great Britain*. shall
 be affix'd to these Presents sign'd with our Hand. Given at
 our Palace of *St. James's*, the 11th Day of *October* 1714,
 in the first Year of our Reign.

Sign'd,

GEORGE Rex.

The Full Powers of the Ministers Plenipotentiary of the Lords the States General of the United Provinces.

THE States General of the *United Provinces* of the *Netherlands*, To all and every Person and Persons, whom it doth or may concern, Greeting. Whereas in this State of Affairs nothing is to us more desirable, than that an Agreement may be made with all speed between us and his Sacred Imperial Majesty, concerning all those things which are necessary to constitute a Barrier in the Provinces of the *Spanisb Netherlands* for our Security, we therefore confiding in the Wisdom, Experience, and Fidelity of the Sieurs *Bruno vander Dussen*, Senator, Counsellor, and Syndick of the City of *Gouda*, Assessor of the Council of *Schieland*, and *Dykegrave* of *Crimpen*; *Adolphus Henry*, Count *de Rechteren*, Lord of *Almeloe*, Chief President of *Zatland* in *Overyssel*, Scaton of *Gockinga*, Senator of *Groningen*; and *Adrian de Borsselen*, Lord of *Geldermalsen*, and Senator of *Flusbing*; the three first, Deputys in our Assembly from the Provinces of *Holland* and *Westfriseland*, *Overyssel* and *Groningen* and the *Ommelands*, and the fourth, Deputy in the Council of State from *Zealand*; Have nominated, chose and constituted them, as we do hereby nominate, chose and constitute them our true and undoubted Plenipotentiarys, that they may for that end act, treat and conclude with him or them, who shall be commission'd with the like full Powers on the part of his Sacred Imperial Majesty, whatsoever shall be thought useful or necessary on both sides for constituting the said Barrier, with all matters thereto belonging: Giving and granting for this purpose to our said Plenipotentiarys, jointly or separately, and even to any one of them, when the others are absent, or otherwise hinder'd, all the full Powers that can be, and also general and special Command, that they may in this Cause transact, conclude, make, sign and subscribe the necessary Instruments, and finally do all things which we ourselves might do if we were present, what need soever there might seem to be of a more particular Commission: Promising moreover, that we will *bonâ fide* approve and ratify whatsoever these our said Plenipotentiarys shall jointly or separately, or even any one of them, when the others

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1715. *in relation to the Spanish Netherlands.* 27

are absent or hinder'd, do and conclude by virtue of these Presents, and that we will dispatch and deliver our Ratifications thereof in solemn Form. In Testimony whereof we have caus'd these Presents to be sign'd by the President of our Assembly, and our Register, and to be seal'd with our Great Seal. Sign'd at the *Hague*, the 28th of *September*, 1714.

A. VELTERS.

By Command of the aforesaid Lords the States General.

F. FAGEL.

Separate Article.

Whereas in the 19th Article of the Treaty of Barrier for the States General of the *United Provinces* in the *Austrian Netherlands*, concluded this Day, being the 15th of *November* 1715, between his Imperial and Catholic Majesty, his *Britannick* Majesty, and the said Lords the States General, it was agreed that there shou'd be a more specifick Explanation by a separate Article, with regard to the Mortgages, and to Ways and Means for collecting the Subsidy therein mention'd; his Imperial and Catholic Majesty, for the better securing and facilitating the Payment of the said Subsidy of 500000 Crowns, or 1250000 Florins *Dutch* Money, granted annually, and stipulated by the said Article, has particularly charg'd the Sum of 610000 Florins *Dutch* Money annually, upon the Countrys, Towns, Chatellanys and Dependencys, yielded by *France*, according to the following Repartition, *viz.* Upon the City of *Tournay* 55000 Florins; upon the Chatellany of *Tournay* call'd the *Tournesis*, 25000 Florins; upon the City and Verge of *Menin* 90000 Florins; and upon that part of *West Flanders* which was yielded by *France*, share and share alike among the Towns, Chatellanys and Dependencys, 44000 Florins; and the Residue thus, *viz.* One third upon the Subsidys of the Province of *Brabant*, amounting to the Sum of 213333 $\frac{1}{3}$ Florins; and upon those of the Province of *Flanders*, two thirds, amounting to the Sum of 426666 $\frac{2}{3}$ Florins, making all together the said Total Sum of 500000 Crowns, or 1250000 Florins *Dutch* Money.

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And this Separate Article shall have the same Force as the said Treaty of Barrier, altogether as much as if it was therein inserted *verbatim*, and it shall be ratify'd at the same time as this Treaty.

In Witness whereof, We the Ministers Plenipotentiary of his Imperial and Catholick Majesty, his *Britannick* Majesty, and the Lords the States General, have sign'd this present Article, and caus'd it to be seal'd with the Seals of our Arms. Done at *Antwerp* the 15th of *November*, 1715.

(L. S.) *J. L. C. Konigsseg.*

(L. S.) *W. Cadogan.*

(L. S.) *B. v. Dussen.*

(L. S.) The Count de *Rechteren.*

(L. S.) *S. L. Gockinga.*

(L. S.) *Adr. v. Borssse* Lord of *Geldermalsen.*

His Imperial and Catholick Majesty's Ratification of the Barrier Treaty.

WE *Charles VI.* by the Divine Clemency, Elect Emperor of the *Romans*, *Semper Augustus*, and King of *Germany*, *Spain*, *Hungary*, *Bohemia*, *Dalmatia*, *Croatia* and *Sclavonia*, Archduke of *Austria*, Duke of *Burgundy*, *Brabant*, *Stiria*, *Carinthia*, *Carniola*, *Limburg*, *Luxemburg*, *Guelderland*, and upper and lower *Silesia* and *Wirtemberg*, Prince of *Swabia*, Marquis of the Holy Roman Empire, *Burgaw*, *Moravia*, upper and lower *Lusatia*, Count of *Hapsburg*, *Flanders*, *Tyrol*, *Frioul*, *Kyburg*, *Goritz*, and *Namur*, Landgrave of *Alsace*, Lord of the *Sclavonian Marches*, *Port Mabon* and *Salines*, &c. &c. &c. Do make known, and certify to all and every one whom it concerns: Whereas soon after the Treaty of Peace made with *France* last Year at *Baden* in *Swisserland*, it was agreed between us and the most Serene and most Potent King of *Great Britain*, and the States General of the *United Netherlands*, that the Articles of the Alliance enter'd into at the *Hague*, on the 7th of *September* 1701, which still seem'd to remain on both sides for performance, should be finish'd as soon as possible, in a Congress of Ministers fully empower'd that shou'd be held at *Antwerp*; and first of all that those Places, Citys, and Fortifications of our *Netherlands* should be specify'd, which were to be

30 *Treaty between the Emperor, England, &c.*

for the Security, Safe-guard, Bulwark and Barrier of the Provinces and Territories of the said States General, and that the other Matters thereto appertaining, might be settled; which by the divine Favour, and by the friendly Offices of the said most Serene King of *Great Britain*, was on the 15th Day of *November* last, determin'd between the said Ministers Plenipotentiary, whose Names are underwritten in the Articles and Terms that follow.

Fiat Inscriptio.

That we have approved and ratify'd, as we do, by virtue of these Presents, approve and ratify, all and singular the Articles made, transacted and concluded, in pursuance of the Command abovemention'd, between our Ministers Plenipotentiary, and those of the King of *Great Britain*, and the States General; and promise on our Imperial, Royal, and Archi-ducal Word, that we will firmly and religiously fulfil and observe those Things which concern us, and also take care, that the same be observ'd by our Subjects, and that we will not suffer them to be contraven'd; being very confident, that the Electors, Princes, and States of the *Holy Roman Empire*, after mature Consideration of the Importance of the Affairs in question, will without difficulty consent and accede to those Points which the present State of Affairs render'd necessary to be stipulated in the XXVIIth Article, concerning the Levelling of the Fortifications of *Liege*, and the Castles and Forts of *Huy*. In Witness whereof, we have sign'd these Presents with our own Hand, and seal'd them with our Imperial and Royal Seal at *Vienna*, Dec. 21, 1715. in the 5th Year of our Reign as King of the *Romans*, the 13th as King of *Spain*, and the 5th also as King of *Hungary* and *Bohemia*.

Sign'd

CHARLES.

Undersign'd,

Philip Lewis Count de Sinzendorf, (L. S.)

Subscrib'd,

By the Command of his Imperial and Catholick Majesty.

Sign'd,

John George Buol.

His Britannick Majesty's Ratification of the Barrier Treaty.

GEOURGE by the Grace of God, King of Great Britain, France and Ireland, Defender of the Faith. To all and singular, to whom these Letters shall come, Greeting. Whereas the Ministers Plenipotentiarys assembled at *Antwerp*, as well on our part, as on the part of his Imperial and Catholick Majesty, and of the High and Mighty Lords the States General of the *United Netherlands*, and sufficiently empower'd and authoris'd, have concluded and sign'd a certain Treaty on the 15th Day of this present Month of *November*, in the Form and Words following.

Fiat Insertio.

We having seen and consider'd the Treaty above written, have approv'd and ratify'd the same in all and singular its Articles and Clauses, as we do by these Presents approve and ratify the same, for ourselves, our Heirs and Successors; engaging and promising on the Word of a King, That we will religiously and inviolably perform and observe the said Treaty, and all and every thing therein contain'd, and never suffer (as far as lies in our Power) that the same be violated, or in any manner contraven'd by any other. In Witness whereof, we have caus'd the Great Seal of *Great Britain* to be affix'd to these Presents, sign'd with our own Hand. Given at our Palace of *St. James* the 30th of *November* 1715, in the second Year of our Reign.

Sign'd,

G E O R G E Rex.

The Ratification of the Barrier Treaty by the Lords the States General of the United Provinces of the Netherlands.

THE States General of the *United Provinces* of the *Netherlands*, to all to whom these Presents shall come, Greeting. Having seen and consider'd the Treaty concluded and sign'd at *Antwerp* on the 15th of *November* 1715, by the Ministers Plenipotentiarys of his Imperial and Catholick

32 *Treaty between the Emperor, England, &c.*

Catholick Majesty, his Majesty the King of *Great Britain*, and of our States, settling the manner in which the *Austrian Netherlands* shall hereafter serve as a Barrier to *Great Britain* and our State, according to the following Treaty hereafter inserted, *verbatim*.

Fiat Inscriptio.

We approving every thing that was done by our Deputies and Ministers Plenipotentiarys, when they concluded and sign'd this Treaty, have consented to, approved and ratify'd it, and by these Presents do consent to approve and ratify the same; promising sincerely, and *bonâ fide* to keep, observe, and ratify it in all and every Article, without contravening it in any manner whatsoever, directly or indirectly. In Witness whereof, we have caus'd our great Seal to be affix'd to these Presents, after having order'd them to be sign'd by the President of our Assembly, and under sign'd by our Register, at the *Hague*, Jan. 14, 1716.

With the Signature of

W. Vander Does.

And on the Fold was written,

By order of the said Lords the States General.

Sign'd,

F. FAGEL.

And Seal'd with the great Seal of red Wax.

His Imperial and Catholick Majesty's Ratification of the separate Article of the Barrier Treaty.

WE *Charles* the Sixth by the Divine Clemency, Elect Emperor of the *Romans*, *Semper Augustus*, and King of *Germany*, *Spain*, *Hungary*, *Bobemia*, *Dalmatia*, *Croatia*, *Sclavonia*, Archduke of *Austria*, Duke of *Burgundy*, *Brabant*, *Stiria*, *Carinthia*, *Carniola*, *Limburg*, *Luxemburg*, *Guelderland*, and upper and lower *Silesia* and *Wirttemberg*.

relation to the Spanish Netherlands. 33

nce of *Swabia*, Marquis of the Holy Roman
urgate, *Moravia*, upper and lower *Lusatia*,
apsburg, *Flanders*, *Tirol*, *Frioul*, *Kyburg*,
Namur, Landgrave of *Alsace*, Lord of the
Slavonia, *Port Mahon* and *Silins*, &c. &c.
own and certify, to all and singular whom it
fer it had for very important Reasons been
general Terms in the XIXth Article of this
500000 Crowns should be paid as an annual
the Garisons of the States General, it was
y a separate Article to explain it more fully,
bute the said Subsidy by Classes into the sec-
ces of our *Netherlands*, by a Regulation as

Fiat Inscriptio.

approv'd of this separate Article and its Con-
omise by these Presents to observe them, and
take care that they be perform'd by our Sub-
fully and religiously as the Treaty itself. In
ereof, we have subscrib'd these Presents, and
to be seal'd with our Imperial and Royal Seal.
enna the 21st day of *December*, 1715. in the
our Reign as King of the *Romans*, the 13th
Spain, and the 5th as King of *Hungary* and

Sign'd,

CHARLES.

Undersign'd,

LEWIS COUNT de SINZENDORF.

Subscrib'd,

Command of his Imperial and Catholick Majesty.

Sign'd,

GEORGE BUOL.

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34 *Treaty between the Emperor, England, &c.*

His Majesty of Great Britain's Ratification of the separate Article of the Barrier Treaty.

GEORGE by the Grace of God, King of *Great Britain, France and Ireland*, Defender of the Faith, &c. To all and singular to whom these Letters shall come, Greeting. Whereas a separate Article appertaining to the Treaty concluded on the 15th of this Instant *November at Antwerp*, for constituting a Barrier, was sign'd at the same Time and Place by the same Ministers Plenipotentiary furnish'd with sufficient Authority, in the Form and Words following.

Fiat Insertio.

We having seen and consider'd the separate Article above written, have approv'd and ratify'd the same, in all and singular its Clauses, and do approve and ratify the same for ourselves, our Heirs and Successors; engaging and promising on our Royal Word, that we will observe, and as much as is in our power cause to be observ'd, all and singular the Things in the said separate Article contain'd. In Witness and Confirmation whereof, we have sign'd these Presents with our own Hand, and caus'd them to be seal'd with the great Seal of *Great Britain*. Given at our Palace of *St. James's*, the 30th Day of *November, A. D. 1715*, and in the second Year of our Reign.

Sign'd,

GEORGE R.

The Ratification of the separate Article of the Barrier Treaty by the Lords the States General of the United Provinces of the Netherlands.

THE States General of the *United Provinces of the Netherlands*, to all who shall see these Letters, Greeting. Having seen and examin'd the separate Article of the Treaty concluded and sign'd at *Antwerp*, on the 15th *November 1715*, by the Ministers Plenipotentiarys of the Emperor

in relation to the Spanish Netherlands. 35

and Catholick Majesty, of his Majesty the King of *Britain*, and those of our State, for regulating the in which the *Austrian Netherlands* shall hereafter a Barrier to *Great Britain* and our State, the of which separate Article is as follows.

Fiat Infertic.

Having approv'd of all that was done by our Deputy potentariary Ministers, when they concluded and sign'd the separate Article, have agreed to, approv'd and ratify'd the same, do by these Presents agree to, approve, and ratify the same, and ratify sincerely and *bona fide* to keep, observe and perform, without contravening it in any manner whatsoever, directly or indirectly. In Witness whereof, we have caused this great Seal to be affix'd to these Presents, after which order'd them to be sign'd by the President of our Council, and under sign'd by our Register, at the *Hague*, 1716.

of Alliance between his Imperial Majesty, and his Britannick Majesty, as it was amended and concluded the 15th of May, 1716.

Name of the *Holy and Undivided Trinity*, be known to all whom it shall concern.

For the August Emperor of the *Romans*, *Charles* of *Spain*, *Hungary* and *Bohemia*, Archduke of *Burgundy*, &c. and the most Serene King of *Great Britain*, *France* and *Ireland*, Duke of *Saxony* and *Luncenburg*, Elector of the *Holy Roman Empire*, and recall'd to mind the signal Benefits which have proceeded from the sincere and constant Union of their Majesties, and therefore after serious Consideration of the present State of Affairs, applying themselves to renew the same for their common Good, it came to pass, that with

... that the Invasion and Loss of this ...
to another that is desired and pursued ...
possessor of all such Kingdoms, Provinces
and Territories, which may hereafter come
to be possessed by us in or before the Year
next ensuing, that either of the said ...
shall be a public Enemy by the ...
that the House and People, as also the
Right Government which he possesses in
the City of this Legion, or which he shall any
and Calvert during his Government, shall be
aid and Assistance be perform'd, granted and
done to him, against all Approaches whatsoever
Land and Sea; and that just Satisfaction, if
perform'd for the Wrong done.

III. For the attacking to this Military View,
and that, in any such case of hostile Invasion,
done to his Confederate, who shall do his utmost
Effort, that he may without delay forbear
Hostility, make just Satisfaction for the Injury
done, and that he provide for the Confederate's
Safety.

IV. If such gentle Methods have not their Eff
1000 Men, the Confederate shall immediately
assist in him who is attack'd, which shall not be
before the obtaining of that which is

On the part of his sacred Royal Majesty of *Great Britain*, the same number both of Horse and Foot.

But if the State of the War should rather require Naval Forces, either in whole or in part, instead of the aforementioned Land-Forces, he shall be oblig'd to lend as many Ships of War as shall be equivalent to the said number of Soldiers; and in case that greater Supplies, either of Land or Sea-Forces should be necessary, the same shall be furnished without Delay between the Confederates, and they shall behave amicably on both sides.

VI. 'Tis agreed, that no other Prince or Power be invited or admitted to the aforesaid League, without the mutual Consent of the Confederates, and in the same manner exactly as it shall be stipulated and agreed on betwixt them.

VII. And whereas nothing is more wish'd for, by both of the Confederates, than by their joint Assistance to secure the Welfare of both by this Treaty, and to preserve the publick Peace inviolable; and as 'tis by no means to be doubted, that the High and Mighty States General of the *United Provinces of the Netherlands* will be willing to help and promote a Work so useful and necessary by their Alliance, for this cause we do now declare our Willingness, not only to admit the said States General into the present Treaty, but even to invite them amicably; and without Delay to accede to it.

VIII. This Treaty shall be ratify'd in six Weeks, or sooner, if possible. In Witness whereof, the Plenipotentiarys both of his Sacred Imperial and Catholick Majesty, and of his Sacred Royal Majesty of *Great Britain*, have sign'd and seal'd these Presents. Done at *Westminster*, May 25, A. D. 1716.

(L. S.) *Otto Christ. Count de Volkra.*

(L. S.) *John Philip Hoffman.*

(L. S.) *William of Canterbury.*

(L. S.) *Cowper.*

(L. S.) *Sunderland.*

(L. S.) *Devonshire.*

(L. S.) *Mariborough.*

(L. S.) *Roxburg.*

(L. S.) *Orford.*

(L. S.) *Townshend.*

(L. S.) *J. Stanhope.*

(L. S.) *R. Walpole.*

Separate Article.

THIS moreover agreed, that if in Proceſs of Time a War ſhould break out betwixt his Sacred Imperial Majeſty and the *Ottoman* Empire, the Treaty of Alliance this day concluded with his ſacred Royal Majeſty of *Great Britain*, ſhall in no ſenſe be conſtrued to appertain or be extended to it; nor ſhall a War with the *Turks* be reputed a Caſe of Emergency. In Witneſs whereof, the Plenipotentiarys, &c.

Sign'd as above.

The Emperor's Ratification.

THAT we having inſpected and conſider'd the Articles of the ſaid Treaty, have approv'd and ratify'd them all, with the ſeparate Article, as we do by virtue of theſe Preſents approve and ratify the Things thereby done and tranſacted: Promiſing on our Imperial, Royal, and Archiducal Word, That we will firmly and religiously fulfil and obſerve them in all reſpects. In Witneſs whereof we have ſign'd and ſeal'd theſe Preſents. Given at *Vienna* the 30th of *July* 1716, in the 5th Year of our Reign as King of the *Romans*, the 13th as King of *Spain*, and the 6th as King of *Bohemia* and *Hungary*.

C H A R L E S.

Philip Lewis, Count de Sinſendorf.

By the Command of his Sacred

Imperial and Catholick Majeſty,

JOHN GEORGE BUOL.

A Treaty of Alliance between Lewis XV. King of France and Navarre, George King of Great Britain, and the Lords the States General of the United Provinces, for the Maintenance and Guaranty of the Treatys of Peace made at Utrecht in 1713, and particularly for maintaining the Order of the Succession to the Crowns of France and England, as establish'd by the said Treatys, and for the Demolition of the Port of Mardyke. Concluded at the Hague, the 4th of January, 1717.

LEWIS by the Grace of God King of France and Navarre, to all who shall see these Presents, Greeting. Whereas our Trusty and Well-beloved the Abbot *du Bois*, Counsellor in ordinary in our Council of State; and our Trusty and Well-beloved the Sieur *de Chateauneuf*, Marquis *de Castagnere*, Honorary Counsellor in our Court of Parliament at *Paris*, our Ambassadors Extraordinary and Plenipotentiary, have by virtue of the full Powers which we gave them, agreed to conclude and sign the following Treaty of Defensive Alliance, on the 4th of this present Month of *January*, with *William* Lord *Cadogan*, Baron of *Reading*, Knight of the Order of *St. Andrew*, Master of the Robes to our most dearly beloved Brother the King of *Great Britain*, Lieutenant General of his Armys, Colonel of the second Regiment of his Guards, Governour of the *Isle of Wigbr*, and his Ambassador Extraordinary and Plenipotentiary, who was also

furnish'd with full Powers; and with the Sieur *John van Essen*, Burgomaster of *Zutphen*, Curator of the University of *Harderwick*; *Wighold Vander Does*, Lord of *Nortwick*, of the Order of the Nobility of *Holland* and *Westfriesland*; *Samuel Couinck*, Senator of the Town of *Veere*; *Frederick Adrian*, Baron *de Rbeede*, Lord *de Renfwoude*, *Emminckhuysen* and *Aberkerken*, &c. President of the Nobility of the Province of *Utrecht*; *Ulbe Aylva van Burmania*, Bailiff of the Nobility of *Leewarden*; *Anthony Eckout*, Burgomaster of the Town of *Campen*; and *Wicher Wichers*, Burgomaster of the Town of *Groningen*; all Deputys in their Assembly, on the part of the States of *Guelderland*, *Holland* and *Westfriesland*, *Zealand*, *Utrecht*, *Friesland*, *Overyffel*, *Groningen*, and *Ommelands*, in quality of Plenipotentiarys from their High Mightinesses, our very dear and great Friends the States General of the *United Provinces* of the *Netherlands*, likewise furnish'd with full Powers.

Forasmuch as the most Serene and most mighty Prince *Lewis XV.* by the Grace of God, most Christian King of *France* and *Navarre*, the most Serene and most mighty Prince *George*, by the Grace of God King of *Great Britain*, Duke of *Brunswick* and *Lunenbug*, Elector of the Holy Roman Empire, &c. and the High and Mighty Lords the States General of the *United Provinces* of the *Netherlands*, being desirous to corroborate more and more the Peace that is establish'd between their Kingdoms and States respectively, to remove insirely on every side all Cause of Jealousy, which might in any manner whatsoever disturb the Tranquillity of their Dominions, and to bind yet more strongly by new Ties, that Friendship which is between them, in order to attain so salutary an End, they have thought it necessary to come to an Agreement between themselves. And to that purpose their Majestys aforesaid, and the said Lords the States General have nam'd, viz.

The most Christian King, his Ambassadors Extraordinary and Plenipotentiarys, the Sieur *William du Bois*, Abbot of *St. Peter d' Airvault*, of *St. Just*, and of *Nogent* formerly Preceptor to his Royal Highness the Duke of *Orleans*, Regent of the Kingdom of *France*, Counsellor of State in Ordinary; and the Sieurs *Peter Anthony de Chasteauneuf*, Marquis *de Castagnere*, Honorary Counsellor to the Parliament of *Paris*, and Ambassador from
hi

1717. *between England, France, and Holland.* 41
his most Christian Majesty to the Lords the States General
of the *United Provinces*.

The King of *Great Britain* has nam'd his Ambassador
Extraordinary and Plenipotentiary, the Lord *William Cadogan*,
Baron of *Reading*, Knight of the Order of *St. Andrew*,
Master of the Robes to the King of *Great Britain*, Lieu-
tenant General of his Armys, Colonel of the second Regi-
ment of his Guards, and Governour of the *Isle of Wight*.

And the Lords the States General have nam'd their
Deputys and Plenipotentiarys, the Sieurs *John van Pffen*,
Burgomaster of the Town of *Zutphen*, Curator of the Uni-
versity at *Harderwick*; *Wigbold Vander Does*, Lord of
Noortwick, of the Order of the Nobility of *Holland* and
Westfriesland, Grand Bailly and Dykegrave of *Rhynland*;
Ambony Heinsius, Counsellor, Pensionary Keeper of the
Great Seal, and Superintendant of the Fiefs of the Province
of *Holland* and *Westfriesland*; *Samuel Coninck*, Senator of
the Town of *Veer*; *Frederick Adrian*, Baron de *Rbeede*,
Lord of *Reuswoude*, *Enminckbuysen* and *Moerkerken*, &c.
President of the Nobility of the Province of *Utrecht*; *Ulbe*
Aylva van Burmania, Bailly of the Nobility of *Leewarden*;
Ambony Eckhout, Burgomaster of the Town of *Campen*;
and *Wicher Wichers*, Burgomaster of the Town of *Gronin-*
gen, all Deputys in their Assembly, on the part of the States
of *Guelderland*, *Holland* and *Westfriesland*, *Zealand*, *Utrecht*,
Friesland, *Overyssel*, *Groningen* and the *Ommelands*.

Who after having communicated their full Powers to
one another, and after having exchang'd the same according
to Custom, agreed upon a Treaty of Defensive Alliance,
between the most Christian King, the King of *Great Bri-*
tain, and the Lords the States General of the *United Pro-*
vinces, their Kingdoms, Dominions and Subjects, on the
following Conditions.

I. That from this Day forth and for ever, there shall be a
true, firm and inviolable Peace, a most sincere and intimate
Friendship, and a most strict Alliance and Union between the
said most Serene Kings, their Heirs and Successors, and the
Lords the States General, their Lands, Countrys and Towns
respectively, and their Subjects and Inhabitants, as well with-
in as out of *Europe*: and that the same be preserv'd and
cultivated in such manner, that the contracting Pattys may
faithfully and reciprocally reap their Profit and Advantage
thereby; and that by the most convenient measures all Lol-
ses

ses and Damages which might befall them, may be averted and prevented.

II. And forasmuch as it is known by Experience that the near Abode of the Person, who in the Life-time of King *James II.* did take upon him the Title of Prince of *Wales*, and since the Death of the said King has taken the Title of King of *Great Britain*, may excite Commotions and Troubles in *Great Britain*, and the Dominion depending thereon, it is agreed upon and determin'd, that his most Serene Majesty the most Christian King do obligate himself by the present Treaty, to engage the said Person to depart out of the Country of *Avignon*, and to go and take up his Residence on the other side of the *Alps* immediately after the Signing of the Treaty, and before the Exchange of the Ratifications. And the most Christian King, yet farther to testify his sincere Desire, not only to observe all the Engagements which the Crown of *France* has formerly enter'd into concerning the said Person, religiously and inviolably, but also to prevent all manner of Suspicion and Diffidence for the future; does again promise and engage for himself, his Heirs and Successors not to give, or furnish at any time whatever, directly or indirectly, either by Sea or by Land, any Advice, Aid or Assistance by Money, Arms, Ammunition, Military Stores, Ships, Soldiers, Seamen, or any other manner of help whatsoever, to the said Person, who takes upon himself the Title beforemention'd, or to any other Persons whatever who having Commission from him may in consequence thereof disturb the Tranquillity of *Great Britain* by open War, or by secret Conspiracys, or Insurrections and Rebelions, and make Opposition to the Government of his *Britannick* Majesty.

Moreover, the most Christian King promises and engages, not to permit the Person above design'd to return at any time hereafter to *Avignon*, or to pass thro' the Lands depending on the Crown of *France*, on pretence of returning either to *Avignon* or to *Lorraine*, or so much as to set foot on any part of his most Christian Majesty's Dominions, much less to reside there under any Name or Appearance whatsoever.

III. The said most Serene Kings and the said Lord the States General do also promise and engage themselves reciprocally to refuse all kind of Refuge and Protection to the Subjects of either of them, who have been, or shall

be declared Rebels, whenever it shall be requested by the contracting Party, whose Subjects those Rebels shall be known to be, and likewise to compel the said Rebels to depart out of the Dominions under their Obedience, in a Week's time after the Minister of the said Ally shall have required it in his Master's Name.

IV. And the most Christian King being sincerely desirous, that every thing heretofore agreed on with the Crown of *France* concerning the Town of *Dunkirk*, may be fully executed, and that nothing be omitted which the King of *Great Britain* may think necessary for the entire Destruction of the Port of *Dunkirk*, and to prevent all manner of Suspicion that there is an Intention to make a new Port at the Canal of *Mardyke*, and to put it to some other Use than draining off the Waters which might drown the Country, and carrying on the Commerce necessary for the subsistence and maintenance of the People of that part of the *Netherlands*, which is only to be carry'd on by small Boats, that are not allow'd to be above 16 foot wide; his most Christian Majesty doth engage, and promise to cause every thing to be executed, which the *Sieur d' Ibberville* his most Christian Majesty's Envoy, having full Power for that purpose, did agree to at *Hampton-Court*, as is contain'd in a Memorial of the 1st/₂th of *November*, 1716, sign'd by the *Sieur d' Ibberville*, and by the Lord *Vilcount Townshend*, and *Mr. Methuen*, Secretaries of State for *Great Britain*, which is as follows.

An Explanation of what shou'd be inserted in the IVth Article of the Treaty concerning the Canal and Sluices of Mardyke.

1. **T**HAT the Great Passage of the new Sluice of *Mardyke*, which is 44 Foot wide, shall be demolish'd from top to bottom, that is to say, by taking away its * *Be-joyers*, Planks, * *Busks*, * *Longrines*, and * *Traversines*, from one end to the other; and by taking off the Gates, the Wood and Iron-work of which shall be taken to pieces, and

* These are Terms for Beams, &c. which cannot be reader'd into *English*.

all these Materials be employ'd elsewhere to such as his most Christian Majesty shall think fit; provided nevertheless, that they be never made use of for any Haven or Sluice at *Dunkirk* or *Mardyke*, or in any place whatsoever, within two Leagues from either of two Places: it being the Intention of the contracting Parties, and the End they propose to themselves by this Treaty, that no Port, Haven, Fortification, Sluice or Barr made or built at *Dunkirk*, the Sluice of *Mardyke*, or other Place whatever along the Shore, at such Distance on that Coast.

2. That the little Sluice shall remain as it is at present with respect to its Depth, provided the Breadth thereof be reduc'd to 16 Foot; that is to say, by advancing the *joyer de la Pille* ten Foot on the West-side, after having taken away 6 Foot of the Flo ring, and the Butks * *Radier* all along on the same side, the remaining Foot of Plank or Flooring being necessary to serve for the Foundation of a new * *Bajoyer*; and forasmuch as the said *Bajoyer* must be advanc'd ten Foot towards the East, there shall likewise be demolish'd ten Foot of the same on the West-side from the Foundation, to the end that the present *Radier* may never serve for a Sluice of 20 Foot broad, as it is at present.

3. The Jettes and Fascine-Work from the *Dock* on the Shore where the Tide rises upon the Strand, when the High Water, down to the lowest Ebb, shall be demolished on both sides of the new Canal, and made level with the Sea; and the Stones and Fascine-Work that are on the said Level, may be carry'd away and employ'd to such use as his most Christian Majesty shall think fit; provided however, that they be never made use of for any Haven at *Dunkirk*, or *Mardyke*, or any other Place whatsoever, within two Leagues from either of those two Places: the Intention of the Parties contracting, and the End they propose to themselves by this Treaty being, that no

and the Work finish'd, if possible, within two Months after the Ratification. But for as much as it has been represent- ed, that because the Season is so far advanc'd, they cannot begin to narrow the Radier of the small Passage, nor demo- lish the great Radier till next Spring, it is agreed that this Work shall be begun ^{April 25} ~~May 3~~, and entirely perfected if possi- ble, in the manner abovemention'd by the end of *June*, 1717.

5. The Demolition of the Jettees or Peers on both sides of the old Canal or Port of *Dunkirk*, shall be entirely finish'd and made level with the Ground, all the way from the lowest Ebb, as far as within the Town of *Dunkirk*; and if there shall remain any pieces of *Fort Blanc*, *Chateau Verd*, and *Bonne Esperance*, they shall be totally laid flat to the Ground.

When this Treaty shall be ratify'd, the King of *Great Britain* and the Lords the States General of the *United Provinces* may send Commissioners to the Spot, to be Eye- witnesses of the Execution of this Article.

We have sign'd this Article provisionally, and upon con- dition that it be approv'd by his most Christian Majesty, his *Britannick* Majesty, and the Lords the States General of the *United Provinces*. At *Hampton Court* the 12th of *September* in the Year 1716. Sign'd by *D' Ibberville*, *Townsend*, and *P. Methuen*.

V. It being the true End and Purpose of this Alliance, be- tween the said most Serene Kings, and the Lords the States General, to preserve and maintain reciprocally the Peace and Tranquillity of their Kingdoms, Dominions and Pro- vinces, establish'd by the late Treatys of Peace, concluded and sign'd at *Utrecht* the 11th of *April* 1713, between their most Serene Majestys the most Christian King, the Queen of *Great Britain*, and the said High and Mighty Lords the States General of the *United Provinces*; 'tis a- greed upon and concluded, that all and singular the Articles of the said Treatys of Peace, as far as they relate to the In- terests of the said three Powers respectively, and of each of them in particular, and likewise the Successions to the Crown of *Great Britain* in the Protestant Line, and to the Crown of *France*, according to the said Treatys, shall re- main in their full Force and Vigour; and that the said most Serene Kings and the said Lords the States General do promise their reciprocal Guaranty for the Execution of all the *Conventions* contain'd in the said Articles, so far as they regard

regard the Successions and Interests of the said Kingdoms and States as abovesaid, and likewise for the maintaining and defending of all the Kingdoms, Provinces, States, Rights, Immunities and Advantages, which each of the said Allies respectively shall really be possess'd of, at the time of the Signing of this Alliance. And for this end the said most Serene Kings, and the Lords the States General, have agreed and concluded between themselves, that if any one of the said Allies be attack'd by the Arms of any Prince or State whatever, the other Allies shall interpose their good Offices with the Aggressor, to procure Satisfaction to the Party offended, and to engage the Aggressor to abstain intirely from all kinds of Hostility.

VI. But if such good Offices have not the expected Effect, to reconcile the two Parties, and to obtain a Satisfaction and Reparation of Damages within two Months, then those of the Allies who have not been attack'd, shall be oblig'd without Delay to assist their Ally, and to furnish him the Succours hereafter mention'd, *viz.*

The most Christian King, 8000 Foot and 2000 Horse.

The King of *Great Britain*, 8000 Foot and 2000 Horse.

The States General 4000 Foot and 1000 Horse.

But if the Ally who shall be engag'd in a War, as aforesaid, chuse rather to have Succours by Sea, or even prefers Money to either Sea or Land-Forces, the same shall be left to his Discretion; provided a Proportion be always observ'd between the Sums given, and the number of Troops above specify'd.

And to the end that there may be no Dispute about this Point, it is stipulated that 1000 Foot Soldiers shall be valued at the Sum of 10000 Livres *per* Month, and 1000 Horse at the Sum of 30000 Livres *per* Month, *Dutch* Money, reckoning 12 Months in the Year; and Succours by Sea shall be valu'd at the same proportion.

VII. 'Tis likewise stipulated and agreed upon, that if the Kingdoms, Countrys or Provinces of any of the Allies are disturb'd by intestine Quarrels, or by Rebellions on account of the said Successions, or under any other Pretext whatever, the Ally thus in Trouble shall have full Right to demand of his Allies the Succours abovemention'd, or *such part thereof* as he shall judge necessary, at the Cost
and

and Expence of the Allies that are oblig'd to furnish these Succours, which shall be sent within the space of two Months after they are demanded; saving however, as is aforesaid, to the Party that requires them his free Choice to demand Succours either by Land or Sea: and the Allies shall be reimburs'd of what Charges they shall be at for the Succours given, by virtue of this Article, within the space of a Year after those Troubles are pacify'd and appeas'd. But in case the said Succours be not sufficient; the said Allies shall agree in Concert to furnish a greater Number, and also if the Case require it, they shall declare War against the Aggressors, and assist one another with all their Forces.

VIII. The present Treaty shall be ratify'd by their Most Christian and *Britannick* Majestys, and the Lords the States General, and the Letters of Ratification shall be deliver'd in due Form on all sides, within the space of four Weeks or sooner, if possible, counting from the Day of Signing these Presents.

In Witness whereof, We the underwritten being vested with full Powers from their most Christian and *Britannick* Majestys, and the Lords the States General of the *United Provinces*, have in their Names sign'd this present Treaty, and caus'd the Seals of our Arms to be thereto affix'd. Done at the *Hague*, *Jan.* 4, 1717.

Sign'd by the Plenipotentiarys abovenam'd in the Preamble to the Treaty.

The French King's Ratification.

WE having approv'd the said Treaty of Defensive Alliance, in all and singular the Points and Articles therein contain'd, have, by the Advice of our most Dear and Well-beloved Uncle the Duke of *Orleans*, Regent of our Kingdom, accepted, approv'd, ratify'd and confirm'd, and do by these Presents, sign'd by our own Hand, approve, ratify and confirm the same, as well for ourselves, as for our Heirs, Successors, Kingdoms, Countrys, Lands, Lordships and Subjects; and we promise on the Faith and Word of a King to keep and observe the whole inviolably, without ever contravening the same, directly or indirectly, in any
sort

fort or manner whatsoever: In Witness whereof, we have caus'd our Seal to be affix'd to these Presents. Given at *Paris*, the 20th of *January*, 1717. and in the second Year of our Reign.

Sign'd,

L E W I S.

And lower,

By the King,

The Duke of *Orleans* the present Regent.

Sign'd,

PHELYPEAUX.

Seal'd with the great Seal of Yellow Wax, Ribbands of Blue Silk with Gold Twist, the Seal inclosed in a Silver Box, with the Arms of *France* and *Navarre* engrav'd on the Lid, under a Royal Pavilion supported by two Angels.

The separate Article, sign'd and ratify'd between France and Holland.

W Hereas in the fifth Article of the Treaty of Alliance concluded this Day between their most Serene Majestys, the most Christian King and the King of *Great Britain*, and the High and Mighty Lords the States General of the *United Provinces*, a reciprocal Guaranty was agreed upon for the Execution of all the Conditions mention'd in the said Article, and likewise for maintaining and defending all the Kingdoms, Provinces, States, Dominions, Immunitys and Advantages, which each of the said Allies respectively shall really be possess'd of at the time of the Signing of the said Alliance; the underwritten Ambassadors Extraordinary and Plenipotentiarys of his most Christian Majesty, and the Deputys and Plenipotentiarys of the said Lords the States General, have agreed, that without any manner of Derogation from the first Article of the said Alliance, according to which there shall be an inviolable

Peace

Peace, and a strict Alliance between their said Majestys, and the said Lords the States General, their Dominions and Subjects, as well within *Europe* as out of it, the Guaranty stipulated in the 5th Article of the same Treaty, shall not take place in regard of his most Christian Majesty and the Lords the States General, but only for the Dominions and Possessions which they have respectively in *Europe*; which is also to be understood of the Succours stipulated and promis'd mutually in the 6th Article of this Treaty: which Succours shall also be limited within *Europe*, with regard to his most Christian Majesty, and the Lords the States General.

The present Separate Article shall be of the same Force as if it was inserted *verbatim* in the Treaty, and shall be ratify'd at the same time as the Treaty, and the Ratifications shall also be exchange'd at the same time with those of the Treaty.

In Witness whereof, we the underwritten, vested with the full Powers of his most Christian Majesty, and the Lords the States General of the *United Provinces*, have in their Names sign'd the present Article, and thereto caus'd the Seals of our Arms to be affix'd. Done at the *Hague* the 4th of *January*, 1717. Sign'd by the Ministers of *France* and *Holland* mention'd in the Preamble.

*The Full Power of the Plenipotentiarys of
Great Britain.*

GEORGE Prince, CUSTOS REGNI.

GEORGE Prince of *Wales*, Duke of *Cornwal* and *Rothesay*, Duke and Marquis of *Cambridge*, Earl of *Milford-Haven*, *Carrick* and *Chester*, Viscount *Northallerton*, Baron of *Tewkesbury* and *Renfrew*, Lord of the *Isles*, and Steward of *Scotland*, Knight of the most noble Order of the *Garter*, Guardian of the Kingdom of *Great Britain*, and Lieutenant in the said Kingdom, to all and singular to whom these Presents shall come, Greeting. Whereas the most Serene King of *Great Britain*, &c. our most Dear and most Honoured Lord and Father, has nothing so much at Heart as to preserve the Peace already establish'd with the neighbouring Kings and States inviolable, as far as lies in his Power: And whereas it may be of no little Service to this end, that he shou'd confirm and

increase that Friendship which he cultivates with his go
 Brother, the most Christian King, and the High and Mig
 ty Lords the States General of the *United Provinces*
 the *Netherlands*, by new Ties of Benevolence, and Co
 ventions for mutual Defence, his *Britannick* Majesty
 therefore given it in command to us, to vest his Minist
 at the *Hague* with sufficient Powers for promoting and p
 fecting the said Work, so advantageous and so necessary
 the Publick Security and Peace. Know ye therefore, th
 we having very great Confidence in the Fidelity, Pruden
 and Experience in Negotiations, of the Right Honour
 ble *William Lord Cadogan*, Baron of *Reading*, Master
 the Robes to his Majesty of *Great Britain*, Lieutena
 General of his Forces, Colonel of the second Royal Re
 giment of Guards, Governour of the *Isle of Wight*, and A
 bassador Extraordinary of his said Majesty to the Hi
 and Mighty Lords the States General; and of *Horace W*
pole Esq; Member of the Parliament of *Great Brita*
 and residing at the *Hague* also with the Character of t
British Minister and Plenipotentiary to the said Lords t
 States General, have nominated, made and constitute
 as we do by these Presents nominate, make and constit
 them our true, certain and undoubted Commis
 Ministers and Plenipotentiarys on the part of the most
 rene King of *Great Britain*, our most Dear and most
 honoured Lord and Father; giving and granting to th
 jointly or severally, by virtue of the Authority to
 committed, all and all manner of Power, License a
 Authority, together with a Command both general a
 special, provided however that the general do not
 rogate from the special, nor *vice versa*, to meet, conf
 treat, agree and conclude with the Minister or Mi
 sters of the said most Christian King, vested in li
 manner with sufficient Powers, and also with the M
 sters of the said Lords the States General fully aut
 riz'd in like manner, jointly or separately, of and c
 cerning such Conditions of a League or Leagues, with
 said most Christian Majesty and the States General, jo
 ly, or, separately, as aforesaid, as may be most efficaci
 for attaining to his *Britannick* Majesty's View abovem
 tion'd, and to sign all those Articles so agreed upon
 concluded, in the Name of his *Britannick* Majesty, and
 draw up, exchange and receive all the necessary Inf
 ments for that purpose, and in general to do and perfo

all things in any manner necessary, or that they shall judge convenient for establishing and confirming the Articles of the Peace and Friendship with new Ties as aforesaid, in as ample Manner and Form, and with the same Force and Effect as the said most Serene King of *Great Britain* himself cou'd do and perform, were he present in Person. Engaging and promising in the Name of his Majesty aforesaid, that he will approve and ratify, and religiously and inviolably observe, every thing that the said Commissioners, Ministers and Plenipotentiarys, either jointly or separately, shall transact, conclude and sign, by virtue of these Presents; and that he will to his utmost take care that the same be observ'd by all others whatsoever. In Witness and Confirmation whereof, we have caus'd these Presents, sign'd with our own Hand-Writing, to be seal'd with the Great Seal of *Great Britain*. Given at St. *James's* Palace, the 29th of *October*, A. D. 1716, and in the 3d Year of his Majesty's Reign.

Tongue in the Treaty. To which are moreover added 12 separate and secret Articles, concerning the Grant of the Term of three Months to the Kings of Spain and Sardinia, for accepting the Conditions of Peace offer'd to them, and of Ways and Means to procure a Peace by Force of Arms, upon their Refusal of those Conditions. Also one Article for observing the present Treaty and Alliance, and putting it in Force, altho the States General of the United Netherlands should refuse to accede to it.

In the Name of the most Holy and Undivided Trinity.

BE it known to all whom it doth, or may any way concern.

Whereas the most serene and most potent Prince *George* King of *Great Britain, France, and Ireland, Duke of Brunswick and Lunenburgh, Elector of the Holy Roman Empire, &c.* and the most serene and most potent Prince *Lewis XV.* the most Christian King, &c. as likewise the High and Mighty States General of the *United Provinces of the Netherlands*, being continually intent on preserving the Blessing of Peace, have duly considered, that notwithstanding by the Triple Alliance concluded by them on the 4th of *January, 1717.* their own Kingdoms and Provinces were provided for, yet that the Provision was neither so general nor so solid, as that the publick Tranquillity could long flourish and last, unless at the same time the Jealousys which were still increasing between some of the Princes of *Europe*, as perpetual Occasions of Variance, could be removed: and being convinced by Experience from the War kindled the last Year in *Italy*, for the timely extinguishing whereof by a Treaty made the 18th of *July* in the Year 1718, they agreed amongst themselves upon certain Articles of Pacification, according to which a Peace might be brought about and established between his sacred Imperial Majesty and the King of *Spain*, as likewise between his said Imperial Majesty and the King of *Sicily*; and farther gave a friendly Invitation to his Imperial Majesty, that out of his Love for the publick Peace and Quiet, he would receive and approve the said Articles of Convention in his own Name, and accordingly that he himself would accede to the Treaty made by them, the Tenor of which is as followeth.

Conditions of Peace between his Imperial Majesty and his Royal Catholick Majesty.

I. FOR quieting the Disturbances lately raised, contrary to the Peace of *Baden* concluded the 7th of *September* 1714, as likewise to the Neutrality established for *Italy* by the Treaty of the 14th of *March* 1713, the most Serene and most Potent King of *Spain* obliges himself to restore to his Imperial Majesty, and accordingly shall immediately, or at the farthest after two Months to be reckoned from the Exchange of the Ratifications of this present Treaty, actually restore to his said Imperial Majesty the Island and Kingdom of *Sardinia*, in the Condition wherein he seiz'd it, and shall renounce in Favour of his Imperial Majesty all Rights, Pretensions, Interests and Claims upon the said Kingdom; so that his Imperial Majesty fully and freely, and in the manner which he judges best, out of his Love to the Publick Good, may dispose of it as of his own Property.

II. Whereas the only Method which could be found out for fixing a durable Ballance in *Europe* was judged to be this, that it should be an established Rule that the Kingdoms of *France* and *Spain* should never go together or be united in one and the same Person, or in one and the same Line, and that those two Monarchys should henceforward for ever remain separate; and whereas for confirming this Rule, so necessary for the publick Tranquillity, those Princes to whom the Prerogative of Birth might have given a Right of succeeding in both Kingdoms, have solemnly renounced one of those two Kingdoms for themselves and all their Posterity; so that this Separation of the two Monarchys has passed into a Fundamental Law in the General Assembly commonly called *Las Cortes*, which was received at *Madrid* the 9th of *November* 1712, and consolidated by the Treaty of *Utrecht*, the 11th of *April* 1713. His Imperial Majesty being willing to give the utmost Perfection to so necessary and wholesom a Law, to take away all Ground of Suspicion, and to promote the publick Tranquillity, doth accept and agree to those things which were done, ratified and established in the Treaty of *Utrecht*, with regard to the Right and Order of Succession to the Kingdoms of *France* and *Spain*; and doth renounce as well for himself, as for his Heirs, Descendants, and Successors, Male and Female.

all Rights, and all and every Pretension whatsoever, not one in the least excepted, to any Kingdoms Dominions, and Provinces of the *Spanish* Monarchy whatsoever, whereof the Catholick King was acknowledged to be the rightful Possessor by the Treaty of *Utrecht*; and will cause to be made out in due Form accordingly solemn Acts of Renunciation, which he will cause to be published and registred in the proper Courts, and promises that he will exhibit the usual Instruments thereupon to his Catholick Majesty, and to the contracting Powers.

III. By virtue of the said Renunciation, which his Imperial Majesty has made out of Regard to the Security of all *Europe*, and in Consideration likewise that the Duke of *Orleans* has for himself and for his Descendents renounced all his Rights and Claims upon the Kingdom of *Spain*, on Condition that neither the Emperor, nor any of his Descendents, shall ever succeed to the said Kingdom; his Imperial Majesty doth acknowledge *Philip* the Fifth to be lawful King of *Spain* and the *Indies*, and doth promise to give him the Titles and Prerogatives belonging to his Dignity and his Kingdoms: And moreover, he will allow him, his Descendents, Heirs and Successors, Male and Female, peaceably to enjoy all those Dominions of the *Spanish* Monarchy in *Europe*, the *Indies*, and elsewhere, the Possession whereof was allowed to him by the Treaty of *Utrecht*; nor will he directly nor indirectly disturb him in the said Possession at any time, nor will he claim to himself any Right to the said Kingdoms and Provinces.

IV. In return for the Renunciation and Acknowledgment made by his Imperial Majesty in the two foregoing Articles, the Catholick King, as well in his own, as in the Name of his Heirs, Descendents and Successors, Male and Female, doth renounce in favour of his Imperial Majesty, his Successors, Heirs and Descendents, Male and Female, all Rights and Claims whatsoever, none in the least being excepted, unto all and every the Kingdoms, Provinces and Dominions which his Imperial Majesty doth possess in *Italy* or the *Netherlands*, or may accrue to him by virtue of this present Treaty; and he doth wholly abdicate all Rights, Kingdoms and Provinces in *Italy*, which heretofore belonged to the *Spanish* Monarchy, amongst which the Marquisate of *Final* yielded by his Imperial Majesty to the Republick of *Genoa* in the Year 1713, is understood to be expressly comprehended; and he will cause to be made out accord-

ingly solemn Acts of Renunciation in due Form, which he will cause to be published and register'd in the proper Courts, and promises that he will exhibit the usual Instruments thereupon to his Imperial Majesty and the contracting Powers. His Catholick Majesty doth in like manner renounce the Right of Reversion of the Kingdom of *Sicily* to the Crown of *Spain*, which he had reserved to himself, and all other Claims and Pretensions, under Pretext whereof he might disturb his Imperial Majesty his Heirs and Successors, directly or indirectly, as well in the aforesaid Kingdoms and Provinces, as in all other Dominions, which he actually possesses in the *Netherlands*, or elsewhere.

V. Whereas in case the Grand Duke of *Tuscany*, or the Duke of *Parma* and *Placentia*, or their Successors, should die without Male Issue, the Pretensions of Succession to the Dominions possess'd by them might kindle a new War in *Italy*, on account of the different Rights of Succession, whereby after the Decease of the next Heirs before her, the present Queen of *Spain*, born Duchess of *Parma*, claims the said Dukedoms to herself on the one part, and the Emperor and Empire on the other part. To the end therefore that the great Disputes, and the Evils arising from them, may be timely obviated, it is agreed, that the States and Duchys at present possessed by the Grand Duke of *Tuscany*, and Duke of *Parma* and *Placentia* aforesaid, shall in time to come be held and acknowledged by all the contracting Powers as undoubted Male Heirs of the Holy Roman Empire. His Imperial Majesty on his part doth consent by himself, as Head of the Empire, that whenever it shall happen that the said Duchys shall lie open for want of Heirs Male, the first-born Son of the said Queen of *Spain*, and his Descendants, being Males, born in lawful Matrimony; and in default of them, the second-born, or other the younger Sons of the said Queen, if any shall be born, together with their Male Descendants, born in lawful Marriage, shall in like manner succeed to all the Provinces aforesaid. To which end it being necessary that the Consent of the Empire be also given, his Imperial Majesty will use all his Endeavours to obtain it; and having obtained it, he will cause the Letters of Expectative, containing the eventual Investiture for the Son of the said Queen, or her Sons, and their Legitimate Male Descendants, to be expedited in due Form; and he will cause the said Letters to be delivered to the Catholick King immediately.

mediately, or at least after two Months from the Exchange of the Ratifications: Without any Damage nevertheless, or Prejudice to the Princes, who now have Possession of the said Duchys, which Possession is to remain intirely safe to them.

It is farther agreed between his sacred Imperial Majesty and the Catholick King, that the Town of *Leghorn* may, and ought, perpetually to remain a Free Port, in the same manner as it now is.

By virtue of the Renunciation made by the King of *Spain*, of all the Dominions, Kingdoms and Provinces in *Italy*, which heretofore belonged to the Kings of *Spain*, that King shall yield to the aforesaid Prince his Son, the Town of *Porto Longone*, together with that part of the Island *Elba*, which he actually possesses therein; and shall deliver the same up to him, as soon as that Prince, on the Extinction of the Male Posterity of the Grand Duke of *Tuscany*, shall be admitted into the actual Possession of his Territorys.

It is moreover agreed to, and provided by solemn Contract, that none of the aforesaid Duchys or Dominions, at any Time, or in any Case, may or ought to be possessed by a Prince, who at the same time holds the Kingdom of *Spain*; and that no King of *Spain* can ever take upon him the Guardianship of that Prince, or may be allowed to exercise the same.

Lastly, it is agreed, and thereto all and singular the Partys contracting have equally bound themselves, that it never shall be allowed, during the Lives of the present Possessors of the Duchys of *Tuscany* and *Parma*, or of their Male Successors, that any Forces of any Country whatsoever, whether their own or hired, shall either by the Emperor, the Kings of *Spain* and *France*, or even by the Prince appointed, as above, to the Succession, be introduced into the Provinces and Lands of the said Duchys; nor shall any of them place any Garison in the Citys, Ports, Towns, or Fortresses therein situated.

But that the said Son of the Queen of *Spain*, appointed by this Treaty to the Succession of the Great Duke of *Tuscany*, and the Duke of *Parma* and *Placentia*, may be more fully secured against all Events, and may more certainly depend on the Execution of the Succession promised him; and likewise that the Fief, constituted as above, may remain inviolable to the Emperor and Empire; it is agreed on both Sides, that Garisons, not exceeding how-
ever

ever the Number of six Thousand Men, which shall be put into the principal Towns thereof, *viz.* *Leghorn, Porto Ferraro, Parma, and Piacentia*, be taken from among the *Swiss* Cantons; which Cantons are for this purpose to be paid by the Three Contracting Powers, who have taken upon them the part of Mediators. And the said Garisons are therein to be continued till the Case of the said Succession shall happen, when they shall be obliged to deliver the Towns to the said Prince appointed to the Succession; nevertheless, without any Trouble or Charge to the present Possessors, and their Successors being Males, to whom likewise the said Garisons are to take an Oath of Fidelity, and are to assume to themselves no other Authority than only the Guard of the City committed to their Charge.

But whereas this beneficial Work may be longer delayed than is convenient, before an Agreement can be made with the *Swiss* Cantons about the Number, Pay, and Manner of establishing such a Force; his Sacred Royal *Britannick* Majesty, out of his singular Zeal for the said Work, and the publick Tranquillity, and for the earlier obtaining the End proposed, will not in the mean time refuse to lend his own Forces for the use abovementioned if the rest of the contracting Powers think good, till the Forces to be raised in the *Swiss* Cantons can take upon them the Guard and Custody of the said Citys.

VI. His Catholick Majesty, to testify his sincere Inclination for the publick Tranquillity, doth consent to all things hereafter mention'd, with regard to what is settled about the Kingdom of *Sicily* for the Advantage of his Imperial Majesty, and doth renounce for himself, his Heirs and Successors, Male and Female, the Right of Reversion of that Kingdom to the Crown of *Spain*, which he expressly reserved to himself by the Instrument of Cession, dated the 10th of *June* 1713. Out of Love to the publick Good he moreover departs from the said Act of the 10th of *June* 1713, as far as is necessary; as likewise from the sixth Article of the Treaty of *Utrecht* betwixt himself and his Royal Highness the Duke of *Savoy*; as likewise in general from every thing that may oppose the Retrocession, Disposition and Permutation of the abovementioned Kingdom of *Sicily* by this present Treaty established. On Condition nevertheless, that the Right of Reversion of the Island and Kingdom of *Sardinia* to the said Crown may be yielded and allowed to him, as hereafter in the second Article of
the

ventions between his sacred Imperial Majesty and
of *Stoily* is farther explain'd.

The Emperor and the Catholick King mutually
and bind themselves to a reciprocal Defence and
of all the Kingdoms and Provinces which they
possess, or the Possession whereof ought to belong
by virtue of the present Treaty.

His Imperial Majesty and his Royal Catholick
shall immediately after Exchange of the Ratifica-
these present Conventions, put in Execution all and
Conditions therein comprehended, and that with-
in the space of two Months at the farthest, and Instru-
the Ratifications of the said Conventions shall
be signed at *London* within the space of two Months,
computed from the Day of signing, or sooner if possible.
Execution of the Conditions being previously per-
formed by their Ministers and Plenipotentiarys by them to be
appointed in the Place of Congress which they shall agree
upon with all speed severally settle and determine the other
particular Peace, under the Mediation of the
aforesaid Powers.

They further agreed, that in the Treaty of Peace par-
to be made between the Emperor and the King
a general Amnesty shall be granted to all Persons
of what Rank, Dignity, Degree, or Sex whatsoever, whe-
thetical or Military, Political or Civil, who fol-
lowed either Party of the one or the other Prince during the
War, in Virtue whereof all and singular the said Per-
sons shall be permitted to receive, and they may receive
the full Possession and Use of their Goods, Rights, Privileges,
Dignitys, and Immunitys, and shall use and
enjoy the same as freely as they did enjoy them at the be-
ginning of the last War, or at the time when they began
to follow themselves to the one or the other Party, all Con-
demns, Arrests, and Sentences made, passed, or pro-
cured during the War, to the contrary notwithstanding,
shall be held as null and of no Effect. In Virtue
of the aforesaid Amnesty, it shall be lawful and
and singular the said Persons, who followed one
or the other Party, to return to their Country, and to en-
joy their Goods in the same manner as if no War had hap-
pened. A full Licence is given them to take care of
their Affairs, either by themselves if they should be
able, or by their Attorneys, if they should choose ra-
ther

ther to absent themselves from their Country; and they may either sell, or any other way, according to their Pleasure, dispose of them entirely after the same manner they might have done before the beginning of the War.

Conditions of the Treaty to be concluded between his Imperial Majesty and the King of Sicily.

I. **W**HEREAS the Cession of *Sicily* by the Treatys of *Utrecht* to the House of *Savoy*, being solely made for rendering that Peace solid, and not on the account of any Right the King of *Sicily* had thereto, has been so far from bringing about the End propos'd, that, as all *Europe* can witness, it has rather proved the great Obstacle which hindered the Emperor from acceding to the said Treatys, inasmuch as the Separation of the Kingdoms of *Naples* and *Sicily*, so long us'd to remain under the same Dominion, and to be call'd by the Name of both the *Sicilies*, has not only been found opposit to the common Interests and mutual Preservation of both Kingdoms, but likewise to the Repose of all *Italy*, being constantly productive of new Commoions, while neither the ancient Intercourse and mutual Relation between the two Nations can be destroyed, nor the Interests of the different Princes can be easily reconcil'd: For this Reason it is, that the Princes who first made the *Utrecht* Treatys, have thought it lawful for them, even without the Consent of the Partys concerned, to abrogate that one Article of those Treatys which regards the Kingdom of *Sicily*, and is not any principal Part of the said Treatys, founding themselves chiefly upon these Reasons That the present Treaty will receive its Increase and Completion from the Emperor's Renunciation; and that by the Exchange of *Sicily* for *Sardinia*, the Wars which threaten *Italy* may be prevented, inasmuch as the Emperor might rightfully attack *Sicily*, which he never yet renounc'd, and which since the Infraction of the Neutrality of *Italy* by the Seizure of *Sardinia*, he may rightfully recover by force of Arms: Besides that the King of *Sicily* may become possess'd of a certain and durable Dominion by the Benefit of so solemn a Treaty with his Imperial Majesty, and guaranty'd by the chief Princes of *Europe*. Being mov'd therefore by so great Reasons, they have agreed, that the King of *Sicily* shall restore to his Imperial Majesty the Island and Kingdom of *Sicily*, with all its Dependencys and Append

the State wherein they now are, immediately, or in months at the farthest from the Exchange of the Ratification of the present Treaty. And he shall in favour of the Emperor, his Heirs, and Successors of both Sexes, recall Rights and Pretensions whatsoever to the said Crown, as well for himself as his Heirs and Successors, Male and Female; the Reversion thereof to the Crown of Spain being entirely taken away.

The Emperor's Imperial Majesty shall yield to the King of Spain the Island and Kingdom of *Sardinia*, in the same manner wherein he shall receive it from the Catholic King, and shall renounce all Rights and Interests in the said Kingdom for himself, his Heirs and Successors, of both Sexes, in favour of the King of *Sicily*, his Heirs and Successors, that he may hereafter perpetually possess the same Kingdom: Title of a Kingdom, and all other Honours and the Royal Dignity, in the same manner as he possesses the Kingdom of *Sicily*; on Condition nevertheless, that the Reversion of the said Kingdom of *Sardinia* shall be reserved to the Crown of *Spain*, whenever it may happen that the King of *Sicily* shall be without Heirs Male, the House of *Savoy* shall likewise be destitute of Heirs Male: But in the same manner altogether as the Reversion was settled and ordained for the Kingdom of *Sardinia* by the Treatys of *Utrecht*, and by the Act of the said Reversion made by the King of *Spain*.

The Emperor's Imperial Majesty shall confirm to the King of *Spain* the Cessions made to him by the Treaty signed at *Utrecht* the 8th of *November*, 1703, as well of that part of the Province of *Montferrat*, as of the Provinces, Cities, Towns, Lands, Places, Rights and Revenues of the State of *Montferrat* which he now doth possess, in the manner wherein he doth possess them; and he will stipulate for himself, his Descendants and Successors, that he never shall be troubled by him, his Heirs or Successors, in the possession of the same. On Condition nevertheless that all other Claims and Pretensions which he may possibly make in virtue of the said Treaty shall be and remain void.

The Emperor's Imperial Majesty shall acknowledge the Right of the King of *Sicily*, and his House, to succeed immediately to the Kingdom of *Spain* and of the *Indies*, in case of the death of King *Philip V.* and his Posterity, in consequence of the Renunciations of the Catholic King, of *Berry*, and the Duke of *Orleans*, and by the

Treatys of *Utrecht*; and his Imperial Majesty shall promise as well for himself as for his Successors and Descendants, that at no time he will directly or indirectly oppose, or any way act contrary to the same. It is declared nevertheless, that no Prince of the House of *Savoy* who shall succeed to the Crown of *Spain*, may possess at the same time any Province or Dominion on the Continent of *Italy*; and that in such Case, those Provinces shall devolve to the collateral Princes of that House who shall succeed therein one after another, according to the Proximity of Blood.

V. His Imperial Majesty and the King of *Sicily* shall give mutual Guarantys for all the Kingdoms and Provinces which they actually possess in *Italy*, or which shall accrue to them by virtue of this present Treaty.

VI. His Imperial Majesty and the King of *Sicily* immediately after the Exchange of the Ratifications of these Conventions, shall put in Execution all and every the Conditions therein contained, and that within the Space of two Months at the farthest: And the Instruments of the Ratifications of the said Conventions shall be exchanged at *London* within two Months from the Day of signing, or sooner if possible. And immediately after the previous Execution of the said Conditions, their Ministers and Plenipotentiaries by them to be named, shall in the Place of Congress they shall agree upon, with all speed severally settle the other Points of their particular Peace, under the Mediation of the three Contracting Powers.

His abovenamed Imperial and Catholick Majesty being extremely inclined to promote the Peace proposed, and to avert the dreadful Calamitys of War, and out of his sincerest Desire to settle an universal Pacification, hath accepted the afore-mentioned Conventions, and all and singular the Articles thereof, and hereby doth accept the same, and accordingly has entered into a particular Treaty with the three Powers abovesaid, on the following Conditions.

I. That there be and remain between his Sacred Imperial Catholick Majesty, his Sacred Royal Majesty of *Great Britain*, his Sacred Royal most Christian Majesty, and the High and Mighty Lords the States General of the *United Netherlands*, and their Heirs and Successors, a most strict Alliance; in Virtue whereof each of them are bound to preserve the Dominions and Subjects of the others, as likewise to maintain Peace, to promote mutually the Interests

tions between his sacred Imperial Majesty and *Sicily* is farther explain'd.

The Emperor and the Catholick King mutually bind themselves to a reciprocal Defence and of all the Kingdoms and Provinces which they possess, or the Possession whereof ought to belong in virtue of the present Treaty.

The Imperial Majesty and his Royal Catholick Majesty immediately after Exchange of the Ratifications of the present Conventions, put in Execution all and sundry Conditions therein comprehended, and that within the space of two Months at the farthest, and Instructed the Ratifications of the said Conventions shall be presented at *London* within the space of two Months, counted from the Day of signing, or sooner if possible. The Execution of the Conditions being previously perused by their Ministers and Plenipotentiaries by them to be appointed in the Place of Congress which they shall agree upon, all speed severally settle and determine the other Conditions of particular Peace, under the Mediation of the said Mediating Powers.

It is also agreed, that in the Treaty of Peace presently to be made between the Emperor and the King of Great Britain, a general Amnesty shall be granted to all Persons of what Dignity, Degree, or Sex whatsoever, whether Ecclesiastical or Military, Political or Civil, who followed either of the one or the other Prince during the said War, in the Virtue whereof all and singular the said Persons shall be permitted to receive, and they may receive, the full and Use of their Goods, Rights, Privileges, Immunities, and Immunities, and shall use and enjoy them as freely as they did enjoy them at the beginning of the last War, or at the time when they began to follow themselves to the one or the other Party, all Contracts, and Sentences made, passed, or pronounced during the War, to the contrary notwithstanding, shall be held as null and of no Effect. In Virtue of the said Amnesty, it shall be lawful and legal for all and singular the said Persons, who followed one or the other Party, to return to their Country, and to enjoy their Goods in the same manner as if no War had happened, a full Licence is given them to take care of their Affairs, either by themselves if they should be able, or by their Attorneys, if they should choose rather

Territorys within eight Days after Application made by his Imperial Majesty.

IV. On the other hand, his Sacred Imperial and Catholick Majesty, his Sacred Royal *Britannick* Majesty, and the States General of the *United Provinces*, promise for themselves, their Heirs and Successors, that they never will directly or indirectly disturb his Sacred most Christian Majesty in any of his Dominions to the Crown of *France* now belonging. On the contrary, they will and ought to guard and defend the same against all and singular who may attempt to invade them in a hostile Manner; and in that case they will and ought to furnish such Succours as his most Christian Majesty shall want, according as hereafter is agreed upon.

His Sacred Imperial and Catholick Majesty, his Sacred Royal Majesty of *Great Britain*, and the Lords the States General, do likewise promise and oblige themselves, that they will and ought to maintain, guaranty, and defend the Right of Succession in the Kingdom of *France*, according to the Tenor of the Treatys made at *Utrecht* the 11th of *April* 1713. obliging themselves to stand by the said Succession plainly, according to the form of the Renunciation made by the King of *Spain*, the 5th of *November* 1712, and by a solemn Act accepted in the general Assembly of the States of *Spain* the 9th Day of the Month and Year aforesaid, which thereupon passed into a Law the 18th of *March* 1713, and lastly was established and settled by the Treatys of *Utrecht*: And this they shall perform against all Persons whatsoever, who may presume to disturb the Order of the said Succession, in contradiction to the previous Acts, and Treatys subsequent thereupon. To which End they shall furnish the Succours, according to the Repartition agreed on below. Farther, when the Matter may require it, they shall defend the said Order of Succession with all their Forces, by likewise declaring War against him who may attempt to infringe or impugn the same.

Moreover, his Imperial Royal Catholick Majesty, and his Royal *Britannick* Majesty, and the States General, do likewise promise, that they will not at any time give or grant any Protection or Refuge in their Dominions to the Subjects of his Royal most Christian Majesty, who actually are, or hereafter shall be declared Rebels; and in case any such shall be found in their Kingdoms, Provinces and *Dominions*, they shall command them to depart the same
within

within the space of eight Days after Application made by the said King.

V. His Sacred Imperial and Royal Catholick Majesty, as also his Royal most Christian Majesty, and the States General of the *United Provinces*, do bind themselves, their Heirs and Successors, to maintain and guaranty the Succession in the Kingdom of *Great Britain*, as establish'd by the Laws of that Kingdom, in the House of his *Britannick* Majesty now reigning, as likewise to defend all the Dominions and Provinces possessed by his Majesty. And they shall not give or grant any Protection or Refuge in any part of their Dominions to the Person, or his Descendants, if he should have any, who during the Life of *James II.* took on him the Title of Prince of *Wales*, and since the Death of that King assumed the Royal Title of King of *Great Britain*. Promising alike for themselves, their Heirs and Successors, that they will not give to the said Person or his Descendants, directly or indirectly, by Sea or by Land, any Succour, Counsel or Assistance whatsoever, either in Money, Arms, Military Stores, Ships, Soldiers, Mariners, or any other Manner whatsoever. The same they shall observe with regard to those who may be ordered or commissioned by the said Person or his Descendants, to disturb the Government of his *Britannick* Majesty, or the Tranquillity of his Kingdoms, whether by open War or clandestine Conspiracys, by raising Seditions and Rebellions, or by exercising Piracy on his *Britannick* Majesty's Subjects. In which last Case, his Imperial and Royal Catholick Majesty doth promise, that he will in no wise allow that there be any Receptracle granted to such Pirates in his Ports in the *Netherlands*. The same do his Sacred most Christian Majesty and the States General of the *United Provinces* stipulate, with regard to the Ports in their respective Dominions: As on the other hand, his *Britannick* Majesty doth promise that he will refuse any Refuge in the Ports of his Kingdoms to Pirates infesting the Subjects of his Sacred Imperial and Royal Catholick Majesty, of his Sacred Royal most Christian Majesty, or of the Lords the States General. Lastly, his Imperial and Royal Catholick Majesty, his Sacred Royal most Christian Majesty, and the Lords the States General oblige themselves, that they will never give any Refuge or Protection in any part of their Dominions to such of his *Britannick* Majesty's Subjects, as actually are, or hereafter shall be de-

clared Rebels ; and in case any such shall be found in any of their Kingdoms, Provinces and Dominions, they shall command them, within eight Days after Application made by the said King, to depart out of their Territorys. And if it should happen that his Sacred *Britannick* Majesty should be invaded in any part in a hostile Manner, his Imperial and Royal Catholick Majesty, as likewise his Royal most Christian Majesty, and the States General of the *United Provinces* do oblige themselves in that case to furnish the Succours hereafter specified. The same they are to do in favour of his Descendents, if ever it should happen that they should be disturbed in the Succession of the Kingdom of *Great Britain*.

VI. His Imperial and Royal Catholick Majesty, and their Royal *Britannick* and most Christian Majestys, do bind themselves, their Heirs and Successors, to protect and guaranty all the Dominions, Jurisdiccions and Provinces, which the Lords the States General of the *United Provinces* actually possess, against all Persons whatsoever who may disturb or invade them ; promising to furnish them in such case with the Succours hereafter mentioned. His Imperial and Royal Catholick Majesty, and their Royal *Britannick* and most Christian Majestys, likewise oblige themselves, that they will give no Refuge or Protection in any of their Kingdoms to the Subjects of the States General, who are, or hereafter shall be, declared Rebels ; and if any such shall be found in any of their Kingdoms, Dominions or Provinces, they will take care to send them out of their Dominions, within the space of eight Days after Application made by the Republick.

VII. When it shall happen that any one of the four contracting Powers shall be invaded by any other Prince or State, or disturbed in the Possession of their Kingdoms or Dominions, by the violent Detention of their Subjects, Ships, Goods or Merchandize, by Sea or by Land, then the three remaining Powers shall, as soon as they are required thereto, use their good Offices that the Party suffering may have Satisfaction for the Damage and Injury received, and that the Aggressor may abstain from the Prosecution of his Hostility. But when these friendly Offices for Reconciliation and procuring Satisfaction and Reparation to the injured Party shall have proved insufficient, in that case the High Allies, within two Months after Application

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ation made, shall furnish the Party invaded with the following Succours, jointly or separately, *viz.*

His Imperial and Royal Catholick Majesty, 8000 Foot, and 4000 Horfe.

His *Britannick* Majesty 8000 Foot, and 4000 Horfe.

His most Christian Majesty, 8000 Foot, and 4000 Horfe.

And the Lords the States General, 4000 Foot, and 2000 Horfe.

But if the Prince or Party injured, instead of Soldiers chuses rather Ships of War, or Transports, or Subsidys in Money, which is left to his Discretion, in that case the Ships or Money desired shall be granted him in proportion to the Charge of the Soldiers to be furnished. And that all Ambiguity with regard to the Calculation and Charge of such Sums may be taken away, it is agreed, that a Thousand Foot by the Month shall be reckoned at ten Thousand Florins of *Holland*, and a Thousand Horfe shall be reckoned at thirty Thousand Florins of *Holland* by the Month; the same Proportion being observed with respect to the Ships.

When the above-named Succours shall be found insufficient for the Necessity impending, the contracting Powers shall without delay agree on contributing more ample Supplies. And farther, in case of Exigency, they shall assist their injured Ally with all their Forces, and declare War against the Aggressor.

VIII. The Princes and States upon whom the contracting Powers shall unanimously agree, may accede to this Treaty; and the King of *Portugal* by Name.

This Treaty shall be approved and ratified by their Imperial, *Britannick*, and most Christian Majestys, and by the High and Mighty Lords the States General of the *United Provinces*, and the Instruments of Ratification shall be exchanged at *London*, and reciprocally delivered within the space of two Months, or sooner, if possible.

In Witness whereof, We the underwritten (being furnished with full Powers, which have been mutually communicated, and the Copyes whereof having been in due Form by us collated and examined with the Originals, are Word for Word inserted at the End of this Instrument) have subscribed this present Treaty, and thereto put our Seals. Done at *London* the ^{22d of July, O. S.} _{2d of August, N. S.} Anno Domini 1718.

(L. S.) *Chris. Penterridter ab Adelshausen.*(L. S.) *Jo. Phil. Hoffman.*(L. S.) *Dubois.*(L. S.) *W. Cant.*(L. S.) *Parker C.*(L. S.) *Sunderland P.*(L. S.) *Kingston C. P. S.*(L. S.) *Kent.*(L. S.) *Holles Newcastle.*(L. S.) *Bolton.*(L. S.) *Roxburghe.*(L. S.) *Berkeley.*(L. S.) *J. Craggs.**Separate and Secret Articles.*

I. **W**HEREAS the most serene and most potent King of *Great Britain*, and the most serene and most potent the most Christian King, as likewise the High and Mighty Lords the States General of the *United Netherlands*, by virtue of the Treaty between them this Day concluded and signed, have agreed on certain Conditions, whereby a Peace may be made betwixt the most serene and most potent Emperor of the *Romans* and the most serene and most potent King of *Spain*, as also between his sacred Imperial Majesty aforesaid and the King of *Sicily*, (whom hereafter it is thought fit to call the King of *Sardinia*) which Conditions they have communicated to the three Princes aforesaid, as a Basis of the Peace to be established between them: His sacred Imperial Majesty, being moved by the most weighty Reasons which induced the King of *Great Britain*, the most Christian King, and the States General aforesaid, to take upon themselves so great and so wholesome a Work, and yielding to their circumstance and urgent Counsels and Persuasions, declares that he doth accept the said Conditions or Articles, none of them excepted, as fixed and immutable Conditions, according to which he agrees to conclude a perpetual Peace with the King of *Spain*, and the King of *Sardinia*.

II. But because the King of *Spain* and the King of *Sardinia* have not yet consented to the said Conditions, his Imperial Majesty, as likewise their Royal *Britannick* and *most Christian* Majestys, and the States General aforesaid, have agreed to allow them for consenting thereto, the space

of three Months, to be computed from the Day of signing this present Treaty, as judging this Interval of Time sufficient for them duly to weigh the said Conditions, and finally determine and declare themselves, whether they are willing to accept them as fixed and immutable Conditions of their Pacification with his Imperial Majesty, as from their Piety and Prudence it may be hoped they will do; and following the Example of his Imperial Majesty, that they will be induced to moderate their Passions, and out of regard to Humanity, that they will prefer the publick Tranquillity to their own private Opinions; and at the same time not only spare the Effusion of their own People's Blood, but avert the Calamitys of War from the other Nations of *Europe*: To which End, their *Britannick* and most Christian Majestys, and the States General of the *United Netherlands*, will jointly and separately contribute their most effectual Offices, for inclining the said Princes to such an Acceptation.

III. But if, contrary to all Expectation of the Partys above contracting, and the Wishes of all *Europe*, the King of *Spain*, and the King of *Sardinia*, after the Term of three Months elapsed, should decline to accept the said Conditions of Pacification propos'd betwixt them and his Imperial Majesty, since it is not reasonable that the Tranquillity of *Europe* should depend upon their Refusal, or private Designs, their *Britannick* and most Christian Majestys, and the States General, do promise that they will join their Forces with those of his Imperial Majesty, in order to compel them to the Acceptance and Execution of the aforesaid Conditions. To which end, they will furnish his Imperial Majesty jointly and separately with the self-same Succours which they have agreed upon for their reciprocal Defence by the 7th Article of the Treaty signed this Day, unanimously consenting that the most Christian King shall, instead of Soldiers, contribute his Quota in Money. And if the Succours specified in the said seventh Article shall not be sufficient for compassing the End propos'd, then the four contracting Partys shall without delay agree on more ample Succours to be furnished to his Imperial Majesty, and shall continue the same till his Imperial Majesty shall have reduced the Kingdom of *Sicily*, and till his Kingdoms and Provinces in *Italy* shall enjoy full Security. It is farther agreed, and that in express Words, that if, by reason of the Succours which their *Britannick* and

most Christian Majesty, and the Lords the States General shall furnish to his Imperial Majesty, by Virtue and in Execution of the present Treaty, the Kings of *Spain and Sardinia*, or either of them, shall declare or wage War against any one of the said Contractors, either by attacking them in their Dominions, or by violently detaining their Subjects or Ships, their Goods and Merchandizes by Sea or Land, in that case the two other of the contracting Powers shall immediately declare War against the said Kings of *Spain and Sardinia*, or against him of the two Kings, who shall have denounced or waged War against any one of the said contracting Powers; nor shall they lay down their Arms before the Emperor shall be possess'd of *Sicily*, and made secure with regard to his Kingdoms and Provinces in *Italy*, and likewise just Satisfaction shall be given to him of the three contracting Powers, who shall have been invaded or suffered Damage by reason of the present Treaty.

IV. When only one of the two Kings aforesaid, who have not consented to the Conditions of Peace to be made with his Imperial Majesty, shall accept them, he likewise shall join himself with the four contracting Powers, to compel him that shall refuse the said Conditions, and shall furnish his Quota of Succours according to the Distribution to be made thereupon.

V. If the Catholick King, out of regard to the Publick Good, and a Persuasion that an Exchange of the Kingdoms of *Sicily and Sardinia* is necessary for the Maintenance of the general Peace, shall agree thereto, and embrace the Conditions of Peace to be made with the Emperor as above; and on the other hand, if the King of *Sardinia* shall reject such an Exchange, and persist in retaining *Sicily*; in that case the King of *Spain* shall restore *Sardinia* to the Emperor, who (saving his supreme Dominion over it) shall put the same into the Custody of the most serene King of *Great Britain*, and of the Lords the States General, for so long time, till *Sicily* being reduced, the King of *Sardinia* shall sign the above-mentioned Conditions of a Treaty with the Emperor, and shall agree to accept the Kingdom of *Sardinia* as an Equivalent for the Kingdom of *Sicily*; which being done, he shall be admitted into the Possession thereof by the King of *Great Britain* and the States General. But if his Imperial Majesty should not be able to conquer *Sicily*, and reduce it under his Power, in that case

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the King of *Great Britain*, and the States General, shall restore to him the Kingdom of *Sardinia*; and in the mean time his Imperial Majesty shall enjoy the Revenues of the said Kingdom, which shall exceed the Charge of keeping it.

VI. But in case the King of *Sardinia* shall consent to the said Exchange, and the King of *Spain* shall refuse, in this case the Emperor being aided by the Succours of the rest of the Contractors, shall attack *Sardinia*, with which Succours they on their Part promise to furnish him; as the Emperor promises on his part, that he will not lay down his Arms till he shall have possessed himself of the whole Kingdom of *Sardinia*, which immediately after such Possession he shall give up to the King of *Sardinia*.

VII. But if both the Kings of *Spain* and *Sardinia* shall propose the Exchange of *Sicily* and *Sardinia*, the Emperor, together with the Succours of the Allies, shall in the first place attack *Sicily*, and having reduced it, he shall turn his Arms against *Sardinia* with such a Number of Forces, besides the Succours of the Allies, as he shall judge necessary for both Expeditions: And, having likewise reduced *Sardinia*, his Imperial Majesty shall commit the Custody hereof to the King of *Great Britain*, and to the Lords of the States General, till the King of *Sardinia* shall have signed the Conditions of Peace to be made with the Emperor, and shall consent to accept the Kingdom of *Sardinia* as an Equivalent for the Kingdom of *Sicily*, when it is to be deliver'd up to him by his *Britannick* Majesty and the States General; and in the mean time his Imperial Majesty shall enjoy the Revenues of that Kingdom, which shall exceed the Charge of keeping it.

VIII. In case the Catholick King and the King of *Sardinia*, or either of them, shall refuse to accept and execute the abovesaid Conditions of Peace to them proposed, and for that Reason the four contracting Powers shall be compelled to proceed against them, or either of them, by open Force; it is expressly covenanted, that the Emperor (what Progress soever his Arms may make against the said two Kings, or either of them) shall be content, and ought to acquiesce in the Advantages, by mutual Consent allotted to him in the said Conditions; Power nevertheless being reserved to his Imperial Majesty of recovering the Rights which he pretends to have over that part of the Duchy of *Milan*, which the King of *Sardinia* now possesses, ei-

ther by War, or by a Treaty of Peace subsequent upon such War; Power being likewise reserved to the other three Allies, in case such a War should be undertaken against the Kings of *Spain* and *Sardinia*, to agree with his Imperial Majesty in appointing some other Prince, in whose Favour his Imperial Majesty may dispose of that part of the Duchy of *Montferrat*, now possessed by the King of *Sardinia*, in Exclusion of the said King; and to what other Prince or Princes he may, with the Consent of the Empire, grant the Letters of Expectative, containing the eventual Investiture of the States now possessed by the Grand Duke of *Tuscany*, and by the Duke of *Parma* and *Placentia*, in Exclusion of the Sons of the present Queen of *Spain*. This Declaration being added, that in no Time or Case whatsoever, either his Imperial Majesty, or any Prince of the House of *Austria*, who shall possess the Kingdoms and Provinces of *Italy*, may assert or gain to himself the said Duchys of *Tuscany* and *Parma*.

IX. But if his Imperial Majesty, after his Efforts by a sufficient Number of Forces, and the Succours and other Means of the Allies, and by using all convenient Diligence, should not be able by Arms to subdue, or to establish himself in the Possession of *Sicily*, the contracting Powers do agree and declare, that his Imperial Majesty is, and shall be in that case altogether free and discharged from every Obligation entered into by this Treaty, of agreeing to make a Peace with the Kings of *Spain* and *Sardinia*, on the Conditions abovementioned. All other the Articles of this Treaty nevertheless to remain good, which mutually regard his Imperial Majesty, their *Britannick* and most Christian Majestys, and the Lords the States General of the *United Netherlands*.

X. However, as the Security and Tranquillity of *Europe* is the End and Scope of the Renunciations to be made by his Imperial Majesty, and by his Catholick Majesty, for themselves, their Descendents and Successors, of all Pretensions to the Kingdom of *Spain* and the *Indies*, on the one part; and on the Kingdoms, Dominions and Provinces of *Italy*, and the *Austrian Netherlands*, on the other part: The said Renunciations shall be made on the one and the other Part, in Manner and Form, as in the second and fourth Articles of the Conditions of a Peace to be made between his Imperial Majesty, and his Royal Catholick Majesty, has been agreed. And tho the Catholick King

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should refuse to accept the aforesaid Conditions, the Emperor nevertheless shall cause the Instruments of his Renunciation to be dispatch'd, the Publication whereof however shall be defered till the Day of signing the Peace with the Catholick King. And if the Catholick King should constantly persist in rejecting the said Peace, his Imperial Majesty nevertheless, at the Time when the Ratifications of this Treaty shall be exchanged, shall deliver to the King of *Great Britain* a solemn Act of the said Renunciations, which his *Britannick* Majesty, pursuant to the common Agreement of the contracting Powers, doth promise shall not be exhibited to the most Christian King before his Imperial Majesty shall come into the Possession of *Sicily*. But that being obtained, then the Exhibition, as well as Publication of the said Act of his Imperial Majesty's Renunciations, shall be performed upon the first Demand of the most Christian King. And those Renunciations shall take place whether the Catholick King shall sign the Peace with the Emperor, or no; by reason that in this last Case, the Guaranty of the contracting Partys shall be to the Emperor in lieu of that Security, which otherwise the Renunciations of the Catholick King would have given to his Imperial Majesty for *Sicily*, the other States of *Italy*, and the Provinces of the *Netherlands*.

XI. His Imperial Majesty doth promise, that he will not attempt or enterprize any thing against the Catholick King, or the King of *Sardinia*; or, in general, against the Neutrality of *Italy*, in that space of three Months allowed them for accepting the Conditions of their Peace with the Emperor. But, if within the said space of three Months the Catholick King, instead of accepting the said Conditions, shall rather persist in the prosecuting of his Hostilities against his Imperial Majesty: Or, if the King of *Sardinia* should with Arms attack the Provinces which the Emperor possesses in *Italy*; in that case their *Britannick* and most Christian Majestys, and the Lords the States General, oblige themselves instantly to furnish his Imperial Majesty for his Defence, with the Succours, which in Virtue of the Treaty this Day signed, they have mutually agreed to lend one another for their reciprocal Defence; and that jointly or separately, and without waiting the Expiration of the two Months otherwise prefixed in the said Treaty, for the employing of friendly Offices. And if the Succours specified by the said Treaty should not be sufficient for the End proposed,

Territorys within eight Days after Application made by his Imperial Majesty.

IV. On the other hand, his Sacred Imperial and Catholick Majesty, his Sacred Royal *Britannick* Majesty, and the States General of the *United Provinces*, promise for themselves, their Heirs and Successors, that they never will directly or indirectly disturb his Sacred most Christian Majesty in any of his Dominions to the Crown of *France* now belonging. On the contrary, they will and ought to guard and defend the same against all and singular who may attempt to invade them in a hostile Manner; and in that case they will and ought to furnish such Succours as his most Christian Majesty shall want, according as hereafter is agreed upon.

His Sacred Imperial and Catholick Majesty, his Sacred Royal Majesty of *Great Britain*, and the Lords the States General, do likewise promise and oblige themselves, that they will and ought to maintain, guaranty, and defend the Right of Succession in the Kingdom of *France*, according to the Tenor of the Treatys made at *Utrecht* the 11th of *April* 1713. obliging themselves to stand by the said Succession plainly, according to the form of the Renunciation made by the King of *Spain*, the 5th of *November* 1712, and by a solemn Act accepted in the general Assembly of the States of *Spain* the 9th Day of the Month and Year aforesaid, which thereupon passed into a Law the 18th of *March* 1713, and lastly was established and settled by the Treatys of *Utrecht*: And this they shall perform against all Persons whatsoever, who may presume to disturb the Order of the said Succession, in contradiction to the previous Acts, and Treatys subsequnt thereupon. To which End they shall furnish the Succours, according to the Repartition agreed on below. Farther, when the Matter may require it, they shall defend the said Order of Succession with all their Forces, by likewise declaring War against him who may attempt to infringe or impugn the same.

Moreover, his Imperial Royal Catholick Majesty, and his Royal *Britannick* Majesty, and the States General, do likewise promise, that they will not at any time give or grant any Protection or Refuge in their Dominions to the Subjects of his Royal most Christian Majesty, who actually are, or hereafter shall be declared Rebels; and in case any such shall be found in their Kingdoms, Provinces and *Dominions*, they shall command them to depart the same
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within the space of eight Days after Application made by the said King.

V. His Sacred Imperial and Royal Catholick Majesty, as also his Royal most Christian Majesty, and the States General of the *United Provinces*, do bind themselves, their Heirs and Successors, to maintain and guaranty the Succession in the Kingdom of *Great Britain*, as establish'd by the Laws of that Kingdom, in the House of his *Britannick* Majesty now reigning, as likewise to defend all the Dominions and Provinces possessed by his Majesty. And they shall not give or grant any Protection or Refuge in any part of their Dominions to the Person, or his Descendants, if he should have any, who during the Life of *James II.* took on him the Title of Prince of *Wales*, and since the Death of that King assumed the Royal Title of King of *Great Britain*. Promising alike for themselves, their Heirs and Successors, that they will not give to the said Person or his Descendants, directly or indirectly, by Sea or by Land, any Succour, Counsel or Assistance whatsoever, either in Money, Arms, Military Stores, Ships, Soldiers, Mariners, or any other Manner whatsoever. The same they shall observe with regard to those who may be ordered or commissioned by the said Person or his Descendants, to disturb the Government of his *Britannick* Majesty, or the Tranquillity of his Kingdoms, whether by open War or clandestine Conspiracys, by raising Seditions and Rebellions, or by exercising Piracy on his *Britannick* Majesty's Subjects. In which last Case, his Imperial and Royal Catholick Majesty doth promise, that he will in no wise allow that there be any Receptacle granted to such Pirates in his Ports in the *Netherlands*. The same do his Sacred most Christian Majesty and the States General of the *United Provinces* stipulate, with regard to the Ports in their respective Dominions: As on the other hand, his *Britannick* Majesty doth promise that he will refuse any Refuge in the Ports of his Kingdoms to Pirates infesting the Subjects of his Sacred Imperial and Royal Catholick Majesty, of his Sacred Royal most Christian Majesty, or of the Lords the States General. Lastly, his Imperial and Royal Catholick Majesty, his Sacred Royal most Christian Majesty, and the Lords the States General oblige themselves, that they will never give any Refuge or Protection in any part of their Dominions to such of his *Britannick* Majesty's Subjects, as actually are, or hereafter shall be de-

clared Rebels; and in case any such shall be found in any of their Kingdoms, Provinces and Dominions, they shall command them, within eight Days after Application made by the said King, to depart out of their Territorys. And if it should happen that his Sacred *Britannick* Majesty should be invaded in any part in a hostile Manner, his Imperial and Royal Catholick Majesty, as likewise his Roman most Christian Majesty, and the States General of the *United Provinces* do oblige themselves in that case to furnish the Succours hereafter specified. The same they shall do in favour of his Descendents, if ever it should happen that they should be disturbed in the Succession of the Kingdom of *Great Britain*.

VI. His Imperial and Royal Catholick Majesty, and their Royal *Britannick* and most Christian Majestys, do bind themselves, their Heirs and Successors, to protect and guaranty all the Dominions, Jurisdictions and Provinces which the Lords the States General of the *United Provinces* actually possess, against all Persons whatsoever who may disturb or invade them; promising to furnish them in such case with the Succours hereafter mentioned. His Imperial and Royal Catholick Majesty, and their Royal *Britannick* and most Christian Majestys, likewise oblige themselves, that they will give no Refuge or Protection in any of their Kingdoms to the Subjects of the States General who are, or hereafter shall be, declared Rebels; and if any such shall be found in any of their Kingdoms, Dominions or Provinces, they will take care to send them out of the said Dominions, within the space of eight Days after Application made by the Republick.

VII. When it shall happen that any one of the four contracting Powers shall be invaded by any other Prince or State, or disturbed in the Possession of their Kingdoms or Dominions, by the violent Detention of their Subjects, Ships, Goods or Merchandize, by Sea or by Land, that the three remaining Powers shall, as soon as they are required thereto, use their good Offices that the Party offending may have Satisfaction for the Damage and Injury received, and that the Aggressor may abstain from the Prosecution of his Hostility. But when these friendly Offices for Reconciliation and procuring Satisfaction and Reparation to the injured Party shall have proved insufficient, that case the High Allies, within two Months after Application

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cation made, shall furnish the Party invaded with the following Succours, jointly or separately, *viz.*

His Imperial and Royal Catholick Majesty, 8000 Foot, and 4000 Horse.

His *Britannick* Majesty 8000 Foot, and 4000 Horse.

His most Christian Majesty, 8000 Foot, and 4000 Horse.

And the Lords the States General, 4000 Foot, and 2000 Horse.

But if the Prince or Party injured, instead of Soldiers chuses rather Ships of War, or Transports, or Subsidys in Money, which is left to his Discretion, in that case the Ships or Money desired shall be granted him in proportion to the Charge of the Soldiers to be furnished. And that all Ambiguity with regard to the Calculation and Charge of such Sums may be taken away, it is agreed, that a Thousand Foot by the Month shall be reckoned at ten Thousand Florins of *Holland*, and a Thousand Horse shall be reckoned at thirty Thousand Florins of *Holland* by the Month; the same Proportion being observed with respect to the Ships.

When the above-named Succours shall be found insufficient for the Necessity impending, the contracting Powers shall without delay agree on contributing more ample Supplies. And farther, in case of Exigency, they shall assist their injured Ally with all their Forces, and declare War against the Aggressor.

VIII. The Princes and States upon whom the contracting Powers shall unanimously agree, may accede to this Treaty; and the King of *Portugal* by Name.

This Treaty shall be approved and ratified by their Imperial, *Britannick*, and most Christian Majestys, and by the High and Mighty Lords the States General of the *United Provinces*, and the Instruments of Ratification shall be exchanged at *London*, and reciprocally delivered within the space of two Months, or sooner, if possible.

In Witness whereof, We the underwritten (being furnished with full Powers, which have been mutually communicated, and the Copys whereof having been in due Form by us collated and examined with the Originals, are Word for Word inserted at the End of this Instrument) have subscribed this present Treaty, and thereto put our Seals. Done at *London* the ^{22d of July, O. S.}_{2d of August, N. S.} Anno Domini

1718.

(L. S.) *Chris. Penterridter ab Adelfshausen.*(L. S.) *Jo. Phil. Hoffman.*(L. S.) *Dubois.*(L. S.) *W. Cant.*(L. S.) *Parker C.*(L. S.) *Sunderland P.*(L. S.) *Kingston C. P. S.*(L. S.) *Kent.*(L. S.) *Holles Newcastle.*(L. S.) *Bolton.*(L. S.) *Roxburghe.*(L. S.) *Berkeley.*(L. S.) *J. Craggs.**Separate and Secret Articles.*

I. **W**HEREAS the most serene and most potent King of *Great Britain*, and the most serene and most potent the most Christian King, as likewise the High and Mighty Lords the States General of the *United Netherlands*, by virtue of the Treaty between them this Day concluded and signed, have agreed on certain Conditions, whereby a Peace may be made betwixt the most serene and most potent Emperor of the *Romans* and the most serene and most potent King of *Spain*, as also between his sacred Imperial Majesty aforesaid and the King of *Sicily*, (whom hereafter it is thought fit to call the King of *Sardinia*) which Conditions they have communicated to the three Princes aforesaid, as a Basis of the Peace to be established between them: His sacred Imperial Majesty, being moved by the most weighty Reasons which induced the King of *Great Britain*, the most Christian King, and the States General aforesaid, to take upon themselves so great and so wholesome a Work, and yielding to their circumspect and urgent Counsels and Persuasions, declares that he doth accept the said Conditions or Articles, none of them excepted, as fixed and immutable Conditions, according to which he agrees to conclude a perpetual Peace with the King of *Spain*, and the King of *Sardinia*.

II. But because the King of *Spain* and the King of *Sardinia* have not yet consented to the said Conditions, his Imperial Majesty, as likewise their Royal *Britannick* and most Christian Majesty, and the States General aforesaid have agreed to allow them for consenting thereto, the space

of three Months, to be computed from the Day of signing this present Treaty, as judging this Interval of Time sufficient for them duly to weigh the said Conditions, and finally determine and declare themselves, whether they are willing to accept them as fixed and immutable Conditions of their Pacification with his Imperial Majesty, as from their Piety and Prudence it may be hoped they will do; and following the Example of his Imperial Majesty, that they will be induced to moderate their Passions, and out of regard to Humanity, that they will prefer the publick Tranquillity to their own private Opinions; and at the same time not only spare the Effusion of their own People's Blood, but avert the Calamitys of War from the other Nations of *Europe*: To which End, their *Britannick* and most Christian Majestys, and the States General of the *United Netherlands*, will jointly and separately contribute their most effectual Offices, for inclining the said Princes to such an Acceptation.

III. But if, contrary to all Expectation of the Partys above contracting, and the Wishe of all *Europe*, the King of *Spain*, and the King of *Sardinia*, after the Term of three Months elapsed, should decline to accept the said Conditions of Pacification propos'd betwixt them and his Imperial Majesty, since it is not reasonable that the Tranquillity of *Europe* should depend upon their Refusal, or private Designs, their *Britannick* and most Christian Majestys, and the States General, do promise that they will join their Forces with those of his Imperial Majesty, in order to compel them to the Acceptance and Execution of the aforesaid Conditions. To which end, they will furnish his Imperial Majesty jointly and separately with the self-same Succours which they have agreed upon for their reciprocal Defence by the 7th Article of the Treaty sign'd this Day, unanimously consenting that the most Christian King shall, instead of Soldiers, contribute his Quota in Money. And if the Succours specified in the said seventh Article shall not be sufficient for compassing the End propos'd, then the four contracting Partys shall without delay agree on more ample Succours to be furnished to his Imperial Majesty, and shall continue the same till his Imperial Majesty shall have reduced the Kingdom of *Sicily*, and till his Kingdoms and Provinces in *Italy* shall enjoy full Security. It is farther agreed, and that in express Words, that if, by reason of the Succours which their *Britannick* and

most Christian Majesty, and the Lords the States General shall furnish to his Imperial Majesty, by Virtue and in Execution of the present Treaty, the Kings of *Spain and Sardinia*, or either of them, shall declare or wage War against any one of the said Contractors, either by attacking them in their Dominions, or by violently detaining their Subjects or Ships, their Goods and Merchandizes by Sea or Land, in that case the two other of the contracting Powers shall immediately declare War against the said Kings of *Spain and Sardinia*, or against him of the two Kings, who shall have denounced or waged War against any one of the said contracting Powers; nor shall they lay down their Arms before the Emperor shall be possess'd of *Sicily*, and made secure with regard to his Kingdoms and Provinces in *Italy*, and likewise just Satisfaction shall be given to him of the three contracting Powers, who shall have been invaded or suffered Damage by reason of the present Treaty.

IV. When only one of the two Kings aforesaid, who have not consented to the Conditions of Peace to be made with his Imperial Majesty, shall accept them, he likewise shall join himself with the four contracting Powers, to compel him that shall refuse the said Conditions, and shall furnish his Quota of Succours according to the Distribution to be made thereupon.

V. If the Catholick King, out of regard to the Publick Good, and a Persuasion that an Exchange of the Kingdoms of *Sicily and Sardinia* is necessary for the Maintenance of the general Peace, shall agree thereto, and embrace the Conditions of Peace to be made with the Emperor as above; and on the other hand, if the King of *Sardinia* shall reject such an Exchange, and persist in retaining *Sicily*; in that case the King of *Spain* shall restore *Sardinia* to the Emperor, who (saving his supreme Dominion over it) shall put the same into the Custody of the most serene King of *Great Britain*, and of the Lords the States General, for so long time, till *Sicily* being reduced, the King of *Sardinia* shall sign the above-mentioned Conditions of a Treaty with the Emperor, and shall agree to accept the Kingdom of *Sardinia* as an Equivalent for the Kingdom of *Sicily*; which being done, he shall be admitted into the Possession thereof by the King of *Great Britain* and the States General. But if his Imperial Majesty should not be able to conquer *Sicily*, and reduce it under his Power, in that case

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The King of *Great Britain*, and the States General, shall restore to him the Kingdom of *Sardinia*; and in the mean time his Imperial Majesty shall enjoy the Revenues of the said Kingdom, which shall exceed the Charge of keeping it.

VI. But in case the King of *Sardinia* shall consent to the said Exchange, and the King of *Spain* shall refuse, in this case the Emperor being aided by the Succours of the rest of the Contractors, shall attack *Sardinia*, with which Succours they on their Part promise to furnish him; as the Emperor promises on his part, that he will not lay down his Arms till he shall have possessed himself of the whole Kingdom of *Sardinia*, which immediately after such Possession he shall give up to the King of *Sardinia*.

VII. But if both the Kings of *Spain* and *Sardinia* shall oppose the Exchange of *Sicily* and *Sardinia*, the Emperor, together with the Succours of the Allies, shall in the first place attack *Sicily*, and having reduced it, he shall turn his Arms against *Sardinia* with such a Number of Forces, besides the Succours of the Allies, as he shall judge necessary for both Expeditions: And, having likewise reduced *Sardinia*, his Imperial Majesty shall commit the Custody thereof to the King of *Great Britain*, and to the Lords the States General, till the King of *Sardinia* shall have signed the Conditions of Peace to be made with the Emperor, and shall consent to accept the Kingdom of *Sardinia* as an Equivalent for the Kingdom of *Sicily*, which then is to be deliver'd up to him by his *Britannick* Majesty and the States General; and in the mean time his Imperial Majesty shall enjoy the Revenues of that Kingdom, which shall exceed the Charge of keeping it.

VIII. In case the Catholick King and the King of *Sardinia*, or either of them, shall refuse to accept and execute the abovesaid Conditions of Peace to them proposed, and for that Reason the four contracting Powers shall be compelled to proceed against them, or either of them, by open Force; it is expressly covenanted, that the Emperor (what Progress soever his Arms may make against the said two Kings, or either of them) shall be content, and ought to acquiesce in the Advantages, by mutual Consent allotted to him in the said Conditions; Power nevertheless being reserved to his Imperial Majesty of recovering the Rights which he pretends to have over that part of the Duchy of *Milan*, which the King of *Sardinia* now possesses, ei-

ther by War, or by a Treaty of Peace subsequent upon such War; Power being likewise reserved to the other three Allies, in case such a War should be undertaken against the Kings of *Spain* and *Sardinia*, to agree with his Imperial Majesty in appointing some other Prince, in whose Favour his Imperial Majesty may dispose of that part of the Duchy of *Montferrat*, now possessed by the King of *Sardinia*, in Exclusion of the said King; and to what other Prince or Princes he may, with the Consent of the Empire, grant the Letters of Expectative, containing the eventual Investiture of the States now possessed by the Grand Duke of *Tuscany*, and by the Duke of *Parma* and *Placentia*, in Exclusion of the Sons of the present Queen of *Spain*. This Declaration being added, that in no Time or Case whatsoever, either his Imperial Majesty, or any Prince of the House of *Austria*, who shall possess the Kingdoms and Provinces of *Italy*, may assert or gain to himself the said Duchys of *Tuscany* and *Parma*.

IX. But if his Imperial Majesty, after his Efforts by a sufficient Number of Forces, and the Succours and other Means of the Allies, and by using all convenient Diligence, should not be able by Arms to subdue, or to establish himself in the Possession of *Sicily*, the contracting Powers do agree and declare, that his Imperial Majesty is, and shall be in that case altogether free and discharged from every Obligation entered into by this Treaty, of agreeing to make a Peace with the Kings of *Spain* and *Sardinia*, on the Conditions abovementioned. All other the Articles of this Treaty nevertheless to remain good, which mutually regard his Imperial Majesty, their *Britannick* and most Christian Majestys, and the Lords the States General of the *United Netherlands*.

X. However, as the Security and Tranquillity of *Europe* is the End and Scope of the Renunciations to be made by his Imperial Majesty, and by his Catholick Majesty, for themselves, their Descendents and Successors, of all Pretensions to the Kingdom of *Spain* and the *Indies*, on the one part; and on the Kingdoms, Dominions and Provinces of *Italy*, and the *Austrian Netherlands*, on the other part: The said Renunciations shall be made on the one and the other Part, in Manner and Form, as in the second and fourth Articles of the Conditions of a Peace to be made between his Imperial Majesty, and his Royal Catholick Majesty, has been agreed. And tho the Catholick King
should

should refuse to accept the *aforesaid* Conditions, the Emperor nevertheless shall cause the Instruments of his Renunciation to be dispatch'd, the Publication whereof however shall be defered till the Day of signing the Peace with the Catholick King. And if the Catholick King should constantly persist in rejecting the said Peace, his Imperial Majesty nevertheless, at the Time when the Ratifications of this Treaty shall be exchanged, shall deliver to the King of *Great Britain* a solemn Act of the said Renunciations, which his *Britannick* Majesty, pursuant to the common Agreement of the contracting Powers, doth promise shall not be exhibited to the most Christian King before his Imperial Majesty shall come into the Possession of *Sicily*. But that being obtained, then the Exhibition, as well as Publication of the said Act of his Imperial Majesty's Renunciations, shall be performed upon the first Demand of the most Christian King. And those Renunciations shall take place whether the Catholick King shall sign the Peace with the Emperor, or no; by reason that in this last Case, the Guaranty of the contracting Partys shall be to the Emperor in lieu of that Security, which otherwise the Renunciations of the Catholick King would have given to his Imperial Majesty for *Sicily*, the other States of *Italy*, and the Provinces of the *Netherlands*.

XI. His Imperial Majesty doth promise, that he will not attempt or enterprize any thing against the Catholick King, or the King of *Sardinia*; or, in general, against the Neutrality of *Italy*; in that space of three Months allowed them for accepting the Conditions of their Peace with the Emperor. But, if within the said space of three Months the Catholick King, instead of accepting the said Conditions, shall rather persist in the prosecuting of his Hostilities against his Imperial Majesty: Or, if the King of *Sardinia* should with Arms attack the Provinces which the Emperor possesses in *Italy*; in that case their *Britannick* and most Christian Majestys, and the Lords the States General, oblige themselves instantly to furnish his Imperial Majesty for his Defence, with the Succours, which in Virtue of the Treaty this Day signed, they have mutually agreed to lend one another for their reciprocal Defence; and that jointly or separately, and without waiting the Expiration of the two Months otherwise prefixed in the said Treaty, for the employing of friendly Offices. And if the Succours specified by the said Treaty should not be sufficient for the End proposed,

posed, the four contracting Partys shall immediately agree amongst themselves to send more powerful Assistance to his Imperial Majesty.

XII. The Eleven foregoing Articles are to be kept secret by his Imperial Majesty, their *Britannick* and most Christian Majestys, and the States General, for the space of three Months, from the Day of the Signing, unless it shall be unanimously agreed by them to shorten or prolong the said Term: And tho the said Eleven Articles be separate from the Treaty of Alliance, this Day signed by the four contracting Partys aforesaid, they shall nevertheless have the same Power and Force, as if they had been Word for Word inserted therein, since they are deemed to be an essential Part thereof.

The Ratifications thereof shall moreover be exchanged at the same time as the other Articles of the said Treaty.

In Witness whereof, We the underwritten, by Virtue of the full Powers this Day mutually exhibited, have subscribed these separate Articles, and thereto have affixed our Seals.
Done at *London*, the ^{22d of July, O. S.} _{2d of August, N. S.} *Anno Domini 1718.*

(L. S.) *Chris. Penterridter ab Adelshausen.*

(L. S.) *Jo. Phil. Hoffman.*

(L. S.) *Dubois.*

(L. S.) *W. Cant.*

(L. S.) *Parker C.*

(L. S.) *Sunderland P.*

(L. S.) *Kingston C. P. S.*

(L. S.) *Kent.*

(L. S.) *Holles Newcastle.*

(L. S.) *Bolton.*

(L. S.) *Roxburghe.*

(L. S.) *Berkeley.*

(L. S.) *J. Craggs.*

Four Separate Articles.

I. **W**Hereas the Treaty this Day made and signed between his Imperial Majesty, his *Britannick* Majesty, and his most Christian Majesty, (containing as well such Conditions as have been thought most equitable and proper for establishing a Peace betwixt the Emperor and the Catholick King, and betwixt the said Emperor and the King of Sicily, as the Conditions of an Alliance made for

for preserving the publick Peace between the said contracting Powers) hath been communicated to the High and Mighty Lords the States General of the *United Netherlands*: And whereas the Separate and Secret Articles likewise signed this Day, and containing the Measures which it has been thought fit to take for putting the abovesaid Treaty in Execution, are likewise shortly to be proposed to the States General aforesaid: The Inclination which that Republick has shewn for restoring and establishing the publick Tranquillity, leaves no Room of Doubt but they will most readily accede thereto. The States General aforesaid are therefore by Name inserted as contracting Partys in the said Treaty, in most certain Hope that they will enter therein, as soon as the usual Forms of their Government will allow.

But if, contrary to the Hopes and Wishes of the contracting Partys (which nevertheless is not in the least to be suspected) the said Lords the States General shall not take their Resolution to accede to the said Treaty; it is expressly agreed and covenanted between the said contracting Partys, that the Treaty abovementioned and this Day signed, shall nevertheless have its Effect among them, and shall in all its Clauses and Articles be put in Execution, in the same manner as therein is set forth, and the Ratifications thereof shall be exhibited at the Times above specified.

II. But if the Lords the States General of the *United Netherlands* should happen to think it too hard for them to contribute their Share of Pay to the *Swiss Cantons*, for maintaining the Garisons of *Legborne, Porto Ferraro, Parma* and *Placencia*, according to the Tenor of the Treaty of Alliance this Day concluded; it is expressly provided by this Separate Article, and agreed between the four contracting Powers, that in such case the Catholick King may take upon him the said Share of the Lords the States General.

III. Whereas in the Treaty of Alliance this Day to be signed with his Imperial and Catholick Majesty, as likewise in the Conditions of Peace inserted therein, their Sacred Royal *Britannick* and most Christian Majestys, and the Lords the States General of the *United Netherlands*, do style the present Possessor of *Spain* and the *Indies* Catholick King, and the Duke of *Savoy* King of *Sicily*, as also King of *Sardinia*: And whereas his Sacred Imperial and Catholick Majesty cannot acknowledge these two Prin-

ces as Kings, before they shall have acceded to this Treaty his Sacred Imperial and Catholick Majesty, by this Separate Article which was signed before the Treaty of Alliance doth therefore declare and protest, that, by the Title there either given or omitted, he doth not mean in the least to prejudice himself, or to grant or allow the Title of King to the said two Princes; only in that case when they shall have acceded to the Treaty this Day to be signed, they shall have agreed to the Conditions of Peace specify'd therein.

IV. Whereas some of the Titles which his Sacred Imperial Majesty makes use of, either in his full Powers, in the Treaty of Alliance this Day to be signed with him cannot be acknowledged by his Sacred Royal most Christian Majesty; he doth declare and protest by this Separate Article, which was signed before the Treaty of Alliance that by the said Titles given in this Treaty, he doth not mean to prejudice either himself or any other, or that in the least gives any Right thereby to his Imperial Majesty.

These four Separate Articles shall have the same Force as if they had been Word for Word inserted in the Treaty this Day concluded and signed, and shall be ratified in the same Manner, and the Instruments of Ratification shall be delivered within the same time, with the Treaty itself.

In Witness whereof, We the underwritten, by Virtue of the full Powers this Day mutually exhibited, have signed these four Separate Articles, and thereto have affixed our Seals. Done at London, the ^{22d of July, O. S.} ^{2d of August, N. S.} Anno Domini 1718.

