

in our moving for the Dissolution, who can blame them to hold what Benefit they have got? Or if by our faint asking and divided Management, we teach them to deny?

Come we now to enquire into the Seasonableness of this Motion, and that there cannot be any Time more seasonable, will be abundantly evident, if we consider, that the properest Time of representing the Nation's Grievances to our Sovereign is, at, or shortly after his Accession to the Crown, and when his first Parliament is sitting. This has always been the Practice of this and all well-governed Nations, that the Grievances complained of in the former Administrations be represented to the new King; else how should he know to redress them, or to make his Government more easy and acceptable on the People than the last? This is almost a general Custom of Nations, as appears, from the *Papish Pacta Conventa* answering to our Claim of Right, which are renewed with proper Amendments on the Accession of each King to the Throne: From the unhappy Instance of the *Israelites* Application to *Rehoboam*: And even in *Britain*, the *English* in the Beginning of King *Charles* the First's Reign, obtained their Petition of Right for Redress of Grievances, to be past into a Law: And at King *William*'s happy Revolution, both *Scots* and *English* had their Claims of Right, and Enumeration of Grievances, which in a great Measure had a good Return by following Laws to the same Effect; and though these were by National Meetings, which can't be expected now, when by the Union, the *Scots* Representative is in a Manner extinct; yet it ought to be done, as far as possibly, nationally by the Consent of all the Shires and Burghs, separately testified, since they are not allowed to meet in a Body: And the Privilege of petitioning is by the Claim of Right, as well as Law of Nations, secured to all the Subjects.

And it being certain, that one of the chief Causes of the Union's being consented to, was the establishing and securing the Protestant Succession in the illustrious House of *Hanover*, which otherwise might have been endangered by the Prevalency of *Jacobitism* in our Parliament, and that had his present Majesty been then upon the Throne, the Union had never been; 'tis very natural, now he is in peaceable Possession of the Crown, to address him for its Dissolution. And as it was *Scotland's* Zeal for his Majesty's Title, made them consent to an Union; so it's not doubted but his Majesty's Justice and Generosity will, with an equal Zeal, interpose for that his ancient Kingdom's

Relief from these Miseries, into which their Affection to him hath involved them.

It cannot now be objected with any Colour of Reason, that the dissolving the Union will endanger the Succession, as was urged against a Motion made about three Years ago, for its Dissolution. And if there were any Danger supposeable, yet that may, and no doubt will be provided against, by Laws, as well in the Dissolution, as Continuance of the Union; since what hinders the *British* Parliament to make the Dissolution with a Salvo to his Majesty's Right, and the first *Scotts* Parliament to recognize it; or both, which would not be scrupled, even by these who are suspected of *Jacobitism*: And though they should, their Weakness appeared sufficiently by the last good Elections: And why may there not be a Meeting of the Estates of *Scotland* by Allowance of the *British* Parliament, previous to the Dissolution, who might give their Authority for securing the Succession further, and do any Thing else may be useful for both Nations, in Case of a Dissolution to follow. Besides, that I always reckon his Majesty's Title to be founded in the express Words of the Claim of Right excluding Papists, and even on an elder Foundation, viz. The Laws at the Reformation, debarring them from all Publick Trust.

Neither can it be pleaded as before, that it may prove a Handle for *Jacobites*, to embarrass and disturb the Elections, these being now chappily over, and his Majesty's best Friends having delayed Addressing for several Months, only on that Account; but if we shall delay the Matter, till there be Occasion for a new Parliament, that we have a while longer smarted under the Sense of our Miseries, it is probable it may influence the Elections at another Rate, than now it could have done; yea, and weaken his Majesty's Interest with many who wish him well, in Case of an After-attempt in Favour of the Pretender.

Nor is there more Reason to plead that the Address must be delayed, till his Majesty's Title be first recognized in Parliament; for besides, that before an Address of this Nature can be regularly subscribed, the Recognizing his Majesty's Title in Parliament will be over, if it be thought necessary; so there is no Inconsistency betwixt an Address from *Scotland*, solemnly acknowledging his Majesty's just Title, and the Recognizing of it in Parliament, nor any Hazard which of them take Place of the other.

To pretend it necessary to wait some Years till his Majesty be more free of foreign Affairs or domestick Incumbrances,

branches, and his Government over us strengthened and confirmed, is really of no Weight at all; for, as we see nothing now disturbing the Quiet of his Majesty's Administration, so it's to be fear'd, in Case a new War break out abroad, which is not altogether improbable from the present State of Affairs, we shall not in haste regain the like Opportunity of having this grand National Mischief redressed. And if the Union shall be for any considerable Time longer born with, and no proper Essays made at this Juncture for dissolving it, we shall find it so rooted, as to continue a lasting Misery and Slavery on us and our Posterity, and its Dissolution through Length of Time become impracticable, that though we would, we shall not have Access to endeavour it. Every sudden Change in the State, even for the better, is accounted dangerous; and when this Union shall have got Prescription of Time to authorize it, it will prove too effectual an Argument against its Dissolution. And if some have the Confidence to insist on this Topick already, when it's but of few Years standing, what may we suppose will be done, when but few are alive who ever saw our Independent Parliament, who had both Inclination and Power to do *Scotchmen* Justice?

I know nothing that has been, nor see I what can be, further urged for the Unseasonableness of the Motion. Upon the whole therefore, it is evident, that it is the Duty of every honest *Scotchman*, to bestir himself in his Capacity, in all Humility, to lay before his Majesty the deplorable State of this poor Nation; and the Necessity of the Dissolution of that Treaty, into which we were unaccountably and inconsiderately involved, contrary to all the Maxims of Honour, Justice and Prudence: And thereupon to expect from his Majesty's Royal Wisdom, Goodness, and Justice, that he will have Compassion upon the sinking Condition of this his ancient Kingdom, and interpose his Interest, for our Delivery: Of which we have now no Ground to doubt, considering his Majesty's princely Qualities, unless some designing Persons, on private Views, make it their Business to impress his Majesty with Misrepresentations of our honest and laudable Intention, or that we, through our own Mismanagements and Divisions, frustrate his Majesty's Purposes.

And as it's our Duty, so it's the most seasonable one we owe our Country at this Time, the Neglect whereof will justly be held by the impartial World, the most unaccountable Folly and Stupidity that ever a Civilized Nation was guilty

ty of; and I am persuaded shall be more reflected on, as such, by Posterity, than the Treaty itself. 'Tis not by one Half so great an Argument of Folly and Senselessness, to be cheated and cajol'd into a Misfortune, as after finding our selves in the Mire, to lie still contented, without endeavouring to get out.

Mean Time, as we ought to observe and acknowledge the Justice of God, in suffering us to be involved into these Miseries, as the just Punishment of our many crying Sins, and of our Ingratitude for the National Blessings he was pleased to confer upon us; so let each of us by serious Repentance and real Amendment of Life, return to him, and humbly implore his Mercy, through his Son Jesus Christ, to us and our poor ruined and sinking Land, and that he would of his infinite Goodness, bless and prosper our Endeavours for retrieving the pristine Beauty and Glory, Liberty and Freedom, wherewith he formerly bless'd us, both as Christians and Scotchmen.

May 1715.

His Majesty's High Commissioner, and the Moderator of the General Assembly, being apprehensive that the Disaffected might improve the present Opportunity to set afloat the ill Humours which, for some Time, had been gathering in Scotland, thought it adviseable to prorogue the General Assembly; which his Grace did accordingly on the 17th of May, to the first Thursday of May 1716; after they had appointed a Commission, that is to meet from Time to Time, and consider of such Affairs as shall be laid before them.

The Continuation of the Proceedings of the Assembly of the Church of Scotland, may be seen in the Historical Register, N^o. III, Page 231, and in the succeeding Registers yearly.

• We have no more to add concerning the Transactions of Great Britain, save what the Reader will find in the Chronological Diary at the End of this Volume. We proceed now to foreign Affairs; and because the following Treaties of Peace give a great Light into the History of the Time we have undertaken to write of, we will first insert them at large, and then present the Reader, with a general View of the State of Affairs in Europe, as they stood at the Beginning of the Year 1715.

Treaty

TR E A T Y of Peace and Commerce, concluded between Philip V. King of Spain, and the States-General of the United-Provinces.

Art. I. **T**H E R E shall be for the future, a good, firm, sincere and inviolable Peace between the said Lord the King Don *Philip V.* and his Successors the Kings of Spain and his Kingdoms, on the one Part, and the States-General on the other, and immediately after the signing of this Treaty, all Acts of Hostility, of what Nature soever, between the said Lords, the King, and the States-General, as well by Sea and in other Waters, as by Land in all their Kingdoms, Countries, Lands and Lordships, and between all their Subjects and Inhabitants of what Quality or Condition soever they be, shall cease, and be laid aside, without Exception of Places or Persons.

Art. II. There shall be a general Oblivion and Amnesty for all Things transacted on both Sides, on Account of the last War, and consequently all the Subjects of said Lords, the King and States-General, of what Quality or Condition soever they are, without Exception, may and shall re-enter and be effectually left and be re-established in the Possession and peaceable Enjoyment of all their Estates, Honours, Dignities, Privileges, Franchises, Rights, Exemptions, and Constitutions, without being question'd, troubled or molested in general or particular, for any Cause or Pretence whatever, on Account of what has past since the Beginning of the said War, and in Pursuance of the present Treaty; and after it is ratify'd, it shall be lawful for all and every one to return in Person to their own Houses, and to the Enjoyment of their Lands, and all other Estates, and to dispose of them in such Manner as they shall think fit.

