

the 30th of *January* 1648, between his Majesty King *Philip IV.* of glorious Memory, and the said Lords the States-General, concerning Commerce, which Articles are now confirmed by this present Article.

ART. XXVIII. And for the greater Security and fuller Execution of the present Treaty, his *Britannick* Majesty promises and engages to confirm it, and to Guarantee it in all the Points and Articles thereof, as by this Article he does confirm and guarantee the same.

The foregoing Articles of the Barrier Treaty shew, that another Conclusion of the *Dutch* Minister at *Madrid* is undeniable. The Cession, says he, which was made of the said *Netherlands* to the Emperor, being such that his Imperial Majesty should possess them under the same Condition the Kings of *Spain* had done, it is clear that these Countries, by changing their Master, could not acquire any Right prejudicial to the Republick, and contrary to the Treaties.

The following Article of the Treaty of *Utrecht*, between the Crowns of *Great Britain* and *Spain*, deserves to be inserted.

The VIIIth Article of the Treaty of Peace between Queen Anne of Great Britain, and King Philip V. of Spain, concluded at Utrecht the 13th of July 1713.

ART. VIII. **T**HAT there be a free Use of Navigation and Commerce between the Subjects of each Kingdom, as it was heretofore in Time of Peace, and before the Declaration of this late War, in the Reign of *Charles II.* of glorious Memory, Catholick King of *Spain*, according to the Treaties of Friendship, Confederation and Commerce, which were formerly made between both Nations, according to ancient Customs, Letters Patents, Schedules, and other particular Acts; and also according to the Treaty or Treaties of Commerce which are now, or will forthwith be made at *Madrid*. And whereas among other Conditions of the General Peace, it is by common Consent established as a chief and fundamental Rule, that the Exercise of Navigation and Commerce to the *Spanish West-Indies* should remain in the same State it was in the Time of the aforesaid King *Charles II.* That therefore this Rule may hereafter be observed with inviolable Faith, and in a Manner never to be broken, and thereby all Causes of

of Distrust and Suspicion concerning that Matter may be prevented and removed, it is especially agreed and concluded, that no Licence, nor any Permission at all, shall at any Time be given, either to the *French*, or any Nation whatever, in any Name, or under any Pretence, directly or indirectly, to sail, to traffick in, or introduce Negroes, Goods, Merchandizes, or any Things whatsoever, into the Dominions subject to the Crown of *Spain* in *America*, except what may be agreed by the Treaty or Treaties of Commerce aforesaid, and the Rights and Privileges granted in a certain Convention, commonly called, *El Asiento de Negros*, whereof mention is made in the 12th Article; except also whatsoever the said Catholick King, or his Heirs or Successors, shall promise by any Contract or Contracts for the Introductions of Negroes into the *Spanish West-Indies*, to be made after that the Convention or the *Asiento de Negros* abovementioned, shall be determined. And that more strong and full Precautions may be taken on all Sides, as aforesaid, concerning the Navigation and Commerce to the *West-Indies*, it is hereby further agreed and concluded, That neither the Catholick King, nor any of his Heirs and Successors whatsoever, shall sell, yield, pawn, transfer, or by any Means, or under any Name, alienate from them and the Crown of *Spain*, to the *French*, or to any other Nation whatever, any Lands, Dominions, or Territories, or any Part thereof belonging to *Spain* in *America*. On the contrary, that the *Spanish* Dominions in the *West-Indies* may be preserved whole and entire, the Queen of *Great Britain* engages, that she will endeavour, and give Assistance to the *Spaniards*, that the ancient Limits of their Dominions in the *West-Indies* be restored and settled, as they stood in the Time of the aforesaid Catholick King *Charles II.* if it shall appear that they have in any Manner, or under any Pretence, been broken into, and lessened in any Part, since the Death of the aforesaid Catholick King *Charles II.*

These Conventions are worded in very plain and intelligible Terms, and now we desire the Reader to peruse the 2d, 3d, 26th, and 47th Articles of the Treaty of Commerce, concluded at *Vienna*, between the Emperor and the King of *Spain*, as they are inserted in the Register N^o XL.

In the last *Register*, we inserted a Memorial of the *Marquess de St. Philippe* to the States-General, and their High Mightiness's Resolution thereupon: In a little Time after that Minister back'd the said Memorial by another, which is as follows:

The Marquess de St. Philippe's second Memorial to the States-General.

THE underwritten *Marquess de St. Philippe*, Ambassador of *Spain*, has express Orders from the King his Master to acquaint your Lordships, that his Majesty has seen your Answer given the 24th of *January* last to the Secretary *Olivieri*, then charged with the Affairs of the Crown to the States-General. The King read with Pleasure the Expressions it contains of your Lordships sincere Friendship for his Majesty, and of your Readiness to preserve the Peace and Tranquillity of *Europe*: It is the only Object of all the Pains his Majesty takes to compass so desirable an End, and to free your Lordships from all Manner of Doubt.

Nevertheless, your Refusal to admit his Majesty's Mediation between the Emperor and the States-General, affords sufficient Reasons to desist from any such Pursuit, and to say no more of entering into a Negotiation about the *Offend Company*.

It is evident, the Sovereign Independency would receive a Wound by being made accountable to any Potentate whomsoever, for the Privileges or Eases in Trade, which one Monarch grants in his Kingdom to another Nation, or to the Subjects of another Monarch or Prince; since every one knows, that this is an essential Branch of the Sovereignty, and absolutely depending upon his free Will: 'Tis likewise known, that his Majesty has not signed any Treaty, nor entered into any Engagement to refuse to some the Favours he has granted to others, because he would by that Means have deprived himself of that absolute and essential Freedom. Upon this undeniable Principle, the King is perswaded he has but made Use of his lawful Right, when, after the Conclusion of the Treaty of *Vergna*, his Majesty granted some Privileges and Freedoms to the Subjects of the Emperor, with whom he is so strictly united.

Mean while, such is the Uprightness of the Intentions of the King my Master, who aims only at the Publick Good, as an Object preferable to all other Considerations,

rations, that on his Part he is willing to gratify, for this Time, your Lordships Wishes, and to interpose his good Offices with his Imperial Majesty, to put an End to your Complaints, and see if proper Expedients could not be found out to avoid a Rupture.

The underwritten again declares, That as the King his Master persists in the Resolution to enter, in Concert with the States-General, into proper Measures for maintaining the Peace of Europe, his Majesty expects to find the same Disposition in your Lordships, that you will answer up to the great Idea he has of your Prudence, and that you will attribute this Declaration as much to his earnest Desire of preventing Hostilities, as to the particular Value he sets upon your Friendship.

Done at the Hague,

April 1, 1726.

The Marquess de St. Philippe.

We cannot tell whether the States have yet returned an Answer to this Memorial, nor what further Steps the Imperial and Spanish Ministers have made in that Affair, but the Accession of the Republick is now in a Manner out of the Question, all the Provinces, except *Utrecht*, having actually given their Consent to it.

P O L A N D.

THE Great Council of the Senators of this Kingdom, summoned by the King of Poland to meet on the 15th of *January* this present Year, met accordingly at *Warsaw* on that Day, when the High Chancellor, by the King's Command, made a Speech to them, and acquainted them, That his Majesty having an entire Confidence in them, had called them together to have their Advice on the important Affairs of the present Juncture. The Primate of the Kingdom return'd a very respectful Answer in the Name of the Assembly, from whom great Things were expected; but having sate near a Month, they broke up, without coming to any Resolution in the chief Affair propos'd to their Deliberation, which was that of *Thorn*: The Resolutions they came to are as follow:

The Result of the Congress at Warsaw, as it was delivered to the King of Poland the 9th of February, by the Primate of the Kingdom.

ARTICLE I.

WHEREAS during the actual Adjournment of the Diet of the Kingdom, no Council of the Senators can be held in Form, and as his Majesty has permitted the States, assembled at the last Diet of the Kingdom, to meet again at their own Pleasure, jointly with the Senators and Chief Ministers of State, for getting the Nobility to mount on Horseback, and for entering into Negotiation with the foreign Ministers, this present Congress could not conclude any of the aforesaid Affairs peremptorily, and in Form of Law: However, the Senate's Opinion upon the Propositions made to them on the Part of the King, is, that the issuing of the *Vici* or General Summons, for getting the Nobility to mount on Horseback, ought to be deferred for some limited Time, as well as the Writs for re-assuming the Diet of the Kingdom; but in Case the Republick should be threatened with some manifest Danger, then the Issuing of the said Summons and Writs should be urged. For which purpose,

II. It would be proper to give Leave to all the Palatinates to hold their Provincial Diets, for a Supplement of their Instructions; and if there be no Fear of Disturbance, it will be sufficient that such Palatinates, whose Diets are broken off unsuccessfully, should hold new ones for the Election of their Nuncio's.

III. The Senate recommends to his Majesty, and especially to the Marshals, to get the Garrisons reinforced, and above all, those of *Elbin, Thorn, and Pashawic*.

IV. As the Pope's Nuncio has openly declared, that the Right of Patronage cannot be granted to the Republick, and that new Decrees may be sent from *Rome* upon this Matter, to the Prejudice of the Republick, the Senate desire his Majesty to shew his Resentment on this Occasion, however, without breaking in upon the Respect due to the Holy See; and in the mean Time, to make Instances in Writing to his Holiness for the Suspension of such a Decree, or that otherwise the Laws long ago enacted upon that Matter must be put in Execution.

V. The Senate would be glad that his Majesty would be pleased to entrust the *Aulick* Crown-Marshal with the Care of carrying on the Negotiations begun with the *Russian* Minister, when the *Czar* was yet alive, in order to procure to the Republick better Terms than the former.

VI. The High Treasurer might be also charged to resume the Conferences with the *Prussian* Minister, with a Salvo to conclude nothing Definitively, but only by way of Preliminary or Project, referring the same to the Ratification of the Diet; and whatever is projected should always be done with the Advice of those Senators who are near the King. Mean while, it should be intimated to the *Prussian* Ministers, that it is expected his *Prussian* Majesty would hereafter observe more exactly than hitherto the ancient Treaties, and discharge all the *Polish* Subjects enlisted by Force; otherwise they would be obliged to order the Palatinates which border upon *Prussia*, and the Marshals of the Army, to march some Companies towards *Prussia*, in order to repel Force by Force.

VII. That in adjusting the Affair of *Thorn*, Care should be taken to procure to the *Roman* Catholicks in the Protestant Princes Countries, the same Indulgences, which, in Regard to their Intercession, may be granted to those of *Thorn*; and that the Court of *Berlin* should particularly oblige itself to abolish out of Hand, all the Innovations made to the Prejudice of the Diocese of *Ermeland* and *Cujavia*, as likewise of the City of *Elbing*.

About the Beginning of *April*, the King of *Poland* issued his First Summons for raising the General *Posse* of the Kingdom. The said Summons was as follows:

Translation of the King of Poland's First Summons for Raising the Postpolite Ruzene, or Great Posse of the Kingdom.

Augustus II. by the Grace of God, King of *Poland*, Great Duke of *Lithuania*, &c. To all those whom it may concern, especially to our most dear and well-beloved the Senators, Great Officers, and all the Nobility of the Palatinate of ———, and the Towns and Castles thereto belonging, Greeting.

Most Dear and Well-beloved,

THE Peace which has been granted by the special Providence of the King of Kings to this Kingdom, which

which we have cultivated by our continual Care and Pains, and which our good Subjects enjoy, not without inexpressible Care on our Part, is so agreeable to us, that all our Endeavours and Views do only tend to preserve such a precious Gift as long as possible, both at Home and Abroad.

'Twas with this View, that after the Limitation of the last Diet, we thought fit to name Deputies of both Orders, to enter into Conferences with the Foreign Ministers, that after having heard their Proposals, in order to make Report thereof to the Republick assembled in a Body, we might concert the most proper Measures to preserve the Publick Peace and Tranquillity, and remove all Obstacles that might hinder the Enjoyment of so great a Happiness.

This likewise induced us to take the Opinion of a Congress of Senators, to the End that the Penetration of this Council, in the Nature of an Expedient, might serve to support us in the salutary Intentions of maintaining the Peace, and diverting all that might tend to disturb that dear Tranquillity so desirable to all.

And tho' we are perswaded, that the God of infinite Strength and Power will bless the Sincerity of our Cares and Intentions, yet we have maturely reflected, that it is necessary to provide in Time of Peace against unforeseen Accidents, and conclude all Negotiations armed with Shield and Buckler, especially considering the Threats and Machinations of the Nonconformist Powers, on Account of the Affair of *Thorn*, which is a just Revenge of the offended Deity, and for which the Republick, which is independent, and absolute Mistress of its own Conduct, is accountable to no Body.

And seeing that the longer the Time runs on, the greater are their Preparations to put those Menaces in Execution, and that it is not proper to sit still and indolently to wait from which Way the Storm will blow, but rather to prevent and dexterously avert the Evils we are threatned with, we have thought fit to dispatch the Summons for the *Postpolite Ruszene*, according to the Power given us by the States of the Republick, immediately after the Limitation of the last Diet, with the Approbation of the most Worthy and most Reverend Father in Christ, the Primate, and the Senators of the Kingdom lately assembled in Congress.

Forasmuch as we declare before God, the Searcher of Mens Hearts, that this Step does not tend to disturb

or infringe the Peace established by mutual Treaties, but only to maintain the Honour of our State in Case of unforeseen Danger, and use the Reprisals allowed by the Law of Nature and Nations ; so we desire to convince the Republick, that we found the greatest Glory of the Orthodox Faith, and the Confidence of the publick Safety, in the Hearts of our valiant Subjects, knowing for certain, that the *Polish* Nation assembled and convoked, famous and renowned for their immortal Actions, preferring their Faith and Country to their Lives and Fortunes, have extended the Frontiers of their Dominions, and secured the Dignity of their Sovereigns, and the Immunities of their Rights and Liberties in the most dangerous Conjunctions, and have more than once resisted Enemies in a Plot to ruin the Republick, and have acquired immortal Fame.

We doubt not but the same Readiness and the same Valour still subsist for the Defence and Preservation of Religion in the Hearts of those Children who love their Country, and of a whole warlike Nation. Therefore we the more readily conform to the Opinion of our Counsellors, and issue these our first *Universalia* or Summons, earnestly desiring, for the Love we bear our Country, that all who are called the Children of this Republick, and who by the Common Law ought themselves to appear, or send others in their Room, for this Expedition, may take Care to provide themselves with Arms and other Necessaries for the War, according to the Custom of this Nation : And that you, Right Trusty and Well-beloved, take Care to mount on Horseback at the Places which shall be appointed in the Second and Third Summons, to repair forthwith under the Conduct of your Leaders, conformably to the Constitution of 1621.

We order our Officers to cause these First Summons to be published in the usual Camps and Places. *Given at Warsaw, the 5th of April 1726, and of our Reign the 29th.*

G E R M A N Y.

AN Incident happen'd in *April* this Year, which manifested and very much encreased the Jealousies which the Imperial and *British* Courts had for some

Time

Time before entertain'd of each other. The Reader will gather the Matter of Fact in the two following authentick Pieces :

The Memorial presented by M. de St. Saphorin, Envoy of his Britannick Majesty, to Count Siazendoff, Great Chancellor of the Imperial Court.

S I R,

YOUR Excellency having desired me to give you in Writing what I deliver'd to you from the King my Master by Word of Mouth, about a Fortnight ago; I shall do myself the Honour to acquaint you again, That his Majesty is extremely surpriz'd to hear, that a Report has been spread, and very confidently affirm'd by some who belong to the Emperor, That his Majesty had not only caused the *Treaty of Hanover* to be communicated to the *Ottoman Porte*, by his Ambassador at *Constantinople*, but that he had also endeavour'd to excite them to enter upon a War with the Emperor, intimating, that the firm League lately form'd against him, gave the Sultan a favourable Opportunity of retaking *Temeswaer* and *Belgrade*.

But his Majesty was much more surpriz'd at being inform'd, that one of his Couriers, in his Return from *Constantinople*, was seiz'd at *Belgrade*, altho' he publicly wore the Badge of the King's Messengers, was provided with Letters from the Emperor's Envoy at *Constantinople* for the Prince of *Wirttemberg*, who receiv'd him suitable to his Character; and notwithstanding that, he declar'd, that he came with Dispatches for his Majesty and the Ambassador of *France*. And tho', after detaining him Twenty-eight Days, they at length suffered him to pursue his Journey; this Permission was attended with such Circumstances as in every Respect afforded greater Matter of Complaint, both in Respect of the Manner in which his Serene Highness Prince *Eugene* explain'd himself on this Subject to the Duke of *Richelieu*, and inasmuch as he thought fit to give an Answer only in the Name of Monsieur *Bruckhausen*, to what was urged by the Minister of the King of *Great Britain*; who had, however, apply'd by Letter to his Highness himself; besides that, the Person who brought him the Answer, told him, That tho' they had suffer'd the King's Messenger to pursue his Journey, it was only for this one

Time,

Time, and because he had brought with him a Letter from Monsieur *Dierling* to the Count of *Wurtemberg*.

As the King my Master can look upon this Procedure no otherwise than as a Violation of the Law of Nations, and as a Manner of treating him, never made use of by one Prince to another, who still lived in Amity together, he hopes that his Imperial Majesty will order Satisfaction to be given him in this Matter, as I have positive Commands to require: And he is moreover satisfy'd, that his Imperial Majesty will not refuse doing it in such a Manner, as may equal the Greatness of the Insult which hath been offer'd him; since otherwise it is very visible, that he cannot be perswaded but that the Report that has been spread of him, as well as the Stopping his Courier, is only the Consequence of a Design before laid of coming to an open Rupture with his Majesty, in pursuance of those Projects which the Duke of *Kipperda* declared to his Ambassador were form'd against him by the Emperor and his Catholick Majesty.

Besides, Sir, tho' I have no Orders for saving it, by reason of the unwarrantable Manner of treating his Majesty, I can however assure your Excellency, for my own Part, that those Assertions that have been publish'd as certain and avow'd Facts, have not the least Appearance of Truth, since his Majesty has not so much as sent Mr. *Stanyan* a Copy of the *Treaty of Hanover*, and has order'd him not to take any Step, or let slip any Expression that may give the least Room to his Imperial Majesty to take Umbrage; and moreover, the King's Ministers would doubtless by his Order have explain'd themselves in such a Manner to those of his Imperial Majesty, as would not have fail'd to convince them, that all that had been reported was groundless, had not so injurious a Rumour been spread, before any Information was given to the King my Master: But so unexpected a Procedure too much concerns the Glory of the King, for him to think it proper to give an Account to any Person whatsoever of the Directions which he is pleas'd to give to his Ministers at Foreign Courts. I have the Honour to be, &c.

