

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

ANNE, by the grace of God, Queen of Great Britain, France, and Ireland, Defender of the Faith, &c. To all and singular to whom these presents shall come, greeting. Whereas a certain treaty of peace and friendship, between us and our good brother Philip the Fifth, Catholic King of Spain, was concluded and signed at Utrecht the 2/13 day of this present month, by our ambassadors extraordinary and plenipotentiaries, who were provided on each part with sufficient authority, in the form and words following:

Whereas it has pleased the Supreme Ruler of all things, after a most grievous war, which for so many years has laid desolate almost the whole Christian world with blood and slaughter, of his divine clemency to dispose the minds of the Princes engaged in the dispute to the thoughts of peace and concord, after they had been so long inflamed with the rage and fury of arms: and whereas the Most Serene and Most Mighty Lady Anne, by the grace of God, Queen of Great Britain, France, and Ireland, &c. and the Most Serene and Most Mighty Prince Philip the Fifth, by the grace of God, Catholic King of Spain, &c. wish for nothing more heartily, and endeavour nothing more earnestly, than that the ancient bonds of alliance and friendship between the British and Spanish nations should not only be renewed, but also more strongly knit together by fresh engagements of amity and interest on both sides, and transmitted indissoluble to all posterity; in order at last to finish happily so wholesome and so very desirable a work, they have nominated on each side their ambassadors extraordinary and plenipotentiaries, and have instructed them with sufficient orders; that is to say, the Queen of Great Britain on her part, the Right Reverend John, by divine permission, Bishop of Bristol, keeper of the privy seal of England, privy counsellor to her Royal Majesty, dean of Windsor, and register of the most noble Order of the Garter; and the most noble, most illustrious, and most excellent Lord Thomas Earl of Strafford, Viscount Wentworth of Wentworth Woodhouse, and of Staينهborough, baron of Raby, privy counsellor to her Royal Majesty, her ambassador extraordinary and plenipotentiary to the High and Mighty Lords the States General of the United Provinces, colonel of her Majesty's royal regiment of dragoons, lieutenant general of her Majesty's armies, first commissioner of the admiralty of Great Britain and Ireland, and knight of the most noble Order of the Garter. And the Catholic King on his part, the most illustrious and most excellent Lord Francis Maria de Paula, Tellez, and Giron, Duke of Ossuna, Count of Urvegna, Marquis of Pennafiel, grandee of Spain of the first class, high chamberlain of the King, great notary of the kingdoms of Castile, one of the commanders, and grand clavero of the Order of Callatrava, and likewise commander of the Order of St. Jago, one of the grandees of the chamber to the Catholic King Philip the Fifth, general commander in his armies, and captain of the first troop of his Majesty's life guards; and the most illustrious and most excellent Lord Isidore Cazado de Azevedo de Rosalez, Marquis of Monteleone, Viscount of Alcazar Real, counsellor of his Catholic Majesty in the supreme council, one of the honourable chamberlains of

the King: which ambassadors extraordinary and plenipotentiaries have consented and agreed to the following conditions of peace and friendship, to the same effect as there which were made at the courts of London and Madrid, by ministers on each side.

ARTICLE I

That there be a Christian universal peace, and a perpetual and true friendship, between the Most Serene and Most Mighty Princess Anne, Queen of Great Britain, and the Most Serene and Most Mighty Prince Philip the Fifth, Catholic King of Spain, and their heirs and successors, and also the kingdoms, states, dominions, and provinces of both parties, wheresoever situated, and their subjects; and that the same be so sincerely preserved and cultivated, that neither party do, under any colour whatever, endeavour to attempt any thing to the destruction or detriment of the other, or yield any aid, by what name soever it be called, to there who attempt the same, or who endeavour to do any damage, neither may or ought they to help them by any means. On the contrary, their Royal Majesties shall be obliged the one to promote the advantage, honour, and interest of the other, and to direct their councils to that end with all care, that by mutual proof of friendship, the peace which is now made may daily receive new additions of strength.

ARTICLE II

But whereas the war which is so happily ended by this peace, was at the beginning undertaken, and was carried on for so many years with the utmost force, at immense charge, and with almost infinite slaughter, because of the great danger which threatened the liberty and safety of all Europe, from the too close conjunction of the kingdoms of Spain and France. And whereas to take away all uneasiness and suspicion, concerning such conjunction, out of the minds of people, and to settle and establish the peace and tranquility of Christendom by an equal balance of power (which is the best and most solid foundation of a mutual friendship, and of a concord which will be lasting on all sides) as well the Catholic King as the Most Christian King have consented, that care should be taken by sufficient precautions, that the kingdoms of Spain and France should never come and be united under the same dominion, and that one and the same person should never become King of both kingdoms. And to this end his Catholic Majesty has for himself, his heirs, and successors, most solemnly renounced all manner of right, title, and pretension to the crown of France, in the form and words following:

The KING.

Whereas on the 5th of November in this present year 1712, before Don Manuel of Vadillo and Velasco, my secretary of state, and chief notary of the kingdoms of Castille, and Leon, and witnesses, I delivered, swore to, and signed a public instrument of the tenor following, which is, word for word, as here ensues.

DON PHILIP, by the grace of God, King of Castille, Leon, Arragon, the Two Sicilies, Jerusalem, Navarre, Granada, Toledo, Valentia, Galicia, Majorca, Seville, Sardinia, Corduba, Corsica, Murcia, Jaen, the Algarves, Algezira, Gibraltar, the Canary Islands, the East and West Indies, the islands and *terra firma* of the ocean, Archduke of Austria, Duke of Burgundy, Brabant,

and Milan, Count of Habsburg, Flanders, Tirol, and Barcelona, Lord of Biscay and Molina, &c. By the account and information of this instrument and writing of renunciation and relinquishment, and that it may remain for a perpetual remembrance, I do make known and declare to kings, princes, potentates, commonwealths, communities, and particular persons, which now are, and shall be in future ages: That it being one of the principal positions of the treaties of peace, depending between the crowns of Spain and of France, with that of England, for the rendering it firm and lasting, and proceeding to a general one, on the maxim of securing for ever the universal good and quiet of Europe, by an equal weight of power, so that many being united in one, the balance of the equality desired, might not turn to the advantage of one, and the danger and hazard of the rest; it was proposed, and insisted on by England, and it was agreed to on my part, and on that of the King my grandfather, that for avoiding at any time whatever the union of this monarchy with that of France and the possibility that it might happen in any case, reciprocal renunciations should be made by me, and for all any descendants, to the possibility of succeeding to the monarchy of France, and on the part of those princes, and of all their race, present and to come, to that of succeeding to this monarchy; by forming a proper project of abdication of all rights which might be claimed by the two royal houses of this, and of that monarchy, as to their succeeding mutually to each other; by separating, by the legal means of my renunciation, my branch from the royal stem of France, and all the branches of France from the stem of the blood royal of Spain; by taking care at the same time, in pursuance of the fundamental and perpetual maxim of the balance of power in Europe, which persuades and justifies the avoiding, in all cases imaginable, the union of the monarchy of France with that of Spain, that the inconvenience should likewise be provided against, left, in default of my issue, the case should happen that this monarchy should devolve again to the House of Austria, whose dominions and dependencies, even without the union of the empire, would make it formidable; a motive which at other times made it justifiable to separate the hereditary dominions of the House of Austria from the body of the Spanish monarchy; it being agreed and settled to this end by England with me, and with the King my grandfather, that in failure of me, and of my issue, the Duke of Savoy, and his sons and descendants, being males, born in constant lawful marriage, are to enter upon the succession of this monarchy; and in default of his male line, the Prince Amadeo of Carignan, and his sons and descendants, being males, born in constant lawful marriage; and in default of his line, Prince Thomas, brother of the Prince of Carignan, his sons and descendants, being males, born in constant lawful marriage, who, as descendants of the Infanta Donna Catharina, daughter of Philip the Second, and being expressly called, have a clear and known right, supposing the friendship and perpetual alliance, which the Duke of Savoy, and his descendants, are to solicit and obtain from this crown; it being to be believed, that by this perpetual and never-ceasing hope, the needle of the balance may remain invariable, and all the powers, wearied with the toil and uncertainty of battles, may be amicably kept in an equal poise; it not remaining in the disposal of any of the parties to alter this federal equilibrium by way of any contract of renunciation, or retrocession, since the same reason, which induced its being admitted, demonstrates its permanency, a fundamental constitution being formed, which may settle by an unalterable law the succession of what is to come. In consequence

of what is abovesaid, and for the love I bear to the Spaniards, and from the knowledge I have of what I owe to them, and the repeated experience of their fidelity, and for making a return to Divine Providence, by this resignation to its destiny, for the great benefit of having placed and maintained me on the throne, among such illustrious and well-deserving vassals, I have determined to abdicate, for myself, and all my descendants, the right of succeeding to the crown of France, desiring not to depart from living and dying with my beloved and faithful Spaniards; leaving to all my descendants the inseparable bond of their fidelity and love. And to the end that this resolution may have its due effect, and that the matter may cease, which has been looked upon as one of the principal motives of the war, which has hitherto afflicted Europe, of my own motion, free, spontaneous, and unconstrained will, I Don Philip, by the grace of God, King of Castille, Leon, Arragon, the Two Sicilies, Jerusalem, Navarre, Granada, Toledo, Valencia, Galicia, Majorca, Seville, Sardinia, Corduba, Corsica, Murcia, Jaen, the Algarves, Algezira, Gibraltar, the Canary Islands, the East and West Indies, the islands, and *terra firma* of the ocean, Archduke of Austria, Duke of Burgundy, Brabant, and Milan, Count of Habsburg, Flanders, Tirol, and Barcelona, Lord of Biscay and Molina, &c. do by this present instrument, for myself, for my heirs and successors, renounce, quit, and relinquish for ever and ever all pretensions, rights, and tides, which I have, or any descendant of mine hath at present, or may have at any time to come, to the succession of the crown of France; and I declare, and hold myself for excluded and separated, me, and my sons, heirs, and descendants for ever, for excluded and disabled absolutely, and without limitation, difference, and distinction of persons, degrees, sexes, and times, from the act and right of succeeding to the crown of France. And I will and consent, for myself, and my said descendants, that now, as well as then, it may be taken to be passed over and transferred to him, who by mine and their being excluded, disabled, and incapacitated, shall be found next and immediate in degree to the King, by whose death it shall become vacant; and the succession to the said crown of France is at any time, and in any case, to be settled on, and given to him, to have and to hold the same as true and lawful successor, in the same manner as if I and my descendants had not been born, or been in the world; since for such are we to be held and esteemed, because in my person, and in that of my descendants, there is no consideration to be had, or foundation to be made of active or passive representation, beginning, or continuation of lineage effective, or contentive of substance, blood, or quality, nor can the descent, or computation of degrees of those persons be derived from the Most Christian King, my lord and grandfather, nor from the dauphin my father, nor from the glorious Kings their progenitors; nor by any other means can they come into the succession, nor take possession of the degree of proximity, and exclude from it the person, who, as is abovesaid, shall be found next in degree. I will and consent for myself, and for my descendants, that from this time, as well as then, this right be looked upon and considered as passed over and transferred to the Duke of Berry my brother, and to his sons and descendants, being males, born in constant lawful marriage; and in default of his male issue, to the Duke of Orleans my uncle, and to his sons and descendants, being males, born in constant lawful marriage; and in default of his issue, to the Duke of Bourbon my cousin, and to his sons and descendants, being males, born in constant lawful marriage; and in like manner successively to all the princes of the blood of France, their sons and

descendants, being males, for ever and ever, according to the place and order in which they shall be called to the crown by right of their birth; and consequently to that person among the said princes, who (I and all my said descendants being, as is abovesaid, excluded, disabled, and incapacitated) shall be found the nearest in immediate degree after that King, by whose death the vacancy of the crown of France shall happen, and to whom the succession ought to belong at any time, and in any case whatsoever, that he may possess the same as true and lawful successor, in the same manner as if I, and my descendants, had not been born. And for the greater strength of this act of abdication of all the rights and titles which appertained to me, and to all my sons and descendants, of succeeding to the aforesaid crown of France, I depart from, and relinquish especially that which might moreover accrue to the rights of birth from the letters patents, or instrument, whereby the King my grandfather preserved and reserved to me, and enabled me to enjoy the right of succession to the crown of France, which instrument was dispatched at Versailles in the month of December, in the year 1700, and passed, and approved, and registered by the parliament. I will that it cannot serve me for a foundation to the purposes therein provided for, and I reject and renounce it, and hold it for null, void, and of no force, and for cancelled, and as if no such instrument had ever been executed. I promise and oblige myself, on the faith of a King's word, that as much as shall relate to my part, and that of my sons and descendants, which are and shall be, I will take care of the observation and accomplishment of this writing, without permitting or consenting that any thing be done contrary thereunto, directly or indirectly, in the whole, or in part; and I relinquish and depart from all and all manner of remedies, known or unknown, ordinary or extraordinary, and which by common right, or special privilege, might belong to us, to me, and to my sons and descendants, to reclaim, mention, or allege against what is abovesaid; and I renounce them all, and especially that of evident prejudice, enormous, and most enormous, which may be reckoned to have happened in this relinquishment and renunciation of the right of being able at any time to succeed to the crown aforementioned. I will that none of the said remedies, nor others, of whatsoever name, use, importance, and quality they may be, do avail us, or can avail us. And if in fact, or under any colour, we should endeavour to seize the said kingdom by force of arms, by making, or moving war, offensive or defensive, from this time for ever, that is to be held, judged, and declared, for an unlawful, unjust, and wrongfully undertaken war, and for violence, invasion, and usurpation, done against reason and conscience; and on the contrary, that is to be judged and esteemed a just, lawful, and allowed war, which shall be made or moved in behalf of him, who by the exclusion of me, and of my said sons and defendants, ought to succeed to the said crown of France, to whom the subjects and natives thereof are to apply themselves, and to obey him, to take and perform the oath and homage of fealty, and to serve him as their lawful king and lord. And the relinquishment and renunciation, for me, and my said sons and descendants, is to be firm, stable, valid, and irrevocable perpetually, for ever and ever. And I declare and promise, that I have not made, neither will I make, any protestation or reclaiming in public or in secret, to the contrary, which may hinder or diminish the force of what is contained in this writing; and that if I should make it, although it be sworn to, it is not to be valid, neither can it have any force; and for the greater strength and security of what is contained in this renunciation, and of what is said and