Art. III. In like Manner those whose Estates have been seiz'd or confiscated on Account of the said War, their Heirs or Assigns, shall enjoy the said Estates, and take Possession of their lost Authority, and by virtue of the present Treaty, without need of having any Recourse to Justice, notwithstanding the Incorporations in the Fiscal Engagements, Gifts by Deed, Treaties, Agreements, and Transactions, or any Renunciations which may be term'd Transactions for excluding the Proprietors from any Part of their said Estates: And all and singular the Estates and Rights which conformably to the present Treaty shall be restor'd reciprocally to the first Proprietors, their Heirs or Assigns,

may be sold by the said Proprietors without need of obtaining particular Consent for that End; and afterwards the Proprietors of the Rents which shall be constituted on the Part of the Confiscations in the Room of Estates sold, as also of Rents and Actions constituted on Account of the Confiscations respectively, may dispose of them by Sale or otherwise, as well as of their own proper Goods.

Art. IV. The Subjects and Inhabitants on both Sides, may also reclaim their Goods and Effects which were detain'd upon Account of the War, either by their Correspondents or any others whatever; and in Case the said Estates and Effects are sold by any Person whatsoever, they may demand the Produce of them; and in Case of a Dispute thereupon, it shall be lawful for them to seize what is detain'd of their Goods and Estates, or to prosecute their Debtors by Methods of Justice, and the Judges shall be oblig'd to render them due and speedy Justice, and in the Tryal of such Proceedings to have regard only to the Merits of the Cause, without reflecting in any wise upon the past War.

Art. V. The Subjects of the said Lord the King shall not take up any Commissions for particular Armaments or Letters of Reprisals from such Princes or States as are Enemies to the said Lords the States-General, and much less molest or hurt them in any wise by virtue of such Commissions or Letters of Reprisal; nor go a Cruizing with them, on Pain of being prosecuted and punish'd as Pyrates; which shall be likewise observ'd by the Subjects of the United-Provinces towards the Subjects of the said Lord the King; and always, and as often as it shall be requir'd on either Side, most express and punctual Decrees shall be publish'd and renew'd in the Dominions of the said Lord, the King and the States-General, prohibiting their Subjects to make any Manner of Use of such Commissions, or Letters of Reprisal, under the above-mention'd Penalty, which shall be severely executed against the Contraveners, besides the entire Restitution which they shall be oblig'd to make to those who sustain any Damage from them.

Art. VI. And for better preventing all Inconveniences which happen by the taking of Prizes before this Peace comes to be known, and especially in Places that are remote; it is stipulated and agreed, That if any Prizes are taken on either Side in the *Baltick* or the North Sea, from *Newfoundland* and *Norway* to the End of the Straights, after the Space of twelve Days, or from the End of the said Straights to *Cape St. Vincent* after the Space of four Weeks, and

and from thence to the *Mediterranean*, and as far as the Line, after the Space of six Weeks, and beyond the Line, and in all other Parts of the World, after the Space of six Months, to be computed respectively from the Day of the signing the present Treaty of Peace, the said Prizes and Damages which shall be made after the Expiration of those Terms, as also the Prizes and Damages which shall be made within the said Terms, by such as shall have Notice of the Conclusion of this Peace, shall be brought to Account, and all that has been taken, shall be restored, with Compensation for all Damages from thence ensuing.

Art. VII. All Letters of Mart and Reprisals which may have been heretofore granted for any Cause whatsoever, are declared null; nor shall any the like Letters be hereafter granted by either of the Covenanters, to the Prejudice of the Subjects of the other, unless it be first made manifest that Injustice has been done, which shall not be taken for granted, unless the Petition of the Person who desires the Letters of Reprisal, be first shewn to the Minister residing there on the Part of the State against whose Subjects those Letters are to be granted, that within the Space of six Months, or sooner (if possible) he may enquire into the contrary, or procure the Satisfaction due to Justice.

Art. VIII. The Subjects of the said Lord the King shall not be prosecuted or arrested in their Persons or Goods, for any Thing which his Catholick Majesty may owe, nor shall the Subjects of the said Lords the States be proceeded against for the Publick Debts of the State.

Art. IX. A Peace, good Amity and Correspondence being thus restored between the Lords, the King and the States-General, as also between their Subjects and Inhabitants reciprocally, and it being likewise provided, that nothing may happen to breed any Enmity, the said Lords, the King and the States-General shall promote and advance the Good and Prosperity of one another, by all Manner of Support, Aid, Counsel, and Assistance, upon all Occasions, and at all Times, and shall not consent, for the future, to any Treaty or Negotiation which may prejudice either, but shall break them, and give Advice of them reciprocally with Diligence and Sincerity, as soon as they shall have Notice of them.

Art. X. The Treaty of *Munster* concluded the 30th of January 1648, between the late King *Philip IV.* and the Lords the States-General, shall serve as the Basis of the present Treaty, and take Place in all Things, so as not to be changed by the following Articles. And as for what is

applicable and relates to the 5th and 16th Articles of the said Peace of *Munster*, they shall only take Place in what concerns the said two high covenanting Powers and their Subjects.

Art. XI. The Subjects and Inhabitants of the Countries of the said Lords, the King and the States, shall keep an entire good Correspondence and Amity together, and may frequent, sojourn, and dwell in the Dominions of either, and there exercise Trade and Commerce respectively, as well by Sea and other Waters, as by Land, with all Manner of Safety and Freedom, and without any Hindrance.

Art. XII. They may also have in the Lands and Dominions of either, their own Houses to reside in, their Warehouses and Cellars for stowing their Merchandizes, and may reciprocally enjoy all Manner of Freedom and Security, as an Effect of the Peace, and not be subject to any greater Duties, or Impositions than the Subjects of either; neither shall they be examin'd, visited, or molested, because of their Trade or Traffick, in their Houses, Warehouses, or Cellars, whether they own them, or only rent them, unless upon Advice, and sufficient Proof of fraudulent and contraband Commerce: In which Case, the Commissary and Factor of the Farmers may make such a Scrutiny as he shall agree upon with the Permission of the Judge-Conservator of the Customs, and other Revenues; and the Trader who shall thus be search'd, may summon the Judge-Conservator, or the Consul of his Nation to assist at the Scrutiny, who shall be a sufficient Witness, and shall not permit any Injury to be dohe to the Merchant or his Commerce; it being always understood, That if the natural Subjects of the said Lord the King, or of any other Prince, State, Nations or Towns have already been, or shall be hereafter treated more favourably on that Account, the Subjects of the said Lords the States General shall be treated in the same Manner.

Art. XIII. The said Subjects on both Sides may also frequent the Countries, Lands, Towns, Harbours, Places, and Rivers of the Dominions of either, with their Merchandizes and Ships, and may carry and sell them to all Persons without Distinction, and may buy, traffick, and transport all Sorts of Merchandize, whose Importation and Exportation is not prohibited generally and universally to all, both Subjects and Foreigners, by the Laws and Ordinances of either State, paying the Duties of Import and Export, and the others which shall be paid by the natural Subjects, and other Nations in Amity, the most favoured;

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and consequently the Entrance and Departure of their Ships shall be facilitated, without any Delay or Hindrance.

Art. XIV. The said Subjects on both Sides shall not be obliged to pay greater and other Duties, Charges, Gabels, or other Impositions whatsoever, on their Persons, Goods, Merchandizes, Commodities, Ships, or Freights, directly or indirectly, under any Name, Title, or Pretence whatsoever, than those which shall be paid by the natural Subjects of either.

Art. XV. And that the Officers and Ministers may not demand or claim from the respective Merchants and Subjects, greater Taxes, Duties, or Salaries, than what they ought to take by virtue of this Treaty; and that the said Merchants and Subjects may know with Certainty the Orders thereupon, 'tis agreed, That there shall be Lists in all Places where those Duties are generally paid, in which shall be set down the Duties payable for Importation and Exportation: And since it has been represented to his Catholick Majesty, That the Inspectors, commonly call'd *Visitas*, do too much favour the Farmers of the Customs, particularly in excessive Valuations of such Merchandizes as are not plainly specified in the said Lists; and since this would be extremely prejudicial to Commerce and Traffick, his Majesty is willing to remedy it, and will give the necessary Orders that such Complaints may entirely cease.

Art. XVI. The said Subjects on both Sides having once paid the Duties of Importation compriz'd in the Tariffs and other Laws, shall not be obliged to pay any more, though they transport their Merchandizes by Land, or enter out of one Kingdom or Province into another in Spain; and this shall also be observed in the States United-Provinces: And as for the other Duties, they shall pay the same respectively as are paid by the natural Subjects, or other Nations most favour'd.

Art. XVII. Neither shall the Subjects of the said Lords the States-General, be treated in Spain, or in the Kingdoms and States thereon depending, otherwise, or with less Favour than the Nation that is most favour'd: But they shall there enjoy, in Point of Commerce and Navigation, and generally in all Things, without Exception or Reserve, the same Privileges, Franchises, Exemptions, Immunities and Securities which they enjoy'd before this War, and which other Nations and trading Towns, the most favour'd, can or may enjoy hereafter ~~over and above~~, whether by virtue of Treaty of Peace or Commerce, or by Contracts, Ordinances, and particular Acts; so that the same

same Privileges, Franchises, Exemptions, and Immunities, which were granted, or may be granted hereafter to the King of *France*, the Queen of *Great Britain*, or to any other Kingdom, Nation, or City whatsoever, or to their Subjects, shall be likewise granted to the said Lords the States, or to their Subjects, with all the Clauses and advantageous Circumstances which may be added thereto; and the same shall also take Place with respect to the Subjects of the said Lord the King, who in all Countries whatever, under the Obedience of the said Lords the States, shall be treated as favourably as the Nation that is most favoured.