Vienna, April 15,
1726, N. S.

De St. Saphorin.

The Answer of the Count of Sinzendorff, to the Memorial of Monsieur De St. Saphorin.

S I R,

Supposing that your Memorials given in Writing would have been confined entirely to the Affair of seizing the Courier at *Belgrade*, it was intended to have given you an Answer in brief; but as that of the 15th of this Month contains several other Circumstances, his Imperial and Catholick Majesty has order'd me to declare to you, that to this Hour he has not concern'd himself in the Reports of which you take Notice, relating to the Information given by your Court to the *Ottoman Porte*; and that in the Conference held between Prince *Eugene* of *Savoy* and the Duke of *Richelieu*, Ambassador of *France*, Enquiry was not so much as made, whether the *Treaty of Hanover* had been communicated to that Court in Writing; but only in general, whether the *Porte* had been inform'd of it, by way of inciting them to make War with the Emperor; and, in short, whether the Orders sent to Mr. *Stanyan* to that Purpose, had not been carry'd by a Courier in Disguise, who pass'd here for an *English Merchant*.

It was with this View also, that Orders were given, as early as the 2^d of *February*, to the *Sieur Palen*, Resident at the Court of his *Britannick Majesty*, to notify forthwith to the King or his Ministers, the Contents of those positive Advices which had been received from *Constantinople*; all which intimated, that the *British Ambassador* had had an Audience of the Grand Vizier, and that he endeavour'd to excite the *Turks* against his Imperial Majesty. This is what hath been further reported, and from that Time to the Conference which Prince *Eugene* had with the Duke of *Richelieu*, it can be imputed to nothing but the general Voice, the Letters of all the Foreign Ministers residing at *Constantinople*, who with one Consent have spoken of it as a Matter both certain and publick, and with Circumstances more at large and particular, than all that hath been either said here, or represented at *London*, by the Resident *Palen*.

We, in a great Measure, guess, Sir, why you insinuate in your Memorial, as of your own Accord, and without Orders, That his *Britannick Majesty* had not so much as sent Mr. *Stanyan* a Copy of the *Treaty*: But
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without searching into the Bottom of the Matter, we may reply to you, That the Grievance of this Procedure, 'till now unheard of, and which we never should have expected from the King your Master, consists not in the *Treaty of Hanover's* being communicated by a Copy, but in that it was really imparted to the *Turks*, and that by Means of it Endeavours were used to excite them against the Emperor.

But as it is necessary to shew more particularly what hath happen'd in respect to that Matter, I am to tell you, Sir, by his Imperial Majesty's Order, That in the Month of *December* last, there came hither, as you know, a certain Person who apply'd himself to Monsieur *Bruckhausen*, under the Name and Quality of an *English Merchant*, being conducted by your Secretary, who having given an Account of him to Prince *Eugene*, he caused a Passport to be got ready for him, according to Custom, for pursuing his Journey into *Turkey*, thro' his Imperial Majesty's Dominions; That, nevertheless, this same Person arriving at *Constantinople* on the 14th of *December*, appear'd there not as a Merchant, but as a Messenger of the King of *Great Britain*, with important Orders for his Ambassador Mr. *Stanyan*; That in Fact, on the 20th of the same Month, that Minister had an Audience of the Grand Vizier, and notify'd to him the Alliance made at *Hanover* between the King his Master and the Kings of *France* and *Prussia*, greatly magnifying the exorbitant Power of the Emperor, and the Danger that might befall the Princes and States of *Europe*, representing to him, that the *Porte* had now a favourable Opportunity of recovering their former Losses; assuring him, that if Endeavours were made towards it, the Allies of *Hanover* would come to no Accommodation without the *Porte's* receiving entire Satisfaction; and that all this should, in like Manner, be imparted to him, and confirmed by the *French* Ambassador in the Name of the King his Master. That it is true, indeed, that two Days after, discoursing with the Imperial Resident *Dierling*, he assured him, that nothing had been transacted in the Audience which he had had of the Grand Vizier, prejudicial to the Interest of his Imperial Majesty, adding withal, that he hoped no such Orders would ever be given him; but that it is also very certain, that, from that very Time, the said Resident was inform'd to the contrary, by such Means as he could and ought to depend on; that all

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the People, even of *Constantinople*, had got such a Notion, and that they made no Mystery of it at the *Porte*.

Such Informations as these must necessarily have obliged the Emperor to take some Precautions. His Orders were sent on the 23^d of *January*, to all the Generals and commanding Officers on the Frontiers of *Turky*, to let no Body pass either going or returning, without giving Notice thereof to the Court; whereupon the Messenger arriving at *Belgrade*, the Duke of *Wurtemberg* Governor of *Servia*, could not avoid detaining him 'till farther Orders, altho' upon finding himself stop'd, he at last discover'd his Badge of an *English* Messenger, and deliver'd the Prince of *Wurtemberg* a Letter from the Resident *Dierling*, in which he was so styled.

What happened upon this, you are acquainted with, Sir, better than any Body. The Duke de *Richelieu* went to Prince *Eugene*, and desired him to release the Messenger, who brought Letters for him and his Court; and you yourself wrote to him the next Day to the same Purpose, your Health not permitting you to go in Person. The Matter was reported to his Imperial Majesty, who, notwithstanding all the Circumstances of the Fact, was pleas'd to give Order that the Messenger, for this Time, might proceed on his Journey. At the same Time, Monsieur *Bruckhausen* had Orders, according to the received Custom of this Court, to give Notice of it to the Duke de *Richelieu* and yourself; which he would have perform'd in Person, had it not been for an Indisposition, that is so real, that he is actually dying; therefore, that he might lose no Time, he entrusted it to an Officer of the Chancery, to whom you did not scruple to own, that the Messenger was the same Person that pass'd here for an *English* Merchant, and as such had obtain'd a Passport to go to *Constantinople*: But then you lay the Fault upon your Secretary; as if such Contrivances could happen thro' Oversight or Inadvertency, especially in respect to a Messenger of the Crown of *Great Britain*, who is a publick Person, and highly oblig'd, by every Day's Employment, to wear openly the Badge of his Office; and cannot conceal it, without bringing himself under a Suspicion of some ill Design.

We leave all the World to judge, whether the detaining such a Person as this, in a Frontier Town, who was returning from such an Errand, and who was neverthe-

less released afterwards out of Regard to his *Britannick* Majesty, can afford any Room to require Satisfaction for a Violation of the Law of Nations, if on the other side his Imperial and Catholick Majesty had not good Reason to complain of it?

Besides, we know very well why what was said by the Duke *de Ripperda* is confounded with this Matter, tho' it hath naturally no relation to it; which, together with the Emperor's Conduct in the whole Course of this Affair, will discover to whom we have Reason to attribute these premeditated Designs of a Rupture, and to whom the Violation of the Law of Nations ought really to be imputed.

I have the Honour to be, &c.



SCOTLAND.

ON the 5th of May, the General Assembly of the Church of Scotland met at *Edinburgh*, and chose for their Moderator Mr. *William Mitchel*. His Majesty's Commission to the Right Honourable the Earl of *Loudoun* was read, as was likewise his Majesty's most gracious Letter to the Assembly. His Majesty's High Commissioner made a Speech to the Assembly, which was answer'd on their Part by the Moderator; and a Committee being appointed, drew up a dutiful Answer to his Majesty's most gracious Letter.

The High Commissioner's Speech.

Right Reverend and Right Honourable,

YOU have the Happiness, at the Opening of your Meeting, to receive Assurances of his Majesty's Protection, and fresh Marks of his Royal Favour.

The Manner in which his Majesty, in his most gracious Letter, has been pleased to take Notice of the many Proofs you have given of your Zeal and Affection for his Person and Government, of your Care and Concern for the Peace and Welfare of the Church, for the suppressing of Prophaness and Immorality, and the preventing the Growth of Popery, must, undoubtedly, make you, with great Chearfulness, lay hold of all the Opportunities your Stations may afford you, of giving new Proofs of your Loyalty and Affection to his Royal Person

son and Government, under which you have the Means put into your Hands to promote Ends so worthy of your Profession, and which so nearly concern the Honour of God, the Peace and Quiet of his Majesty's Government, and the Welfare of his Subjects.

I am authorized and commanded by his Majesty, and I do with great Satisfaction renew to you the Assurances of his Royal Intentions to main inviolably the Government of this Church, as by Law establish'd, together with the full and free Enjoyment of all its Rights and Privileges.

That you might be the better enabled to prevent the Increase of Ignorance and Growth of Popery in the Highlands and Islands, his Majesty did last Year grant Warrant for One Thousand Pounds to be employed for the Entertainment of Itinerant Ministers and Catechists, in the Manner which I had the Honour to acquaint you with at that Time; I doubt not, the Application of it has been made so, as to shew your real and sincere Concern in so considerable a Branch of your Duty, as Ministers and as good Subjects.

His Majesty has been graciously pleased to grant a Warrant for the same Sum, and for the same good Purposes this Year, which is in my Hands, and I must desire you to appoint a Committee for the Management of it according to the Terms of the Grant.

Right Reverend and Right Honourable,

His Majesty has been pleased again to confer upon me the Honour of representing his Royal Person in this Assembly; your Conduct in former Assemblies, and particularly in those where I had the Honour to bear the same Character, encouraged me to undertake this great Trust.

The Unanimity, Moderation, and Prudence usual in your Assemblies, as they will give great Weight to your Proceedings, so they will the better enable me to be serviceable to this Church, to the Interests of which I have always had a peculiar Regard.

The Assembly's Answer to his Majesty's most gracious Letter.

May it please your Majesty,

W E your Majesty's most loyal and faithful Subjects, the Ministers and Elders met in the General Assembly of the Church of Scotland, do, as in all Duty bound, return your Majesty our most humble and hearty Thanks for your gracious Letter to us, and for your great Goodness in signifying your favourable Acceptance of the Zeal and Affection of this Church for your Majesty's Royal Person and Government; Duties which we account ourselves bound to by the strongest Obligations: And that your Majesty is pleased graciously to take Notice of the Concern we have shewn for the Peace and Welfare of the Church, for the suppressing of Prophaness and Immorality, and preventing the Growth of Popery, animates us to exert ourselves yet the more in these Duties, under the great Encouragements given us by your Majesty's approving our present Meeting, and countenancing the same with your Royal Authority; and it shall be our earnest Care to shew the like Dispositions as formerly, to do all that in us lies towards the promoting these desirable Ends and Purposes. The Assurances your Majesty is graciously pleased to give us of your Royal Protection and Assistance in doing of the same, and of your Readiness to countenance us in so pious a Work, which so nearly concerns the Honour of God, the Peace and Quiet of your Government, and Welfare of your Subjects, make us deeply sensible of the great Kindness of Heaven in blessing us with such a Sovereign, and are such Encouragements from a Prince piously disposed, and who has so much at Heart the Weal of his Subjects, as must render us without Excuse, should we be remiss in our Duty.

It is most comforting to us, and gives us a full Confidence in your Majesty's Royal Goodness, that you are graciously pleased to renew the Assurances of your firm Resolution to maintain the Established Government of this Church in the full Enjoyments of all their Rights and Privileges; these being what we have exceedingly at Heart, and do judge ourselves the more strongly obliged, by these your Majesty's gracious Assurances to conduct ourselves, on our Part, with that

Modest

Moderation, Unanimity and Prudence that becomes us, and which may entitle us humbly to hope for the Continuance of your Majesty's Royal Favour.

Your Majesty's pious and bountiful Donation to the last Assembly, of a Sum to be employed in maintaining Itinerant Preachers and Catechists in Places where Ignorance and Popery prevail, for remedying these Evils, we humbly hope will be found to have been exactly managed according to your Majesty's gracious Intentions, as will appear by the Accompts of the Management ready to be exhibited to your Majesty's Lord Treasurer, or Commissioners of your Majesty's Treasury, or to the Barons of your Majesty's Court of Exchequer in Scotland, as your Majesty was graciously pleased to direct: And now that your Majesty has, out of your Royal Goodness and laudable Concern for the Good of the Souls of your Subjects, been pleased to renew your Royal Gift to this Assembly for the like pious Purposes, which your Majesty's Commissioner has delivered to us, we accept it with the most profound Respect and Thankfulness, and shall endeavour not to be wanting on our Part, to employ it agreeably to your Majesty's Royal Will, and account for it, as your Majesty has appointed in your Royal Warrant; and in this we act with great Cheerfulness, seeing, as we are bound to promote Obedience to your Majesty's just Laws, the Tendency of our Endeavours is to make those upon whom we bestow our Labours, in so far as we succeed by the Blessing of God, at the same Time better Subjects to your Majesty, as they are made better Christians. And for this End, all Care shall be taken by us, that none be employed in this Service but such as are unquestionably well-affected to your Majesty and your auspicious Government. And we shall be careful to take all those we employ strictly engaged to instill in the People the Principles of Loyalty and Duty to your Majesty.

Your Majesty's Choice of the Earl of Loudoun to represent your Royal Person in this Assembly, we acknowledge thankfully as a special Mark of your Regard to the Good of this Church, having had Experience of his great Knowledge and Capacity, and of his Zeal for your Majesty's Service; and it gives us particular Satisfaction, that your Majesty is pleased to mention as a Reason of your Choice, his Adherence to the Principles

of this Church, and Concern for its Prosperity, of which he has given many convincing Proofs.

That your Majesty's precious Life, which is so great a Blessing to all your People, and the whole Protestant Interest, may be long preserved; that the best of Heaven's Blessings may be plentifully poured out upon your Royal Person, the Prince of Wales, the Princess, and all your Royal Offspring; That your wise Councils and Undertakings for the Happiness of your own Kingdoms, the Relief of distressed and persecuted Protestants, the Welfare of all the Reformed Churches, and the Good of Christendom, may be crowned with remarkable Success; That the Designs of all your secret and avowed Enemies may be defeated; That your Crown may long flourish upon your Head, and at length you may inherit immortal Glory, are still and shall be the earnest Prayers of,

May it please your Majesty,

*Your Majesty's most faithful, most
obedient, and most loyal Subjects,*

*The Ministers and Elders met in the National Assembly of
of the Church of Scotland.*

Sign'd in our Presence, in our Name, and at our Appointment, by

*Edinburgh, May
7, 1726.*

Will. Mitchell, Moderator.

On the 18th, his Majesty's High Commissioner dissolved that Assembly, which, during their Session, had acted with great Unanimity and Moderation, and with all Loyalty and Duty to his Majesty: and appointed another General Assembly of that Church to meet at Edinburgh on the first Thursday in May 1727.

The remaining Pages of this Register shall be fill'd up with the Protests made and enter'd in the House of Lords, from the first Meeting of the last Session of Parliament to the last of April, being the Time of which we have given an Account of their Proceedings in this and the last preceding Register.

PROTESTS of the House of Lords.

Die Jovis 17^o Februarii 1725.

THE House, according to the Order of, this Day Sev'n-night, proceeded to take into Consideration the Copies of the several Treaties laid before the House by his Majesty's Command on *Thursday*.

And the same being read by the Clerk.

Order'd, That the House be now put into a Committee to take the said Treaties into Consideration; and the said Treaties were referred to the said Committee.

The House was accordingly adjourn'd, and put into a Committee to take the said Treaties into Consideration.

After some Time spent therein, the House was resumed; and the Lord *Delaware* reported from the said Committee, that they had taken the said Treaties into Consideration, and were come to the following Resolution, *viz.*

THAT it is the Opinion of this Committee, That an humble Address be presented to his Majesty, to return his Majesty the Thanks of this House, for his most gracious Condescension, in laying the Treaties of Peace and Commerce, made at *Vienna* between his Imperial Majesty and the King of *Spain*, and the Defensive Alliance concluded between his Majesty, the most Christian King, and the King of *Prussia*, before this House: To declare our Opinion, that the said Treaty of Commerce manifestly appears to have been calculated with a View to put the Trade of the *Spanish East and West Indies* entirely into the Hands of his Imperial Majesty's Subjects, ~~and~~ of the Barrier Treaty made between the Emperor and the States-General; to which his Majesty, at their Request, became Guarantee; as well as in Breach of many solemn Treaties and Engagements between the Crowns of *Great Britain and Spain*, to the Inexpressible Damage of the Subjects of this Realm: To express our just Sense of the infinite Obligations we lie under to his Majesty, for the Care he has taken of the Protestant Interest, and the Trade of this Nation, by concluding, at so critical a Juncture, the above-mentioned Defensive Alliance, highly necessary for maintaining the Ballance of *Europe*, as well as for preserving many

many valuable Rights, Immunities, and Advantages relating to the Trade of *Britain*: And to assure his Majesty, that we will stand by and support him to the utmost of our Power, in the Engagements he has entered into by this Treaty, and in the Prosecution of such further Measures, as his Majesty, in his great Wisdom, shall think proper, for preventing the ill Consequences to the Trade of this Kingdom by the above-mention'd Treaty of Commerce: To acknowledge his Majesty's great Goodness, in not suffering himself to be diverted from a Work so necessary to the Happiness of his *British* Subjects, by any Insinuations whatsoever: To give his Majesty the strongest Assurances of our inviolable Fidelity; and that, if his Majesty shall be, at any Time, insulted and attacked by any Prince or State whatsoever, in any Part of his Majesty's Dominions or Territories not belonging to the Crown of *Great Britain*, in Resentment of such Measures as his Majesty has taken, for preserving and maintaining the true Interest and Safety of this Kingdom, and of his having entered into the said Defensive Alliance for that Purpose; we are fully determined, in Vindication of his Majesty's Honour, to exert ourselves to the utmost, in defending and protecting such Dominions from any such Insults or Attacks.

Which Resolution being read, it was proposed to add these Words, *viz.* ' This House not doubting, but your Majesty, in your great Wisdom and Justice to these your Kingdoms, will always preserve to them the full and entire Benefit of the Provision made for further securing our Religion, Laws, and Liberties, by an Act passed in the 12th and 13th Years of the Reign of his late Majesty King *William III.* of glorious Memory, whereby it is enacted, That in Case the Crown and Imperial Dignity of this Realm shall hereafter come to any Person not being a Native of this Kingdom of *England*, this Nation be not obliged to engage in any War for the Defence of any Dominions or Territories which do not belong to the Crown of *England*, without the Consent of Parliament."

Which being objected to. After Debate, the Question was put, Whether these Words shall be made Part of the foregoing Resolution? It was resolved in the Negative.

Dissentient.

Dissentient.