promised on my part therein, I give again the pledge of my faith, and royal word, and I swear solemnly by the gospels contained in this missal, upon which I lay my right hand, that I will observe, maintain, and accomplish this act and instrument of renunciation, as well for myself as for all my successors, heirs, and descendants, in all the clauses therein contained, according to the most natural, literal, and plain fence and construction; and that I have not sought, neither will I seek, any dispensation from this oath; and if it shall be sought for by any particular person, or shall be granted *motu proprio*, I will not use it, nor take any advantage of it. Nay in such case as that it should be granted me, I make another the like oath, that there may always be and remain one oath above and beyond all dispensations which may be granted me. And I deliver this writing before the present secretary, notary of this my kingdom, and I have signed it, and commanded it to be sealed with my royal seal; there being provided, and called as witnesses, the Cardinal Don Francisco de Judice, inquisitor general, and archbishop of Montreal, one of my council of state; Don Joseph Fernandez of Velasco and Tobar, constable of Castille, Duke of Frias, gentleman of my chamber, my high steward of my household, great cup-bearer, and great huntsman; Don Juan Claros Alfonso Perez de Gusman el Bueno, Duke of Medina Sidonia, knight of the Order of the Holy Ghost, my great master of the horse, gentleman of my chamber, and one of my council of state; Don Francisco Andres de Benavides, Count of Santistevan, one of my council of state, and high steward to the Queen; Don Carlos Homodei Laco de la Vega, Marquis of Almonacir, and Count of Casa Palma, gentleman of my chamber, one of my council of state, and great master of the horse to the Queen; Don Restayno Cantelmo, Duke of Popoli, knight of the Order of the Holy Ghost, gentleman of my chamber, and captain of my Italian life-guards; Don Fernando of Aragon and Moncada, Duke of Montalto, Marquis of los Velez, commander of Silla and Benaful in the Order of Montesa, gentleman of my chamber, and one of my council of state; Don Antonio Sebastian de Toledo, Marquis of Mansera, gentleman of my chamber, one of my council of state, and president of that of Italy; Don Juan Domingo of Haro and Guzman, great commander in the Order of St. James, one of my council of state; Don Joachim Ponce de Leon, Duke of Arcos, gentleman of my chamber, great commander in the Order of Calatrava, one of my council of state; Don Domingo de Giudice, Duke of Giovenazzo, one of my council of state; Don Manuel Coloma, Marquis of Canales, gentleman of my chamber, one of my council of state, and captain general of the artillery of Spain; Don Joseph de Solis, Duke of Montellano, one of my council of state; Don Rodrigo Manuel Manrique de Lara, Count of Frigiliana, gentleman of my chamber, one of my council of state, and president of that of the Indies; Don Isidro de la Cueva, Marquis of Bedmar, knight of the Order of the Holy Ghost, gentleman of my chamber, one of my council of state, president of that of the Orders, and first minister of war; Don Francisco Ronquillo Briceño, Count of Gamedo, governor of my council of Castille; Don Lorenzo Armangual, Bishop of Gironda, one of my council and chamber of Castille, and governor of that of the revenues; Don Carlos de Borja and Centellas, Patriarch of the Indies, one of my council of the Orders, my chaplain and great almoner, and vicar general of my armies; Don Martin de Guzman, Marquis of Montealegre, gentleman of my chamber, and captain of my guard of halberdiers; Don Pedro de Toledo Sarmiento, Count of Gondomar, one of my council and chamber of Castille; Don Francisco

Rodrigues de Mendarosqueta, commissary general of the Cruzada; and Don Melchior de Avellaneda, Marquis of Valdecañas, one of my council of war, and director general of the infantry of Spain.

I the King.

I Don Manuel of Vadillo and Velasco, Knight of the Order of Saint James, and commander of Bosuelo in that of Calatrava, secretary of state to his Majesty, public notary and writer in his kingdoms and dominions, who was present at the delivery, and at all the rest herein above contained, do testify the same: and in witness of the truth I have signed it, and put my name thereto, in Madrid, the fifth of November 1712.

Manuel Vadillo y Velasco.

Now in regard to the federal conventions, whereof mention is made in the said instrument here inserted, and to the end it may appear authentically to all the parties where it appertains, and who may pretend to make use of the contents thereof; and for all the effects which may take place in right, and which may be derived from the delivery hereof, under the clauses, conditions, and suppositions therein contained, I have commanded these presents to be made out, signed with my hand, and sealed with the seal of my royal arms, and countersigned by my underwritten secretary of state, and chief notary of these my kingdoms, at Buen Retiro, the seventh of November, 1712.

(L.S.) I the King.

Manuel de Vadillo y Velasco.

I Don Francisco Antonio le Quincoces, Knight of the Order of Saint James, one of his Majesty's council, and secretary of that of the chamber, and of state of Castille, public notary, and writer in his kingdoms and dominions, Do certify, that in pursuance of the proposition which the King our lord (whom God preserve) made to the kingdom assembled in Cortes, represented by all the knights, deputies from the cities and towns, which have a vote therein, the fifth day of this present month and year, in his royal palace of Buen Retiro, and upon sight of the instrument of renunciation, delivered by his Majesty, the same day, month, and year, before Don Manuel of Vadillo and Velasco, his secretary of state, and public notary and writer in all his kingdoms and dominions, which his Majesty ordered him to present, and which was read, and published in the meeting of the Cortes, which the kingdom held for this alone, the ninth of this month, the following resolution was agreed upon.

That the most humble representation be made by the kingdom, laying ourselves at the royal feet of his Majesty, giving him immortal thanks for the immense benefits, and exceeding great favours, wherewith he has been pleased to honour and exalt the Spanish nation, by taking care of the greatest good and advantage of his most loving vassals, by procuring to this monarchy the ease of this desired peace and tranquillity. And that the kingdom, desiring on their part to contribute to the attaining the royal intention of his Majesty, assents to, and if it were necessary for the greater authority, validity, and strength, approves and confirms the renunciation which his Majesty is pleased to make for himself, and in the name of all his royal descendants, to the succession which

possibly may happen of the monarchy of France, with this circumstance, that the like renunciation to this crown is to be executed by the princes of that royal family, and their descendants: and likewise the perpetual exclusion of the House of Austria from the dominions of this monarchy; and in like manner in case of failure (which God forbid) of the royal issue of his Majesty, the calling of the House of the Duke of Savoy, and of all his sons, and male descendants, born in constant lawful matrimony; and in default of all these lines, of the prince Amadeus of Carignan, his sons, and male descendants, born in constant lawful matrimony; and in failure thereof, of the Prince Thomas, brother of the said Prince of Carignan, his sons, and male descendants, born in constant lawful matrimony; who as descendants of the Infanta Donna Catharina, daughter of Philip the Second, and being expressly called, have a clear and known right, supposing the friendship and perpetual alliance with this crown, which ought to be fought and obtained by the Duke of Savoy, and his descendants. And that the kingdom approves, agrees to, and ratifies all these three things, and each of them, with the same qualities, conditions, and suppositions, as are expressed, inferred, and concluded in the said instrument of renunciation executed by his Majesty, which has been mentioned and referred to. And lastly, that for securing and establishing the strength of these treaties, these kingdoms oblige themselves, with all their power and force, to cause to be maintained the royal resolutions of his Majesty, sacrificing in his royal service, even to the last drop of their blood, offering to his Majesty their lives and fortunes, in token of their love. And that for the eternal remembrance and observance of the royal deliberation of his Majesty, and agreement of the kingdom, it be desired in their name (as in effect they have desired and petitioned by their representation and consultation, made the same ninth day of this month) that his Majesty would be pleased to order, that by annulling all that shall be found to the contrary, it be established as a fundamental law, as well the aforesaid renunciations, as the perpetual exclusion of the House of Austria from the dominions of this crown, and the calling of that of Savoy to the succession of these kingdoms, in default (which God forbid) of descendants from his Majesty; which the kingdom, with the approbation of his Majesty, does even now agree to, as the foundation, whereon depends the greatest good and advantage of this monarchy, so much pursued, favoured, and exalted by the royal benevolence of his Majesty.

And the King our lord, having agreed to this unanimous and uniform resolution and representation of all the knights deputies in the Cortes of the kingdom; he has been pleased, by his royal decree of the seventh of this month, to command it to be remitted to his supreme council, jointly with the writing of renunciation, ordaining that the tenor of the law be forthwith formed, extended, and disposed, with all the circumstances of clearness and strength, for its more inviolable and perpetual observation.

As all that is abovesaid does more largely appear from the aforementioned instruments, the resolution, and supplication of the kingdom, which are cited, and to which I refer. And this certificate signed with my hand, sealed with the seal of the royal arms of his Majesty, I give by virtue of his royal order, in the paper of the Marquis of Mejorada and of Brena, one of his council, gentleman of his chamber, his secretary of state, and of the universal dispatch. At Madrid, the ninth of November, 1712.

(L. S.) *Don Francisco de Quincoces.*

DON PHILIP, by the grace of God, King of Castille, Leon, Aragon, and both Sicilies, Jerusalem, Navarre, Granada, Toledo, Valencia, Galicia, Majorca, Seville, Sardinia, Corduba, Corsica, Murcia, Jaen, the Algarves, Algezira, Gibraltar, the Canaries, the East and West Indies, the islands and continent of the ocean, Archduke of Austria, Duke of Burgundy, Brabant, and Milan, Count of Hapsburg, Flanders, Tirol, and Barcelona, Lord of Biscay and Molina, &c. The earnest desires, which moved the Most Christian King my grandfather, and myself, to procure an end to the bloody and obstinate war, which has afflicted Europe so many years, and to give a due relief to our vassals, who were overwhelmed with such labours and fatigues, as were not to be supported but by their invincible courage and constant love and fidelity, made us use all possible endeavours to obtain a general peace with the powers confederated against the two crowns, preferring that to our interest: and whereas, having begun to treat of peace with the Queen of England, it was agreed between the three crowns of Spain, France, and England, that I should, in my own and my descendants name, renounce the right which we have or might have to the crown of France, together with the rest —and in the form contained in the act, the tenor whereof is as follows:

"Don Philip, by the grace of God," &c.

[The Renunciation is inserted above.]

And whereas the renunciation and the act above inserted, being by my command communicated to the States of my kingdom, who, for the greater validity of the said renunciation and act, were assembled in this place, were received and approved by them in all its parts, and they; by their representation of the ninth of November last, did desire me, in my royal wisdom, to command that the exclusion of the Houses of France and Austria, and the order of succession in the House of Savoy after all my descendants (which are contained in the abovementioned act of renunciation) should be established as a fundamental law: and whereas, because this method is as useful and necessary to the benefit of the general peace of Europe, the quiet and comfort of my vassals, as to the common good of these kingdoms, my counsellors did therefore advise me to it, I thought it good, and determined to command, as I do command, that every thing contained in the abovementioned act be observed, fulfilled, and executed for ever, as it is contained therein: and in consequence of the said act, I and all my descendants are for ever excluded from the succession to the crown of France, so that we never can succeed to the said crown, under any pretence, at any time, or on any accident or occasion whatsoever; and all the Princes of the Blood of France, and all of their race, either in being or that shall be, are by the said act excluded reciprocally from the monarchy of Spain; and all the princes, as well males as females, of the House of Austria, that are either now in being or that shall be, are in the same manner excluded, so that neither the one nor the other can ever in any case, either yet thought of, or not thought of, succeed to the monarchy of Spain, or to the provinces that now are or hereafter may be united to it: and in case of failure of my royal person, and of my lawful descendants, as well male as female, I do declare, that the Duke of Savoy ought to succeed to this monarchy, and his sons, and male descendants, coming from the

male line in constant and lawful wedlock; and in failure of his male line, the Prince Amadeus of Carignan, and his sons, and male descendants from the same line, born in constant and lawful wedlock; and on failure of his male line, Prince Thomas, brother of the Prince of Carignan, his sons, and male descendants from the same line male, born in constant lawful wedlock; all whom, as descending from the Infanta, the Lady Catharine, daughter of Don Philip the Second, and by this express vocation have an evident and acknowledged right to the succession of this monarchy. It is my will that this order of succession be for ever observed, fulfilled, and executed, according to the letter, as is above contained, notwithstanding the law of partition, commonly called *Partida*, which speaks of the form and manner of succeeding in these kingdoms, and notwithstanding any other laws, ordinances, statutes, or customs whatsoever, which are or may be contrary thereunto, and notwithstanding any testamentary dispositions, made by the Kings our ancestors when they were alive, and notwithstanding any declaration which we made in favour of the Duke of Orleans, and his sons and descendants, as grandson of the Infanta the Lady Anna Mauricia, deceased, Queen of France, from all which we derogate by this law, and rescind and annul them, inasmuch as they are contrary to the tenor of this act, the rest remaining in their force, in like manner as this renunciation, exclusion, and order of succession, for ever, with the other things there expressed, for the fundamental law of the succession of this monarchy, in the same form as is there expressed. And this is my will. Given at Madrid the 18th day of March, 1713.