Art. XVIII. Merchants, Masters of Ships, Pilots, Mariners, their Ships, Merchandizes, Commodities, or other Estates to them belonging, shall not be seiz'd and stopp'd either by virtue of any general or special Mandate, nor for any Cause of War whatsoever, or otherwise, nor even on Pretence of using them for the Preservation and Defence of the Country. Excepted nevertheless, all Seizures and Arrests of Justice by the ordinary Methods, on Account of the proper Debts, Obligations and valid Contracts of those on whom the said Seizures shall be made: And the Procedure in such Cases shall be according to the usual Methods of Law and Reason.

Art. XIX. Ships laden by the Subjects of either of the contracting Powers passing before the Coast of the other, and putting into the Roads or Harbours for Anchorage by Tempest or otherwise, shall not be obliged to unlade there, or to sell their Merchandizes in Whole or in Part, nor forced to pay any Duty there, unless they unlade them there of their own Accord, and sell some Part of them. Nevertheless they shall be at Liberty, after having obtain'd a Permission from those who have the Direction of the Maritime Affairs, to unlade and sell a small Part of their Cargo, only for buying Provisions and Necessaries for refitting the Ship; and in this Case, no Duties shall be demanded for all the Cargo, but only for that small Part of it which shall be unladen and sold: But in Case they unlade more than the Permission given them specifies, they shall pay for the whole Cargo.

Art. XX. The Ships of War on both Sides shall find the Roads, Rivers, Ports and Harbours, free and open to go in and out, or stay at Anchor, as long as shall be necessary, without having their Cargo view'd. Nevertheless they shall be oblig'd to use Discretion, and not to give any Cause of Jealousy, by too great a Number of Ships, by a too long and affected Stay, nor otherwise, to the Gover-

nors of the said Places and Harbours, to whom the Captains of the said Ships shall notify the Cause of their Arrival and their Stay. But as to the Merchant Vessels of the Subjects of either, the Farmers and Officers of the Customs shall be permitted to set Guards on them, as soon as they are enter'd into the said Ports or Harbours.

Art. XXI. The Ships of War of the said Lords, the King and the States-General, and those of their Subjects, which shall be arm'd for War, shall, with all Manner of Freedom, convoy the Prizes which they shall take from their Enemies whither they please, without being oblig'd to any Duties, whether of Admirals, or Admiralties, or any other, in Case that the said Prizes don't unlade; which shall be permitted nevertheless, after having obtain'd a Permission: And in this Case, the Duties of Importation shall be paid respectively, according to Laws of the Place; provided nevertheless, that they shall not be permitted to unlade any contraband or prohibited Merchandize. And when the said Prizes enter the Harbours or Ports of the said Lords the King and the States-General, those Prizes shall not be stopp'd or seiz'd, nor shall the Officers of the Places take any Cognizance of the Validity of the Prizes, which may go out, and be convoy'd freely, and with all Manner of Liberty, to the Places specify'd in the Commissions, which the Captains of the said Ships shall be oblig'd to make appear: And, on the other Hand, no Shelter or Retreat shall be given in their Ports or Harbours, to those who shall take Prizes from the Subjects of his Catholick Majesty, and the Lords the States-General; but if stopp'd there by the Difficulty of the Weather, or Dangers of the Sea, they shall be oblig'd to go out as soon as possible.

* *Art. XXII.* The Consuls whom the said Lords the States shall constitute in the Kingdoms of the said Lord the King, for the Aid and Protection of their Subjects, shall there have and enjoy the same Power and Authority in Exercise of their Office, as also the same Exemptions and Immunities, as any other Consul heretofore had, or may hereafter have in the said Kingdoms; and the *Spanish* Consuls who live in the United-Provinces, shall there have and enjoy all that any Consul of any Nation whatsoever has had hitherto, or may hereafter have in the said Provinces.

Art. XXIII. The Subjects and Inhabitants of the *Netherlands* may, in all Places that are under the Obedience of the said Lord the King, make use of such Advocates, Procurators,

Procurators, Solicitors, and Executors, as to them shall seem good, to which they shall also be delegated by the ordinary Judges, when^e Need shall be, and those Judges shall be requir'd; and the Subjects and Inhabitants of the said Lord the King, coming into the Country of the said Lords the States, shall reciprocally enjoy the same Assistance.

Art. XXIV. Also the Subjects and Inhabitants on both Sides, shall not be oblig'd to shew or make out their Registers, or Books of Accompt, to any one whomsoever, unless only for Proof-Sake, to avoid Process and Disputes; neither may they be put on Board, detain'd, or taken out of their Hands, under any Pretence whatsoever; and it shall be lawful for the said Subjects on both Sides, in the respective Places where they dwell, to keep their Books of Accompt, Trade, and Correspondence, in what Language they please, whether in *Spanish*, *Flemish*, or any other Language whatsoever, and they shall not be molested on that Account, or subject to any Examination whatsoever, and any other Clause which is granted by the one or the other of the high covenanting Powers to any other Nation, shall likewise be understood to be granted to this.

Art. XXV. The Subjects and Inhabitants of the Countries of the said Lords, the King and States General, of what Quality or Condition soever they are, are declar'd capable of succeeding respectively to one another, as well by Will as without Will, according to the Customs of the Places; and if any Succession has fallen heretofore to either, they shall be therein preserv'd and maintain'd.

Art. XXVI. The Goods, Merchandize, Papers, Writings, Books of Accompt, and all that may belong to the Subjects of the said Lords the States that dy'd in Spain, shall immediately devolve to their Heirs, who being present, and of Age, or rather the Executors or Trustees of the Will, or those by them authoriz'd according to the Exigency of the Case, may also take immediate Possession, administer, and freely dispose of them as of Right: But in Case the Heirs of the said Subjects, who have dy'd in Spain, should be absent, or under Age, and that the Deces'd has not provided for those Cases, and that the absent Heirs who shall be of Age, have not made such proper Provision by Letter of Attorney; then the Goods, Merchandize, Papers, Writings, Books of Accompt, and all the rest belonging to the Deces'd, shall be inventoried by a Notary-Publick before the Judge Conservator of the Nation;

Nation; or in Case there be none, before the ordinary Judge, assisted by the Consul, or other Minister of the said Lords the States, and two Merchants of the Nation, and dispos'd in the Hands of two or three Merchants, who shall be appointed by the said Consul or Minister, in order to be kept and secur'd for the Proprietors and Creditors. And in those Places where there is neither Consul, nor any other Minister, all this shall be done in the Presence of two or three Merchants of the same Nation, who shall be delegated by the Majority of Voices; which shall be observ'd in the like Case to the Subjects of his Catholick Majesty in the United-Provinces.

Art. XXVII. Forasmuch as a convenient Place is already appointed at *Cadix*, for the Interrment of the Bodies of such of the Subjects of the said Lords the States-General who dye there, the said Lord the King will forthwith give the necessary Orders, that in other trading Towns honourable Places, may likewise be appointed for the Burial of the Bodies of those that belong to the said Lords the States, who shall happen to die in the Dominions of the said Lord the King.

Art. XXVIII. And to the End that the Laws of Commerce, which have been obtain'd by the Peace, may not lie dormant, as it would happen, if the Subjects of the said Lords the States should be molested for the Cause of Conscience when they go and come, or stay in the Dominions of the said Lord the King, there to exercise Commerce, or otherwise: For this Reason, to the End that Commerce may be safe and sure as well by Sea as by Land, the said Lord the King shall give the necessary Orders, that the Subjects of the said Lords the States be not molested, contrary, and in Prejudice to the Laws of Commerce; and that neither of the two be molested or troubled for his Conscience, as long as they give no Offence, and commit no publick Crime, from which the said Subjects shall be oblig'd to abstain, and so govern and demean themselves with all Modesty. The same shall also be done by, and observ'd towards the Subjects of the said Lord the King, who shall be, or dwell in the United-Provinces.

Art. XXIX. The said Lord the King shall preserve to the Subjects of the Lords the States-General, in the trading Towns of his Kingdoms, where they had Judges Conservators in the Reign of the late King *Charles II.* the same Power; and they shall likewise enjoy it in the other Towns, where other Nations enjoy it, or may hereafter

after enjoy it, in the same Manner, and with the same Authority, as the Judges Conservators used, during the Reign of the late King *Charles II.* and an Appeal from the Sentences of those Judges Conservators, may also be brought in and prosecuted, as was practis'd during the said Reign; and all this shall be observ'd, unless it be otherwise agreed on.

Art. XXX. The Duties laid upon the Merchandizes and Manufactures of the Subjects of the United-Provinces, during, and by Reason of the War, above those specify'd by the Tariffs in the Reign of King *Charles II.* shall cease immediately after the signing of the Peace, as well as those which have been laid, during, and by Reason of the War, upon the Merchandize and Manufactures exported from *Spain*: And henceforward the said Subjects of the United-Provinces shall pay the same Duties as the Subjects of other Nations the most favour'd.

Art. XXXI. His Catholick Majesty engages not to permit any foreign Nation whatsoever, for any Reason, or under any Pretence whatsoever, to send any Ship or Ships, or to go for trade into the *Spanish Indies*; but, on the contrary, his Majesty engages himself to restore and maintain the Navigation and Commerce in those *Indies*, in the same Manner as it was in the Reign of the late King *Charles II.* and conformably to the fundamental Laws of *Spain*, which absolutely forbid all foreign Nations from going and trading in those *Indies*, and reserve both only to the *Spaniards*, Subjects of his said Catholick Majesty: And for the Performance of this Article, the Lords the States-General do also promise to assist his Catholick Majesty. Provided nevertheless, that this Rule shall not prejudice what is contain'd in the *Assiento* Contract for Negroes, made lately with her Majesty the Queen of *Great Britain*.

