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A
HISTORY
OF THE
POLITICAL LIFE
OF THE
RIGHT HONOURABLE
WILLIAM PITT.

VOL. I.

**G. SIDNEY, Printer,
Northumberland-street, Strand.**



The Right Honourable
WILLIAM PITT,
Engraved by H. Meyer, from an original Picture by
I. HOPPNER, ESQ. R.A.

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A
HISTORY
OF THE
POLITICAL LIFE
OF THE
RIGHT HONOURABLE
WILLIAM PITT;
INCLUDING SOME ACCOUNT OF
THE TIMES IN WHICH HE LIVED.

By JOHN GIFFORD, Esq.

IN SIX VOLUMES.

NEC SIBI, SED TOTI GENITUM SE CREDERE MUNDO.

LUCAN.

EHE

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CONTENTS.

CHAPTER I.

Cursory View of the State of Europe—American Rebellion—
Hostile disposition of the European powers to Great Britain
---Armed Neutrality---Treacherous Enmity of the Dutch---
Asiatic League against the British power---Acts of Outrage,
in the Capital of England---Mr. Pitt's birth---his Education
---his entrance into Parliament---his first Speech on Mr.
Burke's proposals for an economical reform---Dissolution
of the Ministry---Lord Rockingham, Premier—Mr. Pitt's
refusal to come into office—Motives of that refusal—Death
of Lord Rockingham—New Ministry—Mr. Pitt Chancellor
of the Exchequer—Negotiations for Peace—Mr. Pitt
defends the Address to the Throne—his Answer to Mr.
Burke—Mr. Fitzherbert sent to Paris—Conclusion of
Peace—Terms of the Peace censured by the Opposition—
Coalition between Lord North and Mr. Fox—reprobated
by Mr. Pitt—Debates on the Peace—Declaration of Prin-
ciple by Mr. Pitt—The Ministers left in a minority—
Ministerial Interregnum—New Ministry—The Duke of
Portland, Premier—Mr. Pitt's motion for a Reform in
Parliament—his notions of the duty of Representatives—
his motion for a Reform in the Public Offices—Close of
the Session.

CHAPTER II.

Affairs of India—Rigorous Policy adopted by Mr. Hastings—Appointment of Committees of Inquiry by the House of Commons, for the Investigation of Abuses in the Government of India—Report of the Committees—Proceedings against Sir Thomas Rumbold and others—Meeting of Parliament—Mr. Fox's India Bills—Debates on them—Strongly opposed by Mr. Pitt—Petitions against the Bills, from various commercial Bodies—Carried through the House of Commons by a great Majority—Highly disapproved by the Public—Discussions in the House of Lords—Lord Thurlow heads the Opposition; and panegyricizes Mr. Hastings—Bills rejected on the second Reading—Unconstitutional Proceedings of the Commons—Ministers dismissed with Disgrace—New Administration—Mr. Pitt Prime Minister.

CHAPTER III.

Proceedings of Parliament—A majority of the House of Commons oppose the Minister—Land Tax bill postponed—Committee on the State of the Nation—Address to the King not to dissolve the Parliament—Reflections on the unconstitutional Conduct of the Commons, as displayed in their interference with the King's prerogative of choosing his own servants—Powers of the House of Commons, in respect to the Ministers, defined—Motions respecting the acceptance of bills from India, and the appointment of Chancellor of the Duchy of Lancaster for life—House adjourned for the recess—State of Parties—Mr. Pitt defends his own Conduct—Right of dissolving Parliament during a Session denied, on the authority of Lord Somers—

Such doctrine subversive of the Constitution—Mr. Pitt avows his principles, and refuses to barter away the Royal Prerogative—Resolutions of the House proved to have an illegal and unconstitutional tendency—An Administration supported by a majority of the House, maintained to be indispensably necessary—Resolutions to that effect—Debates thereon—Conduct of Earl Temple arraigned—Mr. Pitt's India bill—Opposed by Mr. Fox—Rejected by a majority of eight—Farther efforts to displace the Ministers—Their continuance in office resolved to be unconstitutional—Attempts, by the Country Gentlemen, to produce a Coalition of Parties—Mr. Pitt explains the motives and principles of his conduct—Refuses to resign, as a preliminary step to the proposed coalition—His resignation insisted on as an indispensable preliminary by the Whig Leaders—He defends the Prerogative, and explains the legal powers of the House—Dares Mr. Fox to prefer Criminal Charges against him—Reflections on the conduct of the Country Gentlemen on this occasion—Their efforts to accomplish their object—Mr. Fox asserts the right of the House of Commons to a real and substantial negative in the nomination of Ministers—Absurdity and danger of such a principle exposed—Mr. Pitt dares the opposition to refuse the supplies—Supplies postponed by a majority of twelve—Proceedings in the House of Lords—Assert the true principles of the constitution in contradiction to the Commons—Resolutions for that purpose—The Commons defend themselves from these imputations—Compromise between the Country Gentlemen and the Whig Party, in consequence of which the Supplies are suffered to pass—Resolutions, by Mr. Powis and Mr. Eden, for an address to the Throne—Debate thereon—Mr. Fox maintains that the voice of the people is only to be found in the House of Commons—Address carried—His Majesty's answer—Considered by the House—Another address moved by Mr. Fox—Op

posed by Mr. Pitt—Carried by a majority of Twelve—
The King's answer—Remonstrance of the Commons,
who assert their right to call for the removal of Ministers
without preferring any charge whatever against them—
Observations on this remonstrance—Remonstrance
carried by a majority of *One*—Mutiny bill passed—Parlia-
ment first prorogued, and then dissolved.

CHAPTER IV.

General reflections on Mr. Pitt's Conduct—Views and pro-
ceedings of the Whig party—Mr. Pitt placed in a very
peculiar situation—Memorable remark of Lord Chatham
respecting his brother—Mr. Fox's doubts of the sincerity
of Mr. Pitt's wishes for a coalition of parties removed by
Mr. Dundas—The dissolution of Parliament not necessarily
an appeal to the people—Meeting of the New Parliament
—A great majority in favour of the Ministry—Extraordi-
nary remonstrance against the late dissolution, read in the
House of Commons by Mr. Burke—Reflections on the
same—Means for preventing frauds on the Revenue—The
Commutation act—Preliminary measures for the relief of
the East India Company—Bill for the regulation of the
Government of India—Debates thereon—Provisions for
the trial and punishment of Asiatic delinquents disapproved
—Mr. Pitt's just views of chartered rights—Objections to
the whole plan by the Opposition—Mr. Fox's sentiments
on the subject—Different conduct of Mr. Pitt and Mr.
Fox respecting Indian affairs—Investigation of public
accounts—Mr. Pitt adopts a new mode of disposing of the
Loan—Beneficial effects thereof—Supplies—Ways and
Means—Mr. Dundas's bill for the restoration of the
forfeited estates in Scotland—Arguments in support of it—
Reflections on the measure—Passes the House of Com-
mons—Is opposed by Lord Thurlow—Ground of his
opposition not tenable—Receives the Royal Assent—
Session closes.

CHAPTER V.

Attention of the British government direct to continental affairs—State of the continent—Projects of Reform entertained by Joseph, emperor of Germany—Reflections on those projects—His infraction of the Barrier Treaty—Impolicy of that measure—The Pope arrives at Vienna—His vain attempts to dissuade the Emperor from the execution of his plans for the plunder of the church—Mirabeau's sentiments on these plans—Domestic dissensions in Holland—Fury of the republican faction—Resignation of the duke of Brunswick—Jealousy of Prussia—Insidious conduct of France—Claims of the emperor upon Holland—Negotiations at Brussels—Acts of hostility committed on the Dutch by the Imperial troops—Attempt to force the passage of the Scheldt, resisted by the Dutch—Emperor supported by the empress of Rússia—The Empress's letter to the king of Prussia—Cautious conduct of the British Ministry—Parliament meets—The King's speech—Decision on the Westminster scrutiny—Difference between the Court of Directors of the East-India Company, and the Board of Controul—Discussions in Parliament relative thereto—Mr. Pitt's motion for a Parliamentary Reform—Development of his plan—Reflections on the same—The Danger of a recurrence to first principles—Considerations on the qualifications of Voters and of Representatives to a part of the plan—Mr. Fox's objections examined—Mr. Pitt's character as a Reformer, delineated—Comparative abilities of Mr. Pitt and Mr. Fox—Motion rejected—Dr. Paley's notions of Parliamentary Reform examined, and some of them censured—Mr. Fox's motion for a committee to investigate the financial statements of Mr. Pitt—Negatived—Mr. Francis's motion for a committee

for examining the affairs of the East-India Company---
 Supported by Mr. Fox---Mr. Pitt's answer to Mr. Fox, and
 statement of curious facts, relative to Mr. Fox's India
 bill---Motion rejected---Financial state of the country---
 The Budget---Commissioners appointed for examining the
 Fees, &c. taken in public offices.

CHAPTER VI.