I the King.

I Don Lorentius de Vivanco Angulo, secretary of our lord the King, have writ this by his command.

Count de Gramedo.

Marquis of Andea.

Don Garcias de Araciel.

Marquis of Aranda.

Don Peter of Reatiqui and Colona.

Publication.

In the city of Madrid, the 18th day of the month of March, 1713, before the gate of his Majesty's palace, at the gate of Guadalaxera, where the merchants and officers resort upon business, and in the presence of the licentiates Don Melchior Prous, Don Diego de Pellizer and Thobar, Knight of the Order of St. James, Don Francisco Zephirino de Villa, and Don John Gaspar Fovilla, of St. Martin, alcaid of the house and court of his Majesty: the law and royal ordinance above inserted, were published by a herald with sound of drums and trumpets, many of the guards of his Majesty's house and court being present, which I Don John of Barco and Oliva, notary of the King our master's chamber, and one of his counsellors, do certify; and besides those above named, many others were present.

Don John of Barco and Oliva.

This is a copy of his Majesty's royal ordinance, and of its publication, the original whereof is preserved in the archives of the council which I certify for every one who is of the order of counsellors; I Don Michael Rubin of Noriega, notary of the King our master's chamber, the most ancient of those who are of the King's council, I signed this at Madrid, the 18th day of March, 1713.

Don Michael Rubin ds Noriega.

And whereas the Princes also of the House of France have, in like manner, for themselves, their heirs and successors, renounced on their part all kind of right, title, and pretension to the crown of Spain, or to any the dominions thereof, in the form and words following:

Letters Patents by the KING,

Which admit the Renunciation of the King of Spain to the Crown of France, and those of M. the Duke of Berry, and of M. the Duke of Orleans, to the Crown of Spain.

LEWIS, by the grace of God, King of France and Navarre: to all people present and to come, greeting. During the various revolutions of a war, wherein we have fought only to maintain the justice of the rights of the King, our most dear, and most beloved grandson, to the monarchy of Spain, we have never ceased to desire peace. The greatest successes did not at all dazzle us, and the contrary events, which the hand of God made use of to try us, rather than to destroy us, did not give birth to that desire in us, but found it there. But the time marked out by Divine Providence, for the repose of was not yet come; the distant fear of seeing one day our crown, and that of Spain upon the head of one and the same Prince, did always make an equal impression on the Powers which were united against us; and this fear, which had been the principal cause of the war, seemed also to lay an insuperable obstacle in the way to peace. At last, after many fruitless negotiations, God being moved with the sufferings and groans of so many people, was pleased to open a surer way to come at so difficult a peace. But the same alarms still subsisting, the first and principal condition, which was proposed to us by our most dear and most beloved sister the Queen of Great Britain, as the essential and necessary foundation of treating was, that the King of Spain, our said brother and grandson, keeping the monarchy of Spain and of the Indies, should renounce for himself and his descendants for ever, the rights which his birth might at any time give him and them to our crown, that on the other hand, our most dear and most beloved grandson the Duke of Berry, and our most dear and most beloved nephew the Duke of Orleans, should likewise renounce, for themselves, and for their descendants, male and female for ever, their rights to the monarchy of Spain and the Indies. Our said sister caused it to be represented to us that without a formal and positive assurance upon this point, which alone could be the bond of peace, Europe would never be at rest; all the Powers which share the same being equally persuaded, that it was for their general interest, and for their common security, to continue a war, whereof no one could foresee the end, rather than to be exposed to behold the same Prince become one day master of two monarchies, so powerful as those of France and Spain. But as this Princess (whose indefatigable zeal for re-establishing the general tranquillity we cannot sufficiently praise) was sensible of all the reluctancy we had to consent that one of our children, so worthy to inherit the succession of our forefathers,

should necessarily be excluded from it, if the misfortunes, wherewith it has pleased God to afflict us in our family, should moreover take from us, in the person of the Dauphin, our most dear and most beloved great grandson, the only remainder of those Princes which our kingdom has so justly lamented with us; she entered into our pain, and after having jointly sought out gentler means of securing the peace, we agreed with our said sister to propose to the King of Spain and other dominions, inferior, indeed, to those which he possesses, yet the value thereof would so much the more increase under his reign, inasmuch as in that case he would preserve his rights, and annex to our crown a part of the said dominions, if he came one time or other to succeed us. We employed therefore the strongest reasons to persuade him to accept this alternative. We gave him to understand, that the duty of his birth was the first which he ought to consult; that he owed himself to his house, and to his country, before he was obliged to Spain; that if he were wanting to his first engagements, he would perhaps one day in vain regret his having abandoned those rights which he would be no more able to maintain. We added to these reasons, the personal motives of friendship and of tender love, which we thought likely to move him; the pleasure we should have in seeing him from time to time near us, and in passing some part of our days with him, which we might promise ourselves from the neighbourhood of the dominions that were offered him, the satisfaction of instructing him ourselves concerning the state of our affairs, and of relying upon him for the future; so that, if God should preserve to us the Dauphin, we could give our kingdom, in the person of the King our brother and grandson, a regent instructed in the art of government; and that if this child, so precious to us and our subjects, were also taken from us, we should at least have the consolation of leaving to our people a virtuous King, fit to govern them, and who would likewise annex to our crown very considerable dominions. Our instances, reiterated with all the force, and with all the tender affection necessary to persuade a son, who so justly deserves those efforts which we made for preserving him to France, produced nothing but reiterated refusals on his part, ever to abandon such brave and faithful subjects, whose zeal for him had been distinguished in those conjunctures when his throne seemed to be the most shaken. So that, persisting with an invincible firmness in his first resolution, asserting likewise, that it was more glorious and more advantageous for our house, and for our kingdom, than that which we pressed him to take, he declared in the meeting of the States of the kingdom of Spain, assembled at Madrid for that purpose, that for obtaining a general peace, and securing the tranquillity of Europe by a balance of power, he of his own proper motion, of his own free will, and without any constraint, renounced for himself, for his heirs and successors for ever and ever, all pretensions, rights, and titles, which he or any of his descendants have at the present, or may have at any time to come whatsoever, to the succession of our crown; that he held for excluded therefrom, himself, his children, heirs, and descendants for ever; that he consented for himself and for them, that now, as well as then, his right, and that of his descendants, should pass over and be transferred to him among Princes whom the law of succession and the order of birth calls or shall call to inherit our crown, in default of our said brother and grandson the King of Spain, and of his descendants, as it is more amply specified in the act of renunciation approved by the States of his kingdom; and consequently he declared, that he desisted particularly from the right which hath been added to

that of his birth by our letters patents of the month of December 1700, whereby we declared, that it was our will, that the King of Spain and his descendants, should always preserve the rights of their birth and original, in the same manner as if they resided actually in our kingdom; and from the registry which was made of our said letters patents, both in our court of parliament, and in our chamber of accounts at Paris. We are sensible, as King, and as Father, how much it were to be desired that the general peace could have been concluded without a renunciation, which makes so great a change in our Royal House, and in the ancient order of succeeding to our crown; but we are yet more sensible how much it is our duty to secure speedily to our subjects a peace, which is so necessary for them. We shall never forget the efforts which they made for us during the long continuance of a war which we could not have supported if their zeal had not been much more extensive than their power. The welfare of a people so faithful, is to us a supreme law, which ought to be preferred to any other consideration. It is to this law that we this day sacrifice the right of a grandson who is so dear to us, and by the price which the general peace will cost our tender love, we shall at least have the comfort of shewing our subjects, that even at the expence of our blood, they will always keep the first place in our heart.

For these causes, and other important considerations us thereunto moving, after having seen in our council the said act of renunciation of the King of Spain, our said brother and grandson, of the fifth of November last, as also the acts of renunciation which our said grandson the Duke of Berry, and our said nephew the Duke of Orleans, made reciprocally of their rights to the crown of Spain, as well for themselves as for their descendants, male and female, in consequence of the renunciation of our said brother and grandson the King of Spain, the whole hereunto annexed, with a copy collated of the said letters patents of the month of December 1700, under the counter-seal of our chancery, of our special grace, full power, and Royal authority, we have declared, decreed, and ordained, and by these presents, signed with our hand, we do declare, decree and ordain, we will, and it is our pleasure, that the said act of renunciation of our said brother and grandson the King of Spain, and those of our said grandson the Duke of Berry, and of our said nephew the Duke of Orleans, which we have admitted and do admit, be registered in all our courts of parliament, and chambers of our accounts in our kingdom, and other places where it shall be necessary in order to their being executed according to their form and tenor. And consequently, we will and intend, that our said letters patent of the month of December 1700, be and remain null, and as if they had never been made, that they be brought back to us, and that in the margin of the registers of our said court of parliament, and of our said chamber of accounts, where the enrolment of the said letters patents is, the extract of these presents be placed and inserted, the better to signify our intention as to the revocation and nullity of the said letters. We will, that in conformity to the said act of renunciation of our said brother and grandson the King of Spain, he be from henceforth looked upon and considered as excluded from our succession, that his heirs, successors, and descendants be likewise excluded for ever, and looked upon as incapable of enjoying the same. We understand that in the failure of them, all rights to our said crown, and succession to our dominions, which might at any time whatsoever belong and appertain to them, be and remain transferred to our most dear and most beloved grandson the Duke of Berry, and to his children and descendants, being

males born in lawful marriage; and successively, in failure of them, to those of the Princes of our Royal House, and their descendants, who in right of their birth, or by the order established since the foundation of our monarchy, ought to succeed to our crown. And so we command our beloved and trusty counsellors, the members of our court of parliament at Paris, that they do cause these presents, together with the acts of renunciation made by our said brother and grandson the King of Spain, by our said grandson the Duke of Berry, and by our said nephew the Duke of Orleans, to be read, published, and registered, and the contents thereof to be kept, observed, and executed, according to their form and tenor, fully, peaceably, and perpetually, ceasing, and causing to cease, all molestations and hinderances, notwithstanding any laws, statutes, usages, customs, decrees, regulations, and other matters contrary thereunto; whereto, and to the derogations of the derogations therein contained, we have derogated, and do derogate by these presents, for this purpose only, and without being brought in to precedent. For such is our pleasure.

And to the end this may be a matter firm and lasting for ever, we have caused our seal to be affixed to these presents. Given at Versailles, in the month of March, in the year of our Lord 1713, and of our reign the 70th. Signed, Lewis; and underneath, By the King Phelypeaux. Visa Phelypeaux. And sealed with the great seal on green wax, with strings of red and green silk.

Read and published, the court being assembled, and registered among the rolls of the court, the King's attorney general being heard, and moving for the same, to the end that they may be executed according to their form and tenor, in pursuance of, and in conformity to the acts of this day. At Paris, in parliament, the 15th of March, 1713.

(Signed) *Dongois*.

The Renunciation of the Duke of Berry to the Crown of Spain

CHARLES son of France, Duke of Berry, Alenson, and Angoulesme, Viscount of Vernon, Andely, and Gifors, Lord of the Chatellenies of Coignac and Merpins: to all Kings, Princes, Commonwealths, Communities, and to all other bodies and private persons, present and to come, be it known. All the Powers of Europe finding themselves almost ruined on account of the present wars, which have carried desolation to the frontiers, and into many other parts of the richest monarchies, and other dominions, it has been agreed, in the conferences and treaties of peace, which are negotiating with Great Britain, to establish an equilibrium and political boundaries between the kingdoms, whereof the interests have been, and are still, the sad occasion of a bloody dispute; and to hold it for a fundamental maxim, in order to preserve this peace, that provision ought to be made, that the forces of these kingdoms may not become formidable, nor be able to cause any jealousy; which, it has been thought, cannot be settled more solidly, than by hindering them from extending themselves, and by keeping a certain proportion, to the end that the weaker being united together may defend themselves against the more powerful, and support themselves respectively against their equals.

