

them to be violated by their subjects or inhabitants: and they shall ratify and confirm all and every thing as before agreed, by letters patent subscribed with their hands, and sealed with their great seals, conceived and written in sufficient, valid, and effectual form; and shall deliver, or cause the same to be delivered reciprocally, within four weeks after the date of these presents (or sooner if it may be) *bonâ fide*, really, and with effect.

XII. Lastly, as soon as the said ratifications shall have been duly and mutually exhibited and exchanged, the peace shall be proclaimed at the Hague within four and twenty hours after the delivery and exchange there made of the said ratifications.

Done at Westminster the  $\frac{2}{12}$  day of February, 167 $\frac{2}{4}$ .

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

*A Treaty Marine, 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 of the United Netherlands; to be observed throughout all and every the Countries and Parts of the World, by Sea and Land. Concluded at London the First Day of December, 1674, S. V.*

I. THAT it shall and may be lawful for all and every the subjects of the most Serene and Mighty Prince, the King of Great Britain aforesaid, with all freedom and safety to sail, trade, and exercise any manner of traffic in all those kingdoms, countries, and estates, which are, or at any time hereafter shall be in peace, amity, or neutrality with his said Majesty;

so that they shall not be any ways hindered or molested in their navigation or trade, by the military forces, nor by the ships of war, or any other kind of vessels whatsoever, belonging either to the High and Mighty States General of the United Netherlands, or to their subjects, upon occasion or pretence of any hostility or difference which now is, or shall hereafter happen between the said Lords the States General, and any princes or people whatsoever in peace, amity, or neutrality with his said Majesty: and likewise, that it shall and may be lawful for all and every the subjects of the said High and Mighty Lords the States General of the United Netherlands, with all freedom and safety to sail, trade, and exercise any manner of traffic in all those kingdoms, countries, and estates, which are, or at any time hereafter shall be in peace, amity, or neutrality with the aforesaid Lords the States; so that they shall not be any ways hindered or molested in their navigation or trade, by the military forces, nor by the ships of war, or any other kind of vessels whatsoever, belonging either to the most Serene and Mighty King above mentioned, or to his subjects, upon occasion or pretence of any hostility or difference, which now is, or shall hereafter happen between his said Majesty and any princes or people whatsoever, in peace, amity, or neutrality with the said Lords the States.

II. Nor shall this freedom of navigation and commerce be infringed by occasion or cause of any war, in any kind of merchandizes, but shall extend to all commodities which shall be carried in time of peace; those only excepted which follow in the next article, and are comprehended under the name of Contraband.

III. Under this name of Contraband or prohibited merchandizes shall be comprehended only arms, pieces of ordnance, with all implements belonging to them, fire-balls, powder, match, bullets, pikes, swords, lances, spears, halberds, guns, mortar-pieces, petards, grenades,

does, musquet-rests, bandeliers, salt-petre, musquets, musquet-shot, helmets, corfflets, breast-plates, coats of mail, and the like kind of armature, soldiers, horses, and all things necessary for the furniture of horses, holsters, belts, and all other warlike instruments whatsoever.

IV. These merchandizes following shall not be reckoned among prohibited goods, *viz.* all kind of cloth, and all other manufactures woven of any kind of wool, flax, silk, cotton, or any other material; all sorts of clothing and vestments, together with the materials whereof they use to be made; gold and silver, as well coined as not coined; tin, iron, lead, copper, and coals; as also wheat, barley, and all other kind of corn or pulse; tobacco, and all kind of spices, salted and smoked flesh, salted and dried fish, butter and cheese, beer, oils, wines, sugars, and all sort of salt; and in general, all provision which serves for the nourishment and sustenance of life; likewise all kind of cotton, hemp, flax, and pitch; and ropes, sails, and anchors, also masts and planks, boards and beams of what sort of wood soever, and all other materials requisite for the building or repairing ships, but they shall be wholly reputed amongst free goods, even as all other wares and commodities which are not comprehended in the next precedent article; so that the same may be freely transported and carried by the subjects of his said Majesty, even unto places in enmity with the said States, as also on the other side, by the subjects of the said States, to places under the obedience of the enemies of his said Majesty; except only towns or places besieged, environed, or invested, in French, Blocquees ou investies.