Art. XXXII. The Prisoners on both Sides shall be deliver'd up without Ransom; and as to their Debts, the respective Sovereigns shall each pay those of his own Subjects, within the Term of three Months after the Exchange of the Ratifications.

Art. XXXIII. And for rendering Commerce and Navigation on both Sides still more free and safe, 'tis agreed to confirm the Treaty of Marine, made at the *Hague*, December 17, 1650, between the late King *Philip IV.* and the said Lords the States-General; and that this Treaty shall be observ'd and executed in all Things, as if it were inserted herein *verbatim*, except the Prohibition includ-

in the 3d and 4th Articles of that Treaty, which shall not take Place.

Art. XXXIV. Tho' 'tis said in several of the preceding Articles, that the Subjects on both Sides may freely go, frequent, stay, sail, and traffick in the Countries, Lands, Towns, Harbours, Places, and Rivers of either of the high covenanting Powers; 'tis nevertheless understood, that the said Subjects shall only enjoy that Liberty in such of their Dominions as lie in *Europe*; because 'tis expressly agreed, that as to the *Spanish Indies*, Navigation and Commerce shall be carry'd on thither only conformably to the 31st Article of this Treaty; and that in the *Indies*, as well East as West, which are under the Dominions of the Lords the States-General, Navigation and Commerce shall be carry'd on thither, as they have hitherto manag'd it; And as to the *Canary Islands*, the Navigation and Commerce of the Subjects of the Lords the States, shall be carry'd on thither in the same Manner, as in the Reign of the late King *Charles II.*

Art. XXXV. If by Inadvertency, or otherwise, there should arise any Neglect of, or Inconvenience to the present Treaty, on the Part of the said Lords, the King and the States, or their Successors, this Peace and Alliance shall nevertheless be subsisted in its full Force, without proceeding to the Breach of Amity and good Correspondence; but then the said Contraventions shall be immediately repair'd; and if they proceed from the Fault of any particular Subject, they only shall be punish'd for it; and the Damage shall be made up in the same Place where the Contravention is made, if they are there surpriz'd, or else in the Place of their Habitation, without proceeding elsewhere against their Bodies or Goods, in any Manner whatsoever.

Art. XXXVI. And for the better Maintenance of the Commerce and Amity between the Subjects of the said Lord the King, and those of the said Lords the States for the future, 'tis agreed, That if any Interruption of Amity, or any Rupture happen hereafter between the Crown of *Spain*, and the said Lords the States, (which God forbid) the Term of a Year and a Day, after the said Rupture, shall always be allow'd to the Subjects on both Sides, to retire with their Effects, and to transport them whither they please, for which they shall have a Permission; as also to sell or transport their Goods and Moveables with all Freedom, so as that they shall not be hinder'd, or their Effects seiz'd,

seiz'd, nor much less their Persons arrested, during the said Term of a Year and a Day.

Art. XXXVII. Since the happy Continuance of this Peace, as well as the Repose and Safety of *Europe*, principally depends on this, viz. That the two Crowns of *Spain* and *France* continue for ever independent one on another, and can never be united upon the Head of one and the same King; and that his Catholick Majesty, for this End, and by the Consent of the Most Christian King, on the 5th of *November*, in the Year 1712, did renounce for himself, his Heirs, and Successors, for ever, and in the strongest Terms, all Manner of Right, Title, and Pretension whatsoever, to the Crown of *France*; and that, on the other Hand, the Princes of the Royal Family of *France*, have also renounc'd for themselves, their Heirs and Successors, for ever, and in the strongest Terms, all Manner of Right, Title, and Pretension whatsoever to the Crown of *Spain*; and since those Renunciations, and the Declarations which follow'd thereupon in *Spain* and in *France*, are also become fundamental and inviolable Laws of both Kingdoms; his Catholick Majesty does, by this Treaty, in the strongest Manner, farther confirm the said Renunciation to the Crown of *France*; and he promises and engages, as well for himself, as for his Heirs and Successors, religiously to observe, and to cause this Renunciation to be observ'd, without permitting or suffering any Contravention to be made to it, directly or indirectly, either in Whole, or in Part; as also to use all his Power, that the said Renunciations of the Princes of the Royal Family of *France*, may have their full and entire Effect, and that consequently the two Crowns of *Spain* and *France* may always continue so separate one from the other, that they may never be united.

Art. XXXVIII. In this present Treaty of Peace and Alliance, shall be included all Kings, Princes, and States, that shall be nam'd by the common and reciprocal Consent and Satisfaction of both Sides, within a convenient Time.

Art. XXXIX. And for the greater Security of this Treaty, and of all the Points and Articles therein contain'd, the said Treaty shall be publish'd, verifi'd, and register'd on both Sides, in the Councils, Courts, and other Places, where such Publications, Verifications, and Registers are usually made.

Art. XL. The present Treaty shall be ratify'd and approv'd by the said Lords, the King and the States-General, and

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and the Letters of Ratification shall be exchange'd within the Space of six Weeks, or sooner, if possible, reckoning from the Day of the Signing.

In Witness whereof, we, Embassadors Extraordinary and Plenipotentiaries of his said Majesty, and the Lords the States-General, have, by Virtue of our respective Powers, and in their Names, sign'd these Presents with our usual Signatures, and have thereunto affix'd the Seals of our Arms.

Done at Utrecht, June 26, 1714. Sign'd by two Ministers of Spain, viz. the Duke of Ossuna, and the Marquess de Monteleon; and on the Part of the States by four of their Ministers, viz.

*Vander Dussen,
Spanbroek,
Renswoude,
Count de Kuiphuyzen.*

The Separate ARTICLES.

Art. I. **W**E the Embassadors Extraordinary and Plenipotentiaries of the States-General of the United-Provinces, having put into the Hands of the Embassadors Extraordinary and Plenipotentiaries of his Catholick Majesty, the Account of Debts and Pretensions, which the College of the Admiralty in the United-Provinces claim upon the Crown of Spain, arising from divers Equipments of Fleets made by the said College for that Crown, in the Years 1675, 1676, 1677, and 1678, which Debts and Pretensions, deducting what has been paid, amount to 4,100,352 Florins of Holland Money, besides the Interest of that Sum from January 1682, and the Liquidation which was made at Brussels, November, 25, 1681, with the Prince of Parma, who was at that Time Governor of the Spanish Netherlands; and having demanded, and strenuously insisted upon the Payment of the said Debts; and we the Embassadors and Plenipotentiaries of his Catholick Majesty, nor finding our selves authoriz'd to adjust that Affair, do promise to transmit the said Papers to his Catholick Majesty, to the End that he may do the Justice that shall be found reasonable to the said Colleges of the Admiralty. In Witness whereof, we the Embassadors Extraordinary of the Catholick King, and of the Lords the States-General, have sign'd the present Article,

ticle, and seal'd it with the Seal of our Coat of Arms, at *Utrecht*, the 26th Day of *June*, 1714.

	<i>B. V. Duffen,</i>
The Duke de <i>Offuna,</i>	<i>C. V. Gheel Van Spanbroek,</i>
The Marq de <i>Monteleon.</i>	<i>F. A. Baron de Reede de Renswoude,</i>
	The Earl of <i>Kniphuyzen.</i>

Art. II. The Lords the States-General of the United-Provinces of the *Netherlands*, in the Quality of Executors of the Last Will and Testament of the late King of *Great Britain*, of glorious Memory, having caused a Memorial in *Latin* to be deliver'd to the Embassadors Extraordinary and Plenipotentiaries of his Catholick Majesty, by us the under-written Embassadors Extraordinary and Plenipotentiaries of the said Lords the States General, the said Memorial, setting forth what their High Mightinesses maintain is justly due to the Succession of the late King of *Great Britain* from the Crown of *Spain*, according to the Treaty of Transaction pass'd and concluded the 26th Day of *December*, 1687, between the late King his Catholick Majesty of glorious Memory, on the one Part, and his said late Majesty the King of *Great Britain*, then Prince of *Orange*, on the other Part, consisting of three distinct Revenues, namely, one of 80000 Livres per Annum, one of 20000 Livres per Annum; for these two the Tolls and Customs upon the *Meuse* and *Schelde* are mortgag'd, but have not been paid since the Year 1696; and one of 50000 Livres per Annum, which has also not been paid during the same Time; besides a Remain of 37492 Livres upon the Year 1695, and another Sum of 120000 Crowns payable once, which ought to have been paid at one Month after the Ratification of the said Treaty. And that the Lords the States General, after having given in the said Representation, have also, by us their Embassadors Extraordinary and Plenipotentiaries, given in a Copy of the said Treaty of Transaction, and some others which relate to it, to the End that the said Arrears, and the said Sum of 120000 Crowns, with the Interest due upon them, may be promptly paid to the said Royal Succession by his Catholick Majesty, or on his Part; and that the Payment of the said respective Rents may be continu'd, namely, the absolute Payment of the said 50000 Livres, the said 80000 Livres, and the said 20000 Livres per Annum, in Case the present or future Possessors of the Funds, Mortgages, and Engagements, shall at any Time whatsoever

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fail to pay the said two last above-mention'd Revenues; and as on one Side, we the Embassadors Extraordinary and Plenipotentiaries of the Lords the States General, have insisted that these Payments should be promis'd by his Catholick Majesty, or in his Name, and that this Promise should be compris'd and inserted into a separate Article of the present Treaty of Peace; but, on the other Side, we the Embassadors and Plenipotentiaries of his Catholick Majesty, have alledg'd, that we have no Instructions or Powers for this Case; it is judg'd most convenient for avoiding Delay in the Conclusion of the Treaty of Peace, and it is agreed on both Sides, That a Liberty to the said Royal Succession shall be reserv'd to pursue Satisfaction for the Pretensions aforesaid, in such Manner, as the interested in the said Succession shall think convenient and proper, saving also the Reasons which his Catholick Majesty can alledge to the contrary.