For this purpose the King, our most honoured lord and grandfather, and the King of Spain, our most dear brother, have agreed and concluded with the Queen of Great Britain, that reciprocal

renunciations shall be made by all the Princes, both present and to come, of the crown of France, and of that of Spain, of all rights which may appertain to each of them, to the succession of the one or of the other kingdom, by establishing an habitual right to the succession to the crown of Spain, in that line which shall be made capable thereof, and declared immediate after that of King Philip the Fifth our brother, by the Estates of Spain, who were to assemble for this purpose; by making an immoveable balance to maintain the equilibrium, which is intended to be placed in Europe, and by going on to particularise all the cases of union which are foreseen, to serve as an example for all such as may happen. It has likewise been agreed and concluded between the King, our most honoured lord and grandfather, King Philip the Fifth, our brother, and the Queen of Great Britain, that the said King Philip shall renounce for himself, and for all his descendants, the hopes of succeeding to the crown of France; that on our side we shall renounce in like manner, for us, and for our descendants, the crown of Spain; that the Duke of Orleans, our most dear uncle, shall do the same thing: so that all the lines of France and of Spain, respectively and relatively, shall be excluded for ever, and by all kind of ways, from all the right which the lines of France might have to the crown of Spain, and the lines of Spain to the crown of France: and lastly, that care shall be taken, that under pretence of the said renunciations, or under any other pretence whatsoever, the House of Austria may not make use of the pretensions which it might have to the succession of the monarchy of Spain; forasmuch as by uniting this monarchy to the hereditary countries and dominions of that House, it would become formidable, even without the union of the Empire, to the other Powers, which are between both, and which would find themselves as it were surrounded; which would destroy the equality that is establishing at present, to secure and strengthen more perfectly the peace of Christendom, and to take away all manner of jealousy from the Powers of the North and of the West, which is the end that is proposed by this political equilibrium, by removing and excluding all these branches, and calling to the crown of Spain, in default of the lines of King Philip the Fifth, our brother, and of all his children and descendants, the House of the Duke of Savoy, which descends from the Infanta Catharina, daughter of Philip the Second; it having been considered, that in making the said House of Savoy succeed immediately in this manner, this equality and balance between the three Powers may be fixed as it were in its centre, without which it would be impossible to extinguish the flame of war which has been kindled, and is capable of destroying every thing.

Being willing therefore to concur by our relinquishment, and by the abdication of all our rights, for us, our successors, and descendants, to the establishing of the universal repose, and the securing the peace of Europe, because we believe that this method is the surest and most effectual in the terrible circumstances of this conjuncture, we have resolved to renounce the hopes of succeeding to the crown of Spain, and all the rights thereunto, which belong to us, and may belong to us, under any title, and by any means whatsoever. And to the end that this resolution may have its full effect, and also by reason that King Philip the Fifth, our brother, did on his part, the fifth of this present month of November, make his renunciation of the crown of France, we of our mere, free, and frank will, and without being moved thereunto by any respectful awe, or by any other regard, except those above-mentioned, do declare, and hold ourselves from this present, we, our

children, and descendants, excluded and disabled absolutely for ever, without limitation or distinction of persons, degrees, or sexes, from every act, and from all right of succeeding to the crown of Spain. We will and consent, for us, our said children, and descendants, that from this time, and for ever, we and they, in consequence of these presents, be held to be excluded and disabled, in like manner as all the other descendants of the House of Austria, who, as it has been said and supposed, ought also to be excluded, in whatever degree we may be, both the one and the other; and if the succession falls to us, our line, that of all our descendants, and all the others of the House of Austria, as it has been said, ought to be separated and excluded therefrom, that for this reason the kingdom of Spain be accounted as devolved and transferred to him, to whom in such case the succession ought to devolve and be transferred at any time whatsoever, so that we do take and hold him for true and lawful successor, because for the same reasons and motives, and in consequence of these presents, neither we, nor our descendants, ought any more to be considered as having any foundation of representation, active or passive, or making any continuation of line effective, or contentive of substance, blood, or quality, or likewise to derive any right from our descent, or to reckon our degrees from the persons of the Queen Maria Theresa of Austria, our most honoured lady and grandmother, of the Queen Anne of Austria, our most honoured lady and great-grandmother, or of the glorious Kings their ancestors; on the contrary, we ratify the clauses of their wills, and the renunciations made by the said ladies, our grandmother and great-grandmother; we renounce likewise the right which may belong to us, and to our children and descendants, by virtue of the will of King Charles the Second, which, notwithstanding what is above-mentioned, calls us to the succession of the crown of Spain, in case of failure of the line of Philip the Fifth. We therefore relinquish this right, and renounce the same, for us, our children and descendants; we promise and engage, for us, our said children and descendants, to employ ourselves with all our might in causing this present act to be fulfilled, without allowing or suffering that the same be violated, directly or indirectly, in the whole or in part; and we relinquish all means, ordinary or extraordinary, which by common right, or by any special privilege, might belong to us, our children, and descendants; which means we likewise renounce absolutely and particularly, that of evident, enormous, and most enormous prejudice, which may be found in the said renunciation of the succession to the crown of Spain. And we will, that none of the said means may or can have any effect, and that if, under this pretext, or any other colour, we would possess ourselves of the said kingdom by force of arms, the war which we should make, or stir up, be deemed unjust, unlawful, and unduly undertaken. And on the contrary, that the war which he should make upon us, who by virtue of this renunciation should have right to succeed to the crown of Spain, be deemed just and allowable. And that all the subjects and people of Spain do acknowledge him, obey him, defend him, do him homage, and swear fealty to him, as to their King and lawful lord.

And for the greater security of all that we say and promise for ourselves, and in the name of our children and descendants, we swear solemnly on the Gospels contained in this Missal, upon which we lay our right hand, that we will keep, maintain, and fulfil the same in all and every part thereof; that we will never ask to be relieved from the same, and if any one do ask it for us, or if it

be granted us *motu proprio*, we will not make use or take advantage of it. But rather, in case it should be granted us, we over and above make this other oath, and this shall subsist and remain for ever, whatever dispensations may be granted us. We swear and promise likewise, that we have not made, neither will we make, in public or in secret, any protestation or reclamation to the contrary, which may hinder what is contained in these presents, or lessen the force thereof; and if we should make any, whatever oaths they may be accompanied with, they shall not have any force or virtue, or produce any effect.

In witness whereof, and to render these presents authentic, they have been passed before masters Alexander le Fevre, and Anthony le Moyne, councilors to the King, notaries, minute-keepers to his Majesty, and seal-keepers in the Chatelet of Paris, here-under written, who have wholly delivered this present act; and for causing these presents to be published and registered, wherever it shall be necessary, my Lord the Duke of Berry has constituted the bearers of these dispatches, by duplicates thereof, his general and special attornies, to whom my said Lord has, by these said presents, given special power and authority in that behalf. At Marly, the twenty-fourth day of November, 1712, before noon, and has signed the present duplicate and another, and the minute thereof remaining in the hands of the said le Moyne, notary.

(Signed) CHARLES.

Le Fevre, Le Moyne.

WE Jerome d'Argouges, Knight, Lord of Fleury, counsellor to the King in his councils, honorary master of the requests of his household, civil lieutenant of the city, provostship, and vicounty of Paris, do certify to all to whom it may appertain, that masters Alexander le Fevre, and Anthony le Moyne, who have signed the act on the other side, are counsellors to the King, notaries, minute-keepers to his Majesty, and seal-keepers at the Chatelet of Paris, and that faith is to be given, as well in court as out of it, to the acts received by them. In witness whereof we have signed these presents, caused the same to be countersigned by our secretary, and the seal of our arms to be affixed. At Paris, the twenty-fourth of November, 1712.

(Signed) *D'Argouges.*

By my said Lord, *Barbey.*

Read and published, the court sitting, and registered in the rolls of the court, the King's attorney general being heard, and moving for the same, in order to its being executed according to its form and tenor, in pursuance of and in conformity to the acts of this day. At Paris, in parliament, the fifteenth of March, 1713.

(Signed) *Dongois.*

The Renunciation of the Duke of Orleans to the Crown of Spain

PHILIP, grandson of France, Duke of Orleans, Valois; Chartres, and Nemours: to all Kings, Princes, Commonwealths, Potentates, Communities, and to all persons, as well present as to come, we make known by these presents; that the fear of the union of the crowns of France and Spain,

having been the principal motive of the present war, and the other Powers of Europe having always apprehended lest these two crowns should come upon one head, it has been laid down as the foundation of the peace, which is treated of at present, and which it is hoped may be cemented more and more, for the repose of such a number of countries which have sacrificed themselves, as so many victims, to oppose the dangers wherewith they thought themselves threatened, that it was necessary to establish a kind of equality and equilibrium between the Princes who were in dispute, and to separate for ever, in an irrevocable manner, the rights which they pretend to have, and which they defended, sword in hand with a reciprocal slaughter on each side.

That with intent to establish this equality, the Queen of Great Britain proposed, and upon her instances it has been agreed by the King, our most honoured lord and uncle, and by the Catholic King, our most dear nephew, that for avoiding at any time whatsoever the union of the crowns of France and Spain, reciprocal renunciations should be made, that is to say, by the Catholic King Philip the Fifth our nephew, for himself, and for all his descendants, of the succession to the crown of France; as also by the Duke of Berry, our most dear nephew, and by us, for ourselves, and for all our descendants, of the crown of Spain; on condition likewise, that neither the House of Austria, nor any of the descendants thereof, shall be able to succeed to the crown of Spain, because this House itself, without the union of the Empire, would become formidable, if it should add a new power to its ancient dominions; and consequently this equilibrium, which is designed to be established for the good of the Princes and States of Europe, would cease. Now it is certain, that without this equilibrium, either the states suffer from the weight of their own greatness, or envy engages their neighbours to make alliances to attack them, and to reduce them to such a point, that these great Powers may inspire less fear, and may not aspire to an universal monarchy.

For attaining the end which is proposed, and by reason that his Catholic Majesty has on his part made his renunciation the fifth of this present month, we consent that, in failure of Philip the Fifth, our nephew, and of his descendants, the crown of Spain do pass over to the House of the Duke of Savoy, whose rights are clear and known, inasmuch as he descends from the Infanta Catharina, daughter of Philip the Second, and as he is called by the other Kings his successors; so that his right to the succession of Spain is indisputable.

And we desiring on our side to concur towards the glorious end, which is proposed for re-establishing the public tranquillity, and for preventing the fears which the rights of our birth, or all others which might appertain unto us, might occasion, have resolved to make this relinquishment, this abdication, and this renunciation of all our rights, for ourselves, and in the name of all our successors and descendants; and for the accomplishing of this resolution, which we have taken of our mere, free, and frank will, we declare and hold ourselves from this present, us, our children, and descendants, for excluded and disabled, absolutely, and for ever, and without limitation or distinction of persons, of degrees, and of sexes, from every act, and from all right of succeeding to the crown of Spain. We will and consent, for us and our descendants, that from this time, and for ever, we be held, we and ours, for excluded, disabled, and incapacitated, in whatever degree we may happen to be, and in what manner soever the succession may fall to our line, and to all others,

whether of the House of France or of that of Austria, and of all the descendants both of the one and the other House, which, as it is said and supposed, ought likewise to hold themselves for cut off and excluded; and that for this reason, the succession to the said crown of Spain be deemed to be devolved and transferred to him to whom the succession of Spain ought to be transferred, in such case, and at any time whatsoever; so that we do take and hold him for true and lawful successor, because neither we, nor our descendants, ought any more to be considered as having any foundation of representation, active or passive, or making a continuation of a line effective, or contentive of substance, blood, or quality, nor ought we to derive any right from our descent, or reckon the degrees from Queen Anne of Austria, our most honoured lady and grandmother, nor from the glorious Kings her ancestors. On the contrary, we ratify the renunciation which the said lady Queen Anne made, and all the clauses which the Kings Philip the Third and Philip the Fourth inserted in their wills. We renounce in like manner all the right which may appertain to us, and to our children and descendants, by virtue of the declaration made at Madrid, the twenty-ninth of October 1703, by Philip the Fifth King of Spain, our nephew; and any right which might appertain to us, for us, and our defendants, we relinquish the same, and renounce it for us and for them; we promise and engage, for us, our said children and descendants, present and to come, to employ ourselves, with all our might, in causing these presents to be observed and fulfilled, without allowing or suffering that directly or indirectly the same be violated, whether in the whole or in part. And we relinquish all means, ordinary or extraordinary, which by common right, or any special privilege, might appertain to us, our children, and descendants; which means we renounce absolutely, and in particular that of evident, enormous, and most enormous prejudice, which may be found in the renunciation of the succession to the said crown of Spain; and we will that any of the said means neither may nor can serve or avail us. And if under this pretext, or any other colour whatever, we would possess ourselves of the said kingdom of Spain by force of arms, that the war which we should make, or stir up, be held for unjust, unlawful, and unduly undertaken; and that on the contrary, that which he should make upon us, who by virtue of this renunciation should have right to succeed to the crown of Spain, be held for just and allowable; and that all the subjects and people of Spain do acknowledge him, obey him, defend him, do homage to him, and take the oath of fealty to him, as to their King and lawful lord.