Retrospective view of the state of Ireland---Relative situation
 of the two countries, ill calculated for the preservation of
 harmony---Measures of the Irish Parliament---Volunteers
 of Ireland become a deliberative and political body---Re-
 flections on their unconstitutional conduct---Conciliating
 measures of the English government---Legislative inde-
 pendence of the Irish Parliament acknowledged---The
 Irish Volunteers become clamorous for Parliamentary
 Reform---The subject introduced to Parliament, by Mr.
 Flood---Rejected---Declaration of the House of Commons
 ---Address to the King---Violent proceedings of the armed
 Associations---Meeting of the Congress in Dublin---Pro-
 secution of the Sheriff---Application of the Congress to
 Mr. Pitt---Mr. Pitt's answer---False views of Reform im-
 puted to Mr. Pitt---System of commercial intercourse
 prepared by the British ministers---Resolutions, consti-
 tuting its basis, submitted to, and adopted by, the Irish
 Parliament---Mr. Pitt opens the subject to the British
 House of Commons---Discussions thereon---Resolutions
 adopted---Amended resolutions brought forward by Mr.
 Pitt---Objections thereto---Passed by a great Majority---
 System opposed by the British manufacturers---Favourable
 to the Irish---Great dissatisfaction of the Irish public at
 the proposed measures---A party anxious to promote a
 separation of the two kingdoms---Their motives explained.

bosom, of any individual; they have all been subjected to public analysis, and submitted to public discussion.—He has, in fact, been the historian of his own measures, the expounder of his own principles, and the herald of his own deeds. Mr. Pitt's actions required no subterfuge to disguise, no artifice to conceal, them;—the

Nil conscire sibi, et nullâ pallescere culpâ,

was the true characteristic of his feelings. With the pride of conscious integrity, he solicited investigation, and courted publicity. In his luminous and comprehensive Speeches in Parliament, he has explained his motives, and unfolded his views, his objects, and his designs; and has thus, by the supply of an invaluable fund of materials, greatly facilitated the labour of his Political Biographer, which might, indeed, be said chiefly to consist in the proper use, application, and arrangement, of those materials.

I may, then, without presumption, express my belief, that your Lordship will

not perceive, in these volumes, either any superfluous matter, or any important omission; and that, whatever cause of disapprobation you may find in the opinions, you will not discover the slightest ground of censure in the perversion of facts.

I have the honour to be,

MY LORD,

With the greatest respect,

Your Lordship's most faithful,

and most obedient Servant,

JOHN GIFFORD,

London,

March 1st, 1809.

—Debates on the commercial system in the Irish House of Commons—Vehemently opposed by Messrs. Flood and Grafton—Supported by Messrs. Fitzgibbon, Hutchinson, and Foster—Small majority in favour of the measure—The plan given up—Remarkable speech of Mr. Curran.

CHAPTER VII.

State of the Continent—Projected exchange of Bavaria for the Austrian Netherlands—Treaty of Berlin—Insurrection in Hungary—Treaty of Fontainebleau between Austria and Holland—Treaty of Alliance and Commerce between France and Holland—Dissentions in Holland fomented by France—Meeting of the British Parliament—Mr. Fox condemns the conduct of the government respecting the Treaty of Berlin—His opinion of the policy of continental alliances—Declares his jealousy of French power and ambition—Answered by Mr. Pitt, who disclaims all right of interference, on the part of the British government, in the concerns of Hanover—Reflections on the duty of a Minister in that respect—Motion for fortifying the dock-yards—Mr. Pitt's speech in support of it—Different opinions on the subject—Mr. Sheridan's speech—Remarks on his sentiments—State of the revenue—Mr. Pitt's proposal for the establishment of a permanent Sinking Fund—Combated by Mr. Fox and Mr. Sheridan—Mr. Sheridan's counter-resolutions rejected by the House—Objections to an *unalienable* fund—Mr. Pitt's bill for giving effect to his plan passes into a law—Bill for subjecting the duties on foreign wines to the excise, introduced by Mr. Pitt—Arguments against it—Receives the Royal Assent—Mr. Burke prefers charges of high crimes and misdemeanors against Mr. Hastings—Mr. Fox attacks Mr. Dundas—Mr. Pitt defends him—Mr. Hastings's defence—Mr. Pitt's Speech on the Charge respecting Cheit Sing—Exposes the insidiousness and acrimony of one part of the

Charge—Offends both parties by his vote—His conduct explained and justified—Reflections on the influence of political prejudices on judicial decisions—Mr. Dundas's bill for the improvement of the government of India—Opposed by Mr. Burke—Carried—Parliament prorogued.

CHAPTER VIII.

Reflections on the *natural enmity* subsisting between Great Britain and France—Its supposed origin, and its consequences—Treaty of Commerce between the two countries—Communicated to Parliament in the King's Speech—Objected to by Mr. Fox—Mr. Fox's Antigallican principles commended as truly patriotic—He is answered by Mr. Pitt—Discussion of the Treaty—Its provisions explained, and its principles defended, by Mr. Pitt—Opposed by Mr. Fox, who combats the principles and opinions of Mr. Pitt, and justifies the Antigallican Spirit of our Ancestors—Treaty supported by Mr. Grenville—Approved by a great majority of the House—Renewed discussions on the same topic—Mr. Fox attacks the contracted notions of Mr. Wilberforce—Further debate—Mr. Grey's maiden speech—Adopts the Antigallican principles of Mr. Fox, and reprobrates any connection with France—Mr. Burke takes the same side of the question—The address, opposing the Treaty, carried—The measure discussed in the House of Lords—Opposed by the Bishop of Llandaff—Supported by the Marquis of Lansdowne—Approved by the House—Mr. Pitt opens his plan for simplifying the collection of the Revenue, by consolidating the duties of Custom and Excise—Traces the existing plan of Commercial Taxation to its origin, and exposes its defects—Inefficiency of the remedies hitherto devised—Three thousand resolutions necessary for carrying the new plan into effect—Panegyric on Mr. Pitt by Mr. Burke.

CHAPTER IX

The Corporation and Test Acts---Their Origin and Design---
 The Principle of them examined and justified---The Citizens of Athens subject to a Test-Law---The Oath of *Conformity* which every Athenian was compelled to take before he could be admitted to any office in the state---
 Mr. Beaufoy's motion for a Repeal of those Acts---Fallacy of his argument exposed---He is answered by Lord North ---who shews the intent of the Legislature in passing the Acts---Expresses his jealousy of the Dissenters,---Mr. Pitt opposes the motion---and contends that the Dissenters enjoy as perfect a Toleration as the safety of the Establishment will permit---Mr. Fox supports the motion---Sir William Dolben quotes Dr. Priestley's authority for the danger to which the Church is exposed---Question lost---Mr. Pitt opens the Budget---His financial statements opposed by Mr. Sheridan---Confirmed by the House---The Prince of Wales's debts---Observations on the nature of them---Application to the House of Commons, on the subject, by Alderman Newnham---Mr. Rolle mentions the reported marriage of the Prince with Mrs. Fitzherbert---Mr. Fox, by the Prince's authority, solemnly declares that no such marriage had ever taken place---Confident assertions, of a contrary nature, by public writers---Observations on the importance of this discussion, and the law respecting such marriage examined and defined---Mrs. Fitzherbert asserted to be no Papist---The contrary affirmed---The Prince's debts settled without the Interference of Parliament---Prosecution of the charges against Mr. Hastings---Eloquent speech of Mr. Sheridan---Its Effects---Mr. Fox and Mr. Taylor's conduct on the occasion censured---Charges supported by Mr.

Pitt—Opposed by Lord Hood—confirmed by the House—
Mr. Hastings impeached by the Commons before the Lords
—Parliament prorogued—Mr. Pitt's conduct respecting
Mr. Hastings defended against the censures pronounced
upon it.

CHAPTER X.

Affairs of Holland—The Stadtholder deposed—Insidious con-
duct of France—Death of Frederick, King of Prussia—
His title to the appellation of GREAT disputed—Conduct
of his Successor with regard to Holland—A Civil war
breaks out.—Arrest of the Princess of Orange on her way
to the Hague—Resented by the King of Prussia—Duke of
Brunswick enters Holland with the Prussian army—restores
the Stadtholder and the former government—State of
France—Dawn of the French Revolution—Causes which
produced it—The Dauphin's opinion of the writings of the
French Philosophers and Economists—The President de
Seguier's Sentiments on the same subject—Their predic-
tions realized—Distress of the Finances—Assembly of
Notables—Dissolved, without any attempt to relieve the
national distress—Parliament refuse to register the Stamp-
duty—The King holds a bed of Justice—Factious conduct
of the Parliament—Its members banished—Recalled—
Dangerous compromise of the Royal Authority—Determi-
nation of the French King to assist the Dutch malcon-
tents communicated to the British Ministry—Spirited Con-
duct of the Minister on that occasion—Augments the
Navy and Army—France relinquishes her Design—Re-
flections on her conduct—Meeting of Parliament—Con-
duct of the Minister unanimously approved by both
Houses—Subsidiary Treaty with the Landgrave of Hesse
Cassel—Proposed increase of the means of Colonial Defence
—Debate on the same—Defended by Mr. Pitt—Discussion
respecting a recent promotion of Naval Officers—East-

India Company refuse to send troops to India, on the requisition of the Board of Control—Animadversions on their Conduct—Declaratory Law for defining the powers of the Board of Control as settled by Mr. Pitt's East India Bill—The Definition defended by Mr. Pitt and Mr. Dundas—Opposed by several of Mr. Pitt's friends, and by Mr. Fox—Mr. Pitt's opinion of the propriety of incorporating the King's Troops in India with the Company's Army—Of standing Armies in general—He introduces several clauses into the Bill, for the purpose of obviating the objections of its Opponents—Bill passed—The Budget—Flourishing State of the Country explained by Mr. Pitt—Denied by Mr. Sheridan—Mr. W. Grenville's bill for explaining his father's act respecting the trial of contested elections—The Slave-Trade—Its consideration postponed, on the motion of Mr. Pitt, to the next Session—Sir William Dolben's Bill for regulating the transportation of negroes from Africa to the West Indies—Mr. Pitt's plan for the indemnification of the losses sustained by the American Loyalists, unanimously approved by Parliament—Trial of Mr. Hastings—Motion for appointing Mr. Francis a member of the committee for conducting the Prosecution—Rejected by the House of Commons—The same motion renewed by Mr. Fox—Opposed by Mr. Pitt and Mr. W. Grenville—Again rejected—Reflections on the subject—Account of the Expenses attending the trial moved for and produced—Sir Gilbert Elliot's motion for impeaching Sir Elijah Impey rejected—Defensive Treaty of Alliance with Holland, with Prussia—Parliament prorogued.

