

TREATY OF UTRECHT, 1713

Treaty of Peace and Friendship between the most serene and most potent Princess Anne, by the grace of God, Queen of Great Britain, France, and Ireland, and the most serene and most potent Prince Lewis XIV, the most Christian King, concluded at Utrecht the 31/11 day of March/April 1713.

X. The said most Christian King shall restore to the kingdom and Queen of Great Britain, to be possessed in full right for ever, the bay and streights of Hudson, together with all lands, seas, sea-coasts, rivers, and places situate in the said bay, and streights, and which belong thereunto, no tracts of land or of sea being excepted, which are at present possessed by the subjects of France. All which, as well as any buildings there made, in the condition they now are, and likewise all fortresses there erected, either before or since the French seized the same, shall within six months from the ratification of the present treaty, or sooner, if possible, be well and truly delivered to the British subjects, having commission from the Queen of Great Britain to demand and receive the same, entire and undemolished, together with all the cannon and cannon-ball which are therein, as also with a quantity of powder, if it be there found, in proportion to the cannon ball, and with the other provision of war usually belonging to cannon. It is, however, provided that it may be entirely free for the company of Quebec, and all other the subjects of the most Christian King whatsoever, to go by land, or by sea, whithersoever they please out of lands of the said bay, together with all their goods, merchandizes, arms, and effects, of what nature or condition soever, except such things as are above reserved in this article. But it is agreed on both sides, to determine within a year, by commissaries to be forthwith named by each party, the limits¹ which are to be fixed between the said Bay of Hudson, and the places appertaining to the French; which limits both the British and French subjects shall be wholly forbid to pass over, or thereby to go to each other by sea or by land. The same commissaries shall also have orders to describe and settle, in like manner, the boundaries between the other British and French colonies in those parts.

XI. The abovementioned most Christian King shall take care that satisfaction be given, according to the rule of justice and equity, to the English company trading to the Bay of Hudson, for all damages and spoil done to their colonies, ships, persons, and goods, by the hostile incursions and depra-dations of the French, in time of peace, an estimate being made thereof by commissaries to be named at the requisition of each party. The same commissaries shall moreover inquire as well into the complaints of the British subjects concerning ships taken by the French in time of peace, as also concerning the damages sustained last year in the island called Montserat, and others, as into those things of which the French subjects complain, relating to the capitulation in the island of Nevis, and castle of Gambia, also to French ships, if perchance any such have been taken by British subjects in time of peace. And in like manner into all disputes of this kind, which shall be found to have arisen between both nations, and which are not yet ended; and due justice shall be done on both sides without delay.

XII. The most Christian King shall take care to have delivered to the Queen of Great Britain, on the same day that the ratifications of this treaty shall be exchanged, solemn and authentic letters, or instruments, by virtue whereof it shall appear, that the island of St. Christophers is to be possessed alone hereafter by British subjects, likewise all Nova Scotia or Acadia, with its ancient boundaries, as also the city of Port Royal, now called Annapolis Royal, and all other things in those parts, which depend on the said lands and islands, together with the dominion, propriety, and possession of the said islands, lands, and places, and all right whatsoever, by treaties, or by any other way obtained, which the most

¹ For the boundaries see Mills, D., *A Report on the Boundaries of Ontario* (Toronto, 1873), *Ontario Sessional Papers*, vol. xi, No. 31; Canada, *House of Commons Debates*, 1889, pp. 1654 ff.; 52 and 53 Victoria, c. 28 (Imperial Act).