I. **T**HE Clause of the Act of Parliament referred to in the Words proposed to be added, being passed into a Law, upon the solemn Occasion of Settling the Crown of these Realms upon his Majesty and his Royal Issue, and the same Provision, with others in that Act made, having been since re-enacted by Parliament upon another very solemn Occasion, we are of Opinion, that it is thereby become a Fundamental, and a very sacred Part of the Constitution of the United Kingdom, upon the strict and inviolable Observance of which, the future Tranquillity of this Nation, and the Properties of the Subjects of Great Britain, may, in our Opinion, greatly depend: And therefore, we thought the Words proposed fit to be added to a Resolution of this House, wherein the Defence of his Majesty's Dominions and Territories not belonging to the Crown of these Realms, is, as we conceive, in some Measure engaged for.

II. We are of Opinion, that the unfeigned Zeal constantly shewn by this House, in Defence of his Majesty's Sacred Person, and the Honour and true Interest of his Government, can never fail to exert itself, in Vindication of his Majesty's Honour, against all Insults and Indignities whatsoever. And tho' we are far from thinking, but that a Case may arise, wherein the Consent of this House, to engage this Nation in a War, in Defence of his Majesty's Dominions in Germany, may be both just and necessary, yet it being, in our Judgment, reserv'd to both Houses of Parliament, by the Laws above-mentioned, to deliberate and advise upon all the Circumstances, and thereupon to consent to the Justice of the Cause, whereby this Nation shall, at any Time, be engaged in a War upon that Account; we were therefore convinc'd, that the Words proposed, ought to have been added to the Resolution.

III. And the rather, because the Words proposed to be added, import the most dutiful and entire Confidence in his Majesty's Wisdom and Justice, to these Kingdoms, in that respect, and therefore, if they had been added to the Resolution of this House, at this critical Juncture, would, as we conceive, have prevented any jealousies which might happen or arise in the Minds of the Subjects of this Realm, in a Matter, which we think, to be of such Importance to them.

Stratford, Scarisale, Bristol, Lechmore,
Compton, Alverden, Litchfield, Craign,
And

And an humble Address was prepared pursuant to the foregoing Resolution.

Die Mercurij 10^o Aprilis, 1726.

The Order of the Day being read, for taking into Consideration that Part of the printed Votes of the House of Commons of the 24th of *March* 1725, purporting to be a Message to that House from his Majesty, under his Royal Sign Manual.

And the same being read by the Clerk, it was proposed to adjourn the further Consideration thereof for a Month.

After Debate, the Question was put, Whether the further Consideration of the said Order of the Day shall be adjourn'd to this Day Month? It was resolved in the Affirmative.

Dissentient'.

I. **B**ECAUSE we conceive the Subject Matter of this Debate to be of so great Consequence to his Majesty's Service, to the Honour of this House, to the Constitution of Parliament, and to the Prosperity of the Kingdom, that it ought not to have been postponed at all, much less for such a Length of Time. It must be for the Service and Support of the Crown to have the Advice of both Houses of Parliament upon all Occasions; and as the Message taken Notice of, was only sent to the House of Commons, there has hitherto been no Communication with this House thereupon, tho' it contains Matters of the highest Importance; and we conceive, that it tends to undermine the very Foundation of this House, when the Lower House is alone advised with, upon any Matter which concerns the Interest of the whole Kingdom.

II. As this House has always been esteemed the Hereditary and Perpetual Guardians of the Liberties and Properties of the People, they ought not to be excluded from giving their Advice, in all Matters of Publick Concern; and the Rights of the People of *England* are, as we apprehend, invaded, whenever they are deprived of the Assistance of this House of Parliament, without whom no Aids can be given to the Crown, nor no Taxes imposed on the People; Therefore, as we conceive, this Message (being sent to the House of Commons only) tends to subvert those Rights. We think this Debate should not have been adjourn'd, lest any

Inference

Inference should be drawn from this dilatory Proceeding, that this House is not as jealous of their Rights and Privileges at this Time, and as much determined to support them, as any of their Ancestors have formerly been.

III. Since it cannot be doubted, that it is an Inherent and Fundamental Right in this House, to alter and amend all Money Bills which come from the Commons, we cannot but apprehend also, That all Demands of Supply should come from the Throne in this House of Parliament, according to antient Usage; and we conceive all other Methods of demanding Supplies are new, and must be dangerous to the Constitution.

IV. Because there is an Expression in the Message, which we apprehend to be entirely unprecedented, and never before used in any Message to the House of Commons: The Appellation of Parliament being given to them, separately from this House, and therefore, lest any Mistake of this Kind should be attended with such ill Consequence, as to encourage evil Ministers hereafter to a total Neglect of this House, we conceive, that proper Notice should have been taken of it immediately, without deferring the further Consideration thereof for a Month.

<i>Scarsdale,</i>	<i>Aberdeen,</i>	<i>Warrington,</i>
<i>Strafford,</i>	<i>Coventry,</i>	<i>Boyle,</i>
<i>Craven,</i>	<i>Compton,</i>	<i>Bathurst,</i>
<i>Litchfield,</i>	<i>Exeter,</i>	<i>Gower,</i>
<i>Aliburnham,</i>	<i>Bruce,</i>	<i>Montjoy,</i>
<i>Uxbridge,</i>	<i>Lechmere,</i>	<i>Foley.</i>

F I N I S.

THE
Historical Register.

NUMBER XLIII.

GREAT BRITAIN.

The Proceedings of the Fourth Session of the Sixth Parliament of Great Britain, in the 12th Year of the Reign of King George, continu'd from Page 141 of the last Register, to the End of the Session.

ON Monday the 2d of May, Mr. Speaker was order'd to issue out his Warrant for a new Writ, for electing a Knight of the Shire for the County of *Warwick*, in the Room of the Honourable *Robert Digby*, Esq; deceas'd. Then Mr. Attorney General reported the Amendments made in the Committee to the Bill for the better regulating Tryals by Nisi Prius in the County of *Middlesex*; which being agreed to, the said Bill was order'd to be ingross'd. In a Grand Committee, some Progress was made in the Bill for the better preventing collusive Seizures of foreign Goods, &c.

The next Day, a Bill for satisfying the Damages and Losses suffer'd by *Daniel Campbel*, Esq; in a late Riot at *Glasgow*, &c. was read the first, and order'd to be read a second Time; as was also a Bill for repealing the Duty upon Snuff, and for ascertaining the Value thereof, and for giving further Encouragement to the *Greenland Fishery*. After this, Mr. Speaker was order'd to Issue his Warrant for a new Writ, for electing a Burgess for the Borough of *Helfton* in the County of *Cornwall*, in the Room of *Sir Clement Wearg*, Kt. deceas'd. In a Committee of the whole House, the Commons consider'd of the Petition of

Richard Manley, Gent. and the rest of the Suitors of the Court of Chancery, and came to several Resolutions; and then the House proceeded to take into Consideration the Amendments made in the Grand Committee, to the Bill for building a Bridge cross the River of Thames, &c. which, with some other Amendments, were agreed to, and the said Bill order'd to be ingross'd.

On Wednesday the 4th, a Petition of the Water-Gilders, Leaf-Gilders, Silverers of several Manufactures of Brass, Copper, &c. praying to be heard by their Counsel against a Clause in the Bill for the better preventing Frauds and Abuses in the manufacturing Gold and Silver Ware, &c. was read, and refer'd to the Consideration of the Committee to whom the said Bill was committed, before whom the Petitioners were left at Liberty to be heard by their Counsel. Then Sir *George Oxenden*, from the Committee of the whole House, reported the Resolutions in Favour of the Suitors of the Court of Chancery, which (with an Amendment to one of them) were agreed to as follow :

1. That towards Satisfaction of the Debts and Demands of the Suitors of the Court of Chancery, from the deficient Masters of that Court, there be laid an additional Duty of Sixpence upon every Piece of Vellum, or Parchment, or Piece of Paper, upon which any original Writ (except such Original on which a Writ of *Capias* Issues) *Subpoena*, Bill of *Middlesex*, *Latitat*, Writ of *Capias*, *Quo minus*, Writ of *dedimus potestatem*, to take Answer, examine Witnesses, or appoint Guardians, or any other Writ whatsoever, or any other Process or Mandate that shall issue out of, or pass the Seals of any the Courts at *Westminster*, Courts of the Great Sessions in *Wales*, Courts in the Counties *Palatine*, or any other Court whatsoever, holding Plea where the Debt or Damage doth amount to Forty Shillings or above, or the Thing in Demand of that Value, shall be ingrossed or written (Writs of Covenant for levying Fines, Writs of Entry for suffering Common Recoveries, and Writs of *Habeas Corpus*, excepted.)

2. That towards Satisfaction of the Debts and Demands of the Suitors of the Court of Chancery, from the deficient Masters of that Court, there be laid an additional Duty of Sixpence, upon every Piece of Vellum, Parchment, or Paper, upon which any Entry of Action in the Mayor's and Sheriffs Courts of *London*,
and

and in Courts in all Corporations, and other Courts whatsoever, out of which no Writs, Process or Mandates issue, holding of Plea; where the Debt or Damage doth amount to forty Shillings or above, shall be ingrossed or written.

3. That towards Satisfaction of the Debts and Demands of the Suitors of the Court of Chancery, from the deficient Masters of that Court, there be laid an additional Duty of Sixpence upon every Skin or Piece of Vellum, or Parchment, or Sheet of Paper, upon which shall be ingross'd or written any Citation or Monition made in any Ecclesiastical Court.

4. That the said Duties be laid for the Term of sixteen Years: And a Bill was order'd to be brought in, pursuant to the said Resolutions.

The next Day (May 5th) a Petition of the Provost, Magistrates, and Town-Councils of the City of *Glasgow* in *North-Britain*, was presented to the House, and read, praying, that they might be heard by their Counsel against the Bill for *vesting in his Majesty an Imposition of two Pennies Scots upon all Ale and Beer brew'd and sold in the City of Glasgow and Privileges thereof, for satisfying the Damages and Losses which Daniel Campbell, Esq; lately suffer'd in a Riot there*: Which Petition was granted, and referr'd to the Consideration of the Committee to whom the said Bill was committed. After this, in a Committee of the whole House, the Commons went through the Bill for the more effectual preventing Bribery and Corruption in the Elections of Members to serve in Parliament, and made several Amendments thereto; and then in a Grand Committee, upon the Bill for the better preventing collusive Seizures of foreign Goods, &c. heard the Commissioners of the Customs, who examin'd a Witness in relation to fraudulent Practices carry'd on in the *Isle of Man*, to the Prejudice of his Majesty's Revenue of Customs; and made a further Progress in the Bill.

On Friday the 6th of May, the ingross'd Bill for better regulating Tryals by Nisi prius in the County of Middlesex, was read the third Time, pass'd, and sent to the Lords; and then the Grand Committee on the Bill in Behalf of Daniel Campbell, Esq; heard Counsel, and examin'd Witnesses upon the Petition of the Magistrates of the City of *Glasgow*, and went through the said Bill. After this, the House resolv'd itself again into a Grand Committee, and heard Counsel and examin'd Witnesses for and against the Bill for the more effectual draining and pre-

servation of the North Division of the great Level of the Fens called Bedford Level, by a new Out-fall to the Sea.

The next Day, the Commons order'd their Speaker to Issue his Warrant for a new Writ for electing a Burgess for *Preston in Amounderness* in the County of *Lancaster*, in the Room of *Daniel Pulteney, Esq;* who had accepted the Office of Clerk of the Council in *Ireland*. After which, *Mr. Alderman Child* reported the Amendments made by the Committee, to the Bill for the better preventing of *Frauds and Abuses in the Manufacturing of Gold and Silver Wares*, which, with another Amendment made by the House, were agreed to, and the said Bill order'd to be ingross'd; as was also the Bill in Behalf of *Daniel Campbell, Esq;* *Sir George Oxenden* presented to the House a Bill for the Relief of the *Suitors of the High Court of Chancery*, which was read the first, and order'd to be read a second Time; *Sir John Rushout* reported the Amendments made in the Committee of the whole House, to the Bill for the more effectual preventing *Bribery and Corruption in the Election of Members to serve in Parliament*, which, with another Amendment made by the House, were agreed to, and the Bill order'd to be engross'd; and then, in a Grand Committee, the Commons went through the Bill to prevent unlawful Combinations of Work-men employ'd in the *Woollen Manufactures*, and for better Payment of their Wages.

On Monday the 9th of May, the ingross'd Bill for the better preventing of *Frauds and Abuses in the manufacturing of Gold and Silver Wares*, was read the third Time, pass'd and sent up to the Lords; as was also the Bill for satisfying the *Damages and Losses suffer'd by Daniel Campbell, Esq;* in a late Riot at *Glasgow*; and likewise the Bill for the more effectual preventing *Bribery and Corruption in the Election of Members to serve in Parliament*. After this, *Sir William Yonge* reported the Amendments made in the Grand Committee, to the Bill to prevent unlawful Combinations of *Workmen employ'd in the Woollen Manufactures*, and for the better Payment of their Wages; which, with other Amendments made by the House, were agreed to, and the said Bill was order'd to be ingross'd. Then the House went into a Grand Committee, to consider further of the Supply, and resolv'd to grant the Sum of Seven Thousand Pounds towards the Charge of building and repairing the *Barracks and Fortifications in that Part of Great Britain call'd Scotland*; and like-
wise

wise in a Grand Committee, the Bill for *repealing the Duty upon Snuff, &c.* was gone through, and several Amendments were made to it.

The next Day, the ingrossed Bill for *building a Bridge across the River of Thames from the Town of Fulham in the County of Middlesex, to the Town of Putney in the County of Surrey*, was read the third Time, and (with an Amendment made thereto by the House) pass'd, and sent to the Lords. The Bill for *Relief of the Suitors of the High Court of Chancery*, was read a second Time, and committed to a Committee of the whole House; Mr. Farrer reported the preceding Day's Resolution on the Supply, which was agreed to; and he also reported the Amendments made in the Grand Committee, to the Bill for *repealing the Duty upon Snuff, &c.* which were agreed to, and the said Bill order'd to be ingross'd.

On Wednesday the 11th, the Commons proceeded to take into Consideration the Charter granted to the President and Fellows of the College of St. Paul in Bermuda, in the 11th Year of King George's Reign; as also the several Papers laid before the House, relating to the Lands in St. Christopher's, yielded by France to Great Britain by the Treaty of Utrecht; upon which it was resolv'd, That an humble Address be presented to his Majesty, That out of the Lands in St. Christopher's, yielded by France to Great Britain, his Majesty would be graciously pleas'd to make such Grant for the Use of the President and Fellows of the College of St. Paul in Bermuda, as his Majesty should think proper. Then the Commons in a Grand Committee, went through the Bill for *vesting the real and personal Estates of Richard Hampden, Esq; in Trustees, &c.*

The next Day, the ingross'd Bill to *prevent unlawful Combinations of Workmen employ'd in the Woollen Manufactures, &c.* was read the third Time, pass'd, and sent to the Lords; and the House having taken into Consideration the Amendments made by the Lords to the Bill entituled, *An Act for better securing the Moneys and Effects of the Suitors of the Court of Chancery*, the said Amendments were agreed to. After this, the ingrossed Bill for *repealing the Duty laid upon Snuff, and for ascertaining the Rates according to which the remaining Duties are to be paid, and for giving further Encouragement to the Greenland Fishery*, was read the third time, amended, pass'd, and sent to the Lords. After this, according to the Desire of the Lords, signify'd to the House by a
Message,

Message, the Commons resolv'd, That *George Wade*, Esq; *Sir James Campbell*, Bart. *Sir John Shaw*, Bart. Major *William Erskine*, *Duncon Forbes*, Esq; and *Henry Cunningham*, Esq; have leave to attend the Lords in relation to the Bill in Behalf of *Daniel Campbell*, Esq; if they thought fit. An Order was made for the proper Officer to lay before the House a Copy of the Record of the Proceedings upon the Information in the Court of King's Bench, against *John Ward*, Esq; a Member of the House; and *Mr. Farrer* having reported the Amendments made in the Grand Committee, to the Bill for the better preventing collusive Seizures of Foreign Goods, &c. the said Amendments were agreed to, and the Bill order'd to be engross'd.

On Friday the 13th, the Record relating to *John Ward*, Esq; being laid before the House, *Mr. Ward* was order'd to attend in his Place upon Monday Morning next; and *Mr. Farrar* having reported the Amendments made in the Grand Committee, to *Mr. Hampden's* Bill, the said Amendments were agreed to, with another Amendment made by the House, and the Bill order'd to be engross'd. Then the Order of the Day for the House to resolve it self into a Committee of the whole House upon the Bill for Relief of the Suitors of the High Court of Chancery, being read, a Petition of *Edward Conway*, Esq; (one of the Masters in ordinary of the High Court of Chancery) and also of *Margaret Wife* of the said *Edward Conway*, and *Whitmore Conway* their eldest Son, was presented to the House and read, setting forth, That the Petitioner *Edward* being, upon the Resignation of *John Orlebar*, Esq; on the 10th of January, 1720, admitted into the Office of Master in Chancery, *Mr. Orlebar* was order'd to pay and deliver over to him, all the Money and Effects of the Suitors of the Court, then in his Hands; but *Mr. Orlebar* retained, out of the Suitors Money, Six Thousand Pounds, which was never paid to the Petitioner: That on the Petitioner's Admission into the said Office, he paid out of the said Suitors Money, to the Earl of *Macclesfield*, (then Lord Chancellor) or for his Use, the further Sum of Fifteen Hundred Pounds; and Five Hundred Pounds more of the said Suitors Money, which was to have been paid to the Petitioner, was stopp'd, to be apply'd towards making up the Deficiency of *Mr. Dormer*, (formerly a Master of the said Court) That by *Mr. Holford's* Report, now lying before the House, the Petitioner is reported to be deficient in his Account of the

the Money and Effects of the Suitors of the Court, in the Sum of Twenty Thousand Five Hundred Fifty Three Pounds, Four Shillings, Three Pence half-penny, in which the several Sums before mention'd are included, tho' he receiv'd no Benefit thereof. That the Petitioner *Edward*, in order to make good the Deficiency where-with he is charg'd, hath convey'd all his real Estate, being upwards of Five Hundred Pounds *per Annum*, to Mr. *Holford*; and the other Petitioners have join'd in a Fine and Recovery thereof; and the said Estate (having been expos'd to Sale) appears to be of Value sufficient to answer the said Deficiency, if the Sums before mention'd may be allow'd. That the Petitioners *Margaret* and *Whitmore*, in order to free the Petitioner *Edward*, having joined in the said Fine and Recovery, have thereby given up all their Estate and Interest in the said Estate, towards making good the said Deficiency, without which the whole must have remain'd a Deficiency, and they are thereby stripp'd of all Provision for their Subsistence, in case of Death or Disability of the Petitioner *Edward*, and therefore praying the Consideration of the House, and such Relief as the House shall think fit: Which Petition was referr'd to the Consideration of the Committee of the whole House; who having that Day made some Progress in the said Bill, order'd the Warden of the *Fleet*, to bring *Richard Godfrey*, Esq; in his Custody, to attend the Committee of the whole House, upon the Monday next following, when *John Orlebar*, Esq; *Nichols Paxton*, Esq; *Henry Edwards*, Esq; and *Peter Cottingham*, Esq; were also order'd to attend the said Committee.