DEDICATION.

TO THE

RIGHT HONOURABLE

EARL SPENCER,

Knight of the Garter,

&c. &c.

MY LORD,

IN dedicating these volumes to your Lordship, I shall, at least, be exempted from the imputation of interested motives; since rich, pre-eminently rich, as you unquestionably are, in honour and integrity, you have neither places to distribute, nor power to confer. As the political friend of Mr. Pitt, who, at a most critical period of his public life, sacrificed your personal prepossessions to your country's good;— who, having become his colleague, took an active, conspicuous, and honourable, share

in all the great and prominent measures of his administration;—who joined him in stemming the torrent of revolutionary principles, which threatened to overwhelm the venerable fabric of our Constitution, and to shake the very foundations of the social edifice;—who braved, with him, the sneers of the envious, the calumnies of the disaffected, and the threats of the common enemy;—who always did justice to his character, while living;—and, who paid the last tribute of respect to his memory, when dead;—there seems a peculiar propriety, My Lord, in dedicating, to your Lordship, this faithful, though feeble, sketch of his Political Life.

Happy, My Lord, to embrace so appropriate an occasion for giving a public testimony, as well, of my respect for the integrity, correctness, and gentlemanly attention,* which invariably marked the

* Earl Spencer, when in office, extended his vigilant and active superintendance to every object within the sphere of his department;—he was always easy of access, suffered no application to remain without an answer, and never sunk the *Gentleman* in the *Minister*.

honourable discharge of your official duty, in every situation in which you was placed, as of my esteem for the virtues which uniformly distinguish your conduct in private life; it would ill become me to subject your Lordship to the charge of an implied approbation of all the principles and opinions which these volumes exhibit. On some points, and those not unimportant, I am fully aware, My Lord, that our opinions materially differ; and, proud, as I should be, of a cordial concurrence with your Lordship on every question, as well of practical policy, as of general principles, I know I should incur your contempt, were I base enough to establish it, by a surrender of that mental independence, of which your Lordship is, at once, an excellent judge, and a signal example.

If, in this work, I have expressed strong sentiments, the subject will be found to have called for, and, consequently, to have justified, them.—If I have spoken with freedom of public characters, I have only asserted that liberty which they exer-

cised themselves,—with this difference, that I have never used it but for public purposes, whereas they often employed it for personal objects; and I have carefully confined it within legitimate bounds, while they carried it to an unwarrantable and dangerous excess.—If I have inferred *motives* from *conduct*, I have adopted the only criterion by which the intentions of men can be tried, and the only means of deriving those instructive lessons, which it is the main object of history to communicate, and its peculiar province to impress.—I have endeavoured to state facts with fidelity; and, if I have drawn deductions from them illogical, inconclusive, or false, they must have proceeded from an error in judgment, which, with the premises before him, the reader will have no difficulty to correct. Anxious, above all things, for the establishment of truth, I have pleaded her cause with earnest zeal and sincere devotion; nor have I been deterred from enforcing her precepts by any motives of a personal nature, by the desire of conciliating favour,

on the one hand, or by the fear of giving offence, on the other.

I may, possibly, My Lord, be supposed, by some readers, to have entered more largely into the affairs of Foreign States, than was necessary for the apparently limited subject of my Work: but your Lordship must be sensible, that it was impossible to disconnect the great measures of Mr. Pitt's administration from the concerns of the Continent, to which so many of them had an immediate relation; or to convey a just estimate of the former, without impressing a right understanding of the latter.— And as, in the cursory view of transactions abroad, I have been enabled to correct many misrepresentations which had been industriously circulated at home, I trust your Lordship will concur with me in the opinion, that the course which I have pursued, while it is perfectly consistent with the plan of my Work, is the best calculated to afford information, and to promote truth.

It is to me, My Lord, a matter of serious and deep regret, that this task has not devolved on some one more competent, in many respects, than myself, to do justice to the subject; and that the difficulty which, in a greater or less degree, must always occur in writing the history of contemporary times, should be enhanced by a disregard of the potent consideration, that delicacy to individuals should ever be made to yield to the public good. While I am greatly indebted to the free and open communications of some distinguished persons, I have reason to complain of the apathy and reserve of others;—and, according to my sense of public duty, their notions respecting it are very erroneous, who think it no breach of it to withhold any information tending to elucidate facts which may instruct, or to correct errors which may mislead, the public mind.

Fortunately, however, for the historian, the circumstances and transactions of Mr. Pitt's administration are not locked up in the Cabinet, or confined within the

APPENDIX B.

Treaty of Commerce and Navigation, between his Britannic Majesty and the Most Christian King, signed at Versailles, the 26th of September, 1786.

HIS Britannic Majesty, and his Most Christian Majesty, being equally animated with the desire not only of consolidating the good harmony which actually subsists between them, but also of extending the happy effects thereof to their respective subjects, have thought that the most efficacious means for attaining those objects, conformably to the 18th article of the treaty of peace, signed the 6th of September, 1763, would be to adopt a system of commerce on the basis of reciprocity and mutual convenience, which, by discontinuing the prohibitions and prohibitory duties which have existed for almost a century between the two nations, might procure the most solid advantages, on both sides, to the national productions and industry, and put an end to contraband trade, no less injurious to the public revenue, than to that lawful commerce which is alone entitled to protection; for this end, their said Majesties have named for their commissaries and plenipotentiaries, to wit, the King of Great Britain, William Eden, Esq. privy counsellor in Great Britain and Ireland, member of the British Parliament, and his envoy extraordinary and minister plenipotentiary to his Most Christian Majesty; and the Most Christian King, the Sieur Joseph Mathias Gerrard de Rayneval, Knt. counsellor of state, Knight of the royal order of Charles III. who, after having exchanged their

respective full powers, have agreed upon the following articles.

ART. I. It is agreed and concluded between the most serene and most potent King of Great Britain, and the most serene and most potent, the Most Christian King, that there shall be a reciprocal and entirely perfect liberty of navigation and commerce between the subjects of each party, in all, and every, the kingdoms, states, provinces, and territories, subject to their Majesties in Europe, for all and singular kinds of goods, in those places, upon the conditions, and in such a manner and form as is settled and adjusted in the following articles :

ART. II. For the future security of commerce and friendship between the subjects or their said Majesties, and to the end that this good correspondence may be preserved from all interruption and disturbance, it is concluded and agreed, that if, at any time, there should arise any misunderstanding, breach of friendship, or rupture between the crowns of their Majesties, which God forbid! (which rupture shall not be deemed to exist until the recalling or sending home of the respective ambassadors and ministers) the subjects of each of the two parties residing in the dominions of the other, shall have the privilege of remaining and continuing their trade therein, without any manner of disturbance, so long as they behave peaceably, and commit no offence against the laws and ordinances ; and in case their conduct should render them suspected, and the respective governments should be obliged to order them to remove, the term of twelve months shall be allowed them for that purpose, in order that they may remove, with their effects and property, whether entrusted to individuals, or to the state. At the same time it is to be understood, that this favour is not to be extended to those who shall act contrary to the established laws.

ART. III. It is likewise agreed and concluded, that the subjects and inhabitants of the kingdoms, provinces, and dominions of their Majesties, shall exercise no acts of hostility

or violence against each other, either by sea or by land, or 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 reprisal, as they are called, from any prince or states, enemies to the other party; nor by virtue, or under colour of such patents, commissions, or reprisals, shall they disturb, molest, or any way prejudice or damage the aforesaid subjects and inhabitants of the King of Great Britain, or of the Most Christian King; neither shall they arm ships in such manner as is above said, or go out to sea (there with. To which end, as often as it is required by either party, strict and express prohibitions shall be renewed and published in all the territories, countries, and dominions 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 being liable to make full restitution and satisfaction to those to whom they have done any damage; neither shall any letters of reprisal be hereafter granted by either of the said high contracting parties, to the prejudice or detriment of the subjects of the other, except only in such a case wherein justice is denied or delayed; which denial or delay of justice shall not be regarded as verified, unless the petitions 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 not to be granted, that within the space of four months, or sooner, if it be possible, he may manifest the contrary, or procure the satisfaction which may be justly due.

ART. IV. The subjects and inhabitants of the respective dominions of the two sovereigns, shall have liberty, freely and securely, without licence or passport, general or special, by land or by sea, or any other way, to enter into the kingdoms, dominions, provinces, countries, islands, cities, villages, towns, walled or unwalled, fortified or unfortified, ports, or territories

whatsoever, of either sovereign situate in Europe, and to return from thence, to remain there, or to pass through the same, and therein to buy and purchase, as they please, all things necessary for their subsistence and use, and they shall mutually be treated with all-kindness and favour. Provided, however, that in all these matters, they behave and conduct themselves conformably to the laws and statutes, and live with each other in a friendly and peaceable manner, and promote a reciprocal concord by maintaining a mutual and good understanding.