(L. S.) *Chris. Pentteridter ab Adelshausen.*

(L. S.) *Jo. Phil. Hoffman.*

(L. S.) *Dubois.*

(L. S.) *W. Cant.*

(L. S.) *Parker C.*

(L. S.) *Sunderland P.*

(L. S.) *Kingston C. P. S.*

(L. S.) *Kent.*

(L. S.) *Holles Newcastle.*

(L. S.) *Bolton.*

(L. S.) *Roxburghe.*

(L. S.) *Berkeley.*

(L. S.) *J. Craggs.*

His Britannick Majesty's Full Powers.

GEORGE R.

GEORGE, by the Grace of God, King of *Great Britain, France and Ireland*, Defender of the Faith, Duke of *Brunswick Lunenburg*, Arch-Treasurer of the Holy Roman Empire, and Prince Elector, &c. To all and singular to whom these Presents shall come, Greeting. Having perceiv'd so many latent Seeds of War in the Treatys concluded at *Utrecht* and *Baden*, that the Calamitys of *Europe* far from being extinguish'd seem'd only a little sooth'd and delay'd, we immediately apply'd all our Cares and Thoughts that we might root up all the Causes of taking Arms, by entring into solid and durable Conditions of Peace; and whereas the War which is broke out betwixt the Emperor and the King of *Spain* rages more and more, and begins to spread farther, we doubled our Diligence, to the end that we might without delay restore the publick Tranquillity; disturb'd by these Commotions. And as we have receiv'd Advice, that the Heads of Pacification which we, together with the most Christian King, and the Lords the States General of the *United Netherlands*, thought very reasonable to be propos'd to the Partys already engag'd, or that were like to be engag'd in the War, are not unacceptable to the said Emperor of the *Romans*, such is his Zeal for the publick Good; and whereas 'tis to be hop'd moreover, that the other Princes whom it concerns, after mature Consideration of the Terms, will at length make no difficulty to embrace them, we have thought fit on our part to nominate certain Persons, every way qualify'd to discharge the Office, for bringing so noble and so wholesom a Work to an Issue.

Know ye therefore, that having very great Confidence in the Fidelity, Wisdom, Integrity and Diligence of the most Reverend Father in God, our Right Trusty and entirely beloved Counsellor, *William* Archbishop of *Canterbury*, Primate and Metropolitan of all *England*; our Right Trusty and well-beloved Counsellor, *Thomas* Lord *Parker* Baron of *Macclesfield*, our High Chancellor of *Great Britain*; our Trusty and well beloved Cousin and Counsellor, *Charles* Earl of *Sunderland*, President of our Council; our Right Trusty and entirely beloved Cousins and Counsellors, *Evelyn*
Duke

Duke of Kingston, Keeper of our Privy Seal; Henry I of Kent, Steward of our Household; Thomas Duke of Newcastle, Chamberlain of our said Household; Charles Du Bolton, our Lieutenant and Governour General of our Kingdom of Ireland; John Duke of Marlborough, Captain General of our Armys; and John Duke of Roxburgh, one of our Principal Secretarys of State; our Right Trusty and well-loved Cousins and Counsellors, James Earl of Berkley, Commissioner of our Admiralty; William Earl Cox Baron of Wingham; James Earl Stanhope, another of our Principal Secretarys of State; and our Right Trusty and well-beloved Counsellor, James Craggs Esq; and one of our Principal Secretarys of State: We have nominated and constituted, as we do by these Presents, nominate, make and constitute them, our true, certain and undoubted Commissioners, Ministers and Plenipotentiaries giving and granting to them all, or to any three or more of them, all and all manner of License, Power, and Authority, and Command, as well general as special (provided that the general do not derogate from the special and *e contra*) to meet, treat, consult, and conclude for and in our Name, with the Minister or Ministers, as of our good Brother the Emperor of the Romans, as of our good Brother the most Christian King, as also of the States General of the *United Provinces* of the *Netherlands*, vested with sufficient Powers, of and concerning the Conditions of Peace, as may be most efficacious for appeasing the Troubles of the War, and for restoring and establishing the common Tranquillity of *Europe*, and all other Affairs and concerning any Articles, either Separate or Secret, and finally concerning all Matters which shall seem conducive to the promoting and perfecting of the said Work; and to sign, deliver, and receive in our Name Things whatsoever that shall be accordingly agreed upon and concluded; and to perform and perfect all other Matters necessary to be done, in as ample Manner and Form as we our selves shou'd do and perform, if we were on the Spot: engaging and promising on our Royal Word, that we will accept, approve and ratify in the most authentic manner, all things whatsoever that shall happen to be concluded by our said Commissioners, Ministers, and Plenipotentiaries, or three or more of them; and that we will not suffer them to be violated by any Person, or in any manner contraven'd, either in whole or in part. In Witness and

firm

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firmation whereof, We have caus'd these Presents, sign'd with our own Hand, to be seal'd with our Great Seal of *Great Britain*. Given at our Palace of *Kensington*, the 24th day of *July*, A. D. 1718, in the 4th Year of our Reign.

The Act of Admission and Accession of the King of Sardinia to the Treaty of Quadruple Alliance.

W Hereas a certain Treaty, and Separate and Secret Articles, as likewise four other Separate Articles relating thereto, and all of them of the same Force with the principal Treaty, have been in due Form concluded and signed by the Ministers Plenipotentiarys of his Imperial and Catholick Majesty, of his *Britannick* Majesty, and of his most Christian Majesty, at *London*, the ^{22d Day of July,} _{2d Day of August,} last past, between the contracting Partys abovemention'd, the Tenour of all which, Word for Word, here followeth.

Here were inserted,

The Treaty.

Separate and Secret Articles.

The Four Separate Articles.

And whereas farther, the then King of *Sicily*, whom it is now agreed to call by the Name of the King of *Sardinia*, according to the Intention of the Treaty and Articles above inserted, has been invited to accede fully and amply to all and singular of them, and to join himself in due Form to the contracting Party, as if he himself from the Beginning had been one of the Contractors: And whereas the said King of *Sardinia*, having maturely weigh'd the Conditions particularly express'd in the Treaty and Articles above inserted, has not only declared himself willing to accept the same, and to approve them by his Accession, but has likewise granted sufficient full Powers to his Ministers appointed to perfect the said Work. That therefore an Affair so beneficial may have the desired Success, we the underwritten Ministers Plenipotentiarys of his Imperial and Catholick Majesty, of his *Britannick* Majesty, and of his most Christian Majesty, in the Name and by the Authority of their said Majesty, have admitted, joined, and associated, and by these Presents do admit, join, and associate, the aforesaid King of *Sardinia*, into a full and total Partnership
of

of the Treaty above inserted, and of all and singular Articles thereunto belonging; promising by the same Authority, that their aforesaid Majestys, jointly and separately, will intirely and exactly perform and fulfil to the said King of *Sardinia*, all and singular the Conditions, Cessions, Contracts, Guarantys and Securitys, contained and set forth in the Treaty and Articles abovementioned; it being further provided, that all and singular the things agreed up by the Secret Articles against the King of *Sardinia*, sh^{all} by this his present Accession wholly cease and be abolished. On the other hand also, we the underwritten Ministers Plenipotentiarys of the King of *Sardinia*, by virtue of the full Power in due Form exhibited and allowed, a Copy whereof is added at the End of this Instrument, do here testify and promise in the Name of the said King, that the said King and Master aforesaid doth accede fully and amply to the Treaty, and to all and singular the Articles therein above inserted: That by this solemn Accession he doth joyn himself to the contracting Partyes aforesaid, as if he himself from the Beginning had been a Party contracting: And that by virtue of this Act, his said Majesty the King of *Sardinia* doth mutually oblige and bind himself, both for himself, his Heirs and Successors, to his Imperial and Catholick Majesty, to his *Britannick* Majesty, and to his most Christian Majesty, and to their Heirs and Successors, jointly and separately, that he will observe, perform and fulfil, all and singular the Conditions, Cessions, Contracts, Guarantys and Securitys, in the abovementioned Treatys and Articles expressed and set forth, towards all of them jointly, and each of them separately, with the same Faith and Conscience as if he had been a contracting Party from the Beginning and had made, concluded, and signed, jointly or separately the same Conditions, Cessions, Contracts, Guarantys, and Securitys, with his Imperial and Catholick Majesty, *Britannick* Majesty, and his most Christian Majesty.

This Instrument of the Admission and Accession of the said King of *Sardinia* shall be ratified by all the contracting Partyes, and the Ratifications made out in due Form shall be exchanged and mutually delivered at *London*, within the Space of two Months, or sooner, if possible, to reckon'd from the Day of the signing.

In Witness whereof, We the Plenipotentiarys of the Parties contracting, being on every Part furnished with sufficient Powers, have signed these Presents with our Hands, and the

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our Seals. Namely, the Plenipotentiarys of his Imperial Catholick Majesty, of his *Britannick* Majesty, of his Majesty the King of *Sardinia*, at *London*, the $\frac{\text{Fifth Day of Oct.}}{\text{Eighth of Nov.}}$, Plenipotentiary of his most Christian Majesty at the Day of *November*, in the Year of our Lord

- S.) *Chris. Pentteridter ab Adelshausen.*
- S.) *Jo. Phil. Hoffmann.*
- S.) *C. Provana.*
- S.) *C. de la Perrouse.*
- S.) *Parker C.*
- S.) *Sunderland P.*
- S.) *Kent.*
- S.) *Holles Newcastle.*
- S.) *Bolton.*
- S.) *Roxburghe.*
- S.) *Stanbope.*
- S.) *J. Craggs.*

of Commerce between Great Britain and Spain, concluded at Madrid, 4th of December 1715.

Whereas since the Treaty of Peace and Commerce, lately concluded at *Utrecht*, the 13th of *July* and the 9th of *December* 1713, between his Catholick Majesty and her late Majesty the Queen of *Great* glorious Memory, there remained still some about Trade and the Course thereof; and his Majesty and the King of *Great Britain*, being maintain and cultivate a firm and inviolable Friendship, in order to attain to this good End by their two Ministers underwritten, mutually ratified, caused the following Articles to be confign'd.

British Subjects shall not be obliged to pay her Dutys, for Goods coming in or going out of Ports of his Catholick Majesty, than those the same Goods in King *Charles* the Second's time settled.

G

fettled by Cedula's and Ordonnances of the said King or Predecessors: And altho the *Gratias* commonly call'd *del fardo*, be not grounded on any Royal Ordonnance nevertheless his Catholick Majesty declares, wills and dains, that it be observed now and hereafter as an irrevocable Law; which Dutys shall be exacted and raised and for the future, with the same Advantages and Favours to the said Subjects.

II. His Majesty confirms the Treaty made by the said Subjects with the Magistrates of *St. Andero*, in the Year 1700.

III. His Catholick Majesty permits the said Subjects to gather Salt in the Isle of *Tortugas*, they having enjoy'd this Liberty in the Reign of King *Charles II.* without Interruption.

IV. The said Subjects shall pay no where any higher Dutys than those paid by the Subjects of his Catholick Majesty in the same Places.

V. The said Subjects shall enjoy all the Rights, Privileges, Franchises, Exemptions and Immunities whatsoever which they enjoy'd before the last War, by virtue of Royal Cedula's or Ordonnances, and by the Articles of Treaty of Peace and Commerce made at *Madrid* in 1701, which is hereby fully confirm'd; and the said Subjects shall be us'd in *Spain*, in the same manner as the most favoured Nation, and consequently all Nations shall be us'd the same Dutys on Wool and other Merchandizes coming in and going out by Sea: and all the Rights, Privileges, Franchises, Exemptions and Immunities that shall be granted and allowed to the said Subjects, the like shall be granted, observ'd and permitted to the Subjects of *Spain* in the Kingdoms of his Majesty the King of *Great Britain*.

VI. And as Innovations may have been made in Trade, his Catholick Majesty promises on his part to use his utmost Endeavours to abolish them, and for the future to cause them to be avoided: In like manner the King of *Great Britain* promises to use all possible Endeavours to abolish all Innovations on his part, and for the future to cause them by all means to be avoided.

VII. The Treaty of Commerce made at *Utrecht*, the 9th of *December* 1713, shall continue in force, except the Articles that shall be found contrary to what is therein concluded and sign'd, which shall be abolish'd and rendered of no force, and especially the three Articles commencing

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call'd Explanatory : And these Presents shall be approved, ratify'd and exchange'd on each side, within the Space of six Weeks, or sooner, if possible. In Witness whereof, and by virtue of our Full Powers, We have sign'd these Presents at *Madrid*, the 14th of *December*, in the Year 1715.

(L. S.) *M. de Bedmar.*

(L. S.) *George Bubb.*

Convention between Charles VI. Emperor of the Romans and Catholick King of Spain, George King of Great Britain, and the Lords the States General of the United Provinces, relating to the Execution of certain Articles and Points of the Barrier Treaty, concluded on the 15th of November 1715. Sign'd at the Hague the 22d of December 1718.

SOME of the Articles of the Barrier Treaty, concluded on the 15th of *November 1715*, between his Imperial and Catholick Majesty, his Majesty the King of *Great Britain*, and the Lords the States General of the *United Provinces*, being impossible to be perform'd, by reason of certain Difficultys that have occur'd; and his Majesty the King of *Great Britain*, and their High Mightinesses, being alike desirous to remove those Difficultys by the most agreeable Methods, in order to attain to the View propos'd by the said Treaty, and the better to establish the Foundations of a solid Friendship and a good understanding, to which all the Partys are inclin'd, his Imperial and Catholick Majesty, his Majesty the King of *Britain*, and their High Mightinesses have nominated

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ted and appointed to treat thereof, viz. his Imperial and Catholick Majesty, the Sieur *Hercules Joseph Lewis Turenetti*, Marquis *de Prie & de Pancalier*, Count *de Mittelebourg & de Castillon*, Lord *de St. Servolo & Castelnovo* in *Carniola*, of *Fridaw & Rabonstein* in *Austria*, of *Schiurge Belvar & St. Miclos* in *Hungary*, a Grandee of *Spain*, Knight of the Order of the *Annunciada*, Privy Counsellor of his Imperial and Catholick Majesty, his Minister Plenipotentiary for the Government of the *Netherlands*, and his Ambassador Plenipotentiary, for concluding and signing this present Treaty, for the execution of the Treaty of the Barrier: His *Britannick* Majesty, *William Earl Cadogan*, Viscount of *Caversham*, Baron of *Reading and Oakley*, General of the Foot, Colonel of the 2d Regiment of Foot Guards, Governour of the *Isle of Wight*, Master of the Wardrobe, Privy Counsellor, Knight of the most noble and most antient Order of *St. Andrew*, and his Ambassador Extrordinary and Plenipotentiary to the Lords the States General of the *United Provinces*: And their High Mightinesses, the Sieurs *John van Wynbergen*, Lord of *Glinthorst*, of the Body of the Nobles of the Quarter of *Veluwe*, in the Province of *Guelderland*; *Wigbolt vander Does*, Lord of *Noortwyck*, of the Order of the Nobility of *Holland and Westfriesland*, High Bailiff and Dykegrave of *Rhinland*; *Anthony Heinsius*, Counsellor Pensionary, Keeper of the Great Seal, and Superintendent of the Fiefs of the Province of *Holland and Westfriesland*; *Adrian Velters*, late Echevin, Senator and Pensionary of the Town of *Middleburg* in *Zealand*; *Gerard Godart Taats van Amerongen*, Canon of the Chapter of *St. John* at *Utrecht*, Assessor in the Council of Subsidys, constituting the chief Member of the States of the Province of *Utrecht*, Grand Huntsman of the said Province, and Assessor in the Council of the *Heemrades* of the River of *Leck*; *Dancker de Kempenaar*, Senator of the Town of *Harlingen*, in *Friesland*; *Everard Rouse*, Burgomaster of *Deventer* in *Overysfel*; and *Eger Tamminga*, Lord in *Zeeryp*, *Enum*, *Leerumus* and *Zandt*, all respectively Deputys in our Assembly on the part of the States of *Guelderland*, *Holland* and *Westfriesland*, *Overysfel* and *Groningen*, and the *Ommelands*; who by virtue of their respective full Powers, after having held several Conferences together, have agreed as follows.

I. Whereas certain Difficultys have arisen with respect to the 17th Article of the said Treaty of Barrier, which relates to the Security of the Frontiers, and the extending of the Limits of their High Mightinesses in *Flanders*, from whence Inconveniencys may arise, which all the Partys are desirous to prevent, 'tis agreed to substitute the present Article in the place of the said 17th Article.

His Imperial and Catholick Majesty agrees and approves, that for the future the Boundaries of the States General in *Flanders* shall begin at the Sea to the N. W. of the Fort of *St. Paul* now demolish'd, which his Majesty yields to them together with ten Rods of Land, each Rod consisting of 14 Foot round the Ditch of the Counterscarp, to the West and South sides; and a strait Line shall be drawn from the Dyke which is to the South of the said Fort, mark'd by the Letter A on the Map which has been form'd and sign'd by all the Partys, thro' the *Polder* call'd *Hasegras*, as far as where it joins to the Dyke of *Crommندیke*, mark'd B, passing along by a Ditch on the West side of the said demolish'd Dyke, and from thence to the Canal call'd *Neuwgedbelft* mark'd C, and from thence to the *Neuwgedbelft Dryboeck* mark'd D; from whence the new Limits shall run along a Watercourse and Ditch, mark'd E, as far as to the Line mark'd F, which Watercourse and Ditch shall remain to his Majesty. From the Letter F they shall be continu'd along the said Line beyond the Toll-House of his Imperial and Catholick Majesty, mark'd G, in an Angle, where it shall enter the Dyke again, and run thro' the little *Polder* level with a Ditch as far as the Waterfall of the Black Sluice, and continued on the point of a Redoubt or Traverse, which is upon the Dyke beyond the two Canals of *Saute* and *Soute*, mark'd H, near the Fort of *St. Donat*, which his Imperial and Catholick Majesty yields in full Sovereignty and Propriety to the States General, together with the Sovereignty of all the Land situate to the North of the Line, mark'd as above; provided that the Gates of the Sluices of the said Fort be, and continue taken down in time of Peace, and that the Proprietors be permitted to sink the Thresholds level with that of the Black Sluice, and to inspect them as often as they think necessary, to the end that in time of Peace the Water may always have a free Current to the Sea.

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From the said Post, the new Limits shall return back along the Foot of the *Dyke*, towards the *Polder*, call'd the *Worlds End*, and from thence along the *Sea Dyke*, as it is set down in the Map, as far as the antient Boundaries, to the Cut in the *Dyke* which closes the Creek of *Lapschure*, mark'd I; and the Land on the North side of the Line shall belong to their High Mightinesses in Sovereignty.

From thence the old Limits shall be continued as far as the *Barbara Polder*, at which Place the new Limits shall enter and begin at the Foot of the *Dyke*, running along that *Polder*, and the *Lauraine Polder*, to the long Street mark'd K; and from thence in a frait Line along the said Street to the *Dyke* which goes from *Bouckhout*, to the Harbour of *Bouckhout*, mark'd L; and from thence they shall enter into the *Chapel Polder*, and continue in a frait Line to an Angle of the *Grafjansdyke*, mark'd M; and from thence along the *Dyke*, as far as the *Red Polder*.

His Imperial and Catholick Majesty yields to their High Mightinesses in full Sovereignty the *Barbary Polder*, *Lauraine Polder*, *Chapel Polder*, and the *Red Polder*; except what is reserv'd by the Line above drawn in the *Chapel* and the *Lauraine Polders*, which shall remain to his Imperial and Catholick Majesty.

Their High Mightinesses permit the Owners of the Sluices of *Bouckhout* to replace them where they were before, and that the said Sluices may have their Currents directly to the Sea, as they had before the late War.

Their High Mightinesses shall be permitted in time of War, when 'tis necessary for the Defence and Security of their Frontiers, to occupy and fortify the necessary Posts in the *Grafjansdyke* and *Zydlingsdyke*.

As to the Town of *Sas van Ghent*, the Limits shall be extended to the distance of two Thirds of two Geometrical Miles round the Town, beginning at the Angles of the *Bastions*, which shall terminate on the side towards *Zelfate*, at the Point of their antient Limits on the Bank of the Canal of the *Sas*.

And for the Preservation of the Lower *Schelde*, and for the sake of the Communication between *Dutch Brabant* and *Flanders*, his Imperial and Catholick Majesty gives up to the States General the full and entire Sovereignty of the Village and *Polder* of *Doel*, as also of the *Polders* of *St. Anne* and *Ketenisse*; provided nevertheless, that the Territory of their High Mightinesses shall not extend between

Forts of the *Pearl* and *Liefkensboeck*, farther Midway between the two Forts.

Imperial and Catholick Majesty, as soon as the Barbe attack'd, or a War begun, shall deliver up of Fort *Pearl* to their High Mightinesses; on evertheless, that as soon as such War is at an end, restore the said Fort *Pearl* to his Imperial and Majesty, together with the Posts they shall have ne taken possession of, on the *Grafjansdyke* and *ke*.

High Mightinesses promise moreover, that if upon giving up to them some Sluices (whereof the of *Austrian Flanders* shall retain the free use Peace) they shou'd suffer any Damage or Preher from the Commanders or other military States General will not only remedy it imbut likewise make Satisfaction to those con-

use, from this new Situation of the Limits, e a necessity of changing the Toll houses to pre; wherein his Imperial and Catholick Majesty High Mightinesses are equally interested; other establishing the said Toll houses shall be agreed is the farther Precautions that it shall be thought to take.

moreover be stipulated, that a just Valuation ade, in three Months time, of the Revenues overeign receives from the Lands that shall be o their High Mightinesses by this Article; as

have arisen to the Sovereign by the renewing its on the foot they have been agreed to for past, to be deducted and struck off from the ly of 500000 Crowns; but the Payment of the shall not be retarded by reason of the said Vaich Lands shall not be charg'd with any Taxwhat they now contribute in the publick Afording to the Rate they are valued at.

an Catholick Religion shall be preserv'd and n the Places abovemention'd, in the same with the same Freedom of publick Exercise to the same Extent as this Freedom was stie 18th Article of the Barrier Treaty.

ictors of the Lands and other Estates situate Limits of the said Cession, shall retain the

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Enjoyment of the same, in full Possession and Propriety, with all the Prerogatives and Rights thereto annex'd, none reserv'd nor excepted; and shall moreover be continued particular Lords of the said Lands and Estates, and maintain'd in the peaceful Propriety and Possession of the Jurisdictions appertaining to them, in all the Degrees of high, mean, and low Jurisdiction, as they have enjoy'd the same hitherto.

The Fort of *Rodenbuysen* shall be demolish'd, and the Disputes touching the Canal of *Bruges* shall be refer'd to the Decision of neutral Arbitrators, to be chosen on both sides; provided nevertheless, that by giving up of the Fort of *St. Donat*, those of the Town of *Sluys* shall not have more Right upon that Canal than they had before this Cession.

In consequence of the Cessions included in this Article, their High Mightinesses desist their Pretensions to all other Lands and Places which were yielded to them by the 17th Article of the Barrier Treaty, which shall remain as they did before under the Dominion of his Imperial and Catholick Majesty.

II. Whereas his Imperial and Catholick Majesty promis'd by the 19th Article of the Barrier Treaty, to cause to be paid to the States General the Sum of 500000 Crowns a Year, amounting to one million two hundred and fifty thousand Florins of *Holland*, at the Terms specify'd by the said Treaty, in consideration of the great Charges and extraordinary Expences, to which the Lords the States General are indispensibly oblig'd, as well for maintaining the great number of Troops, which they are oblig'd by the said Treaty to keep in the Towns and Places of the said Barrier, as for supporting the great Charge absolutely necessary for the maintenance and reparation of the Fortifications of the said Places, and for supplying them with Ammunition and Provisions.

And his Majesty, desirous that his Promise may be punctually executed according to the Tenor of the said 19th Article, having for that end shewn their High Mightinesses the Difficultys and Inconveniencys that might arise in the performance of the said Article, as also of the separate Article of the said Treaty, with regard to the Assignments made upon the Subsidys of the Provinces of *Brabant* and *Flanders*, and the Quarters, Districts and Chatellanyes therein mention'd, for the Sum of 640000 Florins of *Holland*.

His Imperial and Catholick Majesty and the Lords the States General have agreed upon another Repartition, and upon another special Mortgage, which shall be substituted in the place of the said Mortgages and Assignments, upon the Subsidys of the Provinces of *Brabant* and *Flanders*, over and above the General Mortgage upon all the Revenues of the *Austrian Netherlands* stipulated by the said Treaty.

Namely, that his Imperial and Catholick Majesty, for the better securing and facilitating the Payment of the said Subsidy of 500000 Crowns, or 1250000 Florins *Dutch Money per Annum*, assigns a Sum of 700000 Florins, or 280000 Crowns, in lieu of the Sum of 610000 Florins affeas'd upon the Countrys, Citys, Chatellanys and Dependences, made over again by *France*, the Revenues of which consist in the Aids and Subsidys payable by the said Towns and Chatellanys, in the Dutys of the four Members of *Flanders*, and other Dutys of Domains, in that call'd the four *Patars par Bonnier*, and other Taxes for the Fortifications, the Ransom of those call'd *Contines Militaires*, and in the Emoluments, and other Gratuitys, which were paid at the time that the said Towns and Chatellanys were in the power of *France*, to the Intendants, Governors, and other Officers on the Establishment in the Places: And that he does this for all the Dutys and Imposts in general, which their High Mightinesses have enjoy'd hitherto in whole or in part, without any Exception whatsoever.

On condition that no Diminution or Alteration be made in them to the prejudice of the said Mortgage.

The awarding of the Farm of the said Dutys of the Four Members of *Flanders* shall be made in publick to the highest Bidders; provided nevertheless, that in case of Insolvency of the Farmers and their Securitys, his Imperial and Catholick Majesty shall make good the Deficiency out of the other Branches and Revenues of the Towns, and Chatellanys abovemention'd, or out of his Demesnes in the other *Austrian Netherlands*, as far as amounts to the Sum of 700000 Florins a Year.

And when any Abatement is sollicit'd, by which the Revenues of the said Farm, or of the Aids and other Dutys and Imposts above specify'd, may not be sufficient to produce the entire Sum of 700000 Florins, it shall not be granted till Provision be made for the said Abatement in some other sufficient Way to their satisfaction.

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His Imperial and Catholick Majesty assigns and makes over the remaining 550000 Florins of *Holland*, or 220000 Crowns, upon all the Revenues of the Tolls abovemention'd, arising from the Dutys of Importation and Exportation paid in the *Austrian Netherlands*, which are only engag'd by way of Subsidy to their High Mightinesses for their Levys of Money on several occasions, or for Annuitys in the Country, and the like certain Charges.

Namely, the Toll-houses of *Brussels, Burgherout, Tirlemont, Charleroy, Mons, Aeth, Beaumont, Courtray, Ypres, Tournay, Newport*, of the Province of *Luxemburg*, and that of *Mechlin*, shall generally and severally be mortgag'd for the said Sum of 550000 Florins.

And for the better securing the Payment of the said Sum his Majesty engages, by the way of a Subsidary and Supplemental Fund, the Sum of 250000 *Dutch* Florins *per Ann.* out of the first and clearest Revenue from the Dutys of Import and Export of *Ghent, Bruges and Ostend*; promising that they shall be entirely paid in five Years, out of what remains in Arrear of the Principal and Interest of one million and forty thousand and six hundred Florins, which were rais'd upon those three Toll-houses in 1710.

His Majesty likewise promises that no Alteration shall be made in the Dutys of Import and Export, which may lessen the Revenue thereof to the prejudice of the Mortgage.

And if his Majesty in process of Time judges it necessary to make any Alteration in the Levy of the said Dutys, by which they may happen to be diminish'd, such Alteration shall not be establish'd till a sufficient Fund is appropriated to make good such Deficiency.

His Imperial and Catholick Majesty doth by this Convention command the Receiver General of his Majesty's Finances, and him that shall be establish'd to preside in chief in the Countrys made over again, that by virtue of these Presents, and according to a Copy hereof, they pay every three Months, computing from the first of this Instant *December* 1718, to the Receiver General of the States General in those Countrys that are made over again, in such Coin, or such Money as is received at the Toll-houses and at his Majesty's General Receiving Office, an exact quarter part of the Sum of 280000 Crowns, or 700000 *Dutch* Florins; and to the Receiver General of his Majesty's

Majesty's Finances in the City of *Antwerp*, to pay also an exact fourth part of the remaining Sum of 550000 Florins, or 220000 Crowns, without staying for any other Order or Assignment; these Presents being to serve instead of an Order or Assignment, both now and hereafter: and the said Payments shall be allow'd them in their Account with his Imperial and Catholick Majesty, as much as if they had made them to himself.

As for the Arrears of the said Subsidy of 500000 Crowns, or 1250000 Florins of *Holland*, *per Annum*, that have accrued from the 15th of *November* 1715, the Day on which the Barrier Treaty was sign'd, to the last day of *November* last, 'tis agreed, for avoiding all manner of Dispute touching the Produce in that time, of the Revenues of the Towns and Chateallanys made over again by *France*, which have not amounted to above 300000 Crowns *per Annum*, all charges deducted, as their High Mightinesses have shewn by Estimates thereof, which they have caus'd to be drawn up and communicated, and which have been examin'd by one of the Commissioners of his Imperial and Catholick Majesty's Finances, and also for putting an End to the Disputes that have arisen on account of the Non-performance of certain Articles of the said Treaty, with regard to the Pay of the said Arrears from the 15th of *Nov.* 1715, to the first of *January* 1718, which on the part of the States are cast up at above 400000 Crowns; their High Mightinesses will be content to take for all those Arrears, from the 15th of *Nov.* 1715, to the said first of *January* 1718, 200000 Crowns or 500000 Florins of *Holland*, payable by 20000 Crowns a Year, till the Sum Total is discharg'd; provided that the intire Subsidy be paid to them from the beginning of the present Year, in manner following.

Namely, That the Arrears of the first 8 Months of the present Year, amounting to the Sum of 333333 Florins, 6 Sous, 8 Deniers of *Holland* Money, shall be paid in the same manner by 20000 Crowns a Year in part of Payment, as is aforesaid, immediately after the Payment of the said Arrears of the preceding Years.

For securing the Payment of both the one and the other, his Imperial and Catholick Majesty engages, and makes over by way of special Mortgage, the Dutys of Import and Export of the Toll-houses of *Ghent*, *Bruges* and *Ostend*, over and above, and without prejudice to the Subsidiary Engagement of the said Toll-houses for the Sum of 250000

Dutch

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Dutch Florins a Year, stipulated by the present Convention.

For the greater Security whereof, the Administrator General of the Dutys of Import and Export, shall, by the Bond which they give for the yearly Payment of 55000 *Dutch* Florins, during the 6 Years of their Administration charge themselves with the Payment of the six first Portion or Terms of the said Arrears; and after the Expiration of the Term of their Contract, or Receipt, the rest shall be paid by Quarter-parts by the new Administrators, or by those who shall then have the Regio and Receipt of the said Dutys, at *Ghent, Bruges* and *Ostend*, after the manner and under the Engagements stipulated for securing the Payment of the 550000 Florins.

The Surplus, or the three Months remaining of the Arrears of the present Year, amounting to the Sum of 125000 *Dutch* Florins, shall be paid in 1720; his Imperial and Catholick Majesty particularly appropriating for the Payment thereof, the Revenue of the Towns and Chatellanys made over again by *France*, over and above, and without prejudice to the Appropriation of the 700000 Florins a Year made by this Convention.

Their High Mightinesses shall enjoy the Revenues of the Countrys made over again to the last day of last *November* and shall be at liberty to proceed by way of Execution for the Recovery of the Arrears of the Revenues of the said Towns and Chatellanys, that are and may become due to the last Day of last *November*; and for this purpose to make use of the same Methods of Execution against the States (the Ecclesiasticks excepted) Magistrates, Towns and Chatellanys, Farmers and others, as they have stipulated for the Recovery of the 700000 Florins a Year assign'd upon the said Revenues, and may also make use of the same Method with regard to the 125000 Florins which are made over to them, conformably to the foregoing Article.

And whereas his said Majesty has put his Dutys of Import and Export into Administration and Direction, and bound the Administrators General or Directors of the said Dutys, to pay a fix'd Sum yearly for the Improvement of his Majesty's Finances; the Administrators General or Directors of the said Dutys, shall enter into an Obligation under a voluntary Condemnation, which shall be decreed by the Grand Council of *Mechlin*, and by those of *Brabant*

and *Flanders*, to pay every three Months during the Time of their Administration the said fourth part of the Sum of 330000 Florins of *Holland*, to the Receiver General of the *United Provinces*, or his Order, as is said: and the present Article shall suffice for the Discharge of the said Administrators or Directors, with the Acquittance of the said Receiver General of the *United Provinces*.

The said Administrators General, or Directors, shall oblige themselves by the same Act, to pay off, by equal Payments in 5 Years, what remains to be paid to the States General of the said 1040625 Florins, rais'd in 1710 upon the Toll-houses of *Ghent*, *Bruges* and *Ostend*, with the Interests that shall accrue every Year; to the end, that when the 5 Years are expir'd, the said Toll-houses may be entirely discharg'd from the said Levy.

And on the failure of the Payment, after the manner above stipulated, as well of the Sums of the Subsidy of 300000 Crowns, or 1250000 *Dutch* Florins, as of the said Money rais'd upon the Toll-houses, the Lords the States General may proceed to Methods of Compulsion and Execution, even by way of Violence, against the Receiver General of his Majesty's Finances, and against the Receiver of the Countrys yielded back again, who shall be both responsible and liable to an Execution, for the particular and subaltern Receivers of the Funds assign'd to their respective Provinces; if either the Receivers General, or the others, divert any part of their general or particular Receipt to the Prejudice of what is contain'd in the present Convention: provided however, that this Article shall not take place against the Receiver General of the Finances, but in case of the Management of the Dutys of Import and Export.

His Majesty grants the same Power to bring an Execution as well against the Toll-houses, engag'd previously by special Mortgage, as against the Toll-houses engag'd subsidiarily on failure of the former, and against the Funds of the said Country made over again, as also against the States, except the Ecclesiasticks, and against the Magistrates of the Towns and Chatellany's of the said Country yielded back again, if they make any Scruple or too long delays in affixing and furnishing the Imposts, which they are oblig'd to raise for his Imperial and Catholick Majesty.

And this Execution against the said States, excepting the Clergy, and against the said Magistrates, shall be made in the Name, and on the part of his Majesty, and

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in the usual manner; his Majesty for this end authorizing the Governours of the Barrier Towns who have taken an Oath to him, and subjecting the said States thereto (except the Clergy) and the said Magistrates by virtue of the present Convention, as well as the said Funds, as those were subjected to it which were specially mortgag'd and assign'd for the respective Sums of the said Subsidy, by the 19th Article, and the separate Article of the Barrier Treaty.

The Officers of Justice, to whom it shall appertain, shall be oblig'd to give the necessary Assistance of their Office, when those who bring the Writs that shall be order'd and issued in favour of their High Mightinesses, against the Administrators of his Majesty's Dutys of Import and Export, as well as against their Associates, shall have recourse to them, in order to proceed to the Execution of the said Writs, according to the receiv'd Usage of the Tribunals from whence they are dispatch'd; in the same manner as they are used to execute the Sentences which the Natives and other Inhabitants of the *Austrian Netherlands* obtain there. And as to the States of the *Netherlands* yielded back again, (the Ecclesiasticks excepted) Magistrates, Toll-houses and Funds, Execution may be issued against them in the manner as is agreed by the Barrier Treaty.

And finally, besides the Order which shall be given by his Majesty to the Governour General of the *Austrian Netherlands*, the present Convention shall serve instead of a special and irrevocable Order and Instruction, for him and his future Successors, in pursuance of which they shall perform and cause to be perform'd what is stipulated by the present Convention; and are expressly forbid not to divert, or suffer to be diverted by the Council of State and the Finances, by the Director General of the Finances, or by any other Person whatsoever, any Sum of the Revenues abovemention'd of the said Towns and Chatellany's, nor of the said Administration, Management and Receipt of the Dutys of Import and Export, for any occasion whatsoever, tho never so material and urgent, unless of what shall remain after the Payment of the said Quarters; which Payment shall not be retarded, much less refused under colour of Compensations, Liquidations, or other Pretences of what Name or Nature soever they be: in consequence of which, *their High Mightinesses* the States General renounce, and
entirely

entirely give up, by virtue of the present Convention, every Action and Mortgage which had been stipulated by the 19th Article of the Barrier Treaty, and its separate Article, against the Provinces of *Brabant* and *Flanders*, their Jurisdictions, Chatellany's, the 7 Quarters of *Antwerp*, and against the Stares and Receivers of the said Provinces.

III. The Arrears due of the Interest of the Sums rais'd upon the Revenue of the Posts in the *Austrian Netherlands* being very considerable, his Imperial and Catholick Majesty promises and engages to remedy it, by causing entire Payment to be made both of the Interest and Principal as soon as possible; and till this is perform'd, his Imperial and Catholick Majesty will give very strict Orders that the Revenue of the Posts may be employ'd conformably to the Bonds, and that no part of it be diverted to the prejudice of their Contents.

IV. The Lords the States General having made considerable Advances towards paying off the Interest of the Moneys levy'd as specify'd in the Barrier Treaty, it has been agreed and concluded, that the Sum of 705011 Florins, 18 Sous and 10 Deniers, which his Catholick Majesty owes to their High Mightinesses, according to the Liquidation settled on this Day the 22d of *December 1718*, shall be paid off by equal Portions of 20000 Crowns or 50000 *Dutch* Florins a Year, to commence immediately after the 6 Years of the present General Administration of the Dutys of Import and Export; his Imperial and Catholick Majesty engaging the said Dutys in *Flanders* as they are now rais'd, and as they shall continue to be rais'd after the end of the said General Administration, for paying off the said Sum of 705011 Florins, 18 Sous and 10 Deniers, by way of special Mortgage: and till the same is effectually paid off, he shall cause Interest to be paid for the said Sum, or that part of it which shall remain unpaid, at the rate of two and a half *per Cent. per Annum*.

In order to facilitate the Payment of the said Interest of Two and a half *per Cent. per Ann.* their High Mightinesses consent that it be computed by the double Canon of 800000 Florins *per Ann.* rais'd upon the Revenues of the Province of *Namur*, and subsidiarily upon those of the Mayoralty and Province of *Luxemburg*; on condition that the said double Canon be continued proportionably to the time that the Reimbursement of the said 800000 Florins shall be retarded by the said *Diminution*.

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V. To put an end to the Differences touching the Artillery and the Magazines of War, and particularly concerning the Propriety of those of *Venlo*, *St. Michael* and *Stevenswaert*, Places yielded to the States General by the Treaty of Barrier, his Imperial and Catholick Majesty gives up all Claim to the said Artillery and Magazines, on condition that their High Mightinesses recede, as they do by the present Convention, from the Demand of the Money due to them, in pursuance of the Act pass'd at *Antwerp* the 30th of *January* 1716, by the Count *de Konigsegg*, Plenipotentiary of his Imperial and Catholick Majesty, for the Powder, Ball and other Ammunition, which the Commissioners of his Imperial and Catholick Majesty took for his Accompt, agreeable to the said Act, and to Lists sign'd by the said Commissioners, which amount in value to above 100000 Florins: but his Imperial and Catholick Majesty makes no Claim on account of the Powder and Ammunition belonging to *France*, which was found at the Reduction of *Antwerp*, *Meclin*, *Ghent*, and other Places of the *Austrian Netherlands*.

VI. The States General immediately after the Exchange of the Ratifications of the present Convention, shall remit to his Imperial and Catholick Majesty the Possession and Enjoyment of all the Towns, Chatellany's, Districts and Jurisdictions made over again by *France*, according to the Tenor of the first Article of the Barrier Treaty. And his Imperial and Catholick Majesty shall likewise remit to their High Mightinesses, immediately after the Exchange of the said Ratifications, the Possession of the Land and Polders which he has yielded to them in *Flanders* by the first Article of this Convention.

VII. The Barrier Treaty, and its Separate Article of the 15th of *November* 1715, shall be confirm'd by these Presents, in all and every of its Articles.

VIII. Forasmuch as for the greater Security and better Performance of the Barrier Treaty, his *Britannick* Majesty has confirm'd and guaranty'd the said Treaty, so his said Majesty doth promise and engage to confirm and guaranty the present Convention, as he doth confirm and guaranty it by this Article.

IX. The present Treaty shall be ratify'd and approv'd by his Imperial and Catholick Majesty, by his *Britannick* Majesty, and by the Lords the States General of the *United Provinces*, and the Ratifications shall be exchang'd in six
Weeks

1718. *in relation to the Barrier Treaty,* 97
Weeks, or sooner if possible, after the Day of its being
sign'd.

In Witness whereof, We the Ambassadors and Plenipotentiarys of his Imperial and Catholick Majesty, and of his *Britannick* Majesty, and the Deputys and Plenipotentiarys of the Lords the States General, by virtue of our respective Powers, have in their names sign'd these Presents, and thereto set the Seals of our Arms. Done at the *Hague*, the 22d of *December*, 1718.

- (L. S.) *The M de Prie.*
- (L. S.) *Cadogan.*
- (L. S.) *J. B. v. Wynbergen.*
- (L. S.) *W. Vander Does.*
- (L. S.) *A. Heinsius.*
- (L. S.) *G. G. Taets van Amerongen.*
- (L. S.) *D. D. Kempnaer.*
- (L. S.) *Everard Rouse.*
- (L. S.) *E. Tamminga.*

Treaty of Peace betwixt George King of Great Britain as Elector and Duke of Brunswick, and Ulrica Eleonora, Queen of Sweden; by which, in pursuance of the Preliminary Treaty, concluded July $\frac{11}{22}$ 1719, the Duchys of Bremen and Verden are yielded to the said King as Elector and Duke of Brunswick, with the same Prerogatives and Titles as the Crown of Sweden possessed them by the Peace of Westphalia.

PARTICULARLY,

- *Including therein, the Right of Voice and Session in the Diets of the Empire, the Directorship in the Circle of Lower Saxony, and the Rights to the Cathedral Chapter of Hamburg, and that of Bremen; as also the Propriety of the Town of Wiltshausen, with its Bailiwick, held heretofore by the Duke of Brunswick as a Pledge. In exchange whereof, the King, Elector and Duke, promiseth her Swedish Majesty, to cause a Million of Crowns in Money of Leipstick, to be paid to her at three Terms, to maintain the Subjects and Inhabitants in all their Rights, Libertys and Privileges, as well with regard to Religion, as in other respects, and to procure favourable Justice to be done according to the Promise.*
the late King Charles XII. to those who shall appear
have been aggriev'd in the great and general Reducti
wh

which was made heretofore. The King also promiseth, strictly to maintain all former Treatys made with the Crown of Sweden, including therein the Guarantys in favour of the House of Holstein Gottorp, and likewise to renew them at this time, in conformity to the present Union. Concluded at Stockholm, the 4th of November 1719.

In the Name of the Holy Trinity.

BE it known by these Presents: Whereas the Troubles of the North, which began without the Holy Roman Empire, did likewise in course of Time infect some of the Provinces depending on the said Empire, and afterwards penetrated as far as the Circle of Lower Saxony, which was the reason that the most illustrious and most potent Prince and Lord, George King of Great Britain, France and Ireland, Defender of the Faith, Duke of Brunswick and Lunenburg, Arch-Treasurer and Elector of the Holy Roman Empire, as Duke and Elector of Brunswick and Lunenburg, was involv'd in the War; the most Illustrious and most Potent Princess Ulrica Eleonora, Queen of Sweden, the Goths and Vandals, Great Duchess of Finland, Duchefs of Schonen, Esthonia, Livonia, Carelia, Bremen, Verden, Stetin, Pomerania, Cassubia and Vandalia, Princess of Rugen, Lady of Ingria and Wismar, Countess Palatine of the Rhine and Bavaria, Duchefs of Juliers, Cleves and Berg, Landgravine and Hereditary Princess of Hesse, Princess of Hirschfeld, Countess of Catzenellebogen, Dietz, Ziegenbain, Nidda and Schaumbourg, &c. and his said Britannick Majesty have with a Christian and laudable Intention, consider'd by what measures they might not only prevent greater Misfortunes, and the Ruin of Countrys and Nations being occasion'd by such a War, but chiefly to restore Peace and Tranquillity betwixt their said Majestys, and to establish and renew the good Harmony and mutual Understanding between the two Partys. For this end the most Illustrious and most Potent Prince and Lord Lewis XV. the most Christian King of France and Navarre, employ'd his good Offices and Mediation by the Noble Lord James de Cambrédon, his Minister residing at the Swedish Court; and a Preliminary Treaty of Peace was actually agreed on be-

tween their said Majestys, which was concluded at *Stockholm* the 3rd of *July* last, in which it was stipulated that Peace shou'd be formally concluded betwixt them on the foot of the said Treaty, and that a solemn Instrument shou'd be drawn up for that purpose. For the advancing and perfecting a Work so desirable and salutary, the Plenipotentiary Ministers on both sides being vested with sufficient Full Powers, have in the name of God enter'd into a Conference, viz. on the part of her *Swedish* Majesty, the Count *Gustavus Cronhielm*, Senator of her Majesty and the Kingdom, President of the Royal Chancery, and Chancellor of the Academy at *Upsal*; the Count *Charles Gustavus Ducker*, Senator of her Majesty and the Kingdom, Velt Marshal and Counsellor of War; the Count *Gustavus Adam Taube*, Senator of her Majesty and the Kingdom, and Governor of *Stockholm*; the Count *Magnus de la Gardie*, Senator of her Majesty and the Kingdom, and President of the College of Commerce; and the Baron *Daniel Nicholas de Hopken*, Secretary of State to her *Swedish* Majesty; and on the part of his *Britannick* Majesty, as Duke and Elector of *Brunswick and Lunenburg*, his Plenipotentiary, Minister and Colonel, *Adolphus Frederick de Bassewitz*; who have agreed to the following Articles.

I. A lasting and sincere Peace and Friendship shall be establish'd and confirm'd by these Presents, between his *Swedish* Majesty and the Kingdom of *Sweden* on the one part, and his *Britannick* Majesty as Duke and Elector of *Brunswick Lunenburg*, and his Ducal and Electoral House on the other part; and both shall sincerely and constantly do every thing in their Power for strengthening the Bands of Union and Confidence between them, as much as possible; and all Hostilities and warlike Proceedings of the one part against the other shall entirely cease from this time.

II. There shall also be on both sides, a perpetual Oblivion and Amnesty of whatever the one has committed hostilely against the other, of what nature soever the Action was; in such manner that nothing done by either Party, or by their Subjects, shall be corrected or reveng'd, but every thing shall by these Presents be abolish'd, and for ever bury'd in Oblivion.

III. As her *Swedish* Majesty, by virtue of the Preliminary Treaty of Peace concluded July $\frac{22}{2}$ 1719, with his *Britannick* Majesty, as Duke and Elector of *Brunswick* and *Lunenburg*, did then yield, so she does by virtue of these Presents again yield for herself, the Kingdom of *Sweden*, and her Successors and Descendants, to his *Britannick* Majesty, as Duke and Elector of *Brunswick* and *Lunenburg*, and his Successors for ever, the Duchys of *Bremen* and *Verden*, *pleno jure*, with all their Rights and Dependencys, in the same manner as those Duchys were among others appropriated, according to the Xth Article of the Treaty of Peace at *Osnabrug*, dated the $\frac{24}{4}$ *October* 1648, and as the Kings and Kingdom of *Sweden* have since that time possess'd, do now possess, or ought to have possess'd the said Duchys, with their Rights, Appendages and Appurtenances, without any Exception; and principally the *Fus pignoris* of the Bailywick and Town of *Visslaußen*, with all its Rights and Dependencys, which was formerly in the Hands of the Elector of *Brunswick*; in such manner however, that no demand shall be form'd upon her Majesty or the Kingdom of *Sweden* for any Engagements with which the same are, or may be incumber'd, either now or hereafter: Giving up the whole together, and every Particular thereof now and for ever, with the same Prerogatives as her *Swedish* Majesty and her Predecessors in the Government, as well as the Kingdom of *Sweden*, had possess'd them, without any Diminution or Reservation; as also without exception of any Rights, intestine or foreign, to keep and possess them in Propriety, without any Dispute, Hindrance or Interruption on the part of her *Swedish* Majesty, or her Successors; yielding up, and renouncing by these Presents in favour of his said *Britannick* Majesty, as Duke and Elector of *Brunswick* and *Lunenburg*, and his Heirs for ever, all the Rights she hath, or ever had, or ought either one way or another to claim, to the Duchys of *Bremen* and *Verden*, in general and particular, both as to the Directorship in the Circle of Lower *Saxony*, a Session and Vote in the Diets of the Empire and the Circles, or any thing else, by what name soever call'd: Resigning in the same manner by these Presents, to the Subjects and Inhabitants of the said Duchys, all their Oaths and Obligations by which they were bound to her Majesty and the Kingdom of *Sweden*, and transferring them by the same to his Majesty of *Great Britain*, as Duke and Elector of *Brunswick*

and *Lunenbourg*, and to his Heirs, as their present sole and perpetual Sovereign Lord; and in like manner, the Chapter of *Hamburg* and that of *Bremen*, together with the Persons appertaining to the latter, Subjects, Tenants in Fief, Farmers and Tributarys, as well in the Town of *Bremen*, as those who live in what are call'd the four *Goben* of *Bremen*, and all other Places which are there, shall be by virtue of these Presents freed from their said Oaths and Engagements taken to the Crown and Kingdom of *Sweden*, and made over to his *Britannick* Majesty, as Duke and Elector of *Brunswick* and *Lunenbourg*, and his Heirs.

Her *Swedish* Majesty, for her self and her Successors, does, by virtue of these Presents, again renounce the *Jura Feudi* which she and her Predecessors had, on account of the Duchys of *Bremen* and *Verden*, acquir'd of the Emperors and the Holy Empire, and hitherto enjoy'd; and transfers the said *Jura Feudi* in like manner to his *Britannick* Majesty and his Heirs.

And the Archives and Documents which relate to the Duchys of *Bremen* and *Verden*, shall *bonâ fide*, with all the speed possible, be put into the Hands of Persons nam'd and authoris'd by his *Britannick* Majesty, to receive them.

IV. His *Britannick* Majesty, as Duke and Elector of *Brunswick* and *Lunenbourg*, does as well for himself as his Heirs, promise and engage on his part to the States, Subjects, and all the Inhabitants of the Country, both in the Towns of the said Duchys of *Bremen* and *Verden*, and all Places that do or may depend thereon, no Person excepted, and consequently to every one of them, to maintain and defend their justly acquired Libertys, Estates, Rights and Privileges, in general and particular, in the same manner as the said States, Subjects and Inhabitants enjoy'd and possess'd them, and as they were granted to them by the Peace of *Westphalia*, as well as the free Exercise of the two Religions, according to the *Augsburg* Confession, as to which they shall at all times be left to their free Choice, without Molestation.

And in case that either the one or the other is not yet actually confirm'd in the Expectatives of certain Prebends of the Chapter of *Hamburg*, granted by the former Kings of *Sweden*, or bought of others, such Expectatives, according to their Rights and Origin, shall remain entire; in such manner nevertheless, that for the future, when a Vacancy happens,

happens, no body shall be prefer'd to those who are the Bearers of them.

V. The Reduction and Liquidation establish'd every where by the preceding Government of *Sweden*, having given occasion to many Grievances of the Subjects and Inhabitants, the late King of *Sweden* of Glorious Memory, in Justice to the Cause, was determin'd to give a Security by Lettrers Patent, that in case any of the Subjects cou'd prove, that any Estate justly belonging to them had been taken from them, their Right shou'd be preserv'd; in consequence of which several were restored to the Possession of their Estates formerly disputed, or sequester'd by virtue of the said Reduction, or any other Pretext; which Right has been again confirm'd to them since, by their last Assembly of the 30th of *May* last.

'Tis therefore agreed and stipulated by these Presents, between the two contracting Sovereigns, that the Cession made of the Duchys of *Bremen* and *Verden*, by the aforesaid third Article of the present Treaty, shall not prejudice the Rights and just Pretensions of the Subjects and Inhabitants of the said Duchys, or their Heirs, living *intra vel extra territorium*; but the same shall be maintain'd by his *Britannick* Majesty, as Elector of *Brunswick* and *Lunenburg*, to all Intents and Purposes in the same manner as they are now by her *Swedish* Majesty, and as they may be certify'd now or hereafter.

VI. In like manner, pursuant to what is stipulated by the second Article concerning the Amnesty, the Estates, Houses and Propertys of any Persons whatsoever, who had been put under Arrest by reason of the War, shall be restor'd and return'd to the Lawful Proprietors, whether they live *intra vel extra territorium*.

VII. Nevertheless, all Negotiations actually made in the said Duchys, and during the *Swedish* Regency, *publico nomine*, till the said Duchys were invaded by his *Danish* Majesty, by reason of Debts and Farms which were levy'd and carry'd into the Royal Chest, and the Sums put into it by the said Regency, shall remain in full Force, in such manner that the Creditors, and those who have legal Bonds in consequence of their Loans of Money, and Mortgages truly surrender'd, shall enjoy the Contracts which they have in their Hands, and the Engagements included therein, till by virtue of their Contracts they are quite expired, and their Moneys advanc'd are all paid; at which time the

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Estates, and Houses situate or belonging in and to the said Duchys, so engag'd to the said Creditors, shall become the Property of his *Britannick* Majesty, as Duke and Elector of *Brunswick* and *Lunenburg*, and his Successors, and shall be incorporated in his Chamber. But the States shall be oblig'd to pay every thing negotiated upon the Bonds and Security of the said States.

VIII. His *Britannick* Majesty promiseth by these Presents, not only as King, but also as Duke and Elector of *Brunswick* and *Lunenburg*, to renew from henceforth with her Majesty, and the Kingdom of *Sweden*, the strict Alliances and Treatys of Friendship heretofore establish'd with the Predecessors of her Majesty and the Kingdom of *Sweden*, as well as the Guarantys, which by virtue of the Treaty of Peace concluded between the Allies of the *North*, or by that which may be concluded hereafter, shall be apply'd to the Advantage of the Ducal House of *Holstein Gottorp*, and to regulate the same according to the present Juncture of Affairs.

Moreover, his *Britannick* Majesty, as Duke and Elector of *Brunswick*, engages to pay at *Hamburg* to her *Swedish* Majesty the Sum of a Million of Rix dollars, in new and valid Pieces of single and double Marks or Drittels, according to the Allay of *Leipsic* in the Year 1690, of which each fine Mark of Silver was worth 12 current Dollars. And tis settled, that one third of the said Sum, viz. 333333 $\frac{1}{3}$ Rixdollars, shall be paid at *Hamburg* to her *Swedish* Majesty upon her Receipts, before the signing of this Instrument of Peace, which shall accordingly remain in force; and the rest of the said Million of Rixdollars shall be paid speedily, and without fail at *Hamburg* all at once, upon proper Assignments and Acquittances, in five or six Weeks time after the Exchange of the Ratifications of this Treaty of Peace.

IX. The Treaty of *Westphalia*, except where it is alter'd by this Treaty, or otherwise where it may be alter'd by Treatys that may be concluded in the *North*, shall remain in its full Force and Efficacy; and the two contracting Sovereigns engage themselves severally to do every thing that shall be judg'd necessary for the Observation of the said Treaty of *Westphalia*.

X. The two contracting Sovereigns reserve to themselves by this Article to demand and accept his *Imperial* Majesty

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Majesty's Guaranty for this Treaty, and that of other Powers, according to the Circumstance of Affairs.

XI. The Ratifications of this Peace shall be dispatch'd in two Months time at farthest, and exchange'd one with the other here at *Stockholm*.

XII. In Witness of the above, two Copys, both of one and the same Tenor, have been made, which have been sign'd and seal'd by the Plenipotentiarys of the two contracting Sovereigns, of which one has been given to each Party. Done at *Stockholm*, the 20th of *November* 1719.

Sign'd,

(L. S.) *GUSTAVUS CRONHIELM.*

(L. S.) *CHARLES GUSTAVUS DUCKER.*

(L. S.) *GUSTAVUS ADAM TAUBE.*

(L. S.) *M. de la GARDE.*

(L. S.) *D. N. van HOPKEN.*

(L. S.) *ADOLPHUS FREDERICK van BASSE-
WITZ.*

Treaty

Treaty between Ulrica Eleonora Queen of Sweden, and George King of Great Britain, for 18 Years, concluded by the Mediation of the most Christian King; by which the Partys agree to assist one another mutually, in every case of necessity, on the Basis of former Treatys, which are hereby reassum'd. And the King promises the Queen to assist her as soon as possible with Subsidys and Soldiers, in the present War against the Czar of Muscovy, and to continue such Assistance till a Peace is restored; and the Queen binds her self and her Kingdoms to the perpetual Guaranty of the Succession of the Crown of Great Britain in the Family of Brunswick Lunenburg. Made the 21st of January 1720.

WHEREAS the most Serene and most Potent Princess and Lady, *Ulrica Eleonora*, Queen of the *Swedes, Goths and Vandals*, &c. &c. &c. and the most Serene and most Potent Prince and Lord, *George King of Great Britain, France and Ireland*, Defender of the Faith, Duke of *Brunswick and Lunenburg*, Arch-Treasurer and Elector of the Holy Roman Empire, for the better asserting and confirming an intimate Friend-
ship

ship and close Union, and for increasing and promoting the Welfare and Security of the said Sovereigns, and their Kingdoms and Subjects, thought it expedient that the former Treatys made between the famous Kingdoms of *Sweden* and *Great Britain*, and between the former Sovereigns of the said Kingdoms, shou'd now be reassum'd, amended, renew'd and accommodated, and apply'd to the present State of Affairs, by the Mediation, and under the Guaranty of his sacred Royal Majesty of *France*, who for that end was pleas'd to appoint and instruct his Resident *M. de Campredon*, to be his Plenipotentiary, and especially that Treaty which was made for 18 Years at the *Hague* in 1700, between his Royal Majesty of *Sweden*, *Charles XII.* of blessed and most glorious Memory then reigning, and his Royal Majesty of *Great Britain*, *William III.* also of blessed and most glorious Memory then reigning, and which expir'd in the Year 1718. Her sacred Royal Majesty of *Sweden* has therefore been pleas'd, for perfecting this salutary Work, lawfully to constitute and fully to authorise his Excellency Count *Charles Gustavus a Ducker*, Senator of her Majesty and the Kingdom, Velt Marshal General, and Counsellor at War; and his Excellency Count *Gustavus Adam a Tauble*, another of her Majesty's and the Kingdom's Senators, Velt Marshal General, and Chief Governour of *Stockholm*; also his Excellency the Count *Magnus de la Gardie*, her Majesty's and the Kingdom's Senator, and President of the College of Commerce; and his Excellency *John* Count *Lillienstedt*, her Majesty's and the Kingdom's Senator, and Counsellor of the Chancery; and finally, his Excellency *Daniel Nicholas de Hopken*, Free Baron, and her Secretary of State: and his sacred Royal Majesty of *Great-Britain* has commission'd his Excellency *John* Lord *Carteret*, Baron of *Hawnes* in the County of *Bedford*, one of the Lords of his Bedchamber, Lord Lieutenant of the County of *Devon*, and his Ambassador Extraordinary and Plenipotentiary at the Court of his Sacred Royal Majesty of *Sweden*: Who having duly exhibited and communicated their Full Powers in a Congress at *Stockholm*, and held divers Conferences on that Account, did, after accurate Knowledge and Disquisition of things, according to the Importance of the Affair, agree and conclude to make the Treatys of the first of *March* 1665, at *Stockholm*, and the 6th of *June* 1700, at *Stockholm*, the Basis and Foundation; provided nevertheless, that a Negotiation be enter'd into immediately, without loss of Time, by
the

the Commissioners of both Partys at *Stockholm*, concerning those things which relate to the Commerce of both Kingdoms, and of their Subjects, and which constitute a part of the Treatys of 1665 and 1700; and as for every thing which relates to mutual Friendship, good Correspondence and Security, the said Treatys of 1665 and 1700 are by this present Treaty intirely confirm'd and corroborated, with Additions and Alterations only to render them better accommodated, and more applicable to the present State of Affairs, as will appear to be more at large set forth; provided and stipulated by the following Articles.

I. There shall be a sincere, constant and perpetual Friendship, League and good Correspondence between her Sacred Royal Majesty of *Sweden*, and the Kings her Heirs and Successors on the one part, and his Sacred Royal Majesty of *Great Britain*, and the Kings his Heirs and Successors on the other Part, and all and singular their Kingdoms, Dominions, Provinces, Islands, Lands, Colonys, Cities, Towns, People, Subjects and Inhabitants, and consequently all their Subjects and Vassals, both now and hereafter, within *Europe* and without it, in all Places both by Land or Sea, and on the Fresh-Waters; so that neither they nor either of them shall do any Detriment to the other's Kingdoms, Provinces, Colonys, wherever situate, or Subjects, nor permit, much less consent that it be done by others; but shall embrace each other's Interests with sincere Affection, all manner of Good Will, and mutual Affection.

II. In like manner, both of the Confederates, and their Heirs and Successors, shall be oblig'd to take care of and promote their mutual Advantage and Honour with all Application, to discover and bring to Light all Dangers, Conspiracys and Machinations of the Enemy, as soon as they come to their Knowledge, to oppose the same as far as lies in their Power, and to employ and unite their Counsels and Forces, for averting and hindring them; for which reason it shall not be lawful for any one of the Confederates, either by himself, or any others whomsoever, to negotiate or attempt any thing to the Detriment of the other, or even to the Damage of the other's Lands, Dominions, or Rights whereforever, situate either by Land or Sea; and they shall in no wise support the other Confederate's Rebels, or Enemys, to his Prejudice, nor shall receive or admit any of his Rebels and Traitors into his Dominions, much less afford them any

Advice, Aid and Favour, or suffer or permit such Advice,
Aid

Aid or Favour, to be given by his Subjects, People or Inhabitants.

III. And particularly as to Rebels, just now mention'd, whosoever shall be declar'd a Rebel and Enemy, by Letters sent from either of the Confederates to the other, he shall be instantly reputed as such by that Confederate to whom such Letters shall be sent; and all the Stipulations made by this Alliance against the Enemys and Rebels of either, shall be put in force.

IV. And to the end that the said Friendship and good Correspondence may be cultivated every Day with greater success, to the Advantage of both the said Princes, and their Kingdoms and Subjects, and the Protection of the Protestant Religion, and that their Security may be the better provided for and guarded, 'tis agreed on both sides, that the most Serene and most potent Kings and Kingdoms of *Sweden* and *Great Britain*, may be united as closely as possible, by a particular Defensive Alliance, as they are by these Presents join'd together by the closest Alliance, and reciprocally oblig'd to the mutual Defence of their Kingdoms, Dominions, Provinces, States, Subjects, Possessions, Rights, Liberty of Navigation and Commerce in the *Baltick*, the *Sound*, the Northern, Western and *Bri-zisk* Seas, and in the *Channel*; as also of the Privileges and Prerogatives lawfully belonging to either of the Confederates, as well by Compacts and receiv'd Customs, as by the Law of Nations and Hereditary Right, against all manner of Invaders, Aggressors and Disturbers, whether by Land or Sea in *Europe*, as is more particularly declar'd hereafter.

V. If it happen therefore that her Royal Majesty, and her Heirs and Successors, the Kings and Kingdom of *Sweden*, be invaded, infested or disturb'd in their Kingdoms, Dominions and Provinces, Islands and Jurisdictions, either within their Kingdoms, or without, or in those parts of *Germany* now belonging to the Kings and Kingdom of *Sweden*, or even in their Possessions and Prerogatives, Privileges and Laws thereon depending, or in any other manner whatsoever hinder'd and molested in the Freedom of Navigation and Commerce in the Seas and Channels abovemention'd, by any one or more Kings, Princes, States, Republicks, Rebels, or by any one or more Ill-designing Persons in his Sacred Royal Majesty of *Great Britain*, and his Successors the Kings thereof, shall, after as required, constantly assist the most Serene

Queen, and her Heirs and Successors, the Kings and Kingdoms of *Sweden*, against all such Aggressors, Disturbers and Rebels, with an Army of 6000 Foot, on the Terms, and in the manner as are hereafter stipulated.

VI. And those Auxiliary Forces which shall hereafter be so desir'd, shall be all sent in 4 Months after they are requir'd, or sooner if possible, to some convenient Place and Port to be nominated and appointed by the Party who desires them; and the Preparation and sending of such Succours shall in no wise be retarded, much less shall those friendly Offices be wholly withdrawn, which by virtue of this Alliance, the Confederate who is sent to is first of all to make trial of for obtaining an amicable Composition: and when the Forces are sent and arriv'd, they shall be maintain'd and subsisted at the Expence of the Ally who sends them, till Peace be obtain'd, or as long as the Confederate who requires them thinks them necessary; provided however, that while the Succours are in his Dominions, they may be furnish'd with all Necessarys for Food and Raiment, at as reasonable a Price as his own.

VII. It shall be free for the Confederate who requires the Succours, to chuse whether he will have the whole number of Forces abovemention'd, or only a part thereof, and the rest in Military Stores, Ammunition, Provision, Ships, and the necessary Equipage, reckoning each thousand Foot *per* Month, as long as the War lasts, at the rate of 4000 Imperial Dollars; which matter the Commissioners on both sides shall agree on *bonâ fide* without Delay.

VIII. But if there be Danger, that the Auxiliary Forces may be hinder'd in coming to the Place where they shall be necessary for him that requires them, the Confederates shall be oblig'd to join their Endeavours that their Passage may be made more safe and easy; and it shall be lawful for the Confederate of whom they are required, to appoint his own General to command his Forces, and the same shall be kept as close together in one Body, as the State of the War will admit of; which is to be understood in such a Sense, that they may not be dispers'd in Partys, to Places remote from each other. And he who is appointed General of the Auxiliary Forces, shall be subject to the Command of the Ally who requires them, or to his General in Military Operations; and all things which relate to Acti and all other Military Events, shall be so order'd as is *usual Custom* in War, and in case of furnishing Succour

and the same Rule shall take place if Ships shou'd happen to be sent instead of Land Forces, which, as Auxiliaries, shall be oblig'd to carry the Flag of the Ally who requires them.

X. If it happen that the determin'd number of Forces be not sufficient for the Greatness of the Danger, as in case the Aggressors be succour'd by the Auxiliaries of any of his Confederates, and be so strong as to over-power and defeat either of the Allies, then the other Ally shall be oblig'd as soon as possible to assist the Party injur'd and oppress'd, with as many Forces as he can both by Sea and Land, and by Pecuniary Subsidies; provided nevertheless, that in such case, the Manner, Nature and Time of giving such Aid may be settled according to the Exigency of the Affair. And whereas the Kingdom of *Sweden* has long ere now been infested by several neighbouring Powers, even while the Treaty which was concluded in the Year 1700 still subsists, and as the War continues hitherto, for this reason his Sacred Royal Majesty of *Great Britain* thinks himself oblig'd, as well by the Treaty abovemention'd, as by virtue of these Presents, to give those farther Succours to her Sacred Royal Majesty and the Kingdom of *Sweden*, as are hereafter stipulated.

XI. And whereas every amicable Method has been hitherto attempted, but without success, for putting an end to this Northern War, according to the Desire of her Royal *Swedish* Majesty, his sacred Royal Majesty of *Great-Britain* doth declare, and bind himself by these Presents, that he will not suffer any more time to be wasted in vainly attempting such a Reconciliation, but will next Spring send a strong Squadron of Men of War to the Kingdom of *Sweden*, as Succours to act in conjunction with the Men of War of her sacred Royal Majesty of *Sweden*, under her Command, and at her Disposal, for repelling the Invasions of *Sweden* by the Czar of *Muscovy*, and for speedily obtaining a just Peace from him; and all Operations that are to be perform'd by their joint Forces, shall be order'd and dispos'd in a previous Council of War, held with the Commanders of the Squadrons of both Crowns: but for the future, before the auxiliary Forces are sent, the Party that offers any Force or Injury shall give notice to the other, and then both of the Allies shall use their Endeavours, that the Invaders or Disturbers may be induc'd by fair means to abstain from such Violence and Injury, that there

may not be a Necessity of having recourse to Arms; and if the Offender shou'd be so obstinate, that he will not condescend to do Justice by amicable measures, and consequently the Party injur'd and offended be compell'd to repel the Violence done to him, and any farther Disturbance by Force of Arms, then the said Forces shall be sent without delay, and such Supply shall be continued till the Party injur'd has obtained full Satisfaction. He shall be accounted an Aggressor, who extorts a just Defence by Injurijs.

XII. It shall likewise be lawful for both of the Confederates, and their Subjects, to enter the Ports of either with their Men of War, and other Ships of Force, there to winter and stay, and to possess and enjoy the Immunities and Privileges of those Ports; provided that they who are not the common Enemys be not infested in such Ports, or at their entrance, nor that the Traffick to the said Ports be interrupted, much less wholly cut off. 'Tis also determin'd by the mutual consent of their Royal Confederate Majestys, that a particular Negotiation for Navigation and Commerce be immediately set on foot at *Stockholm*, for the mutual Advantage and Emolument of both Nations; and in the mean while, and till the same has its effect, 'tis covenanted and agreed between both the Allies, that there shall be a reciprocal and entire Freedom of Navigation and Commerce in all sorts of Goods and Merchandize, thro' all and singular their Dominions, Jurisdiccions and Territorys situate in *Europe*; so that it shall be lawful for one another's Subjects freely and safely to enter by Land or Sea into either's Kingdoms, Provinces, Islands, Citys, Towns and Villages, and there to reside and exercise Commerce in all sorts of Goods and Merchandize, the Importation and Exportation of which are not particularly prohibited and restrain'd by the Laws and Statutes of both Kingdoms; provided nevertheless, that such Freedom of Commerce be not extended to any other Places than to those Sea-ports which have hitherto been open'd for the Trade of any foreign Nation: in which said Ports, Towns, Citys and Places, it shall always be free and lawful for the Subjects of both of the Confederates, not only to stay, reside and inhabit there as long as they please, without any Molestation, Oppression, Restraint or Limitation of time but also to transport themselves from thence, with their Goods, Merchandize and Effects, elsewhere, whensoever and wheresoever they think fit, without any Detrimen

Delay or Impediment, under any Pretence, unless they have borrow'd Money, and contracted any just and lawful Debts; nor shall the said Subjects be obliged to pay any Tributes or Taxes of any kind, under any Pretence, during their Stay in the Dominions and Territorys of either of the Confederates, which the Nations in the most intire Friendship are not oblig'd to pay. And to the end that the Mercantile Affairs of the said Subjects may be confirm'd and increas'd as much as possible, and that Commerce may be reciprocally promoted between both Kingdoms, the said Allies bind one another, and severally engage that the Merchandize and Manufactures of both Nations shall hereafter pay no other Tribute nor Taxes, than what are already establish'd; and shall enjoy such Immunity, till all Points relating to their mutual Commerce be more clearly and firmly decided, by a special Convention or Treaty to be forthwith concluded, and always to be observ'd for the Use and Profit of both Nations: nor shall it be lawful for the Subjects of both the Allies respectively, to claim and demand greater rates for the Weight and Mensuration of the Goods and Merchandize by them imported and exported, than what are demanded and paid by the Citys, Inhabitants and Subjects of both Kingdoms. 'Tis moreover agreed and establish'd, for a general Rule between the said Confederates, that all and singular their Subjects shall enjoy equal favour, at least in all things, and on every occasion, in the Dominions and Territorys subject on both sides to their Obedience; and that they shall use and possess the same Privileges, Libertys and Immunitys which the Subjects of any other Prince or State, even in the strictest Amity, do or may hereafter use, enjoy and possess.

XIII. Whereas by virtue of the fourth and fifth Articles of the Treaty of 1700, both Crowns were oblig'd reciprocally to furnish the Succours therein stipulated; on the Conditions nevertheless, which are specify'd in the XVth of the said Treaty, *viz.* that if the Confederate apply'd to for Succours shou'd himself be involv'd in a War, either against his own Subjects, or against a foreign Enemy, he shou'd nor only be oblig'd, during such War, to furnish Succours to the other Confederate demanding them, but might also after three Months previous notice recal the auxiliary Forces, sent in aid of his Confederate, by virtue of the League: and whereas it happen'd that her late sacred Royal Majesty of *Great Britain* was herself engag'd

in a War against the Crown of *France*, till the Year 1713, when the War was concluded by the Treaty of Peace at *Utrecht*, and therefore neither could nor ought to be bound to furnish the Subsidys promis'd to the Crown of *Sweden*; yet forasmuch as the Kingdom of *Sweden* has been in War from that time to this, and for that reason demands the *Swedish* Subsidys which are in Arrear; and whereas the Subjects of his sacred Royal Majesty of *Great Britain* demand just Satisfaction for their Ships and Merchandize intercepted by the *Swedish* Men of War and Privateers, and afterwards confiscated; and whereas in like manner the Subjects of her sacred Royal Majesty of *Sweden* require just Satisfaction for their Ships and Goods intercepted by the Men of War and Privateers of *Great Britain*; for this reason 'tis agreed by the contracting Partys, that Commissarys shall forthwith be elected on both sides, to examine and liquidate the Complaints relating to the Ships and Goods so intercepted and taken, that it may appear what part the one owes to the other, and that what is accordingly due, after a Calculation made on both sides, may be punctually paid within the term fix'd by the Commissioners for settling those Pretensions.

XIV. But the Prerogatives mention'd in the beginning of the twelfth Article, as granted by either of the Confederates to the Ships of the other in his Harbours, shall in no wise be indulged to the Enemys of the other. Nor shall it be lawful for the Subjects of either of the Confederates, to assist the Enemys of the other Confederate to his Inconvenience and Detriment, or to serve them either as Soldiers or Mariners by Sea or Land, and therefore they shall be laid under the severest Prohibition.

XV. The present Treaty made between the most Serene Monarchs of *Sweden* and *Great Britain*, shall not derogate in the least from the Regalities, Rights and Dominion of her sacred Royal Majesty of *Sweden* in the *Baltick*, nor from those of his sacred Royal Majesty of *Great Britain* in those commonly call'd the *British* Seas; but both of the Confederates shall hereafter preserve and enjoy all the Prerogatives and Privileges above mention'd, with all things depending thereon, as they have possess'd them hitherto, freely and without any Cavil. Which Enjoyment of all things as aforesaid must be understood on both sides, saving this present Treaty.

XVI. After the Confederate required as aforesaid, hath sent his Auxiliaries, or discharg'd his Obligation according to the Laws of Treatys, 'tis necessary that Provision be made in like manner for him and his Security; and therefore 'tis agreed on both sides, that the Confederate who sends Forces to the other Confederate at his request, shall always be reputed as an Auxiliary, and not be involv'd in the War for sending such Assistance; nor shall any Treaty of Peace or Truce be enter'd into, nor any Suspension of Arms concluded for a considerable time, which may be hurtful to the other Confederate, without including and securing him that sent such Assistance. But if he should be involv'd in open War with the Aggressor, or any other whomsoever, by reason of his sending Succours, then neither shall condescend to agree to any Preliminaries, or to any general Treaty with the Enemy or Enemys, without the Consent and Counsel of the other, but all things shall be acted and treated with mutual Help, Communication and Counsel, till most ample Provision is made with common Consent, for the sufficient Security and due Satisfaction of both Confederates. Above all, it shall be by no means lawful for that Ally who is first engag'd in the War, to make Peace, before the other Ally, who by virtue of this Treaty has sent Help to his Ally, shall have ample Satisfaction made him for any damage from the Enemy, and be fully restored at least to his former State, which he was in possession of, or had a just title to before the War began, in case that his State and Condition shall have suffer'd any Diminution in the progress of War.

XVII. This Condition is expressly added to the former, concerning sending Help at the request of his Ally, ' That
 ' if it happens that either of the Confederate Kings, ei-
 ' ther he of whom Help is required, or he who re-
 ' quires it, shou'd be engag'd in War against a common
 ' Enemy, or be molested by any other neighbouring King,
 ' Prince or State, in his own Kingdoms or Provinces, (so
 ' that he of whom it is requir'd may justly account
 ' such Molestation for a real War) to the averting of
 ' which he that requires Help might otherwise by virtue
 ' of this Treaty be oblig'd himself to send Auxiliaries, then
 ' the other Ally so molested, if any Auxiliary Forces were
 ' sent at the request of the other Ally before the Invasion,
 ' may after three Months Notification recal them to
 ' his own and his Kingdom's defence, and while he is
 ' press'd

' pres'd with such Invasion, he shall not be oblig'd to send
 ' the promis'd Succours, as happen'd heretofore during the
 ' War which continued so many Years betwixt the Crown
 ' of *Great Britain* and the most Christian King. And
 ' altho that Treaty of 1700, which shall be reckon'd as
 ' the Basis of this, was enter'd into upon this condition, and
 ' this which is concluded even now, ought to be explain'd
 ' in that manner hereafter, nevertheless his sacred Royal
 ' Majesty of *Great Britain*, in order to give the most sig-
 ' nal Tokens of his Friendship to the Crown of *Swede-
 ' den*, engages *pro hac vice*, that the present War between
 ' the Crowns of *Great Britain* and *Spain*, shall by no
 ' means hinder her Royal Majesty of *Sweden* from ob-
 ' taining the Aids actually stipulated by this Treaty, or
 ' from enjoying and being supported by the same, till the
 ' Peace is happily restored, *viz.* the Subsidys and Squadron
 ' of Men of War, promis'd in the VIIIth and IXth Arti-
 ' cles, till a Peace was restor'd with the Czar of *Muscovy*;
 ' but if the War with *Denmark* shou'd, contrary to ex-
 ' pectation, last longer than that with the Czar, then only
 ' the Subsidys shall be continued. On the contrary, her
 ' sacred Royal Majesty of *Sweden* obliges herself not to
 ' admit of any Terms which may be propos'd or offer'd
 ' to her directly or indirectly by the King of *Spain*, if those
 ' Terms are capable of doing any prejudice or damage to
 ' the Cause for which a War has been carry'd on for sever-
 ' al Years against *Spain*. Moreover, her sacred Majesty
 ' of *Sweden* obliges herself, her Heirs and Successors,
 ' to maintain and guaranty the Succession to the Crown
 ' of *Great Britain*, as it is establish'd by the Laws of the
 ' Realm, in the Family of his *Britannick* Majesty now
 ' upon the Throne, and likewise to defend all the Domi-
 ' nions and Provinces possess'd by his Majesty; and that she
 ' will not give or grant any Shelter or Refuge in any part of
 ' her Dominions to the Person or his Descendents, if he should
 ' have any, who in the Life time of *James II.* took the Title
 ' of Prince of *Wales*, and after his Death the Royal Title
 ' of King of *Great Britain*: promising likewise for her-
 ' self, her Heirs and Successors, that she will not directly
 ' or indirectly give the said Person or his Descendents,
 ' any Aid, Counsel or Assistance whatsoever, either in
 ' Money, Arms, military Equipage, Ships, Soldiers, Ma-
 ' riners, or in any other manner whatsoever; and that
 ' she will observe the same Precaution with regard to those

Persons who may be commanded or commission'd to disturb his *Britannick* Majesty's Government, or the Tranquillity of his Kingdom, either by open War, or clandestine Conspiracies, or in exciting Seditions and Rebellions, or in committing Piracys upon his *Britannick* Majesty's Subjects; in which last case, her sacred Royal Majesty of *Sweden* promises that she will by no means permit any Refuge to be given to such Pirates in the Harbours of her Kingdom. Lastly, her Royal Majesty of *Sweden* obliges herself, not to give any Protection or Shelter in any part of her Dominions to those Subjects of his Royal Majesty of *Great Britain*, who are now, or shall hereafter be declar'd Rebels; and that in case there happen to be such in her Kingdoms, Provinces and Dominions, she will command them to depart her Territorys in eight Days after the Warning given them from Court. And if his sacred Royal Majesty of *Great Britain* shall happen to be invaded in a hostile manner, she obliges herself to send the Succours above-mention'd, and to do the same to his Descendents, if they shall happen to be disturb'd in the Succession to the Crown of *Great Britain*. And forasmuch as it is of the greatest Importance to the Protestant Religion, to the Commerce of the Kingdoms of *Sweden* and *Great Britain*, and to all Christendom, that the *Baltick* may not be in the Power of the Czar of *Muscovy*; if therefore the said Czar refuse to make a Peace with *Sweden*, and to restore those things which are requir'd for the security of the Kingdom of *Sweden*, and to re-establish the same Freedom of Commerce in the *Baltick*, as both enjoy'd before the present War, in this case his sacred Royal Majesty of *Great Britain* obliges himself not only to furnish those Aids which are express'd in this Treaty, for obtaining the same by Force of Arms, but he promises to use all his Endeavours, and to employ all his Offices with his Confederates, that they may help *Sweden* with Subsidys, and consequently furnish the Crown of *Sweden* with the means for keeping the Czar within bounds.

XVIII. And altho the Allies shall be oblig'd to send Auxiliaries to one another, according to the Articles above, yet that Obligation shall not be so far extended, as that all Friendship and mutual Correspondence shall be taken away and prohibited with the Enemys of the other Confederate: for supposing that one of the Confede-

rates shou'd when required send his Auxiliars, and not be engag'd in the War himself, it shall then be free for his Subjects and Inhabitants to have Trade and Navigation with the Enemy of that Ally who is engag'd in the War; and it shall be lawful for them to carry any Goods whatsoever to them, those only excepted which are expressly forbid, and commonly call'd Contraband, and declar'd such by the common Agreement of all Nations.

XIX. Inasmuch as both their Royal Majestys above-mention'd do hereby declare that they are still bound by certain Conventions and Treatys formerly enter'd into with other Powers, and that they are willing to observe the same duly, according to the Stipulations of the said Articles, but that nevertheless they are not at this time bound by any Articles and Clauses therein contain'd, which may or ought to weaken and obstruct this present Treaty in any manner, or under any pretence: To the end therefore, that the Faith of the Confederates, and their Perseverance in this Alliance, may appear the more reciprocal, and that the Minds of their Subjects and Friends may be the more confirm'd, both their Royal Majestys above-mention'd do oblige themselves, and declare that they will sincerely and *bona fide*, stand to all and every one of the Articles of this Treaty, and that they will not depart a Tittle from the genuine and plain Sense of the said Articles, under any Pretexes of Profit, Friendship, former Treaty, Contract and Promise, or for any other Colour whatsoever; but that they will give effectual Orders that all the Things which they have promis'd in this Treaty, as the State of Affairs shall require, be speedily and fully put in Execution by themselves, or their Ministers and Subjects, according as they are expressly stipulated, and this without any Limitation, Exception or Excuse, those excepted which are express'd in the preceding Articles of this Treaty.

XX. This defensive Treaty shall last 18 Years, before the end of which the Confederate Sovereigns may again treat concerning its farther Continuance, if it shall seem good to both of them.

XXI. Whereas this Treaty has been concluded pursuant to Powers and Orders receiv'd on both sides, so the same ought to be approv'd and ratify'd in due and solemn Form, by both their Sacred Royal Majestys of *Sweden* and *Great Britain*, and the Instruments of their Ratification be deliver'd and exchang'd at *Stockholm* within the space
of

[REDACTED]

between Great Britain and Sweden. 119

Months, to be reckon'd from the time of this Sub-
l, or sooner if possible.
the greater Evidence and Confirmation of all Things
l, two Copys of this Treaty have been made, one
the aforesaid Senators and Secretary of State of
ed Royal Majesty and the Kingdom of *Sweden*,
rd and confirm'd with their Seals, as the other has
the aforesaid Ambassador Extraordinary and Ple-
ary of his Sacred Royal Majesty of *Great Britain*,
e all particularly impower'd for that end, and that
id the same Day, viz. the 21st of *January* 1720.

Treaty between Great Britain and
Spain, concluded at Madrid, June 13,
S. 1721.

ing pleased the Divine Providence to dispose the
ts of the most Serene and Potent Princes, *George*,
ie Grace of God King of *Great-Britain, France*,
Spain, &c. and *Philip V.* by the Grace of God King
the *Indies*, &c. to forget all the Grounds of Dif-
fidence and Misunderstanding that have given Occasion
to, for some time, the Friendship and good Cor-
respondence which before flourished between them; and
the Protestant and Catholick Majestys being now desirous
to renew and re-establish them by the strongest Ties,
concluded and agreed by their under-written Mini-
ster, named for that Purpose, the following

For the future, there shall be, between his *Brit-
annick* Majesty his Heirs and Successors, and his Catholick
Majesty his Heirs and Successors, as also between their
Dominions, Sovereigntys, Subjects and Vassals,
an inviolable Peace, and a perpetual and firm
Friendship, and a general Oblivion of every thing that
has happened, on both Sides, upon Occasion of the last

II. The Treatys of Peace and Commerce, concluded at *Utrecht* on the 13th of *July*, and the 9th of *December*, in the Year 1713, wherein are comprehended, the Treaty made at *Madrid* in the Year 1667, and the *Cedulas* therein mentioned, shall remain confirmed and ratified by the present Treaty, except the Third, Fifth and Eighth Articles of the said Treaty of Commerce, commonly called Explanatory; which have been annulled by virtue of another subsequent Treaty, made at *Madrid* the 14th of the Month of *December* 1715, between the Ministers Plenipotentiary, named for that purpose, by their *Britannick* and *Catholick* Majestys, which Treaty remains likewise confirmed and ratified; as also the particular Contract, commonly call'd *The Assiento*, for the Importation of Negro Slaves into the *Spanish Indies*, which was made the 26th of *March* in the said Year 1713, in Consequence of the 12th Article of the Treaty of Commerce of *Utrecht*; and likewise the Treaty of Declaration, concerning that of the *Assiento*, made the 26th of *May* 1716: all which Treatys, mentioned in this Article, with their Declarations, shall remain in their full Force, Virtue and Vigour, in every thing, wherein they shall not be contrary to this; and, to the end they may have their entire Effect and Accomplishment, his *Catholick Majesty* will cause his *Circular Orders*, *Cedulas*, to be dispatch'd to his *Viceroy*s, *Governours*, and other *Ministers*, to whom it shall belong, of the *Ports* and *Towns* in *America*, that the *Ships* employ'd for the *Traffick* of *Negroes* by the *Royal Company* of *Great Britain* established at *London*, may be admitted, without *Hindrance*, to trade freely, and in the same manner as they did before the last *Rupture* between the two *Crowns*; and the above-mentioned *Cedulas* shall be delivered as soon as the *Ratifications* of the present Treaty shall have been exchanged; and at the same time his *Catholick Majesty* will give his *Orders* to the *Council* of the *Indies*, that the *Junta*, composed of *Ministers* taken out of that *Council*, and appointed for the *Cognizance* (exclusive of all others) of the *Causes* that respect the said *Assiento*, may again have its *Course*, admit of, and consult upon those *Affairs*, according to the *Rule* establish'd at the *Time* of its *Appointment*; and as to what regards the *Observation* of the *Treatys* of *Peace* and *Commerce*, *Circular Orders* shall be dispatch'd to all the *Governours* of *Spain*, to the end that they may, without

any of their Interpretations, cause them to be observ'd and accomplished; as in like manner shall be given, on the Part of his *Britannick* Majesty, the Orders which shall be demanded, and judg'd necessary for the Accomplishment of every thing that has been stipulated and agreed between the two Crowns in the abovemention'd Treatys of *Utrecht*; and particularly as to what may not have been put in Execution of the Points settled by the Eighth, Eleventh and Fifteenth Articles of the Treaty of Peace, which mention the leaving to the *Spaniards* the free Commerce and Navigation to the *West Indies*, and the maintaining the antiënt Limits in *America*, as they were in the time of King *Charles II.* the free Exercise of the Catholick Religion in the Island of *Minorca*, and the Cod fishing in the Seas of *New found-land*; as well as with regard to all the other Articles which may not hitherto have been put in Execution, on the part of *Great Britain*.

III. Forasmuch as by the Seventh Article of the Treaty of Commerce of *Utrecht* it was agreed, that all the Goods confiscated at the Beginning of the former War should be restored, in regard the Confiscation thereof had been made contrary to the Tenor of the 36th Article of the Treaty of 1667, his Catholick Majesty, in like Conformity, will order, that all the Goods, Merchandizes, Money, Ships and other Effects, which have been seized, as well in *Spain* as in the *Indies*, by virtue of his Orders of the Month of *September* 1718, or of any other subsequent Orders, at the time before the War was declared between the two Crowns, or after it was declared, be speedily restored in their same Kind, as to those which shall be still in Being; or, if they are not, the just and true Value of them, at the time that they were seized; the Valuation whereof, if, by Omission or Neglect, it was not then made, shall be adjusted, according to the authentick Informations that the Owners shall produce before the ordinary Magistrates of the Towns and Places where the said Effects shall have been seized. And as it is certain, that the Orders of his Catholick Majesty (altho they directed, that Inventories of those Goods and Effects should be made and drawn up, and Accounts and Declarations should be kept) have not, however, been executed in that manner in several Places, it has been agreed, that if the Proprietors make it appear, by legal Proofs, Informations, and other Documents, that any of them have been omitted

in the said Inventories, his Catholick Majesty will give express Orders, that the Value of those things which shall have been omitted, be paid by the Treasurers or other Persons, thro' whose Neglect such Omissions shall have been made.

IV. It is mutually agreed, that his *Britannick* Majesty shall give Order to his Governours, Officers, and other Ministers, to whom it shall belong, to cause to be restored all the Goods and Effects of the Subjects of his Catholick Majesty, which they shall prove to have been seized and confiscated in the Dominions of his *Britannick* Majesty, upon Occasion of the last War; in the same manner as it has been settled in the foregoing Article, in favour of the Subjects of his *Britannick* Majesty.

V. It is also agreed, that his *Britannick* Majesty shall cause to be restored to his Catholick Majesty all the Ships of the *Spanish* Fleet, which were taken by that of *England*, in the Naval Battle that was fought in the Month of *August* 1718, in the Seas of *Sicily*; with the Guns, Sails, Rigging, and other Equipage, in the Condition they are at present; or else the Value of those which may have been sold, at the same Price that the Purchasers shall have given, according to the Proofs and Vouchers; and for the Execution of this Restitution, his *Britannick* Majesty shall cause the proper Orders to be dispatch'd, immediately after the Ratification of this Treaty. It is also declared, that the other Pretensions that there may be, on both Sides, between the two Crowns, concerning Matters whereof there is no mention made in the present Treaty, and which are not comprehended in the Second Article hereof, shall be treated of at the approaching Congress of *Cambray*.

VI. The present Treaty shall have its Effect immediately after it shall have been mutually ratified; and the Letters of Ratification shall be exchanged in Six Weeks after the Signing, or sooner, if possible; deferring its Publication till the General Peace shall have been concluded at the Congress of *Cambray*, between all the Partys concerned; or till their *Britannick* and Catholick Majestys shall have particularly agreed upon it.

In Witness whereof, we the under-written Ministers Plenipotentiarys of his *Britannick* Majesty and his Catholick Majesty, being furnished with our full Powers, which have been mutually communicated, and Copys whereof shall be
here

here under transcribed, have signed the present Treaty, and affixed thereto the Seals of our Arms. Done at *Madrid* the 13th of *June*, 1721.

(L. S.) *William Stanhope.*

(L. S.) *El Marquis de Grimaldo.*

Treaty of Defensive Alliance, betwixt France, Spain, and Great Britain. At Madrid, June 13, 1721.

THE Differences that have happen'd betwixt their *Britannick* and most Christian Majesty on the one part, and his Catholick Majesty on the other, having not a little impair'd the Friendship which they always shew'd to one another, it has been a long time their ardent Wish to re-establish the good Correspondence and sincere Amity which ought to prevail among them, and which will always be the strongest Support of the Greatness to which God has rais'd them, and the surest means to preserve the publick Tranquillity, as well as the Happiness and mutual Advantages of their Subjects; and 'tis with a View to cement and corroborate, if possible, these Dispositions, which are as conducive to the mutual Glory and Security of their Crowns, as they are conformable to the Welfare and Tranquillity of all *Europe*, that their *Britannick*, most Christian, and Catholick Majestys have resolv'd to unite in so strict a manner, that they may act hereafter as if they had only the same View, and the same Interest: and for this end the most Serene King of *Great Britain*, &c. having given full Powers to treat in his name, to *William Stanhope* Esq; Colonel of a Regiment of Dragoons, a Member of the Parliament of *Great Britain*, and Ambassador Extraordinary from his *Britannick* Majesty to the Court of the Catholick King; the most Serene the most Christian King having given full Powers for the same end, to *John Baptist Lewis Andrault de Langeron*, Marquis de *Maulevrier*, Lieutenant General of his Armys, Com-

mander

mander and Grand Croix of the Military Order of St. *Louis*, his Envoy Extraordinary to his Catholick Majesty; and the most Serene King of *Spain* having likewise granted his full Powers for the same end to *Don Joseph Grimaldo*, Knight of the Order of St. *Jago*, Governor of *Rueira* and *Auzechal*, a Member of the Council of the *Indies*, and his First Secretary of State and the Dispatches; they have agreed on the following Articles.

I. There shall be hereafter and for ever a strict Union and a sincere and lasting Friendship between the most Serene King of *Great Britain*, the most Serene the most Christian King, and the most Serene King of *Spain*, their Kingdoms and their Subjects, and Inhabitants of the Countrys under their Dominion; so that the Injuriys or Damages suffer'd during the War, to which an end has been put by the Accession of the most Serene King of *Spain* to the Treaty of *London*, dated the 2d of *August* 1718, shall be bury'd in eternal Oblivion, and that for the future each shall take the same care of one another's Safety as of his own, and not only inform his Ally of the Danger that may threaten him, but also oppose with all his Power the Injuriys that may be done him.

II. In order to establish this Union and Correspondence firmly, and to render it yet more advantageous to the Crowns of their *Britannick*, most Christian and Catholick Majestys, they promise and engage by the present Treaty of Defensive Alliances mutually to guaranty the Kingdoms, Provinces, States and Countrys under each other's Dominion, in what part of the World soever situate; so that if their Majestys are attack'd, contrary to what was resolv'd on at the Treaty of *Utrecht* and *Baden*, and contrary to the Treaty of *London*, and the Stipulations which shall be made at *Cambray*, they shall mutually assist one another till the Disturbance is at an end, or till they are satisfys'd, by the Reparation of the Damages which they shall have suffer'd.

III. In pursuance of the foregoing Article, the Maintenance and Observation of the Treaty of *Utrecht*, *Baden*, *London*, and of that which is to be made at *Cambray*, for putting an end to the Differences that are to be decided betwixt the most Serene King of *Spain* and the Emperor, shall be the chief Aim of the present Alliance. And to strengthen it the more, the most Serene King of *Great Britain*

Britain, the most Serene the most Christian King, and the most Serene King of *Spain*, shall by concert invite such Powers as they shall think fit to enter into the present Treaty for the common Good, and for the Preservation of the publick Tranquillity.

IV. If it happen (which God forbid) that, contrary to the said Treatys of *Utrecht*, *Baden*, *London*, or the Stipulations of those which shall be made at *Cambray*, their *Britannick*, most Christian and Catholick Majestys shou'd be attack'd, or in any manner disturb'd in the Enjoyment of their Kingdoms and Countrys by any Potentate, they promise and engage to employ their good Offices as soon as they shall be required, in order to procure for the Party attack'd Satisfaction for the Wrong done to him, and to hinder the Aggressor from continuing his Hostilities; and if it happen that his good Offices be not sufficient to procure such Reparation out of hand, their said Majestys promise to furnish the following Succours jointly or separately, *viz.*

His *Britannick* Majesty 8000 Foot, and 4000 Horse.

His most Christian Majesty 8000 Foot, and 4000 Horse.

His Catholick Majesty 8000 Foot, and 4000 Horse.

If the Party that happens to be attack'd, desire Men of War or Transports, or even Subsidys in ready Money, in the room of Troops, in that case he shall be at liberty to make his choice, and they shall furnish him with the said Ships or Money in proportion to the Expence of the Troops; and in order to prevent all occasion of Doubt in the Calculation of the said Expence, their Majestys agree that 1000 Foot shall be settled at 10000 *Dutch* Florins, and 1000 Horse at 30000 Florins *per* Month, observing the same Proportion with regard to Shipping: Their said Majestys promising to continue and maintain the said Succours as long as the Troubles shall last; and if the said Succours be not sufficient to repel the Attacks of the Enemy, they shall agree to augment them; and if it be necessary, their said Majestys shall mutually assist one another with all their Forces, and declare War against the Aggressor.

V. Their *Britannick*, most Christian and Catholick Majestys, being entirely satisfy'd in the Sentiments which the Duke of *Parma* has always manifested towards them, and being desirous to give him Marks of the singular Esteem

stem and Affection which they have for him, they promise and engage by virtue of this present Treaty, to grant him particular Protection for the Preservation of his Territories and Rights, and for the Maintenance of his Dignity; so that if he be disturb'd contrary to the Treatys of Peace already made, and contrary to what shall be stipulated in those that are to be made at *Cambray*, they shall join their good Offices and Efforts, to obtain just Satisfaction; and if it be refus'd, they shall agree on Measures to procure it for him by all other methods that shall be in their Power.

VI. His Catholick Majesty being desirous to give his *Britannick* Majesty, and his most Christian Majesty a particular Proof of his Friendship, confirms as far as there may be occasion, all the Advantages and Privileges which have been granted by the Kings his Predecessors to the *English* and *French* Nations; so that the trading Subjects of the most Serene King of *Great Britain*, and the most Serene the most Christian King, shall always enjoy in *Spain*, the same Rights, Prerogatives, Advantages and Privileges for their Persons, Commerce, Merchandize, Estates and Effects, which they have enjoy'd, or which they ought to have enjoy'd by virtue of Treatys or Agreements, or by virtue of all those which have been or shall be granted in *Spain*, to the Nation that is most favour'd.

VII. The present Treaty shall be ratify'd by their *Britannick*, most Christian and Catholick Majestys, and the Ratifications shall be mutually deliver'd in due form, and exchange'd in the space of six Weeks, reckoning from the Day of signing, or sooner, if possible.

In Witness whereof, we the underwritten Ministers, Plenipotentiarys of his *Britannick* Majesty, his most Christian Majesty, and his most Catholick Majesty, having mutually communicated our full Powers, have sign'd the present Treaty, and thereunto set the Seals of our Arms. Done at *Madrid* the 13th of *June* 1721.

Sign'd,

(L. S.) *WILLIAM STANHOPE.*

(L. S.) *LANGERON MAULEVRIER.*

(L. S.) *Marquis de GRIMALDO.*

The Separate Article of the Defensive Alliance between Great Britain, France and Spain, concluded at Madrid, the 13th of June N. S. 1721.

THE Ministers Plenipotentiarys of their *Britannick*, most Christian and Catholick Majestys, have this Day sign'd, by virtue of their respective full Powers, a Treaty of Defensive Alliance between their said Majestys: They have further agreed, That the particular Treaty, which has likewise been sign'd, this Day, between their *Britannick* and Catholick Majestys, whereof the Tenor follows, shall make a part of the said Treaty of Defensive Alliance, concluded between *England, France* and *Spain*.

Here is inserted, verbatim, the Treaty between Great Britain and Spain, concluded at Madrid, the 13th of June N. S. 1721.

THE abovesaid particular Treaty shall have the same Force, as if it were inserted Word for Word in the Treaty of Defensive Alliance, signed this Day, between the three Crowns; and the Letters of Ratification shall be exchanged at *Madrid*, in the usual Manner, within the Space of six Weeks, to be computed from the Day of Signing, or sooner, if possible.

In Witness whereof, we have signed these Presents, by virtue of our full Powers, and have affixed thereto the Seal of our Arms. Done at *Madrid* the 13th of *June*, 1721.

(L. S.) *William Stanhope.*

(L. S.) *Langeron Maulevrier.*

(L. S.) *El Marquils de Grimaldo.*

Another Separate Article of the Defensive Alliance between Great Britain, France and Spain, concluded at Madrid the 13th of June N. S. 1721.

THE Ministers Plenipotentiarys of their *Britannick* and most Christian Majestys, having this Day sign'd, with the Minister Plenipotentiary of the King of *Spain*, by virtue of their respective full Powers, a Treaty of De-

Defensive Alliance; the abovesaid Ministers of *Britannick* and most Christian Majestys have also a between themselves, by virtue of the same Powers, as the principal Intention and Aim of that *Allian* to maintain and preserve the Peace and *Tranquill Europe*, in which it cannot be doubted but the General of the *United Provinces* of the *Netherland*, disposed to concur, and to give their Assistance, the proper Occasion shall be taken, in Concert, to invite thereto; and their said *Britannick* and most Chr Majestys promise and engage, in the mean time, to maintain the Treaty of Defensive Alliance, made at the *H* between the King of *Great Britain*, the most Chr King, and the said States General of the 4th of *Jan* 1717, N. S. and that nothing shall be done, direct or indirectly, to its Prejudice.

*ration of Lewis XV. King of France
 & Navarre, renewing the Edicts,
 Arrets and Declarations issued by
 his XIV. his Predecessor, against
 the Subjects of the Reformed Reli-
 gion, enjoining that the Roman Ca-
 tholick be the only Religion exercis'd
 in his Kingdom, and commanding that
 severe Punishments be inflicted on those
 who shall refuse to perform the Du-
 ty thereof even tho they are on
 their Death-Beds. Given at Ver-
 sailles, the 14th of May 1724.*

*WE IS by the Grace of God King of France
 & Navarre, to all whom these present Letters
 shall come to, Greeting. Of all the great Designs
 of our late King our most honoured Lord and Great
 Father did form, during the Course of his Reign,
 none we have more at Heart to pursue and to see
 than that he had conceived utterly to extin-
 guish Heresy in this Kingdom, to which he applied
 with an indefatigable Care to the last Moment
 of his Life. With a View to support a Work so worthy of
 his Piety, we came no sooner to be of Age, but
 our chief Care was to have represented to us the
 Declarations, and Arrets of the Council issued upon
 this Subject, in order to renew the Dispositions made
 therein, and to injoin all our Officers to cause them to be
 executed in the strictest Manner possible: but we have
 not yet been*

been informed, that for several Years past there has been a Remissness in the Execution thereof, especially in Provinces that have been afflicted with the Plague, and which there is a greater Number of our Subjects that merely have made Profession of the pretended Reformed Religion, and this thro' the false and dangerous Impressions which some amongst them, who were not sincerely re-united to the Catholick Apostolical and Roman Religion, and being besides prompted by Instigations from abroad, have endeavoured secretly to insinuate during Minority. All which having induced us to give new attention to a matter of so high an Importance, we have found that the chief Abuses that have crept in, and which call for the speediest Remedy, relate principally to the lawful Meetings, the Education of the Children, the Obedience incumbent upon all those who have any public Employment to profess the Catholick Apostolical and Roman Religion, the Pains and Penalties against the Heresies, and the Marriages; upon all which Heads we have resolved to explain our Intentions in plain and explicit Terms. For which Reasons, by the Advice of our Council, and out of our special Grace, full Power and Royal Authority, we have declared and ordained, and by these Presents, signed with our own Hand, do declare, ordain, will and please:

I. That the Roman Catholick and Apostolical Religion be the only one profess'd in this Kingdom, and all Territories and Dominions; forbidding all our Subjects of what State, Condition, or Quality soever they be perform any other Exercise of Religion than that of Catholick Faith, and to meet for that purpose in any Place under any Pretext whatsoever; upon Pain, if a Man be sent to the Gallies for Life, and if a Woman be shaved and confined for ever to such Places as the Judges shall think fit, and to have both their Estates confiscated; and even upon Pain of Death if they meet Arms.

II. Being informed that many Preachers are risen up daily in our Kingdom, who make it their only Business to excite the People to revolt, and divert them from the Dutys of the Roman Catholick Religion, we ordain, that all Preachers that shall have held Meetings
preach

preached therein, or perform'd any Function, be punished with Death, according to the Declaration of the Month of *July 1686*, against the Ministers of the pretended Reformed Religion, so that the said pain of Death may not be deemed for the future only Comminatory. We likewise forbid all our Subjects to receive the abovesaid Ministers or Preachers, to harbour, aid and assist them, or to have any Communication directly or indirectly with them. And we enjoin those that shall know any thing of it, to give the proper Officers of that Place Notice of it: All this on pain, in case of Contravention, to be sent to the Gallies for Life, if a Man, and if a Woman to be shaved and confined during her Life to such Places as the Judges shall think proper, and to have both their Estates confiscated.

III. We ordain and command all our Subjects, and especially those that have formerly been of the pretended Reformed Religion, or which are born of such Parents, to have their Children christened in the Parish-Church where they live, within 24 Hours after they have been born, unless they have got a License of the Archbishop or Bishop of the Diocess to put off the Ceremonys of Baptism for weighty Reasons. We also enjoin the Midwives and other Persons that assist Women in their Labours, to give Notice to the Curate of the Place where the Child is born, as also our Officers and High Justices to see it strictly executed, and to fine the Transgressors, or to punish them more severely, according to the Nature of the Case.

IV. As to the Education of the Children of Parents that formerly have been of the pretended Reformed Religion, or that are born of Parents that have professed the same, our Will is, that the Edict of the Month of *January 1686*, and the Declarations of the 13th of *December 1698*, and of the 16th of *October 1705*, be fully executed. And moreover, we forbid all our said Subjects to send their Children out of the Kingdom to be educated, unless they have first obtain'd from us a Permission in Writing, signed by one of our Secretaries of State, which we will not grant till we have been fully satisfied that their Parents are good Catholics; and this on Penalty, in case of Contravention, of a Fine, to be imposed in proportion to the Estate and Substance of the Parents, which Fine however shall not be less than 6000 Livres, and shall be continued for as many Years as their Children shall stay abroad against

our Prohibitions; which we enjoin our Judges to see executed.

V. Our Will is, that School-Masters and Mistresses set up, if possible, in all the Parishes where there are, in order to instruct all the Children of both Sexes in the chief Mysteries and Dutys of the Roman Catholick Religion, to carry them to Mass every working Day, if possible, to give them the necessary Instructions upon that Subject, and to take care that they go to Church on Sundays and Holidays; and also teach them to read, and to write, if there be occasion for the latter; all this according to the Directions of the Arch-Bishops and Bishops, pursuant to the 25th Article of the Edict of 1695, concerning Ecclesiastical Jurisdiction: For which End, 'tis our Will that in those Places where there is no Fund for it, the which shall be wanted for establishing the said Masters and Mistresses shall be raised by the Inhabitants, not exceeding 150 Livres for a Master, and 100 Livres for a Mistress; and that the Writings for that Purpose shall be drawn up gratis, upon Notice given us by the Arch-Bishops, Bishops, and Commissarys, established in our Provinces, for executing our Orders.

VI. We enjoin every Father and Mother, Tutor or other Persons, to whose Care the Education of Children is committed, and particularly of those Children whose Father or Mother has ever professed the Protestant Reformed Religion, or which are born of Parents of that Religion, to send them to Schools, and put them under the Catechisings till they are 14 Years old, even those who have passed that Age are to be sent to the public Schools to receive Instructions every Sunday and Holiday till they come to the Age of 20; unless they be Persons of such Quality as are able and bound to have them instructed at home, in which case we send them to the College, or else to put them into the Conventuall Nasterys of Regular Communitys. And we enjoin all Parents and others to have a watchful Eye over the Instruction of their said Children in their several Parishes, even with relation to those who do not go to School. We exhort and enjoin at the same time, the Arch-Bishops or Bishops care to inform themselves about it; and we command the same Parents and others, under whose Tuition those Children are, and in particular those that are distinguished by Birth or by their Employments, to present their Children to us, if they have at home, whenever the Arch-Bishops or Bishops

shall call for them in the Course of their Visitation, to give them an Account of the Instructions they have had in Matters of Religion. And our Judges, Attorneys, and High Justices, are charged to make all diligent Enquiry, and to give the necessary Orders for executing our Will in that Respect, and to fine those who shall be negligent in their Duty, or so bold as in the least to contravene: Which Fines, notwithstanding any Appeal, are to be paid provisionally, how great soever they may be.

VII. And for rendering the Execution of the preceding, Article still more effectual, our Will is, that our Attorneys, and those of the High Justices, shall cause to be put into their Hands every Month, by the Curates, Vicars, School-Masters and Mistresses, or others intrusted herewith, an exact List of all the Children, who shall not go to School, or to the publick Catechisings and Instructions, with an Account of their Names, Age, Sex, and of the Names of their Parents, Tutors, and Guardians, or others intrusted with their Education: and that they shall take care to give an Account, at least every six Months, to our Attorneys General, every one in their several Districts, of what Diligence they have used in this Respect, to the end that they may receive the necessary Orders and Directions from them.

VIII. And for as much as the Assistance of Spiritual Guides is in no time so necessary, especially to such of our Subjects as have been lately reconciled to the Church, as in Case of Sickness, which equally endangers both their Life and Salvation; our Will is, that the Physicians, or if there be none, the Apothecarys or Surgeons that shall be called to visit the Sick, be obliged to give notice thereof to the Curates and Vicars of the Parishes wherein the Sick live, as soon as they shall think that their Illness is dangerous, if they find not that they have already been sent for; to the end that the said sick Persons, and particularly the new Converts, may receive the Spiritual Advice and Consolation, which they may stand in Need of, together with the Benefits of the Sacraments, whenever the Curates and Vicars shall find they are fit to receive them. We enjoin likewise the Parents, Servants, and all other Persons that shall be about the said sick, to procure them free access, and to receive them with all the Respect and Deference due to their Character: And we will, that such of the said Physicians, Apothecarys and Surgeons,

as shall have neglected their Duty in this Respect, as well all Parents, Servants, and others attending the who shall refuse to the said Curates and Vicars, or sent by them, Access to the Sick, shall be fined according to their Offence: And even that the Physicians, Apothecaries and Surgeons, shall be forbid the Exercise of Professions upon the second Default. All this according as the Case shall require.

IX. We likewise enjoin all Curates, Vicars, and charged with the Cure of Souls, to be diligent in the Sick, of what Condition and Quality soever the and particularly those that have been of the pretended Religion, or are born of such Parents, to exhort in private, and by themselves, to receive the Sacraments of the Church, giving them for that Purpose all needful Instructions, with all the Prudence and Charity becometh their Ministry. And in case out of Contempt of their salutary Exhortations and Advices, the said Sick do refuse to take the Sacraments so offered to them, and that they declare afterwards publicly that they will die in the pretended Reformed Religion, and persist in the Declaration they have made during their Sickness, our Will is, after they are recovered, our Bailiffs and Seneschals, to prosecute them at the Request of our Attorneys, in consequence of which they are to be banished for ever, and their Estates confiscated; and in those Places where Estates cannot be confiscated, they shall pay a Fine which shall not be less than the Moiety of their Estates. If to the contrary they happen to die in such an unhappy Condition, we ordain that even their Memory be prosecuted by our said Bailiffs and Seneschals, at the Request of our Attorneys, in the Form as directed by the Articles of the Title of the Ordinance of the Month of *August* 1677, to the Effect that their Memory be condemned, and their Estates confiscated, repealing hereby the other Penalties contained in the Declarations of the 29th of *April* 1677 and the 8th of *March* 1715, which for the rest shall put in Execution so far as they are not contrary to this Article. And in case there be no Royal Bailiwick in the Place where such a Fact shall have happened, our Parliament and Royal Judges, and, if there be no such, the Judges High Justices, shall take the Informations, and send them to the Keepers of the Rolls of our Bailiwicks and Seneschalships under whose Jurisdiction the said Judge

or to those that take Cognizance of Royal Cases within the Extent of the abovesaid High Justices, in order to proceed and pronounce Sentence against them; from which however they may appeal to our Courts of Parliament.