V. And that all manner of differences and contentions on both sides, by sea and land, may from henceforth cease and be utterly extinguished, it is agreed, that all kind of ships and vessels whatsoever, belonging to the subjects of his said Majesty, entering or  
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being

being entered into any road or port under the obedience of the Lords the States, and purposing to pass from thence, shall be only obliged to shew unto the officers acting in the ports of the said States, or to the captains of the States ships, or of private men of war (if any happen there to be) their passport, commonly called a sea-brief (the form whereof is added at the end of these articles) nor shall any money, or any thing else be exacted from them under that pretence; but if any ship belonging to the subjects of his Majesty of Great Britain shall, in the open sea, or elsewhere, out of the dominions of the said States, meet the ships of war of the said Lords the States, or private men of war of their subjects, the said ships of the Lords the States, or of their subjects, shall keep at a convenient distance, and only send out their boat, and it shall be lawful for them only with two or three men, to go on board the ships and vessels of the subjects of his Majesty, that the passport (or sea-brief) of the propriety thereof, according to the form hereafter specified, may be shewn to them by the captain or master of such ship or vessel belonging to the subjects of his Majesty; and the ship which shall shew the same shall freely pass, and it shall not be lawful to molest, search, detain, or divert the same from her intended voyage: and all the subjects of the Lords the States shall enjoy in all things the same liberty and immunity, they in like manner shewing their passport (or sea-brief) made according to the form prescribed at the latter end of this treaty.

VI. But if any ship or vessel belonging to the English, or other subjects of his Majesty, shall be met making into any port in enmity with the Lords the States; or on the other side, if any ship belonging to the United Provinces of the Netherlands, or other subjects of the Lords the States, shall be met in her way making into any port under the obedience of the enemies of his said Majesty, such ship shall shew, not only a passport (or sea-brief) according to the form

hereunder prescribed, wherewith she is to be furnished; but also her cocquets, expressing the contents of the goods on board, given in the usual form, by the officers of the customs in the port from whence she came, whereby it may be known whether she is laden with any merchandizes prohibited by the third article of this treaty.

VII. But if by the shewing the abovesaid cocquets expressing the contents of the goods on board, given in the usual form by the officers of the customs in the port from whence she came (concerning the shewing whereof it is above agreed) either party shall discover any kind of merchandizes which in the third article of this treaty are declared to be contraband or prohibited, consigned to any port under the obedience of their enemies, it shall not be lawful to open the hatches of such ship in which the same shall happen to be found, whether she belongs to the subjects of his Majesty, or of the Lords the States, nor to unlock or break open the chests, mails, packs, or casks in the same, nor to convey away any the least part of the merchandizes, before the whole be first landed in the presence of the officers of the admiralty, and inventoried; neither shall it be any ways lawful to sell, exchange, or otherwise to alienate the same, until such prohibited goods are rightly and lawfully proceeded against, and that the judges of the admiralty have by their respective sentences confiscated the same: provided always, that as well the ship itself, as the rest of the commodities found in the same, which by this treaty are to be reputed free, shall not, upon pretence of their being infected by such prohibited goods, be detained, much less confiscated for lawful prize; but if not the whole, but a part only of the lading consists of contraband or prohibited commodities, and that the master of the ship shall be willing and ready to deliver them to the captor who seized the same, in that case the captor shall not compel the ship to go out of her course, to any port he thinks fit, but shall forthwith dismiss her, and upon

no account hinder her from freely prosecuting her designed voyage.

VIII. It is further agreed, that whatsoever shall be found laden by his Majesty's subjects, upon any ship whatsoever belonging to the enemies of the Lords the States, although the same be not of the quality of contraband goods, may be confiscated; but on the contrary, all that which shall be found in the ships belonging to the subjects of his Majesty shall be accounted clear and free, although the whole lading, or any part thereof, by just title of propriety, shall belong to the enemies of the Lords the States; except always contraband goods, which being intercepted, all things shall be done according to the meaning and direction of the precedent articles; and by the same reason, whatsoever shall be laden by the subjects of the Lords the States, in any ship whatsoever belonging to the enemies of his Majesty, although the same be not of the quality of contraband goods, may be confiscated; but on the other side, all that which shall be found in the ships belonging to the subjects of the Lords the States, shall be accounted clear and free, although the whole lading, or any part thereof, by just title of propriety, shall belong to the enemies of his Majesty; except always contraband goods, which being intercepted, all things shall be done according to the meaning and direction of the precedent articles. And lest any damage should by surprize be done to the one party who is in peace, when the other party shall happen to be engaged in war, it is provided and agreed, that a ship belonging to the enemies of the one party, and laden with goods of the subjects of the other party, shall not infect or render the said goods liable to confiscation, in case they were laden before the expiration of the terms and times hereafter mentioned, after the declaration or publication of any such war; viz. if the goods were laden in any port or place between the places or limits called the Soundings, and the Naz in Norway, within the space of six weeks after such declaration;

