

Tractatus Navigationis
ET
COMMERCIORUM
INTER

*Serenissimam ac Potentissimam Principem ANNAM, Dei Gratia, Magnæ
Britanniæ, Franciæ, & Hibernæ, Reginam, & Serenissimum ac Potentissimum
Principem LUDOVICUM XIV. Dei Gratia, Regem Christianissimum,
Conclusus Trajecti ad Rhenum die $\frac{31}{11}$ Martii Anno 1713.*

Treaty of Navigation
AND
COMMERCE
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* the XIVth, the most Christian King,
Concluded at *Utrecht* the $\frac{31}{11}$ Day of $\frac{March}{April}$ 1713.

By Her Majesties Special Command.



LONDON,

Printed by *John Baskett*, Printer to the Queens most Excellent Majesty,
And by the Assigns of *Thomas Newcomb*, and *Henry Hills*, deceas'd. 1713.

Tractatus Navigationis & Com-
merciorum inter Serenissimam
ac Potentissimam Principem
Annam, Dei Gratia, Magnæ Bri-
tanniæ, Franciæ, & Hiberniæ,
Reginam, & Serenissimum ac
Potentissimum Principem Ludo-
vicum XIV. Dei Gratia, Regem
Christianissimum, Conclusus
Trajecti ad Rhenum die $\frac{31}{11}$ Martii
Aprilis
Anno 1713.



Uemadmodum Se-
renissima ac Potentissi-
ma Princeps & Do-
mina Anna, Dei
Gratia, Magna Bri-
tanniæ, Franciæ, &
Hiberniæ, Regina,
& Serenissimus ac
Potentissimus Prin-
ceps & Dominus Ludovicus Decimus
Quartus, Dei Gratia, Rex Christianissi-
mus, Ex quo ad Pacis Studia, Deo dis-
ponente, animos adverterint, ad Utilita-
tes Subditorum suorum inde proventuras
per mutuam Navigationis & Commercio-
rum Libertatem adaugendas, utpote que
precipuus pacis tam Fructus quam Fir-
mamentum esse debeant, prono utrinque
desiderio ferebantur: Eumque in Finem
Legatis suis Extraordinariis & Plenipo-
tentiariis; Trajectum ad Rhenum conven-
turis, in Mandatis clementissimè dede-
runt, ut tam Paci redintegrandæ, quam
renovandis, adque hodiernum rerum sta-
tum aptandis anterioribus inter ambas
Gentes, Commerciorum Fœderibus, ope-
ram omni studio conferrent: Scilicet

Treaty of Navigation and Com-
merce between the most Serene
and most Potent Princess *Anne*,
by the Grace of God, Queen of
*Great Britain, France, and Ire-
land*, and the most Serene and
most Potent Prince *Lewis* the
XIVth, the most Christian King,
Concluded at *Utrecht* the $\frac{11}{11}$ Day
of $\frac{March}{April}$ 1713.



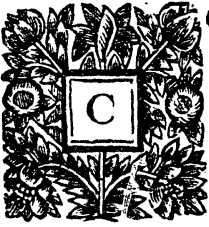
Hereas the most Se-
rene and most Po-
tent Princess and
Lady *Anne*, by the
Grace of God,
Queen of Great
Britain, France, and
Ireland, and the most
Serene and most Potent Prince and Lord
Lewis the Fourteenth, by the Grace of
God, the most Christian King, since They
apply'd Their Minds, by the disposal of the
Almighty, to the study of Peace, have Both
been moved with an earnest desire to in-
crease the Advantages of Their Subjects,
which are to arise therefrom, by a Reci-
procal Liberty of Navigation and Com-
merce, which ought to be as well the
Principal Fruit, as Establishment of Peace:
And to that end They have most Graciously
given Instructions to Their Ambassadors Ex-
traordinary and Plenipotentiaries, going to
the Congress at *Utrecht*, that they should
employ their utmost Diligence and Care
both to Reestablish Peace, and to Renew
the former Treaties of Commerce between
the Two Nations, and to adapt them to

Sacra Regia Majestas Magnæ Britannæ, Reverendo admodum Johanni, permissione Divinâ, Episcopo Bristolienfi, Privati Angliæ Sigilli Custodi, Regiæ Majestati à Consiliis Intimis, Decano Windesoriensi, & Nobilissimi Ordinis Periscelidis Registrario: Ut & Nobilissimo, Illustrissimo, atque Excellentissimo Domino Domino Thomæ Comiti de Strâfford, Vice-Comiti Wentworth de Wentworth-Woodhouse, & de Staineborough, Baroni de Raby, Regiæ suæ Majestati à Consiliis Intimis, Ejusdem Legato Extraordinario & Plenipotentiario ad Cæsos & Præpotentes Dominos Ordines Generales Uniti Belgii, Regiæ suæ Majestatis Dimachorum Legionis (vulgo Regiment) Tribuno, & Exercituum Regionum Locum-Tenenti Generali, Primario Admiralitatis Magnæ Britannæ & Hiberniæ Domino Commissario, & Nobilissimi Ordinis Periscelidis Equiti: Sacra autem Regia Majestas Christianissima Nobilissimis, Illustrissimis, atque Excellentissimis Dominis, Domino Nicolao Marchioni de Uxelles, Marshallo Franciæ, Regionum Ordinum Equiti Terquato, & Locum-Tenenti Generali in Ducatu Burgundiæ; Et Domino Nicolao Mesnager, Regii Ordinis Sancti Michaelis Equiti. Dicti proinde Legati, quo propositum Regiarum Suarum Majestatum piùm adeò & salutare optatum sortiretur Effectum; habitis variis eâ de re Colloquiis, concinnatisq; quantum prætemporis Angustiâ licuit, rerum utrinque momentis, inter ipsos tandem post Plenipotentias, quibus hæc in parte Muniti sunt, communicatas invicem, & ritè mutatas, quarum Apographa sub Finem hujus Instrumenti, Verbo tenus inserta sunt, super Navigationis & Commerciorum Articulis, modo formaque, prout sequitur, convenerunt.

the Present State of Affairs; That is to say, Her Sacred Royal Majesty of Great Britain, to the Right Reverend John, by Divine Permission, Bishop of Bristol, Keeper of the Privy-Seal of England, One of Her Majesties Privy-Council, Dean of Windsor, and Register of the most Noble Order of the Garter: As also to the most Noble, Illustrious, and Excellent Lord Thomas Earl of Strâfford, Viscount Wentworth of Wentworth-Woodhouse, and Stainborough, Baron of Raby, One of Her Majesties Privy Council, Her Ambassador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the United Netherlands, Colonel of Her Majesties Regiment of Dragoons, Lieutenant General of Her Majesties Forces, First Lord Commissioner of the Admiralty of Great Britain and Ireland, and Knight of the most Noble Order of the Garter: And His Sacred Royal most Christian Majesty, to the most Noble, Illustrious and Excellent Lords, Nicolas Marquis of Huxelles, Marshal of France, Knight of the King's Orders, and Lieutenant General of the Dukedom of Burgundy; and Nicolas Mesnager, Knight of the King's Order of St. Michael. Whereupon the said Ambassadors, to the end that the Design of Their Royal Majesties which is so Pious and Wholsom might attain the desired Effect, having had several Conferences upon that Affair, and having adjusted the Principal Matters on both sides, as far as they could in so short a time, after having Communicated to each other, and duly Exchanged the full Powers, wherewith they were provided for this purpose, Copies whereof are inserted word for word at the end of this Instrument, have Agreed upon Articles of Navigation and Commerce, in manner and form as follows.

I. Conventum

I.



Conventum & concordatum est inter Serenissimam & Potentissimam Magnæ Britanniae Reginam, & Serenissimum ac Potentissimum Regem Christianissimum, Quod reciproca & omnibus modis absoluta sit Libertas Navigationis & Commercio- rum inter utriusque partis Subditos, per omnia & quævis Regiarum suarum Majestatum Regna, Status, Ditiones, & Provincias in Europa, circa omnia & singula Mercium genera, iis in Locis, iisque Conditionibus, modo formæque, prout in sequentibus Articulis definitur & statuitur.

II.

Ut vero inter antememoratarum partium Subditos, commercium & Amicitia secura dehinc, & ab omni Perturbatione & Molestia tuta sit, conventum & conclusum est, ut si quando inter Regiarum suarum Majestatum Coronas mala aliqua Intelligentia, & Amicitiae Interruptio Rupturave suboriantur, (quod Deus avertat,) tum Terminus sex Mensium post dictam Rupturam, utriusque partis Subditis in alterius Ditione commorantibus, dabitur, quo recipere sese una cum Familiis, Bonis, Mercimoniis, & Facultatibus suis, easque asportare licebit

I.



It is Agreed and Concluded between the most Serene and most Potent Queen of *Great Britain*, and the most Serene and most Potent, the most Christian King, That there shall be a reciprocal, and intirely perfect Liberty of Navigation and Commerce between the Subjects on each part, through all and every the Kingdoms, States, Dominions, and Provinces of Their Royal Majesties in *Europe*, concerning all and singular kinds of Goods, in those Places, and on those Conditions, and in such manner and form, as is settled and adjusted in the following Articles.

II.

But that the Commerce and Friendship between the Subjects of the abovesaid Parties may be hereafter secure, and free from all Trouble and Molestation, it is Agreed and Concluded, That if at any time any ill Understanding, and Breach of Friendship, or Rupture should happen between the Crowns of Their Royal Majesties (which God forbid) in such case the Term of Six Months shall be allowed, after the said Rupture, to the Subjects and Inhabitants on each part, residing in the Dominions of the other, in which they themselves quoquo-

quoquoeversum ipsis placuerit; Sicut & iis permiffa tunc erit Venditio & Alienatio Bonorum fitorum, Mobilium Immobiliumque rerum, liberè & abfque ulla Interturbatione; Nec eorum Bona, Res, Merces, & Facultates, nedum ipfimet Arresto, vel manus Iniectione, interea temporis detinendi vel infestandi funt; Bonâ quinetiam interea promptâque Iuftitiâ fruuntur, utentur, alterutrinque Subditi, quo currente dicto Spatio Semeftri, Res & Facultates fuas, tam publico quam privatis conceditas, recuperare poffint.

III.

Conventum quoque & statutum eft, quod Subditi & Incolæ Regnorum, Provinciarum, & Ditionum utriusque Regiæ Majestatis, nullos in posterum exercent inter fe Hostilitatis Actus & Violentias, nec Mari, nec Terrâ, nec in Fluviis, Fluminibus, Portibus, aut Stationibus, sub quocunque nomine aut prætextu, ita ut Subditi utriusque partis nullum Diploma, Commissionem, vel Instructionem pro privatis Armaturis Navalibus exercendis, neque Literas Reffalfiarum, ut vocant, aliquorum Principum aut Statuum, qui ipsis hinc inde hostes funt, recipiant; Neque vi aut

may retire, together with their Families, Goods, Merchandizes, and Effects, and carry them whithersoever they shall please; As likewise at the same time the selling and disposing of their Goods, both moveable, and immoveable, shall be allowed them freely and without any disturbance; and in the mean time their Goods, Effects, Wares, and Merchandizes, and particularly their Persons, shall not be detained or troubled by Arrest or Seizure: But rather in the mean while the Subjects on each side shall have and enjoy good and speedy Justice, so that, during the said space of Six Months, they may be able to recover their Goods and Effects entrusted as well to the publick, as to private Persons.

III.

It is likewise Agreed and Concluded, That the Subjects and Inhabitants of the Kingdoms, Provinces, and Dominions of each of Their Royal Majesties, shall exercise no Acts of Hostility and Violence against each other, neither by Sea, nor by Land, nor in Rivers, Streams, Ports or Havens, under any colour or pretence whatsoever, so that the Subjects of either Party shall receive no Patent, Commission, or Instruction, for Arming and Acting at Sea as Privateers, nor Letters of Reffisal, as they are called, from any Princes or States, which are Enemies to one side or the

A prætextu

prætextu eorundem Diplomatum, Commissionum, vel Repressaliarum, prædictos Magnæ Britannæ Reginae, aut Regis Christianissimi Subditos & Incolas, turbent, infestent, vel Incommodo Damnove aliquo afficiant, neque ejusmodi vel Armaturam exercent, ve eâ in altum procedant; In quem finem toties quoties requiritur ab utraque parte, in omnibus utriusque partis Regionibus, Dominis, & Ditionibus quibuscunque, Prohibitiones strictæ & expressæ renoventur & publicentur, Ne quis hujusmodi Commissionibus, vel Literis Repressaliarum ullo modo utatur, sub pœnâ atrocissimâ, quæ contra Violatores infligi possit, præter Restitutionem & plenariam Satisfactionem iis præstandam, quibus damnum aliquod intulerint, nec ullæ in posterum Repressaliarum Literæ ab altera dictorum Fœderatorum parte concedentur in alterius Subditorum Detrimentum aut Incommodum, nisi eo tantum Casu, quo Justitia denegata est, aut dilata; Cui Denegationi aut Dilationi fides non habebitur, nisi Libellus Supplex ejus qui prædictas Repressaliæ Literas postulaverit, communicatus sit Ministro, qui à parte Principis illius, contra cujus Subditos illæ dandæ sunt, eo loci residebit, ut intra quatuor Mensium tempus, aut prius, si fieri possit, contrarium docere, aut Complementum quod Justitiæ debeat procurare possit.

other; nor by Vertue, or under Colour of such Patents, Commissions or Reprisals, shall they disturb, infest, or any way prejudice or damage the aforesaid Subjects and Inhabitants of the Queen of *Great Britain*, or of the most Christian King; neither shall they arm Ships in such manner as is aforesaid, or go out to Sea therewith. To which end, as often as it is required by either side, strict and express Prohibitions shall be renewed and published in all the Regions, Dominions, and Territories of each Party wheresoever, That no one shall in any wise use such Commissions or Letters of Reprisal, under the severest Punishment that can be inflicted on the Transgressors, besides Restitution and full Satisfaction to be given to those, to whom they have done any damage; neither shall any Letters of Reprisal be hereafter granted on either side by the said Confederates, to the Detriment or Disadvantage of the Subjects of the other, except in such case only as Justice is denied or delayed; to which Denial or Delay, Credit shall not be given, unless the Petition of the Person who desires the said Letters of Reprisal, be communicated to the Minister residing there on the part of the Prince, against whose Subjects they are to be granted, that within the space of Four Months, or soon-

er, if it be possible, he may evince the contrary, or procure the Performance of what is due to Justice.

IV.

Liberum sit utriusque prædictorum Confœderatorum Subditis & Incolis, Terrestri, vel Maritimo, & quocunque denique Itinere, in alterius Fœderati Regna, Regiones, Provincias, Terras, Insulas, Urbes, Villas, Oppida murata, vel non murata, munita, vel immunita, Portus, Dominia, vel Ditiones quascunque in Europa, liberè & securè, absque Licentia vel salvo Conductu generali aut speciali, ingredi, ire, atq; inde redire, ibidem commorari, aut easdem transire, & omnia interim victui, usuiq; suo necessaria emere, atque pretio pro lubitu comparare, omnique benevolentia & favore reciproco tractentur. Cautum tamen esto ut in hisce omnibus ad præscripta Legum & Statutorum se gerant & componant, amicè quoque & pacatè inter se vivant & conversentur, omnique bonâ Intelligentiâ Concórdiam mutuam alant.

V.

Subditis utriusque Regiæ Majestatis Libertas sit & Potestas, cum suis Navibus, ut & Mercibus, rebusque iisdem impositis, quorum Commercium aut Asportatio Legi-

IV.

The Subjects and Inhabitants of each of the aforesaid Confederates shall have Liberty, freely and securely, without Licence or Passport, general or special, by Land or by Sea, or any other way, to go into the Kingdoms, Countries, Provinces, Lands, Islands, Cities, Villages, Towns, walled or unwalled, fortified, or unfortified, Ports, Dominions, or Territories whatsoever of the other Confederate in *Europe*, there to enter, and to return from thence, to abide there, or to pass through the same, and in the mean time to Buy and Purchase as they please, all things necessary for their Subsistence and Use, and they shall be Treated with all mutual kindness and favour. Provided however that in all these Matters they behave and comport themselves conformably to the Laws and Statutes, and live and converse with each other friendly and peaceably, and keep up reciprocal Concord by all manner of good Understanding.