X. Our Will is, that the Contents of the preceding Article be executed without any other Proof of the Crime of Relapse, than the sick Person's refusing the Sacraments of the Church offered to him by the Curates, Vicars and others intrusted with the Cure of Souls; and his publick Declaration, as mention'd above, shall be a sufficient Proof, both of his Refusal and of his publick Declaration, warrant'd by the Deposition of the Curates, Vicars and others that have the Cure of Souls, and of those that have been present when he made the said Declaration. So that it will be need-
less for the Judges to go to the said sick Persons Houses to draw up a verbal Process of their Refusal and Declaration, neither shall the said Curates and Vicars that have visited the said sick Persons, be obliged to send for the said Officers to come, or inform them of the Refusal and Declaration made to them; reversing in this Respect the Declarations of the 29th of *April 1686*, and the 8th of *March 1715*, so far as they are contrary to the present and preceding Articles.

XI. And whereas we are informed, that what contributes most to confirm or make the said sick Persons relapse into their former Errors, is the Presence and the Exhortations of some concealed Protestants, who secretly assist them in the Condition they are then in, and take advantage of the Principles they have been prepossessed with from their Infancy, and of the weak State they are reduced to by Sicknels, to make them die out of the Bosom of the Church; we ordain, that our Bailiffs and Seneschals shall proceed in the manner abovesaid, against those that shall be found guilty of this Crime, whereof our Provosts or Royal Judges may make Inquiries, as likewise the High Justices in such Places where such a thing shall happen, in case they be not under a Bailiwick or Royal Seneschal's Court; on Condition however to send their Informations to the Royal Bailiwick, as above, in order to be tried and condemned, if guilty, by our Bailiffs and Seneschals, viz. The Men to the Gallies, either for Life or for a limited time as the Judges shall think fit; and the Women to be shaved, and confined to such Places as our Judges

shall order, either for Life or for a certain Time, which we leave likewise to their prudent Discretion.

XII. We ordain, that pursuant to the former Ordinances of the Kings our Predecessors, and the Practice observed in our Kingdom, none of our Subjects shall be received and employed in any Place of Judicature in our Courts, Bailywicks, Seneschalships, Provostships and Judicatorys; neither in those of High Justices, nor in Places of Mayors and Aldermen, and other Officers of Town-Houses, whether they come to it by virtue of their Office, or by Election, or otherwise, including even all Offices of Registers, Attorneys, Notarys, Sergeants and Bailiffs, of what Jurisdiction soever they be; and in general none shall be admitted into any publick Office or Function, either by their own Right or Commission, even in the places of our Household and our Royal Palaces, unless they have a Certificate from the Curate, or in his Absence from the Vicar of the Parishes in which they live, of their good Life and Behaviour, and that they actually follow and practise the Roman Catholick and Apostolick Religion.

XIII. Our Will is likewise, that no Licenses shall be granted in the Universitys of our Kingdom to those that have studied in Law or in Physick, without such Certificates from the Curates, which they shall produce to those that are to give them the said Licenses: Which Certificate shall be mentioned in the Letters of License to be drawn up and delivered to them, in default of which they shall be void. This Regulation however shall not extend to Foreigners that shall come to study and take the Degrees in the Universitys of our Kingdoms; on Condition that in Conformity of the Declaration of the 26th of *February* 1680, and the Edict of the Month of *March* 1707, the Degrees they have thus obtained shall be of no use to them in our Kingdom.

XIV. The Physicians, Surgeons, Apothecarys and Midwives, as also the Booksellers and Printers, shall likewise not be permitted to practise and carry on their Trades in any Place of our Kingdom, without producing such a Certificate, which shall be mentioned in their Licenses; as also in the Sentence given by the Judges, with respect to those that are to take the Oath before them, without which all shall be void.

XV. Our Will is, that the Ordinances, Edicts and Declarations of the Kings our Predecessors relating to Marriages

riages, and particularly the Edict of the Month of *March* 1697, and the Declaration of the 15th of *June* of the same Year, be executed in their full Extent by our Subjects lately reconciled to the Catholick Faith, in the same manner as they are by all our other Subjects; enjoining them to observe in the Marriages they are willing to contract, the Solemnitys prescribed by the Canon Law received and observed in this Kingdom; as also by the foresaid Ordinances, Edicts and Declarations: all this upon the Penalties therein contained, and even upon exemplary Punishment, as the case shall require.

XVI. The Children under Age, whose Parents, Tutors or Guardians are gone out of our Kingdom, and retired into foreign Countrys on account of Religion, may lawfully contract Marriage without asking and staying for the Consent of their said absent Parents, Tutors or Guardians; on Condition however to do it with the Consent and Advice of their Tutors or Guardians, if they have any in the Kingdom, and if not, some shall be named for that purpose; as also with the Agreement of their Relations, if they have any, and if they have none, with their Friends and Neighbours. To which end, our Will is, that before they proceed to the Contract and the Celebration of their Marriage, there shall be called together before the Royal Judge of the Place of their Abode, in the Presence of our Attorney, or in case there is no Royal Judge there, before the Ordinary Judge of that Place and the Attorney Fiscal, six of the nearest Relations, as well on the Father's as the Mother's Side, and such as are good Roman Catholics, besides the Tutor and Guardian of the said Minors; and for want of Relations, six Friends or Neighbours equally qualified to give their Advice and Consent, if there be Occasion; and the requisite Writings shall be made and delivered them gratis, and without paying the Fees for the Justice, Seal, Comptroll, Insinuations or others. But in case that only the Father or Mother of the said Minors be gone out of the Kingdom, then it will be enough to call together three of the nearest Relations to either of the Parents that has left the Kingdom; or, for want of them, three Neighbours or Friends, which, with the Father or the Mother who shall be present, and the Tutor and Guardians, if there be any besides the Father or Mother, shall give their Advice and Consent, if there be occasion, to the proposed Marriage; which Consent in all the Cases above specified

specified shall be summarily mentioned in the Contract Marriage, which is to be signed by the foresaid Father, Mother, Tutor or Guardian, Relations, Neighbours, Friends, as likewise in the Parish Books where they are to be married; so that in all these cases the said Child cannot incur the Punishments set forth in the Ordinances against Children of good Families that marry against the Parents Consent. To which Purpose, we have repealed and do repeal, only in this Regard, the said Ordinance which for the rest shall remain in force and be fully executed.

XVII. We forbid all our Subjects, of what Condition and Quality soever, to consent or approve that their Children, or those whose Tutors and Guardians they shall be, marry in foreign Countrys, either by signing the Contract of the said Marriages, or by a foregoing or subsequent Deed, for what Cause, and under what Pretext soever, without our special Permission in Writing, signed by one of our Secretaries of State; upon Pain of being sent to the Gallies for Life, if a Man; if a Woman, to be banished forever, and besides, to have both their Estates confiscated and where Confiscation cannot take place, to pay a Fine which shall not be less than the half of their Estates.

XVIII. Our Will is, that in all the Arrests and Judgments which shall include Confiscation of those that shall have incurred it, by virtue of the different Dispositions of the present Declaration, our Courts and our other Judges shall order, that out of the Estates situated in Countrys where Confiscation does not take place, or where their Estates by the Nature are not subject to Confiscation, or that shall not be confiscated for our Behoof, a Fine shall be levied that shall not be less than the half of the said Estates; which Fine, likewise the confiscated Estates, shall be put into the Hands of those that have the Administration of the forfeited Estates of the absent Protestants, to be employed with the Revenue of the said Estates for the Maintenance of our new Convert Subjects that shall want that Assistance: which shall likewise be observed with regard to all other Fines of what Nature soever they be, that shall be imposed upon those that contravene and act against this our Declaration, so that the Receivers or Farmers of our Domains shall lay no Claim to the said

And we command all our beloved and trusty Counsellors, our Courts of Parliaments, and all our other Officers and Justices whom it may concern, to cause the present Declaration

read, published and registred, and to cause to be ob-
all the Contents thereof, to be executed in every
according to their Form and Tenor. For such is our
re. Given at *Versailles*, the 14th of *May* 1724, and
Reign the 9th. Signed *LEWIS*, and counterfigued,
e King's Order, *Dolphin, Count de Provence,*
peaux, and sealed with the great Seal on yellow

registred, upon hearing and at the Request of the
Attorney General, to be executed in their full Form
tenor, and Copys compared to be sent to the Bailly-
and Seneschals of the District of this Parliament,
there likewise read, published, and registred, with
to the Deputys of the King's Attorney-General, to
done and executed, and to certify the Court there-
within a Month, conform to the Arret of this Day.
Paris in Parliament, *May* 31, 1724. Signed *Ysa-*

Pragmatick Sanction, and Perpetual Law, with regard to the Rule and Order of the Succession, and indissoluble Union of all the Kingdoms, Provinces, and Hereditary Dominions of his Imperial and Catholick Majesty. At Vienna, the 6th of December 1724.

HARLES by the Grace of God, Emperor of the *Romans*, always August, King of *Germany, Castille, Leon, Arragon*, the two *Sicilys, Jerusalem, Hungary, Bohemia, Dalmatia, Croatia, Sclavonia, Navarre, Granada, Toledo, Valencia, Galicia, Majorca, Sardinia, Cordova, Corsica, Murcia, Jaen*, the *Algeria, Gibraltar, the Canary Islands*, and the
East

East and West-Indies, the Islands of Terra-Firma and Ocean; Archduke of Austria, Duke of Burgundy, Brabant, Limburg, Luxemburg, Guelderland, Styria, Carinthia, Carniola, Wirtemberg, upper lower Silesia, Athens and Neopatria; Prince of Sweden Marquiss of the Holy Roman Empire, Burgaw, Moravia higher and lower Lusatia; Count of Hapsburg, Flanders, Artois, Tyrol, Barcelona, Ferrete, Kybourg, Gori, Roussillon and Cerdagne; Landgrave of Alsace, Marquiss of Oristan, and Count of Genevois; Lord of the Marche, Slavonia, Port-Mahon, Biscay, Moline, Salins, Trier and Malines, &c.

We make known to all and every Person, to whom appertainerth, that the Emperors of the Romans, Kings and Archdukes of *Austria* our Ancestors, such as their paternal Love and prudent Foresight, took a great deal of care to establish in our August Family a Rule and Form of Succession, to be for ever therein follow'd and served invariably by all their Posterity of both Sexes, in all Events which the Divine Providence might give Birth to in time to come. That the Order for this Succession was introduc'd and fix'd thro'out the whole Extent of our vast Dominions, Kingdoms, Lordships and Provinces, generally and particularly, and in all without Distinction, hinder the Dismembering and Division thereof among the Heirs of our August Family. That among others our Emperor *Ferdinand II.* our most honoured Great Grandfather of Glorious Memory, by his Will of the 10th of *August 1621*, confirm'd by his Codicils of the 8th of *August 1621* settled the Order of Succession between the Archduke and his Children and their Male Issue, by way of perpetual Feoffment in Trust, ordering that the Females should renounce the Inheritance, and be content with their Dowry saving always their Right of Reversion; that the said Order was conform'd to by the late Emperor *Leopold I.* our most honoured Lord and Father of Glorious Memory; and as Chief of our August Family, and the only one that had a Right to dispose of his Kingdoms and Hereditary Provinces, establish'd the said Feoffment by the Patent which he made the 12th of *September 1703*, between our most dear and well beloved Brother the Emperor *Joseph I.* of Happy Memory, then King of the *Romans*, and us, in all his Kingdoms and States situate as well in his *German* Country, as in the *Spanish* Monarchy, and the De

de

lays thereof, and converted the said Order of Succession to a true Right of perpetual Primogeniture in favour of

Males: and for the greater Security he added to this very solemn Acts of Succession, or Family Deeds, which were accepted and confirmed by the Oath of the contracting Partys on both sides, and in which, after the Matter had been settled and clearly explain'd, which was to be observ'd between the said Emperor *Joseph* our Brother, us and our Descendents, or either of the two who should survive the other, and his Posterity, as to the manner of succeeding each other, as well in our said Kingdoms and Provinces on this side of the Empire, as in the *Spanish* Monarchy, and the Countrys that compose the said Monarchy; was likewise principally agreed and establish'd that the eldest Male, as long as there were any, should exclude the Females, and that among the Males, the Elder should exclude all his younger Brothers from the whole Inheritance; so that the Succession to all those Kingdoms and Provinces wherever situate, shall remain entire, undivided, and inseparably attach'd to the eldest of the Males according to the Order of Primogeniture. In which said Covenants and Conventions, touching the Succession, the manner has also been settled and regulated, wherein the Archdukes ought to succeed on the Failure of the Males, if the case, which God forbid, should ever happen. After the Death of the Emperor *Joseph*, our most dear Brother, we being also become the only Successor and Heir, as well by our own Right, as by the Right of Blood, and by virtue of the Dispositions made by our August Ancestors, in all the Kingdoms and Hereditary Dominions in the Empire, and now finding ourselves the sole absolute Sovereign thereof, have by our Declaration and Settlement publish'd the 19th of *April* 1713, in presence of a great number of our Privy Counsellors, Governours or Presidents of our Provinces, and others of our Ministers, re-establish'd not only the Right of Primogeniture, already formerly establish'd and rooted in our August Family, but we moreover by virtue of our full Power and according to the Exigency of the State of our Affairs, erected the same in the Form of a Pragmatick Sanction, and perpetual irrevocable Edict, expressly explaining the said Right of Primogeniture and Succession, more clearly establish'd by the late Emperor *Leopold*, between the Male Princes of our August Family, and on Failure thereof extended

in like manner to the Archdutchesses, we have declar'd intelligible and express Terms, that on the Failure of Males, the Succession shall devolve in the first place to the Archdutchesses our Daughters, in the second place to the Archdutchesses our Nieces, the Daughters of our Ither; and in the third place to the Archdutchesses our Sisters and finally to all the Heirs Descendents of both Sexes: in giving our Will that in all those Cases they preserve the order lineal Succession, as it is mark'd in our said Regulation, which is intirely conformable to that which is establish'd for Males, according to the Rank of Primogeniture and lineal Succession. In pursuance and in execution of this Sanction the most Serene Archduchess *Mary Josepha*, who was born Princess Royal of *Hungary, Bohemia, and the two Sicily's*, the present Wife of the most Serene Prince Royal of *Poland*, and Electoral Prince of *Saxony*, did only before her Marriage declare that she adher'd to, and accepted the Deeds of the Family, the Right of Primogeniture already establish'd in our August House, and the said Order prescrib'd for the lineal Succession, confirm'd by her Approbation by her Act of formal Renunciation and by her Oath, but she also ratify'd it by the like Oath which she repeated after her Marriage. And at the same time the most Serene King of *Poland*, Great Duke of *Lithuania*, Elector of *Saxony*, her Father-in-Law, and the most Serene Prince Royal and Electoral her Husband acknowledg'd it, and oblig'd themselves by solemn Oath to observe the said Right of Primogeniture, and the said Order of Succession. It is also in conformity to the said Dispositions, that by a Declaration and Stipulation, equally solemn, was reserv'd the Right of the said most Serene Archduchess and her Descendents, of both Sexes, to succeed to the Kingdoms of her Ancestors, and to the *Strian* Provinces, according to the Order of the Birth, and the Rule establish'd, on failure of Archdukes, which Oath forbid. The same was observ'd afterwards by the most Serene Archduchess *Mary Amelia*, born Princess Royal of *Hungary, Bohemia*, and the two *Sicily's*, Wife of the most Serene Electoral Prince of *Bavaria*, who in like manner before her Wedding declar'd that she adher'd to, and accepted the Deeds of the Family, the Right of Primogeniture already establish'd in our August House, and the said Order prescrib'd for the lineal Succession, confirming her said Act of Approbation by her Act of formal

annunciation, and by her Oath, having also ratify'd it by
 like Oath which she repeated after her Marriage; with
 her the most Serene the Elector of *Bavaria*,
 Father-in-Law, as also the most Serene the Elector
 of her Husband, recogniz'd and bound themselves
 solemn Oath, in plain Terms, to observe the said
 Order of Primogeniture and the said Order of Succession,
 in consequence of the aforesaid Settlements, by a Declara-
 tion and Stipulation equally solemn. At the same time
 reserv'd to the most Serene Archduchess, and her
 Successors of both Sexes, their Right of succeeding to
 the Kingdoms of her Ancestors, and to the *Austrian* Pro-
 cesses, according to the Order of Birth, and the esta-
 blish'd Rule, upon Failure of Archdukes, which God
 will. And considering that 'tis of very great Importance
 for the Security, Peace, and Tranquillity of our Hereditary
 Kingdoms, which we possess in the *Netherlands*, that the
 Order and Rule, of the undividable Succession of all
 Kingdoms, and Hereditary Provinces, situate either
 in or without *Germany*, and the said Right of Primo-
 geniture establish'd in our August Family, be receiv'd, in-
 confirm'd, establish'd and promulgated in our said Provinces
 of the *Netherlands*, as a Pragmatick Sanction, and a
 perpetual and irrevocable Law; and that in order to
 produce this new Law, there be a Derogation from
 the former Sanction, concerning the Princely Succession of the said Pro-
 cesses, establish'd in our *Netherlands* by the Emperor
 Charles V. of immortal Memory, our Predecessor, by his
 Pragmatick Sanction, of the 4th of *November* 1549. re-
 ceiv'd by each of their States in their Assemblies, and hi-
 therto remaining there in force, and from all Customs of
 the said Provinces, so far only as the said Sanction and Cus-
 toms are not conformable to the said Order and Rule of
 Succession, which in all other Respects shall be observed
 and maintain'd as heretofore; we have caus'd the above
 Sanction to be communicated and propos'd to the respective States
 of the Provinces of the said *Netherlands*, to the end that
 they might conform to this Pragmatick Sanction, perpetual
 Order and Settlement of the undivided Succession; and all
 the said States having maturely deliberated thereupon in their
 respective Assemblies, and particularly reflected on the
 fit and Advantage which might result from it to our
 Kingdoms and Loyal Subjects, they did unanimously and vo-
 luntarily conform to it, and with all Respect, Submission and
 Gratitude,

Gratitude, accepted of the said Pragmatick Sanction, perpetual Law, Settlement of the Succession, and undividable Union to and of all our Dominions both within *Germany* and without, as a perpetual and irrevocable Law, so far as it relates to the Regulation of the Succession to the Lordship and Sovereignty of each of the said Provinces, and the undividable Union of all our Hereditary Countrys and Dominions; consenting moreover to the Derogation from the Pragmatick Sanction establish'd in *November 1549*, as far as the same is not conformable to our said Pragmatick Sanction, concerning the Succession to the Sovereignty of the said *Netherlands*, And they have most earnestly entreated us, as is manifest from the ACTs of each Province, which they have produc'd to us, to cause our said Pragmatick Sanction and perpetual Edict to be publish'd, to the end that it may for ever be observed thro'out our Hereditary Kingdoms, Provinces and Dominions, as an irrevocable and unalterable Law.

We therefore, after great and mature Deliberation, by Advice of our Plenipotentiary in the Government thereof, our Lieutenant Governour and Captain General of our said Countrys, and especially after having heard our supreme Council, establish'd about our Royal Person for the Affairs of the said Countrys, have in pursuance of the Acceptation thereof, by the said States of the Provinces of our *Netherlands*, and at their Request, of our own certain Knowledge, Authority and absolute Power, which we claim as Sovereign Prince and Lord of those Countrys, order'd, appointed and decreed, as we do by these Presents order, appoint and decree, the said Pragmatick Sanction, Settlement of the Succession, and undividable Union of all our Dominions, both within *Germany*, and without it, as a perpetual and irrevocable Law in our said *Netherlands*; and that in Consequence thereof, the Succession of all our Hereditary Provinces of our said Countrys, shall hereafter fall in the Lump, and undividably, according to the said Right of Primogeniture, and Order of lineal Succession, to the Male Descendents, and for want of such, which God forbid, to the Archdutchesses our Daughters; always observing the Order and Right of Primogeniture, without being ever partition'd: and that for want of any legal Heir of either Sex descending from us, the Right of inheritance of all our said Provinces shall fall to the Princesses,

to our Daughters of our Brother the Emperor *Joseph*, of
 whose Memory, and their Descendents of both Sexes,
 belong to the said Right of Primogeniture: And that if
 the two Lines happen to be extinct, the said Hereditary
 Right shall be entirely reserv'd to the Princesses our Sisters,
 their legal Descendents of both Sexes; and successively
 to the other Lines of the August Family, each accord-
 ing to the Right of Primogeniture, and to the Precedency
 shall from thence result, notwithstanding the Regula-
 r and antient Law concerning the Princely Succession of
 said *Netherlands*, establish'd in the said Countrys by
 Pragmatick Sanction of the Emperor *Charles V.* on
 the 25th of *November 1549*, and all the Customs of any of
 said Provinces; from which, for the Reasons and Con-
 ditions abovemention'd, we have by our said Autho-
 rity plenry Power derogated, and do now derogate, as
 the said Sanction and Customs are not conformable to
 present Disposition; it being our Will that in all other
 things they remain in full Force and Vigour, and be ob-
 served and maintain'd.

As we give it in Command to our said Council of
 Burgundy, establish'd in our *Low Countrys*; the President and
 Members of our Grand Council; the Chancellor and Mem-
 bers of our Council of *Brabant*; the Governour, Presi-
 dent and Members of our Council at *Luxemburg*; the
 Chancellor, and Members of our Council in *Guelderland*; the
 Governour at *Limburg, Faulquemont and Daelhem*,
 and other Countrys beyond the *Maese*; the President
 and Members of our Council in *Flanders*; the Grand Bai-
 liff of *Tournay* and the *Tourneffs*; the Presidents
 and Members of our Chamber of Accompts; the Audi-
 tors of *Mechlin*; and all our other Justiciarys, Servants,
 Officers and Subjects, present and to come, and every one
 in particular, That they retain and observe this our
 Order, Ordonnance, Decree, and Pragmatick Sanction,
 as it is to be retain'd and observ'd inviolably and for
 ever as a perpetual and irrevocable Law; That our So-
 vereign Courts, and the Chambers of Accompts proceed
 in the admission of these Presents, and that they cause
 them to be register'd, in order for the entire Accomplish-
 ment thereof in time to come. Moreover, we will and
 ordain, that on sight of these Presents, dispatch'd from one
 of our Secretaries of State, full and entire Credit may be
 given

given to it in all Places where it shall be necessary, this is our Pleasure. And to the end that it may ever confirm'd and establish'd, we have sign'd these Letters with our own Hand, and caus'd our Great Seal to be fix'd thereto. Given at our City and Imperial Residence of *Vienna* in *Austria*, the 6th Day of *December*, Year of our Lord 1724, the 13th of our Reign as Emperor, the 22d as King of *Spain*, and the 15th also as King of *Hungary* and *Bohemia*.

CHARLES

Prince de *Cordouana* Pr.

(L. S.) By Order of his Majesty

A. F. de *KURZBACH*

*Defensive Treaty of Alliance between
King of Great Britain, the most Christian
King, and the King of Prussia, concluded
at Hannover the 3d of September 1726
With three Separate Articles relating to
Thorn, and to the Contingency of a
War against the Emperor and Empire.*

THEIR Majestys the King of *Great Britain*, the most Christian King, and the King of *Prussia*, having, with Pleasure, observed how many

carefully considered all the Treatys that subsist between their said Majestys, (from which they declare that they do not intend any way to derogate by this present Treaty) they have thought fit to take, before hand, new Measures, lest any Disturbances should arise in *Europe*, by agreeing among themselves upon what may be necessary, not only for the Security and the most essential Interests of their Kingdoms, but also with regard to the general Good and Tranquillity. Upon these Considerations, and with the View, their said *Britannick*, most Christian, and *Russian* Majestys have given their full Powers; that is to his *Britannick* Majesty to *Charles* Viscount *Townshend*, Baron of *Lynn*, his Lieutenant in the County of *Norfolk*, Knight of the most Noble Order of the Garter, and his Secretary of State; his most Christian Majesty, to *Francis* Count de *Broglio*, Lieutenant General of his Armys, Director General of his Horse, and of his Dragoons, Governor of *Mont-Dauphin*, and his Ambassador to the said most serene King of *Great Britain*; and his *Prussian* Majesty, to *John Christopher de Wallenrodt*, his Minister of State, and his Envoy Extraordinary to the said most serene King of *Great Britain*; who, by virtue of the said full Powers, having with all possible Attention weighed the most proper Measures to attain the End which their said Majestys propose to themselves, have agreed upon the following Articles.

There shall be now, and in all Time coming, a true, firm, and inviolable Peace, the most sincere and intimate Friendship, and the most strict Alliance and Union between their said three most serene Kings, their Heirs and Successors, their Dominions, Countrys and Towns situate in their respective Territorys, and their Subjects and Inhabitants, as well in as out of *Europe*; and the same shall be preserved and cultivated in such manner, that the contracting Partys shall faithfully promote their reciprocal Interests and Advantages, and prevent and repel all Wrongs and Damages, by the most proper means they can find out.

As the true Aim and Intention of this Alliance between the said Kings is mutually to preserve the Peace and Tranquillity of their respective Kingdoms; their said Majestys do promise to each other their reciprocal Guaranty for the protecting and maintaining generally their respective Dominions, Countrys and Towns both in and out of *Europe*, whereof each of the Allies shall be actually in

Possession at the time of the signing of this Alliance, also all the Rights, Immunities and Advantages, particularly those relating to Trade, which the said Allies ought to enjoy respectively. And to this End the said have agreed, that if out of Resentment on account of this Alliance, or upon any other Pretext, any one of the said Allies should be attacked in hostile manner, should suffer any wrong from, any Prince or State whatever, the other Allies shall employ their good Offices to procure Satisfaction to be given to the injured Party, and engage the Aggressor to forbear any further Hostile Wrong.

III. And if any of the contracting Partys should be attacked, or molested in the abovesaid Cases, and the good Offices abovemention'd should not be sufficient to procure a just Satisfaction for the Wrongs and Injuries done to the injur'd Party, then the other Party within two Months after Application shall be made to them, shall furnish the following Succours; that is to say,

His Majesty the King of *Great Britain* shall furnish eight Thousand Foot, and four Thousand Horse.

His most Christian Majesty shall, in the like manner furnish eight Thousand Foot, and four Thousand Horse.

And his Majesty, the King of *Prussia*, shall furnish three Thousand Foot, and two Thousand Horse.

But if the Party attacked should rather desire to be supplied with Men of War, or Transport Ships, or even Subsidys in Money, which shall always be left to his Choice; the other Partys shall supply him with Ships or Men in proportion to the Expence of the Troops to be furnished as above. And to remove all manner of Doubt regard to this Expence, the contracting Partys declare that one Thousand Foot shall be valued at ten Thousand *Dutch* Guilders by the Month; and one Thousand Horse at thirty Thousand Guilders of the same Money also by the Month; and the Computation shall be made in proportion to the Men of War and Transport Ships. If the Succours above specified do not prove sufficient to cause Satisfaction to be made to the injured Party, then the contracting Partys shall agree together upon further Succours to be furnish'd; and finally, in case of Need, the Allies shall assist the injured Party with all their Forces, and shall even declare War against the Aggressor.

IV. And as the said three most Serene Kings are resolved to bind more and more closely the strict Union that subsists among them, by all possible Tokens of good Faith and mutual Confidence, they have reciprocally agreed, not only to enter into no Treaty, Alliance or Engagement whatsoever, which may, in any manner whatever, be contrary to the Interests of each other; but even faithfully communicate to each other the Proposals that may be made to them, and not to take, upon what may be proposed, any Resolution, otherwise than in concert together, after a joint Examination of what may conduce to their common Interests, and be proper for maintaining the Alliance of *Europe*, which is so necessary to be preserved for the good of the general Peace.

V. His most Christian Majesty being particularly interested as Guarantee of the Treatys of *Westphalia*, in the maintaining of the Privileges and Libertys of the *Germanick* Body; and their *Britannick* and *Prussian* Majestys Members of that Body, observing with equal Concerns of Division and of Complaint that may at length break out, and bring on a War, which, by fatal Consequences resulting from it, might set all *Europe* on Fire; their said Majestys being ever attentive to what may in any way disturb the Tranquillity of the Empire in particular, and that of *Europe* in general, do engage and promise to help each other mutually in maintaining and causing to be observed the abovesaid Treatys, and the other Acts, which having settled the Affairs of the Empire, are looked on as the Basis and Foundation of the Tranquillity of the *Germanick* Body, and the Support of its Rights, Privileges and Immunitys, which their abovesaid Majestys are truly desirous to secure in a solid Manner.

VI. The present Alliance shall subsist during the space of fifteen Years, to be computed from the Day of the signing of these Presents.

VII. Their *Britannick*, most Christian, and *Prussian* Majestys will invite the Princes and States which shall be agreed upon, to accede to the present Treaty; and they have now agreed to invite particularly the Lords and States General of the *United Provinces*.

VIII. This present Treaty shall be approved and ratified by their Majestys the King of *Great Britain*, the most Christian King, and the King of *Prussia*, and the ratification shall be delivered in the space of two Months,

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Treaty of Commerce between
Great Britain and the Kingdom of Prussia, in the Year 1763.
In Witness whereof, we have signed our names, I
and caused the Seal of our Office to be affixed to
this at Amsterdam, the 25th of September 1763.

(L. S.) *Count de Saxe*
(L. S.) *De Witt*
(L. S.) *Malta*

First Separate Article.

WHEREAS the War that lately happened in the
said Cities and what has called Commerce, by
several other Kings and States, who are allied
to the Province of the Treaty of Commerce, Disturbance
to the Trade with our said Province, for all
the said Countries, their Subjects, and
and Prussia Majesty, who in Consequence of the
Treaty of Commerce are obliged to be maintained a
farther as all Prussia and Prussia, in consequence of
their Office and most efficiently they can, to see
justice to be made for what may have been done
to the said Treaty of Commerce, and in order therefore
said Majesty will in concert together, inform them
by their Ministers in Prussia, of the Interest we do
have been made of the said Treaty of Commerce, and
Means by which the same may be restored, in such
manner as may secure the publick Tranquillity against
Disturbances which it might be expected, should the
Treaty of Commerce be infringed.

Second Separate Article.

IF out of Relentment, on account of Succours
his most Christian Majesty may furnish to his
Majesty and to his Prussian Majesty, to
them from the Disturbance which they might
in the Territories they possess, the Empire should
War against his said most Christian Majesty; as
Case such a Declaration would as well affect the
King of Great Britain, and the most serene
Prussia, whose Interests would be the Occasion of
War, as his most Christian Majesty; they nor on

shall furnish their Quota in Troops, or in any other of Succours whatever, even tho their said *Britannick* *Prussian* Majestys should not be comprehended and in the Declaration of War which the Empire should give against *France*, but they will even act in concert with his most Christian Majesty, until the Peace disturbed on this Occasion be restored; his said *Britannick* Majesty promises, moreover, to execute in such Case the same as he has concluded with his most Christian Majesty who on his part promises faithfully to observe the

Third Separate Article.

Should happen, that, notwithstanding his most Christian Majesty's firm Resolution to observe exactly all his Majesty's with regard to the Empire, in those Things in which there has been no Derogation therefrom by the present Treaty, should be attempted on the Part of the Empire to give any Resolution against *France*, to the Prejudice of the general Guaranty of Possessions, as it is stipulated by the Treaty signed this Day; his *Britannick* Majesty and *Prussian* Majesty promise in such Case to employ their Offices, Credit and Authority, the most effectually they shall be able, either by their own Votes, and those of Princes in Friendship with them at the Diet, or by all proper Means, to prevent any thing being done contrary thereto: and if against all Expectation, and notwithstanding all their Endeavours, War should be declared against *France*, on the Part of the Empire, altho in this Case the same being no longer a defensive one, they might be obliged by its Constitutions to furnish any Quota; to remove all Doubt between their said Majestys, if they think they could not be dispensed with from performing their Duty as Members of that Body, their said *Britannick* and *Prussian* Majestys do reserve to themselves the Liberty of furnishing their Quotas of Foot or of Horse, either in their own Troops, or of such as they shall take into their Service from any other Prince, at their own Choice; and their said *Britannick* and *Prussian* Majestys shall not, on account of their furnishing their Quotas, be deemed to have acted contrary to the Treaty signed this Day, which shall continue in all its Force: Their *Britannick* and *Prussian* Majesty promises not to furnish in such Case any other or

greater Number of Troops against his most Christian Majesty, than what they are obliged to find for their Country, and that they will in other Respects perform, in the foreseen, their Engagements to his said most Christian Majesty, who on his Part shall not on account of the Quota exercise any Hostility against the Territories and Subjects of the said most Serene King of *Great Britain* the said most Serene King of *Prussia*, in the Empire or elsewhere; nor demand, or pretend to any Contributions, Forage, Quarters, Passage, or other things in Charge of the said Countrys and Territories, on any Pretence whatsoever. In like manner, it shall also not be lawful for the said Territories, Places, Countrys and Subjects, to furnish any of the said Things to the Enemy of his most Christian Majesty; who does also oblige himself and promises on his part, that if in the Empire Resolutions should come to be taken, like to those that are mentioned in Article, in the prejudice of the Kings of *Great Britain* and *Prussia*, his most Christian Majesty will openly take their part, and will not fail to assist them with all necessary Vigour, in pursuance of this Treaty, until the Inconveniences, Wrongs and Infractions shall intirely cease.

These separate Articles shall be of the same Force as if they had been inserted Word for Word in the Treaty this Day concluded and signed: They shall be ratifyed in the same manner, and the Ratifications thereof shall be exchanged at the same Time as the Treaty. In Witness whereof, we have signed these Articles, and have thereto the Seals of our Arms. Done at *Hannover* the third of *September* 1725.

(L. S.) *T. v. Wilsdorf.*

(L. S.) *Beylich.*

(L. S.) *Wallensrodt.*

*the Accession of the United Provinces
to the Treaty of Defensive Alliance,
made at Hannover on the 3d of September
1725. Made at the Hague the
10th of August 1726.*

Name of the most holy and undivided Trinity.

HEREAS their Majestys, the most Christian King, the King of Great Britain, and the King of Prussia, as well for cementing the strict Union and Confederation betwixt them, as for the Safety of their own Kingdoms and Dominions, and also for the Preservation of the publick Tranquillity, thought fit to enter into an Alliance with one another; the Treaty for which was concluded at Hannover the 3d of September 1725, with three separate Articles, which were communicated to their High Mightinesses the Lords the States General of the United Provinces of the Netherlands, by *Monsieur de Fenelon*, Ambassador of France; by *Mr. de Mevubersbagen*, Envoy Extraordinary from the King of Prussia; who in the Name of the Kings their Majestys jointly invited the said Lords the States General to the said Treaty, and the separate Articles, and they accordingly gave their assent to the Agreement in the seventh Article of the said Treaty, which with the separate Articles are heretofore published.

Fiat Injertio.

Whereas the said Lords the States General, after they had seen and examin'd the said Treaty and its separate Articles, have declared that they are fully sensible of the Justice and Equity of the said Treaty, and that they have with pleasure accepted of the Invitation to accede to the said Treaty; and at the same time they acknowledge the Care they took in the making of this Treaty, as well for the Preservation

of the publick Tranquility in general (without which the Peace of their Republick cannot be secure) as in particular for the Maintenance of its Commerce, without which it cannot subsist; and as they are fully convinc'd moreover, that the Aim of this Alliance does not at all tend to give the least Infringement to any former Treaty or Alliance, contracted either by them, or by any one of them, with other Princes or States, but that their Intention is rather to corroborate them; and that the grand View of this Alliance only tends to the uniting of themselves the more closely together, without giving Offence to any Person whatsoever, for the Guaranty, Protection and Maintenance of all the Dominions, Countrys and Towns, in or out of *Europe*, which each of the Allies shall be actually in Possession of at the time of the signing the said Treaty, as well as of the Rights, Immunitys and Advantages, particularly those relating to Commerce, either in *Europe* or out of it, which each of the Allies enjoy'd at the time of the signing of the said Accession.

Moreover, the said Lords the States General being firmly persuaded, that by their Accession to the said Treaty of *Hannover*, it is not requir'd of them that they shall undertake the general Guaranty of the Treatys of *Westphalia* and *Oliva*, mention'd in the fifth Article of the Treaty of *Hannover*, and in the first of the separate Articles, to which general Guaranty they were never engag'd; but that their Guaranty in this respect extends only to the Rights and Possessions, which the High Allies, or any one of them, have acquir'd by those Treatys, and which they enjoy at the time of the Signing.

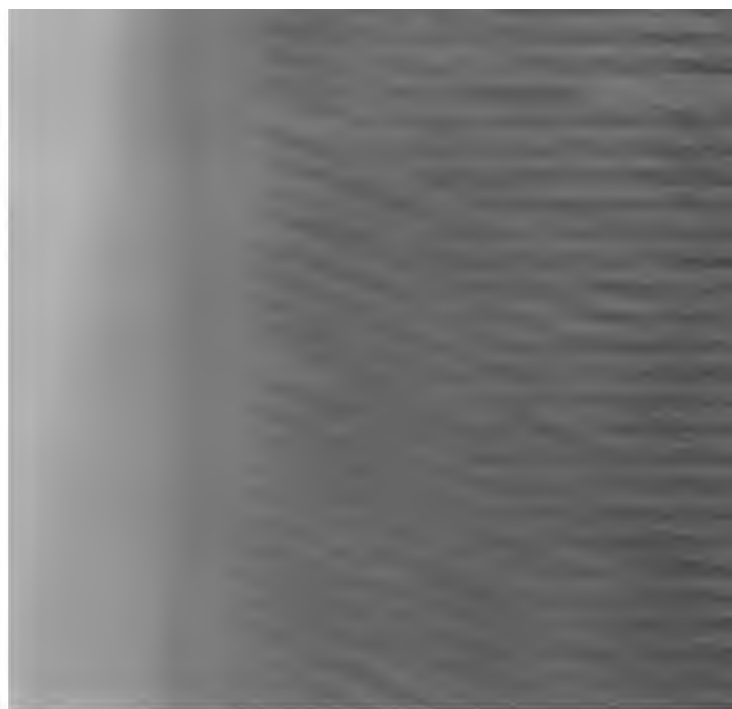
And as to the Affair of *Thorn*, mention'd in the first of the separate Articles of the Treaty of *Hannover*, as they only engage to employ their amicable Offices jointly with the high contracting Powers, to obtain a reasonable Satisfaction and Reparation for the Infraction of the Treaty of *Oliva*; and in case those amicable Offices be employ'd without Effect, and it shou'd be thought necessary to do any thing further, then their High Mightinesses shall be at full Liberty of giving their Thoughts, without being oblig'd to any thing more than good Offices, unless they renew their Agreement.

Finally, since this Alliance has a particular View to the establishment of an intire Confidence between the contracting Partys, and the Lords the States General, supposing that

that the Allies will with all Confidence mutually communicate their Thoughts to each other about the ways and means which shall be thought most effectual in case of need, for preserving and maintaining the Possessions and Rights above-mention'd, as well those relating to Commerce as others, in *Europe* or out of *Europe*.

And whereas in full Persuasion and firm Confidence, that such is the real Aim and Intention of their said Majesty, the said Lords the States General, to give a Mark of their Desire to unite closely with them, and of their high Esteem for their Friendship and Alliance, have resolv'd to accede to the Treaty, and the separate Articles above inserted; and have for this end appointed the Sieurs *Christian Charles*, Baron de *Lintelo*, Lord of *Esse*, Bailiff of *Loebum*, and Droffart of *Bedovors*; *Arnold de Zuylen de Nievelt*, late Burgomaster and Senator of the City of *Rotterdam*, Ruart of the Territory of *Putten*, Bailiff and Dykegrave of *Sobieland*; *Isaac van Hoornbeeck*, Pensionary Counsellor of the States of the Province of *Holland* and *Westfriesland*, Keeper of the Great Seal, and Superintendent of the Fiefs of the said Province; *Nicolas Henry Noey*, late Burgomaster of the Town of *Tboelen*; *Gerard Godard Tats van Ameronge*, Knight of the Teutonick Order, and a Commander of the said Order at *Duisburg*, great Huntsman of the Province of *Utrecht*; *Jahn Abraham van Schurman*, Burgomaster and Senator of the Town of *Slot*; *Everard Rouse*, Burgomaster of the Town of *Deventer*; and *Lambert Henry Emmer*, Secretary of *Groningen*, all Deputys in the Assembly of the said Lords the States General, on the part of the States of *Guelderland*, *Holland* and *Westfriesland*, *Zea-land*, *Utrecht*, *Friesland*, *Overyssel*, *Groningen* and *Ommelanden*; and have furnish'd them with full Powers to agree about that Accession with the Marquiss *de Fenelon*, Plenipotentiary of his Most Christian Majesty; Mr. *Finch*, Plenipotentiary of his Majesty the King of *Great Britain*; and *M. Meynertsbagen*, Plenipotentiary of his Majesty the King of *Prussia*, likewise vested with full Powers;

Who after having had a Conference together, came to the following Agreement; That the said Lords the States General shall accede (as the said Deputys and Plenipotentiarys have declar'd that they do accede, in their Name, and on their behalf) to the said Treaty and separate Articles, engaging themselves to their said Majestys in every
thing



-) N. J. H. Noey.
-) A. v. Schurman.
-) Everard Rousé.
-) L. H. Enmer.

Separate and Secret Article.

ords the States General having represented that happen, that in Revenge for their Accession Day, they may be attack'd or disturb'd, in such they may be oblig'd to have recourse to Arms force, and that then the time necessary to the Success of the Offices which shall be employ'd, not before, their Allies are oblig'd to furnish the Succours stipulated by the Third Article of *Hannover*, may be a considerable Prejudice, and leave them expos'd to the most vigorous without being succour'd by the Princes their Allies: Most Christian, *Britannick* and *Prussian* Majesty to give the Lords the States General a proof of their Concern for the Preservation of their Ally, have been pleas'd to engage and promise, that in case of the Danger, they will furnish the Succours stipulated in the third Article abovemention'd, even without the Issue of the Offices and Instances which are on foot with the Aggressor, to procure the Reparation requir'd.

This Article shall remain secret, and have the same Force as if it were inser'd *verbatim* in the Treaty this day signed and sign'd: It shall be ratify'd in the same manner as the Ratifications shall be exchange'd in the said Treaty. In Witness whereof, we the undersigned being appointed Plenipotentiarys by virtue of the Powers of their Majestys the most Christian King of *Great Britain*, the King of *Prussia*, and the Lords the States General of the *United Provinces* sign'd the present Article, and caus'd the Arms to be thereto affix'd. Done at the *Hague*, August 1726.

Sign'd,

-) The Marquis de *Fouquet*.
-) *H. Fouché*.

And by the same Deputys who sign'd the Act of the Accession.)

D E

thing that is therein contain'd, in the same manner as they had contracted with them from the beginning. And their High Mightinesses acknowledging their End and Intention to be such as is express'd above, their said Majestys will accept of their High Mightinesses Accession, as the said Ambassadors, Ministers and Plenipotentiarys have declar'd that they do accept of the said Accession, in the Name, and on the behalf of their said Majestys, engaging themselves to their High Mightinesses in every thing that is contain'd in the said Treaty and separate Articles, in the same manner as if they had contracted with their Majestys from the beginning.

The Succours which their High Mightinesses are to furnish in case of need, not having been regulated by the Treaty, 'tis agreed that the same shall be 4000 Foot, and 1000 Horse. For clearing up of the 6th Article of the Treaty, 'tis declar'd, that after the Expiration of the fifteen Years therein mention'd, the whole shall fall in with the Terms of preceding Treatys, as they subsist between the high contracting Powers, and especially with the Terms of the Alliance stipulated in the Year 1717.

This present Treaty for the Accession of the States General shall be approv'd and ratify'd by their Majestys the most Christian King, the King of *Great Britain*, and the King of *Prussia*, and by the Lords the States General of the *United Provinces of the Netherlands*, and the Ratifications shall be produc'd here at the *Hague*, within the space of two Months from the Day of signing these Presents, or sooner, if possible. In Witness whereof, we the underwritten Plenipotentiarys constituted for the purpose aforesaid, and vested with the full Powers of their Majestys the most Christian King, the King of *Great Britain*, the King of *Prussia*, and the said Lords the States General, have sign'd the present Treaty, and caus'd the Seals of our Arms to be thereto affix'd. Done at the *Hague*, the 9th of *August* 1726.

Sign'd,

(L. S.) The Marquis de Fenelon.

(L. S.) *W. Finch.*

(L. S.) *C. C. de Lintelo.*

(L. S.) *A. v. Zuylen van Nievelt.*

(L. S.) *Jf. van Hoornbeeck.*

(L.

(L. S.) N. J. H. Noey.

(L. S.) A. v. Schurman.

(L. S.) Everard Rouse.

(L. S.) L. H. Emmer.

Separate and Secret Article.

THE Lords the States General having represented that it may happen, that in Revenge for their Accession sign'd this Day, they may be attack'd or disturb'd, in such manner that they may be oblig'd to have recourse to Arms for their Defence, and that then the time necessary to wait for the Success of the Offices which shall be employ'd, when, and not before, their Allies are oblig'd to furnish them with the Succours stipulated by the Third Article of the Treaty of *Hannover*, may be a considerable Prejudice to them, and leave them expos'd to the most vigorous Attacks, without being succour'd by the Princes their Allies; their Most Christian, *Britannick* and *Prussian* Majestys, in order to give the Lords the States General a fresh Proof of their Concern for the Preservation of their Republick, have been pleas'd to engage and promise, that in the Cases aforesaid, which may put the said Republick in evident Danger, they will furnish the Succours stipulated by the third Article abovemention'd, even without waiting for the Issue of the Offices and Instances which they shall set on foot with the Aggressor, to procure the Satisfaction or Reparation requir'd.

This Article shall remain secret, and have the same Force as if it were inserted *verbatim* in the Treaty this Day concluded and sign'd: It shall be ratify'd in the same manner, and the Ratifications shall be exchange'd in the same time as the Treaty. In Witness whereof, we the undersigned, being appointed Plenipotentiarys by virtue of the full Powers of their Majestys the most Christian King, the King of *Great Britain*, the King of *Prussia*, and of the Lords the States General of the *United Provinces*, have sign'd the present Article, and caus'd the Seal of our Arms to be thereto affix'd. Done at the *Hague*, the 9th of *August* 1726.

Sign'd,

(L. S.) The Marquis de Fenelon.

(L. S.) W. Finck.

(And by the same Deputys who sign'd the Act of the Accession.)

D E C L A

D E C L A R A T I O N.

WHereas in the first Article of the Treaty sign'd at *Hannover* on the 3^d of *September* 1725, betwixt the Majesty the Most Christian King, the King of *Great Britain*, and the King of *Prussia*, among other Cases is mention of the Examination to be made of what is necessary for maintaining the Ballance of Power, necessary to be preserv'd in *Europe* for the sake of Peace in general; the Deputys of the States General of the *United Provinces* with the Consent of the Ministers of the Three aforesaid Majestys, have reserv'd it to themselves, that when they shall think it necessary to concert together, and to advise the said States General concerning such Points as may relate to the Maintenance of a Ballance of Power in *Europe*; the said States General shall in every particular proposed for their Concert, retain the same Liberty they had before their Accession to the said Treaty, without being oblig'd by their Accession to engage in any Measures which they shall not agree to.

This Declaration shall be ratify'd in the same manner as the Ratifications thereof shall be exchange'd at the same time as those of the Treaty, of which we the undersigned written who are constituted Plenipotentiarys, by virtue of the full Powers of their Majestys, the Most Christian King, the King of *Great Britain*, the King of *Prussia*, and the Lords the States General of the *United Provinces*, have sign'd the present Declaration, and have caus'd the Seals of our Arms to be thereto affix'd. At the *Hague*, the 9th of *August* 1726.

Sign'd,

(L. S.) The Marquis de *Fenelon*.(L. S.) *W. Finckh*.(And by the same Deputys who have sign'd the
Act of Accession.)

Separate Article.

THO' tis clear and indisputable, that their High Mightinesses the Lords the States General of the *United Provinces of the Netherlands*, by the fifth and sixth Articles of the Treaty of *Munster*, in the Year 1648, made between *Spain* and the Republick of the *United Provinces*, have acquir'd a Right which excludes the Subjects of the *Austrian Netherlands*, as well as the Subjects of all other Countrys, which at that time constituted a part of the *Spanish Monarchy*, from Navigation and Commerce to the *Indies*, within the Limits of the Privileges or Charter granted by the said Lords the States General to their *East and West-India Companies*; and that this Right by Consequence falls evidently under the Guaranty of the Rights to which the Allies are mutually engag'd by virtue of the 2d Article of the Treaty, concluded at *Hannover* the 3d of *September 1725*: Nevertheless, in order to remove all manner of Doubt and Scruple upon that Head, the underwritten Ambassadors, Envoys Extraordinary, and Plenipotentiarys of their Most Christian and *Britannick* Majesty, at the Request of the underwritten Deputy, Plenipotentiarys of their High Mightinesses, have been pleas'd to declare, as they do by these Presents declare, in the Name, and on the Part of their Majesty, that the said Right resulting from the 5th and 6th Articles of the Treaty of *Munster*, is included in the Rights which the Allies guaranty by the second Article of the Treaty of *Hannover*; and that if by reason of the Exercise of such Right, or in Revenge for this Alliance, any Misunderstanding shou'd happen, and his Imperial Majesty, contrary to Expectation, shou'd suspend or stop the Payment of the Subsidys due to the Republick for the maintenance of their Troops in the Barrier Places, or the Payment of the Interests and principal Sums borrow'd upon divers Funds assign'd by his Imperial Majesty for the Security of the said Payment, or if he shou'd make use of any sort of Reprisal or Violence, that then 'tis their said Majesty's Intention, that the Allies shall protect and maintain the said Lords the States General, conformably to the Alliance to which they have this Day acceded, and shall without delay concert the most effectual and proper means for maintaining the said Lords the States General in this Right,
and

and in the Exercise thereof, and shall guaranty against all Consequences resulting from the same; but not to proceed to Violence against the *Ostend* Company in the *Indies* or elsewhere, before the contracting of this Alliance have concerted what to do there. This separate Article shall be of the same Force as had been inserted word for word in the Treaty concluded and sign'd this Day: It shall be ratify'd in the same manner, and the Ratifications shall be exchange'd with same time as the Treaty. In Witness whereof, we underwritten, constituted Plenipotentiarys, by virtue full Powers from their Majestys, the most Christian the King of *Great Britain*, and the Lords the General, have sign'd the present Article, and thereto the Seals of our Arms to be affix'd. Done at the Hague the 9th of *August* 1726.

(Sign'd by the two Ministers of *France* and *England* and also by the Deputys, as above.)

DECLARATION.

THE Deputys of the Lords the States General of the *United Provinces*, having communicated to the Ministers of their Majestys the most Christian King, King of *Great Britain*, and the King of *Prussia* Resolution taken by their High Mightinesses to accede to the Treaty of *Hannover*, according to the Invitation made to them by the said Ministers on the part of their Majestys; and having added, that they the said Deputys were vested with a full Power, and that they were ready to proceed to the Conclusion and Signing of the Treaty and separate Articles drawn up upon this occasion:

The Marquis *de Fenelon*, Plenipotentiary of his most Christian Majesty, and Mr. *Finch*, Plenipotentiary of *Britannick* Majesty, have declar'd, that they also were vested with full Powers, and that they were ready to conclude and sign; but the Sieur *de Meynberstlagen*, Minister of his *Prussian* Majesty declaring, that he had not receiv'd Orders for the full Powers to the same from the King his Master, the Plenipotentiarys of the most Christian and *Britannick* Majestys, as also the

putys and Plenipotentiarys of the Lords the States General, considering that there was no more time to be lost, and that every farther Delay in completing the Accession of the Republick to the Treaty of *Hannover*, cou'd not but be disadvantageous to the End proposed by the said Treaty; and at the same time there being no reason to doubt, that his Majesty the King of *Prussia* will likewise authorize his Minister to sign the Treaty of Accession, and Separate Articles: In Consideration, and in firm Confidence hereof, they have proceeded to the signing of the present Treaty and Separate Articles, leaving a space for the Minister of his Majesty the King of *Prussia* to sign in like manner, as soon as he has received his full Power.

Nevertheless 'tis agreed and stipulated, by this Separate Article, that if, contrary to Expectation, his Majesty the King of *Prussia* doth not come to such Resolution, the said Treaty and Separate Articles shall, however, be of Force, and put in Execution by the contracting Powers, in all their Clauses, in the manner which has been stipulated, and that the Ratifications thereof shall be exchange'd in the time specify'd.

In Witness whereof, we the underwritten, who are appointed Plenipotentiarys, by virtue of the full Powers of their Majestys the most Christian King, and the King of *Great Britain*, and the Lords the States General, have sign'd the present Article, and caus'd the Seal of our Arms to be thereunto affix'd. Done at the *Hague*, the 9th of *August* 1726.

(Sign'd by the Ministers and Deputys as above.)

*Accession of the King and Kingdom of
Sweden to the Treaty of Hannover.
Dated at Stockholm the 14th of
March 1725.*

In the Name of the most Holy Trinity.

BE it known unto all and every one to whom it doth or may appertain, that his Majesty the most Serene King of *Sweden*, having been amicably invited, on the Part of their Majestys the most Serene Kings, the King of *Great Britain*, the most Christian King, and the King of *Prussia*, by their Ministers, to accede to the Defensive Alliance which their Majestys concluded at *Hannover* the 3^d of *September* 1725, and to the three Separate Articles annexed thereunto; which, as well as the said Alliance, have the maintaining and preserving of the publick Tranquillity, and particularly that of the North for their only Object, the Tenor whereof is as follows.

Fiat Inscriptio.

And his Majesty the most Serene King of *Sweden* being always disposed to concur in so salutary a View, and being desirous to shew how agreeable this Invitation was to him, has authorized, by his full Power, in due Form, his Commissarys, the under-written Senators of the Kingdom of *Sweden*, and Members of the Chancery, to enter into Conference with the under-written Ministers Plenipotentiarys, from their Majestys the King of *Great Britain* and the most Christian King, provided with like full Powers, for negotiating and agreeing upon the Accession of his Majesty the King, and the Crown of *Sweden*, to the said Treaty of Alliance concluded at *Hannover*, and to draw up and sign an Act in Form for that Purpose; the said Ministers Plenipotentiary and Commissarys having been in Conference

all Times upon that Subject, and having produced their Powers on each Side, agreed upon what follows.

His Majesty the most Serene King, and the Crown of Great Britain, declare and promise, that his said Majesty, his Heirs and Successors, do fully accede to the defensive Alliance concluded at *Hannover*, and here above inserted; as also to the three Separate Articles that are thereunto annexed; and that his Majesty and the Crown of *Sweden*, in virtue of this solemn Accession, do join and associate themselves as a principal contracting Party to their Majestys most Serene Kings, the King of *Great Britain* and the most Christian King, obliging and engaging themselves to their said Majestys, their Heirs and Successors, jointly and separately, to observe and fulfil faithfully and effectually the Conditions and Clauses comprehended in the Treaty of a Defensive Alliance, and the three Separate Articles thereof, and to furnish, when the Case of the said Alliance shall happen, a Succour of three thousand Foot and three thousand Horse, according to the Obligations of the said Alliance, in the whole in such Manner, and as faithfully, as if his Majesty and the Crown of *Sweden* had been a principal contracting Party from the Beginning, with the above-said most Serene Confederate Kings, and had concluded their said Majestys jointly or separately the Articles and Conditions expressed in this Defensive Alliance, and the said Separate Articles thereof.

His Majestys the most Serene Kings, the King of *Great Britain* and the most Christian King, do admit and consent to the Accession of his Majesty and the Crown of *Sweden* to the said Treaty of *Hannover*; as likewise to the three Separate Articles which are thereunto annexed, as a principal contracting Party; declaring and promising, on their Part, that their said Majestys, their Heirs and Successors, will observe and fulfil jointly and separately, faithfully and effectually, the said Treaty, and the said Separate Articles, in respect to his Majesty the most Serene King and the Crown of *Sweden*, all the Conditions and Clauses contained in the said defensive Alliance and the said Separate Articles

of Accession shall be approved and ratified, on the Part of their Majestys the King of *Great Britain*, and the most Christian King, and of his Majesty and the Crown of *Sweden*; and the Ratifications thereof shall be exchanged within the Space of two Months, to be reckoned from the Day of signing this present Act, or sooner, if possible.

In Witness whereof, we, by virtue of our respective Powers, have sign'd this present Act, and have set our thereunto. Done at *Stockholm*, the 14th of *March* 1 O. S.

(L. S.) *S. Prynitz.*
 (L. S.) *M. J. de Gardé.*
 (L. S.) *A. Baneer.*
 (L. S.) *Clas Ekeblad.*
 (L. S.) *J. V. Duben.*
 (L. S.) *D. N. Von Hopken.*
 (L. S.) *J. H. Von Koclen.*

Separate Articles.

ALtho by the Act of Accession and Admission *in* this Day, his Majesty and the Crown of *Sweden* acc-
 purely and simply to the Treaty of *Hannover*, the Mini-
 Plenipotentiary of their *Britannick* and most Christian
 itytys have however agreed with the Commissarys of
 said Majesty, to the Exceptions and Articles which follow

I. As the Defensive Alliance concluded at *Hannover*
 3d of *September* 1725, has no other View but the Pe-
 and Tranquillity of *Europe*, and particularly that of
 North, their Majestys the King of *Great-Britain*, and
 most Christian King, as likewise his Majesty the King
 the Crown of *Sweden* declare, that, being not engaged
 any Treatys or Conventions with other Powers that
 contrary to this Alliance, the said Treatys and Conventi-
 shall not be weakened by this Accession, but shall rem-
 in their full Force; and their Majestys declare, at the sa-
 Time, that they are, at present, and shall continue alw-
 in a firm Resolution to keep and fulfil, inviolably, all
 has been stipulated by the abovesaid Alliance of *Hannover*
 obliging themselves, on each Side, to observe faithfully
 the Engagements entered into by the present Treaty
 Accession, and the Separate Articles and Secret one ther-
 without neglecting or violating the same in any wise, un-
 the Pretence of former Treatys and Engagements, or un-
 any other Pretence whatsoever.

II. His Majesty and the Crown of *Sweden* having
 Possessions at present out of *Europe*, reserve to themse-

that their Guaranty shall not be extended beyond the Bounds of *Europe*.

III. The King and the Crown of *Sweden* having shewn that they desire not to be under the Obligation of sending the Troops stipulated on their Part in the Act of Accession to the Treaty of *Hannover*, and by the Secret Article of the present Treaty of Accession; into Countrys too far off, it is agreed, among the contracting Partys, that, when the Case of this present Treaty shall happen, the said Troops shall not be employed in *Italy*, or in *Spain*, but they may any where else; their *Britannick* and most Christian Majestys preserving always the Right of demanding the Contingent of five Thousand Men, stipulated on the Part of the King and of the Crown of *Sweden*, in the Act of their Accession to the Treaty of *Hannover*, in Money or in Ships, pursuant to what is settled in the said Treaty of *Hannover*.

IV. His Majesty and the Crown of *Sweden*, in order to remove all Possibility of Doubt, with respect to the Acts mentioned in the fifth Article of the Treaty of *Hannover*, as having determined concerning the Affairs of the Empire, declare, that, by the said Acts, they understand no other than those which have been received and approved by the States of the Empire in the usual manner.

V. His Majesty and the Crown of *Sweden* declare, that they accede to the two last Separate Articles of the Treaty of *Hannover*, as finding nothing therein contrary to the Obligations wherewith his said Majesty is bound to the Emperor and the Empire, as a Prince of the Empire.

VI. As by this Accession his Majesty the King and the Crown of *Sweden*, enter into no Engagements with any other Power whatsoever, except those that are comprehended by Name in the Treaty of *Hannover*, and whose Ministers sign these Presents, their Majestys, the King of *Great Britain*, and most Christian King, as likewise his said Majesty and Crown, do promise each other reciprocally, not to enter, without the Knowledge of each other, and without mutual Concurrence, into any Engagements with any other Power, that may be contrary to this Treaty and these Separate Articles and Secret one, or invalidate the same in any wise.

Their *Britannick*, most Christian and *Swedish* Majestys have agreed, and do promise each other reciprocally, that if, in Hatred of this present Treaty, or under

any other Pretext equally unjust, they should be attack'd, infested or troubled, jointly or separately, by any Power whatsoever, they will make it a common Cause against the Aggressor; and they will mutually succour and assist each other faithfully, and in the most ready and effectual Way, according to the Exigency of the Danger, and according to the Situation of their Affairs, respectively, without excusing themselves, under Pretence of being in War themselves, or under any other Pretence whatsoever.

Secret Article.

THEIR *Britannick* and most Christian Majestys, to shew their Friendship towards the King and Crown of *Sweden*, promise and engage, by virtue of this present Secret Article, to pay at *Hamburg, Amsterdam, or London*, as *Sweden* shall chuse each, for three Years successively, the Sum of fifty thousand Pounds *Sterling* a Year, or the Value thereof, according to the Exchange, to be paid in two Payments each Year, from six Months to six Months, by way of Advance; and whereof the first Payment for the present Year shall be made immediately after the Exchange of the Ratifications; and the second Payment, for the same Year, a little while afterwards, and as soon as the necessary Dispositions can be made for that Purpose; the third Payment to begin a Year after the Exchange of the Ratifications; and so the rest from six Months to six Months.

His Majesty and the Crown of *Sweden* oblige themselves, and promise, on their Side, by this Article, to hold in Readiness, besides the Succour agreed upon by the Act of this present Accession, a further Body of seven Thousand Foot, and three Thousand Horse, to be employed where the Cases of the Alliance shall render it necessary.

Provided, that when their *Britannick* and most Christian Majestys shall require the Service of these ten Thousand Men, they shall be in their Pay, and not in that of the King of *Sweden*; which Pay, as well as what concerns the Recruits and other Matters depending thereon, shall be then settled by a particular Convention; his Majesty and the Crown of *Sweden* reserving to themselves the Right of recalling this Body of Troops, or of not sending it out of the Kingdom, at such times when any real and imminent
Danger

Danger shall render it necessary for the Defence of their own Dominions and Provinces.

These Separate Articles, and the Secret one, shall have the same Force as if they had been inserted Word for Word in the Act of Accession, concluded and sign'd this Day; they shall be ratified in the same manner, and the Ratification thereof shall be exchanged at the same time with those of the Act of Accession.

In Witness whereof, we, by virtue of our respective full Powers, have sign'd these present Separate Articles, and the Secret one, and have set our Seals thereunto. Done at *Stockholm*, the 14th of *March* O. S. 1727.

(L. S.) *S. Poyntz.*

(L. S.) *M. J. de la Garde.*

(L. S.) *A. Bancier.*

(L. S.) *Clas Ekeblad.*

(L. S.) *J. V. Duben.*

(L. S.) *D. N. Von Hopken.*

(L. S.) *J. H. Von Kochen.*

Treaty of Alliance between Great Britain, France, and Denmark, April 16, 1727.

WHEREAS their Majestys the King of *Great Britain* and the most Christian King are always attentive to fulfil their Engagements, and to watch over the Quiet and Security of their Friends and Allies; and, as their said Majestys have really Cause to believe, that the *Muscovites* and their Adherents may soon concert Means, and make Dispositions to come and attack the Dominions of his Majesty the King of *Denmark*, either to take away by Force from his *Danish* Majesty the Duchy of *Sleswick*; or to prepare the Means for executing other Projects contrary to the Tranquillity of the North, and of the lower *Saxony*, and of the Countys which are of Concern to the contracting Partys in

the Circle of *Westphalia*; and as their *Britannick* and most Christian Majestys are so much concerned in Interest to take due Precautions against every thing that, by troubling the Peace of the said Countrys, may, at the same time, give a Blow to the Treaty of *Hannover*, as it especially confirms the Treatys of *Westphalia*; and to put themselves in a Condition to execute faithfully the Guarantys given against any Invasion or Hostility on the part of the Czarina, or of any other Power whatsoever, which should come and attack the Duchy of *Sleswick*: Their *Britannick*, most Christian, and *Danish* Majestys have thought fit to give their full Powers, that is to say, his *Britannick* Majesty to *John* Lord *Glenorchy*, Knight of the Order of the *Bath*, and Envoy Extraordinary from his Majesty the King of *Great Britain* to his Majesty the King of *Denmark*; his most Christian Majesty to *Peter* Blouet, Count of *Camilly*, Knight of the Grand Cross of the Order of *St. John* of *Jerusalem*, Captain of the Ships of his most Christian Majesty, and his Ambassador Plenipotentiary to his Majesty the King of *Denmark*; as likewise his *Danish* Majesty to his Ministers, viz. *Ulrick* Adolph of *Holstein*, Count of *Holstenburg*, Knight of the Order of the Elephant, Great Chancellor, Privy-Counsellor of the Council, and Chamberlain to his Majesty the King of *Denmark*; *John* George of *Holstein*, Lord of *Mollenbagen*, Knight of the Order of the Elephant, Privy-Counsellor of the Council, and Governour of the Bailywick of *Tondern*, for his Majesty the King of *Denmark*; and *Christian* Lewis of *Plessen*, Lord of *Tuslingoe*, *Silfoe* and *Glorup*, Knight of the Order of *Dunnebrog*, and Privy-Counsellor of the Council of his Majesty the King of *Denmark*; who, having maturely weigh'd the Circumstances of the Times, and the Dangers which threaten the Dominions of his *Danish* Majesty, and which may trouble the Quiet of lower *Saxony*, and of the Countrys above-mentioned, have agreed upon the following Articles.

I. His *Danish* Majesty being wholly persuaded, that their *Britannick* and most Christian Majestys will fulfil the Engagements and Guarantys given, with respect to the Duchy of *Sleswick*, and that they will use all the Efforts imaginable to maintain the Quiet of the lower *Saxony*; his *Danish* Majesty, to concur in the same End
promi

promises to keep on foot a Body of Troops of twenty four thousand Men, their Officers, Equipages, and Artillery, which shall assemble without any Delay, in the Place that shall be the most proper; and shall march every where, as it shall be needful, upon the first certain Advices which shall be received of the Motion of the *Muscovite* Troops, or of any other Power whatsoever which shall come to attack *Sleswick*, and to trouble the Quiet and Tranquillity of the lower *Saxony*, and of the Provinces belonging to the high Contractors in the Circle of *Westphalia*.

II. His *Danish* Majesty further obliges himself, when the said Body of Troops of twenty four thousand Men comes to march, to have on foot at the same time another Body of six thousand Men, design'd to re-inforce the former Body, if there be need.

III. And, towards helping, at present, his *Danish* Majesty to support the Expence he will be obliged to make for fulfilling the Engagements specified in the precedent Articles, his most Christian Majesty promises to cause to be paid to his *Danish* Majesty an annual Subsidy of three hundred and fifty thousand Rixdollars, current Money of *Denmark*; which shall be continued for the Space of Four Years, to be reckoned from the Day of the Ratification of this present Treaty, and shall be paid exactly every three Months, by way of Advance, at *Hamburg*.

IV. His most Christian Majesty promises further, in order to ease his *Danish* Majesty of Part of the Charge he will be at, in case the said twenty four thousand Men should be put in March towards the Place of Rendezvous, to take twelve thousand Men into his Pay, in such manner that, as the Defence of the King of *Denmark* is their first Concern, his most Christian Majesty shall not pay them but on the Foot of nine Thousand, in the same Proportion as his *Danish* Majesty gives to his Troops when they are in the Field, as well for the Pay of each Regiment of Foot and Horse, as for that of the Staff-Officers of each Regiment, of the General Field Officers, and of the Artillery, in proportion to the Number of twelve thousand Men of his Troops, Officers, and other Persons necessary for his Service.

V. The Pay, in the manner it is just now express'd, shall not begin to be on the Account of his most Christian Majesty, but from the Day of the first Review which shall
be

be made before his Majesty's Commissary General, when the Troops shall be drawn together in a Body, as an Army in order to take the Field; the first Month shall be paid by way of Advance, and so from Month to Month, as long as the said Troops shall be in the Pay of his most Christian Majesty.

VI. And altho his most Christian Majesty might with Justice pretend, that the Subsidy should cease on the Day that the Pay commences; however, as it may happen that the Payment of these Troops might begin before the King of *Denmark* could receive any effectual Succour from the said Subsidy, his most Christian Majesty is willing to consent, that, if the said Pay of the Troops should commence before the King of *Denmark* should have received two Years of the Subsidy, then he will continue the Subsidy as long as is necessary, to the end that the King of *Denmark* may always have two Years of the Subsidy, what was passed, and what was to come, being reckoned; and if, after the said two Years, the said Troops should remain no longer in the Pay of his most Christian Majesty, then the Subsidy stipulated in the third Article shall continue to be paid to his *Danish* Majesty to the End of the four Years, which is the Term of the present Treaty.

VII. His most Christian Majesty will, when he shall be required to do it, send a Commissary upon the Place to assist at the Review which shall be made of the said Troops in order to march; the same Commissary shall likewise take the Names of the Regiments which shall then go into the Pay of his most Christian Majesty; he shall examine whether they are duly equipped, mounted and armed; the giving of the vacant Commissions, and the Administration of Justice, shall, as before, be done by his *Danish* Majesty: The Commissary General from his Majesty shall assist at all the Consultations for the Military Operations; and, altho it is not possible to determine beforehand as to any Case of War, which doth not yet exist, it is however agreed in general, that the twelve Thousand Men of the Troops in the Pay of his most Christian Majesty, on the Foot of nine Thousand Men, shall be treated in all things with a perfect Equality, as the twelve Thousand Men entirely in the Pay of the King of *Denmark*.

VIII. If it happens, that his said most Christian Majesty should not think that he has any more need for the Succour of his Allies, to continue the Payment of the said Troops, he shall be obliged to give his *Danish* Majesty Notice thereof two Months before.

IX. His *Britannick* Majesty, on his side, shall hold in a Readiness to march a Body of twelve Thousand Men, to be joined to the twenty four Thousand Men of the *Danish* Troops abovementioned, upon the first certain Advices which shall be received of the Motion of the *Muscovite* Troops, or of those of any other Power whatsoever, that shall come to attack *Sleswick*, and trouble the Quiet and Tranquillity of the lower *Saxony*.

X. His *Danish* Majesty having given his *Britannick* Majesty to understand, that, being engaged by this present Treaty to march a considerable Body of Troops into the lower *Saxony*, his maritime Provinces will lie exposed to the Enterprizes of his Enemys; his *Britannick* Majesty being always disposed to provide, according to his Engagements, as a good and faithful Ally, for the Security of the Dominions of his *Danish* Majesty, promises and engages to send to the Succour of his *Danish* Majesty, upon the first Advices of the Motions of the *Muscovite* Fleet, which shall give just Occasion for Fear, a sufficient Squadron of good Ships of War, to help to cover the Seacoasts of his *Danish* Majesty, and to hinder the *Muscovites* from attacking the same.

XI. And altho their *Britannick* and most Christian Majestys are not obliged to any fixed Succour for the King of *Denmark*; however, as they desire to keep at a distance from the Dominions of that Prince all Invasion, the Consequence whereof would be doubtless to kindle the Fire of a War in Violation of the Treaty of *Hannover*, as likewise of the Treatys of *Westphalia*; which would oblige them to come to the Support of their Guarantys, and to be Succour of their Allies, who might be attacked, or in danger of being so; to this end his most Christian Majesty engages to hold always in a Readiness a Body, at least, of thirty Thousand Men; which Body shall be destined, whenever his said Majesty shall be required, to march to every Place where it shall be needful, and as it shall be agreed, or to make Diversions, or other Operations necessary for the common Advantage, and for the Security of his Allies in the Em-

pire or in the North : and, at the same time, his *Britannick* Majesty engages to hold likewise in Reading another Body of Troops, which must not be less than twelve Thousand Men, to be destined, in the same manner, for marching every where, as it shall be needful, and as it shall be agreed, either to make Diversions or other Operations necessary for the Security of his Allies in the Empire or in the North, as the case shall require.

XII. As the *Muscovites*, or other Troops that may join them to come and attack the Dominions of the King of *Denmark*, in order to take from him the Duchy of *Schleswick*, may endeavour to pass thro' the Countrys subject to the King of *Prussia*, which the Allies persuade themselves that this Prince will not fail to refuse; in case therefore, that the Czarina, or any other Power whatsoever should endeavour to force the Passes thro' the Territory of the King of *Prussia*, or attack him, or occasion any Injury or Damage to him, by reason of the Refusal which his Majesty might give to the letting the *Muscovites*, or other Adherents as abovesaid, pass thro' his Countrys; then the contracting Kings shall cause their joint Army to march to the Succour of the King of *Prussia*, and shall make War upon those who shall have invaded or troubled him, until the Attack and Danger shall cease, and the Injury and Damage be repaired.

XIII. The Ratifications of the present Treaty shall be exchanged at *Copenhagen* in six Weeks, to be reckoned from the Day of the signing of this Treaty, or sooner, if possible.

In Witness whereof, we have sign'd this Treaty, and have set the Seal of our Arms thereunto. Done at *Copenhagen*, this 16th Day of *April*, in the Year 1727.

(L. S.) *Glenorchy.*

Separate and Secret Articles belonging to the Treaty between Denmark, April 16, 1727.

ALTHO his most Christian Majesty might justly pretend, that the Troops which he takes into his Army ought to take an Oath to him; however, his *Danish* Majesty having resolved to command in Person the considerable Army, it is agreed, in consideration of his *Danish* Majesty

y, to rely in that matter on his Royal Word, for pursuant to the Engagements which he has enter'd by the Treaty signed this Day; but if it should happen that his *Danish* Majesty should change his Resolution, and that the contracting Kings should find it expedient to separate the Body of Troops, for the Advantage of the common Cause, then the said Troops, in the Name of his most Christian Majesty, shall take the Oath in the usual Form.

As their *Britannick* and most Christian Majestys have made extraordinary Efforts for the Interests of the King of *Denmark*, his *Danish* Majesty promises not to dispose of any part of his Troops, either directly or indirectly, contrary to the Interests of their *Britannick* and most Christian Majestys; and it is agreed, that, as long as this Treaty lasts, his *Danish* Majesty shall not give or sell any part of his Troops to any Power whatsoever, till after he has been concerted with their *Britannick* and most Christian Majestys, against whose Interests he promises to do nothing; engaging himself likewise to oppose, every where it shall be needful, every thing that may be done or projected contrary thereto, by any Power whatsoever; which their *Britannick* and most Christian Majestys shall do reciprocally.

It is agreed, that if his most Christian Majesty should think fit to employ the twelve Thousand Men which he has in the Foot of nine Thousand, for Affairs which have respect to the Security of the King of *Denmark*, and only concern the Good of the Service of his most Christian Majesty, or that of the Alliance of *Hannover*, in case the King of *Denmark* shall not make any Request to give them for the Service of his most Christian Majesty; and a Convention shall be made, for that Purpose six Weeks after the Demand shall have been made to his most Christian Majesty.

And considering, that if the *Muscovites* should come to invade and to penetrate into the North, and trouble the Peace of the Empire, they could not have any other passage than thro' the Territorys of *Poland*; and, as it cannot be doubted, but that this Kingdom remembers still the Disorders which the *Muscovites* committed there a few Years ago, it is agreed, by this present Article, to communicate to the King, and to the Republick of *Poland*, the Concert which has been formed to hinder their entering

entering into the Empire, and to invite them to take likewise on their Part, the most effectual Measures to stop the Passes which the *Muscovites* would be desirous of taking in the Territorys of the Republick of *Poland*. Done at *Copenhagen*, this 16th Day of *April*, in the Year 1727.

(L. S.) *Glenorchy.*

*The Preliminary Articles between the
Emperor and the Allies of Hannover,
sign'd at Paris, May 31, 1727. N. S.*

BE it known to all and every one, that whereas, within some time past, many things have happened which might have given Occasion to the disturbing of the Peace of *Europe*, unless a Remedy had been speedily applied; his Sacred Imperial Royal Catholick Majesty, his Sacred *Britannick* Majesty, his Sacred most Christian Majesty, and the High and Mighty Lords the States General of the *United Provinces* of the *Netherlands*, did severally shew themselves disposed to seek every possible Means of composing all these Differences; and in order to attain this End, they authorized by their full Powers, that is to say, his Sacred Imperial Royal Catholick Majesty, M. *Baron de Fonseca*; his Sacred *Britannick* Majesty, M. *Horatio Walpole*; his Sacred most Christian Majesty, M. *Count de Morville*, his Minister and Secretary of State, and Knight of the Golden Fleece; and likewise the High and Mighty Lords the States General of the *United Netherlands*, M. *William Boreel*; who all, after mature Deliberation among themselves, and having severally communicated their full Powers, Copys whereof will be found here-under transcribed, have, by virtue of the same full Powers, agreed upon the following Articles.

I. His Sacred Imperial Royal Catholick Majesty having observed, that the *Ostend* Commerce has raised Jealousy,
and

and even Disquiet, among some neighbouring Powers, does, for the sake of the publick Tranquillity of *Europe*, consent, that the Privilege (commonly called the *Ostroy*) granted to the *Ostend* Company, and all Commerce from the *Austrian Netherlands* to the *Indies*, be suspended for the space of seven Years.

II. The Rights, or those things which, by virtue of the Treatys of *Urrecht*, *Baden*, and Quadruple Alliance, and also of those Treatys and Conventions that preceded the Year 1725, and do not affect the Emperor and the States General of the *United Netherlands*, have been possessed by any of the Contracting Powers, shall remain untouched; but if any thing should be found to have been altered therein, or not to have been put in Execution, the Alteration made, or the Thing not executed, shall, in a Congress to be held, be discussed and decided, according to the Tenor of the said Treatys and Conventions.

III. Consequently, all the Privileges of Commerce, which the *English* and *French* Nations, and the Subjects of the States General of the *United Netherlands*, have heretofore, by virtue of Treatys, enjoyed, as well in *Europe* as in *Spain* and the *Indies*, shall be restored to that Usage and Regulation which are according to what was stipulated with each of them, by Treatys antecedent to the Year 1725.

IV. The Princes of the North shall, by their respective Allies, be invited and required to abstain mutually from all Methods of Force, but rather to embrace all equitable Means for conciliating a Pacification between themselves; and the contracting Partys promise, that till the Congress (hereafter mentioned) begins, in which the Disputes between the intervening Partys shall be amicably discussed, they will not, directly or indirectly, under any Colour or Pretext whatsoever, proceed to any manner of Force, by which the present State of the North, and of *Lower Germany*, may be disturbed; but sincerely promise to be ready to enter into any Counsels, by which Hostilities, if any should happen, may be appeased.

V. Immediately after the signing of the present Articles, all Hostilities whatsoever, if any have happened to be begun, shall cease; and, with respect to *Spain*, within eight Days after his Catholick Majesty shall have received these signed Articles, those Ships which, before the said Cessa-
tion,

tion, shall have sailed from *Ostend* for the *Indies*, and whose Names shall be declared in a certain List to be made in the Name of his Imperial Royal Catholick Majesty, shall be allowed to return freely and safely from the *Indies* to *Ostend*; and if any Ships should chance to have been taken, they shall faithfully be restored, with the Goods and Merchandize laden in them; the like safe Return shall be granted to those larger Ships of Burden (commonly called Galleons) in this firm Trust, that the Catholick King, with respect to the Lading, or Things and Merchandize contained as well in the larger as lesser *Spanish* Fleet, (termed the Galleons and Flotilla) will act in the very same manner that he has always heretofore used, in times of greater Freedom; the Consequence of which is, that the *English* Fleet shall not only depart, as soon as may be, from *Portobello*, and all Ports in *America*, belonging to the King of *Spain*, but *Hosier*, the Commander of that Fleet, shall return with it to *Europe*; by which the Subjects of his Catholick Majesty in the *Indies*, may be freed from all further Molestation or Uneasiness. Commerce shall be exercised in *America*, by the *English*, as heretofore, according to Treatys. In like manner, the *English*, *French*, or *Dutch* Fleets, which may happen to have their Station on the *Spanish* Coasts, or on those belonging to the Emperor, shall, with all the Expedition that may be, immediately, from the Time the said Cessation shall begin, retire from thence; to the end the Inhabitants of those Coasts and Shores may be safe and free from all further Disquiet and Fear, and it shall not be lawful for the said Ships to attempt any thing, directly or indirectly, against the foresaid Ports.

VI. The Cessation of Hostilities shall last as long as the Suspension of the Privilege granted to the *Ostend* Company, that is to say, for seven Years; whereby, in that Space of Time, the Rights and reciprocal Pretensions may be conveniently conciliated, and a general Pacification thereby the more firmly established.

VII. If, after the signing of these Preliminaries, any Disturbances should happen to be raised, under any Pretext whatever, or Acts of Hostilities committed between the Subjects of the contracting Powers, either in *Europe*, or in the *Indies*, they shall, by joint Assistance, repair the Damages sustain'd by their respective Subjects.

VIII. The

VIII. The preceding Articles being accepted and sign'd, there shall, within the Space of four Months, to be computed from the Day of signing, a Congress be formed at *Aix la Chapelle*; within the Course of which, the Rights and Pretensions of the contracting Powers, and of those who shall be invited to the said Congress, shall be examined, discussed and determined.

IX. The Plenipotentiarys to be nominated shall not have in their Retinue more than two Gentlemen, two Pages, and six Servants or Footmen; that they may the sooner make ready for their Journey, and that all Emulation, Luxury and Expence may be avoided.

X. They shall not observe any Ceremonial, and shall keep to the same Regulation which was observed in the late Congress at *Cambray*; and this for declining those Difficultys which might arise concerning Precedency, the Liberty, however, of protesting, being left to every one at Discretion.

XI. The several Powers shall earnestly enjoin their respective Plenipotentiarys, to avoid all Obstructions or Embarrassments which might, in any manner, protract or disturb the Congress.

XII. The Ratifications of these Articles shall be mutually exchanged within the Space of two Months, or sooner, if possible, from the Day of signing them.

In Witness whereof, we, the Ministers Plenipotentiary of his Sacred Imperial Royal Catholick Majesty, of his Sacred Royal *Britannick* Majesty, of his Sacred Royal most Christian Majesty, and of the High and Mighty States General of the United Provinces of the *Netherlands*, have subscribed these Articles with our own Hands, and sealed the same with our Seals. Done at *Paris*, the last Day of the Month *May*, in the Year of our Lord 1727.

(L. S.) *Mark Baron of Fonseca.*

(L. S.) *H. Walpole.*

*The Treaty betwixt King George II. and
the Duke of Wolfenbuttle, November
25, 1727.*

WHereas the most Serene House of *Brunswick Lunenburg* has always endeavour'd to preserve cultivate an intimate Friendship between all Branches; which has not only contributed to the Glory Happinesf of the said most Serene House, but also to Advantage of the Protestant Religion, the Interest wh of the said House has at all times had at Heart; his Majesty the most Serene King of *Great-Britain*, Elector of *Brunswick Lunenburg*, and his most Serene Highness Duke of *Brunswick Lunenburg Wolfenbuttle*, judging it will be very proper, as well for the mutual Good of the House, as for that of the Protestant Religion, to strengt the antient Union by new Ties made between his Majesty, and his said most Serene Highness; with a V only to give each other a mutual Guaranty for their Countries, and without the least Design to cause any Trouble, or to do any Prejudice either to the Emperor or Empire, or to any other Power whatsoever; to this End they have, on each Side, given sufficient full Power, that is to say, his said Majesty the most Serene King of *Great-Britain* to his Privy-Counselors, *Peter Lord King*, Baron of *Ockley*, High Chancellor of *Great Britain*, *William Duke of Devonshire*, President of his Privy-Council; *Thomas I. Trevor*, Keeper of his Privy Seal; *Thomas Holles*, Duke of *Newcastle*, one of his Principal Secretarys of State; *Charles Viscount Townshend*, one other of his principal Secretarys of State; and *Sir Robert Walpole*, Knight of the most Noble Order of the Garter, and first Commissione his Treasury: and his said most Serene Highness the Duke of *Brunswick Lunenburg Wolfenbuttle*, to the Sieur *Comte Detleff* Count of *Debn*, his Privy-Minister of State, President of the Chamber of Convents, Dean of the Chapter of *St. Blaise* at *Brunswick*, Hereditary Cup-Bearer of

Ab

Abbey of *Gandersbiern*, Lord of *Wendhausen* and *Riddag-
hausen*, Knight of the *Danish* Orders, and his Plenipotentiary to his Majesty of *Great-Britain*. Who, having conferred together on Means the most proper to attain the Ends above-mention'd, without doing Hurt to any one, have agreed upon the following Articles.

I. That there shall be an intimate Friendship, and a sincere, firm and unchangeable Union between the said King and the said Duke, their Heirs and Successors; which shall be so exactly and faithfully observed, that the contracting Partys shall not only advance their mutual Interests, but shall also keep off from each other all Injury and Damage whatsoever, and shall traverse, as much as possible, every prejudicial Design that may be formed against either of the said contracting Partys, pursuant to the Treatys and Conventions that are already subsisting between the two Branches of the said most Serene House,

II. That by virtue of this strict Union, the said contracting Partys do promise to assist each other mutually, by their Counsels and by their good Offices, every where, where it shall be needful. And as the most Serene King of *Great-Britain* promises to guaranty to the said most Serene Duke all his Countrys and Dominions; so the said most Serene Duke promises his Guaranty to the most Serene King, for the Defence of his Kingdoms of *Great-Britain* and *Ireland*, and of his Countrys and Dominions in *Germany*. And whereas the Treaty concluded at *Zell* the 6th of *May* 1671, between the most Serene Dukes of *Brunswick Lunenburg*, already obliges the most Serene Duke to maintain always, as far as possible, the Possession of the Town and Fortres of *Brunswick*, for the common Security of the said most Serene House, his said most Serene Highness renews hereby the whole Tenor of that said Article; and engages never to deliver his said Town and Fortres of *Brunswick* into the Hands, Possession or Power of any one whomsoever.

III. That, in case the abovesaid Countrys and Dominions of either of the contracting Partys be threatened with an Attack or Invasion, then they shall concert together, without Loss of Time, the Means to repulse their Enemy; and shall regulate, immediately and without Delay, the Proportions of the Succours to be given mutually; it being well understood, that the Succours which ought to be furnished

nished to his *Britannick* Majesty, on the Part of the most Serene Duke, according to the said Concert made, shall not be settled at less than Five Thousand Men.

IV. That the abovesaid most Serene Duke having presented to the abovesaid King, that, for putting maintaining himself in a Condition and Situation to the better and the more securely the Obligations which was about to contract with his Majesty, he should be liged to take upon himself those large Expences which must be made for the keeping up a Body of Troops sufficient to guard his own Country, Towns and Fortresses, in case of Danger, and to go to the Succour of the Countrys Dominions of the said most Serene King, if there shall any need of it; his Majesty, the said King, in Confirmation of what is here abovesaid, promises to pay to the Duke the Sum of Twenty five Thousand Pounds Sterling by the Year, during the Space of four Years: which annual Sum of Twenty five Thousand Pounds Sterling shall be payable in equal Portions, from Three Months to Three Months, to be reckoned from the Day of the Ratification of the present Treaty.

V. In Case that, contrary to all Expectation, any Prince or State whatsoever should have a mind, in Hatred of the Treaty of Friendship and mutual Defence made, and signed this Day, to make any Insult upon the Countrys, Towns and Territorys appertaining to the most Serene Duke of *Brunswick Lunenburg Wolfenbuttle*, or cause any Injury or Damage to him there, his Majesty the King of *Great Britain* promises and engages to guaranty the said most Serene Duke from such Insult, and to do all in his Power to put an End to all Injury and Damage which might be done or open to him in Hatred of the abovesaid Treaty.

VI. That this Treaty of Alliance and Friendship shall be ratified in due Form by the said most Serene King and Duke, and the Ratifications shall be exchanged in the Space of Six Weeks, to be reckoned from the Day of Signing, or sooner, if it can be done.

In Witness whereof, we the under-written being provided with full Powers from the most Serene King of *Great Britain*, and the most Serene Duke of *Brunswick Lunenburg Wolfenbuttle*, have in their said Names, signed the present Treaty of Friendship, and have caused the Seal

our Arms to be set thereunto. Done at *Westminster* the
5th Day of *November*, in the Year 1727.

(L. S.) Count of *Dohn*.

(L. S.) *Devonshire P.*

(L. S.) *Trevor C. P. S.*

(L. S.) *Holles Newcastle.*

(L. S.) *Townshend.*

(L. S.) *R. Walpole.*

Separate Article.

WHEREAS his most Serene Highness the Duke of *Wolfenbuttle* hath promised, by the third Article of the Treaty signed this Day, to furnish his Majesty the King of *Great Britain*, in the Case as is there specified, with a Body of five Thousand Men; and his said most Serene Highness having represented the great Inconveniencys that might happen to him, if the said Body of Troops should be transported into the Kingdoms of *Great Britain* and *Ireland*, according to the Contents of the Second Article of the said Treaty; the said most Serene King consents, that the Troops which the said most Serene Duke ought to furnish him with, shall not be obliged to pass over into the said Kingdoms of his said Majesty, but that they shall rather be employed either to replace those which may be drawn from the Dominions of his Majesty in *Germany*, or to be put into the Garisons of the States General, in the room of the Troops of the said States, which may pass over into the Kingdoms of his said Majesty, as the Whole shall be more exactly regulated when the Case shall exist.

This Separate Article shall have the same Force as if it were inserted Word for Word in the Treaty concluded and sign'd this Day.

It shall be ratified in the same Manner, and the Rati-
fications thereof shall be exchanged at the same time with
the Treaty.

In Witness whereof, we the under-written, being provid-
ed with the full Powers of the most Serene King of *Great
Britain*, and the most Serene Duke of *Brunswick Lunen-
burg Wolfenbuttle*, have in their said Names, sign'd the
present Separate Article, and caused the Seals of our Arms

182 *Convention between Spain and Great Britain*

to be put thereunto. Done at *Westminster*, the 25th Day of *November*, in the Year 1727.

Here the same Names as before.

*Convention between Spain and Great Britain
relating to the Execution of the Preliminarys,
sign'd at the Pardo, the 6th
of March 1728. N. S.*

W Hereas certain Difficultys have arisen upon the Execution of the Articles which are called Preliminarys, and which were sign'd at *Paris* the last Day of *May*, and after at *Vienna* the 13th of *June*, 1727, by the Ministers respectively furnished with sufficient full Powers; and whereas, by a certain Declaration made by the Count *de Rothemburg*, with the Consent of all the Partys, and approved, the aforesaid Difficultys have been happily adjusted; of which Declaration, and of the Acceptation thereof by his Catholick Majesty, as the same was exhibited and subscribed by the Marquiss *de la Paz*, in his Name, and by his Command, the Tenor hereof follows.

Whereas, since the signing of the Preliminarys, certain Difficultys have arisen between the contracting Partys, in relation to the Restitution of Prizes that have been taken on either Side; and, namely, that the *Prince Frederick* and its Cargo, belonging to the *South-Sea-Company*, has been seized and detain'd by the *Spaniards* at *La Vera Cruz*; which Difficultys have delayed the Execution of the Preliminarys, the exchanging the Ratification with *Spain*, and the opening the Congress: his *Britannick* Majesty, to facilitate Matters as much as lies in his Power, and to remove all Obstacles that obstruct a general Pacification, has declared, and given his Royal Word to the most Christian King, that he will, without Delay, send Orders to his Admirals, *Wager* and *Hoffier*, or the Chief Commander in his Stead, to withdraw from the Seas of the *Indies* and of *Spain*; and that

that he consents that the Contraband Trade, and other Causes of Complaint, which the *Spaniards* may have in relation to the Ship *Prince Frederick*, shall be discussed and decided in the Congress; that all the respective Pretensions, on each Side, shall be produced, debated and decided in the same Congress; that therein shall likewise be discussed and decided, whether the Prizes taken at Sea, on each Side, shall be restored; and that his *Britannick* Majesty will abide by what shall on all this be regulated.

On my Part, I promise, in the Name of the King my Master, by virtue of the Orders and full Powers which I have received for that Purpose, that this Discussion, to be made at the Congress, shall be faithfully executed; that the Exchange of the Ratifications shall be performed without delay, and that the Congress shall meet, infallibly, and the soonest that shall be possible, according to what shall be agreed by the Ministers of the contracting Partys who shall happen to be at *Paris*; provided his Catholick Majesty will give his Royal Word,

I. To raise, immediately, the Blockade of *Gibraltar*, by sending back the Troops to their Quarters, by causing the Cannon to be drawn off, the Trenches to be filled up, and the Works made on the Occasion of this Siege to be demolished, by re-establishing every thing on each Side, conformable to the Treaty of *Utrecht*.

II. To send, without delay, his Order, clear and express, for delivering up forthwith the Ship *Prince Frederick*, and her Cargo, to the Agents of the *South-Sea Company*, who are at *Vera Cruz*, that, when they think fit, they may send her to *Europe*; and to restore the Commerce of the *English* Nation in the *Indies*, according to what is stipulated by the *Assiento* Treaty, and agreed by the Second and Third Articles of the Preliminarys.

III. To cause the Effects of the *Flotilla* to be immediately delivered to those to whom they belong; and those of the *Galleons*, when they return, as in time of Freedom and of full Peace, according to the Fifth Article of the Preliminarys.

IV. That his Catholick Majesty does engage, in the same manner as his *Britannick* Majesty has engaged above, to abide by all that shall be regulated by the above-said Discussion and Decision of the Congress.

Given at the Pardo, March 4, 1728.

(L. S.) *Rothemburg*.

184 *Convention between Spain and Great Britain.*

I, the under-written Marquis *de la Paz* declare, by an express Order in the Royal Name of the Catholick King my Master, in Consequence of his full Power, that his Majesty, out of his constant Desire to facilitate the Negotiations for an universal lasting Peace, is come into an Acceptation of, and does effectually admit, the Proposals lately made by the Count *de Rothemburg*, Minister and Plenipotentiary of his most Christian Majesty, according to what is here next above inserted.

In Witness whereof, I sign this present Declaration, and put thereto the Seal of my Arms, at the *Pardo*, *March 5*, 1728.

E. C. Marquis de la Paz.

We the under-written Ministers Plenipotentiary, duly authorized, to the end the above-written Declaration and Acceptation may obtain the most full Force and Vigour, have signed this special Instrument of Consent and Approbation, in the Name, and by the Consent of our respective Masters, and have affixed our Seals thereunto, *March 6*, 1728.

(L. S.) *S. S. Co. Konigsegg.*

(L. S.) *B. Keen.*

(L. S.) *Rothemburg.*

(L. S.) *E. C. Marquis de la Paz.*

(L. S.) *F. Vander Meer.*

Copy

* *Copy of the Instrument of Reversion, for fulfilling the Conditions express'd by Lewis King of Spain, in the Letters of the Investiture of the Duchies of Tuscany, Parma, and Placentia. At Madrid Feb. 28, 1724.*

LEWIS by the Grace of God, King of *Castille, Leon, Arragon, Sicily, Naples, Jerusalem, Navarre, Grenada, Toledo, Valencia, Majorca, Seville, Sardinia, Cordoua, Corsica, Murcia, Jaen, Algarve, Algezira, Gibraltar, the Canary Islands, the Continent, Islands, and Ocean of the East and West-Indies, Archduke of Austria, Duke of Burgundy, Brabant and Milan, Count of Hapsburg, Flanders, Tirol and Barcelona, Lord of Biscay, Meeblin, &c.* Whereas the Count *de St. Istevan*, and the Marquis *Beretti Landi*, our Plenipotentiarys at the Congress of *Cambray*, by virtue of their full Powers, and of the 5th Article of the Quadruple Alliance sign'd at *London* the 2d of *August* 1718, and accepted at the *Hague* by the King our Father the 16th of *February* 1720, admitted of the Imperial Letters Patent, containing the Reversion and eventual Investiture of the Duchies or States of *Tuscany, Parma and Placentia*, in favour of the most Serene Infante *Don Carlos* our Brother, and Son to the most Serene Lady the Queen, Hereditary Duchess of *Parma*, and his Descendants and Male Issue, born in lawful Wedlock; and in default of such, in favour of all the other Sons of the said most Serene Lady the Queen, and their Male Issue: which Letters Patent being sign'd and seal'd by the Plenipotentiarys of his sacred

* *These Pieces were not made publick till 1728, tho' most of them were sign'd sooner.*

186 *King of Spain's Instrument of Reversion*

Imperial Majesty, they deliver'd a certain Instrument the following Tenor.

We the underwritten Ministers, Plenipotentiarys of his Sacred Royal Catholick Majesty, do receive as full Performance and Satisfaction of the 5th Article of the Quadruple Alliance sign'd at *London* the 2d of *August* 1718, and accepted by the Catholick King at the *Hague* the 16th of *February* 1720, the Imperial Letters Patent containing the Reversion or eventual Investiture of the Duchy and States of *Tuscany*, *Parma*, and *Placentia*, in favour of the most Serene Infante Don *Carlos*, Son of the Queen, who is Natural Duchess of *Parma*, and his Male Descendants born in lawful Wedlock; or after their Death, in favour of the said Queen's other Sons, and their Male Descendants: which Deed has been this Day deliver'd to us in due Form, by the Plenipotentiarys of his Sacred Imperial Majesty, before the Plenipotentiarys of the Kings the Mediators. And we promise in the Name of his Sacred Catholick Majesty, that all and singular the Conditions express'd in the said Letters Patent shall be sacredly and inviolably executed and observ'd, according to the Tenor of the said Quadruple Alliance, on the part of his Sacred Royal Catholick Majesty, and the most Serene the Infante Don *Carlos*, and his Heirs and Male Successors, and his Brothers therein mention'd, towards his Sacred Imperial Majesty. In Witness whereof, we have sign'd and seal'd this present Instrument, by virtue of the full Powers granted to us by his Sacred Royal Catholick Majesty: and for the greater Corroboration thereof, the same shall be duly confirm'd by the Ratifications of his Sacred Royal Catholick Majesty, which shall be deliver'd within six Weeks, or sooner, if possible, from the Date hereof, to the Ministers Plenipotentiary of his Sacred Imperial Majesty at *Cambray*. Done at *Cambray*, the 24th Day of *January*, Anno 1724.

(L. S.) The Count *de St. ISTEVAN*.

(L. S.) The Marquis *de BERETTI LANDI*.

AND whereas the Copy of the said Instrument translated and inserted as above, was sent to us, after having perus'd the same thro'out, and maturely consider'd every thing therein contain'd and express'd, we determin'd

to approve and ratify it; and therefore do promise that all and singular the Conditions express'd in the said Instrument, which at one and the same time was transmitted to us, and accepted by us, as well as the Ratification of the eventual Investiture, shall be fulfill'd, and inviolably observ'd according to the Tenor of the said Quadruple Alliance, towards his Sacred Imperial Majesty and the Empire, both by us and the most Serene the Infante Don Carlos our Brother, and his Male Heirs and Successors, lawfully begotten, and on failure thereof, by his Brothers mention'd in the said Investiture, to which we refer. In Witness and Confirmation whereof, we have commanded these Presents to be dispatch'd, after being sign'd with our own Hand, seal'd with our Privy Seal, and counter-sign'd by the under-written Clerk of our Privy Council.

(L. S.) I the KING.

JOHN ab ORENDAYN.

Copy of the particular Guaranty or Security by the King of Great Britain, for fulfilling the Conditions inserted in the Letters of the Investiture, granted by the Emperor, concerning the Duchys of Tuscany, Parma, and Placentia. At St. James's, the 23^d of January 1723, O. S.

GEORGE by the Grace of God, King of Great Britain, France and Ireland, Defender of the Faith, Duke of Brunswick Lunenburgh, Arch-treasurer, Prince and Elector of the Holy Roman Empire, all and singular to whom these Presents shall come, greeting. Whereas a certain Instrument of Guaranty to be

be perform'd by the Emperor of the Romans, was concluded and sign'd in the Form and Words hereafter mention'd, between Us and our good Brother the most Christian King, by Plenipotentiarys impower'd on both sides and sufficiently authoriz'd at *Cambray* the 24th of this instant *January* N. S. And whereas by the Treaty the Quadruple Alliance, sign'd the 2d of *August* 1718 at *London*, and afterwards accepted and solemnly ratify'd the Catholick King at the *Hague*, on the 16th of *February* 1720, it was covenanted and decreed by the common Consent of the Parties, according to the Tenor of the Article of the Terms of Peace betwixt the Emperor and the Catholick King, that the States or Duchys now in the Possession of the Great Duke of *Tuscany*, and the Duchy of *Parma* and *Placentia*, shall for ever hereafter be acknowledged and held by all the contracting Powers as undoubted Masculine Fiefs of the Holy Roman Empire; his Imperial Majesty consented likewise, by himself Head of the Empire, that if there should happen to be a Chasm in the Succession to the said Duchys, for want of Male Issue, then the Infante of the present most Serene and most Potent Queen of *Spain*, and his Male Descendants born in lawful Wedlock; and on failure thereof, second or other younger Sons of the said Queen, if they should be born, should succeed in like manner to all the said Provinces, together with their Male Posterity lawfully begotten; and that for this End his Imperial Majesty after having obtain'd the Consent of the Empire, would take care that the Instruments, containing the Reverend and eventual Investiture in favour of the Son or Sons of the said Queen and their lawful Male Descendants, should be dispatch'd and deliver'd in due Form to the Catholick King. So now the same is really perform'd by the Execution and Accomplishment of the said Treaty by his Imperial Majesty; and moreover such Instrument of Investiture has this Day been deliver'd in due Form to the Kings the Mediators, and by them been transmitted to the Catholick King, as hereafter follows.

N. B. *Here was inserted the Instrument of the Investiture.*

As the Kings the Mediators therefore acknowledge that the Emperor has on his Part answer'd what was

bind him by the Treaty of the Quadruple Alliance, with respect to the Dispatch and Delivery of the Instrument of Reversion inserted as above; so on their Part they bind themselves to his Imperial Majesty by this particular Guaranty, that all and singular the Clauses express'd in the above Deed of Feoffment be religiously fulfill'd by the said Serene Prince *Charles of Spain*, Son of the Queen aforesaid, and by his Successors nominated to the said Fiefs; and especially that in case of a Chasm, really appearing in the Succession, and afterwards whenever that happens, the said Prince, and the rest abovemention'd, shall either themselves, or by Persons sufficiently authoriz'd, after the Imperial Dispensation obtain'd, be oblig'd to receive the actual and proper Investiture from his Imperial Majesty and his Successors in the Empire, at the Imperial Court, within a Year and a Day at farthest, after being put in Possession, and shall moreover take the usual Oath of Fidelity.

Therefore his Royal Majesty of *Great Britain*, and his Royal Most Christian Majesty, do by this particular Guaranty and Surety, promise jointly and severally for themselves and their Successors, as they acknowledge themselves to be already oblig'd by the Tenor of the aforesaid Quadruple Alliance, that they will, whenever the Case requires, seriously maintain the Performance of all and singular the Conditions of the above inserted Feoffment, and that they will and ought to preserve and defend the Fief of the said Duchys belonging to the Emperor and Empire inviolable.

This present Instrument of Guaranty shall, in order to make it more valid, be duly ratify'd by his Royal Majesty of *Great Britain*, and his Royal Most Christian Majesty; and the Ratifications shall be deliver'd to the Plenipotentiarys of his Imperial Majesty at *Cambray*, within four Weeks, or sooner, if possible, after the Day of the Date hereof. In Witness whereof, we the underwritten Plenipotentiarys of his Royal Majesty of *Great Britain*, and his Royal Most Christian Majesty, being vested with sufficient full Powers for that end, have sign'd and seal'd this Twofold Instrument. Done at *Cambray*, the 24th of *January*, N. S. 1724.

(L. S.) *POLWARTH.*

(L. S.) *WHITWORTH.*

(L. S.) *De BARBARIE de Sr. CONTEST,*

(L. S.) *ROTTEMBOURG,*

W E.

WE, after Perusal and Examination of the above Instrument of Guaranty, have approv'd and ratify'd same in all and singular its Articles and Clauses, as w by these Presents approve and ratify the same for ourse our Heirs and Successors; engaging and promising on our Royal Word, that we will sacredly and inviolably perform and observe the said Instrument of Guaranty, and all singular the Things therein contain'd, and that as far as lies in our Power, we will not suffer the same to be violated or contraven'd by any Person in any manner whatsoever. In Witness and Confirmation whereof, we ha caus'd the Great Seal of *Great Britain* to be affix'd these Presents, sign'd with our Royal Hand. Given at the Palace of *St. James's*, the 23d of *January* O. S. 1723, in the Tenth of our Reign.

N. B. *His most Christian Majesty's Act of Guaranty being almost verbatim the same, mutatis mutandis 'tis needless to insert it.*

Copy of the Emperor's full Power for substituting Count Charles Borromeo to take Possession of the Duchy of Tuscany. At Vienna, April 13, 1728.

WE *Charles VI. &c.* Be it known to all Men these Presents. That whereas by the Consent of the Electors, Princes and States of the Holy Roman Empire, and the Concurrence of the Crowns of *France* and *England*, we have order'd the plenary Accomplishment of those Things which are determin'd, decreed and stipulated, not only in the Letters of the eventual investiture, but in the Quadruple Alliance made at *London* in the Year 1718, betwixt Us and the most Serene and most Potent the Catholick King of *Spain*, and afterwards ratify'd at our Imperial Court in 1725, for keeping up the ancient

nient Right of the Imperial Sovereignty with respect to the Great Duchy of *Tuscany* and its Succession, on failure of Male Issue in the Family of *Medicis*, in favour of the most Serene Prince *Charles* Infante of *Spain* (eldest son of the present Queen *Elizabeth*, Daughter to the Duke of *Parma* and *Placentia*) and his Descendants, &c. And whereas we have had sufficient Experience of the Fidelity, Prudence, and Abilitys of the Noble *Charles*, Count *Borromeo*, we have particularly appointed, nominated and constituted, as we do by the Fulness of our Imperial Power and Authority, appoint, nominate and constitute him our Imperial Plenipotentiary, with a Power of appointing one or more in our Imperial Name, of whose entire and unfeigned Fidelity to us he shall be certain, to the end that as soon as he has Notice given him of the Decease of the most Serene *John Gaston*, Great Duke of *Tuscany*, the only Survivor of his Family, he repair immediately to the Duchy of *Tuscany*, attended by our Imperial Forces, with a strict Observation of military Discipline, and a View to gain the Affections of the People; and that as soon as he has made our Imperial Intention known to the Princess Dowager of the late most Serene Elector, and the Senate of *Florence*, by Letters and a Decree, which we also deliver to our said Plenipotentiary, he take care that our Imperial Mandate, directed to the Vassals, Officers, Soldiers and Subjects of *Tuscany*, be posted up, and made publick at all the usual Places; that he declare the Oath which is said to have been taken to the said Princess Dowager, by the said Vassals, Soldiers and Subjects, null and void, as being contrary to ours, and the Rights of the Holy Roman Empire, and to the declared Suffrages of almost all *Europe*; that consequently he absolve the Vassals, Officers, Soldiers and Subjects from their Oath, and all other Obligations to the said Princess Dowager; and finally, that in our Name, and in that of the Holy Roman Empire, he take true and real Possession of the Duchy of *Tuscany*, with all its Rights and Appurtenances, as they were really possess'd by the late Duke, at the time of the Treaty sign'd at *London*, in favour of Prince *Charles* the Infante of *Spain*, as the next true and lawful Lord, and our Vassal, by virtue of the Treaty abovemention'd: saving those Rights which shall be prov'd to appertain to the Princess Dowager of the late Elector *Palatine*, or others, either by allodial Right, or any other just Title not belonging

longing to a Fief of the Empire. Moreover, either himself, or his Substitute or Substitutes shall do and perform every Thing that may and ought to be done by the Law and Custom of the Empire, for obtaining true and actual Possession: Promising and engaging on our Imperial Word, that we will approve and ratify all and every such Transaction. In Witness and Confirmation whereof, we have sign'd these Presents with our own Hand, and caus'd them to be seal'd with our Seal. Given at our City of *Vienna*, &c.

Copy of the Imperial Rescript to the Electress Palatine Dowager, born Duchess of Tuscany, to permit Don Carlos Infante of Spain, to take Possession of Tuscany. Vienna, the 13th of April, 1728.

CHARLES VI. &c. It has been most humbly represented to us, that the most Serene *Cosmo III.* late Duke of *Great Tuscany*, the Father of your Dilection, made a certain pretended Disposition on the 26th of *November 1713*, by Virtue whereof, in case that he and his Son *John Gaston* shou'd die without natural Male Issue, lawfully begotten, your Dilection shou'd and ought to succeed in all its Provinces, and the Appurtenances thereof, with the Dignity of Great Duke or Duchels. And whereas the proposing such an Order of Succession, is altogether contrary to our undoubted Imperial Sovereignty, and to the Sacred Sovereignty of the Roman Empire, to our Feudal Duchy of *Tuscany*, and its Appendages, which is not only firmly establish'd beyond all Contradiction by the most famous Laws both antient and modern, but also justly recogniz'd, compris'd and confirm'd by all the contracting Partys in the solemn Treatys of *Lodovico* and *Vienna*; because 'tis well known, that in case of

such Failure of the Male Line in the House of *Medicis*, for want of natural Issue lawfully begotten, it belongs only to us as Emperor and Sovereign Lord of the *Romans*, and to the Holy Roman Empire, to dispose of the said Duchy of *Tuscany*, to the next lawful Prince and Vassal of us, and the Holy Roman Empire, as we had already dispos'd of it, by virtue of Letters Expectative, having the Force and Virtue of an eventual Investiture, which we granted to the most Serene Prince *Charles*, Infante of *Spain*, on the 9th of *December 1723*. so we cannot be so far wanting to our highest Office of Imperial Power and Authority, which is to preserve the Laws of our antient Imperial Sovereignty, but we shall observe and promote every Thing which shall be thought just, equitable and convenient, in case of such Aperture in the Succession as aforesaid, for acquiring and obtaining free Quiet, and full Possession of our said Duchy of *Tuscany*, for the most Serene Prince *Charles*, in our own Name, and in the Name of the Holy Roman Empire. Therefore as to the pretended Disposition made by the late most Serene the Great Duke *Cosmo*, and whatever is, perhaps, by Force privately or precariously contriv'd, and said to obtain the Effect of it, we do by the Fulness of our Imperial Power entirely make void, abrogate, and annul all and every part of it, as in itself null and void, defective and rash, tho perhaps even an Oath has interven'd; as we have declar'd the same made void, abrogated and annull'd by our Imperial Patents and Decrees: and for this end gave a Power to our Imperial Commissary and Plenipotentiary in *Italy*, Count *Borromeo*, to substitute one or more Commissary or Commissaries in our Imperial Name, that he may not fail to commit this our serious Mind and Intention into entire Execution, as soon as possible, either by himself or another. And we exhort your Dilection paternally and friendly to renounce the aforesaid Disposition of the said Duke, and moreover to abstain from founding any Pretence to the Succession; and that you wou'd suffer our Commissioner, or the Person by him substituted as Commissioner or Deputy for the taking possession of the said Duchy of *Tuscany*, and its Appurtenances, to act freely according to the Tenor of his Commission, without attempting or contriving any Attempt the contrary: for by this means your Dilection will suit your own Interest most, and make the most seasonable Provision against the imminent Danger of great

Ruin which threatens the Provinces and Subjects of *Tuscany*; especially considering that we shall except Command those Things which are known lawfully long to your Dilection, or any others whomsoever Iodial Right, or any other just Title, not belong Fief of the Empire: for if the worst shou'd happen shou'd be oblig'd to have recourse to Remedys in th of the Empire, consistent with the Feudal Law. we expect better Things from the Obedience and Dev your Dilection to our Interests, and the Interests Holy Roman Empire; and for the rest we confirm our Imperial Favour and Good-Will. *Vienna, the April, 1728.*

Copy of the Emperors Mandate to Subjects and Vassals of Tuscany acknowledge Don Carlos for their vereign, and to perform due Service him. Vienna, April 13, 1728.