And for the greater assurance and security of all that we say and promise, for us, and in the name of our successors and descendants, we swear solemnly on the holy Gospels contained in this Missal, whereon we lay our right hand, that we will keep, maintain, and fulfil the same, wholly and entirely; and that we will at no time ask to have ourselves relieved therefrom; and if any person asks it, or if it is granted us *motu proprio*, we will not make use or avail ourselves thereof; but rather, in case it should be granted us, we make another oath, that this shall subsist and remain for ever, what dispensation soever may be granted us. We further swear and promise, that we have not made, neither will we make, either in public or in secret, any protestation or reclamation to the contrary, which may hinder that which is contained in these presents, or lessen the force thereof, and if we should make any, what oath soever they may be attended with, they shall not have either force or virtue, or produce any effect.

And for greater security, we have passed and do pass the present act of renunciation, abdication, and relinquishment, before masters Anthony le Moyne and Alexander le Fevre, counsellors to the King, notaries, minute-keepers, and seal-keepers at the Chatelet of Paris, hereunder written, in our palace royal at Paris, 1712, the nineteenth of November, before noon; and for causing these presents to be insinuated and registered in every place where it shall appertain, we have constituted the bearer to be our attorney, and we have signed these presents, and the minute thereof remaining in the possession of the said le Fevre, notary.

PHILIP OF ORLEANS.

Le Moyne, Le Fevre.

WE Jerome d'Argouges, Knight, Lord of Fleury, counsellor to the King in his councils, honorary master of the requests of his household, civil lieutenant of the city, provostship, and vicounty of Paris, do certify to all to whom it shall appertain, that master Anthony le Moyne, and Alexander le Fevre, who have signed the act of renunciation on the other side, are counsellors to the King, notaries at the Chatelet of Paris, and that faith ought to be given, as well in judgment as out of the same, to the acts by them received. In witness whereof we have signed these presents, caused the same to be counter-signed by our secretary, and the seal of our arms to be affixed. At Paris, the twenty-first of November, 1712.

(Signed) *D'Argouges.*

By my said Lord, *Barbey.*

Read and published, the court being assembled, and registered in the rolls of the court, the King's attorney general being heard and requiring the same, that it may be executed according to its form and tenor, in pursuance of, and in conformity to the acts of this day. At Paris, in parliament, the fifteenth of March, 1713.

(Signed) *Dongois.*

The King's Letters Patents of the Month of December, 1700

LEWIS, by the grace of God, King of France and Navarre; to all present and to come, greeting. The prosperities which it has pleased God to heap upon us during the course of our reign, are so many motives to us to apply ourselves, not only for the time present, but also for the future, to the happiness and tranquillity of the people whereof Divine Providence has entrusted to us the government. His impenetrable judgments let us only see, that we ought not to place our confidence neither in our forces, nor in the extent of our dominions, nor in a numerous posterity, and that these advantages, which we receive from his goodness alone, have no other solidity than what it pleases him to give them. But as it is however his will, that the Kings, whom he chuses to lead his people, should foresee afar off the events able to produce disorders, and the most bloody wars; that they should make use of the lights which his divine wisdom pours upon them; we fulfil his designs, when, in the midst of the universal rejoicings of our kingdom, we look upon as a possible thing, a sad futurity, which we pray God to avert for ever. At the same time that we accept the will of the late King of Spain; that our most dear and most beloved son the Dauphin renounces his lawful

right to that crown in favour of his second son the Duke of Anjou, our most dear and most beloved grandson, instituted by the late King of Spain, his universal heir; that this Prince, known at present by the name of Philip the Fifth, King of Spain, is ready to enter his kingdom, and to answer the earnest wishes of his new subjects. This great event does not hinder us from carrying our views beyond the time present, and when our succession appears the best established, we judge it to be equally the duty of a King, and of a Father, to declare for the future our will conformably to the sentiments which these two qualities inspire in us. Wherefore, being persuaded that the King of Spain, our grandson, will always preserve for us, for our House, for the kingdom wherein he is born, the same tenderness, and the same sentiments whereof he has given us so many proofs, that his example, uniting his new subjects to ours, is going to form a perpetual amity, and the most perfect correspondence between them; we should think likewise that we do him an injustice, whereof we are incapable, and occasion an irreparable prejudice to our kingdom, if we should hereafter look upon as a stranger, a Prince, whom we grant to the unanimous requests of the Spanish nation.

For these causes, and other great considerations us hereunto moving, of our special grace, full power, and royal authority, we have resolved, declared, and ordained, and by these presents, signed with our hand, we do resolve, declare, and ordain, we will, and it is our pleasure, that our most dear and most beloved grandson the King of Spain do preserve for ever the rights of his birth, in the same manner as if he made his actual residence in our kingdom; wherefore our most dear and most beloved only son the Dauphin, being the true and lawful successor and heir of our crown, and of our dominions, and after him our most dear and most beloved grandson the Duke of Burgundy, if it should happen (which God forbid) that our said grandson the Duke of Burgundy should come to die without male children, or that those which he should have in good and lawful marriage should die before him, or if the said male children should not leave any male children after them, born in lawful marriage, in such case our said grandson the King of Spain, making use of the rights of his birth, is to be the true and lawful successor to our crown, and to our dominions, notwithstanding he should be at that time absent, and residing out of our said kingdom; and immediately after his decease, his heirs male begot in lawful marriage, shall come into the said succession, notwithstanding that they may be born, or that they may dwell out of our kingdom; we will that for the abovesaid causes, neither our said grandson the King of Spain, nor his children, being males, be deemed and reputed less able and capable to enter upon the said succession, or upon others which may fall to them within our said kingdom. On the contrary, we intend that all rights, and generally other things whatever, which may at present or for the future belong and appertain to them, be and remain preserved whole and entire, as if they did reside and dwell constantly within our kingdom to the time of their decease, and as if their heirs had been natives and inhabitants of the kingdom; having for this purpose, as far as there is or shall be need, enabled and dispensed with them, as we do enable and dispense with them by these presents. And so we give it in command to our beloved and trusty counsellors, the members of our court of parliament, and chamber of our accounts at Paris, presidents and treasurers general of France, in the office of our exchequer established in the same place, and to all other our officers and justices to whom it

shall appertain, that they cause these presents to be registered, and our said grandson the King of Spain, his children and descendants, being male, born in lawful marriage to enjoy and use the contents thereof, fully and peaceably, any thing to the contrary notwithstanding; to which, by our grace and authority as abovesaid, we have derogated and do degrogate; for this is our pleasure. And that this may be a matter firm and lasting for ever, we have caused our seal to be put to these presents. Given at Versailles, in the month of December, in the year of our Lord 1700, and of our reign the 58th. Signed LEWIS; and on the fold, By the King, *Phelipeaux*. And sealed with the great seal on green wax, with strings of red and green silk.

Registered, the King's attorney general being heard, and requiring the same, in order to their being executed according to their form and tenor, pursuant to the act of this day. At Paris, in parliament, the first of February, 1701.

(Signed) *Dongois*.

His said Catholic Majesty hereby renews and confirms the most solemn renunciation above mentioned, made on his part; and as it has obtained the force of a general and fundamental law, he engages again, in the most sacred manner possible, that he will observe, and take care that the same be observed inviolably, and he will likewise use his utmost diligence, and provide with the greatest earnestness, that the aforesaid renunciations may be irrevocably observed, and put in execution, as well on the part of Spain as on the part of France, forasmuch as while they subsist in their full force, and are faithfully kept on both sides, as also the other transactions relating thereto, the crowns of Spain and France will be so separated and divided from each other, that they can never hereafter be united in one.

ARTICLE III

That there be a perpetual amnesty on both sides, and oblivion of all things which have been in an hostile manner committed in any place, or by any way, on one side and on the other, during the late war. So that neither on account thereof, nor by reason or under pretence of any other matter, shall the one any way do or suffer to be done any enmity to the other, or give any molestation, directly or indirectly, under colour of right, or by way of fact.

ARTICLE IV

All and singular the prisoners on each side, of what state or condition soever they be, shall, immediately after the ratification of this present treaty, be restored to their former liberty, without any ransom, paying only such debts as they may have contracted during their being prisoners.

ARTICLE V

Moreover, for giving a greater and more lasting strength to the peace which is restored, and to this friendship, which is never to be violated, and for cutting off all occasions of distrust, which may at any time arise from the established right and order of the hereditary succession to the crown of Great Britain, and the limitation thereof by the laws of Great Britain (made and enacted in the reign of the late King William the Third, of glorious memory, and in the reign of the present Queen)

to the issue of the above-named Queen, and in failure thereof to the Most Serene Princess Sophia, Electress Dowager of Brunswick, and her heirs in the Protestant line of Hanover. That therefore the said succession may be well and securely preserved according to the laws of Great Britain, the Catholic King sincerely and solemnly acknowledges the above-mentioned limitation of the succession to the kingdom of Great Britain; and declares and engages, on the faith and word of a King, and on the pledge of his and his successors honour, that the same is, and shall for ever be approved and accepted by him and his heirs and successors; and, under the same tie of the word of a King and his honour, the Catholic King does promise, that no person besides the said Queen, and her successors, according to the order of limitation, established by the laws and statutes of Great Britain, shall ever be acknowledged or reputed by him, or by his heirs and successors, to be King or Queen of Great Britain.

ARTICLE VI

The Catholic King doth further promise, as well in his own name as in that of his heirs and successors, that they will not at any time disturb or molest the said Queen of Great Britain, her heirs and successors, of the Protestant line, as aforesaid, being in possession of the crown of Great Britain, and the dominions subject thereunto; neither will the aforesaid Catholic King, or any of his successors, give at any time any aid, succour, favour, or counsel, directly or indirectly, by land or by sea, in money, arms, ammunition, warlike instruments, ships, soldiers, seamen, or in any other manner whatever, to any person or persons, whosoever they be, who on any cause or pretence should hereafter endeavour to oppose the said succession, either by open war, or by encouraging sedition and forming conspiracies against such Prince and Princes, who are in possession of the throne of Great Britain, by virtue of the acts of parliament there made, or against that Prince or Princess to whom the succession to the crown of Great Britain shall belong, according to the acts of parliament, as abovesaid.

ARTICLE VII

That the ordinary distribution of justice be restored and open again through the kingdoms and dominions of each of their Royal Majesties, so that it may be free for all the subjects on both sides, to prosecute and obtain their rights, pretensions, and actions, according to the laws, constitutions, and statutes of each kingdom. And especially if there be any complaints concerning injuries or grievances, which have been done contrary to the tenor of the treaties, either in time of peace, or at the beginning of the war lately ended, care shall be taken that the damages be forthwith made good, according to the rule of justice.

ARTICLE VIII

That there be a free use of navigation and commerce between the subjects of each kingdom, as it was heretofore, in time of peace, and before the declaration of this late war, in the reign of Charles the Second, of glorious memory, Catholic King of Spain, according to the treaties of friendship, confederation, and commerce, which were formerly made between both nations, according to ancient customs, letters patents, cedula, and other particular acts; and also according

to the treaty or treaties of commerce which are now, or will forthwith be made at Madrid. And whereas, among other conditions of the general peace, it is by common consent established as a chief and fundamental rule, that the exercise of navigation and commerce to the Spanish West Indies should remain in the same state it was in the time of the aforesaid King Charles the Second; that therefore this rule may hereafter be observed with inviolable faith, and in a manner never to be broken, and thereby all causes of distrust and suspicion concerning that matter may be prevented and removed, it is especially agreed and concluded, that no licence; nor any permission at all; shall at any time be given, either to the French, or to any nation whatever, in any name, or under any pretence, directly or indirectly, to sail, to traffic in, or introduce negroes, goods, merchandizes, or any things whatsoever, into the dominions subject to the crown of Spain in America, except what may be agreed by the treaty or treaties of commerce abovesaid, and the rights and privileges granted in a certain convention, commonly called El Assiento de Negros, whereof mention is made in the twelfth article; except also whatsoever the said Catholic King, or his heirs or successors, shall promise by any contract or contracts for the introduction of negroes into the Spanish West Indies, to be made after that the convention or the Assiento de Negros above-mentioned shall be determined. And, that more strong and full precautions may be taken on all sides, as abovesaid, concerning the navigation and commerce to the West Indies, it is hereby further agreed and concluded, that neither the Catholic King, nor any of his heirs and successors whatsoever, shall sell, yield, pawn, transfer, or by any means, or under any name, alienate from them and the crown of Spain, to the French, or to any other nations whatever, any lands, dominions, or territories, or any part thereof, belonging to Spain in America. On the contrary, that the Spanish dominions in the West Indies may be preserved whole and entire, the Queen of Great Britain engages, that she will endeavour, and give assistance to the Spaniards, that the ancient limits of their dominions in the West Indies be restored, and settled as they stood in the time of the above-said Catholic King Charles the Second, if it shall appear that they have in any manner, or under any pretence, been broken into, and lessened in any part, since the death of the aforesaid Catholic King Charles the Second.

ARTICLE IX

It is further agreed and concluded as a general rule, that all and singular the subjects of each kingdom shall, in all countries and places, on both sides, have and enjoy at least the same privileges, liberties, and immunities, as to all duties, impositions, or customs whatsoever, relating to persons, goods, and merchandizes; ships, freight, seamen, navigation and commerce; and shall have the like favour in all things as the subjects of France, or any other foreign nation, the most favoured, have, possess, and enjoy, or at any time hereafter may have, possess, or enjoy.