V.

The Subjects of each of Their Royal Majesties may have Leave and Licence to come with their Ships, as also with the Merchandizes and Goods on Board the same
bus

bus utriusque Regni prohibita non sunt, ad utriusq; partis Terras, Regiones, Urbes, Portus, Loca, & Fluvios in Europa appellere, eoque adire, ibique frequentare, commorari, ac residere, absque ulla temporis restrictione, Domicilia etiam conducere, vel apud alios hospitari, omniaque mercium genera licita, ubi visum fuerit, emere à primo opifice vel venditore, aliove quovis modo, sive in publico rerum venalium Foro, in Emporiis, Nundinis, aut ubicunque loci Merces istæ laborantur aut venduntur; Merces quoque aliunde advectas in Repositoriis & Apothecis suis condere, aservare, indeque venum exponere licebit, neque ullo modo dictas suas Merces in Emporia & Nundinas, nisi sponte & libenter, asportare tenebuntur, ea tamen lege ne easdem in Tabernis, aut alibi minutatim vendant. Ob dictam autem Commerciorum libertatem, aliæve quâcunque de causâ, Impositionibus ullis aut Oneribus gravandi non erunt, præter ea quæ pro Navibus & Mercibus suis Legibus & Consuetudinibus in utroque Regno receptis solvenda veniunt. Quinetiam libera iis sit, quâcunque & quocunque ipsis visum fuerit, sese, ut & si Matrimonium forte contraxerint, Uxores, Liberos, Famulosque suos, una cum Mercibus & Facultatibus, Rebus, Bonisque suis, sive emptis, sive advectis, extra Regni utriusq; Limites, Solutis Vectigalibus con-

(the Trade and Importation whereof are not prohibited by the Laws of either Kingdom) to the Lands, Countries, Cities, Ports, Places, and Rivers of either side in *Europe*, to enter into the same, to resort thereto, to remain and reside there, without any Limitation of time; also to hire Houses, or to lodge with other People, and to buy all lawful kinds of Merchandizes, where they think fit, from the first Workman or Seller, or in any other manner, whether in the publick Market for the Sale of things, in Mart-Towns, Fairs, or wheresoever those Goods are Manufactured or Sold; they may likewise lay up and keep in their Magazins and Ware-houses, and from thence expose to Sale Merchandizes brought from other Parts; neither shall they be in any wise obliged, unless willingly and of their own accord, to bring their said Merchandizes to the Marts and Fairs, on this Condition however, That they shall not sell the same by Retail in Shops, or any where else. But they are not to be loaded with any Impositions or Taxes on account of the said Freedom of Trade, or for any other Cause whatsoever, except what are to be paid for their Ships and Goods according to the Laws and Customs received in each Kingdom. And moreover they shall have free Leave, without any Molestation, to remove themselves, also if they shall

fuetis, Terra Marique, per Fluvios & Aquas dulces, sine Molestia, transferendi potestas; non obstante Lege qualibet, Privilegio, Concessione, Immunitate, aut Consuetudine, contrariumullo modo designante. In re autem Religionis integra Subditis utriusque Fœderatorum, ut &, si Matrimonium Contraxerint, eorum Uxoribus ac Liberis, constabit Libertas, neque in Ecclesiis, aut alibi, sacris interesse cogendi erunt: Ipsis autem è contrario Rem Divinam suo more, etiam si Legibus Regni vetito, privatim, & inter proprios parietes, & absque aliorum quorumcunque Interventu, facere, omnino & absque ulla molestia licebit. Facultas porrò Subditos utriusque partis in alterius Ditionibus defunctos, locis commodis & honestis, ad id quacunque occasione designandis, Sepeliendi deneganda non erit, neque Sepulorum Cadavera ullâ molestiâ afficienda erunt. Leges autem & Statuta utriusque Regni in pleno vigore manebunt, debitæque Executioni mandabuntur, sive Commercium & Navigationem, sive Jus aliquod aliud respiciunt, iis duntaxat Casibus exceptis, de quibus in præsentis Tractatus Articulis aliter statutum fuerit.

happen to be Married, their Wives, Children, and Servants, together with their Merchandizes, Wares, Goods and Effects, either bought or imported, whensoever and whithersoever they shall think fit, out of the Bounds of each Kingdom, by Land and by Sea, on the Rivers and Fresh Waters, Discharging the usual Duties, notwithstanding any Law, Privilege, Grant, Immunity or Custom, in any wise importing the contrary. But in the Business of Religion, there shall be an entire Liberty allowed to the Subjects of each of the Confederates, as also, if they are Married, to their Wives and Children, neither shall they be Compelled to go to the Churches, or to be present at the Religious Worship in any other place. On the contrary, they may without any kind of Molestation perform their Religious Exercises after their own way, altho' it be forbid by the Laws of the Kingdom, privately and within their own Walls, and without the Admittance of any other Persons whatsoever. Moreover Liberty shall not be refused to Bury the Subjects of either Party, who Dye in the Territories of the other, in convenient and decent places, to be appointed for that purpose, as occasion shall require; neither shall the dead Bodies of those that are Buried be any ways molested. The Laws and Statutes of each Kingdom shall re-

main in full force, and shall be duly put in Execution, whether they relate to Commerce and Navigation, or to any other Right, those Cases only being excepted, concerning which it is otherwise determined in the Articles of this present Treaty.

VI.

Solvent utriusque partis Subditi Telonia, Vectigalia, & Introitus Exitusque Jura, per omnes utriusque partis Ditiones & Provincias, debita & consueta. Et ut unicuique de prædictis Teloniis, Vectigalibus, & Introitus Exitusque Juribus quibuscunque constare certo possit, Convenum pariter est, quod Indices Vectigalia, Portoria, & Impositiones designantes, publicis extrahantur locis, tam Londini, & in aliis Urbibus intra Ditiones Reginæ Magnæ Britanniæ, quam Rothomagi, & in aliis Galliæ Urbibus Mercaturæ assuetis, ad quas recurri possit quotiescunque Lis aut Quæstio de talibus Portoriis, Vectigalibus, seu Impositionibus oriatur; quæ eo modo, & non aliter, exigenda erunt, prout disertis verbis & genuino supra-dictarum Tabularum tenori consentaneum erit. Et si quis Officialis, aut alius nomine ejus, sub quovis prætextu, publicè vel privatim, directè vel indirectè, à mercatore, vel alio, summam ullam pecuniæ, seu aliud quodcunque postulabit aut accipiet, ratione Juris, Debiti, Stipendii, Exhibitionis, seu

VI.

The Subjects of each Party shall pay the Tolls, Customs, and Duties of Import and Export through all the Dominions and Provinces of either Party, as are due and accustomed. And that it may be certainly known to every one what are all the said Tolls, Customs, and Duties of Import and Export, It is likewise agreed, That Tables shewing the Customs, Port-Duties, and Imposts, shall be kept in Publick Places, both at *London*, and in other Towns within the Dominions of the Queen of *Great Britain*, and at *Roan*, and other Towns of *France*, where Trading is used, whereunto recourse may be had, as often as any question or dispute arises concerning such Port-Duties, Customs, and Imposts, which are to be demanded in such manner, and no otherwise, as shall be agreeable to the plain Words and Genuine Sense of the abovesaid Tables. And if any Officer, or other Person in his name, shall, under any pretence, publickly or privately, directly or indirectly, ask or take of a Merchant, or of any other Person, any Sum of

Compensationis, etiam sub nomine spontanei Doni, aut alio quovis modo, vel prætextu, plus aut aliter quam supra præfinitum est, tum dictus Officialis, aut Vicarius ejus, si coram Judice Competente, in Regione ubi crimen admissum est, ejusdem reus & convictus teneatur, Parti læsæ plenam satisfactionem dabit, & etiam juxta Legum præscripta pœnâ debitâ afficietur.

VII.

Mercatores, Navarchæ, Naucleri, Nautæ, homines quicunque, Naves, & omnia in universum Mercimonia, & bona Confœderati alterius, ejusque Subditorum, & Incolarum, nullo publico privatoque nomine, vi alicujus Edicti generalis, aut specialis, in Terris, Portibus, Stationibus, Littoribus vel Ditionibus quibuscunque, alterius Fœderati, in Usus publicum, Expeditiones bellicas, aliamve ob causam, multo minus ob Usus cujusquam privatum, apprehendantur, per Arresta detineantur, violentiâ aliquâ, vel ullâ ejusdem specie cogantur, ullâve afficiantur molestiâ vel injuriâ. Porro utriusque partis subditis quidquam aut capere, aut vi extorquere nefas esto, nisi consentiat ille cui competit, ac paratâ pecuniâ persolvatur, quod tamen non intelligen-

Money, or any thing else on account of Right, Dues, Stipend, Exhibition, or Compensation, altho' it be under the name of a free gift, or in any other manner, or under any other pretence, more, or otherwise, than what is prescribed above, in such case the said Officer, or his Deputy, if he be found guilty, and convicted of the same before a competent Judge, in the Country where the Crime was committed, shall give full Satisfaction to the Party that is wronged, and shall likewise be punished according to the Direction of the Laws.

VII.

Merchants, Masters of Ships, Owners, Mariners, Men of all kinds, Ships, and all Merchandizes in general, and Effects of one of the Confederates, and of his Subjects and Inhabitants, shall on no publick or private Account, by virtue of any general or special Edict, be Seized in any the Lands, Ports, Havens, Shores, or Dominions whatsoever of the other Confederate for the Publick Use, for Warlike Expeditions, or for any other Cause, much less for the private use of any one, shall they be detained by Arrests, compelled by Violence, or under any colour thereof, or in any wise Molested or Injured. Moreover it shall be unlawful for the Subjects of both Parties, to take any thing, or to extort it by force, except the Person to whom it belongs consent,

dum

dum est de ea detentione & manus injectione, quæ mandato & auctoritate Justitiæ, viisq; ordinariis facta erit, debiti vel delicti causâ, quorum respectu viâ Juris, secundum formam Justitiæ, agendum sit.

VIII.

Præterea conventum & statutum est pro Regulâ Generali, quod omnes & singuli Serenissimæ Magnæ Britannicæ Reginae & Serenissimi Regis Christianissimi Subditi, in omnibus Terris, Locisque, hinc inde ipsorum Imperio subjectis, circa omnia Jura, Impositiones, aut Vestigalia quæcunque, Personas, Merces, & Mercimonia, Naves, Nautas, Navigationem & Commercia concernentia, iisdem ad minimum Privilegiis, Libertatibus & Immunitatibus utantur, fruuntur, pariq; favore in omnibus gaudeant, tam in Curia Justitiæ, quam in iis omnibus quæ sive Commercia, sive aliud Jus quodcunque respiciunt, quibus amicissima quævis gens extera utitur, fruitur, gaudetque, aut in posterum uti, frui, aut gaudere possit.

IX.

Conventum ulterius est, quod intra spatium duorum Mensium, ex quo in Magnâ Britannia Lex lata fuerit, per quam factum erit,

and it be paid for with ready Money. Which however is not to be understood of that Detention and Seizure, which shall be made by the Command and Authority of Justice, and by the ordinary Methods, on account of Debt, or Crimes, in respect whereof the Proceeding must be by way of Law, according to the form of Justice.

VIII.

Furthermore it is agreed and concluded as a general Rule, That all and singular the Subjects of the most Serene Queen of *Great Britain*, and of the most Serene the most Christian King, in all Countries and Places subject to their Power on each side, as to all Duties, Impositions, or Customs whatsoever, concerning Persons, Goods and Merchandizes, Ships, Freights, Seamen, Navigation and Commerce, shall use and enjoy the same Privileges, Liberties, and Immunities at least, and have the like favour in all things, as well in the Courts of Justice, as in all such things as relate either to Commerce, or to any other Right whatever, which any Foreign Nation, the most favoured, has, uses, and enjoys, or may hereafter have, use, and enjoy.

IX.

It is further agreed, That within the space of two Months after a Law shall be made in *Great Britain*, whereby it shall be sufficiently
ut

ut nulla Portoria, five Vectigalia de Bonis, Mercimoniisq; è Gallia in Magnam Britanniam deportatis, amplius exigantur, quam quæ de Bonis, Mercimoniisq; ejusdem Naturæ, ex aliâ quâvis Regione in Europâ sita, in Magnam Britanniam deportatis, exiguntur, utq; Leges omnes post Annum 1664. in Magnâ Britannia latæ ad prohibendam ullo- rum è Gallia venientium Bonorum, Mercimoniorumq; Importationem, quæ ante id tempus prohibita non fuerant, abrogentur, Tariffa Generalis decimo octavo Die Septembris Anni 1664. in Gallia facta, ibidem denuò obinebit, & Vectigalia probonis advehendis evehendisq; in Gallia per Subditos Magnæ Britannia solvenda, ad tenorem Tariffæ supra- dictæ pendentur, modumque in eadem constitutum, haudquaquam excedent in Provinciis, quarum ibi mentio facta est, in reliquis autem Provinciis Vectigalia non nisi ad normam tunc temporis præscriptam exigenda erunt, omnesq; Prohibiti- ones, Tariffæ, Edicta, Declarationes, five Decreta, post Tariffam illam Anni 1664. & contra illam, quoad Bona, Mercesq; Magnæ Britannia, in Gallia factæ abrogantur. Quando- quidem vero ex parte Gallia con- tenditur ut quædam Mercimonia, viz. Lanificia, Saccharum, Pisces Saliti, & quæ ex Cæcis proveniunt, ex Tariffæ supramemorata regulâ excipiantur, aliaq; porro Capita rerum restent, ad hunc Tractatum

provided that no more Customs or Duties be paid for Goods and Merchandizes brought from *France* to *Great Britain*, than what are pay- able for Goods and Merchandizes of the like nature, Imported into *Great Britain*, from any other Country in *Europe*; and that all Laws made in *Great Britain* since the Year 1664. for Prohibiting the Importation of any Goods and Merchandizes coming from *France*, which were not Prohibited before that time, be repealed, the general Tariff made in *France* the 18th Day of *September* in the Year 1664. shall take place there again, and the Duties payable in *France* by the Subjects of *Great Britain*, for Goods Imported and Exported, shall be paid according to the Tenour of the Tariff abovementioned, and shall not exceed the Rule therein fet- tled, in the Provinces whereof mention is there made, and in the other Provinces the Duty shall not be payable, otherwise than ac- cording to the Rule at that time prescribed; And all Prohibitions, Tariffs, Edicts, Declarations or De- crees made in *France* since the said Tariff of the Year 1664. and contrary thereunto, in respect to the Goods and Merchandizes of *Great Britain*, shall be Repealed. But whereas it is urged on the Part of *France*, that certain Merchandizes, that is to say, Manufactures of Wooll, Sugar, Salted Fish, and the Pro- spectantia,

ſpectantia, quæ ex parte Magnæ Britanniæ propoſita, hæcenus autem mutuò accommodata non fuerint, quorum omnium in Inſtrumento ſeparato, à Legatis utriq; Extraordinariis & Plenipotentiariis ſubſcripto, Specificatio continetur; Proviſum hiſce, concordatumq; eſt, quòd intra bi-meſtre ſpatium, ab extraditis huius Tractatus Ratiſhabitionum Tabulis, Londini convenient utriuſq; partis Commiſſarii, ad perpendendas, expediendasq; difficultates de Mercimoniis è Tariffa Anni 1664. excipiendis, deque cæteris Capitibus nondum ſatis, ut ſupra dictum eſt, accommodatis. Iidemque Commiſſarii pariter operam dabunt, quòd utriuſque Nationis Commodis maximè conſentaneum fore videretur, ut Commerciorum hinc inde Rationes penitus excutiantur, & Impedimentis hæc in parte tollendis, Veſtigialibusque mutuò componendis, media æqua, & utrinque utilia inveniantur, ſtabilianturque. Proviſum tamen præcautumque ſemper eſt, ut Articuli omnes & ſinguli huius Tractatus in pleno interim vigore maneat; Atque imprimis ut nihil quidquam Impedimento eſſe cenſeatur, ſub quocunq; prætextu, quo minus Tariffæ generalis Anni 1664. Beneficium Subditi Regiæ ſuæ Maieſtatis Magnæ Britannæ concedatur, atque eadem ſine ullâ morâ, aut tergiverſatione fruantur, gaudeantque dicti Subditi Britannici intra bi-meſtre ſpatium à

duct of Whales be excepted out of the Rule of the abovementioned Tariff, and likewise other Heads of Matters belonging to this Treaty remain, which having been propoſed on the part of *Great Britain*, have not yet been mutually adjusted, a Specification of all which is contained in a ſeparate Inſtrument Subſcribed by the Ambaſſadors Extraordinary and Plenipotentiaries on both ſides; It is hereby Provided and agreed, that within two Months from the Exchange of the Ratiſications of this Treaty, Commiſſaries on both ſides ſhall meet at *London*, to conſider of, and remove the difficulties concerning the Merchandizes to be excepted out of the Tariff of the Year 1664. and concerning the other heads, which, as is aboveſaid, are not yet wholly adjusted. And at the ſame time the ſaid Commiſſaries ſhall likewise endeavour, (which ſeems to be very much for the Intereſt of both Nations) to have the methods of Commerce on one part, and of the other, more thoroughly examined, and to find out and eſtabliſh juſt and beneficial means on both ſides for removing the difficulties in this matter, and for regulating the Duties mutually. But it is always underſtood and provided, that all and ſingular the Articles of this Treaty, do in the mean while remain in their full force, and eſpecially that nothing be deemed,

Lege in Magnâ Britannîâ, ut supra memoratum est, latâ, modo formaque tam amplâ, ac Subditi Gentis cuiuspiam amicissimæ, præfatæ Tariffæ beneficio frui, ac gaudere possent, omnino in contrarium haud obstante re qualibet à Commissariis prædictis faciendâ, discutiendâve.