ART. V. The subjects of each of their said Majesties may have leave and licence to come with their ships, as also with the merchandize and goods on board the same, the trade and importation whereof are not prohibited by the laws of either kingdom, and to enter into the countries, dominions, cities, ports, places, and rivers of either party, situated in Europe, to resort thereto, and to remain and reside there, without any limitation of time; also to hire houses, or to lodge with other persons, and to buy all lawful kinds of merchandizes, where they think fit, either from the first maker or the seller, or in any other manner, whether in the public market for the sale of merchandizes, or in fairs, or wherever such merchandizes are manufactured or sold. They may likewise deposit and keep, in their magazines and warehouses, the merchandizes brought from other parts, and afterwards expose the same to sale, without being in any wise obliged, unless willingly and of their own accord, to bring the said merchandizes to the marts and fairs. Neither are they to be burthened with any impositions or duties on account of the said freedom of trade, or for any other cause whatsoever, except those which are to be paid for their ships and merchandizes, conformably to the regulations of the present treaty, or those to which the subjects of the two contracting parties shall themselves be liable. And they shall have free leave to remove themselves, as also their wives, children, and servants, together with their merchandizes, property, goods, or effects, whether bought or imported,

wherever they shall think fit, out of either kingdom, by land and by sea, on the rivers and fresh waters, after discharging the usual duties; any law, privilege, grant, immunities, or customs, to the contrary thereof in any wise notwithstanding. In matters of religion, the subjects of the two crowns shall enjoy perfect liberty. They shall not be compelled to attend Divine service, whether in the churches or elsewhere; but, on the contrary, they shall be permitted, without any molestation, to perform the exercises of their religion privately in their own houses, and in their own way. Liberty shall not be refused to bury the subjects of either kingdom who die in the territories of the other, in convenient places to be appointed for that purpose; nor shall the funerals or sepulchres of the deceased be in any wise disturbed. The laws and statutes of each kingdom shall remain in full force and vigour, and shall be duly put in execution, whether they relate to commerce and navigation, or to any other right, those cases only excepted, concerning which it is otherwise determined in the articles of this present treaty.

ART. VI. The two high contracting parties have thought proper to settle the duties on certain goods and merchandizes, in order to fix invariably the footing on which the trade therein shall be established between the two nations. In consequence of which they have agreed upon the following tariff, viz.

1st. The wines of France, imported directly from France into Great Britain, shall, in no case, pay any higher duties than those which the wines of Portugal now pay.

The wines of France, imported directly from France into Ireland, shall pay no higher duties than those which they now pay.

2d. The vinegars of France, instead of sixty-seven pounds five shillings and three pence and twelve-twentieths of a penny sterling per ton, which they now pay, shall not for the future pay, in Great Britain, any higher duties than thirty-two pounds eighteen shillings and ten pence and sixteen-twentieths of a penny sterling per ton.

3d. The brandies of France, instead of nine shillings and six pence and twelve-twentieths of a penny sterling, shall for the future pay, in Great Britain, only seven shillings sterling per gallon, making four quarts, English measure.

4th. Oil of olives, coming directly from France, shall, for the future, pay no higher duties than are now paid for the same from the most favoured nations.

5th. Beer shall pay reciprocally a duty of thirty per cent. *ad valorem*.

6th. The duties on hardware, cutlery, cabinet ware, and turnery, and also all works, both heavy and light, of iron, steel, copper, and brass, shall be classed; and the highest duty shall not exceed ten per cent. *ad valorem*.

7th. All sorts of cottons, manufactured in the dominions of the two sovereigns in Europe, and also woollens, whether knit or wove, including hosiery, shall pay, in both countries, an import duty of twelve per cent. *ad valorem*; all manufactures of cotton or wool, mixed with silk, excepted, which shall remain prohibited on both sides.

8th. Cambrics and lawns shall pay, in both countries, an import duty of five shillings, or six livres Tournois, per demi-piece of seven yards and three quarters, English measure; and linens, made of flax or hemp, manufactured in the dominions of the two sovereigns in Europe, shall pay no higher duties, either in Great Britain or France, than linens manufactured in Holland or Flanders, imported into Great Britain, now pay.

And linen made of flax or hemp, manufactured in Ireland or France, shall reciprocally pay no higher duties than linens manufactured in Holland, imported into Ireland, now pay.

9th. Saddlery shall reciprocally pay an import duty of fifteen per cent. *ad valorem*.

10th. Gauzes of all sorts shall reciprocally pay ten per cent. *ad valorem*.

11th. Millinery, made up of muslin, lawn, cambric, or gauze of every kind, or of any other article admitted under

the present tariff, shall pay reciprocally a duty of twelve per cent. *ad valorem*: and if any article shall be used therein, which are not specified in the tariff, they shall pay no higher duties than those paid for the same articles by the most favoured nations.

12. Porcelain, earthen-ware, and pottery, shall pay reciprocally twelve per cent. *ad valorem*.

13th. Plate-glass, and glass-ware in general, shall be admitted, on each side, paying a duty of twelve per cent. *ad valorem*.

His Britannic Majesty reserves the right of countervailing, by additional duties on the undermentioned merchandizes, the internal duties actually imposed upon the manufactures, or the import duties which are charged on the raw materials; namely, on all linens or cottons, stained or printed, on beer, glass-ware, plate-glass, and iron.

And his Most Christian Majesty also reserves the right of doing the same, with regard to the following merchandizes; namely, cottons, iron, and beer.

And for the better securing the due collection of the duties payable *ad valorem*, which are specified in the above tariff, the said contracting parties will concert with each other as well the form of the declarations to be made, as also the proper means of preventing fraud with respect to the real value of the said goods and merchandizes.

But if it shall hereafter appear, that any mistakes have inadvertently been made in the above tariff, contrary to the principles on which it is founded, the two sovereigns will concert with good faith upon the means of rectifying them.

ART. VII. The duties above specified are not to be altered but by mutual consent; and the merchandizes not above specified shall pay, in the dominions of the two sovereigns, the import and export duties payable in each of the said dominions by the most favoured European nations, at the time the present treaty bears date; and the ships belonging to the

subjects of the said dominions shall also respectively enjoy therein all the privileges and advantages which are granted to those of the most favoured European nations.

And it being the intention of the two high contracting parties, that their respective subjects should be in the dominions of each other upon a footing as advantageous as those of other European nations; they agree, that in case they shall hereafter grant any additional advantages in navigation or trade to any other European nations, they will reciprocally allow their said subjects to participate therein, without prejudice, however, to the advantages which they reserve, viz. France in favour of Spain, in consequence of the 24th article of the family compact, signed the 10th of May, 1761, and England according to what she has practised in conformity to, and in consequence of the convention of 1703, between England and Portugal.

And to the end that every person may know, with certainty, the state of the aforesaid imposts, customs, import and export duties, whatever they may be, it is agreed, that tariffs, indicating the imposts, customs, and established duties, shall be affixed in public places, as well in Rouën and the other trading cities of France, as in London and the other trading cities under the dominion of the king of Great Britain, that recourse may be had to them whenever any difference shall arise concerning such imposts, customs, and duties, which shall not be levelled otherwise than in conformity to what is clearly expressed in the said tariffs, and according to their natural construction. And if any officer, or other person in his name, shall, under any pretence, publicly or privately, directly or indirectly, demand or take of a merchant, or of any other person, any sum of money, or any thing else, on account of duties, impost, search, or compensation, although it be under the name of a free gift, or under any other pretence, more or otherwise than what is above prescribed, in such case the said officer, or his deputy, if he be accused and convicted of the

same before a competent judge, in the place where the crime was committed, shall give full satisfaction to the injured party, and shall likewise suffer the penalty prescribed by the laws.

ART. VIII. No merchandize exported from the countries respectively under the dominion of their majesties, shall hereafter be subject to be inspected or confiscated, under any pretence of fraud or defect in making or working them, or of any other imperfection whatsoever; but absolute freedom shall be allowed to the buyer and seller to bargain and fix the price for the same, as they shall see good; any law, statute, edict, proclamation, privilege, grant, or custom to the contrary notwithstanding.

ART. IX. Whereas several kinds of merchandizes, which are usually contained in casks, chests, or other cases, and for which the duties are paid by weight, will be exported from, and imported into, France by British subjects; it is agreed, that in such case the aforesaid duties shall be demanded only according to the real weight of the merchandizes; and the weight of the casks, chests, and other cases whatever shall be deducted, in the same manner as has been, and is now, practised in England.

ART. X. It is further agreed, that if any mistake or error shall be committed by any master of a ship, his interpreter or factor, or by any other employed by him, in making the entry or declaration of her cargo, neither the ship nor the cargo shall be subject, for such defect, to confiscation; but it shall be lawful for 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 placart, provided always that there be no manifest appearance of fraud: neither shall the merchants, or the masters of ships, or the merchandize, be subject to any penalty, by reason of such omission, in case the goods omitted in the declaration shall not have been landed before the declaration has been made.

ART. XI. In case either of the two high contracting

parties shall think proper to establish prohibitions, or to augment the import duties upon any goods or merchandize of the growth or manufacture of the other, which are not specified in the tariff, such prohibitions or augmentations shall be general, and shall comprehend the like goods and merchandizes of the other most favoured European nations, as well as those of either state; and in case either of the two contracting parties shall revoke the prohibitions, or diminish the duties in favour of any other European nation, upon any goods or merchandize of its growth or manufacture, whether on importation or exportation, such revocations or diminutions shall be extended to the subjects of the other party, on condition that the latter shall grant to the subjects of the former the importation and exportation of the like goods and merchandizes under the same duties; the cases reserved in the VIIth article of the present treaty always excepted.