ARTICLE X

The Catholic King does hereby, for himself, his heirs and successors, yield to the Crown of Great Britain the full and entire propriety of the town and castle of Gibraltar, together with the port, fortifications, and forts thereunto belonging; and he gives up the said propriety to be held and enjoyed absolutely with all manner of right for ever, without any exception or impediment

whatsoever. But that abuses and frauds may be avoided by importing any kind of goods, the Catholic King wills, and takes it to be understood, that the above-named propriety be yielded to Great Britain without any territorial jurisdiction and without any open communication by land with the country round about. Yet whereas the communication by sea with the coast of Spain may not at all times be safe or open, and thereby it may happen that the garrison and other inhabitants of Gibraltar may be brought to great straits; and as it is the intention of the Catholic King, only that fraudulent importations of goods should, as is above said, be hindered by an inland communications. it is therefore provided that in such cases it may be lawful to purchase, for ready money, in the neighbouring territories of Spain, provisions and other things necessary for the use of the garrison, the inhabitants, and the ships which lie in the harbour. But if any goods be found imported by Gibraltar, either by way of barter for purchasing provisions, or under any other pretence, the same shall be confiscated, and complaint being made thereof, those persons who have acted contrary to the faith of this treaty, shall be severely punished. And Her Britannic Majesty, at the request of the Catholic King, does consent and agree, that no leave shall be given under any pretence whatsoever, either to Jews or Moors, to reside or have their dwellings in the said town of Gibraltar; and that no refuge or shelter shall be allowed to any Moorish ships of war in the harbour of the said town, whereby the communication between Spain and Ceuta may be obstructed, or the coasts of Spain be infested by the excursions of the Moors. But whereas treaties of friendship and a liberty and intercourse of commerce are between the British and certain territories situated on the coast of Africa, it is always to be understood, that the British subjects cannot refuse the Moors and their ships entry into the port of Gibraltar purely upon the account of merchandising. Her Majesty the Queen of Great Britain does further promise, that the free exercise of their religion shall be indulged to the Roman Catholic inhabitants of the aforesaid town. And in case it shall hereafter seem meet to the Crown of Great Britain to grant, sell or by any means to alienate therefrom the propriety of the said town of Gibraltar, it is hereby agreed and concluded that the preference of having the sale shall always be given to the Crown of Spain before any others.

ARTICLE XI

Moreover the Catholic King doth in like manner for himself, his heirs and successors, yield to the crown of Great Britain the whole island of Minorca, and doth transfer thereunto for ever, all right, and the most absolute dominion over the said island, and in particular over the town, castle, harbour, and fortifications of the bay of Minorca, commonly called Port Mahon, together with the other ports, places, and towns situated in the aforesaid island. But it is provided, as in the above-written article, that no refuge or shelter shall be open to any ships of war of the Moors in Port Mahon, or in any other port of the said island of Minorca, whereby the Spanish coasts may be infested by their excursions: and the Moors and their ships shall only be allowed to enter the island aforesaid on account of traffic, according to the agreement of treaties. The Queen of Great Britain promises also on her part, that if at any time it shall happen that the island of Minorca, and the ports, towns, and places therein situated, be by any means hereafter alienated from the crown of her kingdoms, the preference shall be given to the crown of Spain, before any other nation whatever, of redeeming the possession and propriety of the aforesaid island. Her Royal Majesty of

Great Britain moreover engages, that she will take care, that all the inhabitants of the said island, both ecclesiastical and secular, shall safely and peaceably enjoy all their estates and honors, and the free use of the Roman Catholic religion shall be permitted: and measures shall be taken for preserving the aforesaid religion in that island, provided the same be consistent with the civil government and laws of Great Britain. Those likewise who are now in the service of his Catholic Majesty, shall enjoy their honors and estates, though they continue in the said service, and it shall be lawful for any person, who is desirous to leave the said island, to sell his estate, and pass freely with the value thereof into Spain.

ARTICLE XII

The Catholic King doth furthermore hereby give and grant to her Britannic Majesty, and to the company of her subjects appointed for that purpose, as well the subjects of Spain, as all others, being excluded, the contract for introducing negroes into several parts of the dominions of his Catholic Majesty in America, commonly called El Pacto de el Assiento de Negros, for the space of thirty years successively, beginning from the first day of the month of May, in the year 1713, with the same conditions on which the French enjoyed it, or at any time might or ought to enjoy the same, together with a tract or tracts of land to be allotted by the said Catholic King, and to be granted to the company aforesaid, commonly called La Compañia de el Assiento, in some convenient place on the river of Plata (no duties or revenues being payable by the said company on that account during the time of the above-mentioned contract, and no longer); and this settlement of the said society, or those tracts of land, shall be proper and sufficient for planting, and sowing, and for feeding cattle for the subsistence of those who are in the service of the said company, and of their negroes; and that the said negroes may be there kept in safety till they are sold; and moreover, that the ships belonging to the said company may come close to land, and be secure from any danger. But it shall always be lawful for the Catholic King to appoint an officer in the said place or settlement, who may take care that nothing be done or practised contrary to his royal interests. And all who manage the affairs of the said company there, or belong to it, shall be subject to the inspection of the aforesaid officer, as to all matters relating to the tracts of land above-mentioned. But if any doubts, difficulties, or controversies, should arise between the said officer and the managers for the said company, they shall be referred to the determination of the governor of Buenos Ayres. The Catholic King has been likewise pleased to grant to the said company several other extraordinary advantages, which are more fully and amply explained in the contract of the Assiento, which was made and concluded at Madrid the 26th day of the month of March of this present year 1713. Which contract or Assiento de Negros, and all the clauses, conditions, privileges, and immunities contained therein, and which are not contrary to this article, are and shall be deemed and taken to be part of this treaty, in the same manner as if they had been here inserted word for word.

ARTICLE XIII

Whereas the Queen of Great Britain has continually pressed and insisted with the great earnestness, that all the inhabitants of the principality of Catalonia, of whatever state or condition

they may be, should not only obtain a full and perpetual oblivion of all that was done in the late war, and enjoy the entire possession of all their estates and honours, but should also have their ancient privileges preserved safe and untouched; the Catholic King, in compliance with the said Queen of Great Britain, hereby grants and confirms to all the inhabitants of Catalonia whatsoever, not only the amnesty desired, together with the full possession of all their estates and honors, but also gives and grants to them all the privileges which the inhabitants of both Castilles, who of all the Spaniards are the most dear to the Catholic King, have and enjoy, or may hereafter have and enjoy.

ARTICLE XIV

And whereas the Catholic King, at the request of her Royal Britannic Majesty, has been pleased to yield the kingdom of Sicily to his Royal Highness Victor Amadeus Duke of Savoy, and by the treaty this day entered into between his Royal Catholic Majesty, and his Royal Highness of Savoy, does make a cession of the said kingdom, her Royal Majesty of Great Britain aforesaid promises and engages that she will take great care that in default of the heirs male of the House of Savoy, the possession of the aforesaid kingdom of Sicily shall revert again to the crown of Spain; and her abovesaid Royal Britannic Majesty doth further consent, that the kingdom of Sicily may not, under any pretence, or in any manner whatever, be alienated or given to any prince or state, unless to the Catholic King of Spain, and to his heirs and successors. And whereas the Catholic King hath made known to her Royal Britannic Majesty, that it would be both reasonable in itself, and acceptable to him, that not only the subjects of the kingdom of Sicily, although they may reside in the dominions of Spain, and be in the service of his said Catholic Majesty, but also the Spaniards and other subjects of Spain, who may perhaps have estates and honors in the aforesaid kingdom of Sicily, should, without any diminution, entirely enjoy their said estates and honors, and should in no wise, under pretence of personal absence out of the said kingdom, be troubled or disquieted: And whereas the abovesaid Catholic King freely promises likewise on his part, that he will consent, that the subjects of the said kingdom of Sicily, and other subjects of his said Royal Highness, if they should chance to have estates and honors in Spain, or other the dominions belonging to Spain, shall in like manner, without any diminution, entirely enjoy the same, and that they shall in no wise be troubled or disturbed under pretence of personal absence; therefore her Royal Britannic Majesty promises, that she will endeavour, and will give instructions to her ambassadors extraordinary and plenipotentiaries at Utrecht, that they interpose the most effectual good offices, that the Catholic King and his Royal Highness may mutually agree concerning this matter, and may take care and provide for the same, in such manner as shall be most commodious on both sides.

ARTICLE XV

Their Royal Majesties on both parts renew and confirm all treaties of peace, friendship, confederation, and commerce, made heretofore, and concluded between the crowns of Great Britain and Spain, and the said treaties are hereby renewed and confirmed, in as full and ample manner as if they were now particularly here inserted; that is to say, as far as they are not found to

be contrary to the treaties of peace and commerce which were the last made and signed. And especially by this treaty those agreements, treaties, and conventions, are confirmed and strengthened, which relate as well to the exercise of commerce and navigation in Europe, and elsewhere, as to the introduction of negroes into the Spanish West Indies, and which either are already made, or will forthwith be made between both nations at Madrid. And whereas it is insisted on the part of Spain, that certain rights of fishing at the island of Newfoundland belong to the Guipuscoans, or other subjects of the Catholic King, her Britannic Majesty consents and agrees, that all such privileges as the Guipuscoans and other people of Spain are able to make claim to by right, shall be allowed and preserved to them.

ARTICLE XVI

Whereas in the convention for making a suspension of arms from the 11/22 day of the month of August last past, for four months, between the Queen of Great Britain and the most Christian King; which the Catholic King also approved by his consent, and does hereby further approve; and which by another convention was prolonged to the 11/22 of the month of April of this present year, among other conditions it is expressly stipulated, in what cases the ships, merchandizes, and other moveables taken on one side and the other, should either become prize to the captor, or be restored to the former owner; it is therefore agreed, that in those cases the conditions of the aforesaid suspension of arms shall remain in full force, and all things relating to such captures, made either in the British and Northern seas, or elsewhere, shall be well and truly executed according to the tenor thereof.

ARTICLE XVII

But if it happen through inadvertency, or imprudence, or any other cause, that any subject of either of their aforesaid Royal Majesties do or commit any thing, by land, sea, or on fresh waters, in any part of the world, whereby this present treaty be not observed, or whereby any particular article of the same hath not its effect, this peace and good correspondence between the Queen of Great Britain and the Catholic King shall not therefore be interrupted or broken, but shall remain in its former strength, force, and vigour. And that subject only shall be answerable for his own fact, and shall suffer such punishment as is inflicted by law, and according to the prescriptions of the law of nations.

ARTICLE XVIII

But if (which God forbid) the disputes which are composed should at any time be renewed between their said Royal Majesties, and break out into open war, the ships, merchandizes, and goods, both moveable and immoveable, of the subjects on both sides, which shall be found to be and remain in the ports and dominions of the adverse party, shall not be confiscated, or suffer any damage, but the space of six months, on the one part and on the other, shall be granted to the said subjects of each of their said Royal Majesties, in order to their selling the aforesaid things, or any other their effects, or carrying away and transporting the same from thence, whithersoever they please, without any molestation.

ARTICLE XIX

The Kings, Princes, and States, mentioned in the following articles, and all others who shall be nominated on either side, by common consent, before the ratifications are exchanged, or within six months after, shall, for a mark of mutual friendship, be included and comprehended in this treaty, their Royal Majesties aforesaid being persuaded that they will approve all the settlements made and established by it.

ARTICLE XX

Whatsoever shall be contained in the treaty of peace next entered into between his Sacred Royal Majesty of Spain, and his sacred Royal Majesty of Portugal, with the previous approbation of her Royal Majesty of Great Britain, shall be deemed an essential part of this treaty, in the same manner as if it was transcribed here word for word. Moreover her Sacred Royal Majesty of Great Britain offers herself to be a surety or guarantee of the aforesaid agreement of peace, which she promises to fulfil according to the substance and words thereof, to the end that it may be observed the more sacred and inviolable.

ARTICLE XXI

The treaty of peace this day entered into between his Royal Catholic Majesty and his Royal Highness the Duke of Savoy, is specially included in and confirmed by this treaty, as an essential part thereof, as fully as if it was inserted therein word for word, her Royal Majesty of Great Britain expressly declaring that she will be obliged by the terms of the promise and guaranty therein made.

ARTICLE XXII

The most Serene King of Sweden, together with his realms, dominions, provinces, and rights, and the most Serene Princes the Great Duke of Tuscany, and the Duke of Parma, together with their people and subjects, and the liberties and advantages of their subjects in matters of trade, shall be included in this treaty in the most effectual manner.

ARTICLE XXIII

The most Serene Republic of Venice, for the sake of the neutrality which during the war they exactly observed between the parties in hostility, and for the sake of many acts of humanity performed by it (the dignity, power, and security of the estates and dominions thereof remaining ever inviolable) shall be particularly comprehended and included in this treaty, in the best manner possible, as a common friend, and one to whom their Royal Majesties, at all times, desire to repay the offices of a faithful friendship, according to the exigencies of the said republic.