X.

Vestigialia pro Herbâ Nicotianâ, sive rudi, sive elaboratâ, in Galliam advehendâ, ad eandem dehinc Moderationis rationem revocabuntur, quâ Herba eadem in quibusvis Europæ, aut Americæ oris enata, in Galliam introducta, gaudet, & gavisura erit; Pro dictâ autem Herbâ eadem in Galliâ Vestigialia solvent utriusque partis Subditi, Par quoque in illâ vendenda Libertas, eademque Leges erunt Subditis Britannicis, quibus gaudebunt, aut tenebuntur ipsimet Galliæ Mercatores.

XI.

Statutum quoque est, quod Impositio, seu Tributum quinquaginta Solidorum Turonensium per singulas Tunnas Navibus Britannicis in

under any pretence whatsoever, to hinder the benefit of the General Tariff of the Year 1664. from being granted to the Subjects of Her Royal Majesty of *Great Britain*, and the said *British* Subjects from having and enjoying the same, without any Delay or Tergiversation, within the space of two Months after a Law is made in *Great Britain*, as abovesaid, in as ample manner and form as the Subjects of any Nation, the most favoured, might have and enjoy the benefit of the aforesaid Tariff, any thing to be done, or discussed by the said Commissioners, to the contrary in any wise notwithstanding.

X.

The Duties on Tobacco Imported into *France*, either in the Leaf, or prepared, shall be reduced hereafter to the same moderate Rate, as the said Tobacco, of the growth of any Country in *Europe* or *America*, being brought into *France*, does or shall pay. The Subjects on both sides shall also pay the same Duties, in *France* for the said Tobacco; There shall be likewise an equal liberty of Selling it; and the *British* Subjects shall have the same Laws as the Merchants of *France* themselves have and enjoy.

XI.

It is likewise concluded that the Imposition or Tax of 50 *Sols Tournois* laid on *British* Ships in *France* for every Tun, shall wholly Gallia

Galliâ impositum, cesset penitus & in posterum abrogetur; Cessabit pariter Tributum quinque Solidorum Sterlingorum, per singulas Tunnas Navibus Gallicis in Magnâ Britannîâ impositum; neque eadem, aliave istiusmodi Onera Subditorum alterutrinque Navibus in posterum imponentur.

XII.

Statutum præterea & conventum est, quod omnibus Mercatoribus, Navarchis, aliisque Subditis Reginæ Magnæ Britannîæ integrum sit in omnibus Galliæ locis negotia sua, per se tractare, vel quibuscunque ipsis placuerit tractanda demandare. Nec tenebuntur Interprete aliquo, vel Institore uti, nec nisi uti velint, iisdem Salarium aliquod persolvere. Præterea Magistri Navium non tenebuntur ad onerandas vel exonerandas Naves suas iis Operariis, qui publicâ authoritate ad id constituti fuerint, vel Burdegalæ, vel aliis in locis uti; sed ipsis integrum erit Naves suas vel per se onerare, aut exonerare, vel iis quibus visum fuerit in iis onerandis vel exonerandis uti, sine Salarîi alicujus alii cuicunque solutione; neque Merces quascunque vel in alia Navigia exonerare, vel in sua recipere, vel onerandas, ultra quam ipsis visum fuerit, expectare tenebuntur. Singuli autem Subditi Christianissimi Regis in omnibus locis Magnæ Britannîæ Dominio in Europa subjectis, iisdem Privilegiis & Li-

cease, and be from henceforward annulled. In like manner the Tax of Five Shillings Sterling, laid on *French Ships in Great Britain* for every Tun shall cease; neither shall the same, or any the like Impositions be laid hereafter on the Ships of the Subjects on either side.

XII.

It is further agreed and concluded, that it shall be wholly free for all Merchants, Commanders of Ships, and other the Subjects of the Queen of *Great Britain*, in all places of *France*, to manage their own business themselves, or to commit them to the management of whomsoever they please, nor shall they be obliged to make use of any Interpreter, or Broker, nor to pay them any Salary, unless they chuse to Make use of them. Moreover Masters of Ships shall not be obliged in loading or unloading their Ships to make use of those Workmen, either at *Bourdeaux*, or in any other places as may be appointed by Publick Authority for that purpose; but it shall be intirely free for them to load or unload their Ships by themselves, or to make use of such Persons in loading or unloading the same as they shall think fit, without the payment of any Salary to any other whomsoever; neither shall they be forced to unload any sort of Merchandizes either into

bertate vicissim gaudebunt, & fru-
entur.

other Ships, or to receive them into
their own, or to wait for their
being loaded longer than they
please. And all and every the Sub-
jects of the most Christian King
shall reciprocally have and enjoy
the same Privileges and Liberty in
all places in *Europe* subject to the
Dominion of *Great Britain*.

XIII.

Mercatoribus, aliisque Magnæ
Britanniæ Reginæ, & Regis Christi-
anissimi alterutrinque Subditis, om-
nino fas & liberum erit, Testamen-
to condito, & quavis aliâ dispositi-
one, vel sub tempus valetudinis,
vel quocunque spatio ante, aut
juxta articulum mortis, factâ legare,
aut dono dare Mercimonia sua,
Facultates, Pecuniam, Debita ad
ipsum redeuntia, & omnia Bona mo-
bilia, quæ tempore mortis intra Do-
minia, & quælibet loca ad Reginam
Magnæ Britanniæ, & Christianis-
simum Regem pertinentia, vel
habuerint, vel habere debuerint.
Quinetiam sive Testati, sive Inte-
stati moriantur, Legitimi eorum-
dem Hæredes & Executores, vel Ad-
ministratores intra alterutra Regna
commorantes, aut aliunde venien-
tes, etiamsi non sint in Civium nu-
merum relati, liberè & quietè re-
cipient, & occupabunt omnia dicta
Bona, & Facultates quascunque, se-
cundum Magnæ Britanniæ & Galliæ
Leges respectivas, ita tamen ut Te-
stamenta, & Jus adeundi Hereditates
Intestatorum, tam à Subditis Magnæ

XIII.

It shall be wholly lawful and
free for Merchants and others, be-
ing Subjects either to the Queen of
Great Britain, or to the most Chri-
stian King, by Will, and any other
Disposition made, either during the
time of Sickness, or at any other
time before, or at the point of
Death, to devise or give away their
Merchandizes, Effects, Money,
Debts belonging to them, and all
moveable Goods, which they have
or ought to have at the time of their
Death, within the Dominions and
any other places belonging to the
Queen of *Great Britain*, and to the
most Christian King. Moreover,
whether they Dye, having made
their Will, or Intestate, their law-
ful Heirs and Executors, or Admi-
nistrators, residing in either of the
Kingdoms, or coming from any o-
ther Part, although they be not
Naturalized, shall freely and qui-
etly receive and take possession of
all the said Goods and Effects what-
soever, according to the Laws of
Great Britain and *France* respective-
ly; in such manner however, that
Britan-

Britanniæ Reginæ, quam à Subditis Regis Christianissimi, probari ex Lege oporteat, iis in locis ubi quisque decefferit, sive id in Magnâ Britanniâ, sive in Galliâ contigerit, Lege quacunque, Statuto, Edicto, Consuetudine, sive *Droit d' Aubeine* è contra non obstantibus.

XIV.

Ortâ Lite inter Navium utriusq; partis Præfectum aliquem, ejusque Nautas in Portu quovis alterius partis, super Salario dictis Nautis debito, ali sive Causis civilibus, Magistratus loci, id tantum à Reo exiget, ut Declarationem scriptam Magistratûs testimonio muniendam Actori tradat, quâ se coram JUDGE in Patriâ suâ competente super eâ Causâ responsurum caveat; quo facto neq; Nautis Navem deserere, nec Præfectum in Itinere suo proficundo impedire licebit. Licitum quinetiam Mercatoribus utrinque erit, in locis Domicilii sui, aut alibi, prout ipsis commodum fuerit, Libros Rationum, & Negotiorum suorum asservare, Literarum etiam Commercium habere, eâ Lingua aut Idiome, quo ipsis visum fuerit, absque ullâ molestiâ aut Indagatione quibuscunque. Quod si ad Litem aliquam & Controversiam dirimendam ipsis Rationum suarum Libros proferre opus fuerit, eo in casu

the Wills, and Right of entring upon the Inheritances of Persons Intestate, must be proved according to Law, as well by the Subjects of the Queen of *Great Britain*, as by the Subjects of the most Christian King, in those places where each Person Died, whether that may happen in *Great Britain*, or in *France*, any Law, Statute, Edict, Custom, or *Droit d' Aubeine* whatever to the contrary notwithstanding.

XIV.

A Dispute arising between any Commander of the Ships on both sides, and his Seamen in any Port of the other Party, concerning Wages due to the said Seamen, or other Civil Causes, the Magistrate of the Place shall require no more from the Person accused, than that he give to the Accuser a Declaration in Writing, Witnessed by the Magistrate, whereby he shall be bound to answer that matter before a Competent Judge in his own Country, which being done, it shall not be lawful either for the Seamen to desert their Ship, or to hinder the Commander from prosecuting his Voyage. It shall moreover be lawful for the Merchants on both sides, in the places of their Abode, or elsewhere, to keep Books of their Accounts, and Affairs, as they shall think fit, and to have an Intercourse of Letters, in such Language or Idiom, as they shall please, without any molestation or search whatsoever.

integros Codices Tabulasve in Judicium afferre tenebuntur; ita tamen, ut Judici non liceat alios in dictis Codicibus Articulos inspicere, quam qui ad Testimonium vel auctoritatem de quibus agitur, spectabunt, vel qui ad fidem dictis Libris faciendam necessarii erunt. Neque dictos Codices, Tabulasve à Dominorum manibus, sub quovis prætextu, eripere, vel retinere licitum erit: Solo argentariæ Defectionis Casu, vulgo *Banqueroute*, excepto; Neque tenebuntur dicti Magnæ Britanniæ Reginæ Subditi Rationum Tabulas, Literarum Exemplaria, Actus, Commentariosve, ad commercium pertinentes, papyro Signis munito, Gallicè, *Papier timbré*, inscribere, præter Librum Diarium, qui ut fidem faciat in Lite, debet (gratis) secundum Leges quibus omnes in Gallia commercantes sunt astricti, à Judice subscribi & Chirographo subjici.

XV.

Armatoribus extraneis, non Subditis uni aut alteri Fœderatorum, habentibus Commissiones ab aliquo alio Principe, aut Statu, utriusvis gentis inimico, non licebit in Portibus unius aut alterius Partium predictarum, Naves suas

ever. But if it should happen to be necessary for them to produce their Books of Accounts for deciding any Dispute and Controversie, in such case they shall be obliged to bring into Court the intire Books or Writings, but so as that the Judge may not have liberty to inspect any other Articles in the said Books, than such as shall relate to the Testimony, or Authority in question, or such as shall be necessary to give Credit to the said Books; neither shall it be lawful, under any pretence, to take the said Books or Writings forcibly out of the Hands of the Owners, or to retain them; the case of Bankruptcy only excepted; neither shall the said Subjects of the Queen of *Great Britain* be obliged to Write their Accounts, Copies of Letters, Acts or Instruments relating to Trade, on Stamped Paper, in *French*, *Papier timbré*, except their Day-Book, which, that it may be produced as Evidence in any Law Suit, ought according to the Laws, which all Persons trading in *France* are to observe, to be Subscribed *gratis* by the Judge, and signed with his own hand.

XV.

It shall not be lawful for any Foreign Privateers, not being Subjects of one or of the other of the Confederates, who have Commissions from any other Prince, or State, in Enmity with either Nation, to fit their Ships in the Ports of one or the other of the instruere,

instruere, ea quæ ceperint, vendere, aut alio modo quocunque mutare tam Naves, Mercimonia, quam alia Onera quæcunque, & ne Victualia quidem coemere illis licitum erit, nisi quæ necessaria erunt ut perveniant ad Portum proximum illius Principis à quo Commissiones obtinuerint.

XVI.

Naves utriusque Partis oneratæ Oras vel Littora alterutrius præternavigantes, atque ad Stationes aut Portus Tempestate coactæ, vel alio modo appellentes, non cogantur ibidem Merces suas, aut aliquam earum partem exonerare, aut aliquod Vestigial persolvere, nisi Mercimonia sua sponte ibidem exonerent, aut aliquid de Onere distrahant : Licitum tamen sit particulam Oneris, impetratâ ad hoc veniâ eorum qui rebus maritimis præsumt, eum tantum in finem Navi solvere & divendere, ut Necessaria, vel Refectioni Navis, vel Victui emanantur, eoque in Casu, non integrum Navis Onus vestigiale fiet, sed ea tantum particula, quæ exonerata, vel divendita fuerit.

XVII.

Magnæ Britanniæ Regiæ, & Regis Christianissimi Subditis omnibus & singulis licitum erit, cum suis Navibus, omni cum libertate

aforesaid Parties, to sell what they have taken, or in any other manner whatever to Exchange either Ships, Merchandizes, or any other Ladings; neither shall they be allowed even to Purchase Victuals, except such as shall be necessary for their going to the next Port of that Prince from whom they have Commissions.

XVI.

The Ships of both Parties being Laden, Sailing along the Coasts, or Shores of the other, and being forced by Storm into the Havens or Ports, or coming to Land in any other manner, shall not be obliged there to Unlade their Goods, or any part thereof, or to pay any Duty, unless they do of their own accord unlade their Goods there, or dispose of any part of their Lading: But it may be lawful to take out of the Ship, and to sell, leave being first obtained from those who have the inspection of Sea-Affairs, a small part of their Lading, for this end only, that necessaries, either for the Refreshment or Victualling of the Ship may be purchased; and in that case the whole Lading of the Ship shall not be subject to pay the Duties, but that small part only, which has been taken out and sold.

XVII.