In Witness whereof, we the Embassadors Extraordinary and Plenipotentiaries of the Catholick King, and of the Lords the States-General, have sign'd this present Article, and have seal'd it with the Seals of our Arms, at Utrecht the 26th Day of June, 1714.

	B. V. Dussen,
The Duke de Ossuna,	C. W. Gheel Van Spanbroek,
The Marq. de Monteleon.	F. A. Baron de Reede de Renswoude,
	The Earl of Kniphausen.

The following Treaty of Baden is so material, not only in Regard to the History of the Time when it was concluded, but also to the present, when the chief Differences about Religion in Germany are grounded upon it, that it may not be omitted.

The Solemn Treaty of PEACE, sign'd the 27th of September, 1714, at Baden in Ergaw, in the Name of his Sacred Imperial and Catholick Majesty, and the Holy Roman Empire on one Part, and of his Sacred Most Christian Majesty on the other, by the Imperial and French Embassadors.

In the Name of the most Holy Trinity, the Father, Son, and Holy Ghost,

BE it known to all Men, That whereas in the Treaty of Peace concluded by the Grace of the Almighty at Rastatt on the 6th Day of March last, between the most Serene and most powerful Prince and Lord, the Lord

Charles VI, Emperor Elect of the Romans, *Semper Augustus*, King of Germany, Castile, &c. and the Holy Roman Empire on one Part; and the most Serene and most Powerful Prince and Lord, the Lord Lewis XIV. most Christian King of France and Navarre, on the other, it was agreed, That such Things as had been transacted at *Rastat* for accelerating so good a Work, without having observ'd the due Formalities that were requisite, or that had been referr'd to another Time, and what should be found necessary to be added, should be perfected in a new and more solemn and general Congress to be held in *Switzerland*: This has been now compleated, through the Favour of God; for the Embassadors Extraordinary and Plenipotentiaries appointed on both Sides, meeting at *Baden in Ergau*, viz. on the Part of his Sacred Imperial Majesty, and the Holy Roman Empire, the most High Prince and Lord, *Eugene*, Prince of Savoy and *Piemont*, Knight of the Golden Fleece, Counsellor of State to his Sacred Imperial Majesty, President of the Council of War, Lieutenant-General, and Marshal of the Holy Roman Empire, and the most Illustrious and Excellent Lords, the Lord *Peter* Count de *Goes* in *Carlsberg*, Counsellor of State to his Sacred Imperial Majesty, Chamberlain and Sovereign Captain Provincial of *Carinthia*, and the Lord *John Frederick*, Count of *Seilern* and *Aspang*, of the Aulick Council of the Emperor, and President of the Chancery of *Austria*; and on the Part of his most Sacred Christian Majesty, the most High and Excellent Lord *Lewis Hector*, Duke de *Villars*, Peer and Marshal of France, Prince of *Martignes*, Viscount of *Melun*, Commander in Chief of the Royal Armies of France in Germany, Knight of the King's Orders, and of the Golden Fleece, Governor and Lieutenant-General of *Provence*, and the most Illustrious and most Excellent Lord, the Lord *Francis Charles de Vintimille*, of the Counts of *Marseilles*, Count de *Luc*, Marquis de *la Marthe*, Lieutenant for the King in *Provence*, Commander of the Order of *St. Lewis*, Governor of the Islands of *Parquerolles*, and Ambassador of his most Christian Majesty to the Cantons of *Switzerland*, the *Grisons*, and the Republick of *Valais*, and the Lord *Dominick Barberie*, Knight, Lord of *St. Contest*, Counsellor to the most Christian King, Master of the Requests, Intendant of the Justice, Finances, and War in the Districts of *Metz*, *Toul*, and *Verdun*; as also of the Royal Armies on the Confines of *Champaign*, or the *Saar*, and on the *Meuse*, who after having invoc'd the Name of God, and exchanged their respective full Powers, have confirm'd the

Articles

Articles and Conditions of the Peace already made, augmented the same, and drawn them into the solemn Form as follows :

I. **T**HE Christian Peace, concluded at *Rastat* the 6th of *March* last, shall be and remain perpetual and universal, and produce a true Amity between his Sacred Imperial Majesty, his Successors, the whole Holy Roman Empire, his Kingdoms and hereditary Dominions, the Vassals and Subjects thereof on one Part, and his Sacred Royal Most Christian Majesty, and his Successors, Vassals and Subjects on the other ; and be so sincerely observ'd and respected, that the one undertakes nothing, upon any Pretence whatsoever, to the Prejudice and Damage of the other, or lends any Assistance, upon any Denomination whatsoever, to such who would undertake it, or cause any Damage whatever to the other, neither shall any of the Parties support and assist the rebellious Subjects of the other in any Manner whatsoever ; but, on the contrary, the said Parties shall sincerely procure the Benefit, Honour, and Advantage of each other, notwithstanding all Promises, Treaties, and Alliances made to the contrary, or to be made in any wise whatsoever.

II. There shall be on either Side a perpetual Oblivion and Amnesty of what has been done by Reason or Occasion of the late War, in whatever Manner or Place that Hostilities have been made ; so that upon that Account, or any other Pretence, nothing shall be done or suffer'd to be done for the future to the Prejudice of either Side, directly or indirectly, neither by Way of Right or Fact, within or without the Extent of the Empire, the Hereditary Countries of his Imperial Majesty, and the Kingdom of *France* ; but, on the contrary, all the Injuries that have been receiv'd on either Side, by Words, Writings, Actions, Hostilities, Damages, or Expences, without any Respect to the Persons or Things, shall be entirely abolish'd, insomuch, that whatever might be pretended or demanded on either Side on that Account, be bury'd in an eternal Oblivion.

III. The Treaties of *Westphalia*, *Nimeghen*, and *Ryswick*, are the Basis and Foundation of the present Treaty, and in Consequence thereof, immediately after the Exchange of the Ratifications, the said Treaties shall be entirely executed, in Respect to the Spiritual and the Temporal, and shall be inviolably observ'd for the future, except in what shall be derogated from the same by the present

Treaty; so that every Thing shall be generally restor'd within the Empire and its Dependencies, according to what is prescrib'd by the aforesaid Treaty of *Ryswick*, as well in Respect to the Alterations that have been made during the late War, or before, as in Respect to what has not been executed, if it appears, that some Article has not been put in Execution, or that after its Execution it has been since alter'd.

IV. According to the present Treaty, and that of *Ryswick*, his Most Christian Majesty shall restore to the Emperor, and the most Serene House of *Austria*, the Town and Fortrefs of Old *Brisac*, such as it is at present, with all the Granaries, *Arsenals*, Fortifications, Ramparts or Walls, Towers, and other publick and particular Edifices, with all its Dependencies situated on the Right of the *Rhine*, leaving to the Most Christian King those that are on the Left, namely, the *Fort-Mortier*, the whole conformable to the Clauses and Conditions inserted in the 20th Article of the Treaty concluded at *Ryswick* in *October*, 1697, between the late Emperor *Leopold*, and the Most Christian King.

V. His Most Christian Majesty shall likewise restore to his Imperial Majesty, and the most Serene House of *Austria*, the Town and Fortrefs of *Friburgh*, together with the Forts of *St. Peter*, the Fort of the *Star*, and all other Forts erected or repair'd there, or in other Parts in the *Black Forest*, or in *Brisgau*, in the Condition they are in at present, without demolishing or spoiling any Part thereof, with the Villages of *Lehem*, *Merzhausen*, and *Kirchzarten*, with their respective Rights, Archives, Writings, and other Documents that were found therein, when his Most Christian Majesty took lately Possession thereof, either such as are still in those Places, or such as have been remov'd elsewhere, the Right of the Diocesan, and other Rights and Revenues of the Bishoprick of *Constance*, being reserv'd to the same by these Presents.

VI. The Fort of *Kehl*, erected by his Most Christian Majesty on the Right of the *Rhine*, at the End of the Bridge of *Strasbourg*, shall be entirely restor'd to the Emperor and the Empire, without demolishing any Part thereof, together with its Rights and Dependencies. As to the Fort of the *Pile*, and others erected in the Islands of the *Rhine* near *Strasbourg*, they shall be entirely raz'd at the Expences of the Most Christian King, and none of the Parties shall be allow'd for the future to re-establish the same: Which Cession, demolishing of Places and Fortifications above specify'd, shall be made within the Time limited

by the following Articles, after the Exchange of the Ratifications of the present Treaty; the Navigation and Use of the said River remaining free and open to the Subjects of either Side, and to all such as will make Use thereof for transporting their Merchandizes; and neither of the Parties shall be allow'd to attempt any Thing for diverting the Course of the said River, or rendering the same in any Manner whatsoever, and its Navigation, more difficult; and less still shall it be lawful for any of the Parties to lay new Tolls, or augment the ancient Duties, and compel the Boats to come to one Side rather than the other, to sell their Cargo and Goods, and take in others, but the whole shall be left to the Liberty of the Owners.