WE *Charles VI. &c.* make known and certify all and singular the Lieutenant Governours, Fellors, Pretors, &c. of the Duchy of *Tuscany* belonging to us and the Holy Roman Empire, and severall Citys, Castles, Towns and Territorys therein pertaining, as also to the Senate and People of *Firence* and to the Colonels of the Militia, the Captains tenants, and to all the Soldiers, and all others, of whatsoever Preheminance, Dignity, Condition or Degree or hereafter.

After it was agreed by the 5th Article of the *Quadruple Alliance* concluded on the 2d of *August 1718*, preserving the antient Rights of the Imperial Sovereign the States or Duchys now possess'd by the most Serene Great Duke of *Tuscany*, shall for ever hereafter be known'd by all the contracting Partys, as un-

line Fiefs of the Holy Roman Empire ; we also as of the Empire, not without the Approbation of the Roman Empire, consented, that if at any time a should happen in the Succession to the said Statechy, for want of a Male Heir, then the most Serene Prince *Charles*, Infante of *Spain*, eldest Son to the Queen, and his Male Issue, born in lawful Wedlock for want of such Issue, the second or other youngens of the said Queen, if she should have any, should in manner, together with their Male Issue, born in Wedlock, succeed to the said Duchy.

Therefore since the Case is such, that if the said Prince, and his other Male Descendants, or his Brothers, their Male Heirs, as aforesaid, duly do and perform all singular the Services to us and our Successors, the Emperors and Kings of the *Romans*, and to the Roman Empire, which it becomes the faithful and true Princes and Vassals of *Italy*, constantly, and in all things, to do and perform at our Imperial Court, by the said Custom, according to the antient and perpetual Statutes of Fiefs ; we in Conformity to the aforesaid Article, and not otherwise, and in sincere Execution have promis'd on that Condition, to grant and bestow the said Prince *Charles*, the usual Imperial Dispositive of the expectative Letters, containing the eventual Inheritance, according to the Imperial Form and Style ; that end we have been pleas'd to grant for ourselves, our Successors in the Imperial Throne, the Emperors and Kings of the *Romans*, to the said Prince *Charles* and his Male Descendants, as also to his Brothers by the present Marriage of *Spain*, and their Male Heirs as above, that all such, or shall hereafter be born in lawful Wedlock ; by the Imperial Decree and Diploma, dated the 9th of the Month of *September* 1723, we granted expectative Letters of the said Prince, in Virtue and Efficacy as an eventual Investiture, to invest the said Prince, or himself and his Male Heirs, begotten in lawful Wedlock, and also for all and singular his Brothers above-mentioned, and their Male Issue, born and to be born in lawful Wedlock, in case of the abovemention'd Chasm and Vacuum, *viz.* in case the present Possessor of the Family of *Spain* should die without lawful Issue Male, capable of Succession) with the Fulness of our Imperial Power to the Order and Law of Primogeniture express

and receiv'd in the Imperial Law, in the said great Duchy or State of *Tuscany*, as a true Imperial Male Fief of *Italy*, and in all the Rights and Appurtenances belonging to it, now really and lawfully possess'd; by virtue of which Infeoffment, the said Prince *Charles*, in case the Succession to the said Duchy or State become vacant, as above, might immediately challenge and obtain the entire Possession and Administration of the whole, *viz.* of the Duchy and State now possess'd by the Duke of *Tuscany*, as soon as the lawful Male Issue of the said Duke should fail, And in like manner it was on the other hand expressly promis'd, engag'd, and stipulated to us, by particular Counter-Deeds sign'd by the *Spanish* Plenipotentiarys at *Cambray*, the 24th of *January* 1724, and ratify'd by the most Serene King *Lewis* the 28th of *February* following, and further confirm'd and corroborated in the same Year and the same Months, by the separate Instruments of Surety, commonly call'd Guaranty, of the most Serene and most Potent the Kings of *France* and *England*, and finally by the 4th Article of our solemn Treaty of Peace at *Vicenna*, in the Year 1725, in the Name and stead of the said *Charles* Infante of *Spain*, and his Brothers, that the said Prince and his Brothers should, in Consideration of the said Duchy or State, be always faithful and obedient to us, and the future Emperors and Kings of the *Romans*, and to the Holy Roman Empire, against all Mankind; and that they will never be privy to any Counsel or Treaty, Agreement or Transaction, where any thing is done or concluded, in any manner whatsoever, against us or our Person, Honour, Dignity or State, or to our Loss or Detriment, or against our lawful Successors in the Empire; but that they will to their utmost contribute to and promote our Imperial Honour and Advantage, and that of the Holy Roman Empire: and that moreover, if they hear of any sinister Attempt or Contrivance forming against our Imperial Person, they will hinder and avert it with all their Power, and take care that it be discover'd to us. That in Case of a real Chasm in the said Succession, within a Year and a Day after the time of taking Possession, and as often as the Case shall happen, the said Prince *Charles*, and the others as above, either by themselves, or by lawful, suitable and sufficient Commissioners, after the Imperial Dispensation obtain'd, shall at the usual Time and Place, and in the usual Style, require the real, actual, and proper Investiture

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ture from us and our Successors the Emperors and Kings of the *Romans*, perform due Homage, and take the usual Oath of Subjection and Fidelity at the Imperial Court, according to the receiv'd Right and Custom of the *Roman Germanic* Emperors; in the Fiefs and Homages of *Italy*, after performing all Services whatsoever due to the Imperial and Aulick Council and Chancery: And finally, that they will diligently observe all those Things which it is convenient, and a Duty for Princes and Vassals, obedient to us and the Holy Roman Empire, to do and perform, without the least Disguise and Fraud; and that if they do otherwise, we and our Successors the Emperors and Kings of the *Romans*, and the Holy Roman Empire, shall not be oblig'd to permit the Continuation of the Possession of the said Duchy or State. We therefore by our supreme Imperial Power, do earnestly command all and every one of you, the Lieutenant-Governours, Counsellors, Pretors, &c. of the great Duchy or State of *Tuscany* belonging to us, and the Holy *Roman* Empire, and of the several Citys, Castles, Towns and Territorys thereto appertaining, as also the Senate and People of *Florence*, and the Colonels of the Militia, the Captains, Lieutenants, all the Soldiers, and all others, of whatsoever Preheminence, Dignity, Condition or Degree now or hereafter, that in the Case above-mention'd, ye receive, with the Imperial Forces under his Command, *Charles Borromeo*, our Commissioner and Plenipotentiary to you deputed, or his Subdelegate or Subdelegates, whom we have fully instructed and empower'd to take Possession of the Duchy of Great *Tuscany*, and its Apurtenances, in favour of the said Prince *Charles*, in our Name, and in that of the Holy Roman Empire; and that ye perform due Submission and Obedience to him in all Things; on Condition, that whenever the said Prince *Charles* happens to come to you in Person, ye acknowledge him as your true and lawful Prince and Lord, that ye pay him the usual Homage, take an Oath of Fidelity to him, perform Reverence and Obedience to him, and that ye do all those Things which it is decent and requisite for faithful and obedient Vassals to do and perform to their true and lawful Lords and Princes, any other Usages notwithstanding, or even any Oath which is reported to have been taken to the Princess Dowager of the late most Serene the Elector *Palatine*, or any other Persons whatsoever to this purpose: from all and every one of which we

do, by our certain Plenitude of Power, expressly derogate and declare, thro' a notorious Defect of Power, and Nullity of Act, to be null, void, and not at all obligatory; and consequently, we absolve all and every one of you, by virtue of these Presents, from any Tye of Obligation and Oath whatsoever, as ye wou'd avoid the heaviest Displeasure of us, and the Holy Roman Empire, and the Punishments inserted in the Constitutions of the same. And this is our serious Intention and firm Resolution. In Witness whereof, we have set our Hands to these Presents, and seal'd them with our Imperial Seal. At *Vienna, April 13, 1728.*

Copy of the Imperial Decree, to the Senate of Florence, to permit Don Carlos to take Possession of Tuscany. Vienna, April 13, 1728.

IN the Name of his Sacred Imperial Majesty, our most gracious Lord *Charles VI.* be it known by these Presents, to the Officers, Counsellors, Magistrates, and to the Senate and People of *Florence,*

That his said Sacred Imperial Majesty was very angry to hear that the said Senate, tho' not ignorant of the undoubted Feudal Quality of the Great Duchy of *Tuscany,* and its Prerogatives and Appurtenances, with respect to the Holy Roman Empire, did nevertheless presume, to the great Prejudice and Damage of his Imperial Majesty, and the ancient Imperial Sovereignty over the said Duchy, to form and draw up about the Year 1715, a certain pretended Decree of Succession, in favour of the Dowager of the late most Serene Elector *Palatine,* Daughter of the Duke of *Tuscany,* in Case that the Family of the *Medici* shou'd fail of natural Issue Male, born in lawful Wedlock and to extend and deliver the said Decree to the late most Serene the Great Duke *Cosmo III.* Father of the aforef. Dowager.

whereas his said Sacred Imperial Majesty always and doth now repute the said Decree as intrinsically void, so that he has thought fit only from the Fullness of his Imperial Power, to repeal, abrogate and annul the said Decree by these Presents to declare it repeal'd, abrogated and null'd: For this Reason, altho' even an Oath has been taken thereupon, in favour of her and others, by virtue of these Presents he has given Orders that the said Council and Senate be earnestly exhorted, that since there is no Right in the Succession to our Feudal Duchy of *Tuscany* by the Death of *John Gaston* the last Great Duke and Possessor of *Tuscany* without Male Issue, they be the more cautious how they oppose in any manner the Settlement of the Succession formerly made by his Imperial Majesty to the Person of the most Serene the Infante *Don Carlos* Prince of *Spain*; because otherwise they are sure to incur the Displeasure of his Imperial Majesty, and the Roman Empire, besides a Fine of 100 Marks of Silver without Remission. Of which serious Resolution, the said Sacred Imperial Majesty has commanded the said Decree to be certify'd by this his Imperial Aulic Decree. Witness at *Vienna* with the Privy Seal of his said Sacred Imperial Majesty.

of the Aulic Council of the Empire,
to the Governour of the Milanese;
to put the Infante Don Carlos
in Possession of *Tuscany*.

THE laudable Chancery of the Empire having communicated to us the Full Power, dated the 15th of *April*, directed by his Imperial Majesty to his Privy Council Count *Charles Borromeo*, for taking Possession of our Feudal Duchy of *Tuscany*, in case the last Great Duke should die suddenly; we observe, that thro' his Imperial Majesty's gracious Notice of his intentions on the 6th of *April* last, to the Governour the Count *de Thann*,

dering him to act in Concert with the said Plenipotentiary, and to assist him as he ought to do, with a Military Force, but especially to act in the whole Matter of Secrecy, 'tis thought proper to acquaint the said Governor of the Contents of the Writing hereto annex'd.

For this Reason we now send a Copy of the said Writing given into the Chancery of the Empire, to shew you that it will be agreeable to the Imperial Council of War, that you be always ready to do that Service. From the Council of War, *May 1, 1728.*

To Signior *Pozzo d' Harde*.

WE not only refer to what his Imperial Majesty writes to us on the 6th of *March*, and to what we wrote to M—— on account of the sudden Death of the Great Duke of *Florence*, but also to the Letters Patent of the 13th *ult.* which were communicated to us by the Chancery of the Empire, a Copy whereof is hereto annex'd, whereby his Imperial Majesty gave a Power to Count *Charles Borromeo*, to take Possession of the Duke's Dominions in case of Mortality.

For this purpose, Sir, we send it to you as inclosed in your Instruction; to the end that in pursuance thereof you may act in Concert with the said Plenipotentiary, and that by way of *military Assistance*, you may direct the whole with him in the most secret manner possible; and that if such Case happens, the said *Charles Borromeo* or his Substitute, may make proper Use of the necessary Succours for the taking of actual Possession, so that you may be sent at proper Times to the convenient Places without Delay, as you, Sir, shall think fit, according to your great Wildom and Experience in Military Affairs for his Imperial Majesty's Service, &c. *Vienna, May 1728.*

In the Name of the illustrious Aulic Council, by the Velt Marshal Count de Homen, Governour of Milanese.

*The Treaty of Peace, Union, Friendship
and Mutual Defense, between the
Crowns of Great Britain, France and
Spain, concluded at Seville, November
9, N. S. 1729.*

*In the Name of the most Holy Trinity, Father, Son,
and Holy Ghost, three distinct Persons, and One only
true God.*

THEIR most Serene Majestys the King of *Great Britain*, the most Christian King, and the Catholick King, desiring, with equal Earnestness, not only to renew and bind more closely their antient Friendship, but likewise to remove whatever might hereafter disturb it, to the end that being united in Sentiments and Inclination, they may for the future act in every thing as having but one and the same View and Interest; and for this Purpose, the most Serene King of *Great Britain* having given full Power for treating in his Name to M. *William Stanbope*, Vice-Chamberlain of his *Britannick* Majesty's Household, one of his Privy Council, Member of the Parliament of *Great Britain*, Colonel of a Regiment of Dragoons, and his said Majesty's Ambassador Extraordinary to his Catholick Majesty; as also to M. *Benjamin Keene*, his said *Britannick* Majesty's Minister Plenipotentiary to his Catholick Majesty: The most Serene most Christian King having given full Power for treating in his Name to the Marquis *de Brancas*, Lieutenant General of his Armys, Knight of his Orders and of that of the *Golden Fleece*, his Lieutenant General in the Government of *Provence*, and his Ambassador Extraordinary to his Catholick Majesty: And the most Serene Catholick King having likewise given full Power for treating in his Name to M. *John Baptist D'Orendayn*, Marquis *de la Paz*, his Counselor of State, and first Secretary of State and of the Dispatches; and to M. *Joseph Patino*, Commander of *Alcuesca* in the Order of *St. James*, Governour of the Council of the Treasury,
and

and of the Tribunals depending thereon, Superintendent General of the general Revenues, and his Secretary of State and of the Dispatches for Affairs of the Marine, the *Indies*, and the Treasury: The above-mentioned Ministers have agreed between them on the following Articles.

I. There shall be from this Time and for ever a solid Peace, a strict Union, and a sincere and constant Friendship between the most Serene King of *Great Britain*, the most Serene most Christian King, and the most Serehe King of *Spain*, their Heirs and Successors, as also between their Kingdoms and Subjects, for the mutual Assistance and Defence of their Dominions and Interests; there shall likewise be an Oblivion of all that is past; and all the former Treatys and Conventions of Peace, of Friendship, and of Commerce, concluded between the contracting Powers respectively, shall be, as they hereby are, effectually renewed and confirmed, in all those Points which are not derogated from by the present Treaty, in as full and ample a manner, as if the said Treatys were here inserted Word for Word. Their said Majestys promising not to do any thing, nor suffer any thing to be done, that may be contrary thereto, directly or indirectly.

II. In Consequence of which Treatys, and in order to establish firmly this Union and Correspondence, their *Britannick*, most Christian, and Catholick Majestys, promise and engage, by the present defensive Treaty of Alliance, to guarantee reciprocally their Kingdoms, States, and Dominions under their Obedience, in what parts of the World soever situate, as also the Rights and Privileges of their Commerce, the whole according to the Treatys; so that the said Powers, or any one of them, being attacked or molested by any Power, and under any Pretext whatsoever, they promise and oblige themselves reciprocally to employ their Offices, as soon as they shall be thereunto required, for obtaining Satisfaction to the Party injured, and for hindering the Continuance of Hostilities: and if it happen, that the said Offices be not sufficient for procuring Satisfaction without Delay, their said Majestys promise to furnish the following Succours, jointly or separately; that is to say, his *Britannick* Majesty eight thousand Foot and four thousand Horse; his most Christian Majesty eight thousand Foot and four thousand Horse; and his Catholick Majesty eight thousand Foot and four thousand Horse. If
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The Party attacked, instead of Troops, should demand Ships of War or Transports, or even Subsidys in Money, he shall be free to chuse, and the other Partys shall furnish the said Ships or Money, in proportion to the Expence of Troops. And for taking away all Doubt touching the Valuation of the Succours, their abovesaid Majestys agree, that a thousand Foot shall be computed at ten thousand Florins *Dutch* Money, and a thousand Horse at thirty thousand Florins *Dutch* Money, by the Month; and the same Proportion shall be observed with respect to the Ships that ought to be furnished; their said Majestys promising to continue and keep up the said Succours as long as the Trouble shall subsist; and in case it should be found necessary, their said Majestys shall mutually succour each other with all their Forces, and shall even declare War against the Aggressor.

III. The Ministers of his *Britannick* Majesty and of his most Christian Majesty, having alledged that in the Treaty concluded at *Vienna* between the Emperor and the King of *Spain*, in the Year 1725, there were divers Clauses that infringed the Articles of the several Treatys of Commerce, or of the Treaty of Peace in which Commerce may be concerned, antecedent to the Year 1725, his Catholick Majesty has declared, as he declares by the present Article, that he never meant to grant, nor will suffer to subsist, by virtue of the said Treaty of *Vienna*, any Privilege contrary to the Treaty here above confirmed.

IV. It having been agreed by the Preliminary Articles, that the Commerce of the *English* and *French* Nations, as well in *Europe* as in the *Indies*, should be re-established on the Foot of the Treaty and Conventions antecedent to the Year 1725, and particularly that the Commerce of the *English* Nation in *America* should be exercised as heretofore; it is agreed by the present Article, that all necessary Orders shall be dispatched on both Sides, without any Delay, if they have not been sent already, as well for the Execution of the said Treaty of Commerce, as for supplying what may be wanting for the entire Re-establishment of Commerce on the Foot of the said Treaty and Conventions.

V. Altho it was stipulated by the Preliminaries, that all Hostilities should cease on both sides; and that if any Trouble or Hostilities should happen between the Subjects of the contracting Partys, either in *Europe* or the *Indies*, the contracting Powers should concur for the Reparation of Damages

mages sustained by their respective Subjects; yet notwithstanding that, it is alledged, that on the Part of the Subjects of his Catholick Majesty Acts of Disturbance and Hostilities have been continued; it therefore is agreed by this present Article, that as to what relates to *Europe*, his Catholick Majesty shall forthwith cause Reparation to be made for the Damages which have been suffered there since the Time prescribed by the Preliminarys for the Cessation of Hostilities; and as to what relates to *America*, he will likewise forthwith cause Reparation to be made for the Damages which shall have been suffered there since the Arrival of his Orders at *Cartagena* on the 11th N. S. 22d O. S. Day of *June* 1728. And his said Catholick Majesty shall publish the most rigorous Prohibitions for preventing the like Violences on the part of his Subjects: their *Britannick* and most Christian Majestyts promising on their Parts, if there be like Cases, to cause Reparation to be made for what shall have been so done, and to give like Orders for the Preservation of the publick Peace, Tranquillity and good Intelligence.

VI. Commissarys shall be nominated, with sufficient Powers, on the part of their *Britannick* and Catholick Majestyts, who shall assemble at the Court of *Spain* within the Space of four Months after the Exchange of the Rati-fications of the present Treaty, or sooner if it can be done, to examine and decide what concerns the Ships and Effects taken at Sea on either side, to the Times specified in the preceding Article. The said Commissarys shall likewise examine, and decide, according to the Treaty, the respective Pretensions which relate to the Abuses that are supposed to have been committed in Commerce, as well in the *Indies* as in *Europe*, and all the other respective Pretensions in *America*, founded on Treaty, whether with respect to the Limits or otherwise. The said Commissarys shall likewise discuss and decide the Pretensions which his Catholick Majesty may have, by virtue of the Treaty of 1721, for the Restitution of the Ships taken by the *Englisb* Fleet in the Year 1718. And the said Commissarys, after having examined, discussed, and decided the abovesaid Points and Pretensions, shall make a Report of their Proceedings to their *Britannick* and Catholick Majestyts, w^h promise, that within the Space of six Months after the making of the said Report, they will cause to be executed punct-

ally

and exactly what shall have been so decided by the Commissarys.

Commissarys shall likewise be nominated on the part of his most Christian Majesty, and of his Catholick Majesty, who shall examine all Grievances generally, which the said Partys therein interested may have, respectively, whether for the Restitution of Vessels or taken, or with respect to Commerce, Limits, or otherwise.

The said Commissarys shall finish punctually their Commission within the Space of three Years, or sooner if it can be done, to be computed from the Day of the signing of the present Treaty, and this without any fur-ther delay, on any Motive or Pretext whatever.

The introducing of Garisons into the Places of *Porto Ferrario, Parma and Placentia*, to the number of six thousand Men of his Catholick Majesty's, and in his Pay, shall be effectuuated without Loss of Time; which Troops shall serve for the better securing and preserving of the immediate Succession of the said Prince in favour of the most Serene Infante Don *Carlos*, and ready to withstand any Enterprize and Opposition which might be formed to the prejudice of what has been agreed touching the said Succession.

The contracting Powers shall forthwith use all the means which they shall judge to be consistent with Justice and Quiet of the most Serene Great Duke of *Tuscany*, and the Duke of *Parma*, to the end the said Garisons may be received with the greatest Tranquillity, and without Opposition, as soon as they shall present themselves in the Places into which they are to be introduced.

The said Garisons shall take an Oath to the present King, to defend their Persons, Sovereignty, Possessions, and Subjects, in every thing that shall not be contrary to the Right of Succession, reserved to the most Serene Infante Don *Carlos*; and the present Possessors shall not demand or exact any thing that is contrary there-

The said Garisons shall not meddle, directly or indirectly, under any Pretext whatsoever, in Affairs of the oeconomical or civil Government; and shall have no Orders to render to the most Serene Great Duke of *Tuscany* and the Duke of *Parma*, all the Respects and

and military Honours that are due to Sovereigns in their own Dominions.

XI. The Intent of introducing the said six thousand Men of his Catholick Majesty's Troops, and in his Pay, being to secure to the most Serene Infante Don *Carlos* the immediate Succession of the States of *Tuscany*, *Parma* and *Placentia*, his Catholick Majesty promises, as well for himself as his Successors, that as soon as the most Serene Infante Don *Carlos* his Son, or such other who shall succeed to his Rights, shall be the quiet Possessor of those States, and in Safety from all Invasion, and other just Grounds of Fear, he will cause to be withdrawn from the Places in those States the Troops which shall be his own, and not belonging to the Infante Don *Carlos*, or to him who shall succeed to his Rights, in such manner that thereby the said Succession or Possession may rest secure and exempt from all Events.

XII. The contracting Powers engage to establish, according to the Rights of Succession which have been stipulated, and to maintain the most Serene Infante Don *Carlos*, or him to whom his Right shall devolve, in the Possession and Enjoyment of the States of *Tuscany*, *Parma* and *Placentia*, when he shall once be settled there; to defend him from all Insult against any Power whatsoever, that might intend to disturb him; declaring themselves by this Treaty, Guarantees for ever of the Right, Possession, Tranquillity and Quiet of the most Serene Infante, and of his Successors to the said States.

XIII. As to other Particulars or Regulations concerning the keeping up of the said Garrisons once established in the States of *Tuscany*, *Parma* and *Placentia*, as it is to be presumed that his Catholick Majesty and the most Serene Great Duke and Duke of *Parma* will settle the same by an Agreement between themselves, their *Britannick* and most Christian Majestys promise, that as soon as that Agreement shall be made, they will ratify and guarantee it, as well to his Catholick Majesty, as to the most Serene Great Duke and Duke of *Parma*, as if it were inserted Word for Word in the present Treaty.

XIV. The States General of the *United Provinces* shall be invited to come into the present Treaty and Articles. Such other Powers as shall be agreed on, shall likewise be invited and admitted by Concert into the same Terms and Articles.

The Ratifications of the present Treaty shall be dispatch'd within the Space of six Weeks, or sooner, if it can be done, to be reckoned from the Day of signing it.

In Witness whereof, we the under-written Ministers Plenipotentiarys of his *Britannick* Majesty, of his most Christian Majesty, and of his Catholick Majesty, by virtue of our full Powers, which have been communicated to each other, Transcripts of which shall be hereto annexed, have signed the present Treaty, and caused the Seals of our Arms to be affixed thereto. Done at *Seville*, November 9, 1729.

(L. S.) *W. Stanhope.*

(L. S.) *B. Keen.*

(L. S.) *Branças.*

(L. S.) *El Marqs. de la Paz.*

(L. S.) *D. Joseph Patino.*

Separate Articles.

I. **A**LTHO, conformably to the Preliminary Articles, it is said in the fourth Article of the Treaty signed this Day, that the Commerce of the *English* Nation in *America* should be re-established on the Foot of the Treatys and Conventions antecedent to the Year 1725; however, for the greater Exactness, it is further declared by the present Article between their *Britannick* and Catholick Majestys, which shall have the same Force, and be under the same Guaranty as the Treaty signed this Day, that under that general Denomination are comprehended the Treatys of Peace and of Commerce concluded at *Utrecht* the 13th of *July* and 9th of *December*, in the Year 1713, in which are comprisd the Treaty of 1667, that made at *Madrid* the 14th of *December* 1715; as also the particular Contract, commonly called the *Assiento*, for bringing Negro Slaves into the *Spanish Indies*, which was made the 26th of *March* in the said Year 1713, in consequence of the twelfth Article of the Treaty of *Utrecht*; and likewise the Treaty of Declaration, touching that of the *Assiento*, made *May* 26, 1716: All which Treatys mentioned in this Article, with their Declarations, shall, from this Day (even during the Examination by Commissarys)

be

be and remain in their Force, Virtue and full Vigour; for the Observation of which his Catholick Majesty shall cause to be dispatch'd, forthwith, if they have not been dispatch'd, the necessary Orders and Cedula's to his Vice-Roys, Governours, and other Ministers to whom it shall appertain, as well in *Europe* as in the *Indies*, to the end that without any Delay or Interruption they may cause them to be observed and fulfilled.

In like manner, his *Britannick* Majesty promises and engages to publish the necessary Orders, if any be wanting, for re-establishing the Commerce of the Subjects of *Spain* in all the Countrys under his Dominion, on the Foot specified by the said Treatys, and for causing them to be exactly observed and fulfilled.

II. Consequently, all Ships, Merchandize and Effects, which shall not have been taken or seized on account of unlawful Commerce, and which shall now be proved by authentick Proofs and Documents, to have been maintained, seized or confiscated in the Ports of *Spain*, either in *Europe* or in the *Indies*, and namely the Ship *Prince Frederick* and her Cargo, if they have not been restored already, shall be immediately restored, in the same Kind, as to those things which shall be found still remaining in that Condition; or in Default thereof, the just and true Value of them, according to their Valuation, which, if it was not made at the Time, shall be regulated by the authentick Informations which the Proprietors shall exhibit to the Magistrates of the Places and Towns where the Seizures were made: His *Britannick* Majesty promising the like on his Part, as to all Seizures, Confiscations or Detentions which may have been made contrary to the Tenor of the said Treatys: Their said *Britannick* and Catholick Majestys agreeing, that with respect to the like Seizures, Confiscations or Detentions on either side, the Validity of which may not yet have been sufficiently made out, the Discussion and Decision of them shall be referred to the Examination of the Commissarys, to do therein according to Right upon the Foot of the Treatys here above-mentioned.

The present Separate Articles shall have the same Force as if they were inserted Word for Word in the Treaty concluded and signed this Day. They shall be ratified in the same manner, and the Ratifications of them shall be
 exchanged

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exchanged at the same Time with those of the said
Treaty.

In Witness whereof, we, &c.

Done at *Seville*, the 9th Day of *November*, 1729.

Here the same Names as before.

The Act of Accession of the States General of the United Provinces to the Treaty of Peace, Union, Friendship, and defensive Alliance, concluded between the Kings of Great Britain, France and Spain, and sign'd at Seville Nov. 9, 1729.

In the Name of the most Holy Trinity, Father, Son and Holy Ghost, three distinct Persons, and one only true God.

W H E R E A S their most Serene Majestys, the King of *Great Britain*, the most Christian King, and the Catholick King, as well for more closely knitting the Ties of that strict Union which subsists between them, as for the Security of their own Kingdoms and Dominions, and likewise for the Preservation of the publick Tranquillity, have thought fit to make an Alliance betwixt themselves, the Treaty whereof was concluded and sign'd at *Seville* the 9th of *November* 1729, their High Mightinesses having been invited by the contracting Kings to accede to this Treaty, in pursuance of what they had agreed upon in the 14th Article.

N. B. *In the original Instrument the Treaty is here inserted.*

V O L. IV.

P,

And

And whereas the said Lords the States General always had a sincere Desire to continue and strengthen good Intelligence and Friendship wherein they have Honour to live with their *Britannick*, most Christian Catholick Majestys; and as they desire to continue that lies in their Power towards the Preservation and Establishment of the Peace and publick Quiet, without that of this Republick cannot be secure; they are sensible of the obliging Invitation which has been made to them to accede to this Alliance, being perswaded that the Aim tends chiefly to bind themselves more closely together.

And as the Alliance, among other Ends, has the Establishing an entire Confidence between the contracting Partys, the States General suppose that the Allies will mutually communicate to each other, in all Confidences, Thoughts, as to the Ways and Means which shall be the most effectual in case of Need, to preserve and maintain all Possessions and Rights abovemention'd in the Treaty, here before inserted, as well with respect to the same, as others, both within *Europe* and without.

And whereas, in the firm Persuasion and Confidence that this is the true Aim and Intention of their Majestys, the said Lords the States General, to give Satisfaction of their Desire to unite themselves closely with the said Majesty, and of the high Esteem they have for their Friendship and Alliance, have resolv'd to accede to the said Treaty, and for that purpose they have nam'd, &c.

N. B. Here follow the Names of the Plenipotentiaries of the States General, who having conferr'd with the said Majesty, have agreed in the manner following.

That the Lords the States General shall accede to the said Treaty, the said Plenipotentiary has declar'd they accede to the said Treaty, and that he does accede by this Act, in their Name, and in their Part, to the said Treaty, obliging them towards the said Majesty, to all that is therein contain'd, also in the same manner as if they had contracted with the said Majesty from the Beginning; and that their Majesty's own Aim and Intention is such as is here before express'd, and shall accept, as actually they do accept, the Accession

their High Mightinesses, as the said Ambassadors, Ministers and Plenipotentiaries have declar'd, and do declare in their Name and on the Part of their said Majestys, obliging them towards their High Mightinesses to all that is contain'd in the said Treaty, intirely in the same manner as they had contracted with their Majestys from the Beginning.

His Britannick Majesty, and his most Christian Majesty in Consideration of the Lords the States General, confirm and renew all the Engagements they formerly enter'd into, for procuring to their Republick an entire Satisfaction as to the abolishing of the Trade and Navigation of the *Ostend* Company to the *Indies*, and as to the Ports of *East Friesland*; and his Catholick Majesty in like manner obliges himself, and on the same Consideration to enter into all the same Engagements, as soon as they shall be communicated to him, which the said Lords the States General promise to do within the space of three Months, to be reckon'd from the Day of the signing this said Treaty, or sooner, if it be possible.

As to the Succours which their High Mightinesses are to receive in case of Need, cou'd not be settled in the Treaty, it is agreed that they shall be 4000 Foot, and 1000

His Catholick Majesty engages to cause entire Satisfaction to be given for their High Mightinesses Grievances, as well in the *Indies* as in *Europe*, and to order their Trade to be re-establish'd according to former Treatys. Their High Mightinesses engage in like manner to cause the Grievances to be redress'd, which there may be on the Part of his Catholick Majesty, founded upon Treatys: and in the Examination of the abovesaid Treatys, there shall be found Difficultys which cannot be adjust'd, his Catholick Majesty and their High Mightinesses shall name Commissioners to treat of them, on the same Foot, as the Commissioners of the other Powers are settled by the sixth and seventh Articles of the Treaty above inserted.

Should happen that his Catholick Majesty shou'd be oblig'd to give, at present or hereafter, either publicly or secretly Conventions, new Rights or Advantages to any Power whatever, with respect to Trade, the same Rights and Advantages shall immediately be granted to their High Mightinesses and their Subjects, who shall be treated in

every Thing as those of the Nation most favoured, is stipulated by former Treatys.

The Lords the States General having represented, certain Cases may happen, wherein they may, out of H for their Accession sign'd this Day, be attack'd or tro in such manner, that they may be oblig'd to have i diate Recourse to Arms for their Defence; and i such Case the Time necessary for waiting for the Succ the Offices which may have been employ'd, and which only their Allies are oblig'd to furnish them wi Succours stipulated by the second Article of this p Treaty, may be the occasion of considerable Prejud them, and leave them expos'd to the most vigorou tacks, without the Succours of the Princes their A his *Britannick Majesty*, his most Christian Majesty his *Catholick Majesty*, in order to give the States Ge a new Proof how much they are concern'd for the P vation of the Republick, have consented to engag promise, that in the abovesaid Cases, which mig the Republick in evident Danger, they will furni Succours stipulated by the 2d Article abovement even without waiting for the Success of the Offic Instances which they may have begun to employ wi Aggressor, for procuring the Satisfaction and Repa requir'd.

This present Treaty for the Accession of the General shall be approv'd and ratify'd by his *Brit Majesty*, his most Christian Majesty, and his *Catholick Majesty*, and by their High Mightinesses the Lords the General, and the Ratifications shall be exchange'd Court of *Spain*, within three Months, to be reckon'd the Date of this present Treaty, or sooner, if possibl

In Witness whereof, &c. Done at *Seville*, N
1729.

(L. S.) *W. STANHOPE.*

(L. S.) *B. KEENE.*

(L. S.) *BRANCAS.*

(L. S.) *Marquiss de la PAZ.*

(L. S.) *F. V. MEER.*

Treaty of Alliance and Commerce, between Great Britain and the Nation of the Cherokees in America. Sept. 20. 1730.

I. **F**oasmuch as you *Seayagusta Onkah*, Chief of the City of *Tasterfa*, you *Scalilosken Ketogustab*, you *Tathoswo*, you *Clogoittab*, you *Kollannah*, and you *Ukwanequa*, were sent by *Moytoy de Telliquo*, with the Approbation of the whole Nation of the *Cherokees*, in an Assembly held at *Nikossen* the 14th of *April* 1730, to *Sir Alexander Cuming* Bart. in *Great Britain*, where you have seen the Great King *George*, at whose Feet the said *Alexander Cuming*, by the express Order of *Moytoy*, and the whole Nation of the *Cherokees*, has laid the Crown of your Nation, the Skulls of your Enemys, and the Plumes of Honour, as a Mark of your Submission: The King of *Great Britain*, who has a Tenderness for the powerful and great Nation of the *Cherokees*, his good Children and Subjects, has authoriz'd us to treat with you; and in this Character we confer with you, as if the whole Nation of the *Cherokees*, its old Men, its young Men, its Women and Children were here present: and you ought to look upon the Words which we say to you, as if pronounc'd from the Lips of the Great King your Master, whom you have seen; and we will consider the Words which you shall speak to us, as the Words of your whole Nation, deliver'd frankly and sincerely to the Great King. Whereupon we give you four Pieces of strip'd Serge.

II. Hear therefore the Words of the Great King, whom you have seen, and who has commanded us to tell you, that the *English* in all Places, and on both sides the great Mountains, and great Lakes, are his People and Children whom he dearly loves; that their Friends are his Friends, and their Enemys his Enemys; that he is pleas'd that the

Great Nation of the Cherokees has from now forth
 possess the Chain of Friendship which is between her
 self, heretofore your People and her People, and
 Chain of Friendship betwixt him and the *Indians of*
Cherokee, it like the Sun which gives Light, and
 upon the high Mountains that they inhabit, and
 warm the Hearts both of the *Indians* and our
 self as we see the Spots in the Sun, so there is no
 Disunion in this Chain; and as the Great King bears
 it in his Breast, so his Intention shall be
 to take up the other end of the Chain, and fix it
 in the Breast of *King William*, and to those of your
 Men, your Captains and your People, in such manner
 it may never be broke nor loos'd. And because
 you are a Piece of Blue Cloth.

III. The Great King and the *Indians* of the *Country*
 being thus united by the Chain of Friendship, he
 shall send his Children, the *Indians* of *Carolina*, to
 trade with the *Indians*, and to furnish them with
 Commodities they want, and to build Houses, and
 Corn with Speed, all the way from *Charles-Town*
Cherokee-Town, on the other side of the great
 Mountains, for he would have the *Indians* and the *English*
 together like Children of one and the same Family,
 the Great King is their dear Father: and forasmuch
 as the Great King has given his Lands on both sides the
 Mountains to the *English* his Children, he grants
 to the *Cherokees* the Privilege to live where
 please. And upon this we give you a piece of Red Cloth.

IV. The great Nation of the *Cherokees* being
 sent the Children of the Great King of Great Britain
 he being their Father, the *Indians* ought to consider
 the *English* as Brothers, of one and the same Family,
 ought always to be ready at the Governour's Order
 to fight against any Nation whatsoever, either *Whites*
Indians, that shall molest or attack the *English*. And
 upon we give you twenty Muskets.

V. The *Cherokees* Nation shall take care to kee
 the way of Commerce clean, and that there be no
 the Road where the *English* white Men travel, or
 they happen to be accompany'd by any other
 War with the *Cherokees*. Whereupon we give
 you a hundred Weight of Gunpowder.

VI. That the *Cherrokees* Nation shall not suffer any People to traffick with any other White Men besides the *English*, and shall grant Leave to no other Nation to build any Fort or Habitation, or to sow Corn in the Country, either near any Towns of the *Indians*, or the Lands belonging to the Great King; and if any thing like it be undertaken, you must give Advice of it to the *English* Governour, and act as he shall order you, for maintaining the Rights of the Great King over the Lands of *Carolina*. Whereupon we give you five hundred weight of Musket Bullets, and the same quantity of Cannon

1. That in case any Negro Slave runs away from his *English* Master into the Woods, the *Indians* of the *Cherrokees* shall do what they can to apprehend him, and bring him back to the Plantation from whence he fled, or to the Governour's Houle; and for every Negro which they shall thus retake, they shall have a Musket, and a full Indian's Suit of Clothes. Whereupon we give you a Box of Vermilion, with 10000 Flints, and 6 dozen of Shot.

II. That if an *Englishman* has the Misfortune to kill an *Indian*, the King or Chief of the *Cherrokees* shall first of all make his Complaint to the *English* Governour, and the Person who committed the Murder shall be punish'd according to the Laws, as much as if he had kill'd an *Englishman*, and in like manner if an *Indian* kill an *Englishman*: the guilty *Indian* shall be deliver'd up to the Governour, who shall punish him according to the *English* Laws, and as if he had kill'd an *Englishman*. Whereupon we give you twelve dozen of Clasp-Knives, four dozen of Kettles, and ten dozen of Shot.

III. You are to know, that every Thing we have said to you are the Words of the Great King whom you have seen, and to shew that his Heart is open and sincere to you, and to his Children and Friends the *Cherrokees*, and their whole Nation, he puts his Hand into this Bardelier, which he holds in his Hands, and may be receiv'd and shewn to your whole Nation, and to their Children and Grand-Children, to confirm what has been said to you, and to perpetuate this Treaty of Peace and Friendship between the *English* and the *Cherrokees*, as long as the Mountains and Rivers are in

being, and as long as the Sun shall shine. Whereupon
give you this Banelier.

Sign'd,

*Oukab Ulab.
Scaliosken Ketaguh
Tashioze.
Clogoittab.
Kollannab.
Ukwanequa.*

By Order of the Commissioners at *Whitehall*,
of *September 1730.*

ALURED POPPLE

And underneath,

'Tis for the Security of *Moytoy de Telliquo*, that I
seen, examin'd and approv'd of all the Articles con-
in the above Agreement, to which the said *Indians*
by my Advice given their Consent.

Sign'd,

ALEX. CUMMINGS

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Treaty of Peace and Alliance, between the Emperor Charles VI. and George II. King of Great Britain, in which the States of the United Provinces of the Netherlands are included. Made at Vienna, the 16th of March, 1731.

*In the Name of the most Holy and Undivided Trinity,
Amen.*

TO all to whom it does or may any way appertain.
Be it known, that the most Serene and most Potent Prince and Lord, *Charles VI.* Emperor of *Romans*, King of *Spain*, of both the *Sicily*, *Hungary*, *Bohemia*, Archduke of *Austria*, &c. &c. and the Serene and most Potent Prince and Lord, *George II.* of *Great Britain*, *France* and *Ireland*, together with the High and Mighty Lords the States General of the *United Provinces of the Netherlands*, having taken consideration the present unsettled and perplexed State Affairs in *Europe*, seriously bethought themselves of finding proper Methods, not only to prevent those Evils which must naturally arise from the Cavils and Divisions which were daily increasing, but also to establish the publick Tranquillity upon a sure and lasting Foundation, and to do so in the most easy and speedy a manner as it was possible: For this their said Majestys and the said States General, being animated with a sincere desire to promote so wholesom a Work, and to bring it to Perfection, judg'd it expedient to agree among themselves upon certain general Conditions, which might serve as the Basis for reconciling the Differences, and settling the Differences of the chief Princes of *Europe*, which as they are heighten'd among themselves, do greatly endanger the publick Tranquillity.

For which purpose, the most High Prince and L. Eugene Prince of *Savoy* and *Piedmont*, actual Privy Counsellor to his Sacred Imperial and Catholick Majesty, President of the Council of the *Austrian Netherlands* at *Vien* and his Lieutenant General, Major General of the *Roman Empire*, and Vicar General of the Kingdoms and States of the said Empire in *Italy*, Colonel of a Regiment of Dragoons, Knight of the Golden Fleece; also the most illustrious and most excellent Lord, *Philip Lewis*, Hereditary Treasurer of the Holy *Roman Empire*, Count of *Zinzendorf*, Free Baron of *Ernstbrunn*, Lord of the Dynastys of *Göll*, *Upper Solowitz*, *Port Sabor*, *Mulsig*, *Loos-zan* and *Dreskau*, Burgrave of *Renneck*, Hereditary Master of the Horse in *Upper and Lower Austria*, Knight of the Golden Fleece, Chamberlain to his Sacred Imperial Majesty, actual Privy Counsellor, first Chancellor of the Court, &c. and also the most illustrious and most excellent Lord, *Gundacker Thomas*, Count of the Holy *Roman Empire*, by the Titles of *Staremburg*, *Schatumburg* and *Waxenburg*, Lord of the Domains *Ejchelberg*, *Liechtenhagen*, *Roteneg*, *Freystadt*, *Hohen Oberwalse*, *Sessenberg*, *Bodendorf*, *Hatwan*, Knight of the Golden Fleece, actual Privy Counsellor to his Sacred Imperial and Catholick Majesty, Hereditary Marquis of the Archduchy of *Upper and Lower Austria*, on the part of his Sacred Imperial and Catholick Majesty; and *Thomas Robinson* Esq; Member of the Parliament of *Great Britain*, and Minister of his Majesty, of *Great Britain* to his said Imperial and Catholick Majesty, on the part of his Sacred Royal Majesty of *Great Britain*; and on the part of the High and Mighty States of the *United Provinces of the Netherlands*; being all furnish'd with full Powers, after they had held Conferences together, and exchanged their Credential Letters and full Powers, agree upon the following Articles and Conditions.

I. That there shall be from this time forward, between his Sacred Imperial Catholick Majesty, his Sacred Majesty of *Great Britain*, the Heirs and Successors of both, and the High and Mighty Lords the States General of the *United Provinces of the Netherlands*, a firm, inviolable and invariable Friendship, for the mutual Advantage of the Provinces and Subjects belonging to each of the contracting Powers; and that this Peace be so establish'd

each of the Contractors shall be obliged to defend the Princes and Subjects of the others; to maintain the Peace, and promote the Advantages of the other Contractors as much as their own; and to prevent and avert all Damages and Injuries of every kind whatsoever, which might be done to them. For this end, all the former Treaties and Conventions of Peace, Friendship and Alliance, shall have full Effect, and shall preserve in all and every part their full Force and Virtue, and shall even be look'd upon as new'd and confirm'd by virtue of the present Treaty. Except only such Articles, Clauses and Conditions, in which it has been thought fit to derogate by the present Treaty. And moreover, the said contracting Partys expressly obliged themselves, by virtue of this present Treaty to a mutual Defense, or, as it is call'd, Guaranty of the Kingdoms, States and Territories, which each of them possesseth, and even of the Rights and Immunities each of them enjoys, or ought to enjoy, in such manner, that they mutually declar'd and promis'd to one another, that they will with all their Forces oppose the Enterprizes and every one who shall (perhaps contrary to Example) undertake to disturb any of the Contractors, or their Heirs and Successors, in the peaceable Possession of their Kingdoms, States, Provinces, Lands, Rights and Liberties, which each of the contracting Partys doth or ought to enjoy, at the time of the Conclusion of the present

Treaty. Moreover, as it has been frequently remonstrated on the behalf of his Imperial and Catholick Majesty, that the Tranquillity cou'd not reign and last long, and that the most sure way cou'd be found out for maintaining the Peace of *Europe*, than a general Defence, Engagement, Assistance, or, as they call it, a Guaranty for the Order of Succession, as it is settled by the Imperial Declaration of 1713, and receiv'd in the most Serene House of Burgundy; his Sacred Royal Majesty of *Great Britain*, and the Right Honorable and Mighty Lords the States of the *United Provinces of the Netherlands*, mov'd thereto by their ardent Desire to secure the publick Tranquillity, and to preserve the Peace and Safety of *Europe*, as also by a View of the Terms propos'd upon in the following Articles, which are exceedingly well adapted to answer both Purposes, do, by virtue of the said Article, take upon them the general Guaranty of the said Order of Succession, and oblige themselves to

main-

Treaty: Which said Act was readily and unanimously receiv'd by the Orders and Estates of all the Kingdome of *Austria*; all which have humbly and thankfully acknowledg'd it, and transcrib'd it into their publick Registers, as having the Force of a Law and Pragmatick Decree, which is to subsist for ever in full Force. And as according to this Rule and Order of Succession should please God of his Mercy to give his Imperiall Catholick Majesty Issue Male, then the eldest of his Issue Male, or, he being dead before, the eldest Son's eldest Son in case there be no Male Issue, on his Imperiall and Catholick Majesty's Demise, the eldest of his Daughters, the most Serene Archduchesses of *Austria*, by the same Order and Right of Seniority, which has always been observ'd, is to succeed his Imperial Majesty in his Kingdoms, Provinces, and Domains, in the same Order as he now possesseth them: nor shall they at any time be separated, or for any Reason whatever, be divided or separated in favour of him, or her, or them who are of the second, the third, or more distant Branch. The same Order and indivisible Right of Seniority is to be observ'd in all Events, and to be observ'd in all Ages, in his Imperial Majesty's Male Issue, if God graciously please.

in the Kingdoms, Provinces, or Domains of his Imperial Majesty is now actually in Possession; they engage to defend the same for ever against all who shall perhaps presume to disturb that Possession in any manner whatsoever.

And forasmuch as it hath been often represented to his Imperial and Catholick Majesty, in Terms full of Honour, on the part of his Sacred Royal Majesty of Great Britain, and the High and Mighty Lords the States General of the *United Provinces*, that there was no surer nor speedy Method for establishing the publick Tranquillity so long desir'd, than by rendering the Succession of the Duchys of *Tuscany, Parma and Placentia*, design'd for the late Infant Don Carlos, yet more secure by the immediate Introduction of 6000 *Spanish* Soldiers into the strong Places of those Duchys; his said Sacred Imperial and Catholick Majesty, desiring to promote the peaceable Intentions of his *Britannick* Majesty, and the High and Mighty States General of the *United Netherlands*, will by no means oppose the peaceable Introduction of the said 6000 *Spaniards* into the strong Places of the Duchys of *Tuscany, Parma and Placentia*, in pursuance of the abovemention'd Engagements enter'd into by his said *Britannick* Majesty, and by the States General. And whereat this end, his Imperial and Catholick Majesty judges the Consent of the Empire necessary, he promises at the same time that he will use his utmost Endeavours to obtain the Consent, within the space of two Months, or sooner, if possible. And to obviate as readily as may be the Evils which threaten the publick Peace, his Imperial and Catholick Majesty moreover promises, that immediately after the mutual Exchange of the Ratifications, he will notify the Consent which he, as Head of the Empire, has given to the said peaceable Introduction, to the Minister of the Great Duke of *Tuscany*, and to the Minister of *Parma* and *Placentia* at his Court, or wherever else it shall be thought proper. His said Imperial and Catholick Majesty likewise declares and affirms, that he is so far from any Thought of hindring, or causing any Hindrance, directly or indirectly, to the *Spanish* Garisons being admitted into the Places aforesaid, that on the contrary he will interpose his good Offices and Authority, for removing any unexpected Obstacle or Difficulty that may oppose the said Introduction, and consequently that the 6000 *Spanish* Soldiers may

be introduc'd quietly, and without any Delay in the
ner aforesaid, into the strong Places as well of the
Duchy of *Tuscany*, as of the Duchys of *Parma* and
Contis.

IV. That therefore all the Articles thus agreed to,
the irrevocable Consent of the contracting Partys,
firmly and reciprocally establish'd, and so entirely dec
that it shall not be lawful for the contracting Partys t
viate from them in any wise; meaning as well those w
are to be put in Execution without delay, and immedi
after the exchange of the Ratifications, as those w
ought to remain for ever inviolable.

V. Whereas for attaining to the End which the
tracting Partys in this Treaty propose to themsel
has been found necessary to pluck up every Root of
vision and Dissension, and therefore that the an
Friendship which united the said contracting Partys,
not only be renew'd, but knit closer and closer evry
his Imperial Catholick Majesty promises, and, by virt
the present Article, binds himself to cause all Com
and Navigation to the *East-Indies* to cease immedi
and for ever in the *Austrian Netherlands*, and in al
other Countrys which in the Time of *Charles II.* Ca
lick King of *Spain*, were under the Dominion of *Sp*
and that he will *bonâ fide* act in such manner, that nei
the *Ostend* Company, nor any other, either in the
Austrian Netherlands, or in the Countrys which, as is ab
said, were under the Dominion of *Spain* in the tim
the late Catholick King *Charles II.* shall at any tim
rectly or indirectly contravene this Rule establish'
ever. Excepting that the *Ostend* Company may lend
once only, two Ships, which shall sail from the said P
the *East-Indies*, and from thence return to *Ostend*, w
the said Company may, when they think fit, expose
Merchandizes so brought from the *Indies* to Sale. An
Sacred Royal Majesty of *Great Britain*, and the High
Mighty States General of the *United Provinces*, do
wise promise on their part, and oblige themselves, to n
a new Treaty with his Imperial Majesty without D
concerning Commerce and the Rule of Imposts, c
monly call'd a *Tariff*, as far as relates to the *Austrian*
Netherlands, and agreeable to the Intention of the 26th
ticle of the Treaty, commonly call'd (by reason of
Limits therein settled) the *Barrier*. And for this

the contracting Partys shall immediately name Commissioners, who shall meet at *Antwerp* within the space of two Months, to be computed from the Day of signing the present Treaty, to agree together upon every thing which regards the entire Execution of the said Barrier Treaty which was concluded at *Antwerp* the 7th Day of *November*, Anno 1715, and of the Convention since sign'd at *Utrecht* the 1st Day of *December*, 1718; and particularly to conclude a new Treaty there, as has been said, concerning Commerce, and the Rate of Imposts, as far as relates to the *Austrian Netherlands*, and according to the Intention of the aforesaid 26th Article. 'Tis moreover agreed, solemnly stipulated, that every thing which it hath been thought fit to leave to the Commissioners who are to meet at *Antwerp*, shall be brought to a final Issue, with all the Justice and Integrity, as soon as possible, and in such manner that the last Hand may be put to that Treaty, at least within the space of two Years.

I. As the Examination and Discussion of the other Points which remain to be discuss'd, either between the contracting Partys, or any of their Confederates, require more time than can be spar'd in this critical Situation of Affairs, therefore to avoid all Delays which might be prejudicial to the common Welfare, 'tis covenanted and agreed to declare mutually, that all the Treatys and Conventions which any of the said contracting Powers have made with other Princes and States, shall subsist as they are, excepting only so far as they may be contrary to the Points regulated by the present Treaty; and moreover, that all the Disputes which are actually between the said contracting Partys, or any of their Allies, shall amicably adjust'd as soon as possible; and in the meantime the contracting Partys shall mutually endeavour to prevent any of those who have Differences, from having recourse to Arms to support their Pretensions.

II. To take away all manner of doubt from the Subj^{ts} of the King of *Great Britain*, and the Lords the Privy Council, touching their Commerce in the Kingdom of *Spain*, his Imperial and Catholick Majesty has been pleas'd to declare, that from this time forward, they shall be treated in the same manner, and upon the same Footing as they were or ought to have been treated in the time of *Charles II.* King of *Spain* of glorious Memory, and as

any Nation in the strictest Friendship has been usual treated.

VIII. There shall be included in this Treaty of Peace all those who within the space of six Months, after its Ratifications are exchange'd, shall be propos'd by either Party and by common Consent.

IX. This present Treaty shall be approv'd and ratify'd by his Imperial and Catholick Majesty, by his Sacred Royal Majesty of *Great Britain*, and by the High and Mighty Lords the States General of the *United Netherlands*, and the Ratifications shall be given and exchange'd at *Vienna*, within six Weeks, to be computed from the Day of signing.

In Witness and Confirmation whereof, as well the Imperial Commissioners, in quality of Ambassadors Extraordinary and Plenipotentiarys, as the Minister of the King of *Great Britain*, equally furnish'd with full Powers, have sign'd this Treaty with their own Hands, and seal'd it with their Seals. Done at *Vienna* in *Austria*, the 16th Day *March*, in the Year of our Lord 1731.

(L. S.) *Eugene of Savoy.*

(L. S.) *Philip Lewis of Zinzendorf.*

(L. S.) *Gundacker Thomas of Staremberg.*

(L. S.) *Thomas Robinson.*

Separate Article.

TH O by the first Article of the Treaty concluded the Day between his Imperial and Catholick Majesty his Sacred Royal Majesty of *Great Britain*, and the Lord the States General of the *United Provinces* of the *Netherlands*, the contracting Partys did mutually promise, among other Things, that they wou'd with all their Forces oppose the Enterprizes of any Person or Persons who shou'd (perhaps contrary to Expectation) offer to give Disturbance to any of the contracting Partys, their Heirs or Successors, in the peaceable Possession of their Kingdoms, Dominion Provinces, Countrys, Rights or Immunities, which each of the Contractors doth or ought to enjoy at the time of the Conclusion of the present Treaty; the said contracting Partys have nevertheless agreed among themselves, by virtue of the present separate Article, That if it shou'd happen, perhaps in Process of Time, that the *Turks* shou

off

to disturb his Sacred Imperial and Catholick Majesty, his Successors, in the quiet Possession of the Kingdoms, Dominions, Provinces, Countrys, Rights and Cities, which his Imperial Majesty actually doth, or shall enjoy, the Guarantys stipulated in the said first Article, are not to be extended to this Case now men-

separate Article shall have the same Force, &c.

DECLARATION concerning the Spanish Garisons, which are to be introduc'd into the strong Places of Parma, Parma and Placentia.

Inasmuch as his Sacred Imperial Catholick Majesty is desirous to have all manner of Security, before he consent on his part to the 3d Article of the Treaty signed this Day, which regulates the immediate Inclusion of the *Spanish* Garisons into the strong Places of Parma, Parma and Placentia, agreeably to the real Intentions contain'd in the Promises made and contained in the Treaty of *Seville*, partly on the 9th, and on the 21st Day of *November*, Anno 1729; his Majesty of *Great Britain*, and the High and Mighty Lords the States General of the *United Netherlands* have not only exhibited those Promises *bonâ fide*, but are here subjoin'd, to his Sacred Imperial and Catholick Majesty, but moreover they have not hesitated to do so in the strongest manner, that when they agreed to receive the *Spanish* Garisons into the strong Places of Parma, Parma and Placentia, they had no Intention to do in the least from those Things which had been settled in the 5th Article of the Quadruple Alliance, concluded at *London* ^{July 22} _{Aug. 2} 1718, either with regard to the Security of his Imperial Majesty, and the Empire, or to the Security of the Kingdoms and States, which his Imperial Majesty actually possesseth in *Italy*, or lastly to the Preservation of the Quiet and Dignity of those who were the lawful Possessors of those Duchys. For this purpose his Majesty of *Great Britain*, and the High and Mighty Lords the States General of the *United Netherlands* have declared, and do declare, that they are fully disposed, and ready to give his Imperial and Catho-

Catholick Majesty, as they do by these Presents, all the fit and solemn Promises, *Evictions*, or, as they are call'd *Guarantys* that can be desir'd, as well in relation to the Points abovemention'd, as in relation to all the other Points still contain'd in the said 5th Article of the Treaty call'd *Quadruple*.

This present Declaration shall have the same Force,

DECLARATION concerning the Succession of Parma

IT being apprehended that the unexpected Death of the late most Serene Prince, *Anthony Farnese*, in his time Duke of *Parma* and *Placentia*, might in some measure retard or obstruct the Conclusion of this Treaty, it having happen'd at the very time when it was upon the Point of being concluded; his Imperial and Catholick Majesty, by virtue of this present Act, declare and engage, that in case the Hopes of the Pregnancy of the most Serene Duchess Dowager, Wife of the said most Serene Duke *Anthony* whilst he liv'd, do not prove abortive, and the said Duchess Dowager shou'd bring a Man-Child into the World, all that has been regulated, as well by the 3d Article of the Treaty concluded this Day, as by the *Act* Declaration above recited, shall take place, as much as the unforeseen Death of the Duke had not happen'd. But that if the Hopes conceiv'd of the Pregnancy of the said Duchess Dowager shou'd vanish, or she shou'd bring a Posthumous Daughter into the World, then his Imperial Majesty declares, and binds himself, that instead of introducing the *Spanish* Soldiers into the strong Places of *Parma* and *Placentia*, the most Serene Infante of *Spain*, *Don Carlos*, shall be put into the Possession of the said Duchys, in the same manner as was agreed upon with the Court of *Spain*, by Consent of the Empire, and purporting to the Letters of Eventual Investiture, the Tenor of which shall be look'd upon as repeated and confirm'd in the said Articles, Clauses and Conditions; in such manner notwithstanding, that the said Infante of *Spain*, as also the King of *Spain*, shall first of all fulfil the former Treatys, which the Emperor is a contracting Party with the Consent of the Empire. And whereas upon the Decease of the said Duke *Anthony Farnese*, the Imperial Troops were not put

the strong Places of *Parma* and *Placentia*, with a View to hinder the eventual Succession, as it was secured to the most Serene Infante Don *Carlos* by the Treaty of *London*, commonly call'd the Quadruple Alliance, but only to prevent any Enterprize which might have disturb'd the Tranquillity of *Italy*; his Sacred Imperial and Catholick Majesty perceiving, that by the Treaty concluded this Day, the publick Tranquillity is restor'd and confirm'd as far as possible, he doth again declare, that in putting his Troops into the strong Places of *Parma* and *Placentia*, he had no other Intention than to support as far as lay in his Power, the Succession of the most Serene Infante Don *Carlos*, as it is secured to the said Infante by the said Treaty of *London*: and that very far from opposing the said Succession, in case the Male Branch of the House of *Farnesè* shou'd be utterly extinct; or from opposing the Introduction of the *Spanish* Garisons, if the Duchess Dowager shou'd happen to bring a posthumous Son into the World, his Imperial Majesty doth on the contrary declare and promise, that the said Forces shall by his express Orders be withdrawn, other than that the said Infante Don *Carlos* may be put into Possession of the said Duchys, according to the Tenour of the Letters of eventual Investiture, or that the *Spanish* Garisons may be introduc'd peaceably, and without any Resistance whatever; which said Garisons are to serve for no other Use than to secure the Execution of the Promise made to him, in case the Male Branch of the House of *Farnesè* should be utterly extinct.

The present Declaration shall have the same Force, &c.

DECLARATION sign'd by the Ministers of the King of Great Britain, and the Lords the States General, by virtue of their Full Powers.

Whereas among several Articles agreed upon in the Treaty of *Seville*, on the 9th and 21st Day of *November* 1729, in favour of the Great Duke of *Tuscany*, as well as of the Duchys of *Parma* and *Placentia*, it was likewise provided, that as soon as the most Serene Infante of *Spain*, Don *Carlos*, or the Prince to whom his Rights should devolve, should be in peaceable Possession of the Succession design'd for him, and secure from any Insults of Enemies,

Enemies, and against any just Cause of Fear, then his Catholick Majesty shou'd presently give Orders for drawing his own Troops out of the said Duchys, & those belonging to the Infante Don Carlos, or to the upon whom, as abovemention'd, his Rights may de

The underwritten Ministers of the King of *Great Britain*, and the Lords the States General, do, by this present Instrument, declare, that as his said Majesty of *Great Britain*, and the High and Mighty the States General of the *United Netherlands*, are accustom'd to fulfil what they have promis'd, so in their Meaning and Intention, that in the Cases after the *Spanish* Troops shall be immediately withdrawn from the Duchys of *Tuscany*, *Parma* and *Placentia*.

This Declaration is to be kept secret, but it is nevertheless to be of the same Force, &c.

Separate Article.

WHEREAS the Treaty concluded this Day between Imperial Catholick Majesty, his *Britannick Majesty* and the High and Mighty Lords the States General of the *United Provinces* of the *Netherlands*, cou'd not be scrib'd or sign'd by the Minister of the said States General residing at the Imperial Court; because according to the Custom of the Republick, and the Form of its Government, the full Powers cou'd not be dispatch'd to the Minister so soon as was necessary; It is agreed between Imperial Majesty and his Royal Majesty of *Great Britain*, that the said States General (there being the Conditions in the said Treaty, wherein they are particularly concern'd) shall be held and reputed as a principal contracting Party, according as they are also nam'd in the said Treaty, in firm Hope and Confidence that they will accede to it, as soon as the usual Form of their Government wou'd admit of it. And because the Zeal that the Republick manifests for establishing and securing publick Tranquillity, leaves their said Majestys no room to doubt, that the said Republick is desirous of becoming as soon as may be, a principal contracting Party in the said Treaty, to the end she may partake of the Advantages therein stipulated for her; both their Majestys will

to unite their Endeavours, that this Treaty may be sign'd at the *Hague* on the part of the said States General, within the space of three Months, to be computed from the Day of the signing of the present Treaty, or sooner if possible; it appear'd necessary both to his Imperial, and to his most Britannick Majesty, in order to obtain the Ends propos'd by the present Treaty, and for completing the said Tranquillity, that the said States General shou'd enter into a Part and Partnership of the said Conventions.

This separate Article shall have the same Force, &c.

A Declaration concerning East Friesland.

HIS States General of the *United Provinces* of the *Netherlands*, having upon several Occasions assur'd his Imperial and Catholick Majesty, that how much soever they are interested in the Re-establishment and Preservation of the Peace in their Neighbourhood, and by Consequence that of the Province of *East Friesland*, it was nevertheless their Intention to prejudice in the least the Dependence of the said Province of *East Friesland* upon the Emperor of the Empire; his said Imperial and Catholick Majesty, give the States a fresh Proof of his Desire to oblige them as far as is consistent with Justice, has been pleas'd to declare to them his true Sentiments on that Affair, and by the same means to recover them from the Fears they seem to be receiv'd. In order to this, no Hesitation has been made to declare to them on his part by the present Act, that his Intention always was and still is,

That an Amnesty which he has most graciously granted to those of *Emden* and their Adherents, shall have its full Effect; and therefore that the several Pains and Penalties pronounc'd against those of *Emden* and their Adherents, upon the Score of their *Renitency* (Resistance) shall not be put in Execution. And as for those of them which have actually been executed since the most gracious acceptance of the Submission made by the People of *Emden* and their Adherents, the whole shall be restor'd upon Foot it stood before the said Submission was accepted, that is to say before the 3d of *May* 1729, saving what is hereafter mention'd of an Agreement, to indemnify those

for their Losses, who were plunder'd during the late Troubles.

II. His Imperial and Catholick Majesty, having by his Resolution of the 12th of *Sept.* 1729, most graciously permitted those of the Town of *Emden*, and their Adherents, to draw up a fresh Account of their Grievances, or Matters wherein they thought themselves aggriev'd by the Decrees of 1721, and the Years following, concerning the Ground of the Affairs upon which they differ'd with the Prince; and the said Grievances having been afterwards exhibited to the Imperial Aulick Council, with all Submission, the of *November* the same Year, his said Majesty has already ordain'd by his most gracious Resolution of the 31st of *August*, that those Grievances should be examin'd as soon as possible. And as it has been often declar'd, it has been and still is his constant Desire, that they should be determin'd and decided with all the Justice and Dispatch that is possible, according to the Agreements, Conventions and Decisions, which make the particular Law of the Province of *East Friesland*, and which are refer'd to in the Prince's Reversal Letters, pass'd and sworn to at his Accession to the Regency: Provided nevertheless, that under the Denomination of those Agreements, Conventions and Decisions, none be comprehended which were abrogated and annulled by his Imperial Majesty's August Predecessors in the Empire, or which strike at the supreme Rights of the Emperor and the Empire over the Province of *East Friesland*. And his Imperial and Catholick Majesty, as a farther Proof of his most gracious Intention to cut as short as Justice will admit him, the Examination of the Grievances of the People of *Emden*, and their Adherents, has already ordain'd by his Resolution of the 31st of *August* last Year, that as soon as the Account thereof is deliver'd to those who are properly to take Cognizance of the same, according to the Tenour of the Resolution abovemention'd, they shall answer it very soon, and once for all; after which his Imperial Majesty, with the Advice of his Imperial Aulick Council, will redress every Complaint, Article by Article, which shall appear to be grounded on the Agreements abovementioned.

III. It having been already ordain'd, pursuant to his Imperial and Catholick Majesty's last Resolution of the 31st of *August* 1730, that the People of the Town of *Emden*, and their Adherents, ought to be admitted into the

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the Assembly of the States, which is to be call'd together to deliberate freely upon the Affairs that lie before them; his Imperial and Catholick Majesty will take care, that this Resolution shall have its intire Effect, and that none of those who have a Right to assist therein be excluded, contrary to the Tenor of it.

IV. As to the Indemnification, his Imperial Majesty thinks it proper, that an Account be taken of the Damages, which according to the Tenour of the Amnesty published the in the Year 1728, and of the Resolution of the 12th of *September* 1729, ought to be made good by the Renitents; and that the said Account be communicated to them, that they may make their Objections: after which his Imperial and Catholick Majesty will cause the Difference to be amicably adjusted, or on failure of an Accommodation, will, with the utmost Equity, fix the Sum which shall be requir'd to make good the Damages sustain'd.

V. His Imperial and Catholick Majesty persists in the Intention he always had to take particular Care of the Payment of the Interest of the Sums which the States of *East Friesland*, and of the Town of *Embden*, have borrow'd of the Subjects of the *United Provinces*, as also of the Reimbursement of the Capital, according to the Engagements enter'd into on that account.

*Another Treaty concluded at Vienna the
22d of July 1731. between the Em-
peror, Great Britain, and Spain.*

*In the Name of the most Holy and Undivided Trinity.
Amen.*

TO all and every one whom it doth or may concern, Be it known, That different Troubles having arisen, which seem'd even to threaten the publick Tranquillity, about the Introduction of the *Spanish* Garrisons into the strong Places of *Tuscany*, *Parma* and *Placentia*, which his Catholick Majesty thinks it proper to

guard with his own Troops instead of Neutral, which were to have been there, pursuant to what had been agreed upon in the Treaty of the Quadruple Alliance: In Consequence whereof, his Imperial and Catholick Majesty, and his Majesty the King of *Great Britain*, to prevent the Evils which might result therefrom, did formerly come to an Agreement by the 3d Article of the Treaty, concluded and sign'd at *Vienna* the 16th of *March* this present Year, and by two Declarations thereunto annex'd.

Now the said Article, and the Declarations thereon depending, having been communicated to his Majesty the Catholick King, according to his Desire, and he having likewise seen that the said Article and Declarations tended only to render more secure to the Serene Infante Don *Carlos* his Son, the eventual Succession to the Duchys of *Tuscany*, *Parma* and *Placentia*: In short, his said Catholick Majesty perceiving that the Engagements enter'd into between him and his Majesty the King of *Great Britain*, as they had been communicated to his Imperial and Catholick Majesty, and explained in the aforesaid Declarations were entirely perform'd, he wou'd not be wanting on his part, to do every thing in his power to establish the publick Tranquillity on a surer Foot.

To this End, on the part of his Sacred Imperial and Catholick Majesty, the most High Prince and Lord, *Eugene*, Prince of *Piedmont* and *Savoy*, actual Privy Counsellor to his said Imperial and Catholick Majesty, President of the Aulick Council of the *Netherlands*, and his Lieutenant General, Major General of the Holy *Roman Empire*, and his Vicar General in all the Kingdoms and States of *Italy*, Colonel of a Regiment of Dragoons, and Knight of the Golden Fleece; and also the most illustrious and most excellent Lord, *Philip Lewis*, Hereditary Treasurer of the Holy *Roman Empire*, Count of *Zinzendorf*, Free Baron of *Ernsbrunn*, Lord of the Lands of *Gföhl*, the upper *Solowitz*, *Porlitz*, *Sabor*, *Mulzig*, *Lots*, *Zaan* and *Droskan*, Burgrave of *Reineck*, Hereditary Master of the Horse, Great Cupbearer in Upper and Lower *Austria* on this side *Enns*, Knight of the Golden Fleece, Chamberlain to his Imperial and Catholick Majesty, actual Privy Counsellor, and first Chancellor of the Court; together with the most illustrious and most excellent Lord *Thomas Gundacker*, Count of the Holy Empire, of *Staremburg*, *Schanmburg* and *Wevemburg*, Lord of the Lands of *Eckelber*,

Seibler, Lichtenbeg, Rottenegg, Freystat, Haus, Ober-Vallée, Senftenberg, Bodendorff, Harwan, Knight of the Golden Fleece, actual Privy Counsellor to his Imperial and Catholick Majesty, and Hereditary Marshal of the Archduchy of Upper and Lower *Austria*: And lastly, the most illustrious and most excellent Lord, *Joseph Lothaire*, Count of the Holy Empire, of *Konigsegg* and *Rotbenschels*, Lord of *Aulenderff* and *Stauffen*, actual Privy Counsellor to his Imperial and Catholick Majesty, Vice-President of the Aulic Council of the *Netherlands*, General Field Marshal, Governour General of ———, Colonel of Foot, and Knight of the Order of the White Eagle in *Poland*. And on the part of his Majesty the Catholick King, the most illustrious, and most excellent Lord, *James Francis Fitz-James*, Duke of *Liria* and *Xerica*, Grandee of *Spain* of the first Class, Knight of the Golden Fleece, of *St. Andrew* and *St. Alexander* of *Russia*, Alcalde-Major, first and perpetual Governour of the Town of *St. Philip*, Chamberlain to his Majesty the Catholick King, Colonel, and his Minister Plenipotentiary to his said Imperial and Catholick Majesty. Lastly, on the part of his Majesty the King of *Great Britain*, *Thomas Robinson* Esq; Member of the Parliament of *Great Britain*, and his Minister to his said Imperial and Catholick Majesty. All which Ministers furnish'd with full Powers, after having confer'd among themselves, and exchange'd their said full Powers, have agreed upon the Articles and Conditions following.

I. His sacred Majesty the Catholick King having maturely examin'd the 3^d Article of the Treaty concluded the 4th of *March* the present Year, having likewise maturely examin'd the Declarations mentioned above, which Article and two Declarations are on the point of being executed, he has declared that he not only desires nothing more, but that he entirely acquiesces therewith. And in order to remove all occasion of doubt or dispute, his said Majesty has given Assurances, that he consents and is ready to do his Part, immediately towards renewing and confirming, in all their Articles, Clauses and Conditions, as well the Treaty of *London*, commonly call'd the Quadruple Alliance, concluded the 2^d of *August* 1718, as the Peace of *Vienna* in *Austria*, sign'd the 7th of *June* 1725, between his Sacred Imperial and Catholick Majesty, and the Holy *Roman* Empire on the one part, and his said Sa-
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cred Majesty the Catholick King on the other part accepting only with regard to what is mentioned in the abovemention'd Article and Declarations, concerning the change of the neutral Garisons into *Spanish* Garisons, which Article, and Declarations, have been approved by their said Majestys, and again corroborated by the present Treaty. For this end his Sacred Majesty the Catholick King has declared, as he does declare by virtue of this present Article, that the Treatys abovenam'd shall be deem'd to be fully renew'd and confirm'd again, in the same manner as they are by the present Article renewed and again confirm'd: And his Majesty the Catholick King promises, as well for himself as for his Heirs and Successors, and in particular for him of his Male-Heirs who shall enter into the possession of the aforefaid Duchys of *Tuscany*, *Parma* and *Placentia*, by Right of Succession, by virtue of the said Treatys, and according to the Tenor of the Letters of eventual Investiture, expedited the 9th of *December* 1723, in case the Male Line of the Families of *Medicis* and *Farnese* shou'd happen to be intirely extinct, or lastly, for him to whom that Succession shall devolve hereafter, That as well his said Majesty as his Heirs and Successors, and in particular, he of his Male Descendants to whom the said Succession shall devolve, shall engage and be oblig'd to do and perform every thing in general contain'd in the two Treatys abovemention'd.

II. His Sacred Imperial and Catholick Majesty, and his Sacred Majesty the King of *Great Britain*, do likewise promise on their side, and bind themselves to his Sacred Majesty the Catholick King, his Heirs and Successors, in favour to the Male Line of the present Queen of *Spain*, the said Male Line having been called to the Succession of the Duchys of *Tuscany*, *Parma* and *Placentia*, by virtue of the Treatys abovenam'd, and according to the Tenor of the Letters of eventual Investiture, they will intirely accomplish all that is settled in the said 3d Article of the said Treaty, concluded the 16th of *March* the present Year, and in the two Declarations mention'd as above; all in the same manner, as his Sacred Imperial and Catholick Majesty, and his Sacred Majesty the King of *Great Britain*, consented to renew the said Treaty of *Quadruple Alliance*; and his Sacred Imperial and Catholick Majesty consenting also to renew the Peace of the 7th of *June* 1725, concluded between his said Majesty and the Holy Roman Empire

the one part, and his Sacred Majesty the Catholick King on the other part. Their said Majestys promise and engage for themselves, their Heirs and Successors, faithfully to perform in favour of his Majesty the Catholick King, his Heirs and Successors, all that they have engag'd to do by virtue of their Consent to renew, *viz.* his Sacred Imperial and Catholick Majesty every thing contained, as well in the Quadruple Alliance, as in the said Treaty of Peace concluded the 7th of *June 1725*, and his Sacred Majesty the King of *Great Britain*, every thing which he is engaged to do by the Treaty of Quadruple Alliance.

III. Every thing which has hitherto been settled by the common and unalterable Consent of the contracting Partys, whether in relation only to the Introduction of the *Spanish Troops*, or to the Introduction of the Serene Infante of *Spain Don Carlos*, into the Duchys of *Parma and Placentia*, according to the Tenor of the Treaty of Quadruple Alliance, is to serve as a Rule in case the Vacancy remain; in such manner, however, that in this last case, the said Serene Infante of *Spain Don Carlos*, or he who according to the 5th Article of the Quadruple Alliance, shall be call'd to that Eventual Succession after him, may and ought to enter into possession of those Duchys, precisely in the manner express'd in the Letters of Eventual Investiture, dispatch'd the 9th of *December 1723*.

IV. Forasmuch as care has been taken to communicate long since, and at different times, to the Serene Princes the Great Duke of *Tuscany*, and the Duke of *Parma and Placentia*, who were then both living, every thing that had been regulated by the 5th Article of the Quadruple Alliance, in favour of the Serene Infante of *Spain, Don Carlos*, or in favour of those who succeed to his Rights, pursuant to the Treatys abovemention'd, together with the foremention'd Engagements between his Sacred Majesty the Catholick King and his Sacred Majesty the King of *Great Britain*: moreover, the abovemention'd 3d Article of the Treaty concluded at *Vienna* the 16th of *March* his Year, and the two Declarations thereto annex'd, having likewise been communicated to the Great Duke of *Tuscany's* Minister, and to the Minister of *Parma*, both residing at the Imperial Court; and because there is nothing more capable of securing the publick Tranquillity, than to remove at once all the Obstacles and all the Difficultys which might be started, and retard the Execution

of what has been agreed upon between the contracting Partys : for these reasons, his Sacred Imperial and Catholick Majesty, and his Sacred Majesty the King of *Great Britain*, have promis'd and oblig'd themselves, each for himself, *bona fide*, to try all manner of ways, as soon as the present Treaty shall be sign'd, to engage also the Serene Duke of *Tuscany* to consent forthwith, not only to the Introduction of *Spanish* Troops so often mention'd, but also to whatever has been formerly regulated in favour of the Male Line of the present Queen of *Spain*, by the Treaty Conventions and Declarations above cited ; in such manner however, that all that is abovemention'd shall not take place till after the mutual Exchange of the Ratifications, even tho' the Great Duke of *Tuscany* should give his Consent to it sooner.

V. Furthermore, his Sacred Imperial and Catholick Majesty, and his Sacred Majesty the King of *Great Britain* declare, that they desire nothing more than to see the Serene Great Duke of *Tuscany* acquiesce with every thing that has been settled in the Treatys abovemention'd, for the preservation of his Dignity and Repose, as well as for his own Safety and that of the States which he governs. Wherefore the said contracting Powers promise and engage not only to one another, but also to his Royal Highness, to look upon all and every Point settled in the Treatys abovemention'd to be renew'd and confirm'd, as well with regard to his Dignity, as with regard to his Safety and that of the States which are under him ; and they undertake to maintain, fulfil, or, as it is call'd, to guarantee them.

VI. And because for attaining to this End, and to finish the wholesom Work which the contracting Partys have undertaken, *viz.* the entire Establishment of the publick Tranquillity, nothing has been thought of more important than the Accession of the Serene Great Duke to the present Treaty ; therefore the said contracting Partys have judg'd it proper to invite his Royal Highness to the said Accession, in the most friendly manner that can be, and they do expressly invite him by the present Article ; to the end that his Royal Highness concurring on his part to so advantageous a Work, the publick Tranquillity of *Europe* may be better secur'd.

VII. The present Treaty shall be ratify'd and approved by his Sacred Imperial and Catholick Majesty, by his

Sacred Majesty the Catholick King, and by his Sacred Majesty the King of *Great Britain*; and the Letters of Ratification shall be communicated and exchang'd at *Vienna* in *Austria*, in the space of two Months, to be reckon'd from the Day of signing the present Treaty, or sooner if it can be done.

In Witness whereof, the Commissioners of his Imperial Majesty, in the Quality of Ambassadors Plenipotentiarys Extraordinary, and the Ministers of their Catholick and *Britannick* Majestys furnish'd in like manner with full Powers, to give the necessary Force to the present Treaty, have sign'd it with their own Hands, and seal'd it with their Seals. Done at *Vienna* in *Austria*, the 22d Day of *July*, *A. D.* 1731.

(L. S.) *Eugene of Savoy.*

(L. S.) *P. L. Count of Sinzendorf.*

(L. S.) *G. Count of Staremberg.*

(L. S.) *F. L. Count of Königsegg.*

(L. S.) *F. Duke of Liria.*

(L. S.) *Thomas Robinson.*

The Treaty or Family Conventions, sign'd by the Ministers of Spain and Tuscany at Florence, the 25th of July 1731. And the Accession of the Great Duke of Tuscany to the Treaty of Vienna, of the 22d of the same Month.

In the Name of the Holy Trinity, Father, Son, and Holy Ghost.

THE Divine Providence having inspir'd the most Serene *John Gaston*, Great Duke of *Tuscany*, and the most Serene *Anna Maria Louisa*, Electress Dowager *Palatine*, with the sincere and ardent Desire which the most Serene Great Duke *Cosmo III.* their Father
of

of Glorious Memory ever had, of cutting into all the
 fures that should be thought the most effectual and
 for preserving and securing against all Events, in case of
 of Successors of their Family, the publick Tranquillity
 in particular that of their States, and procuring and for
 the Happines and Advantage of their Subjects; their
 Serene Highnesses aforesaid have at last resolv'd to put
 good Intenions into practice, by ingaging the chief
 ers to concur in this good Work, and for regulating
 pacifick way the Succession to the Sovereignty of
 States aforesaid, in favour of a Prince so strictly con-
 their most Serene House by the Ties of Blood, as
 most Serene Prince Don *Carlos* Infante of *Spain*, eldest
 of his Catholick Majesty by this present Queen of *Spain*,
 whom their Royal Highnesses have for that Reason
 preferr'd to all others, and who has been the Object of
 Wishes of their People, on account of his illustrious Birth
 and his other personal and hereditary Qualities, to
 give just cause to the People of *Tuscany* to hope to see
 under the Government of so great a Prince, the increase
 tion of the Prosperity and Tranquillity they have enjoyed
 under the Great Dukes of the present most Serene
 Family. And whereas the Conclusion of this important
 Affair has been hitherto suspended, because of the un-
 certainty of obtaining the Concurrence of his Imperial Majesty
 and other chief Powers of *Europe*, equally desired by
 Catholick Majesty, the Great Duke, and the most Serene
 Electress Dowager *Palatine*, of which they are now affianced,
 since the Difficultys that obstructed the same have
 remov'd by the last Treatys; it has been thought fit
 upon, to negotiate and conclude directly between his
 Catholick Majesty and their Royal Highnesses, a Treaty
 Convention between Family and Family, for adjusting
 regulating their severall Interests, for facilitating and
 ing in the most easy and convenient manner the Succession
 of the most Serene Infante to the said States, which
 most Serene Great Duke, whom God long preserve,
 live, in quality of his immediate Successor, as also for
 serving the Sovereignty, Authority and Tranquillity
 his Royal Highness, the Honour and Interests of the
 Serene Electress Dowager *Palatine*, and the Advantage
 of their Subjects. For this purpose, his Catholick Majesty
 has thought fit to give his full Powers to the Reverend
 Father *Salvador Ascanio*, of the Order of Dominicans,

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er at the Court of *Tuscany*; and his Royal as delegated with full Powers, the Knight and Marquis *Charles Rinuccini*, of his Council of Secretary of War; and the Knight and Prior *aldi*, of his Council of State. Which Ministers communicated their respective full Powers to each held several Conferences, have agreed upon the Family Treaty, Alliance, and perpetual Amity his Catholick Majesty, his Heirs and Successors; part, and the most Serene Great Duke and his on the other; in the Manner and Conditions ex- he following Articles.

ler to establish upon the most solid and unaltera- a perpetual Alliance, and a sincere Amity, be- Royal Family of *Spain* and the reigning *Tuscany*, the Kingdoms and Crowns of his Ma- the States of his Royal Highness; the most Se- , and the most Serene Electress Dowager *Palat- ter*, have fully agreed, resolv'd and consented, thstanding any other Disposition whatsoever that e been made in *Tuscany* heretofore, relating to ion, according as the then Situation of publick quird, the Great Duke, whom God long pre- ening to die without Male-Issue, the most Se- Infante Don *Carlos* shall be, and ought to be his Successor to the Sovereignty of all the Domini- make up and belong to the Great Duchy of and so on successively to the eldest Son of the said id in case of failure of Male-Issue, the Succession lve by a full Right to the eldest of his most others, Sons of his Catholick Majesty and the een of *Spain*.

Royal Highness, and her Electoral Highness, rous that this Regulation and Order of Suc- the Sovereignty of their Dominions may take l be executed in the most safe and easy manner ey hereby engage to communicate the present i to the Senate, after the Exchange of the Ra- and that they shall bind themselves by an Oath and inviolably to observe the same, if his Ca- jesty require it.

his Catholick Majestys promise in the name of rene Infante Don *Carlos*, and of those who shall succeed

succeed him in his Rights, that the several Funds publick Debts, together with the Revenues thereto appropriated, shall be preserved for the said Purposes, and the Military Order of *S. Stephen* shall likewise be maintain'd in the State and Order it is in at present.

IV. They promise also that the Constitution of the Government of *Tuscany*, either Oecumenical, Civil or Judicial, shall be maintain'd, as it is at present; that the Rights, Privileges and Prerogatives of the City of *Florence* shall be preserv'd, which shall be the chief Residence of the most Serene Successor; the same Promise to extend to all other Towns, and their respective Magistrates: All the Subsidies shall likewise be maintain'd in all the Advantages and Exemptions they have enjoy'd under the Regency of the most Serene reigning Family. And lastly, no Civil or Military Posts, no Bishopricks, or other Ecclesiastical Benefices shall be conferr'd, but on native Subjects of the said Dominion.

V. The Subjects of *Tuscany* shall enjoy the same Advantages, Franchises and Exemptions in *Spain*, which the most favoured foreign Nations enjoy, with respect to their Persons, Effects, Shipping and Commerce.

VI. The great Duke now reigning, having concurr'd all Things requisite for securing the immediate Succession to the most Serene Infante, shall not upon this Consideration meet with any Obstacle or Obstruction in the free Exercise of his Sovereignty, and shall continue to govern his Kingdoms, and his People, with the same Power and Independence as before. And his Catholick Majesty, to testify his Esteem and Affection for his Royal Highness, hereby engages to treat the Persons of the Great Duke, his Ministers and those of his Successors at his Court, in the same manner and with the same Titles, as were given at the Court of *Spain* to the Person and Ministers of the most Serene King the Duke of *Savoy*, before he was acknowledg'd King of *Sardinia*.

VII. The Great Duke, and his Sister the Electress, promise, that all their Estates, both Feudal and Allodial, as well within as without the Duchys, which they shall possess'd of at their Death, shall go to the most Serene Infante Don *Carlos* as Great Duke of *Tuscany*, and to his Great Dukes his Successors; as likewise the Right of Patronage and Presentation to the Ecclesiastical Benefices belonging to their House and State; of which they may dispose in any manner whatsoever.

VIII. All the Moveables, without any Distinction, belonging to their Highnesses, of what Nature, Price and Value soever they be, and in what Place or Country soever they be, shall remain at their own free Disposal, as well for the Use as the Property, of which they may dispose during their Life and at their Death: And likewise all the Effects and States they stand seiz'd with, and possess without the States of *Tuscany*; and namely, the Revenues issuing from the Inheritance of the most Serene Great Duchesses of *Tuscany*, *Victoria* of *Urbino*, and *Margaret* of *France*, their Grandmother, and all Sums of Money, whatever it be; reserving however to the most Serene Infante *Don Carlos*, the Artillery, Arms, Ammunition, and other warlike Stores.

IX. Their Highnesses oblige themselves to yield to the most Serene Infante, as they do yield to him by these Presents, for the time that he shall be Great Duke of *Tuscany*, and to the Great Dukes his Successors, all the other Sums of Money not above specify'd, due to them by Engagements between the Ancestors of their reigning Family and foreign Powers, the Crown of *Spain* excepted, with the Right and Faculty they have, or may have to recover them; and likewise yield unto the said most Serene Infante all their Pretensions upon other States and Effects, which are not at present possess'd by their House, to the end that the States and Dominions of *Tuscany* may be enlarg'd.

X. On the other hand, their Catholick Majestys being fully satisfy'd with the above Conditions, promise in the Name of the most Serene Prince the Infante, and those who shall succeed him in his Rights, that the most Serene Electress, in case she survive her Brother, shall and may take upon her the Title of Great Duchess, and enjoy, during her Life, all the Honours and Prerogatives that have been enjoy'd by the other Great Duchesses of *Tuscany*, and in particular, that her Highness and her Court shall be maintain'd by the Publick Treasury.

XI. In case the most Serene Infante shall not happen to die in *Tuscany* at the time of the Death of the most Serene Great Duke, and that he is survived by his Sister the Electress Dowager *Palatine*, her Highness shall immediately take upon her, with the Title of Regent, in the Name of the most Serene Infante, who shall then be Great Duke, the Administration of the Government, which she shall exercise till his Arrival into his Dominions; and her Electoral Highness, with the Title of Regent and Guardian, shall have

the Administration of the Government till the Prince In absent or present, has attained fully to the 18th Y his Age; and even shall have the same Titles after th accomplishment of 18 Years, in case the most Serene I shall go out of the Duchy of *Tuscany*.

XII. When the most Serene Infante is come to Age, will take the Administration upon himself, he shall a the most Serene Electress into all his Councils of Grace and Justice; and will upon her Nomination gran Civil and Oecumenical Posts, the Ecclesiastical Ben and Dignitys; and will leave the Superintendency of I gious Places, and of the Academy of *Pisa* to her Elef Highness.

XIII. His Imperial Majesty, his most Christian Maj his *Britannick* Majesty, and the Lords the States Gen of the *United Provinces* of the *Netherlands*, shall be in ted, and desired by his Catholick Majesty, and his Ro Highness, to be Guarantees of this Convention, which Catholick Majesty and his Royal Highness oblige th selves to ratify, and cause the Ratifications to be exclu in the City of *Florence*, within three Months, to be comp from the Day of signing this Treaty, or sooner if poss In Witness whereof, all the Ministers Plenipotentiary derwritten, of his Catholick Majesty, and of his R Highness, by virtue of our full Powers respectively c municated to each other, and of which Copys shall be nex'd to this present Family Convention, have sign'd Prefents, and thereto affix'd the Seals of our Arms. *Done Florence, July 25, 1731.*

Sign'd,

(L. S.) *Fra. Salvatore Ajcanio.*

(L. S.) *Carlo Rinuccini.*

(L. S.) *Jacobo Giraldi.*

A Separate Article.

IF It be agreed by the present separate Article, t is in te of the same Force and Virtue as if it was i ed in the Convention sign'd this Day, that his Royal l refs, in order to give the most authentick Proofs of hi cere and affectionate Intentions towards his Catholick

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and his Royal Family, consents, if his Majesty approves of it, that the most Serene Infante Don *Carlos* may, by the Life and Government of the most Serene Great Duke, come and reside in *Tuscany*, in the manner it shall be agreed upon; without being chargeable to the Treasury of his Royal Highness and the Country, and without any Prejudice to the Sovereignty and full Authority of his Royal Highness, who persuades himself, that his Catholick Majesty, in consideration of this Consent, and of the strong and weighty Reasons that have been already or may hereafter be presented, will be pleas'd by an Act of his Royal Clergy, to free and exempt the Towns and other Places of *Tuscany* from the heavy and troublesome Burden of retaining Garisons of *Spaniards*, or of any other Nation whatsoever, seeing the Country may be sufficiently guarded and secured by their own Garisons; which, in case of need, may be augmented with the Money *Spain* will think necessary for this Service, in such a manner as shall be agreed.

In case this perfect Confidence, that his Catholick Majesty will engage that no *Spanish* Troops or others shall be sent into the Towns or other Places of *Tuscany*, takes place, his Royal Highness will grant Passage thro' *Tuscany* to the *Spanish* Troops, which shall be sent into the Dominions of *Spain*, upon their observing the Regulations which in such Cases may be made, for ordering their March, and keeping them under due Discipline in their Passage, so that they may not be burdensome to the People.

His Imperial Majesty, his most Christian Majesty, his most Serene Catholick Majesty, and the Lords the States General of the *United Netherlands*, shall be desir'd and invited by his Catholick Majesty, and his Royal Highness, to be likewise Parties and Antees of the present separate Article, which shall be signed by his Majesty and his Royal Highness, the Ratifications to be exchange'd at *Florence* within three Months, after the Date of the present Article, or as soon as may be computed from the Date of the present Article, or as soon as may be possible. Done at *Florence*, July 25, 1731.

Sign'd,

L. S.) *Fra. Salvatore Ascanio.*

L. S.) *Carlo Rinuccini.*

L. S.) *Jacobo Giraldi.*

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A Disposition made by the Plenipotentiarys of Spain and Tuscany, for the Reception and Residence of the Serene Infante Don Carlos, the Great Duke's immediate Successor in his Dominions.

THE most Serene Great Duke, and the most Serene Electress Dowager *Palatine* his Sister, being willing and desirous to give greater and more affectionate Proofs of their Esteem for the most Serene Prince the Infante Don *Carlos*, it has been agreed and concluded, that upon the said most Serene Prince's Arrival and Landing at *Leghorn*, he shall be receiv'd by the Governour with all the Honours and Respect due to the Dignity of his Rank, and to his Character and Quality of immediate Successor to the most Serene Great Duke, in the same manner as has been always observ'd, in respect to the late most Serene Prince *Ferdinand* of glorious Memory.

One or more Gentlemen sent on purpose by their Highnesses, are to be at *Leghorn* to receive and attend the most Serene the Infante Prince, who is to lodge in the very same Apartment in which the Great Prince *Ferdinand* us'd to lodge. And their Highnesses being sensible that the Infante cannot have his own Equipage in a readines upon his Arrival, will take care to supply him with their own, and send them to *Leghorn* with a Detachment of Life-Guards, Horses of their own Stables, and proper Officers of their Household and Kitchen, to attend the most Serene Prince during his short stay at *Leghorn*, and in his way to *Florence*, where the said most Serene Prince is to begin to be at his own proper Charge and Expence, with all his Court and Attendants, as has been agreed on.

The most Serene Infante upon his Arrival at *Florence* shall repair immediately to the Palace, where he will find an Apartment ready fitted up for his Reception, and the nearest to the Apartment of her Electoral Highness the Electress

Electress *Palatine*, that her said Highness may be as near as possible to the Person of the most Serene Prince, and have the same Care for his Preservation, and all other things relating to the Service of his Person, as if he was her own Son.

On all Occasions the most Serene Prince the Infante *Don Carlos* shall be treated by their Highnesses, and respected by every body, with all the Marks of Honour and Esteem, which have been us'd by the Court of *Florence* towards the most Serene Great Prince *Ferdinand*. And his Royal Highness will permit the most Serene Infante *Don Carlos* to form and maintain, at his own Charges, a Guard for his Person, which is to consist of *Tuscan* Noblemen, if he thinks fit to form a separate Body. In Testimony whereof, the underwritten Ministers of *Spain* and *Tuscany* have set their Hands and Seals to the present Regulation and Disposition. Done at *Florence*, July 25, 1731.

Sign'd,

(L. S.) *Fra. Salvatore Ascanio.*

(L. S.) *Carlo Rinuccini.*

(L. S.) *Jacobo Giraldi.*

*A Declaration of the Great Duke of
Tuscany's Accession to the Treaty of
Vienna, of the 22d of July, 1731.*

IN order to obtain the salutary End which his Sacred Imperial Majesty, his Sacred Majesty the Catholick King, and his Sacred Majesty the King of *Great Britain*, propos'd to themselves by signing the Treaty concluded at *Vienna* the 22d of the Month of *July* this present Year, viz. the strengthening of the publick Tranquillity of *Europe* on all sides, nothing appear'd more conducive to that purpose than the Accession of the most Serene the Great Duke of *Tuscany* to the said Treaty. And therefore the said contracting Partys thought they ought

by the 6th Article of that Treaty, to invite his Royal Highness in a friendly manner to concur to the Treaty foresaid; and the rather because his said Royal Highness is not ignorant of the Engagement which the said Princes have enter'd into with regard to him, nor of the good they have upon other occasions express'd for his Royal Highness: and besides, they give him fresh Assurance that his Sacred Imperial and Catholick Majesty, his Sacred Majesty the Catholick King, and his Sacred Majesty King of *Great Britain*, will take a particular care, make it their principal Concern, to contribute to his Majesty's Safety and Repose, as well as to the Security and Advancement of the States under his Jurisdiction. And the said contracting Partys persisting in their good Intentions with regard to him, his Royal Highness, to comply with his Desires as much as possible, and accounting it an Honour to associate himself with such great Princes in their commendable Design to preserve and strengthen the public Tranquillity, after having maturely examin'd every thing contain'd in the said Treaty, so far as it concerns his Royal Highness, his Dignity and Repose, and also the Security and Advantage of the States that are under his Jurisdiction, has resolv'd to approve the same intirely and in every Part by his Accession and Acceptation.

But whereas, before the Conclusion of the said Treaty was known at *Florence*, the Ministers Plenipotentiary of his Majesty the Catholick King, and those of his Royal Highness, had sign'd in the City of *Florence* the Convention of the 25th of the same Month of *July*, afterwards publish'd here; and tho' that Convention was purely between Family and Family, and was design'd only to regulate the particular Interests of his Royal Highness and Sister the Serene Electress Dowager *Palatine*, with any manner of Prejudice to the Agreements or Conventions made between the chief Princes of *Europe*, so that what is stipulated in the said Convention of *Florence*, can not hurt the Rights establish'd by the Compacts and Agreements between the other Princes, who have not concurred to the Convention afore said; it has nevertheless been judged necessary, that the contracting Partys of the said Convention of *Florence* shou'd by a solemn Declaration express their Intent in making it: Therefore to take away all Doubt concerning that Convention, and to the end that his Royal Highness may concur with the contracting Princes

of the Treaty concluded at *Vienna* the 22d of *July* this present Year, by acceding to the said Treaty, which will not a little contribute to secure their mutual Repose, the only thing the said Partys aim at; I the underwritten Envoy Extraordinary of his Royal Highness the Great Duke of *Tuscany* at the Imperial Court, after having produced the full Powers with which I am authoriz'd, and got them acknowledg'd, do declare and promise in the Name of his Royal Highness, that he intirely accedes to and approves of all and every thing contain'd in the Treaty of *Vienna* abovemention'd, which bears Date the 22d of *July* of the present Year, so far as that Treaty concerns his Royal Highness, his Dignity, his Repose, and the Security and Advantage of his Subjects and States. He farther declares, that the aforesaid Convention of the 25th of *July* was concluded with no other Design than a Family Compact, which concerns only the private Interests of his Royal Highness and his Sister the Serene Electress Dowager *Palatine*; the said Interests being therein regulated in such a manner, that they neither can nor ought any ways to prejudice the Rights of the other Princes who have not concurred to the Convention aforesaid; which Rights are confirm'd to them by the Compacts and Conventions concluded between the chief Princes of *Europe*.

In Exchange, We the underwritten Ministers Plenipotentiarys of his Sacred Imperial and Catholick Majesty, his Sacred Majesty the Catholick King, and his Sacred Majesty the King of *Great Britain*, by virtue of the full Powers duly produc'd and acknowledg'd, do accept and receive in the Name of their said Majestys, as well the Declaration made and sign'd at *Florence* in the Name of his Royal Highness the Great Duke of *Tuscany* concerning the Convention of the 25th of *July*, as his Royal Highness's Accession aforesaid to the Treaty concluded at *Vienna* in *Austria* the 22d of the same Month of *July*. So that their said Majestys do engage and oblige themselves, their Heirs and Successors, to his Royal Highness, to fulfil and execute whatsoever has been regulated in the aforesaid Treaty, in favour of his Royal Highness, for his Repose and Dignity, and also for the Security and Advantage of the States under his Dominion,

This present Instrument of Accession, Declaration and Acceptation, shall be ratify'd by all the contracting Partys, and the Letters of Ratification shall be dispatch'd in good and due Form within two Months, to be reckon'd from the Day of signing, or sooner if it can be done, and shall be mutually exchange'd and deliver'd at *Vienna* in *Austria*. In Witness whereof, &c. Done at *Vienna*, the 21st of *September* 1731.

- (L. S.) *Eugene of Savoy*,
 (L. S.) Count of *Staremberg*.
 (L. S.) *Philip Lewis* Count of *Sinzendorf*.
 (L. S.) ———— Count of *Konigsegg*.
 (L. S.) D. of *Liria*, &c.
 (L. S.) *Gundaker*.
 (L. S.) *Thomas Robinson*.
 (L. S.) *Ferdinand* Marquis de *Bartolomey*.

Treaty of Union and Defensive Alliance,
between the Electorates of Saxony and
Hannover; concluded at Dresden the
3^d of August 1731.

BE it known, That whereas the Predecessors of the Electoral Houses of *Saxony*, and *Brunswick Lunenburg*, have from all Antiquity maintain'd a particular good Correspondence together, which did not only pave the way to the Treaty of perpetual Hereditary Union, which was concluded between the two Houses in the Year 1687, and has been continued without Interruption till now, and transmitted down to the two Princes now reigning; but has moreover been strengthen'd by the Proximity of Blood establish'd between them, and by the personal Regard which they mutually have for each other: And whereas both Partys have agreed upon these Grounds and Motives, to cultivate and cement yet more that Band of Union,

Union, Friendship, Confidence and good Neighbourhood, which have been found so advantageous hitherto, and in order thereunto, to agree together upon a new defensive Treaty, accommodated to the Circumstances of the present Time, and to the Safety and Prosperity of their respective Countrys and Subjects. For these Causes, the two Partys have agreed upon the following Articles, which have been negotiated and concluded by their Ministers, furnish'd with full Powers for that purpose.

I. The Design of this Convention and defensive Alliance, is not to offend or prejudice any Person, much less the Emperor and the Holy *Roman* Empire, but is made only with a View to maintain the Rights and Privileges of the High Contractors, and likewise to preserve and defend their Territorys and Subjects against all Attacks and Violences, as also against all Pretensions, Incurfions into their Countrys, Invasions by Enemys, Passages of Troops, and Settlement of Quarters, Assemblys and Reviews of Armys, Contributions and Exactions, contrary to the Constitutions and Ordonnances of the Empire, by any Person, or under any Name or Pretence whatsoever.

II. For this end, the two Confederates will put an entire Confidence in each other, and hold themselves strictly bound to assist each other with Advice, and effectually to procure each other's Welfare, to warn each other of any Ill or Damage with which they may be threaten'd, and to prevent the same, to communicate and consult together frequently, and with Confidence, in relation to all Events which may give occasion to Troubles and Dangers, and in relation to the Means of preventing them; and as much as possible to take suitable Measures together, and such as may be to the Advantage of the Publick, particularly to the Service, Honour, Welfare, Liberty and Safety of his Imperial Majesty and the Empire. Moreover, the High Contractors will order their Ministers, as well at the Dyet of the Empire, as at the Meetings of the Circles, and every where else, to correspond and communicate together with Confidence. And to the end that this good Understanding may be the less interrupted, in case any Difference shou'd happen between the two Electoral Houses and their respective Subjects, Endeavours shall be us'd in the first place to compose them in an amicable manner, and they shall not proceed to Hostilitys till they have previously

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try'd all proper Methods to accommodate Matters in an equitable manner.

III. By virtue of this present Alliance, the High Allies reciprocally promise, that if either of them be attack'd by any Person whatsoever in his Countrys and Provinces, and in his Rights and Privileges, against the Constitutions of the Empire, or is incommoded, disturb'd or molested in his Countrys by Enrolments or Levys, Reviews or Musters, Quarters, Garisons, Marches, Contributions, Demands, Provisions and Ammunition, or by any other such Charges and Exactions; or in case they receive certain Advice that such Things are likely to happen, the other shall faithfully side with the injur'd Party, and shall be oblig'd to give him really and in effect the Assistance promis'd in this Alliance: but neither of the Allies shall be oblig'd to furnish the other with Succours, if one of them, without communicating with his Ally, and without his Consent, attacks any one as an Enemy, and with an armed Force, and by that means is attack'd himself, and pursued into his own Country, or in his Rights, by the Party attack'd, or his Allies.

IV. In this Alliance are comprehended the two Electorates, and the Countrys incorporated into them; as also all the Countrys thereto belonging situate in *Germany*. Moreover, the Treaty of Hereditary Union of 1687 above mention'd, remains in that and all other Respects in full Force, as if it was actually inserted in the present Alliance.

V. As to the Succours, the High Allies are agreed for this time, without making a Precedent of it, that one of the two Partys shall aid and assist the other, if the Alliance be existing, with 3000 Men, *German Troops*, viz. 2000 Foot and 1000 Horse: but in case the Requirer find it necessary that there should be another Proportion of Horse different from the former, then the Party upon which the Demand is made, shall be oblig'd to content him, and to give him all the Assistance he can in Foot, or in the Horse which he desires; provided he be furnish'd himself with one or the other, beyond the Number stipulated in the Alliance, and can get them in readines; and in that Case a Trooper or Dragoon shall be reckon'd at the rate of three Foot Soldiers. And to the end that the Difference between the Arms and their Bores in the Operations that may happen, may not occasion any Disorder
which

which is frequently the Case, it has been thought fit, that when any Succours are sent, they shall set that matter right beforehand in good time, and agree upon an Equality of Arms.

VI. If the Succours agreed upon by this Alliance be not sufficient to repel the Danger, in which the Party attack'd finds himself, the High Allies shall agree to make them up double, and even treble that Number; and they shall settle it in such manner, that the Party requiring shall have always at least twice as many Troops as the Party required. Moreover, it shall be in the Option of the Requirer to demand the whole, or only a part of the Succours stipulated.

VII. Each of the Allies is oblig'd to furnish the stipulated Succours, so as to be in the Requirer's Country within four Weeks after they are demanded, without Excuse, Opposition or Delay, under any Pretence whatsoever. Nevertheless, he shall not be oblig'd to break with the Aggressor, but shall interpose his good Offices, and do all that lies in his Power to procure the Party attack'd a proper Satisfaction and Security: But whether his good Offices prove effectual or not, the Party requir'd shall be equally oblig'd to furnish the stipulated Succours in good earnest, and to continue them till such time as the Party injured be restored intirely to the Condition he was in before the Invasion, and till the Damage and Wrong he has suffer'd be duly repaired; unless he that furnishes the Succours be invaded and pursued himself, and have need of all or part of his auxiliary Troops to defend and secure himself.

VIII. When the Troops are join'd, the Officer who commands the Auxiliaries, shall without the least Let or Hindrance exercise the Command and Jurisdiction over them; but he shall be oblig'd to keep good Order and military Discipline, and to punish the Guilty in an exemplary manner, without any Delay, Connivance or Regard whatsoever: And in case the Party to whom the Succours are sent, is not satisfy'd with the Chastisement which the General or commanding Officer of the Party required has inflicted, that Officer shall keep the Delinquents, of what Rank or Condition soever they may be, under Arrest, till the High Confederates have communicated together. As for the General Command in the Field, and in Military Expeditions, it shall rest with the Ally and his General to whom

whom the Succours are sent, in such manner however, that nothing of Importance shall be attempted till after Deliberation, and a previous Resolution has been taken upon the Affair in a Council of War, in Presence of the General or Commanding Officer sent by the Party requir'd.

IX. The Ally who shall have occasion for the Succour shall in due time make known the Rank of the Officer he designs for the Command in Chief, that the Party assisting may govern himself thereby, and send a commanding Officer with his Auxiliary Troops, who is not of a higher Rank than the other.

X. The Requirer is oblig'd at his own Expence to furnish the heavy Cannon, Ammunition, and all the Appurtenances to the Field Artillery that shall be needful for the military Operations; wherein however the Party required shall be assisting to him, in consideration of a reasonable Satisfaction and Reimbursement, if there be sufficiency of those Things in the Neighbourhood, and he can part with them without prejudice to himself. The Party required shall on his part provide his Troops with Regimental Cannon, and the necessary small Pieces.

XI. He that sends the Succours shall maintain his Auxiliary Troops at his own Charge; but the Requirer shall take care that they be furnish'd and supply'd with what Provisions and Oats they want at a reasonable Price, and upon the same Foot that he can have them for his own Troops, which shall be regularly paid for once a Month, except Hay, Straw and Pasturage, which shall be given to the Auxiliary Troops *gratis*.

XII. When the Succours are actually sent, the High Allies will make exact Regulations for the maintenance of the Troops, the forming of the Regiments, Companies, and other such Affairs. A perfect Equality shall be observ'd in every thing as far as possible; and all Confusion and Disorder shall be avoided and guarded against in the best manner that can be.

XIII. Neither of the Allies shall demand of the other unnecessary Passages of Troops thro' his Countrys; but if case an indispensable Necessity require a Passage, after due Regard had to the Situation of the Country, they shall conform themselves in every thing to the Regulation of the March of the Troops, which was agreed upon by both Partys the 27th of *December 1687*, and do nothing contrary thereto.

XIV. Th

XIV. The two High Allies reserve to themselves expressly whatever they are oblig'd to do for their Houses by virtue of the Family Compacts; and they are equally bound by the Alliances, Engagements and Regulations, by which they find themselves bound to others; and the rather, because they are of such a Nature, that they will not interfere with the Performance of the Obligations of the present Alliance.

XV. This Alliance is to last three Years, and before they are expir'd the two Allies will consider of the Necessity of continuing it; but if towards the Expiration of the Term fix'd, they shou'd find themselves in real Danger, and in military Operations, they shall continue to furnish whatever the present Alliance obliges them to, till the Danger is over.

XVI. It is agreed and resolv'd, that if any State of the Empire shou'd have an Intention to accede to the present Alliance, and shou'd signify his Desire so to do, he shall be admitted into it by common Consent and Agreement, upon proportionable Conditions, which the two Allies will consider of when the Case happens.

XVII. The present Treaty shall be ratify'd by the two High Contractors, and the Ratifications shall be exchanged within the Term of six Weeks, to be reckon'd from the Day of the Date hereof, or sooner if possible.

Lastly, Of all that is above contain'd, whatsoever has been thus treated and agreed upon, two Copys have been made; and the Ministers Plenipotiariys of the two Partys, having each of them sign'd and seal'd a Copy, those two Copys have been exchang'd. Done at *Dresden*, Aug. 3, 1731.

A
SUPPLEMENT
OF
TREATYS
AND

Other publick Papers, omitted in
the four preceding VOLUMES.

*Declaration of War by Charles II. King
of England, against the United Pro-
vinces. Issued in March 1672.*

WE have been always so zealous for the Quiet of
Christendom, and so careful not to invade any
other Kingdom or State, that we hope the
World will do us the Justice to believe, that it
is nothing but inevitable Necessity forceth us to the Re-
solution of taking up Arms.

Immediately upon our Restauration to our Crowns, the
first Work we undertook, was the establishing of Peace,
and the settling a good Correspondence between us and our
Neigh-

Neighbours; and in particular, our Care was, to conclude a strict League with the States General of the *United Provinces*, upon such equal Terms, as would certainly not have been broken, if any Obligations could have kept them within the bounds of Friendship or Justice.

This League was maintain'd inviolable on our part. But in the Year 1664 we were stirr'd up by the Complaints of our People, and the unanimous Vote of both our Houses of Parliament; finding it a vain Attempt to endeavour the Prosperity of our Kingdoms by peaceable ways at home, whilst our Subjects were still expos'd to the Injurijs and Oppressions of those States abroad.

That whole Summer was spent in Negotiations and Endeavours on our side, to bring them to reasonable Terms, which, notwithstanding all we could do, proved at length ineffectual: for the more we pursued them with friendly Propositions, the more obstinately they kept off from agreeing with us.

Upon this ensued the War in the Year 1665, and continued to the Year 1667; in all which time our Victories and their Losses were memorable enough, to put them in mind of being more faithful to their Leagues for the future. But instead of that, the Peace was no sooner made, but they returned to their usual Custom of breaking Articles, and supplanting our Trade:

For Instance, the States were particularly engag'd by an Article of the Treaty at *Breda*, to send Commissioners to us at *London*, about the Regulation of our Trade in the *East-Indies*: But they were so far from doing it upon that Obligation, that when we sent over our Ambassador to put them in mind of it, he could not in three Years time get from them any Satisfaction in the material Points, nor a Forbearance of the Wrongs which our Subjects receiv'd in those Parts.

In the *West-Indies* they went a little farther: For by an Article in the same Treaty, we were to restore *Surinam* into their Hands; and by Articles upon the Place, confirm'd by that Treaty, they were to give Liberty to all our Subjects in that Colony, to transport themselves and their Estates into any of our Plantations. In pursuance of this Agreement, we deliver'd up the Place, and yet they detain'd all our Men in it; only Major *Banister* they sent away Prisoner, for but desiring to remove according to the Articles.

Our Ambassador complaining of this Behaviour, after two years Sollicitation, obtain'd an Order for the performance of those Articles: But when we sent Commissioners, and two Ships to bring our Men away, the *Hollanders* (according to their former practice in the Business of *Pole-eroon* for above forty Years together) sent private Orders contradictory to those they had own'd to us in publick; and so the only effect of our Commissioners Journey thither, was to bring away some few of the poorest of our Subjects, and the Prayers and Cries of the most considerable and wealthiest of them for relief out of that Captivity. After this, we made our Complaints by our Letter in *August* last to the *States General*, wherein we desir'd an Order to their Governours there, for the full Observance of those Articles; yet to this time we could never receive one word of Answer or Satisfaction.

