

his Imperial Majesty, and his most Christian Majesty, who promise again to have Regard thereunto in all Equity; which Delay however shall not retard in any wise whatsoever, the full Execution of this Peace, or prejudice the Rights of any one whomsoever.

XXXIII. Whereas by virtue of the Peace of *Rastat*, all Manner of Hostilities and Violences were to cease from the Day that the Treaty was signed, as also all Contributions, either in Money or Forage, and all Impositions or Demands whatever, upon Occasion, or by Reason of the late War, as well on the Part of his Imperial Majesty, as on the Part of his most Christian Majesty; so the same shall not only cease for the future, and nothing shall be exacted upon any Pretence whatsoever, but also all Exactions whatever, in Money, Forage, or other Things, which shall appear to have been made upon any Pretence whatsoever, on either Side, since the Date of the Ratifications of the Treaty of *Rastat*, against the Tenor of the 35th Article of the same, shall be restored ~~Back~~ and without Delay, to such who shall prove the same by sufficient Documents and Evidences; and all Hostage given or carry'd away for any Pretence whatsoever, shall be released, without paying any Money, and allowed to return Home without any Hindrance. And as to what remains due for Contributions on either Side, to the Time limited in the Treaty of *Rastat* as aforesaid, the same shall be paid within three Months, to be reckoned from the Day of the Exchange of the Ratifications of this present Treaty; but however, it shall not be lawful within that Space of Time, to make use of any Execution against such as shall be slow in their Payments, provided nevertheless, that they be oblig'd to give sufficient Security for discharging the same.

All Prisoners, either of War or State, taken in the last War, who shall appear still to be detained, shall be forthwith set at Liberty, without any Ransom, and shall be allow'd to retire whither they shall think fit.

Likewise, if it appears that any of the Troops on each Side, which according to the 35th Article aforesaid, were to evacuate the Places not fortify'd, and retire into their respective Territories within 15 Days after the Ratifications of the Peace of *Rastat*, are still in the said Territories, which 'tis hop'd they are not, they shall be recall'd immediately, without any Delay, that the Subjects on both Sides may the sooner enjoy the Benefits of Peace and Tranquillity: And as his Imperial Majesty and the Empire were likewise

from July 1714, to Jan. 1716. 181

likewise to recall their Troops from the open Places in the Archbishoprick of *Cologn*, and Electorate of *Bararia*, if any remain therein, they shall be immediately withdrawn. As to the rest, the Restitution of the said Provinces and Countries shall remain limited according to the Form and Tenor prescribed in the 15th, 16th, 17th, and 18th Articles.

XXXIV. The Commerce between the Subjects of his Imperial Majesty and the Empire, and those of his most Christian Majesty and the Kingdom of *France*, shall be free, from the Date of the Signing of the present Treaty, with the same Liberty as they enjoy'd it before the War; and all and every one of them, and namely, the Citizens and Inhabitants of the Imperial Cities, and Hans Towns, shall enjoy a full Security, both by Sea and Land, and of their ancient Rights, Privileges and Immunities, which have been acquired to them, either by solemn Treaties, or ancient Custom, the further Agreement about the same being refer'd till after the Ratifications of the Peace.

XXXV. All the Conventions made by this Peace, shall be in Force, and for ever observ'd and executed, notwithstanding any Things that may be alledg'd or invented to the contrary, which Things shall remain void and abolished, although some of them should be of such Nature as to deserve to be mentioned in a more special Manner, and be declar'd void, and of no effect.

XXXVI. All such as shall be nam'd within six Months, after the Ratifications of the present Treaty by either of the Parties, with their mutual Consent, shall be included in this Peace.

XXXVII. The Embassadors Extraordinary, and Plenipotentiaries of both the Parties, promise respectively, that the present Peace, concluded as aforesaid, shall be ratify'd by the Emperor and the Empire, and the most Christian King; and that they will infallibly procure, that the solemn Instruments of the Ratifications shall be exchange'd within six Weeks after the Signing of this Treaty, or sooner, if possible.

XXXVIII. And whereas his sacred Imperial Majesty was desired with due Decency by the Electors, Princes, and States of the Empire, by a Resolution dated the 23d of April last, under the Seal of the Chancery of *Mentz*, and communicated to the French Embassadors, that he would order his Embassadors to take Care of the Concerns of the said Electors, Princes, and States of the Empire, in the present Congress, the said Imperial and French Embassadors have set their Hands and Seals to the present Treaty

of Peace, in order to corroborate the same, and all the singular Contents thereof, promising to exchange the Ratifications of the said Treaty, within the Time limited, and that no Protestation or Contradiction shall have any Force against the same.

*Done at Baden in Ergou, September 7. 1714.*

(L. S.) Eugene de Savoye,	(L. S.) Le Marechal Duc de Villars,
(L. S.) Peter, Count de Goet,	(L. S.) Le Comte du Luc,
(L. S.) John Frederick, Count de Seilern.	(L. S.) De Barberie de St. Contest.

*A Separate ARTICLE.*

**A**S amongst the Titles taken by his Imperial Majesty in the present Treaty, there are some which cannot be acknowledg'd by his Most Christian Majesty, it has been agreed by the present Separate Article, sign'd before the Treaty, that the Titles used or omitted in this present Treaty, or in that of *Rastat*, on either Side, shall never be deemed a Prejudice to the Rights of the other, nor give any new Right to any one of the Parties; and that this Article shall have the same Force, as if it were *Verbatim* inserted in the Treaty. *Done at Baden the 7th of September 1714.*

Sign'd as above.

The following Treaty of Peace between the Kings of Spain and Portugal having been concluded in the Year 1715, may not be omitted in this Collection.

*The Treaty of PEACE between the most High and most Powerful Prince Dom John V. by the Grace of God, King of Portugal, and the most High and most Powerful Prince Dom Philip V. by the Grace of God, Catholick King of Spain. Concluded at Utrecht, the 6th Day of February 1715.*

*In the Name of the Holy TRINITY.*

**B**E it known to all present and to come, that the greatest Part of *Christendom* finding it self afflicted by a long and bloody War, it has pleased God to put into the Minds of the most high and most powerful Prince Dom John V. by the Grace of God King of Portugal, and the most

from July 1714, to Jan. 1716. 183

most high and most powerful Prince Dom Philip V. by the Grace of God Catholick King of Spain, a sincere and ardent Desire to contribute to the universal Repose, and to secure the Tranquillity of their Subjects, by renewing and restoring the Peace and good Amity which there has been formerly between the Crowns of Portugal and Spain: To which Purpose, their said Majesties have given their full Powers to their Embassadors Extraordinary and Plenipotentiaries, namely, his Portuguese Majesty to the most excellent Lord John Gomez da Silva, Count de Tarouca, &c. &c. and to the most excellent Dom Lewis da Cunha, Commander of St. Maria d'Almenda, and of his Majesty's Council; and his Catholick Majesty to the most excellent Lord Dom Francis Maria de Paula Telles Giron Benavides Carrillo and Toledo, Ponce de Leon, Duke d'Ossuna, &c. [We omit the Titles of these Lords because of their Length.] Who being come to Utrecht, the Place design'd for the Congress, and having reciprocally examin'd their full Powers, Copies whereof shall be inserted at the End of this Treaty, and after having implor'd the divine Assistance, have concluded upon the following Articles:

**I.** Here shall be a solid and perpetual Peace, and a true and sincere Amity, between his Portuguese Majesty, his Descendants, Successors, and Heirs, and all his Dominions and Subjects, on one Part; and his Catholick Majesty, his Descendants, Successors, and Heirs, and all his Dominions and Subjects, on the other Part: Which Peace shall be strictly and inviolably observ'd, as well by Land as by Sea, without permitting that any Hostilities shall be committed between the two Nations, in any Place, or on any Pretext whatsoever: And if contrary to all Expectation, any Thing shall be committed contrary to the Tenor of this Treaty, the Treaty shall nevertheless remain in full Vigour, and such Contravention shall be faithfully repaid, without Delay or Difficulty, in rigorously punishing the Contraveners, and in restoring all to the former State.

**II.** In Consequence of this Peace, all Hostilities to this Time shall be put into entire Oblivion, in such Manner, that none of the Subjects of the two Crowns shall have Right to demand Satisfaction for Damages suffer'd, either by the Way of Justice, or any otherwise howsoever; neither shall they alledge against one another, the Losses which they may have suffer'd during this War; but all that is past shall be forgotten, as if there had never been



any Interruption in the Friendship which is by these Presents re-establish'd.

III. There shall be an Amnesty for all Persons, as well Officers as Soldiers, and others, who, during this War, or upon Occasion of it, have chang'd Service; excepting those who shall have taken Party, or have engag'd themselves in the Service of some other Prince than his *Portuguese Majesty*, or his *Catholick Majesty*; and there shall be only those who have serv'd his *Portuguese Majesty* that shall be compriz'd in this Article, who shall also be compriz'd in the XIth Article of this Treaty.

IV. All Prisoners and Hostages shall immediately be restor'd and set at Liberty on both Sides, without Exception, without asking any Thing for their Exchange, or for the Expence they have made, provided they satisfy the particular Debts they have contracted.

