

ter of strife and contention, which useth sometimes to arise by reason of restitutions, it is also agreed in the sixth article, that if either party shall intercept and get from the other any lands, islands, cities, forts, colonies, and other places, after the said $\frac{1}{2}$ ^o day of May last past, all and every of the premises (without any distinction of time and place) are forthwith to be restored in the very same condition wherein they shall be found to be at the time whensoever certain notice shall come to those places that the peace is renewed: We do hereby require and command all our governors, officers, commanders, and soldiers, both by sea and land, of what quality and condition soever they be, as well within Europe as without, that they do not only forbear and totally abstain from all hostility, according to the tenor of the foresaid treaty; but also, if at any time it shall happen or come to pass, that any lands, islands, cities, forts, colonies, and other places, wheresoever situated, shall be taken from the United Netherlanders, or recovered from them and brought under our power, after the expiration of the said $\frac{1}{2}$ ^o day of May, that they restore them all, without any delay or excuse, unto those persons who shall exhibit these letters patents, in such condition as they shall be found in at the time when the renewing of the peace shall be notified there, without any diminution, detraction, waste, or embezzlement whatsoever, upon pain of our highest displeasure. Given at Westminster the nine and twentieth day of July, old stile, and eighth day of August, new stile, in the year of our Lord 1667, and of our reign the nineteenth.

[The following is printed from the copy published by authority in 1686.]

Articles of Navigation and Commerce between the Most Serene and Mighty Prince, Charles the Second, by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. and the High and Mighty Lords the States General

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of

of the United Netherlands, concluded the 21st day of July, 1667.

WHEREAS by those articles of peace, union, and alliance, which are this day concluded between his Majesty the King of Great Britain, and the States General of the United Provinces, it is specially and carefully provided, that all the dismal and calamitous effects of war may forthwith cease, and that the peace so much desired by all, may be restored in all kingdoms and dominions of both parties, and unto all their subjects and inhabitants: and the measure of time and affairs hath not permitted them to weigh in an equal balance, and thereby exactly to adjust all and every thing and things which were to be observed and considered about the foresaid articles, especially about those which belong to the rules of free navigation and trade; and that it may be feared, the inhabitants and subjects of both parties may fall back again into new quarrels and dissensions, and the differences now composed may bleed afresh, if they be not bound up by some certain laws about those things which concern navigation and the use of trade: therefore, by the mediation and endeavours of the Swedish ambassadors, the forementioned parties have further agreed unto these separate articles.

I. That all such proclamations and acts of state, which either party hath published, by reason of this war, to the prejudice of the other party, against the liberty of navigation and trade, be abrogated on both sides.

II. That for the elucidation of that act which the King of Great Britain caused to be published in the year 1660, for the encouragement of navigation in his own subjects, whereby strangers are prohibited to import any commodities into England, but such as are of their own growth or manufacture; it may be lawful for the States General, and their subjects, to carry also into England in their ships, all such commodities

modities as growing, being produced, or manufactured in Lower or Upper Germany, are not usually carried so frequently and commodiously unto seaports (thence to be transported to other countries) any other way but through the territories and dominions of the United Netherlands, either by land or by rivers.

III. Whereas the King of Great Britain hath heretofore pressed, that merchandize and commodities on both sides might be reduced to a certain and convenient rule; the States General also have always aimed at the same mark, that merchandize should be bounded and circumscribed within some certain laws of perpetual observation; and yet that business seems to require longer attention and labour, than that it can be speedily dispatched to the satisfaction of both parties; they are both content to remit the same unto a fitter occasion, that commissioners on both sides may meet together as soon as may be after this peace is concluded, who may resolve and agree about specifying and circumscribing the species of commodities, and the laws of navigation, and may set the same down in new and mutual covenants. Yet lest in the mean time the inhabitants and subjects of both parties should be in suspense and doubt, as not knowing what kinds of commodities it may be lawful or unlawful to carry or supply unto the enemy of either party, after the manner and form of warlike provisions or succours, or under the title or pretence of merchandize; it is likewise covenanted and agreed, that the treaty of navigation and commerce made between the Most Christian King and the said States General (beginning from the 26th unto the 42d article inclusively) in that manner and tenor wherein they follow here, inserted in the French language, may provisionally serve for a rule and law, and so make way for the perfecting of a larger and fuller treaty concerning maritime commerce between the above-mentioned parties.

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The foresaid articles follow.

26. All the subjects and inhabitants of France may with all safety and freedom sail and traffic in all the kingdoms, countries, and estates which are or shall be in peace, amity, or neutrality with France, without being troubled or disquieted in that liberty by the ships, gallies, frigates, barques, or other vessels belonging to the States General, or any of their subjects, upon occasion and account of the hostilities which may hereafter happen between the said States General and the abovesaid kingdoms, countries, and estates, or any of them, which are or shall be in peace, amity, or neutrality with France.