On Monday the 16th of May, the Commons order'd their Speaker to issue his Warrant for a new Writ for the electing a Baron, to serve in this Parliament, for the Town and Port of *Rye* in the County of *Sussex*, in the Room of *Philip Gymbon*, Esq; who had accepted the Office of Surveyor-General of his Majesty's Land Revenue. The ingross'd Bill for the Improvement of his Majesty's Revenues of Customs, Excise, and Inland Duties, was read the third Time, pass'd, and sent to the Lords; as was also the Bill for vesting in Trustees the real and personal Estates of *Richard Hampden*, Esq; and Mr. Treasurer reported to the House, that their Address, in Behalf of the President and Fellows of the College of *St. Paul* in *Bermuda*, having been presented to his Majesty, the same was receiv'd very graciously; and his Majesty had commanded

commanded him to acquaint the House, that *his Majesty would readily concur with the Desire of this House, in promoting so pious an Undertaking.* After this, the House took into Consideration the Copy of the Record of the Proceeding upon the Information in the Court of King's Bench, against *John Ward, Esq;* a Member of this House, and the said *Mr. Ward* not attending in his Place, pursuant to the Order of the House for that Purpose, *Thomas Hollingshead*, one of the Messengers belonging to the Serjeant at Arms, was call'd in, and being examin'd, gave the House an Account of his leaving Copies of the said Orders at *Mr. Ward's* Houses in *London* and at *Hackney*, and that, upon Inquiry after the said *Mr. Ward*, he was inform'd, that *Mr. Ward* was gone from his said Houses: And it appearing by the said Record, that *John Ward, Esq;* upon an Information in the Court of King's Bench exhibited against him, had this present *Easter Term*, been convicted of the Crime of Forgery, it was resolv'd, *nemine contradicente*, that the said *John Ward, Esq;* be expell'd this House. Then, in a Grand Committee, the Commons went through the Bill for Relief of the Suitors of the High Court of Chancery.

The next Day, the Commons read the first Time, an ingrossed Bill from the Lords, intituled, *An Act to declare and settle the Rights and Interest of Executors to the Estates of Testators:* And a Motion being made, and the Question put, that the said Bill be read a second Time, it pass'd in the Negative. But the Amendments made, in the Grand Committee, to the Bill for the Relief of the Suitors of the High Court of Chancery, being agreed to, the said Bill was order'd to be ingross'd. Then in a Grand Committee, the Commons went through the Bill for Sale of such of the forfeited Estates in Scotland, as remain unsold, and are vested in the Crown, &c. and made several Amendments thereto; which being the next Day reported and agreed to, the said Bill was order'd to be ingross'd. The same Day (May 18) the Commons took into Consideration the Amendments made by the Lords to the Bill intituled, *An Act to prevent frivolous and vexatious Arrests*, which were twice read, and a Debate arising in the House thereupon, the said Debate was adjourn'd till the next Morning; after which, the Commons agreed to the Amendments made by the Lords to the Bill intituled, *An Act for continuing an Act for the more effectual punishing wicked and evil-disposed Persons going arm'd in Disguise, and doing Injuries and*
Violences

Violences to the Persons and Properties of his Majesty's Subjects, and for making the said Act more effectual.

This Day in the House of Peers, the Order of the Day being read, for taking into further Consideration that Part of the printed Votes of the House of Commons of the 24th of March 1725, purporting to be a Message as that House from his Majesty, under his Royal Sign Manual.

And the same being read by the Clerk, after Debate, it is order'd, That the further Consideration of that Part of the said printed Votes be adjourn'd to this Day Fortnight.

The House being moved, That an humble Address be presented to his Majesty, representing the fatal Consequences which must happen to this Kingdom, when any Advice shall be given to the Crown, whereby the Council and Assistance of this House shall not be asked, at the same Time that the Council and Assistance of the House of Commons shall be asked, in Matters which concern the Peace and Safety of this Kingdom, and most earnestly to beseech his Majesty, that he will, for the future, discourage all such Councils as shall tend, in so unwarrantable and dangerous a Manner, to the Destruction of the Rights of this House.

After Debate, the Question was put, Whether such an Address shall be presented to his Majesty?

It was resolv'd in the Negative.

Dissentient

Lechmere,

Montjoy.

Die Mercurii 18^o Maii, 1726.

Hodie secunda, vice lecta est Billa, entituled, An Act for the more effectual preventing Bribery and Corruption, in the Election of Members to serve in Parliament.

Order'd, That the said Bill be committed to a Committee of the whole House.

And it being proposed, that the House be put into a Committee on the said Bill tomorrow, the same was objected to.

After Debate, the Question was put, Whether this House shall be put into a Committee on the said Bill tomorrow? It was resolv'd in the Negative.

Dissentient

*Warrington,
Lechmere,*

*Montjoy,
Gowar,*

*Foley,
Bathurst.*

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We now return to the Commons, who, on Thursday the 19th of May, order'd their Speaker to issue his Warrant for a new Writ for the Election of a Burgess for the Borough of *Old Sarum* in the County of *Wilts*, in the Room of *Thomas Pitt, Esq;* deceas'd; and then the ingross'd Bill for the Sale of such of the forfeited Estates in Scotland, as remain unfold, &c. was read the third Time; pass'd, and sent to the Lords: After which, the Commons resum'd the adjourn'd Debate upon the Amendments made by the Lords to the Bill intituled, *An Act to prevent frivolous and vexatious Arrests*; which were severally read, and upon the Question put thereupon, agreed unto by the House, who adjourn'd till Monday the 23d of May.

Upon that Day, the Commons order'd their Speaker to issue his Warrants for six new Writs, for the electing as many Members to serve in this Parliament, viz.

1. A Burgess for the Borough of *Clifton Dartmouth*, and *Hardness* in *Devonshire*, in the Room of *Thomas Martyn, Esq;* made one of his Majesty's Justices for the Counties of *Carnarvon*, *Merioneth*, and *Anglesea*, within the Principality of *Wales*.

2. A Burgess for the Borough of *Weymouth* and *Melcomb Regis* in *Dorsetshire*, in the Room of *John Ward, Esq;* expell'd the House.

3. A Burgess for the Borough of *New Windsor* in *Berkshire*, in the Room of the Rt. Hon. Sir *Charles Beauchamp*, Knight of the *Bath*, (commonly call'd Earl of *Burford*) now Duke of *St. Albans*, call'd up to the House of Peers.

4. A Burgess for the Borough of *Grampound* in *Cornwall*, in the Room of the Rt. Hon. *William Cavendish, Esq;* (commonly call'd Lord Marquess of *Hartington*) who had accepted the Office of Captain of the Band of his Majesty's Gentlemen Pensioners.

5. A Burgess for the Borough of *Dunhevet* alias *Launceston* in *Cornwall*, in the Room of *John Wills, Esq;* who had accepted the Office of second Justice of *Chester*.

6. And a Knight of the Shire for the County of *Westmoreland*, in the Room of the Hon. *Anthony Lowther, Esq;* who had accepted the Office of one of the Commissioners of his Majesty's Revenue in *Ireland*.

The next Day, Mr. Speaker was order'd to issue his Warrants for two other new Writs, viz. One for the electing a Knight of the Shire for the Shire of *Roxburgh* in *Scotland*, in the Room of Sir *Gilbert Elliot, Bart.* who had

had accepted the Office of one of the Ordinary Lords of Session in Scotland; the other for the electing a Burgess for the Borough of Ipswich in the County of Suffolk, in the Room of Sir William Thomson, Kt. who had accepted the Office of Curator Baron of his Majesty's Court of Exchequer.

This Day the King came to the House of Peers, with the usual State and Solemnity, and the Commons being sent for up and attending, his Majesty was pleased to give the Royal Assent to the following Bills, viz.

1. *An Act for repealing the Duty laid upon Snuff, by an Act made in the eighth Year of her late Majesty's Reign, and for ascertaining the Rates according to which the remaining Duties are to be paid, and for giving further Encouragement to the Greenland Fishery.*

2. *An Act for vesting in his Majesty an Imposition of two Pennies Scots, upon all Ale and Beer, brew'd and sold in the City of Glasgow, and Privileges thereof, for satisfying the Damages and Losses which Daniel Campbell, Esq; lately suffer'd in a Riot there.*

3. *An Act for the Improvement of his Majesty's Revenues of Customs, Excise and Inland Duties.*

4. *An Act for better securing the Moneys and Effects of the Suitors of the Court of Chancery, and to prevent the counterfeiting of East-India Bonds and Indorsements thereon, as likewise Indorsements on South-Sea Bonds.*

5. *An Act for Relief of the Suitors of the High Court of Chancery.*

6. *An Act to prevent unlawful Combinations of Workmen employ'd in the Woollen Manufactures, and for better Payment of their Wages.*

7. *An Act to prevent frivolous and vexatious Arrests.*

8. *An Act for the better regulating Tryals by Nisi Prius in the County of Middlesex.*

9. *An Act for continuing an Act made in the ninth Year of his Majesty's Reign, intituled, An Act for the more effectual punishing wicked and evil disposed Persons going armed in disguise, and doing Injuries and Violences to the Persons and Properties of his Majesty's Subjects, and for the more speedy bringing the Offenders to Justice.*

10. *An Act to prevent Abuses in the making of Bricks and Tiles, and to ascertain the Dimensions thereof, and to prevent all unlawful Combinations amongst any Brickmakers, or Tylemakers within fifteen Miles of the City of London, in order to advance the Price of Bricks or Tiles.*

11. *An Act for building a Bridge cross the River of Thames, from the Town of Fulham in the County of Middlesex, to the Town of Putney in the County of Surrey.*

12. *An Act for repairing the Roads in the Parishes of Kensington, Chelsea, and Fulham, and other Parishes therein mention'd, in the County of Middlesex.*

13. *An Act for making the River Dun in the West Riding of the County of York, navigable, from Holmstille in Doncaster, up to the utmost Extent of Tinsley, Westward, a Township within two Miles of Sheffield.*

14. *An Act for making Provision for the Rector of St. Mary le Strand in the County of Middlesex, and for other Purposes therein mention'd.*

And to thirteen private Acts: After which, his Majesty, by the Mouth of the Lord Chancellor, made the following Speech to both Houses:

My Lords and Gentlemen,

I Cannot in Justice to you put an End to this Session, without returning you my hearty Thanks for the many Instances you have given me of your Duty and Affection to my Person and Government, and of your Zeal to maintain the Honour and true Interest of this Kingdom.

The Spirit and Resolution you have shewn on this important Occasion, when our most valuable Rights and Privileges have been struck at, are highly becoming the Weight and Authority of a *British* Parliament; and the Steps that have been taken abroad in Support of the Measures enter'd into against this Nation, must convince every Body of your Wisdom and Prudence in endeavouring to put an early Stop to the farther Progress of them. I hope the Precautions you have enabled me to take, will be sufficient, in Conjunction with my Allies, to defeat the Designs which have been form'd against us; and that the Promoters of them, when they have fully weigh'd their own Circumstances, and better consider'd those of the several Powers united in Defence of the Tranquillity and Liberties of *Europe*, will find it their own Interest to preserve the Peace, and think it most safe and prudent to desist from their dangerous Schemes.

Gentlemen of the House of Commons,

I return you my particular Thanks for the Supplies which you have so cheerfully and effectually rais'd; and you may be assured, that they shall be faithfully apply'd to the Uses for which you intended them.

My

My Lords and Gentlemen,

The constant Employment of my Thoughts, and the most earnest Wishes of my Heart, tend wholly to the securing to my Subjects their just Rights and Advantages, and to the preserving to them, and to all Europe, the Enjoyment of safe and honourable Peace: And I must now conclude without giving you the strongest Assurances, that the particular Confidence you have placed in me, shall be made Use of in such Manner only, as may most effectually conduce to the attaining those good and great Purposes.

Then the Lord Chancellor, by his Majesty's Command, said,

My Lords and Gentlemen,

IT is his Majesty's Royal Will and Pleasure, that this Parliament be prorogued to Thursday the One and twentieth Day of July next, to be then here held; and this Parliament is accordingly prorogued to Thursday the One and twentieth Day of July next.

Among the good Acts pass'd this Session of Parliament for the Use and Benefit of the Publick, two of the most remarkable are the Act to prevent frivolous and vexatious Arrests, and that for the Building of a Bridge cross the River of Thames, &c. we shall therefore give our Readers an Abstract of the said two Acts.

An Abstract of the Act to prevent frivolous and vexatious Arrests.

Enacted,

THAT after 24 June, 1726, no Person shall be held to special Bail, on any Process issuing out of a superior Court, where the Cause of Action shall not amount to 10*l.* or upwards; nor out of an inferior Court, under 40*s.* and where the Cause of Action shall not amount to 10*l.* in a superior Court, or to 40*s.* in an inferior Court, the Plaintiff shall proceed by Way of Process; and shall not arrest the Body of the Defendant, but shall serve him personally, within the Jurisdiction of the Court, with a Copy of the Process; and if he shall not appear at the Return of the Process, or within four Days after, the Plaintiff, upon Affidavit filed of the personal Service of the Process, may enter a common Appearance, or file common Bail for the Defendant

pendant, and proceed thereon, as if the Defendant had entred his Appearance, or filed common Bail.

After 24 June, 1726. in all Cases where the Plaintiff's Action shall amount to 10*l.* or 40*s.* or upwards, Affidavit shall be filed of such Cause of Action (which Affidavit may be made before any Judge or Commissioner of the Court out of which the Process shall issue, or before the Officer who shall issue such Process, or his Deputy) and for the Affidavit 1*s.* above the Stamp Duties shall be paid; and the Sums specify'd in the Affidavit shall be endors'd on the Back of the Writ or Process, for which the Officer shall take Bail, and for no more; but if any Writ or Process shall issue for 10*l.* or upwards, and no Affidavit and Indorsement be made, the Plaintiff shall not proceed to arrest the Body of the Defendant, but shall proceed in like Manner as is directed where the Cause of Action does not amount to 10*l.* or 40*s.*

The Judges of such inferior Courts as are described in the Statute 21 *Jas.* 1. shall proceed in such Actions as are laid not to exceed 5*l.* although there may be Actions against the Defendant, wherein the Plaintiff's Demands shall exceed 5*l.*

If any Person, who hath been convicted of Forgery, or of wilful Perjury, or common Barretry, shall act as an Attorney, or Solicitor, or Agent in any Suit to be brought in any Court of Law or Equity in England, the Judge, on Complaint, shall examine the Matter in a summary Way, in open Court; and if the Person complain'd of, hath offended contrary to this Act, the Judge shall cause him to be transported for seven Years, by such Ways, and under such Penalties, as Felons in other Cases are by Law to be transported.

This Act shall not extend to Scotland.

This Act shall continue in Force for five Years, and from thence to the End of the next Session of Parliament, and no longer.

An Abstract of the Act for building a Bridge cross the River of Thames, from the Town of Fulham in the County of Middlesex, to the Town of Putney in the County of Surrey.

THE Preamble to this Act recites, That it is necessary a Bridge should be built cross the Thames, from Fulham to Putney, for the better Ease and Commerce

merce of the Inhabitants of the said Counties respectively, and the Parts adjacent, whereby many Mischiefs and Inconveniencies would be remedied, and great Advantages accrue to the Publick: Therefore it is enacted, That the Right Honourable *Peter* Lord King, Lord High Chancellor of Great Britain, and the Lord High Chancellor of Great Britain for the Time being; the Right Honourable *Thomas* Lord Trevor, Lord Privy Seal, and the Lord Privy Seal for the Time being; the Most Noble *Lionel* Duke of Dorset, Lord Steward of his Majesty's Household, and the Lord Steward of his Majesty's Household for the Time being; the Most Noble *Charles* Duke of Grafton, Lord Chamberlain of his Majesty's Household, and the Lord Chamberlain of his Majesty's Household for the Time being; the Most Noble *Charles* Duke of Somerset, the Most Noble *Charles* Duke of Richmond, the Most Noble *Charles* Duke of Bolton, the Most Noble *Wriothesly* Duke of Bedford, the Most Noble *Thomas* Duke of Newcastle, one of his Majesty's Principal Secretaries of State, the Right Honourable *Henry* Earl of Lincoln, the Right Honourable *Charles* Earl of Peterborough, the Right Honourable *Richard* Earl of Burlington, the Right Honourable *Richard* Earl of Scarborough, the Right Honourable *Henry* Earl of Grantham, the Right Honourable *Francis* Earl of Godolphin, the Right Honourable *Charles* Lord Viscount Townshend, one of his Majesty's Principal Secretaries of State, the Right Honourable *Henry* Lord Viscount St. John, the Right Honourable *Hugh* Lord Viscount Falmouth, the Right Honourable *Algernon* Earl of Hertford, Lord Percy Son and Heir apparent to his Grace the Duke of Somerset, the Right Honourable *John* Lord de la War, the Right Honourable *Thomas* Lord Onslow, the Right Honourable *Robert* Lord Walpole, the Lord President of the Council, his Majesty's Principal Secretaries of State for the Time being, the Lords Commissioners of his Majesty's Treasury, or the Lord High Treasurer for the Time being, the Right Honourable *Ralph* Lord Viscount Farmanagh in the Kingdom of Ireland, the Right Honourable Lord Herbert, Son and Heir apparent to the Earl of Pembroke, the Right Honourable *George* Lord Carpenter in the Kingdom of Ireland, the Right Honourable *Henry* Lord Viscount Palmerston in the Kingdom of Ireland, the Right Honourable *George* Lord Malpas, Son and Heir apparent to the Earl of Cholmondeley, the Right Honourable the Lord William Powlet, the Lord *Henry* Powlet, the Lord