V. The Places, Castles, Towns, Villages, Territories, and Lands belonging to the two Crowns, as well in *Europe*, as in any other Part of the World, shall be entirely restor'd without any Reserve, in such Manner, that the Limits and Confines of the two Monarchies shall remain in the same State they were in before the present War: And particularly the Castle of *Noudar*, with its Territory, the Island of *Verdorjo*, and the Territory and Colony of the *Sacrament*, shall be restor'd to the Crown of *Portugal*; and in like Manner the Places of *Albuquerque* and *Puebla*, with their Territories, shall be restor'd to the Crown of *Spain*, in the State they are in at present; and the King of *Portugal* shall not demand any Thing of the Crown of *Spain* for the new Fortifications which he has added to those Places.

VI. His *Catholick Majesty* shall not only restore to his *Portuguese Majesty*, the Territory and Colony of the *Sacrament*, situate upon the Northern Banks of the River *de la Plata* in *America*, but shall also resign up in his own Name, and that of all his Descendants, Successors, and Heirs, all Action and Right which he could pretend to have upon the said Territory and Colony, making the said Cession or Resignation in the most forcible and most authentick Terms, and with all the requisite Clauses, as if they were infer'd here; to the End that the said Territory and Colony may remain compriz'd within the Domaine of the Crown of *Portugal*, and as belonging to his *Portuguese Majesty*, his Descendants, Successors, and Heirs, as Part of his Dominions, with all the Rights of Sovereignty, of absolute Power and entire Domaine; and his

from July 1714, to Jan. 1716. 185

his Catholick Majesty, his Descendants, Successors, and Heirs, shall never disturb his *Portuguese* Majesty, his Descendants, Successors, and Heirs, in the said Possession. And by Virtue of this Cession, the provisional Treaty concluded between the two Crowns on the 7th of May, 1681, shall be of no Force or Vigour. His *Portuguese* Majesty, in the mean time, engages, not to consent that any Nation of *Europe*, except the *Portuguese*, shall settle or trade, directly or indirectly, in the said Colony, under any Pretence whatsoever; and he furthermore engages, not to lend a Hand, or give Assistance to any Stranger Nation, to introduce any Trade into the Countries of the Dominion of the Crown of *Spain* in *America*, which is also forbidden to the proper Subjects of his *Portuguese* Majesty.

VII. Although his Catholick Majesty gives up by these Presents to his *Portuguese* Majesty, the Territory and Colony of the *Sacrament*, according to the Tenour of the preceding Article, his said Catholick Majesty may nevertheless offer an Equivalent for the said Colony, which shall be agreeable to, and to the Satisfaction of his *Portuguese* Majesty; and that Offer is limited to a Year and a half, to commence from the Day of the Ratification of this Treaty; with this Declaration, That if the said Equivalent be approv'd of, and accepted by his *Portuguese* Majesty, the said Territory and Colony shall belong to his Catholick Majesty, as if it had never been restor'd or given up; but if the said Equivalent shall be not approv'd and accepted by his *Portuguese* Majesty, he shall keep the Possession of the said Territory and Colony, as it is declar'd in the preceding Article.

VIII. Orders shall be dispatch'd to the Officers and other Persons to whom it is necessary, for the reciprocal Surrender of the Places, as well in *Europe* as in *America*, mention'd in the 5th Article. And with Respect to the Colony of the *Sacrament*, his Catholick Majesty shall not only send his Orders directly to the Governor of *Buenos-Ayres* to make the said Surrender; but he shall also give a Duplicate of the said Orders, with a precise Recommendation to the said Governor, that he may not, upon any Pretence, or even in Case of Want of Foresight, defer the Execution of it, although he hath not yet receiv'd the first. That Duplicate, as also the Order which respect to *Nouder* and the Isle of *Verdoejo*, shall be exchange'd against those of his *Portuguese* Majesty for the Surrender of *Albuquerque* and

and *Puebla*, by the Commissaries who shall come for that Purpose to the Confines of the two Kingdoms; and the Surrender of the said Places, both in *Europe* and *America*, shall be made in the Term of four Months, to commence from the reciprocal Exchange of the said Orders.

IX. The Places of *Albuquerque* and *Puebla* shall be restor'd in the same Condition they now are, and with as much Military Ammunition, and the same Number of Cannon, and of the same Bore, which they had when they were taken, according to the Inventories which were then made of them. The other Cannon, Ammunition, and Provision, which shall be found there over and above that Quantity, being to be carry'd back to *Portugal*. All that has been now said concerning the Restitution of Ammunition and Cannon, shall be understood equally with Respect to the Castle of *Noudar*, and the Colony of the *Sacrament*.

X. The Inhabitants of the Towns and Places above-mention'd, and of the other Places that have been possess'd during the present War, who are ~~now~~ willing to remain there, shall be at Liberty to retire, and sell or dispose of, as they shall think fit, all their Goods moveable and immoveable; and they shall enjoy all the *Enjits* which they have cultivated and sow'd, although the Lands and Farms may be transferr'd to other Professors.

XI. Confiscated Estates on both Sides, upon Occasion of the present War, shall be restor'd to their ancient Possessors, or their Heirs, they paying for the Improvements that have been made upon them; but they shall not ever pretend upon the Persons who have hitherto held those Estates, to the Value of the Revenues from the Time of the Confiscation to the Day of the Publication of the Peace. And to the End that the Restitution of the Propriety of the said confiscated Estates may be duly executed, the Parties interested shall present themselves within the Term of a Year, before the Tribunals to whom it shall belong, where they shall plead their Rights; and their Causes shall be judg'd and determin'd within the Term of another Year.

XII. All the Prizes made on one Side or other during the Course of the present War, or upon occasion of it, shall be esteem'd good; and the Subjects of both Nations shall have no Right nor Action at any Time to demand that they be restor'd; their said two Majesties acknowledging the Reasons they had for making the said Prizes.

XIII. For the better Security and Validity of the present Treaty, that made between the two Crowns the 13th of February, 1668, is again confirm'd; and all that shall not be revok'd by the present Treaty, shall remain valid; and particularly the 8th Article of the said Treaty is confirm'd hereby, as if it were inserted Word by Word; and their Portuguese and Catholick Majesties offer reciprocally to give their Orders for granting a prompt and entire Justice to the interested Parties.

XIV. In like Manner are confirm'd and comprehended in the present Treaty, the fourteen Articles contain'd in the Treaty of Transaction, made between the two Crowns January the 18th, 1701, which shall remain in full Force and Vigour, as if they were here inserted Word by Word.

XV. By Virtue of what was stipulated in the said Transaction of the *Assento* for the Introduction of Negroes, his Catholick Majesty owes to those interested in the said *Assento*, the Sum of 200000 Crowns of Anticipation, which the interested lent to his Catholick Majesty, with Interest at 8 per Cent. from the Day that Sum was lent, to the Time of Repayment, which, reckoning from the 7th of July, 1696, to the 6th of Jan. 1715, comes to the Sum of 224000 Crowns; as also the Sum of 300000 Crusadoes of Portugal Money, which, by Reduction, amount to 160000 Crowns. These three Sums are reduc'd by the present Treaty to the single Sum of 600000 Crowns, which his Catholick Majesty promis'd to pay in three equal and consequent Payments of 200000 Crowns each; the first Payment to be made at the Arrival of the first Flota, Florilla, or Galleons, which shall arrive in Spain after the Exchange of the Ratifications of the present Treaty; and that first Payment shall be plac'd upon the Interest due for the Capital of the 200000 Crowns of Anticipation. The second Payment at the Arrival of the second Flota, Florilla, or Galleons; and that shall be for the Capital of 100000 Crowns of Anticipation. The third Payment shall be made at the Arrival of the third Flota, Florilla, or Galleons, for the 300000 Crusades valu'd at 160000 Crowns; and the remaining 40000 for Interest. The Sums to make up these three Payments shall be sent to Portugal either in Silver Money, or in Ingots of Gold or Silver. In Consideration whereof, the Interest upon the 200000 Crowns of Anticipation, shall cease from the Day of the signing this present Treaty: But if his Catholick Majesty does not pay the said Sum at the Arrival of the



the second Flota, Flotilla, or Galleons, the 200000 Crowns of Anticipation shall again bear an Interest of 8 per Cent. from the Time of the Arrival of that second Flota, Flotilla, or Galleons, and continue to the Time of the entire Payment of that Sum.

XVI. His Portuguese Majesty gives up, by this present Treaty, and promises to make a Surrender to his Catholick Majesty, of all the Sums which are due by his Catholick in the *Spanish Indies*, to the Portuguese Company of the *Affiento*, for the Introduction of Negroes, excepting the 600000 Crowns mention'd in the 15th Article of this Treaty. His Portuguese Majesty gives up also the Pretensions of the said Interested to the Inheritance of Dom Francis Marin.

XVII. Commerce shall be equally open between the Subjects of the two Majesties, with the same Liberty and Security which they had before the present War. And in Testimony of the sincere Amity which is intended, not only to be restor'd, but to be even augmented between the Subjects of the two Crowns, his Portuguese Majesty grants to the *Spanish Nation*, and his Catholick Majesty grants to the Portuguese Nation, all the Advantages in Commerce, and all the Privileges, Liberties, and Exemptions which they have granted hitherto, or shall grant hereafter, to the Nation the most favour'd, and the most privileg'd of all that traffick in the Countries and Dominions of Portugal and Spain! Which ought not however to be understood but of the Countries situated in Europe, seeing that the Commerce and Navigation of the *Indies* is solely reserv'd to those two Nations only, in the Countries of their respective Dominions in America; excepting what has been lately stipulated in the Contract of *Affiento* of Negroes, concluded between his Catholick Majesty and her Britannick Majesty.