ART. XII. And forasmuch as a certain usage, not authorized by any law, has formerly obtained in divers parts of Great Britain and France, by which French subjects have paid in England a kind of capitation tax, called, in the language of that country, head-money; and English subjects a like duty in France, called *argent du chef*; it is agreed, that the said impost shall not be demanded for the future, on either side, neither under the ancient name, nor under any other name whatsoever.

ART. XIII. If either of the high contracting parties has granted, or shall grant, any bounties for encouraging the exportation of any articles, being of the growth, produce, or manufacture of his dominions, the other party shall be allowed to add to the duties already imposed, by virtue of the present treaty, on the said goods and merchandizes imported into his dominions, such an import duty as shall be equivalent to the said bounty. But this stipulation is not to extend to the cases of restitutions of duties and imposts, (called drawbacks,) which are allowed upon exportation.

ART. XIV. The advantages granted by the present treaty to the subjects of his Britannic Majesty shall take effect, as far as relates to the kingdom of Great Britain, as soon as laws shall be passed there for securing to the subjects of his Most Christian Majesty the reciprocal enjoyment of the advantages which are granted to them by the present treaty.

And the advantages granted by all these articles, except the tariff, shall take effect, with regard to the kingdom of Ireland, as soon as laws shall be passed there for securing to the subjects of his Most Christian Majesty the reciprocal enjoyment of the advantages which are granted to them by this treaty; and, in like manner, the advantages granted by the tariff shall take effect, in what relates to the said kingdom, as soon as laws shall be passed there for giving effect to the said tariff.

ART. XV. It is agreed, that ships belonging to his Britannic Majesty's subjects, arriving in the dominions of his Most Christian Majesty, from the port of Great Britain or Ireland, or from any other foreign port, shall not pay freight duty or any other like duty. In the same manner, French ships shall be exempted in the dominions of his Britannic Majesty, from the duty of five shillings, and from every other similar duty or charge.

ART. XVI. It shall not be lawful for any foreign privateers, not being subjects of either crown, who have commissions from any other prince or state, in enmity with either nation, to arm their ships in the ports of either of the said two kingdoms, to sell what they have taken, or in any other manner whatever to exchange the same; neither shall they be allowed even to purchase victuals, except such as shall be necessary for their going to the nearest port of that prince from whom they have obtained commissions.

ART. XVII. When any dispute shall arise between any commander of a ship and his seamen, in the ports of either kingdom, concerning wages due to the said seamen, or other civil causes whatever, 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 for the seamen to desert their ship, or to hinder the commander from prosecuting his voyage. It shall moreover be lawful for the merchants in the places of their abode, or elsewhere, to keep books of their accounts and affairs, as they shall see fit, and to have an intercourse of letters, in such language or idiom as they shall chuse, without any molestation or search whatsoever. But if it should happen to be necessary for them to produce their books of accounts for deciding any dispute or controversy, in such case they shall be obliged to bring into court the entire books or writings, but so as the judge may not have liberty to take cognizance of any other articles in the said books than such as shall relate to the affair 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. Nor shall the subjects of the king of Great Britain be obliged to write their accounts, letters, or other instruments relating to trade, on stamped paper, 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 indorsed and attested gratis by the judge, under his own hand.

ART. XVIII. It is further agreed and concluded, that all merchants, commanders of ships, and others, the subjects of the king of Great Britain, in all the dominions of his Most Christian Majesty in Europe, shall have full liberty to manage their own affairs themselves, or to commit them to the management of whomsoever they please; nor shall they be obliged to employ any interpreter or broker, nor to pay them any salary, unless they shall chuse to employ them. Moreover, masters of

ships shall not be obliged, in loading or unloading their ships, to make use of those persons who may be appointed by public authority for that purpose, either at Bourdeaux or elsewhere; but it shall be entirely free for them to load or unload their ships by themselves, or to make use of such person or persons in loading or unloading the same, as they shall think fit, without the payment of any reward to any other whomsoever; neither shall they be forced to unload into other ships, or to receive into their own, any merchandize whatever, or to wait for their lading any longer than they please. And all the subjects of the Most Christian King shall reciprocally have and enjoy the same privileges and liberties, in all the dominions of his Britannic majesty in Europe.

ART. XIX. The ships of either party being laden, sailing along the coasts of the other, and being forced by storm into the havens or ports, or making land there in any other manner whatever, shall not be obliged to unlade their goods, or any part thereof, or to pay any duty, unless they, of their own accord, unlade their goods there, and sell some part thereof. But it shall be lawful, permission having been first obtained from those who have the direction of maritime affairs, to unlade and sell a small part of their cargo, merely for the end of purchasing necessaries, either for victualling or refitting the ship; and in that case the whole lading shall not be subject to pay the duties, but that small part only which shall have been taken out and sold.

ART. XX. It shall be lawful for all the subjects of the King of Great Britain, and of the Most Christian King, to sail with their ships, with perfect security and liberty, no distinction being made who are the proprietors of the merchandizes laden thereon, from any port whatever, to the countries which are now, or shall be hereafter at war with the king of Great Britain or the Most Christian King. It shall likewise be lawful for the aforesaid subjects to sail and traffic with their ships and merchandizes, with the same liberty and security, from the

countries, ports, and places of those who are enemies of both, or of either party, without any opposition or disturbance whatsoever, and to pass directly not only from the places of the enemy afore-mentioned 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, or of several princes. And as it has been stipulated concerning ships and goods, that every thing shall be deemed free, which shall be found on board the ships belonging to the subjects of the respective kingdoms, although the whole lading, or part thereof, should belong to the enemies of their majesties, contraband goods being always excepted, on the stopping of which such proceedings shall be had as are conformable to the spirit of the following articles; it is likewise agreed, that the same liberty be extended to persons who are on board a free ship, to the end that, although they be enemies to both, or to either party, they may not be taken out of such free ships, unless they are soldiers, actually in the service of the enemies, and on their voyage for the purpose of being employed in a military capacity, in their fleets or armies.

ART. XXI. This liberty of navigation and commerce shall extend to all kinds of merchandizes, excepting those only which are specified in the following articles, and which are described under the name of contraband.

ART. XXII. Under this name of contraband, or prohibited goods, shall be comprehended arms, cannon, barquebusses, mortars, petards, bombs, grenades, saucisses, carcasses, carriages for cannon, musket-rests, bandoleers, gunpowder, match, salt-petre, ball, pikes, swords, head-pieces, helmets, cutlasses, halberds, javelins, holtsters, belts, horses and harness, and all other like kinds of arms and warlike implements fit for the use of troops.

ART. XXIII. These merchandizes which follow shall not be reckoned among contraband goods, that is to say; all sorts of cloth, and all other manufactures of wool, flax, silk, cotton,

or any other materials, all kinds of wearing apparel, together with the articles of which they are usually made, gold, silver, coined or uncoined, tin, iron, lead, copper, brass, coals, as also wheat and barley, and any other kind of corn and pulse, tobacco, and all kinds of spices, salted and smoked flesh, salted fish, cheese and butter, beer, oil, wines, sugar, all sorts of salt, and of provisions which serve for sustenance and food to mankind; also all kinds of cotton, cordage, cables, sails, sail-cloth, hemp, tallow, pitch, tar, and resin, anchors and any parts of anchors, ships' masts, planks, timber, of all kinds of trees, and all other things proper either for building or repairing ships. Nor shall any other goods whatever, which have not been worked into the form of any instrument, or furniture for warlike use, by land or by sea, be reputed contraband, much less such as have been already wrought and made up for any other purpose. All which things shall be deemed goods not contraband, as likewise all others which are not comprehended and particularly described in the preceding article; so that they may be freely carried by the subjects of both kingdoms, even to places belonging to an enemy, excepting only such places as are besieged, blocked up, or invested.

ART. XXIV. To the end that all manner of dissensions and quarrels may be avoided and prevented on both sides, it is agreed, that in case either of their Majesties should be engaged in a war, the ships and vessels belonging to the subjects of the other shall be furnished with sea-letters or passports, expressing the name, property, and bulk of the ship, as also the name and place of abode 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 the present treaty: they shall likewise be renewed every year, if the ship happens to return home within the space of a year. It is also agreed, that such ships, when laden, are to be provided not only with passports as above-mentioned, but also

with certificates containing the several particulars of the cargo, the place from whence the ship sailed, and whither she is bound, so that it may be known whether she carries any of the prohibited or contraband goods specified in the XXII. article of this treaty; which certificates shall be prepared by the officers of the place from whence the ship set sail, in the accustomed form. And if any one shall think fit to express, in the said certificates, the person to whom the goods belong, he may freely do so.

ART. XXV. The ships belonging to the subjects and inhabitants of the respective kingdoms, coming to any of the coasts of either of them, but without being willing to enter into port, or being entered, yet not willing to land their cargoes, or break bulk, shall not be obliged to give an account of their landing, unless they are suspected, upon sure evidence, of carrying prohibited goods, called contraband, to the enemies of either of the two high contracting parties.

ART. XXVI. In case the ships belonging to the said subjects and inhabitants of the respective dominions of their most serene Majesties, either on the coast or on the high seas, shall meet with any men of war belonging to their most serene Majesties, or with privateers, the said men of war and privateers, for preventing any inconveniences, are to remain out of cannon-shot, and to send their boats to the merchant-ships which may be met with, and shall enter her to the number of two or three men only, to whom the master or commander of such ship or vessel shall shew his passport, containing the proof of the property of the ship, made out according to the form annexed to this present treaty; and the ship which shall have exhibited the same shall have liberty to continue her voyage, and it shall be wholly unlawful any way to molest or search her, or to chase or compel her to alter her course.