Nassau Powlet, the Right Honourable Sir *Spercer Compton*, Speaker of the Honourable House of Commons, and the Speaker of the House of Commons for the Time being, the Right Honourable Sir *Robert Walpole*, first Lord Commissioner of the Treasury, and Chancellor of the Exchequer, and the Chancellor of the Exchequer for the Time being, the Right Honourable Sir *Robert Sutton*, the Honourable Sir *William Yonge*, the Honourable Sir *John Hobart*, Knights of the Bath, the Honourable Sir *William Strickland*, Sir *John Evelyn*, Sir *John Stanley*, Sir *John Buckworth*, Sir *Thomas Webster*, Sir *John Austin*, Sir *Thomas Colby*, Sir *Nicholas Carew*, Baronets; Sir *Richard Gough*, Sir *Moore Molyneux*, Sir *Charles Wager*, Sir *James Thornhill*, Sir *Thomas Jones*, Knights; the Treasurer of the Household, the Comptroller of the Household, the Cofferer of the Household, the Master of the Household, the Clerks of the Green Cloth for the Time being, the Right Honourable Sir *Joseph Jekyll*, Knight, Master of the Rolls, and the Master of the Rolls for the Time being, the Lord Chief Justice of the King's Bench, the Lord Chief Justice of the Common Pleas, the Lord Chief Baron of the Court of Exchequer, the Attorney and Solicitor General for the Time being, the Honourable *James Bertie*, *John Birch* Serjeant at Law, the Honourable *Martin Bladen*, *Dennis Bond*, *Robert Bristow*, *Thomas Broderick*, *Paul Burrard*, *Walter Cary*, the Honourable *George Carpenter*, Colonel *Charles Churchill*, *William Clayton* of *Blechingly* in the County of *Surrey*, *William Clayton*, *William Chapple* Serjeant at Law, *John Conduit*, *James Cook*, *Nathaniel Curson*, *Joseph Danvers*, the Honourable *George Doddington*, *Paul Dockminique*, *Thomas Frankland*, *Richard Edgcomb*, *Charles Eversfield*, *Edward Harrison*, *Michael Harvey*, *Isaac Leheup*, *Thomas Archer*, *Edward Hughes*, *Robert Jacombe*, the Honourable *Samuel Molyneux*, *Henry Kelsal*, *Thomas Lewis*, *Charles Mountague*, *Humphry Morice*, *Francis Negus*, *Arthur Onslow*, the Right Honourable *Henry Pelham*, the Right Honourable *William Pulteney*, *Daniel Pulteney*, *John Pulteney*, *John Scrope*, the Honourable *William Townshend*, the Honourable *Thomas Townshend*, the Honourable *Alan Broderick*, Esquires; *Thomas Vernon*, the Honourable *Horatio Walpole*, *John Walter*, *William Wyndham*, Esquires; the Surveyor General, Comptroller General, Surveyor of the Gardens and Waters, Master Mason, Master Carpenter, Paymaster of the Office of his Majesty's Works for the Time being, the Surveyor of his Majesty's Roads for

for the Time being, *Kingsmill Eyre, Robert Man, William Lowfield, John Jeffreys, the Honourable John King, Arthur Moore, William Moore, the Honourable Colonel Thomas Howard, Colonel George Howard, Joseph Carpenter, Philip Daires, Daniel Pettinward, John Eyre, Henry Barker, Christopher Tilson, George Tilson, John Palmer, Harry Parsons, Thomas Tagett, Henry Wise, Thomas Walker, Daniel Harvey, George Medcalf, Thomas Spence, Charles Carkeffe, John Effington, Edward Stables, Jacob Tonsun, Esqrs. Colonel John Armstrong, Mark Freeker, Robert Williamson, John Lant, William Skelton, Reginald Marriot, Thomas Frewen, Robin Dariel, John Palmer, Samuel Vincent, William Tindal, George Hatley, William Jones, John Anthony Corbierre, John Hopkins, Henry Vincent, Henry Bridges, Thomas Scawen, Richard Onslow, Richard Clifton, Henry Ludlow, Anthony Allen, George Austin, Thomas Woodford, Vigerus Edwards, Denzil Onslow, Stephen Bisse, William Newland, John Huggins, Charles Selwyn, John Baskett, George Harrison, James Fortan, William Hatton, Nicholas Hardinge, Esquires, the Members of Parliament for the Cities of London and Westminster, and the Borough of Southwark, for the Time being, and the Lord Mayor of the City of London for the Time being, shall be Commissioners and Trustees for building a Bridge from Fulham to Putney, and for maintaining the same when built; and any nine or more of them, after 24 June 1726, may lay out how and in what Manner the same shall be erected, and the Ways and Passages to and from the same, and make Contracts, and do all Matters for carrying on and perfecting the same,*

When the Bridge is built cross the River, there shall remain free and open Passage for the Water of 700 Feet at the least, within the Banks of the River.

If any Person shall wilfully burn, blow up, pull down, or destroy the Bridge, any Part thereof, or attempt so to do, or shall, without Authority from the Commissioners, take away any Works, or procure the same to be done, whereby the Bridge shall be damaged, and the Lives of Passengers endangered, he shall suffer as a Felon without Benefit of Clergy.

The Trustees shall meet at the Swan at Fulham on 16 July, 1726, and shall then adjourn, and afterwards meet there, or at some other Place, as often as it shall be necessary for putting this Act in Execution; and if there shall not appear, at any Meeting, a sufficient Number to act, and to adjourn, then the Clerk shall, by publick,

Notice in the *Gazette* at least fourteen Days before the next Meeting, appoint the Trustees to meet at the House where the Meeting was last appointed, or at some other convenient House, on that Day three Weeks next after such last Meeting was appointed. And the Trustees shall, at all their Meetings, bear their own Expences.

All Bodies Politick, Corporations, Feoffees in Trust, Executors, Guardians, or Trustees, Femes covert, or other *Cestuique Trusts*, or other Persons interested in any House or Ground, within the Parishes of *Fulham* or *Putney*, may convey to the Commissioners all such Houses or Ground, or any Part thereof, for the said Purposes; and all such Contracts shall be valid.

All Feoffees in Trust, &c. shall be indemnified for what they shall do by Virtue of this Act.

His Majesty, by Letters Patents, may incorporate the Commissioners, and such others as he shall think fit, to be one Body Politick and Corporate, in Deed and Name, to have perpetual Succession, and a Common Seal, and to be able in Law to purchase Lands, &c. and to sell the same, or any Part thereof, at their free Will and Pleasure, to sue and be sued, and to choose their Successors and Officers, and to do all other Things necessary for building and supporting the Bridge, and the Passages thereto, and to be under such Rules as his Majesty shall think reasonable, subject to such Restrictions as are in the Act expressed; and they may make reasonable Laws for the Good of the Corporation, and inflict Fines for any Breach thereof.

The Corporation may not borrow or give Security for any Sums payable in less than Six Months, or discount Bills, or keep Books or Cash for any Person, other than the proper Books and Cash of the Company or Corporation.

No Member of the Corporation, in respect of being such Member only, shall be disabled to be a Member of Parliament.

There shall be paid for Pontage, or in the Name of a Toll, before any Passage over the Bridge be permitted, the Sums following, *viz.*

For every Coach, Chariot, &c. drawn by Six Horses, or more, 2s.

— drawn by Four Horses, 1s. 6d.

— drawn by less than Four, 1s.

For every Waggon, Cart, &c. drawn by Four or more Horses or Oxen, 1s. 6d. and by less than Four, 1s.

For

For every Horse, Mule, or Ass, laden or unladen, and not drawing, 2d.

For every Foot Passenger on Sundays, 1d. and on every other Day, one Halfpenny.

For every Drove of Oxen or Neat Cattle, per Score 12d.

For every Drove of Calves, &c. per Score, 6d.

Which Money shall be demanded in the Name of Pontage or Toll, and shall be veited in the Trustees, and applied to such Uses as is herein directed (the Charges of obtaining this Act first deducted) and the Trustees, or any nine of them, or the Persons by them authorized, are to levy the Toll on any Person who shall refuse to pay, or deny any Passage over 'till Payment; and may be levied by Distress of Cattle or Goods, and after four Days may be sold, rendering the Overplus to the Owner on Demand, after Toll and Charges deducted.

The Trustees are to nominate Receivers or Collectors; and all Persons liable to pay the Toll, are to pay the to Receivers, who shall pay the same to such Person as the Trustees shall appoint; and shall (on Oath if thereunto required) before any Justice of *Middlesex* or *Surrey*, give in a true Account of all Moneys received and disbursed; and the Trustees shall, out of the Moneys arising by the Toll, make Allowances to the Receivers and Collectors, and other Officers, for their Care and Pains; and if such Receiver shall not make Account and Payment according to the Trustees Orders, then the Justices shall commit them to the County Gaol of *Middlesex* or *Surrey*, without Bail, 'till they shall make a true Account and Payment.

All Moneys borrow'd or raised by the Tolls, shall be disposed of to the erecting the Bridge, and supporting and repairing it, and the new Passages to and from the same to be purchased, and other the Purposes of the Act; and there shall be provided by the Treasurer or Receiver, Books, in which all Moneys received by him, and all Disbursements by Order of the Trustees, shall be fairly enter'd, expressing the Times when, and the Names of the Persons from or to whom received or disbursed, and for what Uses; and at the four Quarter Days the Account from the Books shall be fairly drawn out and stated, and signed by the Treasurer, and deliver'd to the Trustees, who are to discharge him for all Moneys so accounted for; and the Accounts and Copies of Contracts and Agreements made by the Trustees, shall

be deliver'd into each House of Parliament, once in every Year, within 20 Days after the opening of the Session.

The Commissioners, when incorporated, may convey the Toll, as a Security for Money to be borrow'd for these Ends, at 5*l.* *per Cent.* or may grant Annuities for one, two, or three Lives, or for Twenty one Years, or a less Term, to be renew'd, chang'd, or alter'd, and charged upon the Tolls.

If the Annuities shall at any one Time exceed 1500*l.* *per Ann.* the Corporation shall forfeit double the Value of what shall exceed the said Sum, to such Person as shall be injur'd thereby.

As often as any Annuity shall determine, the Corporation may grant any other Annuity of equal Value, so as the whole of the Annuities, subsisting at the same Time, do not exceed 1500*l.* *per Annum.*

All Bonds or Securities under their Common Seal shall be assignable at Law, *toties quoties*, and may be devisable by Will, and such Assignments or Wills, shall vest the Property in the Assignees or Devisees; and they may, on Nonpayment, maintain their Action against the Corporation; and the Times of granting these Annuities shall be fairly enter'd in a Book for that Purpose, to be perus'd *gratis*: All the Annuities shall be Personal Estates, and shall not be deemed Real Estates.

The Commissioners, or Corporation shall not have any Share in the Company, or Undertaking, and all Bargains for such Stock shall always be null and void.

But the Commissioners may borrow Money on this Act, or grant Annuities.

The Commissioners and their Agents or Officers may remove Shells in the River of *Thames*, and make the River deeper.

All Stones and other Materials for making or repairing the Bridge, shall always be deemed to belong to the Commissioners and Corporation.

If the Bridge, in Times to come, shall receive such Damage by unforeseen Accidents, or Tempests, that the Passage thereof may for some Time be dangerous, the Corporation may set up a Ferry cross the *Thames*, and take Toll; and all Profits arising thereby, shall be apply'd as the Tolls granted by this Act are appointed, and not otherwise.

The Ferry shall continue no longer than 'till the Bridge is repaired.

It shall not be lawful to build the Bridge, 'till ample Satisfaction be made to the Owners and Lessees of the Horse and Foot Ferries between Putney and Fulham; And the Commissioners, on Application by the Proprietors of the Ferries, are to enquire what Damage they may receive by building the intended Bridge, and to apportion what Recompense shall be made, and to whom, by a Jury of twelve indifferent Men of the County of Surrey; and such Determination shall be binding against all Parties; and the Commissioners may administer an Oath to and examine Witnesses; and may issue their Warrants to the Sheriff of Surrey, to return a Jury of 24 disinterested Persons, to appear at such a Time and Place as in the Warrant is appointed; and for Default of a sufficient Number, the Sheriff shall return other honest Men of the Standers by, or that can be speedily procured; and all Persons shall have their lawful Challenges; and the Commissioners may impose a reasonable Fine on the Sheriff, or on the Persons Summon'd on any such Jury making Default, and may levy the Fines by their Warrants.

No Person shall sit as a Commissioner in any Case where he is interested.

All Satisfaction, pursuant to such Judgment, shall be charged on the Moneys borrow'd or raised for the Purposes of the Act, and shall be paid, before it shall be lawful to erect the Bridge, or any Part thereof.

If no Application for Damages be made before 24 June, 1727, the Commissioners may proceed to build the Bridge, and are to have special Regard to the Neighbouring Lands, and to prevent Overflowings; and if any such shall at any Time happen, forthwith to remedy and provide against the same for the future.

All Bishops of London shall have free Passage over the Bridge, and through all Passages thereto belonging, and over all Ferries to be set up by Authority of this Act, and all Persons to them belonging, or residing in the Episcopal Palace at Fulham, in lieu of their Privilege of the Ferry of Fulham, in case the said Ferry be extinguished.

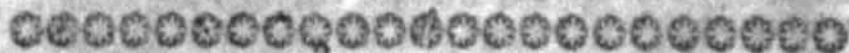
For supplying a sufficient Number of Commissioners in Case of Deaths or refusing to act, any Nine of them, by Writing under their Hands and Seals, 'till the Corporation shall be erected, may elect others in their Room, Notice being first given in the London Gazette 14 Days before; and every new Commissioner shall have equal Power

Power to act with the other Commissioners : And after a Corporation shall be erected, the Members shall be elected and qualify'd according to such Regulations as shall be prescribed by their Charter.

No Commissioner shall be capable of having any Place of Profit arising out of the Tolls, or have any Share or Interest in any Contract or Agreement for effecting the Purposes of this Act.

This Act shall not prejudice or take away the Jurisdiction of the Mayor, Commonalty, and Citizens of London, upon the River of *Thames*, except to remove Shells, or deepen or widen the River.

This Act shall be esteemed a Publick Act ; and if any Action shall be brought for Things done in pursuance of this Act, it shall be laid in *Surry* ; and the Defendant may plead the General Issue, &c. and on a Verdict, &c. recover Treble Costs.



S C O T L A N D.

ON the 5th of *July*, the Convention of the Royal Burrows met at *Edinburgh*, and made Choice of *George Drummond*, Esq; Lord Provost of *Edinburgh*, to be their President.

The next Day, his Majesty's most gracious Letter to them (having been transmitted by his Grace the Duke of *Newcastle*, one of his Majesty's Principal Secretaries of State) was read in a very full Meeting, as follows.

GEORGE R.

TRUTTY and well-beloved, we greet you well. We having observed, that the several Sums of Money, reserv'd and provided by the Treaty of Union, and by divers Acts of Parliament, to be employ'd for the Improvement of Fisheries and Manufactures in *Scotland*, have not hitherto been apply'd to the Uses for which they were intended ; principally because no particular Plan or Method hath been concerted, directing the Manner in which those Sums should be apply'd for the said Purposes : And being desirous to remove those Hindrances as speedily as may be, we have thought good to recommend it to you, that at your first general Meeting in the Month of *July* next, you do take into your Consideration the State of the said Fisheries and Manufactures, and

and of the Moneys provided for encouraging the same ; and that by your selves or by Committees of your Number, you devise and propose the particular Methods, Rules and Regulations which to you shall seem the most proper, for the Application of the said Sums, towards the encouraging and promoting of Fisheries, and such other Manufactures and Improvements in Scotland, as shall most conduce to the general Good of the United Kingdom ; and that you return to us the Propositions in which you shall have agreed, to the End that upon due Consideration thereof, a certain Method may be settled for the Application and Management of those Sums for the future. The Welfare of our Loving People of Scotland, and the Prosperity of the Royal Burrows, is so much concern'd in what we now recommend to you, that we doubt not but you will go on in the Execution of what is expected from you, with the utmost Diligence, Unanimity, and Impartiality ; and on our Part, we assure you of our Countenance and Encouragement, in what you shall propose for the real Good of your Country, consistent with the general Interest of our united Kingdom ; and so we bid you heartily farewell. Given at our Court at Kensington, the 7th Day of June, 1726, in the Twelfth Year of our Reign.

By his Majesty's Command,

Holles Newcastle.

This Letter having been receiv'd with all possible expressions of Loyalty and Gratitude, the Convention return'd the following most dutiful Answer.

May it please your Majesty,

WITH the greatest Joy and Gratitude, we received your Majesty's most gracious Letter, commanding us to devise and propose a Plan or Method for applying the several Sums of Money that have by the Treaty of Union, and different Acts of Parliament, been provided for the Encouragement of Trade and Manufactures in this Part of your united Kingdom, to the Purposes for which they were intended : The Concern expressed by your Majesty, for the Welfare of your People, and this particular Instance of your great Goodness and Tenderness towards them, must fill the Hearts of all your loyal Subjects, in this Part of Britain, with the

the utmost Duty and Thankfulness, and defeat the Attempts of those who vainly imagine they may find their Account in creating and fomenting national Discontents.

The Commands which your Majesty has been pleased to lay upon us, we cheerfully undertake; and as our low State, in respect to Trade and Manufactures, demands a speedy Remedy, we think ourselves bound in Duty to your Majesty, and in Regard to our Country, to contribute our utmost Endeavours to carry on your Majesty's most gracious Purpose, that your Majesty may speedily reap the Fruits of your Goodness and Bounty, in the Prosperity of your People.

We shall therefore, without any Loss of Time, by ourselves, and by Committees of our Number, set about what your Majesty has recommended to us, and shall most humbly lay our Propositions before your Majesty, so soon as we shall be agreed in them.

That the Crown may long flourish on your Sacred Head, and be continu'd in your Royal Family to latest Posterity, are the earnest Prayers of,

May it please your Majesty,

*Your Majesty's most humble, most faithful,
and most obedient Subjects and Servants,*

Edinb. July 6,
1726.

*The General Conventions of your Royal
Burrows of Scotland.*

*Sign'd in their Presence, and by their
Appointment, by*

G. Drummond, Prefes.

This Letter from the Convention of the Royal Burrows of Scotland, having been transmitted to his Grace the Duke of Newcastle, was by him laid before his Majesty, who was pleased to receive it very graciously; and a few Days after, by fresher Letters from Edinburgh, we were inform'd, That the Sub-Committee of the Convention of Royal Burrows had begun their Attendance in the Burrow-Room, on the Days appointed; and to take into Consideration several Proposals that had been laid before them, for the Promoting of the Fisheries and Manufactories of Scotland.

FOREIGN AFFAIRS.

And first of Sweden, Denmark, Poland, Prussia, &c.