27. This transportation and traffic shall extend to all sorts of merchandize, except those of contraband.

28. This term of contraband goods is understood to comprehend only all sorts of fire-arms and their appurtenances; as cannon, musquets, mortar-pieces, petards, bombs, granadoes, fauciffes, pitched hoops, carriages, rests, bandeliers, powder, match, salt-petre, bullets, pikes, swords, morions, head-pieces, cuirasses, halberts, javelins, horses, great saddles, holsters, belts, and other utensils of war.

29. In this quality of contraband goods these following shall not be comprehended; wheat, corn, and other grain, gums, oils, wines, salt, nor generally any thing that belongs to the nourishment and sustenance of life, but shall remain free as other merchandize and commodities not comprehended in the precedent article; and the transportation of them shall be permitted even unto places in enmity with the said States General, except such cities and places as are besieged, blocked up, or invested.

30. It hath been agreed, that the execution of what is abovesaid shall be performed in the manner following; that the ships and barques with the merchandize of his Majesty's subjects, being entered into any port of the said States General, and purposing to pass from thence unto the ports of the said enemies, shall be

be only obliged to shew unto the officers of the port of the said States out of which they would go, their passports, containing the specification of the lading of their ships, attested and marked with the ordinary seal and signing, acknowledged by the officers of the admiralty of those places from whence they first came, with the place whither they are bound, all in the usual and accustomed form: after which shewing of their passports in the form aforesaid, they may not be disquieted nor searched, detained nor retarded in their voyages, upon any pretence whatsoever.

31. The same course shall be used in regard of the French ships and barques which shall come into any roads of the countries under the obedience of the said States, not intending to enter into the ports, or being entered thereinto, not to unlade and break bulk; which ships may not be obliged to give account of their lading, but in case of suspicion that they carry unto the enemies of the said States any contraband goods, as was aforesaid.

32. And in case of such apparent suspicion, the said subjects of his Majesty shall be obliged to shew in the ports their passports in the form above specified.

33. But if they were come within the roads, or were met in the open sea by any of the said States ships, or private men of war their subjects; for avoiding of all disorder, the said ships of the United Provinces shall come no nearer unto the French barques than within cannon-shot, and may send their long-boat or shallop on board the French ships or barques, and cause only two or three men to go on board, unto whom the passports and certificates shall be shewn by the master or pilot of the French ship, in the manner above specified, according to the form of the said certificates which shall be inserted at the end of this treaty; by which passports and certificates proof may be made not only of the lading, but also of the place of the abode and residence as well of the master and pilot, as of the ship itself; to the end that by these

two ways it may be known whether they carry contraband goods; and that the quality as well of the said ship as of its master and pilot may sufficiently appear: unto which passports and certificates entire faith and credit ought to be given. And to the end that their validity may be the better known, and that they may not be in any wise falsified and counterfeit, certain marks and countersigns of his Majesty and the said States General shall be given unto them.

34. And in case any merchandize and commodities of those kinds which are before declared to be contraband and forbidden, shall by the means aforesaid be found in the French vessels and barques bound for the ports of the said States enemies; they shall be unladen, and declared confiscate before the judges of the admiralty of the United Provinces, or other competent officers: but so, that the ship and barque, or other free and allowed goods, merchandize, and commodities found in the same ship, may not for that cause be in any manner seized or confiscate.

35. It was furthermore agreed and covenanted, that whatsoever shall be found laden by his Majesty's subjects upon a ship of the enemies of the said States, although the same were not contraband goods, shall yet be confiscate, with all that shall be found in the said ship, without exception or reservation; but on the other side also, all that shall be and shall be found in the ships belonging to the Most Christian King's subjects, shall be free and discharged, although the lading or part thereof belong to the said States enemies; except contraband goods, in regard whereof such rule shall be observed as hath been ordered in the precedent articles.

36. All the subjects and inhabitants of the said United Provinces shall reciprocally enjoy the same rights, liberties, and exemptions in their trade and commerce, within the ports, roads, seas, and estates of his said Majesty (as hath been newly said) which his said Majesty's subjects shall enjoy in those of the said States,

States, and in open sea; it being to be understood, that the equality shall be mutual every way on both sides: And even in case the said States should hereafter be in peace, amity, and neutrality with any Kings, Princes, and States, who should become enemies to his said Majesty, either of the parties are mutually to use the same conditions and restrictions expressed in the articles of this present treaty, which regard trade and commerce.

37. And the more to assure the subjects of the said States, that no violence shall be offered them by the said ships of war, all the captains of the King's ships, and others his Majesty's subjects, shall be charged and enjoined not to molest or endamage them in any thing whatsoever, upon pain of being punished and made answerable in their persons and goods for the damages and interests suffered, and to be suffered, until due restitution and reparation be made.