VII. The said Places, Castles, and Fortresses of *Brisac*, *Friburgh*, and *Kehl*, shall be restor'd to his Imperial Majesty and the Empire, with all their Jurisdictions, Appurtenances, and Dependencies, with the Artillery and Ammunition that was found therein when they were taken in this War, according to the Inventories made thereof, without detaining any Part thereof upon any Pretence whatsoever; and shall be deliver'd *Eona Fide*, and without Delay or Impediment whatever, to such, who after the Exchange of the Ratifications, shall be appointed and specially deputed for that Purpose by his Imperial Majesty alone, or according to the Differences of the Places, by him and the Empire, and shall produce their full Powers to the *French* Generals, Governors, or Commanders of the Places to be restor'd, to the Effect that the said Towns, Cittadels, Forts, and Places, with their Privileges, Incomes, Revenues, and whatever depends thereon, return under the Power and actual and absolute Possession and Sovereignty of the Empire and the House of *Austria*, as they did formerly belong to them, and as they were since possess'd by his Most Christian Majesty, so that it may never be understood, that any Manner of Right, Claim, or Pretension, has been reserv'd to his Most Christian Majesty, on the said Places and their Dependencies. Nothing shall be likewise pretended for the Charges of Fortifications, or any other private or publick Edifices, nor any other Pretence made use of to retard the full and entire Restoration of the said Places, which shall be made within 30 Days after the Exchange of the Ratifications; and the *French* Garrisons shall then march out without molesting the Inhabitants, or putting them to any Damage, nor any other Subjects of his Imperial Majesty and the Empire, upon Pretence of Debts, or other Pretensions, whatever they be; likewise the said

French Troops shall not be allow'd to continue any longer in the Places to be restor'd beyond the Time hereafter mention'd, nor in any Country not belonging to his Most Christian Majesty, and take Winter Quarters therein, but shall be oblig'd forthwith to retire into the Dominions of his Most Christian Majesty.

VIII. His Most Christian Majesty likewise will cause the Fortifications erected over-against *Huninghen* on the Right of the *Rhine*, and the Island therein, to be demolish'd at his Charges, as also the Bridge made on the *Rhine* at that Place, restoring the Ground where those Forts stand, with the Edifices, to the House of *Baden*. The Fort of *Selingen*, and the Forts in the Islands between the Fort aforesaid of *Selingen* and *Fort-Lewis*, shall be likewise demolish'd; as also that Part of the Bridge from the Fort of *Selingen* to *Fort-Lewis*, shall be destroy'd; and likewise whatever has been erected on the Right of the *Rhine*, over-against the said *Fort Lewis*; and it shall not be lawful for any of the Parties to re-establish the same: The Ground, with the Houses, to be restor'd to the House of *Baden*; but the *Fort-Lewis*, and the Island wherein it lies, shall remain to the Most Christian King. In general, his Most Christian Majesty shall cause to be raz'd, at his Expences, all the Forts, Intrenchments, Lines, and Bridges, specify'd in this Treaty, and that of *Ryswick*, and such as have been erected since that Peace, either along the *Rhine*, or in the *Rhine*, or elsewhere in the Empire, and its Dependencies, which it shall not be lawful to re-establish.

IX. The Most Christian King shall likewise cause the Castle of *Biesch* to be evacuated, with all its Dependencies, as also the Castle of *Hamburgh*, after having demolish'd their Fortifications, which are not to be re-establish'd; but however, in such a Manner, that the said Castles and Towns adjoining to the same, may not receive any Damage thereby, but remain as they are.

X. The Towns and fortify'd Places above specify'd, and in general, all others which are to be restor'd by Virtue of the present Treaty, and that of *Radstad*, and that of *Ryswick*, whereof the Articles are to be deem'd as included in this Treaty, and therefore to be punctually executed, as if they were *verbatim* inserted in these Presents, shall be deliver'd within 30 Days after the exchange of the Ratifications of this present Treaty, and to such Persons who shall be authoriz'd for that Purpose by the Emperor and the Empire, or other Princes thereof, who are to possess the same by Virtue of the *Ryswick Treaty*; and in the

mean time, no Part of the Fortifications, or publick or private Edifices, shall be demolish'd or damag'd, and nothing shall be pretended for Expences made in the same Places upon that Account. The Archieves and Documents belonging either to the Emperor, or the States of the Empire, or the Places which the Most Christian King promises to restore, shall be likewise deliver'd at the same Time.

XI. As the Intentions of the Most Christian King is to execute, as soon as possible, the Conditions of the present Treaty, his said Most Christian Majesty promises, that the Towns and Places to be demolish'd at his Charge, shall be raz'd to the Ground, that is to say, the most considerable within two Months at the farthest, and the least considerable within a Month after the Exchange of the Ratifications of the present Treaty.

XII. His Sacred Royal Most Christian Majesty, promises to his Sacred Imperial Majesty, and the Empire, to restore to all the Members, Subjects, and Vassals of the said Empire, both Ecclesiasticks and Seculars, namely, to the Lord Elector of *Triers*, the Lord Elector Palatine, the Great Master of the Teutonick Order, and Bishop of *Worms*, and to that illustrious Order, to the Lord Bishop of *Spire*, to the House of *Wirtemberg*, and in particular to the Duke of *Montbeliard*, to both Houses of *Baden*, and, in general, to all such as are included in the Peace of *Ryswick*, though they are not herein specially mention'd, all the Lordships, Towns, and Territories which he has taken from them in the late War, by his Army, or Confiscations, or any other Means whatever, contrary to the Peace of *Ryswick*, although the said Territories, Towns, and Lordships, are not expressly mention'd in the present Treaty; as also fully and exactly to execute all the Conditions and Clauses of the Peace of *Ryswick*, from which it is not expressly derogated in the present Treaty, if it appears, that if any of the said Articles of the *Ryswick* Peace were not executed after the Conclusion, or were chang'd afterwards. For the same Reason his Most Christian Majesty promises and engages to execute *Bona Fide*, and as soon as possible, all the Articles of the said Peace of *Ryswick*, concerning the Lord Duke of *Lorrain*, which are fully confirm'd by these Presents. On the other Hand, his Imperial Majesty and the Empire, promise to perform all the Conditions and Clauses of the Peace of *Ryswick*, concerning the Restitutions to be made according to the said Peace, and namely,

in relation to the Cardinal *de Rohan*, by Reason of his Bishoprick of *Stratzburgh*.

XIII. The Most Christian King has acknowledg'd by the preceding Treaty, and will acknowledge, for the Time to come, the Electoral Dignity conferr'd with the Consent of the Holy Roman Empire, to the House of *Brunswick-Hanover*.

XIV. His Imperial Majesty and the Empire being willing, on their Part, to express their good Affection towards his Most Christian Majesty, and maintain with him henceforth a sincere Amity and perpetual Correspondence, and by Virtue of the *Ryswick* Peace, re-establish'd by the present Treaty, consent that the Town of *Landau*, with its Dependencies, consisting of the Villages of *Nusdorf*, *Danheim*, and *Quechem*, with their Districts, such as they were enjoy'd by the Most Christian King before this War, remain with its Fortifications to his said Most Christian Majesty.

XV. As to the House of *Bavaria*, the Emperor and the Empire consent, in Consideration of the Publick Tranquillity, that, by Virtue of the present Peace, the Lord *Joseph Clement*, Archbishop of *Cologn*, and the Lord *Maximilian Emanuel* of *Bavaria*, be restor'd generally and entirely to all their Dominions, Ranks, Prerogatives, Regalias, Estates, Electoral Dignities, and others, with all the Rights, and in the same Manner as they enjoy'd or might have enjoy'd them before this War, and which belong'd to the Archbishop of *Cologn*, and other Churches, nam'd hereafter, or to the House of *Bavaria* mediately or immediately. All their Archives, Papers, Moveables, Jewels, and other Effects whatever, shall be *Bona Fide* restor'd to them; as also all the Ammunition and Artillery specify'd in authentick Inventories that shall be produc'd on both Sides; that is, all such as have been remov'd by Order of the Emperor and his Predecessors, of glorious Memory, since they took Possession of *Bavaria*, their Palaces, Castles, Towns, Fortresses, and other Places whatever, that belong'd to them, and which shall belong to them, except the Artillery which belong'd to the neighbouring Towns and States, which has been restor'd to the Owners; but for such as shall be found wanting, and other Things, which it will not be possible to restore without great Difficulties, the same shall be paid for at a reasonable Rate in ready Money, or otherwise agreed for.

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The said Lord Archbishop shall be restor'd to the said Archbishoprick, the Bishopricks of *Ratisbon* and *Liege*, and the Prepositure of *Berchtsgaden*; he shall take likewise special Possession of the Bishoprick of *Hildesheim*, with all the Rights and Appurtenances as belonging to that Church, in such a Manner as the Bishops thereof his Predecessors, and the Church have enjoy'd, or were to enjoy before the last War, and that entire Restoration shall not be alter'd or retarded in any wise, upon Account of any Law Suits or Pretensions, whatever they be. This, however, without any Prejudice to such as had any Pretensions against them, who may prosecute their Rights against both the said Electors, after they are actually re-establish'd, as they did before the present War, according to the Course of Justice observ'd in the Empire. This shall likewise no Ways prejudice the Privileges of the Chapters and States of the Archbishoprick of *Cologne*, and other Churches, such as they were establish'd before, by their Unions, Treaties, and Constitutions.