XVIII. And because in the good Correspondence which is to be establish'd, Care ought to be taken to prevent Damages which may happen reciprocally, seeing that the Concordate made between the two Crowns in the Time of the King Dom Sebastian, of glorious Memory. has declar'd the Case wherein the Criminals on one Side and the other are to be given up, and Restitution made for Thefts; the Case of Tobacco, which was not then known, could not be comprehended therein; but is, however, since become so much in Vogue, both in Portugal and Spain, that a great Revenue arises from the Farm of it; his Catholick Majesty engages to prohibit the bringing the Tobacco of  
Portugal

*Portugal* into the Kingdom of *Spain*, or any other of his Dominions, and to give Orders, that all the Fabricks of *Portugal* Tobacco, which shall be found in his Kingdom and Dominions, shall be destroy'd, as also all that shall be made hereafter, and impose great Penalties upon the Offenders; and give Charge not only to the Officers of Justice, but also to those of War, to cause the same to be duly observ'd and executed. And his *Portuguese* Majesty, in like Manner, engages to make the same Prohibition, and with the same Circumstances as his Catholick Majesty, with Respect to the Tobacco of *Spain* in all the Countries of *Portugal*, and all his other Dominions.

XIX. Ships, as well Men of War as Merchants, of both Nations, may enter reciprocally into the Ports of the Dominions of the two Crowns, where they have been used to enter in Times past; provided, that in the largest Ports there shall not be at the same Time above six Men of War, nor more than three in smaller Ports. And in Case a greater Number of Men of War of either of the two Nations arrive before any Port of the other, they shall not enter without Permission of the Governor or Magistrate of the Place: If, however, they are oblig'd by Stress of Weather, or by some pressing Necessity, to enter without demanding that Permission, they shall be oblig'd to give Notice immediately of their Arrival, and they shall not tarry a longer Time than is granted to them, taking great Care to do no Damage or Prejudice to the said Port.

XX. Their *Portuguese* and Catholick Majesties desiring the speedy Accomplishment of this Treaty, it is agreed, That it shall be in full Force and Vigour immediately after the Publication of the Peace; and the said Publication shall be made in all the Places of the Dominions of the two Majesties as soon as possible; and if since the Cessation of Arms any Thing has been done contrary to it, Justice shall be done on both Sides.

XXI. If it happen that by any Accident (which God forbid) there should be any Interruption of Amity, or any Rupture between the two Crowns of *Portugal* and *Spain*; in such Case, the Subjects of the two Crowns are granted the Term of six Months after the said Rupture, to retire and sell their Goods and Effects, or to transport them, whither they shall think fit.

XXII. And because the Queen of Great Britain, of most glorious Memory, had offer'd to be Guarantee of

the entire Execution of this Treaty, of its Validity, and of its Duration; their *Portuguese* and Catholick Majesties accept the said Guarantee in all its Force and Vigour for all the present Articles in general, and for every one in particular.

XXIII. Their said *Portuguese* and Catholick Majesties, will accept also the Guarantee of all the other Kings, Princes, and Republicks, who, in the Term of six Months, are willing to be Guarantees of the Execution of this Treaty, provided it be to the Satisfaction of both their Majesties.

XXIV. All the Articles above written have been treated on, agreed to, and stipulated between the said Embassadors Extraordinary and Plenipotentiaries of the Lords, the Kings of *Portugal* and *Spain*, in the Name of their Majesties; and they promise, by Virtue of their full Powers, that the said Articles in general, and every one of them in particular, shall be inviolably observed, accomplish'd, and executed, by the Lords the Kings their Majesties.

XXV. The Ratifications of the present Treaty, given in good and due Form, shall be exchange'd on both Parts within the Term of 50 Days, to commence from the Day of Signing; or sooner if possible.

In Testimony whereof, and, by Virtue of the Orders and full Powers, which we the under-written have receiv'd from our Masters, the King of *Portugal*, and the Catholick King of *Spain*, we have sign'd this present Treaty, and have put to it the Seals of our Arms.  
Done at Utrecht, the 6th Day of February, 1715.

Comte de Tarouca,  
D. Lewis da Cunha.

El Duque de Ossuna.

#### *The Separate ARTICLE.*

BY the present Separate Article, which shall have the same Force and Vigour, as if it were comprehended in the Treaty of Peace concluded this Day between their *Portuguese* and Catholick Majesties, and which ought to be ratify'd as the said Treaty, it has been agreed by the Extraordinary Embassadors and Plenipotentiaries of their two Majesties, that the reciprocal Commerce of the two Nations shall be restor'd, and continue in the same Form, and with the same Securities, Liberties, Exemptions, Franchises, Rights of coming in and going out, and all the other Dependencies with which it was made before the present

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from July 1714, to Jan. 1716. 191

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present War, 'till such Time as it is otherwise disposed of, and that no Form is declar'd, by which the Commerce between the two Nations ought to continue.

In Testimony whereof, and by Virtue of the Orders and full Powers which we the under-written have receiv'd from our Masters, the King of *Portugal*, and the Catholick King of *Spain*, we have sign'd the present Article, and put the Seals of our Arms to it. Done at *Utrecht* the 6th of February, 1715.

Conde de Tarouca,  
D. Lewis da Cunha.

El Duque de Ossuna.

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We will, in the next Place, give the Reader a general View of the State of Affairs in *Europe*, as they stood at the Beginning of the Year 1715, and to that End will barely mention the most material Occurrences of the Year 1714, and make some General Reflections on each of them.

THE first material Occurrence we shall take Notice of, is the Conclusion of the Peace between the Emperor and *France*. The Conferences that were set on Foot at *Rastat* on the 27th of November, 1713, were continu'd 'till the Beginning of March, when Prince *Eugene* seeing that the *French* insisted on some Articles, which had been rejected at the Opening of the Negotiations, and receded from several others which had been agreed upon, thought fit to break off those Conferences, and to set out the 7th of February from *Rastat*. It was then generally believ'd, that the Continuation of the War was inevitable, and both Parties prepar'd themselves for it; but the *French* Court, contrary to the general Belief of the World, receded from their former Declaration, and the Conferences were renew'd by the latter End of that Month, and a Treaty sign'd at *Rastat* the 6th of March, N. S. which put an End to all Hostilities. The *French* yielded up what they had conquer'd from the *Germans*: The Electors of *Cologne* and *Bavaria* were re-establish'd in their State and Dignities: In short, all Matters were restor'd as they were settled by the Treaty of *Ryswick*, between the Empire and *France*, and the particular Interests of the Emperor, in Relation to the *Netherlands*, and other Parts conquer'd from the *Spanish* Monarchy, regulated. This Treaty of *Rastat* having been manag'd and concluded without the usual



usual Formalities observ'd in the Empire, it was agreed, that a Congress should be held in *Switzerland*, to conclude a Treaty in the usual Form between the Emperor and the Empire on one Part, and the most Christian King on the other, and that the Interests of several Princes which could not be taken into Consideration at *Rastat*, should be adjusted in that Congress.

The Town of *Baden* in *Switzerland* was chosen for the Conferences, which begun the 5th of *June*, and a general Treaty was sign'd the 7th of *September*, whereby the Restoration of the Electors of *Cologne* and *Bavaria*, and all other Matters between the Empire and *France*, which had not been decided at *Rastat*, were determin'd; the Neutrality of *Italy* was confirm'd, and the several Interests of the Princes thereof referr'd to another Opportunity. The Places to be restor'd on both Sides, were to be evacuated within two Months, after the Exchange of the Ratifications, but this was deferr'd much longer, and the Treaty was not yet executed at the End of the Year 1714, through some unexpected Difficulties which were afterwards removed.

The Treaty of *Baden* was manag'd with no less Secrecy than that of *Rastat*; no Ministers, except the *French* and *Imperialists*, were admitted into the Conferences, upon Pretence of Dispatch; but it appear'd too evidently, that this was but a Pretence to cover the very dishonourable Part that was acting therein against the Protestants, contrary to the Word and Engagements of the Treating Parties.

The fatal Clause about Religion inserted in the 4th Article of the Treaty of *Ryswick*, by the Artifices of the Count de *Seytern*, one of the Imperial Plenipotentiaries, had been so bitterly exclaim'd against, and complain'd of by the Protestants of the Empire, that the Emperors *Leopold*, *Joseph*, and his present Imperial Majesty, had solemnly promis'd, That the Affairs of Religion should be regulated in the succeeding Treaties, to be made according to the Tenor of the Peace of *Westphalia*. This was so material an Article, that the late Queen of *Great Britain*, the King of *Prussia*, and the States General, made it a particular Convention with the most Christian King, in their respective Treaties with him concluded at *Utrecht*, that he should consent to it; and yet Prince *Eugens*, and the Marshal de *Villars*, confirm'd that Clause by the 3d Article of the Treaty of *Rastat*.