It shall be lawful for all and singular the Subjects of the Queen of Great Britain, and of the most Christian King, to Sail with their
&

& securitate, nullâ distinctione habitâ quinam Mercium in iisdem oneratarum Proprietarii sint, navigare à quocunque Portu, ad loca eorum quibus Inimicitia aliqua cum Magnæ Britanniæ Regina, aut Rege Christianissimo, jam aut dehinc, intercedet; Licitum itidem erit Subditis & Incolis prædictis, cum præfatis Navibus & Mercibus navigare, & negotiari eâdem cum libertate & Securitate à Locis, Portibus, & Stationibus eorum, qui utriusque vel alterius Partis hostes sint, absque contradictione & perturbatione qualicunque, non tantum directe ab illis præmemoratis Locis hostilibus ad locum neutralem, verum etiam ab uno loco hostili, ad locum hostilem alium, sive illi sub Jurisdictione ejusdem Principis sint, sive sub diversis. Et sicut jam circa Navigia & Merces stipulatum est, ut Naves liberæ Libertatem quoque Mercibus vindicent, atque pro immuni ac libero habeatur omne id, quod Navibus ad Subditos alterius Fœderati spectantibus immissum deprehendetur, etiam si totum Oneris, vel ejusdem pars aliqua, ad hostes utriusvis Majestatis pertinuerit, Exceptis semper Mercibus Contrabandis, quibus interceptis omnia ad Articulorum subsequantium mentem fiant. Ita Conventum pariter est, eandem Libertatem ad personas quoque extendi debere, quæ Navi liberâ vehuntur, eo cum effectu, ut

Ships, with all manner of Liberty and Security, no Distinction being made, who are the Proprietors of the Merchandizes Laden thereon, from any Port to the places of those who are now, or shall be hereafter at Enmity with the Queen of Great Britain, or the most Christian King; It shall likewise be lawful for the Subjects and Inhabitants aforesaid, to Sail with the Ships and Merchandizes aforementioned, and to Trade with the same Liberty and Security from the Places, Ports, and Havens of those who are Enemies of both, or of either Party, without any Opposition or Disturbance whatsoever, not only directly from the places of the Enemy aforesaid to Neutral places, but also from one place belonging to an Enemy, to another place belonging to an Enemy, whether they be under the Jurisdiction of the same Prince, or under several. And as it is now Stipulated concerning Ships and Goods, that free Ships shall also give a freedom to Goods, and that every thing shall be deemed to be Free and Exempt, which shall be found on Board the Ships belonging to the Subjects of either of the Confederates, altho' the whole Lading, or any part thereof, should appertain to the Enemies of either of Their Majesties, Contraband Goods being always excepted; on the discovery whereof matters shall be
quam-

quamvis utriusque Partis, aut alterutrius hostes sint, ex Navi istâ liberâ non extrahantur, nisi milites sint; & hostibus effective Ministeria sua præsentent.

managed according to the sense of the subsequent Articles. It is also agreed in like manner, That the same Liberty be extended to Persons who are on Board a Free Ship, with this effect, That although they be Enemies to both, or to either Party, they are not to be taken out of that Free Ship, unless they are Soldiers, and in actual Service of the Enemies.

XVIII.

Illa Navigandi & Commercandi Libertas ad omnia Mercimoniorum genera se extendet, exceptis solum iis quæ Articulo proximo sequuntur, & Contrabandæ nomine indigantur.

XVIII.

This Liberty of Navigation and Commerce shall extend to all kinds of Merchandizes, excepting those only which follow in the next Article, and which are signified by the name of Contraband.

XIX.

Sub isto nomine Contrabandæ, seu Mercimoniorum prohibitorum, comprehendantur Arma, Sclopetæ, aut Tormenta majora, Bombardæ cum suis Ignariis, & aliis ad ea pertinentibus, Ignes Missiles, Pulvis Tormentarius, Fomites, Globi, Cuspides, Enses, Lanceæ, Hastæ, Bipennes, Tubi Catapultarii (vulgo Mortarii) Inductiles Sclopi (vulgo Petardæ) Glandes Ignariæ missiles (vulgo Grenadæ) Salpetræ, Sclopetæ, Globuli, seu Pilæ quæ Sclopetis jaculantur, Cassides, Galeæ, Thoraces, Loricæ, (vulgo Cuirasse) & similia Armorum Genera, ad instruendos milites comparata, Sclopothecæ, Balthei, Equi cum eorum Apparatu, & quæcunque alia Instrumenta Bellica.

XIX.

Under this name of Contraband, or Prohibited Goods shall be comprehended Arms, great Guns, Bombs, with their Fuses, and other things belonging to them, Fireballs, Gunpowder, Match, Cannonball, Pikes, Swords, Lances, Spears, Halberds, Mortars, Petards, Grenadoes, Saltpetre, Muskets, Musket-ball, Helmets, Head-pieces, Breast-plates, Coats of Mail, and the like kinds of Arms, proper for arming Soldiers, Musket-rests, Belts, Horses with their Furniture, and all other Warlike Instruments whatever.

XX.

Inter Bona prohibita nequaquam censentur hæc quæ sequuntur Mercimonia, omnes scilicet Pannorum species, omnesque aliæ Manufacturæ textæ ex quacunque Lanâ, Lino, Serico, Gossipio, vel aliâ quacunque materiâ; omnia Vestium & Indumentorum genera, una cum speciebus ex quibus confici solent; Aurum & Argentum, tam signatum quam non signatum, Stannum, Ferrum, Plumbum, Cuprum, Orichalcum, Carbores focarii, Triticum etiam & Hordeum, & aliud quodcunque Frumenti & Leguminis genus; Herba Nicotiana (vulgo Tobacco), nec non omne genus Aromatum, Carnes salitæ & Fumodurata, Pisces saliti, Caseus & Butyrum, Cerevisiæ, Olea, Vina, Sacchara, & omne genus Salis, nec non omnis generatim Annona, quæ ad victum hominum, & vitæ sustentationem facit; Gossipii porro, Cannabis, Lini, Picis, tam liquidæ quam aridæ, omne genus, Funes, Rudentes, Vela, Linteamen velis nauticis aptum, Anchoræ, & Anchorarum partes quælibet, Mali item Navales, ut, & Asseres, Tabulæ, & Trabes, ex quibuscunque arboribus, omniaque alia ad Naves seu construendas seu reficiendas comparata; sed nec aliæ quæcunque Mêtæces, quæ Instrumenti vel Apparatus alicujus pro Terrestri, vel Maritimo Bello formam non acceperunt, pro Contrabandis habebuntur, mul-

XX.

These Merchandizes which follow, shall not be reckoned among Prohibited Goods, that is to say, all sorts of Clothes, and all other Manufactures woven of any Wooll, Flax, Silk, Cotton, or any other Materials whatever; all kinds of Clothes and Wearing Apparel, together with the Species whereof they are used to be made; Gold and Silver, as well Coynded as Uncoynded, Tin, Iron, Lead, Copper, Brass, Coals; as also Wheat and Barley, and any other kind of Corn and Pulse; Tobacco, and likewise all manner of Spices, Salted and Smoaked Fleish, Salted Fish, Cheefe and Butter, Beer, Oyls, Wines, Sugars, and all sorts of Salt, and in general all Provisions which serve for the nourishment of mankind, and the Sustenance of Life. Furthermore all kinds of Cotton, Hemp, Flax, Tarr, Pitch, Ropes, Cables, Sails, Sail-cloths, Anchors, and any parts of Anchors; also Ship-Masts, Planks, Boards and Beams of what Trees soever; and all other things proper either for Building or Repairing Ships; and all other Goods whatever, which have not been Worked into the form of any Instrument, or thing prepared for War, by Land or by Sea, shall not be reputed Contraband, much less such as have been already wrought and made up for any other use; all which shall

to minus quæ ad alium quemvis usum jam apparatus & conformata sunt; quæ omnia planè inter mercimonia libera censentur, juxta ac aliæ quælibet merces & res, quæ in Articulo proximè præcedenti non comprehenduntur, ac speciatim designantur, ita ut à Subditis utriusq; Confederati liberrimè transportari & invehiri possint, etiam ad Loca inimica, exceptis duntaxat Oppidis Locisve tunc temporis Obsidione cinctis, circumseptis, vel investitis.

XXI.

Quo autem Discordiarum & Similitates omnimodæ hinc inde evitentur, iisque obviam eatur, conventum est, quod casu quo altera Federatarum Regiarum Majestatum Bello implicetur, Naves & Navigia ad Subditos alterius Federati spectantia, instructa esse debeant Literis Maritimis, exprimentibus nomen, proprietatem, & magnitudinem Navis, ut & Nomen & Locum habitationis Magistris, sive Præfecti ejusdem Navis, ut inde constare possit Navem illam ad Subditos alterutrius Principis verè & realiter pertinere; quæ Literæ Maritimæ, juxta Formulam huic Tractatui appositam, concipientur & concedentur; quotannis etiam revocabuntur, scilicet si contingat Navem intra decursum anni domum reverti. Conventum etiam est, quod ejusmodi Naves oneratae, non tantum munitæ esse debeant Literis Maritimis,

wholly be reckoned among free Goods, as likewise all other Merchandizes and things which are not comprehended, and particularly mentioned in the preceding Article, so that they may be Transported, and Carried in the freest manner by the Subjects of both Confederates, even to places belonging to an Enemy, such Towns or Places being only excepted, as are at that time Besieged, Blocked up round about, or Invested.

XXI.

To the end that all manner of Dissensions and Quarrels may be avoided and prevented on one side, and t'other, it is Agreed, That in case either of their Royal Majesties, who are Allied, should be Engaged in War, the Ships and Vessels belonging to the Subjects of the other Ally, must be furnished with Sea Letters or Passports, expressing the Name, Property, and Bulk of the Ship, as also the Name and Place of Habitation of the Master or Commander of the said Ship, that it may appear thereby, that the Ship really and truly belongs to the Subjects of one of the Princes; which Passports shall be made out and Granted, according to the Form annexed to this Treaty; they shall likewise be recalled every Year, that is, if the Ship happens to return Home within the space of a Year. It is likewise agreed, That

supra indicatis, sed & Certificato-
riis, continentibus Species Oneris,
Locumque unde Navis discessit, &
quo tendere instituit, ut sic dig-
nosci queat an Merces ullæ vetitæ,
seu Contrabandæ, Articulo decimo
nono hujus Tractatus enumeratæ,
eâdem vehantur; quæ Literæ Cer-
tificatoriæ ab Officialibus illius Loci
unde Navis solvit, Formâ ibidem
solitâ expediuntur; & si cui consul-
tum visumque fuerit in ejusmodi
Literis exprimere ad quem Merces
pertineant, liberum hoc ei erit.

such Ships being laden, are to be
provided, not only with Passports,
as abovementioned, but also with
Certificates containing the several
particulars of the Cargo, the place
whence the Ship sailed, and whi-
ther she is Bound, that so it may
be known whether any forbidden
or Contraband Goods as are enu-
merated in the 19th Article of this
Treaty, be on Board the same,
which Certificates shall be made
out by the Officers of the Place
whence the Ship set Sail, in the
accustomed Form. And if any one
shall think it fit or adviseable to
express in the said Certificates, the
Person to whom they belong, he
may freely do so.

XXII.

Naves Subditorum & Incolarum
Serenissimarum Regiarum hinc inde
Majestatum, venientes ad aliquas
Oras Maritimas intra alterutrius
Confederati Ditionem, non tamen
Portum intrare volentes, aut ingres-
si, nolentes exponere aut distrahere
Onera suarum Navium, non tene-
buntur Onerum suorum rationem
reddere, nisi certis indicis suspectæ
fuerint transferendarum ad hostes
alterius Confederati Mercium pro-
hibitæ de Contrabandâ Nancu-
patarum.

XXII.
The Ships of the Subjects and
Inhabitants of Both Their most Se-
rene Royal Majesties coming to any
of the Sea-Coasts within the Do-
minions of either of the Confede-
rates, but not willing to enter in-
to Port, or being entred, yet not
being willing to shew or to sell the
Cargoes of their Ships, shall not be
obliged to give an Account of their
Lading, unless they are suspected
upon sure Evidence, of carrying to
the Enemies of the other Confede-
rate Prohibited Goods, called Con-
traband.

XXIII.

Et casu dictæ suspitionis mani-
festæ, dicti Subditi & Incolæ Di-
tionum Serenissimarum Regiarum

XXIII.
And in case of the said manifest
suspicion, the said Subjects and In-
habitants of the Dominions of both
hinc

hinc inde Majestatum, obligati erunt exhibere in Portibus, Literas suas Maritimas & Certificatorias, modo ante declarato.

XXIV.

Quod si Naves Subditorum & Incolarum Serenissimarum Regiarum hinc inde Majestatum, ad Oras maritimas progressæ, aut in pleno mari, obviam factæ fuerint Navibus Bellicis alterutrius, aut Navibus sumptibus privatis ad Bellum instructis, dictæ Naves Bellicæ, & Armatæ Privatorum, ad quævis evitanda incommoda, maneant, extra Jactum Tormenti Bellici, mittantque Scapham ad Navem Mercatoriam quæ obviam facta erit, & cum duobus aut tribus solummodo hominibus intrent; quibus monstrantur à Magistro vel Præfecto talis Navis aut Navigii Literæ Maritimæ de proprietate ejusdem, conceptæ juxta Formam præfenti Tractatui appositam; & Navis quæ eas exhibuerit liber erit transitus, eandemque molestiâ aliquâ afficere, excutere, aut de Cursu destinato ut deflectat, cogere, nefas esto.

XXV.

Illa vero Navis Mercatoria alterius partis, quæ ad Portum alteri Fœderatorum inimicum tendere instituerit, aut de cujus itinere, aut Mercium subvectarum specie, justa suspicio subsit, non tantum Literas Maritimas, verum etiam Certifica-

Their most Serene Royal Majesties shall be obliged to exhibit in the Ports their Passports and Certificates, in the manner before specified.

XXIV.

But in case the Ships of the Subjects and Inhabitants of both Their most Serene Royal Majesties, either on the Sea-Coast, or on the high Seas, shall meet with the Men of War of the other, or with Privateers, the said Men of War and Privateers, for preventing any Inconveniencies, are to remain out of Canon-shot, and to send a Boat to the Merchant Ship, which has been met with, and shall enter her with Two or Three Men only, to whom the Master or Commander of such Ship or Vessel shall shew his Passport, concerning the property thereof, made out according to the Form annexed to this present Treaty; and the Ship which shall exhibit one, shall have free Passage, and it shall be wholly unlawful any way to molest her, search, or compel her to quit her intended Course.

XXV.

But that Merchant Ship of the other Party, which intends to go to a Port at Enmity with the other Confederate, or concerning whose Voyage, and the sort of Goods on Board, there may be just suspicion, shall be obliged to exhibit,

torias, five in pleno Mari, five in Portibus & Stationibus, exhibere tenebitur, exprimentes quod de genere Mercium prohibitarum in Articulo decimo nono specificatarum non sint.

XXVI.

Quod si per exhibitionem supradictarum Literarum Certificatarum, exprimentium rerum subvectorum Indices, altera pars deprehenderit aliqua istius generis mercimonia, quæ Contrabanda, seu prohibita esse, in hujus Tractatus Articulo decimo nono, declarantur, ad Portum alterius Hostibus obtemperantem destinata, Foros illius Navis in quâ ea reperiri contigerit, five ad Subditos Magnæ Britanniæ, five Galliæ, spectaverit, resignare, Cistas, Sarcinas, aut Vasa in eadem reserare, vel partem licet minimam Mercimonia distrahere, nisi onere, præsentibus Tribunalis Maritimi Officialibus, in Terram exposito, & in Inventarium redacto, Nefas esto. Eorum venditioni tamen, permutationi, aut alienationi quacunque, nullatenus locus erit, nisi postquam ritè & legitimè contra ejusmodi Bona prohibita processum fuerit, eademque rerum Maritimarum Judices, latâ sententiâ Fisco respectivè suo addixerint; salvis semper tam ipsa Navi, quam cæteris Mercibus, in eadem repertis, quæ ex hoc Tractatu liberæ censendæ sunt, nec ex prætento Mercium prohibitarum Contagio, detineri,

either on the high Seas, or in the Ports and Havens, not only her Passports, but her Certificates, expressing, that they are not of the kind of Goods Prohibited, which are specified in the 19th Article.

XXVI.