And as to the Town of *Bon*, there shall be no Garrison therein in Time of Peace, but the Guard thereof shall be trusted to the Burghers alone; and as to the Guards of the said Archbishop and the Palace, they shall be restrain'd to such a Number, as he shall agree with the Emperor and the Empire; provided, however, that in Time of War, or when there shall be a likelihood of a War, the Emperor and the Empire shall be allow'd to put therein such a Number of Troops, as the Reason of War shall require, according to the Laws and Constitutions of the Empire.

In Consideration of the said entire Restoration, the said two Lords of the House of *Bavaria*, shall renounce for ever all Pretensions, Satisfactions, or Indemnifications whatever against the Emperor, the Empire, and the House of *Austria*, upon Account of the last War, which, by these Presents, are declar'd void and of no Effect, and shall remain null for ever. But this shall no Ways prejudice the ancient Rights and Pretensions they had before this War, which they may sue for as before, according to the Laws of the Empire; but this entire Restoration shall give them no new Rights against any one whatsoever; and likewise all Pretensions, Demands, Satisfactions, or Indemnifications against the said Lords *Joseph Clement*, Archbishop of *Cologne*, and *Maximilian Emanuel*, shall be deem'd void and abolish'd; as also all Demands and Pretensions, by Reason of this War, against the House of *Bavaria*, the Archbishopricks,

bishopricks, Bishopricks, and Prepositures aforesaid, by whomsoever they may be made.

By Virtue of this total re-establishment of the Lords aforesaid, *Joseph Clement*, Archbishop of *Cologne*, and *Maximilian Emanuel* of *Bavaria*, will pay Obedience, and continue faithful to his Imperial Majesty, as the other Electors and Princes of the Empire, and shall be oblig'd to desire and receive from his Imperial Majesty the renewing of the Investiture of their Electorates, Principalities, Fiefs, Titles, and Rights, in the Manner and Time prescrib'd by the Laws of the Empire, and whatever has happen'd on either Side during this War, shall be bury'd in a perpetual Oblivion.

XVI. The Ministers and Officers, Ecclesiastical, Civil, and Military, of what Condition soever they be, who have serv'd either of the Parties, even those who are Subjects and Vassals of the Emperor, the Empire, and the House of *Austria*; as also all Domestick Servants of the House of *Bavaria*, and the Lord Archbishop of *Cologne*, shall be likewise restor'd to the Possession of all their Estates, Employments, Honours, and Dignities, as before the War, and enjoy a general Amnesty for whatever is past; provided, and upon this express Condition, that the said Amnesty be reciprocal towards those of the Subjects, Vassals, Ministers, and Servants of the House of *Bavaria*, and the Archbishop aforesaid, who have follow'd, during this War, the Party of his Imperial Majesty, and the Empire, who, upon this Account, shall not be molested or disturb'd in any Manner whatever.

XVII. As to the Time of executing the total Restoration specify'd in the two foregoing Articles, it shall be made within 30 Days after the Exchange of the Ratifications, according to what has been agreed concerning the Evacuation of the Places and Towns which the Most Christian King is to restore to the Emperor and the Empire, insomuch, that the one and the other, as also the Restitution to be made to the Emperor of the Countries which the House of *Bavaria* possesses now in the *Netherlands*, be made at the same Time.

XVIII. If the House of *Bavaria*, after her entire Restoration, finds it convenient to exchange some of their States with some others, his Most Christian Majesty shall not make any Opposition thereunto.

XIX. His

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XIX. His most Christian Majesty having given up, and caused to be given up to the States-General of the United-Provinces, in favour of the House of *Austria*, all that his said Majesty or his Allies had remained in their Possession of the *Low Countries*, commonly call'd the *Spanish Netherlands*, so as the late King of *Spain Charles II.* possessed or ought to have possessed them, conformably to the Treaty of *Ryswick*, his most Christian Majesty consents, that the Emperor enter into Possession of the said *Spanish Netherlands*, to enjoy them himself, his Heirs and Successors, henceforward and for ever, fully and peaceably, according to the Order of Succession established in the House of *Austria*; saving the Agreements which the Emperor shall make with the said States-General of the United-Provinces, touching their Barrier, and the giving up of the under-mention'd Towns and Places.

'Tis nevertheless stipulated, that the King of *Prussia* shall keep all that he actually possesses of the Upper-Quarter of *Gelderland*, namely, the Town of *Gelder*, the Prefecture, Bailiwick, and Under-Bailiwick of *Gelder*, with all that belongs to and depends thereon, as likewise particularly the Towns, Bailiwicks, and Lordships of *Schralen*, *Wachtendonck*, *Midelaar*, *Walbeck*, *Aertsen*, *Afferden* and *Weel*, as also *Racy* and *Klein Kervellaar*, with all their Appurtenances and Dependences: Besides, there shall be given up to the King of *Prussia*, the *Ammanie* of *Krickenbeck*, with all that belongs to or depends thereon, and also the Country of *Kessel*, with all its Appurtenances and Dependencies, and generally all that the *Ammanie* and the said District contain, without excepting any Thing but *Erkelens* with its Appurtenances and Dependencies, the Whole to belong to the said King, and to the Princes or Princesses his Heirs and Successors, with all the Rights, Prerogatives, Revenues, and Advantages, by what Name soever call'd, in the same Quality and in the same Manner as the House of *Austria*, and particularly the late King of *Spain*, possessed them; yet with the incumbent Charges and Mortgages, the Preservation of the *Roman Catholick Religion*, and the Privileges of the States.

XX. And as besides the Provinces, Towns, Places and Fortresses which were possessed by the late King of *Spain*, *Charles II.* on the Day of his Decease, the most Christian King has made over, as well for his most Christian Majesty himself, as for the Princes his Heirs or Successors, born or to be born, to the States-General, in favour of the House of *Austria*, all the Right which he had or might have,

have, to the Town of *Menin*, with all its Fortifications and with its Verge, to the Town and Citadel of *Tournay*, with all the *Tournesis*, without reserving to himself any Part of his Right to them, or to any of their Dependencies, Appurtenances, Appendages, Territories, and Territories mixed with or inclosed in other Territories; his Majesty consents, that the States-General of the United-Provinces shall restore the said Towns, Places, Territories, Dependencies, Appurtenances, Appendages, and other Territories mixed with or inclosed in other Territories, to the Emperor, as soon as they shall have agreed thereon with his Imperial Majesty, as it is stipulated in the preceding Article, to be enjoyed by him, his Heirs and Successors, fully, peaceably and for ever, as well as the *Spanish Netherlands* which belong'd to the late King *Charles II.* at the Day of his Decease. 'Tis provided however, that the said giving up of the *Spanish Netherlands*, Towns, Places and Fortresses yielded by the most Christian King, shall not be made by the said States-General, till after the Exchange of the Ratification of the Treaty of Peace between his Imperial Majesty, the Empire and his most Christian Majesty; 'tis also provided, that *St. Amand* with its Dependencies, and *Mortagne* without Dependencies, shall remain to his said most Christian Majesty, on Condition nevertheless, that it shall not be permitted to make there any Fortification or Sluice of what Nature soever they may be.

XXI. In like Manner, the King confirms, in favour of the Emperor, and of the House of *Austria*, the Cession, which his Majesty has already made in favour of the said House, to the States-General of the United-Provinces, as well for himself as for the Princes his Heirs and Successors born or to be born, of all his Rights to *Furnes* and *Furnambacht*, therein including the eight Parishes, and the Fort of *Knoque*, to the Towns of *Loo* and *Dixmude* with their Dependencies; to the Town of *Ypres*, with its Castellanie, *Rouffelaer* therein included, and with the other Dependencies, which henceforward shall be *Bopperinghen*, *Varneton*, *Commines*, and *Warwick*; these three last Places, because they are situate on the Side of the *Lys* towards *Ypres*, and what depends on the Places here above specified, of which Rights thus transferred to the Emperor, his Heirs and Successors, his most Christian Majesty reserves none to the said Towns, Places, Ports and Countries, nor to any of their Appurtenances, Dependencies, Appendages, or Territories mixed with or inclosed in other Territories; consenting that the States-General may give them up to the House

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House of *Austria*, to be enjoyed by that House irrevocably and for ever, as soon as they shall have agreed with that House on their Barrier, and the Ratifications of the Treaty of Peace between the Emperor, the Empire, and his most Christian Majesty shall be exchanged.

XXII. The Navigation of the *Lys* upwards from the Mouth of the *Deule*, shall be free, and no Tolls or Impositions shall ever be established upon the same.

XXIII. What has been agreed to in the 2d Article of this Treaty concerning a general Amnesty, shall be deemed to be repeated here, and therefore there shall be on either Side an Oblivion, and perpetual and reciprocal Amnesty of all Wrongs, Injuries, and Offences, which may have been committed during the War, by Way of Facts, Words or any other Manner, by the Subjects of the *Spanish* Netherlands, and of the Places and Countries yielded or restored, and on the other Hand by the Subjects of his most Christian Majesty, insomuch, that none of them on either Side may be disturbed or called to an Account by reason thereof.

XXIV. By virtue of this Peace, the Subjects of the most Christian King, and those of the *Spanish* Netherlands, and the Places yielded by his most Christian Majesty, shall be allowed to Travel, Traffick, and Commerce as fair Merchants in each others Territories, in observing the Laws and Customs thereof, and to sell, alienate and otherwise dispose of their Estates, Effects, Moveables and Immoveables, situated in the Territories on both Sides; and any one, either Subjects or not Subjects, shall be allowed to purchase the same without being obliged to obtain any other Permission than the present Treaty. The said Subjects of the Places and Territories respectively restored, as also all those of the *Spanish* Netherlands, shall be permitted to remove from the said Places and Countries, and retire wherever they please, within a Year, with Power to sell their Estates and other Effects to whom they shall think fit, both before and after their Removal, without any Hindrance or Molestation, directly or indirectly. Lastly, whatever has been established by former Treaties, and Royal Decrees, on both Sides, for the Abolition of the Right of *Aubain* (*Escheat*) for the Subjects of *France* and the *Netherlands*, as the same has been hitherto observ'd, shall be deemed as confirmed by these Presents, and inviolably observ'd for ever, as if the Whole was expressly mentioned here.