The Protestants were universally astonish'd at that Proceeding, and could scarce believe *v.* They made a great Noise of this Infidelity, as they stiled it; and therefore in the Powers that were given to the Imperial Ministers, who were to manage the Treaty of *Baden*, they made a Reservation, that the Affairs of Religion should be restor'd according to the Tenor of the Peace of *Westphalia*. The *Imperialists* foresaw the ill Consequences of opposing directly the Protestants, and therefore they seem'd to concur with them, and assur'd them, that the Emperor would give such Instructions to his Ministers, that their Grievances occasion'd by the Treaties of *Ryswick* and *Rastat*, should be redress'd in that of *Baden*; but that this Reservation ought not to be mention'd in the full Powers of the Diet, because the *French* would not enter into any Negotiation, if the Power of the *Imperialists* was not as general as theirs, and without any Limitations. They gain'd that Point, but notwithstanding the many Representations made to the Emperor, and the Solicitations of the Ministers of the Protestant Powers at *Augsburgh* and *Baden*, the 4th Article of the *Ryswick* Peace was confirm'd at *Baden*. The *Imperialists*, to colour this Proceeding, alledg'd the ill Condition of the Affairs of *Germany*, and the Power of the *French*; but it w<sup>as</sup> too plain, that no real Satisfaction was ever intended on either Side to the Protestants; and therefore when Count *Passionei*, Minister of the Pope, arriv'd at *Baden*, he told the Imperial and *French* Plenipotentiaries, that he was sent to take Care of the Concerns of the Catholick Religion, only for Form sake; for the Pope, and all the World besides, were fully perswaded, that there was not the least Cause of Apprehension, that the two chief Supports of the Holy See should ever stipulate any Thing contrary to the Interest of the Church, and repeal a Clause so advantageous to the Catholick Religion.

The Restoration of the Elector of *Bavaria* to his former Rank and Dignity, met with a World of Difficulties; for the Elector of *Palatine* was very loth to become the last Elector, after having been the first, as he must have been, if the King of *Great Britain*, as Elector of *Brunswick*, had persisted in the Resolution of preserving the Rank he then had in the Electoral College, as it was declared in his Name to the Diet of the Empire since the Conclusion of the Treaty of *Baden*.

The Affairs of *Spain* were not regulated in the Treaties of *Rastat* and *Baden*, because the Emperor would by

no Means renounce his Pretensions to that Monarchy, the Case of the *Catalans* grew worse and worse. *Barcelona* had been invested in *June 1713*, immediately after the Imperial Troops had quitted that Country, according to the Convention made at *Utrecht*; and the *French* and *Spaniards* seeing that it was in vain to flatter themselves with the Hopes of bringing that People to the Obedience of King *Philip*, unless their ancient Privileges were confirmed, which the *Castilians* would not do, resolved to reduce *Barcelona* by Force of Arms. The Duke of *Popoli* was commanded to try whether a general Bombardment both by Sea and Land, would shake the Resolution of the Inhabitants; but that terrible Execution served only to exasperate them the more, and the most Christian King was at last obliged to send the Duke of *Berwick* with a good Army, and a Squadron of his Men of War, to make a formal Siege of that Place.

That General arrived in the Camp in *July*, and on the 30th of the same Month, caused the Covered-Way to be attack'd, in which he met with very little Resistance. This made the *French* and *Spaniards* believe, that the Place would be soon taken; but they were mistaken; for the *Catalans* defended themselves with so much Bravery, that having repulsed their Enemies in several Attacks, the Siege continued to the 12th of *September*, when the Duke of *Berwick* caused the Town, which was ruined by the terrible Fire that had been made during that long Siege, to be attacked with 49 Battalions, and 44 Companies of Grenadiers; and yet the *Catalans* defended themselves for eight Hours together, repulsed the Enemy several Times, and fought with such a desperate Resolution, that a Bastion was taken and re-taken eleven Times that Day. They yielded at last to the Number of their Enemies, and retiring into the new Town, beat a Parley and surrendered to the Duke of *Berwick*. They obtained their Lives and Estates; but that Capitulation was soon after violated: The brave Commanders of the *Catalans* were seized, and sent Prisoners to *Alicant* and other Parts; and a great many Clergymen commanded to depart that Country, notwithstanding the *Catalans* had punctually comply'd with the Capitulation, deliver'd up *Cardona*, and laid down their Arms.

Thus were the Liberties of that People destroy'd; but it must be confessed, that Modern History does not afford any Instance of a Place so well defended as *Barcelona*. Posterity will scarce believe, that the *Catalans*, forsaken

from July 1714, to Jan. 1716. 195

by all their Allies, were able to make so long a Defence against the united Forces of *France* and *Spain*. Their Case was deplorable in several Respects; but especially, in having too much Reason to complain, that those who encouraged them to declare for the House of *Austria*, abandoned them, without obtaining for them the Confirmation of their Privileges, as they had solemnly promised.

The hasty Revenge of the *Castilians* upon the *Catalans*, render'd the *Majorcans* more cautious, who seeing how the Capitulation of *Barcelona* had been infringed, rejected the Propositions that were made them in order to their Submission, and resolved to defend themselves to the last Extremity. The *Spaniards* made the necessary Preparations to attack that Island, the *French* King assisting them with Ships, Men, and Ammunition. This obliged the Emperor to assist that People, the Consequences of which we shall see hereafter.

The reducing of *Barcelona* made King *Philip* absolute Master of the Continent of old *Spain*, *Gibraltar* excepted, which was yielded to *England*; and although the Emperor disputed his Title, his Possession was so well secur'd, as to seem beyond the Reach of any Reverse of Fortune.

Before we leave *Spain*, we shall take Notice of some other Transactions which deserve a particular Attention. Such is the Conclusion of the Treaty of Peace between that Crown and the States-General, which was at last signed in the Month of *June* by the respective Plenipotentiaries, without inserting therein the Clause which had been so long insisted upon in Behalf of the Princess *Ursini*, to secure unto her an independent Principality out of the *Netherlands* to be yielded to the House of *Austria*, of the yearly Value of 30000 Crowns. This Affair alone had retarded the Treaty; but notwithstanding the Menaces of the *Spaniards*, and the Instances of *Great Britain*, which was engaged by their Treaty with *Spain*, to procure that Principality to the Princess *Ursini*, the States remained inflexible, and declared, that as the *Spanish Netherlands* did not belong to them, they could not by any Means dispose of the same, and especially in Favour of a Princess who had no Manner of Claim thereunto. The most Christian King seeing their Firmness, interposed in this Affair, and prevailed over his Grandson to recede from his Pretensions, and sign the Peace.

This was the first Disgrace that Princess received after the Death of *Marie Louisa de Savoye*, Queen of *Spain*, who departed this Life at *Madrid* the 14th of *February*, N. S.



after a very long Indisposition, in the 25th Year of her Age. She was certainly a Princess of great Merit, and of great Help to King *Philip* to govern his Kingdom; but, on the other Hand, her unbounded Favour for the Princess *Ursini*, made the *Spaniards* so very uneasie, that there were strong Reports abroad at that Time, as if her Death had been somewhat hasten'd. The King was sensibly afflicted; but however forgot her in a little Time; for within three or four Months after, there was a Negotiation set on Foot for his Marriage with the Princess *Elizabeth* of *Parma*, which was at last solemniz'd the 16th of *September* at *Parma*, and that Princess set out four Days after for *Madrid*. This compleated the Misfortune of the Princess *Ursini*, who having met the Queen at *Xadraques*, not far from *Guadalaxara*, before she had seen the King, spoke to her with so much Haughtiness, that her Majesty commanded a Detachment of Guards to convey her immediately to the Frontiers of *France*, and forbid her to return into *Spain*. This was certainly a masterly Stroke, and the King approv'd the same; from whence it is reasonably conjectured, that the Provocation she gave to the Queen, must needs have been very great.

Thus ended for ever the great Influence of the Princess *Ursini* at the Court of *Madrid*, where she had appear'd like an unaccountable Meteor, and vanish'd as unaccountably; for, in short, few can pretend to know exactly how and why she came there, and how and why she was unexpectedly dismissed.

The Affairs of *Italy* received but little Alteration during the Year 1714. The new King of *Sicily* having been crowned, and taken the necessary Measures with the Parliament or States of that Kingdom, for the Security of that Island against the *Imperialists*, and likewise against the Spiritual Pretensions of the Court of *Rome*, returned to *Turin*, to watch the Designs of the *German* Troops in *Lombardy*; but every Thing remained quiet on that Side, by virtue of the Cessation of Arms for *Italy*, agreed to at *Utrecht*, and confirmed by the Treaties of *Rastat* and *Baden*. The Court of *Rome* used all imaginable Means for persuading the new King of *Sicily* to give up his Legantine Power, whereby he acts in his Kingdom with as much Authority in Spiritual Matters, as if he were Pope himself; but notwithstanding all Solicitations, that Prince persisted in his former Resolution, to assert that and other Rights enjoyed by his Predecessors, Kings of *Sicily*, and by virtue of his Legantine Power, suspended or made void

void all the Bulls issu'd out from the Vatican against him. This occasion'd great Troubles in his Kingdom, for too many of the Clergy obey'd the Orders of the Court of Rome; but the greatest Part of the Bishops, and in general all the Magistrates engaged to assert the Royal Authority.

The Republick of *Venice* thought themselves secure, and expected to enjoy a profound Peace, during which their State would recover the great Losses their Territories sustain'd by Reason of the late War in *Italy*, but they were awaken'd by the unexpected Declaration of War made against them by the *Ottomans*; but before we proceed further, we think our selves oblig'd to give some Account of the previous State of Affairs at the *Turkish* Court.