ON the 23d of April, Sir Charles Wager, with the Squadron of his Majesty's Ships under his Command, came to an Anchor in the Road of Copenhagen. The 25th, he had an Audience of the King of Denmark, was receiv'd very graciously, and presented Sir George Walton, and the Commanders of the Ships, to his Danish Majesty. Sir Charles Wager had the Honour to dine at the King's Table; and Sir George Walton, with the other Commanders, were entertain'd at another Table, by the King's Officers. On the 2d of May, Sir Charles Wager, with the Squadron, sail'd from Copenhagen, and on the 6th, came to an Anchor at *Elsenabb*, near Stockholm. The 8th he went to that City, and on the 10th had Audience of the King of Sweden, in the Presence of several of the Senators, being introduced by Mr. Poyntz, the British Envoy Extraordinary and Plenipotentiary. Sir Charles Wager deliver'd a Letter from the King his Master to his Swedish Majesty, by whom he was graciously receiv'd; and afterwards had the Honour, together with Mr. Poyntz, to dine with his Majesty. On the 14th, the Squadron of Danish Men of War sail'd from Copenhagen for the Island of Bornholm, in Order to join the British Squadron; and on the Dread of this formidable Fleet, the Court of Russia thought fit to suspend the fitting out of their large Men of War, and only to equip some Frigates.

About this Time the Czarina was invest'd with the Illustrious Polish Order of the White Eagle; of which Ceremony, the following Relation was sent from Petersburg, dated May 14.

THE King of Poland has of late given a shining Proof of his singular Esteem and Regard for the Empress our Sovereign, by conferring on her the Order of the White Eagle, whereof M. le Fort, the Polish Envoy Extraordinary, receiv'd some Days past the Collar for her Imperial Majesty. This Collar (which may pass for one of the richest, considering the Value of the Brilliants) was accompany'd with two Letters from the King of Poland, one for the Empress, and the other for Prince de Menzikoff. By the latter, his Polish Majesty

appointed that Prince his Ambassador Plenipotentiary to vest her Imperial Majesty with the Order of the White Eagle, as being the eldest Knight of that Order in *Russia*. On the 4th Instant, *M. le Fort* had, on this Occasion, an Audience of the Empress, to whom he notify'd the King his Master's Intention, by delivering his Majesty's Letter, couch'd in most obliging Terms, and to which her Imperial Majesty made a suitable Answer. Some Days after, Prince *de Menzikoff* had likewise an Audience of the Empress, to whom he communicated the Contents of the Letter the King had wrote to him, desiring her Imperial Majesty to fix a Day for that Ceremony: Whereupon the Empress, to shew how much she is sensible of the King's Regard for her, thought fit to appoint for that solemn Act the 12th Instant, the Anniversary of the King of *Poland's* Birth-Day, when that Ceremony was perform'd with great Magnificence, as follows.

In the Morning Prince *de Menzikoff* sent his Barges to conduct to his Palace *M. la Fort*, the *Polish* Envoy Extraordinary, and *M. Multer*, Secretary of the Embassy, who carry'd the Collar of the Order with the Star upon a Cushion of Purple Velvet, richly embroïder'd with the King's Cypher. About 11 o'Clock, three of the Empress's Barges came to the Shore of the Prince *de Menzikoff's* Island, to take in the Train. *M. de Jagozinski*, her Imperial Majesty's Great Master of the Horse, was in the last of the three Barges, attended by two Pages of the Chamber, two Heyducks, and two Moors. The Great Master of the Horse being come to fetch the Ambassador and Envoy Extraordinary above named, two *Polish* Noblemen took Place in the first Barge, and in the second the Secretary of the Embassy, carrying the Order, and having at his Right and Left Hand the Counts *Sapieha* and *Wolowitz*, two other *Polish* Noblemen; but in the Imperial Barge there was Prince *de Menzikoff*, *M. le Fort*, and *M. Jagozinski*. The Prince's Barges follow'd with his Officers and abundance of Lords to grace the Ceremony. When this illustrious Company arriv'd at the Stairs of the Imperial Palace, Count *de Santi*, Great Master of the Ceremonies, two Chamberlains, and the Gentlemen of the Bed-chamber and the Court, went to the Foot of the Stairs to receive them, who march'd afterwards in the following Order.

1. The two *Polish* Noblemen.
2. The Secretary of the Embassy, between the Counts *de Sapieha* and *Wolowitz*.
3. *M. le Fort*, Envoy Extraordinary, who walk'd alone.
4. Prince *de Menzikoff*, having at his Right the Master of the Horse, and at his Left the Great Master of the Ceremonies.

As they pass'd in that Order by the Guards, they presented their Arms, the Drums beating, and the Colours saluting them : When they came near the Palace, and passed between the Footmen, Heyducks, Moors, and Pages, who lin'd the Passage to the Staircase, *M^r. Schipelos*, Court-Marshal, and *Mess. Loewenwolde* and *Besucheff*, Chamberlains, received them : At the Entry of the Porch appeared Prince *Tubetzko*, one of the Knights of the Order of the White Eagle, who complimented the Ambassador in her Imperial Majesty's Name : Count *de Tolstoy*, another Knight of that Order, receiv'd him in the Antichamber, and likewise complimented him : After which, the whole Company was introduced into the Presence Chamber, where her Majesty was standing, surrounded by her Court, which was very bright, having on each Side the Knights of the Order of the White Eagle. The Ambassador approached towards her Majesty's Right, the Envoy towards the Left, and the Secretary of the Embassy between them, holding the Cushion, upon which lay the Collar and Star of the Order. The Ambassador made a Speech in the King of Poland's Name, during which, *M. le Fort* took the Collar from the Cushion, and presented it to the Prince as soon as he had ended his Speech, which his Highness put about the Empress, embracing her : after which, the said Envoy presented likewise the Star of the Order to the Prince, which he gave to the Princess his Consort, who fasten'd it to her Breast, under a Discharge of 31 Guns from the Fortress : Which done, the Ambassador, the Envoy, the Secretary, and the rest of the Company, were admitted to kiss her Majesty's Hand, and took their Leave. They were reconducted in the same Order as above, and went on Board the Barges her Majesty had appointed for that Ceremony.

However, the publick Rejoycings of the *Russian* Court were somewhat appall'd by the Approach of the *British* Fleet, under the Command of *Sir Charles Wager* : For

the Land-Forces which had been drawn together near *Petersburg*, in order to be put on Board the *Russian Fleet*, were sent to work on the *Ladoga Canal*, and the Fortifications at *Cronslot*. In a Word, the Czarina's Court was under the greatest Uneasiness and Consternation, at the News of the *British Fleet* advancing that Way; and immediately gave Orders for reinforcing the Garrisons of *Wibourg*, *Cronslot*, *Revel*, and *Riga*, and forthwith to unrigg the Men of War that were equipp'd at *Revel*, and to land the Ammunition and Provisions which were on Board them; which was accordingly done the Night after the Express arriv'd; and the Ships were, at the same Time, haled as high in the Harbour as possible. Three or four Regiments were likewise order'd to march into that Town immediately, to reinforce the Garrison. Mean while Sir *Charles Wager*, having been join'd by the *Nassau* and *Port Mahon* on the 20th, sail'd from *Elsenhav* near *Stockholm* the 25th, and arriv'd the 29th near the Island *Nargen*, three Leagues from *Revel*; and the next Morning sent an Officer with a Letter to Lieutenant General *Wulcoffe*, who commands at *Revel*. He also order'd the *Port Mahon* to sail to *Cronslot*, having on Board Mr. *Barnet*, one of his Lieutenants, by whom he sent his Majesty's Letter to the Czarina, inclos'd in a Packet to Admiral *Apraxin*. The said Letter is as follows.

GEORGE, by the Grace of God, King of Great Britain: To the Most High, Most Mighty, and Most Illustrious Princess, our most dear Sister, the Great Lady Catharine, Czarina, and Great Dutchess of all the Great, Little, and White Russia, sole Monarch of Muscovy, &c. &c. Health and Happiness.

Most High, Most Mighty, and Most Illustrious Princess,

AS your Majesty must allow, that your great Preparations both by Sea and Land for War, in a Time of Peace, could not fail of giving us, as well as our Allies in those Parts, great and just Cause to be alarm'd, you will not be surpriz'd that we have sent a strong Squadron of our Men of War into the *Baltick*, under Command of our Admiral Sir *Charles Wager*, to obviate any Danger that might ensue from so extraordinary an Armament.

Your Majesty very well knows how desirous we have been not only to preserve the publick Tranquillity of
Europe,

Europe, but also to cultivate a perfect good Understanding, and to cement a firm and lasting Friendship, betwixt our Royal Crown of *Great Britain*, and that of *Russia*.

We have not fail'd, upon all Occasions, to give convincing Proofs of these our peaceable and amicable Intentions: And your Majesty must needs remember an eminent Instance of this, when we declar'd our ready Disposition to enter, in Conjunction with our good Brother the King of *France*, into an Alliance with his late Majesty, your Lord and Consort, upon such Terms and Conditions as might be consistent with the Peace of the *North*, and be reciprocally compatible with the Interest, Dignity, and Honour of the Parties contracting. By this Means, we did not doubt but a sincere Reconciliation might be adjust'd betwixt us and your late Consort, and an entire Friendship and good Harmony establish'd between our respective Dominions and Subjects, for their mutual Advantage, and that by the same Means the Peace and Tranquillity of the *North* would also be establish'd on a solid and durable Foundation.

To attain to those great and good Ends, and in Conformity to his late Majesty's Intentions, which the Minister of his Most Christian Majesty, had frequently reported, a Plan of a Treaty was form'd, in concert with the Court of *France*, and sent to his late Majesty for his Approbation and final Consent: But the accomplishing of this good Work was prevented by his late Majesty's sudden and unexpected Death.

Nevertheless, as we still retain'd the same good Intentions to preserve the Peace of the *North*, and to renew our ancient Friendship with the Crown of *Russia*, immediately after your Majesty's Accession to the Throne, we declar'd, in Conjunction with his Most Christian Majesty, that we were ready to conclude and finish the Treaty above-mention'd, not in the least doubting that your Majesty would be glad of a Proposal so manifestly advantageous to your Dominions and People, and which tended so much to the Preservation of the publick Peace. But we must own, that we were sensibly afflicted to see our Hopes defeated by the Return which was made to the obliging and friendly Offers that were made on our Part; because, after a long Delay, to no manner of Purpose, we found that your Majesty's Ministers insisted upon such Alterations in the Treaty projected, as did not concern the Interest of the *Russian Empire*, and such as
were

were not only contrary to the solemn Engagements, which we, and his Most Christian Majesty, were under to other Powers, but such as would have involv'd all the Northern Crowns in new Troubles and Distractions.

Neither can we conceal from your Majesty the extraordinary Surprize we were under, to hear, that while we were carrying on amicable Negotiations, and had not given the least Provocation on our Part, Measures were taking at your Court in Favour of the Pretender to our Crown, and great Encouragement given to his Adherents.

After what we have now set forth, your Majesty will not be surpriz'd, that we being indispensably obliged to provide for the Security of our Dominions; to perform our Engagements with our Allies, and to maintain the publick Tranquillity in the *North*, which seems to be very much in Danger from your Majesty's late Preparations, have thought it necessary to send a strong Fleet of our Men of War to the *Baltick*, and that we have given Orders to our Admiral who commands it, to endeavour to prevent fresh Troubles in those Parts, by hindering your Majesty's Ships from coming out, in case that you persist in your Resolution to put your Fleet to Sea, to execute the Designs which you may have in View.

But as it is our firm Intention to live in Peace and Friendship with your Majesty, we wish from the Bottom of our Heart, that your Majesty seriously reflecting upon the true Interest of your Subjects, would permit them to enjoy the Blessings of that Peace which they purchased at the Expence of so much Blood and Treasure, under the Conduct of his late Majesty; and that rather than enter into Measures which must inevitably plunge *Russia* in a War, and the whole *North* in Confusion, your Majesty would please to give your People and all Mankind, convincing Proofs of your Inclination for Peace, and of your good Disposition to live in Quiet with your Neighbours.

Given at our Court at our Royal
Palace of St. James's, the
11th of April, A. D. 1726,
and the 12th Year of our
Reign.

Yours affectionately,

GEORGE R.

The Empress of Russia's Answer to his Britannick Majesty's Letter, is to the Effect following, viz.

YOUR Royal Majesty's amicable and fraternal Letter of the 11th of April, is come safe to our Hands, by which you are pleased to declare to us, That the Warlike Preparations we have made, had engaged your Royal Majesty to send a strong Fleet of Men of War into the *Baltick*, to obviate any Enterprizes we might go upon to disturb the Tranquillity of the *North*; and that in Order thereto, your Royal Majesty had given Orders to your Admiral Sir *Charles Wager*, to hinder our Fleet going out to Sea.

We must confess, we were extremely surpriz'd, not to receive your Letter, but at the very Instant your Fleet appear'd on our Coasts, and after they had cast Anchor before *Revel*; since it had been more agreeable to the Custom establish'd among Sovereigns, and more consistent with the Amity that has so long subsisted between our Kingdoms, and the Crown of *Great Britain*, had your Royal Majesty thought fit to expostulate with us, about the Umbrage you might conceive from our Armament, and to expect our Answer thereupon, before you advanced to so offensive a Step.

Then might your Royal Majesty have been assur'd by us, that 'tis so far from our Thoughts to disturb the Repose of the *North*, that, on the contrary, all our Cares and Attention are wholly bent on the Security and Preservation of it, both for the Time present, and Time to come, as being more concern'd than your Royal Majesty, in preventing whatever may endanger that Tranquillity.

And as your Royal Majesty is fully inform'd of what pass'd in the Negotiations between his Imperial Majesty, our Lord and Consort, of Glorious Memory, and afterwards between us and his Majesty the King of *France*, you cannot but be persuaded of this our sincere Intention; and we refer to your own Judgment, in what Manner we, and all the World with us, ought to look upon this extraordinary Step of your Royal Majesty; and whether any other Construction can be put upon it, but that you have form'd Designs very prejudicial against us, and that therefore you are inclined to occasion new Troubles in the *North*, by making, for want of any warrantable

able Reason, the said Armament a Pretence, altho' no way tending that Way. Our Apprehensions herein appear to be the better grounded, because in your Royal Majesty's Letter, you charge us with Things of which, with great Justice, we ourselves might complain.

It were needless to mention in this Place, the sincere Frindship which his Imperial Majesty, our Lord and Consort of Glorious Memory, bore to your Royal Majesty; and all the World knows, how much that Friendship has been useful and advantageous to you. Neither is your Royal Majesty ignorant, what Return you have made to my said Lord and Consort; nor that, through Greatness of Soul, his Imperial Majesty rather chose to overlook it, than to undertake any Thing that might make the least Breach in the constant Amity that always subsisted between *Russia* and *Great Britain*. His said Imperial Majesty could never have given more convincing Proofs of his sincere Intentions to preserve that good Amity, than by his generous Acceptance of the good Offices offer'd by his Majesty the King of *France*, towards the Restoration of a perfect Understanding with your Royal Majesty, and by declaring himself resolved, disposed, and willing, not only to bury in eternal Oblivion all former Injuries, but also to enter (on reasonable Conditions) with your Majesty and the Crown of *France*, into a stricter Engagement, and a defensive Alliance.

The Conditions proposed by his said Imperial Majesty, at the Request of *France*, were not only thought just from the Beginning, but his Most Christian Majesty has, more than once, given Hopes, That as those Conditions might be well reconcil'd with the Engagements enter'd into with *France*, with your Majesty, and with other Powers, so, with respect to such an Alliance, they might be adjusted and settled according to Equity and Justice, for the entire Security of the Tranquillity of the *North*; and therefore these are not new Conditions, but the same, tho' your Royal Majesty sounds them so high at present; and since in the last Answer, which has been communicated to us on the Part of *France*, your Majesty's self declares the Thing to be just, it is very plain, that nevertheless your Majesty not only rejects all amicable and equitable Means to adjust the same, but that you design to oblige us to accept Conditions directly opposite both to our Interest, and, which is more, to our Honour and Reputation, as well as to Justice itself.

These

These Circumstances cannot induce us to believe, that your Majesty's Ministers ever had a serious Intention to conclude that Alliance; but rather, that the sending a Squadron of Men of War, together with Orders, thro' which it is easy to see an Interruption of Amity, and the Rise of new Troubles in the North, is but the Consequence and Result of the Animosity which some of your Ministers have shewn publicly every where against us, for so many Years past. The Thing appears evident, from what your Majesty alledges, and charges us with, in relation to the Pretender. Your Ministers have rightly understood, that all the Reasons by them suggested, (and which, abstracted from that, do not regard the Interest of *Great Britain*, but are rather diametrically opposite to the solemn Treaties subsisting between *Great Britain* and other Powers) are not to be admitted, and are insufficient to justify their violent Enterprizes to Persons disinterested: And not being able to find out any other Reason, that frivolous and stale Accusation must be trump'd up, and serve, as heretofore, as the main Pretence for all the unkind Steps taken against us.

Altho' the Groundlessness of that Accusation has oftentimes been proved; tho' Time and Experience have evinced, that those pretended Engagements no where existed but in the Imaginations of your Royal Majesty's Ministers; and tho' the Willingness we have shewn on our Part, to facilitate the late Negotiations, ought no less to convince your Royal Majesty of the Malice and Falsity of those Insinuations, than the Dispositions we have shewn to grant the Guaranty you have demanded of us, nevertheless, over and above all that, we are still willing to assure your Royal Majesty, that we bear you too much Friendship, to be willing to give your Majesty and the *British* Nation any Uneasiness, by any Engagements we might enter into with the Pretender. As for the rest, it depends on your Majesty's Pleasure, to give what Orders you think proper to your Admiral: But then your Royal Majesty will agree with us, that your Prohibition would not hinder us from causing our Fleet to go but, if we thought it convenient; and that in the Quality of a Sovereign and an Empress, holding of none but God alone, we are no less unwilling to receive Laws from any one, than to forget ourselves so far, as to pretend to dictate any to others. Moreover, we are entirely ready and disposed to entertain a good

Harmony with your Royal Majesty, nor shall we undertake any Thing that may interrupt the Amity so firmly establish'd between the two Kingdoms for so many Years past: And as, on our Part, we readily declare, that this Amity cannot but be very useful to us, and to our Kingdoms and Subjects, we hope likewise your Royal Majesty will own, that hitherto it has been no less advantageous to your Majesty and to your Kingdoms and Subjects, and that for the future it might not be unprofitable. In short, as it is most certain, that his Imperial Majesty of Glorious Memory, after having been abandon'd by all his Allies, did, with incredible Labours and Expences, procure to himself and his Kingdoms, the so much desired Peace, so we shall likewise use all our Endeavours to secure the Enjoyment of it to our Kingdoms and Subjects.