ART. XXVII. The merchant-ships belonging to the subjects of either of the two high contracting parties, which intend to go to a port at enmity with the other sovereign, concerning

whose voyage, and the sort of goods on board, there may be just cause of suspicion, shall be obliged to exhibit, as well on the high seas as in ports and havens, not only her passports, but also her certificates, expressing that the goods are not of the kind which are contraband, as specified in the XXII. article of this treaty.

ART. XXVIII. If, on exhibiting the above-mentioned certificates, containing a list of the cargo, the other party should discover any goods of that kind which are declared contraband, or prohibited by the XXII. article of this treaty, and which are designed for a port subject to his enemies, it shall be unlawful to break up or open the hatches, chests, casks, bales, or other vessels found on board such ship, or to remove even the smallest parcel of the goods, whether the said ship belongs to the subjects of the King of Great Britain, or of the Most Christian King, unless the landing be brought on shore, in the presence of the officers of the court of admiralty, and an inventory made by them of the said goods: nor shall it be lawful to sell, exchange, or alienate the same in any manner, unless after due and lawful process shall have been had against such prohibited goods, and the judges of the admiralty respectively shall, by sentence pronounced, have confiscated the same; saving always as well the ship itself, as the other goods found therein, which by this treaty are to be accounted free: neither may they be detained on pretence of their being mixed with prohibited goods, much less shall they be confiscated as lawful prize: and if, when only part of the cargo shall consist of contraband goods, the master of the ship shall agree, consent, and offer to deliver them to the captor who has discovered them, in such case, the captor having received those goods as lawful prize, shall forthwith release the ship, and not hinder her, by any means, from prosecuting her voyage to the place of her destination.

ART. XXIX. 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 enemies of the other, although it be not contraband goods, shall be confiscated in the same manner as if it belonged to the enemy himself; except those goods and merchandizes which were put on board such ship before the declaration of war, or the general order for reprisals, or even after such declaration, if it were done within the times following; that is to say, if they were put on board such ship in any port or place within the space of two months after such declaration or order for reprisals, between Archangel, St. Petersburg, and the Scilly islands, and between the said islands and 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 contraband, or otherwise, which, as 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 above-mentioned, shall no ways be liable to confiscation, but shall well and truly be restored, without delay, to the proprietors demanding the same; provided nevertheless, 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.

ART. XXX. And that more abundant care may be taken for the security of the respective subjects of their most serene Majesties, to prevent their suffering any injury by the men of war or privateers of either party, all the commanders of the ships of the King of Great Britain, and of the Most Christian King, and all their subjects, shall be forbid doing any damage to those of the other party, or committing any outrage against them; and if they act to the contrary they shall be punished, and shall moreover be bound, in their persons and estates, to make satisfaction and reparation for all damages, and the interest thereof, of what nature soever.

ART. XXXI. 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 responsible men, and have no interests in the said ship, each of whom shall be bound in the whole for the sum of thirty-six thousand livres Tournois, or fifteen hundred pounds sterling; or if such ship be provided with above one hundred and fifty seamen or soldiers, for the sum of seventy-two thousand livres Tournois, or three thousand pounds sterling, that they will make entire satisfaction for all damages and injuries whatsoever, which they, or their officers, or others in their service, may commit during their cruize, contrary to the tenor of this present treaty, or the edicts made in consequence thereof by their most serene Majesties, under penalty likewise of having their patents and special commissions revoked and annulled.

ART. XXXII. Their said Majesties being willing, mutually, to treat in their dominions the subjects of each other as favourably as if they were their own subjects, will give such orders as shall be necessary and effectual, that the judgments and decrees, concerning prizes in the courts of admiralty, be given conformably to the rules of justice and equity, and to the stipulations of this treaty, by judges who are above all suspicion, and who have no manner of interest in the cause in dispute.

ART. XXXIII. And when the quality of the ship, goods, and master, shall sufficiently appear, from such passports and certificates, it shall not be lawful for the commanders of men of war to exact any further proof under any pretext whatsoever. But if any merchant-ship shall not be provided with 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 truly belongs to the subjects of one of the sovereigns, and does not contain any contraband 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 its voyage.

If the master of the ship, named in the passports, should

happen to die, or be removed by any other cause, and another put in his place, the ships and goods laden thereon shall nevertheless be equally secure, and the passports shall remain in full force.

ART. XXXIV. It is further provided and agreed, that the ships of either of the two nations, retaken by the privateers of the other, shall be restored to the former owner, if they have not been in the power of the enemy for the space of four and twenty hours, subject to the payment, by the said owner, of one-third of the value of the ship retaken, and of its cargo, guns, and apparel; which third part shall be amicably adjusted by the parties concerned: but if not, and in case they should disagree, they shall make application to the officers of the admiralty of the place where the privateer which retook the captured vessel shall have carried her.

If the ship retaken has been in the power of the enemy above four and twenty hours, she shall wholly belong to the privateer which retook her.

In case of a ship being retaken by any man of war belonging to his Britannic Majesty, or to his Most Christian Majesty, it shall be restored to the former owner, on payment of the thirtieth part of the value of such ship, and of its cargo, guns, and apparel, if it was retaken within the four and twenty hours, and the tenth part if it was retaken after the four and twenty hours; which sums shall be distributed, as a reward, amongst the crews of the ships which shall have retaken such prize. The valuation of the thirtieth and tenth parts above-mentioned shall be settled conformably to the regulations in the beginning of this article.

ART. XXXV. Whosoever the ambassadors of either of their said Majesties, or other their ministers, having a public character, and residing at the court of the other prince, shall complain of the injustice of the sentences which have been given, their Majesties shall respectively cause the same to be revised and re-examined in their councils, unless their councils

should already have decided thereupon, that it may appear, with certainty, whether the directions and provisions prescribed in this treaty have been followed and observed. Their Majesties shall likewise take care that this matter be effectually provided for, and that justice be done to every complainant within the space of three months. However, before or after judgment given, and pending the revision thereof, it shall not be lawful to sell the goods in dispute, or to unlade them, unless with the consent of the persons concerned, for preventing any kind of loss: and laws shall be enacted on both sides for the execution of the present article.

ART. XXXVI. If any differences shall arise respecting the legality of prizes, so that a judicial decision should become necessary, the judge shall direct the effects to be unladen, an inventory and appraisement to be made thereof, and security to be required respectively from the captor for paying the costs, in case the ship should not be declared lawful prize; and from the claimant for paying the value of the prize, in case it should be declared lawful; which securities being given by both parties, the prize shall be delivered up to the claimant. But if the claimant should refuse to give sufficient security, the judge shall direct the prize to be delivered to the captor, after having received from him good and sufficient security for paying the full value of the said prize, in case it should be adjudged illegal. Nor shall the execution of the sentence of the judge be suspended by reason of any appeal, when the party against whom such appeal shall be brought, whether claimant or captor, shall have given sufficient security for restoring the ship or effects, or the value of such ship or effects, to the appellant, in case judgment should be given in his favour.

ART. XXXVII. In case any ships of war or merchantmen, forced by storms or other accidents, be driven on rocks or shelves, on the coasts of either of the high contracting parties, and should there be dashed to pieces and shipwrecked, all such parts of the said ships, or of the furniture or apparel thereof,

as also of the goods and merchandizes as shall be saved, or the produce thereof, shall be faithfully restored, upon the same being claimed by the proprietors, or their factors, duly authorized, paying only the expenses incurred in the preservation thereof, according to the rate of salvage settled on both sides; saving at the same time the rights and customs of each nation, the abolition or modification of which shall however be treated upon, in the cases where they shall be contrary to the stipulations of the present article; and their majesties will mutually interpose their authority, that such of their subjects as shall be so inhuman as to take advantage of any such misfortune, may be severely punished.

ART. XXXVIII. 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, shall be appointed by the ordinary judges, if it be needful, and the judges be thereunto required.

ART. XXXIX. And for the greater security and liberty of commerce and navigation, it is further agreed, that both the King of Great Britain, and the Most Christian King, shall not only refuse to receive any pirates, or sea-rovers whatsoever, into any of their havens, ports, cities, or towns, or permit any of their subjects, citizens, or inhabitants, on either part, to receive or protect them in their ports, to harbour them in their houses, or to assist them in any manner whatsoever; but further, they shall cause all such pirates and sea-rovers, and all persons who shall receive, conceal, or assist them, to be brought to condign punishment, for a terror and example to others. And all their ships, with the goods or merchandizes taken by them, and brought into the ports of either kingdom, shall be seized as far as they can be discovered, and shall be restored to the owners, or their factors duly authorized, or deputed by them in writing, proper evidence being first given, in the court of admiralty, for proving the property,

even in case such effects should have passed into other hands by sale, if it be proved that the buyers knew, or might have known, that they had been piratically taken. And, generally, all ships and merchandizes, of what nature soever, which may be taken on the high seas, shall be brought into some port of either kingdom, and delivered into the custody of the officers of that port, that they may be restored entire to the true proprietor; as soon as due and sufficient proof shall have been made concerning the property thereof.

ART. XL. It shall be lawful, as well for the ships of war of their Majesties, as for privateers belonging to their subjects, to carry, whithersoever they please, the ships and goods taken from their enemies, without being obliged to pay any fee to the officers of the admiralty, or to any judges whatever; nor shall the said prizes, when they arrive at, and enter the ports of, their said Majesties, be detained or seized; neither shall the searchers, or other officers of those places, visit or take cognizance of the validity of such prizes; but they shall be at liberty to hoist sail at any time, to depart, and to carry their prizes to the place mentioned in the commissions or patents, 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 prize upon the subjects of either of their Majesties; but if forced by stress of weather, or the dangers of the sea, to enter therein, particular care shall be taken to hasten their departure, and to cause them to retire from thence as soon as possible, as far as it is not repugnant to former treaties made in this respect with other sovereigns or states.