But if one Party, on the exhibiting the abovesaid Certificates, mentioning the particulars of the things on Board, should discover any Goods of that kind which are declared Contraband or Prohibited by the 19th Article of this Treaty, designed for a Port subject to the Enemy of the other, it shall be unlawful to Break up the Hatches of that Ship, wherein the same shall happen to be found, whether she belong to the Subjects of *Great Britain*, or of *France*, to open the Chests, Packs, or Casks therein, or to remove even the smallest Parcel of the Goods, unless the Lading be brought on Shore, in the presence of the Officers of the Court of Admiralty, and an Inventory thereof made; but there shall be no allowance to sell, exchange, or alienate the same in any manner, unless after that due and lawful Process shall have been had against such Prohibited Goods, and the Judges of the Admiralty respectively shall by a Sentence pronounced, have Confiscated the same, saving always as well the Ship it self, as the other Goods found therein, which by this Treaty are to be esteemed Free; neither may
nedum

nedum pro prædâ legitimâ confiscari possint. Sin autem non totum, sed pars oneris duntaxat ex Mercibus Prohibitis vel Contrabandis constiterit, easque Præfectus Navis Captori qui eas deprehenderit, extradere se promptum & paratum præstet, eo in Casu Captor, iis Mercibus receptis, Navem illico dimittet, neque ullâ ratione impediatur, quo minus Cursum quem instituerat, liberè prosequatur.

XXVII.

Conventum autem è contrario est, quod quicquid à Subditis & Incolis alterutrius Partis in Navem quamcunque, ad alterius hostem aliquem, ejusque Subditos, spectantem, immissum deprehendatur; id totum quamvis de genere Mercium prohibitarum non sit, Fisco addici possit, perinde ac si ad ipsum hostem pertineret: Exceptis iis Mercibus & Mercimoniis, quæ, ante Belli Declarationem, istiusmodi Navi imposita fuerint, vel etiam post eam Declarationem, modo intra tempus & terminos sequentes actum sit. Nimirum si imposita isti Navi fuerint in aliquo portu & loco intra spatium Sex Septimanarum post talem Declarationem, intra Terminos *The Naze* in Norvegia, & *Soundings* vocatos; Duorum Mensium, intra

may they be detained on pretence of their being, as it were, infected by the Prohibited Goods, much less shall they be Confiscated as lawful Prize: But if not the whole Cargo, but only part thereof, shall consist of Prohibited or Contraband Goods, and the Commander of the Ship shall be ready and willing to deliver them to the Captor, who has discovered them, in such case the Captor having received those Goods, shall forthwith Discharge the Ship, and not hinder her, by any means, freely to prosecute the Voyage on which she was bound.

XXVII.

On the contrary it is Agreed, That whatever shall be found to be Laden by the Subjects and Inhabitants of either Party on any Ship belonging to the Enemy of the other, and His Subjects, the whole, although it be not of the sort of Prohibited Goods, may be Confiscated, in the same manner as if it belonged to the Enemy himself; except those Goods and Merchandizes as were put on Board such Ship before the Declaration of War, or even after such Declaration, if so be it were done within the time and limits following, that is to say, If they were put on Board such Ship in any Port and Place within the space of Six Weeks after such Declaration within the bounds called the *Naze* in *Norway*, and the *Soundings*; Terminos

Terminos *The Soundings*, & Civitatem *Gibraltar*; Decem Septimanarum in Mari Mediterraneo; & Octo Mensium in quavis aliâ Orbis Regione aut Loco, adeo ut Subditorum alterutrius Principis Bona, sive de genere Mercium Prohibitaram sint, sive aliter, quæ, prout jam dictum est, ante Bellum, vel etiam post ejus Declarationem, intra Tempus & Terminos prædictos, Navi alicui hostili immissa fuerint, Confiscationi obnoxia nullo modo sint, sed sine Dilatione Proprietariis eadem repetentibus, bonâ fide restituantur, ita tamen ut si dicta Mercimonia Contrabanda sint, ea ad Portus inimicos postmodum devehere omnino non liceat.

XXVIII.

Quo autem Serenissimarum Regiarum hinc inde Majestatum Subditorum Securitati abundantius cautum sit, quod nulla injuria per alterius Partis Naves Bellicas, vel alias Sumptibus privatis ad Bellum instructas, iis inferetur, omnibus Magnæ Britanniæ Regiæ, & Christianissimi Regis Navium Præfectis, omnibusque eorum Subditis, omni in alteram partem injuriâ & damno interdicitur; sin secus faciant, Pœnas luent, & præterea obstricti erunt de Damnorum omni causâ, et eo quod interest satisfacere, per Re-

of two Months from the *Soundings* to the City of *Gibraltar*; of ten Weeks in the *Mediterranean* Sea; and of Eight Months in any other Country or Place in the World; so that the Goods of the Subjects of either Prince, whether they be of the nature of such as are Prohibited, or otherwise, which, as is aforesaid, were put on Board any Ship belonging to an Enemy before the War, or after the Declaration of the same, within the time, and limits aforesaid, shall no ways be liable to Confiscation, but shall well and truly be restored without delay to the Proprietors demanding the same; but so as that if the said Merchandizes be Contraband, it shall not be any ways lawful to carry them afterwards to the Ports belonging to the Enemy.

XXVIII.

And that more abundant care may be taken for the Security of the Subjects of Both Their most Serene Royal Majesties, that they suffer no injury by the Men of War or Privateers of the other Party, all the Commanders of the Ships of the Queen of *Great Britain*, and of the most Christian King, and all Their Subjects, shall be forbid doing any injury or damage to the other side; and if they act to the contrary, they shall be Punished, and shall moreover be bound to make Satisfaction for all cause of Damage, and the Interest thereof, by Reparation, parati-

parationem sub Obligatione & Nexu Personæ Bonorumque.

XXIX.

Ob hanc causam, singuli Navium sumptibus privatis ad Bellum instructarum Præfecti, antequam Diplomata, sive Commissiones suas speciales, recipient, sufficientem Fiduciariam Cautionem per viros idoneos, qui solvendo sint, & nullum interesse habeant in dictâ Nave, & singuli in solidum obligati coram Judice competente, interponere in posterum tenebuntur in Summâ mille quingentarum Librarum Sterlingarum, aut sedecim millium & quingentarum Librarum Turonensium; vel si ejusmodi Navis ultra centum & quinquaginta Nautis Militibusve instructa sit, in Summâ trium millium Librarum Sterlingarum, vel triginta trium millium Librarum Turonensium, se damnis & injuriis quibuscunque, quas suo cursu Navali ipsi, vel sui Officiales, aliive sibi inservientes, contra præsentem hunc Tractatum, aut Serenissimarum Regiarum hinc inde Majestatum-Edicta, ejusdem vigore emanata, committunt, in solidum satisfacturos, sub pœnâ etiam Revocationis & Cassationis Literarum Commissionarium specialium, & Diplomatum.

XXX.

Altememoratæ Regiæ hinc inde Majestates, alterutrius Subditos, ac si proprii sui Subditi essent, mutuo eodemque favore, in omnibus suis

under the Bond and Obligation of their Person and Goods.

XXIX.

For this Cause all Commanders of Privateers, before they receive their Patents, or Special Commissions, shall hereafter be obliged to give, before a Competent Judge, sufficient Security by good Bail, who are Men able to Pay, and have no Interest in the said Ship, and are each bound in the whole, for the Sum of 1500 *l.* Sterling, or 16500 *Livres Tournois*; or if such Ship be provided with above One hundred and fifty Seamen or Soldiers, for the Sum of 3000 *l.* Sterling, or 33000 *Livres Tournois*, that they will make intire Satisfaction for any Damages and Injuries whatsoever, which they, or their Officers, or others in their Service, commit during their course at Sea, contrary to this present Treaty, or the Edicts of either of their most Serene Royal Majesties, Published by virtue thereof; under Penalty likewise of having their Special Commissions and Patents revoked and annulled.

XXX.

Both their abovenamed Royal Majesties being willing to shew a Mutual and Equal Favour in all their Dominions respectively, to the Subjects of each other, in the same manner as if they were their own Subjects, will give such Orders as shall be necessary and respectivé

respectivè Ditionibus, prosequi volentes, quæ necessaria fuerint, simul & efficacia, dabunt Mandata, ut jus super Prædis administretur in Curiâ Admiralitatis secundum Justitiæ & Æquitatis normam, & hujus Tractatus Leges, à Judicibus omni suspicione majoribus, & quorum, in Causâ, quæ disceptatur, nullatenus intererit.

XXXI.

Quandocunque altememoratarum Regiarum hinc inde Majestatum Legati, aliique Ministri, publicâ autoritate muniti, in Aulâ alterius Principis commorantes, querentur de iniquitate Sententiarum quæ latæ fuerint, Regiæ Majestates easdem in Consilio hinc inde suo revideri, & ad examen revocari curabunt, ut constet utrum Ordinationes & Cautelæ in hoc Tractatu præscriptæ, servatæ, & debitum effectum sortitæ fuerint; Curabunt itidem ut huic rei omnino provideatur, Jusque suum cuique queritanti, intra trimestre spatium, reddatur. Nihilominus ante vel post Sententiam latam, pendente ejusdem Revisione, Bona controversa vendere, vel exonerare, nisi ex Consensu eorum quorum interest, quo damnum omne evitetur, nullatenus licebit.

effectual, That Justice be Administred concerning Prizes in the Court of Admiralty, according to the Rullè of Equity and Right, and the Articles of this Treaty, by Judges who are above all Suspicion, and who have no manner of Interest in the Cause in Dispute.

XXXI.

Whensoever the Ambassadors of each of Their Royal Majesties above-named, and other Their Ministers; having a publick Character, and residing in the Court of the other Prince, shall complain of the unjustness of the Sentences which have been given, Their Majesties on each side, shall take Care, that the same be Revised and Re-examined in their respective Councils, that it may appear whether the Directions and Provisions prescribed in this Treaty have been observed, and have had their due effect: They shall likewise take care, that this matter be effectually provided for, and that Right be done to every Complainant, within the space of Three Months. However, before or after Judgment given, the Revision thereof still depending, for the avoiding of all Damage, it shall not be lawful to sell the Goods in Dispute, or to unlade them, unless with the Consent of the Persons concerned.

XXXII.

Lite motâ inter Prædarum Captores ex unâ, & earundem Reclamatores ex alterâ parte, latâque Sententiâ vel Decreto pro parte reclamante, eadem Sententia five Decretum, interpositâ Cautione, Executioni mandabitur, Captoris ad superiorem Judicem Appellatione nullatenus obstanti; quod quidem non observabitur ubi Sententia lata fuerit contra Reclamatores.

XXXIII.

Casu quo Naves five Bellicæ, five Onerariæ, tempestate, aliove infortunio coactæ, in Rupes aut Scopulos incidant, circa Oras unius alteriusve partis, ibique dirumpantur, & Naufragium faciant, quidquid Navium, Apparatusve earum, itidem Bonorum & Mercimoniorum servatum fuerit, aut Pretium quod ex iis provenerit, Proprietariis, Reclamatoribus, aut eorum Negotiorum Gestoribus, bonâ fide restituatur, solutis duntaxat Impensis quæ servandis iis factæ sunt, prout ab utraque parte circa rei servatæ mercedem statutum fuerit: Salvis etiam utriusque Nationis Juribus & Consuetudinibus. Et Serenissimæ Regiæ hinc inde Majestates Autoritatem suam interponent, quo puniantur severè eorum Subditi, qui tali eventu Inhumanitatis rei reperientur.

XXXII.

A Suit being commenced between the Captors of Prizes on one part, and the Reclaimers of the same on the other, and a Sentence or Decree being given in favour of the Reclaimer, that same Sentence or Decree, Security being given, shall be put in Execution, the Appeal of the Captor to a Superior Judge in any wise notwithstanding; which however is not to be observed when Judgment has been given against the Reclaimer.

XXXIII.

In case that either Ships of War, or Merchant-Men, forced by Storm, or other Misfortune, be driven on Rocks or Shelves on the Coasts of one or the other Party, and are there Broken to pieces, and Shipwrecked, whatever part of the Ships, or Tackling thereof, as also of the Goods and Merchandizes shall be saved, or the Produce thereof, shall be faithfully restored to the Proprietors, Reclaimers, or their Factors, paying only the Expences of preserving the same, in such manner as it may be settled on both sides concerning the rate of Salvage: Saving at the same time the Rights and Customs of each Nation. And both Their most Serene Royal Majesties will interpose Their Authority, That such of Their Subjects may be severely punished, who in the like Accident shall be found guilty of Inhumanity.

XXXIV.

Liberum erit utriusque partis Subditis uti Advocatis, Procuratoribus, Notariis, Sollicitatoribus, & Negotiorum Gestoribus, quibus ipsis visum fuerit; quo sine iidem Advocati, & alii supra nominati, committantur ab ordinariis Judicibus, si opus, & Judices ad illud requisiti fuerint.

XXXV.

Et quo securius, liberiusque exercentur commercium & Navigatio, conventum est insuper, ut neque Magnæ Britannæ Regina, neque Rex Christianissimus, in quoscunque ipsorum Portus, Stationes, Urbes, aut Oppida, Piratas quosvis, Prædonesque recipiant, neque à quibuscunque alterutrius ipsorum Subditis, Civibusve, eisdem in Portus recipi, protegi, aut quocunque hospitii auxiliiive genere sublevari permittent; quin efficient ut omnes ejusmodi Piratæ, Prædonesque maritimi, aut quicunque eos reciperint, occultaverint, vel adjuverint, apprehendantur, meritisque Pœnis afficiantur, in aliorum terrorem & exemplum. Et omnes eorundem Naves, Bona, Merceseve, Piraticè per eosdem raptæ, & in Regni alterutrius Portus advectæ, quotquot deprehendi poterint, etiam si venditione ad alios transiverint, legitimis Dominis, ipsorumve Vicariis, ad eadem repetenda Delegationis Tabulas, & Procurationis Auctoritatem habentibus, restituentur,

XXXIV.

It shall be free for the Subjects of each Party to employ such Advocates, Attornies, Notaries, Solicitors, and Factors, as they shall think fit; to which end the said Advocates, and others above-mentioned, may be appointed by the Ordinary Judges, if it be needful, and the Judges be required thereunto.

XXXV.

And that Commerce and Navigation may be more securely and freely followed, it is further agreed, That neither the Queen of *Great Britain*, nor the most Christian King, shall receive any Pirates and Robbers, into any of their Ports, Havens, Cities, or Towns, neither shall they permit them to be received into their Ports to be protected, or Assisted by any manner of harbouring or support by any the Subjects or Inhabitants of either of them; But they shall rather cause all such Pirates and Sea-Robbers, or whoever shall receive, conceal, or assist them, to be apprehended, and punished as they deserve, for a Terror and Example to others. And all the Ships, Goods, or Merchandizes, being piratically taken by them, and brought into the Ports of the Kingdom of either, as much as can be found, although they have by Sale been conveyed to others, shall be restored to the lawful Owners, or their Deputies, ha-
&

& refarciantur, adductis prius in Maritimæ Præfecturæ Curiâ Testimoniis, ad proprietatem comprobendam idoneis: omnesque omnino Naves Mercesque, cujuscunque sint Naturæ, quotquot super altum Mare ab eorum Manibus redimi possint, in aliquem Regni alterutrius Portum adducentur, Portusque ejusdem Officialibus custodiendæ concredentur, eum nempe in finem, ut vero Proprietario integræ tradantur, quam primum de earundem proprietate debitè & sufficienter constabit.

XXXVI.

Serenissimarum Regiarum hinc inde Majestatum Navibus tam Bellicis, quam iis quæ Sumptibus privatis ad Bellum instructæ sunt, licitum esto Naves Mercesque ab hostibus captas liberè conducere quoquo versus ipsi placuerit, nec quidquam rei Maritimæ Præfectis aut Judicibus aliis quibusvis solvere teneantur, neque etiam antedictæ Prædæ ubi ad dictarum Serenissimarum Regiarum hinc inde Majestatum Portus appulerint, & intraverint, Arresto ullo detineantur, nec Scrutatores, aliive locorum Officiales, in eas, aut de earum validitate inquirent, quin vela quovis tempore explicare, discedere, & Prædas eo loci deducere liceat,

ving Instruments of Delegation, and an Authority of Procuracion for reclaiming the same; and indemnification shall be made, proper Evidence being first given in the Court of Admiralty, for proving the Property. And all Ships and Merchandizes, of what nature soever, which can be rescued out of their Hands on the high Seas, shall be brought into some Port of either Kingdom, and shall be delivered to the Custody of the Officers of that Port, with this intention, that they be delivered intire to the true Proprietor, as soon as due and sufficient proof shall have been made concerning the Property thereof.