The *Turks* prosecuted in the Beginning of this Year, the same Maxims they had observ'd since the Retreat of the King of *Sweden* into their Dominions. They would not openly refuse to enter into a Negociation with the *Czar* and the King of *Poland*, but the Ratifications of the Treaty concluded with the former in 1713, were deferr'd about a Year, and the Treaty concluded with the later, in April 1714, was not ratify'd till September following, when being inform'd of the Conclusion of the Peace between the Emperor and *France*, they thought fit to conclude those Treaties, and the *Polish* and *Muscovite* Embassadors were dismiss'd with great Civilities.

The Treaties being thus concluded, the *Turks* thought it no longer advantageous to them to detain the King of *Sweden* in their Dominions. That Prince, whose Presence in *Turkey* had given so much Uneasiness to the *Poles* and *Muscovites*, and induced them to agree to certain Articles of Peace, which in all Probability they would never have done, set out in the Beginning of October from *Demir Toca*, past the *Danube*, and was attended and defray'd to the Frontiers of *Transylvania* by the *Turks*. Being arriv'd at *Bedeesti* in *Walachia*, he sent an Express to *Vienna* with some Proposals relating to the Passage of his Troops through the Hereditary Dominions, giving out, that he would not set his Foot in *Transylvania* till those Articles were regulated. It was given out, at the same Time, that his Majesty was indisposed; but few Days after he set out with all imaginable Privacy, in Company of Lieutenant-Colonel *During*, in the Service of *Holstein*, and two trusty Servants, he himself being disguis'd, and pretending to be a *Swedish* Courier, for the Regency of *Pomerania*, which was easily credited. That Prince rid Post with a Dispatch that seems incredible, seeing, that

in fourteen Days he rode from *Pedestli* to *Stralsund*, which is a Distance two hundred eighty seven German Leagues. His Majesty arriv'd at *Stralsund* on the 22d of November, to the unspeakable Joy of his Subjects, who after the many false Stories that had been publish'd in Relation to that Prince, did not certainly know whether he was dead or alive. His Majesty went through *Vienna*, but did not discover himself, and order'd his Secretary to wait upon Prince *Eugene*, some Hours after his Departure, to acquaint him with the Reason of his passing Incognito, and desire him to return his Thanks to the Emperor for his Civilities, but made it his Request, that this should not be made publick, till they heard of his safe Arrival in his Dominions.

The Return of that Prince somewhat revived the Courage of the Swedes, who were dispirited to the last Degree, through the many Losses they had sustain'd, and the continual Progress of the *Muscovites*, who having reduc'd *Finland*, driven the Swedes from *East Bothnia*, and made a Descent into *West Bothnia*, put them in fear for *Stockholm* it self.

The Presence of the King of Sweden opened a new Scene of Affairs on that Side the *Baltick*; for that Prince did not think fit to declare his Mind on the Propositions made to him immediately after his Return, viz. 1<sup>st</sup>, To confirm the Treaty for the Sequestration of *Stetin*; and 2<sup>dly</sup>, To promise to forbear all Hostilities against the *Danes* and *Saxons* within the Empire; his *Prussian* Majesty engaging on his Part, that the Kings of *Poland* and *Denmark* shall not attack the *Swedish Pomerania*. This Refusal of the King of Sweden to declare himself on those two Articles, the Levies that he made, and the Troops he sent for from Sweden, were a plain Indication, that he design'd to renew the War in the Lower Saxony, for recovering the Duchy of *Bremen*, and restoring the Ducal House of *Holstein*; whereupon the King of *Prussia* assembled his Forces, which were quarter'd in his distant Dominions, to be in a Readiness to form an Army for securing *Stetin*, and preserving the Peace of the Lower Saxony in concert with the House of *Brunswick*, and other Princes concern'd therein. 'Tis certain, that the French assisted the Swedes with Money for making these Preparations, and that the Landgrave of *Hesse Cassel* was earnestly solicited to assist them with his Forces, in Consideration of the Marriage of the Hereditary Prince his Son with the Princess *Ulrica Eleonora* of Sweden, which was celebrated about this Time.

The Czar on the other Hand declar'd, that as he withdrew his Forces from *Pomerania*, only upon Account of the strong Instances of the King of *Prussia*, who thereby secur'd the whole Country to Sweden, he was resolv'd to send a powerful Army to assist his Allies, and drive entirely the Swedes from Germany, unless the King of Sweden accepted the Propositions of the King of *Prussia*, and consequently a Neutrality for the Territories belonging to the respective Parties in the Empire. This being the true State of Affairs on that Side, it is easy to imagine, that the Princes of the Lower Saxony were under the greatest Uneasiness, for they could not but foresee that their Territories would become in Time the Seat of War, and therefore they were certainly in the Right to arm themselves, in order to prevent the breaking out of those new Flames, and fall on the Party who should refuse to agree to the Neutrality propos'd as aforesaid.

The Joy the Swedes conceiv'd upon the first News of the Arrival of their King in *Pomerania*, was very much less'n'd by the Resolution of his Majesty to continue the War in Germany, and his forbidding all his Subjects in general to come to him without express Leave. He promised them that he would give such a Diversion to the Forces of the Czar, as should oblige him to abandon his Enterprizes against Sweden.

In the mean Time, the Czar having gain'd in Person a Sea Victory over the Swedes, was so much encourag'd thereby to augment his Fleet, that he had next Summer a Fleet of his own, consisting of 50 Ships of the Line of Battle, and resolv'd to engage the whole Swedish Fleet, in order to carry on his Design of attacking *Stockholm*.

The Departure of the King of Sweden from Turkey, and the Affairs between him and the Northern Allies, having oblig'd us to attend him in *Pomerania*, we shall resume our Account of the Affairs of Turkey which has been interrupted thereby.

The Ottomans having concluded the Treaties with Poland and Muscovy, as we have observ'd, it was believ'd, that they would immediately reduce their Forces, and send back into Asia, those that were brought from thence into Europe upon the breaking out of the War with the Czar; but, to the great Surprize of the Christians, they continu'd their Preparations for an early Campaign. This alarmed first of all the Maltese, and afterwards successively the Poles and Muscovites; but the Turks thought fit to undeceive them, and in the Beginning of December, declar'd



War against the *Venetians*; and as there is scarce any Nation so brutish as to enter upon a War without offering to Mankind some Reasons to justify the Necessity thereof; the *Turks* acquainted the Ministers of the other Christian Potentates with the Reasons of their Rupture, which in Substance were as follows; that the late Hospodar of *Wallachia*, (who has been depos'd and massacred by the *Turks*) having lodg'd great Sums of Money in the Bank of *Venice*, the same beloug'd to the Grand Signior, and therefore the *Venetians* ought not to have refus'd to deliver it up. 2. That the Republick having declar'd War against the *Porte*, and made the Conquest of the *Morea* in 1687, before the Truce between them and the *Tartars* was expir'd, the Grand Signior demanded, that the *Venetians* restore that Country, and all the Dependencies, together with the Revenues thereof since their Conquest, which we reckon at one Million of Ducats a Year.

If Reason could have satisfy'd the *Ottomans*, it would have been easy to shew them, that their Pretensions were groundless and ridiculous; but as they alledged these Particulars only as a Pretence to cover their laying hold of an Opportunity to recover the *Morea*, which they thought fair and sure, the *Venetians* did not argue with them, but prepared for their Defence with all imaginable Zeal. They repaired their Frontiers, augmented their Troops and Navy, and in short, hoped to be in a Condition to stop the first Efforts of the *Ottomans*. Mean Time, they solicited the Emperor, *Poland*, and the Pope to prepare themselves to assist them by virtue of their perpetual Alliance: And as this Quarrel could not be made up by amicable Interposition, the said Powers found themselves obliged to come into this War, not only because of the Alliance aforesaid, but also upon the same Motives that produced that League; for it would have been highly imprudent and impolitic in them to suffer the *Turks* to devour the *Venetians*, and not fulfill the Condition of an Alliance, which procur'd them such great Successes in the late War.

The Conclusion of the Treaty of *Baden* open'd a new Scene of Negotiations, for the Emperor demanded immediately to be put in Possession of the *Netherlands*; but the States answering, That they could not deliver up those Provinces, till their Barrier was adjust'd, Conferences were set on foot at *Antwerp* to adjust that Matter, and a Treaty of Barrier was accordingly concluded and sign'd the 5th of Nov. 1715, and is insert'd in the *Hist. Reg.* N<sup>o</sup>. I. Pag. 521. The most Christian King had engag'd by the 26th Article of

of his Treaty of Peace with the States General concluded at *Utrecht*, to procure, that the Elector of *Cologne* should consent, that the Garrisons of the States should continue in *Leige* and *Huy*, and that the Fortifications of *Bon* should be demolished three Months after the Restoration of the said Elector; and yet stipulated in the 15th Article of the Treaty of *Baden*, That the said Elector shall be restor'd generally and entirely to all his Dominions; that there shall be no Garrison in *Bon* in Time of Peace; but that in Time of 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. This sheweth how little Treaties have been regarded since the fatal Dissolution of the Grand Alliance, which open'd a Way to the *French* to set at Variance those very Potentates, whose Union had been so terrible to them, and who were upon the very Point of reducing their exorbitant Power within its ancient Bounds. The Difficulties the States met with from the Court of *Vienna*, in respect to their Barrier, convinced them that the greatest Services are soon forgotten; and who would have thought a Prince should have disparted some Acres of Land to a People who had spent so many Millions to procure him the vast Territories that have been dismember'd from the *Spanish* Monarchy, and who would have made still greater Efforts to put him in Possession of *Spain*, if they had not been forced to yield to an inevitable Necessity of making their Peace.

