

duty. And you are also to pay the judge conservator, which shall be named, his salary, or to help to bear his charges, which he shall enjoy for his labour or pains in the said business, before you shall enjoy thereof, which is to appear by certificate of the office of this duty. Given in Saragosa, the nineteenth day of March, anno 1645.

*I the King.*

I Anthony Carnero, Secretary of the King our Lord, did cause it to be written by his commandment. Registered, Michael de Lariaga, Lieutenant of the Lord High Chancellor. Michael de Lariaga. The copy was taken Jeronimo de Canencia; Don John Chumazero y Carillo, Doctor. Don Anthony de Campo Redondo y Rio, Licentiate.

### JOSEPH GONSALES.

This copy doth agree with that out of which it was taken, which for this effect was exhibited unto me by William Bland, dwelling in the city of Sivil, who took it away again with him the 11th of April, anno 1645.

*Joseph de Pineda, Notary Public of  
the city of Sivil, for the King.*

[The following is printed from the Treaty which was published by authority, in 1686.]

*A Treaty for the composing of Differences, restraining of Depredations, and establishing of Peace in America, between the Crowns of Great Britain and Spain, concluded at Madrid, the 1<sup>st</sup> Day of July, in the Year of our Lord 1670.*

WHEREAS, for many years past, the good understanding and correspondence between the English and Spanish nations having been disturbed in America, it pleased the most Serene and Powerful Prince Charles,  
King

King of Great Britain, &c. in order to the restoring and regulating the same for the future, to send into Spain his envoy extraordinary Sir William Godolphin, Knight, with full authority and power to make any treaty convenient and proper for that end: and likewise the most Serene and Powerful Charles, King of Spain, &c. and the Queen Regent Maria-Anna, &c. for the carrying on a work of so much piety and public good, deputed on their part the Earl of Penaranda, Counsellor of State, and President of the Indies, to confer, treat, and conclude thereupon with the said Sir William Godolphin: at length they mutually resolved and agreed upon the articles of the following treaty, in virtue of their several commissions.

I. First, it is agreed between the above-mentioned plenipotentiaries, Sir William Godolphin and the Earl of Penaranda, in the names of the most Serene Kings respectively, their masters, that the articles of peace and alliance made between the crowns of Great Britain and Spain, in Madrid, on the  $\frac{1}{4}$ <sup>1</sup>/<sub>7</sub> of May 1667, or any clause thereof, shall in no manner be deemed or understood to be taken away or abrogated by this present treaty; but that the same shall remain perpetually in their ancient force, stability, and vigour, so far forth as they are not contrary or repugnant to this present convention and articles, or to any thing therein contained.

II. That there be an universal peace; true and sincere amity, in America, as in the other parts of the world, between the most Serene Kings of Great Britain and Spain, their heirs and successors, and between the kingdoms, states, plantations, colonies, forts, cities, islands, and dominions, without any distinction of place belonging unto either of them, and between the people and inhabitants under their respective obedience, which shall endure from this day for ever, and be observed inviolably, as well by land as by sea and fresh-waters, so as to promote each the welfare and advantage of  
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the other, and favour and assist one another with mutual love; and that every where, as well in those remote countries as in these which are nearer, the faithful offices of good neighbourhood and friendship may be exercised and increase between them.

III. Also, that for the time to come, all enmities, hostilities, and discords, between the said Kings, their subjects and inhabitants, cease and be abolished: and, that both parties do altogether forbear and abstain from all plundering, depredation, injuries, and infestation whatsoever, as well by land as by sea, and in freshwaters, every where.

IV. The said most Serene Kings shall take care that their subjects do accordingly abstain from all force and wrong-doing: and they shall revoke all commissions and letters of reprisal and mart, or otherwise containing licence to take prizes, of what condition or kind soever, being to the prejudice of the one or other of the said Kings, or of their subjects, whether the same have been given or granted by them unto subjects or inhabitants, or unto strangers; and shall declare the same to be void and of no force, as by this treaty of peace they are declared so to be: and whosoever shall do any thing to the contrary; he shall be punished not only criminally, according to the merit of his offence, but shall also be compelled to make restitution and satisfaction for the losses to the parties damnified, requiring the same.

V. And furthermore, the said Kings shall denounce, as by the tenor of these presents every of them hath and doth renounce, whatsoever league, confederation, capitulation, and intelligence, made by what manner soever, in the prejudice of the one or the other, which doth or may repugn against this peace and concord, and all and singular the contents thereof: all which and every of them, so far as they do concern the effect aforesaid, they shall annul and make void, and declare to be of no force or moment.

VI. The prisoners on both sides, one and all, of what degree or condition soever, detained by reason of any hostilities hitherto committed in America, shall be forthwith set at liberty, without ransom, or any other price of their freedom.

VII. All offences, damages, losses, injuries, which the nations and people of Great Britain and Spain have at any time heretofore, upon what cause or pretext soever, suffered by each other in America, shall be expunged out of remembrance, and buried in oblivion, as if no such thing had ever past.

Moreover, it is agreed, that the most Serene King of Great Britain, his heirs and successors, shall have, hold, keep, and enjoy for ever, with plenary right of sovereignty, dominion, possession, and propriety, all those lands, regions, islands, colonies, and places whatsoever, being or situated in the West Indies, or in any part of America, which the said King of Great Britain and his subjects do at present hold and possess; so as that in regard thereof, or upon any colour or pretence whatsoever, nothing more may or ought to be urged, nor any question or controversy be ever moved concerning the same hereafter.