ARTICLE XXIV

It has been thought good to comprehend in the present treaty, the most Serene Republic of Genoa, which, by a constant neutrality during the war, hath cultivated the ancient friendship with the crowns of Great Britain and Spain, that the benefit of this peace may be extended to every thing that concerns that republic, and the subjects thereof may in all things, and every where, fully enjoy

the same liberty of commerce hereafter, as they enjoyed formerly, and during the life of Charles the Second Catholic King of Spain.

ARTICLE XXV

The city of Geneva is likewise included in this agreement, to the end that it may for the future enjoy all the advantages in trade which it has heretofore enjoyed in either kingdom, either by treaties or ancient custom.

ARTICLE XXVI

Solemn ratifications of this treaty, and drawn up in the proper form, shall be duly and reciprocally exchanged on both sides within six weeks, to be computed from the time of signing, or sooner if possible.

In witness whereof the ambassadors extraordinary and plenipotentiaries above-named, having on each side exhibited, and duly exchanged their letters of fullpowers, signed and sealed this present treaty at Utrecht, the Second/Thirteenth day of the month of July, in the year of our Lord 1713.

(L. S.) *Joh. Bristol, C. P. S.*

(L. S.) *Duc de Ossuna.*

(L. S.) *Strafford.*

(L. S.) *El Marque le Monteleone.*

We having seen and considered the treaty of peace and friendship above written, have approved, ratified, and confirmed the same, in all and every one of its articles, as we do by these presents approve, ratify, and confirm it, for ourselves, our heirs, and successors, promising and engaging our Royal word, that we will faithfully and inviolably perform and observe the aforesaid treaty, and all and every one of the things contained therein, and that we will never suffer the same to be violated or transgressed by any one, as far as lies in our power. For the greater testimony and validity whereof, we have caused our great seal of Great Britain to be affixed to these presents, which we have signed with our Royal hand. Given at our court at Kensington the 31th day of July, 1713, in the twelfth year of our reign.

ANNE R.

ANNE, by the grace of God, Queen of Great Britain, France, and Ireland, Defender of the Faith, &c. To all to whom these presents shall come, greeting. Whereas a certain separate article, intituled, The First Separate Article, belonging to the treaty of peace and friendship between us and our good brother Philip the Fifth Catholic King of Spain, concluded at Utrecht, the 2/13 day of the last month, was signed on the same day, and in the same place, by our ambassadors extraordinary and plenipotentiaries, furnished with sufficient authority for that purpose, in the manner and form following:

The First Separate Article

Besides those things which have been stipulated between the Lord Baron of Lexington, on the part of her Royal Majesty of Great Britain, and the Lord Marquis of Bedmar, on the part of his Royal Catholic Majesty, by the treaty of the 27th of March last at Madrid, it is further agreed by this separate article, which shall be of the same force as if it was inserted word for word in the treaty this day concluded between their Royal Majesties, that since his Royal Catholic Majesty is steadfastly resolved, and does solemnly promise by these presents, that he will not consent to any further alienation of countries, provinces, or lands of any fort, or where-ever situate, belonging to the crown of Spain; her Royal Majesty of Great Britain does likewise reciprocally promise, that she will persist in those measures and councils, by which she has provided and taken care, that none of the parties in war shall require or obtain of his Catholic Majesty, that any farther part of the Spanish monarchy be torn from it; but that any new demand of that kind being made, and the same refused by his Catholic Majesty, her Royal Majesty of Great Britain will use her endeavours that such demands shall be receded from.

And when it shall seem to her Royal Majesty of Great Britain, to be for the common benefit that a new treaty be entered into, between her Britannic Majesty, the Catholic King, and King of Portugal, that the security of the crown of Portugal may be provided for, his Catholic Majesty does by these presents give his consent to so wholesome a work, and does hereby testify it.

This article shall be ratified, and the ratifications thereof shall be exchanged at Utrecht, within six weeks, or sooner if it can be.

In testimony whereof, we the ambassadors extraordinary and plenipotentiaries of their Royal Britannic and Catholic Majesties, by virtue of the full powers exchanged this day, have signed and sealed the present article, at Utrecht, the 2/13 of July, in the year of our Lord, one thousand seven hundred and thirteen.

(L. S.) *Joh. Bristol, C. P. S.*

(L. S.) *Duc de Ossuna.*

(L. S.) *Strafford.*

(L. S.) *El Marque le Monteleone.*

We having seen and considered the said first separate article, have approved and ratified, and by these presents do approve and ratify the same, promising on our Royal word, that we will sincerely and truly do and perform all things which are contained in the said article. In testimony whereof we have caused our great seal of Great Britain to be affixed to this instrument, which is signed with our royal sign manual. Given at our Court at Kensington the thirty-first day of July, 1713, and of our reign the twelfth.

ANNE, by the grace of God, Queen of Great Britain, France, and Ireland, Defender of the Faith, &c. To all to whom these presents shall come, greeting. Whereas a certain separate article, intituled, The Second Separate Article, belonging to the treaty of peace and friendship between us and our good brother Philip the Fifth Catholic King of Spain, concluded at Utrecht, the 2/13 day

of the last month, was signed on the same day, and in the same place, by our ambassadors extraordinary and plenipotentiaries, furnished with sufficient authority for that purpose, in the manner and form following:

The Second Separate Article

That it may appear what consideration her Sacred Majesty the Queen of Great Britain has for the Princess of Ursini, her said Majesty the Queen of Great Britain, in the XXIst article of the conventions of peace, made between the Baron of Lexington, on the part of her said Britannic Majesty, and the Marquis de Bedmar, on the part of his Catholic Majesty, at Madrid, the 27th day of March last, did oblige herself, as by the present article she does oblige herself, and promises an agrees for herself and her successors, that she will really procure and effect, that forthwith, and without any delay, the said Lady Princess of Ursini be put into real and actual possession of the Dutchy of Limburg, or of other countries in the Netherlands, which shall be substituted in lieu thereof, to the full satisfaction of the Lady Princess of Ursini, with all manner of absolute and independent superiority, clear from any fee, or other tie whatsoever, which shall produce an annual revenue of 30,000 scudo's, according to the form and tenor of the diploma granted by his said Catholic Majesty to the said Princess, the 28th day of September, 1711, to the effect following:

PHILIP, by the grace of God, King of Castille, Leon, Arragon, the Two Sicilies, Jerusalem, Navarre, Granada, Toledo, Valentia, Galicia, Majorca, Seville, Sardinia, Corduba, Corsica, Murcia, Jaen, the Algarves, Algezira, Gibraltar, the Canary Islands, the East and West Indies, the islands and terra firma of the ocean, Archduke of Austria, Duke of Burgundy, Brabant, and Milan, Count of Habsburg, Flanders, Tirol, and Barcelona, Lord of Biscay and Molina, &c. To all who shall see these presents, or hear them read, greeting. Our dearest and most well-beloved cousin the Princess of Ursini has, since the beginning of our reign, rendered us, and continues to render us, so many signal and acceptable services, that we thought we could not defer any longer giving her lively testimonies of our acknowledgments, and of the esteem we have for her person. This Princess having quited the rank and the prerogatives she had at the court of Rome, to accept the employment of first lady of the bed-chamber to the Queen our dearest confort, she went to meet her at Nice in Provence, and conducted her into our dominions of Spain, and discharged her duty with so much care, exactness, and wisdom, that she has gained all possible confidence and consideration.

When we trusted the regency of our kingdoms of Spain to the Queen our dearest confort, that we might go and command our armies in the kingdoms and states of Italy, the Princess of Ursini redoubled her zeal and assiduity about her person, she has always assisted her with her care and her counsel, with equal prudence and affection, and in all times, and on all occasions, we have experienced the happy effects of so judicious, so faithful, and so valuble conduct.

Since it has pleased God to bless our Royal House, and to secure the succession of it by a happy issue, she has likewise taken upon her to bestow her most tender and effectual care on the education of our dearest and most beloved son the Prince of the Asturias, in whom we already observe the benefit and progress of it. All these services, so distinguishing, and so important to the

welfare of our dominions, and to the felicity of our reign, the application with which this Princess gives us still fresh proofs of an intire affection to the person of us, the Queen our dearest confort, and the Princes our children, and the good success that has attended the wholesome counsels she has given us, have engaged us to find out means to grant her a reward suitable to so many services, and that might serve for the future as a certain proof of the greatness of our gratitude, as well as of the merit and virtues of this Princess. This has given us occasion to think of securing to her not only a considerable revenue, but also a country she might enjoy with the title of sovereign, which we have embraced with the greater readiness, that this Princess being born of the House of la Trimouille, one of the most ancient and most illustrious of France, is not only allied to the Princes of the blood of the House of France, but likewise to several other sovereign Houses of Europe, and that knowing the endowments of her mind, and the wisdom of her conduct in all things, we are persuaded she will govern with justice the country and people that shall be under her subjection; and that this great favour will ever be looked upon as the just effect of the justice and magnificence of the sovereigns towards those who have been so happy as to render them important services. Know ye therefore, that, out of our full power, mere motion, and royal and absolute authority, we have given, yielded, and transferred, as we do give, yield, and transfer by these presents, to our dearest and most well-beloved cousin, Mary Anne de la Trimouille, Princess of Ursini, for herself, her heirs, successors, and assigns, the dutchy, town, and castle of Limbourg, being part of the Spanish Netherlands, with the towns, boroughs, villages, castles, houses, lands, and other appurtenances of the said dutchy, to enjoy the same to herself the said Princess of Ursini, her heirs, successors; or assigns, in full property and perfect sovereignty, without reserving or detaining any part thereof to ourselves and to our successors the Kings of Spain, under any title whatsoever, either of resort or feodality, as also without return or reversion in any case, or at any time, whereof we have exempted the said dutchy of Limbourg, and its dependencies comprehended in the present donation: to which end, so far as is or should be necessary, we have extinguished and suppressed, as we do extinguish and suppress the said rights; willing that the said Princess of Ursini do exercise in her name, all the rights of sovereignty within the said dutchy of Limbourg, the territories and jurisdictions thereto annexed, with the same authority as we exercised and had right to exercise the same before these presents, and that she enjoy there all the revenues, fruits, profits, and emoluments whatsoever, as well ordinary as extraordinary and casual, of what nature foever, either for the collation and patronage of the livings, the provision and destitution of offices, the customs, entries, subsidies, impositions, and other rights, expressed, and not expressed, the defence of the country, and the tranquillity of the people, the railing the revenues of the said dutchy and its dependencies; all which rights and revenues the said Princess of Ursini shall commence to enjoy from the day of these presents; from the reckoning of which, the agents, receivers, clerks, or others appointed to receive the said revenues, shall be accountable, and remit the produce into the hands of the bearers of the powers of the said Princess, and in so doing they shall be duly acquitted and discharged thereof towards us, as by these presents we discharge them thereof; and consequently the said Princess of Ursini shall remain unalterable proprietor of the said dutchy of Limbourg, and its dependencies, as well for the sovereignty, as for all the revenues, as the whole belonging to her,

in full, free, and intire property, with power to dispose thereof, by donation between persons alive, or legacy to such person, and with such clauses and conditions, as she shall think fit, and even to treat thereof by exchange or otherwise, and the same rights and powers shall belong successively, after her, to her nearest heir, in case she has not otherwise disposed thereof. To which end we have discharged, absolved, and freed, as by these presents we discharge, absolve, and free the inhabitants of the said dutchy of Limbourg, and its dependencies, of what state, quality, or dignity they are, as well ecclesiastical as secular, political, military, and of what other ranks and conditions they are or may be, and each of them in general and in particular, of the oaths of fidelity, faith, and obedience, promises, obligations, and duties they owed us, as their Lord and sovereign Prince: ordering and enjoining them most expressly that, by virtue of these presents, they do own and acknowledge the said Princess of Ursini, and after her, her heirs, successors, or such as have a right thereto, successively, for their Princes and Sovereign Lords; that they take and swear to her the oaths of fidelity and obedience in the usual manner, and moreover that they pay all homage, reverence, affection, obedience, fidelity, and services, as good and loyal subjects are obliged to do to their Sovereign Lord, and as they have done hitherto to the Kings our predecessors, and to us. And farther, our intention being that the said dutchy of Limbourg and its dependencies should produce at least the effectual and real revenue yearly to the profit of the said Princess of Ursini, her heirs, successors, and assigns, thirty thousand crowns, each crown of eight silver reals, old double money of Castille, deduction being made of local employments, maintenance of places, and officers, that used to be paid and maintained out of the revenues of the said dutchy.