The great Disputes amongst the *French* Clergy, occasioned by the Bull of the Pope against the Book of Father *Quésnel*, are to be ranked amongst the most memorable Events of the Year 1714, not only because it was little expected that the united Power of the Pope and the most Christian King should be so vigorously resisted by a Clergy so long used to be Slaves to those two Powers; but chiefly, because of the Consequences it was foreseen these Disputes would have, if the *French* King departed this Life before they were accommodated. This was probably one of the chief Reasons which determined the Court of *France* to send a Minister on Purpose to *Rome*, to solicit the Pope to consent to the calling of a National Council, for composing these Differences.

Another considerable Transaction at the *French* Court which we shall mention in this Recapitulation, is, an Edict published by the most Christian King in *July* 1714, whereby his Natural Sons, the Duke du *Maine* and the Count de *Thoulouse*, and their Male-Posterity, are called to the

the Succession of the Crown of *France*, in Case of the Failure of all the lawful Princes of the House of *Bourbon*. The most Christian King having caused this extraordinary Edict to be registred in Parliament, transmitted to them shortly after his last Will and Testament sealed up, which was order'd to be kept in a safe Place for that Purpose, under three different Keys, to be opened immediately after the King's Decease, in the Presence of all the Chambers of the Parliament, the Princes of the Blood, the Dukes and Peers of *France*, and other great Officers of the Crown. This Testament, and the Edict afore-mentioned that preceded it, were intended to colour the Calling of the Natural Children to the Succession of that Crown; a Thing till then held so sacred, that it has been an indisputable Maxim in *France*, That the Right of the Succession to their Monarchy could not be alter'd; that is, taken from any who had a just Claim to it, nor transferr'd to any who had a Natural Right to the same. But for this Testament of the late King of *France*, and what happen'd upon it after his Decease, we refer the Reader to our *Hist. Reg. No. I. Page 37.*

These are the most material Transactions Abroad: Let us now conclude our Account with the great Events that happen'd at Home, during this Year 1714; and because they are fully and particularly related in the Beginning of this Work, we will in this Place only give a short Recapitulation of them, deducing them only to the Year 1715, without which these general Reflections would be improper.

Those Transactions are great in themselves, and indeed amazing; for what Pen can describe the Uneasiness of *Great Britain* and *Ireland*, their Fears of the Pretender, and consequently their Concern for the Protestant Succession, which they thought in a manifest Danger, the Protestants amongst themselves being unhappily divided. On the other Hand, who can describe the Malice and Insolence of the Enemies of our Religion and Constitution, who carried it to such a Height, as to publish Books in Favour of the Pretender, List Men for his Service, and threatening the Friends of the Protestant Succession. In short, they were grown to that Degree of Arrogance, that, in use the Expression of a Magistrate in a Publick Speech, they seem'd so far to have compass'd their Design, as to flatter themselves, that their Projects could not miscarry, and that the putting them in Execution, depended entirely on their Will and Pleasure.

This

This Impudence awaken'd the Parliament: Both Houses address'd the Queen; a Proclamation was published, with a Reward for seizing the Pretender; several of his Emissaries were taken in *Ireland*, try'd and condemn'd for High Treason, for being Inlisted, or Lifting Men in his Service. These Steps frighted them into some Caution; but they had conceived such Hopes upon the Account of the Resentment express'd by the Court against the Envoy of *Hanover*, for demanding the Writ for the Duke of *Cambridge*, and of the Death of the Princess *Sophia*, who departed this Life the 8th of *June*, N. S. in the 84th Year of her Age; that they were not discouraged, and continued their Intrigues, till the very Moment that the Protestant Succession took Place by the Death of her late Majesty Queen *Anne*, which was so much the more surprizing and unexpected, that few Days before her Death, she appeared to be in a much better State of Health, than she had been for some Years past.

It would be very improper in an Epitome of the Transactions of the Year, which requires the greatest Brevity, to enquire into the probable Cause of the Death of that great Princess. This however we may say, that it was generally believ'd, that as the Divisions that broke out amongst her Ministers, gave her Majesty great Uneasiness, so they did not a little contribute to shorten her Days.

The Earl of *Oxford* was removed from being High-Treasurer of *Great Britain* on the 27th of *July*, and before his Place could be supply'd by another Person, or by Commissioners, the Queen was taken ill. Her Majesty was seiz'd on the 29th of the same Month, with a violent Pain in her Head, and the next Morning with convulsive Fits; which being over, she appointed the Duke of *Shrewsbury* High-Treasurer of *Great Britain*, that the Publick might not suffer through the Vacancy of that high Office, and dy'd on the 1st of *August*, in her Palace at *Kensington*, in the fiftieth Year of her Age, and the thirteenth of her Reign; whereupon the High and Mighty Prince George Elector of *Brunswick*, was proclaimed, few Hours after, King of *Great Britain*, *France*, and *Ireland*, with the usual Solemnity, and the universal Acclamations of the People without any Manner of Opposition.

His Majesty King George was proclaimed with the same Zeal and Demonstrations of Joy at *Edinburgh*, *Dublin*, and other Parts, and the Lords Justices, appointed for the Administration of the Government, gave such Orders, that the Publick Peace was no Ways interrupted.



The Pretender expected, it seems, that his Friends would have appear'd on this Occasion; for immediately after he had received Advice of the Death of the Queen, he posted to *Paris*, with a Design to proceed further; but the *French* Court having Notice of his Coming, a Secretary of State was sent to meet him, and tell him, that the most Christian King was under such Engagements by Treaties, that he could not permit him to continue in his Dominions; and so he returned to his Residence at *Barleduc*, and publish'd a Declaration or Manifesto, wherein he has given us a Key to unfold many Mysteries and Politick Riddles, which for some Years past had sufficiently puzzled the World.

The Parliament met the 5th of *August*, and both Houses having voted very Loyal and Dutiful Addresses, which were transmitted to his Majesty, and pass'd a Bill for the better Support of his Majesty's Household, and of the Honour and Dignity of the Crown of *Great Britain*, with some other necessary Bills, which receiv'd the Royal Assent from the Lords Justices the 21st of *August*; both Houses adjourn'd to the 25th, when the Answers of his Majesty to their respective Addresses, were presented to them; after which, they were prorogued.

The King was detained at *Hanover* somewhat longer than it was believed, and in *Holland* by contrary Winds; but on the 16th of *September*, his Majesty and the Prince embarked about eleven in the Morning, and safely arrived at *Greenwich* the 18th, where he was received with all possible Demonstrations of Joy, Zeal, and Affection. The 20th, his Majesty made his Royal Entry from *Greenwich* through the City of *London* to his Palace of *St. James*, amidst the Acclamations of a faithful People.

The Princess of *Wales*, with the two eldest Princesses her Daughters, landed at *Margate*, and arriv'd the 13th of *October* at *St. James's*, being welcom'd likewise with the universal Acclamations of the People. The 20th of the same Month, the King was crown'd at *Westminster*, with the usual Solemnity.

Thus we have given a general Prospect of the State of Affairs in *Europe*, as they stood at the Beginning of the Year 1715; and having in the *Registers* for the Year 1716, taken a cursory View of the chief Transactions of the preceding Year, we will add in this Place what we judge necessary to make those Accounts perfect: To begin therefore with

FRANCE.

**I**N the *Registers* Numb. IV. VII. and XII. we have given an Account of a Controversy that happen'd between the Princes of the Blood, and the legitimated Issue of the late King *Lewis XIV.* but were forced for Want of Room to omit the Particulars of the Ground of that Dispute; which Defect we will now supply.