claration; of two months, between the said place the Soundings, and the city of Tangier; and of ten weeks, in the Mediterranean Sea; or within the space of eight months in any other country or place of the world; so that it shall not be lawful to confiscate the goods of the subjects of his Majesty, taken or seized in any ship or vessel whatsoever of any enemy of the Lords the States, upon that pretence, but the same shall be without delay restored to the proprietors, unless they were laden after the expiration of the said terms of time respectively; but so that it may not be lawful for them afterwards to carry to enemies ports the said merchandizes which are called contraband; and for the reason aforesaid shall not be liable to confiscation; neither, on the other side, shall it be lawful to confiscate the goods of the subjects of the Lords the States, taken or seized in any ship or vessel whatsoever of an enemy of his Majesty, upon that pretence; but the same shall be forthwith restored to the proprietors thereof, unless they were laden after the expiration of the said terms of time respectively; but so, that it may not be lawful for them afterwards to carry to enemies ports the said merchandizes which are called contraband; and for the reason aforesaid shall not be liable to confiscation.

IX. And the more to assure the subjects of his Majesty and of the said States, that no injury shall be offered to them by the ships of war or private men of war of either side, all the captains of the ships, as well of his Majesty as of the said States, and all their subjects who shall set out private men of war, and likewise their privileged companies, shall be enjoined not to do any injury or damage whatsoever to the other; which if they do, they shall be punished, and moreover be liable to satisfy all costs and damages, by restitution and reparation, upon pain and obligation of person and goods.

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X. For

X. For this cause, all the commanders of private men of war shall from henceforth be obliged, before they receive their commissions, to enter, before a competent judge, good and sufficient security, by able and responsible men, who have no part or interest in such ship, in the sum of fifteen hundred pounds sterling, or sixteen thousand five hundred guilders; and when they have above one hundred and fifty men, then in the sum of three thousand pounds sterling, or three and thirty thousand guilders, that they will give full satisfaction for any damages or injuries whatsoever, which they or their officers, or others in their service, shall commit in their courses at sea, contrary to this present treaty, or any other whatsoever, between his Majesty and the said States, and upon pain of revocation and annulling their said commissions, in which it shall be always inserted, that they have given such security as abovesaid; and likewise it is agreed, that the ship itself shall be also liable to make satisfaction for injuries and damages done by her.

XI. His Majesty and the said States, being desirous that the subjects of each other may be mutually treated, in all countries under their obedience respectively, with the like kindness as their own subjects, will give all necessary and effectual orders, the judgments upon prizes taken be given according to the rule of justice and equity, by judges beyond all suspicion, and not any way concerned in the cause under debate; and his Majesty and the said States will likewise give strict orders that all sentences already given, and which shall be hereafter given, be (according to the tenor thereof) duly put in execution, and obtain their effect.

XII. And whensoever the ambassadors of the said Lords the States, or any other their public ministers resident at the court of his most Serene Majesty of Great Britain, shall complain of the unjustness of sentences which have been given, his Majesty will cause the same to be reviewed and examined in his council,  
that



that it may appear whether the orders and precautions prescribed in this treaty have been observed, and have had their due effect, and will also take care that the same be fully provided for, and that right be done to the party complaining, within the space of three months; and likewise, when the ambassadors or other public ministers of his Majesty, resident with the States General, shall complain of the unjustness of sentences, the said States will cause a review and examination thereof to be made in the assembly of the States General, that it may appear whether the orders and precautions prescribed in this treaty have been observed, and have had their due effect, and they will likewise take care that the same be fully provided for, and that right be done to the party complaining within the space of three months: nevertheless, it shall not any ways be lawful to sell or unlade the goods in controversy, either before the sentence given, or after it, during the review thereof, on either side, unless it be with the consent of the parties interested.

XIII. A suit being commenced between the takers of prizes on the one part, and the claimers thereof on the other, and a sentence or decree being given for the party reclaiming, the said sentence or decree (upon security given) shall be put in execution, notwithstanding the appeal made by him that took the prize, which shall not be observed, in case the sentence shall be given against the claimers.