But it is no wonder that they venture at these Outrages upon our Subjects in remote Parts, when they dare be so bold with our Royal Person, and the Honour of this Nation, so near us as in their own Country, there being scarce a Town within their Territorys, that is not fill'd with abusive Pictures, and false Historical Medals and Pillars: some of which have been expos'd to the publick View by command of the States themselves, and in the very time when we were join'd with them in united Counsels for the support of the Triple League, and the Peace of Christendom. This alone were cause sufficient for our Displeasure, and the Resentment of all our Subjects.

But we are urg'd to it by Considerations yet nearer to us, than what only relates to Ourselves; the Safety of our Trade, upon which the Wealth and Prosperity of our People depends, the Preservation of them abroad from Violence and Oppression, and the *Hollanders* daring to affront us almost within our very Ports, are the Things which move our just Indignation against them.

The Right of the *Flag* is so antient, that it was one of the first Prerogatives of our Royal Predecessors, and ought to be the last from which this Kingdom should ever depart. It was never question'd, and it was expressly acknowledg'd in the Treaty at *Breda*; and yet this last Summer it was not only violated by their Commanders at Sea, and that Violation afterwards justify'd at the *Hague*, but it was also represented by them in most Courts of *Christendom*, as ridiculous for us to demand. An un-
grateful

Infolence! That they should contend with us the Dominion of these Seas, who even in the Reign of our Royal Father, thought it an Obligation to fish in by taking of Licences, and for a Tribute; and who being now in a Condition of making this Dispute the Protection of our Ancestors, and the Valour of our Subjects.

Withstanding all these Provocations, we patiently waited for Satisfaction, not being willing to expose the Peace and Liberty of our Kingdoms for our particular Resentments; whilst they should not on their parts to endeavour to provoke the Christian King against us; of which they thought themselves so secure, that for above these twelve Months their Ministers here have threaten'd us with it.

Notwithstanding, hearing nothing from them, we sent another Ambassador to them, who after several pressing Memorials in our Name, could receive no Answer, till after he had receiv'd his Revocation. Then they offer'd a Paper in the Name of the States, That in this Conjunction they would consent to strike to us, if we would assist them against the

But upon condition, that it should never be taken for a Precedent hereafter to their Prejudice.

At the return of our said Ambassador, they have sent another extraordinary one to us, who in a most extraordinary Manner has given us to understand, That he can offer us no Satisfaction till he hath sent back to his Masters.

Therefore, despairing now of any good Effect of a further Treaty, we are compell'd to take up Arms in Defence of our Prerogative of our Crowns, and the Glory and Liberty of our Kingdoms; and we put our Trust in God, that he will give us his Assistance in this our just Cause, since we had no way left to defend our People from the Artifice of that Nation in Peace, but by the Valour of our Subjects in War.

We therefore thought fit to declare, and do hereby, that we will prosecute War both by Sea and Land against the States General of the *United Provinces*, all their Subjects and Inhabitants. Hereby in our most dear and most beloved Brother the Duke of Brabant, our High Admiral, our Lieutenants of our several Provinces, Governours of our Forts and Garisons, and all Officers and Soldiers under them by Sea and Land, we do forbid all Attempts of the States General of the *United Provinces*, or their Subjects, and to do and exe-

cute all Acts of Hostility in the prosecution of this War against the said States General of the *United Provinces*, their Vassals, Subjects, and Inhabitants; willing and requiring all our Subjects to take notice of the same, whom we henceforth straightly forbid, on pain of Death, to hold any Correspondence or Communication with the said States General, or their Subjects, (those only excepted who are necessitated thereunto for the withdrawing their Persons and Estates out of the *United Provinces*.) And because there are remaining in our Kingdoms many Subjects of the States General of the *United Provinces*, we do declare, and give our Royal Word, that all such of the *Dutch Nation*, as shall demean themselves dutifully towards us, and not correspond with our Enemies, shall be safe in their Persons and Estates, and free from all Molestation and Trouble of any kind.

And further we do declare, That if any of the *Low Country* Subjects, either out of Affection to us or our Government, or because of the Oppression they meet with at home, shall come into our Kingdoms, they shall be by us protected in their Persons and Estates.

And whereas we are engag'd by a Treaty to support the Peace made at *Aix la Chapelle*, we do finally declare, That notwithstanding the Prosecution of this War, we will maintain the true Intent and Scope of the said Treaty; and that in all the Alliances, which we have or shall make in the Progress of this War, we have and will take care to preserve the Ends thereof inviolable, unless provok'd to the contrary.

Publish'd by Order of his Majesty's Privy Council.

*The Answer of the States General of the
United Provinces of the Low-Countrys,
to the foregoing Declaration of War of
the King of Great Britain.*

THE States General of the *United Provinces* of the *Low-Countrys*; to all to whom these shall come, Greeting. The Hopes we had hitherto, that our continual seeking of Peace would, in time, prove more successful; and that the reiterated Instances of the Prince of *Orange* should at last carry it above the Arts which have been us'd against us, have kept us from publishing sooner an Answer to the Declaration of War of his Majesty of *Great Britain*; being unwilling to encrease the Feud, or to let the whole World see at what rate so great a King hath been abus'd, by the publishing in his Name of a *Manifesto*, wherein Truth is what hath been least aim'd at, and which is all full of things that deserve so little to bear in the Front so Illustrious a Name.

But since all our Endeavours, as well as those of the Prince of *Orange*, have prov'd fruitless; and that our most earnest Suits are not only rejected with Scorn, but are also look'd upon as Injuries, as it appears by the Exceptions that have been taken at the respectful Letter we had written to his said Majesty; the Care we are bound to have of our Honour, and what we owe to our Subjects, doth not give us leave to defer any longer the laying of our Innocence open, and to make known to all *Europe* the Justice of our Arms, which we shall be always ready to lay down as soon as the Violence of our Enemys shall cease; as we did not take them up, but out of an unavoidable necessity.

Howbeit, before we go further, we think it necessary to desire his Majesty of *Great Britain* to be persuaded, that our intention is not to offend his Royal Person, for which we have ever had, and will still have, all imaginable Respect;

altho the strength of Truth doth constrain us to disown most of what his Ministers have persuaded him to aver.

We do also desire all those of the *English* Nation, into whose hands these may come, to read them with an impartial Mind, and to seek only the Truth in them, without considering it comes from Enemys, since we bear that Title with much regret; and that we desire nothing more earnestly, than to see our selves united again with a Nation, to which we are link'd by the sacred Bond of the same Religion, besides a joint Interest in several other respects.

We never intended to call in question the peaceable and generous Intentions of the King of *Great Britain*; and we are enough persuaded, that all the Misunderstanding that hath been between us since his Restoration, hath proceeded only from the Counsels of ill-affect-ed Persons. But by reason that to what concerns the Person of his Majesty, (which we do not gainsay) they add several groundless Accusations relating to ourselves, a short and faithful Account of what hath pass'd most considerable before the Treaty of *Breda*, will sufficiently demonstrate which of both Partys hath most endeavour'd to preserve a fair Correspondence, and who have sought Peace with the greatest reality and zeal.

When his Majesty of *Great Britain* was miraculously called again by his Subjects to the Government of his Kingdoms, he was pleas'd to make choice of one of our Towns to receive the Deputys that were sent to him, and stay'd with us till all things were ready for his Transportation. During the said time, we endeavour'd to give him all possible Demonstrations of Respect to his Person, and of the fervent desire we had to purchase his Friendship, and to preserve the same inviolable. And what we did in that respect, prov'd so acceptable to his Majesty, and did so far persuade him of the sincerity of our Intentions, that he was pleas'd to acknowledg it much beyond what we expected; and assured us, with the most obliging Expressions, that he was resolv'd, and did earnestly desire to enter with our State into a stricter Alliance than any of his Predecessors had done, and that he did hope his Restoration would be of no less advantage to the Inhabitants of our Provinces than to his own Subjects, and that they should all taste the fruits of it with an equal satisfaction: Adding to this, that

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he should not without jealousy see us prefer the Friendship or Alliance of any other Prince before his. Several general Proposals and Projects of Treatys were made even at that time; after which we sent a solemn Embassy to put an end to what had been already propos'd, and to offer on our part all that was both reasonable and feasible. But our Embassadors were no sooner arriv'd, but they perceiv'd a great Alteration in the Mind and Inclinations of his said Majesty, and found that some ill-affected Persons had possess'd him against us since he had left the *Hague*: So that instead of concluding the Alliance which he had propos'd to us himself, he began to side with other Princes against us. And in particular, tho' the War we had with *Portugal* was most just and most warrantable, yet he openly threatened to break with us, if we did seek any longer, by way of Arms, a reparation of the Wrongs we had receiv'd from that Crown.

In the mean time, our Embassadors did not intermit their Instances, and press'd with all possible Zeal for the concluding of a stricter Alliance with the Crown of *England*. But after several Objections and Difficultys rais'd by that Court, upon the Articles which our Embassador had propos'd, in conformity to the Project that had been made, whilst his Majesty was still at the *Hague*; the Commissioners with whom they treated, offer'd them at last, after above a Year's delay, the Treaty which was concluded in the Year 1654 with *Cromwell*: And this Treaty could not be confirm'd neither, but with much difficulty and trouble, and with the addition of several Points, that made it more disadvantageous to us than that very Treaty of 1654.

At last, having overcome all those Difficultys, and given to the King of *Great Britain* so clear Proofs of the singular Esteem we had of his Friendship, we thought thereby to have laid the Foundation of a firm and durable Peace; and did hope the *English* Ministers would have contributed on their part, as we did on ours, to extinguish the least Sparks of Discord: But the Treaty was no sooner concluded, than they began to renew and set on foot certain Pretensions, that were regulated in general by the Treaty, but not perfectly ended. And whilst the Embassador *Downing* made a great Noise in the *Hague*, of a few groundless Demands of some private Merchants, they sent a Fleet to possess themselves of several Places belonging to us upon the Coast of *Guinea*, and of all the *New Netherlands*; and that in

the midst of a settled Peace, without a previous Declaration of War, and without any denial on our part to give them satisfaction upon any Complaint they had made: and afterwards they seiz'd all our Merchant Ships that sail'd along their Coast.

These Excesses were follow'd by a Declaration of War; during which, we may truly say, we never refus'd to hearken to any Overture of Peace that was made to us, either by Princes and States, or by any other unconcern'd Persons. But, to the contrary, we let no opportunity slip of making Overtures of Peace ourselves, upon the least glimpse of hopes it might be done with success: Having in order to that kept our Ambassador in *England*, during the best part of the War; and having still, since his coming away, offer'd from time to time to his Majesty of *Great Britain*, the very Alternative upon which Peace was at last concluded, (which was either to keep what had been conquer'd on either side, or to restore all reciprocally) without seeking to make any advantage of the Conjunction of *France*, which had then declar'd in our behalf.

All this doth sufficiently shew how zealous we have always been for Peace; and even without any other proof, one may easily imagine we shall ever be desirous of what is the true Foundation of the Happiness of our Country, as it is the Support of our Trade.

All those who are in any measure acquainted with the state of our Affairs, can't but know that a War by Sea, such as this we are engag'd in now, is of all Rocks, that which at all times we shall avoid with the greatest Care; and that nothing but an inevitable Necessity can bring us to the taking up of Arms; in case they will but grant us ever so little Prudence and Wisdom, altho they would not own we keep our Treatys (as we may truly say we have ever done) out of a Principle of Conscience and Honour. And therefore the Proofs which *England* doth instance in, of our averfeness to Peace, and of the perpetual Infraction of our Treatys, must needs carry a strong Demonstration with them, to make good a Paradox that is so much against all Sense and Reason. Let us then examine in order those pretended *Infractions*, and see how far the Compilers of the *Manifesto* do make it appear we have violated the Peace of *Breda*.

The first Infraction they complain of, and which in all likelihood ought to be very considerable, since it leads the

Van, hath four several Branches: 1. That we were bound by the aforefaid Treaty of *Breda*, to fend Commissioners to *London*, to regulate the *East-India* Trade; which we have not done. 2. That this forc'd the King of *Great Britain* to fend us an Embassador, to put us in mind of what we had promis'd. 3. That the faid Embassador could not in three years time get from us any fatisfaction in the material Points; nor, 4. A forbearance of the Wrongs which the Subjects of his faid Majesty receiv'd in these Parts.

Whereupon we can't but take notice, that this, in all probability, is the first *Manifesto* in the World that ever began with an Article, whereof every part is a mere Supposition, and wherein, of all the Matter of Fact that is alledg'd, there is not the least Point agreeable to Truth. For, 1. Let the whole Treaty of *Breda* be read and examin'd with Care, no Clause will be found whereby either in exprefs or equivalent Terms, we were bound to fend Commissioners to *London*; much less to fend any thither for the Regulation of the *East-India* Trade, which is not so much as mention'd in all the Treaty. Which makes us wonder at the surprising Boldness of those who dare publish and aver, in the sight of all *Europe*, a thing which doth confute itself; and the Falshood whereof may be evinc'd, by producing only the very Treaty they quote and ground themselves upon. 2. How is it possible the King of *Great Britain* should fend us an Embassador, to put us in mind of that which never was, and which we could not have promised, since it had not been so much as spoken of? 3. What essential Points could have been mov'd upon an imaginary Clause and Engagement? and there being nothing in that respect agreed upon by the Treaty of *Breda*, what fatisfaction could they demand from us? 4. We may with Sincerity and Truth affirm, that hitherto we have not heard that our *East-India* Company, since the last Peace, hath done any wrong to, or committed any Violence against the Subjects of the King of *Great Britain*; and withal, that his Embassador never complain'd to us of it in the least; which undoubtedly he would have done, if there had been any ground for it. But to demonstrate further the Injustice of this Complaint, and how ill grounded it is, we are assured from good hands, that the Committee of the *English East-India* Company, having been desir'd by the Court to bring in their Grievances, with a List of the Injuries they had

receiv'd in the *Indies* since the Treaty of *Breda*; they answer'd in writing, They had receiv'd none.

But what is little less surprizing than all the rest, is, that they charge us with violating the Treaty of *Breda* in relation to the *East India* Trade, which is not mention'd in it, instead of returning us Thanks for what we have done in that respect, without being bound to't by any Treaty; and merely to let the King and all the *English* Nation see at what rate we were willing to purchase and to preserve their Friendship. In few words, the thing was thus.

The Peace which was treated of at *Breda*, being much desir'd by the greatest part of *Europe*, and the time being too short to enter into a particular Negotiation for a Treaty of Marine between *England* and us, it was agreed to make use provisionally of that which we had concluded with *France* in the Year 1662, beginning from the 26th Article, to the 42d inclusively; it being resolv'd at the same time that, after the Peace concluded, Commissioners should be chosen on both sides to agree upon a more particular Regulation of Marine, for the reciprocal Ease and Convenience of the Merchants of both Nations: Which kind of Treatys being only to determine the *Contraband* Goods, and to prevent the Interruption which War commonly causeth in the Trade of Neutral Nations, is altogether different from a Regulation of Trade in the *East Indies*. Moreover, the Winter following *England* having design'd the Preservation of the *Spanish Netherlands*, and having sent Sir *William Temple* to enter into a Negotiation with us in order to it, we concluded in a little time three several Treatys with him; viz. The one a *Defensive League* between us; the other for the Defence of the *Low-Countrys*, which afterwards was called the *Triple Alliance*; and the third an absolute Treaty of *Marine*, which was concluded on the $\frac{2}{7}$ of *February* 1668, and which left no room for the Nomination of the Commissioners that had been spoken of at *Breda*, since this Treaty had settled what they should have treated about, and that there was nothing to be added to a formal and absolute Regulation.

After the Conclusion of this Treaty, some *English* Merchants did represent to the Court, that some Articles of it were doubtful and impracticable; whereupon Sir *William Temple* deliver'd us a Memorial, dated the 26th of *November* 1668, without mentioning therein the *East-India* Trade; and on the first of *December* following he gave

our Commissioners two Articles of the Treaty of *Marine*, which were complain'd of, and added to them four Articles more, to be as a Rule between the two Companys in their *East India* Trade; but which, in truth, were mere Demands the *Engliff* Company made for their private advantage. Whereupon we must not omit, that neither in the Memorials which the said Embassador gave us, nor in all the Confernces he had with our Deputys, he ever mention'd in the least the Treaty of *Breda*, nor did ever ground his Demands either upon the said Treaty, or upon any other Engagemēt or Obligation on our part.

The whole was imparted to our Assembly on the very same day; where after a serious Debate, altho we might have refus'd to make any Alteration in a Treaty which had been concluded and ratified in the usual Forms: That withal, as to what related to the Articles which the *Engliff East-India* Company had procur'd to be deliver'd to us, we were not bound by any Treaty, or other Engagemēt, to enter with them into a Regulation of the *East-India* Trade, much less to grant them several Points, which were all for their private advantage, without any possibility for us to reap reciprocally the least benefit of the said Regulation; which was also directly contrary to the Laws generally receiv'd in, and to the common use of the *Indies*: And lastly, that they complain'd of no wrong (as indeed they could not have done it with any Justice) done to them by our Company; and therefore had so much the less cause to urge for a more particular Regulation, whilst there was no necessity for it. Yet we thought fit to pass by all those Considerations, and to give his Majesty of *Great Britain*, and all the *Engliff* Nation, this new Proof of the singular Esteem we had of their Friendship, and of our desire to tie the Knot of our Union yet faster, and to make it, if it were possible, indissoluble. Upon which ground we order'd our Commissioners to prepare an Answer to the Proposals of the aforesaid Embassador, and to confer with him in order to a speedy conclusion of that Work. And all we can say in general of the said Negotiation, the Particulars whereof would be too tedious for those who are not vers'd in those matters, is, That of four principal Points which were propos'd by the said Embassador, we granted and agreed upon three; and without rejecting the fourth, we only desir'd a further clearing of some ambiguous Clauses one of the Articles contain'd; which, instead of settling a
good

good Correspondence between the two Companys, might have occasion'd new Debates, and have prov'd of dangerous consequence.

And the better to evidence how desirous we were to give all possible satisfaction to *England*, being sensible that the Letters which were written on both sides, did not sufficiently clear all Doubts, we sent the *Sieur Van Beuningen* chiefly to put an end to the said Treaty between the two Companys. But whether the *English* Ministers, who were appointed to treat with him as Commissioners, were unwilling to explain themselves more particularly upon the ambiguous Clauses, whereof a further clearing was demanded, lest they should discover the unjust Sense wherein they intended to take them afterwards; or that they were afraid lest the conclusion of that Treaty should have united more strictly both Nations, and so might have prov'd a new Obstacle to the War they already design'd at that time; the said *Van Beuningen* could obtain no positive Answer upon what he desir'd, and came back without any progress made in his Negotiation; which could not be renew'd since, by reason of the misunderstanding, which still encreas'd from that time, unto the breaking out of the War.

As to *Surinam*, which is a Colony upon the Coast of *Guiana* in *America*, it had belong'd to the *English*, but some Ships we sent thither, master'd it during the late War, on the 6th of *March* 1667. N. S.

At the taking of it, our Officers granted to the Inhabitants a Capitulation; wherein, amongst other things, it was express'd, that whenever any of the said Inhabitants should have a mind to remove out of the Colony, they should have leave to sell their Estates; and that in such case the Governour should take care for their Transportation, together with their Effects, at a reasonable Rate.

After we had had the said Colony some Months in our possession, the *English* Forces conquer'd it again. But as by the Treaty of *Breda* it was agreed to surrender capitally, and transfer to each other all Right of Sovereignty to the Places which were possess'd on either side on the 4th *May* 1667, and that we were then yet in possession of *Surinam*, the said Colony did belong to us, and was to be restor'd us by the Treaty aforesaid; as it was at last (after long delays, and many reiterated Instances from us) by virtue of an Order of the King of *Great Britain*, dated 1st *th* of *July* 1668.

ing thus possess'd again of the said Place, one *Banister* who commanded there at the time our Officers brought the last Order of the King of *England* for the Retention of it, declar'd to our Governour that he intended to have the Colony, and enjoy the benefit of the afore-mentioned Capitulation; which indeed he might lawfully do, not being satisfied with demanding for himself what had not been denied him, he acted as if he had still Governour of the Colony, and demanded in a vehement manner the same permission, in the name of several Gentlemen, as their Deputy, and thereunto by them authorized. Whereupon the Governour aforesaid being informed, that the said *Banister* did Night and Day cabal in the Colony, and us'd in a seditious manner both Promises and Threats to associate to him as many as he could, and urge them to go away with him; and looking upon such a course as directly contrary to the Sovereignty which had been transfer'd to us by the Treaty of *Breda*, by virtue of which all the Inhabitants of the said Colony were become our Subjects, and consequently could not meet together, nor act as a Body without our leave, much less to make themselves Heads of Partys, and to cabal against our Interest, as the said *Banister* had done; our said Governour not finding it fit to punish him himself, sent him to us to inflict upon him what Punishment we should think convenient. Upon his Arrival, Sir *William Temple* having spoken to us in his behalf, we granted him his Liberty. And altho the Inhabitants of *Surinam*, by their being become our Subjects, had lost all Right of applying themselves to any other Authority but our own, and so that no foreign Prince could with any Justice make himself Judge of any former Capitulation; our Subjects having no lawful way to go out of our Territorys but by asking our leave, which also we may affirm, never to have denied to any of the Inhabitants of that Colony who apply'd themselves to us, or to our Officers: yet to let his Majesty of *Great Britain* see how ready we were to comply with him, and how far we were from designing to use our new Subjects with any Rigour, or to deny them the least of the Privileges which were promised them in our Name, we consented to enter into his Majesty's Embassador into a Negoriation upon the said matter, and to regulate with him the manner how the afore-said Capitulation should be executed. Upon this several Difficultys did arise; the Court of *England* endeavouring

vouring to strain the words of the Capitulation beyond their true Sense, thereby to destroy as much as they could our said Colony, and asking every day somewhat new; whilst the Intention of those who govern'd was not to compose Differences in an amicable way, but rather to leave still, with much Art, some Seed of Dissension, thereby to have an opportunity of making a Noise; and by their false Complaints to persuade the *English* Nation, we were strange Tyrants who kept their Countrymen in a barbarous Captivity, without being moved by their Prayer and Cries. Whereas we may truly say, that excepting *Banister*, we have heard of no *Englishman* at *Surinam* who desir'd to remove, without being thereunto induc'd either thro' the Promises or Threats of some of the Agents from *England*.

The first Difficulty was concerning the Slaves, which *Banister*, with his Associates, did pretend they might carry off, and take along with them, by virtue of the Capitulation; altho' it be plain both by the Words of the Capitulation aforesaid, and by the Testimony of our Officers who sign'd it, that no such Privilege had been granted to them. But at last, to oblige as much as we were able his Majesty of *Great Britain*, we yielded that Point, and consented to what his said Majesty desir'd of us, how prejudicial soever the thing was to us.

But as the Intention of the Court of *England* was only either to destroy our Colony, or to force us to deny them somewhat that might give them a pretence of complaining of us, tho' never so unjustly; they did not think to have done their work by carrying away from us a very great number of Slaves. And foreseeing we would not be long without buying new ones instead of them, they thought upon a new way to destroy our Sugar-Works, which they were forc'd to leave behind, and desir'd afterwards they might carry away the Coppers and other necessary Utensils for the making of Sugar; altho' in the common Acceptation, thro' all the Colonys of *America*, and by the manner they were fasten'd and fix'd, they were properly a part of the Sugar-Works, and therefore not transportable in their nature. This Demand was so unreasonable, and so foreign to all that was specify'd in the Capitulation, that we had but too much cause wholly to reject it. But still to demonstrate what value we set upon the Friendship of the King of *Great Britain*, and he

we were willing to condescend even to all his Desires, we did likewise give way to it.

Besides this, they desir'd they might send *English* Ships, for the Transportation of such as should be minded to leave the Colony; in hopes that this sending might engage those who go off, who had not design'd it, and not to reject the Invitation of so great a King, by suffering the Ships he sent them at his own Charge, to return empty. These little Affairs were not unknown to us. And altho this Demand was directly contrary to the Laws and to the Practice of all Colonys in *America*, where no Prince or State do suffer any Ships but their own to come to any Plantation they respectively possess; and that withal it was expressly agreed by the Capitulation, that our Governour should furnish with Ships (at a moderate Rate) such Inhabitants would remove out of the said Colony: Yet we once more pass'd by all those Considerations, and granted it, as we had done all the rest.

But by reason they fear'd still the sending of the Ships might not have the Success they expected, unless they did send at the same time some trusty Agents, to give the same a greater Reputation, and to endeavour underhand to persuade the *English* Inhabitants to go away with them; they press'd that they might name Commissioners to carry the Orders we sent to our Governour (in conformity to what we had granted to his Majesty of *Great Britain*) and to be present at the executing of them. This we granted them also, and desired only they would make choice of such Persons as were unconcern'd and well-meaning, to the end all Things might be fairly ended, and finish mutual Satisfaction. But how rational and just never this our Request was, the *English* Court insisted upon the often-mention'd *Banister* to be the chief Person of this Embassy: And being resolv'd on our part to give the highest Proofs of our Condescension, we oppos'd it no longer; altho we had so much cause to suspect him.

A final End was put to this Negotiation by our Ministers in *England*; and the last Orders we sent to our Governour were agreed upon between the late Secretary *Trevor* and them, much against the Expectation of the other *English* Ministers, who did not think we could have been brought short with so much of our Right, nor grant so many things we were not bound to, and which were so prejudicial to us. But as the secret Reasons and Motives which

kept

kept the said Ministers from perfecting the private Treaty between the *East India* Company, which was so far advanced, made them fear likewise lest the business of *Surinam* should be amicably ended, neither of them agreed with the Measures they had lately taken at *Dover*, when the Court had gone to receive the Duchess of *Orleans*; they were not in the least pleas'd with what the said Secretary *Trevor* had done, and began to think of means to stop the Execution of it; without remembering their Prayers and the Cries of those poor Subjects, who (say in their *Manifesto*) long for Relief out of their Captivity.

In order to that, not daring to fall openly upon the Secretary, nor to impeach him themselves, they refer'd the Agreement he had made to the Scrutiny of the Council of Plantations, to see whether they could not find something else to demand, beyond what he had obtain'd from us. And in truth their Policy was so successful, that the *Banister* himself, as partial as he was, had not deceiv'd the said Council that he was satisfy'd with what we had granted, and had not express'd with some heat his Dissatisfaction of going away, our Orders would not have been accepted and they would have made new Demands from us before they had dispatch'd the said *Banister*.

Yet to perplex the Thing with new Difficultys, they gave the *Banister* as ample a Commission, as if the Colony of *Surinam* had not belong'd to us with Right of Sovereignty, and with several Clauses, which shew'd plainly that their Intention and Design was to force a Denial from us; having even (by an unheard of proceeding) named, at the Commendation and Choice of *Banister*, five of our Subjects in *Surinam*, to be Commissioners from and by order of the King of *Great Britain*. Our Ministers in *England* having had notice of it, were infinitely surpris'd, and express'd highly their Resentment; Whereupon the said Secretary *Trevor*, who, as it hath appear'd, had no share in their Counsels, being sensible that the overthrowing of all that had been done was what other Ministers did most desire, made several Instances to our said Ministers to pass by the just Considerations they might have, and even to grant to *Banister* a Letter of Commendation, wherein they should persuade our Honour to execute his Orders *bonâ fide*, without taking Notice of such Circumstances as might be irregular. At last they granted him by a kind of implicit Faith

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of the strong persuasion they had of his Integrity. which is very far from sending private Orders contradictory to those we had own'd in publick, as is here laid to Charge against all Truth, and with as little ground as they add concerning *Poleroon*.

After all those Delays, whereof we were not the Cause, *English* Ships at last went away, and arriv'd at *Suri* on the 19th of *January* 1671, where the Commissioners were receiv'd with all imaginable Civility. And all we say in few words, concerning what pass'd between us and our Governour, is, that on his part there was nothing forgotten that might oblige the *English* Nation; having gone much beyond what might have been expected of him, and what the Orders that were agreed up with *England* requir'd. But as to the Commissioners, whose whole Carriage was a perpetual Mixture of unreason-Passion, groundless Complaints, and unjust Demands, they had had no other Design than to breed a Misunderstanding between the two Nations. They having all endeavour'd by all possible means to destroy our Loyalty, against the Allegiance of those amongst them that were our Subjects; against the Promises which *Banister* in particular made to our Ministers in *England*; and against the Engagement of the King of *England* himself, and his Royal Word, which he had often given to the contrary. But by reason the Proof of all this would have cost up too much time, we have order'd the publishing of our Governour's Journal, with his Answer to the Propositions the aforesaid Commissioners left with him when they went away; to let the whole World in general, and in particular the *English* Nation, see the notorious Falshood of what is laid to our charge, and the Uprightness of the Proceedings of our Officers, as well as the Sincerity of our Intentions.

From the pretended Outrages committed against the King of *Great Britain's* Subjects, in remote parts; they come to our affronting here (as they groundlessly affirm) his Majesty's Person, and the *English* Nation; which alone had been a cause sufficient for his said Majesty's Displeasure, and the Resentment of all his Subjects. Which in other words is such as if the *English* Ministers had said, that to punish the Ambition of a Burgomaster of a private Town, we had caus'd himself to be drawn somewhat too vainly, that he was at least to be set in a Flame; and that so horrid

rid a Sin could not be wash'd away but by a Deluge of Christian Blood.

But to answer this Accusation more exactly, we cannot sufficiently wonder at the carriage of the Court of *England*, who think to justify to the full a War, wherein so much innocent Blood is shed, and which causeth so general a Desolation, by telling little Tales that have no ground in Truth, and which are so much beneath the Gravity of a *Manifesto*; and by their talking of abusive Pictures, and false Medals, and Pillars, wherewith they say all our Towns are fill'd. For first, as to their false Pillars (which by the way is an Expression somewhat singular) if they mean by it that we have erected Pillars to the dishonour of the King of *Great Britain*, or the *English* Nation, it will never be found we had so much as the thoughts of doing any thing like it: And in that sense only those Pillars may with truth be call'd *False*.

And as to the Medals (which they also do call false) we never knew but of a true one, wherein under the known and usual Emblems, with both Poets and Painters, on the one side *War* was represented, and on the other *Plenty*, and *Peace* that produceth it; having under her feet *Discord* in the shape of a Fury, that was vanquish'd, and should no longer desolate States that were become Friends.

And this Medal, tho it was not done by our Order, being look'd upon as very inoffensive, one of our Provinces gave the Engraver leave to sell it publicly; as it is usual to permit the Printing, and the Sale of Books, which are not thought dangerous; or out of a particular Kindness, to grant a special Privilege to some private Bookseller, and thus to prefer him before his Neighbours. Not to insist now upon the Right we had, as well as any other Sovereigns, to make use of either Medals, or any other usual means, to preserve the Memory of any Action, or Event, we might have thought considerable; and whereof especially there are so many Instances in *England*.

But tho we did not think the said Medal could have given the least offence, yet there were those who did maliciously make use of it, to exasperate the King of *Great Britain*: and howbeit there was nothing more false, nor more groundless than what was suggested by these weak Informers; yet to take off all pretence, and to demonstrate, even in the least Circumstances, the Sincerity of our Intentions, the Privilege granted to the Engraver was called in,

all

Medals that could be found were suppress'd, and
amp was order'd to be broken, to prevent the coining
more of them in private.

o the abusive Pictures, whereof they pretend all our
are full, the great noise they make hath no other
but a Picture, which the *Schepen* (or Sheriffs) of
aus'd to be made of the *Sieur Cornelius de Witt*, one
ir Burgomasters; and which, by a Civility some-
xcessive, they order'd to be hung up in the Chamber
the Council of their Town used to meet. In this
he was drawn with a Staff of Command, because
preceding War he had acted in the Fleet as our
; and the Painter had added to it on the one hand
r with several Ships, whereof some were on fire;
the other a Horn of *Plenty*, out of which flow'd
of Goods and Commodities; to signify that War
ade room for Peace, and that Trading and Com-
had succeeded to Battels and Fights. Whereupon
servable, 1. That the State had no share in the
of the said Picture. 2. That it was not the whole
f the Town of *Dort* neither, but the aforesaid
only, that were his particular Friends. 3. That
ture (of what nature soever it might have been)
private Room, where none but those of the Coun-
e Town had right to come in. 4. And lastly,
e was nothing abusive in the whole Picture; and
could be censur'd in it was the Vanity of him,
either sought or accepted of an Honour, which a
udent Man would have refus'd.

ting this only Picture, we may truly say we never
any other that was excepted against, or com-
; and in case any abusive ones had been to be
e King of *England's* Ministers that have resided
us, would undoubtedly have spoken of it, and
at the Authors or Publishers of them might have
ish'd. Which is a clear proof there was never
thing publickly known. And in case any have
or dispers'd secretly, (which yet we do not be-
v can we be answerable for, or be suppos'd to
and in what never so much as came to our
;?

his Majesty of *Great Britain*, on pain of making
us, expect more from us within our Dominions,
n do himself within his own Kingdoms, where

it is sufficiently known how many bitter Libels, against his Person and his Government, have been dispers'd, withstanding the strictest Searches? And it may be own Court hath not been freer from it than the of the Kingdom. And the Liberty his Subjects do hath been so universal, that they have not spar'd ever most retir'd Apartments. His Ministers have been worse yet, since the Chancellor doth confess in the Speech made at the opening of the former Session of Parliament that they were accus'd openly of Treachery and Fraud and were call'd, even in the Coffee-houses, both Fools and Villains. These are his own words.

After all this, with what Justice can they complain of us, who in the very heat of all our Wars, have been guilty of no Excesses that came near unto these; and who in the last have suppress'd of our own accord, under very severe penalties, two Pamphlets that spoke with too little respect of the Person of his Majesty of *Great Britain*, although the Author seem'd to have been very affectionate to the Welfare of our State?

As this Article is hardly to be understood, and is backed by no manner of proof, we suppose they intended it for an Introduction to what followeth; and therefore we can refute it no better, than answering in order to the Matter of Fact they do alledge.

This is the grand Battery of the *English* Ministers. 'Tis what they think we cannot withstand; and which they do with the greatest confidence rely upon. Before they made this Pretence, they knew not how to overcome all the Difficultys which still hinder'd their Design. They were resolv'd to make War upon us: They had promis'd to *France*; and withal they flatter'd themselves, it would much advance their private Design at home: But they wanted Arguments that were popular enough to incense the Nation against us. They had need of somewhat more than their Pictures and their Medals. And in order to this they contriv'd the sending of a Yatch to seek our *French* Ships which lay at anchor not far from our Coasts, to receive striking from our Admirals; in hopes that the novelty of the thing would occasion some Accident which might further their Designs. Which Plot of it as we have since found, having too well answer'd their Desires; and excepting this single point, there is nothing in all their *Manifesto*, wherein the *English*

tion may concern themselves in the least; we think it necessary, before we answer it more fully, to declare both unto the King, and to the said Nation, that as on our part we should be sorry to deny them the least Prerogative that of right may belong to them, or so much as to enter into any debate concerning what they may claim as their due, when the thing doth not relate to us, or is not made use of against us: we do hope likewise they'll have so much Equity, as to hear us in our just defence; and that the great noise the Contrivers of this War do make, shall not drown the Strength and Solidity of our Answer.

For the clearing of this point, it is to be observ'd that till the Year 1653, as there had never been any Dispute about the Flag between the *English* Nation and us, so it was never so much as propos'd to mention it in any Treaty. Which is a clear and certain proof, that till then the Sea-Commanders on both sides were sufficiently acquainted with what was to be done in those cases; and that nothing had been demanded in that respect by the *English*, but what we had been still ready to grant.

It is likewise very observable, that *England* had never any thoughts of securing this Right of the Flag by a formal Treaty, till they began to suspect some difficulty might be made of paying to them, as a Commonwealth, the same Honour that had been paid to their Kings, Which induc'd them to have an Article about it in the Treaty of Peace, which was concluded between us in the Year 1654.

The third thing which is to be observ'd, is, That whereas the Court of *England*, instead of entering with us into the strict Alliance which his Majesty himself had propos'd whilst he was here, did only renew the Treaty we had made with *Cromwel*, with some Addition, as we have said before; the Article of the Flag being part of the same was concluded with the rest, *Ann.* 1662, without any conference upon the Contents of the said Article, or the least Explanation of its true sense, further than what the Words did bear. And afterwards in the Treaty of *Breda*, the nineteenth Article, which is so much spoken of, was transcrib'd out of the Treaty of 1662, as that of the Treaty of 1662 had been taken out of the Treaty of 1654. So it to understand rightly the true Sense of the said Article, must go back to the Original, and examine what hath be's'd in *London* in the Conferences and Debates between the *English* Commissioners (whereof *Cromwel* himself was

one) and our Extraordinary Deputys in relation to the Article aforesaid.

And it doth appear by the Journal of our Deputys, which we have ready to produce to justify what we do alledg, (not doubting but that in case the *English* Commissioners have follow'd the same method, and have likewise register'd what pass'd, the same Particulars will be found therein) that on the $\frac{2}{17}$ of *November* 1653, the *English* Commissioners deliver'd to our said Deputys twenty seven Articles, which they propos'd to be agreed upon, and to make up the Treaty that was to be concluded. And that in the fifteenth of those Articles, it was amongst other things expressly said, that all our Ships, as well Men of War as others, whether single or in Fleets, meeting with any of the Ships of War of *England*, should strike their *Flag*, and lower their Top-sail.

Whereupon our Deputys did declare, that they had Order from us to assure the Commonwealth, our Intention was not to make any Innovation, and that we were very ready to pay to the Commonwealth all the same Respects, as we had paid to *England* under the former Government: And that therefore since they would have a particular Article about it, it was necessary, in order to that, to inquire of the oldest and most experienc'd Sea-Officers on both sides, in what manner the thing had been constantly practis'd, to settle it accordingly for the future: And the rather, because it was never mention'd in any former Treaty.

The Conferences, both upon that Point and several others, did continue for several days: But in all that time the *English* Commissioners could not be brought to enter into the Examination which was propos'd, nor to refer it (notwithstanding the reiterated Instances of our Deputys) to the decision of Seamen, as well in respect of the Coasts and Places, where *Striking* had till then been us'd, as for the Number of Ships; which certainly they would not have refus'd, if they could have prov'd that any Fleet of ours had ever struck to a single Ship of *England*, as they had pretended at first. And on the 26th of *Decem.* V. S. following, they gave our Deputys this Article, instead of the former they could not agree upon:

That the Ships and Vessels of the United Provinces, as well Men of War as others, meeting at Sea with any of the
Ships

Ships of War of the State of England, shall strike their Flag and lower their Topsail, and perform all the other Respects due to this State, until they be pass'd by.

In this new Article, the *English* Commissioners not being able to instance in any Fleet that had struck to a single Ship, nor consequently to justify their Pretension, they left out the word *Fleets*, which was in the former Article, and left the thing undecided in this, *That the Ships and Vessels*, without saying more. And at last, after several Conferences upon the whole Article, it was agreed on both sides to make no Innovation, and to keep the Practice, without determining the same more particularly. The said Article having accordingly been worded thus :

Quod Naves & Navigia dictarum Federatarum Provinciarum, tam bellica & ad hostium vim propulsandam instructa, quam alia, quæ alicui à Navibus bellicis hujus Reipublicæ in Maribus Britannicis obviam dederint, vexillum suum à mali vertice detrahent, & supremum velum demittent, eo modo, quo ullis retrò temporibus sub quocunque anteriori Regimine observatum fuit.

That the Ships and Vessels of the said United Provinces, as well Men of War as others, meeting in the British Seas with any of the Ships of War of this Commonwealth, shall strike their Flag, and lower their Topsail, in the same manner as hath been heretofore done, under any former Government.

This Point having been thus ended, and the whole Treaty concluded and ratify'd on both sides, we gave still our general Instructions to our Admirals and other Sea-Commanders, in the very same words as before ; not seeing any ground to make the least Alteration in them, since the said Article left things in the same condition and state as before ; adding only to them the Treaty that had been concluded, to be a Rule to our said Officers. And since there had never been any Clause in the said Instructions, that order'd the Commanders of our Fleets to strike their Flag to any of the *English* Ships of War they should meet with, we did not add it neither ; it being plain by all that hath been said now, that we were no ways bound to it, and that the *English* Commissioners had waved that point,

and insisted upon it no longer, for no other cause they wanted Proofs to back their Assertion.

In the mean time several years pass'd without pute or Difference upon that matter, between the Commonwealth of *England* and us. His Majesty now was afterwards restor'd to his Crowns; and in that which was concluded with him in 1662, the same was inserted with the rest, but without any more Explanation, either by Word of mouth or in Writing. In 1667, it was transcrib'd *verbatim* out of the 1662, to have it the nineteenth Article of that of 1667. And in all these Revolutions there had never been difference upon the executing of it, till the Month of *August* 1671, at which time the Court of *England* was to send a Yatch into our Fleet, that lay at anchor (said before) not far from our Coast; which sailing of our Admirals, shot twice sharp upon him, but did not strike his Flag, and lower his Topsail. Whereupon the said Admiral, who had no other Order concerning his Flag, but to observe the 19th Article of the Treaty of *Breda*, considering that the said Article did not mention whole Fleets, but spoke only of Ships in general, for the abovemention'd Reasons; besides several Circumstances our Fleet lay then under, to which Article could not be apply'd: And being desirous to pay to his Majesty of *Great Britain* all the Respect he possibly could, he went himself on board the Yatch (which was a thing almost without precedent, for an Admiral to take actual Command) and told the Captain with great and honorable Civility, that without a particular Order he would not take upon him a thing of that importance in case his Majesty of *Great Britain* did thinke it due, the Difference was to be decided with us, and not with the Masters of him the said Admiral.

This is the grand Crime of our Admirals; they are accus'd of ourselves with so much Heedlessness, and this is the unpardonable Affront we are put upon by them towards the King and all the *English* Nation. And as they themselves they add of our Carriage upon this Account, they have a fitter opportunity to speak of it in this place. And as to the Dominion of the Seas, and a Liberty of Trade for Fishing, (which no man can tell how to be mention'd in this place) we shall only answer, *That both the one and the other is also*

this War : And that as in all that relateth to the Ceremony of the Flag, we never intended to make the least Innovation, and would have no other Judges to regulate and decide it, than the oldest and most experienc'd Sea-Commanders ; so we desire no new Privilege for the Liberty of Fishing, and claim nothing in that respect, but to keep close to what hath been hitherto the constant Practice ; and to preserve what hath been regulated by solemn Treatys, near two hundred years since ; and which the Inhabitants of our Provinces, under all Changes and Forms of Government, have constantly enjoy'd without interruption.

It is hard to apprehend what Provocations are meant here, for which Satisfaction had been so patiently expected by the King of *Great Britain*, whilst he was unwilling to expose the Peace of *Christendom* for his particular Resentments, and which made him send us another Embassador, as it is said a little after. For if they mean by it the Businesses of the *East-Indies* and of *Surinam*, with our pretended abusing his Majesty's Person, which they lay to our charge ; We have already made it appear, that in all these respects the *English* Court had much cause to thank us for our Condescension, far from complaining of us. And this second Embassador they speak of, did never make the least mention of it ; which yet, in case their Complaints had been well grounded, was altogether necessary, to the end our Denial might have justify'd their War.

But on the contrary it is plain, it was not without Mystery they recall'd Sir *William Temple*, who had always been zealous to prevent, or to stop the progress of all that might breed the least Misunderstanding between both Nations, and who had still endeavour'd, by all possible means, to preserve an Alliance (whereof he had been an happy Instrument) entire ; to send us a great while after an Embassador, who neither in the Memorials he deliver'd us, nor in his private Discourses, did so much as mention what they have since made so much noise about. And if this patient Expectation relates only to the Business of the Flag, we shall demonstrate in the two following Articles the Injustice of this Complaint.

In the mean time, what they do add concerning our Endeavours to provoke the *French* King against his Majesty of *Great Britain*, is as far from Truth as all the rest of their Accusations : And we do not doubt but that all the *English*

Nation will give more credit to the sincere Protestation we do make here, in the presence of God and Men, that we had not so much as the Thoughts of what they lay to our charge, than to what some *French* Emissarys do surmise, as much against all Likelihood as against Truth.

We were then so far from having any secret Understanding with *France*, that we have drawn their Arms upon us merely by our being enter'd into too strict an Alliance with the King of *Great Britain*. And 'tis too well known to all *Europe*, whether the *English* Court, or We, have best kept the said Alliance, and which of us hath least sought the Friendship of the *French* King to each other's prejudice. Since the Embassador *Montague* was sent into *France* (which was in the beginning of the Year 1669) the least clear-sighted could easily perceive who have been the bosom Friends. And after reiterated Embassys of their grand Ministers, as well as what had pass'd at *Dover*, together with the great Levys they had given leave to the *French* to make against us in *England*, *Scotland* and *Ireland*; we must needs have been of a very easy belief, to have fancy'd, we had a greater share in the Friendship of the *French*, than the Court of *England* had: We, who at the same time had set out a considerable Fleet, to protect the *Spanish* *Netherlands*, in case of a second Invasion, and who were very earnest with *England* to set out another for the same end, that we might act jointly, and keep up the Reputation of the Alliance we were enter'd into; the *French* King being then advanc'd as far as *Dunkirk*.

But to demonstrate further the Injustice of this Accusation, our Embassador in *England* having sent us word, that notwithstanding all the convincing Proofs we had given of the contrary, yet there were some ill-affected Persons who endeavour'd to persuade both the King and all the Nation, we treated underhand with *France*, contrary to our Engagements: We immediately order'd him to declare in our name to his Majesty of *Great Britain*, That to evidence the Falseness of those Reports which were spread abroad to our disadvantage, and to give his said Majesty essential and undeniable Proofs of the Sincerity of our Intentions, we were ready to enter into such an Alliance with him as he should think fit, how strict soever the same might be, and to go far beyond any thing we had already done, for securing the Peace of *Europe*.

It is true, the reiterated Proffers of our Embassador were rejected with scorn: But we could hardly have imagin'd, that after this Proceeding of ours, the Court of *England* could since have laid to our Charge Threats, which they knew full well to be imaginary, and which we could not be guilty of, at a time wherein we sought to unite us more strictly; and whilst we were too well acquainted with their secret Intrigues with the *French*, to expect the Assistance of these against *England*.

Their manner of speaking here, of the sending of their second Embassador, doth seem to imply that either this complain'd in the usual Form, of all they are pleas'd to accuse us of in their *Manifesto*; or that Sir *William Temple* had already made his Complaints upon the business of the Flag, without receiving any answer to't. As to the first, we have already made it appear how far the same is from being true. And as to Sir *William Temple*, it would have been hard for him to complain to us of what did not happen, but very near a year after he had left us. But to insist no longer upon the Contradictions, which will be found in more than one place in this *Manifesto*, and to give an answer to what they do alledg; it is true we did not send first into *England* upon the Dispute of the Flag. And as we were not satisfy'd our Admiral had violated the 19th Article of the Treaty of *Breda*, we thought it fit to stay for the Complaint of the King of *Great Britain*, in case he did conceive we had not paid him what respect was due to him: The rather because the Proposal which the Sieur *Boreel*, our Embassador, had made to his Majesty and to his Ministers, (very little after the Accident of the Flag) to enter into Conference with them upon the same, was rejected, under pretence that an Embassador should be sent to us. And when at last Sir *George Downing* came from his said Majesty, we declar'd, in answer to the Memorial he deliver'd us the $\frac{7}{12}$ of *January*, that all our Admirals and other Sea-Commanders had a strict Order from us, to observe punctually and regulate themselves by the 19th Article of the Treaty concluded at *Breda* with his Majesty of *Great Britain*; and that our Intention was to have it as a standing Rule to us, in all its Circumstances: But that since the matter in question related to the Execution of an Article, upon which the Complaints made were grounded, it was to be observ'd, 1. That it did not appear to us, that general Fleets were comprehended in it, and
that

that nothing else was mention'd therein but *Ships* and *Vessels* indefinitely. And 2. that it was to be done *eo modo quo ullis retrò temporibus unquam observatum fuit*, in the same manner it had ever been practis'd.

Upon the first Point, to shew the true Sense of the said Article, we us'd part of the Arguments abovemention'd. And as to the second, we offer'd again to the said Embassador to enter with him, if the King his Master pleas'd, into a strict Inquiry of the usual Practice concerning the Flag; and that in case it were found that our Fleets had ever struck to a single *English* Ship, we should acknowledg the thing to be due, and would dispute it no further: our Intention being not to recede from what had been formerly practis'd.

Thus far our Answer related to the matter in debate, and evidenced with how little reason we were accused of having violated the Treaty of *Breda*. But we went further than this: And tho we knew very well that in the Examination which we did propose, it would never be found that our general Fleets had struck to a single Ship; yet insisting no further upon the said Inquiry (which could not but have prov'd much to our advantage) we declar'd that upon the Confidence we had in the true and solid Friendship of the King of *Great Britain*, and in hopes he would perform what he was bound to, by the fifth Article of the *Triple Alliance*, in case *France* made War upon us; we readily consented that our whole *Fleets*, as well as our particular *Ships*, should strike to any single Man of War, that carry'd the Flag of his Majesty of *Great Britain*; thereby to give his said Majesty the highest proof of the Respect and Honour we would at all times endeavour to pay so great a Monarch: Proffering withal to his Majesty, to agree with him upon a certain Regulation concerning the same, to prevent all future Disputes and Controversies.

This, in short, is the Substance of the Answer we gave to the Memorial of Sir *George Downing*; which the Compilers of the *Manifesto* are pleas'd to turn into *Ridicule*, whilst they knew they were not able to object any thing rational against it: As tho to justify their War, they had nothing to do but to introduce us speaking impertinently, and to make us say what we never so much as thought on.

But these Gentlemen do not tell us that, lest the thing should be thorowly examin'd: and to avoid serious Debates, which undoubtedly would have taken off the pretence they

to seek, and which they had need of, to keep their word to the *French*, the said Embassador *Downing* was order'd to give nothing from us after a certain number of Days that were prescrib'd to him, and which they knew to be too short time to have an Answer of so high an importance ready, under such a Form of Government as ours, where the Reputations of the Members that have a decisive Voice, doth much retard the Resolutions that are taken. So that when the Answer was brought to him, he would not receive it, under pretence it came too late: And whilst they extol so much in this *Manifesto* their great Patience, we could not much as be heard, merely because we had not spoken in a few hours sooner. And therefore upon the denial of the Embassador, we were forc'd to send our said Answer directly to the King his Master, tho with little better success.

They still make themselves merry, and do fanfly a cold Allusion to the Character of our Embassador, will justify their Carriage, and their invincible Obstinacy, in refusing to enter with him into regular Conferences upon what he offers to offer them from us; as will best appear by what followeth.

Our Answer to the Memorial of Sir *George Downing* (which he refus'd to receive) having been deliver'd to his Majesty of *Great Britain* by our Embassador, he receiv'd a Reply from the Court of *England*, wherein they complain'd, our said Answer was nothing less than satisfactory, and was full of dark and ambiguous words; with some other Objections of the like nature. Whereupon we thought fit to send an Extraordinary Embassador into *England*, with full power to clear what might be doubtful or dark, and to add (in order to it) what might be necessary to express our true Intention and Meaning; which was to go much beyond what had till then been agreed upon, in relation to the Flag. In the first Conference, which the said Extraordinary Embassador, together with our Legier, had with the *English* Ministers, they acquainted them with the Orders they had receiv'd from us; and having assur'd them they were ready to clear in our Name what might be dark or ambiguous in our Answer, (without being able to bring the said Ministers to instance in what they found amiss therein) they offer'd them a Project of an Article, or Declaration more ample in writing, upon the business of the Flag; wherein it was
expressly

expresly said, That our Fleets in a Body, as well as our single Ships, meeting with any of the Ships of War that had the Flag of his Majesty of *Great Britain*, should strike their Flag and lower their Topsail, (which one would think was the fullest and strongest explanatory Clause, that could be added to the 19th Article of *Breda*) without annexing the same, or making it depend upon any Condition or Demand whatsoever from *England*. Whereupon our said Embassadors desir'd to know of the *English* Commissioners, whether such a Declaration would satisfy his Majesty? and if so, they were ready to sign it. But the *English* Commissioners answer'd, they expected an Answer to the King's abovemention'd Memorial (or Reply) dated the $\frac{11}{11}$ of *February*, and could receive no Papers that were not sign'd. And our Embassadors refusing then to sign it, before they knew whether the same should be satisfactory, the Conference thus broke off without any further discourse. But afterwards our said Embassadors reflecting upon the strictness of the Orders they had from us, to omit nothing of what might demonstrate the Sincerity of our Intentions, and the respect we did bear to the Person of his Majesty of *Great Britain*, resolv'd to pass by all other Considerations; and having drawn up and signed a Memorial, (wherein the aforesaid Declaration was comprehended, with a promise of clearing it yet further, in case they should think it still ambiguous or dark) they demanded a new Conference to deliver it to the Commissioners: But these foreseeing that such a Condescension in our Embassadors might be a great Obstacle to their Designs, and prevent the Breach, if it came to be publickly known, and they had free Conferences upon it; they had the Skill to cause their Declaration of War to be read and approv'd in the King's Council, which was extraordinarily call'd for that End, and with great Precipitation, an hour before the time they had appointed to our Embassadors, for the Conference which was granted them. So that when our said Embassadors came to the place of the Conference, they were told they came too late, and that the War had been just then resolv'd upon, and decreed in his Majesty's Council. Upon which ground, the *English* Commissioners refused to receive the Paper our Embassadors had written, and which they still were willing to deliver, tho they were told the War was declared.

It is easy to imagine how great the surprizal of our Embassadors was, when they receiv'd this Answer; and we are no less astonish'd to see the Court of *England*, after all the Endeavours of our Extraordinary Embassador to prevent the Breach, to accuse him now so groundlesly to have declar'd to them, he could offer no satisfaction to his Majesty of *Great Britain*, till he had sent back to us.

All we have said hitherto in general, and in particular the faithful Account of what pass'd in *London* between our Embassadors and the *English* Ministers, doth sufficiently evidence with what Justice they accuse us here, to have compell'd the King of *Great Britain* to take up Arms, by taking from him (as they pretend) all hopes of receiving any satisfaction by a Treaty. After that, it is not to be wonder'd at if they do think themselves so secure of the Divine Assistance in their just Undertakings. So godly a War could not want a happy Success.

Yet we must not forget that (as we have said it already) in the very moment they call God to witness of our Obstinacy, and at the time this *Manifesto* was read and approv'd in the Council, they expected an hour after our Embassadors, from whom they knew beforehand they shou'd receive all the satisfaction they could reasonably expect: And even, that this Council was call'd with so much precipitation, to no other end, but to make the Endeavours of our Ministers fruitless, and to leave no further room for Negotiation.

Besides, if the War, which the Court of *England* is enter'd into against us, be such as they could avoid, and which they had not design'd themselves; to what end did they (several Months before the Breach) send Ministers to the Court of *Sweden*, and that of *Brandenburgh*? Was it to persuade those Princes to stand faster to us? And do they think we are altogether Strangers to what they negotiated? Would they have us and the World believe, by an implicit Faith, their secret understanding with *France* began with this War; and that they were not bent upon our destruction long before that time? All *Europe* is sufficiently acquainted with what hath been done in that respect. And without going back to less publick Engagements, and of an antienter date, (as might be that of *Dover*) in the very additional Articles which were agreed upon in the *French* Camp, and whereof the *English* Plenipotentiarys themselves sent a Copy to the Prince of *Orange*, they do

own they had already concluded a Treaty against us, on the 7th of February 1672; that is, near two Months before the Breach, as well as before they knew how far we might comply with them.

Lastly, To evidence that their declaring War was nothing less than grounded upon the Necessity they speak of; it is observable, they made War upon us, before they declar'd it; and by an unheard-of Proceeding had already fallen upon our Merchant-Ships that came from the *Straits*; at the same time we had sent them an Extraordinary Embassador, to offer them satisfaction upon what they did chiefly complain of, and to let his Majesty of *Great Britain* know, how far we were desirous of preserving his Friendship.

As to the Protection which is promis'd to such of our Subjects as shall transport themselves into the Kingdoms of his Majesty of *Great Britain*, 'tis what we do not oppose: And all we can say, is, That we have not been as yet sensible of any great Depopulation in our Provinces, thro' the removal of our Inhabitants, nor that they have hitherto prefer'd the Domination of our Neighbours before ours.

The Conclusion of this *Manifesto* is no less surprizing than all the rest. And if the Compilers of it had had never so little care of their Reputation, they ought much rather to have flisted (if it had been possible) the Memory of the *Triple Alliance*, and of the Treaty of *Aix*, than to have so untimely put us in mind of the little value they have set upon their Promises, and the solemn Engagements they were entred into, both with the Crown of *Spain* and with us. And indeed, it is hard to imagine they are in earnest, when they tell us they will maintain the true Intent and Scope of the Peace of *Aix la Chapelle*, and preserve the Ends thereof inviolable, whilst they have enter'd into a League with *France* to invade our Provinces, and have kindled a War much more dangerous than that which was compos'd at *Aix*.

But the better to judge of the Sincerity of this Declaration; and to the end it may appear how far the Court of *England* hath preserv'd the Ends of the said Treaty, we desire the Reader to reflect upon the following Hints, which we dare not enlarge upon, for fear of being too tedious. This single Head, to clear it fully, requiring a *Manifesto* by itself.

The first Thing to be observ'd, is, That the Treaty of *Aix la Chapelle*, was only the Complement, and perfecting of the *Triple Alliance*; wherein what was executed at *Aix*, had been already design'd and agreed upon: And that consequently those two Treatys cannot be divided, and ought to be look'd upon as one single Treaty, tho concluded in several places, and at some months distance of one another. So that the Court of *England* cannot pretend to have kept the Treaty of *Aix*, unless at the same time they can make it appear they have not violated the *Triple Alliance*, and that they have on their part answer'd its true end.

2. It is further to be observ'd, it was his Majesty of *Great Britain* who propos'd the said *Alliance*, having sent us in order to it Sir *William Temple*, who did earnestly press us to join with the King his Master, to stop the progress of the *French Arms*; and by re-establishing the Quiet of Christendom, to set bounds to a Power, which gave so much jealousy to all its Neighbours.

3. That being overcome by the powerful Arguments of the aforesaid Sir *William Temple*, we consented to what he desir'd of us. But as we could not but foresee, that such an Alliance would exasperate *France*, and might be attended with evil Consequences, we desir'd at the same time, for our greater security, to unite us more strictly with *England*, and concluded with them a *Defensive League*, which till then we could never obtain since the King's Restoration; not thinking that after that there could be any danger in acting jointly with his said Majesty, and complying with his desires.

4. That upon the same Grounds, when *Sweden* was admitted into the same *Alliance*, which from thence was called *Triple*, it was stipulated in express words in the second and third Articles, That to establish this Alliance upon a surer Foundation, there should be for ever, between the contracting Partys, a firm and sincere Friendship; and that to cultivate it, and preserve it really and sincerely, each of the said Confederates should heartily endeavour to procure all Good and Advantage to the others, and to preserve them, as far as they were able, from all Damage and Peril: For which end also, all the Treatys and reciprocal Engagements, that were respectively between them, should be preserv'd entire, and kept inviolable. And in the fifth

Article

it was the King's purpose to make France to make
 Le Roy de France, King of France and Ireland, (wh
 from the said King's letters and edicts, they began
 more our bond and the marriage, as they were
 the King's letters and edicts with the French,
 King's letters and edicts with the said Crown, he w
 as to be made the future Foundation they had
 us? How to our Service in the Courts of San
Yves, and in the Courts of the Obliga
 by order to be made, as far as they were ab
 the King's letters and edicts? And since, when
 deposed, and since they have honestly perfor
De la Fe, they had concluded with us, I
 breaking with us the very first, without any pro
 from us?

But it is not only in relation to us, the Court of
 did not observe the *Treaty Alliance*: They have
 as their King, in other respects, and upon other
 Thus, also by the fifth Article of the Treaty
 and Kings, Potentates and Princes had a right to g
 Guaranty of the performance of the said Treaty,
 in other words, to come into the *Treaty Alliance*,
 the same thing had already been covenanted; a
 pursuant to the said Treaty, the King of Great

which the Greatness of *France* rais'd in several Princes, had been the occasion of their uniting themselves, and which in particular had mov'd the Court of *England* to make the first Overtures of it: The said Court could not overthrow more openly all that they had done before, nor violate the *Triple Alliance* more directly, than by setting, as they have done, all Christendom in a flame; and by countenancing, with so much Zeal, the Arms of a Prince whom they had, for some years, made it their Glory to depress.

And now upon all that has been said (wherein we hope it will appear to every impartial Eye, that we have not us'd the dissingenuous License of our Adversaries, in asserting whatsoever may be for their purpose, without the least colour of Truth to support it; but have strictly confin'd ourselves to matter of Fact, justified by authentick Originals, and carrying undeniable Self-demonstration along with it:) We appeal to all the World, whether or no there has been any thing done on our part, which may truly be said to be an Infraction of the late Treaty at *Breda*, and of the sacred *Triple League*, so religiously entred into, for the common Preservation of the Peace and Safety of all *Europe*. And altho thro' the Goodness of God, who has miraculously put a stop to the Designs of our Enemy, we are at present in a Condition to defend ourselves, (jointly with our Allies, to whom we are strictly united) and have no cause to despair, but that our Arms will still be attended with that success, which the righteous God does usually give to so just a Cause: yet being always ready to apply ourselves to the most hopeful ways of procuring Peace with all our Neighbours; and having more particular Inclinations to do any thing which may conduce to a right Understanding with the Kingdom of *England* (whose Friendship we most earnestly desire, and ever shall esteem as the greatest worldly blessing;) We do here, in the simplicity of our Hearts, and in the confidence of our own Integrity, submit the Sincerity of this our Defence to the Judgment of the *English* Nation in general, and more particularly of the High and honourable Court of Parliament, as representing the whole Body of the Nation; whom we are not only willing to take the sole Arbitrators of all the unhappy Differences twixt the Court of *England* and us; but should account the most prosperous Step to an happy Accommodation, they (who must be allow'd to be the best Judges of this

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Controversy) would take the pains rightly to discern betwixt the true Interest of the Nation (which the King sent) and the artificial Pretences of some few evil Men, who (for some sinister Purposes of their own little agreeable to the Duty they owe both to God and their Country) have contriv'd this War, in order to be equally destructive to *England*, as to this State,

*Treaty of Peace concluded between
 the most August Emperor of
 Russia, and Mustapha Han, Sultan
 of the Turks, by the Mediation of
 William III. King of Great Britain,
 the Lords the States General of
 the United Netherlands, at the Congre-
 ss of Carlowitz in the County of Szil-
 es, the 26th of January, 1699.*

In the Name of the most Holy and Undivided Tri-

IN perpetual Memory of the Thing, Be it known to all to whom it doth appertain, That after many Years cruel and destructive War, between the most Serene and most Potent Prince and Lord *Leopold* (with his full Titles) on the one part, and the most Serene and most Potent Prince and Lord, Sultan *Mustapha Han*, Emperor of the *Turks*, and of *Asia* and *Greece*, and his Predecessors on the other part; the said most Potent Princes considering how much Blood has been spilt, how many Provinces have been laid waste, taking into consideration the afflicted Condition of their Subjects, and being seriously inclin'd to put an end to such great Calamities, and increasing every Day to the Danger of Mankind, God by His Mercy has permitted, that by the Mediation of the

2. *the Emperor and the Grand Sultan.* 291

the most Potent Prince and Lord *William III.* of *Great Britain, France and Ireland*, and the most Mighty Lords the States General of the *United Provinces of the Netherlands*, solemn Treatys shou'd for cause be set on foot, and concluded at *Carlowitz* in *1699*, near the Confines of both Empires; where the most lawfully constituted Ambassadors Plenipotentiary, appearing together, *viz.* in the Name of his Sacred Imperial Majesty of the *Romans*, the most Illustrious and most excellent Lords, the Lord *Wolfgang*, Count of the Holy Roman Empire, by the Title of Count of *Ottingen*, Lord of the Chamber to his Sacred Imperial Majesty, Privy Councillor and President of the Imperial Aulic Council; the Lord *Leopold Schlick*, Count of the Holy Roman Empire, with the Title of Count of *Passaw* and *Weiskirch*, a Lord of the Bedchamber also to his said Sacred Imperial Majesty, and Colonel of a Regiment of Dragoons, reputed Ambassadors Extraordinary, and Plenipotentiarys for a Treaty of Peace with the *Ottoman Porte*: the Name of his Imperial *Ottoman* Majesty, the most Illustrious and excellent Lords, the Lord *Mehemet*, High Chancellor of the *Ottoman* Empire, and the Lord *Alexander Mauro Cordato*, of the Noble House of *Scarlatti*, Privy Counsellor and Secretary of the Empire, with the Intervention and good Offices of the most Illustrious and excellent Lords, the Lord *William Paget*, Secretary of State, the Lord *Beaufort*, for the most Serene King of *Great Britain*, the Lord *James Colyer* for the High and Mighty States of the *United Netherlands*, both Ambassadors at the *Ottoman Porte*, and Plenipotentiarys for re-establishing a universal Peace; who discharg'd the Mediatorial Office with Integrity, Diligence and Wisdom; and after invoking the Assistance of the everlasting God, and duly exchanging their Oaths, have to the Glory of the Divine Being, and the Welfare of both Empires, agreed on the twenty following Articles of mutual Peace and Concord.

1. The Country of *Transilvania* shall remain entire as it is in the Possession and Dominion of his Imperial Majesty, and shall be circumscribed from the Confines of *Pohonia* to the extreme Frontier of *Walachia*, with its Moun- tainous Frontier before the present War, were the ancient Limits between *Transilvania* on one part, and *Walachia* on the other: and from the Confines of *Wal-*

lachia, to the River *Marosche*, with its Mountains also, which were the antient Boundaries: so that by observing the antient Boundaries on both sides, the same shall not be extended on either side.

II. The Province subject to the Castle of *Temeswaer*, with all its Districts and Rivers, shall remain in the Possession and Power of the sublime *Ottoman Porte*. And the antient Limits of *Transilvania*, establish'd in the foregoing Article, from the extreme Frontier of *Walachia* to the River *Marosche*, shall be its Limits on the side of *Transilvania*. Thence its Boundaries shall be carry'd on from the hither Banks of the *Marosche* to the River *Teyffe*, and from the hither Bank of the *Teyffe* to the *Danube*: But the Places within the Limits, viz. *Caransebes*, *Lugas*, *Lippa*, *Csanad*, *Kiscanisia*, *Borsche*, *Beiskerck*, and the hither *Sablia*, and between the antient Limits of *Transilvania*, as they were settled before the War, and what other Place soever be found according to the Rule abovemention'd, between the Banks of the *Marosche* and the *Teyffe*, in the Territorys of *Temeswaer*, shall be demolish'd by the Imperialists, on this Condition that they shall never be rebuilt by virtue of any other Treaty. And the said Country of *Temeswaer* shall be left altogether free; and no other Places, either greater or less, which have the appearance of a Fortification, shall hereafter be built, either in the said Places, or near the Banks of the *Marosche* and the *Teyffe*.

The Use of the Rivers *Marosche* and *Teyffe*, between the Province of *Temeswaer* and the Provinces subject to the Emperor's Power and Possession, shall be common to the Subjects of both Empires, whether for watering of Cattle of all sorts, or for Fishing, or other Conveniences necessary for the Subjects.

And whereas Ships of Burden bound from the Parts abovemention'd, subject to the Imperial Dominion, either in passing or repassing thro' the River *Marosche* to the River *Teyffe*, or thro' the *Teyffe* to the *Danube*, ought not to meet with any Obstruction; the Navigation of the *German* Ships, or of any others which are subject to the Emperor, shall by no means be disturb'd in their Passage to and fro, but the same shall be freely and commodiously carry'd on every where in both the said Rivers: and for the preservation of a reciprocal Friendship and Good-will, the Subjects of the *Ottoman Porte* shall

the Conveniences of the said Rivers, without any
 rance to the Fisher-Boats, and Mills shall be plac'd
 he Participation and Consent of the Governours of
 Dominions, only in such places where they may not
 Hindrance to the Navigation of either Empire. But
 the Passage of the Imperial Ships shou'd suffer any
 iment, by turning off the Water of the *Marosche*, it
 not be lawful to divert or turn off the Water of the
 Rivers, for the sake of Mills, or on any other account.
 l the Islands whatsoever in the said Rivers, which are
 lly in the Emperor's Power, shall remain as they are
 s Possession; and the Subjects of both Dominions shall
 ceaceably and quietly, and be restrain'd by the severest
 ts from Insults, and from Breach of the Articles.

l. Whereas the Country between the Rivers *Teyffe*
Danube, commonly call'd *Batska*, is in the sole Pos-
 n and Power of his Imperial Majesty, so it shall re-
 hereafter in the said Imperial Power and Dominion,
Titul shall never be more fortify'd than it is.

f. A Line shall be drawn from the extremity of the
 d on this side the *Teyffe* over against *Titul*, and from
 Angle of Land which is there form'd by the Con-
 tion of the *Teyffe* and the *Danube*, quite to the Bank
 e *Danube*; and another Line from the hither side of
Teyffe to the River *Bosjut*, and to the hither Bank of
avitz, and from thence to the Place where the biggest
 ch of the *Bosjut* falls into the *Save*: and there shall
 o Fortification upon the *Moravitz*, but only open Vil-
 s built on both sides of it, so that the said Line shall
 onfirm'd and distinguish'd either by Ditches, or Stones,
 osts, or some other way to serve as the Limits of both
 pires in the manner following.

he Country towards *Begrade*, within the aforesaid
 its, shall remain solely in the Possession and Dominion
 e most Potent Emperor of the *Turks*.

at the Country situate on the other side of the said
 , shall remain in the sole Possession and Power of the
 Potent Emperor of the *Romans*; and according to
 Limits shall be the Possession of the Rivers which
 n the Territorys remaining in the possession of both
 s.

That Part of the *Save* which waters those Countrys
 ging to the Emperor of the *Romans*, shall be pos-
 sets'd

nia, shall be limited and bounded by the river
 the River *Unna*: and all the Imperial Garisons of
Novi, *Lubizza*, *Fessenovizza*, *Doboy* and *Bro*
 part of *Bosnia*, and any other such place in it
 shall be drawn out from thence, and the same
 left intirely free.

But whereas *Castanoviz*, and the Islands of
 Country of *Novi*, towards the *Save*, together
 farthermost Bank of the said River *Unna*, are as
 in the Power of the Emperor of the *Romans*, to
 be distinguish'd henceforth by the aforesaid Lim

Finally, the Places beyond the *Unna*, far re
 the *Save*, which are garison'd and possess'd by bo
 together with the Lands belonging to the same
 present War, shall also remain in the Power
 Party who possesses them, on condition that C
 ners who shall be deputed on both sides, do set
 divide the Districts and Territorys that are to rem
 possession of both, in the Parts of *Croatia*, by
 Lines distinguishable by Ditches, Stones, Stak
 other Marks for avoiding Confusion.

And whoever on either side shall presume
 change, pull up, take away, or in any respect
 any of those Marks, the strictest Inquiry shall be
 ter him; and if he be apprehended, he shall b

to be demolish'd at the time of withdrawing the Imperial Garrison, and the said Place lies very commodiously for Traffick, a City may be built there with a handsome convenient Precinct; provided nevertheless that it be not turn'd into the Form of a Castle or Fort.

VI. The Limits prescrib'd by these Articles, and those which shall hereafter be settled, if need be, by the Commissioners, shall be sacredly and religiously observ'd on both sides, in such manner that they shall on no account or pretext be extended, transferr'd or chang'd. Nor shall it be lawful for either of the contracting Partys, to claim or exercise any Right or Power to any Territory of the other Party, beyond the Bounds or Lines when settled; or to compel the Subjects of the other Party to pay any Tribute whatsoever past or to come, or to subject him to any kind of Exaction or Vexation that the Wit of Man can invent: but all wrangling shall be fairly remov'd.

VII. It shall be lawful and free for both Partys, for the Security of their Frontiers, to repair, strengthen and fortify the Castles, Forts and Places, of which by the present Articles they are to have quiet Possession, in such manner as they shall judge most convenient, except those that are above excepted by Name.

And for the Convenience of the Inhabitants, it shall be lawful for both Partys, without molestation, and without exception, to build Habitations, and have open Villages; provided that no new Forts are erected under this Pre- tence.

VIII. All hostile IncurSIONS, Usurpations and Invasions made clandestinely, or by surprize, and all Devastations and Depopulations of the Territorys of either Dominions, shall be deem'd unlawful, and shall be prohibited by the severest Mandates. And the Transgressors of this Article, wherever they are apprehended, shall immediately be committed to Prison, and receive condign Punishment without Mercy from the Jurisdiction of the Place where they shall be committed: and whatever they have taken shall be most diligently inquir'd after, and when found, faithfully restor'd to the Owners. Also the Captains, Commanders and Governours of both Partys shall be oblig'd to administer Justice diligently and uprightly, on pain, not only of the Loss of Office, but of Life and Honour.

IX. It shall also be unlawful to give any Sanctuary or Support to wicked Men, Rebels, or Malecontents, but

both Partys shall be oblig'd to bring such sort of Men, and all Thieves, Robbers, &c. whom they shall apprehend in their Dominions, to condign Punishment, altho they happen to be the Subjects of the other Party; and if they cannot be apprehended, they shall be describ'd to their Captains or Governours; and if they happen to lurk in their Jurisdictions, they shall be impower'd to apprehend and punish them: and if these don't discharge their Duty by punishing such Criminals, they shall incur the Indignation of their Emperor, and be turn'd out of Office, or punish'd in the place of the Delinquents. And to guard also against the Insolence of Men yet more wicked, it shall be lawful for neither of the Partys to entertain and maintain Man-stealers, call'd *Pribeck*, and such sort of wicked People who are in the Pay of neither Prince, but live by Robbery; and both they and those who support them shall be duly punish'd: and whatever Praises such wicked Men make of Amendment of their former Lives, they shall not be trusted nor tolerated near the Frontiers, but transported to other Places at a greater distance.

X. Whereas during this War many *Hungarians* and *Transilvanians* withdrew from their Subjection to his Imperial Majesty to the Frontiers of the Sublime *Ottoman Porte*, and are to be taken care of in a due manner by the Treaty now concluded between both Empires, 'tis stipulated that they shall live in Freedom and Security in the Dominions of the said Empire.

But lest the Tranquillity of the Frontiers, and the Peace of the Subjects shou'd be in any manner disturb'd, the Places where they shall be fix'd, shall be far enough from such Frontiers; and the Wives shall have leave to follow their Husbands, and to cohabit with them in the Imperial District assign'd for their Settlement.

And whereas hereafter they are to be reckon'd among the other Subjects of the most Potent Emperor of the *Turks*, it shall not be lawful for them ever to withdraw from his Subjection any more; and if they offer to return to their own Country, they shall be deem'd Malecontents, and shall have no Shelter nor Support from the *German*, but when apprehended, shall be deliver'd to the *Turkish* Governors of the Frontiers, for the greater Security of the Peace on both sides.

XI. In order wholly to prevent all Controversys, Disputes or Differences hereafter on the Frontiers concerning any of the

the Articles of this Armistice, an equal number of Commissioners shall be chose on both sides, Men no ways covetous, but grave, honest, wise, experienc'd and peaceable; who, when there is need of a speedy Remedy, shall repair to the Frontiers, where meeting at a proper place without an Army, with an equal Number of Gentlemen of peaceable Dispositions, they shall hear, take cognizance of, decide and amicably compose all and singular such emergent Controversys, and settle such an Order and Method, that both Partys may compel their Men and Subjects by the severest Punishments, to the sincere and firm Observation of the Peace, without any Prevarication or Pretext. But if Disputes happen of such moment that they cannot be adjusted and dispatch'd by the Commissioners of both Partys, then they shall be referred to both the most Potent Emperors, that they themselves may find out, and make use of ways and means for clearing and extinguishing them, in a manner that such Controversys may be accommodated in as little time as possible, without any Neglect or Delay.

And moreover, whereas in the former Sacred Capitulations, all Duels and Challenges were prohibited, they shall hereafter be unlawful; and if any shall presume to enter into single Combat, they shall be severely dealt with as Transgressors.

XII. Prisoners taken on both sides during the War, who are yet living in Confinement, and have reason to hope for Deliverance one time or other by means of this Peace, and cannot be left in the same miserable and calamitous state of Captivity, without Offence to that Piety and Good-Nature for which the Emperors are admir'd, shall be set at Liberty by way of Exchange, after the usual or more honourable Methods; and if there be more Prisoners in number or of greater Rank on one side than the other, the Clemency of both their Imperial Majestys who are so well inclin'd to this happy Peace, shall not be deny'd to the rest, when the Embassadors make solemn Instances for their Release.

As for those who are in the Power of private Persons, or even with the *Tartars*, it shall be lawful for them to procure their Liberty, by as moderate a Ransom as they can; and if such Captives cannot bring their Master to a fair Accommodation, the Judges of the Place shall end every Dispute by a Composition. But if this cannot be effected by the ways and means aforesaid, the Captives shall be set at Liberty, if it appears by Oath, or other Evidence, that they

they have paid their Ransom. Nor shall their Owners for the sake of more Lucre oppose their Ransom: and when Men are not sent from the Sublime *Ottoman Porte*, to assist in setting such Prisoners at Liberty, it will be expected from the Probity of the Imperial Governours, that they oblige the Owners to let go such Prisoners, on paying down the full Price for which they were bought, that so this good Work may be promoted on both sides with equal Piety.

Finally, till the Captives on both sides are releas'd by the means aforesaid, the Embassadors Plenipotentiary shall use their Offices on both sides, that the poor Prisoners may be civilly treated in the mean time.

XIII. In respect to the Monks, and the Exercise of the Christian Religion, according to the Rites of the Roman Catholick Church, whatever Favours were granted them by any former *Ottoman Emperors* of most Glorious Memory in their Reigns, either by Sacred Capitulations, or by Imperial Signs Manual, or by particular Edicts and Mandates; the most Serene Emperor of the *Ottomans* will hereafter confirm them in such manner, that they may repair their Churches, and perform their Functions as usual heretofore. And it shall nor be lawful for any one to molest or extort Money from the said Monks, of what Order or Condition soever they be, contrary to the sacred Capitulations and the divine Laws, but they shall enjoy the Clemency of the Emperor as usual.

Moreover, it shall be lawful for the Embassador of the most Serene and most Potent Emperor of the *Romans* at the resplendent *Porte*, to produce his Commission concerning Religion, and the Places of Christian Visitation in the holy City of *Jerusalem*, and to present his Instances to the Imperial Throne.

XIV. Trade shall be free for the Subjects of both Partys in all the Kingdoms and Dominions of both Empires, according to the antient sacred Capitulations. And that it may be carry'd on by both Partys with Profit, and without Fraud and Deceit, the same shall be settled by Stipulations between Commissarys deputed on both sides, well vers'd in Merchandize, at the time of solemn Embassys on both sides: and as has been observ'd with other Nations in Friendship with the Sublime Empire, so his Imperial Majesty's Subjects of what Nation soever, shall enjoy the Security and Advantage of Trade in the Kingdoms of the Sublime Empire, as well as the usual Privileges in a fitting manner.

99. *the Emperor and the Grand Sultan.* 299

XV. All Conditions whatsoever express'd in the antient red Capitulations, provided they be not contrary or pre-
judicial to the foregoing Articles of this Treaty, or to the
Dominion and Enjoyment of the Possessors, shall
hereafter be religiously observ'd and perform'd; but those
which are in any sort repugnant to the aforesaid, shall be
de null and void.

XVI. And that this Armistice and a good Friendship
may be confirm'd and flourish between both the most Pow-
erful Emperors, solemn Embassadors shall be sent on both
Sides, who shall be receiv'd, honour'd and treated equally
and alike, with the usual Ceremonys, from the time of their first
Entrance to their Return to the Place where they are to
make the second Exchange; provided nevertheless that they
bring a convenient free Gift in token of their Friendship,
which is correspondent with the Dignity of both Emperors:
and according to the Custom which has a long while been
observ'd between both Empires, after previously settling
mutual Correspondence, they shall be exchange'd on the
Sines of *Szarem*, and set out on their Journeys at one
and the same time.

Moreover, the said solemn Embassadors may lawfully
demand what they think fit at either of the Imperial
Courts.

XVII. The same Rule and Order, observ'd heretofore
in receiving, honouring and entertaining Embassadors pass-
ing to and fro, and residing, shall henceforwards be ob-
serv'd on both sides with equal Decorum, according to the
usual Character of those who are sent.

It shall be lawful for the Imperial Embassadors and Reti-
nents, and all their Servants, to wear what Livcrys they
please without any Molestation.

Moreover, the Imperial Minister, whether they dis-
tinguish the Office of Embassador, Envoy, Resident or A-
gent, shall enjoy the same Liberties, Immunitys and Privi-
leges, even to the distinguishing the Prerogative of the Im-
perial Dignity, as the Embassadors and Agents of other
Princes in Amity with the Resplendent *Porte*, and shall
have free Leave to hire Interpreters.

They shall be Couriers also, and their other Servants going to and
returning between *Vienna* and the Resplendent *Porte*, shall have
the same free passage, and have all manner of Favour shewn
to them, that they may perform their Journey commodiously.

XVIII. This Peace, tho concluded according to the foregoing Articles, shall not have its full Force, nor engage the Partys concern'd to observe the Laws of it, till every thing stipulated on both sides, as well with regard to the Limits as to Evacuations and Demolitions of Places, be entirely perform'd; for the speedy Accomplishment whereof, Commissioners on both sides shall be appointed to fix and distinguish the Limits and Boundarys, who at the ensuing Equinox, viz. the 22^d of *March* or the 12th *O. S.* 1699, shall meet with a moderate and peaceable Retinue, at Places to be agreed upon among the Commissioners, by the Consent of the Governours of both the Frontiers, and shall within two Months, or sooner if possible, distinguish, separate and determine the Confines with clear and evident Boundarys, as they are constituted by the former Articles; and they shall accurately and speedily execute the Statutes between the Embassadors Plenipotentiarys of both Empires.

XIX. The Embassadors Plenipotentiarys of both Empires reciprocally engage themselves, and promise that they will infallibly procure these Conditions and Articles to be ratify'd by both their Imperial Majestys, and that the solemn Ratifications shall be exchange'd reciprocally and duly on the Confines, within 30 days from the Day of signing or sooner, by the most illustrious and most excellent the Embassadors Plenipotentiary Mediators.

XX. This Armistice shall continue, and be extended by God's Blessing for 25 Years, to count from the Day of Signing; and at the end of that Term, or in the meanwhile, both Partys shall be at liberty, if they please, to prolong it for several Years more.

Therefore whatever Conditions are establish'd, by mutual and free Consent, between the most Serene and most Potent Emperor of the *Romans*, and the most Serene and most Potent Emperor of the *Turks*, and their Heirs, Empires and Kingdoms, Countrys, Citys, Towns, Subjects and Vassals, whether by Land or Sea, shall be religiously and inviolably observ'd.

And it shall be strictly requir'd of all the Governours, Generals, Militia, and all under their Vassalage, Obedience and Subjection, that they conforming themselves also in an adequate manner to the foremention'd Conditions, Clauses, Covenants and Articles, take all possible Care not to contravene or infringe this Peace and Friendship, upon any Account or Pretence whatsoever; but that abstaining from Enmity

Enmity of all sorts, they cultivate a good Neighbourhood; knowing for certain that if they do not behave as they are hereby admonish'd, they will be most severely punish'd.

The *Chan* himself also of the *Crim*, and all the Nations of the *Tartars*, by whatsoever name call'd, are bound to the due Observation of the Laws of this Peace and good Neighbourhood and Reconciliation; nor shall they by contravening them exercise any Hostilitys towards any of the Imperial Provinces and their Subjects or Vassals. Moreover, if any, either of the Armys or of the *Tartar* Nations, shall dare to do any thing contrary to these Sacred Imperial Capitulations, and contrary to their Covenants and Articles, he shall be most severely punish'd.

The said Peace, Quiet and Security of the Subjects of both Empires shall begin upon the aforesaid Day of Subscription, from which time all Enmity on both sides shall cease and be laid aside, and the Subjects of both Partys shall enjoy Safety and Tranquillity. And to the end that Hostilitys may with the greatest Care and Diligence be suppress'd, Mandates and Edicts shall be transmitted with all speed to publish the Peace to all the Governours of the Frontiers: And whereas some Time is requisite for the Officers, especially on the more remote Frontiers, to obtain Notice of the Peace being concluded, twenty days are appointed for that purpose; after which, if any one shall presume to commit any Hostility on either side, he shall be subject to the Penaltys abovementioned without Mercy.

Finally, That the Conditions of the Peace concluded in these 20 Articles may be accepted on both sides, and inviolably observ'd with all due Respect, the *Ottoman* Plenipotentiarys by virtue of the Emperor's full Power to them granted, have exhibited to us the Instrument writ in the Turkish Language, and legally and validly sign'd. We also, by virtue of our Instructions and full Powers, have in like manner deliver'd a legal and valid Instrument in the Latin Tongue, containing those Articles sign'd with our Hands and seal'd with our Seals. Done at the Congress which was held at *Carlowitz* in *Szerem*, under Tents, the 26th of *January* 1699.

(L. S.) *Wolfgang* Count *ab Ottingen*.

(L. S.) *Leopold* Count *Schlik*.

*The Treaty betwixt Augustus II. King
and the Republick of Poland on
part, and Mustapha Han Sultan of
Turks on the other, by the Media-
tion of William III. King of Great Brittain
and of the Lords the States Gene-
ral of the United Netherlands on the oth-
er. Concluded in a Tent at Carlowitz,
the County of Szerem, the 26th
January 1699.*

In the Name of the most Holy and Undivided Trinity.

IN perpetual memory of the thing; be it known to all whom it doth concern. The most Serene and most Potent Prince, *William III.* King of *Great Brittain, France, and Ireland,* and the High and Mighty Lords the States General of the *United Netherlands,* out of a desire to stop the Effusion of human Blood, and to restore the Tranquillity on both sides, which has been so long disturb'd by a difference between the Kingdom of *Poland* and the Sublime Empire, having interpos'd their Mediation to procure this Treaty of Peace; and the most excellent Lord *William Lord Paget,* Baron of *Beaufort* in the County of *Stafford,* and the King's Lord Lieutenant thereof, Ambassador Plenipotentiary on the part of his *Britannick Majesty* at the Resplendent *Porte,* and the Heer *James Colze,* Ambassador Plenipotentiary also at the same *Porte* on the part of the High and Mighty Lords the States General of the *United Netherlands,* having diligently and zealously perform'd the Offices and Conditions of the said Mediation with a reciprocal Inclination and Propension to accom-

date and suppress the said Quarrel; and a Congress of the Ambassadors Plenipotentiary being appointed by the Mediators at *Carlowitz* on the Confines of *Szerem*, where a Treaty of Peace was set on foot with the most illustrious and most excellent Lord, *Mehemet Effendi*, great Chancellor of the Sublime Empire, and the most illustrious and most excellent Lord, *Alexander Mauro Cordato*, of the noble Family of *Scarlati*, a Privy Counsellor of the said Sublime Empire; at length by God's Blessing after some Sessions, a Peace was happily concluded on Terms of mutual Obligation. Therefore a Friendship and Peace is again perfected, concluded, restored and renewed between the most Serene and most Potent Sultan *Mustapha*, Emperor of the *Mussulmen*, Son of Sultan *Mahomet*, and the most Serene and most Potent King *Augustus II.* my most gracious Lord, and the Republick of *Poland*, on the eleven following Articles, which are by mutual Consent to be religiously observ'd for ever between both Dominions; which Articles are hereafter set down one by one.

I. The antient Friendship being again renew'd by the Providence of the most High God, together with a hearty Reconciliation and good Neighbourhood, all Hostilities shall cease for ever on both sides, and the Subjects shall enjoy and be establish'd in their former Security and Tranquillity; and the Frontiers of the Provinces subject to *Poland*, shall be separated and distinguished by their antient Boundaries from the Imperial Frontiers, as well of *Moldavia*, as of other Districts subject to the sublime Empire; nor shall there be any Extension or Restriction of the same hereafter, but the antient Limits shall be religiously observ'd and kept as sacred, without any Alteration and Disturbance.

II. All the Fortresses or Places, whether greater or lesser, comprehended within the antient Limits of *Moldavia* before the last War but one, and which have hitherto been detain'd by the *Poles*, shall be evacuated by their Soldiers; and the Province of *Moldavia* shall remain intirely free, in the pacifick State it was in before the last War.

III. The Fortress of *Camniec*, which is also situate within the antient Limits of *Poland* as they stood before the two last Wars, shall be entirely evacuated by the *Mussulmen*; and hereafter no Demand shall be made by the sublime Empire to the Provinces of *Podolia* and the *Tkrai*n. And whereas the antient Limits of *Poland* and
Moldavia

Moldavia are manifest, if there be a convenient time the Evacuation shall commence at the beginning of *March* next, and, if possible, sooner; and as soon as the Fortresses and Places of *Moldavia* are evacuated, by the withdrawing of the *Polish* Militia, and *Moldavia* thereby remains free, the Evacuation of the Fortres of *Caminiac* shall also commence at the beginning of *March*; and after the Affair of the Evacuations is perfected, it shall be put in execution without Hesitation, Delay and Neglect; and the Evacuation of Fort *Caminiac* shall be finish'd by the 15th of *May* next at farthest. And to the intent that the same may be evacuated with ease and speed, the *Poles* shall give all the Assistance possible with Waggon and Horses for the Transportation; and the Affair of the Evacuation shall be carry'd on every where with security: so that if in the Evacuation of the Forts and other Places howsoever fortify'd, any of the Subjects have a mind to go out, they may safely depart with their Household Goods, and other Effects; and whoever has a mind to stay, shall have the same Protection without Impediment. And since the Evacuation of the Forts and Places on both sides, is to commence in the beginning of *March* next, the *Polish* Embassador, who is speedily to be dispatch'd to the resplendent *Porte*, shall make Representation to the Imperial Throne of the Guns left at *Caminiac*, whether their own, or such as were found there.

IV. None of the Subjects of the Sublime Empire, of what Condition soever, especially the *Tartars* of any Nation soever, shall on the score of any Pretence or Controversy whatsoever exercise Hostilitys against the Subjects of the King and Republick of *Poland*, and against their Frontiers, nor commit Excursions, carry off Persons to Captivity, drive away Cattle, nor do them any Damage or Injury; and the Viziers, Beglerbeys, and the Ham of *Crim Tartary*, with the other Sultans, and the *Weywood* of *Moldavia*, shall be expressly commanded by Royal Edicts, to be very diligent in observing and keeping Peace and Tranquillity on the Frontiers, and that they do not injure the Subjects of *Poland*, by carrying off their People, driving away their Cattle, or by hurting or molesting them in any other way; and that they inquire most strictly after the Disturbers and Transgressors of the Articles of Peace; and that when they discover them, they punish them for Examples to others; and that Restitution be made of Plunder to the proper

Owners, and that if any act herein negligently or carelessly, they shall be justly punish'd, either by the Loss of their Offices, or of Life, as shall be consistent with the Divine Laws: And in like manner the *Poles* shall diligent'y, and in all respects observe and cultivate this Peace, and none shall dare to contravene it.

V. Whereas the Kingdom of *Poland* has been free time out of mind, it shall not be disturb'd by any Hostility on the part of the Sublime Empire, or the Nations thereunto subject, under colour of any Pretension whatsoever; nor shall be bound to comply with such Pretensions by virtue of the Articles of this Peace.

VI. The *Tartars* of *Budziac*, and other *Tartars*, having during this War made Excursions from their own Territories into those of *Moldavia*, where they committed several Acts of Rapine and Violence against the *Moldavians* and their Country, which is contrary to the sacred Capitulations made heretofore with the Kings of *Poland*, and therefore ought to be prevented and suppress'd, the *Tartars* shall be remov'd from all the Places, Farms, and other Estates, which they are now possess'd of, or have newly built in *Moldavia*, and shall live peaceably in their own native Country, without committing any Offences hereafter.

VII. The Roman Catholick Monks shall have their Churches, and the Exercise of their accustomed Functions thro'out the Empire, without Molestation or Disturbance, according to the Edicts formerly granted them by the Sublime Empire; and it shall be lawful for the Ambassador extraordinary of *Poland* at the Resplendent *Porte*, to make any further Remonstrances on the head of Religion to the Imperial Throne.

VIII. Whereas Peace gives Life and Soul to Commerce, which, when regulated, reduces Provinces to a better State, Merchants of both Dominions, who hereafter come to go, not thro' clandestine Places but by Places of publick Access, after they have paid the antient Duties for Goods imported and exported, shall not be molested with Exactions and Demands, nor shall the Dutys be deducted for ready Money. And all the Natives of *Poland*, *Lithuania*, and other Nations to them subject, who for Traffick, and do no Damage, but carry on Trade, buying and Selling, as is also declar'd in former sacred Capitulations, shall not be molested by the Demand of a Tax call'd *Haracz*, and other inordinate Exactions; but

but if any leaving their own Countrys settle in the Kingdoms of the Empire, and if other Foreigners mingle with the *Poles*, lest such should prove to the Detriment of the Republick, nothing shall be demanded for the Arms, Horses and Captives of the *Polish* Merchants, who having a legal Discharge, are willing to return to their own Country; nor shall any Person hinder the Captives so going away: but it shall not be lawful for any Person under that Pretence to take prohibited Goods along with them without Leave. Moreover, in case of the Death of any Merchants of both Dominions in other Countrys, their Goods and Effects shall not be seiz'd or divided by the Officers of either Party, but shall be deliver'd to a Merchant of Credit, that he may deliver the same to the Heirs, according to the Inventory taken upon Oath; but if any Dispute happen between the Merchants, the same shall be decided by the Provost, who shall do Justice to whom 'tis due. No body shall be compell'd, contrary to the divine Laws, to pay a Debt which is not confirm'd by Writing, or some judicial Instrument; nor shall Disputes about Debts and Suretyships be pleaded or heard only upon hired Evidence, but the Causes shall be justly and duly decided by legal written Instruments: and in such Causes the Grants contain'd and stipulated to other Confederate Nations, in the sacred Capitulations, shall also be extended to the *Polish* Merchants. And further, the Sense and Meaning of the sacred Edicts granted heretofore to the *Poles* in particular, and kept in their Custody, shall be regarded and observ'd.

IX. The Prisoners and Captives taken by either side during the War shall be set at Liberty, paying their Ransom, which shall be settled according to the Laws, or according to the Oath that shall be made of it, pursuant to the Declaration of former Capitulations in this point. But if a Captive hath serv'd a long time, when 'tis but just that his Ransom should be cheaper, if the Owner of the Captive will not agree to take a fair and moderate Price, such Differences shall be decided by the Judges of the Places, proceeding according to Law. If upon any account Prisoners are taken out of the *Polish* Countrys, after the Conclusion of the Peace, they shall be discharg'd gratis, and the Persons who go to and fro in the Kingdoms Sublime Empire, and even among the *Tartars* to the *Polish* Captives, shall on no account be molested long as they behave peaceably, but those who offend:

jure them shall be punish'd. The Captives detain'd in publick Prisons shall be exchange'd on both sides, and set at Liberty; and it shall be free for the chief Embassador of the *Poles*, to make Representations concerning his Captives to the Imperial Throne.

X. Whatsoever the most Serene King of *Poland* has obtain'd by the Peace stipulated with the Sublime Empire, shall remain in full Force; *Moldavia* and *Wallachia* shall remain in Amity as formerly with the King of *Poland*, and if any Fugitives from those Countrys come into *Poland*, they shall not be receiv'd. If any steal clandestinely into the Kingdom of *Poland*, and afterwards are found disturbing and corrupting the Country, such Men, when apprehended, shall be given up; and the same Condition which is so clearly and manifestly declar'd in the former Capitulations, shall be observ'd. In like manner, the *Polish* Subjects, be they *Poles*, *Cossacks*, or of what Nation soever, when they make any Disturbance, shall neither be receiv'd nor protected here, but sent back to their own Countrys; and all Persons whatsoever that shall go about to disturb the Peace and Friendship now concluded on both sides, shall receive condign Punishment.

XI. All Conditions and Clauses whatsoever declar'd and agreed to in the former Capitulations, which are in no sort contradictory to the Articles of this present Treaty, nor contrary to the free and perpetual Rights of both Dominions, shall henceforwards be carefully observ'd, and those which are contrary, shall, God willing, be made null and void. The Peace and Reconciliation concluded by Articles ingross'd on both sides, in the most perfect and exact manner, between their Majestys, the most August and most Potent Emperor of the *Mussulmen* and his Heirs, and the most serene and most Potent King of *Poland* and his Successors, and the Republick of *Poland*, shall, by God's Mercy, remain perpetual, stable, firm and inviolable, and be preserv'd and guarded from all Disturbance, Change, Violation and Confusion, and persevere and be continued firmly and constantly in one and the same Tenor. And that all Hostilities may be entirely laid aside and suppress'd, notice shall be given with all Speed to the Presidents, Prefects and Governours on the Frontiers, that they take heed that Transgressions be not committed hereafter, and that neither Party damage the other, and that all on both sides carry it sincerely and amicably to one another. And to

the end that the Conclusion of this happy Peace be made known to all Persons, 30 Days are allow'd which time no Pretence or Excuse shall be admittes they who oppose the Edicts which require a strict Obedience, shall be very severely punish'd. And after the signing of the Instruments on both sides, an Envoy shall come from *Poland* to the Resplendent *Porte*, and according to antient Custom bring the King's Letters Patent containing the Ratification of the Articles declar'd in the Instruments, and shall also receive and take with him the Emperor's Ratifications. And afterwards the Embassy in ordinary, as soon as it can be done with Convenience shall proceed according to the antient laudable Method of the solemn Confirmation of the Articles of the Peace, to the Perfection of reciprocal Sincerity, and the absolute Determination of mutual Friendship, and to the Disposition of the other things remaining. And therefore the Peace concluded in 11 Articles, according to those Terms shall be accepted and cultivated on both sides, when the abovemention'd Plenipotentiarys and Commissioners, Embassadors of the most August Emperor of the *Turks* have, by virtue of their Power and Authority, deliver'd a legal and valid Instrument, drawn up in the *Turkish* Language, as I have, by virtue of my Power and Deputation deliver'd the Articles sign'd with my own Hand, and seal'd with my Seal, as a lawful and valid Instrument. Done at the Congress held under Tents in *Carlowitz* in *Serbia* the 26th Day of *January* 1699.

(L. S.) *Stanislaus* Palatine of *Poznania*, Plenipotentiary, and Embassador Extraordinary from the King of *Poland*.

The Turkish Instrument of the Peace enter'd into between Mustapha Han, Sultan of the Turks, and the most Serene Republick of Venice, as it was thro' the Mediation of King William III. and the States General, concluded by the Imperial and Polish Ambassadors, tho without the Participation of the Venetian Ambassador, in hopes that it will be accepted by the said Republick; for which end a certain Space of time is given and prefix'd. Done at the Congress of Carlowitz, the 24th of the Month Re-ciep, in the Year of the Hegira 1110.

2 the Name of the Lord whose Mercy is Everlasting, and of the Almighty who bringeth all Things to Light.

W Hereas by reason of the Enmity and Ill-will which have subsisted for some Years, between the Sublime Empire and the Republick of Venice, the Subjects were willing that Friendship, Benevolence and the Laws of Good Neighbourhood may be restor'd, by the Mediation, Insinuation and Recommendation of the most Glorious, among the Great Princes and Republicks of Christendom, William III. King of England, Scotland and Ireland, and the States General of the Netherlands; and a Congress being held for that purpose at Carlowitz in Sacrem, far the Confines, between the Plenipotentiarys of both Partys, when the most illustrious, and most excellent a-

mong the Christian Nobility, *William Lord Paget*, Baron of *Beaufort*, his *Britannick Majesty's* Ambassador Extraordinary, and the Heer *James Colyer*, Ambassador of the Lords the States General of the *Netherlands*, performed the kind Offices of Mediators; after the Exchange and Perusal of their respective full Powers according to ancient Custom, and after Negotiations and Conferences for a Peace were set on foot, pursuant to the Imperial Mandate, and by virtue of our Authority and Deputation, the most illustrious among the Christian Nobility, *Charles Ruzovic*, Knight, notwithstanding he had time enough allow'd him to consider of the Articles of the Peace, delayed to sign them, on account of some Difficultys; and for that Reason the most illustrious and most excellent the Ambassador Plenipotentiary of the Emperor of the *Romans*, and of the King and Republick of *Poland*, out of respect to the Preliminaries, settled by the Endeavour of the aforesaid Ambassadors Mediators, and by the Consent and Approbation of all the rest, and particularly to the 3d Article for allowing a Fortnight longer for the Signing and Exchanging of Instruments by the mutual consent of both Partys; and the Intent that the Republick of *Venice* might also be included and comprehended in the Peace concluded by Divine Favour, they have at length reciprocally agreed with us, by the repeated Offices and Endeavours of the Ambassadors Mediators, between the Sublime Empire the said Republick, the following 16 Articles, as they hereafter inserted *verbatim*.

I. The *Morea*, with all its Cities, Fortresses, Countries, Villages, Mountains, Rivers, Lakes, Woods, and in general, all things else whatsoever which shall be found to be comprehended within the whole Extent of the same Province, and which are now possess'd by the Republick of *Venice*, shall remain in the Possession and undisturb'd Dominion of the said Republick, including the full Circumference of the Country inclosed between the Sea and the *Isthmus*, in that part where some of the Remains of an ancient Wall are still to be seen; so that there shall be no Extension made of the Continent of the *Morea* into *Terra Firma*, beyond the Confines of the said Province.

II. In regard that the *Terra Firma* is under the Dominion of the Sublime Empire, it shall remain intirely in the Possession of the said Empire, in the same Condition it was in at the beginning of the last War. The Forts

shall be evacuated by the Republick of *Venice*, and the Isle call'd *Romelia* shall be demolish'd on that side *Lepanto*; the Fortres of *Prevesa* shall be demolish'd in the same manner, and the main Land shall be left on that side in its former and entire State.

The Island of *Sancta Maura* with its Fortres, the Castle of the Bridge call'd *Peraccia*, not extending any farther to the main Land; and the Island of *Leucate*, adjacent to *Sancta Maura*, shall remain in the Possession and Possession of the Republick of *Venice*.

The Evacuation of *Lepanto*, and the Demolition of the Castles of *Romelia* and *Prevesa*, shall be perform'd immediately after the Limits of *Dalmatia* are settled; and in the mean time, to prevent all manner of Hostilities, and to cut off all Occasions for such, the Garisons of those Places shall not stir out, but keep within the Fortifications thereof, and shall not make any Excursions into the Land, nor offer at it upon any pretence whatsoever. The Inhabitants thereof shall also be permitted to remain in their Houses, or depart from thence as they shall think proper, nor shall the least Violence be offer'd to them.

The Use of the Gulphs that lie between the main Land and the *Morea*, shall be in common to both Powers; and both the one and the other of the two Partys obligeth themselves to keep them free, and to clear them of all manner of Pirates and mischievous Persons.

The Islands of the *Archipelago* and of those Seas, shall remain under the Dominion of the sublime Empire, in the same Condition they were in before the Beginning of the last War.

No Tributes call'd *Caraches* shall be exacted from the Subjects of the Republick, nor any Contributions, or Imposts, levy'd, which were introduc'd there during the present War.

The sublime Empire shall not for the future exact any Pension for the time past or to come, from the Republick of *Venice* or its Inhabitants, for the Isle of *Zante*, the Island of *Egina* with its Fortres, lying near and adjacent to the *Morea*, and now possess'd by the said Republick, shall remain in the possession of the said Republick, in the same Condition it is in at present.

The Fortresses of *Cbnin*, *Sing*, *Cielut* and *Gabella*, in *Dalmatia*, being at present possess'd by the Republick of *Venice*, shall remain for the future under the Dominion of the said Republick, peaceably to enjoy them.

But forasmuch as the Limits of that Province are to be fix'd so exactly and so clearly, that there may be no Dispute about them for the future; for the Preservation of the Repose and Tranquillity of the Subjects of both Partyes, and to prevent all imaginable Differences that may in any manner whatsoever disturb the Peace of the Frontiers, 'tis agreed, that from the Fortress of *Chnin* to that of *Verlica*, from *Verlica* to *Sing*, from *Sing* to *Duara*, otherwise call'd *Zduaria*, from thence to *Vergeraz*, and from thence likewise to the Fortress of *Ciclut* and *Gabella*, strait Lines shall be drawn to make the Separation of the Confines; so that between the said Lines drawing towards the *Venetian* Dominions and the Sea-Coast, all the Lands and Cantons, with the Castles, Forts, Towers and inclosed Places, shall be only possess'd by the Republick aforesaid: And as for the Lands and Cantons that shall be without the said Lines, they shall remain in the Possession, and under the Dominion of the sublime Empire, with all the Castles, Forts, Towers, and inclosed Places comprehended therein; nor shall it be lawful to extend or lessen the Frontiers on either side. The said Lines shall be mark'd out clearly and distinctly, according to the Situation of the Places, by means of the Hills and Woods, or of the Rivers and Currents; and where the Place shall not evidently distinguish the Limits, they shall be mark'd out by Ditches, Stakes and Pillars, as the Commissioners appointed by both Partyes to regulate the Limits aforesaid in concert, shall judge convenient. And to the end that the said Fortresses which are to remain in the Possession of the Republick, may have the convenient Space of Territory before them, the Commissioners shall mark out about the Fortresses of *Chnin*, *Verlica*, *Sing*, *Duara*, *Vergeraz* and *Ciclut*, such a space of Ground as may be march'd in an hour, in a strait Line or Square Circle as the Ground will permit. The Fortress of *Chnin* shall present her Flank on that side next *Croatia*, as far as the Emperor's Frontiers, without doing any Prejudice to the three Potentates whose Confines shall join to the said Limits; but they shall be always oblig'd inviolably to observe the Right which belongs to each of the said three Potentates, according to the Agreements of this Universal Peace. Both Partyes shall be equally bound to observe the said Limits, and if it shou'd happen that in the Neighbourhood of the said Line, or in the Line itself, there shou'd be any Fort depending upon the sublime Empire, the Territory situ-
bet

behind that Place shall remain intire to the Empire ; and in Front a space of Ground shall be mark'd out in the Circumference of the said Line, and which shall also have the Extent of an Hour's March. As for the Fortrefs of *Ciclut*, there shall be in like manner assign'd to it in Front, a space of Ground of an Hour's March ; and towards the Flank there shall be a space of two Hours March, without the Line, drawing out a strait Line to the Sea. And when the Limits are once fix'd, and the Bounds placed, and Territorys separated so as to remain in manner and form aforesaid, in the possession of both Partys, they shall be inviolably observ'd without the least Alteration ; and if ever it happens that any Person shou'd have the Boldness to violate the said Frontiers, or to go beyond the Bounds, or that the Officers themselves shou'd fail in their Duty and necessary Care in that particular, by not punishing the Offenders according to their Demerits, they shall themselves be severely punish'd on both sides. And in case the Commissioners shou'd meet with any Difficultys, or shou'd not agree among themselves, they shall faithfully and exactly inform their Masters thereof, to the end that such Differences may be amicably adjusted by the good Offices and Mediation of those who represent his Imperial Majesty, and the Lords Mediators, at the *Ottoman Porte*.

IX. The Territory and Dependences of the Signiory of *Ragusa*, shall be annex'd to the Territorys and Cantons of the Sublime Empire ; and all Obstacles that hinder the Union and Communication of the Lands of the said Signiory with the Lands of the said Empire, shall be remov'd.

X. *Castelnovo* and *Risano*, which are in the Neighbourhood of *Cattaro*, being actually in the Possession and under the Dominion of the Republick of *Venice*, it shall remain in the peaceable Enjoyment of the said Places and their Territorys. Which is likewise to be understood of any other Fortrefs whatsoever situate in that Canton, and of which the said Republick is in actual Possession. And the Commissioners who shall be deputed on both sides, shall be chose out of Persons of known Probity, to the end that not being sway'd by Passion or private Interest, they may determine this important Affair with all possible Equity, by making a Separation of the Territorys of the Country, and marking them out by Tokens so evident, as to cut off all occasions of Disturbance and Contention between the two Partys. But Advice shall be given on the same

dants, Men of Peace, and not given to create Troops
 and the said Commissioners shall, with the Help of
 begin their Function and Conferences on the first of
 the Equinox, that is to say $\frac{1}{2}$ of *March* this present
 and they shall with all possible Care and Diligence
 themselves in distinguishing the Confines of both
 in such manner that they may entirely finish the Separation
 in two Months, or sooner if possible.

XII. And whereas both the said Partys have manifestly
 express'd an ardent Desire to be united to one another
 a firm and constant Friendship, and to procure the
 quillity of their Subjects, they must naturally have
 greater Aversion to such ill-minded Persons as disturb
 Tranquillity of the Frontiers by Robberys, and Hostilities
 of other kinds : Therefore no Shelter or Protection
 be given on either side to such Fugitives, of what Condition
 soever they are ; but, on the contrary, they shall be
 apprehended and imprison'd, that they may have
 Punishment for a warning to others : and for the future
 giving Support or Protection to People of this sort
 prohibited.

XIII. Both Party shall be permitted to repair and
 strengthen the Fortresses in their Possession, but not to build
 new ones upon the Frontiers, nor to rebuild those

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s of the last Treaty shall be observed according to Form and Tenour, and the Ambassador of the Re-
k shall have leave to make new Instances to the
ial Throne upon this Head. As to Traffick, the
l Imperial Edicts formerly granted to this Repub-
are confirm'd by the present Treaty of Peace; and
; shall be carry'd on in the same manner as it was
; the last War, and the *Venetian Merchants* shall
all the Privileges that were ever granted them here-

7. From the Day of signing the Treaty concluded be-
the Plenipotentiarys of the sublime Empire and the
blick, all Hostilitys shall cease both by Land and
and the Subjects of both Partys shall live in good
dship and Correspondence: And to the end that the
rnours of the Frontiers may be inform'd of this Suf-
on of Arms, the Partys are agreed on a Term of thir-
ays for the Provinces of *Bosnia, Albania* and *Dal-*
z, and forty Days for the Isle of *Candia*, the *Morea*,
ther Frontiers on the same Coast; during which Space
me, the Sublime Empire and the Republick shall
on his part do all that is possible to hinder the Con-
ntion of any one of the Articles. Moreover, a sincere
eneral Amnesty is to be allow'd to the Subjects of
Partys, for any Action or Crime committed during the
which shall be intirely bury'd in Oblivion; and no
n shall on that account be profecuted, molested or
h'd for the future as a Delinquent.

VI. It shall be determin'd how long the present Treaty
een the Sublime Empire and the Republick shall
nue, when the Instruments of it are deliver'd, and
the Plenipotentiarys of both Partys proceed to the
ediate signing of the said Treaty, in the Form and
ner that shall be declar'd afterwards. And they shall
ke manner agree to the Conventions that shall be
ght necessary, for establishing the Friendship and per-
Correspondence of the Partys more and more.
fter all 'tis stipulated and agreed by this present Instru-
; that if while we are here, the said Plenipotentiary
nice shall resolve to accept and sign it, he may im-
ately, and without delay, copy the whole Instrument,
confirm it with his own Hand and Seal, and deliver
us, and at the same time receive from us the Instru-
confirm'd with our Seals and Subscriptions; provided
never-

nevertheless, that the abovemention'd Articles be not violated or alter'd, or restrain'd, or magnify'd, and that only those Things be added by mutual Consent, which seem to tend more to the renewing the Offices of Friendship, without changing the Articles of the Places and Limits.