**O**N the 2d of *August* 1714, the Duke *Anghien* and the Prince *de Conti*, the Duke *du Maine*, and the Count *de Toulouse*, went to the Parliament. The Peers assembled there, were the Archbishop Duke of *Rheims*, the Bishop Count *de Noyon*, Ecclesiasticks: The Duke *d'Uzes*, the Duke *de Sully*, the Duke *de Saint Simon*, the Duke *de la Force*, the Duke *de Rhoan*, the Duke *de Luxembourg*, the Duke *d'Estrees*, the Duke *de Grammont*, the Duke *de Mazarin*, the Duke *de Tresmes*, the Duke *de Noailles*, the Duke *de Charost*, the Duke *d'Albret*, the Duke *de Tremouille*, the Duke *de Chaulens*, the Duke *de Villars*, and the Duke *d'Antin*. The Business was to cause to be registred an Edict issued by the King, in Favour of the Duke *du Maine* and of the Count *de Toulouse*, by which his Majesty signified that he had observed with Satisfaction that they had rendred themselves worthy of the Name they bear; that he had judged likewise he ought to enable them to enjoy the Prerogatives of their Birth, by carrying his Views further in Favour of those Princes; and prudent Foresight requiring from his Love for the Tranquility of his Kingdom, that he should prevent the Calamities and Troubles which might arise, if all the lawful Princes of his August House should come to fail, so that not one should be left to be Heir to the Crown; his Majesty's Will was, that the Crown should devolve and be transferred with full Right to his said legitimated Sons, the Duke *du Maine* and the Count *de Toulouse*, and to their Male-Children and Descendents for ever, born and to be born in lawful Marriage; preserving among themselves the Order of Succession, and preferring always the elder Branch to the younger, declaring them by this Edict, capable, in the fore-mentioned Case only of the Failure of all the lawful Princes of his Blood, of succeeding to the Crown of *France*, exclusively of all others; his Will being likewise, that their Descendents for ever, born in lawful Marriage, have En-

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trance and Seat in his Court of Parliament, at the same Age as the Princes, though they should have no Peerages, without being obliged to take an Oath there, and that they there receive and enjoy the same Honours that are paid to the Princes of his Blood; that they be in all Places and on all Occasions looked upon and treated as Princes of his Blood, after (however) all the said Princes of his Blood, and before all the other Princes of Sovereign Houses, and all other Lords of what Dignity soever; and that this Right and these Prerogatives be attached to their Persons and to those of their Descendents for ever, because of the Honour and Advantage which they have to be sprung from his Majesty, derogating from his Edicts of *May 1694*, and *May 1711*, in whatever they may be contrary to this present Edict. *M. de Mesmes*, first President, having explained the King's Intentions, *M. Jolins de Fleury*, Advocate-General, presented his Majesty's Edict, which was read: The Chambers assembled, the Arrest for registering it was pronounced conformably to the Conclusions of the Attorney-General, as appears by the following Extract.

*Extract from the Registers of the Parliament of Paris,  
of Thursday, August the 2d, 1714.*

This Day the Chambers being assembled, the first President taking off his Cap to speak, the Duke *du Maine* and the Count *de Toulouse* rose and went out of the Assembly; and then the first President spoke as follows:

*Gentlemen,*

THE King having commanded his Attorney-General and me to attend the 29th past at *Marli*, there to receive his Orders, we went thither about Noon, and after his Majesty had dined, we were introduced to him in his Closet.

The King did us then the Honour to tell us, that after much mature Reflection he had resolved to change the Rank of the Duke *du Maine* and of the Count *de Toulouse*, and of their Male-Children, born or to be born in lawful Marriage; to put them upon a Level in all Things with the Princes of the Blood; that it was his Will they should have Right to take their Seats in Parliament at the Age of fifteen Years, even though they should not have any Peerage, as is done by the Princes of the Blood; that they should not take any Oath; that they should pass cross the *Bar* of the Grand Chamber; that in taking their Suffrages,

frages, they should not be called to by Name; in a Word, that his Will was, we should render the same Honours here to them as to the Princes of the Blood, without any Exception.

That extending his Views further, in Case God in his Displeasure should take from *France*, all that remain of the lawful Princes of the August House of *Bourbon*, his Intention was, much more for the Interest of the State, than for the particular Benefit of his legitimated Sons, that the Duke *du Maine* and his Male-Children, the Count *de Toulouse* and his Male-Children, and their Male-Descendants for ever born in lawful Marriage, should be declared capable of succeeding to the Crown, in the Case solely of no one lawful Prince of the Royal House being left: That he looked upon it as an indispensable Duty towards the innumerable Multitude of People who compose this great Kingdom, not to leave them exposed to Troubles and to Ambition, which would infallibly tear the Bowels of the State, if the Succession to the Crown were not regulated and established.

His Majesty added, that the Precaution he had taken to cause to be repeated several Times in the Edict, *after the last of the Princes of the Blood*, had perswaded him that he did no wrong to any Person, the Princes of the Blood only having a lawful Right to this great Succession.

I judged, Messieurs, that before the Reading of the Edict which the King's Attorney-General is going to produce, it was my Duty to give you an Account of the King's Pleasure, as his Majesty allowed me to do.

The President having ended, the King's Counsel were called, and being come to the Bar as usual, *M. de Fleury*, Advocate of the said Lord the King, speaking for the rest, said,

That the Edict which the King had ordered them to bring to the Court calls to the Crown the Duke *du Maine*, the Count *de Toulouse*, and their Male-Descendants, after all the Princes of the Blood Royal: That before this Edict was deliver'd to them to present it to the Court, the King had dole them the Honour to send for them to *Marly*, to acquaint them himself with his Intentions, and give them his Orders on this Subject; that they received those Orders with all due Respect, and told him that a Disposition of this Nature was of so great Consequence, that they did not doubt but he had made all the Reflections on it that his profound Wisdom could suggest to him; and that besides, if Merit gave a Right to the Crown, none could as-



pire to it more justly, if the Princes of the Blood should fail, than those whom he had honoured with his Choice.

That the King had done them the Honour to say to them, that the Resolution he had taken was not so much the Effect of his Affection for Princes so worthy of his most tender Regards, as of his Love for his People, and of a just Foresight and Care of Futurity.

That after the Loss of so many Princes of the Blood Royal, which had taught him that the most deplorable and least likely Events were not impossible, he had judged that Prudence required he should look forward to what might happen in his Kingdom, if God should take from *France* even the last Hopes of an House, which he has preserved for so many Ages, that for preventing the Dissensions and civil Wars with which *France* would then be threatened, he thought he could do nothing better than to establish from this Time a second Order of Successors to the Crown, and to substitute them, in Failure of those whose Birth gives them a Right to ascend the Throne.

That these were the Views of his Majesty in the Edict they were to present, and his Motives which he himself had done them the Honour to explain to them, and which they held themselves obliged to impart to the Court having nothing further than to require the registering of the Edict; which they left on the Table with the King's Letter under his Royal Sign Manual.

The King's Counsel being withdrawn, the King's Edict was read as follows,

**L**EWIS by the Grace of God, King of *France* and *Navarre*: To all present and to come, Greeting: The Affection we bear to our most dear and well-beloved Son, *Lewis Augustus de Bourbon*, Duke du *Maine*, and to our most dear and well-beloved Son *Lewis Alexander de Bourbon*, Count de *Toulouse*, induced us to legitimate them, and to give them the Name of *Bourbon*, by our Letters of the Month of *December* 1673, registred in all Courts where 'twas necessary: We have observed since, with entire Satisfaction, that they have rendered themselves worthy the Name they bear: The dutiful Regard they always had to our Person, the Zeal they have shewn for the Good of the State, made us judge them capable of being put into the highest Employments, and into the Governments of the chief Provinces of the Kingdom: We likewise judged they ought to be admitted to the Prerogatives and Advantages due to their Birth, and therefore

therefore granted them, in the Month of *May* 1694, Letters for claiming and taking, they and their Descendents in lawful Marriage, the first Rank immediately after the Princes of the Blood Royal, in all Places, Procedures, Ceremonies, and Assemblies publick and private, even in our Court of Parliament at *Paris* and elsewhere, in all Acts of Peerage that may be done; and for preceding all the Princes of Houses who have Sovereignities out of our Kingdom, and all other Lords of Quality or Dignity soever; ordaining, that in all Ceremonies performed in our Presence or elsewhere, our said Sons the Duke *de Maine* and his Children, and the Count *de Toulouse*, and his Children, shall enjoy the same Honours, Ranks, and Distinctions, which the Princes of our Blood have at any Time customarily enjoyed, immediately after the said Princes of our Blood; which we confirmed to them by our Letters of the twentieth and twenty first of *May* 1711. But being desirous to confer on them still greater Marks of our tender Affection and Esteem, we think we ought to extend our Views yet further in their Favour, by making at the same Time such a Provision as we judge to be for the Good and Advantage of our State. And though considering the great Number of Princes of the Blood who do at present compose the Royal House, there is all Ground to hope that God continuing to dispense his Blessing on it, the Crown will remain therein a long Course of Ages; discreet Foresight does however require from our Love for the Tranquility of our Kingdom, to prevent the Troubles and Calamities that might happen in it, should all the Princes of our Royal House come to fail, which might breed Divisions among the great Lords of the Kingdom, and make Way for Ambition to acquire the Sovereign Authority by the Fortune of Arms, or by other Means equally fatal to the State. The Apprehension of so dismal an Occurrence, which we beseech God ever to avert, moves us to secure to our Kingdom Successors, who are already strongly engaged by their Birth to maintain it, and to nominate those on whom this Crown ought to devolve in Time to come, if it should happen that not one lawful Prince of the Blood and House of *Bourbon* should remain, to wear the Crown of *France*: In such a Case, we judge that the Honour of succeeding would be due to our said legitimated Sons, and to their Male-Children and Descendants born in lawful Marriage, as long as their Races shall subsist, as being our Issue. For these Causes, and other good and great Considerations moving us thereto, with

the Advice of our Council, and of our own meer Motion certain Knowledge, full Power, and Royal Authority, we pronounce, declare, and ordain, by this present perpetual and irrevocable Edict, that if in the Course of Time, all the lawful Princes of our August House of *Bourbon* should come to fail, so that not one should remain to inherit our Crown, it shall, in that Case, devolve by full Right to our said legitimated Sons, and to their Male-Children and Descendents for ever, born and to be born in lawful Marriage, observing among them the Order of Succession, and always preferring the eldest Branch to the younger, declaring them by these Presents, capable, in the said Case only of the Failure of all the lawful Princes of our Blood, of succeeding to the Crown of *France*, all others to be excluded. 'Tis also our Will, that our said legitimated Sons, their Male-Children and Descendents for ever, shall enjoy, as well at all Ceremonies which are or shall be performed in Presence of us, or of the Kings our Successors, as on all other Occasions and in all other Places, the same Ranks, Honours, and Precedencies which are due to all the Princes of the Blood Royal, after, however, all the said Princes of our Blood—And this because of the Honour and Advantage they have to be sprung from us—Given at Marli in the Month of July, the Year of Grace 1714, and of our Reign the 72d.