38. And for this cause the captains and capers shall from henceforth every one of them be obliged, before they go out, to give good and sufficient security before competent judges, in the sum of fifteen thousand livres tournois, to answer every one by himself for the miscarriages they may commit in their courses at sea, and for their captains and officers violations of this present treaty, and of the orders and proclamations of his Majesty, which shall be published by virtue and in conformity of the regulation therein made; upon pain of being cashiered, and forfeiting the said commissions and licences: which shall in like manner be practised by the subjects of the said States General.

39. If it should happen that any of the said French captains should make prize of a vessel laden with contraband goods, as hath been said, the said captains may not open nor break up the chests, mails, packs, bags, cask, and other boxes, or transport, sell, or exchange, and otherwise alienate them, until they have landed in the presence of the judges of the admiralty,

miralty, and after an inventory hath by them been made of the said goods found in the said vessels; unless the contraband goods making but a part of the lading, the master or pilot of the ship should be content to deliver the said contraband goods unto the said captain, and to pursue his voyage: in which case the said master or pilot shall by no means be hindered from continuing his course and the design of his voyage.

40. His Majesty being desirous that the subjects of the said States may be used in all countries under his obedience as favourably as his own subjects, will give all necessary orders, that judgments and decrees upon prizes which shall happen to be taken at sea, may be given with all justice and equity, by persons not suspected nor concerned in the matter under debate: and his Majesty will give precise and effectual orders, that all decrees, judgments, and orders of justice already given and to be given, may be readily and duly executed according to their forms.

41. And when the ambassadors of the said States General, or any other of their public ministers residing in his Majesty's court, shall make complaint of the judgments which shall be given, his Majesty will cause a review to be made of the said judgments in his council, to examine whether the order and precautions contained in the present treaty have been followed and observed, and to provide for the same according to reason; which shall be done within the space of three months at the farthest: nevertheless, neither before the first judgment, nor after it, during the time of the review, the goods and effects which are claimed, may not be sold or unladen, unless it be with consent of the parties interested, to avoid the spoiling of the said commodities, if they be perishable.

42. When process shall be moved in the first or second instance between those that have taken the prizes at sea, and the persons interested therein, and the said interested

interested persons shall come to obtain a favourable judgment or decree, the said judgment or decree shall have its execution upon security given, notwithstanding the appeal of him that took the prize; but the same shall not hold on the contrary. And that which is said in this present, and in the precedent articles, for the causing of good and speedy justice to be done unto the subjects of the United Provinces in the matter of prizes taken at sea by his Majesty's subjects, shall be understood and practised by the States General, in regard of prizes taken by their subjects from those of his Majesty.

IV. It is also covenanted, that these above-written separate articles, and all and every thing therein contained and concluded, shall be confirmed and ratified by the said King of Great Britain, and the said States General of the United Provinces, by letters patents of both parties, sealed with their great seal in due and authentic form, within four weeks next ensuing, or sooner, if it may be; and mutual instruments shall be exchanged at Breda within the foresaid time; and the same shall be published, after the delivery and exchange thereof, in the usual form and place.

Done at Breda the $\frac{21}{7}$ day of July, 1667.

A Form of the Passports and Certificates that ought to be given in the Admiralty of France, to the Ships and Barques that go out thence, according to the Article of the present Treaty.

CÆSAR, Duke of Vendome, Peer and Great Master, Chief and Superintendant General of the navigation and commerce of France: To all who shall see these presents, greeting.

We do make known, that we have granted leave and permission to _____ master and conductor of a ship called _____ of the city of _____ of the burthen of _____ tons or thereabouts, being at _____

Another Form of the Certificates that ought to be given by the Cities and Sea Ports of the United Provinces, to the Ships and Barques that go from thence, according to the Article abovesaid.

TO the most Serene, most Illustrious, Illustrious, most Mighty, most Noble, Honourable, and Prudent Lords, Emperors, Kings, Commonwealths, Princes, Dukes, Comties, Barons, Lords, Burgomasters, Sheriffs, Counsellors, Judges, Officers, Justices, and Regents of all good cities and places, as well ecclesiastical as secular, who shall see or read these presents. We burgomasters and governors of the city of
do make known, that ship-master,
appearing before us, hath declared by solemn oath, that the ship called containing about
lasts, of which he is at present
the master, belongeth to inhabitants of the United Provinces, So help him God: And, as we would willingly see the said ship-master assisted in his just affairs, we do request you all in general and particular, that where the abovesaid master shall arrive with his ship and goods, it may please them to receive him courteously, and use him in due manner, suffering him, upon the usual rights of tolls and other charges, in, through, and nigh your ports, rivers, and territories, permitting him to sail, pass, frequent, and trade there where he shall think fit. Which we shall willingly acknowledge. In witness whereof we have caused the seal of our city to be thereunto put.

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Articles touching Navigation and Commerce, between the most Serene and Mighty Prince, Charles the Second, by the Grace of God, King of England, Scotland, France, and Ireland, Defender of the Faith, &c. and the High and Mighty Lords the States General
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