But if the said Ambassador Plenipotentiary of the Republick of *Venice* shou'd remain here when we are going away, without having come to any Determination, the said Republick is allow'd by virtue of that Instrument, the space of thirty Days, from the Conclusion of the Peace, to ratify the said Instrument, to transmit their Ratification to the Ambassadors Mediators, to extend the Articles to reciprocal Offices of Friendship, and compleatly to finish the present Treaty at *Vienna*, by their Ambassador Plenipotentiary residing there, within the space of two Months. But if the said Republick does not acquiesce in the above recited Articles, even while the illustrious Mediation continues at *Vienna*, and while either of the Emperor's Plenipotentiarys is present, the Ambassadors of both Partys may reassume and direct this Treaty; on these Conditions nevertheless, that the fundamental Instrument, now stipulated once for all by the mutual Consent of the Partys, may be religiously and inviolably observ'd by both, equally alike in all things; nor shall the Articles in this present Instrument mention'd be call'd in question, nor shall one Party take more Advantage of them than the other. Moreover, within the space of six Months, from the Day that the solemn Embassy arrives at *Vienna* from the sublime Empire, according to the Terms of the Preliminary and Fundamental Instrument so often mention'd, the *Venetian* Ambassador Plenipotentiary at *Vienna* shall finish his Treaty, and to this end exchange the authentick Instruments necessary for both Partys; and consequently the *Venetian* Republick shall be included in this happy Peace, the Cessation of Arms being observ'd in the mean time on both sides, according to the Reason declar'd in the Articles above inserted, and all manner of Hostilitys and Offences being stopp'd by Land and Sea, and no Contravention of the Articles hereby establish'd being admitted. But if this neither be pleasing to the abovenam'd Republick, it shall rest upon the said Republick, after the Term abovemention'd, to manage the Affair either of War or Peace by themselves, and not to lay the Blame upon any but themselves. And whereas the abovemention'd Am-

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Ambassadors Extraordinary and Plenipotentiarys of his Imperial Majesty, and the King and Republick of *Poland*, in presence of the Ambassadors Plenipotentiary Mediators, have deliver'd to us the authentick and lawful Instrument drawn up in the *Latin* Tongue, confirm'd with their Hands and Seals, by virtue of the Authority, and Power, and Deputation to them granted; we also, by virtue of our Power, Authority and Deputation, have deliver'd this valid and legal Instrument, confirm'd with our Hands and Seals. Done the 24th of the Month call'd *Reciep*, in the Year of the *Hegira* 1110.

Sign'd,

(L. S.) *MEHEMET RAMI*, Great Chancellor.

(L. S.) *ALEXANDER Mauro Cordato di Scarlato*.

The

*The Imperial and Polish Instrument
the Peace to be establish'd and observ'd
between Mustapha Han, Sultan of the
Turks, and the most Serene Republick
of Venice; in which Instrument,
reason the Venetian Ambassador
excus'd himself from acting, the Imperial
and Polish Ambassadors take the Venetian
Affairs upon them, and in the
Name of the most Serene Republick,
enter into Conditions of Peace, leaving
the said Republick a certain space
Time, either to accept or reject the
Done at the Congress at Carlowitz
Szerem, the 26th of January 1699
Together with the Approbation and
Subscription of the Mediators, and the
Acceptance and Ratification of the said
Treaty, by the most Serene Republick
of Venice. Given at the Ducal Palace
the 7th of Feb. 1699.*

In the Name of the most Holy and Undivided Trinity

BE it known to all and every one whom it concerneth
That after a Declaration of Peace was made by the
Mediation of the most Serene and most Potent
Prince and Lord, William III. King of Great Brittain
Frederick

ice and Ireland, and the High and Mighty States
 eral of the *United Netherlands*, for restoring Tranquil-
 which had been disturb'd several Years by a War,
 for renewing the Friendship between the Sublime Ot-
 n Emperor and the most Serene Republick of *Venice*,
 ngress was appointed for that end, between the Ple-
 :entiarys of both Partys at *Carlowitz* in *Szerem*, by
 ntervention of the most illustrious and the most excel-
 Lords, the Lord *William Paget*, Baron of *Beaufort*,
 the Heer *James Colyer*, both Ambassadors at the
man Porte, the former from the most Serene King of
 it *Britain*, and the latter from the High and Mighty
 s of the *United Netherlands*, who most diligently
 faithfully perform'd the mediatorial Office of Ambaf-
 :s Plenipotentiary for restoring this Peace, and after
 Exchange of the full Powers on both sides, the Con-
 : was continued. But the most illustrious, and most
 llent Lord, *Charles Ruzzini* Knt. Ambassador Pleni-
 niary of the said most Serene Republick, after vari-
 Conferences held concerning a Peace, even tho he had
 : enough and to spare for consideration of the Arti-
 yet by reason of several Difficultys which occur'd to
 , cou'd not proceed in the Treaty: We therefore the
 rwritten Ambassadors Extraordinary and Plenipoten-
 : of his Sacred Imperial Majesty, and of his Royal
 efty of *Poland*, perceiving the Expiration of the last
 m granted near at hand, and the immediate Neces-
 of bringing the Treaty to an absolute Conclusion, in
 rd to the Preliminarys settled at this Congress by the
 leavours of the said Lords the Mediators, and by the
 sent of all of us, especially in regard to the Reason
 ar'd in the 3d Article, having a desire to promote the
 ce of the most Serene Republick of *Venice*, have un-
 aken the Treaty in their Name; and in regard to the
 nn Foundation of this Peace, heretofore establish'd in-
 ably between his Imperial Majesty, the Republick of
 ice, and the Sublime Empire, have in the best manner
 ou'd, concluded a Treaty with the most illustrious and
 t excellent the Lords Ambassadors Plenipotentiary of
Ottoman Porte, viz. the Lord *Mehemet Effendi*, Chan-
 or of the Sublime *Ottoman* Empire, and the Lord
uro Cordato, of the Noble Family of *Scarlati*, late
 ancclor of the said Empire, and private Secretary,
 raining sixteen Articles as follows.

Fiat

tick Instruments necessary for both Partys; and consequently the Republick of *Venice* shall be included in this happy Peace, a Cessation of Arms being observ'd in the mean time on both sides, according to the Reason declar'd in the Articles above inserted, and all manner of Hostilities and Offences being stop'd by Land and Sea, and no Contravention of the Articles hereby establish'd being admitted. But if neither the abovenam'd Republick can bring its Treaty to a Conclusion within the Terms abovemention'd, it shall rest upon the said Republick to take care of their own Affairs. And whereas the abovemention'd Ambassadors Plenipotentiarys of the Sublime *Ottoman* Empire have, by virtue of their Power, Authority and Deputation, deliver'd to us the authentick and lawful Instrument, confirm'd with their Hands and Seals; we also the Ambassadors Extraordinary and Plenipotentiarys of his Imperial Majesty, and his Majesty the King of *Poland*, by virtue of his Imperial Majesty's, and the most Serene King of *Poland's* general full Powers, and the Lords Ambassadors Plenipotentiarys Mediators being also present, and witnessing it, have likewise confirm'd the said Instrument of the Conditions of the Peace (promoted, as above, by our Officers for the famous Republick of *Venice*) with their Hands and Seals. Done at the Congress of *Carlowitz Szere*m under the Tent, *Jan. 26, 1699.*

(L. S.) *Wolfgangus C. ab Otting.*

(L. S.) *Leopoldus C. Schlik.*

(L. S.) *S. Matachowski.*

We attest and confirm, by our Hands and Seals, that the foregoing Instruments were done, concluded and confirm'd in the presence of us, by virtue of our publick Function as Mediators, the Year and Day abovementioned.

(L. S.) *WILLIAM PAGET.*

(L. S.) *J. COLYER.*

A Copy of the Form added by the most Serene Republick of Venice, for the Ratification of the Instrument of Peace.

SYLVESTER VALERIO, by the Grace of God, of *Venice*, &c. We make known and certify, that on the 26th Day of *January* 1699, according to the Citation of the Empire, an Instrument of the following Nature was concluded in the Congress at *Carlowitz*.

After the inserting of the said Instrument.

We therefore, and our Senate, do altogether approve and ratify the said sixteen Articles of the Peace, by the most Serene *Mustapha* Emperor of the *Turks*, as the Republick, promising on the Word of the aforesaid publick, inviolably to observe all and singular the said Articles, and not to suffer them, if we can help it, to be violated by others. In Witness whereof, we acknowledge the said Articles to be our Act and Deed, have sign'd them with our Hand, and confirm'd them with our Ducal Seal, in the Ducal Palace on the 7th of *February* 1699.

Sylvester Valerio Doge of *Venice*.

The Ducal Seal is appendant in Silver.

Agostino Bianchi Secretary.

Treaty of Alliance between the Kings of Great Britain and Denmark, and the States General of the United Provinces of the Netherlands. Concluded at Odensee, the 20th of Jan. 1701.

BE it known to all whom it concerns. After the Change of Affairs in *Europe*, by the Death of the late Catholick King, his Majesty the King of *Great Britain*, and their High Mightinesses the States General of *United Provinces* of the *Netherlands* on the one and his Majesty the King of *Denmark* on the other, maturely consider'd, that for the Security of their Kingdoms and Provinces, it wou'd be of great Use to restore antient Amity and Confidence, in such manner that might be a perfect Union of Interests and Concord, and an entire Confidence establish'd between them, with respect to all Affairs that might happen in *Europe*, and that they shou'd enter into strict Engagements to one another, and that for this purpose they shou'd agree on a defensive Alliance: And his Majesty the King of *Denmark*, being inform'd that his Majesty the King of *Great Britain*, and their High Mightinesses, had sent Orders to their Ministers in *Denmark*, to enter into a Conference with the Ministers to whom his Majesty shou'd be pleas'd to nominate to the purpose of such defensive Alliance, has likewise given Order to his Ministers, *viz.* the Sieur *Conrade Count de Reuss*, Lord of *Frisenwoldt, Loystrup, Calloe and Clausen*, Knt. Privy Counsellor and Great Chancellor to his Majesty the King of *Denmark*; the Sieur *Siegfried de Zuylen*, Lord of *Parin and Hoickendorf*, Knt. his Majesty's King of *Denmark's* Privy Counsellor; the Sieur *Thott*, Lord of *Knuestrup and Gaunoe*, Knt. Privy Counsellor and Deputy in his Majesty the King of *Denmark's* Chamber of Finances; the Sieur *Christian de*

Lente, Lord of *Sarlhausen*, Knt. Privy Counsellor Chief Secretary of War to his Majesty the King of *Denmark*; and the *Sieur Christian de Sebested*, Principal Secretary and Counsellor of State to his Majesty the King enter into a Negotiation upon this Head, with Mr. *Gregg*, Resident of his Majesty the King of *Great Britain* at the Court of the King of *Denmark*; and with *Sieur Robert Goes*, Lord of *Bouchboystburg*, their High Mightinesses Resident at the Court of *Denmark*: who after divers Conferences, and the Communication and change of their full Powers, have agreed on the following Articles.

I. The defensive Alliances concluded between his Majesty the King of *Great Britain*, and the Lords the States General of the *United Provinces* on one part, and his Majesty the King of *Denmark* on the other part, on the 3^d *November* 1690, and the 3^d of *December* 1696, shall remain in Force, and are confirm'd and renew'd in all the Articles and Clauses, except what are alter'd by the said Treaty.

II. His Majesty the King of *Great Britain*, and the High Mightinesses promise to pay, without any Abatement, Default or Delay, the Sums stipulated by the said Alliance of 1696, in good Money of *Holland*, at *Amsterdam*, half as soon as the Troops mention'd in the 10th Article of this Treaty, shall begin their March towards the High Mightinesses Frontiers, and the other half six Months after.

III. And as it is of very great importance to Trade that the Navigation be free and safe, his Majesty the King of *Denmark* promises his Majesty the King of *Great Britain*, and the States General, that for the Security of Commerce, in case a War shou'd happen, he will suffer no Privateers or Men of War to come into any Ports or Harbours in his Dominions, unless such Men of War shall be sent as Convoys to a Fleet of Merchant-Ships: in which Case they shall have free Entrance into his Majesty's Ports and Rivers; but not when they convoy particular Ships or Stragglers. Now, it shall not be deem'd a Fleet of Merchant-Ships, unless it consist of forty Ships or more; that number shall be sufficient to denominate it a Fleet, if it passes by *Futland*, but 'tis not absolutely necessary that it be so numerous when the Men of War enter into

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jeſty's Ports, becauſe when the Merchant-Ships come hat Latitude, they either fail to the *Sound*, or diſperſe mſelves to the ſeveral Ports of *Norway*.

V. His Majeſty the King of *Denmark* will not oppoſe ninth Electorate, but promiſes to conform himſelf to Contents of the 3d Article of the Treaty of 1696, and he ſeventh Secret Article of the ſaid Treaty.

VI. His Majeſty the King of *Denmark* will make no agement, nor enter into any Treaty, whereby the ce of the *North* may be diſturb'd, or whereby a third y may be form'd either in the North, or in *Germany*; will he foment ſuch Diſturbances on pretence of being eto forc'd by former Treatys; but, on the contrary, his eſty, according to the 4th Article of the abovemention'd nce, ſhall do his endeavour to hinder any ſuch Trearom being made.

VII. His Majeſty the King of *Denmark* expreſly ſtipu- Liberty of Commerce for his Subjects, in caſe a War 'd happen; but being unwilling however to permit igners to commit Frauds, by making uſe of *Daniſh* orts, 'tis agreed, that immediately after the ſigning is Treaty, the Convention made in 1690, between his ſty the King of *Great Britain*, and their High Migh- es on the one part, and his Majeſty the King of *Den-* on the other part, relating to Commerce in *France*, be examin'd, in order to change it as far as it is ne- y for better preventing of Frauds; and till this Al- on is agreed on by common Conſent, the ſaid Con- on ſhall be put in force as formerly, and ſhall ſerve Law and Rule for the ſaid Commerce.

VIII. His Majeſty the King of *Great Britain*, and their Mightineſſes, promiſe to pay 300000 Crowns Sub- r *Annuum* to his Majeſty the King of *Denmark*, all ne that the War continues; and it ſhall be paid in Bank Money at *Hamburg* every three Months. And e it does not come to a War, but that the preſent ences ſhou'd be pacify'd by an Accommodation, and he Troops of his Majeſty the King of *Denmark* be actually on the March towards the Frontiers of ate, his Majeſty the King of *Great Britain*, and High Mightineſſes, ſhall in ſuch Caſe be at all the e of raiſing thoſe Troops.

IX. If an Accommodation be made after the Rati- of this Treaty, but before the actual March of the

said Troops towards the Frontiers of their High Mightinesses, the King of *Denmark* shall content himself with one year's Subsidy, and a quarter of the Sum stipulated for the Levys.

VIII. His Majesty the King of *Great Britain* also promises in particular, to pay to his Majesty the King of *Denmark* what remains due to him, by virtue of the Convention in 1689, as well for the Transportation of 7000 Men to *Ireland*, as with regard to what still remains due to the said Troops out of their Pay, in case it appear by inspecting the Accounts, that the whole has not been paid; and the same shall be cast up in a Year after the Ratification of this Treaty, and the Payment afterwards be made without delay in the City of *Hamburg*.

IX. And in order to remove every Obstruction out of the way, his Majesty the King of *Denmark* is willing to recede from all Demands, which he may have upon their High Mightinesses, on condition that their High Mightinesses oblige themselves to pay those Sums for his Majesty, which are demanded of him by the Province of *Holland*, and the City of *Amsterdam*, and to restore to his said Majesty the Bonds which his late Majesty King *Frederick III.* of Glorious Memory gave to the said Province and City.

X. His Majesty the King of *Denmark* promises to send to the Assistance of his Majesty the King of *Great Britain*, and their High Mightinesses, as soon as the present Treaty is sign'd, 3000 Horse, 1000 Dragoons, and 8000 Foot of the Kingdom of *Denmark*, and the Country of *Holstein*; which Troops shall be duly mounted and arm'd, and furnish'd with their Officers and Generals. The said Troops shall take an Oath of Fidelity to his Majesty the King of *Great Britain*, and their High Mightinesses, in the same manner as the 7000 Men of the *Danish* Troops did formerly to his Majesty the King of *Great Britain*, when they enter'd into his Service. The Disposal of vacant Commissions, and the Administration of Justice, shall be upon the same Foot as they were, with regard to the said 7000 Men. His Majesty the King of *Great Britain*, and their High Mightinesses, shall pay for the Raising of the said Troops 80 Crowns for every Trooper, 60 for every Dragoon, and 30 Crowns for every Foot Soldier: one half of this Money shall be paid as soon as the said Forces are actually on the March towards their High Mightinesses Fron-

Frontiers, and the other half when they are all arriv'd there. The Pay and Maintenance of those Troops shall be on the same Foot as that of the other Troops of their High Mightinesses, and the Money shall be advanc'd to the *Danish* Commissarys, for them to distribute it, without any Discount or Deduction; and the Pay shall commence from the Day that the said Troops begin their March towards the Frontiers. And if it should be thought proper to transport the Troops that are to come from *Denmark* and *Holstein*, either in whole or in part, by Sea, towards the Countrys in the Dominion of the States, the said Transportation shall be at the Expence of his Majesty the King of *Great Britain*, and their High Mightinesses; and in case of Necessity, they shall be permitted to make use of the Ships of his Majesty the King of *Denmark*, or those of his Subjects, to facilitate and hasten the said Transportation. His Majesty the King of *Great Britain*, and their High Mightinesses, may keep the said Troops in their Service, as long as they think fit; and when they are for sending them home, they shall let his Majesty the King of *Denmark* know it three Months beforehand. Mean time, if any Rupture or War happen, the said Troops shall nevertheless continue in the Service of his Majesty the King of *Great Britain* and their High Mightinesses, as long as the War lasts, unless his Majesty the King of *Denmark* shou'd be attack'd in his own Kingdoms and Dominions, for having furnish'd the said Troops; in which Case his Majesty the King of *Denmark* reserves to himself the Right and Power of recalling them, as soon as he thinks necessary.

XI. In case that one or more Regiments or Companys of the said Troops have the Misfortune to be ruin'd, his Majesty the King of *Great Britain*, and their High Mightinesses, promise to pay, without loss of Time, to the Colonels or Captains of the Regiments or Companys ruin'd, the necessary Sums to recruit and replace them on the same Foot as before. And at the end of the Campaign, the same Sums for Recruits shall be paid to the *Danish* Officers, as are paid to the other Officers of their High Mightinesses; to the end that the said Troops may be always kept up in a good Condition, to be sent home in due time, in as good Order as they came.

XII. In like manner, his Majesty the King of *Great Britain*, and their High Mightinesses promise, that if his Majesty the King of *Denmark* be attack'd or disturb'd in the Possession of his Kingdoms, Provinces, Territories, Tolls, Navigation, Commerce, or other Rights, they will speedily send back the said Troops, and give them a Month's Pay, to bear their Charges home; which Month's Pay shall be advanc'd likewise, when the said Troops are sent home after the Conclusion of a Peace. And besides, they will send to his Majesty the King of *Denmark* the Succours both by Land and Sea, which are stipulated in the Secret Articles of the Treaty of 1690, which Succours they will maintain during the War at their own Expence; only the King of *Denmark* shall be oblig'd to furnish them with Bread and Forage.

XIII. And for rendring this Alliance and Union still more perfect, and to leave the Partys no manner of doubt as to the Certainty of the Succours, which they may expect from one another in the manner agreed to as above, 'tis expressly contracted, that in order to form a Judgment hereafter in what case this Alliance exists or not, if any one of the Partys be actually attack'd by Force of Arms, tho' it has not made use of any Force yet against the Aggressor, that shall be sufficient to determine the Case. But this Article shall only be applicable to Occasions that may happen hereafter. And for the present, the Supply of 12000 Men shall march towards their High Mightinesses Frontiers, as soon as the Treaty is sign'd, according to the 10th Article.

XIV. And to the end that no Broil may happen hereafter between his Majesty the King of *Denmark* and their High Mightinesses on the account of Commerce, 'tis now agreed that the Project of the Treaty of Commerce and Toll of the Year 1692, upon which a Negotiation was entered into, first at *Copenhagen*, and afterwards at the *Hague*, shall be re-assum'd, adjusted, concluded and sign'd at the same time as this.

XV. This Alliance shall subsist for the Space of Ten Years, computing from the Day of signing this Treaty; and the Alliances of 1690, and 1696, which are renew'd by this Treaty, shall also continue ten Years.

XVI. The Emperor shall be invited to enter into this Alliance; and if the King of *Prussia*, the House of *Lunenburg*, or that of *Hesse Cassel*, desire to be included in it, the
High

High Allies shall be at their Liberty to consent to it, when they are agreed among one another on the Conditions upon which the said Powers may be receiv'd into it.

XVII. For the fuller Explanation of all the Clauses of this present Treaty, relating to the Sums for raising, maintaining, transporting, marching, recruiting and sending back the Troops mention'd in the 10th Article, 'tis expressly stipulated, that his Majesty the King of *Great Britain* shall pay all those Charges when the said Troops are in his Service, and that the States General shall pay them when they are in the Service of their High Mightinesses.

XVIII. The Ratifications of this present Treaty shall be exchanged at *Copenhagen*, in 6 Weeks from the Day of signing it on the part of his Majesty the King of *Great Britain*, and in four Weeks on the part of the States General.

In Witness whereof, we have sign'd this Treaty, and hereunto affix'd the Seals of our Arms.

(L. S.) *H. GREG.*

Done at *Odensee*, the 20th of *Jan.* 1701.

Treaty

Treaty betwixt Anne Queen of Great Britain, and the House of Lunenburg with Separate Articles: Concluded the Hague, June 21, 1702.

A NNE by the Grace of God of Great Britain, France and Ireland, Queen, Defender of the Faith, to all and singular Person and Persons to whom these Presents shall come, Greeting. Whereas the following Convention has been concluded and sign'd at the Hague 21st of this present Month of June, N. S. between us the most Serene and most High Princes, the Elector, the Duke of Brunswick Lunenburg, for a Supply of 10000 Men.

Convention between her Majesty the Queen of Great Britain, and their Electoral and most Serene Highnesses of Brunswick Lunenburg, for a Supply of ten Thousand Men.

I. THEIR Electoral and most Serene Highnesses, the Elector and the Duke of Brunswick Lunenburg, promise to furnish her Majesty the Queen of Great Britain, for the Service of the Common Cause, this Campaign with a Body of Troops to consist of 10000 Men; part of which number is already arriv'd on the Lower Rhine, the rest actually on the March, to follow them with all possible Diligence.

II. Her Majesty shall cause the said Auxiliary Troops to be paid and maintain'd after the rate of 700 L. per Regiment in two Regiments of Cavalry, and 9300 Foot in 12 Regiments of Infantry, according to the Establishment of the Troops of their Electoral and most Serene Highnesses, for the Service of the Lords the States General of the United

Provinces; and their Wages and extraordinary Emoluments shall amount, by the long Month of 6 Weeks or 42 Days according to the Estimate annex'd to this Convention, to the Sum of 203715 Livres, 8 Sous $\frac{1}{2}$ Dutch Money, which shall be paid at *Rotterdam* every Fortnight regularly, computing from the first Day of this instant *June* N. S. Those Troops shall also enjoy in every thing else, without exception, the same Advantages, Benefits, Favours and Conveniencys, as the Troops of their Electoral and most Serene Highnesses have in the Service of their High Mightinesses.

III. Those Auxiliary Troops shall be receiv'd on the Frontiers of the States General by her Majesty's Commissioner, and shall then take the Oath to her.

IV. Whereas according to the second Article, her Majesty is only to pay the Cavalry after the rate of 2 Regiments consisting of 700 Horse, notwithstanding there's a much greater number, which only passes in the Pay as Foot; 'tis agreed on both sides, that their Electoral and most Serene Highnesses may, at pleasure, change for Infantry such a number in this Body of Cavalry as is over and above the two Regiments, which are both together to consist of 700 Horse.

V. Their Electoral and most Serene Highnesses reserve to themselves the Liberty of recalling those Troops, either the whole or part, in case that they are attack'd, or in evident danger of being attack'd in the Dominions which they possess; and her Majesty consents to this Reservation. And in order to facilitate their Return in such Cases, they shall not be remov'd to any great Distance from the lower *Rhine*.

VI. Deserters shall be reclaim'd reciprocally, and restored *bona fide*, without any Restitution of Charge or Expences. And forasmuch as it often happens to be a Dispute, whether the Persons reclaim'd can be reputed Deserters or not, there shall not be occasion for any other Proofs or Form of Process, than to find People of this sort in other Bodies, without Leave in writing from their Commanders.

VII. Tho' this Convention is only made provisionally for this Campaign, 'tis design'd in the mean time to form a more particular one, and for a longer Term; consequently 'tis suppos'd those Troops will not be oblig'd to go home after the Campaign is ended. But if it shou'd happen so, contrary to Expectation, they shall be sent back by the

the payment stipulated above in the second Article then be advanced immediately beforehand to the End.

VIII. The Ratifications of the present Convention be exchanged here in four Weeks, or sooner if Done between the under-written the Earl of *Marl* Ambassador Extraordinary and Plenipotentiary (Majesty the Queen of *Great Britain*), and the *Bohemar*, Plenipotentiary of their Electoral and most Highnesses of *Brunswick Lunenburg*, at the *H*ast of *June* 1702.

(L. S.) *MARLBOROUGH.*

(L. S.) *DE BOHEMAR.*

WE having seen and consider'd the Convention said, have approv'd, ratify'd and confirm'd and every Article and Clause, as we do by these approve, ratify and confirm it, for ourselves, and Successors; engaging and promising on our Roy that we will sacredly and religiously observe and all and singular the things contain'd in the said tion; and that if it be in our Power, we will a them to be observ'd by any Person, or in any man:

Lunenburgh, to desire that for the Security of their Dominions, their Troops, which are employ'd for the common Cause, may not be remov'd to a greater Distance from them than for the Operations on the lower *Rhine*, having oblig'd them to make that Reservation in the 5th Article of the Convention, with regard to those which they have sent to her Majesty the Queen of *Great Britain*; and having consider'd afterwards that the common Cause might render them necessary, even on the other side of the *Maeſe*; it is agreed on both sides, that when the State of the War shall demand an Operation on the other side of that River, in which the whole Army shall be employ'd, the said Troops shall pass that River and act with the said Army. But if a Body of Troops be left on this side, considerable enough to put all the Troops of their Electoral and most Serene Highnesses upon Action, they shall be employ'd preferably to the other Troops of this Army: As for the rest, the said fifth Article of the Convention remains entire as it stands, in case they are wanted at home.

II. Their Journey home becoming more tedious, by reason of those Removals, they shall be sent home at farthest by the 15th of *November*, that they mayn't be expos'd after their Services to a ruinous March in the latest and worst Season of the Year; unless it be agreed in the mean time to keep them for other Campaigns, as it is intended by the Seventh Article of the Convention, from which this shall not derogate in any respect.

III. And forasmuch as their Electoral and most Serene Highnesses have signify'd, that their Troops which serv'd the late King of *Great Britain* of glorious Memory in the late War, did not take the Oath to him; so her Majesty the Queen does not demand any Oath from their Troops now in her Service.

These Separate Articles shall be of the same Force as the Convention, and as if they were therein insert'd *verbatim*. Done at the Camp at *Nimeguen*, the 10th of *July* 1702.

(L. S.) *MARLBOROUGH.*

(L. S.) *BOTHMAR.*

*Treaty of Commerce betwixt Anne Queen
of Great Britain, and Peter King of
Portugal. Concluded at Lisbon, the
27th of December 1703.*

WHereas the League and strict Friendship which is between the most Serene and most Potent Princess, *Anne Queen of Great Britain*, and the most Serene and most Potent, *Peter King of Portugal*, requires that the Commerce of both the *British* and the *Portugal* Nations should be promoted as much as possible; and her Sacred Royal Majesty of *Great Britain* hath signified to his Sacred Royal Majesty of *Portugal*, by the most Excellent *John Metbuen* Esq; Member of the *English* Parliament, and Embassador Extraordinary in *Portugal*, that it would be very acceptable to her, if the *Woollen Cloths*, and the rest of the *Woollen Manufactures* of *Britain*, might be admitted into *Portugal*, the *Prohibition* of them being taken off: That this Matter may be treated and transacted, they have given their full Powers and Commands; that is to say, her Sacred Majesty of *Great Britain* to the abovesaid most Excellent *John Metbuen*, and his Sacred Majesty of *Portugal*, to the most Excellent *Don Emanuel Telles Silvius*, Marquiss of *Alegrete*, *Conde de Villa Major*, in the Society of the Knights of Christ, Commander of *St. John d' Alegrete*, and of *de Soure*, and also in the College of Commander of *St. John de Moura*, and of *St. Mary de Albuveira*, one of the three Directors of the Treasury, and one of the first Gentlemen of the Bedchamber, and Counsellor of State to his Sacred Royal *Portuguese* Majesty. Who by virtue of the full Powers to them respectively granted, having maturely and diligently consider'd the matter, have agreed upon the following Articles.

I. His Sacred Royal Majesty of *Portugal* promises, both in his own Name, and that of his Successors, to admit, for ever hereafter, into *Portugal*, the *Woollen Cloths*, and the rest of the *Woollen Manufactures of the Britains*, as was accustom'd, till they were prohibited by the Laws; nevertheless upon this Condition,

II. That is to say, that her Sacred Royal Majesty of *Great Britain* shall, in her own Name, and that of her Successors, be obliged for ever hereafter, to admit the Wines of the Growth of *Portugal* into *Britain*; so that at no time, whether there shall be Peace or War between the Kingdoms of *Britain* and *France*, any thing more shall be demanded for these Wines by the name of Custom or Duty, or by whatsoever other Title, directly or indirectly, whether they shall be imported into *Great Britain* in Pipes or Hogheads, or other Casks, than what shall be demanded from the like Quantity or Measure of *French Wine*, deducting or abating a third part of the Custom or Duty. But if at any time this Deduction or Abatement of Customs, which is to be made as aforesaid, shall in any manner be attempted and prejudic'd, it shall be just and lawful for his Sacred Royal Majesty of *Portugal*, again to prohibit the *Woollen Cloths*, and the rest of the *British Woollen Manufactures*.

III. The most Excellent Lords the Plenipotentiaries promise and take upon themselves, that their abovenamed Masters shall ratify this Treaty, and within the space of two Months the Ratifications shall be exchange'd.

For the Faith and Testimony of all which things, I the Plenipotentiary of her Sacred Royal Majesty of *Great Britain*, have confirmed this Treaty, by the Subscription of my Hand, and by the Seal of my Coat of Arms. And the most Excellent Lord the Plenipotentiary of his Sacred Royal Majesty of *Portugal*, for avoiding the Controversy about Precedence between the two Crowns of *Britain* and *Portugal*, hath subscribed another Instrument of the same Tenor, changing only what ought to be changed for that reason. Given at *Lisbon*, the 27th of the Month of *December*, 1703.

(L. S.) *John Methuen.*

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The Declaration of Queen Anne for supporting and protecting the Spaniards, and particularly the Catalans, who shou'd acknowledge and receive King Charles III. for Lawful King of Spain, as it was publish'd by the Earl of Peterborow, pursuant to her Majesty's Orders of May 1, 1705. at his Arrival on the Coast of Catalonia.

TO all the Loyal Subjects of the Monarchy of *Spain*, of what Rank or Quality soever, Churchmen or Laymen, within the Dominions of the Crown of *Spain*, Greeting.

Our Sovereign Lady *Anne*, by the Grace of God, Queen of *Great Britain*, *France* and *Ireland*, &c. having thought fit to nominate and constitute us General of the Troops, which her Majesty has join'd with those of the Lords the States General, and which are employ'd to maintain the just Right of the most August House of *Austria* to the Monarchy of *Spain*, and to assist their other Allies; We have judg'd it necessary and convenient to declare, before we proceed to open Force, that we are not come into these Parts to take possession of any Place in the Name of her *Britannick* Majesty, or of the Lords the States General, or to bring into these Countrys the ordinary Devastations and usual Calamitys of War, but to defend and protect the good and loyal Subjects of the said Monarchy, and to free them from the insupportable Yoke of a Government of Foreigners, and from the Slavery to which they have been reduc'd and sold to *France* by ill-designing Persons. The Intention therefore of her said Majesty, and of the Lords the States General, being to maintain the just
Right

Right of the House of *Austria*, and the Liberty and Privileges of the Subjects of his Catholick Majesty, We declare and promise by these Presents, That all loyal and true *Spaniards*, who shall not oppose our Forces, but give Demonstrations of their loyal and due Obedience to their lawful King *Charles III.* shall be protected and maintain'd in their Religion, Persons, Estates, Offices and Privileges, without any Molestation; but if (contrary to our hopes) the Inhabitants and People of these Countrys, shall not concur with us in the Execution of the good Intentions of her said Majesty, and of the Lords the States General, we take God to witness, that they wilfully draw upon themselves all the Hostilities which may be committed by the Forces under our Command, and that the Blame will lie at the Door of such *Spaniards*, who, when so fair an opportunity is offer'd them to give Proofs of their Loyalty, and follow the Motives of their Duty and Interest, shall let slip so favourable Conjunction.

N. B. Mr. *Crow* was sent as the Queen's Minister to *Venice*, in the beginning of the Year 1705, with private Instructions to treat with the *Catalans*, or any other People of *Spain*, about their coming into the Interest of *Charles II.* and to assure those that acknowledg'd him their lawful King, of her Majesty's utmost Endeavours to procure the Establishment of all such Rights and Immunities as they formerly enjoy'd under the House of *Austria*. He also carry'd Credential Letters with him sign'd by the Queen, directed to the Nobility, Magistrates, and all Officers Civil and Military of *Catalonia*, desiring them to depend upon the Promises he shou'd make them in her Name. Upon these Assurances (which were repeated to them by every General and Minister who was sent to that Country, from *Great Britain*) my Subjects in *Catalonia*, said King *Charles III.* in a Letter to the Queen, of *Oct. 22, 1705*, expose their Lives and Fortunes. But these unhappy *Catalans*, being afterwards abandon'd to their Enemys, contrary to the Faith of the above Declaration, and shut up in *Barcelona*, where they underwent the utmost Miserys of Siege, (during which, Multitudes perish'd by Famine the Sword) hung up the said Declaration at the High Altar by way of Appeal to Heaven.

A Treaty of Peace between his Imperial and Catholick Majesty, and most Christian Majesty, concluded signed in the Palace of Raftat, M^o 6, 1714.

IN the Name of the most Holy and Undivided Trinity. Be it known to all and every one whom it may concern, that *Europe* having been agitated several years with long and bloody Wars, wherein the States and Kingdoms thereof have found themselves concerned, it has pleased God, in whose hands are the hearts of Kings, to inspire those Sovereigns with a spirit of perfect Reconciliation, and prepare the Ways to terminate the War, begun first of all between the most Serene and most powerful Prince and Lord, the Lord *Leopold* Emperor, elected of the *Romans*, *Semper Augustus*, of *Germany*, *Hungary*, *Bobemia*, &c. of glorious Memory and since his Decease, between the most Serene and most Powerful the Lord *Joseph*, Emperor, &c. of glory and Memory; and after his Decease, between the most and most Powerful Prince, the Lord *Charles VI.* Elected of the *Romans*, *Semper Augustus*, King of *many*, *Castile*, *Arragon*, *Leon*, the two *Sicily*s, *Sardinia*, *Navarre*, *Granada*, *Toledo*, *Valencia*, *Galicia*, *Seville*, *Sardinia*, *Cordoua*, *Corsica*, *Murcia*, *Alger*, *Gibraltar*, the *Canary Islands*, the *Indies*, and *Terra firma* of the Ocean; Archduke of *Duke of Burgundy*, *Brabant*, *Milan*, *Stiria*, *Carniola*, *Limburgh*, *Luxemburgh*, *Gelderland*, *Berg*, the *Upper and Lower Silezia*, *Calabria*; *Prussia*, *Suabia*, *Catalonia*, *Austria*; Marquis of the Holy Roman Empire, *Burgaw*, *Moravia*, *Upper and Lower Austria*, *Count of Hapsburgh*, *Flanders*, *Tyrol*, *Frioul*, *B*

Foritz, Artois, Namur, Rouffillon, Cerdaigne; Lord of the *Sclavonian Marches, Port Mabon, Salins, Biscay, Moline, Tripoly, Malines, &c.* and the Holy Empire on one Part; and the most Serene and most Powerful Prince and Lord, the Lord *Lewis XIV.* most Christian King of *France* and *Navarre* on the other: insomuch that his Imperial Majesty and his most Christian Majesty, wishing nothing more fervently than to put a stop, by the Re-establishment of a firm and constant Peace, to the Desolation of so many Provinces, and the Effusion of so much Christian Blood, have consented that for the more speedy obtaining the Effect of their Desires, Conferences should be held at *Rastat*, between the two Generals, commanding in chief their respective Armies, whom they have provided for that purpose with their full Powers, and appointed their Extraordinary Embassadors and Plenipotentiarys; that is, on the part of the Emperor, the most high Prince and Lord, *Eugene of Savoy, &c.* and on the part of the most Christian King, the most high and most excellent Lord, *Lewis Hector, Duke of Villars, Peer and Mareschal of France, &c.* Who after having implor'd the Divine Assistance, and communicated to each other the full Powers aforesaid, have agreed for the Glory of the holy Name of God, and the Good of the Christian Commonwealth, to the reciprocal Conditions of Peace and Amity, which follow.

I. There shall be a Christian and universal Peace, and a true, sincere and perpetual Amity between his Imperial Majesty, the Empire, and his most Christian Royal Majesty, their Heirs and Successors, Kingdoms and Provinces; insomuch that the one shall undertake nothing upon any Pretence whatsoever, to the ruin or prejudice of the other; nor shall lend Assistance upon any Colour whatsoever, to such who would undertake it, or cause any Damage whatsoever to the other. His Imperial Majesty and the Empire, and his most Christian Majesty shall not protect or assist in any manner whatsoever, the rebellious Subjects of either side; but on the contrary, shall seriously procure the Benefit, Honour, and Advantage of each other, notwithstanding all Promises, Treatys, or Alliances made to the contrary, or to be made in any wise whatsoever.

II. There shall be on either side a perpetual Oblivion and Amnesty of what has been done since the beginning of this War, in whatever manner or place Hostilities have been

been made ; so that upon that account, or any other pretence, nothing shall be done, or suffered to be done, for the future to the prejudice of either Side, directly or indirectly, neither by Fact, within or without the Extent of the Empire, the hereditary Countrys of his Imperial Majesty, and the Kingdom of *France*, notwithstanding all Conventions made to the contrary before these Presents ; but on the contrary, all the Injuriys which have been receiv'd on either Side, by Words, Writings, Actions, Hostilities, Damages, or Expences, without any respect to Persons or Things, shall be entirely abolish'd : insomuch, that whatever might be pretended or demanded on either side on that account, shall be entirely forgotten.

III. The Treatys of *Westphalia*, *Nimcguen*, and *Ryswick*, are consider'd as the Basis and Foundation of the present Treaty ; and in consequence thereof, immediately after the Exchange of the Ratifications, the said Treatys shall be entirely executed, in respect both to Spirituals and Temporals, and shall be inviolably observ'd for the future, except in what shall be derogated from the same by the present Treaty : so that every thing shall be generally restor'd within the Empire and its Dependences, according to what is prescribed by the aforesaid Treaty of *Ryswick*, as well in respect to the Alterations which have been made during this War, or before, as in respect to what has not been executed, if it appears that some Article has not been put in Execution, or that after its Execution it has been since alter'd.

IV. According to the said Treaty of *Ryswick*, his most Christian Majesty shall restore to the Emperor the Town and Fortres of *Old Brisac*, such as it is at present, with all the Granarys, Arsenals, Fortifications, Ramparts or Walls, Towers, and other publick and particular Edifices, with all its Dependences situated on the Right of the *Rhine*, leaving to the most Christian King those that are on the Left, namely, the Fort *Mortier* ; the whole conformable to the Clauses and Conditions inserted in the 20th Article of the Treaty concluded at *Ryswick*, in *October 1697*, between the late Emperor *Leopold* and the most Christian King.

V. His most Christian Majesty shall likewise restore to his Imperial Majesty, and the most Serene House of *Austria*, the Town and Fortres of *Friburgh*, together with the Fort of *St. Peter*, the Fort of the *Star*, and all other Forts erected or repaired there, or in other Parts in the *Black Forest*, or

Brisgau, in the Condition they are in at present, without demolishing or spoiling any Part thereof; with the Villages of *Lehem*, *Merzhausen*, and *Kirchzarten*, with their respective Rights, Archives, Writings, and other Documents, found therein when his most Christian Majesty took tely possession thereof, either such as are still in those places, or such as have been removed elsewhere; the Right of the Diocefan, and other Rights and Revenues of the Bishoprick of *Constance*, being reserved to the same by these Presents.

VI. The Fort of *Kebl* erected by his most Christian Majesty on the Right of the *Rhine*, at the End of the Bridge of *Strasburgh*, shall be entirely restor'd to the Emperor and the Empire, without demolishing any Part thereof, together with its Rights and Dependences. As to the Fort of the *Pile*, and others erected in the Island of the *Rhine* near *Strasburgh*, they shall be entirely razed at the Expenses of the most Christian King, and none of the Partys shall be allowed for the future to re-erect the same. Which demolitions, demolishing of Places and Fortifications above specified, shall be made within the Time limited by the following Articles, to be reckon'd from the Day of the Exchange of the Ratifications of the Solemn or General Treaty of Peace between his Imperial Majesty, the Empire, and the most Christian King; the Navigation and Use of the said River remaining free and open to the Subjects of either Side, and to all such as will make use thereof for transporting their Merchandizes: and neither of the Partys shall be allowed to attempt any thing for diverting the Course of the said River, or rendering the same in any manner whatsoever, or its Navigation, more difficult; and as still shall it be lawful for any of the Partys to lay new Tolls, or augment the antient Dutys, and compel the Boats to come to one side rather than the other, to sell their Cargo and Goods, and take in others; but the whole shall be left to the Liberty of the Owners.

VII. The said Places, Castles, and Fortresses of *Brisac*, *Strasbourg*, and *Kebl*, shall be restor'd to his Imperial Majesty and the Empire, with all their Jurisdictions, Appurtenances, and Dependences, with the Arillery and Ammunition found therein when they were taken in this War, according to the Inventorys made thereof, without detaining any Part upon any Pretence whatsoever; and shall be delivered

livered to such who, after the exchange of the Ratifications of the present Treaty, and also of the solemn Treaty of a general Peace between his Imperial Majesty, the Empire, and his most Christian Majesty, shall be appointed and specially deputed for that purpose, by his Imperial Majesty alone, or according to the Differences of the Places, by him and the Empire, and shall produce their full Powers to the *French* Intendants, Governors or Commanders of the Places to be restored; to the end that the said Towns, Citadels, Forts and Places, with their Privileges, Incomes, Revenues, and whatever depends thereon, may return under the Power, and actual and absolute Possession and Sovereignty of the Emperor and the Empire, and the House of *Austria*, as they did formerly belong to them, and as they were since possess'd by his most Christian Majesty; who shall reserve to himself no manner of Right, Claim, or Pretensions to the said Places and their Dependences. Nothing shall be likewise pretended for the Charges of Fortifications, or any other private or publick Edifices. It shall not be lawful, on any Pretence whatsoever, to defer the full and entire Restoration of the said Places beyond the Terms to be hereafter specified; and the *French* Garisons shall then march out without molesting the Inhabitants, or putting them to any Damage, or any other Subjects of his Imperial Majesty and the Empire, upon pretence of Debts, or other Pretensions, whatever they be. Likewise the said *French* Troops shall not be allowed to continue any longer in the Places to be restor'd, than the Terms aforesaid, nor in any Country which is not to remain to his most Christian Majesty, nor to take Winter-quarters therein, but shall be obliged forthwith to retire into the Dominions of his most Christian Majesty.

VIII. His most Christian Majesty promises likewise to cause the Fortifications erected over against *Huninglen* on the Right of the *Rhine*, and the Islands therein, to be demolish'd at his Charges, as also the Bridge made on the *Rhine* at that Place; and to restore the Ground where those Forts stand, with the Edifices, to the House of *Baden*. The Fort of *Selingen*, with the Forts in the Islands between the Fort of *Selingen* and Fort *Lewis*, shall be likewise demolish'd; and as to the Ground whereon that Fort to be demolish'd stands, it shall be restored to the House of *Baden*, together with the House. That Part of the Bridge from the Fort of *Selingen* to *Lewis* shall be destroyed, as also the Fort erected on

Right of the *Rhine*, over against the said Fort *Lewis*; and it shall not be lawful for any of the Partys to re-erect the same: but Fort *Lewis*, and the Island wherein it lies, shall remain to the most Christian King. In general, his most Christian Majesty promises to raze, at his Expences, all the Forts, Intrenchments, Lines, and Bridges, specified in the Treaty of *Ryswick*, with such as have been erected since that Peace, either along the *Rhine*, or in the *Rhine*, or elsewhere in the Empire and its Dependences, none of which it shall be lawful to erect again.

IX. The most Christian King promises and engages likewise to cause the Castle of *Bitsch* to be evacuated, with all its Dependences; as also the Castle of *Homburg*, after having demolish'd their Fortifications, which are not to be re-erected, but in such a manner that the said Castles, and Towns adjoining, may receive no Damage thereby, the same being to remain intirely as they are.

X. The Towns and fortified Places above specified, and in general all others which are to be restored by virtue of the present Treaty, which is relative to that of *Ryswick*, and whereof the Articles are to be deem'd as included in this Treaty, and punctually executed, as if they were *verbatim* inserted in these Presents, shall be delivered within thirty days after the Exchange of the Ratifications of the Solemn or General Treaty to be made between the Emperor, the Empire, and the most Christian King, and even sooner if possible, to such Persons who shall be authorized for that purpose by the Emperor and the Empire, or other Princes thereof, who are to possess the same by virtue of the *Ryswick* Treaty. And in the mean time no part of the Fortifications, or publick or private Edifices, shall be demolish'd or damaged, the same being to remain in the present Condition they are in; and nothing shall be demanded for Expences made in the same Places upon that account. The Archives and Documents belonging either to the Emperor, or the States of the Empire, or the Places to be restored, shall be delivered at the same time.

XI. As the Intentions of the most Christian King are to execute, as soon as possible, the Conditions of the present Treaty, his said Majesty promises, that the Towns and Places to be demolish'd at his Charge, shall be razed, that is to say, the most considerable within two Months at the latest after the Exchange of the Ratifications of the General or Solemn Treaty to be made between the Em-
peror,

peror, the Empire, and the most Christian King ; and the least considerable within a Month, to reckon from the Exchange of the said Ratifications.

XII. And as the most Christian King designs truly and sincerely to re-establiſh a ſincere Union with the Emperor and the Empire, he promiſes and engages, that in the Treaty with the Elector, Princes, and States, in the General Congress with the Emperor and the Empire, he will reſtore to them, and to the Subjects and Vaſſals of the ſaid Empire, both Spiritual and Temporal, and in general to all ſuch who have been comprehended in the Peace of *Ryſwick*, tho they are not named here, the Lordſhips, Places, and Eſtates, whereof he has taken poſſeſſion during the preſent War, either by his Arms, or by way of Confiſcation, or in any other Manner whatever ; as alſo fully and punctually to execute all the Clauſes and Conditions of the *Ryſwick* Treaty, from which it ſhall not be expreſſly derogated in the preſent Treaty, if it appears that any one of them has not been executed ſince the Concluſion of the ſaid Treaty of *Ryſwick*.

XIII. His Imperial Maſteſty being willing, on his part, to expreſs the deſire he has to contribute to the Satisfaction of his moſt Chriſtian Maſteſty, and maintain with him henceforth a ſincere Amity and perfect Correſpondence, agreeable to the *Ryſwick* Peace, re-establiſhed by the preſent Treaty, conſents that the Town of *Landau*, with its Dependencies, conſiſting of the Villages of *Nuſdorf*, *Danheim*, and *Quechem*, with their Diſtricts, ſuch as they were enjoy'd by the moſt Chriſtian King before this War, remain with its Fortifications to his ſaid Maſteſty : his Imperial Maſteſty ingaging to obtain the Conſent and Approbation of the Empire, in the Solemn or General Treaty to be made between the Emperor, the Empire, and the moſt Chriſtian King.

XIV. The Houſe of *Brunſwick Hannover* having been promoted to the Electoral Dignity by the Emperor, with the Conſent of the Empire, his moſt Chriſtian Maſteſty ſhall, by virtue of the preſent Treaty, acknowledg that Electoral Dignity in that Family.

XV. As to the Houſe of *Bavaria*, the Emperor and the Empire conſent, in conſideration of the publick Tranquillity, that by virtue of the preſent Treaty, and the General or Solemn Treaty to be made with the Emperor and the Empire, the Lord *Joſeph Clement*, Archbiſhop of *Cologn*, and the

he Lord *Maximilian Emanuel* of *Bavaria*, be restored generally and entirely to all their Dominions, Ranks, Prerogatives, Regalia, Estates, Electoral Dignity, and others, with all the Rights, and in the same manner as they enjoy'd, or might have enjoy'd them before this War, and which belonged to the Archbishoprick of *Cologn*, and other Churches, to be named hereafter, or to the House of *Bavaria* mediately or immediately. They shall be allowed to send Deputys with full Powers, but without Character, to the Congress, or the General or Solemn Treaty to be made between the Emperor, the Empire, and the most Christian King, to negotiate and take care of their Concerns, without any manner of Opposition, as soon as the Conferences begin. All their Moveables, Jewels, and other Effects whatever, shall be *bonâ fide* restored to them, as also all the Ammunition and Artillery specified in authentick Inventories to be produced on both sides; that is, all such as have been removed by Order of the Emperor, and of his Predecessors of glorious Memory, since they took possession of *Bavaria*, their Palaces, Castles, Towns, Fortresses, and other Places whatever, which belonged to them, and which shall belong to them, except the Artillery belonging to the neighbouring Towns and States, which has been restored to the Owners. The Archives, and other Documents, shall be likewise restored. The said Lord Archbishop of *Cologn* shall be restored to the said Archbishoprick, the Bishopricks of *Hildesheim*, *Ratisbon*, and *Liege*, and the *Prepositure* of *Berchtolsgaden*; and that entire Restoration shall not be altered in any wise upon account of any Law-Suits or Pretensions, whatever they be. This, however, without any prejudice to such as had any Pretensions against them, who may prosecute their Rights against the said Electors, after they are actually re-establish'd, as they did before the present War, according to the Courts of Justice observed in the Empire. This shall likewise no ways prejudice the Privileges of the Chapters and States of the Archbishoprick of *Cologn*, and other Churches, as they were establish'd before by their Union, Treatys, and Constitutions. And as to the Town of *Bonn*, there shall be no Garrison therein in time of Peace, but the Guard thereof shall be trusted to the Burghers. And as to the Guards of the said Archbishop and the Palace, they shall be restrained to such a Number as he shall agree with the Emperor and the Empire; provided, however, that in time of War, or when there shall be a likelihood of

War,

War, the Emperor and the Empire shall be allowed to put therein such a number of Troops as shall be requisite, according to the Laws and Constitutions of the Empire. Provided also, that, in consideration of the said entire Restoration, the said two Lords of the House of *Bavaria* shall renounce for ever all Pretensions, Satisfactions, or Indemnifications whatever against the Emperor, the Empire, and the House of *Austria*, upon account of the present War. But this shall no ways prejudice the antient Rights and Pretensions they had before this War, which they may sue for as before, according to the Laws of the Empire; and this entire Restoration shall give them no new Rights against any one whatsoever. Likewise all Pretensions against the House of *Bavaria*, Archbishoprick and Bishoprick aforesaid, upon account of the present War, are likewise declared void and abolish'd.

By virtue of this total Re-establishment of the Lords aforesaid, *Joseph Clement*, Archbishop of *Cologne*, and *Maximilian Emanuel* of *Bavaria*, will pay Obedience, and continue faithful to his Imperial Majesty, as the other Electors and Princes of the Empire; and shall be obliged to desire and receive from his Imperial Majesty, the renewing of the Investiture of their Electorates, Principalities, Fiefs, Titles, and Rights, in the Manner and Time prescribed by the Laws of the Empire: and whatever has happened on either side during this War, shall be buried in perpetual Oblivion.

XVI. The Ministers and Officers, Civil and Military, of what Condition soever, who have served either of the Partys, even those who are Subjects and Vassals of the Emperor, the Empire, and the House of *Austria*; as also all domestick Servants of the House of *Bavaria*, and the Lord Archbishop of *Cologne*, shall be likewise restored to the Possession of all their Estates, Employments, Honours and Dignities, as before the War, and enjoy a general Amnesty for whatever is past; provided that the said Amnesty be reciprocal towards those of their Subjects, Vassals, Ministers and Servants, who have followed, during this War, the Party of his Imperial Majesty, and the Empire, who upon this account shall not be molested or disturbed in any manner whatever.

XVII. As to the Time of executing the total Restoration specified in the two foregoing Articles, it shall be limited in the General or Solemn Treaty to be made

the Emperor, the Empire, and the most Christian King, to thirty Days after the Exchange of the Ratifications of the said Treaty, according to what has been said in the tenth Article, concerning the Evacuation of Places and Towns which the most Christian King proposes to restore to the Emperor and the Empire; insomuch that the one and the other, as also the Restitution to the Emperor of the States and Countries which the House of *Austria* possesses now in the *Netherlands*, be made at the same time.

VIII. If the House of *Bavaria*, after their entire Election, finds it convenient to exchange some of their Electors with some others, his most Christian Majesty shall make any Opposition thereto.

IX. His most Christian Majesty having given up, and caused to be given up to the States-General of the United Provinces, in favour of the House of *Austria*, all his said Majesty, or his Allies, had remaining in their Possession of the Low-Countries, commonly call'd the *Spanish Netherlands*, so as the late King of *Spain Charles II.* died, or ought to have possessed them, conformably to the Treaty of *Ryswick*; his most Christian Majesty declares, that the Emperor shall enter into possession of the said *Spanish Netherlands*, to enjoy them himself, his Heirs and Successors, henceforward and for ever, fully and absolutely, according to the Order of Succession established in the House of *Austria*; saving the Agreements which the Emperor shall make with the said States-General of the *United Provinces* touching their Barrier, and the Privileges of the under-mention'd Towns and Places. It is likewise stipulated, that the King of *Prussia* shall keep what he actually possesses of the Upper Quarter of *Gelderland*, namely the Town of *Gelder*, the Prefecture, Bailiwick, and Under-Bailiwick of *Gelder*, with all that belongs to, and depends thereon; as likewise particularly the Towns, Bailiwicks, and Lordships, of *Strahlen*, *Wachbomk*, *Midelaar*, *Walbeck*, *Aertsen*, *Afferden*, and *Wessel*; as also *Racy* and *Klein Kevellaar*, with all their Jurisdictions and Dependences. Besides, there shall be given up to the King of *Prussia* the Ammanie of *Krickenhagen*, with all that belongs to, or depends thereon: and the Country of *Kessel*, with all its Appurtenances and Dependences, and generally all that the Ammanie and the District contain, without excepting any thing, unless it

it be *Erkalens* with its Appurtenances and Dependences; the Whole to belong to the said King, and to the Princes or Princesses, his Heirs and Successors, with all the Rights, Prerogatives, Revenues, and Advantages, by what Name soever call'd, in the same quality, and in the same manner, as the House of *Austria*, and particularly the late King of *Spain*, possessed them; yet with the incumbent Charges and Mortgages, the Preservation of the *Roman* Catholick Religion, and the Privileges of the States.

XX. And as besides the Provinces, Towns, Places and Fortresses, which were possessed by the late King of *Spain* *Charles II.* on the Day of his Decease, the most Christian King has made over, as well for himself, as for the Princes his Heirs or Successors, born or to be born, to the States General, in favour of the House of *Austria*, all the Right which he had, or might have, to the Town of *Mennin*, with all its Fortifications, and with its Verge; to the Town and Citadel of *Tournay*, with all the *Tournesis*, without reserving to himself any part of his Right to them, or to any of their Dependences, Appurtenances, Appendages, or Territorys mixed with, or inclosed in other Territorys: his Majesty consents, that the States General of the *United Provinces* shall restore the said Towns, Places, Territorys, Dependences, Appurtenances, Appendages, and Territorys mixed with, or inclosed in other Territorys, to the Emperor, as soon as they shall have agreed thereon with his Imperial Majesty, to be enjoy'd by him, his Heirs and Successors, fully, peaceably, and for ever, as well as the *Spanish Netherlands* which belong'd to the late King *Charles II.* at the Day of his Decease. 'Tis provided, however, that the said giving up of the *Spanish Netherlands*, Towns, Places, and Fortresses, yielded by the most Christian King, shall not be done by the said States General, till after the Exchange of the Ratification of the Treatys of Peace between his Imperial Majesty, the Empire, and his most Christian Majesty. 'Tis also provided, That *St. Amand* with its Dependences, and *Mortagne* without Dependences, shall remain to his said most Christian Majesty; on condition nevertheless, that it shall not be permitted to make at *Mortagne* any Fortification, or Sluice, of what nature soever it may be.

XXI. In like manner the King confirms, in favour of the Emperor, and of the House of *Austria*, the Cession which his Majesty has already made in favour of the said

House

to the States General of the *United Provinces*, as for himself as for the Princes his Heirs and Successors and to be born, of all his Rights to *Furnes* and *mbacht*, therein including the eight Parishes, and part of *Knocque*; to the Towns of *Loo* and *Dixmude*, their Dependences; to the Town of *Tpres*, with its many, *Rouffelaer* therein included, and with the other Dependences, which henceforward shall be *Popperingen*, *Don*, *Commines*, *Werwick*; these three last Places, as they are situate on the side of the *Lys* towards;

and what depends on the Places here above specified; Of which Rights thus transferred to the Emperor, his Heirs and Successors, his most Christian Majesty renounces to the said Towns, Places, Forts, and Counters to any of their Appurtenances, Dependences, Apperges, or Territorys mixed with or inclosed in other Counters; consenting that the States General may give up to the House of *Austria*, to be enjoyed by that House irrevocably and for ever, as soon as they shall have agreed with that House on their Barrier, and the Ratifications of the Treatys of Peace between the Emperor, his Majesty, and his most Christian Majesty, shall be extended.

II. The Navigation of the *Lys* upwards from the Mouth of the *Deule* shall be free, and no Tolls or Impositions shall be establish'd upon the same.

III. There shall be on either side an Oblivion, and a full and reciprocal Amnesty of all Wrongs, Injuries, Offences, which may have been committed during the War by way of Facts, Words, or any other manner, by the Subjects of the *Spanish Netherlands*, and of the Places and Counters yielded or restored.

IV. By virtue of this Peace, the Subjects of the Christian King, and those of the *Netherlands*, and Counters yielded by his most Christian Majesty, shall be allowed to travel, traffick and trade, as fair Merchants, in either's Territorys, observing the Laws and Customs of each; and to sell, alienate, and otherwise dispose of their Goods, Effects, Moveables, and Immoveables, situate in either's Territorys on both sides. And any one, either Subjects of the Christian King, or Subjects of the Emperor, shall be allowed to purchase the same, without being oblig'd to obtain any other Permission than is contained in the said Treaty. The said Subjects of the Places and Counters respectively restored, as also all those of the *Spanish*

Spanish Netherlands, shall be permitted to remove from the said Places and Countrys, and retire wherever they please, within a Year, with Power to sell their Estates and other Effects, to whom they shall think fit, both before and after their Removal, without any Hindrance or Molestation, directly or indirectly.

XXV. The same Subjects on either side, Ecclesiasticks and Seculars, incorporated Bodys, Commonalties, Universtitys, and Colleges, shall be restored to the Possession of the Honours, Dignitys and Benefices, which they possessed before the War; and also to all their respective Estates, Moveables and Immoveables, Rents and Incomes, which have been seiz'd by reason of the War; as also to their Rights, Actions, and Successions, devolved to them even since the War begun; but shall not be allowed to claim the Revenues thereof during the Course of this War, till the Publication of the present Treaty: which Restoration shall be reciprocally made, notwithstanding all Donations, Concessions, Declarations, Confiscations, and Sentences, which have been pronounced by Contumacy, without hearing the Partys, which shall be void and of no effect; with an entire Liberty to the said Partys to return into the Countrys from whence they removed upon account of the present War, to enjoy their Estates and Incomes by themselves, or by Procuration given by them to others, conformably to the Laws and Customs of the said Countrys and States: in which Restitution are included such who in the late War, or by reason thereof, have followed the Party of the two Powers who have made the present Treaty. Nevertheless, the Arrests and Judgments given by the Parliaments, Councils, and other Superiour or Inferiour Courts, from which it shall not be expressly derogated by the present Treaty, shall take place, and have their full and entire Effect; and such, who by virtue of the said Arrests and Judgments shall be found in possession of Estates and Lordships, shall be maintained therein; however, without prejudice to the Partys who shall think themselves aggriev'd by the said Judgments and Arrests, who shall be allowed to apply to competent Tribunals, in order to obtain the redressing of their Grievances by the ordinary Course of Justice.

XXVI. And as to the Rents assigned on the Generall of such Provinces of the *Netherlands*, which shall appear to be possessed in part by the most Christian King, his Imperial Majesty, or others; it has been agreed that

shall pay his Quota thereof, and Commissarys shall be appointed on all sides to settle the same.

XXVII. As in the Countrys, Towns, and Places of the *Spanisk Netherlands* yielded by the most Christian King to the Emperor, several Benefices have been confer'd by his most Christian Majesty to Persons of known Capacity, the said Benefices so granted shall be preserved to such as possess them at present; and whatever concerns the Catholick, Apostolick, and *Roman* Religion, shall be maintained in the Condition it was in before the War, as well in respect to the Magistrates, who are to be *Roman* Catholicks, as in respect to the Bishops, Chapters, Monasterys, the Estates belonging to the Order of *Malta*, and in general of all the Clergy, who shall be maintained in, and restored to all their Churches, Libertys, Franchises, Immunitys, Rights, Prerogatives, and Honours, as they have been under the preceding Sovereigns of the *Roman* Catholick Religion. All and every one of the said Clergy, in possession of any Ecclesiastical Estates, as Commanderys, Prebends, Parsonages, Provostships, and other Benefices whatever, shall be maintain'd therein, without being depriv'd of the same; and shall enjoy their Revenues and Incomes, and cause the same to be administr'd and receiv'd as before: as also all Persons having Pensions assigned on the same Benefices, either created by the Court of *Rome*, or by Briefs granted before the beginning of the present War, shall enjoy the same as before, without being depriv'd of the same upon any Pretence whatsoever.

XXVIII. The Commonaltys and Inhabitants of all the Places, Towns and Countrys, yielded by the most Christian King in the Catholick *Netherlands* by the present Treaty, shall be maintained in the free Enjoyment of all their Privileges, Prerogatives, Customs, Exemptions, Rights, Grants general and particular, Places and Hereditary Offices, with the same Honours, Salarys, Profits, and Exemptions, as they enjoy'd under the most Christian King: Which is only to be understood of the Commonaltys and Inhabitants of the Places, Towns, and Countrys, which his said Majesty possess'd immediately after the Conclusion of the Treaty of *Utrecht*, and not of the Places, Towns, and Countrys, which were possess'd by the late King of *Spain*, *Charles III.* at the Time of his Decease; the Commonaltys and Inhabitants whereof shall be maintain'd in the Privileges, Prerogatives, Customs, Exemptions, Rights, and Grants general
and

made of the said Cities, Towns, Villages, &c. shall be made on the said Cities, Towns, Villages, &c. shall be granted, Possession, & full Enjoyment, that they shall be directed in the Possession and full Administration of, and in the Enjoyment of their Revenues; or it be lawful upon any Reason or other part or parts thereof any Tribunal to molest them in what whatsoever upon Conditions nevertheless, that perform and discharge whatsoever they are by virtue of the said Benefices.

XXX. His Imperial Majesty and his most Christian Majesty, shall not for any Cause hereafter in Peace which is established by the present Treaty sume Arms, and begin any Act of Hostility the one on any pretence whatsoever; but on the other shall endeavour sincerely, and *de bono fide*, and, as not to contribute more and more this mutual Friendship Understanding, so necessary for the Good of both Kingdoms. And whereas the most Christian King, is conceded to his Imperial Majesty, will not be create any Trouble or Prejudice to him, his most Majesty promises and engages to let his Imperial Majesty quietly and peaceably all the Territories he actually possesses, and which were formerly part of the Kingdom of the House of Austria in Italy, &c.

Austria, in that Possession, directly or indirectly, under any Pretext, or by any Way whatever; nor to oppose the Possession which his Imperial Majesty and the House of *Austria* have, or may hereafter have, either by Negotiation, Treaty, or other lawful and peaceable Way, in such manner however, as that the Neutrality of *Italy* may not be disturbed thereby; the Emperor promising and engaging his Word, not to trouble the said Neutrality and the Quiet of *Italy*, and consequently not to proceed by way of Arms, for any Cause, or on any Occasion whatsoever; but on the contrary, to abide by, and observe punctually the Engagement which his Imperial Majesty is under by the Treaty of Neutrality, concluded at *Utrecht*, *March 14, 1713*; which Treaty shall be deemed as recited here, and shall be exactly observed by his Imperial Majesty; provided the Observation be reciprocal, and that he be not attacked: his Imperial Majesty engaging for the same purpose to suffer every Prince in *Italy* to enjoy peaceably his own Dominions of which he is actually possessed; yet this without prejudicing the Right of any Person whatsoever.

XXXI. In order that the Princes and States of *Italy* may enjoy the Fruits of the Peace between the Emperor and the most Christian King, the Neutrality shall not only be observ'd with punctuality in that Country, but likewise the Emperor shall do speedy Justice to the Princes, or Vassals of the Empire, for the other Places and Countrys in *Italy*, which have not been possessed by the Kings of *Spain* or the House of *Austria*, and to which Places and Countrys the said Princes may have lawful Claims and Pretensions, as the Duke of *Guaftalla*, Prince of *Mirandola*, and the Prince of *Castiglione*; but this shall not, however, interrupt the Peace and Neutrality of *Italy*, nor be the Subject of a new War.

XXXII. Besides the said Pretensions, the Mareschal Duke *Villars* being charged with several others, upon which he should insist, in the Name of the most Christian King; namely, upon the Pretensions of the Duchess-Dowager of *Bourbon*, on account of the Dowry, and Articles of Marriage of the late Duchess of *Mantua*, her Daughter; that of the Prince *Rufini*; the Prince of *Piombino*; and lastly, the Duke of *S. Pierre*, to the Principality of *Sabionetta*: And on the other hand, Prince *Eugene* of *Savoy* being likewise charged with several Pretensions, upon which he should insist in the Name of his Imperial Majesty; namely, upon

some Pretensions of the Duke of *Lorraine*, besides those tain'd in the Treaty of *Ryswick*, and under the fore Articles relating to the said Treaty; that of the Du *Modena*; as also that of the House of *Aremberg* House of *Ligue*; and lastly, upon the Payment of Debts which the *French* Troops left behind them Duchy of *Milan*, (all which would take up too much to be discuss'd in this Treaty :) It has been mutually agreed to refer the Discussion thereof to the Conferences which are to be held for the General or Solemn Treaty of Peace between his Imperial Majesty, the Empire, and his most Christian Majesty; wherein every one shall be permitted to plead his Rights, and to produce his Titles and Reasons, which being examin'd, his Imperial Majesty and his most Christian Majesty do promise to have all that Respect to, which Justice demands: But this without altering or retarding the Execution of the Peace.

XXXIII. The present Juncture not affording time for his Imperial Majesty to consult the Electors, Princes, and States of the Empire, upon the Conditions of Peace, he desires for them to consent, in the usual Forms, in the Name of the whole Empire, to such Conditions of the present Treaty as concern them; his Imperial Majesty promises, that the said Electors, Princes and States, shall forthwith send in the Name of the Empire, full Powers, or else a Deputation from their Body, provided likewise with their full Powers, to the Place which shall be pitch'd upon for drawing up the General or Solemn Treaty, to be made between the Emperor, the Empire, and the most Christian King; his Imperial Majesty engaging his Word, that the said Deputation, or those who shall be charged with the full Powers, shall consent, in the Name of the said Empire, to all the Articles agreed upon between him and his most Christian Majesty by the present Treaty, which he engages and promises to execute.

XXXIV. As it is provided, by the foregoing Article, that the Electors, Princes, and States of the Empire, shall in the Name of the Empire, send a Deputation from their Body, or else their full Powers, for the Conferences of the General or Solemn Peace to be made between his Imperial Majesty, the Empire, and his most Christian Majesty, he desires the Place that shall be pitch'd upon, and appointed to that purpose; the Emperor and the most Christian King agree to fix the said Place in a Neutral Country, w

Empire and the Kingdom of France: and their Majesty have therefore cast their Eyes upon the Territories of *Gerland*, where three Towns shall be proposed by his Imperial Majesty, or most Christian Majesty, for the Choice of one of them, in manner following; that is to wit, his Imperial Majesty proposing the said three Towns, his most Christian Majesty shall pitch upon which he pleases for the Conferences; or reciprocally, if his most Christian Majesty proposes the three Towns, his Imperial Majesty shall choose which he is minded to prefer: which Propositions and Choice shall be made at the same time that the present Treaty is sign'd; so that there may be no Delay, nor Time lost, for treating and concluding, with all Speed, the General or Solemn Peace between the Emperor, the Empire, and the most Christian King; and that their Ministers Plenipotentiarys may meet the 15th of *April* next, or the 1st of *May* at farthest, in the Place appointed for the Conferences to be held in; during which, all the Electors, Princes, and States of the Empire, who besides what accrues to them by the above stipulated Execution of the Articles of the Treaty of *Ryswick*, shall have Propositions and Reasons to be particularly comprehended in the General Treaty of Peace to be made, may produce them; for which his most Christian Majesty promises to have all the Regard which Justice requires. Nevertheless, to the end the Conclusion of the said Conferences may not be delay'd, it is agreed on both sides, that they shall be terminated by the Conclusion of the General or Solemn Treaty, within two Months, or three at the most, to reckon from the very first Day the Conferences begin.

XXXV. The moment the present Treaty shall be sign'd, all Hostilities and Violences shall cease on the part of the Emperor and Empire, as well as on that of the most Christian King; and from the Day of the Exchange of the Ratifications, his most Christian Majesty shall exact no more Contributions, or Forage for the Troops, from the Territories of the Emperor and Empire; neither shall his Imperial Majesty and the Empire exact any from the Territories of his most Christian Majesty. And in general, all other reciprocal Demands, made on account of the present War, shall cease, as well on the part of his Imperial Majesty and the Empire, as of his most Christian Majesty. The Prisoners of State and War on both sides, shall be sent back without Ransom; and fifteen Days after the Exchange

change of the Ratifications of the present Treaty, each Prince shall withdraw his Troops out of the flat Country into his own Territorys ; his Imperial Majesty engaging to withdraw his Troops at the same time, and moreover to cause those of the Empire to withdraw out of the flat Country of the Archbishoprick of *Cologn*, and *Bavaria* : which Countrys and Territorys shall likewise be restored, in the Form and Time specified in the 15th, 16th, 17th, and 18th Articles of the present Treaty.

XXXVI. The Commerce forbidden during the War between the Subjects of his Imperial Majesty, the Empire, and those of his most Christian Majesty, shall be re-establish'd immediately after the Exchange of the Ratifications of the present Treaty, with the same Liberty it was before the War ; and all and every one, particularly the Hanse-Towns, shall enjoy all manner of Security by Land and by Sea, according to the fifty second Article of the Treaty of *Ryswick*.

XXXVII. The present Treaty shall be ratified by the Emperor, and by the most Christian King ; and the Exchange of the Ratifications shall be made in the Palace of *Raftat*, within the space of a Month, to reckon from the Day of signing, or sooner if possible. In Witness whereof, the said Embassadors Extraordinary and Plenipotentiarys, as well of his Imperial Majesty, as of his most Christian Majesty, have sign'd the present Treaty with their own Hands, and fix'd thereto the Seals of their Arms.

Done in the Palace of Raftat, the 6th of March, 1714

(L. S.) Eugene of Savoy.

(L. S.) Mar. Duke de Villars.

Separate Articles.

I. As in the Titles, which his Imperial Majesty assumes, both in his full Powers, and in the Preamble to the Treaty, which is to be sign'd this Day, between Prince *Eugene of Savoy*, and the Marechal *Duke de Villars*, Embassadors Extraordinary and Plenipotentiarys of their Imperial and most Christian Majestys, some of the said Titles may not be acknowledg'd by his most Christian Majesty ; it has been agreed by the said Embassadors Extraordinary and Plenipotentiarys, by this Separate Article, sign'd by them
before

the said Treaty, that the Titles taken or omitted on either side, shall neither add any Right, nor do any Damage to either of the Partys contracting; and the preparate Article shall have the same force, as if it were inserted *verbatim* in the Treaty of Peace. *Done in the Palace of Raftat, &c.*

The present Treaty, being for the Reasons alledg'd in Article XXXIII. begun, continued and finished, without any requisite and usual Solemnitys and Formalitys in respect of the Empire; and composed and drawn up in the *French* Language, contrary to the Usage generally observed in the Treatys between his Imperial Majesty, the Empire, and the most Christian Majesty: this Difference shall not be held by way of Precedent, nor drawn into Consequence, nor shall it prejudice any one whomsoever; but for the future, the Method generally used upon such Occasions, shall be follow'd, as well concerning the *Latin* Tongue, as concerning the other Formalitys: As for instance, in the making of the said General and Solemn Treaty to be made between his Imperial Majesty, the Empire, and his most Christian Majesty; the present Treaty having still the same Force and Virtue, as if all the said Formalitys had been observ'd therein, and as if it was in *Latin*. And this preparate Article shall likewise have the same Force, as if it were inserted word for word in the Treaty of Peace. *Done in the Palace of Raftat, &c.*

His Imperial Majesty, in conformity to Article XXIV. of the Treaty concluded this Day, having presented and propos'd the three following Towns in the Kingdoms of *Switzerland*, namely, *Schaffhausen*, *Baden* in *Alsace*, and *Frauenfeld*, for the Place of Conferences for the making of the said General and Solemn Treaty of Peace to be made between his Imperial Majesty, the Empire, and his most Christian Majesty; the Marechal Duke *de Villars* not having yet receiv'd the most Christian Majesty's Orders, in relation to the Choice of the Place of the three which he would prefer, he propos'd to let Prince *Eugene* know it forthwith by an Express. *Done in the Palace of Raftat, &c.*

*The Solemn Treaty of Peace sign'd t
27th of September 1714, at Bad
in Ergaw, in the Name of his S
cred Imperial and Catholick Majest
and the Holy Roman Empire, on o
Part, and of his Sacred most Christi
Majesty, on the other, by the Imperi
and French Embassadors.*

*In the Name of the most Holy Trinity, the Father, S
and Holy Ghost.*

BE it known to all Men, That whereas in the Tre
of Peace concluded by the Grace of the Almighty
Rastat, on the sixth Day of *March* last, betwe
the most Serene and most Powerful Prince and Lor
the Lord *Charles VI.* Emperor Elect of the *Roman
Semper Augustus*, King of *Germany, Castile, &c.* and th
Holy Roman Empire on one Part; and the most Seren
and most Powerful Prince and Lord, the Lord *Lewis XI*
most Christian King of *France and Navarre* on the other
it was agreed, That such Things as had been transacted
Rastat for accelerating so good a Work, without having o
serv'd the due Formalitys that were requisite, or that ha
been referred to another time, and what should be four
necessary to be added, should be perfected in a new at
more solemn and general Congress to be held in *Switze
land*: This has been now completed, thro' the Favour
God; for the Embassadors Extraordinary and Plenipot
tiarys appointed on both sides, meeting at *Baden* in *Ergaw*
viz. on the Part of his Sacred Imperial Majesty and th
Holy Roman Empire, the most High Prince and Lor
Eugene, Prince of *Savoy and Piedmont*, Knight of th
Golden Fleece, Counsellor of State to his Sacred Imperi
Majest

Majesty, President of the Council of War, Lieutenant-General, and Marechal of the Holy *Roman Empire*; and the most Illustrious and Excellent Lords, the Lord *Peter Count de Goes in Carlsberg*, Counsellor of State to his Sacred Imperial Majesty, Chamberlain and Sovereign Captain Provincial of *Carinthia*; and the Lord *John Frederick*, Count of *Seilern* and *Aspang*, of the Aulick Council of the Emperor, and President of the Chancery of *Austria*: and on the Part of his most Sacred Christian Majesty, the most High and Excellent Lord *Lewis Hector*, Duke of *Villars*, Peer and Marechal of *France*, Prince of *Martigues*, Viscount of *Melun*, Commander in Chief of the Royal Armys of *France* in *Germany*, Knight of the King's Orders, and of the Golden Pleece, Governour and Lieutenant-General of *Provence*; and the most Illustrious and most Excellent Lord, the Lord *Francis-Charles de Vintimillia*, of the Counts of *Marseilles*, Count *du Luc*, Marquis *de la Marthe*, Lieutenant for the King in *Provence*, Commander of the Order of *St. Lewis*, Governour of the Island of *Porquerolles*, and Embassador of his most Christian Majesty to the Cantons of *Switzerland*, the *Grisons*, and the Republick of *Valais*; and the Lord *Dominick Barbarie*, Knight, Lord of *St. Contest*, Counsellor to the most Christian King, Master of the Requests, Intendant of the Justice, Finances and War, in the Districts of *Metz*, *Toul*, and *Verdun*; as also of the Royal Armys on the Confines of *Champaign*, on the *Saar*, and on the *Mozelle*. Who, after having invoc'd the Name of God, and exchange'd their respective full Powers, have confirm'd the Articles and Conditions of the Peace already made, augmented the same, and drawn them into the solemn Form, as follows:

I. The Christian Peace, concluded at *Rastat* the 6th of *March* last, shall be, and remain perpetual and universal, and produce a true Amity between his Sacred Imperial Majesty, his Successors, the whole Holy *Roman Empire*, his Kingdoms and hereditary Dominions, the Vassals and Subjects thereof, on one part; and his Sacred Royal most Christian Majesty, and his Successors, Vassals and Subjects, on the other; and be so sincerely observ'd and respected, that the one shall undertake nothing upon any Pretence whatsoever to the Prejudice and Damage of the other, nor lend any Assistance to such who would undertake it, or cause any Damage whatever to the other: neither shall any

any of the Partys support and assist the rebellious Subjects of the other in any manner whatsoever; but on the contrary, the said Partys shall sincerely procure the Benefit, Honour, and Advantage of each other; notwithstanding all Promises, Treatys and Alliances, made to the contrary, or to be made in any wise whatsoever.

II. There shall be on either side a perpetual Oblivion and Amneſty of what has been done by reason or occasion of the late War, in whatever Manner or Place the Hostilities have been made; so that upon that account, or any other pretence, nothing shall be done, or suffered to be done, for the future, to the Prejudice of either side, directly or indirectly, neither by way of Right or Fact, within or without the Extent of the Empire, the hereditary Countys of his Imperial Majesty, and the Kingdom of *France*; but on the contrary, all the Injuries received on either side, by Words, Writings, Actions, Hostilities, Damages, or Expences, without any respect to Persons or Things, shall be entirely abolished; insomuch that whatever might be pretended or demanded on either side on that account, be buried in an eternal Oblivion.

III. The Treatys of *Westphalia*, *Nimeguen* and *Ryswick*, are the Basis and Foundation of the present Treaty; and in consequence thereof, immediately after the Exchange of the Ratifications, the said Treaty shall be entirely executed, in respect both to Spiritualls and Temporalls, and shall be inviolably observ'd for the future, except in what shall be derogated from the same by the present Treaty; so that every thing shall be generally restor'd within the Empire and its Dependences, according to what is prescrib'd by the aforesaid Treaty of *Ryswick*, as well in respect to the Alterations made during the late War, or before, as in respect to what has not been executed; if it appears that some Article has not been put in Execution, or that after its Execution it has been since alter'd.

IV. According to the present Treaty, and that of *Ryswick*, his most Christian Majesty shall restore to the Emperor, and the most Serene House of *Austria*, the Town and Fortres of *Old Brisac*, as it is at present, with all the Granarys, Arsenal, Fortifications, Ramparts or Walls, Towers, and other publick and particular Edifices, with all its Dependences situated on the Right of the *Rhine*, leaving to the most Christian King those that are on the Left namely, the Fort *Mortier*; the whole conformable to the

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Clauses and Conditions inserted in the 20th Article of the Treaty concluded at *Ryswick*, in *October 1697*, between the late Emperor *Leopold*, and the most Christian King.

V. His most Christian Majesty shall likewise restore to his Imperial Majesty, and the most Serene House of *Austria*, the Town and Fortres of *Friburgh*, together with the Forts of *St. Peter*, the Fort of the *Star*, and all other Forts erected or repaired there, or in other Parts in the *Black Forest*, or in *Brisgau*, in the Condition they are in at present, without demolishing or spoiling any Part thereof, with the Villages of *Lebem*, *Metzhausen* and *Kirchbartod*, with their respective Rights, Archives, Writings, and other Documents found therein, when his most Christian Majesty lately took possession thereof; either such as are still in those Places, or such as have been removed elsewhere; the Right of the Diocesan, and other Rights and Revenues of the Bishoprick of *Constance*, being reserved to be same by these Presents.

VI. The Fort of *Kebl*, erected by his most Christian Majesty on the Right of the *Rhine*, at the End of the Bridge of *Strasburgh*, shall be entirely restor'd to the Emperor and the Empire, without demolishing any Part thereof, together with its Rights and Dependencys. As to the Fort of the *Pile*, and others erected in the Islands of the *Rhine* near *Strasburgh*, they shall be entirely razed at the Expences of the most Christian King, and none of the Partys shall be allowed for the future to re-establish the same: Which Cessions, demolishing of Places and Fortifications above specified, shall be made within the Time limited by the following Articles, after the Exchange of the Ratifications of the present Treaty; the Navigation and Use of the said River remaining free and open to the Subjects of either Side, and to all such as will make use thereof for transporting their Merchandizes: and neither of the Partys shall be allow'd to attempt any thing for diverting the Course of the said River, or rendring the same in any manner whatsoever, and its Navigation, more difficult; and it shall still be lawful for any of the Partys to lay new Mills, or augment the antient Dutys, and compel the Vessels to come to one side rather than the other, to sell their Cargo and Goods, and take in others; but the whole shall be left to the Liberty of the Owners.

VII. The said Places, Castles, and Fortresses of *Brisac*, *Friburgh*, and *Kebl*, shall be restored to his Imperial Majesty,

Majesty, and the Empire, with all their Jurisdictions, Appurtenances, and Dependences, with the Artillery and Ammunition found therein when they were taken in this War according to the Inventories made thereof, without detaining any Part thereof upon any pretence whatsoever; shall be delivered *bona fide*, and without any delay or impediment whatever, to such who, after the Exchange of the Ratifications, shall be appointed and specially deputied for that purpose, by his Imperial Majesty alone, or according to the Differences of the Places, by him and the Empire, and who shall produce their full Powers to the French Generals, Governors, or Commanders of the Places to be restored; to the end that the said Towns, Citadels, Forts, and Places, with their Privileges, Incomes, Revenues, and whatever depends thereon, may return under the same and actual and absolute Possession and Sovereignty of the Empire, and the House of *Austria*, as they did formerly belong to them, and as they were since possess'd by his most Christian Majesty: so that it may never be understood, that any manner of Right, Claim, or Pretension has been reserv'd to his said most Christian Majesty, on the said Places and their Dependences. Nothing shall be likewise pretended for the Charges of Fortifications, or other private or publick Edifices; nor shall any other Intention be made use of to retard the full and entire Restoration of the said Places, which shall be made within ten Days after the Exchange of the Ratifications; and the *French* Garisons shall then march out without molesting the Inhabitants, or any other Subjects of his Imperial Majesty and the Empire, or putting them to any Damage upon pretence of Debts, or other Pretensions, whatsoever they be. Likewise the said *French* Troops shall not be allow'd to continue any longer in the Places to be restor'd than the Time hereafter mention'd, nor in any Country belonging to his Imperial Majesty; nor shall they take any Winter-Quarters therein, but be oblig'd forthwith to retire to the Dominions of his most Christian Majesty.

VIII. His most Christian Majesty likewise will cause the Fortifications erected over-against *Huningen* on the Mouth of the *Rhine*, and the Island therein, to be demolished at his Charges, as also the Bridge made on the *Rhine* at the said Place, restoring the Ground where those Forts stand to the Edifices, to the House of *Baden*. The Port of *Seltz* and the Forts in the Islands between Fort *Seltz* and

Fort *Lewis*, shall be likewise demolish'd; and also that Part of the Bridge from the Fort of *Selingen* to Fort *Lewis*, shall be destroyed, and likewise whatever has been erected on the Right of the *Rhine*, over-against Fort *Lewis*; and it shall not be lawful for any of the Partys to re-erect the same; the Ground, with the Houses, to be restor'd to the House of *Baden*: but Fort *Lewis*, and the Island wherein it lies, shall remain to the most Christian King. In general, his most Christian Majesty shall cause to be raz'd at his Expences, all the Forts, Intrenchments, Lines, and Bridges, specified in this Treaty, and that of *Ryswick*, and such as have been erected since that Peace, either along the *Rhine*, or in the *Rhine*, or elsewhere in the Empire, and its Dependences, which it shall not be lawful to re-erect.

IX. The most Christian King shall likewise cause the Castle of *Bitzch* to be evacuated, with all its Dependences, as also the Castle of *Homburg*; after having demolished their Fortifications, which are not to be re-erected: but this to be done in such a manner, that the said Castles and Towns adjoining to the same, may not receive any Damage thereby, but remain as they are.

X. The Towns and fortified Places above specified, and in general all others which are to be restored by virtue of the present Treaty, that of *Rastat*, and that of *Ryswick*, (whereof the Articles are to be deem'd as included in this Treaty, and therefore to be punctually executed, as if they were *verbatim* inserted in these Presents) shall be delivered within thirty Days after the Exchange of the Ratifications of this present Treaty, and to such Persons who shall be authorized for that purpose by the Emperor and the Empire, or other Princes thereof, who are to possess the same by virtue of the *Ryswick* Treaty; and in the mean time, no part of the Fortifications, or publick or private Edifices, shall be demolish'd or damaged; nor shall any thing be demanded for Expences made in the same Places, on that account. The Archives and Documents belonging either to the Emperor, or the States of the Empire, or the Places which the most Christian King promises to restore, shall all be likewise delivered at the same time.

XI. As the Intentions of the most Christian King are execute as soon as possible, the Conditions of the present Treaty, his said most Christian Majesty promises, that the Towns and Places to be demolish'd at his Charge, shall be

be razed to the Ground, that is to say, the most considerable within two Months at farthest, and the least considerable within a Month after the Exchange of the Ratifications of the present Treaty.

XII. His Sacred most Christian Majesty promises to the Sacred Imperial Majesty and the Empire, to restore to all the Members, Subjects, and Vassals of the said Empire, both Ecclesiasticks and Seculars, namely, to the Lord Elector of *Triers*, the Lord Elector *Palatine*, the Great Master of the *Teutonic* Order, and Bishop of *Worms*, and to the Illustrious Order, to the Lord Bishop of *Spires*, to the House of *Wirtemberg*, and in particular to the Duke of *Montbelliard*, to both Houses of *Baden*, and in general to all such as are included in the Peace of *Ryswick*, the same are not herein specially mention'd, all the Lordships, Towns and Territorys, which he has taken from them in the late War, by his Army, or Confiscations, or any other Means whatever, contrary to the Peace of *Ryswick*, and the said Territorys, Towns, and Lordships, are expressly mention'd in the present Treaty; as also fully and exactly to execute all the Conditions and Clauses of the Peace of *Ryswick*, from which it is not expressly derogated in the present Treaty; if it appears, that any of the said Articles of the *Ryswick* Peace were not executed after the Conclusion, or were changed afterwards. For the same reason his most Christian Majesty promises and engages to execute *bona fide*, and as soon as possible, all the Articles of the said Peace of *Ryswick*, concerning the Lord Duke of *Lorraine*, which are fully confirm'd by these Presents. On the other hand, his Imperial Majesty and the Empire promise to perform all the Conditions and Clauses of the Peace of *Ryswick*, concerning the Restitutions to be made according to the said Peace, and namely, in relation to the Cardinal *de Rohan*, by reason of his Bishoprick of *Strasbourg*.

XIII. The most Christian King has acknowledged by the preceding Treaty, and will acknowledge for the time to come, the Electoral Dignity confer'd, with the Consent of the Holy Roman Empire, on the House of *Branfburg* in *Hannover*.

XIV. His Imperial Majesty and the Empire, being on their part to express their good Affection towards the most Christian Majesty, and maintain with him brotherly and a sincere Amity and perpetual Correspondence.

and by virtue of the *Ryswick* Peace, re-established by the present Treaty, do consent that the Town of *Landau*, with its Dependences, consisting of the Villages of *Nursdorf*, *Danheim*, and *Quielchem*, with their Districts, such as they were enjoyed by the most Christian King before this War, remain with its Fortifications to his said most Christian Majesty.

XV. As to the House of *Bavaria*, the Emperor and the Empire consent, in consideration of the publick Tranquillity, that by virtue of the present Peace, the Lord *Joseph Clement*, Archbishop of *Cologne*, and the Lord *Maximilian Emanuel* of *Bavaria*, be restored generally and entirely to all their Dominions, Ranks, Prerogatives, Regalia, Estates, Electoral Dignitys, and others, with all the Rights, and in the same manner as they enjoy'd, or might have enjoy'd them before this War, and which belonged to the Archbishoprick of *Cologne*, and other Churches, named hereafter, or to the House of *Bavaria* mediately or immediately. All their Archives, Papers, Moveables, Jewels, and other Effects whatever, shall be *bonâ fide* restored to them; as also all the Ammunition and Artillery, specified in authentick Inventorys, which shall be produced on both sides; that is, all such as have been removed by Order of the Emperor, and his Predecessors of glorious Memory, since they took possession of *Bavaria*, their Palaces, Castles, Towns, Fortresses, and other Places whatever, that belonged to them, and which shall belong to them, except the Artillery belonging to the neighbouring Towns and States, which has been restored to the Owners; but for such as shall be found wanting, and other things, which it will not be possible to restore without great Difficultys, the same shall be paid for at a reasonable rate ready Money, or as otherwise agreed for.

The said Lord Archbishop shall be restored to the said Archbishoprick, the Bishopricks of *Ratisbon* and *Liege*, and the Prepositure of *Berchtrösgaden*. He shall take likewise special possession of the Bishoprick of *Hildeheim*, with all the Rights and Appurtenances belonging to that Church, in such a manner as the Bishops thereof, his Predecessors, and the Church have enjoy'd, or were to enjoy before the last War: and that entire Restoration shall not be altered or retarded in any wise, upon account of any Law-Suits or Pretensions whatever. This, however, without prejudice to such as had any Pretensions
against

against them, who may prosecute their Rights against both the said Electors, after they are actually re-established as they did before the present War, according to the Court of Justice observed in the Empire. This shall likewise in no ways prejudice the Privileges of the Chapters and States of the Archbishoprick of *Cologn*, and other Churches, such as they were establish'd before by their Unions, Treatys, and Constitutions.

And as to the Town of *Bon*, there shall be no Garison therein in time of Peace, but the Guard thereof shall be trusted to the Burghers alone: and as to the Guards of the said Archbishop and the Palace, they shall be restrained to such a number as he shall agree with the Emperor and the Empire; provided, however, that in time of War, or when there shall be a likelihood of War, the Emperor and the Empire shall be allowed to put therein such a number of Troops, as the Reasons of the War shall require, according to the Laws and Constitutions of the Empire.

In Consideration of the said entire Restoration, the said two Lords of the House of *Bavaria* shall renounce for ever all Pretensions, Satisfactions, or Indemnifications whatever against the Emperor, the Empire, and the House of *Austria*, upon account of the last War, which by these Presents are declared void and of no effect, and shall remain null for ever: But this shall no ways prejudice the ancient Rights and Pretensions they had before this last War, which they may sue for as before, according to the Laws of the Empire; and this entire Restoration shall give them no new Rights against any one whatsoever. Likewise all Pretensions, Demands, Satisfactions, or Indemnifications against the said Lords, *Joseph Clement*, Archbishop of *Cologn*, and *Maximilian Emanuel*, shall be deemed void and abolished; as shall also all Demands and Pretensions by reason of this War against the House of *Bavaria*, the Archbishopricks, Bishopricks, and Prepositures aforesaid, by whomsoever they may be made.

By virtue of this total Re-establishment of the Lords aforesaid, *Joseph Clement*, Archbishop of *Cologn*, and *Maximilian Emanuel* of *Bavaria*, they will pay Obedience, and continue faithful to his Imperial Majesty, like the other Electors and Princes of the Empire, and shall be obliged to desire and receive from his Imperial Majesty the renewing of the Investiture of their Electorates, Princes, Fiefs, Titles, and Rights, in the manner and

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prescribed by the Laws of the Empire : and whatever has happened on either side during this War, shall be buried in perpetual Oblivion.

XVI. The Ministers and Officers, Ecclesiastical, Civil, and Military, of what Condition soever they be, who have served either of the Partys, even those who are Subjects and Vassals of the Emperor, the Empire, and the House of *Austria* ; as also all domestick Servants of the House of *Bavaria*, and the Lord Archbishop of *Cologne*, shall be likewise restored to the Possession of all their Estates, Employments, Honours, and Dignitys, as before the War, and enjoy a general Amnesty for whatever is past : provided, and upon this express Condition, that the said Amnesty be reciprocal towards those of the Subjects, Vassals, Ministers, and Servants of the House of *Bavaria*, and the Archbishop aforesaid, who have followed during this War the Party of his Imperial Majesty, and the Empire, who upon this account shall not be molested or disturbed in any manner whatever.

XVII. As to the Time of executing the total Restoration specified in the two foregoing Articles, it shall be made within thirty Days after the Exchange of the Rati- fications, according to what has been agreed concerning the Evacuation of the Places and Towns which the most Christian King is to restore to the Emperor and the Empire ; insofar as that the one and the other, as also the Restitution to be made to the Emperor of the Countrys which the House of *Bavaria* possesses now in the *Netherlands*, be made at the same time.

XVIII. If the House of *Bavaria*, after her entire Restoration, finds it convenient to exchange some of their States with some others, his most Christian Majesty shall not make any Opposition thereunto.

XIX. His most Christian Majesty having given up, and caused to be given up to the States General of the *United Provinces*, in favour of the House of *Austria*, all that his said Majesty, or his Allies, had remaining in their Possession of the *Low Countrys*, commonly call'd the *Spanish Netherlands*, so as the late King of *Spain*, *Charles II.* possessed, or ought to have possessed them, conformably to the Treaty of *Ryswick* ; his most Christian Majesty contents, that the Emperor take possession of the said *Spanish Netherlands*, to enjoy them himself, his Heirs and Successors, henceforward and for ever, fully and peaceably, according

against them, who may prosecute their Right the said Electors, after they are actually as they did before the present War, according to the Justice observed in the Empire. This way prejudices the Privileges of the Chapter the Archbishoprick of *Cologn*, and other they were establish'd before by their Unconstitutions.

And as to the Town of *Bon*, there therein in time of Peace, but the Guard trusted to the Burghers alone: and as the said Archbishop and the Palace, they such a number as he shall agree with the Empire; provided, however, that when there shall be a likelihood of and the Empire shall be allowed number of Troops, as the Reasons of according to the Laws and Constitutions.

In Consideration of the said entire two Lords of the House of *Bavaria*, all Pretensions, Satisfactions, or Indemnities against the Emperor, the Empire, *Stiria*, upon account of the last War sent are declared void and of no null for ever: But this shall no way Rights and Pretensions they had which they may sue for as before, the Empire; and this entire Release no new Rights against any one of Pretensions, Demands, Satisfactions against the said Lords, *Joseph Cologn*, and *Maximilian Emanuel* and abolished; as shall also all Demands of this War against the *H*ishopricks, Bishopricks, and whomsoever they may be made.

By virtue of this total Release before *Joseph Clement*, A

Manuel of *Bavaria* Emanuel of *Bavaria* continue faithful to the Emperor and Princes, and receive from the Investiture of the Titles, and Rights

Appendages, and Territorys mixed with, or in other Territorys, to the Emperor, as soon as they ve agreed thereon with his Imperial Majesty, as it ed in the preceding Article, to be enjoy'd by him, rs and Successors, fully, peaceably, and for ever, as the *Spanish Netberlands* which belong'd to the ng *Charles II.* at the Day of his Decease. 'Tis l, however, that the said giving up of the *Spanish ands*, Towns, Places, and Fortresses, yielded by t Christian King, shall not be made by the said eneral, till after the Exchange of the Ratifica- he Treaty of Peace between his Imperial Majesty, pire, and his most Christian Majesty. 'Tis also d, That *St. Amand* with its Dependences, and ve without Dependences, shall remain to his said ristian Majesty; on condition nevertheless, that it t be permitted to make there any Fortification, or of what nature soever they may be.

. In like manner the King confirms, in favour of peror, and of the House of *Austria*, the Cession, is Majesty has already made in favour of the said o the States General of the *United Provinces*, as himself as for the Princes his Heirs and Succes- n or to be born, of all his Rights to *Furnes* and *bachtr*, therein including the eight Parishes, and of *Knocque*; to the Towns of *Loo* and *Dixmude*, ir Dependences; to the Town of *Ypres*, with its y, *Rouffelaer* therein included, and with the pendences, which henceforward shall be *Pop- n*, *Varneton*, *Commines*, *Werwick*, (these three es, because they are situate on the side of the vards *Ypres*) and what depends on the Places ve specified: of which Rights thus transferred mperor, his Heirs and Successors, his most Chris- esty reserves none to the said Towns, Places, Forts, rtrys, nor to any of their Appurtenances, Depen- Appendages, or Territorys mixed with, or in clo- ner Territorys; consenting that the States Gene- give them up to the House of *Austria*, to be en- that House irrevocably and for ever, as soon as ll have agreed with that House on their Barrier, Ratifications of the Treaty of Peace between the , the Empire, and his most Christian Majesty xchanged.

XXII. The Navigation of the *Lys* upwards, from the Mouth of the *Deule*, shall be free, and no Tolls and positions shall be ever establish'd upon the same.

XXIII. What has been agreed to in the second Article of this Treaty concerning a general Amnesty, shall be deemed to be repeated here; and therefore there shall on either side an Oblivion, and perpetual and reciprocal Amnesty of all Wrongs, Injuriys and Offences, which have been committed during the War, by way of Words, or any other Manner, by the Subjects of the *Spanish Netherlands*, and of the Places and Countries yielded or restored; and on the other hand, by the Subjects of the most Christian Majesty; insomuch, that none of them on either side may be disturbed or called to an account thereof.

XXIV. By virtue of this Peace, the Subjects of the most Christian King, and those of the *Spanish Netherlands*, and the Places yielded by his most Christian Majesty, shall be allowed to travel, traffick and trade, as Merchants, in each other's Territorys, in observing the Laws and Customs thereof; and to sell, alienate, or otherwise dispose of their Estates, Effects, Moveables, Immoveables, situated in the Territorys on both sides, and any one, either Subjects or not Subjects, shall be allowed to purchase the same, without being obliged to obtain any other Permission than the present Treaty. The said Subjects of the Places and Territorys respectively restored, as also all those of the *Spanish Netherlands*, shall be permitted to remove from the said Places and Territorys, and retire wherever they please, within a Year, and have Power to sell their Estates, and other Effects, as they shall think fit, both before and after their Removal, without any Hindrance or Molestation, directly or indirectly. Lastly, Whatever has been established by former Treatys, and Royal Decrees, on both sides, for the limitation of the Right of *Aubian* (*Eusebeat*) for the Subjects of France, and the *Netherlands*, as the same has been hitherto observ'd, shall be deemed as confirmed by this Treaty, and inviolably observ'd for ever, as if the same was expressly mentioned here.

XXV. The same Subjects on either side, Ecclesiastical and Seculars, Incorporated Bodies, Commonalties, Cities, Towns and Colleges, shall be restored to the Possession of the Honours, Dignitys, and Benefices, which the

ed before the War; and also to all their respective States, moveable and immoveable, Rents and Incomes, that have been seized by reason of the War; as also to their Rights, Actions, and Successions, since devolved unto them even during the War; but shall not be allowed to claim the Revenues thereof during the Course of the said War, till the Publication of the Treaty of *Rastat*: which Restitution shall be reciprocally made, notwithstanding all Sentences, Concessions, Declarations, Confiscations, and Prohibitions, that have been pronounced by Contumacy, without hearing the Partys, (which shall be void and of no Effect) with an entire Liberty to the said Partys to return into the Countrys from whence they removed, by reason of the War, to enjoy their Estates and Incomes by themselves, or by Procurator given by them to others, conformably to the Laws and Customs of the said Countrys and States. In which Restitution are included such who in the late War, or by reason thereof, have followed the Party of the two Powers who have made the present Treaty. Nevertheless, the Arrests and Judgments given by the Parliaments, Councils, and other Superior or inferior Courts, from which it shall not be expressly derogated by the present Treaty, shall take place, and have their full and entire Effect; and such, who by virtue of the said Arrests and Judgments shall be found in possession of Estates and Lordships, shall be maintained therein; however, without prejudice to the Partys who shall think themselves aggrieved by the said Judgments and Arrests, who shall be allowed to apply themselves to competent Tribunals, in order to obtain the redressing of their Grievances by the ordinary Course of Justice.

XXVI. As to the Rents assigned on the Generality of each Provinces of the *Netherlands*, which shall appear to be possessed in part by his Imperial Majesty, and partly by his most Christian Majesty, and others, it has been agreed, that each shall pay his Quota thereof; and Commissarys shall be appointed on all sides to settle the same, and adjust all other Difficultys and Disputes which are already in being, relating to the Countrys to be possess'd by the respective Partys, and their Limits, or which may arise hereafter by reason of the executing of this Treaty: which Commissarys shall meet in a Town to be agreed upon, and shall be named within two Months after the Conclusion of this Treaty.

Treaty, in order to determine the said Disputes with possible Expedition.

XXVII. As in the Countrys, Towns, and Places of *Spanish Netherlands* yielded by the most Christian King to the Emperor, several Benefices have been conferred by his most Christian Majesty to Persons of known Capacity; the said Benefices so granted shall be preserved to such as possess them at present; and whatever concerns the Catholick, Apostolick, and *Roman* Religion, shall be maintained in the Condition they were in before the War, as we respect to the Magistrates, (who are to be *Roman* Catholicks, as in Times past) as in respect to the Bishops, Chapters, Monasterys, the Estates belonging to the Order of *Maltba*, and in general of all the Clergy, who shall be maintained in, and restored to, all their Churches, Liberties, Franchises, Immunitys, Rights, Prerogatives, and Privileges, as they have been under the preceding Sovereigns of the *Roman* Catholick Religion. All and every of the said Clergy, in possession of any Ecclesiastical Estates, as Commanderys, Prebends, Parsonages, Provostships, and other Benefices whatever, shall be maintain'd therein, without being depriv'd of the same; and shall enjoy their Liberties, Incomes, and cause the same to be administered and receiv'd as before. Also all Persons having Possessions assigned on the same Benefices, either created by the Court of *Rome*, or by Briefs granted before the beginning of the last War, shall enjoy the same as before, without being depriv'd of the same upon any Pretence whatever.

XXVIII. The Commonalty and Inhabitants of the Places, Towns, and Countrys, yielded by the most Christian King in the Catholick *Netherlands* by the present Treaty shall be maintained in the free Enjoyment of all their Liberties, Prerogatives, Customs, Exemptions, Rights, and Privileges, in general and particular, Places and Hereditary Offices, and the same Honours, Salarys, Profits, and Exemption they enjoy'd under the most Christian King: which is to be understood of the Commonalty and Inhabitants of the Places, Towns, and Countrys, which his said Majesty possess'd immediately after the Conclusion of the Treaty of *Ryswick*, and not of the Places, Towns, and Countrys which were possessed by the late King of *Spain*, Charles the Fifth, at the time of his Decease; the Commonalty and Inhabitants whereof shall be maintain'd in the Privileges,

Customs, Exemptions, Rights, and Grants general, Places and Hereditary Offices, which were enjoyed at the time of the Death of the late King of France aforesaid.

C. Likewise, if (besides those Places in the Netherlands ceded by his most Christian Majesty, for which 'tis provided in the twenty seventh Article) any Ecclesiastical Benefices, mediate or immediate, have been bestowed during the War by either of the Partys, in the Countries or Places which were then in their respective Subjection, upon Persons who are capable thereof, according to the Rule of the said Institution, and lawful, general or particular Statutes on that Subject, or by other Canonical Dispositions made by the Pope; the said Benefices, and such as were enjoyed before the War in the same manner, shall be enjoyed by the present Possessors, in such manner, that they shall not be disturbed in the Possession and lawful Administration thereof, nor in the Enjoyment of their Revenues; nor shall it be lawful upon any Reason, either past or present, to cite them before any Tribunal, or molest them in any other Way whatsoever: upon Condition, nevertheless, that they shall perform and discharge whatever they are bound to do by virtue of the said Benefices.

His Imperial Majesty, and his most Christian Majesty, shall not for any Cause henceforward interrupt the Peace established by the present Treaty, resume Arms, and make use of any Pretext whatever, any Act of Hostility, the contrary to the said Peace; but, on the contrary, endeavour sincerely and *bonâ fide*, as real Friends, to strengthen more and more their mutual Friendship and good Understanding, for the Honour and the Good of *Christendom*. And whereas the most Christian King, sincerely reconciled with his Imperial Majesty, will not henceforward create any Trouble or Prejudice to his Imperial Majesty, his most Christian Majesty promises and engages to let his Imperial Majesty enjoy quietly and peacefully the Territories and Places which he actually possessed before the War, which were formerly possessed by the Kings of France, as his Imperial Majesty possesses it; the Duchy of Parma, as his Imperial Majesty actually possesses it; the Kingdom of Sicily, as his Imperial Majesty actually possesses it; and the Kingdom of *Sardinia*; as also the Ports and Towns on the Coasts of *Tuscany*, which his Imperial Majesty possesses, and which were formerly possessed by the Kings of France, and which were formerly possessed by the Kings of France of the House of *Austria*; together with all the

Rights belonging to the said States of *Italy*, which his said Imperial Majesty possesses, as the Kings of *Spain* exercised them from *Philip I.* to the last deceased King: his said most Christian Majesty giving his Royal Word never to trouble or disturb the Emperor, and the House of *Austria* in that Possession, directly or indirectly, under any Pretence or by any Way whatever; nor to oppose the Possession which his Imperial Majesty and the House of *Austria* have or may hereafter acquire, either by Negotiation, Treaty, or other lawful and peaceable way; in such manner, however, as that the Neutrality of *Italy* may not be troubled thereby: The Emperor promising and engaging his Word not to trouble the said Neutrality and the Quiet of *Italy* and consequently not to proceed by way of Arms, for any Cause, or on any Occasion whatsoever, but on the contrary to abide by, and observe punctually the Engagements which his Imperial Majesty is under by the Treaty of Neutrality concluded at *Utrecht*, *March 14, 1713.* which Treaty shall be deemed as recited here, and shall be exactly observed by his Imperial Majesty; provided, that on the other part the Observation be reciprocal, and that he be not attacked: His Imperial Majesty engaging for the same purpose to let every Prince in *Italy* enjoy peaceably his own Dominions, of which he is actually possessed; yet without prejudicing the Right of any Person whatsoever.

XXXI. In order that the Princes and States of *Italy* may enjoy the Fruits of the Peace between the Emperor and the most Christian King, the Neutrality shall not only be observed with punctuality in that Country, but likewise the Emperor shall do speedy Justice to the Princes, or Vassals of the Empire for the other Places and Countrys in *Italy*, which have not been possessed by the Kings of *Spain* or the House of *Austria*, and to which Places and Countrys the said Princes may have lawful Claims and Pretensions, viz. the Duke of *Guastalla*, the Prince of *Mirandola*, and the Prince of *Castiglione*. But this shall not, however, interrupt the Peace and Neutrality of *Italy*, nor be a Subject of a new War.

XXXII. As his Imperial Majesty, and his most Christian Majesty, have nothing so much at heart, as to see the publick Tranquillity re-established as soon as possible, and in order to obtain so desirable an End, which is to prevail over all other Considerations, they had fixed a certain way for perfecting this Treaty; but having at last perceived that

The Time limited was not sufficient for examining and settling the Affairs refer'd on both sides to this Congress, thirty second Article of the Treaty of *Rastat*; it has judg'd more convenient, that the Partys mention'd in said Article, shall be allowed respectively to produce respective Rights and Pretensions before his Imperial Majesty, and his most Christian Majesty, who promise a regard thereunto in all Equity: which Delay, shall not retard in any wise whatsoever, the full execution of this Peace, or prejudice the Rights of any one forever.

XXIII. Whereas, by virtue of the Peace of *Rastat*, all Hostilities and Violences were to cease from the Day that the Treaty was signed, as also all Contributions, either in Money or Forage, and all Impositions or Demands whatever, upon occasion or by reason of the late War, as well on the part of his Imperial Majesty, as on the part of his most Christian Majesty; so the same shall not only cease for the future, and nothing shall be exacted upon any Pretence whatsoever, but also all Exactions whatever, in Money, Forage, or other Things, which shall appear to have been made upon any Pretence whatsoever, on either side, since the Date of the Ratifications of the Treaty of *Rastat*, against the Tenour of the thirty fifth Article of the same, shall be restor'd *bonâ fide*, and without delay, to such who shall prove the same by sufficient Documents and Evidences: and all Hostages given, or carried away, on any Pretence whatsoever, shall be released, without paying any Money, and allowed to return home without any hindrance. And as to what remains due for Contributions on either side, to the Time limited in the Treaty of *Rastat*, as aforesaid, the same shall be paid within three Months, to be reckoned from the Day of the Exchange of the Ratifications of this present Treaty: but however, it shall not be lawful within that Time to make use of any Execution against such as shall be slow in their Payments; provided that they be obliged to give sufficient Security for discharging the same.

All Prisoners, either of War or State, taken in the last War, who shall appear still to be detained, shall be forthwith set at liberty without any Ransom, and be allowed to retire whither they shall think fit.

Likewise, if it appears that any of the Troops on either side, according to the thirty fifth Article aforesaid, are to evacuate the Places not fortified, and retire into their

their respective Territorys within fifteen Days after the Ratifications of the Peace of *Rastat*, are still in the said Territorys, which 'tis hop'd they are not, they shall be recalled immediately, without any Delay; so that the Subjects on both sides may the sooner enjoy the Benefits of Peace and Tranquillity. And as his Imperial Majesty and the Empire are likewise to recal their Troops from the open Places in the Archbishoprick of *Cologn*, and Electorate of *Bavaria*, if any remain therein, they shall be immediately withdrawn. As to the rest, the Restitution of the said Provinces and Countrys shall remain limited according to the Form and Tenor prescribed in the 15th, 16th, 17th, and 18th Articles.

XXXIV. The Commerce between the Subjects of his Imperial Majesty and the Empire, and those of his most Christian Majesty and the Kingdom of *France*, shall be free, from the Date of the signing of the present Treaty, with the same Liberty as they enjoy'd it before the War; and all and every one of them, and namely, the Citizens and Inhabitants of the Imperial Citys and Hans-Towns, shall enjoy a full Security, both by Sea and Land, of their antient Rights, Privileges, and Immunitys, which have been acquired to them either by solemn Treaty or antient Custom; the further Agreement about the same being refer'd after the Ratifications of the Peace.