We are even persuaded, that we cannot better attain these good Ends, than by being, after the Example of our Lord and Consort of Glorious Memory, in such a Posture, as at all Times, in Case of Need, to be able to succour our Allies, to perform our Engagements to them, to protect our faithful Subjects against any Insults, and to oppose them who may offer to wrest from us and our Subjects, this Treasure, Peace.

'Tis with this View, and with this View only, that we have made the Armament that has given your Royal Majesty so much Umbrage, tho' without any Reason or Foundation. We wish the Almighty vouchsafe to bestow on your Royal Majesty perfect Health, and an ever happy Reign. At *St. Petersburgh*, June 15th, 1726, and in the 2d Year of our Reign.

Of your Royal Majesty's,

The most affectionate Sister,

CATHARINE.

And lower, Count Goloffkyn.

By this Answer it appears, that the Czarina was a little provok'd at the *British Fleet's* blocking up her Ports; yet she treated our Merchants with Favour; for she caused the following Declaration to be publish'd.

The

The Czarina's Declaration in Favour of the British Merchants.

BY the Grace of God, we *Catharine*, Empress and Self Upholders of all *Russia*, &c. &c. &c.

Be it known to all and every one in particular, whom it may concern: Whereas we have taken into Consideration, that his Royal Majesty of *Great Britain* has sent a strong Squadron of his Ships of War into the *Baltick* Sea, who have anchor'd before our Port of *Revel*; and that such his Royal Majesty of *Great Britain's* unfriendly Proceeding, not any Way occasion'd by us, hath plainly no other Aim, but to undertake some disagreeable Measures against us, and consequently disturb the Peace of the North. And whereas the Merchants of the *Great British* Nation, trading with our Empire of *Great Russia*, might, upon this his Royal *Britannick* Majesty's unfriendly Proceeding toward us, suspect, (and the more if any actual Hostilities against us should be used by the aforesaid Squadron) lest they who are in our Empire may come to suffer in their Persons, Ships, Goods, &c. and be reduced to utter Ruin; but we, on our Part, are sincerely purpos'd (notwithstanding these Proceedings of his *Great Britannick* Majesty, tending to excite new Troubles in the North) to preserve, with all Diligence, that friendly and good Correspondence which hath continu'd so many Years, 'till this Time, steady and inviolable, betwixt the Dominions of *Russia* and *Great Britain*, to the great Benefit and Advantage of both Nations, and not only allow the Merchants of *Great Britain* trading in our Empire, their free Traffick, without any Manner of Hindrance or Detriment; but also for the Improvement thereof, shew them all Marks of gracious Favour and Encouragement; to the End that we may hereby give the whole World, and particularly the renown'd *Great British* Nation, the more sensible Proofs of our sincere Intention to preserve inviolably, a good Understanding with the Crown of *Great Britain*, and continue that good Friendship which hath been establish'd of so ancient a Date between the two Kingdoms.

For which Causes, we have thought good, by these Presents, publicly to declare this our gracious Intention; and we do assure all Merchants of *Great Britain* in general, and every one in particular, that although any open Hostilities against us should be acted by his Majesty.

of Great Britain, or his Squadron sent by him, nevertheless the said Merchants, neither in their Persons, Goods, Possessions, Ships going or coming, nor by any other Manner whatsoever, shall receive any Injury, or be brought into Damage or Ruin by us, so and in such Manner, that as well for the present, as for the Time to come, they may freely and at their Pleasure and best Advantage, without any Fear or Apprehension, carry on their Traffick in our Empire, equally with all Nations in Friendship with us; and on all Occasions be challengeably ascertain'd and assur'd of our gracious Protection and Care for them; provided only they themselves, through no disagreeable Measures, or forbidden Proceedings, render themselves obnoxious. In Confirmation whereof, we have sign'd this our gracious Declaration with our own Hand, and commanded that it should be proclaim'd in the usual Manner. Given at St. Petersburg, this 21st of June, 1726.

The Original was sign'd with her Imperial Majesty's own Hand.

(L.S.)

E. CATHARINA.

All this while, Count *Rabutin*, the Emperor's Minister of the *Czarina's* Court, left no Stone unturn'd, to thwart the Negotiations which the *British* Admiral was instructed to propose to enter into with her Ministers, towards the removing all Causes of Jealousy and Distrust on both Sides, suggesting, 'That that Admiral being come with open Force to negotiate an Accommodation, it would be a Disparagement to the *Russian* Court, to enter with him into a Treaty, while his Fleet lay at Anchor under an Isle belonging to the *Russians*; and that they ought, at least, to make him quit their Coasts, to leave the Senators at an entire Liberty.' On the other Hand, Admiral *Wager* having transmitted the *Czarina's* Answer to his *Britannick* Majesty's Letter, waited in the same Station his Majesty's further Orders and Instructions. In the mean time, from all the Intelligence he had receiv'd, he judg'd the *Russians* did not intend to make any Attempts this Year, their naval Strength being inferior to his; they had indeed more Ships than they ever yet fitted out, but they could not man them with any tolerable Number of Seamen, without

out disabling those already mann'd: But on the other Hand, they were doing every thing they could, to fortify their Ports, and defend their Ships: At *Revel* they had made a new Battery, and lay Day and Night aboard their Ships in the Mole and upon their Batteries, for fear of a Surprise: But notwithstanding this Jealousy, *Sir Charles Wager* had Liberty to furnish his Squadron with fresh Provisions as often as he pleas'd.

SICILY.

THE Imperial Court was not contented with spirit-
ing the Czarina against his *Britannick* Majesty in the North, but at the same Time unkind Measures were by them pursued to cramp the *British* Trade in the South; and that too (which aggravates the Unfriendliness of such a Proceeding) in that very Island, whose Conquest for the House of *Austria*, was, a few Years ago, mainly owing to the Valour and Treasure of the *British* Nation. For Orders were come there from the Court of *Vienna* to their Viceroy of *Sicily*, to publish a Bando or Proclamation, prohibiting the Importation of several *English* Manufactures, such as *Duroys*, *Calamancoes*, *Camlets*, *Druggets*, and other Stuffs proper for Summer Wear, in order to encourage those of *Germany*, which it was intended to introduce into *Sicily* by the *Trieste* Company. As this would be very detrimental to the *British* Trade with that Kingdom, Consul *Chamberlayne* having consulted the Factory there, did on the 10th of *June*, present the following Memorial to the Viceroy.

Most Excellent Lord,

William Chamberlayne, his *Britannick* Majesty's Consul General in this Kingdom, and the *English* Merchants settled and residing in this City of *Messina*, do humbly represent, that they are inform'd, that the Royal Patrimonial Council, by your Excellency's Direction, upon what Motives the Memorialists know not, are about to prohibit the Importation into this City and Kingdom, of divers Sorts of *English* Woollen Manufactures and Stuffs: That before such a Resolution pass, they offer to your Excellency's Consideration the Preju-
dice

dice which would manifestly arise from it to the publick Commerce, to the Income of the Royal Treasury, and to the general Interest, not only of his Imperial and Catholick Majesty's Subjects, but likewise of Foreigners concern'd in Traffick with this City: For this would be an Abolition of the Establishment of a *Scala Franca*, or Staple, granted by the Most Serene King *Charles II.* who engag'd his Royal Word to permit the importing hither of all manner of Merchandize and Manufactures from what Part of the World soever: It would also be a direct Violation of the Treaty of Commerce concluded between the Most Serene Kings of *Spain* and *England* in the Year 1667, which was ratify'd by King *Charles II.* of Blessed Memory the same Year, and confirmed by his present Imperial and Catholick Majesty in 1709, at *Barcelona*; by which Treaty entire Liberty was granted to the Subjects of *Great Britain* to import and bring into all the Territories, Kingdoms, and Dominions of the King of *Spain*, all Sorts of Merchandize, Cloaths, Manufactures, and Things of the Kingdom of *England*, there to sell, barter, or otherwise convert and dispose of the same, as will more fully appear to your Excellency, by the inclosed Copies of the Article of the *Scala Franca*, and of the 7th Article of the aforesaid Treaty concluded and confirmed as above. Wherefore the Memorialists have judg'd it proper, by Way of Prevention, to make Application to your Excellency, a Prince zealous for Justice, and a Lover of the publick Good, to induce you to suspend so important a Resolution, 'till some Deputy of theirs be permitted to lay before you the solid and weighty Reasons they have to urge against this Novelty, which is not only prejudicial to the publick Commerce, the promoting whereof your Excellency has so much at Heart, but to the general Interest of the Natives and Foreigners, who are concerned in, and do contribute to, and carry on the Trade of this City and Kingdom, and also to the Royal Duties, which must inevitably diminish in Proportion as Commerce lessens. But in case your Excellency, in your great Wisdom, shall determine otherwise, they beseech you, at least, to be pleas'd to give a sufficient Allowance of Time before such Prohibition takes Place, because the Memorialists, under the Sanction of the publick Faith, and relying on the Royal Promises, have some Time ago sent Commissions to their Correspondents in *England*, for large Quantities of such several Sorts of Goods as they are used

used to provide every Year against the Fair in *August*, which by this Time are not only brought up, but actually embark'd and on the Way hither; to the end that within the Time limited they may vend and dispose of them: Upon which Concession from your Excellency, as a just Prince, the Memorialists do securely depend, &c.

Article of the Scala Franca in the Year 1695.

It is permitted to all, of what State, Condition, or Nation soever they be, (except only the French, for so long as the War with that Crown shall last) freely to come into and go out of this City and its Port, at their Pleasures, without any Hindrance, to exercise any Traffick or Commerce whatever, to sell, to buy, and to export, any Merchandize, Goods, or other Thing whatsoever, &c.

The 7th Article of the Treaty of Commerce between the two Crowns of Spain and England in the Year 1667, confirmed by his Imperial and Catholick Majesty in 1709.

That it shall be lawful for the Subjects of the King of Great Britain to bring out, and carry into Spain, and all or any Lands and Dominions of the King of Spain, (where heretofore they have used Trade and Commerce) and there trade with all Kind of Merchandize, Cloaths, Manufactures, and Things of the Kingdom of Great Britain, &c. and the Manufactures, Goods, Fruits, and Kinds of the Islands, Towns, and Plantations to him belonging, &c.

All the Answer that was returned to this Memorial was, That the Orders from the Court of Vienna on this Affair being uncontrollable, the publishing them would not be much longer deferr'd; and as for such Sorts of Goods already on the Way, as are compris'd in the said Prohibition, they would only be admitted in *Porto Franco*, there to remain unfold 'till further Directions from the said Court of Vienna.

To these Pieces we shall subjoin the following Declaration and Engagement concerning the Rights and Privileges of the British Merchants in the Kingdom of Sicily, made at Utrecht the 25th Day of February, 1712, and the 8th of March, 1713.

Whereas

WHereas by several Treaties of Peace, Alliance, Commerce, and Navigation formerly made between the Kingdoms of *Great Britain* and *Spain*, and at this Time subsisting, but more particularly by the Treaty concluded at *Madrid*, the 13th and 23d Day of the Month of *May*, in the Year 1667, and the Cedula's annexed thereunto, Provision was made for the Freedom, Security, and perfect Ease of the Commerce of the *British* Subjects trading in the Kingdoms and Provinces of *Spain*; the Observance and Usage of which Treaties have been hitherto receiv'd in the Kingdom of *Sicily*, in the same Manner as in any other the Dominions of *Spain*, and have remained there in full Force, except some Variations which have been introduc'd in the Course of Time, for the rectifying whereof, according to the Rule of those Treaties, *Great Britain* has hitherto justly insisted.

Wherefore on Occasion of transferring the Kingdom of *Sicily* to his Royal Highness the Duke of *Savoy*, her Sacred Majesty of *Great Britain* being watchful to preserve the Rights and Privileges of her Subjects trading in the said Kingdom, and being likewise willing to preserve to the *Sicilians* the Privileges they have in *Great Britain*, which are so very dear to the Most Serene Duke of *Savoy*, hath been graciously pleased to give Instructions to her underwritten Ministers Plenipotentiaries to agree with the Ministers Plenipotentiaries of his Royal Highness of *Savoy*, about making Declarations mutually upon this Subject: In pursuance thereof, the said Ministers Plenipotentiaries of his Royal Highness, in the Name of their Most Serene Master, do most solemnly declare and promise, that during the Reign of the aforesaid Most Serene Duke in *Sicily*, as likewise of his Heirs and Successors, the *British* Merchants are henceforward to have, and shall effectually have, use, and enjoy all those Rights, Privileges, Liberties, and entire Security, as to their Persons, Goods, Ships, Seamen, Trade and Navigation in the said Kingdom of *Sicily*, which, by Virtue of the Treaties made between *Great Britain* and *Spain*, they have hitherto enjoy'd, or ought to enjoy: And to that End, that all Abuses, which deviate from the Tenor of the said Treaties, shall be forthwith removed, and the Rights and Privileges acquired to the *British* Subjects, by Virtue of the aforesaid Treaties, shall not, on any Occasion, or under any Pretence, ever be violated or lessened;

lessened; and if hitherto any more favourable Privileges have been granted to the Merchants of any other foreign Nation, or shall hereafter be granted, any way relating to the Persons of the Traders, their Ships, Goods, Duties, or the Business of Merchandizing, the *British* Merchants shall likewise, in all Respects, and in the fullest Manner enjoy the same.

And in like Manner, the Ministers Plenipotentiaries of *Great Britain*, do, in the Name of her Majesty, confirm, that the *Sicilians* shall hereafter enjoy the same Privileges and Liberties, which they have hitherto enjoy'd, or ought to have enjoy'd, as Subjects of the Kings of *Spain*, by Virtue of the aforesaid Treaty of the Year 1667.

The Ratifications of this present Declaration and Engagement made in due Form, shall be exchange'd at *Utrecht*, within six Weeks, or sooner if possible.

In Witness and Confirmation whereof, the aforesaid Ministers Plenipotentiaries of her Majesty of *Great Britain*, and of his Royal Highness of *Savoy*, have sign'd this present Instrument with their own Hands, and put their Seals thereunto, at *Utrecht*, the 25th Day of *February*, 1712, and the 8th Day of *March*, 1713.

(L. S.) *Joh. Brissot, C. P. S.*

(L. S.) *Strafford.*

(L. S.) *Le C. Maffei,*

(L. S.) *Le M. du Bourg,*

(L. S.) *P. Mellaredo.*

HOLLAND.

THE States of the Province of *Holland* having desisted from several Points, which had retarded the settling of the Act of Accession of that Republick to the Treaty of *Hanover*, the *British*, *French*, and *Prussian* Ministers, were on the 8th of *July* N. S. invited to a Conference with the Deputies of the States General, in which the Instrument or Act of Accession, as agreed to by the said Province, was communicated to them, which being entirely approv'd of, the only remaining Difficulty to bring this Affair to a final Conclusion, was to get the Consent of the other Provinces; which being at length obtain'd, Mr. *Finck*, his *Britannick* Majesty's Envoy Extraordinary and Plenipotentiary, the Marquess

de Fenzon Ambassador and Plenipotentiary of the Most Christian King, and *M. de Meyndershagen*, Envoy extraordinary and Plenipotentiary of the King of *Prussia*, went on the 29th of *July* O.S. (being the 9th of *August* N.S.) about Noon, to the Chamber of *Treves*, where having been some Time in Conference with the Lords Deputies of the States General, they all sign'd the Act of Accession of their High Mightinesses to the Treaty of *Hanover*, except the *Prussian* Minister, who excus'd himself, as not having his Master's Orders for it.

The Difficulties that retarded the Accession of the States General to the Treaty of *Hanover*, are contain'd in the following Resolution of the States of *Holland*, which their Deputies for foreign Affairs communicated to the Ministers of *France*, *Great Britain*, and *Prussia*.

Resolution of the States of Holland, relating to the States General's Accession to the Treaty of Hanover.

AFTER some Compliments upon the Communication of the said Treaty of *Hanover*, it was declared, That this Affair being of the last Importance, and of the greatest Concern, it ought not to be surprizing, that their Deliberations have taken some Time; as likewise two of the said Provinces having not yet explain'd themselves, their High and Mightinesses themselves are not at present in a Condition to come to any particular Resolution upon this Subject: However, they do not believe it may be wholly unuseful, provisionally, in the Hopes and Expectation that the two Provinces, who have not yet determined to take their Resolutions, may soon determine, to cause to be communicated to the Ambassador of his Most Christian Majesty, and to the Envoy Extraordinary of *Great Britain* and *Prussia*, the Remarks that some Provinces have made upon the said Treaty, and which they find necessary for clearing up of some Points, and for the Security of the Republick, in Case she takes the Resolution to accede.

1. These Remarks import, That it is desir'd, and thought necessary, to insert in the Act of Accession, that the Design of this Alliance does not in any Degree tend to derogate from or to any Treaty or Alliance precedingly contracted, either between the Powers now contracting, or any other Princes or States; but rather, that the Intention of this Treaty is to maintain and corroborate the same; and that the chief Design of this Alliance

liance tends only to bind more strictly together, without giving Offence to any Power, and to serve as far as it may, for the Guaranty, Protection, and Maintenance of all the Estates, Countries, and Towns, as well in *Europe* as out of *Europe*, of which each of the said Allies shall be actually in Possession at the Time of the said Alliance; as well as of the Rights, Immunities, and Advantages, particularly those which relate to Commerce, as well in *Europe* as out of *Europe*, which each of the said Allies shall enjoy at the Time of signing the said Treaty, it being always to be understood that, under this general Expression of, *The Possession of the Estates, Countries, Towns, Rights, and Privileges*, are not comprehended such Estates, Countries, Towns, Rights and Privileges, about which there are any Disputes depending between any Parties, before competent Judges, and which consequently are not decided; and therefore the Guaranty of this Republick is not to extend to the like disputable Cases.