XXXVI.

It shall be lawful as well for the Ships of War of both Their most Serene Royal Majesties, as for Privateers, to carry whithersoever they please, the Ships and Goods taken from their Enemies, neither shall they be obliged to pay any thing to the Officers of the Admiralty, or to any other Judges, nor shall the aforementioned Prizes, when they come to, and enter the Ports of either of Their most Serene Royal Majesties, be detained by Arrest, neither shall Searchers, or other Officers of those places, make Examination concerning them, or the validity thereof; But rather they shall have liberty to hoist Sail at any time, to depart

qui in Commissionum Literis, aut Diplomate expressus sit; quas literas Præfecti hujusmodi Bellicarum Navium monstrare tenebuntur: è contrario autem in eorum Portibus Aylum aut Refugium non dabitur iis qui Prædam fecerint in utriusvis Regiæ Majestatis Subditos. Quod si ubi tales, necessitate Tempestatis, aut Maris periculo coactæ, intraverint, enixè curandum est (in quantum anterioribus Pactis, cum aliis Regibus & Statibus initis, id ipsum non adversatur) ut exeant, & quam primum fieri possit, inde se recipiant.

XXXVII.

Serenissimæ Regiæ hinc inde Majestates ne quaquam permittent ut in Oris, Portibus, aut Fluminibus Ditionum suarum, Naves, Mercive Subditorum alterius capiantur à Navibus Bellicis, aut aliis, quæ Diplomate alicujus Principis, Republicæ, aut Oppidi qualiscunque instructæ sunt. Et casu quo id acciderit, Pars utraque auctoritatem, viresque unitas interponent, quo damnum datum resarciatur.

XXXVIII.

Si dehinc per Inadvertentiam, vel aliter, contigerit, Contraventiones, vel Inconvenientias aliquas, circa observationem hujus Tractatûs, hinc inde oboriri, tunc non statim propterea Amicitia & bona Intelli-

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and to carry their Prizes to that place, which is mentioned in their Commission or Patent, which the Commanders of such Ships of War shall be obliged to shew: On the contrary, no Shelter or Refuge shall be given in their Ports to such as have made a Prize upon the Subjects of either of Their Royal Majesties. And if perchance such Ships shall come in, being forced by stress of Weather, or the danger of the Sea, particular care shall be taken, (as far as it is not repugnant to former Treaties made with other Kings and States) that they go from thence, and retire elsewhere, as soon as possible.

XXXVII.

Neither of Their most Serene Royal Majesties shall permit that the Ships or Goods of the other be taken upon the Coasts, or in the Ports, or Rivers of Their Dominions, by Ships of War, or others having Commission from any Prince, Commonwealth, or Town whatsoever. And in case such a thing should happen, both Parties shall use their Authority and united Force, that the damage done be made good.

XXXVIII.

If hereafter it shall happen through Inadvertency, or otherwise, that any Contraventions, or Inconveniencies on either side arise concerning the Observation of this Treaty, the Friendship and

gentia

gentia interrumpetur ; sed subsistet hoc Fœdus omni cum Effectu, procurabiturque Remedium tollendis Inconvenienciis congruum, ut & Reparatio Contraventionum ; sique Subditi unius alteriusve deprehendantur in culpâ, illi soli severè punientur & castigabuntur.

XXXIX.

Quod si vero constiterit Captorem ullo Torturæ genere, in Navarcham, Plebem Nauticam, aliosve qui in Navi aliquâ ad alterius partis Subditos spectante reperientur, usum fuisse ; eo casu, non tantum ipsa Navis, unâ cum Personis, Mercimoniis, & Rebus quibuscunque, statim absque ulteriori morâ relaxabitur, & in plenam libertatem restituetur, verum etiam qui tanti Criminis rei deprehendentur, ut & ejusdem Participes, gravissimis condignisque pœnis plectendi erunt ; id quod ut absque omni personarum respectu fiat, obstringunt se mutuo Magnæ Britanniæ Regina, & Rex Christianissimus.

good Intelligence shall not immediately thereupon be broke off ; but this Treaty shall subsist in all its force, and a proper Remedy for removing the Inconveniencies shall be procured, as likewise Reparation of the Contraventions ; and if the Subjects of the one or the other be found in fault, they only shall be severely punished and chastised.

XXXIX.

But if it shall appear that a Captor made use of any kind of Torture upon the Master of the Ship, the Ships-Crew, or others who shall be on Board any Ship belonging to the Subjects of the other Party ; in such case not only the Ship it self, together with the Persons, Merchandizes, and Goods whatsoever, shall be forthwith released without any further delay, and set intirely free, but also such as shall be found Guilty of so great a Crime, as also the Accëssaries thereunto, shall suffer the most severe Punishment, suitable to their Crime ; This the Queen of *Great Britain*, and the most Christian King do mutually engage shall be done without any respect of Persons.

Formula Literarum Maritimarum petendarum, dandarumque, à Domino Domino magno Admirallo Magnæ Britannia, &c. vel à Dominis Commissariis pro Officio Admiralitatis Magnæ Britannia, &c. secundum Articuli vigesimi primi hujus Tractatus Dispositionem.

Form of the Passports to be desired of, and given by the Lord High Admiral of Great Britain, &c. or by the Lords Commissioners for Executing the Office of High Admiral of Great Britain, &c. according to the Direction of the 21th Article of this Treaty.

OMnibus ad quos præsentēs Literæ pervenerint, Salutem. Nos Magnus Admirallus Magnæ Britannia, &c. (aut) Nos

TO all to whom these Presents shall come, Greeting. We High Admiral of Great Britain, &c. (or) We

Commissarii pro Officio Admiralitatis Magnæ Britannia, &c. Notum, Testatumque facimus per præsentēs A. B. de C.

Commissioners for executing the Office of High Admiral of Great Britain &c. do make known and testify by these Presents, That A. B. of C. the usual place of his Dwelling, Master or Commander of the Ship called D.

solitæ habitationis loco, Magistrum sive Præfectum Navis vocatæ D. coram nobis comparuisse, & solenni Jurejurando affirmasse, (vel Literas Testimoniales sub Sigillo Magistratûs, vel Officialium Teloniorum & Vectigalium Burgi & Portûs E. Datas Mensis

appeared before us, and declared by Solemn Oath, (or) produced a Certificate under the Seal of the Magistrate, or of the Officers of the Customs of the Town and Port of E. Dated the Day

Anno Domini 17 de & super Jurejurando coram iis alias præstito, exhibuisse) Dictam Navem & Navigium D Mensurarum, quas Tuns vocant capacem, cujus ille ipse hoc tem-

of the Month of in the Year of our Lord 17 of and concerning the Oath made before them) that the said Ship and Vessel D. Burthen Tuns, whereof he himself is at this time pore

pore Magister five Præfectus est, ad Subditos Serenissimæ Regiæ Majestatis, Dominæ nostræ Clementissimæ, verè & realiter pertinere. Cum autem Acceptissimum nobis foret, prædictam Magistrum, five Præfectum, in iis quæ probè justèque ab eo agenda erunt, adjuvari, rogamus vos univèrsos & singulos, ubicunq; dictus Magister, seu Præfectus Navem prædictam, Mercesque in eâ investas & illatas appellet, velitis jubentis eum benigne recipi, humaniter tractari, sub legitimorum, consuetorumque Vestigalium, ac aliarum rerum solutione admitti, ingredi, manere, egredi Portus, Flumina, & Dominia vestra, & omnimodo Navigationis, Mercatûs, ac Commerciorum Jure, specieque uti, omnibus in locis quibus hoc ei melius rectius visum fuerit, grato animo id rependere vobis paratissimi semper promptissimique. In quorum majorem Fidem & Testimonium Præsentes manû nostrâ, & Sigillo nostro, communiri curavimus Dat. in die
 Mensis A. D. 17

Master or Commander, doth really and truly belong to the Subjects of Her most Serene Majesty our most Gracious Sovereign. And whereas it would be most acceptable to us that the said Master or Commander should be assisted in the Affairs wherein he is justly and honestly employed, We desire you, and all and every of you, That whersoever the said Master or Commander shall bring his Ship, and the Goods on board thereof, you would cause him to be kindly received, to be civilly treated, and in paying the lawful and accustomed Duties, and other things, to be admitted, to enter, to remain in, to depart out of your Ports, Rivers, and Dominions, and to enjoy all manner of Right, and all kind of Navigation, Traffick, and Commerce, in all places where he shall think it proper and convenient. For which we shall always be most willing and ready to make returns to you in a grateful manner. In Witness and Confirmation whereof We have Signed these presents, and caused Our Seal to be put thereunto. Given at
 the Day of the
 Month of in the Year
 17

Formula Literarum Certificatoriarum petendarum, dandarumque à Magistratū, aut Officialibus Vectigalium et Teloniorum Burgi & Portus, in Burgis et Portibus suis respectivis, Navibus et Navigiis inde vela facientibus, secundum Articuli vigesimi primi hujus Tractatus Dispositionem.

Form of the Certificates to be required of, and to be given by the Magistrate, or Officers of the Customs of the Town and Port, in their respective Towns and Ports, to the Ships and Vessels which Sail from thence, according to the Direction of the 21th Article of this present Treaty.

NOs A. B. Magistratus (aut) Officiales Vectigalium & Teloniorum Burgi & Portus C certificamus & attestamus, quod die Mensis A. D. 17 personaliter coram nobis comparuit D. E. de F. & solenni Jurejurando declaravit, quod Navis sive Navigium vocat' G. Mensurarum quas Tuns vocant capax, cujus H. J. de K. solitæ habitationis loco, est Magister, sive Præfectus, ei & aliis etiam Serenissimæ Regiæ Majestatis Dominæ nostræ Clementissimæ Subditis, iisque solis, justo titulo propria sit. Jam vero de Portu L. iter destinasse ad Portum M. onustam Mercibus & Mercimoniis hic infra speciâtim descriptis & enumeratis. Scilicet & prout sequitur, viz.

WE A. B. Magistrate (or) Officers of the Customs of the Town and Port of C. do certifie and attest, That on the ° Day of the Month of in the Year of our Lord 17 D.E. of F. personally appeared before us, and declared by a Solemn Oath, That the Ship or Vessel called G. of about Tuns, whereof H. I. of K. his usual place of Habitation, is Master or Commander, does rightfully and properly belong to him and others Subjects, of Her most Serene Majesty, our most Gracious Sovereign, and to them alone: That she is now bound from the Port of L. to the Port of M. laden with the Goods and Merchandizes here under par-
In

ticularly described and enumerated,
that is to say, as follows,

In quorum Fidem has Certificato-
rias literas signavimus, & Sigillo
Officii nostri Sigillavimus. Da-
bantur die Mensis A. D.
17.

In Witness whereof we have Sign-
ed this Certificate, and Sealed it
with the Seal of our Office. Given
the Day of the Month of
in the Year of our Lord 17

*Formulaire des Passeports &
Lettres, qui se doivent don-
ner dans l' Amiralte de
France, aux Navires &
Barques qui en sortiront,
suivant l' Article 21 du
present Traitè.*

*Form of the Passports and
Letters, which are to be
given in the Admiralty of
France, to the Ships and
Barks, which shall go
from thence, according to
the 21th Article of this
present Treaty.*

Louis Comte de Thoulouse, A-
miral de France, à tous ceux
qui ces presentes lettres verront, Sa-
lut. Scavoir faisons que Nous avons
donné Congé & Permission à
Maitre & Conducteur du Navire
nommé de la Ville de
du Port de Tonnaux, ou envi-
ron, étant de present au Port &
Havre de de s'en aller à
chargé de après que Visitation
aura été faite de son Navire, avant
que de partir fera serment devant
les Officiers qui exercent la Jurisdi-
ction des Causes Maritimes, com-
me le dit Vaissseau appartenant à un
ou plusieurs des Sujets de sa Majesté,
dont il sera mis acte au bas des

Lewis Count of Thoulouse, Ad-
miral of France, to all who
shall see these presents, Greeting.
We make known that We have
given leave and permission to
Master and Commander of the Ship
called of the Town of
Burthen
Tuns, or thereabouts, lying at
present in the Port and Haven of
and bound for
and Laden with after that
his Ship has been visited, and be-
fore Sailing, he shall make Oath
before the Officers, who have the Ju-
risdiction of Maritime Affairs, That
the said Ship belongs to one or
more of the Subjects of His Majesty,
F presentes;

Presentes ; Comme aussi de garder, & faire garder par ceux de son Equipage les Ordonnances & Reglemens de la Marine & mettre au Greffe le Role signé, & verifié, contenant les Noms & Surnoms, la Naissance & Demeure des Hommes de son Equipage, & de tous ceux qui s'embarqueront ; Lesquels il ne pourra embarquer, sans le seu, & permission des Officiers de la Marine, & en chacun Port au Havre ou il entrera avec son Navire, fera apparoir aux Officiers & Juges de la Marine du present Congé ; & leur fera fidele rapport de ce qui sera fait, & passé durant son Voyage ; & portera les Pavillons, Armes, & Enseignes du Roy, & les nostres, durant son Voyage. En temoin de quoy nous avons fait apposer notre Seing, & le Séeil de nos Armes, à ces Presentes, & icelles fait contre-signer par notre Secretaire de la Marine à Jour de Mille Sept cens Signé Louis, Comte de Thoulouse, et plus bas par.

the Act whereof shall be put at the end of these Presents, as likewise that he will keep, and cause to be kept by his Crew on Board, the Marine Ordinances and Regulations, and enter in the proper Office a List Signed, and witnessed, containing the names and surnames, the places of Birth and Abode of the Crew of his Ship, and of all who shall embark on Board her, whom he shall not take on Board without the knowledge and permission of the Officers of the Marine, and in every Port or Haven where he shall enter with his Ship he shall shew this present Leave to the Officers and Judges of the Marine, and shall give a faithful account to them of what passed and was done during his Voyage. And he shall carry the Colours, Arms and Ensigns of the King, and of us during his Voyage. In Witness whereof We have Signed these Presents, and put the Seal of Our Arms thereunto, and caused the same to be countersigned by our Secretary of the Marine at
the Day of
17 Signed *Lewis* Count of
Thoulouse, and underneath by

Formulaire de l' Acte contenant le Serment.

Nous de l' Amirauté de Certifications, que Maître de Navire nommé au Pasport, cy dessus à prêté le Serment mentionné en iceluy. Fait à le jour de mille Sept cens

Form of the Act containing the Oath.

W^E of the Admiralty do Certifie that Master of the Ship named in the above Passport, has taken the Oath mentioned therein. Done at the Day of

17

XL.

Ratificabitur præsens Tractatus à S. Magnæ Britanniaë Reginaë, & S. Rege Christianissimo, ejusdemque Ratificationis Tabulæ, intra quatuor Septimanas, aut citius si fieri possit, Trajecti ad Rhenum, ritè invicem commutabuntur.

XLI.

In quorum Fidem nos infra scripti S. Magnæ Britanniaë Reginaë, & S. Regis Christianissimi, Legati Extraordinarii & Plenipotentarii, præsentem Tractatum manibus nostris subscriptum, Sigillis nostris munivimus. Trajecti ad Rhenum die tricesimo primo undecimo Martii Aprilis Anni à Christo nato, Millesimi Septingentesimi Decimi Tertii.

(L.S.) *Joh. Bristol* C.P.S. (L.S.) *Huxelles.*
(L.S.) *Strafford.* (L.S.) *Mesnager.*

XL.

The present Treaty shall be Ratified by the Queen of *Great Britain*, and by the most Christian King, and the Ratifications thereof shall be duly Exchanged at *Utrecht* within four Weeks, or sooner if possible.

XLI.

In Witness whereof we the underwritten Ambassadors Extraordinary and Plenipotentaries of the Queen of *Great Britain*, and of the most Christian King, have set Our Hands and Seals to this present Treaty, at *Utrecht* the $\frac{31}{11}$ Day of March April in the Year of our Lord 1713.