XXXV. All the Conventions made by this Peace, shall be in force, and for ever observed and executed, notwithstanding any thing that may be alledged or thought of to the contrary; which things shall remain void and be abolish'd, altho some of them should be of such nature as to deserve to be mentioned in a more special manner.

XXXVI. All such as shall be nam'd within six Months after the Ratifications of the present Treaty by either of the Partys, with their mutual Consent, shall be included in this Peace.

XXXVII. The Embassadors Extraordinary and Plenipotentiarys of both the Partys, promise respectively, that the present Peace, concluded as aforesaid, shall be ratified by the Emperor and the Empire, and the most Christian King; and that they will infallibly procure, that the solemn Instruments of the Ratifications shall be exchanged with six Weeks after the signing of this Treaty, or sooner if possible.

XXXVIII. And whereas, his Sacred Imperial Majesty as desired with due respect by the Electors, Princes, and States of the Empire, by a Resolution dated the 23d of *April* last, under the Seal of the Chancery of *Mentz*, and communicated to the *French* Embassadors, that he would order his Embassadors to take care of the Concerns of the said Electors, Princes, and States of the Empire, in the present Congress; the said Imperial and *French* Embassadors have set their Hands and Seals to the present Treaty of Peace, in order to corroborate the same, and all the singular contents thereof, promising to exchange the Ratifications of the said Treaty within the Time limited, and that no Contestation or Contradiction shall have any Force against the same.

Done at Baden in Ergau, September 7, 1714.

- (L. S.) *Eugene de Savoy.*
- (L. S.) *Peter, Count de Goes.*
- (L. S.) *John Frederick, Count de Seilern.*
- (L. S.) *Le Marechal Duc de Villars.*
- (L. S.) *Le Comte du Luc.*
- (L. S.) *De Barberie de St. Contest.*

A Separate Article.

AS among the Titles taken by his Imperial Majesty in the present Treaty, there are some which cannot be known'd by his most Christian Majesty, it has been agreed by the present Separate Article, sign'd before the Treaty, that the Titles used or omitted in this present Treaty, or in that of *Rastat*, on either side, shall never be deemed a prejudice to the Rights of the other, nor give any new Right to any one of the Partys; and that this Article shall have the same force, as if it were *verbatim* insert'd in the Treaty. *Done at Baden, the 7th of September, 1714.*

Sign'd as above.

His

His Majesty King George the First's Declaration of War against the King of Spain, publish'd on December 17, 1718.

GEORGE R.

WHEREAS we being engag'd by divers Treaties to maintain the Neutrality of *Italy*, and to defend our good Brother the Emperor of *Germany* in the possession of the Kingdoms, Provinces and Rights which he enjoy'd in *Europe*; and being likewise very desirous to settle the Peace and Tranquillity of Christendom, upon the most just and lasting Foundations we were oblig'd, for that purpose, from time to time, communicate our peaceful Thoughts and Designs to the King of *Spain* by his Ministers, and conceived Hopes that they would have had his Approbation. And whereas upon the said King of *Spain's* invading in a hostile and unjust manner, the Island and Kingdom of *Sardinia*, we did cause the most friendly Representations to be made to him in that behalf; but finding ourselves oblig'd to support and enforce our Instances by a Naval Strength, we did send our Fleet into the *Mediterranean* this last Summer, with a full and earnest Intention to make use of its Appearance there, for pressing on foot Negotiations of Peace towards reconciling the Parties engaged in War, and thereby preventing the many Calamities that must ensue therefrom. And whereas we did likewise, to testify our most sincere Inclinations to Peace, send our Right Trusty and Right Well beloved Councilor and Counsellor, *James Earl Stanhope*, one of our principal Secretaries of State, to *Madrid*, with full Power and Commission to offer our most hearty Endeavours for establishing the Quiet of *Europe*, and for cultivating and improving the Friendship of the said King of *Spain*. And whereas notwithstanding all the Instances we could possibly make, all the Tenders of Amity and Affection we could use, our said Plenipotentiary return'd without the least hopes of peaceable Dispositions in the said Court of *Spain*.

and our Admiral in the *Mediterranean*, finding also no tendency to amicable Measures, was obliged to assist and protect the Emperor's Dominions by force, which were in imminent Danger, by the further Invasion of the Kingdom of *Sicily*, and by the great Fleets and Armys which the said King of *Spain* had in those Parts. And whereas after all our Efforts and Endeavours, we have found the said King of *Spain* so far from hearkening to Terms of Friendship and Accommodation, that he has not only seized the Persons and Effects of our Subjects, being and residing in his Dominions, contrary to the true intent and meaning of solemn Treatys between us; but also has issued forth Orders to his Subjects to arm against us and our Subjects, and to attack, seize, and destroy them, their Goods, Ships and Merchandizes wheresoever they can meet with them: And as these violent and unmerited Proceedings have put us under a Necessity of providing for the Good and Safety of our Kingdoms, and of all our loving Subjects, who may be exposed to the Dangers of these Hostilities, without being authorized to repel Force by Force; we have been obliged with regret to call to mind the many unfriendly and unjustifiable Acts which have been done towards us and our Subjects, almost ever since our Accession to the Throne of these our Kingdoms. It would be endless to enumerate the Complaints of our Subjects, relating to the Infractions of Treatys, the Breach of antient and established Privileges, and the unwarrantable Obstructions of their accustomed Trade and Commerce, concerning which our several Ministers at the Court of *Spain* have, from time to time, given in Memorials and Representations; but notwithstanding their repeated and most pressing Instances, they have scarce ever obtained the least redress from the *Spanish* Court; who render'd thereby ineffectual the Benefits and Advantages which we hoped we had by Treatys and Conventions procured for our good Subjects. And it appearing to us further from the Conduct of the King of *Spain*, especially by the Instigation, and pernicious Counsels, as we conceive, of his Chief Minister, (by whose Advice the true Interest of *Spain* seems entirely sacrificed, and the Subjects of that Country are not only neglected but oppressed) that the said King, under Colour of ballancing the Power of the Emperor, and securing the Liberty of the Princes of *Italy*, has raised great Armys, equipped great Numbers of Ships of War, and
made

made unusual Preparations by Land and Sea, which tended to set on foot dangerous Designs of breaking thro' the Treatys of *Utrecht* and *Baden*, on which the Peace of *Europe* was founded, and of uniting, as occasion should offer, upon one Head, the Crowns of *France* and *Spain*, the Separation whereof has already cost so much Blood and Treasure, and which ought in all times to come to be prevented with the utmost Attention, and fenced against by all the Means which God hath put into the Hands of the neighbouring Princes and States concern'd in that fatal Event: We omit the Encouragement given to the Pretender to our Crown and his Abettors, the Endeavours to stir up other Princes against us, with the frequent Menaces thrown out, unbecoming the Dignity of crown'd Heads: All which, with many other Tumults and Affronts, we were ready and willing to put up, in case we could have found the least Disposition in the said Court of *Spain*, to entertain a good and reasonable Amity. But as these Proceedings have at last broke out into open Hostilities, and neither the Interposition of our good Brother the most Christian King, nor any other Means employ'd, could procure for us, our Allies, or our Subjects, any just Redress, Satisfaction, or Reparation; we could not any longer sit still and see our Honour ill treated, our good Friends and Allies unjustly invaded, our Subjects attacked and despoiled, their Commerce prohibited, and all the Damage possible done unto them, without resenting the same in the manner we ought, and taking up Arms in our just Defence, and for the doing right to ourselves, our Allies and our Subjects, against the violent Enterprizes of the said King of *Spain*. We therefore, reposing our greatest Confidence in the help of Almighty God, (who knows the good and peaceful Intentions we have all along had) have thought fit to declare War against the said King of *Spain*: And we do accordingly hereby declare the same. And we will, in pursuance of such Declaration, vigorously prosecute the said War in Conjunction with our Allies, being assured of the ready Concurrence and Assistance of all our loving Subjects, in a Cause wherein the Honour of our Crown, the Maintenance of our solemn Treatys and Engagements, and the Preservation of the Rights and Advantages of our Subjects, are so deeply concern'd. And we do hereby will and require our General of our Forces, our Commissioners for executing the Office of High Admiral, our Lieutenants of our
of our
secret

Several Countys, Governours of our Forts and Garifons, and all other Officers and Soldiers under them, by Sea and Land, to do and execute all acts of Hostility in the Prosecution of this War against the said King of *Spain*, his Vassals and Subjects, and to oppose their Attempts. And we do hereby command, as well all our own Subjects, as advertise all other Persons of what Nation soever, not to transport or carry any Soldiers, Arms, Powder, Ammunition, or any other Contraband Goods, to any of the Territorys, Lands, Plantations or Countrys of the said King of *Spain*; declaring that whatsoever Ship or Vessel shall be met withal, transporting or carrying any Soldiers, Arms, Powder, Ammunition, or other Contraband Goods, to any of the Territorys, Lands, Plantations or Countrys of the said King of *Spain*, the same being taken, shall be condemn'd as good and lawful Prize. And whereas there are remaining in our Kingdoms divers of the Subjects of the King of *Spain*, we, notwithstanding the Usage many of our Subjects have receiv'd in that Kingdom, do hereby declare our Royal Intention to be, That all the Subjects of *Spain*, who shall demean themselves dutifully towards us, shall be safe in their Persons and Estates.

Given at our Court at St. *James's*, the 16th Day of
December 1718, in the fifth Year of our Reign.
God save the KING.

*The French King's Declaration of War,
and Manifesto against Spain, 1719.*

HIS Majesty being true to the Engagements which the late King, of glorious Memory, entred into by the Treatys of *Utrecht* and *Baden*, and being sensibly affected with the Advices he gave him in his last Moments, to look upon nothing as glorious but *Peace* and the *Welfare of his Kingdom*; he has hitherto taken his Measures according to these Rules, which to him shall always be sacred. His Majesty, with the Advice of the Duke of *Orleans*, Regent of the Kingdom, made it the first Object of his Care, to re-unite considerable Powers for maintaining the Peace by the Triple Alliance of the 4th of *January, 1717*. This Precaution, and the Neutrality establish'd in *Italy*, not only continued Peace in the Dominions neighbouring on *France*, but gave ground to hope, that whatever was wanting to the Perfection of the Treatys of *Utrecht* and *Baden*, might be supplied by new Measures for establishing a more solid Tranquillity in *Europe*. But *Spain*, by violating those Treatys, destroy'd in one Moment, all Hopes of Peace, and gave us just Cause to fear the Return of a War, as bloody and obstinate as that which was concluded by the last Treatys. His Majesty has neglected nothing for extinguishing the Flame that *Spain* has kindled, but in concert with the King of *Great Britain*, has employ'd all his good Offices to procure an Accommodation betwixt the Emperor and the King of *Spain*, as advantageous as honourable for the Catholick King. His Majesty, and the King of *Great Britain*, have not only obtain'd all that the King of *Spain* did most earnestly press the late King of *France* to obtain for him, but other and greater Advantages. But as it could not be rely'd on, that the King of *Spain's* Minister would moderate the Ambition of his Projects, and that it was not just the Repose of *Europe* should depend on the Obstinacy of that Minister and his secret Views; his Majesty and the King of *Great Britain*

Britain could not refuse the pressing Instances made to them, to agree, (according to what has been frequently practis'd on important Occasions for the publick Welfare) that if any one of the Princes concern'd, refus'd to consent to the Peace, they should join their Forces to oblige him to . The Emperor and the King of *Sicily* have agreed to this ; but all the Measures that his Majesty and the King of *Great Britain* have taken separately and jointly with the King of *Spain*, not having been able to make him suspend his Enterprizes, nor to persuade him to a Peace so suitable to his Interest and Glory ; his Majesty could not be wanting to the Engagements which he entred into by the Treaty of *London*, of the 2d of *August* last, without doing Violation to Justice, and abandoning the Interest of his Subjects ; but is oblig'd, in consequence of the Third separate Article of the said Treaty, to declare War against the King of *Spain* ; yet, at the same time, conjuring him with the same Instances which he has long and incessantly made to him, not to refuse Peace to a Nation which gave him Birth, and has generously spent her Blood and Treasure to maintain him on the Throne of *Spain*, as he himself owns in his Declaration of the 9th of *November* last. If his Majesty be forced to make this War against him, he has at least this Satisfaction, that he prefers nothing to that Prince but the Safety of his own People ; if he can be said to prefer it, by taking Arms, at present, against *Spain*, since 'tis as much for the Interest of that Nation as for all the other Nations of *Europe*. And to this end, his Majesty, by the Advice of the Regent, the Duke of *Orleans*, is resolv'd to make use of all his Forces, both by Sea and Land, under the Divine Protection, (which he implores, according to the Justice of his Cause) to declare War against the King of *Spain*. And his Majesty ordains and enjoins all his Subjects, Vassals, and Servants, to make War upon the *Spaniards* ; and has and does hereby forbid them expressly, to have any Communication, Commerce, or Correspondence with them henceforth, on pain of Death. In consequence of which, his Majesty has by these Presents revok'd, and does revoke all Declarations, Conventions or Exceptions, contrary hereunto ; as likewise all Permissions, Passports, Safe-guards, and Safe-conducts, that may have been granted by him, or by his Lieutenants General, and other Officers, contrary to these Presents ; and has declar'd, and does declare them void and of no Effect and Value. for-
bidding

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bidding any Person whatsoever, to have any Regard to them. His Majesty commands and ordains the Admiral, the Marechals of *France*, Governours, and Lieutenant Generals for his Majesty, in his Provinces and Armys, Marechals *de Camp*, Colonels, Camp-Masters, Captains, Chiefs, and Conductors of his Soldiers, Horse or Foot, *French* or Foreigners, and all other his Officers to whom it shall appertain, that each of them, respectively, see the Contents of these Presents executed, within the Extent of their Command and Jurisdiction; for such is the Pleasure of his Majesty, who wills and ordains, that these Presents be publish'd and affix'd in all Towns Maritime, and others, and in all Ports, Harbours, and other Places of his Kingdom, and the Territorys under his Obedience, as shall shall require, that none may hereof pretend Cause of Ignorance. Done at *Paris*, the 9th of *January*, 1719.

Signed,

LOUIS

And underneath,

LE BLANC.

At the same Time, there was publish'd at *Paris* the following Manifesto:

Manifesto: Shewing the Causes of Rupture betwixt France and Spain.

KINGS are not accountable for their Proceedings to any but God himself, from whom they hold their Authority. Being indispensibly oblig'd to seek the Welfare of their People, they are not to give any Reason for the Means they take for obtaining that End: and may, according as Prudence directs, either conceal, or make known the Mysterys of their Government. But when 'tis for the Glory, and the Tranquillity of their People, which can't be separated, that the Motives of their Resolutions should be known, they ought to act publicly in the Face of the World, and to manifest the Justice of what they have consulted in private.

Majesty, govern'd by the Counsels of the Duke of his Regent, believes himself to be under this Honour, and accounts it his Glory, to lay before his Subjuncts and the whole World, his Reasons for entering into Alliances with several great Potentates, for making a League throughout all *Europe*, for the particular Security of *Spain*, and even of *Spain* itself, who at present, mistaking her true Interests, disturbs the common Tranquillity by breaking the last Treatys.

His Majesty can never impute this Breach to a Prince so commendable for so many Virtues, and particularly for being a most religious Observer of his Word; so that it may be wholly owing to his Ministers, who having engag'd themselves so easily, have found the Way to make him look upon his Engagement as an Argument, and a Necessity for continuing by it.

His Majesty, in the Measures he has taken, did propose to himself equally to fulfil two Dutys, viz. the Love he owes to his People, by preventing a War which threaten'd his Neighbours; and the Friendship which he owes to the King of *Spain*, by constantly taking Care of his Interests and Honour, which shall always be so much the more dear to him, as she looks upon them to be the Reward of his long Endeavours, and of all the Blood which it has cost him to maintain him on his Throne.

It is these were his Majesty's uninterrupted Intentions, which appear evidently by the Facts hereafter mention'd.

It is well known, that in the Course of the late War, *France* was reduc'd, by her Misfortunes, to the hard Necessity of entering into a League to recal the King of *Spain*, and must undoubtedly have had the Grief to perform it, if Providence, which directs all Events and Hearts, had not prevented this piece of Injustice in our Enemys.

The Rights of the Catholick King were recogniz'd at the Treaty of *Westphalia*; but the Emperor, tho' abandon'd by his Allies, did not then renounce his Pretensions, nor cou'd the Emperor of *Landau* and *Friburg* bring him to it; and the Emperor of glorious Memory, who, amidst his last Successes, was sensible of the extreme Necessity which his People had in this Affair, did not conclude it, till after he had made Propositions to the Emperor, at *Rastat*, for an Accommodation betwixt him and the King of *Spain*. 'Twas his constant Intention to complete this Work, and to stifle the Seeds of War which the Treaty of *Utrecht* had left in *Europe*, by regulating

lating only provisionally, and without the Emperor's Concurrence, the Interests of that Prince, and of the King of Spain.

His Design to cement the Peace by a Reconciliation betwixt those two Princes was hinted at *Baden* the 17th of *June*, 1714. to the Count *de Goes*, and communicated the 7th of *September* following to Prince *Eugene* of *Savoie*, who declar'd that the Emperor was not averse to it. After signing the Treaty of *Baden*, the King order'd the *Marschal de Villars* to pursue the same Design with Prince *Eugene*; and when the Count *du Luc* was nam'd to be the King's Embassador to the Emperor, he was particularly charg'd by his Instructions to act according to those Views.

The King of *Spain* had often represented to the Emperor, King, by Letters of his own Hand-writing, that his Constitution was not secur'd by the Treatys of *Utrecht*: You will easily judge, said he, in one of his Letters, dated *May* 1713. That the Peace, the Solidity of which is equally the Desire of all the World, cannot be firm, if the *Arch-Duke* who has disputed the Crown of *Spain* with me, does not own me for its lawful King.

You know, writes that Prince in his Letter of *Jan* 1714. That I have fulfill'd all the Preliminarys, and that I am ready to consent that *Naples*, the *Milanese*, the *Netherlands*, shall remain to the *Arch-Duke*, as I have consented to quit *Sicily* in favour of the *Duke of Savoy*, *Gibraltar*, and the *Ile of Minorca* in favour of the *Emp* and that I am also ready to quit *Sardinia* in favour of the *Elect* of *Bavaria*. The *Arch-Duke* ought on those Conditions to renounce to me what remains of the *Spanish Monarchy*. Thus neither he nor I shall have any thing farther to pretend against one another.

I flatter my self, says the King of *Spain*, in his Letter *May* 17, 1714. That knowing of what Importance it is to make the *Arch-Duke* quit all his Pretensions on *Spain* and the *Indies*, you'll put me in a Capacity to establish such Conditions as I may peaceably enjoy them.

That Prince did not think himself confirm'd on the Throne of *Spain* and the *Indies*, but by the Emperor's Renunciation of all his Pretensions; and he insisted pressinglly on that Security, because he knew the Importance of it by the Extremitys to which the War had oblig'd him on account of the Emperor's Pretensions. He was not all that he demand'd of the late King, as the

sensible Pledge of his paternal Friendship, and as the last Effort with which he ought to crown all that *France* had done for his Interests. The late King endeavour'd with all the Affection of a tender Father, the Satisfaction of his Grandson. But as the Emperor appear'd unmoveable, and that there remain'd a Diffidence throughout *Europe*, it being the general Opinion, that the Peace cou'd not be durable, which did still keep the greatest Part of the Powers in Arms; these Things, with the War in the *North*, and the Changes that happen'd in *Great Britain*, giving Occasion to fear that the Flames wou'd quickly be re-kindled, there was still a necessity of taking new Measures for preventing it.

It was during these Conjunctions the late King was taken from *France* by Death. His Majesty will never forget the important and wholesome Advices which he gave him in the last Moments of his Life. He is willing to make them the unalterable Rule of his Reign; and by what follows it will be made evident that he has hitherto taken all his Steps accordingly.

The long Wars had left against us throughout *Europe* the Remains of an alienated Mind, and of a Hatred which only wanted an Opportunity to break out afresh; and our Neighbours being still full of the Jealousys and Fears which had been so often occasion'd by our Successes, and also because of the Resources we had under our greatest Misfortunes, were already contriving to complete our Ruin, and to improve the Minority of the King: and the Impoverishment of the Kingdom, of which our selves made such loud Complaints, was enough to encourage our Enemys to undertake any thing. The ancient League was threaten'd to be renew'd, and the Nations excited themselves mutually to War for the important End of securing themselves for ever from a Power too formidable, and which they endeavour'd still to render odious by unjust Reproaches of its unfair Dealing.

What better Method cou'd be taken to disperse that Storm, than to unite with that Power, which, in concert with us, had restor'd Peace by the Treaty of *Utrecht*? The King neglected nothing for succeeding in this Design, and by his Care a Confidence was re-establish'd betwixt two Powers; and they were speedily satisfy'd that nothing cou'd more contribute to confirm a Peace, which was not yet well establish'd, than a defensive Alliance betwixt

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France, England, and the Republick of the United Provinces, for maintaining the Treatys of Utrecht and Baden and for a mutual Guaranty of their Dominions. But before any Negotiation was open'd, his Majesty gave Advice of his Design to the King of Spain. The Duke of St. Aignan had positive Orders, in April 1716, to acquaint him with his Views, to offer him all his Assistance, and to invite him into the Alliance, wherein he promis'd he should be receiv'd with all the respect that he cou'd wish for.

After many fruitless Instances, the Duke of St. Aignan, upon presenting a new Memorial, receiv'd at last from Cardinal Del Giudici, an Answer fram'd in the Cabinet by another Minister, who at that time rul'd all, and whose Interpreter he only was on this Occasion. The Answer was as follows: *The King my Master having examin'd the Extract sent him, and the last Treatys sign'd at Utrecht, finds not any one Clause in them that needs to be confirm'd.*

How strange is the Contradiction betwixt this Answer and the Letters that the King of Spain wrote to the King, which were nothing but one continued and unvarying Representation of the Uncertainty of his State! His Majesty plainly perceived, that the Principles of Reconciliation and Peace, which inspir'd him in his Proceedings, were not those which acted at the Court of Madrid: and this was but too much confirm'd, by the Disturbance given to the Commerce of France already in Spain; by the Advices he had of Alliances forming with some Powers, under pretence of a Misunderstanding ready to break out betwixt the Nations; and by the secret Opposition which Spain made to our Alliance with the King of Great Britain, and the States General.

The King, however, thought fit to take no notice of this; nor did he suffer it to lessen his Friendship or Regard for the King of Spain; but patiently waiting the happy Moment, when he should come better to understand his own true Interests, he order'd it to be signify'd to him, tho' he cou'd no longer forbear the concluding of the projected Alliance, yet he assur'd him, that he would therein consent to any thing that might be contrary to his Interests.

The Abbot du Bois was then sent to Hannover, to treat of that Affair with the King of Great Britain; and the Articles were agreed on, which laid the Foundation

Treaty of the *Triple Alliance*, sign'd at the *Hague*,
 th of *January*, 1717. after that the King of *Great*
ain himself had in vain imparted this to the King of
 z, and was assured of the invincible Opposition of the
ish Minister to all Projects of Union.

At how favourable soever this Alliance was to the pub-
 licanquillity, it did not make up what was wanting to
 Et the Treatys of *Utrecht* and *Baden*; because the Dif-
 ces betwixt the Emperor and the King of *Spain*, not
 ng been there adjusted, *Europe* continu'd still under an
 ertainty as to her Condition, and in danger of being
 v'd again in a new War, by the first Hostilities on one
 or other. *Italy* alone had Reason to flatter herself
 enjoying some Peace, by virtue of the Neutrality that
 been establish'd there by Treatys and Engagements,
 ch were look'd upon as the first Step that cou'd come
 to the Peace: But tho' that Neutrality was truly a
 y, to which both of these Princes had submitted them-
 es, the Welfare of *Europe* requir'd one more sure and
 e solemn, that might be authoriz'd by the mutual Con-
 of the two Rivals, and maintain'd by such Guarantys,
 t might not be in their Power to infringe with Impunity.
 h a Law cou'd be no other than a Treaty of Peace,
 ch might for ever determine the Controversys betwixt
 Emperor, and the King of *Spain*.

The King of *Great Britain* was willing to attempt the
 curing so great a Benefit to *Europe*, and imparted it to
 Majesty. He saw with Pleasure the Intentions of the
 King revive, and believ'd he should act for a Prince,
 whom he is strictly united by Ties of Blood, in favour-
 the Execution of whatever fatherly Tendernefs had
 cted for him, and of every Thing that he himself had
 ositively and instantly demanded. But his Majesty,
 had already experienc'd, on divers Occasions, that no-
 g which might convince the King of *Spain* of his
 endship, found access to him, cou'd no longer doubt of
 when he saw that the Marquis *de Louville*, whom he
 sent to the King of *Spain*, to impart his true Senti-
 nts, and to communicate to him things of Importance to
 two Crowns, was sent back without an Audience, not-
 hstanding his particular Attachment to the Person and
 Glory of that Prince. Being thus too well inform'd, by
 perience, that every thing propos'd in his Name, was
 der'd suspected at *Madrid*, he requested the King of

Great Britain to act by himself, at *Vienna* and *Madrid* for the Success of this great Design; and so much the rather because he was not authoriz'd to treat of the Interests of the King of *Spain*; and besides, it suited the Dignity of a Prince to discuss them himself.

The King of *Great Britain* did, at the same time, impart his Views at *Vienna* and *Madrid*. They were received favourably enough at *Madrid*, so long as the Feint could serve to conceal the Enterprizes they had in hand; and rejected afterwards with very little Discretion, when they thought it not their Interest to dissemble any longer. The Court of *Vienna* had no Disposition to any Accommodation but on Condition, that *Sicily*, which till then had been an insurmountable Obstacle to a Reconciliation, should be restor'd to the Emperor, because he judg'd it absolutely necessary for the Preservation of the Kingdom of *Naples*. But then it was hop'd, that on this Condition, the Catholic King should be own'd by the Emperor, as lawful Possessor of *Spain* and the *Indies*: And farther, which was a new Advantage to him, that the Emperor should consent that the Successions of *Parma* and *Placentia* should be certain'd to the Queen of *Spain's* Children.

The Difficultys of this Negotiation were not prejudicial to the Neutrality of *Italy*, establish'd by the Treaty of *Utrecht* the 14th of *March* 1713, and renew'd and confirm'd by that of *Baden*. The Emperor, and the King of *Spain*, seem'd, of themselves, to have taken Precaution, assuring themselves that it should not be interrupted. The King of *Spain* had taken Care, before the War in *Hungary*, to put the King of *Great Britain* in remembrance that he was Guarantee of the Engagements enter'd into at *Utrecht*, for the Neutrality of *Italy*. And the Emperor, on his side, when the *Turks* took the Field, urg'd the Pope to demand a positive Assurance from the King of *Spain*, that he would not take Advantage of the Weakness which the *Turks* had declared against him. It was the King of *Spain's* Interest to make this Promise; for he had been inform'd by the King of *Great Britain*, of the Treaty concluded at *London*, *May* 25, 1716. betwixt the Emperor and that Prince, for a Guaranty of the Emperor's Dominions in *Italy*, and of an express Promise to assist him in case they were attack'd: In short, the well known Interest of the King of *Spain*, was look'd upon as a greater Advantage than his Interest.

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could not then be suspected, that the King of *Spain*, was fully inform'd of the Treaty of 1716, would run Risque of the said Treaty with the King of *Great Britain*, by attacking the Emperor in *Italy*; and, at the same time, by acting contrary to his own Interest, and his Zeal for Religion. Nevertheless, that Enterprize broke out, we were inform'd that an Armament rais'd by Funds of Ecclesiastical Benefices, and design'd to maintain the Glory of the Christian Name, was to be made use of for the Execution of the Treaty. There needs no greater Proof, that the pernicious Counsels, and the exorbitant Power of the Emperor, prevail'd in *Spain* over the Intentions and Virtues of our King.

His Majesty alarm'd at such a dangerous Step, sent immediately an Express to the Duke of *St. Aignan*, and oblig'd him to represent, in the strongest Terms to the King of *Spain*, the Dangers to which he expos'd himself; what ought to have made greater Impression upon him, to represent the Injustice of his Enterprize. He pray'd the King, for the common Tranquillity of *Europe*, and for his personal Interests, to resume the Views of Reconciliation, which the late King his Grandfather and after him the King of *Great Britain*, had already projected betwixt himself and the Emperor. Some Days after, he again order'd the Duke of *St. Aignan* to act in Concert with the Minister of *England*, who had receiv'd the like Orders for engaging the King of *Spain*, to authorize his Embassador at *London*, to send another Minister thither, to treat of the Means of re-establishing a solid Peace. Colonel *Stanhope* had just arriv'd at *Madrid*, with a more particular Charge to make the same Instances. The King of *Great Britain* signify'd to his Majesty at the same time, that as the Difficulty was pressing, no Time was to be lost in applying Ready, which cou'd not be had from any thing else, but the unanimous Concert of impartial Powers; and therefore oblig'd him to send an Embassador to *London*, whither, upon the same Instances, the Emperor had already consented to send a Minister. His Majesty sent thither the Abbot *du Bois*; being as attentive to the Interests of the King of *Spain*, as to those of his own Kingdom, he thought himself oblig'd to have a Minister at the Conference in *London*, who might represent to the King of *Spain* a Liberty to enter into the Negotiation, as soon as they should be able to make him understand his own Interests. But all these redoubled In-

stances to him were fruitless. In vain did they give him ground to hope that they should obtain for him from the Emperor, what he himself had so frequently demanded. Nothing was received from his Minister but obstinate Refusals, and even frequent Threats to kindle a general War, notwithstanding all the Measures which were taken to prevent it; *Spain* seem'd to look upon those unanimous Sentiments of the other Powers for Peace, to be a Conspiracy against her.

It was upon these Refusals, and upon these threatening Designs of *Spain*, that the King of *Great Britain* caus'd it to be represented to his Majesty, that it was absolutely necessary to put a Stop to their Effects; and that no other Method offer'd itself to the Prudence of the Impartial Powers, but to form a Plan, which might be propos'd to the two Princes for reconciling their Interests, and procuring, at any rate, their own Tranquillity, and that of all *Europe*. This Resolution being, on the one hand, favourable for strengthening the Peace, which was his Majesty's unchangeable Design, and, on the other, giving Time and Means to the King of *Spain*, for taking Resolutions conformable to his Interest, the King fell in with it. But in his Orders to the Abbot *du Bois* for entering into so necessary a Project, his Majesty recommended to him nothing so much, as always to reject whatever might delay or hinder the King of *Spain* from concurring in this Negotiation. What Difficultys had not the King of *Great Britain* to struggle with, in order to dissuade the Emperor from insisting on his Pretensions to *Spain* and the *Indies*; to overcome his Aversion to see, one Day, the Dominions of *Parma* and *Tuscany* possess'd by a Prince of the House of *Spain*; and to soften his Resentments for the Infraction of Treatys, as to which he thought himself entitl'd to take Vengeance! It was not without an infinite deal of Trouble; yet those Obstacles were gradually remov'd, especially when greater Advantages were propos'd for the King of *Spain*, than were given him by the Treatys of *Utrecht*, and, by Consequence, as we have seen by his Letters, even beyond what he himself had desired.

Thus was form'd at *London* the Plan of the Conditions, which were to lay the Foundation of a solid Peace betwixt the Emperor and the King of *Spain*: His Majesty's perfect Friendship for that Prince, was always demonstrated, by the uninterrupted Instances he made to him to send Ministers,

who

who might discuss his Interests, by the Means which he had procured for him to enter into the Negotiation, and by his constant Efforts to procure him new Advantages in the Treaty itself. But not content with these Steps, he push'd his Attention and Regard towards him further. He sent the Marquis *de Nancre* to the King of *Spain*, to impart to him the Plan form'd at *London*, while the King of *Great Britain* did the like to the Emperor.

His Majesty during the stay of the Marquis *de Nancre* at *Madrid*, for the first five Months, did, without ceasing, represent to the King of *Spain*, that it was equally his Interest and Glory, to abandon an unjust Enterprize, and to accept the Conditions, which he had in a manner dictated himself, by his Instances to the late King. In short, and he reckons it his Glory to say it, he demanded the Peace of *Europe* from him in the Name of *France*, which had maintain'd him on the Throne with so much Expence of Blood and Treasure, and in the Name of his own Subjects, whose Zeal and Attachment to him, which is perhaps without Example, did very well deserve from their Prince, that he should not deliver them up to the Horrors of War.

All those Instances, founded on the wise Conditions of the Plan, never drew but one Confession from the Minister of *Spain*, of the Danger to which she was going to expose herself, by resisting so many Powers; but he said, at the same Time, *That his Master wou'd never give over his Enterprize*, and he was not ashamed to lay upon him the Blame of his own Obstinacy. In fine, his Majesty caus'd it to be signify'd to him in *June* last, That the Love he ow'd to his People, and which ought to prevail over all other Sentiments, wou'd not suffer him any longer to delay the signing of the Treaty with the Emperor and the King of *Great Britain*. He likewise took notice of the King of *Great Britain's* Engagement to send a Squadron into the *Mediterranean*, for assisting the Emperor. But nothing cou'd move the Minister, who was more and more provok'd by the Instances for Peace, and threaten'd to put all *Europe* in Flames. At last, Sir *George Byng*, who commanded the King of *Great Britain's* Naval Force design'd for the *Mediterranean*, did, before he enter'd that Sea, give Advice to the Minister of *Spain*, of the positive Orders he had received to act as a Friend, if *Spain* would give over, or suspend her Enterprizes against the Neutrality of *Italy*; and to oppose her with all his Force, if she per-

sisted

sisted in the contrary. But the Minister leaving no farther Grounds of Hope, answer'd, *That he might, if he pleas'd, put the Orders, with which he was charg'd, in Execution.*

The War betwixt the Emperor and the *Turks* was then at an End, and Orders given already to march great Numbers of Troops into *Italy*. His Majesty forc'd, at last, by these Circumstances, delay'd no longer to agree with the King of *Great Britain*, upon the Terms which might lay a Foundation for a Peace betwixt the Emperor and the King of *Spain*, and betwixt the former and the King of *Sicily*. And those were the Conditions of the Treaty sign'd at *London* the 2d of *August* last, betwixt the Ministers of the King, the Emperor, and the King of *Great Britain*.

But the King of *Great Britain*, always conducted by a Spirit of Reconciliation and Peace, and being also desirous to prevent any Misunderstanding that might arise betwixt his Crown and *Spain*, on occasion of the Succours that he was obliged to grant the Emperor, thought fit still to make one Effort more with the King of *Spain*: He sent Earl *Stanbope*, one of his chief Ministers, to his Majesty, with Orders to pass from thence to *Madrid*, if his Majesty found it convenient.

'Twas during his stay at *Paris*, that we had the News of the Invasion of *Sicily* by the King of *Spain's* Troops, which hastened Earl *Stanbope's* Journey to *Madrid*. He arriv'd there the beginning of *August* last, and the Marquis *de Nanere* receiv'd new Orders to act in Concert with him. But the lively Representations, redoubled by both, as to the Extremitys to which the Catholick King's Inflexibility might bring Things; the Assurance which they gave him of all that he possess'd by the Emperor's Renunciation, and by the Guaranty of the contracting Powers; his Majesty's Promise to procure him the Restoration of *Gibraltar*, which so sensibly touches the whole *Spanish* Nation, and which her King has so earnestly desir'd of a long Time; in fine, the Declaration of the Engagement enter'd into at *London*, and of the Necessity under which his Majesty and the King of *Great Britain* found themselves to execute the same immediately after the expiration of the three Months, from the Day the Treaty was sign'd at *London*, were all to no purpose. Earl *Stanbope* left *Madrid* with Grief, to see that all the good Offices, and Care of his Master to prevent a Declaration against

Spain, were of no Effect. But he had this Satisfaction, at least, that nothing had been left undone, to conquer the Obstinacy of the Minister, who alone was the Cause of the Rupture, and of the Calamitys which shou'd follow upon it. In the mean time, the Marquis *de Nancre* had Orders to stay there, because the King was willing to listen to the least Hopes which the Minister had the Art to insinuate for gaining Time. But his Majesty found, at last, that all his Condescension had been in vain. A few Days after he was inform'd of the Violence committed upon the Persons and Effects of the *English* in *Spain*, contrary to the 18th Article of the Treaty of *Utrecht* betwixt *Spain* and *England*, which fixes the term of six Months to withdraw the Persons and Effects on both sides, in case of a Rupture.

The Marquis *de Nancre* having left the Court of *Spain*, his Majesty, according to the Treaty of *London*, order'd the Duke *de St. Aignan* to complain of the Violence committed against the *English*, and commanded him to declare, that the Term of three Months granted the King of *Spain*, for accepting the Conditions that were reserv'd to him, being to expire the second of *November*, he cou'd not but demand a decisive Answer from that Prince: and the King of *Spain* persisting in his Refusal, he took his Audience of Leave.

Hitherto we have only spoke in general of the Conditions reserv'd to the King of *Spain*: But we must exhibit them more particularly, the better to convince the World, not only of the common Advantage, but also of the particular Advantage resulting from them to that Prince.

First, The Emperor expressly renounces for himself, his Heirs, Descendants, and Successors, Male and Female, the *Spanish* Monarchy and the *Indies*, and all the Dominions of which the King of *Spain* was own'd to be lawful Possessor by the Treaty of *Utrecht*; and he engages himself to pass the necessary Acts of Renunciation in the best Form.

Secondly, The Successions to the Dominions of the Duke of *Parma*, and the Great Duke of *Tuscany*, being like to occasion great Debates, and a new War in *Italy*, because the Queen of *Spain* pretends a Right to them by her Birth, and that the Emperor maintains, that the Right to dispose of them, for want of Heirs Male, appertains to him and the Empire; it has been stipulated, that these Successions coming to be vacant, by the Death of the Princes

now in Possession without Heirs Male, the Son of the Queen, and his Male Issue, and on failure thereof, the second Son, and the other younger Sons of the said Queen, with their Male Descendants, shall succeed to all the said Dominions, which shall be found to be Male moving Fiefs of the Empire; and that Letters of Expectation, containing the eventual Investiture of them, shall be given to the Son of the Queen, who ought to succeed. And for Security of the Execution of this Disposition, Garisons shall be established by the *Swiss Cantons* in the principal Places of those Dominions, viz. at *Leghorn, Porto Ferraro, Parma, and Placentia*, in the Pay of Mediators, with an Oath to keep and defend them under the Authority of the Princes now reigning, and to put them in possession of no body but the Prince, Son to the Queen of *Spain*, when these Successions come to be vacant.

Thirdly, It has been stipulated, that the Emperor, or any other Prince of the House of *Austria*, who shall possess the Kingdoms, Provinces and Dominions of *Italy*, shall never, in any Case, appropriate to themselves the Dominions of *Tuscany* and *Parma*.

Fourthly, As it was not possible to engage the Emperor to desist from the Pretensions, which he has always reserv'd to himself upon *Sicily*, it has been agreed, that it shall be quitted to that Prince, who, on his part, shall quit to the King of *Sicily*, by way of Equivalent, the Kingdom of *Sardinia*; reserving to the King of *Spain*, the Right of Reversion of that Kingdom to his Crown, as he reserv'd it to himself for *Sicily*, by the Act of Cession which he made of it, in consequence of the Treatys of *Utrecht*.

Fifthly, There is left to the King of *Spain* a Term of three Months, from the day of signing the Treaty, for accepting the Conditions offer'd him, which all the contracting Partys have guaranteed, and engaged themselves to see executed.

Sixthly, As it would not be just, that the Peace of *Europe* should depend on the Obstinacy or particular Views of one or two Powers only, and that the Emperor might not be induc'd to deliver his Renunciation before the King of *Spain* should come into the Treaty, if he had not some other Security given him besides; the contracting Partys have agreed to join their Forces to oblige the refusing Prince to accept the Peace, agreeable to what has been frequently

quently practis'd for the publick Repose, on important Occasions.

Seventhly, 'Tis expressly agreed, that if the contracting Powers be oblig'd to make use of Force, against him who refuses to accept the propos'd Accommodation, the Emperor shall content himself with the Advantages stipulated for him in the Treatys, how successful soever his Arms may be.

Eighthly, In the last Place, the King has engag'd himself to obtain for the King of *Spain* the Restitution of *Gibraltar*.

These are the Conditions which the Minister of *Spain* so haughtily reject'd. They are, however, so well accommodated to the common Tranquillity, that the King of *Sicily*, who by the Inequality betwixt *Sicily* and *Sardinia*, seems to be the only Prince who loses by this Plan, has lately accepted the Treaty.

A plain and sincere Narrative of these Facts, is enough to enable the World to judge, what part *France* ought to have taken in such Conjunctions.

The King of *Spain* attacks *Sardinia*, and takes as much Care to conceal his Design from the King as from the Emperor. After this Infraction of Treatys, and after the Emperor's Declaration that he will agree to accommodate Matters, what could his Majesty do?

By continuing Neuter, he would have equally displeas'd and alienated the Emperor and the King of *Spain*; and in the Progress of the War, a Power so considerable as *France* could not have acted an indifferent Part.

If she had join'd with *Spain*, his Majesty would thereby have violated the Treaty of *Baden*, and given the Emperor a Right to declare War against him, which he must have maintain'd in *Italy*, upon the *Rhine*, and in the *Netherlands*. Further, the Emperor would have arm'd against him all his Confederates, or rather all *Europe*, which must have been alarm'd at the Conjunction of the Forces of *France* and *Spain*. Thus *France* should have found herself involv'd again in the Calamitys of a general War.

If the King had found no other Means to prevent these Calamitys, but to enter into an Alliance with the King of *Spain*'s Enemy, for executing the greatest Rigours against him, however grievous this Method might have been to his Majesty, it would have been neither the less just nor less necessary. The Safety of the People, which is the only thing

thing that ought to command Sovereigns, would have forc'd him to embrace it; and the Example of the late King himself, who made all his paternal Affection give way to that Duty, would as strongly forbid his Successor to sacrifice it to the Rights of Blood. But how far different from that is the Part which the King has chosen? He leagues with the Emperor, but it is by offering, at the same time, to the King of *Spain*, even that Enemy, and the rest of the greatest Powers of *Europe* for Allies, whenever he pleases to accept them. It is by confirming him on his Throne, his Possession of which will then become uncontroversible; it is by procuring him all that he ever desir'd, and more than he hop'd for, and to all *Europe* a solid and durable Peace.

The new Enterprize of the King of *Spain* upon *Sicily*, sufficiently shews, that tho' we should have contented ourselves with restoring only the Neutrality of *Italy*, he would not have consented to it; and that we should have had as much trouble to make him restore *Sardinia* to the Emperor, as we can have to see the whole Treaty put in Execution. In short, what cou'd have been done even by the Success of the *Spaniards* there? for that cou'd never have annull'd the Emperor's Pretensions to *Sicily*, but only made him suspend his Enterprizes for some time.

His Majesty then had no other way left for preventing the War, but to pursue the Project of Accommodation betwixt the Emperor and the King of *Spain*, and thereby to give Peace to *France*, *Italy*, nay to *Europe*, without costing *France* any thing else but honourable Offices; nor does it cost *Italy* any thing but the Advantage which the Emperor has by the Exchange of *Sicily* for *Sardinia*, which is counter-ballanc'd by the Bounds which the Emperor prescribes to himself in the Treaty, and by the Engagements which the principal Powers of *Europe* have enter'd into, to guarantee the Possessions of the other Princes of *Italy* in the same State as they are at present.

Spain is so far then from having just Cause to complain of the King for undertaking at this time a most just War, to avoid one that is the most dangerous, and most ruinous for his Subjects; that the King has just Cause to complain of *Spain*, for reducing him to this Extremity, by an obstinate Refusal of Peace, under such frivolous Pretexts as no body has been hitherto capable of understanding.

Sometimes 'tis a Point of Honour, founded on this, that the Successions of *Parma* and *Tuscany* are agreed to only as Fiefs of the Empire. But how can we believe that the King of *Spain* shou'd be offended at a Condition for a Prince of his Family, which so many Kings of *Spain* and *France* have not only submitted to, but even courted; as did, in fine, the late King, his glorious Grandfather, and the King of *Spain* himself?

Sometimes it is the Inequality betwixt the Reversion of *Sardinia* and that of *Sicily*. But can such a small, such an uncertain, and so remote a Disadvantage, be put in the Ballance against so many present and solid Advantages? In fine, what ought to decide the Matter is this, that we cou'd no otherwise obtain the Emperor's Renunciation to *Spain* and the *Indies*, but upon this Consideration. Ought the Security of the King of *Spain*'s Condition to be compar'd with such trifling Difficultys? and does not so great an Interest make all the rest to vanish?

Sometimes 'tis the Pretext of a Ballance that is absolutely necessary in *Italy*, and which we are about to overturn, by adding *Sicily* to the other Dominions which the Emperor possesses there. But does the Desire of a more perfect Ballance deserve, that we should re-involve our People in the Calamitys of a War, from which they have so much Difficulty to recover themselves? And is not even this Ballance, the want of which *Spain* seems to regret, sufficiently secur'd, and more compleatly, perhaps, than if *Sicily* had continu'd in the House of *Savoy*? The establishing of a Prince of the House of *Spain* in the middle of the Dominions of *Italy*, the Bounds which the Emperor has prescribed to himself by the Treaty, the Guaranty of so many Powers, the unchangeable Interests of *France*, *Spain* and *Great Britain*, maintain'd by the Maritime Powers; do so many Securitys leave room to bewail the want of another Equilibrium? If at the time of the Peace of *Utrecht* the Imperial Arms had been possess'd of *Sicily*, as they were of the Kingdom of *Naples*, the King of *Spain* wou'd not have made any Difficulty to consent to this Disposition; and the Minister of *Spain* himself made no scruple to say, that the King his Master had never reckon'd on his keeping of *Sicily*, and that if he made a Conquest of it, he wou'd be induc'd, since all *Europe* wou'd have it so, to restore it even to the Emperor.

The true Motives of this Refusal, which have hitherto been impenetrable, come at last to break out. The Letters of the *Spanish* Ambassador to Cardinal *Alberoni* have taken off the Veil which cover'd them, and we now see with Horror what it was that made the Minister of *Spain* inaccessible to all Projects of Peace. He wou'd thereby have seen all the odious Plots which he form'd against us prove abortive. He wou'd have lost all Hopes of laying this Kingdom desolate, of raising up *France* against *France*, of having the Management of Rebels among all the Orders of the State, of kindling a Civil War in the bosom of our Provinces; and in fine, of becoming to us the Scourge of Heaven, by putting in Execution those seditious Projects, and springing that Mine which was, according to the Words of the Ambassador's Letter, to serve as a Prelude to the Conflagration. What a Recompence is this to *France*, for the Treasures and Blood of which she has been so profuse for the sake of *Spain*!

Providence has kept off those Calamitys from us, and all *Frenchmen*, on the Discovery of this Treason prepared against us, expect and press that we should revenge it. But his Majesty espouses only the Interests of his People, and not his own Passions. He only takes Arms now to procure a Peace, without abating any thing of his Friendship for a Prince, who, without doubt, must abhor those perfidious Designs that were form'd against us. Happy wou'd it have been, cou'd his Virtues have made him Proof against being surpriz'd by his Minister; and if by putting pernicious Counsels to silence for ever, he had kept to his own Word, and consulted his Justice and Religion, which do all of them sollicit for Peace.

Treaty of Peace between Charles VI. most August Emperor of the Romans, and King of Spain, Hungary and Bohemia, and Achmet Han Sultan of the Turks. Done in the Congress at Passarowitz in Servia, the 21st Day of July 1718.

CHARLES by the Divine Mercy, Elect Emperor of the *Romans*, always *August*, King of *Germany*, *Spain*, and the *Indies*, also of *Hungary*, *Bohemia*, *Matia*, *Croatia*, *Scalavonia*, and both the *Sicilys*, Archduke of *Austria*, Duke of *Burgundy*, *Brabant*, *Milan*, *Tyrol*, *Carinthia*, *Carniola*, *Limburg*, *Luxemburg*, *Wirtemberg*, Upper and Lower *Silesia* and *Swabia*, a Margrave of the Holy Roman Empire, by the Title of Marquis of *Burgaw*, *Moravia*, Upper and Lower *Lusatia*, Count of *Hapsburg*, *Flanders*, *Tirol*, *Goritz*, *Ferret*, *Kyburg*, &c.

do hereby acknowledge and make known by these Presents, to all Persons whom it concerns, for ourselves, our Heirs and Successors, that it has pleas'd God that by the Intervention and Mediation of the most Serene and most Potent King of *Great Britain*, and of the States General, after several Conferences held under Tents at *Passarowitz*, in the Kingdom of *Servia*, by Embassadors Extraordinary and plenipotentiarys deputed on both sides with proper Powers and Credentials, a Treaty of Peace and Friendship has been enter'd into and concluded for 24 Lunar Years next ensuing, betwixt Us on the one part, and the most Serene and most Potent Prince, Sultan *Achmet Han*, Emperor of the *Ottomans*, *Asia* and *Greece*, on the other part, on the above said Conditions, and in the Form and Tenor following.

In the Name of the most Holy and Undivided Trinity.

It having unfortunately happen'd two years ago that the Peace and Tranquillity which was concluded and establish'd at *Carlowitz* in *Szerem*, by the most glorious Princes and Emperors, the Emperor of the *Romans* on the one part, and the Emperor of the *Ottomans* on the other, was broken before the Expiration of the Term, by some fresh Quarrels between the most August and most Potent Prince and Lord *Charles VI.* Elect Emperor of the *Romans*, always August, King of *Germany*, *Spain*, and the *Indies*, also of *Hungary*, *Bohemia*, *Dalmatia*, *Croatia*, *Sclavonia*, and both *Swab*, &c. Archduke of *Austria*, Duke of *Burgundy*, *Brabant*, *Milan*, *Stiria*, *Carinthia*, *Carniola*, *Limburg*, *Luxemburg*, *Wirtemberg*, Upper and Lower *Silesia*, and *Saxony*, Marquis of the Holy Roman Empire, with the Title of Marquis of *Burgaw*, *Moravia*, Upper and Lower *Lusitania*, Count of *Hapsburg*, *Flanders*, *Tyrol*, *Goritz*, *Ferris*, *Nyburg*, &c. on the one part, and the most Serene and most Potent Prince and Lord, the Sultan *Achmet Han*, Emperor of the *Ottomans*, *Asia* and *Greece*, on the other part, to the great Disturbance and Detriment of the Subjects of both, and to the Loss of their Trade; and a bloody and destructive War ensued, which brought great Devastation and Desolation upon the Kingdoms, Provinces and Peoples; nevertheless, by the Divine Mercy, both Empires were govern'd by such wholesom Counsels, that they resum'd the Consideration of Ways and Means for reconciling Antiquities and preventing the Effusion of human Blood; and also for providing for the Safety and Welfare of their Subjects.

Consequently, by the Interposition of the most Serene and most Potent the King of *Great Britain*, and the High and Mighty Lords the States General of the *United Provinces* of the *Netherlands*, Things were brought to that Pass that Embassadors furnish'd with sufficient full Powers were sent to a certain Place to treat and conclude a Peace, and to renew the antient Friendship upon equitable Conditions.

Therefore on the part of the most August, most Potent and most Invincible Emperor of the *Romans*, the most illustrious and most excellent Lord *Damianus Hugo*, Count of *Vermont*, Privy Counsellor to the Emperor, and Counsellor of the Aulic Council of War, General and Commander in chief of the Foot, and the most excellent Lord

Michael

Michael a Talman, Imperial Counsellor of the Aulic Council of War; and on the part of the most Serene and most Excellent Great Sultan *Achmet Han* Emperor of the *Ottomans*, of *Asia* and *Greece*, the most illustrious and most excellent Lord *Ibrahim Aga*, President of the *Ottoman* Treasury of the second Class; and the most excellent Lord *Imed Aga*, President of the said Treasury of the third Class; and in the name of the most Serene and most Excellent King of *Great Britain*, his Excellency Sir *Robert Walpole*, Knight; and in the name of the High and Mighty States General of the *United Provinces* of the *Netherlands*, the most illustrious and most excellent Lord *James van Colyvers*, met here at *Passarowitz*, about the beginning of *May* last in solemn Congress; and after Conferences held in the usual manner under a Tent, and the full Powers exhibited on all sides, brought this Work of Peace to happy Conclusion, that they agreed mutually on the 20 Articles that follow.

1. The Provinces of *Moldavia* and *Wallachia*, bounded partly by *Poland*, and partly by *Transilvania*, shall be distinguished and separated as antiently by the Mountains, in such manner that the Limits of the antient Confines may be unchangeably observ'd on all sides; and whereas the Parts of *Wallachia* situate on this side the River *Aluta*, are, together with the Places and Fort of *Temeswaer*, under the Power of his Sacred Imperial and Royal Majesty, according to the Preliminary of *Ut possidetis* that was accepted as the Basis of the Peace, they shall remain in his Sacred Imperial Majesty's Power and Dominion, in such manner, that whatever lies on the West side of that River, shall belong to the Emperor of the *Romans*, and the Country on the East side to the Emperor of the *Ottomans*.

The River *Aluta* passing out of *Transilvania*, as far as the place where it falls into the *Danube*, and from thence along the Banks of the *Danube* towards *Orsava*, as far as the Place where the River *Timock* flows into the *Danube*, shall be the settled Confines; and, as was observ'd heretofore with regard to the *Marysobe*, the *Aluta*, with regard to the Watering of Cattle and Fishing, and to other such necessary Uses, shall be common to the Subjects of both Kingdoms.

It shall be lawful for the Ships of Burden of the *Germans*, and their Subjects, to pass to and fro from *Transilvania*.

to the *Danube*; and the Subjects of *Wallachia* are allow'd the use of Fishing Vessels and other Boats without Molestation: and as for Ships for grinding Corn, they shall be fix'd by common Consent of the Governours of the Frontiers for the time being, at convenient places, where they may not prejudice the Navigation of the Merchants.

And whereas some *Bojars*, and other People of inferior Rank, fled in the War time from *Turkish Wallachia*, to such parts of the Country as belong'd to the Emperor of the *Romans*, they are permitted by virtue of this Peace to return to their Families, and there peaceably to enjoy their Habitations, Goods and Lands, like other People.

II. The Limits of both Empires shall be from the Place where the *Timock* falls into the *Danube*, up for 10 Leagues along the same, *Ispereck Bania* and its antient Territory remaining to the *Ottomans*, and *Ressova* to the *Roman Emperor*; and the said Limits are continued from thence thro' the Mountains towards *Parakin*, which remains to the Emperor, as *Rasna* does to the *Porte*; and from thence the Limits are continued between both to *Istolaz*, and over the Little *Morava* by the hither Shore to *Schachak*, and between *Schachak* and *Bilana* by Land to *Bedka*, and from thence to the Territory of *Zokol* towards *Belina*, as far as the *Drin*; insomuch that *Belgrade*, *Parakin*, *Istolaz*, *Schachak*, *Bedka* and *Belina*, with their antient Territorys, are yielded to the most August Emperor of the *Romans*; and *Zokol* and *Rasna*, with their antient Territorys, to the *Ottoman Empire*.

The Subjects of the two Empires are to enjoy the Navigation of the *Timock*, with its Advantages in common.

III. All Places situate on both sides the River *Sava*, from the *Drin* to the *Unna*, whether open Places or walled, in possession of the Emperor's Troops, shall remain to the Emperor, with their Territorys, according to the Preliminaries of the Peace; insomuch that the *Sava*, with both its Banks, shall remain in the possession of his Sacred Imperial and Royal Majesty.

IV. From the place where the *Unna* falls into the *Sava* to the Territory of the antient *Novi*, situate on the East side of the said River, and in possession of the *Ottomans*, together with *Jessenoviz* and *Dobina*, and some Forts and Islands in which there are Imperial Garisons, shall remain

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their antient Territorys, to his Sacred Imperial Royal-
esty, according to the Preliminarys of the Peace.

Whereas the Territorys of *New Nowi* on the West
k of the *Unna*, towards *Croatia*, which then appertain'd
to the most August Emperor of the *Romans*, were after the
Treaty of *Carlowitz*, deliver'd up to the *Ottoman Empire*,
in consequence of some Disputes that arose at the time of the
determination of the Limits, they shall be again restor'd to the
Emperor, for the Reconciliation and Satisfaction of his Sacred
Imperial and Royal Majesty, and shall revert into his Pos-
session, with all the Territorys and Places existing between
their antient Limits.

I. The Places which are situate in *Croatia* at some
distance from the *Save*, and are possess'd and garison'd by both
Partys according to the Treaty of *Carlowitz*, shall remain
in the possession of both with their Territorys; and the Com-
missioners deputed to determine the Limits of both Empires,
shall decide any Controversys that may arise, and separate
them, with distinct Limits and Tokens, the Territorys of
those Places even to the Extremity of *Croatia*, which
to remain in the possession of either Empire,

as it was by the Treaty of *Carlowitz*, so it shall be free
and lawful by the present Treaty to repair and fortify the
Castles and Forts possess'd by both Partys, for the Security
of both; and it shall be lawful for both Partys to build
new Towns on the Frontiers for the conveniency of the In-
habitants without Impediment and Exception; provided
that new Forts are not erected under this Pretence.

II. Altho the Peace is amicably concluded according to
the Conditions aforesaid, yet that all things which were
propos'd and accepted concerning the Confines may have
their entire effect, experienc'd, faithful and peaceable
Commissioners shall forthwith be appointed by both Partys,
assembling with a quiet Retinue in some convenient
place where they think fit, within the space of two Months,
sooner if possible, shall distinguish and determine the
Limits settled by the preceding Articles by plain Marks
and Boundaries, and cause the Statutes thereupon to be put
in execution exactly and speedily.

III. The Limits of the Confines determin'd by these
Articles, and establish'd by the Commissioners deputed
for that purpose, or hereafter, shall be sacredly and religiously observ'd
on both sides, so as not to be extended, transfer'd, or
alter'd for any reason or pretext; and it shall not be lawful

for either of the contracting Partys to claim or exercise any Right or Power in the Territory of either Party beyond the Bounds or Lines once settled, or to compel the Subjects of either Party to any Surrender, or to pay any Tribute whatsoever, either past or to come, or to any other kind of Exaction, Vexation or Molestation, which the Wit of Man can devise; and all manner of Contention shall be entirely laid aside.

IX. When there is occasion for a speedy and mature Remedy for removing of all Controversys, Differences or Disputes whatever that may arise hereafter concerning any Articles of this Armistice, or any other thing, an equal number of Commissioners shall be chose and appointed on both sides the first opportunity, Men no ways covetous, but grave, honest, prudent, experienc'd and peaceable Men; who meeting at some convenient place without an arm'd Force, with an equal number of peaceable Persons, shall hear, take cognizance of, decide and amicably accommodate all and singular such Controversys, and settle a Rule and Method, whereby both Partys may oblige their Subjects by the severest Penaltys, to the sincere and firm Observation of the Peace without boggling, or any manner of Pretence. And if Broils happen of such moment that they cannot be accommodated and dispatch'd by the Commissioners of both Partys, then they shall be refer'd to both the most potent Emperors, that they may find out and make use of ways and means for healing, appeasing and suppressing them, in such manner, that all such Controversys may be accommodated in as short a time as possible; and that the Determination thereof may not on any account be neglected or protracted.

And whereas Duels and Challenges were moreover prohibited by the former sacred Capitulations, they shall also be unlawful hereafter; and if any presume to enter into single Combat, they shall be severely punish'd as Transgressors.

X. All hostile Excursions and Usurpations, and all private or sudden Attacks, Devastations, or Depopulations of the Territorys of both Dominions, are by the strictest Commands prohibited as illegal, and the Transgressors of this Article, wherever they are apprehended, shall immed. be committed to Prison, and receive condign Punish. without Remission, by the Jurisdiction of the Place w^her^e they

by are apprehended; and the Goods taken away shall be most diligently inquir'd after, and when found justly restor'd to their Owners. The Captains, Commandants and Governours also of both Partys are bound and oblig'd to the most sincere Administration of Justice, without any Negligence, on pain, not only of the Loss of Office, but also of Life and Honour.

XI. As to the Ecclesiasticks and the Exercise of the Christian Religion, according to the Rites of the *Roman* Catholick Church, whatsoever things the former most Glorious Emperors of the *Ottomans* granted in favour thereof during their Reigns, either by sacred Capitulations, or by any other Imperial Signs Manual, or by special Edicts and Mandates, the most serene Emperor of the *Ottomans* will hereafter confirm the Observation thereof, in such manner that the said Ecclesiasticks may repair their Churches, and exercise their Functions as formerly; and it shall not be lawful for any Persons to demand Money, or to give any kind of Molestation to the said Ecclesiasticks, of whatsoever Order and Condition they are, contrary to former Capitulations and Laws, but they shall enjoy the Effects of the Imperial Goodness as usual. Moreover, the solemn Embassy which shall be sent to the *Ottoman Porte*, from the most August and most Potent Emperor of the *Romans*, shall be allow'd to discharge the Commissions he is intrusted with, in relation to the Christian Religion, and the Pilgrimages in the Holy City of *Jerusalem* and other Places of the Christians Visitation, where the said Ecclesiasticks have Churches.

XII. The Prisoners taken and carry'd into Captivity on both sides during the late and present War, and hitherto detain'd in the publick Prisons, may, in consideration of this happy Peace, expect their Release, and cannot be longer left in that miserable and calamitous State, without impeaching the Emperor's Clemency, amiable Condescension and Generosity; therefore all the Captives shall, in the antient accustomed manner, be set at Liberty on both sides within 61 Days from the day of signing this Treaty of Peace. Particularly, the Weyvode, *Nicholas Scarlatti*, his Sons and Servants, detain'd Prisoners in *Transilvania*, shall be exchange'd against the free Barons *de Petrasch* and *Stein*, who are Prisoners in the seven Towers in *Constantinople*, and they shall be accordingly set at Liberty in the Confines of *Wallachia*.

And as to the rest, who are in the power of private Men, or Prisoners with the *Tartars*, they shall be allow'd to procure their Release at as moderate a Ransom as they can: And if the Prisoners, and their Owners cannot agree, the Judges of the Places shall decide all Controversies; and if that won't do, the Captives shall be set at Liberty on paying to their Masters the Price they gave for them, which shall be prov'd and paid before Witness, or upon Oath; nor shall their Owners oppose their Ransom, from a Covetousness of greater Gain: And forasmuch as no Men will be sent on the part of the *Ottoman Empire*, to take care of the releasing such Prisoners, it will be expected from the Probity of the Imperial Governours, that they oblige the Masters of the Captives to dismiss the *Ottoman Prisoners* at the Rate for which it shall be prov'd they were bought; and so this good Work shall be promoted on both sides with equal Piety.

But till the Prisoners on both sides are releas'd on the Terms aforesaid, the Plenipotentiary Embassadors shall use their Interest on both sides, that the miserable Captives may be treated civilly.

XIII. The Merchants on both sides shall follow their Commerce, freely, securely and peaceably, in the Dominions of both Empires, according to the former Articles of Peace; and the Merchants and Subjects of the Provinces already subject to the Emperor of the *Romans*, and that shall hereafter be requir'd by his Majesty from the States of the Christian Religion, of whatsoever Nation they are, shall have free and peaceable Egress and Regress in the *Ottoman Kingdoms and Provinces*, under his Imperial Majesty's Signs Manual and Letters Patent, according as the Commissioners appointed for that purpose shall agree; and shall be free for them to buy and sell, and after paying the necessary Customs, they shall in no wise be molested, or protected. Consuls and Interpreters shall be plac'd in the *Ottoman Dominions*, to take care of the Merchants Affairs (as the said Commissioners shall agree) and the Exemptions granted to other Christian Nations, shall likewise be confirm'd and granted to the Merchants under the Emperor of the *Romans*, who shall enjoy the same Profit and Security.

It shall be seriously requir'd of the Regencyes of *Alger*, *Tunis* and *Tripoli*, and others to whom it may be needful to give the said Caution, that hereafter they don't in respect contravene the Articles of the Peace, by committing any one Action contrary to it; also the Inhabitants

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capitulation, situate on the Sea-Coast, shall be restrain'd from committing Piracy hereafter, or from infesting and damaging Merchants Ships, and shall be forbid to build Pinnaces, Galleys, or other Piratical Ships, in the room of those taken from them; so that such Robbers as shall presume, contrary to the Imperial Capitulations of the Peace, to damage or molest the Ships of the Merchants, shall not only be oblig'd to restore all the Goods and Things that were made Prize, and to repair all Loss and Damage, and release all their Prisoners, but shall be prosecuted according to the Law, and punish'd with a publick Warning to others.

And that the Affair of Commerce may be clear of all Doubt, whatsoever the Commissioners appointed on both Sides to treat thereof shall conclude and determine, shall be ratify'd and inserted, and added in the Capitulations.

IV. It shall also be unlawful hereafter to give Shelter, or Assistance, to Rebels or Malecontents; and both Parties shall be oblig'd to give condign Punishment to such wicked Persons, and all Robbers and Freebooters, whom they shall apprehend in their Dominion, of which soever Party they are Subjects; and if they cannot be apprehended, they shall be oblig'd to the Captains or Governours of the Places, where they are known to sculk, which Captains or Governours shall have it in Command to punish them; and if these fail in their Duty of punishing such Miscreants, they shall incur the Displeasure of their respective Emperor, or be turn'd out of their Offices, or be punish'd themselves for the guilty Persons. And for the better providing against the Mischief of such Villains, neither of the Partys shall be allow'd to entertain Freebooters and Kidnappers, and such wicked kind of People as are not in the pay of either Prince, but live by Rapine; and both they and those who maintain them, shall have condign Punishment, and such wicked Wretches, who pretend amendment of their Lives shall not be receiv'd nor tolerated near the Confines, but remov'd to some more remote Places.

V. That the Tranquillity of the Frontiers and the Peace of the Subjects may not in any wise be disturb'd, by the *Polish, Bereseni, Anthony Esterhafi, Forgatsch, Adam Mikbael Czacky*, and other *Hungarians*, who refused from their Obedience to the most August Emperor *Romanus*; and in the time of the late War fought by him in the *Ottoman* Dominions, shall be plac'd and distributed in the *Ottoman* Dominions far enough from the Frontiers;

Frontiers; yet their Wives shall be allow'd to repair to them, and to dwell with them in the same District that is assign'd for their Residence.

XVI. Upon the Demand of the Plenipotentiarys of his Sacred Imperial and Royal Majesty of the *Romans*, that the King and Republick of *Poland* might also be included in this Treaty, 'twas answer'd by the *Turks*, that there are some Disputes betwixt the King of *Poland* and the said Republick about a perpetual and firm Peace between them and the *Porte*; but that if the *Poles* have any thing to propose about *Choczim*, or any other Affair, they may notify the same by Envoys or Letters to the *Porte*, where all things shall be agreed to according to Justice and Equity.

XVII. That this Armistice and good Friendship may be confirm'd, and thrive the more between both the most potent Emperors, Embassadors shall be sent on both sides, who shall be receiv'd, honour'd, treated and attended with the usual Ceremonys, from their Entrance on the Confines to their Return to the place of the second Exchange, and who shall in token of Friendship bring a voluntary Gift agreeable and consistent with the Dignity of both the Emperors: and after settling a mutual Correspondence, they shall both set out at one and the same time in the Month of *March*, in the Vernal Equinox, and be exchange'd on the Confines, after the manner which has been long observ'd between both Empires.

It shall also be lawful for the Embassadors to solicit whatever they think fit at the Emperor's Courts.

XVIII. The Rule and Custom of Courts in receiving, honouring, and entertaining publick Ministers, whether on their Journey or at the Places of their Residence, shall hereafter be observ'd on both sides, according to the Ceremonial us'd in former times, with equal Decorum, and according to the particular Prerogative of the Character of the Persons sent. The *German* Embassadors and Resident, and all their Domesticks, shall be allow'd to wear what Habit they please, without any Impediment. Also the Imperial Ministers, whether they have the Character of Embassador, Envoy, Resident or Agent, shall enjoy the same Immunitys and Privileges, and the same Liberty as the Embassadors and Agents of any other Princes, who are sent to the *Ottoman Porte*, even to the distinguishing or Prerogative of the Imperial Dignity in the best manner, shall have free Power of hiring Interpreters. Couriers

and their other Servants, passing and repassing from the Imperial Court to the *Ottoman Porte*, may safely travel with a Passport; and that their Journeys may be the more commodious, they shall have all the Favour shewn them possible.

XIX. The Ambassadors Plenipotentiary of both Empires do oblige themselves, and promise that they will infallibly take care that these Conditions and Articles shall be ratify'd according to the Form here mutually agreed on by both their Imperial Majestys; and that the solemn Instruments of Ratification shall be reciprocally and duly exchanged within 30 days from the Day of Subscription, or sooner, on the Confines, by their Excellencys the Ambassadors Plenipotentiary, Mediators.

XX. This Armistice shall continue and be prolong'd by God's Blessing to 24 Lunar Years successively, from the Day on which the Treaty shall be sign'd: and when the said number of Years is expired, or even before, it shall be free for both Partys, if they please, to prolong this Peace for many Years more.

Therefore all the Conventions whatsoever established by free and mutual Agreement, between the most August and most Potent Emperor of the *Romans*, and the most Serene and most Potent Emperor of the *Ottomans*, shall be sacredly, religiously, and inviolably observ'd by their Majestys, their Heirs, Empires, Kingdoms, Countrys, Cities, Towns, Subjects and Vassals, both by Land or Sea.

And it shall be seriously demanded of all Governours, Generals of Armies, and of the Forces themselves of both Partys, and of all Persons under their Protection, Obedience and Subjection, that they also, conforming themselves to the aforesaid Conditions, Clauses, Covenants and Articles, do take care by all means that they do nothing to violate or prejudice this Peace and Friendship, upon any account or pretence whatsoever; and that by abstaining entirely from all manner of Enmity, they cultivate a good Neighbourhood; since they may be certain, that if they don't behave according to Admonition, they will be most severely punish'd.

The *Cham* of *Crim Tartary*, and all the other Nations *Tartars*, by whatsoever Name they are call'd, are oblig'd to the due Observance of the Articles of this Treaty, and of the Laws of good Neighbourhood and Reconciliation; and shall not, by contravening the same, commit any Hostilities

Hostilities whatsoever, against any of the *German* Provinces and their Subjects or Vassals. Moreover, if any Person, whether of other sorts of Armys, or of the Nations of the *Tartars*, shall presume to do any thing contrary to these sacred Imperial Capitulations, and to the Articles thereof, he shall be most severely punish'd.

The said Peace, Tranquillity and Security of the Subjects of both Empires, shall begin from the aforesaid day of Signing it; and after that time all Enmitys on both sides shall cease and be suppress'd, and the Subjects of both Emperors shall enjoy Security and Tranquillity. And with this View, and to the intent that Hostilities may be restrain'd with the utmost Care and Diligence, Mandates and Edicts for proclaiming the Peace shall be transmitted forthwith to all the Governours of the Frontiers; and when any Space of Time is requir'd to give notice of the Conclusion of the Peace to the Officers of the remoter Parts, twenty days shall be the Term fix'd; after which if any Person presume to commit any Hostility on either side, he shall be subjected to the Penaltys aforesaid, without Remission. And whereas the *Ottoman* Plenipotentiarys, by virtue of the Imperial full Power to them granted, have exhibited to us a legal and authentick Instrument drawn up and subscrib'd in the *Turkish* Language, to the end that the Terms of the Peace contain'd in these 20 Articles, and accepted on both sides, may be inviolably observ'd with due Respect, We also, by virtue of our Instructions and full Powers, have exhibited these Conventions in the *Latin* Language, as a legal and authentick Instrument, sign'd and seal'd with our own Hands and Seals. Done at the Congress of *Passarowitz* in *Servia*, held under the Tents, the 21st Day of *July* 1718.

(L. S.) *Damianus Hugo* Count *de Vermont*.

(L. S.) *Michael de Talmán*.

We *Robert Sutton* Knight, on the part of the most serene and most Potent Lord, *George* King of *Great Britain*, and *James* Count *Colyer*, on the part of the High and Mighty Lords the States General of the *United Netherlands*, Ambassadors Mediators, by virtue of our publick Office, do in like manner attest and confirm the promises so done, concluded and confirm'd before us, and

ler the Direction of our Mediation, by setting our Hands and Seals thereto, the Year and Day above written.

(L. S.) *Robert Sutton.*

(L. S.) *James Count Colyer.*

We being desirous to perform the Things that are now incumbent on us, by virtue of the abovesaid Articles, with the same Integrity with which we acceded to this Treaty, have, on our part, from our certain Knowledge, deliberately, and in the best manner and form that we cou'd and might, approv'd, ratify'd, and confirm'd, as by virtue of these Presents we do approve, ratify and confirm the foresaid Conditions and Articles, as they are above describ'd and inserted *verbatim*; promising on our Imperial and Royal Faith and Word, for ourselves, and our Heirs and Successors, that we will sincerely, sacredly and inviolably keep, observe and fulfil all and singular the Articles, as long as no Actions or Motions are made by the other Party, repugnant to the Peace; that we will and ordain that the same be observ'd and fulfill'd on the same Terms, by our said Heirs and Successors; and we oblige both ourselves and them in the most effectual manner to the same, and do render them bound and obliged to it, setting aside all Trick and Fraud, by the Testimony of these Letters sign'd with our Hand, and seal'd with our Imperial Seal. Given at *Vienna* the 12th Day of *August* 1718, the 7th of our Reign as King of the *Romans*, the 15th as King of *Spain*, and the 8th as King of *Hungary* and *Bohemia*.

CHARLES.

Eugene of Savoy.

By Command of his Sacred Imperial and Royal Catholick Majesty,

Anthony Joseph ab Ottl.

Declaration

Declaration made and sign'd by the Imperial Ambassador to the Ottoman Ambassadors, in presence of the Ambassadors Mediators of England and Holland, that, notwithstanding this Pacification, the Sacred League made between the Emperor, the Poles, and the Venetians, shall remain in full Force.

ALtho 'tis already manifest, and must be as well known to the *Ottoman Porte* as to other Powers, that there is such a perpetual inviolable League between his Sacred Majesty the Emperor of the *Romans*, and the Republicks of *Poland* and *Venice*, that if either the one or the other singly, or all these Allies jointly, be provok'd to War in any manner and at any time whatsoever, it shall be lawful for all and such of them to enter into War by Land or by Sea for their common Defence, and to give one another mutual Assistance; it was incumbent on the underwritten Ambassadors Plenipotentiary of his said Sacred Imperial Majesty, by virtue of a special Instruction, to declare this League in the most solem manner, on account of the Peace now concluded at *Passarowitz*, as by these Presents they have been pleas'd to declare it in presence of the Ambassadors Plenipotentiary of the *Ottoman Porte*, as well as the Ministers of the most Serene and most Potent King of Great Britain, and the High and Mighty States General of the *United Netherlands*, present for the Mediation. Exhibited under a Tent at *Passarowitz*, the 21st Day of July 1718.

(L. S.) *Damianus Hugo Count de Virmont.*

(L. S.) *Michael de Talman.*

We *Robert Sutton* Kt. on the part of the most Serene and most Potent Lord, *George* King of *Great Britain*, and *James Count Colyer* on the part of the High and Mighty Lords the States General of the *United Netherlands*, Ambassadors Mediators, being ask'd and desired, do attest according to our publick Character, by these Presents sign'd with our Hands and Seals, that the Declaration above

recited

mention'd was made and deliver'd in our Presence by the most illustrious and excellent Lords, *Damianus Hugo* Count de *Virmont*, and *Michael de Talman*, the Imperial Ambassadors Extraordinary, and Plenipotentiary to the most excellent Lords *Ibrahim Aga* and *Mehemed Aga*, Ministers Plenipotentiarys of the most Serene and most Potent Emperor of the *Ottomans*, and that the same was by them accepted, and that they moreover promis'd to transmit the same, together with the Treaty for a Truce, to the Resplendent *Porte*. Dated the Year and Day as above.

(L. S.) *Robert Sutton.*

(L. S.) *James Count Colyer.*

The Instrument of the Peace made and sign'd at Passarowitz in Servia, the 21st of July 1718, between the Republick of Venice, and the Ottoman Porte.

In the Name of the most Holy Trinity.

AS the Almighty God permitted a War to break out between the most Serene and most Potent *Abmed Han*, Emperor of the *Ottomans*, *Asia* and *Greece*, and the most Serene Republick of *Venice*, so the Divine Mercy has vouchsaf'd to inspire the Warriors with thoughts of Peace. To which salutary end, the most Serene and most Potent Prince, *George King* of *Great Britain*, and the High and Mighty Lords the States of the *United Netherlands*, offer'd their Mediation; and thereupon the said King delegated the most excellent and illustrious Sir *Robert* *son* Kt. and the said Lords the States of the *United Netherlands*, the most excellent and illustrious *James* *nt Colyer*, their Plenipotentiarys, to put an end to the effusion of human Blood, and to the Slaughter and Desolation

tion of so many innocent Subjects, and to renew the antient Concord and Amity. Whereas therefore the said Mediation has been accepted on both sides, and a solemn Congress appointed on the Confines at *Passarowitz* in the Kingdom of *Servia*; the most excellent and illustrious Lords, *Ibrahim Effendi*, second President of the Chamber, and *Mehemed*, third President of the Chamber, Plenipotentiarys of the resplendent *Porte*, and the most excellent and most illustrious Lord *Charles Ruzzini* Kt. Procurator and Plenipotentiary Extraordinary of the Republick of *Venice*, appear'd on the Spot; and after frequent Conferences, did at length, by the Divine Assistance, and the Intervention and salutary Offices of the said Lord Mediators, who discharg'd their Duty with singular Wisdom and Industry, agree together on the following Articles.

I. The Castle of *Imoschi* in *Erzegovina* in *Dalmatia*, and in *Albania Tiscovatz, Sternizza, Unista, the Towns Proloch, Erxano*, and other Forts, Bulwarks, Castles and Places, wall'd or unwall'd, which have been yielded to the Republick of *Venice*, shall remain in their Possession: and for fixing the Confines and Separation of the Boundaries, a Line shall be drawn from one Boundary of the said Places to the other; in such manner, that the Places within the said Line, towards the *Venetian* Dominions, and first towards the Sea, shall remain in possession of the Republick, and the Places without the said Line, shall remain to the Sublime Empire, as was determin'd by the Treaty of Peace at *Carlowitz*. The space of one Hour's March shall be allow'd by the Commissioners of both Partys to the Forts restor'd to the Republick, which are comprehend'd in the said Line directly towards the Sea, as well as in front of the Line or Semicircle, as the Case shall require. If there be any Fort in the Neighbourhood of the said Line or beyond it, belonging to the Sublime Empire, it shall remain to the said Empire with all the Lands behind it; and the distance of one Hour's March shall likewise be assign'd to it in Front, by a Semicircular Line within the Circle.

II. According as it is stipulated in the Treaty of Peace at *Carlowitz*, the Territory and District of the Signory of *Ragusa* shall continue to be annex'd to the Territory and District of the sublime Empire: And therefore *Papa* with its Villages, *Zarine, Otovo* and *Subzi*, possess'd by the Republick of *Venice*, with all Obstacles therein con-

3. *the Venetians and the Grand Seignior.* 417

which hinder the Communication of the said Territory, shall be restor'd in its present State to the Sublime Empire; in like manner the Communication of the Sign of *Ragusa* with the Sublime Empire, shall by no means be interrupted on the part of *Castelnovo*, and no.

l. The Islands of *Cerigo* in the *Archipelago*, taken from the Republick of *Venice*, shall be restor'd to the Republick, and evacuated for that purpose eighty days after the signing of the Treaty of Peace.

2. The Fort *Butrimo*, *Preuesa*, and *Vainiezza* on the Coast of the *Archipelago*, and in the Dominion of the Republick of *Venice*, shall remain in possession of the said Republick, by virtue of the Fundamental Article *Ut in seculis*; and the Commissioners of both Parties shall allow the extent of an Hour's March to the Frontiers, which shall be equally divided, and the Limits and Boundaries fix'd.

Commissioners who are Men of Probity, Skill, Goodwill and Peace, shall be chose on both sides, for distinguishing the Limits in *Dalmatia*, *Erzegovina*, *Albania*, and *Archipelago*; who after three Months from signing the Treaty, shall open the Congress at some proper place, with a peaceable and modest Retinue, each consisting of an equal Number; and shall use such Diligence in fixing the Boundaries on both sides, that they may discharge their Office in two Months time, or sooner if possible.

By how much the more necessary it is to procure a Friendship and Tranquillity between the Subjects of Empires, in so much the greater Abhorrence ought to be held, who being of a reprobate Nature and disposition, disturb the Quiet of the Frontiers, even in time of Peace, by Robberys and hostile Machinations: for which neither Party shall afford Shelter or Protection to Outlaws, but they shall be inquir'd after, pursued and punished, that they may receive condign Punishment for example to others. Moreover, for the future, the Support or Protection to such People shall be prohibited.

l. That all Quarrels may cease both by Land and Sea, that a mutual Benevolence may revive, 'tis necessary to give notice of this happy Peace to the Governours of the

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the Frontiers : Therefore both Partys have agreed on the Term of thirty days for *Bosnia*, *Albania* and *Dalmatia*, and forty days for the Isle of *Candia* and other Frontiers ; during which space of Time, both the Sublime Empire and the Republick of *Venice* shall do all that is possible to hinder the least Contravention of any one of the Articles. Moreover, a sincere and general Amnesty is to be allow'd to the Subjects of both Partys, for any Crime committed during the War, so that no Person shall now, or hereafter, be call'd to account, or punish'd for the same.

VIII. When the Confines and Boundaries are once settled and awarded to their respective Possessors, the same shall be ratify'd and observ'd inviolably ; and if any Person shou'd presume to violate the said Frontiers, or to go beyond the Bounds, or if the Officers themselves shou'd fail in their Duty, by not punishing the Offenders according to their Demerits, both they and the Delinquents shall be severely punish'd. And in case the Commissioners shou'd meet with any Difficultys, or shou'd not agree among themselves, sincere Notice of the Cause of it shall be given on both sides, to the end that such Differences may be equally and amicably adjusted by the good Offices and Mediation of the Imperial, *English*, and *Dutch* Ambassadors residing at the Resplendent *Porte* ; nor shall Hostilities be exercis'd, nor the Agreement of the Subjects disturb'd, nor the Peace establish'd with the Sublime Empire be infring'd, for these or any such Causes.

IX. Prisoners taken in the time of War, and cast into Prison, may have reason to hope for their Deliverance by means of this Peace ; and since it wou'd be a disgrace to the Emperor's Piety and Mercy, that they shou'd be detain'd in the same filthy miserable Condition, all publick Prisoners shall be restor'd to their intire Liberty, within the space of sixty one days from the Signing of the Instrument ; and in the mean time, till they are ransom'd, the Plenipotentiarys of both Partys shall take care that they be treated civilly.

X. Wherever the Roman Catholicks have Churches or Convents, they shall be allow'd to frequent the same, and to perform Worship therein, according to the Rites of their Church, and to the Immunities formerly granted the Sultans to the *French* ; and if need be, they shall repair'd according to the Rules of Equity, and the

rial Mandate. Nor shall it be lawful for any one to extort Money from them, or otherwise to molest them, contrary to Justice, and the Sublime Capitulation. Moreover, it shall be free for them to go to *Jerusalem*, and other Holy Places, and to return without any Impediment.

XI. If any of the *Venetians* in the *Ottoman* Dominions trade with a Person who defrauds him of his Pay and absconds, whenever he is discover'd, by virtue of the Sublime Emperor's Proclamation, the Goods shall be restor'd to the right Owner; and if any Subject of the Sublime Empire trading with the *Venetians* does the same, and is apprehended in like manner, he shall also be oblig'd to restore what is found upon him. And if any Subject of the *Ottoman* Empire contract any Debts, or incur Guilt in any other manner, and make his Escape, no other innocent Person shall be detain'd, nor shall the *Venetians* be sued in his stead. When such Person shall make his Escape into the *Venetian* Dominions, the Debt which he has contracted shall, if duly prov'd, be recover'd and paid to the Creditor; and whoever is guilty, he shall be punish'd according to the Heinousness of the Crime: and the same Proceeding shall be observ'd on the part of the Sublime Empire.

XII. It shall be lawful on both sides to renew, repair and fortify such Castles as are yielded up by this Treaty, but not to build new ones on the Frontiers, nor to rebuild those that have been demolish'd by the *Venetians*. It shall be lawful also to build Towns and Villages, where 'tis expedient, on the Borders of *Terra firma*, for cultivating a mutual Union and Friendship; and if any Quarrel arise, the Governors of the Frontiers shall meet and decide it with all manner of Justice and Harmony.

XIII. If a Merchant pass from the *Venetian* into the *Ottoman* Dominions, he shall not be dunn'd or arrested for any Debt. No *Venetian* Merchant shall be permitted to go to the Exchange, or any other Place, without the safe Conduct of his Bailo or Consul residing there; and if any are so refractory as to presume to go thither without such Passport, the Sub-Bashaw shall be assisting to the Bailo, and not suffer them to go. The Crews of *Venetian* Ships shall not be compell'd into the Service of the *Ottomans*, but shall be permitted to go back the same Voyage with their Ships; nor shall any Tribute, call'd Caraches, be demanded from those who go to, or return from Venice

for the sake of Trade, whether they are marry'd or
 as long as they are not settled in the *Ottoman Empire*
 have any thoughts of returning as aforesaid. If any
 controversy arise between a *Venetian* and any other Christian
 Tributary, and the Evidence, which is in the Heat of
 Dispute produc'd, be *Venetian*, and the Adversary shou'd
 except against such Testimony, on pretence that the
 witnesses ought to be Christians of the same Settlement;
 consequently shou'd prove troublesome; 'tis necessary,
 cause all Christians are of one Religion, that, seeing
 themselves enter Actions against other Christians, they
 shou'd be compell'd to bear Witness, and the same shou'd
 be taken wherever 'tis offer'd, and ratify'd according to
 equity. If any *Venetian* Merchant who is travelling
 the *Ottoman* Dominions, be attack'd in any Village, robb'd
 or murder'd in the Attack, and all his Goods destroy'd
 and if his Heirs or Trustees come thither on that account
 the Cause shall be heard before a Court of Justice, and
 Process shall be issued out. If any *Venetian* Merchant
 come into the *Ottoman* Dominions to trade, and die while
 he is in the exercise thereof, the Governours for the
 being shall not meddle with his Effects, but the same shou'd
 be put into the Hands of the Bailo or Consul of his
 nation.

XIV. The Republick may at pleasure send over
 Bailo, who, if he think fit, may live with his Family
Constantinople, about three Years, or depart before the
 Term is expir'd; and if he refuse to bring his Family
 shall be allow'd to do the same without them; and
 Affairs require it, he may go home again before the
 Years are expir'd, and another shall succeed in his
 and these Bailos shall be treated with the usual Honour.
 When a Difference arises which concerns the Bailo
 and not the *Venetian* Republick, the same shall be
 determin'd in the manner abovemention'd; but he shall
 oblig'd to undertake any Affairs which are not deliv-
 er'd and committed to him by the Republick. Be the Affairs
 of what Nature soever, the said Bailo shall be oblig'd to
 declare the same entirely to the *Venetian* Senate; and if an
 Answer return thereupon with a Commission, Faculty, or
 full Power, he shall on no pretence be molested contrary to
 the Prescript, Faculty, and Imperial Capitulation. And
 of the Tributes call'd Baz, Rest, Cassabic, and Messet
 shall be demanded for any thing which the Bailos, Con-
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Interpreters, and their Domesticks purchase with their own Money, for the sake of making Presents, or even for their own Use, and Rayment. The *Venetian* Consuls appointed for the Negotiations of their own Merchants, may go a Shore to those Ports where they reside; and it shall be free to the Consuls, whenever they please, to change those who reside in the Ports of the *Ottoman* Empire, and other fit Persons in their stead. And if any Person shall have a Controversy with the Consuls, appointed by the *Venetian* Nation for the Use and Service of the *Venetian* Merchants, their Persons shall not be touch'd, nor their Houses shut up, but all Quarrels commenc'd against the Consuls and Interpreters shall be heard by the Resplendent Porte.

XV. The Subjects of both Dominions shall be allowed to traffick both by Land and Sea, in perpetual Tranquillity, Security, and without the least Hindrance. The Subjects of the *Venetians*, as well as of other Christian Princes, shall be on board the Ships of *Venetian* Owners, shall pass and repass, safe and secure, without Molestation and Fear of being carry'd into Slavery; for which reason it shall be given in charge to the Soldiers of *Agiers*, *Tunis*, *Tripoli*, &c. that they do nothing contrary to the Imperial Capitulations, and the happy Peace; and it shall be given in charge to the Inhabitants of *Dulcigno* on the Coast, that they do not commit Piracy, nor attack or molest Merchant Ships. Their Gallies with three Rows of Cannon shall be taken from them, with a severe Prohibition that they build any more hereafter; with a Proviso, that those who shall presume for the future to plunder the Ships of Merchants, contrary to the Imperial Capitulations, and this happy Peace, shall be oblig'd to restore the Merchants their Goods, and all other Effects so taken, to the proper Owner, that the Damage be repair'd, and the Slaves set at Liberty; that such wicked Men be most severely punished as Justice requires, for a warning to others; and that the Imperial Warrants, and the Sublime Decrees heretofore issued by the reigning Sultans on this occasion, be intirely renew'd, confirm'd and fulfill'd, according to their Tenor on the part of the Empire.

XVI. Whenever Quarrels and Animositys arise on the Frontiers, by reason of Murders, or other Causes, they shall be decided according to Equity by the Arbitration of the Governours of those Borders; and in what manner shall

they arise they shall be oppos'd, so that it may not be necessary to refer the Complaints to the Resplendent *Porte*, and *Venetian* Senate: therefore the utmost Industry shall be us'd, that the Causes may be decided on the spot, that the Partys may not be embroil'd with one another; and if the Disputes cannot be accommodated here by any means, let them be fairly put to Reference.

XVII. If the *Venetian* Merchants by reason of any Sale or Purchase of any thing, or Money borrow'd, or Bond, or on any other just Account, appeal to Justice, and demand the Aid of the *Mubassir* or Superintendent, the Tribute usually paid in the Courts shall be paid to the *Mubassir* or *Zaus* out of the Customs, viz. two *Aspers per Cent.* and it shall not be lawful to demand more. The Merchants, Consuls, Interpreters, and other Subjects of the Republick, and the Provinces subject thereto, may repair to the Tables of Dues, or any other just Claims whatsoever of the *Cadi*, in the Exercise of their Commerce in the *Ottoman* Empire, in buying or selling, lending or procuring of Goods, and may cause the Contract to be enter'd in the *Protocol*, and receive the *Corcto*, or any other valid Instrument; and when any Dispute arises, the *Corcto* Instrument and *Protocol* shall be compar'd, and be a Rule for Proceedings: but if none of these were to be produc'd, yet Equity wou'd demand that Judges shou'd take upon them to decide the Differences in a Course of Justice, fairly and equally, to examine the Evidence produc'd, with a becoming Diligence, and to inquire narrowly whether 'tis not given by Liers, dishonest, unjust and wicked Persons; nor shall the Evidence of such infamous Persons be admitted, lest it open a Door to Injury and Iniquity: nor shall Sentence be pronounc'd on such illegal, crafty, and corrupt Evidence; and if any Sentence shou'd be pronounc'd, it shall not avail, to the end that Injustice may by no means follow. But if any of the *Venetian* Merchants, or Captains of Ships in the Sublime Empire, shou'd turn *Turk*, and the Ships and Goods on board shou'd not be their own, but shou'd appertain to the *Venetian* Merchants or Subjects of the *Venetian* Dominions, they shall not be vex'd or molested by any Person, but the *Venetian* Bailo or Consuls shall receive the Ships and Merchandize from their Hands, lest that shou'd remain in their Power, which by Right and Reason longs to others.

XVIII. When a Controversy happens between two *Venetians*, their Bailo shall hear them as usual, and without Molestation; and if any has a Quarrel with the said Bailo in *Constantinople*, the Cause shall be heard in the Imperial Divan, at the Resplendent *Porte*. But if the Sultan happen to be abroad, then the said Controversy shall be heard by the Person who is appointed Governor of the City and Judge too; and if any shou'd have a Quarrel or Complaint concerning the Trade of the *Venetian* Merchants, he shall appeal to the Cadi, but he shall not receive their Complaints in the absence of the *Venetian* Interpreter. But the Litigants shall not raise any Difficulty by using the absence of the Interpreter for an Excuse, but they shall be oblig'd to see him forth-coming; and if the Interpreter be employ'd in Affairs of great Moment, they shall wait till his Return. The Bailos shall not be compell'd to pay by reason of other Names, unless the lawful Instruments are present; but if the Debtors withdraw themselves, the Creditors may search for them, and with the Approbation of the Judge or Governour sue for their Right: and if the Debtor make his Escape to the Coasts of the *Venetian* Republick, the Bailo shall refer the Cause to the Republick, that the Plaintiff may recover his Suit.

XIX. The *Mussulmen* Merchants from *Barbary* and other Countrys, who trading by Sea and Land, arrive in the Dominions of *Venice*, shall not be molested or injur'd, after paying the usual Custom for their Merchandize; but may pass and repass at pleasure to the *Ottoman* Dominions. The *Venetian* likewise, and other Ships which come into the *Adriatick Gulph*, and pass to and from *Venice* for the sake of Traffick, shall by no means be hinder'd or injur'd, if they do no hurt to other Persons. The *Venetian* Ships, which according to the old Rule of the Customs have been search'd at *Constantinople*, shall again be search'd, according to an antient Edict relating to the Customs, when they come to *Castel a Mare*, and then they shall be permitted to set sail, nor shall they be again visited at *Gallipoli*; only according to the antient Rule of the Customs, they shall be again visited off of the Coast of *Castel a Mare*, and then they may pursue their Voyage.

XX. If a Slave fly from *Venice* into the *Ottoman* Dominions, and turn *Turk*, a thousand Aspers shall be paid to the Owner when he pursues and apprehends him; and if not the Owner but his Agent come, one thousand Aspers shall

shall likewise be paid to him; but if the Slave be Christian, he shall be restor'd in his present State. In like manner, if a *Mussulman* fly from the *Ottoman* Dominion into the Dominions of *Venice*, and conceal his Faith, he shall be restor'd in the same State; but if he be Christian, a thousand Aspers shall be paid to his Owner or his Agent. If the Pirates of *Barbary* come with their Ships to the *Venetian* Islands, or their other Dominions, if they carry off the Inhabitants into Slavery, and sell them to *Romelia*, *Natolia*, *Barbary*, and other Countrys, they may employ them to their own use, in whosesoever Service such Slave be found, he shall be taken out of their Service without any Dispute, and deliver'd to the Bailo or Lieutenant, or Agent of the Republick. The Pirates shall be restrain'd, and severely punish'd; but if such Slave be a *Mussulman*, he shall be restor'd to Liberty. If any *Venetian* Subjects carry'd into Slavery, contrary to the Sublime Capitulations, and the present happy Peace, be removed out of one Hand into another, and give occasion for a Quarrel, those *Venetians* especially carry'd into Slavery at the time of Peace shall be set at Liberty where-ever they are, if they are turn'd *Mussulmen*; and if they persevere in their Faith, they shall by virtue of the present Treaty be deliver'd to the *Venetian* Bailo, or some other Person appointed to receive them. And because 'tis forbid by the Imperial Decree, that the said *Venetians* be hereafter carry'd into Slavery contrary to the Treaty of Peace, those Persons who are wicked as to carry them off, shall be punish'd without delay or pretext, to the end that the Substance of the Imperial Mandate may be fulfill'd as heretofore.

XXI. As it was heretofore, ever since *Arabia* was conquer'd by the Sublime Empire, two Merchant Ships shall be allow'd to carry their Goods and Merchandize at the convenient Seasons from *Cairo* to *Alexandria*, and as many more to the Ports of *Tripoli* in *Syria*, and *Baruth* subject to *Damascus*, nor shall they be delay'd at the stated time. Also the said two Ships, with a greater number of Vessels larger or smaller, shall be allow'd to carry on their Commerce without Molestation, according to the receiv'd Usage of Merchandizing. And all new and unusual Imposts laid upon Goods and Money in the Ports of *Constantinople*, *Baruth*, *Tripoli*, and other places, shall be taken off; nor shall any Person be molest'd contrary to the old Law and the Customs, nor shall the said Merchant Ships, or other

Ships,

nor the Merchants or Merchandize, be overcharg'd, y to the antient Custom, by the Bailos, or any other whatsoever, but they shall enjoy all publick Security be safe from all manner of Violence. Whereat the end of the War in the Reign of the Sultan *Selim* the Sum of 300000 Sequins, which was to be paid three Years, was intirely discharg'd, as appears from the Records kept in the Imperial Treasury, and therefore the Conventions and Conditions relating to the said Sum were fulfill'd in the Reigns of the Sultans *Seliman Han, Amuratb Han, Mehemed Han, Ahmed Han*, their Grandsons, Sultan *Ozman*, and *Amurad Han*; and the said Sum was not again included in the Sublime Capitulations by their deceased Parents; nor was there any Rebellions or Tumult on that account, but the Mandates by the deceased Sultans were confirm'd; and as the Republick of *Venice* doth not assist the Enemies of the Sublime Empire by Land or Sea, this Peace shall always observ'd.

I. Forasmuch as the Solemnitys of Religion are observ'd according to the Capitulations, it shall be free for the *Venetian* Ambassador to make any farther Proposals to the Head to the Imperial Throne; and what was stipulated in the Treaty of Peace at *Carlowitz* shall be confirmed, except those Articles which are contrary to the Contents of the present Instrument.

II. The Sangiacks, Beys, Sub-Bashaws, or other Officers of the Sublime Empire, shall do no damage to the Ports, Towns and Inhabitants of the Republick of *Venice*; and if any of the Subjects or Forces of his Imperial Majesty do such Damage, the same shall by the Emperor's Order be repair'd, and the Guilty punish'd. Merchants or Subjects of the *Venetian* Republick, which goe to the Sublime Empire by Land or Sea, shall be well receiv'd with their Fleets, Ships, and other Vessels to the *Constantinople, Galatea and Scanderoon*, to *Cairo*, *Harbours and Havens within Gallipoli*, not suddenly without the Consent and Salutes of the Governors of the said Cities, unless they are drove from other Coasts by Storms or Pirates, and forc'd to come this way for Safety: in such case they shall be suffer'd to come into Port; but if they shall give previous notice, and shall not prohibit their Voyage without Leave, and the Transgressors shall be punish'd without offense to the Senate of *Venice*.

If any *Ottoman* Squadrons, Forces, or Ships meet the *Venetians*, they shall shew reciprocal Friendship, and do no damage to one another; also they shall strike the Flag and give Tokens of Respect to the Ships and Forces of the Sublime Empire, sailing with the Imperial Authority; and if any Damage be done to their Ships, Cattle, Men, Goods, or other things, the whole shall be refunded. In the same manner, if they meet any Ships or Fleets which have the Emperor's or private Commissions, they shall pass by peaceably without any Injury; and whatsoever Detriment they shall suffer in their Ships, Cattle, Men, Goods, or other things, the whole shall be repair'd. If they chance to fall in with any Pirate Ships, and the *Venetians* come off Conquerors, the Slaves that survive those kill'd in the Fight, shall not be murder'd in cold Blood, but brought safe to the resplendent *Porte*, that they may be severely punish'd for a Warning to others. If the Ships of the Imperial Navy of the Sublime Empire, steer by reason of War towards a Coast not belonging to the *Venetians*, the *Venetian* Fleet shall lie still without disturbing the Imperial Fleet. Much less shall the *Venetians* under any pretence receive or protect any Ships that are Enemies to the Sublime Empire; and if any Person violate this Imperial Mandate in a flagrant manner, he shall be punish'd for an Example to others: Nor shall the most Serene Republick of *Venice* protect the Vagabonds of other Provinces in their Castles, Forts and Harbours, but if possible apprehend and punish them without Delay. The Imperial Mandate granted with relation to Pirates in the Reign of Sultan *Amurath Han*, and renew'd in the Reign of the Father of the present Sultan, shall be ratify'd.

XXIV. If any *Venetian* Ship bound to the *Ottoman* Dominions be cast away in a Storm, all the Men that escape shall be left to their Liberty, and the Effects that are sav'd shall be restor'd to their proper Owners, without being injured by the Governors and their Domesticks, or other Persons. In like manner, if any *Ottoman* Ship bound homewards shou'd suffer Wreck by bad Weather, the Survivers of the Crew shall not be injur'd by the *Venetians*, and their Effects shall be restor'd to the proper Owners without any Difficulty or Contention. From whatever places the Gallies, Pinnaces, and other Ships of the Sublime Empire set sail, in the absence of the Master, they shall get proper Documents from their Owners, that they have

no design to cruise upon and injure the State of *Venice* and if they go a cruising without such Documents, shall be deem'd guilty, and most severely punish'd as such; and when after the exhibiting of such Documents, they have done any Damage, their Bond shall be forfeited and their Ship seiz'd. In like manner, any *Venetian* Ships which, without exhibiting such Documents, sail without their Master, into the *Ottoman* Dominions, shall give security to the State for the Damage good; and if they sail without those Documents, they shall be deem'd guilty and punish'd. If any Tributary Person or Labourer flies from the *Roman* Empire, and desires Refuge in any *Venetian* Fort or Castle, he shall not be entertain'd but deliver'd up, without any hesitation, in the State he then is, to the Person appointed to receive him; and if moreover he has committed Murder or Robbery, he shall restore the Plunder, and the *Roman* Government incumbent on the Sublime Empire to take care, when any Person has murder'd or robb'd another, he shall restore the Plunder in the Condition 'tis found in.

XV. As Trade and Tillage are the Fruits of a good Government, the *Venetians* may proceed quietly as heretofore by Land and Sea to the *Ottoman* Dominions, *Constantinople*, *Smyrna*, *Cyprus*, *Tripoli* in *Syria*, *Alexandria*, *Beirut*, *Aleppo*, and other Ports; and, after they have paid 3 *Aspers per Cent.* as Duty for their Goods imported or exported, according to the Custom of other Nations in Friendship with the *Porte*, they shall not be subject to any farther Duty or any new Expences. When the said Merchants arrive at any Port, there to unload any part of their Merchandize, the Custom-house Officers shall only demand the Duty of part of the Goods put on shore, and shall not compel them to unload all their Cargo. If they have need to convey the Goods out of one Ship into another, when they are bound to other Ports, no one shall be allowed to do so; nor shall the Customer, unless their Goods are export'd, demand any Duty, or compel them to unload. The *Venetian* Ships that are homeward bound, shall pay for Anchor the three hundred *Aspers* usually paid by the other Nations in Friendship with the *Porte*, and no more. If after the Duty of Goods exported is once paid and the Bond given, the Goods shou'd not be expos'd but carry'd to another Port, none shall oppose it either in this or in other places, nor shall a new Duty be demanded in the last place. When Customers have receiv'd their Custom, they shall neither

stop

stop nor hinder any one, but give the Custom-house Certificates, which when exhibited at the Custom-houses of other Ports shall be of such Effect as to prevent the Demand of new Custom; and if they pay the Messetaria in other Ports where 'tis demanded, according to the antient Rule of the Customs, they shall not be overcharg'd. The *Venetians*, as well as other Merchants who are Friends, whose Ships are bound to the Sublime Empire, shall pay to the Bailos and Consuls the Tribute Cottimo, call'd Consolato, for all Goods subject to Custom, which are carry'd in *Venetian* Ships under the Flag of *St. Mark*. The *Emmini* shall reside as formerly in every *Venetian* Port to receive Custom from the Merchants, for Goods carry'd to and fro; for which reason the *Venetian* Merchants may trade safe without being incommoded or disturb'd, but shall rather be protected and defended. Which Security shall be perpetual and universal thro' the whole Empire, during the Peace between the most Serene and most Potent Emperor of the *Mussulmen*, and the most Serene Republick of *Venice*.

XXVI. After these Articles have been confirm'd and corroborated on both sides, 'tis stipulated that the Ratifications shall be exchange'd in thirty days, or sooner if possible, after the signing of this Instrument, by the Mediators of *Great Britain* and *Holland*, without any Alteration.

When the *Ottoman* Ambassadors Plenipotentiary had deliver'd the Instrument in their Language, faithfully sign'd, seal'd and subscrib'd, for the inviolable Observation and Confirmation of all the above Articles, the Ambassador Plenipotentiary of the most Serene Republick of *Venice*, by virtue of his Power, produc'd this Instrument, seal'd and subscrib'd in the same authentick manner. Done under the Tent at *Passarowitz*, the 21st of *July*, 1718.

(L. S.) *Charles Ruzzini* Kt. Procurator, Ambassador Plenipotentiary Extraordinary.

We *Robert Sutton* Kt. on the part of the most Serene and most Potent Lord *George King* of *Great Britain*, and *James Count Colyer*, on the part of the High and Mighty Lords the States General of the *United Netherlands*, Ambassadors Mediators, do, by virtue of our publick Character, attest in like manner, by our Hands and Seals, that the Premises were done, concluded and ratify'd as above, before us, and by our Direction, the Year and Day above writte

(L. S.) *Robert Sutton*.

(L. S.) *James Count Colyer*.

Trans

Treaty of Alliance between the Emperor of the Romans, as Sovereign of the Hereditary Countrys, and the Kings of Great Britain and Poland, as Electors of Hannover and Saxony. Concluded at Vienna, Jan. 5, 1719.

In the Name of the most Holy and Undivided Trinity.

WHEREAS his Sacred Imperial Royal Catholic Majesty, as Sovereign of his Hereditary Kingdoms and Dominions, and his Royal Majesty of *Great Britain*, as Elector of *Brunswick Lunenburg*, and his Royal Majesty of *Poland*, as Elector of *Saxony*, having a View only to their mutual Defense, and to the Safety of their respective Provinces and Dominions, and to secure the Peace and Tranquillity of the Empire according to its Constitutions, and to the natural Obligation of every State in the Empire, have enterin'd Thoughts of making a closer Union and Confederacy with one another; and to this end given their Full Powers, *is.* his Imperial and Royal Majesty, to the most High Prince and Lord *Eugene of Savoy*, Prince of *Piedmont*, President of the Aulic Council of War, and the Emperor's Lieutenant General, Major General of the Holy Roman Empire, Governour of the *Austrian Netherlands*, Knight of the Golden Fleece; and to the most illustrious and most excellent Hereditary Treasurer of the Holy Roman Empire, *Philip Lewis*, Count *de Sinzendorf*, Free Baron in *Ernstbrunn*, Lord in *Gesell* in the Upper *Salvois*, &c. Burgrave of *Reineck*, Chief Hereditary Sword-Bearer in Upper and Lower *Austria*, Hereditary Cup-Bearer in *Austria*, Knight of the Golden Fleece, Chamberlain of his Sacred Imperial and Catholic Majesty, Privy Counsellor and Chancellor of the Court: and his Royal Majesty of *Great Britain*, as Duke and Elector of the Holy Roman Empire with the Title of Duke and Elector of *Brunswick*

wick Lunenburg, to the illustrious Lord, *Francis Lewis de Pesne*, Lord of *St. Saphorin*, Lieutenant General of his said Majesty's Foot-forces, and his Minister at the Imperial Court: And his Royal Majesty of *Poland*, as Duke and Elector of the Holy Roman Empire with the Title of *Saxony*, to the most illustrious and most excellent Lord, *James Henry*, Count *de Fleming*, Count of the Holy Roman Empire, Master of the Horse to the Great Duchy of *Lithuania*, Field Marshal to his Royal Majesty of *Poland*, Elector of *Saxony*, Cabinet Counsellor, President of the Council of War, Hereditary Marshal in Upper *Pomerania*, and the Principality of *Caminieck*, a Commander Elect of the Order of *Malta*, Knight of the Orders of the *White Eagle*, the *Elephant*, and *St. Andrew*, &c. Now the said Ministers Plenipotentiary, after perusal of one another's Commissions, did at the Place, and on the Day underwritten, agree on the following Articles of a Defensive Alliance.

I. There shall be a firm, true, and sincere Friendship between the contracting Partys abovemention'd; and the same shall be kept so sacredly and solemnly, that each of the Partys shall be oblig'd to contribute not only his Advice and Care to promote the other's Honour, Advantage, and Conveniency, but also when Occasion requires, to send the necessary Succours to hinder each other's Detriment, Danger and Loss, and to repel all hostile Injurs and Insults.

II. By this Convention is stipulated and establish'd, the mutual Defense of the Hereditary Dominions and Provinces which belong to the Confederates in the *Roman Germanick* Empire, as also the Preservation of the Circles in which the said Dominions and Provinces are situate; so that if it shou'd happen that either of the Confederates be attack'd in the said Country in a hostile manner, and consequently that the one or the other of the said Circles be disturb'd by the Troubles of War, the other Confederates shall send to the Party attack'd in those Dominions or Circle where the Hereditary Dominions are situate, the number of Forces hereafter mention'd in the nature of a Subsidy; and that with so much Speed, that the Auxiliary Forces shall march without any Delay as soon as ever they are demand'd, either to favour their Friends, or to give a Diversion to the Enemy, according to the Option of the Party attack'd.

III. And the Forces thus sent by way of Subsidy, shall maintain'd at the Expence of those who send them, excepting Provender for their Horses, such as Hay and Oats, which shall be furnish'd *gratis* by that Confederate to whose Assistance they come; who shall likewise take care at the Auxiliary Forces have Bread for their Money at the same Price as their own Soldiers. The Allowance of Provender to every Horse shall be 6 Pounds of Oats, and 10 Pounds of Hay, *Vienna* weight; and when Oats grow scarce, the Allowance shall be in Wheat or Barley; and whenever it shall be necessary to prosecute the War in foreign Provinces without the Territorys of the Confederates, then each Party shall make the best Provision he can of Bread, Oats, Hay, and other Necessaries, for his own Forces.

IV. And if it happen that two of the Confederates are insulted at one and the same time in their Dominions, then both shall consult together in common concerning the Distribution of the Military Operations, and the Application of the Succours which shall be sent by the Party which is out of Danger, and shall settle the Route which the said Forces shall take.

V. But the contracting Partys shall not be oblig'd to send more Forces to the Assistance of the Party insulted, than what are hereafter determin'd by the 11th Article; nevertheless they shall be oblig'd to exert themselves the best they can for diverting the Enemy as much as possible from those Dominions, if he has any, which are of so convenient a Situation, that 'tis easy to enter them. However, it shall be convenient for the Party requiring Aid, if he so think fit, to call for a lesser number of Succours than he has a right to do by virtue of this Convention.

VI. Moreover 'tis agreed, that if his Royal Catholick Majesty should happen to be attack'd in a hostile manner in *Hungary* by any of the Northern Powers during this Alliance, in such case the rest of the Confederates shall make it their Business to succour him with their Quotas as settled by this Convention; with this Restriction nevertheless, that the Forces of his *Britannick* Majesty shall by no means be oblig'd to march to *Hungary*, but shall only be employ'd while the Troubles continue in *Hungary*, to defend those *German* Provinces of his Imperial Majesty, which are in the neighbourhood of the *German* Provinces of the Kingdom of *Great Britain*, or to divide the Forces of the Ag-

gressor

gressor in such of his Dominions as may happen to be in the same Neighbourhood.

VII. Whereas 'tis agreed by the Second Article of this Treaty, that if the *German* Provinces of either of the contracting Partys shou'd be press'd by his Enemy, then the other two Partys shou'd repair to his Assistance, with as great a number of Forces as the present Treaty prescribes; it must be understood with this Exception, unless such Party shou'd happen also to be insulted in his *German* Dominions, and in *Hungary*. For if all three shou'd happen to be invaded in like manner, at one and the same time, then all shall be oblig'd to join their Counsels and Armys together, with the Faith and Sincerity which becomes good Allies, to transact and concur in those things, which may be most necessary and expedient for the Common Good.