2. That farther, the Intention of the fifth Article of the said Treaty, and of the first of the separate Articles, in which Mention is made of the Treaties of *Westphalia* and *Oliva*, shall not extend farther than in Manner as is before mention'd; however, that their High and Mightinesses, in Relation to the Affairs of *Thorn*, and others compris'd in the first of the separate Articles, shall be always ready to employ, jointly with the other contracting Powers, all friendly Offices for obtaining reasonable Satisfaction and Reparation for the Infraction of the said Treaties; but if such friendly Offices shall be employ'd without Effect, and afterwards it should be required to do any thing farther, that then their High and Mightinesses shall not be engag'd in any farther Enterprizes, nor shall their High and Mightinesses be obliged to act, in any Particular, without a new Agreement; and that the Intention of their said Majesties is not to oblige them to any thing, in Virtue or Consequence of the aforesaid two Treaties. And as, among other Things, the End of the said Alliance is to establish an entire and perfect Confidence between the contracting Powers, their High and Mightinesses reserve to themselves full Liberty of giving their Thoughts and Opinions on the Ways and Means which may be judged most effectual for the preserving and maintaining of the Rights above mention'd, as well those relating to Commerce, as others, in *Europe* or out of *Europe*. And like-

wife, that in Case the three Powers shall find it necessary to act in Concert upon those Points which relate to the Maintenance of a Ballance in the Affairs of Europe, and to go on in Concert with this Republick; that then their High and Mightinesses shall, in every particular, have the same Liberty they now enjoy, without being obliged by their Accession to engage in any Enterprizes.

3. And as the Succours which their High and Mightinesses are to furnish in case of Need, are not regulated in the said Treaty, that they shall be settled at four thousand Foot, and a thousand Horse.

4. That the Powers contracting may declare and oblige themselves, in case this Republick, by reason of her Accession to the said Treaty, shall be attack'd or menac'd in such Manner, that she shall find it necessary to arm immediately to secure herself against such Attacks or Menaces, that in such Case the Succours stipulated to be granted, whether in Troops, Ships, or Money, shall be immediately granted, without waiting the Success of amicable Offices, or Instances to procure the Satisfaction or Reparation requir'd.

5. That likewise, to the clearing up the 6th Article of the said Treaty, it may be declar'd, That after the Expiration of fifteen Years therein mention'd, the whole shall fall in with the Terms of preceding Treaties, as they now subsist among the contracting Powers; especially the Triple Alliance of the Year 1717.

6. That besides the Remarks above mention'd, it is judg'd necessary, in Regard to the Rights of the Republick, by which the Subjects of the *Austrian Netherlands* ought to be excluded the Commerce of the *East and West Indies*, to be declared particularly on the Parts of their Most Christian and *Britannick* Majesties, by their said Ambassador and Envoy Extraordinary; and that tho' it is agreed in a separate Article, to be clear and indisputable, that their High and Mightinesses, by the fifth and sixth Articles of the Treaty of *Munster*, in the Year 1648, made between *Spain* and this Republick, have acquir'd a Right, which excludes the Subjects of the *Austrian Netherlands*, as well as the Subjects of other Countries, which at that Time belonged to the Monarchy of *Spain*, from the Navigation and Commerce of the *Indies*, within the Limits of the Privileges and Charters granted by their High and Mightinesses to their *East India* Company; and that this Right, by Consequence, falls clearly under the Guaranty of Rights, to which the Allies are

are mutually engag'd by the twelfth Article of the Treaty of *Hanover*: That nevertheless, the said Ambassador and Envoy extraordinary, may declare in the Name and on the Part of their said Majesties, that the aforesaid Rights, resulting from the fifth and sixth Articles of the said Treaty of *Münster*, are understood to be among the Rights that the Allies guaranty, by the 2d Article of the Treaty of *Hanover*; and if by reason of the Republick's exerting the said Rights, or by reason of any other Article of the said Alliance, any Misunderstanding should happen, and that his Imperial and Catholick Majesty, contrary to Expectation, should suspend or retain the Payment of the Subsidies due to this Republick for the Payment of their Troops in the Barrier Places, or the Payment of the Interest of the Sums borrow'd upon divers Funds assign'd by his Imperial and Catholick Majesty, for the Security of the Payment of the said Interest, or if any other Sort of Reprisals should be used; that then the Intention of their said Majesties is, that the Allies should protect and maintain their High and Mightinesses, conform to the Alliance to which they shall accede, and be their Guarantees against all Consequences resulting from the same.

That as to what relates to the War between the Emperor of *Morocco* and the Regency of *Algier* with this Republick, and to the Corsairs of *Barbary* in general, an Article may be agreed by the Ministers of *France* and *Great Britain*, importing, That whereas the Treaty of Alliance to which their High and Mightinesses are invited to accede, is, among other Things, principally design'd to secure the Navigation and Commerce of the Subjects of the Powers contracting, and that this Navigation and Commerce is much disturb'd by the Corsairs of *Barbary*; who, by their Pyracies, attack and trouble sometimes one, sometimes another Nation; as at present those of *Morocco* and *Algier* do with regard to this Republick, taking her Subjects when they can, into hard Captivity and Slavery: That for these Reasons, their High and Mightinesses demand, that their Most Christian and *Britannick* Majesties would take all just Measures to repress and hinder the Pyracies of the aforesaid Corsairs, and oblige them to make Peace with their High and Mightinesses; as likewise that their said Majesties would employ their good Offices to this Effect; and that if during the Term of one Year the said Peace cannot be made, that then their said Majesties, jointly with

with their High and Mightinesses, shall declare and make War upon them; and that after a Peace shall be made, in case there shall be again a Rupture, none of the three Powers shall be at Liberty separately to make Peace; but that it shall be one Common Cause, in such Sort, that the three Powers shall always act together, whether in Peace or War, with the *Barbarians*; who, if consider'd as Pyrates, ought to be pursu'd and extirpated, or if consider'd as Enemies, must come into the Case of Alliance; by Virtue of which, the Allies have a Right to demand mutual Succours, as stipulated by the Treaty. That from this Time no Vessel of the said Corsairs shall be admitted into the Ports of *France* or *Great Britain*, including *Gibraltar* and *Port Mahon*; and that the Prizes they shall bring into such Ports, shall be seiz'd and restor'd to the Proprietors. And since *France* and *Great Britain*, as well as this Republick, are at present in Peace with those of *Tunis* and *Tripoli*, that in case either of the said Regencies shall attempt to break the Peace with any of the three Powers, that it shall become Part of the common Cause, and be deem'd a *Causus Fœderis*: And that these separate Articles shall be agreed before, or at the same Time, as the *Act of Accession* shall be sign'd; and the Ratifications of the separate Articles to the *Act of Accession* shall be sign'd at the same Time.

8. That these Remarks, which result from the Advice of the Provinces, upon the Accession to the Treaty of *Hannover*, consisting in what is above mention'd, the Deputies of the States should endeavour to make the Ministers of the said three Powers sensible of them, in order thereby to forward the Accession.

9. That withal, the said Deputies shall represent to the said Ministers, That notwithstanding their High and Mightinesses have, by all reasonable Means, endeavour'd to accommodate the Difference between his Majesty the King of *Denmark* and this Republick, they have not yet been able to obtain their Ends; they therefore wish and desire, that the Kings engag'd in the Alliance of *Hannover*, would employ their good Offices with his *Danish* Majesty, that there may be more Facility than there has been in finishing and amicably accommodating those Differences, as well with regard to the reciprocal Pretensions, as to the Renewal of Commerce: Of all which Matters, Report shall be made to the Assembly.

The 5th Article of the Treaty is in these Words: His Most Christian Majesty being particularly interested, as Guarantee of the Treaty of Westphalia, in the maintaining of the Privileges and Liberties of the Germanick Body; and their Britannick and Prussian Majesties, as Members of that Body, observing with equal Concern, Seeds of Division, and of Complaint, that may at length break out and bring on a War; which, by the fatal Consequences resulting from it, might set all Europe on Fire; their said Majesties being ever attentive to what might one Day 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 observ'd the abovesaid Treaties, and the other Acts; which having settled the Affairs of the Empire, are look'd upon as the Basis and Foundation of the Tranquillity of the Germanick Body, and the Support of its Rights, Privileges, and Immunities, which their abovesaid Majesties are desirous to settle in a solid Manner.



S P A I N.

THE chief Subject of this Article will be the sudden Disgrace and Downfall of the Duke of Riperda, of which we cannot give a more authentick Account than is contain'd in the following Letter.

The Marquess de la Paz's Letter to the Marquess de San Philippo, the Spanish Ambassador in Holland, containing the Reasons which induced the King of Spain, to take the Duke de Riperda out of the English Ambassador's House.

THE Confidence which the King reposed in the Person of the Duke de Riperda, the Honours he heap'd upon him, and the Employs to which his Majesty was pleas'd to promote him, are known to all the World. Neither is his Majesty's Goodness towards that Gentleman a Secret in any Part of Europe, when having taken the Resolution to dismiss him from his Service, he yet was pleas'd to grant him for his Maintenance, a Pension of 3000 Pistoles a Year, 'till such Time as his Majesty could conveniently employ him again in his Affairs.

Nevertheless,

Nevertheless, out of an Excess of Rashness never before heard of, the Duke *de Riperda*, tho' he had by Writing accepted of the said Pension, and thank'd his Majesty for the special Favour with which he had honour'd him, in Terms very different from the Sentiments it is likely he had already conceiv'd, before 24 Hours were expir'd, went to the *English Ambassador's House* in the *Dutch Ambassador's Coach*, who accompany'd him thither, and whose Domesticks remov'd in the Night, as it were by stealth, that Duke's most valuable Effects, to the House wherein he had taken Sanctuary. It was from this Place that he wrote to me, that I would acquaint his Majesty, that he had taken that Refuge against the Populace of *Madrid*, by whom he had Reason to apprehend he should be insulted.

I know these Facts are become so publick, that it is to no Purpose to give your Excellency a more ample and circumstantial Account of them; but I cannot help informing you more at large of the Particulars of what has pass'd, and of the Consequences that have ensu'd; that when this Event shall become the common Talk of the World, you may be able to set the Affair in a true Light, as being exactly inform'd of the mature Deliberation, the just Reflections, and pressing Motives, upon which his Majesty was induc'd and obliged to take the Resolution to cause the Duke *de Riperda* to quit the *English Ambassador's House*, the 25th Instant, in the Morning.

After that Duke had made known his Retreat, and the Ambassador (who had done the like) had given the King his Word, that he would be answerable for the Duke *de Riperda's* Person, in an Audience which he obtain'd as soon as demanded; his Majesty, for the greater Security, and to prevent as much as possible the said Duke's Escape, order'd that the Avenues to the *English Ambassador's House*, should for a while be modestly kept by some Soldiers of his Foot Guards, who contented themselves with being posted round the House; and at the same Time, his Majesty took care to let that Minister know, that tho' he depended on his Word, which he did not in the least distrust, he thought himself obliged to take that Precaution, for fear all he could do on his Part, would not be sufficient to baffle the Attempts which the Duke *de Riperda* might make to escape.

After this, the King order'd all manner of Civilities and good Offices to be us'd, friendly to persuade that
Ambassador

Ambassador to prevail with the Duke *de Riparda* to accept the Offers his Majesty made, to secure him against any Insults of the People; giving the Ambassador at the same Time to understand, that it was his Majesty's Desire, that the Duke should quit his House: To which the *British* Minister reply'd, That having, agreeably to his Majesty's Intention, founded the Duke *de Riparda*, he was answer'd by him, That indeed he had at first written to his Majesty the Reasons of his Retreat, being the same as above related; but that now, finding the King was angry at the inconsiderate Step he had taken, and having a great deal of Reason to dread his Anger, he found himself obliged not to accept his Majesty's Offers, but to continue in the Sanctuary he had chosen for the Security of his Person.

This Obstinacy, so derogatory from the Authority of a great Monarch, who, instead of using the Power that was in his Hands, had rather chosen the Methods of Kindness and Gentleness, did not hinder his Majesty from renewing his Instances to the *English* Ambassador, that he would press the Duke *de Riparda* yet more earnestly to leave his House, and to accept his Majesty's Offers without any Restrictions. He at the same Time represented to the said Ambassador the Consequences of that Affair, and the Prejudice which the Authority a King ought to have over his Ministers was likely to sustain, if he should bear with Impunity the Rashness of the Duke, by permitting him to stay longer in a Place where he imagin'd he might be in Safety. Besides, what Scandal would an Example give, which seems to authorize his Majesty's Ministers, or those of any other Sovereign, to act contrary to their Duty with Impunity, in Hopes of exempting themselves, by such an Immunity, from their Master's Jurisdiction, even in his Court, nay in his very Sight.

The Ambassador answered to these second Instances, that his new Solicitations had made no more Impression with the said Duke than the former; and that the said Duke was reduced most humbly to beseech his Majesty to give him leave to go into a Convent for some Days, that he might have Time to prove the Innocence of his Conduct; which would take away the scandal that might arise from his Retreat into a foreign Minister's House.

Whereupon his Majesty, being loth to make use of his Authority till after the most serious Consideration,

was determined to consult his Royal Council, to know whether the Complaints he had against the Duke, were sufficiently grounded, to entitle him to take him by Force out of an Ambassador's House, without violating the Law of Nations, or the Privileges agreed upon and granted reciprocally to Ministers Representatives?

For this End, all the Members of the Royal Council of *Castile* being extraordinarily assembled, and having maturely consider'd the whole Affair, they gave his Majesty their Advice; whereby they declared the Duke *de Riperda* guilty of High Treason of the blackest Dye, there being few to equal it in its Circumstances, and in the Consequences that might reasonably be apprehended. And as it is undeniable, that Criminals of that Degree are not entitled to any Sanctuary, without excepting even the Churches; it would appear, that in Process of Time, if an Usage so contrary to the Law of Nations should be introduced, that which has been establish'd for a strict Correspondence between Sovereigns, would turn to their Ruin, and occasion their Destruction; especially if, out of Respect to the Sovereigns represented by Ambassadors, the Privileges granted to their Houses in favour of common Criminals, (which, by the Way, was never practis'd in any Court) should be stretch'd so far as to screen Vassals entrusted with the Forces, the Finances, and Secrets of a Kingdom, whenever they depart from the Functions of their Ministry: Which would be the greatest Error that ever enter'd the Mind of Man, and the most generally contrary to all the Powers upon Earth; since, if that Licentiousness once took Place, they would be obliged to maintain, suffer, and tolerate, in their very Courts, the Persons who are contriving their Ruin.

It is evident, that in the Case in Question, and the like enormous Circumstances, the King of *England* will not support his Ambassador; were it only for the Prejudice such an Example might bring even to himself, if Criminals of that Magnitude were to be comprehended among those entitled to the Law of Nations.

It was upon Grounds thus clear, thus substantial and unexceptionable, that his Majesty, with the unanimous Advice of the Directors of his Conscience, resolv'd that the Duke *de Riperda* should be taken out of the House of the said Ambassador, and be carry'd to the Castle of *Segovia*. He charged with the Execution of this Order, the Alcalde of the Court, *Don Lewis d'Aguillar*, Knight of the Order of *St. James*, supported by a Detachment

of the Life-Guards, commanded by the Major-General Don Francisco de Valanza, Great Commander of Castille, of the said Order of St. James, and Adjutant-General of the same Guards; enjoining them, that upon the 25th Instant, as soon as the Gates of the Ambassador's House were open, they should be there, and seize the Duke de Riperda; and, taking him thence, shall conduct him with a sufficient Guard to the Castle of Segovia, after having secur'd all the Papers he might be possess'd of, for which they were to make strict Search, either in his Chests, or elsewhere; with most strict Orders to the said Alcalde, and the said Major-General, that in Case they should meet with any Resistance on the Part of the said Ambassador, before they enter'd upon the Execution of their Orders, they should shew all the Tendernefs and Respect that are due to the Character of Ambassadors; but that if all these Marks of Consideration were to no Purpose, they should enter the House with the Assistance of the Guards that follow'd them, and make themselves Masters of the Duke de Riperda, yet avoiding all manner of Disorder.

Before all Things, the King order'd me to warn the Ambassador of this Resolution; and that he discharg'd and releas'd him from the Word he had given him. This Declaration was follow'd the same Morning with the Seizure of the Duke de Riperda, which was done without any Noise, or the least Scandal, by the same Alcalde, who, assisted by the said Detachment, conducted the Duke in a Coach to the Castle of Segovia, to remain there in Safety, without Imprisonment, or other Inconvenience, contrary to the ill-grounded Fears to which he had, without Reason, abandon'd himself.

His Majesty order'd me distinctly to write to your Excellency, all the Particulars of this Event; to the End, that being inform'd of the Regularity with which the King was pleas'd to have this Affair determin'd, as also with the Reasons of his Proceedings, your Excellency may explain to the Republick the Truth of this Fact, and all its Circumstances.

Madrid, May 17,
1726.

Sign'd,

Don Juan Baptista de Orendayn.

A Letter much to the same Purpose was dispatch'd by the Court of *Madrid*, to the Marquess de *Pozzo-bueno*, the Spanish Ambassador in *England*, with Orders to acquaint his Britannick Majesty with the Motives that had induced the Catholick King to take the Duke de *Riperda* by Force, out of Colonel *Stanhope's* House; and lest the Colonel should be before-hand with the Spanish Ambassador, in giving his Royal Master an Account of this Transaction, the Court of *Madrid* caused the Courier, whom Mr. *Stanhope* had dispatch'd for *London*, to be stopped for six Days on the Road: Of which the Colonel being inform'd, he left *Madrid*, and retir'd to his Country-House near *Arajeux*. In the mean Time, there were various Conjectures about the Reasons of *Riperda's* Disgrace: Some charged him with gross Disrespect to the King and Queen; others, with having acted against the Honour and Interest of the Kingdom; others accused him of betraying important Secrets to the British Minister, and of endeavouring to overturn the late Plan of Affairs; others again of thwarting Count *Conigseck's* Intentions, as well as his Orders from *Vienna*, and of not remitting thither the Sums stipulated; and lastly, of embezzling the publick Money to his private Uses.

To this we will add the following Account from *Madrid*, relating to the Duke of *Wharton*.

Madrid, June 10, N.S.

MR. Crew, one of the King of Great Britain's Messengers, arriv'd here on the 2d Instant, with a Letter from his Britannick Majesty, under his Privy Seal, to the Duke of *Wharton*, commanding him, upon his Allegiance, to return forthwith to Great Britain; and the next Day, being the 3d Instant, meeting the said Duke in a Coach in one of the Streets of this Town, the Messenger, and one Capt. *Read*, who happen'd to be in his Company, went to the Coach Side; and the Duke ordering the Coach to stop, the Messenger put the said Letter into the Duke's Hands, telling him at the same Time, from whom the Letter came, under what Seal it had pass'd, and the Tenor thereof. The Duke having heard him, threw the Letter from him into the Street, without looking into it. Mr. *Stanhope*, the British Ambassador being inform'd that the Duke of *Wharton* had given out, he had deliver'd a Memorial to the King of *Spain*, complaining that an Officer of Justice had been sent with a *Requisitoria*, or Summons to him, to repair forthwith