XIV. And whereas the masters of merchants ships, and likewise the mariners and passengers, do sometime suffer many cruelties and barbarous usages, when they are brought under the power of ships which take prizes in time of war, the takers in an inhuman manner tormenting them, thereby to extort from them such confessions as they would have to be made; it is agreed, that both his Majesty, and the Lords the States General, shall, by the severest proclamations or placarts, forbid all such heinous and inhuman offences, and as many as they

they shall by lawful proofs find guilty of such acts, they shall take care that they be punished with due and just punishments, and which may be a terror to others; and shall command that all the captains and officers of ships, who shall be proved to have committed such heinous practices, either themselves, or by instigating others to act the same, or by conniving while they were done, shall (besides other punishments to be inflicted proportionably to their offences) be forthwith deprived of their offices respectively; and every ship brought up as prize, whose mariners or passengers shall have suffered any torture, shall forthwith be dismissed and freed, with all her lading, from all further examination and proceedings against her, as well judicial as otherwise.

XV. It is also agreed, that the like severity of punishments shall be inflicted upon those who, contrary to the meaning of the one and twentieth article of the treaty of peace concluded at Breda, shall take commissions from enemies, to seize the ships of either ally (or party) contrary to what is provided in the said article.

XVI. Lastly, it is agreed and concluded, that this present treaty, and all and singular the things therein contained, shall be with all convenient speed on both sides ratified and confirmed, and that the ratifications thereof shall be, within two months from the date hereof, rightly and reciprocally exchanged between both parties; and also that the said treaty shall, within one month after such exchanging of the ratifications, be delivered in due and authentic form to the governors of the English East India and Africa companies, and to the directors of the Dutch East and West India companies, and shall with the first conveniency be also sent by his said Majesty, and by the said Lords the States, to their respective governors and commanders in chief of their colonies and plantations in every part of the world out of Europe, to the end that it may  
be

be by them, and all others within their dominions and under their power, punctually observed and fulfilled.

*The Form of the Passport (or Sea-brief) to be asked of, and given by the Lord High Admiral, or by those to whom the Exercise of Admiralty Jurisdiction is ordinarily committed, or by the Mayor or other chief Magistrate, or by the Commissioners or other principal Officers of the Customs in their respective Ports and Places within his Majesty's Dominions, to the Ships and Vessels sailing out thence, according to the Purport of the Fifth Article.*

TO all unto whom these presents shall come, greeting. We Lord High Admiral  
of We Lords Commis-  
sioners executing the office of the Lord High Admi-  
ral of or We Judge of  
the High Court of the Admiralty of  
or We the Mayor, or other Ma-  
gistrate of or We Com-  
missioners, or principal Officers of the Customs in the  
city or port of do testify and make  
known, that master or commander of  
the ship called the hath appeared be-  
fore us, and hath declared by solemn oath, that the  
said ship or vessel, containing about  
tons, of which he is at present master or commander,  
doth belong to the inhabitants of  
within the dominions of the most Serene and Mighty  
Prince, the King of England, Scotland, France, and  
Ireland, Defender of the Faith, &c. So help him  
God. And in regard it would be most acceptable to  
us, that the said master or commander be assisted in  
his just and lawful affairs, we do request you, and  
every of you, wheresoever the said master or com-  
mander shall arrive with his ship, and the goods laden  
on board and carried in her, that you would please to  
receive him courteously, and use him kindly, and ad-  
mit him, upon paying the lawful and usual customs  
and

and other duties, to enter into, remain in, and pass from your ports, rivers, and dominions, and there to enjoy all kind of right of navigation, traffic, and commerce, in all places where he shall think fit; which we shall most willingly and readily acknowledge upon all occasions. In testimony and confirmation whereof, we have with our hand signed these presents, and caused them to be sealed with our seal. Dated at

in the day of  
in the year of our Lord

*The Form of the Passport (or Sea-brief) to be asked of, and given by the Burgermasters of the Cities and Ports of the United Netherlands, to the Ships or Vessels sailing from thence, according to the Purport of the Fifth Article.*

TO the most Serene, most Illustrious, most Mighty, most Noble, most Honourable, and most Prudent Emperors, Kings, Governors of Commonwealths, Princes, Dukes, Earls, Barons, Lords, Burgermasters, Schepens, Counsellors, Judges, Officers, Justices, and Rulers of all cities and places, as well ecclesiastical as secular, to whom these presents shall be shewn; We the burgermasters and rulers of the city of

do certify, that master or skipper of the ship appeared before us, and declared by solemn oath, that the said ship, called the containing about lasts, of which he is at

present master or skipper, belongeth to the inhabitants of the United Netherlands. So help him God. And in regard it would be most acceptable to us, that the said master or skipper be assisted in his just and lawful affairs, we do request you and every of you, wheresoever the said master or skipper shall arrive with his ship, and the goods laden on board and carried in her; that you would please to receive him courteously, and use him kindly, and admit him, upon paying the lawful and usual customs and other duties, to enter into, remain in, and pass from your ports, rivers, and dominions,

dominions, and there to enjoy all kind of right of navigation, traffic, and commerce, in all places where he shall think fit; which we shall most willingly and readily acknowledge upon all occasions. In testimony and confirmation whereof, we have caused the seal of our city to be hereunto put. Dated at  
 in                    the                    day of  
 in the year of our Lord

In testimony and confirmation of all and singular the premises, we the commissioners of his Majesty and the Lords the States General aforesaid, being sufficiently impowered thereunto, have to these presents subscribed our names, and sealed them with our seals, at London, the first day of December, 1674.