(L.S.) *Joh. Bristol* C.P.S. (L.S.) *Huxelles.*
(L.S.) *Strafford.* (L.S.) *Mesnager.*

ANNA R.



ANNA, Dei gratiâ, Magræ Britannîæ, Franciæ, & Hiberniæ Regina, Fidei Defensor, &c. omnibus & singulis, ad quos præsentis Literæ pervenerint, Salutem.

Quandoquidem Conventus pro Pace generali ineundâ Anni proximè præteriti initio Ultrajecti ad Rhenum habitus, variis, præter spem & vota nostra; injectis Impedimentis ultra mensem decimum quartum productus fuerit; Jam vero, favente Dei Optimi Maximi bonitate, (qui Concordiæ amorem partium Belligerantium mentibus fortius inspirare dignatus est) ad finem tam diù desideratum, & Europæ Tranquillitati Salutique adeo necessarium, sæliciter spectare videatur: Nos tandem accommodatis cum bono Fratre nostro Rege Christianissimo, nostris utrinque tam Pacis, quam Commerciorum rationibus, quo Ministri nostri qui Plenipotentiariorum Titulo hucusque freti, Provinciæ huic exornandæ summâ cum nostrâ Approbatione incubuerunt, majori cum splendore Operi huic maximè salutari Coronidem imponere possint, Eos amplissimo Legatorum nostrorum Extraordinariorum Characterè insignire æquum esse judicavimus. Sciatis igitur quod nos Fide, Industriâ, & in Rebus magni momenti tractandis, Usu ac Perspicaciâ Reverendi admodum in Christo Patris, perquam fidelis & dilecti Consiliarii nostri, Johannis Episcopi Bristolienfis, Privati nostri Sigilli Custodis, Decani Windeforienfis, & Nobilissimi Ordinis nostri Periscelidis Registrarii, et perquam fidelis & prædilecti Consanguinei & Con-

ANNE R.



ANNE, by the Grace of God, Queen of Great Britain, France, and Ireland, Defender of the Faith, &c. To all and singular

to whom these presents shall come, Greeting. Whereas the Congress that was held at *Utrecht* in the beginning of the last Year, for making a General Peace, has been drawn out into length above these Fourteen Months by various Obstacles, which have been thrown in the way, contrary to Our Hopes and Wishes; But now, by the favour and goodness of Almighty God (who has been pleased to inspire the Love of Concord more strongly into the Breasts of the Parties engaged in War) it seems happily to tend towards the End so long desired, and so necessary for the Tranquillity and Welfare of *Europe*; We having at last adjusted with Our good Brother the most Christian King Our Matters on both sides, relating both to Peace and to Commerce, to the end that Our Ministers who have hitherto under the Title of Plenipotiaries applied themselves, with Our highest Approbation, to the discharge of this Employment, may, with greater Splendor, put an End to this most wholesom Work, have thought fit to give them the most honourable Character of Our Ambassadors Extraordinary. Now Know ye, That We reposing especial Confidence in the Loyalty, Industry, Experience, and Sagacity in managing Matters of great Importance, of the Right Reverend Father in God Our Right Trusty and Welbeloved

filiarii

filiarii nostri Thomæ Comitiss de Strafford, Vice-comitiss Wentworth de Wentworth-Woodhouse & Stainborough, Baronis de Raby, Exercituum nostrorum Locum-Tenentis Generalis, Primarii Admiralitatis nostræ Commissarii Nobilissimi Ordinis nostri Periscelici, Equitis, & Legati nostri Extraordinarii ac Plenipotentiarium ad Cælos & Præpotentes Dominos Ordines Generales Uniti Belgii, plurimum Consistæ, Eisdem nominavimus, fecimus, & constituimus, quemadmodum per Præsentes nominamus, facimus, & constituimus, Nostros veros, certos, & indubitatos Legatos Extraordinarios, Commissarios, Procuratores, & Plenipotentarios, Dantes & Concedentes iisdem, conjunctim vel divisim omnem & omnimodam, Potestatem, Facultatem, Autoritatemq; nec non Mandatum Generale, pariter ac speciale (ita tamen ut Generale Speciali non deroget, neque contra) cum Legatis Extraordinariis ac Plenipotentariis, quos prædictus Rex Christianissimus, sufficienti Autoritate instructos, ex sua parte deputaverit, in Civitate Ultrajectinâ ad Rhenum, aut in alio quocunque loco, Congrediendi, Colloquendique, ac de Navigationis & Commerciorum Conditionibus inter Subditos tam nostros quam dicti Regis Christianissimi, quam amicissimè accommodandis, Tractandis, Conveniendi, & Concludendi; eaque omnia quæ ita Conventa & Conclusa fuerint, pro nobis & nostro Nomine Signandi, superque conclusis Instrumenta, quotquot & qualia necessaria fuerint, Conficiendi, mutuoque Tradendi, Recipiendique, ac generaliter ea omnia præstandi, perficiendique, quæ quovis modo necessaria ad Navigationis & Commerciorum Conditiones, ut supra dictum est, ineundas, stabiliendasque, vel quomodolibet, opportuna esse

Councillor John Bishop of Bristol, Keeper of Our Privy-Seal, Dean of Windsor, and Register of Our most Noble Order of the Garter; And of Our Right Trusty and Right Welbeloved Cousin and Councillor Thomas Earl of Strafford, Viscount Wentworth of Wentworth-Woodhouse and Stainborough, Baron of Raby, Lieutenant-General of Our Forces, First Commissioner of Our Admiralty, Knight of Our most Noble Order of the Garter, and Our Ambassador Extraordinary and Plenipotentiary to the High and Mighty Lords the States General of the United Netherlands, have named, made, and constituted them, as by these presents, We do name, make, and constitute them, Our true, certain, and undoubted Ambassadors Extraordinary, Commissaries, Procurators, and Plenipotentiaries, giving and granting to them jointly and separately, all and all manner of Power, Faculty, and Authority, as also both general and special Order (but so as the general do not derogate from the special, nor on the contrary) to meet and confer in the City of Utrecht, or in any other place, with the Ambassadors Extraordinary and Plenipotentiaries, which the said most Christian King shall have deputed on his part, being furnished with sufficient Authority, and to treat, agree, and conclude concerning the adjusting, in the most friendly manner, the Conditions of Navigation and Commerce between Our Subjects and those of the said most Christian King; and to sign for Us, and in Our Name, all such things as shall be so agreed and concluded; and to make out such and so many Instruments of what is concluded, as shall be necessary, and to exchange and mutually receive the same; and generally to do



judicaverint, tam ampli, modo & formâ, ac vi effectuque pari, ac Nos Ipsæ, si Interestemus, facere ac præstare possemus, Spondentes, ac in Verbo Regio promittentes, Nos omnia & singula, quæcunque à dictis nostris Legatis Extraordinariis, Commissariis, Procuratoribus, & Plenipotentariis, conjunctim vel divisim, vi præsentium Transigi, Concludi, & Signari contigerit, grata, rata, & accepta, iis prorsus modo & formâ quibus conventa fuerint, habituras. In quorum omnium majorem fidem & robur, Præsentibus manû nostrâ Regiâ signatis, Magnum nostrum Magnæ Britannæ Sigillum apponi iussimus. Dabantur in Palatio nostro Divi Jacobi, vigesimo quarto die Mensis Martii, Anno Domini Millesimo Septingentesimo ^{duodecimo,} _{decimo tertio,} Regni-que nostri Duodecimo.

and perform all such things as they shall judge necessary, or any way conducive towards making and settling the Conditions of Navigation and Commerce, as is abovesaid, in as ample manner and form, and with the like force and effect, as We Our selves might do and perform, if We were present, Engaging and Promising on Our Royal Word, That we will accept, approve, and ratifie, in the same manner and form as they have been agreed, all and every thing that by virtue of these presents shall happen to be transacted, concluded and signed by Our said Ambassadors Extraordinary, Commissaries, Procurators, and Plenipotentiaries, joyntly, or separately. In Witness, and Confirmation whereof, We have commanded Our Great Seal of *Great Britain* to be affixed to these presents, signed with our Royal Hand. Given at Our Palace of *S. James's* the 24th Day of the Month of *March*, in the Year of our Lord 17¹²/₃₃, and of Our Reign the Twelfth.



LOUIS, par la Grace de Dieu, Roy de France & de Navarre, à tous ceux qui ces presentes Lettres verront, Salut. Comme Nous n'avons

rien oublié pour contribuer de tout nostre Pouvoir au Retablissement d'une Paix sincere & solide, que nostre tres chere & tres amé Sœur la Reine de la Grande Bretagne a fait paroistre le mesme desir, & qu'il y a lieu d'esperer que les Conferences qui se tiennent à Utrecht pour parvenir à un bien aussi desirable, auront bientôt un heureux Succès; Voulant encore apporter tous Nos Soins pour en avancer l'effet, & Nous confiant entirement en la Capacité, Experience, Zele, & Fidelité pour notre Service de nostre tres cher & bien amé Cousin Le Marquis d'Huxelles, Marechal de France, Chevalier de Nos Ordres, & nostre Lieutenant General au Gouvernement de Bourgogne, & de nostre cher & bien amé le Sieur Mesnager, Chevalier de nostre Ordre de St. Michel. Pour ces Causes & autres bonnes Considerations à ce Nous mouvans, Nous avons Commis, Ordonné, & Deputé & par ces presentes Signées de nostre Main, Commettons, Ordonnons & Deputons les dits Sieurs Maréchal d'Huxelles, & Mesnager, & leur avons donné & donnons Pleinpouvoir, Commission, & Mandement Spécial, en qualité de Nos Ambassadeurs Extraordinaires & nos Plenipotentiaires, de Conferer, Negocier, & Traiter, avec les Ambassadeurs Extraordinaires Plenipotentiaires de nostre dite Sœur, revestus de ses pouvoirs en bonne forme; Arrester, Conclure, & Signer tels Traités de Commerce, Articles & Conventions



LEWIS, by the Grace of God, King of France and Navarre, To all who shall see these Presents, Greeting. Whereas We have omitted nothing

for contributing with all Our Might towards the Re-establishment of a Sincere and Solid Peace; And as Our most Dear and most Beloved Sister the Queen of *Great Britain* has shewn the same Desire, and as there is room to hope, That the Confernces which are held at *Utrecht* for attaining to so desirable a Good, will in a little time have a happy Issue; And being willing likewise to apply all our Care for promoting the effect thereof, and repoling entire Confidence in the Capacity, Experience, Zeal, and Fidelity for Our Service, of Our most Dear and Well-beloved Cousin, the Marquis d' *Huxelles* Marshal of *France*, Knight of Our Orders, and Our Lieutenant-General of the Government of *Burgundy*, and of Our Dear and Well-beloved the Sieur *Mesnager*, Knight of Our Order of *St. Michael*. For these Causes, and other good Considerations Us hereunto moving, We have Commissioned, Ordained and Deputed as by these Presents Signed with Our Hand, We do Commission, Ordain, and Depute the said Sieurs, Marshal d' *Huxelles*, and *Mesnager*, and have given, and do give to them full Power, Commission, and special Command in quality of Our Ambassadors Extraordinary, and Our Plenipotentiaries, to Confer, Negotiate, and Treat with the Ambassadors Extraordinary, Plenipotentiaries of Our said Sister, provided with Her Powers in due form, to agree, conclude, and sign such Treaties of Commerce, Ar-
qu'ils

qu'ils aviferont bon estre. Voulant qu' en cas d' Absence de l'un d'eux par Maladie, ou par quelque autre Cause legitime, l'autre ait le mesme pouvoir de conférer, negotier, traiter, arrester, conclure, & signer tels Traitez de Commerce, Articles & Conventions qui conviendront au Bien que Nous Nous proposons, & à l'Utilité reciproque de nos Sujets, en sorte que Nos dits Ambassadeurs Extraordinaires & Plenipotentiaires agissent en tout ce qui regardera la Negotiation avec nostre dite Soeur, avec la mesme autorité que Nous ferions & pourrions faire si Nous etions presens en personne, encore qu' il y eût quelque chose qui requit un Mandement plus special non contenu en ces presentes. Promettant en Foy & Parole de Roy d'avoir agreable & tenir ferme & stable à toujours, accomplir, & executer ponctuellement tout ce que les dits Sieurs Marechal d'Huxelles & Mesnager ou l'un d'entre eux dans les dits cas d' Absence ou de Maladie, auront stipulé, promis, & signé en vertu du present Pouvoir, sans jamais y contrevenir; ni permettre qu'il y soit contrevenu, pour quelque cause, ou sous quelque Pretexte que ce puisse être; Comme aussi d'en faire expedier nos Lettres de Ratification en bonne forme, & de les faire delivrer pour estre échangées dans le tems dont il sera convenu par les Traitez à faire. Car tel est nostre plaisir. En temoin de quoy Nous avons fait mettre nostre Séeel a ces Presentes. Donné a Versailles le quatrieme jour de Mars, l'An de grace mil Sept cent treize, & de nostre Regne le soixante dixieme; Signé LOUIS, & sur le Reply, Par le Roy,

Colbert.

ticles and Conventions, as they shall see good. We will that in case of absence of one of them by Sickness, or through any other lawful Cause, the other have the same Power to confer, negotiate, treat, agree, conclude and sign such Treaties of Commerce, Articles, and Conventions as shall be agreeable to the good which We propose to Our selves, and to the reciprocal advantage of Our Subjects, so that Our said Ambassadors Extraordinary and Plenipotentiaries may act in all which shall belong to the Negotiation with Our said Sister, with the same Authority as We should and might do, if We were present in Person, altho' there should be something which might require a more special Order than is contained in these Presents. We promise on the Faith and Word of a King to approve, and to keep firm and lasting for ever, to fulfil and execute punctually all that the said Sieurs Marshal d' *Huxelles* and *Mesnager*, or one of them, in the said Cases of absence, or of Sickness, shall Stipulate, Promise, and Sign, by virtue of this present Power, without ever acting contrary thereto, or permitting that any thing be done to the contrary, on any Cause, or under any pretence whatsoever, As likewise to cause Our Letters Ratifying the same to be dispatched, in good form, and to cause them to be delivered in Order to be Exchanged within the time, which shall be Agreed on by the Treaties to be made. For this is Our Pleasure. In Witness whereof We have caused Our Seal to be affixed to these Presents. Given at *Verfailles* the Fourth Day of *March*, in the Year of our Lord 1713. and of Our Reign the Seventieth. Signed *LEWIS*, and on the fold, By the King.

Colbert.

Notum

Notum sit omnibus, Quod cum in Articulo Nono Tractatus Commerciorum inter Serenissimam Reginam Magnæ Britannia, & Serenissimum Regem Christianissimum, per Majestatum suarum Legatos Extraordinarios & Plenipotentiarios hodie conclusi, mentio facta sit quorundam rerum Capitum, quæ ex parte Magnæ Britannia proposita, hætenus autem mutuo accommodata non fuerint; adeoque ad Commissarios eadem discutienda & determinanda remittere visum sit: Nos igitur infra scripti Legati, quo certò constet quamnam ea sint rerum Capita, quæ ad Commissarios remitti debent, specialem eorum omnium hoc in scripto designationem exhibere decrevimus; declarantes eadem illa, nec alia esse, quæ sequuntur.

I.

Nullæ in posterum Manufacturæ alterutrius Regni & Ditionum hinc inde subjectarum, Inspectioni, & Confiscationi subjicientur, sub prætextu quovis Fraudis aut Vitii in iisdem conficiendis, vel elaborandis, vel propter alium quemcunque earundem Defectum; absolutè autem ceditur libertas Emptori & Venditori de iisdem stipulari & pacisci, prout illis libitum fuerit; Lege quavis, Statuto, Edicto, Arresto, Privilegio, Concessione, vel Consuetudine non obstantibus.

II.