Then the first President collected the Votes in the usual Manner, viz. from the several Ranks and Orders of Counsellors, &c. beginning from the lowest, passing up the Bench of Dukes and Peers to the Archbishop Duke de *Rheims*, without taking off his Cap, and calling to them by the Names of their Peerages: Then he took the Suffrages of the Prince of *Conti*, and of the Duke of *Bourbon*, without naming them, with his Cap in his Hand, and making a low Bow; and lastly of the Presidents of the Court, with his Cap in his Hand still, and with the usual Obedience. After which, the Arrest was given, and is as follows:

THE Court conformably to the Conclusion of the King's Attorney-General, orders, that the Edict aforesaid shall be read and published during the Audience, and entered into its Greffe, or Register, to be executed according to its Form and Tenor: That Duplicates of the said Edict and of this Arrest, shall be sent to the other Parliaments of the Kingdom, to be there read, published and registred; and

and likewise that collated Copies of the said *Édict* shall be sent to the *Bailliwick*s and *Stewards* of the *Reffort* to be there read, published and registered, requiring the *Substitutes* (Deputies) of the *Attorney General* in those *Tribunals*, to cause the same to be executed, and inform the Court thereof in a Month.

This being done, the Duke *du Maine*, and the Count *de Toulouse*, who withdrew, as it has been said, and continued all the while in the *Closter* of the first President, were called in, and as soon as they had taken their Seats, the first President, taking off his Cap, and putting on the same again, said :

MESSIEURS,

THE *Édict* which the Court has just now registred by the King's Order, is the most evident Proof that his Majesty can give, not only to France, but also to all the World, of his Esteem and Affection for you: 'Tis at the same Time, the highest Pitch of Glory for your whole Posterity.

The great Qualities the King has observ'd in you, Messieurs, almost from your Infancy, the Honour you have to be issued of a Blood so glorious, your faithful Attachment and Affection to his Person, had already induced him to raise you in the State by a particular Distinction, in giving you by his Declaration of the Month of May 1694, and to your Children and Descendents by lawful Marriages, the Rank and Precedency on all Occasions, immediately after the lawful Princes of his Blood, over all the Princes of foreign Sovereign Houses, and all other great Lords of his Kingdom, of what Rank, Dignity, or Quality soever they be.

On this Day, that wise and judicious Prince, in order to secure the Happiness and Tranquility of his People, and maintain a Crown which he has carry'd to so high a Pitch of Glory, being more sensible than ever of your Merit and Virtues, of your Affection to his Person, of your Capacity in State-Affairs, unites you entirely, and puts you upon a Level, in every Thing, with the lawful Princes of the August House of Bourbon; preserving to all and every one of them to the last, the lawful Right of Preference which is so justly due to them.

Through so prudent a Disposition, that illustrious Privilege is so much the more render'd secure, because none of his Subjects being prejudic'd thereby, it cannot reasonably excite the Envy of any against you.



'Tis your Part, Messieurs, and we are perswaded that it is your Intention, to redouble, if possible, your Attention to ease his Majesty in his laborious Cares, that we may see his Days prolong'd beyond the ordinary Bounds, for the Honour of Humanity, the Glory of Religion, and the Happiness of the whole World. You are, Messieurs, to unite your selves more and more strictly with our Princes by a renewing of Affection, and we dare say, of Respect, which you owe to them more than ever, finding your selves so intimately Partakers of their Rights and Honours.

Cause, as much as it will be possible for you, the Remembrance of this great Favour, to be transmitted from Race to Race, to all your Descendents, and that the Memory of the great King, who by an extreme Goodness, put them so near the Crown, may tie them to it for ever more than their Birth, and their own Interest.

The Duke *du Maine* taking off his Hat, and putting it on again, spoke as follows, directing his Discourse to the first President.

MONSIEUR,

**A**fter the immense Favour wherewith the King has now been pleased to crown all those which he had heretofore bestowed upon us, nothing is more honourable to us than the Suffrages of this famous and August Assembly; nor can any Thing flatter us more agreeably, than what you have been pleased to tell us in their Name. We are really affected with all these Circumstances, none of which can escape our Regard; but give us Leave, Sir, to look upon these Praises, which we have heard from you, only as important Lessons, by which we are to regulate our selves for the future, to merit the Honour we have received this Day. We see with Uneasiness that the Engagements which those distinguishing Favours lay upon us, are of such a Nature as never to be totally discharged: However, we desire you, Sir, to believe, that being to sacrifice our Days for the Service of his Majesty, and the Good of the State, we shall esteem our selves infinitely happy, to find an Opportunity to shew this Assembly, to every one of its illustrious Members, and to you, Sir, who so worthily preside therein, particular Marks of our most perfect Veneration, and utmost Gratitude.

In the Register N<sup>o</sup> IV. Page 538, is inserted a Petition of the lawful Princes of the Blood to the present King of France, against the above Edict of the late King Lewis XIV. and Notice taken, that the Duke du Maine, and the other legitimate Issue of the King, being appriz'd of the Design of the lawful Princes of the Blood to procure a Revocation of the said Edict, caus'd a Memorial to be dispers'd; alledging several Reasons why such a Petition ought not to be receiv'd; but that Memorial being too large, we were oblig'd to omit it; which Defect shall here be supply'd, by inserting not only the Memorial itself, but the Answer to it on the Part of the lawful Princes of the Blood, Paragraph by Paragraph.

### MEMORIAL.

THE Duke du Maine is inform'd on all Sides that the Duke of Bourbon has presented a Petition against (a) a solemn Edict which settles his State and Condition, and secures unto him after the last of the lawful Princes of the Blood, the Succession to the Crown, and which in Consequence thereof gives him all the Prerogatives of the said Princes.

### REMARKS.

(a) This Edict of 1714, which renders the legitimated Princes capable of succeeding the Crown, cannot be call'd solemn, but in a contrary Sense, as *Sacer* and *Famosus* are taken in Latin, because 'tis contrary to the fundamental Laws of the Kingdom, and the Principles whereby the Nation has govern'd itself during so many Ages. It is not on the other Hand, by an Edict, that the Condition of the legitimated could be settl'd upon a Level with the lawful Princes. Nature alone gives these Princes, and it is not fit we should owe them to the Weakness that our Sovereigns may have for their unlawful Issue.

*Mem.* The Duke du Maine maintains, that such a Petition cannot be receiv'd in any Tribunal for several Reasons, and amongst others for the following: To present a Petition to the Parliament, is (b) to require of them to derogate from the Authority of an Edict, which they themselves have solemnly register'd, without any Contradiction or Remonstrance; which consequently has been register'd in the other Parliaments of the Kingdom, and which that illustrious Body have executed on several Occasions,

cations, and namely, in the Assembly, on the King's holding his Seat of Justice, the most solemn that has been known since the Meeting of the State-General of the Kingdom. 'Tis to require of the Parliament to decide what they have already decided, contrary to the Law, *his non judicatur in idem*. 'Tis to require them to pronounce a Judgment contrary to their former, and to retract the same in the Face of the World; and that, to satisfy the Duke, that august Body should give all the Kingdom Cause to suspect that they did not know the Consequences of what they did when they promulgated a Law issuing from the Royal Authority, and less still when they observ'd it on so many Occasions.

*Remarks. (b)* Whom does the Author of this Memorial imagine to impose upon, when he says, that the Parliament cannot receive any Petition against this Edict, because they did themselves solemnly register it without any Contradiction: That this is to require them to decide what they have already decided, &c. Had that August Body at the Time of the registering of the said Edict, any Means left to oppose the same? The Privileges of Remonstrances was taken from them since the Years 1667 and 1668; and therefore they had no other Way left then a formal Disobedience, which was inconsistent with their Zeal for their King, and the Character of that Prince, who would not allow of any Delay in the Execution of his Orders. It cannot therefore be inferr'd, that the Parliament, the natural Guardians of our Kings, the Protectors of the Laws of the State, who on so many Occasions, have so vigorously asserted and maintain'd the wise Decision thereof; and particularly in the Year 1593, when they preserv'd that which is the chief Foundation of the ether, did not know, and were not fully perswaded of the irregular Conquest, which was observ'd in Respect to the Legitimated Princes; but being convinc'd of the Weakness of its Foundation, they preferr'd a respectful Silence to an useless and unseasonable Resistance, at a Time when it was still indifferent how the Succession was regulated. To conclude, from the inserting in their Registers the Dispositions of a Prince who would be obey'd, that they acquiesc'd therein; to call their forc'd and involuntary Submission, a free Decision: These are Consequences which none can justly infer.

*Altem.* Furthermore, this Petition is odious in the Person of the Duke: It strikes at the Royal Authority the sole Arbitrer and Disposer of Ranks and Dignities: It is injurious