ART. XLI. Neither of their said Majesties shall permit the ships or goods belonging to the subjects of the other to be taken within cannon-shot of the coast, or in the ports or rivers of their dominions, by ships of war, or others having commission from any prince, republic, or city, whatsoever: but in case it should so happen, both parties shall employ their united force to obtain reparation of the damage thereby occasioned.

ART. XLII. But if it shall appear that the captor made use of any kind of torture upon the master of the ship, the 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 itself, together with the persons, merchandizes, and goods whatsoever, shall be forthwith released, without any delay, and set entirely free, but also such as shall be convicted of so enormous a crime, together with their accomplices, shall suffer the most severe punishment suitable to their offences: this the King of Great Britain, and the Most Christian King, mutually engage shall be observed, without any respect of persons whatsoever.

ART. XLIII. Their Majesties shall respectively be at liberty, for the advantage of their subjects trading to the kingdoms and dominions of either of them, to appoint therein national consuls, who shall enjoy the right, immunity, and liberty belonging to them, by reason of their duties and their functions: and places shall hereafter be agreed upon where the said consuls shall be established, as well as the nature and extent of their functions. The convention relative to this point shall be concluded immediately after the signature of the present treaty, of which it shall be deemed to constitute a part.

ART. XLIV. It is also agreed, that in whatever relates to the lading and unlading of ships, the safety of merchandize, goods, and effects, the succession to personal estates, as well as the protection of individuals, and their personal liberty, as also the administration of justice, the subjects of the two high contracting parties shall enjoy, in their respective dominions, the same privileges, liberties, and rights, as the most favoured nation.

ART. XLV. If hereafter it shall happen, through inadvertency or otherwise, that any infractions or contraventions of the present treaty should be committed on either side, the friendship and good understanding shall not immediately thereupon be interrupted; but this treaty shall subsist in all its force, and

proper remedies shall be procured for removing the inconveniences, as likewise for the reparation of the contraventions; and if the subjects of either kingdom shall be found guilty thereof, they only shall be punished and severely chastised.

ART. XLVI. His Britannic Majesty and his Most Christian Majesty have reserved the right of revising and re-examining the several stipulations of this treaty, after the term of twelve years, to be computed from the day of passing laws for its execution in Great Britain and Ireland respectively, to propose and make such alterations as the times and circumstances may have rendered proper or necessary for the commercial interests of their respective subjects: and this revision is to be completed in the space of twelve months; after which term the present treaty shall be of no effect, but in that event the good harmony and friendly correspondence between the two nations shall not suffer the least diminution.

ART. XLVII. The present treaty shall be ratified and confirmed by his Britannic Majesty, and by his Most Christian Majesty, in two months, or sooner if it can be done, after the exchange of signatures between the plenipotentiaries.

In witness whereof, we, the undersigned commissaries and plenipotentiaries of the King of Great Britain, and the Most Christian King, have signed the present treaty with our hands, and have set thereto the seals of our arms.

Done at Versailles, the 26th of September, 1766.

WM. EDEN. (L. S.)

GERARD DE RAYNEVAL. (L. S.)

APPENDIX C.

A copy of the Treaty of defensive Alliance between his Britannic Majesty and their High Mightinesses the States-General of the United Provinces. Signed at the Hague, the 25th of April, 1788.

The mutual and sincere friendship which has so long subsisted between his Majesty the King of Great Britain, and the Lords the States-General of the United Provinces, having been increased and strengthened by the interest which his Britannic Majesty has lately manifested in the preservation of the independence of the republic, and of its legal constitution, his said Majesty, and the said Lords States-General of the United Provinces, have resolved, in order to cement, in the most solid and lasting manner, the good harmony, confidence, and correspondence between them, to form permanent engagements, by a treaty of defensive alliance for the good of both parties, and for the maintainance of the general tranquillity, as well as of their own in particular. To accomplish so salutary a purpose, his Majesty, the King of Great Britain, has named and authorised Sir James Harris, Privy Councillor, Knight of the Bath, member of the Parliament of Great Britain, and his Majesty's ambassador extraordinary and plenipotentiary to their high mightinesses; and their High Mightinesses, the States-General of the United Provinces, have named and authorised their deputies for foreign affairs; who, after

communicating to each other their full powers in due form, and having conferred together, have agreed upon the following articles:

ART. I.—There shall be a sincere, firm, and constant friendship and union between his Britannic Majesty, his heirs and successors, and the Lords the States-General of the United Provinces, so that the high contracting parties shall direct their utmost attention to maintain this mutual friendship and correspondence between them, and their dominions and subjects; and they engage to contribute, as far as shall be in their power, mutually to preserve and defend each other in peace and tranquillity.

ART. II.—In case either of the high contracting parties should be hostilely attacked by any European power, in any part of the world whatsoever, the other contracting party engages to succour its ally, as well by sea as by land, in order to maintain and guaranty each other mutually in the possession of all the dominions, territories, towns, places, franchises, and liberties, which belonged to them respectively before the commencement of hostilities.

ART. III.—His Britannic Majesty guaranties, in the most effectual manner, the hereditary Stadtholderate, as well as the office of hereditary governor of each province, in the serene house of Orange, with all the rights and prerogatives thereto belonging, as forming an essential part of the constitution of the United Provinces, according to the resolutions and diplomas of the year 1747 and 1748, by virtue of which the present Stadtholder entered into the possession of those offices in 1766, and was re-stated therein in 1788: engaging to maintain that form of government against all attacks and enterprizes, direct or indirect, of whatsoever nature they may be.

ART. IV.—The succours mentioned in the second article of this treaty of defensive alliance, shall consist, on the part of his Britannic Majesty, of eight thousand infantry, two

thousand cavalry, twelve ships of the line, and eight frigates, which respective succours shall be furnished in the space of two months after requisition made by the party attacked, and shall remain at its disposal during the whole continuance of the war in which it shall be engaged, whilst those succours (whether ships and frigates, or troops) shall be paid and maintained by the power of whom they shall be required, wherever its ally shall employ them.

ART. V.—In case the stipulated succours should not be sufficient for the defence of the power requiring them, the power to whom requisition shall be made shall successively augment them, according to the wants of its ally, whom it shall assist, even with its whole force, if circumstances should render it necessary; but it is expressly agreed, in all cases, that the contingent of the Lords the States-General shall not exceed ten thousand infantry, two thousand cavalry, sixteen ships of the line, and sixteen frigates.

ART. VI.—But as it may happen (considering the distance of several of the possessions of the two high contracting parties) that the advantages, which ought to result to them reciprocally from the conclusion of the present treaty, may become illusory, unless measures can be taken for the mutual defence of those possessions, before their respective governors could receive orders from Europe for that purpose; it is stipulated and agreed, that in case either of them should be hostilely attacked, or even menaced with an hostile attack, in its possessions, whether in Africa or in Asia, by any European power, the governors of their settlements, in those parts of the world, shall be enjoined to concert together the succour to be furnished, and, in case of need, to furnish such succours, in the most speedy and effectual manner, to the party attacked; and that orders to that effect shall be expedited to the said governors immediately after the conclusion of the present treaty: and in case the two high contracting parties should be obliged to furnish the aforesaid succours, they shall not permit

the ships of war, of what nature they may be, of the power attacking, to enter into any of their ports in the aforesaid settlements, until peace shall be restored between the party attacking, and the ally of the contracting party, unless the said vessels be forced to take refuge there, to avoid perishing, or being shipwrecked.

ART. VII.—If it should happen that the two high contracting parties shall be equally involved in a war against a common enemy, they reciprocally promise each other not to disarm but by common consent; and they shall communicate to each other, confidentially, the proposals for a peace, or truce, which may be made.

ART. VIII.—If the high contracting parties prefer furnishing their succours of troops in money, they shall be at liberty on each side so to do; and then such succour shall be computed at one hundred thousand florins, Dutch currency, per annum, for one thousand infantry, and at one hundred and twenty thousand florins, of like value, for one thousand cavalry, per annum, and in the same proportion by the month.

ART. IX.—The power of requiring shall be obliged, whether the ships, frigates, and troops with which it shall have been furnished, remain for a long or short time in its ports, to provide whatever they may want at the same price as if they belonged to such power itself. It has been agreed, that the said troops, or ships, shall not in any case be at the expense of the party requiring, but that they shall nevertheless remain at its disposal, during the whole continuance of the war in which it shall be engaged. The succours above-mentioned shall, with respect to discipline, be subject to the orders of the chief officer who commands them; and they shall not be employed separately, or otherwise than in concert with the said commanding officer: with regard to the operations, they shall be wholly subject to the orders of the commander in chief of the power requiring.

ART. X.—It is agreed, that until the two powers conclude a treaty of commerce with each other, the subjects of the republic shall be treated, in the kingdoms of Great Britain and Ireland, as the most favoured nation: and the same shall be observed in the United Provinces towards the subjects of his Britannic Majesty.—It is, however, to be understood, that this article is not to extend to a diminution of the import duties payable upon linens.