Our will and pleasure is, that during the first year of enjoyment by the said Princess of Ursini, after her having taken possession of the said dutchy of Limbourg, and after the publication of the peace, a state be made of the revenues and employments of the dutchy of Limbourg and its dependencies, in the presence of persons appointed for that purpose, as well on our part, as on that of the said Princess of Ursini, and in case, after deduction is made for the said employments, the revenues for the neat remainder to the profit of the said Princess of Ursini do not amount to the said thirty thousand crowns *per annum*, whether by reason of the alienations that might have been made of some part of that dutchy, or whether because any of the said rights, revenues, and appurtenances should have been fold, engaged, or charged with some rents, even some debts for sums taken by loan, or anticipation, in this case we ordain, and our will and pleasure is, that the whole be redeemed and disengaged, and the purchasers, mortgagers, tenants, and other creditors, reimbursed, paid, and satisfied out of the produce of the most liquid revenues of the other provinces of the Spanish Netherlands, so as that the said Princess enjoy, fully, really, and without any charge, the said thirty thousand crowns yearly; to which end, and until the full reimbursement for the redeeming the said alienations or engagements, constitutions of rents, anticipations, or other loans whatever they may be, the purchasers of the funds alienated, or mortgagers, tenants, and all other creditors, shall be and remain assigned, as from this time we assign them to receive their arrears or interests of their capitals out of the said revenues of the other provinces of the Spanish Netherlands; and consequently we have from this time yielded and transferred, as we do yield and transfer all and such of our revenues as shall be requisite to the mortgagers and creditors, and until

the concurrence of what is due to them for principal interests, to take, have, and receive out of the most liquid and effective part of the said revenues of the said Spanish Netherlands, except those of the said dutchy of Limbourg, to enjoy the same themselves, until they shall be fully reimbursed. And if it should happen, that notwithstanding the said redemption and reimbursement being made or assigned, the revenue of the said dutchy of Limbourg should not amount to the said sum of thirty thousand crowns yearly, all charges deducted, we will, that there be dismembered, as from this time we dismember, from the other countries belonging to us, adjacent or lying convenient to the said dutchy of Limbourg, such other towns, boroughs, villages, and territories, as shall be requisite to make up, by their yearly produce and revenue, what shall be wanting of the said thirty thousand crowns yearly in the dutchy of Limbourg, which towns, boroughs, villages, and territories, together with the revenue and appurtenances, shall remain dismembered from our other lordships, and shall be united and joined for the future, and for ever, to the said dutchy of Limbourg, to be possessed by the said Princess of Ursini, with the same title of sovereignty, jurisdiction, and prerogative before mentioned, and as making part of the said dutchy of Limbourg.

And whereas, by the several proposals that are from time to time made to us, to attain the peace so much desired by us, and other princes and states of Europe engaged in the present war, some of them tend to certain dismembering of the said Spanish Netherlands from the other dominions that make up our monarchy; we declare, that our intention is, that these presents shall not be prejudiced by the treaties of peace that shall be made, and that all the princes and potentates interested in the said proposals do ratify the dismembering we make by these presents of the said dutchy of Limbourg, and the erecting of that in sovereignty, in favour of the Princess of Ursini, so as that she be put and remain in full possession and peaceable enjoyment thereof, within the full extent of these presents, according to their form and tenor, and without any reserve or restriction whatsoever; it being our will, that the present donation be one of the conditions of the treaties that may be made in what shall concern the said Spanish Netherlands, to the end the said Princess of Ursini, her heirs, successors, and assigns, may enjoy the said dutchy of Limbourg and its appurtenances, fully, peaceably, perpetually, and for ever, with the title of sovereignty, without any trouble and hinderance; on the contrary, to effect the same, and to constrain thereto all those whom it shall concern, or that are therefore to be constrained, we have, out of our full power and royal authority, supplied, as we do hereby supply all defects or omissions of right or fact, that might be found or happen in this donation, cession, and conveyance, either by the fault of expression, of the value of the revenues, and of the employments of the said dutchy of Limbourg, that are not therein specified or declared, and that might be requisite by former ordinances, to which, and the derogatories of the derogatories therein contained, we have expressly derogated, as we derogate by these presents; for such is our will and good pleasure: willing that these present letters patents be delivered to the said Princess of Ursini, that she may cause the same to be registered and published where it shall be necessary, and even to cause them to be inserted, with the donation and cession therein contained, in the treaty of peace to be negotiated, therein to be included and acknowledged in the quality of sovereign Princess of the dutchy of Limbourg, and in that quality to exercise the rights thereof, and there to make treaties and alliances with the princes

and sovereigns that shall intervene, enjoining the ministers and ambassadors who shall be there on our part, to acknowledge her as such, and all our officers of the said dutchy of Limbourg to obey these presents from the moment they shall be notified to them; and to the end this present donation be firm and lasting for ever, we have signed these present letters with our own hand, and caused our great seal to be affixed to them, willing and ordaining that they be registered in all and every one of our councils and chambers of accompts where it shall belong. Given at our city of Corella, in our kingdom of Navarre, the 28th day of September, in the year of our Lord 1711, and of our reign the eleventh.

And her said Majesty of Great Britain promises, that she will maintain the said Lady Princess of Ursini, or her assigns, in the real, actual, and peaceable possession of the said sovereignty and territory, against all and every one, at any time, and for ever, and that she will not permit that the said Lady Princess be disturbed or molested in the said possession by any body, by right or fact. And whereas the real possession of the sovereignty of the said dutchy of Limbourg, or of the territories as aforesaid to be subrogated, ought, by virtue of the before-mentioned convention, concluded the 27th of March last past, to have been already given to she said Lady Princess, although it is not yet given; therefore her said Royal Majesty of Great Britain, as a farther surety, promises, and engages her Royal word, that she will not yield or remit, nor suffer to be yielded or remitted to any body, the said Spanish Netherlands, but will keep, or cause the same to be kept, not only until the said Lady Princess of Ursini be put in actual and peaceable possession of the said sovereignty, but also, that the said Lady Princess of Ursini be, as aforesaid, acknowledged Sovereign Lady of the said sovereignty, and put in possession thereof by the Prince to whom the said Spanish Netherlands are to be yielded and remitted. This present article shall be ratified, and the exchange of the ratifications shall be made at Utrecht within six weeks, or sooner, if possible.

In witness whereof, we the ambassadors extraordinary and plenipotentiaries of her Sacred Royal Majesty of Great Britain, have subscribed this present article, and sealed the same with our seals, at Utrecht the 2/13 of July, in the year of our Lord 1713.

(L. S.) *Joh. Bristol, C. P. S.*

(L. S.) *Duc de Ossuna.*

(L. S.) *Strafford.*

(L. S.) *El Marque le Monteleone.*

We having seen and considered the said second separate article, have approved and ratified, and by these presents do approve and ratify the same, promising on our Royal word, that we will sincerely and truly do and perform all things which are contained in the said second article. In testimony whereof we have caused our great seal of Great Britain to be affixed to this instrument, which is signed with our Royal hand. Given at our court at Kensington, the thirty-first day of July 1713, and of our reign the twelfth. ANNE R.

ANNE R.

ANNE, by the grace of God, Queen of Great Britain, France, and Ireland, Defender of the Faith, &c. To all to whom these presents shall come, greeting. When we had determined to endeavour to put an end to this so long and so pernicious a war, amidst the great cares which we took upon us in restoring the public tranquillity, we turned our thoughts in the first place to the renewal and strengthening of those most strict bands of friendship and correspondence between us and our good brother Philip the Fifth Catholic King of Spain, which had subsisted from the longest date of time between the British and Spanish crowns, to the mutual benefit of both nations: wherefore we were pleased to appoint the same ministers, who had so long, and with so good success, applied themselves in our name to promote and finish the most wholesome work of peace between the Christian princes and states at Utrecht, to conclude and sign terms and conditions, as well of peace and friendship, as of commerce and navigation, between us and the said Catholic King. Know ye therefore, that we reposing very great confidence in the fidelity, industry, and perspicacity and experience, in treating of affairs of the greatest importance, of the Right Reverend Father in God our right trusty and well-beloved counsellor John Lord Bishop of Bristol, keeper of our privy seal, dean of Windsor, and register of our most noble Order of the Garter; and of our right trusty and right well-beloved cousin and counsellor Thomas Earl of Strassford, Viscount Wentworth of Wentworth Woodhoufe, and of Staineborough, Baron of Raby, lieutenant general of our armies, first commissioner of our admiralty, knight of our most noble Order of the Garter, and our ambassador extraordinary and plenipotentiary to the High and Mighty Lords the States General of the United Provinces, have nominated, made, and constituted, as we do by these presents nominate, make, and constitute them our true, certain, and undoubted ambassadors extraordinary, commissaries, procurators, and plenipotentiaries, giving and granting to them, either jointly or separately, all and all manner of power, leave, and authority, and our general as well as special command (provided that our general command shall not derogate from or be contrary to our special command) to meet at Utrecht, or at any other place whatsoever, and have conferences with the ambassadors extraordinary and plenipotentiaries, whom the said Catholic King shall depute on his side, and provide with sufficient authorities, and of treating of, agreeing upon, and concluding safe, firm, and honourable conditions of peace and friendship between us and the said Catholic King, and of signing whatsoever shall be so agreed for us, and in our name, and of making, delivering, and receiving reciprocally, all the necessary instruments of the things concluded, how many or whatsoever they are, and in general, of doing and performing all things which they shall judge to be any ways necessary or convenient towards making and establishing conditions of peace and friendship as aforesaid, in as ample manner and form, and with the same force and effect, as we could do and perform the same, if we ourselves were present; promising and engaging our Royal word, that we will approve and ratify all and every one of the articles, which by virtue of these presents shall be transacted, concluded, and signed by our said ambassadors extraordinary, commissaries, procurators, and plenipotentiaries, jointly or separately, in the form and manner wherein they are agreed. For the greater testimony and validity whereof, having signed these presents with our Royal hand, we have commanded our great seal to be affixed

thereunto. Given at our palace at St. James's the third day of May, 1713, in the twelfth year of our reign.

DON PHILIP, by the grace of God, King of Castille, Leon, Arragon, the Two Sicilies, Jerusalem, Navarre, Granada, Toledo, Valentia, Galicia, Majorca, Seville, Sardinia, Corduba, Corsica, Murcia, Jaen, the Algarves, Algezira, Gibraltar, the Canary Islands, the East and West Indies, the islands and terra firma of the ocean, Archduke of Austria, Duke of Burgundy, Brabant, and Milan, Count of Habsburg, Flanders, Tirol, and Barcelona, Lord of Biscay and Molina, &c. Whereas Europe has, through the unsearchable judgments of God, suffered a more bloody and obstinate war than ever yet was seen, to the ruin of the people and provinces, the rage of which no human means have been able to extinguish, till this present time, when, by the grace of the Divine goodness, manifest signs have been given of a certain disposition to restore peace and quiet so much desired by the whole Christian world, but more especially by us, for the sake of what our dominions have reflectively suffered. And whereas plenipotentiaries have been named by some of the principal powers engaged in the war, with sufficient authority to treat of peace, which is to be entered into with mutual friendship; we therefore being willing on our part to concur in so laudable and glorious a desire, have determined to nominate, as we do, by virtue of these presents, nominate you Don Francisco Maria de Paula, Tellez Giron, Venavides, Carrillo and Toledo, Ponce of Leon, Duke of Ossuna, our cousin, Count of Uzena, Marquis of Pennariel, one of the first nobles of my bed-chamber, and great chamberlain, notary major of my kingdoms of Castille, Clavero mayor and commander of the same order, and of the usagre of the Order of St. James, captain of my royal life-guards; Don John de Browkoven, Count of Bergueych, our counsellor and minister of war, and superintendent general of our finances in Flanders; and Don Isidore Cazade de Rosales, Marquis of Monteleon, our kinsman, and senator in our royal council of the Indies, our ambassadors and plenipotentiaries: Because we know that your persons are adorned with prudence, experience, zeal, and love for our interest, and the high qualities which are chiefly necessary to the direction and disposal of an affair of so great and important a consequence; we therefore charge and command you, that you immediately repair to the congress at Utrecht, which is the place appointed for treating of peace; that you may there, together with the plenipotentiaries appointed by the Kings and Potentates concerned, and provided with sufficient authority and instructions, enter into, and be empowered to enter into conferences or agreements of a particular or general peace; and we do grant full and intire power and authority to you the Duke of Ossuna, the Count of Bergueych, and Marquis de Monteleon, to you all three together, or to two of you, in case of the absence or infirmity of the other, or to one alone, in case of the absence or infirmity of the other two, to enter into, conclude, and sign in our name, a treaty of peace between us and the other Kings and Potentates in war, jointly with them all, or separately with any one of them, and to agree upon, conclude, subscribe, and deliver all instruments necessary on this occasion, and in general to do, promise, and stipulate such acts and declarations as shall be necessary to the exchange of what shall be agreed upon, and all other things whatsoever, which any way conduce or relate to the conclusion or negotiation of peace, although they are not expressed here, and with the same power, authority, and fulness, as we ourselves could do, if we were present; and even in those

affairs and acts which may require a more special and express command than is contained in these full powers: and whatsoever you three, or two of you, in case of the absence or sickness of one of you, or one alone, in the like case of the absence or sickness of the other two, as is abovesaid, shall do, treat, promise, conclude, and corroborate with your subscription, we engaging our faith and Royal word, do promise to confirm and ratify, without any diminution, with the oaths and other solemnities requisite and necessary in such a case, within the time which shall be signed reciprocally by the plenipotentiaries at the said congress. In witness whereof, and for the greater force and validity of the same, we have ordered to be dispatched, and have dispatched these presents, signed with our hand, sealed with our privy seal, and countersigned by our underwritten secretary of state. Given at Madrid, the 28th day of December 1711.

I the KING.

Don Manuel of Vadillo and Velasco