• XXV. The same Subjects on either Side, Ecclesiasticks and Seculars, incorporated Bodies, Commonalties, Universities

versities and Colleges, shall be restored to the Possession of the Honours, Dignities and Benefices which they possess'd before the War; and also to all their respective Estates, Moveable and Immoveable, Rents and Incomes, that have been seized, by Reason of the War; as also their Rights, Actions, and Successions, since devolved unto them, even during the War; but shall not be allowed to claim the Revenues thereof during the Course of the said War, till the Publication of the Treaty of *Rastat*, which Restoration shall be reciprocally made, notwithstanding all Donations, Concessions, Declarations, Confiscations and Sentences that have been pronounced by Contumacy, without hearing the Parties, which shall be void and of no Effect, with an entire Liberty to the said Parties to return into the Countries from whence they removed by Reason and upon Account of the War, to enjoy their Estates and Incomes by themselves, or by Procuration given by them to others, conformably to the Laws and Customs of the said Countries and States; in which Restoration are included such who in the late War, or by Reason thereof, have followed the Party of the two Powers who have made the present Treaty. Nevertheless the Arrests and Judgments given by the Parliaments, Councils, and other superior or inferior Courts, from which it shall not be expressly derogated by the present Treaty, shall take Place, and have their full and entire Effect; and such who by virtue of the said Arrests and Judgment shall be found in Possession of Estates and Lordships, shall be maintained therein; however, without Prejudice to the Parties who shall think themselves aggriev'd by the said Judgments and Arrests, who shall be allowed to apply themselves to competent Tribunals, in order to obtain the redressing of their Grievances by the ordinary Course of Justice.

XXVI. As to the Rents assigned on the Generality of such Provinces of the Netherlands, which shall appear to be possessed in Part by his Imperial Majesty, and partly by his most Christian Majesty, and others, it has been agreed, that each shall pay his Quota thereof; and Commissaries shall be appointed on all Sides to settle the same, and adjust all other Difficulties and Disputes which are already in Being, relating to the Countries to be possess'd by the respective Parties, and their Limits, or may arise hereafter by Reason of the executing of this Treaty; which Commissaries shall meet in a Town to be agreed upon, and shall be nam'd within two Months after the Conclusion of this

this Treaty, in order to determine the said Disputes with all possible Expedition.

XXVII. As in the Countries, Towns, and Places of the Spanish Netherlands, yielded by the most Christian King to the Emperor, several Benefices have been conferr'd by his most Christian Majesty to Persons of known Capacity, the said Benefices, so granted, shall be preserved to such as possess them at present; and whatever concerns the Catholick, Apostolick, and Roman Religion, shall be maintained in the Condition they were in before the War, as well in respect to the Magistrates, who are to be Roman Catholics, as in Times past, as in respect to the Bishops, Chapters, Monasteries, the Estates belonging to the Order of Malta, and in general of all the Clergy, who shall be maintained in and restored to all their Churches, Liberties, Franchises, Immunities, Rights, Prerogatives, and Honours, as they have been under the preceding Sovereigns of the Roman Catholick Religion. All and every one of the said Clergy in Possession of any Ecclesiastical Estates, as Commanderies, Prebends, Parsonages, Provostships, and other Benefices whatever, shall be maintain'd therein, without being depriv'd of the same, and shall enjoy their Revenues and Incomes, and cause the same to be administr'd and received as before; as also all Persons having Pensions assign'd on the same Benefices, either created by the Court of Rome, or by Briefs granted before the Beginning of the last War, shall enjoy the same as before, without being depriv'd of the same upon any Pretence whatsoever.

XXVIII. The Commonalties and Inhabitants of all the Places, Towns and Countries yielded by the most Christian King in the Catholick Netherlands by the present Treaty, shall be maintained in the free Enjoyment of all their Privileges, Prerogatives, Customs, Exemptions, Rights, Grants general and particular, Places and Hereditary Offices, with the same Honours, Salaries, Profits and Exemptions, as they enjoyed under the most Christian King, which is only to be understood of the Commonalties and Inhabitants of the Places, Towns and Countries, which his said Majesty possess'd immediately after the Conclusion of the Treaty of Ryswick, and not of the Places, Towns and Countries which were possess'd by the late King of Spain Charles II. at the Time of his Decese, whereof the Commonalties and Inhabitants shall be maintain'd in the Privileges, Prerogatives, Customs, Exemptions, Rights and Grants general and particular, Places, and Hereditary Offi-

ces, which they enjoyed at the Time of the Death of the late King of *Spain* aforesaid.

XXIX. Likewise, if besides those Places in the Netherlands yielded to his most Christian Majesty, for which it is provided in the 27th Article, any Ecclesiastical Benefices, mediate or immediate, which have been bestow'd during the War by either of the Parties, in the Countries or Places that were then in their respective Subjection, upon Subjects who are capable thereof, according to the Rule of their first Institution, and lawful, general, or particular Statutes made on that Subject, or by other Canonical Dispositions made by the Pope; the said Benefices, and such as were given before the War in the same Manner, shall be left to the present Possessors, in such a Manner, that they may not be disturbed in the Possession and lawful Administration thereof, nor in the Enjoyment of their Revenues; neither shall it be lawful, upon any Reason, either past or present, to cite them before any Tribunal, or molest them in any other Way whatsoever, upon Condition nevertheless, that they shall perform and discharge whatever they are oblig'd to by Virtue of the said Benefices.

XXX. His Imperial Majesty, and his most Christian Majesty, shall not for any Cause henceforward interrupt the Peace which is established by the present Treaty, resume Arms, and begin, under any Pretext whereever, any Act of Hostility the one against the other; but on the contrary, shall endeavour sincerely, and *Bona Fide*, and as real Friends, to corroborate more and more this mutual Friendship and good Understanding, so necessary for the Good of Christendom. And whereas the most Christian King, sincerely reconciled with his Imperial Majesty, will not henceforward create any Trouble or Prejudice to him, his most Christian Majesty promises and engages to let his Imperial Majesty enjoy quietly and peaceably all the Territories and Places which he actually possesses, and which were formerly possessed by the Kings of the House of *Austria* in *Italy*, namely, the Kingdom of *Naples*, as his Imperial Majesty possesses it, the Dutchy of *Milan*, as his Imperial Majesty actually possesses it, the Island and Kingdom of *Sardinia*, as also the Ports and Places on the Coasts of *Tuscany*, which his Imperial Majesty possesses, and which were formerly possessed by the Kings of *Spain* of the House of *Austria*, together with all the Rights belonging to the said States of *Italy*, which his said Imperial Majesty possesses, as the Kings of *Spain* exercised them from *Philip I.* to the last deceased King; his said most Christian Majesty giving his Royal Word never to trouble or disturb the Emperor and
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the House of *Austria* in that Possession, directly or indirectly, under any Pretext, or by any Way whatever, nor to oppose the Possession which his Imperial Majesty and the House of *Austria* have, or may hereafter acquire, either by Negotiation, Treaty, or other lawful and peaceable Way, in such Manner However, as that the Neutrality of *Italy* may not be troubled thereby; the Emperor promising and engaging his Word, not to trouble the said Neutrality, and the Quiet of *Italy*; and consequently not to proceed by Way of Arms, for any Cause, or any Occasion whatsoever; but on the contrary to abide by, and observe punctually the Engagements which his Imperial Majesty is under, by the Treaty of Neutrality concluded at *Utrecht* the 14th of *March* 1713, which Treaty shall be deemed as recited here, and shall be exactly observed by his Imperial Majesty, provided that on the other Part the Observation be reciprocal, and that he be not attacked; his Imperial Majesty, ~~and~~ engaging for the same Purpose to let every Prince in *Italy* enjoy peaceably his own Dominions, of which he is actually possessed; yet this without prejudicing the Right of any Person whatsoever.

XXXI. In order that the Princes and States in *Italy* may enjoy the Fruits of the Peace between the Emperor and the most Christian King, the Neutrality shall not be only observed with Punctuality in that Country, but likewise the Emperor shall do speedy Justice to the Princes or Vassals of the Empire, for the other Places and Countries in *Italy*, which have not been possessed by the Kings of *Spain* of the House of *Austria*, and to which Places and Countries the said Princes may have lawful Claims and Pretensions, viz. the Duke of *Guastalla*, Prince of *Mirandola*, and the Prince of *Castiglione*; but this shall not however interrupt the Peace and Neutrality of *Italy*, nor be a Subject of a new War.

XXXII. As his Imperial Majesty, and his most Christian Majesty, have nothing so much at Heart, as to see the publick Tranquillity re established as soon as possible; and that in order to obtain so desirable an End, which is to prevail over all other Considerations, they had fixed a certain Term for perfecting this Treaty; but having at last perceived, that the Time limited was not sufficient for examining and adjusting the Affairs refer'd on both Sides to this Congress; by the 32d Article of the Treaty of *Rastatt*, it has been judg'd more convenient, that the Parties mentioned in the said Article, shall be allow'd respectively to produce their respective Rights and Pretensions, before