ART. XI.—Whereas by the fourth article of the treaty of peace, signed in the month of June, 1784, his Britannic Majesty engaged to treat with the Lords the States-General for the restitution of Negapatnam, with its dependencies, in case the said Lords the States-General should in future have any equivalent to give; and whereas their high mightinesses have now sent a letter requesting for obtaining that restitution, as well as settling and determining precisely the sense of the sixth article of that treaty, concerning the navigation of British subjects in the eastern seas; his Britannic Majesty, in order to manifest his good-will towards the republic, is disposed to concur in these desires of their high mightinesses, and even to secure to the republic additional and real commercial advantages in that part of the world, as soon as an equivalent for those objects can be agreed upon: in return for which his Britannic Majesty will require nothing but what is favourable to the reciprocal interests and security of the contracting parties in the Indies: and, to prevent the negotiations for such arrangements from retarding the conclusion of the present treaty, it is agreed that they shall be begun as soon as possible, and be concluded in the space of six months from the date of the present treaty; and that the convention to be made thereon shall have the same force as if it was inserted in the treaty.

ART. XII.—The present treaty shall be ratified on each side, and the exchange, or ratifications, shall be made in the space of six weeks, or sooner if it can be done.

Done at the Hague, the fifteenth of April, one thousand
seven hundred and eighty-eight.

- (L. S.) JAMES HARRIS.
- (L. S.) J. W. CONTE DE WELDRÉN.
- (L. S.) W. F. H. VAN WASSENÆER.
- (L. S.) L. P. VAN DE SPIEGEL.
- (L. S.) GUILLAUME DE CITTERS.
- (L. S.) W. N. PESTERS.
- (L. S.) CHARLES BIGOT.
- (L. S.) M. B. C. VAN VIERST VAN BORGEL.

APPENDIX D.

Copy of the Treaty of Defensive Alliance,
between his Majesty the King of Great
Britain, and his Majesty the King of
Prussia.*

THEIR Majesties the king of Great Britain, and the king of Prussia, being animated with a sincere and equal desire to improve and consolidate the strict union and friendship which, having been transmitted to them by their ancestors, so happily subsist between them, and to concert the most proper measures for securing their mutual interests, and the general tranquillity of Europe, have resolved to renew and strengthen these ties by a treaty of defensive alliance; and they have authorized for this purpose (to wit) his Majesty the King of Great Britain, the Sieur Joseph Ewart, his envoy extraordinary at the court of Berlin; and his Majesty the King of Prussia, the Sieur Ewald Frederick count de Hertzberg, his minister of state, and of the cabinet, knight of the order of the Black Eagle; who, after reciprocally communicating their full powers to each other, have agreed upon the following articles:

ART. I.—There shall be a perpetual, firm, and unalterable friendship, defensive alliance, and strict and inviolable union, together with an intimate and perfect harmony and correspondence, between the said most serene Kings of Great Britain and Prussia, their heirs and successors, and their respective kingdoms, dominions, provinces, countries, and sub-

* The provisional treaty upon which this was grounded, at Loo, by the Sieur P. C. de'Alvensleben, on the part of his Prussian Majesty, and Sir James Harris, now lord Malmesbury, on behalf of his Britannic Majesty, on June 15th, 1788.

jects, which shall be carefully maintained and cultivated, so that the contracting powers shall constantly employ, as well their utmost attention as also those means which Providence has put in their power, for preserving at the same time the public tranquillity and security, for maintaining their common interests, and for their mutual defence and guaranty against every hostile attack; the whole in conformity to the treaties already subsisting between the two high contracting parties, which shall remain in full force and vigour, and shall be deemed to be renewed by the present treaty, as far as the same shall not be derogated from, with their own consent, by posterior treaties, or by the present treaty.

ART. II.—In consequence of the engagement contracted by the preceding article, the two high contracting parties shall always act in concert for the maintainance of peace and tranquillity; and in case either of them should be threatened with a hostile attack by any power whatever, the other shall employ his most efficacious good offices for preventing hostilities, for procuring satisfaction to the injured party, and for effecting an accommodation in a conciliatory manner.

ART. III.—But if those good offices should not have the desired effect, in the space of two months, and either of the two high contracting parties should be hostilely attacked, molested, or disturbed, in any of his dominions, rights, possessions, or interests, or in any manner whatever, by sea or land, by any European power, the other contracting party engages to succour his ally without delay, in order to maintain each other reciprocally in the possession of all the dominions, territories, towns, and places, which belonged to them before the commencement of such hostilities: for which end, if his Prussian Majesty should happen to be attacked, his Majesty the King of Great Britain shall furnish to his Majesty the King of Prussia a succour of sixteen thousand infantry, and four thousand cavalry; and if his Britannic Majesty should happen to be attacked, his Majesty the King of Prussia shall likewise

furnish to him succour of sixteen thousand infantry, and four thousand cavalry; which respective succours shall be furnished in the space of two months after requisition made by the party attacked, and shall remain at his disposal during the whole continuance of the war in which he shall be engaged. These succours shall be paid and maintained by the required power, wherever his ally shall employ them; but the requiring party shall supply them, in his dominions, with such bread and forage as may be necessary, upon the footing to which his own troops are accustomed.

It is nevertheless agreed between the high contracting parties, that if his Britannic Majesty should be in the case of receiving the succour in troops from his Prussian Majesty, his Britannic Majesty shall not employ them out of Europe, nor even in the garrison of Gibraltar.

If the injured and requiring party should prefer succours in money to land forces, he shall have his choice; and, in case of the two high contracting parties furnishing to each other the stipulated succours in money, such succours shall be computed at one hundred thousand florins, Dutch currency, per annum, for one thousand infantry, and at one hundred and twenty thousand florins, of the like value, for one thousand cavalry, per annum, or in the same proportion by the month.

Art. IV.—In case the stipulated succours should not be sufficient for the defence of the requiring power, the required power shall augment them, according to the exigency of the case, and shall assist the former with his whole force, if circumstances shall render it necessary.

Art. V.—The high contracting parties hereby renew, in the most express terms, the provisional treaty of defensive alliance, which they concluded at Loo, on the 13th of June, in the present year, and they again engage and promise to act, at all times, in concert, and with mutual confidence, for maintaining the security, independence, and government of the republic of the United Provinces, conformably to the

engagements which they have lately contracted with the said republic; that is to say, his Britannic Majesty, by a treaty concluded at the Hague, on the 15th of April, 1788, and his Prussian Majesty, by a treaty signed the same day at Berlin, which the said high contracting parties have communicated to each other.

And if it shall happen that, by virtue of the stipulations of the said treaties, the high contracting parties should be obliged to augment the succours to be given to the States General, above the numbers specified in the said treaties, or to assist them with their whole force, the said high contracting parties will concert together upon all that may be necessary relative to such an augmentation of succours to be agreed on, and to the employment of their respective forces for the security and defence of the said republic.

In case either of the said high contracting parties should, at any time hereafter, be attacked, molested, or disturbed, in any of his dominions, rights, possessions, or interests, in any manner whatever, by sea or by land, by any other power, in consequence and in hatred of the articles or stipulations contained in the said treaties, or of the measures to be taken by the said contracting parties respectively, in virtue of these treaties, the other contracting party engages to succour and assist him against such attack, in the same manner, and by the same succours, as are stipulated in the 3d and 4th articles of the present treaty; and the said contracting parties promise, in all similar cases, to maintain and guaranty each other in the possession of all the dominions, towns, and places, which belonged to them respectively before the commencement of such hostilities.

ART. VI.—The present treaty of defensive alliance shall be ratified by each party, and the ratification shall be exchanged in the space of six weeks, or sooner, if it can be done.

In witness whereof, we, the under-written, being authorized by the full powers of their Majesties, the Kings of

Great Britain and of Prussia, have, in their names, signed the present treaty, and have thereto set the seals of our arms.

Done at Berlin, the thirteenth of August, in the year of our Lord, one thousand seven hundred and eighty-eight.

(L. S.) JOSEPH EWART.

(L. S.) EWALD FREDERIC COMTE DE HERTZBERG.

END OF VOL. I.

ERRATA TO VOL. I.

- Page 2, line 2, for controlling, read controlling.
— 5, — 16, for *naval*, read novel.
— 8, last line, for "*was*," read were.
— 30, line 3, from the bottom, for *is*, read was.
— 37, — 20, for "*Northampton*," read Northington.
— 53, — 20, for *exchange*, read exchange.
— 121, — 10, for *servng*, read securing.
— 141, last line, for *on*, read in.
— 174, line 3, for *imports*, read imports.
— 185, — 20, for *offices*, read officers.
— 197, — 4, for to a part of the plan to Mr. Fox's objections,
read Mr. Fox's objections to a part of the plan.
— 239, — 12, for *many*, read navy.
— — 24, for *bankr*, read bank.
— 268, — 3, dele "to," be'ore "appear."
— 280, — 10, for "*they might think*," read might be thought.
— 282, — 7, from the bottom, for "*ambassador*," read
ambassador.
— 297, — 6, dele comma, after "imposed."
— 329, — 18, dele "a," after "were."
— 333, — 1, for "*amiable*," read amicable.
— 350, — 19, for "*tousa*," read toesa.
— 362, — 5, "put," after "effectual."
— — 22, for "*imes*," read times.
— 368, — 4, from the bottom, for "*perspecuity*," read per
spicuity.
— 378, note, last line, for "*where*," read when.
— 381, line 11, for *were*, read was.
— 430, — 17, dele comma, after "personal."
— 432, — 16, dele comma, after "Prince."
— 444, — 8, for "*these*," read these.
— 448, — 2, for "*Montnorris*," read Montmorin.
— 457, last line, for "*as*," read on.
— 458, line 6, from the bottom, for "*the upon*," read
upon the.
— 466, — 17, insert a comma after "complete," and dele
comma after "incumbrances."
— 495, — 14, for "*require*," read receive.
— 496, — 4, from the bottom, for "*they*," read it.