VIII. This Alliance shall also include and secure not only the Defence and Preservation of the Kingdom of *Poland*, but the Establishment of the King of *Poland* himself in his Throne, against all Persons whatsoever, who shall either privately or publicly presume to disturb or molest him, directly or indirectly, in the quiet possession of his Kingdom and the Great Duchy of *Lithuania*, with all their Appendages and Dependencys, without the least Diminution. For this end, and to assist both the King and Kingdom of *Poland* equally, when Necessity requires, the Auxiliary Forces mention'd hereafter in the XIth Article, shall be employ'd; with this Restriction nevertheless, that the Soldiers of the King of *Great Britain* shall only serve for making a Diversion in the Provinces of the Aggressor, if he has any near the Dominions of his Royal Majesty of *Great Britain*, in *Germany*, or to defend at the Request of his Royal Majesty of *Poland*, his *Saxon* Provinces, in case the *Saxon* Forces shou'd have a due Call from the Kingdom of *Poland*, to serve against the Enemy in *Poland*, or the Great Duchy of *Lithuania*.

IX. Whereas therefore 'tis the only Intention of this Alliance, with regard to *Poland*, that the Prerogatives of the King's Majesty, and the Rights and Libertys of the People shou'd be safe on both sides, that the Kingdom of *Poland* and the Great Duchy of *Lithuania* may be preserv'd intire and inviolable against all Oppression, and that his Royal Majesty, as is provided in the preceding Article, shou'd be maintain'd in the quiet and undisturb'd Possession

Enjoyment of his said Kingdom, and the great Duchy *Lithuania*, with all the Appendages and Dependencys, not all Insults, Oppressions or Molestations whatsoever, whether they are the Effect of open War and foreign Treason, or of clandestine Contrivances and Cabals, secretly concerted and abetted by foreign Powers; his said Royal Majesty further declares and promises, that he will not in least hinder or oppose the States of his Kingdom, and the great Duchy of *Lithuania*, in the enjoyment of all the Liberties, Rights, and Privileges which they ought to enjoy, without any Infringement; and that his Imperial Majesty, the King of *Great Britain*, are Guarantees of this Declaration to the Republick, and together with the Treaty Guaranty, they engage their Faith that the King of *Prussia* will not do any thing contrary to the Constitutions and Immunities of the Kingdom.

II. In like manner the King and Kingdom of *Poland*, with the same Affection and Zeal are reciprocal, shall be oblig'd to promote the common Cause of this Alliance by all the Methods possible, to keep on foot the number of Forces stipulated in the following Article, and thereby to contribute on all sides for obtaining the End of the Alliance.

The said *Polish* Forces shall serve in a special manner in shutting up the Passage to any foreign Troops, which shall offer to pass thro' *Poland*, or the great Duchy of *Lithuania*, towards or against the Empire, or the Dominions of the three confederate Powers, including *Hungary*. But if the King of *Poland* shall not think the said Forces of the Kingdom sufficient to hinder such Passage, and shall therefore call for the Assistance of the Confederates in the Name of the Republick, then the Emperor and the King of *Great Britain* shall send their Succours without delay, according to the Articles of this Alliance. If any hostile Aggression happens in the Dominions of the Emperor, or the King of *Great Britain*, included in the Treaty, the King of *Poland* shall do what he can to prevent the Enemy a Diversion from *Poland*; or, if requir'd by the Party attack'd, shall furnish his Quota of *Polish* Sub-

I. His Imperial Majesty, for maintaining of this Alliance, shall furnish 8000 Horse, and as many Foot. The King of *Great Britain*, as Elector of *Brunswick*, 2000 Horse, and 6000 Foot, if it be to succour the Imperial Dominions; but if for the relief of the *Saxon* Provinces,

only 2000 Horse, and 4000 Foot. The King of Prussia as Elector of *Saxony*, 2000 Horse, and 4000 Foot. over his *Polish* Majesty, in the Name of the King of Great Britain, shall furnish 2000 Dragoons, and 4000 of the common Militia, together with 4000 of the Cavalry.

XII. If by reason of this Alliance, and while it continues, a general War happens to rage in the North, the contracting Partys shall be oblig'd to assist one another with all their Forces, and to help each other to repel the same by the most effectual Methods. Then also shall they be oblig'd to agree on the place and manner of uniting their Forces, and on the general Command and Conduct of the Army, and to supply the same with Provisions; and finally, on the Execution and Execution of the Military Operations.

XIII. This present Alliance shall continue and last till the entire and solid Pacification of the Troubles in the North; provided however, that in the said Pacification nothing be admitted contrary to the Stipulations and Contents of this present Treaty.

XIV. Other Powers also, especially all the Imperial States of the Empire, and the States General of the *Netherlands*, shall be invited to accede to this Definitive Alliance.

XV. This Alliance shall be ratify'd by all the Contracting Parties, and the Ratifications shall be exchange'd on the parts of his Imperial Majesty, and on the parts of the King of Great Britain and Poland, as Electors of *Brunswick* and *Saxony*, within two Months, or sooner if possible. Articles shall be drawn up, declaring the Accession of the King of Poland as such, and of the Kingdom of Prussia to this Treaty, at least within three Months; and shall be ratify'd in the usual Form after the manner of that Kingdom. In Witness whereof, the above Plenipotentiaries have sign'd this Instrument with their own Hands, and Copys being made of it of the same Tenor; and thereto affix'd their Seals. Done at *Vienna*, the 5th of *January*, 1719.

(L. S.) *Eugene of Savoy.*

(L. S.) *Philip Lewis, Count de Sinzendorf.*

(L. S.) *F. L. de Pefme. D. S. Saphorin.*

(L. S.) *Count de Flemming.*

Convention between his Imperial and Catholick Majesty, and their Royal Majestys, the most Christian King, and the King of Great Britain, for granting a farther Term of three Months to the Catholick King Philip; at the Expiration of which his Son or Sons, born or to be born of his present Queen, shall be deem'd as excluded from the Succession to the Dominions of Tuscany, Parma, and Placentia. Done at the Hague, the 18th of Novem. 1719. Together with two Separate Articles.

ALTHO the King of *Spain*, by protracting the War which he so unjustly enter'd upon, has ever since the second of *November* depriv'd himself of Letters Expectative, containing the eventual Investiture of the Dominions possess'd by the great Duke of *Tuscany*, and the Duke of *Parma* and *Placentia*, which on issue of Issue Male, were to devolve on the King of *Spain's* eldest Son of the second Venter, by the fifth Article of the Treaty made at *London*, the 2d of *August* 1718, betwixt his Imperial and Catholick Majesty, his *Britannick* Majesty, and the most Christian King; and altho' tis expressly stipulated by the 8th of the Secret Articles, that if the King of *Spain* refuse to accept of the Conditions of Peace propos'd to him after the Expiration of three Months on the Day of signing the Treaty, and the Confederate

F f 2

Princes

Princes shou'd be oblig'd to compel him to it, a new Convention shou'd then be made between them, for granting the said Letters Expectative, with consent of the Empire, to some other Prince or Princes, in exclusion of the Son of the present Queen of *Spain*.

Nevertheless his Imperial and Catholick Majesty, to manifest his sincere Desire of the publick Tranquillity, and to promote whatever might restore a Peace, and to comply with the ardent Wishes of his Allies, doth consent, notwithstanding the said 5th Article of the Treaty enter'd into at *London*, allowing the King of *Spain* three Months time to accede to the said Treaty, he shall be allow'd the Space of three Months longer, reckoning from the 18th of *November* 1719, to accede to and accept the said Treaty, with this express Condition, that their Royal Majestys the King of *Great Britain*, and the most Christian King, do promise and bind themselves by this solemn Convention, that, after the said Term of three Months is expired, computing from this Day, if the King of *Spain* does not in the mean time accede to the Articles of Peace express'd in the said Treaty, the Son or Sons of the present Queen of *Spain* shall then be deem'd as *ipso facto* excluded, and bar'd from the Succession to the Dominions of *Tuscany*, *Parma* and *Placentia*. And that this farther Prolongation of the Time, to which his Imperial Majesty now consents, may be the less drawn into consequence hereafter, their said Royal Majestys promise, that they will never desire of the Emperor any further Prolongation of Time, in favour of the Son of the present Queen of *Spain*; and that after this they will instantly agree with his Imperial Majesty to what other Prince or Princes to grant the Letters Expectative of the said Dominions, exclusive of the Son or Sons of the present Queen of *Spain*, according to the Disposition of the 8th of the Secret Articles.

For these Causes, and seeing that their *Britannick* and most Christian Majestys have experienc'd, that the *Spanish* Court, misled by a turbulent Minister, has hitherto abus'd the Indulgence shew'd to it, and from thence taken occasion rather to resist with Obstinacy and Stubbornness, than to do by this solemn Convention agree to the Condition which the Emperor tacks to the Prolongation of the new Term (three Months; and their said Majestys promise and oblige themselves that they will sincerely fulfil it; so that if the King of *Spain* does not accede to the Terms of Peace expect'd

press'd in the said Treaty, after the said new Term of three Months, to be computed from this Day, is expir'd, they will not desire his Imperial Majesty to grant the Letters Expectative, nor any farther Prolongation of Time in favour of the Son of the present Queen of *Spain*, who after the said Term is expir'd, shall be *ipso facto* deem'd as excluded: and they will from this time agree with his Imperial Catholick Majesty to what other Prince or Princes the Letters Expectative ought in that case to be granted, to the Exclusion of the said Prince. In Witness whereof, we the underwritten Ministers Plenipotentiary of his Imperial Majesty, and their Royal Majestys the King of *Great Britain*, and the most Christian King, being furnish'd with the necessary Instructions, and after having exhibited our full Powers, have sign'd and seal'd this Convention, which shall be of the same Force, as if it were inserted *verbatim* in the Treaty of Quadruple Alliance; and the Ratifications shall be deliver'd by his Imperial Majesty, and by their Royal Majestys the Kings of *Great Britain* and *France*, and shall be exchange'd in 6 Weeks, or sooner if possible. Done at the *Hague*, the 18th Day of *November*, 1719.

(L. S.) *Leopold Victorinus*, Count a *Windischgraz*.

(L. S.) *Cadogan*.

(L. S.) *Fleuriau de Morville*.

Separate Article.

Altho it has been already stipulated by a Separate Article of the Quadruple Alliance, concluded ^{22 July O. S.} _{2 Aug. N. S.} last Year at *London*, that his Sacred Imperial Catholick Majesty shall not grant the Royal Title to the present Possessor of the *Spanish* Throne, but only in case he accede to the said Treaty; and whereas nevertheless a Convention has been sign'd this Day between the Plenipotentiarys of his Sacred Imperial Royal Catholick Majesty, and of their Sacred Royal Majestys of *Great Britain* and *France*, wherein the said present Possessor of the *Spanish* Monarchy is bro'out call'd the King of *Spain* and the *Indies*, 'tis thought expedient to make mention of this Reservation again.

The said Separate Article shall obtain the same Force as if it was inserted *verbatim* in the Treaty itself, and shall

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be ratify'd in the same manner; and the Ratifications shall be deliver'd within the same Term as the said Convention. In Witness whereof, we the under-written, by virtue of the full Powers this Day exhibited to one another, have sign'd and seal'd this Separate Article. Done at the *Hague*, the 18th Day of *November*, 1719. Sign'd as above.

Another Separate Article.

Whereas some of the Titles which his Sacred Imperial Majesty makes use of, either in the full Powers, or in the Convention and the Separate Articles now to be subscrib'd, cannot be acknowledg'd by his Sacred Royal most Christian Majesty, he declares and protests by this Separate Article subscrib'd before the Convention, that by the said Titles us'd in this Convention and the Separate Articles, he does by no means intend to prejudice either himself, or any other, or to add any Right to his Sacred Imperial Majesty.

This Separate Article shall be of the same Force, as if it were insert'd word for word in the Convention subscrib'd this Day, and shall be ratify'd in the same manner, and the Ratifications shall be deliver'd within the same Term as the Convention itself. In Witness whereof, we the under-written, by virtue of the full Powers exhibited this Day, have sign'd and seal'd this Article. Done at the *Hague*, the 18th Day of *November*, 1719. Sign'd as above.

*Convention betwixt the King of Great
Britain and the Landgrave of Hesse-
Cassel. Dated the 12th of March,
1727.*

AFTER the King of *Great Britain's* Declaration made to the Landgrave of *Hesse-Cassel* was accepted and approv'd at *Cassel* the 25th of *Jan.* 1726, by his most Serene Highness, his *Britannick* Majesty, who approv'd of the Conditions specify'd in the said Declaration, order'd his principal Secretary of State and Privy Counsellor, the underwritten Viscount *Townshend*, to enter into a
Negotiation

Negotiation with Major General *Diemer*, his said most Serene Highness's Minister, and to draw up a Convention in due form on the Foot of the said Declaration: who having confer'd together thereupon, agreed in the name of the said King and Landgrave on the following Articles.

I. His Highness the Landgrave of *Hesse-Cassel* shall keep in a readines for the Service of his Majesty the King of *Great Britain*, a Body of 12000 Men, *viz.* 8000 Foot and 4000 Horse; which Body shall be employ'd when his Majesty requires it, in all places where it shall be necessary, and as often as the Exigencys of the Defensive Alliance concluded at *Hannover* the 3d of *September* last, shall demand it.

II. Forasmuch as his said Highness has not at this time a Body of 12000 effective Men on foot, he shall be oblig'd to raise immediately the number that is wanting to render that Body complete, and in a condition to march. He shall likewise be oblig'd to maintain the said Body of Troops at his own Charge for two whole Years, to be always ready to take the Field whenever his Majesty shall require it, during the said Term.

III. The Minister of the said Landgrave having represented that his said Highness, in order to complete the said Body as is abovemention'd, wou'd be oblig'd to raise above 3000 Foot and 2000 Horse, besides furnishing a great number of Horses for the Cavalry; his Majesty the King of *Great Britain*, in consideration of the very great Expencc which the said Landgrave is oblig'd to be at for the said Levys of Men and of Horses, and for the maintenance of the said Body during the Time that it is not employ'd in his Service, shall pay the said Landgrave the Sum of 125000 *l. Sterling*, at two Payments, *viz.* 75000 *l.* after the Ratification of the present Conventions, and 50000 *l.* in the Month of *February* next.

IV. But in case his Majesty the King of *Great Britain* shall have occasion for the said Body of Troops before the said Month of *February*, his said Majesty shall pay the said Sum of 50000 *l. Sterling* to his Highness the Landgrave, at least two Months before the said Troops begin their March.

V. When the said Troops enter into the Service of his said Majesty the King of *Great Britain*, they shall be under

his Command, and entirely at his Disposal, in order to be employ'd wherever the necessity of his Affairs, and the Exigency of the Defensive Alliance, concluded at *Hannover* the 3d of *September* last, shall require.

VI. As to the Subsidys for the Pay and Maintenance of the said Troops, when they are taken into his said Majesty's Service, as above, the whole shall be regulated according to the Convention made at *London* the 13th of *February*, 1702.

VII. If his said Highness the Landgrave happen to be attack'd or molested, out of hatred to him for having furnish'd the said Body of Troops, his Majesty the King of *Great Britain* shall not be wanting to assist the said Landgrave powerfully, in order to put an end to such Insult or Disturbance.

VIII. This Convention shall be ratify'd, and the Ratifications thereof exchange'd on both sides, as soon as possible, after the signing of these Presents.

In Witness whereof, we the Ministers of the said King and the said Landgrave, being sufficiently authoriz'd, have sign'd this present Convention, and thereto affix'd the Seals of our Coats of Arms. Done at *Westminster*, the 12th of *March*, 1727.

(L. S.) *Townshend.*

(L. S.) *Diemer.*

Treaty for a strict Union of Interests between Lewis XIV. King of France, and Charles II. King of England, against the States General of the United Provinces of the Netherlands, by which they engage to conclude no Peace nor Truce but by common Consent. Done at the Camp of Hefurick, July 16, 1672.

THE favourable Success with which God has been pleas'd, both by Land and Sea, to bless the just War which the Kings of *France* and *Great Britain* were obliged to enter into against the States General of the *United-Provinces* of the *Netherlands*, having inclin'd the said States to send Deputys at the same time towards both of the said Kings, to make them Proposals of Peace, and to know on what equitable Terms they were willing to grant it to them; his most Christian, and his *Britannick* Majesty, being both touch'd with the same Affection for the publick Tranquillity, and being sway'd by this Motive, worthy of good and great Princes, to prefer an honourable Peace to a War so happily begun that it promis'd glorious an Issue, were not averse to hearken to the Proposals which were made to them by the said States: that as the strict Amity betwixt their said Majestys, as well as the Bands of the Treaty which have united them in this Undertaking, gives them but one Mind, the Resolutions which they may form, either to put an end to the War or to continue it, they immediately communicated to each other the Deputations which were made to them by the said States, in order to agree by common Concert in the manner of admitting them, and regulating their Proposals. And because at a Juncture

ture of such Importance, the King of *Great Britain* thought it was for the Good of the Cause to impart his Sentiments forthwith to his most Christian Majesty, and to inform himself likewise of the Sentiments of his Majesty, by Persons in whom he had an entire Confidence, he therefore nominated his Ambassadors Extraordinary, *viz.* the Duke of *Buckingham* his Master of the Horse, the Earl of *Arlington* his Principal Secretary of State, and the Lord Viscount *Hallifax*, a Member of his Privy Council, by his full Powers dated the 21st of *June* last, and the Duke of *Monmouth* by a like full Power of the 22d of the same Month; who after having assur'd his most Christian Majesty of the sincere and constant Affection of the King their Master, to continue united in their first Engagements, and found altogether as strong a Disposition in his most Christian Majesty not to separate their Interests in the Treaty of Peace which might be made, agreed on the following Articles with the Marquis *de Louvois*, one of the Privy Counsellors of the said most Christian King, Commander, Chancellor, Grand Master and Superintendent General of the Posts in *France*, Secretary of State, and of his Orders; and the Sieur *Arnauld* Lord *de Pomponne*, Counsellor in ordinary in all his Councils, also Secretary of State, and of his Orders, who were appointed Commissioners and Plenipotentiaries in this Affair by his said Majesty, and furnish'd in like manner with his full Powers.

I. Tho the Faith of the two Kings is such, that after the Promises they made to one another by their Treaty of the 12th of *February*, to make no Peace nor Truce with the States General without the reciprocal Consent of both their Majestys, and till they are fully satisfy'd; yet that their common Enemy may have no hopes left, how ill grounded soever, to separate them in Interest, they again engage themselves severally by the present Article to hearken to no Proposal of Peace, without communicating the same to each other speedily, to enter into none that may be made to either separately for his Advantage, and to accept of no Satisfaction till the other King is fully contented with the Satisfaction given to him.

II. For this end the said Kings promise to agree together on the Conditions, upon which they shall think fit to conclude a Peace that may be safe and honourable to both; and not to consent to any Accommodation with the said States

ates General, till the said Conditions be granted to em.

III. And to the end that the Concert of Amity, Union, and mutual Interest may not only be confirm'd by the present Articles, but may be made known to the said States general, their said Majestys shall give the necessary Orders for acquainting the Deputys of the said States at their Court, or by some other Method which they shall judge most publick, that neither their Interests nor Satisfaction be separate; and by the present Treaty the said two Kings confirm whatever was agreed upon and sign'd by them on the 12th of *February* last, which they again promise to observe and maintain in every Article.

And the said Commissioners of his most Christian Majesty have promis'd on the one part, as the said Ambassadors Extraordinary of his Majesty of *Great Britain* have on the other, by virtue of their full Powers, to cause the present Articles to be accepted and ratify'd by the Kings their Masters, and to procure the Ratifications thereof respectively in a Month's time. Done and concluded at the Camp of *Hesurick*, the 16th of *July*, 1672.

Sign'd by virtue of their full Power, dated the 21st of *June* this present Year.

(L. S.) *BUCKINGHAM.*

(L. S.) *ARLINGTON.*

(L. S.) *HALLIFAX.*

Sign'd by virtue of their full Powers from his most Christian Majesty.

(L. S.) *de LOUVOIS.*

(L. S.) *de POMPONNE.*

And sign'd likewise by the other Ambassador Extraordinary of his Majesty of *Great Britain*, by virtue of his full Power, dated the 22d of *June* the same Year.

(L. S.) *MONMOUTH.*

Convention made at London, July 26
O. S. 1715. relating to the Duty
laid on British Woollen Cloths exported
to the Austrian Netherlands.

N. B. This should have been inserted in p. 3
of this Volume.

HIS Britannick Majesty's Ministers having con- sidered that the Commerce of his said Britannick Majesty with the *Austrian Netherlands* is very prejudicial, by the high Dutys of Impoatation laid on the coarse Woollen Cloths sent from *Great Britain* to said *Austrian Netherlands*: The under-written Ministers and Plenipotentiaries of his Imperial and Catholick Majesty for the Treaty of Barrier at *Soissons*, declares by these presents, that his Imperial and Catholick Majesty will con- sider to the immediate reducing of the Dutys on the said Woollen Cloths, according to the following Specifica- tion: And that in all other respects the Commerce of the subjects of his Britannick Majesty with the *Austrian Netherlands*, shall remain, continue, and subsist wholly on the same Foot as it does at present, without any Alteration, Diminution, or Augmentation to be made, any Pretext whatsoever, till all the Parties interested agree upon a Treaty of Commerce.

Dyed Woollen Cloths.

- A Piece of the value of above 60 Florins, up }
to 90. }
A Piece of the value of above 40 Florins, up }
to 60. }
A Piece of the value of 40 Florins, and under.

1715. exported to the Austrian Netherlands. 445

Mixed Woollen Cloths.

	<i>Fl. Sols</i>
A Piece of the value of above 60 Florins, up } to 90.	2 10
A Piece of the value of above 40 Florins, up } to 60.	1 10
A Piece of the value of 40 Florins and under.	1 00

White Woollen Cloths.

A Piece of the value of above 60 Florins, up } to 90.	2 10
A Piece of the value of above 40 Florins, up } to 60.	2 00
A Piece of the value of 40 Florins and under	1 00
<i>Drap de Pie</i> (Cloth to lie upon Floors) of all } orts, the Piece.	0 08

Done at *London*, this 26th of *July*, O. S. 1715.

(L. S.) *J..L. de KINIGSEGG.*

Requisition made to the Council of State at Brussels, the 6th of November, 1715.

It being absolutely necessary for the Service of his Imperial and Catholick Majesty to lessen immediately the Dutys of Importation on coarse Woollen Cloths coming from *Great Britain*, and from the United Provinces, on the following Foot.

Woollen Cloths Dyed.

	<i>Fl. Sols</i>
A Piece of the value above 60 Florins, up to 90 } Orins.	3 10
From 40 to 60.	2 00
Of 40 and under.	1 00
Mixt.	
A Piece of the value of 60 Florins, and so up } 90.	2 10
From 40 to 60.	1 10
Of 40 and under.	1 10
	<i>White.</i>

White.

	Fl.	Sols.
A Piece of the value of 60 Florins, and so up to 90.	2	10
From 40 to 60.	2	00
Of 40 and under.	1	00
<i>Draps de Pie</i> (Cloth to lie upon Floors) of all Sorts, the Piece.	0	08

And to reduce the Dutys of Importation on Brandys distilled from Corn coming from *Great Britain*, and from the United Provinces, to 3 Florins the *Aum*, instead of 8 which is now paid; you are requir'd, Gentlemen, to give forthwith the necessary Directions in the Finances, that the proper Orders may be immediately issued for this purpose, and that the Collectors of the Dutys of Importation and Exportation may conform themselves accordingly thereto. Done at the Conference at *Brussels*, this 6th of *November*, 1715.

Signed,

*William Cadogan,**Johan Vander Bergh.*

Attested to be a Copy.

P. W. Francquen.

A Copy of the Resolution of the Council of State, minuted in the Margin of the Consultation of the Council of the Finances, the 7th of November, 1715.

HAVING made our Representation to the Ministers of the Conference, conformably to this Consultation, and add-
ed also other Reasons to enforce it, they have newly on this Day another more pressing Requisition to us, by wh
they insist absolutely that the former be put in Execution; whereupon the Council of the Finances shall issue the Or-

1715. *exported to the Austrian Netherlands.* 447

ers therein specified: but 'tis understood that they shall not have Force nor Effect, unless they be approved and attified by his Imperial and Catholick Majesty in the Treaty of Barrier. This last Clause however, which begins with the Words *'tis understood*, and ends with the Words *in the Treaty of Barrier*, shall not be inserted in the Orders to be sent to the Collectors. Signed *Voorst*.

Attested to be a Copy.

P. W. Francquen.

Order of the Council of Finances to the Collectors of the Dutys.

TH E Counsellors and Commissioners of the Demesne and Finances of his Imperial and Catholick Majesty. Most dear and special Friends, we herewith send you by express Order of the Council of State appointed for the general Government of these Countrys, a Copy of the Requisition made to them by the Ministers of the Conference, relating to the lessening of the Dutys of Importation on the coarse Woollen Cloths coming from *Great Britain*, and from the United Provinces; as also for reducing the said Dutys on Brandys distilled from Corn: commanding you by express Order of the said Council of State to take care to regulate yourselves pursuant thereto, in collecting the said Dutys, and to give notice of it to your Subalterns. Most dear and special Friends, God have you in his holy keeping. *Brussels*, at the Council of the said Finances, the 12th of November 1715.

To the Collectors of the Dutys of Importation and Exportation at

Newport.

Ostend.

Bruges.

Ghent.

Dendermonde.

Fort St. Philip.

Borgerhout.

Mechlen.

Turnhout.

Tirlemont.

This is a Copy agreeing with the Minutes kept in the Registry of the Finances.

P. W. Francquen.
Extract

*Extract from the Tariff settled the 14th
November 1715.*

N. B. A Difficulty having risen about the Intention of the Requisition of the 6th of *November 1711* which mention is made in the 26th Article of the Treaty of Barrier, it is agreed provisionally to cause the Duty of Importation on all the different Sorts comprehended in the above Tariff under the Denomination of Woollen Cloths to be collected according to the Tenour of the said Requisition of the 6th of *November*, till his Imperial and Catholic Majesty, and his Majesty the King of *Great Britain* shall agree upon it otherwise; and in the mean while the King's Collectors and Officers shall permit the said Manufactures to be imported, giving notice and taking Security for the Payment of the overplus Dutys of Importation on the Foot the same shall be settled.

A Letter from the Imperial Envoy Count Voltaire to the Lord Viscount Townshend, principal Secretary of State.

My Lord,

YOU have acquainted me that Complaints are made of Contraventions to the 26th Article of the Treaty of Barrier; and I have had the Honour to communicate to you what Count *Kinigsegg* has answer'd thereupon.

I can declare to you besides, that for the future there will be an exact Performance of the said 26th Article of the Treaty of Barrier of the 15th of *November 1713*, of the Convention at *London* of the 26th of *July 1715*; also of the Declaration in the *Tariff* of the 14th of *November 1715*, that is to say, that the Dutys on the *Peru Draperie* (or Woollen Stuffs) of *England* will be collected on the Foot of the coarse Woollen Cloths, according to the Diminution expressed in the foresaid Convention of *London*, without any Alteration, till it be agreed otherwise between the Emperor and the King our Masters; but in the mean time the Merchants are to give Security to pay the Surplus, if the Matter shall be so determined between the two respective Courts.

I am, &c.

London $\frac{20}{10}$ August 1716.

The Count *Volkra*

Convention for explaining the Articles of the Assiento, or Contract for Negroes, between the most Serene and most Potent Prince George, by the Grace of God, King of Great Britain, France, and Ireland, Defender of the Faith, &c. and the most Serene and most Potent Prince Philip V. the Catholick King of Spain. Concluded at Madrid, the $\frac{26^{th}}{15}$ of May, 1716.

GEORGE, by the Grace of God, King of *Great Britain, France and Ireland*, Defender of the Faith, &c. To all and singular to whom these present Letters shall come, Greeting. Whereas a certain Convention, for explaining the Articles of the Treaty commonly called *El Assiento de los Negros*, the *Contract for Negroes*, between us and our good Brother *Philip the Fifth*, the Catholick King of *Spain* and the *Indies*, was concluded and signed by Ministers Plenipotentiarys impowered with sufficient Authority on both sides, at *Madrid* on the $\frac{26^{th}}{15}$ Day of the Month of *May* last, in the Form and Words following.

After a long War, which had afflicted almost all *Europe*, and had produced dismal Effects, it appearing that the continuance of it would create yet more, it was agreed with the Queen of *Great Britain* of Glorious Memory, to put a stop to it, by a good and sincere Peace; and in order to render it firm and solid, and to maintain the Union between the two Nations, it was determined that the Assiento for furnishing our *West Indies* with *Negroes*, should for the future, and during the time expressed in the Treaty of Assi-

ento, be on the Accompt of the Royal Company of *England*; which said Company having thereupon made severall Representations to us, by the Minister of *Great Britain*, after they had made the same to the King their Master, concerning some Difficultys which related to certain Articles of the said Treaty; and we being desirous, not only to maintain the Peace established with the *English* Nation, but to preserve and augment it by a perfect good Understanding, have commanded our Ministers to confer on the said Affair of the Assiento with the Minister Plenipotentiary of the King of *Great Britain*, to the end that, as Equity requires, some Agreement might be made on the said Articles, as has actually been done by the following Declarations.

In the Treaty of Assiento made between their *British* and *Catholick* Majestys on the Twenty sixth Day of *May* One Thousand Seven Hundred and Thirteen, for the Supplying of *Negroes* to the *Indies* by the Company of *England* and for the Term of Thirty Years, which were to commence from the first of *May* One Thousand Seven Hundred and Thirteen, his *Catholick* Majesty was pleased to grant to the said Company the Favour of sending to the *Indies* every Year (during the said Assiento) a Ship of Five Hundred Tun, as is mentioned in the said Treaty: on Condition that the Goods with which the said Annual Ship should be laden, should not be allowed to be sold but in the time of the Fair; and that if the Ship arrived in the *Indies* before the Ships from *Spain*, the Factors employed by the said Company should be obliged to land all the Goods, and to deposit them in Trust in the *Catholick* King's Warehouse, to be kept under two Keys, and with other Circumstances specified in the said Treaty, till they could be sold at the time of the Fair.

It has been represented on the part of his *British* Majesty and of the said Company, that the said Favour was granted by the *Catholick* King to make good the Losses which the Company might suffer by the Assiento, in case that if the Condition, not to dispose of the Goods but in the time of the Fair, were to be observed, and the Fair not held regularly every Year, as Experience has shewn heretofore, and as may happen hereafter, the Company in case of gaining Profit, would lose the prime Cost of the Goods, it being very well known, that Goods will not keep in that Country, and particularly at *Porto-Bello*. For

Reason the Company desires an Assurance that the Fair shall be held every Year, either at *Cartagena*, *Porto-Bello*, or *Vera Cruz*; and that notice may be given them at which of those three Ports 'tis intended to keep the Fair, that they may know where to send out their Ship; which arriving at the said Ports, if no Fair be there held, the Company may vend the Goods after a certain limited time, to be reckoned from the Day of the arrival of the said Ship at such Port.

His Majesty being willing to give the King of *Great Britain* new Proofs of his Friendship, and to corroborate the Union and good Correspondence between the two Nations, has declared, and declares, that the Fair shall be held regularly every Year, either in *Peru*, or in *New Spain*, and that Notice shall be given to the Court of *England* of the exact time when the *Flota* or *Galleons* will sail for the *Indies*, to the end the Company may at the same time dispatch the Ship granted by his Catholick Majesty; and in case the *Flota* and *Galleons* shall not depart from *Cadiz* before the Month of *June* expires, the said Company shall be allowed to send away their Ship, giving Notice of the Day of her sailing to the Court of *Madrid*, or to the Minister of his Catholick Majesty who shall be at *London*; and when she shall arrive at one of the three Ports of *Cartagena*, *Porto-Bello*, or *Vera Cruz*, she shall be obliged to wait there for the *Flota* or *Galleons* four Months, to be reckoned from the Day of the arrival of the said Ship; which Term being expired, the Company shall be allowed to sell their Goods, without any hindrance: but it is to be understood, that if this Ship of the Company's be bound for *Peru*, she shall go directly to *Cartagena*, and *Porto-Bello*, without passing into the *South-Sea*.

The said Company has also represented, that the Number and Price of *Negroes* to be bought in *Africa* being uncertain; and as they must be purchased with Goods, not with Money, the Quantity of Merchandize to be carried to that Country cannot be exactly settled; and it being improper to run any hazard of having too few Goods for that Trade, it may happen that there will be an Overplus: wherefore the said Company desire, that the Goods which shall remain undisposed of in exchange for the *Negroes*, may be carried to the *Indies*, otherwise they should be obliged to cast them into the Sea; for obtaining this the said Company offer, for the greater Security, to deposit

the said Goods which shall remain Overplus, in the first Port belonging to his Catholick Majesty which their Ship shall reach, and in the King's Warehouses, to take the same on Board again when the Ship shall be on her return to *Europe*.

As to the Article, importing that the Overplus Goods which shall not be disposed of in purchasing *Negroes*, and for want of Warehouses in *Africa*, are proposed to be carried to the *Indies*, to be laid up in his Catholick Majesty's Ports, under two Keys, one to be kept by the King's Officers, and the other by the Factors of the said Company, his Catholick Majesty will grant it to be done only at the Port of *Buenos Ayres*; because between *Africa* and the said Port of *Buenos Ayres*, there is not any Island or Place under the Dominion of the King of *Great Britain* where the Ships belonging to the Assiento for *Negroes* can put in; but 'tis quite the contrary with respect to the Navigation between *Africa* and the Ports of *Caracas*, *Cartagena*, *Porto-Bello*, *Vera Cruz*, *Havana*, *Porto Rico*, and *St. Domingo*: for his *Britannick* Majesty is among the Windward Islands possessed of the Islands of *Barbadoes*, *Jamaica*, and several others; at which the said Assiento Ships may touch, and leave the said Overplus Goods, which shall not have been exchanged for the *Negroes*, and take them in again when they return to *Europe*. By this means all manner of Suspicion is taken away, and the Proceedings in the Affair of the Assiento shall be with good Faith, which ought to be desired on both sides, and is most convenient. The Factors of the said Company shall be obliged, as soon as the Ship shall arrive in the Port of *Buenos Ayres*, to give a Declaration of all the said Goods to his Catholick Majesty's Officers; on Condition, that all the Goods which shall not be declared, shall be immediately confiscated and adjudged to his Catholick Majesty.

The said Company has likewise represented to his Catholick Majesty some Difficulty that has risen about the Payment of the Dutys of the Year One Thousand Seven Hundred and Thirteen, stipulated and agreed on by the Treaty of Assiento, in which it is said, that the Assiento was to begin on the first Day of *May* in the said Year: But the Company having at the same time purchased the whole Number of *Negroes*, to keep them under his Catholick Majesty's Protection till the signing of the Treaty, the importing those *Negroes* into the *Indies* was not permitted, |

ason of the Clause which was inserted in the 18th Article, namely, that the Execution of the Treaty should not take place till the Peace should be proclaimed; so that the Company was obliged to cause them to be sold to the *British* Colonies at considerable loss. And tho' the Company have not received any Profit, but suffer'd Loss, by reason of the said Article, and of the said Clause inserted in the said Treaty by his Catholick Majesty's Ministers; yet the said Company are willing to give Proofs of their most humble Respect to his Catholick Majesty, and propose to pay for the Year Seventeen Hundred and Fourteen, that is to say, from the first of *May* that Year forwards, submitting entirely to the Pretension for two Years: on Condition his Catholick Majesty will be pleased to grant to the said Company the Permission of sending the Ship on the Terms above expressed, in which his Majesty is interested for the fourth Part of the Gain, with five *per Cent.* on the other three Parts; so that the said Company oblige themselves to pay to his Catholick Majesty's Order, as soon as they shall have a favourable Answer, not only the Two Hundred thousand Pieces of Eight by way of Anticipation, but also the Money due for the two Years: which two Sums together amount to Four Hundred Sixty Six Thousand Six Hundred Sixty Six Pieces of Eight and two Thirds.

His Catholick Majesty having considered the said Representation, has been pleased to grant, as he does grant to the said Company, that the said Assiento shall commence from the first of *May* One Thousand Seven Hundred and Fourteen; and consequently that the said Company shall be obliged to pay the Dutys of the two Years, which began on the first of *May* One Thousand Seven Hundred and Fourteen, and ended on the first of *May* One Thousand Seven Hundred and Sixteen, as well as the Two Hundred thousand Pieces of Eight, by way of Anticipation; which Sum the said Company are obliged to pay at *Amsterdam, Paris, London, or Madrid*, all in one payment, or divided into several, as his Catholick Majesty shall think fit; and in the like manner shall the Payments be made for the future, as long as the said Assiento lasts; for which Payments the effects of the said Company shall be answerable.

As to the yearly Ship which his Majesty has granted to the Company, and which they have not sent to the *Indies* in the three Years One Thousand Seven Hundred Fourteen, One Thousand Seven Hundred Fifteen, and One Thousand

Seven Hundred Sixteen; the Company having obliged themselves to pay his Catholick Majesty the Dutys and Revenues of the foresaid three Years, his Majesty is pleased to make the said Company amends, by allowing them to divide the Fifteen Hundred Tuns into Ten annual Parts, to begin the ensuing Year One Thousand Seven Hundred and Seventeen, and end in the Year One Thousand Seven Hundred Twenty Seven; so that the Ship granted by the Treaty of Assiento, instead of being but of Five Hundred Tun, shall be of Six Hundred and Fifty Tun, (each Tun being to be computed at two Pipes of *Malaga* in Measure, and at Twenty Quintals in Weight, as is the ordinary Computation between *Spain* and *England*) during the said Ten Years; on Condition that the said Ship shall be searched and register'd by his Catholick Majesty's Ministers and Officers, who shall be at the Ports of *Vera Cruz*, *Cartagena*, and *Porto-Bello*.

The Treaty of Assiento made at *Madrid* on the Twenty Sixth Day of *March* One Thousand Seven Hundred and Thirteen, shall remain in Force, those Articles excepted which shall appear to be contrary to what is concluded and signed this Day, which shall be abolished and of no validity; and these Presents shall be approved, ratified, and exchanged on both sides, within the term of six Weeks, or sooner if it be possible. In Witness whereof, and by virtue of our full Powers, we have signed these Presents, at *Madrid* the $\frac{25^{th}}{15}$ of *May*, in the Year One Thousand Seven Hundred and Sixteen.

(L. S.) *George Bubb.*

(L. S.) *El Marq. de Bedmar.*

WE having seen and considered the Convention above-recited, have approved, ratified and confirmed, as by these Presents we do for us our Heirs and Successors approve, ratify and confirm the same, in all and singular its Articles and Clauses; engaging and promising on our Royal Word, sacredly and inviolably to perform and observe the said Convention, and all and singular its Contents, and never to suffer, as far as in us lies, any Person to violate it, or in any manner to act contrary thereunto. In Witness whereof, we have caused our Great Seal of *Great Britain* to be affixed to these Presents, signed with our Royal Hand.

Hand. Given at our Palace at St. James's the Fifteenth Day of *June*, in the Year of our Lord 1716. and of our Reign the Second.

George R.

The Ratification of the Catholick King of Spain.

DON Philip, by the Grace of God, King of *Castile, Leon, Arragon, the two Sicilies, Jerusalem, Navarre, Granada, Toledo, Valencia, Galicia, Majorca, Seville, Sardinia, Corduba, Corsica, Murcia, Jaen, the Algarves, Algezira, Gibraltar, the Canary-Islands, the East and West Indies, the Islands and Terra Firma of the Ocean, Archduke of Austria, Duke of Burgundy, Brabant, and Milan, Count of Hapsburg, Flanders, Tirol, and Barcelona, Lord of Biscay and Molina, &c.* Whereas a Treaty of Declaration and Explanation upon some Articles of the Assiento for *Negroes*, which the Royal Company of *England* have taken upon themselves, was concluded and signed at *Madrid* the Twenty Sixth of *May* this present Year, by the *Marquiss of Bedmar*, and *Mr. George Bubb*, by virtue of sufficient Powers given to them by me, and by the most Serene King of *Great Britain*, my most dear and most beloved Brother and Cousin, the Tenour of which is as follows.

After a long War, which had afflicted almost all Europe, and had produced dismal Effects, &c.

Which Treaty, here written and inserted as recited above, after having seen and maturely examined it Word by Word, I have resolved to approve and ratify; accordingly by virtue of these Presents I do approve and ratify, in the best and most ample Form that may be, all that is expressed in the said Treaty, and hold for good, firm and valid all that is contain'd therein; promising on the Faith of my Royal Word inviolably to observe and perform it, according to its Form and Tenour, and to command it to be observed and performed in the same manner, as if I in my own Person had transacted it, without doing, or suffering,

*Convention made at London, July 26,
O. S. 1715. relating to the Dutys
laid on British Woollen Cloths exported
to the Austrian Netherlands.*

N. B. This should have been inserted in p. 35.
of this Volume.

HIS *Britannick* Majesty's Ministers having complain-
ed that the Commerce of his said *Britannick* Ma-
jesty with the *Austrian Netherlands* is very much
prejudiced, by the high Dutys of Importation laid upon
the coarse Woollen Cloths sent from *Great Britain* to the
said *Austrian Netherlands*: The under-written Minister
and Plenipotentiary of his Imperial and Catholick Majesty
for the Treaty of Barrier at *Antwerp*, declares by these Pre-
sents, that his Imperial and Catholick Majesty will consent
to the immediate reducing of the Dutys on the said coarse
Woollen Cloths, according to the following Specification:
And that in all other respects the Commerce of the Sub-
jects of his *Britannick* Majesty with the *Austrian Nether-
lands*, shall remain, continue, and subsist wholly on the
same Foot as it does at present, without any Alteration, In-
novation, Diminution, or Augmentation to be made, under
any Pretext whatsoever, till all the Parties interested shall
agree upon a Treaty of Commerce.

Dyed Woollen Cloths.

Fl. Sol.

A Piece of the value of above 60 Florins, up 2

60 60
A Piece of the value of above 40 F

60 60
A Piece of the value of above 20 Flori

Mixed Woollen Cloths.

	Fl. Sols
A Piece of the value of above 60 Florins, up to 90.	} 2 10
A Piece of the value of above 40 Florins, up to 60.	} 1 10
A Piece of the value of 40 Florins and under.	1 00

White Woollen Cloths.

A Piece of the value of above 60 Florins, up to 90.	} 2 10
A Piece of the value of above 40 Florins, up to 60.	} 2 00
A Piece of the value of 40 Florins and under	1 00
<i>Drap de Pie</i> (Cloth to lie upon Floors) of all Sorts, the Piece.	} 0 08

Done at London, this 26th of July, O. S. 1715.

(L. S.) *J. L. de KINIGSEGG.*

Requisition made to the Council of State at Brussels, the 6th of November, 1715.

It being absolutely necessary for the Service of his Imperial and Catholick Majesty to lessen immediately the Dutys of Importation on coarse Woollen Cloths coming from Great Britain, and from the United Provinces, on the following Foot.

Woollen Cloths Dyed.

	Fl. Sols
A Piece of the value above 60 Florins, up to 90 Florins.	} 3 10
From 40 to 60.	2 00
Of 40 and under.	1 00

Mixt.

A Piece of 60 Florins, and so up	} 2 10
	1 10
	1 10
	Whit

V. was happily brought to an End, by the Accession to the Treaty made at *London* the 2d of *August N. S.* or 22d of *July O. S.* 1718, and by the Acceptance of the Terms therein propos'd to each of them, and to the King of *Sardinia*; certain Articles still controverted between them being referred to a special Congress afterwards opened at *Cambray*, to be decided thro' the friendly Offices and Mediation of the most Serene and most Potent King of *France*, *Lewis XV.* and of the most Serene and most Potent *George* King of *Great Britain*. The Plenipotentiaries sent by all the Parties to that Place, having for three Years taken great Pains, under the aforesaid Mediation, but by reason of various Difficulties without the expected Effect: And there being no Hope of any happier Success for the future, these Reasons induced the most Serene Catholick King of *Spain* to take a Resolution to adjust amicably with his Imperial and Catholick Majesty in the City of *Vienna*, by Ministers provided on both Sides with full Powers for that Purpose, the said Articles yet remaining in Dispute. To this End his Imperial and Catholick Majesty appointed the most high Prince and Lord *Eugene* Prince of *Savoy* and *Piedmont*, &c. as likewise the most excellent Lord *Philip Lewis*, Hereditary Treasurer of the holy *Roman* Empire, Count of *Sinzendorff*, &c. and the most Illustrious and most excellent Lord *Gundaccar Thomas* Count *Stabrenberg*, of the holy *Roman* Empire, in *Schaumburg* and *Waxenburg*, &c. And his Royal Catholick Majesty appointed the most illustrious and most excellent Lord, *John William* Baron of *Ripperda*, Lord of *Jensema*, *Engelenburgh*, *Poelgeest*, *Koudekente* and *Ferwert*, Hereditary Judge of *Humberlant* and *Campen*: Who, having had Conferences together, agreed, at length, upon the following Articles and Conditions, having first exchanged their full Powers.

I. That there be a Christian, General, and perpetual Peace, and sincere Friendship between his Imperial and Catholick Majesty, and his Catholick Majesty the King of *Spain*, their Heirs and Successors, hereditary Kingdoms, and the Subjects and Provinces thereof; the said Peace to be inviolably observed and cultivated, so that each Party shall promote the Interest, Honour, and Advantage of the other, and hinder his suffering any Damage or Injuries.

II. The Basis and Foundation, the Rule and Model of the said Peace, is, and shall be the Treaty of *London*, concluded

cluded the 2d of *August N. S.* or 22d of *July O. S.* 1718; and likewise the Conditions of Peace proposed therein, approved the same Day by his Imperial and Catholick Majesty, and by the Catholick King at *Madrid* the 20th of *January*, and at the *Hague* the 17th of *February* 1720, and mutually accepted by both Parties to have the Force of a perpetual Compact: By virtue of which Conditions, he said King, to make good all that had been done contrary to the Treaty concluded at *Baden* the 7th of *September* 1714, and contrary to the Neutrality established in *Italy* by the Treaty of the 14th of *March* 1713, actually restored to his Imperial Majesty the Island and Kingdom of *Sardinia*, in the same Condition it was in when he made himself Master of it; and renounced, in favour of his Imperial Majesty, all Rights, Pretensions, Demands and Claims on the said Kingdom; so that his Imperial Majesty might fully and freely dispose of the same, as of his own Property, in such manner as he has done for the sake of the publick Good.

III. Whereas the only Means that could be found to establish a lasting Balance in *Europe*, was to settle for a Rule, that the Kingdoms of *France* and *Spain* should never be joined and united in one and the same Person, or in one and the same Line; but that the said two Monarchies should in all Time coming for ever remain separated: And whereas, or corroborating this Rule so necessary to the publick Tranquillity, the Princes who by the Prerogative of their Birth might have a Right to succeed in either of those Kingdoms, have solemnly renounced for themselves, and all their Posterity, one of the two; so that this Separation of the two Monarchies became a fundamental Law, which was passed at *Madrid* by the general Assembly commonly called the *Cortes*, on the 9th of *November* 1712, and confirmed by the Treaties of *Utrecht* the 11th of *April* 1713: His Imperial Majesty, to give the last Completion to so necessary and salutary a Law, and being desirous to take away all Occasion of sinister Suspicion, and to promote the common Tranquillity, accepts of, and consents to all that was done, established and transacted by the Treaty of *Utrecht*, in relation to the Right and Order of Succession to the Kingdoms of *France* and *Spain*; and renounces, as well for himself as for his Heirs, Descendants, and Successors, Male and Female, all Rights and Pretensions whatsoever in general, without any Exception, to any the

Kingdoms, Territories and Provinces of the *Spanish* Monarchy, whereof the Catholick King was by the Treaty of *Utrecht* acknowledged lawful Possessor; as he has already caused to be dispatched, in the best Form, and to be published and registered in the proper Place, his solemn Acts of Renunciation; and has actually delivered the usual Instruments thereof to his Catholick Majesty, and to the contracting Parties.

IV. By virtue of the said Renunciation, which his Imperial Majesty made for the sake of the general Safety of *Europe*, and in consideration that the Duke of *Orleans* had renounced, for himself and his Descendants, his Rights and Pretensions to the Kingdom of *Spain*, on Condition that neither the Emperor, nor any of his Descendants should ever succeed to the said Kingdoms; his Imperial and Catholick Majesty acknowledges King *Philip V.* for lawful King of *Spain* and the *Indies*; and will likewise let the said King of *Spain*, his Descendants, Heirs and Successors, Male and Female, peaceably enjoy all those Dominions of the *Spanish* Monarchy in *Europe*, in the *Indies*, and elsewhere, the Possession whereof was secured to him by the Treatys of *Utrecht*; and will never molest him in the said Possession, directly or indirectly, nor assume to himself any Right to the said Kingdoms and Provinces.

V. In Consideration of the Renunciation and Recognition made by his Imperial Majesty in the two preceding Articles, the Catholick King, on his Side, renounces as well for himself as for his Heirs, Descendants, and Successors, Male and Female, in favour of his Imperial Majesty, his Successors, Heirs and Descendants, Male and Female, all Rights and Pretensions whatsoever, without any manner of Exception, to all and every the Kingdoms, Provinces and Dominions, of which his Imperial Majesty is actually possessed in *Italy*, or in the *Netherlands*, and which came to him by virtue of the Treaty of *London*; and renounces, in general, all the Rights, Kingdoms and Provinces which formerly belonged to the *Spanish* Monarchy, either in the *Netherlands* or in *Italy*: among which the Marquisate of *Final*, yielded by his Imperial Majesty to the Republick of *Genoa*, in the Year 1723, is understood to be expressly included; whereupon he has actually caused his solemn Acts of Renunciation to be drawn up in the best Form and to be published and registred in the proper Place, and the usual Instruments thereof to be delivered to his

Imperial Majesty and the contracting Parties. His Catholick Majesty renounces likewise all Rights of Reversion to the Kingdom of *Sicily*, which had been reserved to the Crown of *Spain*; and all other Claims and Pretensions, under Colour of which he might directly or indirectly disturb his Imperial Majesty, his Heirs and Successors, either in the abovementioned Kingdoms and Provinces, or in any other Dominions which his Imperial Majesty actually possesses in the *Netherlands* and *Italy*, or any where else.

VI. His Imperial Majesty, out of regard to the most Serene Queen of *Spain*, has already consented, with a Reservation of the Consent of the Empire; and that being obtained, does again consent, that if, at any time, the Duchy of *Tuscany*, as also the Duchies of *Parma* and *Placentia*, which are acknowledged by the contracting Parties in the Treaty of *London* to be undoubted Male Heirs of the Empire, shall on failure of Male Issue ever happen to become vacant, and be open to the Disposal of the Emperor and Empire; the Eldest Son of the said Queen, and his Male Descendants born in lawful Marriage; or those failing, the second or other younger Sons of the said Queen, together with their Male Posterity, begotten in lawful Marriage; shall by perpetual Right of Primogeniture, according to the feudal Laws and Customs of the Empire, succeed to the said Duchies and Territorys in *Tuscany* belonging to them. For Security whereof, his Imperial Majesty has caused the promised Letters of Expectancy, containing the eventual Investiture, according to the usual Style, to be forthwith made out for the aforesaid Princes, and to be delivered to the Catholick King. This, however, without any Detriment or Prejudice to those Princes who now hold the said Duchies, and saving to them their quiet Possession in all Respects.

However, it is agreed, that the Town of *Leghorn* is, and for ever hereafter ought to be and remain a free Port, in the very same manner it now is.

The Catholick King does, moreover, promise and oblige himself to yield and deliver up the Town of *Porto Longone*, together with that part of the Island of *Elba* which he possesses, to the aforesaid Prince, his and the Queen's Son, as soon as he shall, in due Time and Order, attain the actual Possession of the Dukedom of *Tuscany*.

And he renounces for himself and his Successors, Kings of *Spain*, all Rights of claiming, acquiring, or ever possessing any Thing in the said Duchies, or so much as of taking

ing upon him or them, or at any time administering the Guardianship of that Prince to whom those Duchies shall fall.

The Emperor and the King of *Spain* promise *bonâ fide* and religiously to observe what is stipulated in the Treaty of *London*, as to their not introducing into the said Duchies, during the Lives of the present Possessors, either Troops of their own, or hired Forces; with a Proviso however, that if the Case should happen of the Vacancy of the one or the other of those Duchies, the Infante *Don Carlos*, pursuant to the Letters of the eventual Investiture thereof, may take Possession of it.

VII. His Catholick Majesty renounces for himself, his Successors and Heirs in the Kingdom, and also for his Posterity of both Sexes for ever, the Right of Reversion of the Kingdom of *Sicily* to the Crown of *Spain*, which by the Instrument of the Cession thereof, the 10th of *June* 1713, to the King of *Sardinia*, was reserved to him; and shall, *bonâ fide*, deliver to his Imperial Majesty, together with the Instrument of Ratification of this Treaty, reversal Letters (as they are called) made out for that purpose; saving to himself, however, the Right of Reversion to the Island and Kingdom of *Sardinia*, belonging to him, pursuant to the 2d Article of the Convention between the Emperor and the King of *Sardinia*.

VIII. The Emperor and the Catholick King mutually oblige themselves, and engage for the reciprocal Defence and Guaranty of all the Kingdoms and Provinces which they actually possess, or of which the Possession belongs to them by virtue of the Treaty of *London*, which by the present Treaty is confirmed.

IX. That there be on both sides a perpetual Oblivion, Amnesty, and general Abolition of all that from the breaking out of the War, either by Words, Writings or Deeds, privily or openly, has been done or committed, by the Subjects of either Side; which general Amnesty and Abolition shall be enjoyed by all and every the Subjects on both sides, of whatever State, Dignity, Rank, Condition or Sex they be. By virtue of which, it shall be permitted, and lawful for all and every of them, to resume full Possession and Enjoyment of their Estates, Rights, Privileges, Honours, Dignities, and Immunities; and to use and enjoy them as freely as they did possess and enjoy them at the beginning of the last War: Also the Dignities conferred

on Subjects, during the War, on either Side, shall, in like Manner, hereafter remain intire to them, and be mutually acknowledged.

X. For adjusting the Disputes which have been raised, and are still subsisting, with respect to Titles, it is agreed, that his sacred Imperial Catholick Majesty *Charles VI.* Emperor of the *Romans*, and his sacred Royal Catholick Majesty *Philip V.* King of *Spain* and the *Indies*, shall hereafter, during the Life of each of them, respectively use the Titles they have each assumed; but their Heirs and Successors shall take upon them the Titles only of those Kingdoms and Provinces which they possess, and shall abstain from others.

XI. The Duke of *Parma* shall be preserved and maintained in the Possession of all his Dominions, Rights and Claims, in the same manner he was at the Time of the signing of the Treaty of Quadruple Alliance; and as for the Disputes he has with the bordering Provinces of his Imperial Majesty, they shall be amicably decided by Arbitrators to be chosen on both Sides.

XII. His Imperial Majesty further promises, that he will defend and guaranty, and, as often as there shall be occasion, maintain the Order of Succession settled in the Kingdom of *Spain*, and confirmed by the Treaty of *Utrecht*, and by the Renunciations which were made in pursuance of the Quadruple Alliance, as also by the present Instrument of Peace. On the other hand, the King of *Spain* promises likewise to defend and guaranty that Order of Succession, which his Imperial Majesty, according to the Intention of his Ancestors, has declared and established in his most serene House, from the antient Compacts thereof, in Form of a perpetual, indivisible, and inseparable Feoffment of Trust, settled with Right of Primogeniture, for all the Heirs and Successors of his Majesty of both Sexes. Which Order of Succession has since been received with common Consent, by the several Degrees of People, and States of all the Kingdoms, Arch-duchies, Duchies, Principalities, and Dominions, belonging by hereditary Right to the most serene House of *Austria*; and has been cheerfully and dutifully acknowledg'd and entered among the publick Acts, to have the Force of a Law and Pragmatick Sanction of perpetual Validity.

XIII. As to the Dowrys of the most serene Infantas *Mary* and *Margaret*, Empresses of the *Romans*, it is thus agreed,

greed, that the Mortgage given for the same, that is to say, the Cities, Towns and Lands, from whence the yearly Revenue or Interest, according to the principal Sum stipulated, was raised, shall be restored; or else in lieu of the said Dowries and Mortgage, the principal Sum itself shall, once for all, be paid in ready Money to his Imperial Majesty, together with the Profits received therefrom, as well before the Death of King *Charles II.* as since the Treaty of *London* was accepted.

XIV. As to the Debts contracted on both Sides, it is agreed, that as his Imperial Majesty has paid his Debts in *Catalonia*, which were contracted by himself, or in his Name, and takes it upon him to discharge those which yet shall appear just and unpaid; so the Debts contracted by the Ministers of the most serene King of *Spain*, *Philip V.* in his Majesty's Name, in the *Netherlands*, *Milan*, *Naples*, and *Sicily*, his Royal Majesty will pay, or satisfy the Creditors: To which End, Commissaries shall be appointed by each Party, within two Months from the signing of this Treaty, for the stating and settling the said Debts.

XV. And as there have been many Debates about the Restitution of the Palaces at *Rome*, *Vienna*, and *Hague*; it is at length agreed, that the Palace at the *Hague* shall be a Compensation for that of *Vienna*; and as for the *Roman* Palace, the Catholick King shall pay the Emperor half the Price or Value of it.

XVI. In this Treaty of Peace shall be comprehended all those, who within the Space of one Year shall, by common Consent, be nominated by either Party.

XVII. The Emperor's Commissaries, and the King's Ambassador, being Plenipotentiaries, promise, that the Peace in this manner concluded, shall be ratified by the Emperor and the Catholick King, according to the Form here mutually agreed on; and that the Instruments of Ratification shall within the Space of two Months, or sooner if possible, be reciprocally exchanged here.

XVIII. Moreover, as the Renunciations made on both Sides, of which frequent mention has been made above, do constitute the principal and most essential Part of this Treaty; tho' they are already in full Force, as having been ratified in solemn Form on both Sides; yet it is thought fit for the greater Confirmation of them, to annex them to this Treaty.

*Here are inserted the said Renunciations of his Imperial Catholick Majesty, and of his Royal Catholick Majesty *.*

In Witness and Confirmation of all which, as well the Imperial Commissaries as the Royal Ambassador, Plenipotentiaries, have subscribed this present Instrument with their own Hands, and sealed it with their Seals. Done at Vienna in Austria, the 30th Day of April, in the Year of our Lord 1725.

(L. S.) *Eugene of Savoy.*

(L. S.) *Philippus Lewis, Count Sinzendorf.*

(L. S.) *Gundaccar Thom. Count Stahrenberg.*

(L. S.) *J. G. B. de Ripperda.*

Treaty of Commerce between his Imperial and Catholick Majesty Charles VI. and his Royal Catholick Majesty Philip V. Concluded at Vienna, May 1, 1725.

*In the Name of the most Holy and Individual Trinity.
Amen.*

WHEREAS it hath come to pass, by the Will of Almighty God who rules the Hearts of Princes, that the Peace which was renewed and firmly established between the most Serene and most Potent Prince and Lord Charles VI. Emperor of the Romans, always August, King of Germany, Spain, both Sicilies, Hungary, Bohemia, &c. and the most Serene and most Potent Prince and Lord Philip V. King of Castile, Leon, Arragon, both Sicilies, Jerusalem, &c. and their Kingdoms, States, Principalities and Dominions, should be thought

* *These being but Acts of Form, and only declaratory of what is stipulated in the renouncing Clauses of the foregoing Articles, 'tis needless to insert them.*

proper to be more fully and strongly confirm'd on one Condition, by a particular Treaty of Navigation and Commerce, whereby all Controversies which might arise on such a Treaty being presented, or adjust'd, the most Advantage and Good of the Kingdoms, States and Subjects of both the contracting Princes, might, with certainty, be provided for: Therefore We, the undersign'd Ministers, Ambassadors Plenipotentiarys of the most serene contracting Partys, having been furnish'd with full Powers for that purpose; and having confer'd together concerning the said Navigation or free Commerce have agreed upon the Articles following:

I. By virtue of the Peace established between his Imperial Catholick Majesty, and his Royal Catholick Majesty it shall be lawful for all the Subjects on either Side whatever State, Quality or Condition they be, to go to travel, and stay in each other's Kingdoms, Provinces, Dominions, with all manner of Liberty and Security, without standing in need of any peculiar Letters Patent, Conduct, or other special Licence; the Publication of Peace being alone sufficient for that purpose, and supplying the place of such like Requisites: and they shall really enjoy by Land and Sea, the same publick Protection as well with regard to their Persons as to their Affairs as their several natural Subjects do enjoy, in and by things, without Fear or Danger of any manner of Prejudice or Damage; as it is agreed by this present Treaty.

II. There shall be from this time full Liberty allow'd well to Ships of War as to Ships of Burden or Merchant-Ships belonging to the abovesaid contracting Partys, or to their Subjects, mutually to frequent the Harbours, Coasts, and Provinces of each other, without asking any special Permission; and they shall be freely and amicably admitted into the same, and all Things shall be furnish'd at a reasonable Price, which they may want either for their necessary Provisions, or for the Repair of their Ships, or for other Uses; to the end they may be able to put to sea again with Safety: and no Dutys or Impositions of any kind shall be exacted from the said Ships, under any Name or Title whatsoever. Which same Proviso is also to take place in the *East Indies*, on condition that they do not carry any Trade there, nor be suffer'd to buy any thing be

Viſtuals, and ſuch Materials as they want for the repairing and fitting out of their Ships.

III. As to Ships of War, ſince they may more eaſily afford Cauſe of dangerous Suſpicions, they ſhall not be allow'd to enter into the Ports or Harbours that are unfortified, unleſs they ſhall happen to be forced to fly thither to eſcape a Storm at Sea, or the Attempts of their Enemies; however, as ſoon as the Danger from an Enemy is over, and the Storm is ceas'd, they ſhall retire from thence without any further Delay, after having provided themſelves with Neceſſaries; neither ſhall they ſend on ſhore, from the Ship, more Seamen, at one time, than the Magiſtrate or Governor of the Place ſhall give them leave to do: and they ſhall ſo behave themſelves in all Reſpects, as that all juſt Fear, or ſiniſter Suſpicion may be removed; which is more particularly to be obſerved in the *East Indies*, where there is uſually more Diſtruſt than in any other Places.

IV. Notwithſtanding what is premiſed, the Men of War or Convoy-Ships ſhall be allowed to bring into and carry out of the ſaid Ports, with full Security, the Prizes they have taken from their Enemy, without paying any Duties or Cuſtom; unleſs perhaps they may aſk and obtain leave to ſell them, or ſome part of them in that place; in which Caſe they ſhall pay the ſame Dutys that are herein after agreed upon with regard to Merchandizes.

V. All Ships for Freight, or Merchant Ships, of whatever Burden they may be, which ſhall put into any Port, either by ſtreſs of Weather, or the Purſuit of an Enemy, or for any other Cauſe, ſhall produce Paſſes and Bills of Lading, made out according to the Form herein after inſerted, to the Chief Magiſtrate of the Place; which being done, it ſhall be free to them to go out and depart from thence without any Trouble or Diſturbance; nor ſhall they, by any means, be compelled to unlade their Merchandizes, nor to ſuffer them to be ſearched.

VI. Except, nevertheleſs, that any one of the ſaid Ships ſhould be bound for an Enemy's Port, and ſhould, by the Bill of Lading, appear to carry prohibited Goods; in which Caſe ſuch Ship is to be ſubject to ſearching: which, nevertheleſs, ſhall not be done but in the Preſence of the National Judge Conſervator, if any ſuch there be, and of the Conſul; and with ſuch Care and Caution, as that the Merchandizes may not be ſcatter'd about, or any ways damaged, or their Package be ſpoiled. Nevertheless the prohibited

hibited Goods, found in such Ship, shall in due Form of Law be adjudg'd as forfeited to the Prince's Treasury; saving the Ship herself, with the rest of her Cargo; neither shall any pecuniary Mult or any Charges be exacted from the Master of such Ship, for or on pretence of such Search or Prosecution.

VII. And to the end all Disputes that might arise about the Term *prohibited Goods*, commonly call'd Contraband, may be removed, it hath been judg'd expedient to declare, that under that Appellation are comprehended all Species of every Kind of Goods wrought up or not wrought up, used or useful in War; such as are all Sorts of Arms, Offensive or Defensive, particularly Cannon, Mortars, Falconets, Patereroes, Fireworks or *Sauciffes*, Shells and Hand-Grenados, Bullets, Moulds for Bullets, Muskets, Pistols, Swords, Daggers, Head-pieces, Cuirasses or Armour, Belts, Gun-powder, Salt-Petre, Planks, and Timber for building or refitting Ships, Sails, Pitch and Cordage, which shall all be forfeitable. But this is to be understood only in case they shall appear, by the Bills of Lading, to be produced to the Officer, to be designed for the Succour of Enemies, or to be bound to an Enemy's Port. Under the Name of prohibited Goods are also comprehended all Merchandizes of what Country soever, the Exportation whereof is forbidden by the Laws of that Country; except Wheat and other Bread-Corn, Wine, Oyl, Fruits, and other Eatables, Copper, Iron, and Steel; likewise whatever may serve for the Habits of both Sexes, even ready-made Clothes, provided they be not design'd for clothing whole Regiments or Companies.

VIII. If one of the Emperor's Men of War meets in the high Seas a Merchant Ship belonging to the Subjects of the King of *Spain*, or *vice versa*; then the Man of War shall not approach the Merchant Ship nearer than Reach of Cannon Shot, but shall send out the Boat with only two or three Men, to whom the Master of the Merchant Ship is to produce his Bills of Lading, whereby it may be understood from what Place she came, to whom she belongs, and with what Goods she is laden: and in case she be found to carry, among others, any prohibited Goods designed for the Enemy of the Prince to whom the Man of War belongs, in that Case, and not otherwise, such Goods are to be condemned and confiscated; but the Ship, Men, and other Goods shall remain safe; and Credit shall be given

to the Bills of Lading produced by the Master of the Ship; and when it shall be found necessary, a mutual Agreement shall be made concerning a certain Mark to be affixed upon all such Bills of Lading, to give them the better Credit.

IX. Moreover, it is agreed, That the Liberty of Navigation and Commerce on both Sides, shall be so full and unmolested, that altho either of the most serene contracting Partys should happen to be at War with one or more Princes or States, the Subjects of the other most serene contracting Party, may nevertheless continue their Navigation and Commerce, with all kind of Security, in the same manner as before the War was begun, whether that be done directly, or from one hostile Port to another hostile Port, and that as well in going as returning, without any manner of Trouble, Disturbance or Hindrance; except nevertheless, when the Port to which they are bound is actually besieged, or beset and block'd up toward the Sea. And for removing all manner of Doubt, as to what may be understood hereby, it is declared, that no Sea-Port ought to be deem'd actually besieged, unless it be so shut up by two Ships of War at least in the Sea, or by one Battery of Cannon at the least on the Shore, as that its Entrance cannot be attempted, without being exposed to Cannon-Shot.

X. It is furthermore stipulated and agreed, That all Merchandizes, of any kind whatever, belonging to the Subjects of either of the most serene contracting Partys, if found in an Enemy's Bottom, shall be confiscated, together with the Ship, tho the said Merchandizes be not of the Sorts that are prohibited.

XI. The Subjects of the abovesaid most serene contracting Partys shall mutually enjoy, in their respective Dominions, the same Immunitys, as to Tolls and Customs, as they peaceably were in possession of in the Time of King Charles II. But that is to be understood in the Sense hereunder more fully explained in the 13th Article.

XII. Every Ship belonging to his Imperial Majesty, and coming into any *Spanish* Port, on the account of Trade, shall be obliged to exhibit two Declarations of the Goods which are intended to be unloaden and sold there, one to the Farmer of the Customs, or to the Collector of the Duties, and the other to the Judge of Goods liable to Confiscation; neither shall the Ship break bulk, before leave be given for that purpose, and the Officers sent from the
Custom-

Custom-house shall be come on Board ; nor shall any of the Goods be at any time unladen, without Licence first obtained in Writing to carry them to the Custom-house. On the other hand, the Fiscal Judges and Officers of the Customs are forbidden to open, either in the Ship or on the Shore, any Bales, Chests, Boxes, or Casks, or any sorts of Bundles, Packs or Coverings belonging to the said Goods, until the Goods have been brought into the Custom-house, and even when the said Goods shall have actually been deposited there, it shall not be lawful to open them, unless in the presence of the Proprietor or his Factor ; to the end the Merchant himself may the better be able to look into his Affairs and Accounts, pay the Customs, and demand Certificates or Acquittances for the same, and pack up his Goods again, and get them mark'd with the Seal of the Custom-house of the Place ; which being perform'd, it shall be lawful for the Merchant safely to carry his Goods to his own House, without being subject to any further Search. It shall also be free for him to remove his Goods from one House or Ware-house to another, within the Walls of the same City, provided it be done between the Hours of eight in the Morning and five in the Afternoon, having first given Notice to the Farmers of the *Alfalfa* and *Cientos*, with what Intention he does so, whether he designs to sell his Goods ; in which Case, the Duties not yet paid are to be all paid down ; or not to pay them, in which Case the usual Certificate or Testimonial shall be deliver'd out for them to the Merchant.

XIII. And whereas nothing is more detrimental to the real Commerce than the Diversity of Duties where Goods are excessively burdened, his Royal Catholick Majesty being desirous to remedy this Evil thro'out all the Kingdoms in *Europe*, consented and agreed some Years ago, in favour of the *British* Nation, That all the ancient Duties which used to be demanded upon Goods imported or exported, or that had been lately laid thereon since the decease of King *Charles II.* should be suppress'd ; and that all the Duties should every where be reduc'd to one equal Sum, *viz.* to a Custom of 10 *per Cent.* upon the Value to be paid as well for importing as exporting Goods, and this not only at *Cadiz*, *St. Mary*, and other Ports of *Castile*, but also in those of *Arragon*, *Valencia* and *Catalonia* ; excepting only the Provinces of *Biscay* and *Guipuzcoa* where the Customs on Importation and Exportation shall

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as the *French* hitherto have done, and as the *English Dutch* do at present; so that the 10 *per Cent.* once upon the importing of the Goods into *Spain*, the Merchants, or those to whom the Goods belong, may freely transport the same any where by Land or by Sea, by means of the Rivers carry them thro' all Parts of *Spain*, without being obliged to pay any other new Duty Impos'd, into whatsoever Port or Place the said Goods shall be carried: and it shall be sufficient for that purpose to produce the Certificates or Acquittances for the said first Payment, and the Bales or Bundles marked with Lead, and the usual Marks of the Custom-house. Nevertheless, the Duties of *Alcavalas*, *Cientos*, and *Millones*, are excepted, concerning which a separate Regulation hath been made. And as it has been expressly agreed, between his said Imperial and Catholick Majesty, and his sacred Royal Catholick Majesty, that their respective Subjects in all their Cities, Territories and Provinces, in whatever Part of the World they are situate, shall enjoy all the Rights, Liberties, Favours and Immunities which have been, are, or shall hereafter be ever granted to the most favoured Nations, and namely to the Subjects and Inhabitants of *Great Britain*, *Holland*, and the *Hans Towns*; therefore his said Catholick Majesty hereby declares and promises, that he gives to the Subjects of his Imperial Majesty, the

Use and Effect of all those Things contained in this Article; so that thro'out all *Spain* they shall not be oblig'd to pay for the importing, and exporting, or Transit of their Merchandizes, any more Duties than the above-mention'd 10 *per Cent.* in the very same manner as the *English* use to do; except, nevertheless, the Duties of *Alcavalas*, *Cientos* and *Millones*, concerning which it has been agreed as follows.

XIV. His Imperial Majesty's Subjects may defer paying the Duties call'd *Alcavalas* and *Cientos*, as long as they let their Goods and Merchandizes remain in the Custom-house, where great Care shall be taken of them; but if they have mind to take the said Goods from thence, in order to carry them to some other Place in the Kingdom, or even to sell them in that Place, or to remove them to their own use, they shall be permitted so to do, provided they give sufficient Security in Writing to pay the Duty, two Months after the Sale of the Goods; which being perform'd, a Discharge shall be given them, which having been received,

received, they may carry elsewhere their Goods mark'd and leaded, and may sell them in any Port or Place of the *Spanish* Dominions in *Europe*, by wholesale, commonly call'd (in *French*) *en Gros*: and if any Officer of the Customs, after having had deliver'd to him, and seen the Acquittances for the first Payment, and the Marks and Lead, should presume to exact the Duties again, or even to oppose the removing of the said Goods, such Officer shall pay a Fine of two thousand Crowns to the King's Treasury; all which, nevertheless, is only to be understood of the first Sale; but if the Merchant would sell his Goods by Retail or in Parcels, he shall be obliged to pay the particular Duties according to the Royal Edicts; but it shall not be lawful for the Officers to take more than fifteen *Reals de Bilon*, for dispatching the Certificates or Acquittances above-mentioned.

XV. The same Regulation shall be observed in regard to the Duty call'd *Millones*, which is collected on Fish and other Provisions; that is to say, that the same shall not be demanded upon their being imported, so long as their Owners shall suffer them to lie deposited in the publick Ware-houses: but as soon as they shall be desirous to send them into the inland Places of the Kingdom, or to sell them in that very place, or to remove them to their own House, then they shall oblige themselves in Writing, and shall give sufficient Security to pay the said Duty, call'd *Millones*, two Months after the Date of such Obligation; which being done, the necessary Letters shall be given to them without Delay; and the Goods being seal'd, mark'd with Lead, and distinct Marks, by the Farmers or Officers of the said Duty, may be carried to any Places whatsoever in which they used to be consumed, and may be sold, without being charged with any new Duty of *Millones*: And if any Officer, or Receiver of the said *Millones*, after the Acquittances of the Office, and the said Marks and Seals shall have been shewn to him, shall presume to exact the said Duty again, or even to oppose the transporting or selling of the Goods, such Person shall forfeit two thousand Crowns, to be paid into the Royal Treasury as aforesaid.

XVI. As to the Ports of *Guipuscoa* and *Biscay*, which are not subject to the Laws of *Castile*; the Regulation about paying the Duties that are above prescribed in

th Article with respect to other Nations, shall be observed in those Ports.

XVII. Whereas Masts, Yards, and all Timber used in the building of large and small Ship, are most necessary Commodities; it hath been thought expedient to except them out of the general Rule; so that the Importation thereof may be free from all Payment of Duties, by whatever Name or Title they may be called.

XVIII. To remove all Occasion of Disputes which might arise between the Farmers of the Duties and the Owners of Goods, about rating the said Goods, it hath been agreed, at the Book of Rates, commonly called the *Tariff*, and the Treaty of Commerce made between his Catholick Majesty and the King of *Great Britain*, in the Year 1716, in Execution of the third Article of the Treaty of *Utrecht*, shall be deemed a true Regulation in this particular, between the Subjects of his Imperial Majesty and the Farmers or Officers of the Duties; and that therefore 10 per cent. shall be paid universally.

XIX. As to the several Species of Goods which may not be expressed in the said *Tariff*, it hath been judg'd proper to stick to the antient Custom, according to which, they are to be valued by the Farmer of the Customs or his Substitute: Upon this Condition, however, that it shall be lawful for the Owner of the Goods to yield them up to the Farmer for the Price at which he hath valued them, which the Farmer shall be obliged to pay down forthwith.

XX. *Hungarian Salt* shall pay the same Duty as *Spanish Salt*; the same Equality shall be observed as to *Spanish Salt*, in his Imperial Majesty's Dominions.

XXI. His Catholick Majesty gives Permission to his Imperial Majesty's Subjects, living in the Ports and Cities of the Kingdoms of *Andalusia*, *Murcia*, *Aragon*, *Valencia* and *Catalonia*, as likewise in the Provinces of *Biscay* and *Vizcaya*, to hire Dwelling-Houses and proper Store-houses for their Merchandizes; and grants them the same Privileges, Rights and Immunities with the *English* and *Dutch*. His Imperial Majesty grants the same Right and mutual Privileges to the *Spanish* Subjects in his Kingdoms and Provinces.

XXII. The chief of those Privileges, are the following: A Liberty to change their Abode at their own Pleasure, and without any previous Leave from any one; and Exemption from all Inquiry, Search and Molestation in their Dwellings and Warehouses, on account of their Merchandizes, except in Case of a well-grounded

grounded Suspicion, or an evident Proof of their having defrauded the King's Customs; in which Case they shall be liable to be searched; but nevertheless, with this Proviso, that it shall not be done but in the Presence of the Consul, who shall be expressly called in for that purpose; nor shall any other Trouble be given to the Merchant or his Goods: and if the Merchant shall be convicted of having run imported Goods fraudulently, they shall be confiscated, and he shall pay the Charges of the Search; but his Person, and the rest of his Goods shall remain free. His Imperial Majesty promises the same Liberty and Privileges to his Catholick Majesty's Subjects in all his Dominions.

XXIII. The Subjects of the abovesaid contracting Parties, who have settled Habitations in the Dominions of either for the sake of Trade, shall not be obliged to produce their Books of Accounts to any one, unless it be to draw some Proof out of them; neither shall it be allowable for any one, under any Pretence whatsoever, to seize the said Books, or to take them out of their Hands; and they may write them in what Language they please, without being forced to write them in any other.

XXIV. The Subjects of both Crowns, of whatsoever Quality or Condition they may be, shall not be arrested in their Persons, neither by the Governors, nor Officers of Justice, by reason of any publick or private Debts, not contracted by themselves, or for which they have not been bound; neither may their Goods and Merchandizes be seized and attached for the like Causes, either during the Peace or even in Case of a Rupture; and in this Article, Masters of Ships, their Officers and Seamen, and Ships both large and small, with their whole Cargoes, are especially comprized.

XXV. In like manner there shall be no Imbargo laid upon Men of War, Merchant-Ships, Transports, or any other sort of Ships, whether by a general or special Order, to make use of them either for War or for Transports; unless by virtue of a particular, free, and spontaneous Agreement, first made with the Commanders, or Proprietors thereof; much less shall it be permitted to force the Officers, Masters, or Seamen to desert their Ships, and enter into any Service, in any Fleet which may be then fitting out, or in any other Military Service which may be comparing; altho it might be for a short time, and sho

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happen on the most pressing Occasions: but it shall be lawful to hire such Men, if they offer to enter into the Service of their own Accord.

XXVI. As to the personal Immunity granted by the present Treaty to each other's trading Subjects, and their Families, it shall extend to exempt them not only from military Service, but likewise from Guardianships, Care of others Estates, and the Administrations of any kind of Goods, Effects and Persons; unless they should be willing to charge themselves with such Offices.

XXVII. They shall be freely allowed to appoint for themselves Counsellors, Doctors, Agents, Attorneys and Solicitors, whensoever they shall have need of them; and if they should desire to have particular Brokers of their own, they may chuse to themselves one or two such out of the Number of those that are in the Place; who being presented, shall be approved of, and alone assigned particularly to look after the Affairs entrusted to them.

XXVIII. In all the Ports and chief trading Cities where the Emperor and the King shall think fit, national Consuls shall be established to protect the Merchants on both Sides; and they are to enjoy all the Rights, Authorities, Liberties and Immunities which other the most befriended Nations use to enjoy.

XXIX. These Consuls shall have a particular Power and Authority, at their Pleasure, to take Cognizance of the Disputes that may arise between the Merchants and the Masters of Ships, or between the latter and the Crews, and to decide the same; whether they arose on account of Freight and Wages, or from any other Cause: from whose Sentence it shall not be lawful to appeal to the Judges of those Places, but to those who have been appointed by the Prince whose Subjects they are.

XXX. As to the Judges Conservators, who in the former Reigns were a considerable Magistracy in *Spain*, and which the most favoured Nations were by the Kings formerly allowed to chuse for themselves, with a Power to take cognizance, and to judge peremptorily, in all civil and criminal Cases, among those of their own Nation: It is agreed, that in case his Royal Catholick Majesty grant for the future this Privilege to any other Nation whatsoever, the same shall be likewise understood to be granted to his Imperial Majesty's Subjects. In the mean while, strict Order shall be given to all the Judges and ordinary Magistrates to administer speedy Justice to them, and immedi-

ately to put the same in Execution without Partiality, Favour, or Affection. His Catholick Majesty further consents, that Appeals may be made from the Sentences pronounced in Causes touching any of his Imperial Majesty's Subjects, to the Council of Commerce at *Madrid* only, and not to any other Tribunal.

XXXI. The Right of inheriting Aliens Estates, or any Right of the like nature, shall not be made use of, with respect to the Subjects of either of the most serene contracting Parties; but the Heirs of the deceased, wherever they died, or whatever Country or Province they are of, shall succeed them without any Hindrance, in all Goods, as well moveable as immoveable, whether they died Testate or Intestate, according to the Rules of Succession or Inheritance, in the Places where such inheritable Things are: and in case two or more dispute together concerning such Inheritance, then the Judges of the Places are preumptorily to decide such Dispute by their Sentence.

XXXII. If a Merchant, or other Subject, of either of the abovesaid contracting Parties, should happen to die within the other's Dominions, then the Consul or some other their publick Minister, if there be any at that time, shall repair to the House of the deceased, and take an Inventory of all his Merchandizes and Effects, as likewise of his Books and Papers; and shall faithfully keep them all for the Heirs, according to the Charge given him for that Purpose: but if any such Merchant, or other Subject, shall happen to die upon a Journey, or in any Place where there is no Consul, nor any other publick Minister of his Nation, in that Case, the Judge of the Place shall, in the Presence of Witnesses, at the least Expence possible, make such Inventory, and shall deliver to the Master of the Family, or Owner of the House, all the Things inventoried, to be by him faithfully kept; which being done, he shall give notice of the whole Matter to the publick Minister then residing at Court, or to the Consul of the Place where the House and Family of the deceased are, to the end they may send somebody to take into their Custody the Things inventoried, and pay the Debts.

XXXIII. If any Ship belonging to either of the most serene contracting Parties, or their Subjects, should be wreck'd upon the other's Coasts, in such Case the Domain or Fiscal Officers shall claim no Right to it; and all Plundering shall be severely forbidden to all private Persons what-
soever:

soever: and moreover, the Lord and Magistrate of the nearest Place shall be obliged to assist the shipwreck'd Persons with all possible Help, and to save all they can out of the wreck'd Vessel, and to dispose of it in a Place of Security; for which they shall be paid, in right of Salvage, five *per Cent.* according to the Value of the Goods, and be re-imbursed their Expences in that charitable Work: but if the Ship, how much soever it may be damaged, shall nevertheless remain retire, and neither the Mariners nor the Passengers shall be lost, it shall be incumbent upon them to take care of saving the Things; to whom, however, speedy Help and Assistance shall be given, by furnishing them, at a reasonable Price, with whatever they shall stand in need of.

XXXIV. His Catholick Majesty shall not suffer that, under pretext of Policy, or any other whatsoever, a limited Price be set upon the Merchandizes belonging to his Imperial Majesty's Subjects; but they shall be at liberty to sell them at as high a Price as the ordinary Course of Trade permits. The same Liberty shall likewise be enjoyed by the Catholick King's Subjects in his Imperial Majesty's Dominions.

XXXV. If the Effects of any *Spanish* Merchant, or Subject of his Imperial Majesty, should be confiscated, and that some Goods belonging to any other Merchant, or private Person, should happen to be among them, they shall be restored to the Owner, altho they may have been sold already; provided the Money, either in the whole, or in part, hath not been paid: And in case the like Effects or Goods were only deposited with the Merchant whose Goods were seized, and he shall have sold them without the Permission of the Depositor, then the Value of such Merchandizes shall be considered as a true Deposit, and shall be paid to the said Depositor in right of Preference.

XXXVI. *It shall be allowed to his Imperial Majesty's Subjects and Ships to carry and import from the East-Indies, into any of the King of Spain's States and Dominions, all sorts of Fruits, Things, and Merchandizes: provided it appear from the Certificates of the Deputies of the India Company, erected in the Austrian Low Countries, that they are the Produce of the Places conquered, the Colonies, or the Factories of the said Company, or that they came from thence; and in this Respect they shall enjoy the same Privileges that were granted to the Subjects of the*

* 478 *Treaty of Commerce at Vienna between*

United Provinces, by the Royal Cédulas of the 27th of June, and 3d of July 1663, and which were published on the 30th of June and 4th of July, the same Year. Moreover, his Catholick Majesty declares, that he grants to his Imperial Majesty's Subjects all those things which were granted to the Lords the States General of the United Provinces of the Low Countries, by the Treaty of the Year 1648, as well with respect to the Indies; as to all other Things which are applicable to the said Treaty, and shall not be repugnant thereto, as well as to the Peace concluded between their Majesties.

XXXVII. As to what relates to the Commerce of the Canary-Islands, his Imperial Majesty's Subjects shall enjoy therein the same Advantages as the *English* and *Dutch* enjoy.

XXXVIII. All the Goods and Effects which, for fear of Confiscation, were kept concealed during the War, shall of right remain to the Proprietors: nor shall any body be molested for having concealed them contrary to the Prohibitions.

XXXIX. The Debts likewise contracted by the Subjects on either Side in Trade or otherwise, (provided they have not been confiscated in the mean time) are to be paid in full, but without Interest; notwithstanding the War that hath intervened.

XL. On the other hand, the Merchandizes and other moveable Goods, which were confiscated on either Side, before the Conclusion of the Peace, shall not be restored; and this to avoid the infinite Disputes which might arise on that Account.

XLI. Letters of Reprisal, which in Time past have been granted on either Side, for any Cause whatsoever, are declared to be void; and their Majesties mutually promise not to grant any more for the future, to the Vexation and Damage of the Subjects; unless it be in a Case where it is manifest that Justice hath been denied: which, however, shall not be taken as proved, unless after a Delay of two Years, from the Time of exhibiting the first Libel; which being expired, the Plaintiff shall present to his own Prince an humble Petition for obtaining Letters of Reprisal, which shall be communicated to the Minister of the other Prince, if there be any such at Court, or else to the Person that transacts his Affairs there; after which the definitive Sentence

ence shall still be deferred for six Months; which being elapsed, Letters of Reprisal may at last be decreed.

XLII. The Subjects of his Imperial Majesty, and of his Royal Catholick Majesty, shall be strictly forbidden to take Commissions from any other Prince for fitting out Privateers, or Letters of Marque, in order to cruize against the Subjects of the other; and the Infringer of this Article shall be treated as a Pirate, not only in the Provinces against which he accepted such Commissions, when, being taken in the very Act of such Cruising, he shall have been carried thither, but also in all the Dominions of the Prince, whose Subject he is: Therefore such a one shall, upon the first Complaint, be proceeded against criminally, even to Execution.

XLIII. It being the real Will of his sacred Imperial Catholick Majesty, and his Royal Catholick Majesty, that Peace, Concord, and Amity may be so sincerely cultivated by the Subjects on both sides, that upon all Occasions they may mutually help and assist each other, it is agreed, that if at any time a Ship belonging to his Imperial Majesty's Subjects be taken by any common Enemy, and afterwards retaken by a *Spanish* Man of War, or other armed Ships, the Retaker shall be allowed, as a Reward, the *5th* Part of the Value of the Ship and Lading; provided the Ship be rescued within the Space of forty eight Hours after her falling into the Enemy's Hands: but if the Ship taken be rescued within the second forty eight Hours, the Retaker shall have one third Part; and if at any time after the said last forty eight Hours the said Ship be retaken, one half of the Ship and Cargoe shall be due to the Retaker, and the other half shall return to the Owners. The same to be observed in case any Ship retaken should belong to the Subjects of his Royal Catholick Majesty, and the Retaker should be a Man of War, or armed Ship, of his Imperial Majesty's.

XLIV. And altho there is room to hope that the Peace which by God's Favour hath been lately established between his Imperial Catholick Majesty, and his Royal Catholick Majesty, and their Successors, Kingdoms and Dominions, will be of very long Continuance, and not be infringed by any Injury given, or Offence taken, on either side; yet because all worldly things are subject to unforeseen Vicissitudes, it is agreed, that in case a new War (which God avert) should break out between them, the Merchants

and Subjects who shall then live in each other's Ports, Cities, Dominions, and Provinces, shall be allowed the Space of six Months; within which Time they may with all manner of Security withdraw themselves, their Families, Goods, Effects, and Merchandizes, together with their Ships and Cargoes, with the Masters of the Ships, Officers, and all things belonging to them; and may also gather in all their just Debts, and prosecute their other Rights and Actions, (with regard to which speedy Justice shall be administered to them) and return to their own Country.

XLV. To the end that the preceding Article may not be liable to any Ambiguity, it is by this Article explained in the manner following, *viz.* that it be permitted to the said Merchants within the Space of the said six Months, to carry on their Commerce, and to sell, buy and barter, and to remove all their Effects, as well as themselves, their own Families, and those of their Factors and Domesticks, without the least Trouble or Obstruction, by Land and Sea, with the same Liberty, to all Intents and Purposes, as they might do during the Peace, and as if no War had intervened; provided they behave peaceably and quietly, and abstain from all manner of clandestine Practices against the publick State. They may likewise, within the said Space of six Months, sue their Debtors at Law, and Justice shall be so speedily done them, that they may obtain Judgment before the Expiration of the said Term; and if it be possible, they shall have Execution thereupon: but if, notwithstanding all Diligence be used, either final Judgment cannot be given, or Execution thereof be made, before the Expiration of the said Term, it shall be permitted to the said departing Subjects to prosecute and follow their Actions, and Suits, whether they be Plaintiffs or Defendants, by their Attorneys; and to procure the Payment of what shall be adjudg'd to them, or is due to them by virtue of any Judgment already given, the Pretence of the War at that time raging between the said Princes in any wise notwithstanding.

XLVI. It is moreover agreed, with regard to the said respective Subjects, Merchants, and others, who ought to withdraw within the said Space of six Months, that Passports shall be granted to such of them as shall desire the same; wherein the Place from whence they depart, the Place to which they are bound, and also the Number of Persons, together with the Things which they carry with
them,

them, shall be particularly specified and set down; to which Passports due Honour and Respect shall be paid by Land and by Sea, during the whole time of their Duration, which shall be extended to double the Time that the Journey from the Place from whence they depart to the Place to which they are bound, would otherwise require, altho it should be certain that no Delay or Impediment could possibly be given to them in their Return. The like Passports shall also be furnished to the Ships remaining in the Ports, to the end they may safely and securely return home with their Ladings.

XLVII. Lastly, it is agreed, that generally all things that have been stipulated for the Benefit of the *British* Nation, in the Treatys made at *Madrid* the 23-13 of *May* 1667, and 18-8 of *July* 1670; and also in the Treaties of Peace and Commerce made at *Utrecht* in the Year 1713, and lately in the last Treaty or Convention, and which are not herein expressed Word for Word, or sufficiently explained, shall, in favour of the Subjects of his Imperial Majesty, and as far as they can be applied to them, be deemed and taken to be expressed and inserted herein by name; which is likewise to be understood of all the Advantages that have been granted to the Subjects of the *United Provinces*, by the Treaty of Peace of *Munster* in the Year 1648, the Maritime Treaty of the *Hague* in the Year 1650, and the Treaty of Peace and Commerce of *Utrecht* in the Year 1714: so that if any Doubt should happen to arise in any case whatever, about what ought to be observed in *Spain*, or the rest of his Catholick Majesty's Kingdoms, with regard to the Subjects of his Imperial Majesty, the above-mentioned Treatys, and all those things which have therein been granted by the former Kings of *Spain*, and by his Royal Majesty now reigning, to the two Nations aforesaid, under the Dates before specified, shall serve as a Rule and Precedent in all doubtful Cases, or Cases omitted out of this Instrument.

This present Treaty shall be ratify'd by his Sacred Imperial Catholick Majesty, and his Sacred Royal Catholick Majesty, and the Instruments of Ratification shall be exchanged within the Space of three Months, or sooner if possible.

In Witness whereof, We the underwritten respective Commissioners and Ambassadors Extraordinary and Plenipotentiaries of his Imperial Catholick Majesty, and of his
Royal

* 482 *Treaty of Guaranty at Vienna between*
Royal Catholick Majesty, have to this present Treaty of
Navigation and Commerce, subscribed our Names and
affixed our Seals, at *Vienna in Austria*, the first Day of
May, in the Year of our Lord 1725.

(L. S.) *Eugenius a Sabaudia.*

(L. S.) *Philippus Ludovicus Comes a Sinzendorff.*

(L. S.) *Gundaccarus Comes a Stabrenberg.*

(L. S.) *J. G. Baro de Ripperda.*

Treaty betwixt the Emperor Charles VI.
and King Philip V. of Spain for the
mutual Defence and Guaranty of their
respective Kingdoms and States, and
of the Navigation of their Subjects on
both sides of the Line; concluded at
Vienna, May 1, 1725.

In the Name of the most Holy and Undivided Trinity.

ALTHO a sincere Friendship was established be-
tween the most Serene and most Potent Prince and
Lord *Charles VI. Emperor of the Romans, &c. &c.*
and the most Serene and most Potent Prince and Lord *Phi-*
lip V. King of Castile, &c. &c. by his Majesty's Accession
to the Treaty of *London*; which Accession was made at
Madrid the 20th of *January* 1720, and the 17th of
February following at the *Hague*; and was farther cor-
roborated and confirm'd by that solemn Treaty of Peace
concluded and sign'd here at *Vienna* the 30th of *April*,
in the Year underwritten: Nevertheless, in order more
closely to cement an Agreement so conducive to the
Benefit of Christendom, the following Ministers, Com-
missioners, Ambassadors Extraordinary and Plenipotentiarys
on both sides, *viz.* on the part of his Imperial Catholick
Majesty, the most illustrious Prince and Lord *Eugene*
Prince of *Savoy and Piedmont, &c.* the most illustrious
Lord, *Philip Lewis Count de Sinzendorf*, Hereditary
Treasurer of the Holy Roman Empire, &c. and the most
illustrious Lord *Gundaccar Thomas, Count de Starcm-*
berg,

berg, &c. and on the part of his Royal Catholick Majesty, the most illustrious Lord *John William Baron de Ripperda*, after having exchange'd their full Powers, have agreed on the following Articles *viz.*

I. That there be and remain a solid and sincere Friendship betwixt his Imperial Catholick Majesty and his Royal Catholick Majesty and that the same be so cultivated on both sides, that the one shall promote the Advantages and avert the Injuries of the other as much as their own.

II. And whereas it has been represented by the Minister of the most Serene King of *Spain*, that the Restitution of *Gibraltar*, with its Harbour, has been promis'd by the King of *Great Britain*; and that the King of *Spain* doth insist that *Gibraltar* with its Harbour, and the Island of *Minorca* with *Port Mabon*, be restored to his Royal Catholick Majesty; 'tis declar'd by these Presents on the part of his Sacred Imperial and Catholick Majesty, that he will not oppose the said Restitution, if it be effected in an amicable manner; and that if it be thought necessary, he will make use of all good Offices for that purpose, and if the Partys desire it, he will also act in the Affair as Mediator.

III. For the greater Evidence of the Sincerity of his Friendship, the most Serene King *Philip V.* of *Spain* promiseth and engageth that the Ships of his Sacred Imperial and Catholick Majesty, and his Subjects of whatsoever Nation under his Dominion, shall have safe and secure Entrance into all his Ports of the Continent of *Spain*; and that they shall have free Liberty to traffick there, and in all the Kingdoms of *Spain*, and shall enjoy all manner of Privileges and Prerogatives which the most friendly Nation (as the *French* and *English*) doth enjoy, immediately after the day of proclaiming this Peace; which shall be done without delay at all the proper Ports and Places, according to the Agreements in a Treaty of Commerce sign'd this Day.

IV. If the Ships of the Subjects of his Imperial Majesty be attack'd in a hostile manner by any others on either side of the Line, the Catholick King promises, that in such case he will make it a common Cause with his Imperial Majesty to revenge and redress the Injuries and Damages sustain'd. In like manner his Imperial Catholick Majesty promises, that if the Ships of the Subjects of his Royal Catholick Majesty be attack'd in a hostile manner, by any
others

others on either side of the Line, that he will also in that case make it a common Cause with his Royal Majesty, to revenge and redress the Injurijs and Damages sustain'd.

V. Moreover, altho the Security of the Kingdoms, Dominions and Provinces possess'd by the contracting Parties is mutually guaranteed by the Quadruple Alliance, yet it has been thought fit by this Treaty to explain the said Security more fully, and to make better Provision for it in Cases that may possibly happen. Therefore that the Desire of Friendship which so happily begins to discover itself between his Sacred Imperial and Catholick Majesty, and his Sacred Royal Catholick Majesty, may be more and more confirm'd, it has been thought necessary and expedient to make the following Stipulations for mutual Succours, in order that the Security which ought to be preserv'd on both sides may be the less precarious, *viz.* If the Emperor, his Hereditary Kingdoms and Provinces, wheresoever situate, be attack'd in a hostile manner, or if a War begun elsewhere happen to be transfer'd to those Parts, in such case the Catholick King promiseth and obligeth himself, that he will assist his Imperial Majesty with all his Forces both by Land and Sea; particularly that he will lend him at least 15 Men of War of the Line of Battle, and 20000 Soldiers, of which 15000 shall be Foot, and 5000 Horse, to be provided by the Emperor with the usual Winter-Quarters; on condition nevertheless, that instead of Soldiers, the King may furnish a Sum of Money at the rate of 24000 Florins *per* Month for every thousand Foot, to be paid monthly at *Genoa*. And as to Ships, if the King of *Spain* does not send them to the Emperor, he shall make up that Deficiency by sending 10000 Soldiers, or a Sum of Money in lieu thereof, according to the above Calculation. In like manner his Imperial Majesty promiseth, and obligeth himself, that he will assist the Catholick King of *Spain* with all his Forces both by Land and Sea, in case of any hostile Attack of his Provinces in *Europe*, wheresoever situate, and particularly that he will supply him with 30000 Soldiers, *viz.* 20000 Foot and 10000 Horse, always to be furnish'd in kind, and to be provided by the King with the usual Winter-Quarters.

VI. The Commissioners and Ambassadors Extraordinary and Plenipotentiary of both Partys respectively promise, that this particular Treaty of Friendship and Alliance shall be ratify'd, according to the Form here mutually agreed

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greed on by his Imperial Catholick Majesty, and his Royal Catholick Majesty; and that the solemn Instruments of Ratification shall be reciprocally exchange'd at this place, within the space of three Months, or sooner if possible. In Witness and Confirmation whereof, the said Ministers Ambassadors Extraordinary and Plenipotentiary have sign'd this Instrument of Friendship and Alliance with their own Hands, and seal'd it with their Seals. Done at *Vienna*, May 1, A. D. 1725.

(L. S.) *Eugene of Savoy.*

(L. S.) *Philip Lewis, Count de Sinzendorf.*

(L. S.) *Gundacker, Count de Staremberg.*

(L. S.) *John William, Baron de Ripperda.*

Treaty of Peace between the Emperor Charles VI. and Philip V. King of Spain. Concluded at Vienna, the 7th of June 1725.

In the Name of the Holy Trinity, Father, Son, and Holy Ghost. Amen.

Be it known to all and every one to whom it doth or may appertain.

WHEREAS his Sacred Imperial Majesty, and the Holy Roman Empire, enter'd into the War in which almost all *Europe* was involv'd after the Death of the most Serene King of *Spain* Charles II. concerning the Succession to his Kingdoms: And whereas by the Treatys of *Utrecht* and *Baden*, and finally by that concluded at *London* ^{Aug^r} _{July 22} 1718, a Peace was restor'd among the greatest part of the Powers at War, and nothing remain'd but to re-establish the like Peace, by the Divine Inspiration in the Hearts of Princes which are in God's Hand, between his Sacred Imperial Catholick Majesty and the Holy Roman Empire on the one part, and his Sacred Royal Catholick Majesty on the other: And whereas the Treaty of *Cambrey*, such is the Vicissitude of Affairs, has not hitherto answer'd the End that was expected, and therefore the present King of *Spain*, for bringing the great Affair of
Peace

Peace to a Conclusion with his Imperial Majesty, and the Holy Roman Empire, sent a *Spanish* Ambassador Extraordinary and Plenipotentiary, sufficiently authoriz'd, to the Imperial Court; and his Sacred Imperial Catholick Majesty from his sincere Affection to the common Safety of *Europe*, was immediately inclin'd to promote a Work so wholesom and necessary to *Christendom*; and in his own Imperial Name and in that of the Holy Roman Empire, and pursuant to the Request of the States of the Empire, on the 9th of *December* 1722, did appoint, and intruſt his Privy Counsellors following, to be his Ambassadors Extraordinary and Plenipotentiary, with sufficient Authority and full Power, to act, treat, conclude and sign, viz. the most illustrious Prince *Eugene* of *Savoy*, Duke of *Piedmont*, Knight of the Golden Fleece, &c. and the most illustrious *Philip Lexvi*, Count *de Sinzendorf*, hereditary Treasurer of the sacred Roman Empire, Knight of the Golden Fleece, &c. *Gundacker Thomas*, Count *de Staremburg*, &c. *Ernesti Frederic*, Count *de Windischgrotz*, Knight of the Golden Fleece, &c. *Frederic Charles* Count *de Schonborn*, &c. And his Sacred Royal Catholick Majesty in like manner appointed his Ambassador Extraordinary the most illustrious *John William* Baron of *Ripperda*, whom he invest'd with the like Power and Authority. And the said Ambassadors Extraordinary and Plenipotentiarys, after having exchange'd their full Powers, and held divers Conferences, agreed on the Articles and Conditions of a happy Peace as follows.

I. There shall be a constant perpetual and general Peace and true Friendship between his Imperial and Catholick Majesty and his Successors, the whole *Roman* Empire, all and every one of its Electors, Princes, States and Orders, Vassals, Clients and Subjects, on the one part, and his sacred Royal Catholick Majesty and his Heirs, Successors, Clients and Subjects, on the other part; which shall be so sincerely observ'd and cultivated, that neither of the two Partys shall undertake any thing whatever under any Pretext or Pretension whatever, to the Injury, Damage or Prejudice of the other, nor give any Advice or Succours, under what Name or Colour soever, to any that shall undertake or endeavour to do any Damage; but each Party shall rather study to promote the Honour, Interest and Advantage of the other, notwithstanding all Treatys and Alliances contruſt thereto, when and howsoever made in Time, past or to con-

II. There shall be a perpetual Amneity and Oblivion of all the Hostilities committed on either side, during and on

Occasion of the War, in such manner that neither on this nor on any other account, the one shall in any wise give or suffer to be given to the other any Molestation, directly or indirectly, by Force or under pretence of Right.

The Benefit and Effect of this Amnesty shall be extended to all the Vassals, Clients and Subjects of both Partys, with this additional Declaration however, that the matters regulated in the Treaty of Neutrality concluded at the *Hague* in 1713, with respect to the Princes, Vassals and Subjects of the Empire in *Italy*, and confirm'd by the 30th Article of the Peace of *Baden* made with the King of *France*, shall be deem'd as repeated in the present Treaty, and inviolably observ'd by both Partys.

III. By virtue of this Treaty the Commerce between the Subjects of his Sacred Imperial Catholick Majesty and the Empire, and those of his Sacred Royal Catholick Majesty and the Kingdom of *Spain*, shall be fully re-establish'd immediately after the signing of this Peace, with the same Liberty as before the War; and all and every one of either side, namely the Subjects and Inhabitants of the Imperial and Hanse-Towns, shall enjoy both by Sea and Land the fullest Security, with all the Rights, Immunities, Privileges and Emoluments they enjoy'd before the War.

IV. His Sacred Imperial Catholick Majesty consents for himself and the Holy Roman Empire, that in case the Duchy of *Tuscany* and those of *Parma* and *Placentia*, (as they have been acknowledg'd in the Treaty of *London* in 1718, by all the contracting Parties, to be unquestionable Fiefs of the Empire, depending on the antient Rights of Imperial Superiority) should become vacant for want of Male Issue, then the eldest Son of the most serene King of *Spain*, by the present Queen, born Princess of *Parma*, and his Male Descendents born in lawful Wedlock; and in default of such, the second Son next following, and so on to the other Sons of the same King and Queen, together with their Male Descendents born or that shall be born in lawful Marriage, shall succeed to all the said Duchys and Provinces, according to the Letters of Reversion already issued, containing the Eventual Investiture; on condition however, that the Town of *Leghorn* remain for ever a free Port as it is now.

Moreover, the Catholick King promises, if the Case abovemention'd happen, that he will make over the City of *Porto-Longone*, with that part of the Island *Elva* which is in his possession, to the Infante Prince his Son: and that neither he nor any of his Successors to the Crown of *Spain* shall

shall ever have the Guardianship of the Prince who shall possess those Duchys or any of them, neither shall he be able to acquire, retain, or possess the least thing in the said Duchys or in *Italy*: And that he will religiously observe the Precautions contain'd in the 5th Article of the Treaty of *London*, not to introduce any of his own Troops, or foreign Troops in his Pay, into the said Duchys during the Life of the present Princes; in such manner, however, that if the Succession to one or other of these Duchys should come to be open, the Prince Infante *Don Carlos* may take possession of them according to the Letters of the Eventual Investiture, the Tenor whereof in all and each of its Articles, Points, Clauses and Conditions, is deem'd as repeated and fully inserted here.

V. All those shall be included in this Peace, who shall by common consent be nam'd by either Party, within six Months after the Exchange of the Ratifications.

VI. The Imperial Ambassadors and the *Spanish* Ambassador promise, that the Peace hereby concluded, shall be ratify'd by his Imperial Catholick Majesty and by his Royal Catholick Majesty; and that the publick Instruments of Ratification shall be here reciprocally exchange'd, within three Months, to be computed from the Date hereof, or sooner if possible.

In Witness and Confirmation whereof, the abovemention'd Imperial Ambassadors Plenipotentiary and the *Spanish* Ambassador have subscrib'd these Presents with their own Hands, and seal'd 'em with their Seals. Done at *Vienna*, the 7th of *June*, A. D. 1725.

(L. S.) *Eugene of Savoy.*

(L. S.) *Philip Lewis, Count de Sinzendorf.*

(L. S.) *Gundacker, Count de Staremberg.*

(L. S.) *Ernest Frederic, Count de Windsebigratz.*

(L. S.) *Frederic Charles, Count Schonborn.*

(L. S.) *John William Baron de Ripperda.*

Separate Article.

It is thought fit and agreed by this separate Article, that the Titles assum'd in this Treaty by either Party, shall not be to the prejudice of the other; and that this separate Article shall be of the same Validity, as if it was inserted in the Treaty itself; and ratify'd in the same manner. In Witness whereof, the abovemention'd Plenipotentiaries have subscrib'd this separate Article in like manner. Done at *Vienna*, the 7th of *June*, A. D. 1725.

Sign'd as above.

Articles

Articles of Peace and Commerce between the most High and Renowned Prince George II. by the Grace of God, King of Great Britain, France and Ireland, Defender of the Faith, &c. and the most High and Glorious, Mighty and Right Noble Prince Muley Hamet Dahebby, Ben Muley Ismael, Ben Muley Zeriph, Ben Muley Aly, King and Emperor of the Kingdoms of Fez and Morocco, Tafilet, Suz, and all the Algarbe, and its Territorys in Africa, &c. Concluded, agreed and adjusted by John Ruffel Esq; on the behalf of his Britannick Majesty; and by his Excellency Basbarw Hamet, Ben Aly, Ben Abdalla, and his Imperial Majesty's Admiral of Sallee, Hadge Abdelcader Perez, on the behalf of the Emperor of Fez and Morocco.

- I. **T**HAT all *Moors* or *Jews*, subject to the Emperor of *Morocco*, shall be allow'd a free Traffick, viz. to buy or sell for 30 days in the City of *Gibraltar*, or *Island of Minorca*; and not to reside in either Place, but to depart with their Effects, without Let or Molestation, to any part of the said Emperor of *Morocco's* Dominions.
- II. That

II. That the King of *Great Britain's* Subjects residing in *Barbary*, shall not be oblig'd to appear before the Cadi or Justices of the Country; but only the Governour of the Place, and his *Britannick* Majesty's Consul, are to take Cognizance of and adjust the Differences they may have with the Natives of the Country.

III. That the Menial Servants of his *Britannick* Majesty's Subjects, tho Natives of the Country, either *Moors* or *Jews*, be exempt from Taxes of all kinds.

IV. That all his *Britannick* Majesty's Subjects, as well Passengers as others, taken by any of the Emperor of *Fez* and *Morocco's* Cruisers, on board any foreign Ship or Vessel whatever, shall immediately be set at Liberty and sent to the City of *Gibraltar*.

V. That there be Permission for buying Provisions, and all other Necessaries for his *Britannick* Majesty's Fleet, or City of *Gibraltar*, at any of the Emperor of *Fez* and *Morocco's* Sea-Ports, at the Market-Prices; and the same to be shipp'd off without paying Custom, as has been extorted lately contrary to the Treaty of Peace subsisting.

VI. All the other Articles being fifteen in Number, concluded, agreed and adjusted by the Honourable *Charles Steward* Esq; on the behalf of his *Britannick* Majesty, and by his Excellency *Bashaw Hamet, Ben Aly, Ben Abdalla*, and his Imperial Majesty's Treasurer, *Mr. Moses Ben Hatter*, a *Jew*, on the Behalf of the said King of *Fez* and *Morocco*, shall stand good, and be of the same Force as in the Reigns of the most high and most renowned Prince *George I.* King of *Great Britain, France* and *Ireland*, &c. of Glorious Memory, and the High and Glorious, Mighty and Right Noble Prince *Albumazar Muley Ismael*, late Emperor of *Morocco*. And it is farther agreed that all the Articles aforementioned, as well the fifteen as these additional ones, shall in twenty days after the date hereof, be publish'd in the *Arabick* Language, and affix'd on the Gates of all the Sea-Port Towns in his Imperial Majesty's Dominions.

Sign'd and dated at the Court of *Mequinez*, *Jan. 14*
1727-8.

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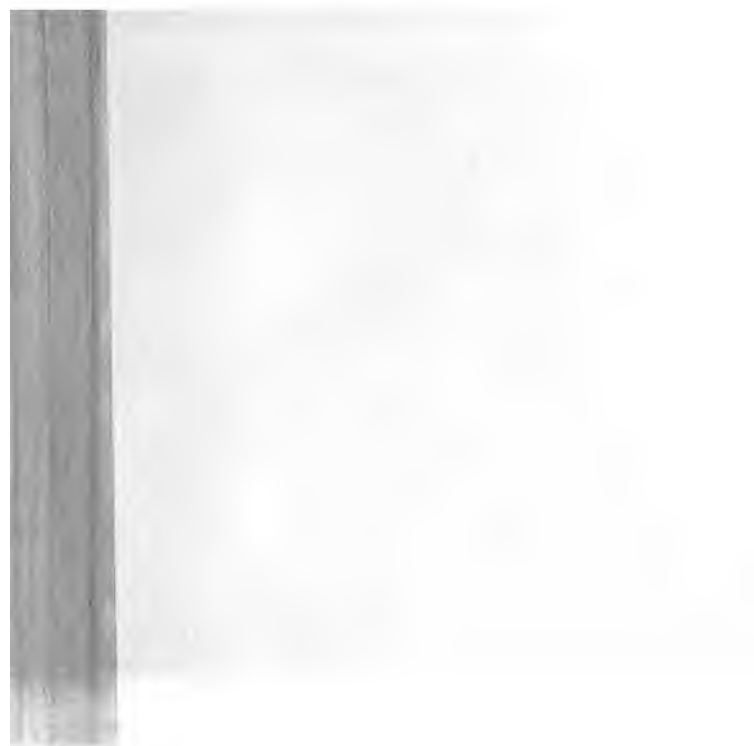
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