*Tho. Culpeper*

*J. Corver*

*G. Downing*

*G. Sautyn*

*Richard Ford*

*Samuel Beyer*

*Will. Thomson*

*And. Van Vossen*

*John Jollife*

*P. Duvelaer*

*John Buckworth*

*M. Michielzen.*

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

*Explanatory Declaration upon certain Articles of the Marine Treaties, concluded between his Majesty and the States General of the United Provinces, February 17, 1667, and December 1, 1674.*

WHEREAS some difficulty hath arisen concerning the interpretation of certain articles, as well in the treaty marine which was concluded the first day of December, 1674, as in that which was concluded the 17th of February, 1667, between his Majesty of Great Britain on the one part, and the States General of the United Provinces of the Low Countries on the

the other, relating to the liberty of their respective subjects to trade unto the ports of each other's enemies; We Sir William Temple, Baronet, Ambassador Extraordinary from his said Majesty of Great Britain, in the name and on the part of his said Majesty; and We William Van Heuckelom, Daniel Van Wyngaerden, Lord of Werckendam, Gaspar Fagel, Counsellor and Pensioner of Holland and West Friesland, John de Mauregnault, John Baron of Reede and Renfoude, William de Haren, Gretman of the Bilt, Henry Ter Borgh, and Luke Alting, Deputies in the Assembly of the said States General for the States of Guelderland, Holland, Zealand, Utrecht, Friesland, Overissell, Groningen, and the Omlands, in the name and on the part of the said States General, have declared, as we do by these presents declare, that the true meaning and intention of the said articles is and ought to be, that ships and vessels belonging to the subjects of either of the parties, can and might, from the time that the said articles were concluded, not only pass, traffic, and trade from a neutral port or place to a place in enmity with the other party, or from a place in enmity to a neutral place, but also from a port or place in enmity, to a port or place in enmity with the other party, whether the said places belong to one and the same Prince or State, or to several Princes or States, with whom the other party is in war. And we declare, that this is the true and genuine sense and meaning of the said articles; pursuant whereunto we understand that the said articles are to be observed and executed on all occasions, on the part of his said Majesty and the said States General, and their respective subjects; yet so, that this declaration shall not be alledged by either party for matters which happened before the conclusion of the late peace in the month of February, 167 $\frac{3}{4}$ . And we do promise, that the said declaration shall be ratified by his said Majesty, and by the said States General, and that within two months, or sooner if possible,

ble, reckoning from the day and date of this declaration, the ratifications of the same shall be brought hither to the Hague, to be here exchanged. In witness whereof we have signed these presents at the Hague, this 30th day of December, 1675.

(L. S.) *W. Temple.* (L. S.) *W. Van Heuckelom.*  
 (L. S.) *D. Van Wyngaerden.*  
 (L. S.) *Gasp. Fagel.*  
 (L. S.) *Jo. Mauregnault.*  
 (L. S.) *John Baron van Reede*  
*vry Heer van Renfwoude.*  
 (L. S.) *W. Haren.*  
 (L. S.) *H. Ter. Borgh.*  
 (L. S.) *L. Alling.*

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[The following is printed from the copy published by authority in 1784.]

*The Definitive Treaty of Peace and Friendship between his Majesty the King of Great Britain, and their High Mightinesses the States General of the United Provinces of the Low Countries.*

In the name of the most holy and undivided Trinity, Father, Son, and Holy Ghost. So be it.

BE it known to all those whom it shall or may in any manner concern. The most Serene and most Potent Prince and Lord George the Third, by the grace of God, King of Great Britain, France, and Ireland, Duke of Brunswic and Lunenbourg, Arch-Treasurer and Elector of the holy Roman Empire, &c. and the High and Mighty Lords the States General of the United Provinces of the Low Countries, having laid the foundation of peace by the preliminary articles signed at Paris the second of September last; and his said Majesty and the said States General being desirous to complete so great and salutary a work, have

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named