VIII. The subjects and inhabitants, merchants, captains, masters of ships, mariners of the kingdoms, provinces, and dominions of each confederate respectively, shall abstain and forbear to sail and trade in the ports and havens which have fortifications, castles, magazines, or warehouses, and in all other places whatsoever possessed by the other party in the West Indies; to wit, The subjects of the King of Great Britain shall not sail unto, and trade in the havens and places which the Catholic King holdeth in the said Indies; nor in like manner shall the subjects of the King of Spain sail unto, or trade in those places which are possessed there by the King of Great Britain.

IX. But if, at any time hereafter, either King shall think fit to grant unto the subjects of the other, any

general or particular licence or privileges of navigating unto, and trading in any places under his obedience who shall grant the same, the said navigation and trade shall be exercised and maintained according to the form, tenor, and effect of the said permissions or privileges to be allowed and given; for the security, warrant, and authority whereof, this present treaty and the ratification thereof shall serve.

X. It is also agreed, that in case the subjects and inhabitants of either of the confederates, with their shipping (whether public and of war, or private and of merchants) be forced at any time through stress of weather, pursuit of pirates and enemies, or other inconvenience whatsoever, for the seeking of shelter and harbour, to retreat and enter into any of the rivers, creeks, bays, havens, roads, shores, and ports belonging to the other in America, they shall be received and treated there with all humanity and kindness, and enjoy all friendly protection and help: and it shall be lawful for them to refresh and provide themselves, at reasonable and the usual rates, with victuals and all things needful, either for the sustenance of their persons, or reparation of their ships, and conveniency of their voyage; and they shall in no manner be detained or hindered from returning out of the said ports or roads, but shall remove and depart, when and whither they please, without any let or impediment.

XI. Likewise, if any ships belonging to either confederate, their people and subjects, shall, within the coasts or dominions of the other, stick upon the sands, or be wrecked (which God forbid) or suffer any damage, the persons shipwrecked and cast on the shore shall in no sort be kept prisoners, but, on the contrary, all friendly assistance and relief shall be administered to their distress, and letters of safe-conduct given them for their free and quiet passage thence, and the return of every one to his own country.

XII. But when it shall happen, that the ships of  
either

either (as is above-mentioned) through danger of the sea, or other urgent cause, be driven into the ports and havens of the other, if they be three or four together, and may give just ground of suspicion, they shall immediately upon their arrival acquaint the governor or chief magistrate of the place with the cause of their coming, and shall stay no longer than the said governor or chief magistrate will permit, and shall be requisite for the furnishing themselves with victuals, and reparation of their ships: and they shall always take care not to carry out of their ships any goods or packs, exposing them to sale, neither shall they receive any merchandize on board, nor do any thing contrary to this treaty.

XIII. Both parties shall truly and firmly observe and execute this present treaty, and all and every the matters therein contained, and effectually cause the same to be observed and performed by the subjects and inhabitants of either nation.

XIV. No private injury shall in any sort weaken this treaty, nor beget hatred or dissentions between the foresaid nations, but every one shall answer for his own proper fact, and be prosecuted thereupon; neither shall one man satisfy for the offence of another by reprisals, or other such like odious proceedings, unless justice be denied, or unreasonably delayed, in which case it shall be lawful for that King, whose subject hath suffered the loss and injury, to take any course according to the rules and method of the law of nations, until reparation be made to the sufferer.

XV. The present treaty shall in nothing derogate from any pre-eminence, right, or dominion, of either confederate in the American seas, channels, or waters, but that they have and retain the same in as full and ample manner as may of right belong unto them: but it is always to be understood, that the liberty of navigation ought in no manner to be disturbed, where nothing is committed against the genuine sense and meaning of these articles.

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XVI. Lastly,

XVI. Lastly, The solemn ratifications of this present treaty and agreement, made in due form, shall be delivered on both sides, and mutually exchanged within the space of four months from this day; and within eight months, to be computed from the said exchange of the instruments (or sooner if possible) they shall be published in all convenient places throughout the kingdoms, states, islands, and dominions of both confederates, as well in the West Indies as elsewhere.

In testimony of all and singular the contents hereof, we the above-mentioned plenipotentiaries have signed and sealed this present treaty, at Madrid, the  $\frac{9}{11}$  day of July, in the year of our Lord 1670.

The Count of *Penaranda*,  
(L. S.)

*William Godolphin*,  
(L. S.)

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[The following is printed from the Treaty, which was published by authority in 1714.]

*Treaty of Peace and Friendship between the Most Serene and Most Potent Princess Anne, by the Grace of God, Queen of Great Britain, France, and Ireland, Defender of the Faith, &c. and the Most Serene and Most Potent Prince Philip the Fifth, the Catholic King of Spain, concluded at Utrecht the  $\frac{2}{13}$  Day of July, 1713.*

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 a certain treaty of peace and friendship, between us and our good brother Philip the Fifth, Catholic King of Spain, was concluded and signed at Utrecht the  $\frac{2}{13}$  day of this present month, by our ambassadors extraordinary and plenipotentiaries, who