Et quandoquidem Mos quidam, non Lege aliquâ ratus, in quibusdam Magnæ Britannia & Gallia Urbibus, obtinuit, viz. ut unusquisque pro Introitu & Exitu genus quoddam Tributi solvat, An-

BE it known unto all Men, That whereas in the 9th Article of the Treaty of Commerce, concluded this Day between the most Serene Queen of Great Britain, and the most Serene the most Christian King, by Their Majesties Ambassadors Extraordinary, and Plenipotentiaries, mention is made of some Heads of Matters, which being proposed on the part of Great Britain, have not as yet been mutually adjusted; and therefore it was thought fit to refer them to be discussed and determined by Commissioners: We therefore the underwritten Ambassadors, that it may certainly appear what are those Heads of Matters which are to be referred to Commissioners, have resolved to give a particular Description of them in this Writing; Declaring that they are the same, and no other than what follow.

I.

NO Manufactures of either Kingdom, and the Dominions belonging thereunto, shall hereafter be subject to be inspected and confiscated, under any pretence of fraud or defect in making or working them, or because of any other Imperfection therein; But absolute freedom shall be allowed to the Buyer and Seller to bargain and agree for the same, as they shall see good; Any Law, Statute, Edict, Arrest, Privilege, Grant, or Custom to the contrary notwithstanding.

II.

And forasmuch as a certain Usage, not confirmed by any Law, has obtained in several Towns of Great Britain and of France; That is to say, That every one for coming in, and going out, shall pay

glicè dictum *Head-Money*, & Gallicè *Du Chef*, conclusum est, quod neque illud, neque ratione illius, Vestigial aliud amplius exigetur.

III.

Neque Mercatoribus Britannicis prohibitum in posterum sit dictam Herbam Nicotianam cuicumque Emptori pro libitu vendere; in quem quidem finem Vestigialium super dictâ Herbâ Elocatio, Redemptoribus (Vulgo *Fermiers*) hactenus facta cessabit, neque in posterum introducenda erit.

IV.

Excepto tantum casu sequenti, nimirum, ubi Naves Britannicæ Merces acceptas in aliquo Gallicæ Portu, in alium Gallicæ Portum deponendas transeherent, quo casu, neque quovis alio, Subditi Britannici Vestigialia hoc in Articulo abrogata, & abolita, secundum Mercium receptarum tantummodò proportionem, non autem Navis capacitatem solvere tenebuntur.

V.

Quandoquidem plurima Mercimiorum genera, pro quibus Vestigialia ad pondus solvuntur, Doliis, Cistis, aliisque Involucris inclusa, in Galliam per Subditos Britannicos advehenda, & avehenda erunt; Convenit igitur est, quod eo in casu Vestigialia antedicta ad rationem ponderis ipsarum tantummodò Mercium exigentur, Doliorum autem, Cistarum, aut Involucrorum quorumcumque pondera eo modo, eaque proportione deducantur, prout in Angliâ hactenus in usu fuit, & nunc obtinet.

a kind of Tax, called in *English*, *Head-Money*, and in *French*, *Du Chef*, it is concluded, That neither the same, nor any other Duty on that Account, shall any more be exacted.

III.

And the *British* Merchants shall not hereafter be forbidden to Sell the said Tobacco to any Buyer whom they please, for which purpose the letting out the Duties on the said Tobacco to Farmers, which has been hitherto Practised, shall cease, neither shall such Farming be used again hereafter.

IV.

The following Case only being excepted, that is to say, where *British* Ships shall take up Merchandizes in one Port, and carry them to another Port of *France*, in which case, and in no other, the *British* Subjects shall be obliged to Pay the Duties abrogated and abolished by this Article, only in Proportion to the Goods which they take in, and not according to the bulk of the Ship.

V.

Whereas several kinds of Goods, contained in Casks, Chests, or other Cases, for which the Duties are paid by weight, will be exported from, and imported into *France* by *British* Subjects; It is therefore agreed that in such case the aforesaid Duties shall be payable only according to the Weight of the Goods themselves, but the weight of the Casks, Chests, and other Cases whatever, shall be deducted in such manner and in such proportion, as has been hitherto in use in *England*, and is still practised.

VI.

Præterea conventum est, quod si quis Lapsus, aut Error alterutrinque admissus fuerit à quovis Navarchâ, Interprete suo, sive Negotiorum Gestore, vel aliis Ipsi interservientibus, in peragendâ Notificatione, seu Declaratione Mercium, quæ Navi suâ vehuntur, ob talem defectum, modo de Fraude manifestè non constiterit, neque Navis, neque ejusdem Onus Confiscationi subjacere possint; quin Bona, quæ ita Navarchæ Indice, vel Declaratione omissa fuerint, Proprietariis liberum erit recipere, solutis modò, secundum Censuram in Tabulis designatis, Vectigalibus usitatis; neque Mercatores, neque Navarcha eâ de causâ, vel dictis Bonis, vel aliâ quavis poenâ mulctentur, dummodo dicta Bona ita prætermissa, ante factam super eisdem Declarationem, & soluta Telonia, in Terram non fuerint exposita.

VII.

Cumque Navis, & Navarcha, & Mercium Qualitas, è Literis ejusmodi Maritimis & Certificatoriis sufficienter appareat, Navium Bellicarum Præfectis fas non erit ulla alias Verificationes, quocumque sub Titulo, exigere; sin autem Navis aliqua Mercatoria caruerit ejusmodi Literis, sive Maritimis, sive Certificatoriis, poterit tunc quidem Examinari per Judicem Competentem, ita tamen ut si ex aliis Indiciis & Documentisprehendatur reverà pertinere ad Subditos alterutrius Fœderatorum, nec ulla continere Merces vetitas, ad hostem alterius destinatas, in Confiscationem cadere non debeat, sed etiam unâ cum Onere relaxetur, ut Iter suum persequatur, cum sæpè accidere possit ejusmodi

VI.

It is further agreed, That if any Mistake or Error shall on either side be committed by any Master of a Ship, his Interpreter, or Factor, or by others employed by him, in making the Entry or Declaration of the Goods on Board his Ship, for such defect, if so be some Fraud does not evidently appear, neither the Ship nor the Lading thereof shall be subject to be confiscated, but it shall be free for the Proprietors to take back again such Goods as were omitted in the Entry or Declaration of the Master of the Ship, paying only the accustomed Duties according to the Rates settled in the Books; neither shall the Merchants, or the Master of the Ship lose the said Goods, or suffer any other punishment, if so be that the said Goods, so omitted, were not brought on Shore, before the Declaration made, and the Customs paid for the same.

VII.

And whereas the Quality of the Ship, Master, and Goods, will sufficiently appear from such Passports and Certificates, It shall not be Lawful for the Commanders of Men of War to exact any other Verification under any title whatsoever. But if any Merchant Ship shall want such Passports or Certificates, then it may be examined by a proper Judge, but in such manner as if it shall be found from other Proofs and Documents that it does truly belong to the Subjects of either of the Confederates, and does not contain any Prohibited Goods, designed to be carried to the Enemy of the other, it shall not be liable to Confiscation, but shall be released, together with its Cargo, in order to proceed on

Literas ad Navem è Portu aliquo solventem pervenire non potuisse, vel casu aliquo periisse, aut Navi ademptas fuisse; & si præter has Literas juxta Formulam hujus Conventionis exaratas, aliæ etiam Literæ, five Maritimæ, five Certificatoriaræ aliâ formâ, fortè ex præscriptis Paſtorum cum aliis, in Navi inventantur, nullus exinde prætextus capiatur detinendi, seu ullo modo inquietandi, vel Navem, vel Homines, vel Merces. Si contigerit Navarcham in Literis Maritimis nominatum, vel Morre, vel quocunque casu amotum, aliumque susceptum esse, Conſtabit nihilominus Literis Maritimis suus Vigor, & Navi & Mercibus eidem impostis sua Securitas.

VIII.

Cautum utrinque præterea fit, & pro Regulâ habeatur, quod Navis & Res, licet per horas viginti quatuor in potestate hostium permanferint, ne ideo capta censeantur, & illico in Prædam veniant, sed si alias restitui debeant, repetantur, & Proprietariis denuò reddantur.

IX.

Serenissimis hinc inde Majestatibus Regiis, Liberum erit Subditorum suorum Commodo, in Regnis, & Ditionibus alterutrius Mercaturam facientibus, Consules Nationales ex Subjectis suis instituere, qui gaudeant eo Jure & Libertate, quæ ipsis ratione Exercitii Functionis suæ competit; de loco autem con-

its Voyage, since it may often happen that such Papers could not come to the Ship when she was setting Sail from any Port, or that they have been lost by some chance or other, or that they have been taken away from the Ship. And if besides the Passports and Certificates made according to the form of their Treaty, other Passports and Certificates happen to be found in the Ship, in another form, and perhaps according to the Prescription of Treaties made with others, no pretence shall be taken from thence, of detaining, or in any wise molesting, either the Ship, or Men, or Goods. If the Master of the Ship named in the Passports be removed by Death, or any other cause, and another be put in his place, the Passports shall nevertheless retain their force, and the Ships, and Goods Laden thereon, shall be secure.

VIII.

It is further provided on both sides, and shall be taken for a general Rule, That a Ship and Goods, altho' they have remained in the Enemies Power for Four and twenty Hours, shall not therefore be esteemed as Capture, and be immediately made Prize, but if on other Accounts they ought to be restored, they may be reclaimed, and shall be given again to the Proprietors.

IX.

It shall be free for both their Royal Majesties, for the advantage of Their Subjects, Trading to the Kingdoms and Dominions of the other, to constitute National Consuls of Their own Subjects, who shall enjoy that Right and Liberty which belongs to them by reason of the Exercise of their Function; But as to
stituen-

fituendorum ejusmodi Consulium, Pars
utraque inter se postmodum conveniet.

In quorum Fidem Nos S. Regiæ Majestatis Magnæ Britannæ, & S. Regiæ Majestatis Christianissimæ Legati Extraordinarii & Plenipotentarii præsentibus Tabulas manibus nostris Subscriptas, Sigillis nostris Munivimus. Trajecti ad Rhenum die tricesimo primo
undecimo Mensis

Martii
Aprilis
Anni Millefimi Septingentesimi
decimi tertii

the places where such Consuls are to be appointed, both sides shall afterwards agree between themselves.

In Witness whereof we the Ambassadors Extraordinary and Plenipotentiaries of Her Sacred Royal Majesty of *Great Britain*, and of His Sacred Royal most Christian Majesty have Subscribed this present Instrument with our Hands, and set Our Seals thereunto. At *Utrecht* the $\frac{31}{11}$ th Day of the Month of $\frac{March}{April}$ in the Year 1713.

(L.S.) *Job. Bristol* C.P.S. (L.S.) *Huxelles*.
(L.S.) *Strafford*. (L.S.) *Mesnager*.

(L.S.) *Job. Bristol* C.P.S. (L.S.) *Huxelles*.
(L.S.) *Strafford*. (L.S.) *Mesnager*.

NOtum sit omnibus, Quod cum in Articulo Nono Tractatus Navigationis, & Commerciorum, inter Serenissimam Reginam Magnæ Britannia, et Serenissimum Regem Christianissimum, per Majestatum suarum Legatos Extraordinarios, & Plenipotentiarios die trigesimo primo Martii undecimo Aprilis conclusi, quædam Mercimonia, viz. Lanificia, Saccharum, Pisces saliti, & quæ ex Cetis proveniunt, verbis generalibus ex Tariffa die 18 Mensis Septembris Anni 1664. factæ Regulæ excipiuntur, Commissariorum postea Discussioni remittenda; Quod igitur omnis Error & Dubitatio evitentur, quæ ex Terminis adeò generalibus forsitan oriri possint, certiusque constet de quibus speciatim Mercimoniis Deliberatio inter prædictos Commissarios habenda est, Nos Infra scripti Legati Extraordinarii & Plenipotentiarii hisce declaravimus, & declaramus Mercimoniorum memoratorum Exceptionem intelligendam esse, prout sequitur.

I.

LA Baleine coupée & aprestée, les Fanons & les Huiles de Baleine, payeront à toutes les Entrées du Royaume les droits portez par le Tarif du 7. Decemb. 1699.

II.

Les Draps, Ratines, & Serges, seront Sujets aux mêmes droits du Tarif du 7. Decemb. 1699. & pour en faciliter le Commerce, il sera permis de les faire entrer par St. Valery sur Somme,

BE it known unto all Men, That where-as in the 9th Article of the Treaty of Navigation and Commerce, Concluded the $\frac{31}{11}$ Day of $\frac{March}{April}$ 1713. between the most Serene Queen of Great Britain, and the most Serene the most Christian King, by the Ambassadors Extraordinary and Plenipotentiaries of Their Majesties, certain Merchandizes, namely, Woollen Manufactures, Sugar, Salt Fish, and what is produced from Whales, are excepted in general Words from the Rule of the Tariff made the 18th Day of the Month of September, in the Year 1664. in order to be afterwards referred to the discussion of Commissaries; To prevent therefore all mistakes and ambiguity, which might perhaps arise from such general Terms, and to make it more evidently appear what particular sorts of Goods are to come under the Consideration of the aforesaid Commissaries. We the under written Ambassadors Extraordinary and Plenipotentiaries have declared by these presents, and do declare, That the Exception of the above-mentioned Merchandizes is to be understood in the manner following.

I.

WHalebone cut and prepared, Fins and Oyls of Whales, shall pay at all places of Importation in the Kingdom, the Duties appointed by the Tariff of the 7th of December, 1699.

II.

Clothes, Ratines, and Serges, shall be likewise subject to the same Duties of the Tariff of the 7th of December 1699. and in order to facilitate the Trade thereof, it shall be allowed to import them by
par

par Rouen & par Bourdeaux, où ces Etoffes seront sujettées à la visite de la meme Maniere que celles qui se fabriquent dans le Royaume.

St. Valery upon the Somme, by Rouen, and by Bourdeaux, where these Goods shall be subject to Visitation in the same manner as those which are made in the Kingdom.

III.

On ne pourra pas apporter dans la Royaume que le Poisson salé en Baril, & il fera leve à toutes les entrées du Royaume, Pais & Terres de l'Obeissance du Roy, mesme des Ports Francs les droits d'abord & de Consommation, ordonnés avant le Tarif de 1664. & en outre quarante Livres par Leth composé de 12 Barils pesant 300 l. chacun pour le droit d'Entrée, laquelle Entrée ne sera permise que par St. Valery sur Somme, Rouen, Nantes, Libourne, & Bourdeaux, & demeurera interdite par les autres Havres où Ports, tant de la Mer Oceane, que de la Mediterrannée.

III.

Salt Fish in Barrels only is to be imported in the Kingdom, and at all places of Entrance in the Kingdom, Countries, and Territories under the Dominion of the King, even at all Free Ports the Duties of Landing and of Consumption shall be paid which were appointed before the Tariff of 1664. and besides 40 Livres per Last consisting of 12 Barrels, weighing each 300 l. for the Duty of Entry, which Entry shall not be permitted but by St. Valery upon the Somme, Rouen, Nants, Libourne, and Bourdeaux, and shall remain prohibited at all other Harbours or Ports as well in the Ocean as in the Mediterranean.

IV.

Le Sucre raffiné en pain, ou en poudre, Candis blanc & brun, payera les droits portés par le Tarif du 7 Dec. 1699.

In quorum Fidem nos infra Scripti S. Magnæ Britannia Regina, & S. Regis Christianissimi Legati Extraordinarii & Plenipotentiarum Præsentibus Manibus Nostriis Subscriptas, Sigillis Nostriis munivimus. Trajecti ad Rhenum, die viceſimo octavo Aprilis nono Maii. Anni Milleſimi ſeptingentefimi decimi tertii.

IV.

Refin'd Sugar in Loaf or in Powder, white and brown Sugar Candy, shall pay the Duties appointed by the Tariff of 1699.

In Confirmation of which, We the Underwritten Ambassadors Extraordinary, and Plenipotentiaries of Her Majesty the Queen of Great Britain, and the most Christian King, have Sign'd and Seal'd these Presents at Utrecht the 28^{th} Day of April in the Year 1713.

(L.S.) *Joh. Bristol* C.P.S. (L.S.) *Huxelles.* (L.S.) *Joh. Bristol* C.P.S. (L.S.) *Huxelles.*
 (L.S.) *Strafford.* (L.S.) *Mefnager.* (L.S.) *Strafford.* (L.S.) *Mefnager.*